

A photograph of a waterfront park area. In the foreground, there is a paved walkway and a concrete railing overlooking a body of water. Several black lampposts with curved arms and spherical light fixtures are spaced along the path. In the background, there are trees with yellow and green autumn foliage, a small building, and a clear blue sky.

City of Cold Lake **LAND USE BYLAW**

January 2023 | Bylaw 766-LU-23

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PART A ENACTMENT AND AUTHORITIES

A1 ENACTMENT

A1.1 Title

- (1) This Bylaw may be cited as the “City of Cold Lake Land Use Bylaw”.

A1.2 Purpose

- (1) The purpose of this Bylaw is to regulate the use and development of land and buildings within the City.
- (2) This Bylaw shall be applied in a manner that serves to implement the City’s statutory plans and local plans and is consistent with the City’s Municipal Development Plan and Part 17 of the *Act*.

A1.3 Application

- (1) The provisions of this Bylaw apply to all land and buildings within the boundaries of the City.

A1.4 Effective Date

- (1) This Bylaw shall come into effect upon the third and final reading thereof.

A1.5 Conformity with the Bylaw

- (1) No development shall be carried out within the City except in accordance with this Bylaw.
- (2) Nothing in this Bylaw prevents the use of any lot, building or structure for any purpose not permitted by this Bylaw if such lot, building, or structure was lawfully used for such purpose on the date of passing this Bylaw provided it is used for that purpose on a continuous, uninterrupted basis.

A1.6 Other Legislative Requirements

- (1) Compliance with the requirements of this Bylaw does not exempt any person from:
 - (a) the requirements of any federal, provincial, or municipal legislation,
 - (b) the requirements of the *Alberta Building Code*, and
 - (c) compliance with any easement, covenant, agreement, or contract affecting the developer.
- (2) In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure and obtain all other applicable approvals or licenses that may be required by other Municipal, Provincial or Federal departments or agencies.
- (3) The timelines outlined in this Bylaw shall be complied with in accordance with the *Alberta Interpretation Act*, as amended.

A1.7 Transition

- (1) A completed application for a development permit or subdivision, which is submitted and accepted before adoption of this Bylaw shall be processed in accordance with Bylaw No. 382-LU-10 as amended.

A1.8 Severability

- (1) If any part of this Bylaw is held to be invalid by a Court of Law, that decision will not affect the validity of the remaining portions of this Bylaw.

A2 INTERPRETATION

- (1) [Schedule A](#), being the Land Use District Maps, is deemed to be part of this Bylaw, changes to which require an amendment to this Bylaw in accordance with [Section D3](#). The content of all other Schedules is provided for information only and may be subject to change by resolution of Council without an amendment to this Bylaw.
- (2) Rules of Interpretation
 - (a) Compliance with the provisions of this Bylaw shall be interpreted and applied as follows:
 - (i) 'Shall' – means mandatory compliance.
 - (ii) 'Should' – means compliance in principle but is subject to the discretion of the Development Authority where compliance is impracticable or undesirable because of valid planning principles or circumstances unique to a specific application.
 - (iii) 'May' – means discretionary compliance or a choice in applying a regulation.
 - (b) Words used in the singular include the plural and vice versa.
 - (c) The definitions contained in [Part E](#) shall be used in the interpretation of this Bylaw. All other words shall have the meaning assigned to them in the Act.
- (3) In the case of a conflict between a district requirement and the regulations contained in [Part C](#), the district requirement shall take precedence.
- (4) In the case of a conflict between the text of this Bylaw and any diagrams or figures used to illustrate any aspect of this Bylaw, the text shall take precedence.
- (5) For the purposes of this Bylaw, land use districts as established in [Part B](#) may be referred to collectively as follows:
 - (a) '[Residential District\(s\)](#)', which include: RE, R1A, R1B, R2, R3, R4, RMX, RMH,
 - (b) '[Commercial District\(s\)](#)', which include: C1, C2, LC, BD,
 - (c) '[Industrial District\(s\)](#)', which include: BI, GI,
 - (d) '[Other District\(s\)](#)', which include: PS, IP, UR, CON, DC, DC-SR, DC-TCE, DC-FV, FW, and
 - (e) 'Non-Residential District(s)', which includes (b), (c) and (d) in combination.

A3 APPROVING AUTHORITIES

A3.1 Development Officer

- (1) The Development Officer is authorized to act as a “Development Authority” pursuant to the *Act* and is hereby appointed as a “Designated Officer” for the purposes of entering and inspecting land.
- (2) The Development Officer is hereby established, and such office shall be filled by a person or persons appointed by resolution of Council.
- (3) The Development Officer shall:
 - (a) Keep and maintain, for the inspection of the public during office hours, a copy of this Bylaw and all amendments thereto, and ensure that copies are available to the public at a cost established by Council resolution,
 - (b) Keep and maintain, for the inspection of the public during office hours, a register of all applications for development, including the decisions thereon and the reasons thereto,
 - (c) Undertake all development administrative functions as required by legislation,
 - (d) Receive and decide, with or without conditions, on applications for
 - (i) Development permits for “Permitted Uses” in the subject land use district,
 - (ii) Development permits for those uses listed as “Discretionary Uses – Development Officer” in the subject land use district,
 - (iii) Development permits in a Direct Control district where Council has delegated such authority, and
 - (iv) Applications that are listed neither as a Permitted or Discretionary Use in the applicable land use district pursuant to [Section D1.7\(6\) and \(7\)](#),
 - (e) Refer to the Municipal Planning Commission (MPC):
 - (i) Any application which constitutes a “Permitted Use”, or a Discretionary Use listed as “Discretionary Uses – Development Officer”, if in the opinion of the Development Officer, utility services are not readily available to the land or the proposed development will detract from the character or appearance of the general development in the area,
 - (ii) Any application for a discretionary use listed as “Discretionary Uses – MPC”,
 - (iii) Any proposed development which in the opinion of the Development Officer should be decided by the MPC due to the complex nature of the development, or because a variance exceeding that allowed under [Section D1.7\(1\) or \(2\)](#) is required.

A3.2 Municipal Planning Commission

- (1) The Municipal Planning Commission (MPC) is authorized to act as a “Development Authority” pursuant to the *Act*.
- (2) The MPC, established by separate bylaw in accordance with the Act, shall receive and decide upon all development permit applications referred to it by the Development Officer, as specified in [Section A3.1\(3\)\(e\)](#).
- (3) The MPC shall issue decisions for development permit applications for those uses listed as “Discretionary Uses – MPC” in the subject land use district.

A3.3 Council

- (1) Council shall issue decisions for development permit applications in a Direct Control District unless such authority has been delegated to the Development Officer.

A3.4 Subdivision Authority

- (1) The City’s Chief Administrative Officer or designate and the MPC shall serve as the Subdivision Authority as specified in the *Subdivision Authority Bylaw*.

A3.5 Subdivision and Development Appeal Board

- (1) The Subdivision and Development Appeal Board (SDAB), established by bylaw resolution in accordance with the *Act*, shall perform such duties as are provided for in the *Subdivision and Development Appeal Board Bylaw*.

PART B LAND USE DISTRICTS

B1 ESTABLISHMENT OF DISTRICTS

(1) For the purpose of this Bylaw, the City is divided into the following districts:

RE	Residential Estate District
R1A	Residential (Single Detached) District
R1B	Residential (Single Detached - Small Lot) District
R2	Residential (Duplex) District
R3	Medium Density Residential District
R4	High Density Residential District
RMX	Residential Mixed-Use District
RMH	Residential Manufactured Home District
C1	Downtown Commercial District
C2	Arterial Commercial District
LC	Lakeshore Commercial District
BD	Beach District
BI	Business Industrial District
GI	General Industrial District
PS	Public Service District
IP	Imperial Park District
UR	Urban Reserve District
CON	Conservation District
DC	Direct Control District
DC-SR	Spinnaker Ridge Direct Control District
DC-TCE	Tri City Estates Direct Control District
DC-FV	Fontaine Village Direct Control District
FW	National Defense District

(2) District Boundaries

- (a) The boundaries of the districts are as shown on the Land Use District Maps in [Schedule A](#).
- (b) The boundaries of the Land Use District maps shall be interpreted as follows:
 - (i) Where a boundary is shown as following a public road, lane, railway, pipeline, power line or easement, it follows the boundary of that right-of-way,
 - (ii) Where a boundary is shown as approximately following the municipal boundary, it follows the municipal boundary,
 - (iii) Where a boundary is shown as approximately following the edge or shoreline of a lake, watercourse, or other water body, it follows the edge or shoreline. In the event of a change in the location of said edge or shoreline, it moves with same,
 - (iv) Where a boundary is shown as approximately following a lot line, it follows the lot line, and
 - (v) For circumstances not covered above, the location of the boundary shall be determined by any dimensions set out in this Bylaw, its amending bylaws, and by measurement of the Land Use District Maps.
- (c) The districts of this Bylaw do not apply to highways, roads, or lanes.
- (d) When any road is closed, the closed road lands are assigned the same district(s) as the abutting lands. When abutting lands on opposite sides of the closed road are governed by different districts, the centre of road is the district boundary. If the closed road is consolidated with an abutting parcel, the abutting parcel's district applies to affected portions of the closed road.
- (e) Where the application of the above interpretations does not determine the exact location of a boundary, the Development Authority shall determine the exact location of a boundary in doubt or in dispute in a manner consistent with the provisions of this Bylaw and to the degree of detail, as to measurements and directions, as circumstances require.

- (f) After the Development Authority has determined the exact location of a boundary, the portion of the location of the boundary shall not be altered, except by an amendment to this Bylaw.
- (g) The Development Authority shall maintain a record of decisions with respect to boundaries.

B2 RESIDENTIAL DISTRICTS

B2.1 RE Residential Estate District

(1) Purpose

To provide for single detached dwellings on lots that are a minimum of 1,250 m² and which are serviced by municipal water and sewer.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Dwelling, Single Detached • Family Day Home • Home-Based Business, Minor • Public Park • Public Utility • Residential Sales Centre • Solar Collector 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Bed and Breakfast • Child Care Facility • Communication Tower • Home-Based Business, Major • Public Building or Service • Religious Assembly • Secondary Suite • Short Term Rental Accommodation • Supportive Living Accommodation • Temporary Building • Urban Garden • Wind Energy Conversion System

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

(a) Lot Width (Minimum)		25 m
(b) Lot Depth (Minimum)		50 m
(c) Front Yard Setback (Minimum)		7.5 m
(d) Rear Yard Setback (Minimum)		10 m
(e) Side Yard Setback, Interior (Minimum)		4 m
(f) Side Yard Setback, Exterior (Minimum)		8 m
(g) Building Height (Maximum)	• Principal Building	10 m
(h) Gross Floor Area (Minimum)	• Principal Building	108 m ² excluding attached garage
(i) Lot Coverage (Maximum)	• Principal Building	21% (35% with attached garage)
	• Total	35%

(3) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.

B2.2 R1A Residential (Single Detached) District**(1) Purpose**

To provide for single detached dwellings on lots with a minimum width of 14.5 m.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Dwelling, Single Detached • Family Day Home • Home-Based Business, Minor • Public Park • Public Utility • Residential Sales Centre • Solar Collector 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Bed and Breakfast • Child Care Facility • Communication Tower • Home-Based Business, Major • Public Building or Service • Religious Assembly • Secondary Suite • Short Term Rental Accommodation • Supportive Living Accommodation • Temporary Building • Urban Garden

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

(a) Lot Width (Minimum)		14.5 m
(b) Lot Depth (Minimum)		32 m
(c) Front Yard Setback (Minimum)	• Where Access Only from a Rear Lane	4.5 m
	• All Other Cases	6 m
(d) Rear Yard Setback (Minimum)		7 m
(e) Side Yard Setback, Interior (Minimum)	• Laneless Subdivision without Attached Garage	1.5 m on one side and 3 m on other side
	• All Other Cases	1.5 m
(f) Side Yard Setback, Exterior (Minimum)		2 m
(g) Building Height (Maximum)	• Principal Building	10 m
(h) Gross Floor Area (Minimum)	• Principal Building	84 m ² excluding attached garage
(i) Lot Coverage (Maximum)	• Principal Building	28% (42% with attached garage)
	• Total	45%

(3) Additional Requirements

(a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.

B2.3 R1B Residential (Single Detached – Small Lot) District**(1) Purpose**

To provide for single detached dwellings on residential lots with a minimum width of 11 m.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Dwelling, Single Detached • Family Day Home • Home-Based Business, Minor • Public Park • Public Utility • Residential Sales Centre • Solar Collector 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Bed and Breakfast • Child Care Facility • Communication Tower • Dwelling, Duplex (Side-Side) • Dwelling, Duplex (Up-Down) • Home-Based Business, Major • Public Building or Service • Religious Assembly • Secondary Suite • Short Term Rental Accommodation • Supportive Living Accommodation • Temporary Building • Urban Garden

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

(a) Lot Width (Minimum)	• Duplex (Side-Side)	7.5 m per unit
	• Duplex (Side-Side) on Corner Lot	9 m per unit
	• Corner Lot	12.2 m
	• All Other Uses	11 m
(b) Lot Depth (Minimum)		32 m
(c) Front Yard Setback (Minimum)	• Where Access Only from a Rear Lane	4.5 m
	• All Other Cases	6 m
(d) Rear Yard Setback (Minimum)		7 m
(e) Side Yard Setback, Interior (Minimum)	• Laneless Subdivision without Attached Garage	1.2 m on one side and 3 m on other side
	• All Other Cases	1.2 m
(f) Side Yard Setback, Exterior (Minimum)		2 m
(g) Gross Floor Area (Minimum)	• Principal Building	72 m ² excluding attached garage

(h) Building Height (Maximum)	• Principal Building	10 m
(i) Lot Coverage (Maximum)	• Principal Building	28% (42% with attached garage)
	• Total	45%

(3) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.

B2.4 R2 Residential (Duplex) District

(1) Purpose

To provide for semi-detached and duplex dwellings, as well as for a limited range of complementary uses that are compatible with residential uses.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Dwelling, Duplex (Side-Side) • Dwelling, Duplex (Up-Down) • Dwelling, Single Detached • Family Day Home • Home-Based Business, Minor • Public Park • Public Utility • Residential Sales Centre • Solar Collector 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Bed and Breakfast • Child Care Facility • Communication Tower • Home-Based Business, Major • Public Building or Service • Religious Assembly • Secondary Suite • Short Term Rental Accommodation • Supportive Living Accommodation • Temporary Building • Urban Garden

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

(a) Lot Width (Minimum)	• Duplex (Up-Down), Single Detached	15 m
	• Duplex (Side-Side)	7.5 m per unit
	• Duplex (Side-Side) on Corner Lot	9 m per unit
(b) Lot Depth (Minimum)		31 m
(c) Front Yard Setback (Minimum)	• Where Access Only from a Rear Lane	4.5 m
	• All Other Cases	6 m
(d) Rear Yard Setback (Minimum)		7 m
(e) Side Yard Setback, Interior (Minimum)	• Laneless Subdivision without Attached Garage	1.2 m on one side and 3 m on other side
	• All Other Cases	1.2 m
(f) Side Yard Setback, Exterior (Minimum)		2 m
(g) Building Height (Maximum)	• Principal Building	10 m
(h) Gross Floor Area (Minimum)	• Principal Building	72 m ² excluding attached garage

(i) Lot Coverage (Maximum)	• Principal Building	28% (42% with attached garage)
	• Total	45%

(3) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.
- (b) Notwithstanding subsection 2(a), the Development Authority may allow Single Detached Dwellings on lots with a width of between 8.5 m and 10.99 m subject to the following:
 - (i) Two (2) onsite parking spaces must be provided in accordance with Table C4.2,
 - (ii) The site shall be designed to avoid placing driveways atop the water or sanitary service,
 - (iii) The site shall be designed to ensure that the placement of the driveway conforms to the requirements of [Section C1.2\(3\)](#),
 - (iv) No Secondary Suites shall be allowed,
 - (v) That the subject dwellings be served by a rear lane or have a front attached garage.
- (c) Notwithstanding subsection 2(a), the Development Authority may allow Single Detached Dwellings on lots with a width of between 11 m and 14.99 m in accordance with the regulations of the [R1B District](#).
- (d) Two dwellings may be constructed concurrently on a lot of 17 m or more in width provided that, prior to occupancy, the lot is subdivided so that the dwellings are located on separate lots prior to occupancy.

B2.5 R3 Medium Density Residential District

(1) Purpose

To provide for multi-unit residential development in variable formats and building forms. The district also provides for a limited range of complementary uses that are compatible with residential uses in a setting of this density.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Dwelling, Multiplex • Dwelling, Row Housing • Home-Based Business, Minor • Public Park • Public Utility • Residential Sales Centre • Solar Collector 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Apartment (Maximum 2 Storeys) • Child Care Facility • Communication Tower • Family Day Home • Home-Based Business, Major • Public Building or Service • Religious Assembly • Short Term Rental Accommodation • Supportive Living Accommodation • Temporary Building • Urban Garden

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

(a) Lot Width (Minimum)	• Row Housing - Internal Dwelling	6 m per unit
	• Row Housing - External Dwelling	9 m per unit
	• Apartment, Multiplex – Internal Lot	18 m
	• Apartment, Multiplex – External Lot	20 m
(b) Lot Depth (Minimum)	• Row Housing	32 m
	• Apartment, Multiplex	37 m
(c) Front Yard Setback (Minimum)	• Where Access Only from a Rear Lane	3 m
	• Apartment	7.5 m
	• Apartment - Corner Lot and Through Lots	Development Authority Discretion
	• All Other Cases	4.5 m
(d) Rear Yard Setback (Minimum)	• Apartment	7.5 m
	• All Other Cases	7 m

(e) Side Yard Setback, Interior (Minimum)	• Laneless Subdivision without Attached Garage	1.2 m on one side and 3 m on other side
	• Apartment	3 m
	• All Other Cases	1.2 m
(f) Side Yard Setback, Exterior (Minimum)	• Apartment	4.5 m
	• All Other Cases	2 m
(g) Building Height (Maximum)	• Principal Building	10 m
(h) Gross Floor Area (Minimum)	• Principal Building	63 m ² excluding attached garage
(i) Lot Coverage (Maximum)		50%
(j) Density (Maximum)		42 units/ha

(3) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.
- (b) Amenity Area
 - (i) A minimum of ten percent (10%) of a lot containing an Apartment Building shall be devoted to landscaped open space for the purpose of an outdoor amenity area. A minimum of fifty percent (50%) of this landscaped open space shall contain recreational and playground equipment.
 - (ii) Notwithstanding subsection (i), the Development Authority may consider the proximity of public parks in relation to the apartment development, together with the intended age group for residents within the Apartment Building, when considering the need for an amenity area and provision of recreational and playground equipment.

B2.6 R4 High Density Residential District

(1) Purpose

The purpose of this district is to provide for a high-density urban multiple storey housing, primarily as high-rise apartments. This district also provides for a range of complementary uses that are compatible with residential uses in an urban setting of this density including minor commercial uses when integral to a larger development.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Apartment • Dwelling, Multiplex • Dwelling, Row Housing • Home-Based Business, Minor • Public Park • Public Utility • Residential Sales Centre • Solar Collector 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Child Care Facility • Communication Tower • Family Day Home • Health Service • Mixed-Use Development • Personal Service Facility • Public Building or Service • Religious Assembly • Retail, Convenience • Short Term Rental Accommodation • Supportive Living Accommodation • Temporary Building • Temporary Shelter • Urban Garden

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

(a) Lot Width (Minimum)	• Row Housing - Internal Dwelling	6 m per unit
	• Row Housing - External Dwelling	9 m per unit
	• Apartment, Multiplex – Internal Lot	18 m
	• Apartment, Multiplex – External Lot	20 m
(b) Lot Depth (Minimum)	• Row Housing	32 m
	• Apartment, Multiplex	37 m
(c) Front Yard Setback (Minimum)	• Row Housing, Multiplex - Where Access Only from a Rear Lane	4.5 m
	• Apartment	7.5 m
	• Apartment – Corner and Through Lots	Development Authority Discretion
	• All Other Cases	3 m

(d) Rear Yard Setback (Minimum)	• Apartment	7.5 m
	• All Other Cases	7 m
(e) Side Yard Setback, Interior (Minimum)	• Apartment	3 m
	• All Other Cases	1.2 m
(f) Side Yard Setback, Exterior (Minimum)	• Apartment	4.5 m
	• All Other Uses	2 m

(3) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.
- (b) Amenity Area
 - (i) A minimum of ten percent (10%) of a lot containing an Apartment Building shall be devoted to landscaped open space for the purpose of an outdoor amenity area. A minimum of fifty percent (50%) of this landscaped open space shall contain recreational and playground equipment.
 - (ii) Notwithstanding subsection (i), the Development Authority may consider the proximity of public parks in relation to the apartment development, together with the intended age group for residents within the Apartment Building, when considering the need for an amenity area and provision of recreational and playground equipment.
- (c) In an apartment development, a parking area shall be provided to the rear or side of the principal building and shall be located to the satisfaction of the Development Authority.

B2.7 RMX Residential Mixed-Use District**(1) Purpose**

The purpose of this district is to provide for high-density urban villages with a mixture of residential, retail, and service commercial uses adjacent to the Downtown area of Cold Lake South and in neighbourhood centres as identified in the Municipal Development Plan.

Permitted Uses	Discretionary Uses Development Officer	Discretionary Uses MPC
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Apartment (Maximum 15 m in height) • Business Support Service • Child Care Facility • Dwelling, Multiplex • Dwelling, Row Housing • Eating and Drinking Establishment • Health Service • Home-Based Business, Minor • Mixed-Use Development • Personal Service Facility • Private Club • Private Education • Professional or Financial Service • Public Building or Service • Public Park • Public Utility • Residential Sales Centre • Retail, Convenience • Retail Store • Solar Collector 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Amusement Establishment, Indoor • Automotive and Equipment Repair • Bed and Breakfast • Cannabis Micro-Processing • Cannabis Retail Store • Communication Tower • Contractor, Limited • Courier Depot • Dealership • Dwelling, Duplex (Side-Side) • Dwelling, Duplex (Up-Down) • Dwelling, Single Detached • Equipment Rental • Family Day Home • Farmer's Market • Funeral Services • Home-Based Business, Major • Hotel • Motel • Nursing Home • Parking Garage or Lot • Participant Recreation, Indoor • Religious Assembly • Second-Hand Goods Store • Secondary Suite • Short Term Rental Accommodation • Supportive Living Accommodation • Temporary Building • Urban Garden 	<ul style="list-style-type: none"> • Amusement Establishment, Outdoor • Apartment (Minimum 15 m in height) • Flea Market • Gas Bar • Night Club • Service Station • Spectator Entertainment • Temporary or Special Events • Temporary Shelter

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

(a) Lot Width (Minimum)		Development Authority Discretion
(b) Lot Depth (Minimum)		Development Authority Discretion
(c) Front Yard Setback (Minimum)	• Duplex (Side-Side), Duplex (Up-Down), Single Detached	4.5 m
	• All Other Uses	None Required
(d) Rear Yard Setback (Minimum)	• If Abutting a Residential District	4.5 m
	• All Other Cases	None Required
(e) Side Yard Setback (Minimum) if abutting RE, R1A, R1B, R2, R3 Districts	• 10 m or Less Height	4.5 m
	• 10.01 – 12.8 m Height	6 m
	• 12.81 – 15 m Height	7.5 m
(f) Side Yard Setback (Minimum) if abutting R4 District	• 10 m or Less Height	3 m
	• 10.01 – 12.8 m Height	4.5 m
	• 12.81 – 15 m Height	6 m
(g) Side Yard Setback (Minimum) if abutting a non-residential district		None Required
(h) Building Height (Maximum)	• Principal Building	15 m unless otherwise provided for in Section C6.2(1)(d) .
(i) Gross Floor Area (Minimum)	• Principal Building	Development Authority Discretion

(3) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.
- (b) In an apartment development, a parking area shall be provided to the rear or side of the principal building and shall be located to the satisfaction of the Development Authority.
- (c) Residential uses may be allowed on the main floor of a Mixed-Use Development at the discretion of the Development Authority and provided that the commercial use is facing the front lot line and the uses have separate entrances.

B2.8 RMH Residential Manufactured Home District

(1) Purpose

The general purpose of this district is to allow for the development of manufactured home subdivisions or comprehensively designed manufactured home communities.

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Family Day Home • Home-Based Business, Minor • Manufactured Home • Manufactured Home Community • Public Utility • Residential Sales Centre • Solar Collector 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Communication Tower • Home-Based Business, Major • Public Building or Service • Temporary Building

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

		Community	Subdivision
(a) Lot Width (Minimum)		10.4 m for single wide 13.7 m for double wide	11 m
(b) Lot Depth (Minimum)		27 m	30 m
(c) Front Yard Setback (Minimum)		4.5 m	Laned Lot: 4.5 m Laneless Lot: 6 m
(d) Rear Yard Setback (Minimum)		1.5 m	7 m
(e) Side Yard Setback, Interior (Minimum)		1.2 m	Laneless Lot: 1.2 m on one side and 3 m on other side Laned Lot: 1.2 m
(f) Side Yard Setback, Exterior (Minimum)		2 m 3 m from adjoining road or common parking area	Laned Lot: 1.2 m Laneless Lot: 3 m
(g) Building Height (Maximum)	• Principal Building	6 m	6 m
(h) Gross Floor Area (Minimum)	• Single Wide • Double Wide	65 m ² 85 m ²	49.5 m ²
(i) Lot Coverage (Maximum)	• Principal Building	N/A	28%
	• Accessory Building	N/A	12%
	• Total	40%	40%

(j) Density (Maximum)	16 units/ha	N/A
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(3) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.
- (b) Boundaries of each site shall be clearly marked by permanent markers.
- (c) An enclosed front yard private amenity area shall be provided for each residential unit to the satisfaction of the Development Authority.
- (d) Building Appearance
 - (i) All accessory structures such as patios, porches, additions, skirting and storage facilities shall be factory-prefabricated units, or of a quality equivalent thereto, so that design and construction will complement the manufactured home. Structures or additions to a Manufactured Home shall have a foundation, structure, and appearance 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.
 - (ii) The undercarriage of each Manufactured Home shall be suitably enclosed from view by skirting, or such other means satisfactory to the Development Officer within thirty (30) days of placement of the Manufactured Home. Axles, wheels, and trailer hitches shall be removed where they are not part of the frame. Where a hitch cannot be removed, it shall be skirted or covered from view.
 - (iii) Each Manufactured Home must be placed upon a foundation design in accordance with the *Alberta Building Code*.
- (e) A minimum of ten percent (10%) of the overall site shall be designated for community recreation purposes to serve the residents of the Manufactured Home Community.
- (f) A parking pad shall be provided on each unit site within ninety (90) days from occupancy, weather permitting, and located:
 - (i) To the rear of the dwelling, where the lot has access to a lane to the rear and the pad shall be constructed with a foundation design to accommodate a future garage that meets the requirements of the *Alberta Building Code*.
 - (ii) Where there is no access to a lane at the rear, there shall be a paved space with a minimum of 5 m in depth and 5.5 m in width to accommodate two parking stalls located in front of the dwelling unit.
- (g) All Manufactured Home Subdivisions shall be serviced by rear lanes.
- (h) All Manufactured Homes shall be anchored with at least four tie-down mechanisms to the satisfaction of the Development Officer.
- (i) Development permits are required for all aspects of Manufactured Home location and development.
- (j) Detached garages shall be a minimum of 3 m from the main building.

B3 COMMERCIAL DISTRICTS

B3.1 C1 Central Commercial District

(1) Purpose

To provide for commercial uses appropriate for the Downtown area of Cold Lake South.

Permitted Uses	Discretionary Uses Development Officer	Discretionary Uses MPC
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Amusement Establishment, Indoor • Business Support Service • Child Care Facility • Eating and Drinking Establishment • Health Service • Hotel • Mixed-Use Development • Motel • Personal Service Facility • Private Education • Professional or Financial Service • Public Building or Service • Public Utility • Retail Store • Shopping Centre • Solar Collector • Spectator Entertainment 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Adult Retail Establishment • Amusement Establishment, Outdoor • Automotive and Equipment Repair • Cannabis Micro-Processing • Cannabis Retail Store • Communication Tower • Courier Depot • Dealership • Farmer's Market • Flea Market • Gas Bar • Night Club • Parking Garage or Lot • Participant Recreation, Indoor • Second-Hand Goods Store • Private Club • Religious Assembly • Service Station • Temporary Building • Temporary or Special Event • Vehicle Washing Facility • Warehouse Sales 	<ul style="list-style-type: none"> • Supportive Living Accommodation • Temporary Shelter

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

(a) Lot Width (Minimum)	8 m
(b) Lot Depth (Minimum)	30 m
(c) Front Yard Setback (Minimum)	None Required
(d) Rear Yard Setback (Minimum)	8 m

(e) Side Yard Setback, Interior (Minimum)	• Abutting a Residential District	2 m
	• All Other Cases	None Required
(f) Side Yard Setback, Exterior (Minimum)		None Required
(g) Building Height (Maximum)		15 m unless otherwise provided for in Section C6.2 (1)(d) .
(h) Gross Floor Area (Minimum)		Development Authority Discretion
(i) Lot Coverage (Maximum)		80% provided requirements for on-site parking, loading, storage, and waste disposal are met.

(3) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.

B3.2 C2 Arterial Commercial District

(1) Purpose

To provide for commercial and related uses along major arterial roads, primarily Highway 28.

Permitted Uses	Discretionary Uses Development Officer	Discretionary Uses MPC
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Amusement Establishment, Indoor • Amusement Establishment, Outdoor • Automotive and Equipment Repair • Business Support Service • Dealership • Drive-Through Vehicle Services • Eating and Drinking Establishment • Equipment Rental • Fleet Service • Funeral Services • Gas Bar • Health Service • Hotel • Motel • Parking Garage or Lot • Personal Service Facility • Private Education • Professional or Financial Service • Public Building or Service • Public Utility • Retail, Convenience • Retail Store • Service Station • Shopping Centre • Solar Collector • Spectator Entertainment • Vehicle Washing Facility • Warehouse Sales 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Adult Retail Establishment • Animal Shelter • Bulk Fuel Station • Cannabis Micro-Processing • Cannabis Retail Store • Communication Tower • Courier Depot • Cremation and Interment • Exhibition Grounds • Farmer's Market • Flea Market • Greenhouse and Plant Nursery • Contractor, Limited • Mini-Storage Facility • Night Club • Participant Recreation, Indoor • Pet Care Service • Religious Assembly • Second-Hand Goods Store • Temporary Building • Temporary or Special Event • Urban Garden • Veterinary Service • Wind Energy Conversion System 	<ul style="list-style-type: none"> • Child Care Facility • Participant Recreation, Outdoor • Private Club • Recycling Depot • Warehousing and Storage

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

(a) Lot Width (Minimum)		8 m
(b) Lot Depth (Minimum)		30 m
(c) Front Yard Setback (Minimum)		8 m May be reduced to 4 m where off-street parking is provided to the side or rear of the building.
(d) Rear Yard Setback (Minimum)		Development Authority Discretion
(e) Side Yard Setback, Interior (Minimum)		0 / 0.9 m If a zero-side yard setback is permitted on one side of a lot, a 0.9 m side yard shall be provided on the opposite side of the lot.
(f) Side Yard Setback, Exterior (Minimum)		3 m
(g) Building Height (Maximum)	• Principal Building	15 m unless otherwise provided for in Section C6.2 (1)(d) .
(h) Gross Floor Area (Minimum)	• Principal Building	DA discretion
(i) Lot Coverage (Maximum)		80% provided provisions have been made respecting on-site parking, loading, storage, and waste disposal as required by the Development Authority.

(3) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.

B3.3 LC Lakeshore Commercial District**(1) Purpose**

To regulate tourist-related services and supportive retail commercial and resident-commercial uses adjacent to, and which capitalize on the view of the lake and to encourage development in accordance with the Lakeshore Area Redevelopment Plan (LARP)

Permitted Uses	Discretionary Uses - Development Officer
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Eating and Drinking Establishment • Health Service • Home-Based Business, Minor • Hotel • Motel • Parking Garage or Lot • Personal Service Facility • Professional or Financial Service • Public Utility • Retail Store • Solar Collector • Spectator Entertainment 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Amusement Establishment, Indoor • Amusement Establishment, Outdoor • Bed and Breakfast • Cannabis Micro-Processing • Cannabis Retail Store • Child Care Facility • Communication Tower • Courier Depot • Farmer's Market • Flea Market • Home-Based Business, Major • Mixed-Use Development • Night Club • Participant Recreation, Indoor • Participant Recreation, Outdoor • Private Education • Public Building or Service • Religious Assembly • Second-Hand Goods Store • Short Term Rental Accommodation • Temporary Building • Temporary or Special Event

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

(a) Lot Area	Development Authority Discretion
(b) Lot Width (Minimum)	7.6 m
(c) Front Yard Setback (Minimum)	At the discretion of the Development Authority having regard to the location and character of surrounding development

(d) Rear Yard Setback (Minimum)		At the discretion of the Development Authority. Shall provide for vehicular parking that meets the established parking requirements, which varies depending on the proposed land use.
(e) Side Yard Setback, Interior (Minimum)		None required
(f) Side Yard Setback, Exterior (Minimum)		None required
(g) Building Height (Maximum)	• Principal Building	15 m
(h) Gross Floor Area (Minimum)	• Commercial	Minimum 30% gross floor area of all floors of structure, and/or a minimum 50% on ground level (street front) floor.
	• Residential	Maximum 70% of gross floor area of all floors of structure, and/or a maximum 50% on ground level (street front) floor.
(i) Lot Coverage (Maximum)		80% provided parking and landscaping requirements are met.

(3) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.
- (b) Where dedicated, a side yard shall be paved with a surface that is resistant to pedestrian traffic wear and shall be well lit. Ornamental paving such as interlocking concrete or “turnstone” is encouraged.
- (c) In addition to the above site development regulations, refer to the Lakeshore Area Redevelopment Plan (LARP).
- (d) Residential uses may be allowed on the main floor of a mixed-use development at the discretion of the Development Authority and provided that the commercial use is facing the front lot line and the uses have separate entrances.

B3.4 BD Beach District**(1) Purpose**

To regulate public recreational services along Cold Lake lakeshore and marina.

Permitted Uses	Discretionary Uses - Development Officer
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Amusement Establishment, Outdoor • Boat Launch • Campground • Eating and Drinking Establishment • Food or Retail Concession • Marina • Parking Garage or Lot • Participant Recreation, Outdoor • Public Building or Service • Public Park • Public Utility • Temporary Building • Temporary or Special Event 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Communication Tower • Farmer's Market

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

(a) All site requirements shall be at the discretion of the Development Authority.

B4 INDUSTRIAL DISTRICTS**B4.1 BI Business Industrial District**

- (1) Purpose
To provide for light industrial and related uses.

Permitted Uses	Discretionary Uses Development Officer	Discretionary Uses MPC
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Animal Shelter • Auction Yard • Automotive and Equipment Repair • Bulk Fuel Station • Business Support Service • Contractor, General • Contractor, Limited • Courier Depot • Cremation and Interment • Dealership • Drive-Through Vehicle Service • Eating and Drinking Establishment • Equipment Rentals • Fleet Service • Greenhouse and Plant Nursery • Kennel • Light Industrial • Mini-Storage Facility • Parking Garage or Lot • Personal Service Facility • Pet Care Service • Public Utility • Recycling Depot • Second-Hand Goods Store • Service Station • Solar Collector • Storage Yard • Vehicle Washing Facility • Veterinary Services • Warehousing and Storage • Warehouse Sales 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Adult Retail Establishment • Cannabis Micro-Processing • Communication Tower • Participant Recreation, Indoor • Public Building or Service • Religious Assembly • Retail, Convenience • Retail Store • Surveillance Suite • Temporary Building • Temporary or Special Event • Wind Energy Conversion System 	<ul style="list-style-type: none"> • Cannabis Production Facility • Temporary Shelter

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

(a) Lot Width (Minimum)		30 m
(b) Lot Depth (Minimum)		30 m
(c) Front Yard Setback (Minimum)		3 m
(d) Rear Yard Setback (Minimum)		7.5 m
(e) Side Yard Setback, Interior (Minimum)		4 m
(f) Side Yard Setback, Exterior (Minimum)		6 m
(g) Building Height (Maximum)	• Principal Building	15 m unless otherwise provided for in Section C6.2 (1)(d) .
(h) Lot Coverage (Maximum)		60%

(3) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.
- (b) Industrial uses shall not create any nuisance effect beyond the boundaries of the site.
- (c) Safety and environmental assessment are integral components of the industrial development review process. Where there are potential effects associated with a proposed development, the Development Authority may require an applicant to retain a qualified professional acceptable to the Development Authority to provide an environmental impact assessment report of the proposed development, in determining whether the proposed development is to be approved, approved with conditions, or refused.

B4.2 GI General Industrial District

(1) Purpose

To provide an area for industrial uses that may result in some nuisance effects, such as noise, odour, or emissions to adjacent sites.

Permitted Uses	Discretionary Uses Development Officer	Discretionary Uses MPC
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Automotive and Equipment Repair • Bulk Fuel Station • Cremation and Interment • Fleet Service • Contractor, General • Contractor, Limited • Heavy Industrial • Kennel • Light Industrial • Oilfield Support • Storage Yard • Parking Garage or Lot • Public Utility • Recycling Depot • Solar Collector • Warehousing and Storage 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Animal Shelter • Auction Yard • Cannabis Micro-Processing • Communication Tower • Public Building or Service • Surveillance Suite • Temporary Building • Veterinary Services • Warehouse Sales • Waste Management Site • Wind Energy Conversion System 	<ul style="list-style-type: none"> • Abattoir • Automotive Wrecker • Cannabis Production Facility • Natural Resource Development

(2) Site Standards

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

(a) Lot Width (Minimum)	30 m
(b) Lot Depth (Minimum)	30 m
(c) Front Yard Setback (Minimum)	3 m
(d) Rear Yard Setback (Minimum)	7.5 m
(e) Side Yard Setback, Interior (Minimum)	4 m
(f) Side Yard Setback, Exterior (Minimum)	6 m
(g) Building Height (Maximum)	15 m unless otherwise provided for in Section C6.2(1)(d) .
(h) Lot Coverage (Maximum)	60%

(3) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.
- (b) Environmental impact assessments may be required where there is uncertainty as to potential environmental effects from a proposed development.
- (c) Notwithstanding the designation of a particular use as permitted or discretionary, the Development Authority may determine not to issue a permit for development which may have a significant adverse environmental impact.

B5 INSTITUTIONAL DISTRICTS**B5.1 PS Public Service District****(1) Purpose**

To provide for public service uses which provide educational, government, health care and recreational services.

Permitted Uses	Discretionary Uses - Development Officer
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Campground • Cemetery • Child Care Facility • Exhibition Grounds • Health Services • Museum • Parking Garage or Lot • Participant Recreation, Indoor • Participant Recreation, Outdoor • Public Building or Service • Public Park • Public Utility • Solar Collector 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Amusement Establishment, Outdoor • Animal Shelter • Communication Tower • Farmer's Market • Nursing Home • Supportive Living Accommodation • Temporary Building • Temporary or Special Event • Waste Management Site • Wind Energy Conversion System

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

- (a) All site requirements shall be at the discretion of the Development Authority.

B5.2 IP Imperial Park District**(1) Purpose**

The purpose of this district is to provide for public parks, recreation facilities, schools, colleges, and associated services in accordance with the Imperial Park Master Plan.

Permitted Uses	Discretionary Uses - Development Officer
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Campground • Parking Garage or Lot • Participant Recreation, Indoor • Participant Recreation, Outdoor • Public Building or Service • Public Park • Public Utility • Solar Collector • Spectator Entertainment 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Child Care Facility • Communication Tower • Eating and Drinking Establishment • Exhibition Grounds • Farmer's Market • Flea Market • Private Club • Private Education • Retail, Convenience • Temporary Building • Temporary or Special Event

(2) Site Provisions

In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.

- (a) All site requirements shall be at the discretion of the Development Authority. The guiding principle for development within this district shall be the Imperial Park Master Plan.

B5.3 CON Conservation District

- (1) Purpose
The purpose of this district is to provide for the preservation of environmentally sensitive or significant areas including land that is subject to flooding or is unstable and lands having significant natural capability for conservation or passive recreation.

Permitted Uses	Discretionary Uses - Development Officer
<ul style="list-style-type: none">• Public Park• Public Utility	<ul style="list-style-type: none">• Temporary or Special Event

- (2) Site Provisions
In addition to the regulations contained in [Part C](#), the following standards shall apply to every development in this district.
(a) All site requirements shall be at the discretion of the Development Authority.

B6 DIRECT CONTROL DISTRICTS

B6.1 General

(1) Purpose

The purpose of this district is to provide for the creation of specific land use regulations where the circumstances are such that control by other districts would be inappropriate or inadequate, having regards to any applicable statutory plans, existing or future surrounding developments and the public interest.

(2) Application

- (a) This district shall only be applied where the following conditions are met:
 - (i) The development is, in the opinion of Council, considered appropriate for the site, having regard for the policies and objectives of any statutory plan and compatibility with the scale and character of surrounding development,
 - (ii) The use of any other district to accommodate the development would, in the opinion of Council, result in potential conflicts with existing or future surrounding developments, should the full development potential of such district be utilized,
 - (iii) The development is of a unique form or nature not contemplated or reasonably regulated by another district.
- (b) In addition to the information required by this bylaw for an amendment application, the applicant shall also provide the following information:
 - (i) Support rationale explaining why the district is desirable for the site, having regard for the conditions of application set out in subsection (a),
 - (ii) A list of uses proposed for the site,
 - (iii) A narrative documenting the opinions and concerns of surrounding property owners and residents obtained through a public information program, and how the proposed development responds to those concerns, together with a summary of the methods used to obtain such input,
 - (iv) Plans and elevations that would help to substantiate the need for the district, and
 - (v) Any other information as may be required by Council.
- (c) Notwithstanding subsection (b), Council may consider an application for this district, if in the opinion of Council, the application is of such a nature as to enable a decision to be made without the required information.

(3) Uses

- (a) In approving a Direct Control district, Council shall specify those uses which may be allowed in the district.

(4) Development Permits

- (a) Development permit approval will be undertaken by the Development Authority based on regulations approved by Council.

(5) Regulations

- (a) The Direct Control district shall supersede the standard land use district previously in effect.
- (b) A development permit shall be required prior to the commencement of any development within the district excluding those developments exempted elsewhere within this Bylaw.
- (c) Council may, by resolution, provide for such additional procedural or administrative matters as are deemed necessary to the operation of the Direct Control District.
- (d) Council hereby authorizes the Development Authority to undertake all procedural and administrative actions necessary under the Direct Control districts.

(6) Administration

- (a) The regulations contained in [Part C](#) shall apply to all Direct Control districts except where stated otherwise.

B6.2 DC-SR Spinnaker Ridge Direct Control District**(1) Purpose**

- (a) The general purpose of the Spinnaker Ridge Direct Control District is to provide for innovative multifamily residential developments that enhance the area, which in the opinion of Council, require specific regulations that are unavailable in other land use districts. This will be accomplished by incorporating appropriate site planning, building orientation and architectural design. The District is not intended to be used in substitution of any other land use district in this Bylaw.
- (b) The district will echo the intensity of land use already existing in the area for mixed multifamily residential development that will benefit from the lake view.
- (c) Council will delegate the responsibility for development standard review to the Development Authority.
- (d) All planning and development applications for the district shall be evaluated on their merits by the Development Authority, as illustrated in an approved site plan and conceptual depiction.
- (e) The Development Authority may grant relaxations to the specified regulations contained therein, this Bylaw and the provisions of this district, if in its opinion such a variance would be in keeping with the district and would not adversely affect the amenities, use, and enjoyment of neighbouring properties.

(2) Uses

Permitted Uses	Discretionary Uses - Development Officer
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Dwelling, Row Housing • Family Day Home • Home-Based Business, Minor • Parking Garage or Lot • Public Utility 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Public Building or Service

(3) Site Provisions

(a) Lot Area (Minimum)	110 m ² per internal unit 154 m ² per end unit 187 m ² per corner unit
(b) Lot Depth (Minimum)	32 m
(c) Front Yard Setback (Minimum)	6 m May be reduced by 1 m and rear yard requirement subsequently increased by 1 m for land use design transition.
(d) Rear Yard Setback (Minimum)	7 m
(e) Side Yard Setback (Minimum)	1.5 m
(f) Building Height (Maximum)	10 m
(g) Density (Maximum)	45 units/ha

(h) Number of Attached Units (Maximum)	8
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(4) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.
- (b) All development standards, site plan, site access, the relationship between buildings, structures and open space, the architectural treatment of any building, the provision and architecture or landscaped areas and the parking layout shall be subject to the approval of the Development Authority.
- (c) Landscaping
 - (i) Must be high quality, incorporating mature plantings and or existing vegetation,
 - (ii) Perimeter of the site must be landscaped including all adjoining road areas within and surrounding the site,
 - (iii) All perimeter landscaping must be a continuation of the overall on-site landscaping plan,
 - (iv) Should be comprehensive throughout the development and appear seamless among the various components of the development,
 - (v) Should be designed to screen parking areas and delineate private and public spaces,
 - (vi) Minimum landscaped area front and backyard included shall be twenty five percent (25%).
- (d) Architecture
 - (i) Roofs shall be sloped and of a residential character and finished with cedar shakes, asphalt shingles or clay tiles,
 - (ii) Exterior finishing materials shall be limited to muted earth tones with strong colors limited to use as accents,
 - (iii) Vertical elements on the buildings need to be coordinated and designed appropriately to ensure consistency and variation.
 - (A) There should be no more than five (5) buildings in a row with a similar cornice or roof line.
- (e) Parking
 - (i) Minimum two (2) parking stalls per unit comprised of one (1) garage stall and one (1) driveway stall.
 - (ii) Where a unit has no dedicated garage, 1.5 parking stalls shall be provided per unit.

B6.3 DC-TCE Tri City Estates Direct Control District

- (1) Purpose
To provide for duplex, multiplex, and row house dwelling units.
- (2) Development Officer Approval
Developments conforming to the regulations shall be approved by the Development Officer in accordance with the rules and regulations outlined in this Bylaw.
- (3) Uses

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Dwelling, Duplex (Side-Side) • Dwelling, Duplex (Up-Down) • Dwelling, Multiplex • Dwelling, Row Housing (Maximum 4 units) • Home-Based Business, Minor • Public Park • Public Utility 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Family Day Home • Home-Based Business, Major • Private Education • Public Building or Service • Religious Assembly • Secondary Suite • Supportive Living Accommodation

- (4) Site Provisions

(a) Lot Area (Minimum)	• Duplex, Multiplex	630 m ²
	• Row Housing – Internal Unit	180 m ²
	• Row Housing – End Unit	225 m ²
	• Row Housing – Corner Unit	270 m ²
(b) Front Yard Setback (Minimum)		6 m
(c) Rear Yard Setback (Minimum)		7 m
(d) Side Yard Setback, Interior (Minimum)		1.5 m
(e) Side Yard Setback, Exterior (Minimum)		4 m
(f) Building Height (Maximum)	• Principal Building	13.8 m
	• Accessory Building	4.9 m
(g) Gross Floor Area (Minimum)	• Permitted Use	63 m ²
	• Discretionary Use	Development Officer Discretion

(h) Lot Coverage (Maximum)	• Principal Building	30% (40% with attached garage)
	• Accessory Building	10%
	• Total	40%
(i) Density (Maximum)		40 units/ha

(5) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.
- (b) Landscaping
 - (i) Landscaping is to be completed within one (1) year of development permit issuance.
 - (ii) Landscaping is to include the planting of one (1) tree per building located within the development area and one (1) tree per building outside the development area on the adjacent municipal reserve.
 - (iii) A landscaping plan will be provided as part of development applications for this district and will require approval by the City, prior to the issuance of a development permit.
- (c) All developments will require design coherence in building façade and colour and include a brick façade accent which will be shown on a colour elevation plan at the time of development application.
- (d) Front porches will be provided when parking is in the back.

B6.4 DC-FV Fontaine Village Direct Control District(1) Purpose

To provide for the location of manufactured homes on rented lots in a comprehensively planned Manufactured Home Community.

(2) Uses

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Home-Based Business, Minor • Manufactured Home • Public Park • Public Utility 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Family Day Home • Home-Based Business, Major • Private Education • Public Building or Service • Religious Assembly • Secondary Suite

(3) Site Provisions

(a) Community Site Area (Minimum)		2 ha
(b) Lot Width (Minimum)		12.8 m
(c) Lot Depth (Minimum)		33.5 m
(d) Front Yard Setback (Minimum)	• Permitted Use	3.1 m
	• Permitted Use on Corner Lot	4.6 m
	• Discretionary Use	Development Authority Discretion
(e) Rear Yard Setback (Minimum)	• Permitted Use	3.1 m
	• Permitted Use on Corner Lot	4.6 m
	• Discretionary Use	Development Authority Discretion
(f) Side Yard Setback (Minimum)	• Permitted Use	1.2 m
	• Discretionary Use	Development Authority Discretion
(g) Building Height (Maximum)		6 m
(h) Gross Floor Area (Minimum)		49.5 m ²

(i) Lot Coverage (Maximum)	• Principal Building	35%
	• Accessory Building	10%
	• Total	45%
(j) Density (Maximum)		25 units/ha

(4) Additional Requirements

- (a) Notwithstanding (e) and (f) above, where a greater setback is required in accordance with the *Alberta Building Code*, or *Alberta Fire Code*, the distances required by the *Alberta Building Code* or *Alberta Fire Code* shall prevail.
- (b) All manufactured homes shall be anchored with at least four tie-down mechanisms to the satisfaction of the Development Authority.
- (c) All manufactured homes shall have their hitch, axle, and wheels removed and undercarriages screened from view within thirty (30) days of placement.
- (d) Roads and Lanes
 - (i) All roads and lanes in a manufactured home community shall be paved.
 - (ii) Minimum rights-of-way shall be 12.2 m.
- (e) Manufactured homes and recreational facilities and spaces shall be connected with a safe and convenient pedestrian walkway of a minimum width of 0.9 m.
- (f) A manufactured home community shall have at least two legal road entrance points.
- (g) A minimum of five percent (5%) the manufactured home community area shall be provided as recreational space. This space shall be:
 - (i) Conveniently located for all residents,
 - (ii) Free from traffic hazards,
 - (iii) Clearly marked, and
 - (iv) Fenced.
- (h) Adequate screening shall be provided:
 - (i) Between the manufactured home community and non-compatible adjacent land uses, and
 - (ii) Where necessary such as around service buildings and garbage collection facilities.
- (i) Each manufactured home shall be clearly identified on the ground by permanent markers.
- (j) Each manufactured home shall have either a gravelled or paved base upon which the unit will be placed.
- (k) Accessory Buildings
 - (i) No accessory building except garages shall be located in the front yard of a lot.
 - (ii) An accessory building must be built
 - (A) Shall not be used as a dwelling,
 - (B) Location on an irregular shaped lot shall be as required by the Development Authority,
 - (C) Shall not be closer than 1.2 m to a main building,
 - (D) Shall be set back a minimum of 6.1 m from the edge of road (pavement),
 - (E) Shall have a minimum side yard of 0.9 m, and
 - (F) Shall not exceed ten percent (10%) of the total area of the lot.
- (l) All utility lines shall be installed underground.
- (m) All areas of the manufactured home community not occupied by roads, lanes, walkways, manufactured homes, and attending facilities shall be landscaped and maintained.
- (n) All manufactured home communities shall be connected to the municipal servicing system.
- (o) The manufactured home community shall be served with a number of fire hydrants located where necessary as considered by the local Fire Chief.
- (p) The manufactured home community operator shall:
 - (i) Maintain community order and cleanliness, and
 - (ii) Be responsible for snow removal from all common areas, internal streets, and pedestrian walkways.
- (q) A double off-street parking stall shall be provided for each manufactured home lot.

- (r) A manufactured home community shall have visitor parking spaces provided at a density of one space for ten (10) manufactured home lots. Such a visitor parking area shall be properly signed (not to be used for vehicular storage).
- (s) An approved comprehensive siting plan shall be required prior to the development of land in this district and all development shall conform to the comprehensive siting plan. The proposed plan must include the following to the satisfaction of the Development Authority:
 - (i) Access, road system, walkway system and site pattern showing dimensions and structures,
 - (ii) Open space, to a maximum of ten percent (10%) of the developing area, designated for recreational and playground use, and shall not include any buffer strip,
 - (iii) Provisions for outdoor lighting; identification and directional signs; location of parking aprons (hard surfaced) for every proposed lot,
 - (iv) Proposed location of manufactured home for every lot,
 - (v) Proposed landscaping of the individual lots and throughout the developing lands pursuant to [Part C3](#),
 - (vi) Shall establish guidelines and standards satisfactory to the Development Authority governing design and materials of carports, patios, storage buildings, skirting, fences, fuel storage and supply facilities and other attached or detached structures, and,
 - (vii) Other information as deemed necessary by the Development Authority.
- (t) The developers will be required to arrange a scheme for the control of dwelling design within the district and to encourage a variety of styles. This system of control shall be maintained by the developer and is subject to the approval of the Development Authority.

B7 OTHER DISTRICTS**B7.1 UR Urban Reserve District****(1) Purpose**

To retain primarily undeveloped agricultural lands within the Municipality at existing levels of subdivision and development until such lands can be serviced and developed into urban land uses in accordance with the and economically subdividing or developing the area when required at a future date.

Permitted Uses	Discretionary Uses Development Officer
<ul style="list-style-type: none"> • Accessory Building or Use to a Permitted Use • Agricultural Operation • Home-Based Business, Minor • Home-Based Business, Major • Public Park • Public Utility • Single Detached Dwelling on Existing Lots • Solar Collector 	<ul style="list-style-type: none"> • Accessory Building or Use to a Discretionary Use • Amusement Establishment, Outdoor • Bed and Breakfast • Child Care Facility • Communication Tower • Exhibition Ground • Family Day Home • Farmer's Market • Greenhouse and Plant Nursery • Kennel • Mini-Storage Facility • Participant Recreation, Outdoor • Pet Care Service • Private Education • Public Building or Service • Secondary Suite • Supportive Living Accommodation • Surveillance Suite • Temporary Building • Temporary or Special Event • Waste Management Site • Wind Energy Conversion System

(2) Site Provisions

- (a) No subdivision or development other than for the above uses shall be permitted until an Area Structure Plan for the overall area has been approved by Council, including the identification of the major road system, land use districts and the location of public reserve and utility servicing.
- (b) All development regulations for uses in this District are as required by the Development Authority.

B7.2 FW National Defense District

- (1) Purpose
The purpose of this district is to define the area within the municipality, which is Federal Crown property, commonly referred to as 4 Wing. This area consists of both an operational sector and a residential sector.
- (2) Uses
Uses, permitted or discretionary, within this area are subject to the controls and standards set by the Department of National Defence.
- (3) Regulations
Federal laws and regulations govern development at 4 Wing.

B8 OVERLAYS

The following overlays, which supplement the requirements of individual districts, are illustrated on the Land Use District maps in [Schedule A](#).

B8.1 AIRPORT APPROACH ZONE

- (1) In determining an application for a development located wholly or partly in the Airport Approach Zone, the Development Authority shall refer the application to Transport Canada for their review. Based on the comments received, the Development Authority may refuse an application if a proposed development is determined to be unsuitable to be located within the Airport Approach Zone.

B8.2 PARKING OVERLAY

- (1) Downtown Business District Parking Overlay
 - (a) The parking requirements specified in [Section C4.2](#) shall not apply within the boundaries of the Downtown Business District Parking Overlay.
 - (b) Notwithstanding subsection (a), residential uses shall provide the number of parking spaces as set out in Table C4.2.
 - (c) Notwithstanding subsection (a), the following uses shall provide the minimum number of parking spaces as required in Tables C4.3 and C4.5:
 - (i) Amusement Establishments, Indoor,
 - (ii) Amusement Establishments, Outdoor,
 - (iii) Eating and Drinking Establishments with a seating capacity exceeding 150 persons,
 - (iv) Hotels,
 - (v) Motels,
 - (vi) Participant Recreation, Indoor with a gross floor area exceeding 465 m²,
 - (vii) Religious Assembly,
 - (viii) Retail Store with a gross floor area exceeding 1390 m²,
 - (ix) Shopping Centre,
 - (x) Spectator Entertainment with a gross floor area exceeding 465 m².

B8.3 WEST END REDEVELOPMENT OVERLAY

- (1) Within the boundaries of the Overlay, the Development Authority may consider the development of Single-Detached Dwellings in accordance with [Sections B2.4\(3\)\(b\) and \(d\)](#) as a discretionary use.

PART C REGULATIONS

C1 GENERAL REGULATIONS

C1.1 General Provisions

- (1) The General Regulations contained in this section apply in all districts. In the event of a conflict between the regulations in a district and of this section, the district requirements apply unless explicitly stated otherwise.

C1.2 Approaches and Driveways

- (1) All development shall have legal and physical access to a public road to the satisfaction of the City.
- (2) The regulations in this section shall only apply to that portion of the driveway which falls within the road right-of-way (Figure C1.1).
- (3) Minimum Required Setbacks
 - (a) In the [R1A](#) and [R1B](#) districts, driveways shall provide a minimum setback of 5.5 m between one edge of the driveway and the intersection of the side and front lot lines.
 - (b) In the [R2](#) and [R3](#) districts, driveways shall provide a minimum separation of 5.5 m between one edge of the driveway and the nearest edge of the next adjacent driveway (Figure C1.2).
 - (c) In the [R4](#) district, row housing and multiplex developments which provide driveway access directly to a public road shall meet the driveway width regulations in subsection (b).

Figure C1.1: Driveway Right-of-Way

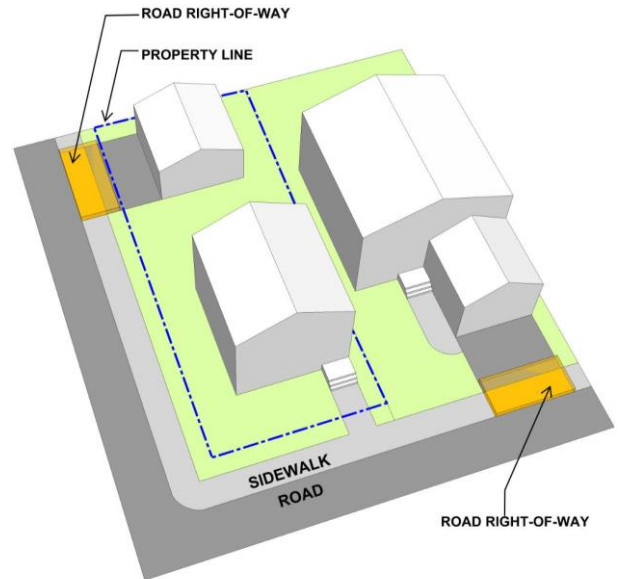
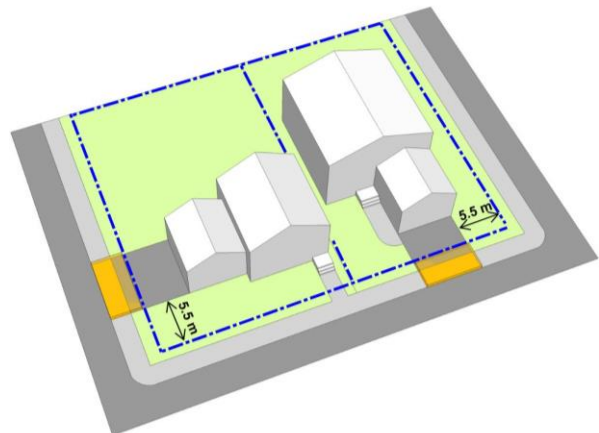


Figure C1.2: Driveway Setbacks



R2 District



R1A and R1B Districts

- (4) Developments may be exempted from the requirements of subsection (3) if:
 - (a) In the opinion of the Development Authority, the subject lot has insufficient frontage to allow construction of a driveway and meet the requirements of this section. This may include, but is not limited to, irregularly shaped lots or lots fronting the bulb of a cul-de-sac, or
 - (b) A driveway is to be shared between abutting developments.

C1.3 Barrier Free Design

- (1) All new development shall meet the requirements of the *Alberta Building Code* and the *Barrier Free Design Guide* for barrier free access.

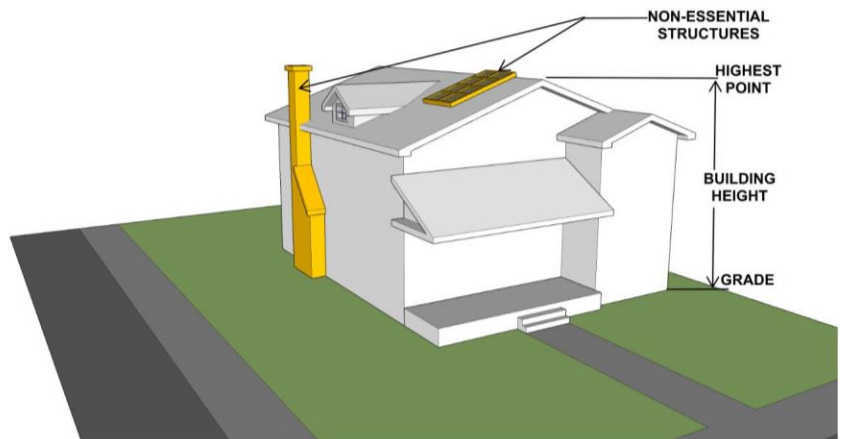
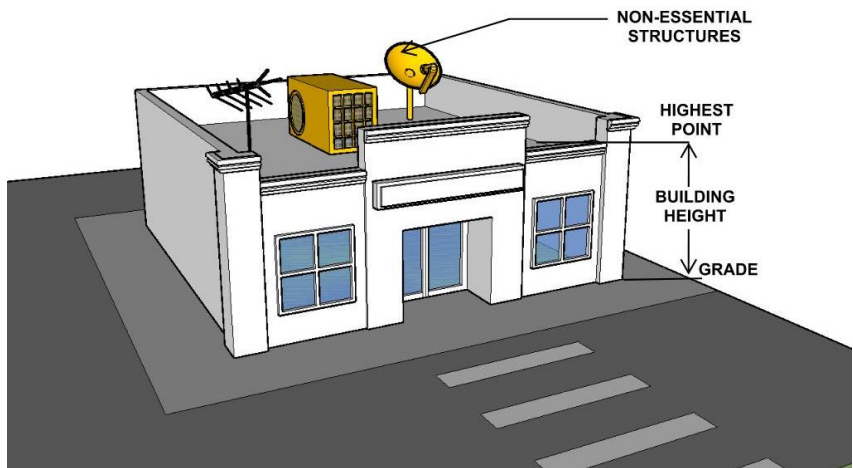
C1.4 Berms and Retaining Walls

- (1) Unless otherwise provided for in this Bylaw, the provision of a retaining wall or a berm in any district shall be as required by the Development Authority.
- (2) A development permit application for a retaining wall or a berm shall require a lot grading plan.
- (3) All retaining walls exceeding 0.6 m in height or that are required to support a structure shall comply with the *Alberta Safety Codes Act* and require engineered drawings signed by a registered engineer with a permit to practice in Alberta.
- (4) No berms or retaining walls shall be built on public lands.

Figure C1.3: Building Height

C1.5 Building Height

- (1) In determining the highest point of a building or structure, elements that are not essential to the structure of the building or structure shall not be considered, including but not limited to the following (Figure C1.3):
 - (a) Elevator housing,
 - (b) Mechanical housing,
 - (c) Roof entrances,
 - (d) Ventilation fans,
 - (e) Skylights,
 - (f) Solar collectors,
 - (g) Wind energy systems,
 - (h) Steeples,
 - (i) Antennas,
 - (j) Smokestacks or chimneys,
 - (k) Fire walls,
 - (l) Parapet walls, and
 - (m) Flagpoles.



C1.6 Corner and Through Lots

- (1) No fence, wall, tree, hedge, or structure located within the area

defined as a corner visibility triangle on a corner lot shall exceed 0.9 m in height.

- (2) A corner visibility triangle consists of that portion of a lot that is 6 m in length along the front and exterior side lot lines, measured from the intersection of those lot lines. (Figure C1.4).
- (3) Notwithstanding subsection (1) no person shall place or maintain any object, structure, fence, hedge, shrub, or tree within a corner visibility triangle if, in the opinion of the Development Authority, such objects or structures interfere with traffic safety.
- (4) The front lot line of a corner lot shall be the narrower of the lot lines abutting a road, excluding a lane, except where the lot lines of a corner lot are equal, in which case the Development Authority shall determine the location of the front lot line.
- (5) A through lot shall have a front yard on each parallel road in accordance with the front yard requirements of the applicable district (Figure C1.5).

Figure C1.4: Corner Visibility Triangle

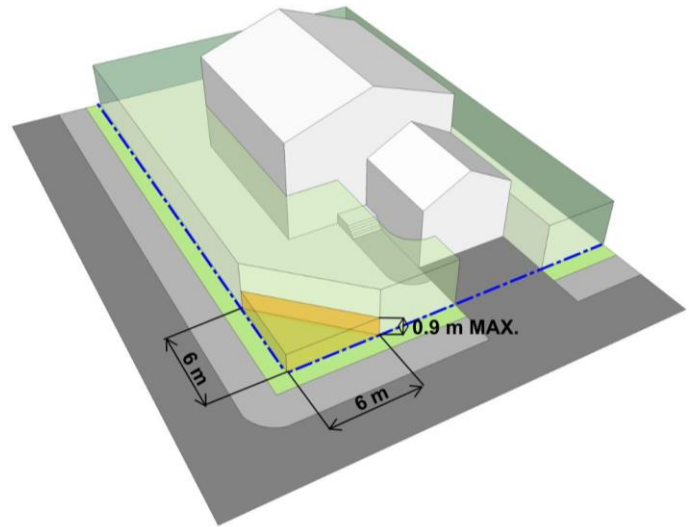
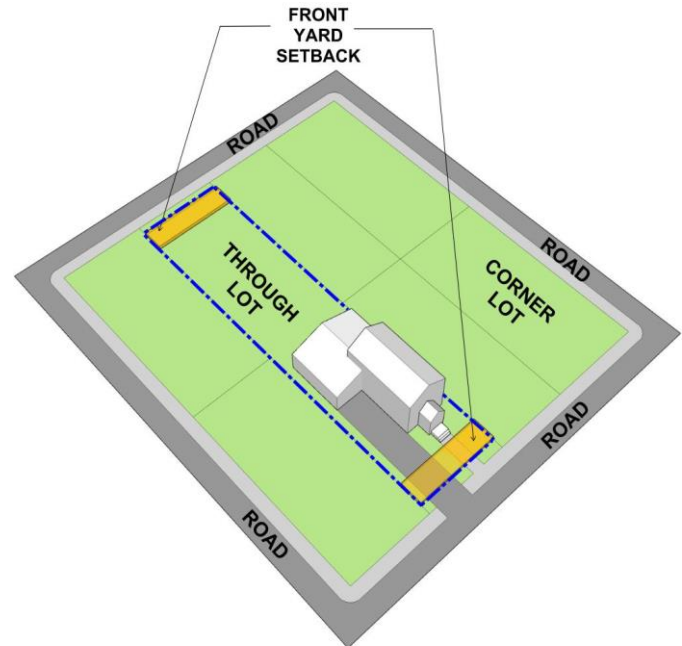


Figure C1.5 Front Yard on Through Lot



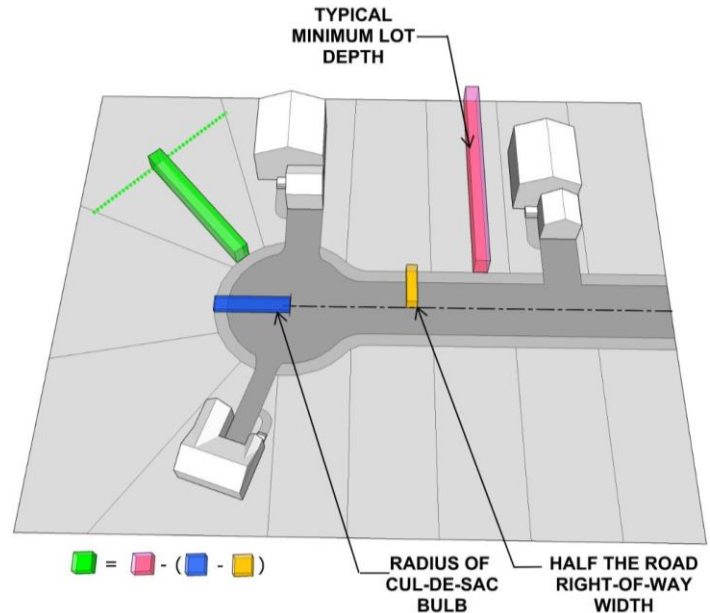
C1.7 Crime Prevention Through Environmental Design (CPTED)

- (1) During the review of development proposals, the Development Authority should consider the following CPTED principles:
 - (a) Natural Surveillance - maximize visibility of people, parking areas and building entrances; doors and windows that look onto streets and parking areas; pedestrian friendly sidewalks and streets; provision of adequate nighttime lighting,
 - (b) Territorial Reinforcement - features that define property lines and distinguish private spaces from public spaces using landscaping, gateway treatments and fencing (low fencing to allow visibility from the street), and
 - (c) Natural Access Control - designing streets, sidewalks, building entrances and neighbourhood gateways to clearly indicate public routes and discourage access to private areas with structural elements.
- (2) In considering development proposals, the Development Authority may forward applications to the RCMP CPTED Officer for review and recommendations.
- (3) Public access areas shall be lit in keeping with CPTED and require site lighting as is necessary to encourage pedestrian safety and allow casual surveillance from adjacent buildings and roads of parking and walkways.

C1.8 Cul-de-Sacs

- (1) The minimum depth of a pie shaped lot fronting on the bulb of a cul-de-sac or the bulb of a corner lot shall be equal to the radius of the cul-de-sac bulb minus one half of the road right-of-way width, subtracted from the typical minimum lot depth (Figure C1.6).

Figure C1.6: Lot Depth on Cul-de-Sac



C1.9 Dwelling Units Per Lot

- (1) No person shall construct or cause to be constructed more than one (1) dwelling unit on a lot, except for:
 - (a) Duplex dwellings,
 - (b) Dwellings containing approved secondary suites,
 - (c) Apartment and multiplex dwellings, or
 - (d) Manufactured homes located in a manufactured home community.

C1.10 Easements and Municipal Lands

- (1) No structure shall encroach on or be erected on a utility easement unless:
 - (a) The structure does not restrict access to the utility easement or for the purpose of installation or maintenance of the subject utility, and
 - (b) The owner of the encroaching structure has obtained written consent from the utility company to which the easement has been granted.
- (2) In the case of a public utility lot, public road, or other City-owned land:
 - (a) No structure shall encroach on or be erected unless the owner has first entered into an encroachment agreement or has obtained a letter of consent with the City in accordance with the City's *Encroachment Policy*, and
 - (b) The extent of any encroachment shall be in accordance with the guidelines contained in the City's *Encroachment Policy*.
- (3) Land dedicated as Environmental Reserve shall be left in its natural state unless otherwise specified by Council by bylaw in accordance with the *Act*. No development shall be allowed on Environmental Reserve land unless otherwise provided for in this Bylaw, or any separate bylaw adopted by Council in accordance with Section 676(1) of the *Act*.

C1.11 Fencing and Screening

- (1) The height of a fence, wall, gate, or other means of enclosure shall be measured from finished grade, and in a residential district shall not exceed:
 - (a) 1.8 m in height along side and rear yards,
 - (b) 0.9 m in height
 - (i) Along front yards,
 - (ii) Within 6 m of the right-of-way of a public road, or
 - (iii) At the intersection of two public roads in accordance with [Section C1.6](#) (Figure C1.7).

- (2) The height of a fence, wall, gate, or other means of enclosure in non-residential districts shall be at the discretion of the Development Authority.

- (3) Notwithstanding the provisions of subsection (1), the Development Authority may consider as a discretionary use a fence, wall, gate, or other means of enclosure that exceeds the height specified if the Development Authority is satisfied that the use and enjoyment of neighbouring lots will not be adversely affected, and the proposed structure would not visually detract from the area.

- (4) Fencing materials used in residential districts shall be to the satisfaction of the Development Authority.

- (5) In cases where utility meters and associated services lines are located near the front corner of a dwelling, a fence, wall, gate, or other means of enclosure shall be set back a minimum 3 m from the subject building corner to allow free access to the meter.

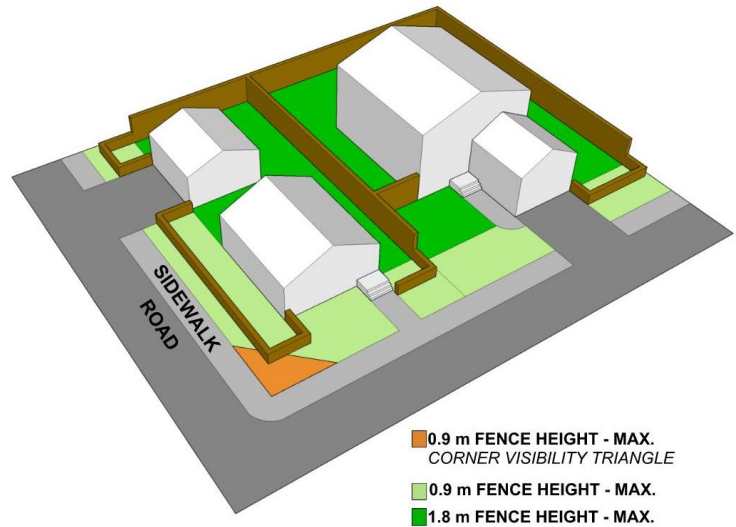
- (6) Commercial and industrial developments adjacent to residential districts shall be screened by a fence, wall, or other means of enclosure to the satisfaction of the Development Authority.

- (7) The electrification of fences, walls, gates, or other means of enclosure is not permitted.

- (8) Barbed wire may only be incorporated into a fence in an industrial district.

- (9) No private fences, walls, or other means of enclosure shall be erected on City-owned lands, unless prior approval has been granted by the City. In such cases, the City will require an encroachment agreement and said fence, wall or other means of enclosure shall be removed at such time as specified in the encroachment agreement.

Figure C1.7: Fence Height



C1.12 Garbage Enclosures

- (1) Refuse shall be stored in weatherproof, bird proof and animal proof containers, be screened from adjacent sites and public roads, and shall be placed in an easily accessible location. In the [R3](#), [R4](#), [Commercial](#), and [Industrial](#) Districts, the location of required garbage enclosures shall be included in the site plan submitted with the development permit application.

C1.13 Green Building

- (1) Sustainable development/green building principles and practices should be encouraged as part of the design of public and private developments, including the following:
 - (a) Where possible, buildings are encouraged to include on-site alternative energy sources such as solar heat, solar electricity, and solar energy.
 - (b) The incorporation of features such as daylighting, recycling, reuse of water, low water landscaping, energy efficient lighting and other devices should be considered in the building and site designs to reduce the consumption of energy and materials.
 - (c) On-site infiltration of storm water should be considered in the design of open spaces and site development. Low impact development is an approach to manage storm water run-off. This approach emphasizes conservation and on-site use of natural features to protect water quality. Typical low

impact development techniques include rain gardens, cisterns, rain barrels, green roofs, and permeable paving.

- (d) The site design needs to incorporate design features that encourage walking and bicycling connections to access existing and planned future trail systems within the City.
- (e) Consideration should be given to new urbanist techniques to design developments and neighbourhoods to promote accessibility, decrease sprawl, reduce energy costs, create a built environment on a human scale, provide the opportunity for varied housing types in neighbourhoods and encourage mixed-use transit-oriented developments.

C1.14 Hazard Lands

- (1) On environmentally sensitive lands, the Development Authority may require the following information to be submitted as part of an application for a development permit, a land use bylaw amendment, or subdivision:
 - (a) A geotechnical study, prepared by a registered professional engineer, to establish building setbacks from property lines based on the characteristics of the subject property,
 - (b) A certificate from a registered professional engineer certifying that the design of the proposed development was undertaken with full knowledge of the soil and/or slope conditions of the subject property, and
 - (c) A certificate from a registered professional engineer indicating where the proposed development includes cut and/or fill sections on slopes, and the addition of fill on the subject property.
- (2) The applicant shall be responsible for the expense of the geotechnical study or certificate. The City, at its discretion, may seek an independent review of a geotechnical analysis submitted by an applicant.
- (3) No development shall be permitted within a 1:100-year flood line as established by the province or an Alberta Land Surveyor.
- (4) The Development Authority may increase any setback requirement in a district in cases where the district requirement would allow development that may be detrimental to the preservation of environmentally sensitive lands, may be affected by being in a floodplain or in proximity to steep or unstable slopes, or may increase the degree of hazard.
- (5) Trees shall not be cut, felled, or removed on environmentally sensitive lands, without the prior approval of the Development Authority.
- (6) The following uses shall be prohibited on environmentally sensitive lands, unless a geotechnical study prepared by a registered professional engineer is submitted as part of a development permit application, to the satisfaction of the Development Authority:
 - (a) Swimming pools,
 - (b) Automated underground lawn sprinkler systems,
 - (c) Ornamental pools,
 - (d) Outdoor water retention facilities, and
 - (e) Other similar developments.
- (7) Notwithstanding any building or structure listed as either permitted or discretionary in this Bylaw, including accessory buildings and uses, an application for development on environmentally sensitive lands may be refused by the Development Authority if it is determined that the proposed development will negatively impact the environmentally sensitive lands.
- (8) Any development permit conditions relating to development on environmentally sensitive lands may be enforced by the City through the registration of a restrictive covenant on the title of the subject land.

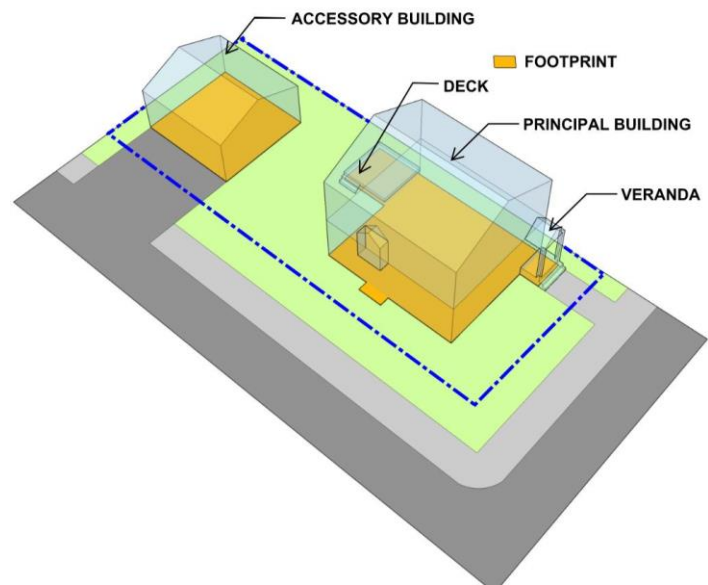
C1.15 Lighting

- (1) Outdoor lighting shall be required for all new multi-family and non-residential development to the satisfaction of the Development Authority.
- (2) For non-residential developments, the Development Authority may require the submission of a Lighting Plan prepared by a qualified professional.
- (3) Outdoor lighting shall be located and arranged so that no direct rays of light are directed at any adjoining properties or interfere with the effectiveness of any traffic control device.

C1.16 Lot Coverage

- (1) Lot coverage shall be calculated as a percentage by dividing the total amount of building footprint on a lot or site by the total lot or site area.
- (2) For the purposes of calculating lot coverage, the building footprint shall include (Figure C1.8):
 - (a) The principal building,
 - (b) Accessory buildings or carports,
 - (c) Porches or verandas,
 - (d) Any portion of an upper storey that projects beyond the perimeter of the main floor area; and
 - (e) Covered or enclosed decks.
- (3) For the purposes of calculating lot coverage, the building footprint shall not include hard surfaced areas such as patios and driveways.

Figure C1.8: Lot Coverage



C1.17 Multiple Uses in a Building

- (1) When any site or building is used for more than one (1) purpose, the provisions of this Bylaw relating to each use shall be satisfied. If there are conflicts between standards for individual uses, the more stringent standards shall prevail.

C1.18 Objects Restricted in Yards

- (1) No person shall keep in any part of a yard:
 - (a) In any district, any unlicensed, dismantled, or wrecked vehicles, unless housed or screened from public view and adjoining lots to the satisfaction of the Development Authority.
 - (b) In any district, any object which, in the opinion of the Development Authority is unsightly, creates a nuisance, or negatively affects the aesthetics or amenities of the area.
 - (c) Any excavation, stockpiling of construction materials unless required for the construction of an approved development.
 - (d) In any residential district, any commercial vehicle or construction equipment unless required to operate an approved major home-based business in accordance with [Section C2.10](#).
 - (e) Recreational Vehicles:
 - (i) In any residential district, a maximum of two (2) recreational vehicles may be located on a lot, provided they are not used for living or sleeping accommodation while stored on the site. In all other districts, recreational vehicles may be stored on a regular basis, provided they are not used for living or sleeping accommodation while stored on the site.

- (ii) No part of a recreational vehicle or utility trailer, including a hitch or fifth-wheel attachment, or any item attached to the recreational vehicle or utility trailer, may be located closer than 0.3 m from the back edge of the sidewalk or, where there is no sidewalk, from the back edge of the curb, or, where there is no curb, from the nearest edge of the paved surface of the road.
- (iii) Recreational vehicles and utility trailers shall not be parked on a landscaped portion of a front or side yard of any lot in a residential district. Recreational vehicles or utility trailers parked in a front or side yard must be parked on a driveway or on hard-packed ground consisting of crushed rock or gravel.
- (iv) In any residential district, the total number of recreational vehicles and/or utility trailers parked in a front yard of a lot shall not exceed two (2).

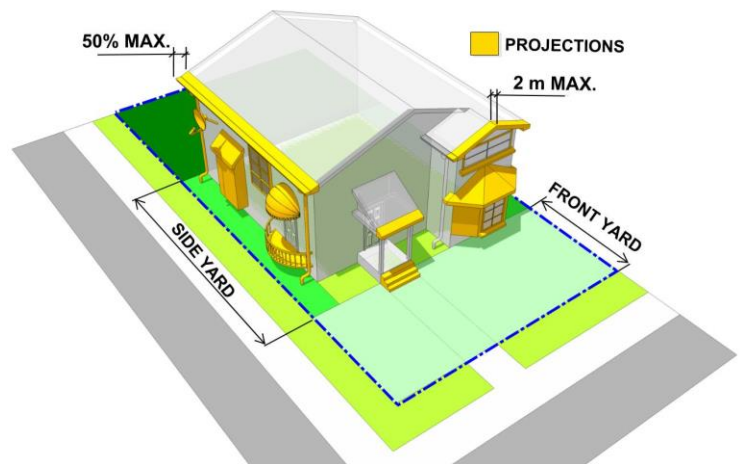
C1.19 Principal Buildings

- (1) No person shall erect more than one (1) principal building on a lot except:
 - (a) In an industrial or commercial district, provided it is done in such a manner that, if there is future subdivision of the land, each building will be on a separate lot having its own access (or shared access agreement) and yards, all in compliance with this Bylaw, and,
 - (b) In a residential district if it complies with [Section C1.9](#).

C1.20 Projections in Yards

- (1) Unenclosed steps, box outs, canopies, chimneys, awnings, roof eaves, gutters, sills, cornices, leaders, pilasters, belt courses, bay windows, balconies, wall mounted satellite dishes, wall mounted solar collectors, or any other similar feature (Figure C1.9), may project:
 - (a) Into a required side yard of 1.2 m or greater, provided such projection does not exceed 50% of the required side yard width, or
 - (b) A maximum of 2 m into a required front yard and 3 m into a required rear yard.
- (2) The projections allowed under subsection (1) shall not apply:
 - (a) Where a side yard of 3 m is required in a district for vehicular passage,
 - (b) If the proposed projection is into an easement,
 - (c) If the projection conflicts with the requirements of the *Alberta Building Code* or *Alberta Fire Code*.
- (3) Utilities, underground parking, and similar structures constructed entirely beneath the ground surface may encroach into a required yard provided they are covered by sufficient soil depth or surface treatment to accommodate landscaping.

Figure C1.9: Projections



C1.21 Property Lines

- (1) The Development Officer may require that the boundaries of a lot on which a proposed development is to occur be clearly identified by appropriate markers or pins.

C1.22 Relocation of Buildings

- (1) A structure may be relocated within the City subject to the following conditions:

- (a) Relocated structures will be required to meet the specific land use provisions for the district to which the structure is to be relocated, together with any other general or specific regulations contained within this Bylaw.
- (b) In considering an application for the relocation of a structure, the Development Authority shall ensure that the size, design, and architectural appearance of the structure is compatible with surrounding buildings.
- (c) Securities may be required in the amount of fifty percent (50%) of the estimated costs of:
 - (i) Moving,
 - (ii) Installing a foundation,
 - (iii) Placing and securing the structure on foundation,
 - (iv) Making the structure suitable for occupancy (water, sewer, power, gas), and
 - (v) Landscaping of the lot.
- (d) Completion:
 - (i) Residential projects must be completed within one (1) year from the issuance of a development permit,
 - (ii) All other projects must be completed within two (2) years.
- (e) The City may act on the securities to complete the project to the standard indicated in the development permit or development agreement.
- (f) The securities will be released by the City at such time as the conditions are met and a development completion certificate is issued.
- (g) The securities may be reduced by the City as individual conditions have been met.
- (h) Site conditions during construction must be maintained to ensure adequate drainage, dust and debris control.

C1.23 Site Drainage, Stripping, Grading and Excavation

- (1) Unless required for the preparation of a site for which a development permit has been issued, the stripping, excavation or grading of land shall require a development permit.
- (2) No drainage measures undertaken as part of a development shall negatively impact adjacent lots by way of flooding or inundation through the redirection of surface water. Where a development is found to affect neighbouring lands, all required mitigation measures required to remedy the problem including drainage structures, drainage easements, and retaining walls, shall be at the developer's sole expense.
- (3) As part of a development permit application for lot grading or an excavation, the Development Authority shall require the following information to accompany the development permit application in addition to the requirements of [Section D1.3](#):
 - (a) A plan illustrating the location, boundaries of the site, dimensions of the proposed disturbed areas, and if applicable, depth of excavation,
 - (b) A description of the proposed operation,
 - (c) The existing land use and vegetation,
 - (d) The proposed timing and phasing program,
 - (e) Proposals for preventing nuisance from dust and erosion,
 - (f) Proposed access and hauling activities, and
 - (g) A reclamation plan including an estimate of reclamation costs, if applicable.
- (4) In considering an application for lot grading as described in subsection (1), the Development Authority may have additional due regard for:
 - (a) The general purpose of the district in which the site is located and the future use of the site as proposed in a reclamation plan,
 - (b) A statement of the effect on watercourses and drainage patterns,
 - (c) The geotechnical report,
 - (d) Conservation of designated historical resources,
 - (e) Environmentally sensitive areas,

- (f) Conservation of watercourses, maintenance of positive drainage, and potential drainage effects on adjacent or nearby properties, and
 - (g) The safety and the potential nuisance effect on adjacent properties.
- (5) The Development Authority may require, as a condition of a development permit for an excavation, that the owner or the applicant provide securities of a value equivalent to twenty five percent (25%) of the reclamation cost to ensure that reclamation is completed in accordance with the reclamation plan.
 - (6) In event that the Development Authority does not accept the estimate of reclamation costs identified by the owner or the owner's representative, the Development Authority may establish a higher reclamation cost figure for the purpose of determining the value of the reclamation security.
 - (7) The applicant, owner or the owner's representative shall provide proof to the Development Authority that the soil has been reclaimed in accordance with the requirements of the approved reclamation plan. Once reclamation is satisfactory to the Development Authority, the securities shall be released.
 - (8) The Development Authority may require renewal of any required securities until satisfactory proof of reclamation is provided by the applicant, owner, or the owner's representative.

C1.24 Storage Yards

- (1) Storage yards that are accessory to a principal use on a lot shall be located to the side or rear of the principal building. At no time shall a storage yard be located within a front yard or occupy any required parking stalls.
- (2) Storage yards, whether as a principal use or accessory use on a lot shall:
 - (a) Be screened from view by a solid fence or wall on any side that is adjacent to a residential district,
 - (b) Have a fence that is a minimum of 2 m in height,
 - (c) In a commercial district, be hard surfaced if located in a side yard if the front yard is paved, and
 - (d) Not be used for the storage of derelict vehicles or derelict equipment unless the derelict vehicles or equipment are screened from view to the satisfaction of the Development Authority.

C1.25 Vacant Lots

- (1) The owner of a vacant lot within the City shall take reasonable steps to ensure any vacant lot under their control, including any sidewalks or boulevards that are adjacent to it, are kept in a neat and presentable condition.
- (2) No owner of a vacant lot within the corporate limits of the City shall:
 - (a) Keep an unsightly property,
 - (b) Allow the accumulation of dandelions, weeds, or noxious weeds on the lot or the boulevard adjacent to it,
 - (c) Allow grass or other herbaceous plants on the lot or the boulevard adjacent to it to grow to a height in excess of 20 cm,
 - (d) Allow the accumulation of garbage on the lot or the boulevard adjacent to it,
 - (e) Allow the accumulation of snow or ice on any sidewalk adjacent to the lot,
 - (f) Allow the storage of the following on the lot or the boulevard adjacent to it:
 - (i) A recreational vehicle(s),
 - (ii) Recreational equipment,
 - (iii) A motor vehicle(s), or
 - (iv) A trailer(s),
 - (f) Allow, unless required for immediate construction needs on the lot where it is stored and for which a development permit has been issued, storage on the property of:
 - (i) Construction materials, or
 - (ii) Rocks, soil, dirt, sod, concrete, or other such material.

C2 SPECIAL REGULATIONS

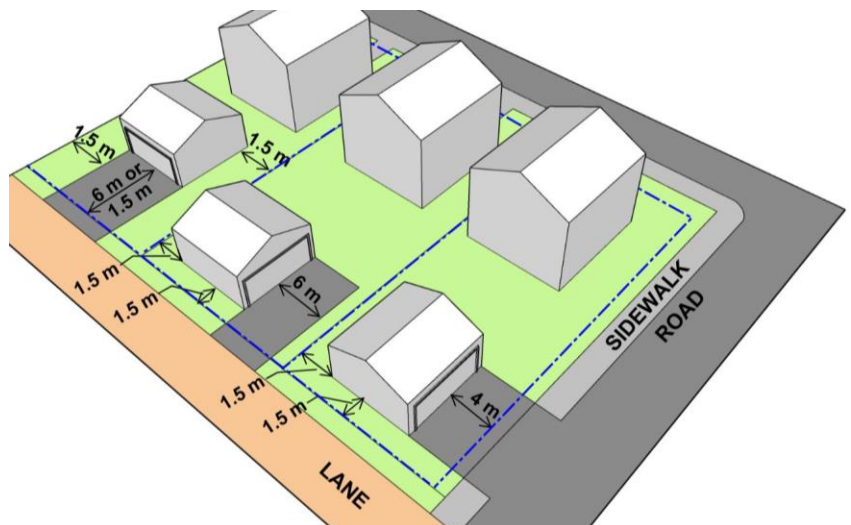
C2.1 Applicability

- (1) The Special Regulations contained in this section apply in all districts. In the event of a conflict between the regulations in a district and of this section, then the district regulations apply unless explicitly stated otherwise.

C2.2 Accessory Buildings and Uses

- (1) General Requirements
 - (a) Where an accessory building is attached to the principal building, it shall be considered part of the principal building and shall be subject to the setbacks required for the principal building.
 - (b) Notwithstanding any setback provisions of this section, an accessory building may be required to have a greater setback to protect utilities and utility rights-of-way as may be required by the Development Authority.
 - (c) Accessory buildings shall not encroach onto, or over adjacent properties.
 - (d) Accessory buildings shall not be used as a dwelling unless the Development Authority has granted approval for use as a secondary suite or a surveillance suite.
 - (e) Unless otherwise stated in this Bylaw, an accessory building shall not be located in, or encroach into, a front yard.
 - (f) Location on an irregular shaped lot shall be as required by the Development Authority.
 - (g) Unless otherwise specified in a district, the total area of accessory buildings on a lot shall not exceed a site coverage of fourteen percent (14%) nor an area of 140 m².
 - (h) Prefabricated quonset-type structures shall not be permitted within any residential district.
- (2) Residential Accessory Buildings
 - (a) Detached Garages:
 - (i) Shall not exceed a height of one (1) storey or 5 m,
 - (ii) Where located in a side yard, shall meet the front yard setback requirement for the principal building,
 - (iii) Shall be set back a minimum of 1.5 m from a side lot line unless it is a shared garage erected on the common lot line. In the case of a shared garage the wall erected on the lot line shall be constructed of brick, stone, or equivalent fire-resistant material,
 - (iv) In cases where a lane is provided, shall have vehicular access from the lane or the road abutting the exterior side yard,
 - (v) In cases where the vehicle entrance to the garage faces a rear lane, the garage shall have a minimum rear yard setback of 6 m, or 1.5 m if vehicles are not to be parked in front of the garage door (Figure C2.1),
 - (vi) In cases where the vehicle entrance to the garage faces an interior side lot line, the entrance to the garage shall have a minimum setback of 6 m from the subject side lot line, and the garage shall have a minimum setback of 1.5 m from the rear lot line. The 6 m setback may be increased at the discretion of the

Figure C2.1: Garage Setbacks



Development Officer to ensure that vehicles may manoeuvre adequately to enter and leave the site,

(vii) If located on a corner lot, the entrance to the garage shall have a minimum setback of 4 m from the exterior side lot line, and the garage shall have a minimum setback of 1.5 m from the rear lot line (Figure C2.1), and

(viii) In the case of interior lots with no rear lane, the garage shall be set back a minimum of 1.5 m from the side lot line.

(ix) Notwithstanding subsections (iv), (v) and (vi), where an easement exists along the side or rear lot line, the setback requirement may be increased to ensure that the structure does not encroach upon the easement.

(b) Sheds:

(i) Shall not exceed a height of one (1) storey or 4 m,

(ii) Shall be set back a minimum 1 m from a rear or side lot line. Where an easement exists along the rear or side lot line, the setback requirement may be increased, to ensure that the structure does not encroach upon the easement,

(3) Commercial and Industrial Accessory Buildings:

(a) Shall have the same height and setback requirements as the principal building, and

(b) At the discretion of the Development Authority may be located in a front yard. Accessory buildings located in a front yard shall not be used for storage.

C2.3 Adult Establishments

(1) For this section, “adult establishment” refers to both adult retail establishments and adult entertainment establishments.

(2) All adult establishments shall comply with the following:

(a) All adult establishments shall provide translucent or opaque coverings on all exterior windows for the entire width and to a height that negates any of the adult activities contained within the building to be seen by passersby, to the satisfaction of the Development Authority.

(b) Customer access to the business shall be limited to a store front that is visible from a public road.

(c) All parking areas shall be well lit to the satisfaction of the Development Authority.

(3) An adult retail establishment shall comply with the following:

(a) An adult retail establishment shall maintain a minimum 50 m radius from a lot containing another adult establishment.

(b) The 50 m separation distance referred to in subsection (a) shall be measured from the closest point of the subject lot line of the adult retail establishment to the closest point of the lot line containing another adult retail establishment.

(c) An adult retail establishment shall not be located directly adjacent to any lot:

(i) Located in a residential district or the [RMX](#) district,

(ii) Containing a religious assembly facility,

(iii) Containing a private or public school,

(iv) Containing a public park or recreational facility,

(v) Containing a day care facility.

(d) An adult retail establishment is not in contravention of subsection (2)(a) or (2)(c) if it lawfully exists either under this Bylaw or as a non-conforming use and a use described in subsection (2)(a) or (2)(c) subsequently locates within the specified separation distance.

C2.4 Bed and Breakfast and Short-Term Rental Accommodation

(1) Except in the Lakeshore District, a maximum of three (3) guest rooms shall be allowed in a bed and breakfast.

- (2) The Development Authority may permit a bed and breakfast only if it complies with the following regulations:
 - (a) Bed and breakfast facilities shall not be located in a dwelling that also contains an active home-based business.
 - (b) The privacy and enjoyment of adjacent residences shall be preserved, and the amenities of the neighbourhood maintained at all times.
 - (c) Interior or exterior alterations, additions or renovations may be allowed provided such alterations, additions or renovations maintain the principal residential appearance or character of the dwelling.
 - (d) A bed and breakfast shall be operated by the resident(s) of the principal dwelling.
 - (e) A bed and breakfast facility shall have no cooking facilities in a guest room.
 - (f) No exterior advertisement other than an identification sign approved by the Development Authority shall be permitted.
- (3) Short Term Rental Accommodation shall:
 - (a) Be secondary to the principal dwelling and operated by a resident who resides in the dwelling for more than 240 days per year,
 - (b) Not be permitted in a secondary suite,
 - (c) Not be permitted in a residence that is operated as a bed and breakfast,
 - (d) Have a maximum of one (1) booking/reservation permitted in same dwelling at any one time,
 - (e) Have one dedicated parking stall for the short-term rental accommodation use,
 - (f) Have a valid business license from the City, and
 - (g) If located in a condominium unit, have written approval of the condominium board to operate.

C2.5 Cannabis Retail Store

- (1) A Cannabis retail store shall not be located:
 - (a) Within 100 m of the boundary of a parcel of land on which any of the following are located:
 - (i) A provincial health care facility as defined in the *Hospitals Act*,
 - (ii) Any building containing a school as defined in the *School Act*,
 - (iii) Any lot designated as school reserve or municipal and school reserve,
 - (iv) Any lot containing a public park, public recreation facility or library,
 - (v) A child care facility.
 - (b) Within the same location where alcohol, tobacco, pharmaceuticals, or other things are sold, except cannabis unless the other things sold are cannabis accessories or prescribed things.
 - (c) Within the same location as a medical cannabis dispensary.
- (2) A cannabis retail store must be located in either:
 - (a) A permanent facility that is a free-standing building that does not contain another business, or
 - (b) A permanent facility that is in a building where there are other businesses within the building envelope, where the cannabis retail store must
 - (i) Have its own entrance and exit separate from the exit and entrance for any other business,
 - (ii) Have a common wall between the area to be occupied by the cannabis store and the area occupied by or to be occupied by any other business that is a solid floor to ceiling wall constructed of materials other than glass or transparent materials,
 - (iii) Have its own receiving and storage area separate from any other business, and
 - (iv) Have signage at each point of entry prohibiting minors from entering.
- (3) There must not be access between any part of a cannabis retail store premises (including its public, receiving, and storage areas) and any part of any other business's premises.
- (4) A cannabis retail store shall not have a drive-through window.
- (5) A cannabis retail store must provide translucent or opaque window coverings on all exterior windows for the entire width and to a height that negates visibility into the store by passersby, to the satisfaction of the Development Authority.

- (6) Signage for a cannabis retail store shall:
 - (a) Prominently display the business name at all public access points to the premises,
 - (b) Not use the terms “Alberta” or “AGLC” in a store name,
 - (c) Not promote intoxication, or include graphics which appeal to minors, show cannabis use, display intoxication, display a price or price advantage, identify a cannabis product or accessory, or display any sporting event or cultural activity, depict a lifestyle, endorsement, person, animal, make claims regarding beneficial health effects, or make statements regarding increased potency or concentration,
 - (d) Not include the use of any term, symbol or graphic normally associated with medicine, health, or pharmaceuticals.

C2.6 Communication Towers

Note: Industry Canada is responsible for regulating radio communication in Canada and for authorizing the location and height of radio communication facilities, including radio, television, and microwave transmission facilities. In making its decision regarding transmission, communication and related facilities, Industry Canada considers the following:

- The input provided by the City,
- Compliance with Transport Canada’s painting and lighting requirements for aeronautical safety,
- Health Canada’s safety guidelines respecting limits of exposure to radio frequency fields, and
- An environmental assessment may be required to comply with the federal *Environmental Assessment Act*.

- (1) Unless a proposal meets Industry Canada’s criteria for exclusion, the erection of a communication tower requires a development permit.
- (2) Industry Canada criteria for exclusion from the requirement to consult with the City and the public should be applied in consideration of local circumstances, as individual circumstances vary with each antenna system installation and modification. It may be prudent for proponents to consult the city and the public, even though the proposal meets the criteria for exclusion, as defined by Industry Canada. When applying for either a development permit, or the criteria for exclusion, the Development Officer and proponents should consider such things as:
 - (a) The antenna system’s physical dimensions, including the antenna, mast, and tower, compared to local surroundings,
 - (b) The location of the proposed antenna system on the property and its proximity to neighboring residents,
 - (c) The likelihood of an area being a community-sensitive location, and
 - (d) Transport Canada marking and lighting requirements for the proposed structure.
- (3) Unless demonstrated to be impractical, transmission antennae shall be encouraged to be mounted on existing structures (including buildings or towers).
- (4) Sites for commercial communication towers should be fenced with suitable protective anti-climb fencing as required by the Development Authority.
- (5) Where new communication tower installations are proposed, the City will encourage the use of monopole design to reduce the visual impact of the structure and will support any form of camouflage techniques that will assist to blend the tower into the environment.
- (6) The Development Officer shall submit a letter of concurrence to Industry Canada upon completion of a processed application detailing:
 - (a) Its opinion as to whether the location of the communication tower is appropriate from the City’s land use perspective,
 - (b) Whether or not, in the City’s opinion, adequate public consultation has been conducted by the applicant, and

- (c) The degree to which the applicant has met the requirements of this section as they relate to location, design, and visual impact.
- (7) All development permit applications for communication towers shall be referred to 4 Wing for review and comment.

C2.7 Decks

- (1) A deck shall
 - (a) Be located a minimum of 1 m from an interior side lot line, except in the case of duplex, multiplex, or row housing, where a deck may extend to a common lot line between units if a privacy wall is provided,
 - (b) Be located a minimum of 2 m from the exterior side lot line of a corner lot,
 - (c) Not be constructed over an easement,
 - (d) Pursuant to [Section C1.6\(1\)](#) not be located within a corner visibility triangle, and
 - (e) Project up to a maximum fifty percent (50%) into:
 - (i) A rear yard,
 - (ii) A front yard, provided that the Development Authority is satisfied that the deck would not detract from the character of the streetscape or neighbourhood.
- (2) A covered or enclosed deck shall be considered an addition to the principal building, shall be included in the calculation of lot coverage according to the district where it is located, and is required to meet the district requirements for the principal building.
- (3) Notwithstanding subsection (1), no side or rear yard setback is required for a deck with a maximum height of 0.6 m.

C2.8 Drive-Through Businesses

- (1) All points of entrance and exit shall be located as required by the Development Authority.
- (2) In addition to the parking and loading requirements required under [Section C4](#), a drive-through facility shall provide a minimum of:
 - (a) Eight (8) vehicle stacking spaces per order window for a restaurant, or
 - (b) Four (4) vehicle stacking spaces for a cash dispenser, car wash, or other service offered by a drive-through facility,for the purpose of queuing motor vehicles.
- (3) All vehicle stacking spaces shall have a minimum length of 5.5 m.
- (4) Vehicle queuing lanes shall be designed as to not interfere with traffic movement and parking on the subject lot. They shall be designed to be separate from parking areas and be designed to prevent vehicles from queuing on abutting public roads.
- (5) A drive-through facility may have outdoor speakers provided the speakers are located a minimum of 20 m of a lot line that abuts a residential district, unless the speakers are separated from the residential district by a building.
- (6) Pedestrian access to the principal building shall not be permitted to cross a drive-through queuing lane.
- (7) Where adjacent to a residential district, drive-through aisles shall be screened to the satisfaction of the Development Authority.
- (8) A drive-through aisle shall not be located within a front, side, or rear yard setback area.

C2.9 Gas Bars, Service Stations and Bulk Fuel

- (1) No part of a service station or gas station building or of any gasoline pump or other accessory shall be within 6 m of a side or rear lot line.
- (2) Notwithstanding the applicable district regulations, service stations shall have a minimum front yard setback of 12 m and gasoline pumps shall be set back a minimum of 6 m from a front lot line.
- (3) Underground storage tanks shall be set back from adjacent buildings in accordance with the *Fire Prevention Act*.
- (4) Where required by the Development Authority, a fence with a minimum height of 1.5 m shall be provided.
- (5) Removal of Fuel Tanks:
 - (a) A Development Permit is required for the removal of fuel tanks.
 - (b) After removal of fuel tanks, the site shall be reclaimed and landscaped, as required by the Development Authority.
 - (c) The City requires that all contaminants be removed from the site and that the site conform to provincial regulations. If tanks are removed and contamination is discovered, documentation from the relevant provincial agency is required to show that appropriate reclamation of the site has been completed.

C2.10 Home-Based Business

- (1) Home-based businesses shall be limited to those uses which do not interfere with the rights of other residents to the quiet enjoyment of the neighbourhood and shall not create a nuisance by way of dust, noise, smell, smoke, or traffic generation.
- (2) Home-based businesses shall be evaluated in accordance with the requirements outlined in Table C2.1.

Table C2.1: Home-Based Business Development Requirements

	Minor Home-Based Business	Major Home-Based Business
(a) Client Visits	None	Permitted. Shall not have an unreasonable number of late visits.
(b) Location	The business must be located in the principal dwelling or accessory building(s).	
(c) Employees	No person other than the resident(s) of the property.	The resident(s) of the property, and a maximum of two (2) non-resident employees.
(d) External Impacts	No noise, vibration, smoke, dust, odour, heat or glare detectable beyond the property boundary.	No offensive noise, vibration, smoke, dust, odour, heat or glare detectable beyond the property boundary, or cause traffic congestion or excessive on-street parking.
(e) Exterior Storage	None	Must be screened from view.
(f) Advertising	None other than an identification sign approved in accordance with Part C5.1 .	
(g) Vehicles and Equipment	1 business related vehicle and/or 1 utility trailer.	

- (3) The Development Authority may, at any time, revoke a development permit issued for a home-based business if, in the opinion of the Development Authority, the home-based business conflicts with its attending regulations or becomes a detriment to the adjacent properties or neighbourhood.
- (4) A development permit for a home-based business may be issued on a temporary basis and may be subject to annual review/reissuance.

C2.11 Intermodal Storage Containers

- (1) The placement of an intermodal container on a lot in a non-residential district that is not associated with storage for new construction requires a development permit and will be reviewed in accordance with [Section C2.2](#) and the requirements of the applicable district.
- (2) Intermodal containers shall not be located:
 - (a) On a lot in a residential district, or
 - (b) In the front yard of a lot in a non-residential district.
- (3) Notwithstanding subsection (2), the placement of an intermodal container on residential property may be permitted if it is required for onsite storage while a building is under construction, or a site is being developed. Placement shall be for a period of time determined by the Development Authority.
- (4) Intermodal containers shall not be placed on landscaped areas, designated parking and loading/unloading areas and shall not restrict site drainage.
- (5) Intermodal containers placed on commercial, industrial, or public sites shall be fully painted and free of graffiti and thereafter maintained in such condition to the satisfaction of the Development Authority.
- (6) Intermodal containers shall not be stacked one upon the other.
- (7) Intermodal containers, unless required for temporary storage in accordance with subsection (3) or located in an industrial district, shall be screened from public view to the satisfaction of the Development Officer, shall be painted or finished to match the principal building on the subject lot, and shall be free of logos and shipping labels.
- (8) Intermodal containers shall not display advertising, company logos, names, or other marketing without an approved development permit for a sign, which may be applied for as part of the development permit application for the intermodal container.

C2.12 Kennels

- (1) All buildings, cages and/or outdoor exercise areas shall be to the satisfaction of the Development Authority and shall comply with the following regulations:
 - (a) Where applicable, all facilities, including accessory buildings and outdoor exercise areas, shall be limited to the rear yard,
 - (b) All facilities, including buildings and outdoor exercise areas, shall be screened from dwellings on an adjacent parcel,
 - (c) Exercise areas shall be fenced to the satisfaction of the Development Authority.
- (2) The Development Authority may regulate the hours that the animals are allowed in outdoor exercise areas. These hours shall be determined based upon uses adjacent to, or surrounding the site, as well as the breed of animal on-site.

C2.13 Manufactured Homes

- (1) All development permit applications shall include proof that the subject manufactured home meets Canadian Standards Association requirements. If a particular manufactured home has been damaged or structurally altered, the application shall include certification from a qualified building inspector that the dwelling is safe for occupation.
- (2) The Development Authority reserves the right to refuse a development permit for a manufactured home that is of poor appearance or condition.
- (3) Manufactured homes shall be placed on a permanent foundation in accordance with the requirements of the Alberta Building Code.
- (4) The roofline of any addition shall match or complement the roof pitch of the manufactured home.
- (5) All manufactured homes shall be skirted from the ground to floor level, and such skirting shall match the existing exterior finish of the manufactured home. Skirting shall be installed within sixty (60) days of the date the manufactured home is placed on the site to the satisfaction of the Development Authority.

C2.14 Residential Sales Centres

- (1) A residential sales centre in the form of a temporary building may be installed on a site prior to the completion of roads, sidewalks, and utility infrastructure in the subject development.
- (2) The construction of a residential sales centre in the form of a show home shall not be commenced prior to the completion of roads, sidewalks, and utility infrastructure in the subject development unless a show home agreement has been entered into with the City.

C2.15 Secondary Suites

- (1) A secondary suite may only be developed within a single detached dwelling (basement suite) or on the same lot as a single detached dwelling (garden suite or garage suite).
- (2) A secondary suite shall only be accessory to an existing single detached dwelling. In the case of an undeveloped lot, a development permit application for a secondary suite on the subject lot may be made concurrently with an application for a development permit for a principal residential use on that same lot.
- (3) A maximum of one (1) secondary suite is permitted on a lot.
- (4) In reviewing an application for a secondary suite, the Development Authority shall be satisfied that it:
 - (a) Will not interfere with, or affect the use and enjoyment of adjacent properties,
 - (b) Is compatible in appearance and design to the principal building on the parcel,
 - (c) Will not result in excessive demand on local infrastructure,
 - (d) Will not cause a building to become a duplex, row housing, or an apartment.
- (5) The appearance and design of a garden suite or garage suite on a lot shall be compatible with the appearance and design of the principal dwelling, to the satisfaction of the Development Authority.
- (6) A secondary suite shall at all times remain accessory to and subordinate to the principal dwelling on the lot, and the subject lot shall not be subdivided to create a separate title for the secondary suite.
- (7) A secondary suite located within an accessory building on a parcel shall have full utility services through service connection from the principal residential building on the parcel.

- (8) The development of a basement suite shall not result in structural changes to the front elevation of the principal dwelling.
- (9) A secondary suite shall not be developed within the same dwelling or on the same lot containing a bed and breakfast, family day home or group home.
- (10) A garden or garage suite shall be located on a corner lot or on a lot that is served by a rear lane,
- (11) In addition to the above requirements, garage suites shall be developed in accordance with the following:
 - (a) The maximum height for a garage containing a garage suite shall be 7 m.
 - (b) No decks are permitted.
 - (c) Balconies may be permitted in cases where the balcony faces a lane or is located in an exterior side yard.
 - (d) The minimum side yard setback for a detached garage that contains a garage suite shall be the same as that for the principal dwelling in the district.
 - (e) Windows shall be placed and sized in order to minimize overlooking into yards and windows of adjacent properties, using techniques such as:
 - (i) Off-setting window placement in order to prevent or limit direct views of side and/or rear yard amenity areas for adjacent residential properties,
 - (ii) Strategic placement of windows in conjunction with established landscaping or the location of existing accessory structures,
 - (iii) Placing larger windows to face a lane or a flanking road.

C2.16 Solar Collectors

- (1) Solar collectors may be affixed to a building or structure wall, mounted to the roof of a building or structure, or mounted to the ground as a freestanding structure. The maximum number of solar collectors per lot and location shall be at the discretion of the Development Authority.
- (2) Solar collectors must be located such that they do not direct glare on neighbouring lots or public roads.
- (3) Solar collectors mounted on the roof of a building or structure shall not extend beyond the outermost edge of the roof.
- (4) The maximum projection of solar collectors affixed to the wall of a building or structure in a residential Land Use District shall be:
 - (a) 1.5 m from the surface of a wall that faces a rear lot line, and
 - (b) In all other cases, 0.6 m from the surface of that wall.
- (5) Freestanding solar collectors shall be subject to the setback requirements for accessory buildings.
- (6) The maximum height of a freestanding solar collector shall not exceed 2.4 m.

C2.17 Supportive Living Accommodation

- (1) In addition to the requirements of [Section D1.3](#), a development permit application for a supportive living accommodation shall include:
 - (a) The type of clients served,
 - (b) The number of clients to be accommodated,
 - (c) The number of staff to be employed, and
 - (d) Information as to how communication with neighbours will be undertaken and how any neighbourhood compatibility issues are to be addressed.
- (2) The maximum number of residents shall be established by the Development Authority, having regard to the nature of the supportive living accommodation and the character of the subject neighbourhood.

- (3) The supportive living accommodation shall not generate pedestrian or vehicular traffic or parking demands in excess of that which is characteristic of the zoning district within which it is proposed to be located.

C2.18 Swimming Pools/Whirlpools/Hot Tubs

- (1) All forms of swimming pools/whirlpools/hot tubs require a building permit and shall conform to the *Alberta Building Code*, as amended.
- (2) All swimming pools and hot tubs shall:
 - (a) Be protected by a fence, wall, or an approved cover that can prevent entry by unauthorized persons,
 - (b) Not be located within a front yard, and
 - (c) Be set back a minimum 1.5 m from a side and rear lot line and no slides, diving boards or other accessory uses shall encroach into the setback requirements.
- (3) The area around a permanent swimming pool shall be graded to properly channel drainage as per Municipal Engineering Standards.

C2.19 Temporary or Special Events

- (1) Notwithstanding any other provision of this Bylaw, development permit approval shall be required for a temporary use or special event with a duration of seven (7) days or more.
- (2) The Development Authority may approve such an application if, in its opinion, the use would not unduly interfere with the amenities of the surrounding neighbourhood, or materially interfere with, or affect the use and enjoyment of neighbouring parcels. When considering such an application, the Development Authority shall have regard to:
 - (a) The proposed location for the event and its proximity to residential properties,
 - (b) The potential for noise disturbance or other nuisance factors,
 - (c) Hours of operation for the event,
 - (d) Traffic access and parking,
 - (e) The availability of utility services, and
 - (f) Any other factors the Development Authority may deem applicable.
- (3) As a condition of approval, the Development Authority shall require that upon completion of the temporary or special event, that the land upon which the event is located be returned to its condition prior to the event taking place.

C2.20 Urban Gardens

- (1) Urban Gardens may be developed as a stand-alone use on a parcel of land within certain districts as established in [Part B](#) subject to the following:
 - (a) The parcel on which the garden plot is located must be kept in a neat and tidy condition at all times.
 - (b) Weeds must be promptly removed to discourage potential for spread to adjacent properties.
 - (c) Any on-site composting must be done within an enclosure as required by the Development Authority. The enclosure may be open at the top and/or one side to allow for aeration of the composted material.
 - (d) No outdoor storage of equipment, supplies or materials is permitted.
 - (e) The pre-existing grading and drainage of the site must be maintained.
 - (f) Portable sheds may be used to accommodate on-site storage of tools and supplies and will be reviewed in accordance with Section C2.2 and the requirements of the applicable district. No permanent structures shall be permitted on a parcel used as an Urban Garden.
 - (g) Intermodal Storage Containers may not be used for on-site storage if the Urban Garden is located on a parcel within the [RE](#), [RIA](#), [RIB](#), [R2](#), [R3](#), or [RMX](#) districts.
 - (h) Cold frames or hoop enclosures less than 1.5m in height may be used to extend the growing season.

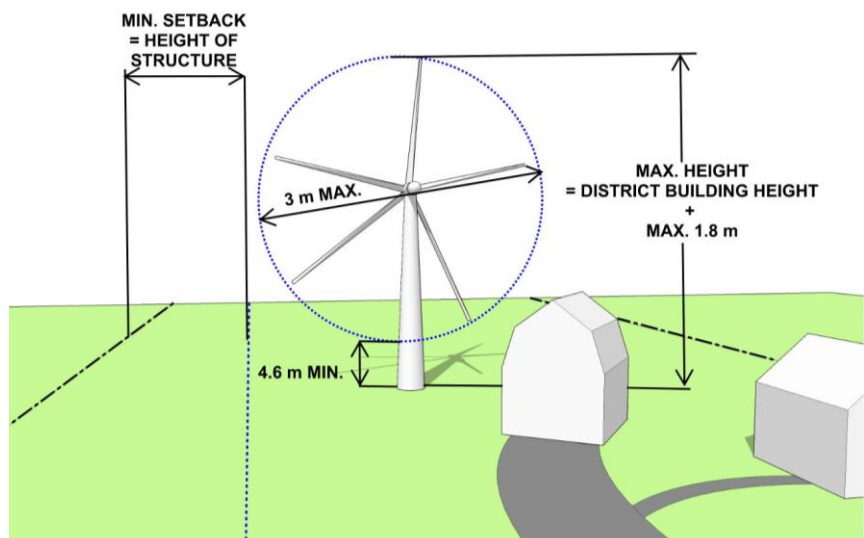
- (i) In the event that the use of the parcel as an Urban Garden is discontinued, all topsoil, mulch and compost must be removed to deter weed growth and the site returned to its original condition.
- (2) On-Site Sales:
 - (a) If the Urban Garden is located on a parcel within the [RE](#), [RIA](#), [RIB](#), [R2](#) or [R3](#) districts, no on-site sales of produce is permitted.
 - (b) If the Urban Garden is located on a parcel within the [RMX](#) or [C2](#) districts, on-site sales of produce shall be permitted.
 - (c) Any on-site sales of produce from an Urban Garden will be subject to the applicant complying with the requirements of the *Business Licence Bylaw*.

C2.21 Wind Energy Conversion Systems (WECS)

- (1) A development permit application for a WECS shall meet or exceed all provincial and federal regulations and shall include the manufacturer's specifications indicating:
 - (a) The WECS rated output in kilowatts,
 - (b) Safety features and sound characteristics,
 - (c) Type of material used in tower, blade, and/or construction,
 - (d) Turbine height,
 - (e) Blade diameter and rotor clearance,
 - (f) Canadian Standards Association approval, if applicable,
 - (g) Potential for electromagnetic interference,
 - (h) Nature and function of over speed controls that are provided,
 - (i) Specifications on the foundations and/or anchor design, including location and anchoring of any guy wires,
 - (j) Information demonstrating that the system will be used primarily to generate on-site electricity,
 - (k) Location of existing buildings or improvements, and
 - (l) An analysis for noise to any residences located within a 200 m radius of the proposed WECS.
- (2) Prior to deciding on a development application for a WECS, the Development Authority may refer and consider the input of any authorities having jurisdiction and any applicable legislation.
- (3) Notwithstanding the maximum height provisions applicable to a site, the total height of a WECS may exceed the maximum building height of a district by a maximum of 1.8 m.
- (4) The blade clearance of a WECS shall be a minimum of 4.6 m above grade (Figure C2.2).

Figure C2.2: WECS Requirements

- (5) A WECS shall meet the setback requirements of the District in which it is to be located.
- (6) Notwithstanding subsection (5), a WECS shall be set back from any lot line a minimum distance equal to the height of the structure.
- (7) The maximum diameter of the blades shall be 3 m.
- (8) A maximum of one (1) WECS shall be allowed on a lot.
- (9) A WECS shall comply with the following:



- (a) The system shall be equipped with manual and automatic over speed controls,
- (b) The conformance of rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural or electrical engineer.

C3 LANDSCAPING

C3.1 General Provisions

- (1) As a condition of a development permit, the Development Authority shall require all required landscaping to be completed within two (2) growing seasons of the date of issuance of the development permit.
- (2) The intent of these landscaping standards is to contribute to a reasonable standard of liveability and appearance for developments, from the initial placement of the landscaping through to its mature state, provide a positive overall image for the City and encourage good environmental stewardship.
- (3) The owner, developer and/or successor or assignees, shall be solely responsible for the necessary landscaping and proper maintenance of the development parcel and adjoining public boulevards. Landscaping and/or restoration of public boulevards shall consist of loaming, seed or sod unless otherwise specified by the Development Authority.
- (4) Unless addressed in a development agreement, any landscaping area between the lot line and the existing curb shall be incorporated into any required landscape plan and shall be landscaped concurrently with the development in accordance with City standards.
- (5) Single detached and duplex dwelling developments shall only be required to complete landscaping within the front yard and, in the case of a corner lot, the exterior side yard, within the time period specified in subsection (1).

C3.2 Landscape Plan and Content

- (1) Excepting developments in the [RE](#), [R1A](#), [R1B](#), [R2](#), and [RMH](#) districts, development permit applications shall include a landscape plan prepared by a qualified professional to perform such work in accordance with the landscaping standards specified herein.
 - (a) Any changes to an approved landscape plan will require approval of the Development Authority prior to the landscaping being installed.
 - (b) The provision of site landscaping is a permanent obligation of a development permit and shall be installed in accordance with the approved landscape plan and maintained in accordance with accepted horticultural practices.
 - (c) Where landscaping is required by this Bylaw, as a condition of the development permit, development may commence upon receipt of the landscape plans once all other conditions of the development permit have been met.
 - (d) Site landscaping which has been approved as part of a development permit shall be planted no later than the first planting and seeding season following the completion of the development, or first occupancy of the building/commencement of use on the site.
- (2) The landscape plan shall include information for the proposed site as well as all adjacent boulevards and existing property, drawn at a scale of 1:500 or larger, which clearly indicates and accurately identifies the following:
 - (a) North arrow; the property lines, dimensions of the site and identification of adjacent land uses,
 - (b) Adjacent public area features, such as streets, lanes, driveways, vehicular entrances, sidewalks, street furniture and boulevard trees,
 - (c) The landscape site plan should match the current architectural site plan,
 - (d) Reference to the civil engineering design for the site including grades, drainage, elevations, utilities, and easements,
 - (e) Location of all existing and proposed utilities and easements, including storm sewers, catch basins for site drainage, and overhead and underground utilities and related ancillary structures,
 - (f) Location of all existing and proposed buildings, parking areas, driveways, and entrances,
 - (g) Location of all existing plant materials to be retained on the subject site,
 - (h) Location of all new plant materials being proposed for the subject site,

- (i) Proposed trees, shrubs, flower beds and ground covers, as individual plant symbols, labelled with a key to a cross referenced plant list identifying the common and botanical names, quantity, size and method of planting, grass mix for sod and/or seed,
 - (j) Vegetation planting details for installation that meet or exceed the municipal details and requirements,
 - (k) Location of all required landscape furniture and/or landscape amenities for the subject site including height of fencing and screen walls.
- (3) Any changes to an approved landscape plan require approval of the Development Authority prior to the landscaping being installed.

C3.3 Landscaping Requirements

- (1) Any portion of a site that is not occupied by buildings, parking, vehicular or pedestrian circulation, or loading/storage areas shall be landscaped or maintained in its natural state (if the natural portion of the site consists of a water body, swamp, ravine, coulee, natural drainage course, or other environmentally sensitive area).
- (2) In order to enhance the appearance of the site and the general visual amenities of the area any portion of the site required to be landscaped must be topsoiled and planted with grass, trees, shrubs, or a combination thereof in accordance with the requirements of this Bylaw.
- (3) All landscaped areas shall be constructed with the following minimum topsoil depths:
 - (a) 200 mm for seed and sod areas,
 - (b) 450 mm for shrubs, perennials, and ornamental grasses,
 - (c) 600 mm for tree trenches to achieve a minimum of 16 m³ of topsoil per tree.
- (4) In the [R3](#), [R4](#), [C1](#), [C2](#), [LC](#), [BI](#) and [PS](#) districts, perimeter landscaping is required within all front setback and exterior side setback areas. The perimeter landscaping area shall be a minimum of 4.5 m in width but may be reduced to 3.5 m at the discretion of the Development Authority provided the yard total is ten percent (10%) or more of the total site area.
 - (a) Planting shall consist of a minimum of one (1) tree per 30 m² of the required landscape yard area and one (1) shrub per 20 m² of the required landscape yard area. One (1) tree may be substituted by three (3) shrubs at the discretion of the Development Authority.
 - (b) All trees must be planted a minimum distance of 1.8 m from the property line and species shall be chosen in accordance with Table 9.3.
 - (c) At the discretion of the Development Authority, the front and exterior side yard landscaping may about the building should off-street parking be required to the front or side of the building.
 - (d) Where the Development Authority approves a development with a reduced or zero front and/or exterior side yard setback, the perimeter landscaping requirement may be reduced, or may not be required, subject to building site coverage, however the developer shall still be required to landscape adjoining public boulevards, where applicable.
- (5) Parking areas within commercial, industrial, multi-family residential and public service developments containing more than twenty-five (25) parking stalls shall have dispersed landscaping within the parking area(s) to provide visual relief and break-up large area(s) of parking into smaller cells. The plantings shall be provided at a rate of one tree per 30 m² and one shrub per 15 m² of the required landscaped parking area. The landscaping treatment shall be in the form of:
 - (a) Landscaped islands (an island with trees shall be a minimum width of 2 m width and area of 20 m²),
 - (b) Tree lines separating facing rows of parking stalls, or
 - (c) Some combination of forms.

The parking landscaping requirement is included within but shall not exceed five percent (5%) of the calculation of perimeter landscaping provisions required in subsection (5) above.
- (6) The parking of vehicles, outdoor display or sale of goods and outdoor storage are all prohibited on any portion of a required landscaped yard.

- (7) To provide year-round colour and interest, the required trees and shrubs shall be a minimum of 1/3 coniferous species with no one species accounting for more than half the total.
- (a) All required plant materials shall be installed in accordance with the following provisions:
- (i) Deciduous trees shall have a minimum calliper width of 50 mm measured at a point 100 mm above the root ball,
 - (ii) Coniferous trees shall have a minimum height of 2000 mm,
 - (iii) Deciduous shrubs shall have a minimum spread of 600 mm,
 - (iv) Coniferous shrubs shall have a minimum height of 600 mm,
 - (v) Landscape buffers shall be designed whereby the vegetation will reach 6.0 m in height at maturity.
- (b) A landscaped buffer with a minimum width of 3.5 m is required between all residential and commercial/industrial districts. The landscape buffer must include trees that, in the opinion of the Development Authority will be sufficient to screen the residential use or district from the commercial or industrial development.
- (c) In areas designated as landscape buffers the landscape plan must depict a minimum tree mix of 2/3 coniferous trees.
- (d) Landscape buffers shall be continuous along the affected property boundaries, except that they may be interrupted by walkways and driveways providing access to the property.
- (e) All plant material shall meet the horticultural standards of the most current edition of the "Canadian Standards for Nursery Stock", produced by the Canadian Nursery and Landscape Association (CNLA).
- (8) The City requires a mixture of the tree and shrub species outlined in Table C3.1, although trees must be suitable for the specific application or site:

Table C3.1: Botanical Species

Trees: Botanical Species- Zone 3a		
<i>Larix sibirica</i> Siberian Larch	<i>Crataegus</i> Hawthorn	<i>Prunus maackii</i> 'Ming' Ming Cherry
<i>Picea</i> Spruce	<i>Fraxinus pennsylvanica</i> Green Ash	<i>Salix alba</i> var. vitellina Golden Willow
<i>Pinus sylvestris</i> Scots Pine	<i>Malus x adsrtngens</i> 'Jefnite' Midnight Spire Crab (Columnar)	<i>Salix pentandra</i> Laurel Leaf Willow
<i>Acer ginnala</i> Amur Maple	<i>Malus</i> Flowering Crab	<i>Sorbus</i> Mountain Ash
<i>Acer saccharinum</i> Silver Cloud Maple	<i>Malus</i> 'Jefwall' Greenwall Flowering Crab (Columnar)	<i>Tilia x flavescens</i> 'Dropmore' Dropmore Linden
<i>Aesculus glabra</i> Ohio Buckeye	<i>Populus x 'Sundancer'</i> Sundancer Poplar (Columnar)	<i>Ulmus americana</i> 'Brandon' Branden Elm
<i>Betula platphylla</i> 'Jefpark' Parkland Pillar Birch (Columnar)	<i>Prunus maackii</i> Amur Cherry	<i>Quercus macrocarpa</i> Bur Oak
Shrubs: Botanical Species- Zone 3a		
<i>Juniperus</i> Juniper	<i>Cotoneaster acutifolius</i> Peking Cotoneaster	<i>Prunus triloba</i> 'Multiplex' Double Flowering Plum
<i>Picea abies</i> 'Nana' Dwarf Norway Spruce	<i>Hippophae rhamnoides</i> Sea Buckthorn	<i>Ribes alpinum</i> Alpine Current
<i>Pinus mugo</i> Mugo Pine	<i>Hydrangea</i> Hydrangea	<i>Rosa</i> Rose

<i>Amelanchier alnifolia</i> Saskatoon	<i>Physocarpus opulifolius</i> Ninebark	<i>Salix candida</i> 'Jeffberg' Iceburg Ally Willow
<i>Caragana pygmaea</i> Pygmy Caragana	<i>Potentilla fruticosa</i> Potentilla	<i>Spiraea</i> Spirea
<i>Cornus</i> Dogwood	<i>Prunus tomentosa</i> Nanking Cherry	<i>Syringa</i> Lilac

- (9) The Development Authority may consider an application for a development permit that does not provide all the information required by [Section C3.3](#) if, in the opinion of the Development Authority, the information provided is sufficient to show that the landscaping provisions of the Bylaw can be met.
- (10) As a condition of development permit approval, the Development Authority shall require that the applicant sign a Landscaping Deposit Agreement, in which the applicant will provide a required “Landscape Security” in the form of cash or Letter of Credit equivalent to one hundred percent (100%) of the estimated soft landscape value, to ensure that the landscaping is provided and installed in accordance with recognized horticultural practices and the approved landscape plan. The security may be released subject to the following:
- (a) Inspections shall only be made during the normal growing season, approximately June through September.
 - (b) The release of security will be dependent on plant material being alive, thriving, and having been consistently maintained over the previous twelve (12) months.
 - (c) Securities may be held in full, if the landscaping is not provided and installed in accordance with the approved landscape plan, or if there are noted deficiencies as determined by the Development Authority.
 - (d) Securities may be released in full, if the landscaping is provided and installed in accordance with the approved landscape plan, and there are no deficiencies as determined by the Development Authority.
 - (e) Securities may be reduced to ten percent (10%) of the accepted securities if there are noted deficiencies, at the discretion of the Development Authority. The Developer/Owner will have one year from the date of the initial inspection to complete the required landscaping and ensure the landscaping is in healthy condition. Upon approval of the finished landscaping, the City shall release the remaining securities.
 - (f) In the event the Developer/Owner does not complete the required landscaping or fails to maintain the landscaping in a healthy condition, the City will draw on the securities provided by the Developer/Owner to complete the required work. If the securities are insufficient to complete the required work, the Developer/Owner shall pay such deficiency to the City immediately upon being invoiced.
- (11) The projected cost of the landscaping shall be calculated by the Developer/Owner and shall be based on the information provided on the approved landscape plan. If in the reasonable opinion of the Development Authority, these projected costs are inadequate, the Development Authority may establish a higher landscaping cost for the purposes of determining the value of the landscaping security.

C4 PARKING AND LOADING FACILITIES

C4.1 General Provisions

- (1) The requirements of this Part shall apply to all parking and loading facilities required by this Bylaw. In the event of a conflict between the requirements of this section and a land use district, the land use district requirements shall prevail.
- (2) If vehicles entering onto public roads exceed 9 m in length, the applicant may be required to provide evidence, in the form of diagrams, that appropriate entrance and circulation geometrics have been incorporated to the satisfaction of the Development Authority.
- (3) For the construction of a new building, or the enlargement or change of use of an existing building which generates the need for new or additional parking or loading spaces, the owner of the building shall provide the required parking or loading spaces as required in this Bylaw, prior to the completion of development or first occupancy of the building, whichever is sooner.
- (4) In the event seasonal conditions prohibit the completion of lot surfacing, the lot shall be compacted and maintained in a manner to allow access by emergency vehicles, and all hard surfacing shall be completed within one (1) year.
- (5) The applicant may be required to provide security acceptable to the Development Authority to guarantee completion of the lot surfacing.
- (6) Parking areas which are intended for public use shall only be used for the temporary parking of motor vehicles and shall not be used for extended storage of motor vehicles.
- (7) Where the Development Authority finds that the use of a parking area is not in accordance with this Bylaw, the Development Authority may, by written notice of contravention, and/or stop order, notify, or order the registered owner, the person in possession of the parking area or the person responsible for the contravention or all, or any of them to:
 - (a) Stop the use of the parking area in whole or in part as directed by the notice, or
 - (b) Take such other measures as are specified in the notice so that the use of the parking area is in accordance with the development permit or this Bylaw as the case may be, within the time specified by the notice.
- (8) Parking areas and loading spaces shall be designed, located, and integrated with the pedestrian network to minimize any disruption to the continuity of the pedestrian network and adjacent public roadways.
- (9) To facilitate the determination of parking and loading requirements, a parking and loading assessment prepared by a qualified professional engineer may be required. The assessment may document the parking and loading demand and supply characteristics associated with the proposed development where this part does not provide sufficient requirements or in cases where a parking variance (reduced supply) is proposed. The Development Authority shall not be bound by any recommendations of such a parking or loading assessment but may consider such recommendations in exercising discretion to allow a reduction of the minimum number of spaces specified in this Bylaw.
- (10) The Development Authority may refuse to grant a development permit to an applicant not fully complying with parking or loading requirements.

C4.2 Parking Requirements

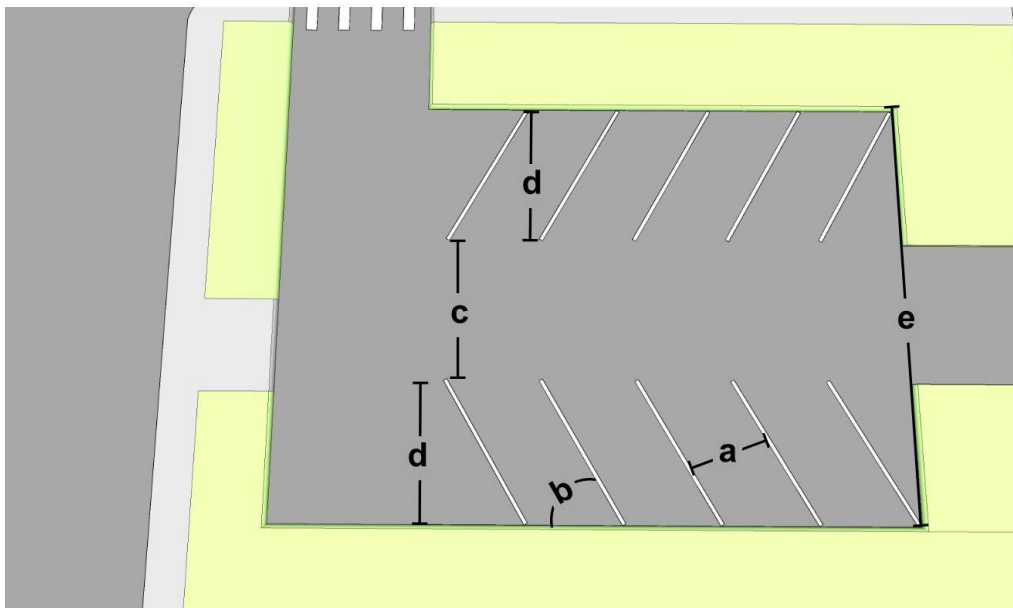
- (1) Unless arrangements for shared parking are provided in accordance with [Section C4.3\(1\)](#), all required parking stalls and loading spaces shall be located on the same site as the use requiring them.

- (2) Parking or loading spaces for an apartment building or a non-residential use shall not be located in a front or exterior side yard unless otherwise approved by the Development Authority.
- (3) The location of on-site parking or loading spaces on a school site shall be to the satisfaction of the Development Authority.
- (4) All parking spaces, loading spaces, and drive aisles shall:
 - (a) Meet the requirements listed in Table C4.1 and illustrated in Figure C4.1,

Table C4.1: Minimum Parking Standards

Stall Width (a)	Parking Angle (in Degrees) (b)	Aisle Width (c)	Stall Depth (Perpendicular) (d)	Parking Unit Depth (e)
Standard Stall				
2.75 m	0 (parallel)	3.7 m	5.5 m – end stalls 7 m – inner stalls	9.2 m – one-way 12.9 m – two-way
2.75 m	45	3.9 m	5.5 m	15 m – one-way (typical)
2.75 m	90	7.3 m	5.5 m	18.3 m one-way
Small Car/Compact Vehicle Stall				
2.5 m	0 (parallel)	3.4 m	4.9 m – end stalls 6.4 m – inner stalls	8.4 m – one-way 11.8 m – two-way
2.5 m	45	3.6 m	5.2 m	14 m – one-way
2.5 m	90	7.0 m	4.9 m	16.8 m – one-way

Figure C4.1: Minimum Parking Standards



- (b) Be hard surfaced, unless in an industrial district where gravel surfacing may be permitted in a side or rear yard at the discretion of the Development Authority,

- (c) Be appropriately drained as per the City's Municipal Engineering Standards,
 - (d) Be demarcated or physically divided to clearly delineate each parking stall, loading space, or drive aisle. The repainting of linework shall be undertaken by the owner as required by the City,
 - (e) Be constructed with suitable barriers to prevent motor vehicles from encroaching onto landscaped areas and to protect fences, walls, or buildings, and
 - (f) Not be permitted in a fire lane.
- (5) The parking or loading layout of all developments shall be designed, located, and constructed to meet the following standards to the satisfaction of the Development Authority:
- (a) Each parking aisle may have a curbed island at each end, measuring a minimum of 1 m in width,
 - (b) In accordance with the City's Municipal Engineering Standards, any industrial or commercial parking lot containing more than one hundred (100) parking spaces and in which a parking space intended for visitor or customer use is further than 50 m from the entrance to any destination building on the site, shall be oriented to ensure safe and efficient pedestrian traffic flow, and incorporated into any adjoining pedestrian network,
 - (c) Lot design shall provide for adequate stacking and queuing lanes for vehicles to ensure that traffic flow both on-site and on public roads is not adversely affected in any way,
 - (d) Parking dimensions for parking angles between 90 degrees and 45 degrees shall be calculated using a straight-line interpolation between dimensions,
 - (e) Maneuvering aisles and driveways serving as fire lanes shall be a minimum of 6 m in width,
 - (f) Parking stalls shall be clear of all obstructions, other than wheel stops, and
 - (g) The maximum grade of a parking stall shall not exceed 4% in any direction.
- (6) Wheel stops shall not exceed 0.1 m in height above the parking stall surface and shall be placed perpendicular to the parking stall depth, 0.6 m from the front of the parking stall.
- (7) Where the calculation of the required number of parking stalls or loading spaces results in a fraction number of parking spaces, the next higher number shall be taken.
- (8) Where a use does not fall clearly within a single land use category and instead falls within a combination of the land use categories listed in this Section, the requirement for the land use generating the highest number of stalls shall apply.
- (9) A number of stalls may be approved as compact vehicle/small car stalls. These stalls must be clearly marked with signs to denote the space. The size of the parking stall may be reduced to the minimum dimensions specified in Table C4.1.
- (10) Where residential tandem parking is permitted by the Development Authority:
- (a) A maximum of two (2) parking stalls may be provided in tandem and may only be used to provide parking for one (1) dwelling unit,
 - (b) Tandem parking stalls shall not be more than two (2) vehicle stalls deep,
 - (c) The total number of parking spaces permitted to be in tandem shall be equivalent to the total number of required parking stalls minus the total number of dwellings minus the visitor parking,
 - (d) Visitor parking spaces shall not be in tandem,
 - (e) Should the development provide additional stalls in tandem, there is no limit to the number of stalls that can be provided but each stall in 'tandem' will only be counted as a single stall.
- (11) Unless otherwise allowed by the Development Authority, the required minimum number of vehicle parking stalls for any Land Use shall be as provided in Tables C4.2 through C4.5:

Table C4.2: Parking Requirements - Residential

Land Use	Minimum Requirement
Apartment – Bachelor / 1 Bedroom	1 stall per dwelling unit (du) + 0.15 stalls per du designated as visitor parking

Apartment - 2 Bedroom	1.5 stalls per du + 0.15 stalls per du designated as visitor parking
Apartment - 3 or more Bedroom Manufactured Home Community	2 stalls per du + 0.15 stalls per du designated as visitor parking
Multiplex Dwelling Surveillance Suite	See Apartment
Residential Sales Centre	No additional requirements
Secondary Suite	1 stall per 2 bedrooms
Single Detached Dwelling, Duplex, Row House	2 stalls per du

Table C4.3: Parking Requirements - Commercial

Land Use	Minimum Requirement
Adult Entertainment Establishment	5.3 stalls 100 m ² + minimum of 3 staff stalls on shift
Adult Retail Establishment	2.5 stalls per 100 m ² gross floor area (GFA), minimum 2 stalls
Amusement Establishment, Indoor	3 stalls per 100 m ² GFA
Animal Shelter	1 stall per employee + 1 stall per 100 m ² if public access is allowed (for adoption)
Amusement Establishment, Outdoor Auction Yard Casino Flea Market Greenhouse and Plant Nursery Night Club Participant Recreation, Indoor Participant Recreation, Outdoor Private Club Private Education	Parking study required.
Automotive and Equipment Repair Business Support Service Cannabis Retail Store Dealership Equipment Rental Gas Bar Limited Contractor Personal Service Facility Pet Care Service Service Station	2 stalls per 100 m ² GFA + 1 stall/employee on shift
Child Care Facility	1 stall per staff on duty + 0.2 stall per child
Eating and Drinking Establishment	1 stall per 3 seats
Fleet Service	As needed for the maximum number and type of fleet vehicles and maximum number of employees on site.
Food or Retail Concession	None required for temporary structures
Cremation and Interment Funeral Services	1 stall per 4 seats + 1 stall for hearse.
Bed and Breakfast Hotel Motel	1 stall per bedroom sleeping unit (including suite) + 1 stall per 3 employees

Kennel	2 stalls + a minimum of 1 staff parking stall
Marina	1 stall per boat stall (berth)
Professional or Financial Service	2.5 stalls per 100 m ² GFA
Convenience Retail Retail Store	3 stalls per 100 m ² GFA, minimum 2 stalls
Spectator Entertainment	5.3 stalls per 100 m ²
Shopping Centre	4.1 stalls per 100 m ² GFA
Short Term Rental Accommodation	See Single Detached Dwelling
Vehicle Washing Facility	1 stall per employee on shift + 1 stall per 4 wash bays
Veterinary Service	3 stalls per 100 m ² GFA
Warehouse Sales	2 stalls per 100 m ² GFA + 1 stall per employee on shift

Table C4.4: Parking Requirements - Industrial

Land Use	Minimum Requirement
Abattoir Automotive Wrecker Bulk Fuel Station	Parking study required.
Cannabis Micro-Processing Cannabis Production Facility Heavy Industrial Natural Resource Development Oilfield Support Recycling Depot Warehousing and Storage	1 stall per employee on shift.
Light Industrial	1.0 stall per 100 m ² , minimum of 3 stalls per tenant (in a case of a multiple tenant development)
Mini-Storage Facility	1 stall per employee on shift + 1 stall per 100 units for customers

Table C4.5: Parking Requirements - Other

Land Use	Minimum Requirement
Campground	1 stall per employee on shift + 1 stall per campsite (provided on campsites) + 1 stall per 20 campsites (for visitors)
Cemetery	None required as parking is on circulating roadways within cemetery.
College/University Exhibition Grounds Hospital Nursing Home Supportive Living Accommodation Waste Management Site	Parking study required.
Health Service	4 stalls per 100 m ² GFA
Museum	1 stall per 100 m ²
Public Building or Service	4.1 stalls per 100 m ² GFA
Public Utility	2 stalls per 100 m ²
Religious Assembly	1 stall per 4 seats
School - Elementary/Junior High	1 stall per staff

School - Senior High	Parking study required (student parking depending on busing plan)
All Other Uses	As required by the Development Authority

C4.3 Shared Parking

- (1) Where two (2) or more adjacent or abutting developments demonstrate to the satisfaction of the Development Authority that opportunities to share parking facilities exist, permission to share parking spaces may be granted by the Development Authority:
 - (a) The developments shall be proximate to each other and within 100 m of the site on which the parking spaces are located,
 - (b) The developments must provide parking stalls and loading spaces equal to the sum of the requirements of individual uses, unless:
 - (i) The applicant can otherwise demonstrate to the Development Authority through a qualified Transportation Engineer that there is a complementary or overlapping use of the parking facilities which would warrant a reduction in the parking requirements, for example, the developments demonstrate that they may have a potential shared customer, where customers visit two or more businesses using a single parking stall, or
 - (ii) The demand for parking spaces for each development is not likely to occur at the same time,
 - (c) An agreement satisfactory to the Development Authority is signed between the owners of the sites that are sharing the Parking Spaces and the agreement is registered on the Titles of the properties that are subject to the agreement with the City named as third party.
- (2) Where a single building or development contains multiple, different land uses:
 - (a) Parking spaces may be provided for that building in accordance with the proportion of the building occupied by each use,
 - (b) The total quantity of spaces shall be at least equal to the required spaces for all establishments in the development to be in operation at any given time, unless
 - (i) The applicant can otherwise demonstrate to the Development Authority through a qualified Transportation Engineer that there is a complementary or overlapping use of the parking facilities which would warrant a reduction in the parking requirements, for example, the uses demonstrate that they may have a potential shared customer, where customers visit two or more businesses using a single parking stall, or,
 - (ii) The demand for parking spaces for each use is not likely to occur at the same time,
- (3) A reduction in the parking requirements may be considered if an applicant can demonstrate the use of existing on-street parking stalls to the satisfaction of the Development Authority.

C4.4 Barrier Free Parking

- (1) The design of barrier-free parking stalls and loading zones shall conform to the requirements of the Barrier-Free Design Guidelines of the Alberta Building Code and shall be included as part of and not in addition to, the applicable minimum parking requirement.

C4.5 Bicycle Parking

- (1) The required number of bicycle parking stalls for any use may be determined by the Development Authority or by a method otherwise specified by the Development Authority. Bicycle parking should:
 - (a) Be designed in accordance with the Association of Pedestrian and Bicycle Professionals "Essentials of Bike Parking" guide,
 - (b) Be located on a hard surface on the same site for which they are provided, and shall not interfere with pedestrian networks,
 - (c) Be designed so that bicycles may be securely locked to a rack, railing, or other device without undue inconvenience to the bicycle user,

- (d) Be anchored securely to the ground or a portion of a building in a way that minimizes the potential for the parking to be removed easily, to the discretion of the Development Authority,
- (e) Be permitted to be located within City-owned rights-of-way, at the discretion of the Development Authority,
- (f) Be located within 15 m-35 m of the public main or employee entrance, visible from the land uses they serve, and have adequate lighting for users, for convenience and security, and,
- (g) Be separated from off-street vehicle parking spaces, visitor parking spaces and loading space. In cases where a separation distance is not possible and the parking spaces are located close to or within a vehicle parking facility, the parking space shall be provided on a raised hard surfaced area.

C4.6 Loading Requirements

- (1) A loading space shall be designed and located so that all vehicles using that space can be parked and maneuvered entirely within the bounds of the site without backing to or from adjacent roads or interfering with the pedestrian network.
- (2) A loading space shall be a minimum width of 3 m and a minimum depth of 9 m and maintain a minimum overhead clearance of 4.3 m.
- (3) The Development Authority, having regard to the types of vehicles that are likely to use the loading space, may change minimum loading space dimensions.
- (4) Loading space requirements for uses other than those set out in this Section shall be determined by the Development Authority, having regard to similar uses for which specific loading facility requirements are set. Alternatively loading requirements for uses other than those set out in this Section may be determined through a loading study completed by a professional engineer acceptable to the Development Authority.
- (5) Unless otherwise allowed by the Development Authority, the required on-site loading spaces for any use shall be as provided in Table C4.6:

Table C4.6: Required Number of Loading Spaces

Land Use	Minimum Requirement
Multi-Unit Residential Dwelling	1 space for a building of 20 units or greater
Eating and Drinking Establishment Funeral Services Health Service Hotel Office Buildings Public Building Retail and Wholesale Sales Spectator Entertainment	1 space per 9000 m ² GFA
Light Industrial Warehousing and Storage	1 space per 2000 m ² GFA
All Other Uses	Development Authority discretion

C5 SIGNS

C5.1 Signs Not Requiring a Permit

- (1) A permit is not required for the following signs, provided they otherwise comply with the provisions of this Bylaw:
 - (a) Any temporary or permanent sign required to be displayed on property and right-of-way by, or on behalf of the federal, provincial, or municipal government,
 - (b) Building address numbers or letters displayed on a premises where together the total copy area is less than 1.2 m²,
 - (c) One (1) non-illuminated sign with a total copy area not exceeding 0.3 m² for a major home-based business or bed and breakfast establishment that has been issued a development permit. The sign shall be either affixed to the building, placed in a window, or located in the front yard and shall be of high-quality appearance, construction, and finish to the satisfaction of the Development Authority in order to ensure that the sign does not detract from the character and appearance of the neighbourhood,
 - (d) A fascia sign which is attached to a dwelling unit or its accessory buildings and states no more than the name of the building or the name of the persons occupying the building or both, provided that the total copy area does not exceed 0.3 m²,
 - (e) A fascia sign, awning sign, or a canopy sign which is attached to a building other than a dwelling unit and states no more than:
 - (i) The name or address of the building,
 - (ii) The name of the person or institution occupying the building, and
 - (iii) The activities carried on in the building including hours of operations and rates charges, provided the total copy area does not exceed 1.5 m²,
 - (f) A real estate property management (or temporary sign) sign provided that the total copy area does not exceed 1 m² in a residential district, or 6 m² in a non-residential district,
 - (g) Temporary signs for garage sales, provided they are not located in a corner visibility triangle,
 - (h) Signs placed on a premise for the guidance, warning, or restraint of persons,
 - (i) Directional signs with an area less than 1.4 m²,
 - (j) Election signs,
 - (k) An A-Board sign if located on private property,
 - (l) Temporary signs with an area less than 3 m² intended to advertise any local event being held for charitable purposes, which may be religious, educational, cultural, political, social, or recreational, but not for commercial purposes,
 - (m) Construction signs, in accordance with a development agreement,
 - (n) The alteration of a sign including routine maintenance, painting, or change in face, copy or lettering.

C5.2 Submission Requirements

- (1) Except as provided in [Section C5.1](#), no person shall place, replace, erect, or use any sign without first obtaining a sign permit.
- (2) An application for a sign permit shall include the following:
 - (a) A certified copy of the title to the satisfaction of the Development Officer,
 - (b) The name and address of:
 - (i) The sign company responsible for the sign, and
 - (ii) The owner of the sign, and
 - (iii) The registered owner of the land or premises upon which the sign is to be erected,
 - (c) A site plan designating location and setback requirements,
 - (d) A plan showing the following construction details:
 - (i) A rendering/illustration of the proposed sign,
 - (ii) The dimensions of the sign and the total copy area,
 - (iii) The amount of projection from the face of the building, where applicable,
 - (iv) The amount of projection over City property, where applicable,

- (v) The height of the top and the bottom of sign above the average ground level at the face of the building or sign, and
- (vi) The distance to aerial power lines from freestanding signs.
- (e) Non-refundable application fees in accordance with a schedule as set from time to time by resolution of Council, as required.

C5.3 General Provisions

- (1) The types of signs allowed in each district shall be as indicated in Table C5.1.

Table C5.1: Signs by Land Use District

District	Sign Type											
	A-Board	Awning/ Canopy	Billboard	Construction	Electronic	Fascia	Freestanding	Inflatable	Neighbourhood	Projecting	Roof	Temporary
RE				P					P			
R1A				P					P			
R1B				P					P			
R2				P					P			
R3				P					P			
R4				P					P			
RMX	P	P		P	D	P	P			P		P
RMH				P								
C1	P	P		P	D	P	P	P		P	P	P
C2	P	P	D	P	P	P	P	P		P	P	P
LC	P	P		P		P		P				
BD	P			P								
BI	P	P		P	P	P	P	P		P	P	P
GI	P	P	D	P	D	P	P	P		P	P	P
PS	P			P	D	P	P	P				P
IP	P			P	D	P		P				P
UR			D		D							P
CON												
FW												
DC-SR				P					P			
DC-TCE				P								
DC-FV				P								

P = Permitted D = Discretionary

- (2) No person shall:
 - (a) Erect or maintain any sign that is in contravention of this or any other City bylaw,
 - (b) Erect a sign or its structure on any exterior stairway, fire escape, fire tower or balcony serving as a horizontal exit, or,
 - (c) Erect a sign so that any portion of the surface or supports will interfere in any way with any of the following:
 - (i) Any opening necessary for a standpipe, required light, ventilation or exit from the premises,
 - (ii) The free use of any window above the first storey, or
 - (iii) The free passage from one part of a roof to another part of the same roof,

- (d) Erect, construct or maintain a sign or a display structure to create a hazard for pedestrian or vehicular traffic by blocking sight lines between pedestrian and vehicular traffic or distracting a driver or pedestrian, as determined by the Development Authority,
 - (e) Erect, construct or maintain any sign which makes use of the words, "STOP", "LOOK", and "DANGER" or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead or confuse traffic.
- (3) Signs shall:
- (a) Minimize the coverage of architectural details such as arches, sills, mouldings, cornices, and transom windows,
 - (b) Be integrated with the building on which it is to be located,
 - (c) Be compatible with the architectural lines and forms of nearby buildings or of adjoining developments,
 - (d) All signs shall be maintained in good and safe structural condition and shall be periodically repainted,
 - (e) No sign shall be allowed to become unsightly, or in such a state of disrepair as to constitute a hazard,
 - (f) The copy area shall be kept clean and free of overgrown vegetation and refuse material,
 - (g) Not be placed on a utility pole, tree, or any object in a road, highway, or lane,
 - (h) Not be located within a corner visibility triangle, and
 - (i) Not interfere with pedestrian or vehicular access to or from the site.
- (4) Signs on Municipal Property:
- (a) Council may, by resolution, set fees for the lease or site rental for signs placed on municipal property
 - (b) Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority may approve a development permit for an A-Board Sign, Billboard Sign or Temporary Sign on City-owned land.
 - (c) The City may at any time remove a sign(s) to accommodate roadway or roadside repair or maintenance operations or if the location of the sign(s) is deemed by the City to be a road or pedestrian hazard.
 - (d) In cases of A-Board, inflatable and temporary signs, the permit holder shall save harmless the City for any damage that may result from normal road and sidewalk maintenance undertaken by the City and shall be required to provide proof of liability insurance in which the City is named as an additional insured party, in an amount not less than one million (\$1,000,000.00) dollars and shall save harmless the City for any damage or injury that may be caused by the sign(s).
 - (e) Temporary signs shall only be permitted to remain in place for a period of not more than two (2) weeks prior to the event being advertised and must be removed within one (1) week following the event. Placement of temporary signs shall be limited to two occurrences per year on the same lot or site.
 - (f) Temporary signs shall not be placed more than 500 m in any direction from the boundary of a commercial property where the advertised event is to take place, and not more than one (1) permit may be issued within the 500 m limit at any one time.
- (5) When an illuminated sign is in a district adjacent to a residential district, the illumination from that sign shall be deflected away from the residential district.
- (6) At the discretion of the Development Authority, a maximum of five (5) signs may be allowed on a site in a non-residential district. Where more than one (1) business occupies a building, additional signage shall be located in accordance with a comprehensive sign package prepared for the building.
- (7) Where a sign may be classified as more than one (1) type of sign, the Development Authority may require the standards for each type. Where the standards may conflict, the Development Authority will determine which standard applies.
- (8) Signs should be coordinated with the design of the building and site on which they are located in terms of location, scale, materials, finishes and colours.

C5.4 Sign Types and Regulations

1. A-Board Signs

- (1) A-Board sign is a sign composed of two hinged or otherwise joined boards that rest on the ground.
- (2) A-Board signs shall:
 - (a) Require a sign permit if located on City-owned land,
 - (b) If advertising commercial businesses, be permitted on public sidewalks only during regular business hours. Sign(s) located on private property may remain in place at all times of the day,
 - (c) Advertising non-profit organization events, be permitted on public sidewalks and/or private property for up to three (3) full days prior to the event being advertised and must be removed within twenty-four (24) hours following the conclusion of the event,
 - (d) Not exceed one (1) sign per business except where a business is located on a corner lot in which case one (1) sign shall be permitted to be placed on the public sidewalk adjacent to each of the public roads that abut the business. In the case of non-profit organization events, a maximum of five (5) signs shall be permitted per event,
 - (e) Whether on a public sidewalk or private property, be located directly in front of the businesses being advertised by the sign(s),
 - (f) Be located in a manner that would not impede pedestrian movement along sidewalks or impede the movement of handicapped persons using sidewalks,
 - (g) An A-Board sign shall meet the requirements shown in Table C5.2 and Figure C5.1:



Figure C5.1: A-Board Sign Requirements

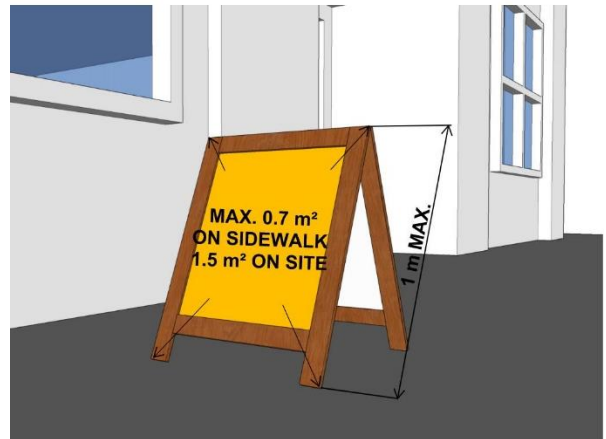


Table C5.2: A-Board Sign Requirements

Height (Maximum)	Height: 1 m
Area (Maximum)	On Sidewalk: 0.7 m ² On-Site: 1.5 m ²

- (h) The area around an A-Board sign shall be kept clean. All vegetation shall be cleared away to a minimum distance of 1.5 m around the A- Board sign.
- (3) A-Board signs that are damaged shall be removed from the approved sidewalk location by the permit holder within twelve (12) hours of the damage.

2. Awning/Canopy Signs

- (1) Awning/canopy sign is a sign that is part of, or attached to, the outside edge of an awning or canopy.
- (2) Awning/canopy signs:
 - (a) Shall not project from the building to a point less than 0.6 m between the face of curb and the point where a perpendicular line extended from the front edge of the awning/ canopy meets the sidewalk (Figure C5.2),
 - (b) May be attached to the sides and front of the awning or canopy, and such signs may extend the entire length and width of the awning or canopy,
 - (c) May be hung from the awning/canopy provided such signs shall not extend beyond the sides or the front of such awning or canopy; and exceed a vertical dimension of 1.5 m.
 - (d) No part of the awning/canopy shall project over a road or lane.
 - (e) Each tenant of a building shall be allowed to place one (1) sign of no more than 0.5 m² in area under an awning/ canopy.
 - (f) All awning/canopy signs shall be erected in such a manner that the structural support elements are designed to appear as an integral part of the overall sign design and concealed such that no angle iron bracing, wires or similar support elements are visible from a road or lane



Figure C5.2: Awning and Canopy Sign Requirements



- (3) No person shall erect an awning/canopy sign or a sign under an awning or canopy unless such sign:
 - (a) Is securely hung and anchored to the building to which it is attached,
 - (b) The structure to which it is attached can resist all stresses resulting from dead weight, snow, and wind loads,
 - (c) Is at clearance of not less than 2.8 m from the average ground level at the face of the building, and
 - (d) Does not project more than 3 m from the face of the building or structure to which it is attached.

3. Billboard Signs

- (1) A billboard sign is a sign structure designed and intended to provide a leasable advertising copy area for third party advertising, and where the copy can be periodically replaced, typically by using pre-printed copy pasted or otherwise mounted onto the copy area. At the discretion of the Development Authority, billboard signs may also include electronic message components, which allow the message on the sign to be changed by electronic processes.



- (2) Billboard signs shall meet the requirements shown in Table C5.3 and Figure C5.3.

Table C5.3: Billboard Sign Requirements

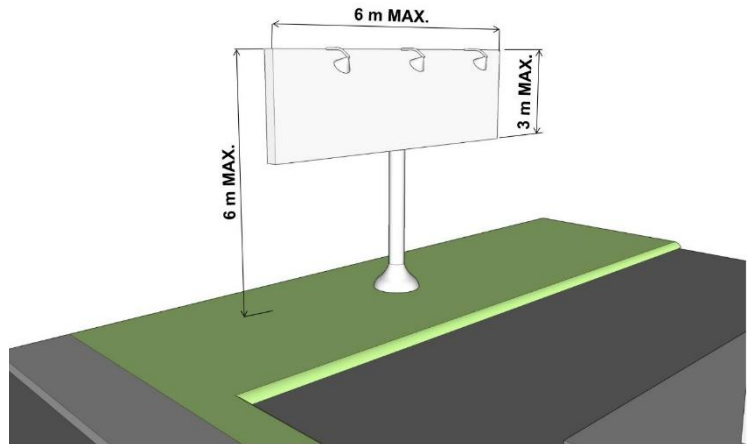
Dimensions (Maximum)	Height: 3 m Width: 6 m
Area (Maximum)	18 m ²
Height (Maximum)	6 m above grade
Setback from Lot Line (Minimum)	3 m
Separation Distance from Another Billboard (Minimum)	100 m

- (3) Billboard sign shall not be erected, constructed, altered, or used anywhere within the City except as provided by this and other bylaws of the City.

- (4) The land and the sites in and about where the billboard signs are permitted shall be at all times maintained in a neat and clean manner, free from all loose papers and rubbish. A second face may be required on the billboard sign where the back of the billboard is visible to pedestrian or vehicle traffic.

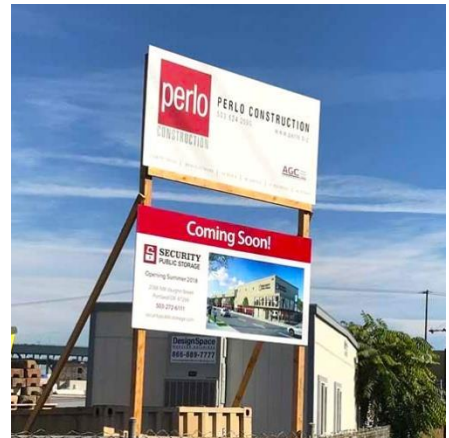
- (5) An existing billboard sign may be relocated on the same site with the approval of the Development Authority.

Figure C5.3: Billboard Sign Requirements



4. Construction Signs

- (1) A construction sign means a sign located on a site where construction is planned, and which contains general information about the intended construction.
- (2) Construction signs shall conform to the following requirements:
- There shall be a maximum of four (4) construction signs per site,
 - In residential subdivisions, the combined area of construction signs shall not exceed 6.4 m²,
 - In non-residential subdivisions, the combined area of construction signs shall not exceed 25 m²,
 - No individual construction sign in a residential area may exceed 3 m² in area,
 - All construction signs must be located on private property,
 - Construction signs shall be professionally designed and maintained to the satisfaction of the Development Authority, and
 - Construction signs may be erected within a period starting not earlier than six (6) months before the date of intended construction and ending three (3) months following the completion of construction, but in no case shall a construction sign be erected for a time period exceeding eighteen (18) months,



5. Electronic Signs

- (1) An electronic sign means a sign that is combined with a freestanding sign or fascia sign and may display words, symbols, figures, or images that can be electronically changed by remote or automatic means.

- (2) Electronic signs that are incorporated into a freestanding sign on a commercial or industrial lot shall be located in the front yard or side yard of the subject lot.
- (3) Electronic signs shall meet the requirements shown in Table C5.4.
- (4) The location of any electronic message display shall be subject to review by the Development Authority.
- (5) In the case of a one-sided electronic message display, or where the rear of the display is visible to the public, it shall be finished with a material suitable to the Development Authority.



Table C5.4: Electronic Sign Requirements

Separation Distance Between Signs (Minimum)	If less than 2.3 m ² in size: 100 m If 2.3 m ² or greater in size: 200 m
Distance from Residential District (Minimum)	30 m
Ground Clearance (Freestanding Sign)	3 m
Duration of Message (Minimum)	6 seconds
Transition Between Messages (Maximum)	1 second

- (6) All electronic message displays must include a dimming feature that will automatically reduce the brightness level to adapt to the ambient light level.
- (7) Electronic signs shall not negatively impact traffic safety due to illumination levels, location or any other factor as determined by the City or Alberta Transportation, where applicable.
- (8) Electronic Signs shall adhere to all other Freestanding Sign regulations.

6. Fascia Signs

- (1) A fascia sign means a sign attached to or placed flat against an exterior vertical surface of a building, and projects no more than 0.4 m from the surface of the building and does not project above the roof or parapet. Fascia signs include painted signs.
- (2) Fascia signs shall not be located above any portion of a public road, or project over public property unless there is a minimum clearance from grade of 2.5 m and a maximum projection of 0.4 m.
- (3) Unless located on a gas bar or service station canopy, a fascia sign shall not exceed fifteen percent (15%) of the visible area of the façade of each wall of the building on which it is located.
- (4) A fascia sign may be illuminated.
- (5) Fascia signs shall be securely fastened to walls and shall not be entirely supported by an unbraced parapet wall.



- (6) One painted Fascia Sign may be allowed on the wall of a building provided that the sign is integrated with the other signage on the building.
- (7) Painted fascia signs shall meet the following requirements:
 - (a) A painted fascia sign shall not exceed the size requirement in subsection (3).
 - (b) Notwithstanding the above, a supergraphic may be the entire length of an exterior wall providing the design has been approved by the Development Authority.
 - (c) Any other location for a fascia sign shall be at the discretion of the Development Authority, who shall have consideration for the aesthetic quality and compatibility of the proposed sign with adjacent developments.

7. Freestanding Signs

- (1) A freestanding sign means a sign supported by one or more uprights, braces, or pylons which is permanently attached to the ground and that stands independently of another structure.
- (2) A freestanding sign may be allowed in a setback area as established in this Bylaw and is subject to the condition that it be removed or relocated at the owner's expense upon request by written notice from the City.
- (3) Freestanding signs may be allowed subject to the following conditions:
 - (a) One (1) sign shall be allowed per lot provided the minimum frontage is 15 m and the sign identifies the use or building on that lot,
 - (b) Notwithstanding the above:
 - (i) On a site where two or more sides front onto a public road, each frontage may have a freestanding sign provided the signs are at least 90 m apart (measured along the frontage) (Figure C5.4), and
 - (ii) Where a site has more than 90 m of frontage, one (1) additional freestanding sign may be erected at the discretion of the Development Authority; and
 - (c) Where a freestanding sign and a projecting sign are located along the same frontage of a site, a minimum distance of 10 m shall be maintained between the signs.
 - (d) The sign shall be designed in a manner which is architecturally compatible with the general character of the building and/or the surrounding streetscape,
 - (e) The maximum area and height of a sign shall be in accordance with Table C5.5.



Figure C5.4: Freestanding Sign Requirements

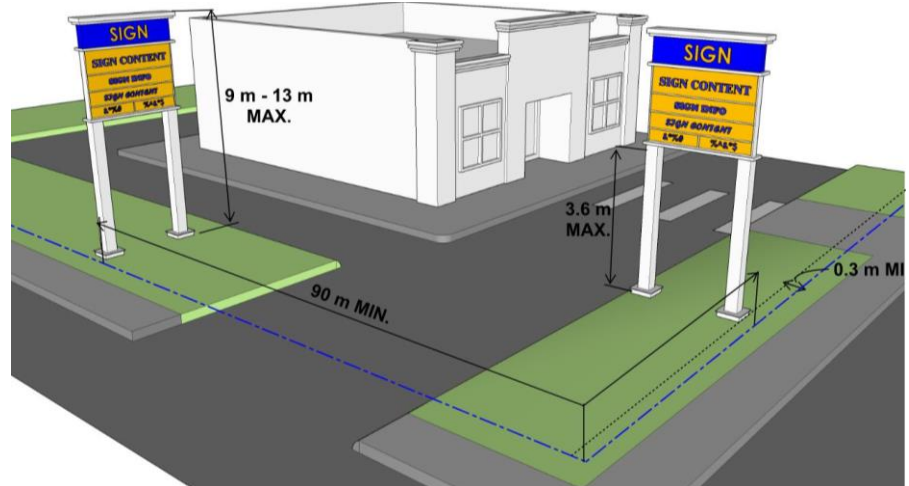


Table C5.5: Freestanding Sign Requirements

Requirement	District					
	C1	C2	BI	GI	IP	PS
Area (Maximum)	12 m ²	31.5 m ²	31.5 m ²	31.5 m ²	31.5 m ²	31.5 m ²
Height (Maximum)	9 m	13 m	13 m	13 m	13 m	13 m

- (f) The sign may be illuminated but shall not have flashing or intermittent lights or devices or mechanisms that create the impression of flashing or intermittent lights. Reader board signs are however permitted, and
 - (g) At the discretion of the Development Authority, landscaping may be required at the base of the sign.
- (4) The bottom of a Freestanding Sign shall be a minimum of 3.6 m above grade and the space between the bottom of the sign and the grade shall be unobstructed, except for such supports as the sign may require.
 - (5) Any support structure for a Freestanding Sign shall be set back a minimum of 0.3 m from any property line and no part of the Freestanding Sign itself shall encroach onto or overhang an adjacent site, road, or lane.

8. Inflatable Signs

- (1) An inflatable sign means a sign made of material or fabric that is made to take on a three-dimensional shape when filled with air or gas.
- (2) A maximum of one (1) inflatable sign may be located on a site and must be tethered or anchored.
- (3) A permit issued for an inflatable sign is valid for a maximum thirty (30) consecutive days. Following the expiration of the sign permit, the property shall remain free of inflatable signs for a minimum of thirty (30) consecutive days. Inflatable signs may be displayed on a site for a maximum of ninety (90) days in each calendar year.
- (4) If mounted on a building, the vertical dimension of the sign, together with the building height must not exceed the maximum height allowances in the district.
- (5) If mounted on the ground, a sign must not exceed 8 m in height.
- (6) Inflatable signs shall be set back a minimum of 2 m from all lot lines.
- (7) Notwithstanding the above, the Development Authority may renew a permit for an inflatable sign on a yearly basis.



9. Menu Boards

- (1) A menu board means a sign that is located at the entrance to the queuing lane of a drive-through restaurant that contains the goods provided and from which a customer can place a food order.
- (2) One (1) menu board sign may be erected or displayed in association with a drive-through lane.
- (3) Menu boards shall:
 - (a) Have a maximum copy area of 5 m², a maximum height of 2.5 m, and no part of the sign shall be within 1.5 m of a municipally owned sidewalk or lot line other than a front lot line,
 - (b) Be oriented to drive-through users, not facing a street,
 - (c) Only display products sold by the subject business,

- (d) Be located a minimum of 100 m from residential properties if the copy area is illuminated and visible. If no illuminated copy area is visible, this distance shall be 75 m, and
- (e) Have automatic dimming, set to a maximum three (3) lux above the ambient light level.

- (4) A menu board sign may emit sounds directly related to the transaction taking place.

10. Neighbourhood Sign

- (1) A neighbourhood sign means a sign that contains the name of the neighbourhood or subdivision and may contain symbols or logos, or both, related to that name.
- (2) A neighbourhood sign is allowed as per a development agreement, and must meet the following requirements:
 - (a) It must be professionally designed and maintained,
 - (b) The appearance and contents of the sign must be approved by the Development Authority,
 - (c) It must be located on private property adjacent to the entry of the subdivision,
 - (d) It may not exceed 12 m² in area unless the sign is located more than 100 m from a roadway and is approved by the Development Officer, and
 - (e) Not more than one (1) sign for each entrance to the subdivision.
 - (f) Include landscaping at the base.

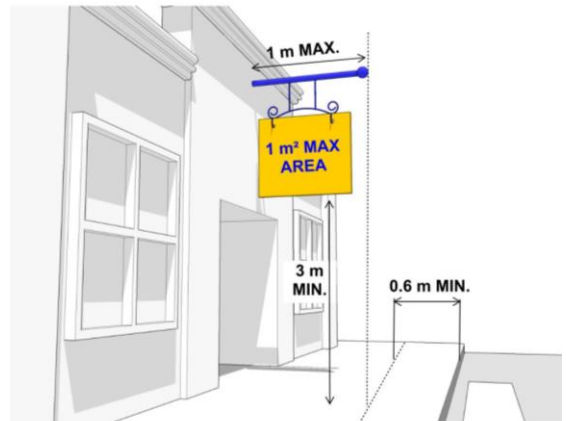


11. Projecting Signs

- (1) Projecting sign is a sign which is affixed to any building or part thereof and extends beyond the building wall or parts thereof by more than 0.3 m.
- (2) Projecting signs shall not project over another site, a public road, or a lane.
- (3) A maximum of one (1) projecting sign with a maximum copy area of 1 m² shall be allowed for each building or tenant, except on corner lots where a maximum of two (2) projecting signs may be located on each building façade.
- (4) The maximum projection shall be 1 m from the lot line and the sign shall be set back a minimum of 0.6 m from the existing or proposed curb (Figure C5.5).
- (5) A projecting sign shall have a vertical clearance of a minimum of 3 m from grade.
- (6) All projecting signs shall be erected in such a manner that the structural support elements are designed to appear as an integral part of the overall sign design or concealed such that no angle iron bracing, guy wires, or similar support elements are visible from a road.



Figure C5.5: Projecting Sign Requirements



- (7) All projecting signs shall maintain the required clearance from overhead power and service lines as required under the Electrical Utility Code and the *Alberta Safety Codes Act*.

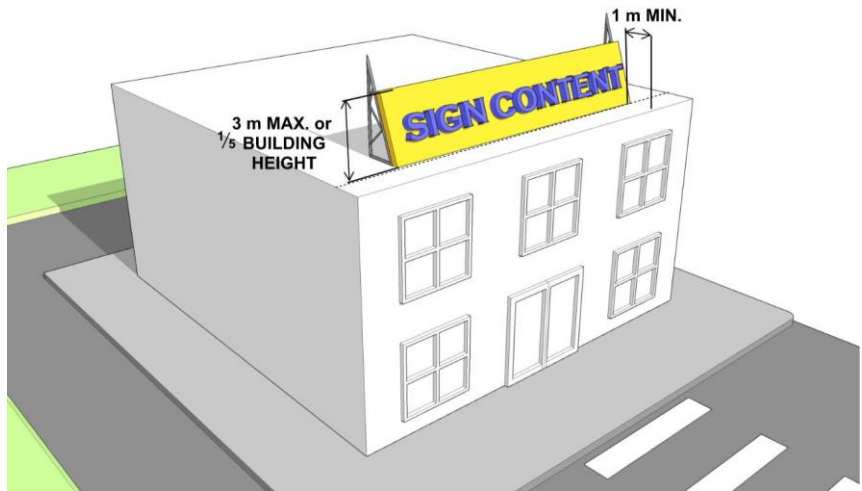
12. Roof Signs

- (1) A roof sign is a sign erected upon, against, or directly above a roof or the parapet wall of a building.
- (2) Roof signs and their supporting structures must be manufactured and installed in such a way that they appear as an architectural feature and they shall be finished in such a manner that the visual appearance from all sides makes them appear to be part of the building itself.
- (3) All roof signs shall be set back a minimum of 1 m from the edge of the building on which the roof sign is located (Figure C5.6).



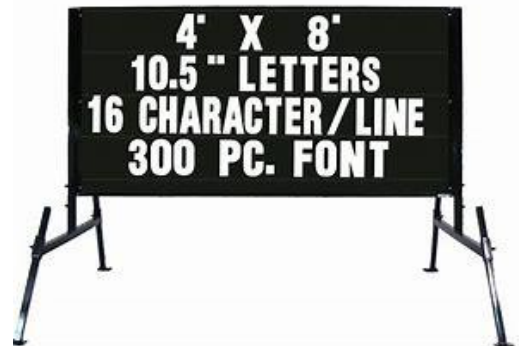
Figure C5.6: Roof Sign Requirements

- (4) Roof signs shall have a copy area with a maximum height of 3 m or one-fifth of the height of the building, whichever is the lesser.
- (5) Roof signs shall not exceed the maximum height limit of the district in which it is located, measured from grade to the top of the sign.



13. Temporary Signs

- (1) A temporary sign is a sign on a standard or column fixed to its own self-contained support structure and capable of being moved manually. These signs are typically used for special events.
- (2) Notwithstanding any other provision of this Bylaw, temporary sign(s) that advertise commercial and non-profit organization events are permitted adjacent to public roads. Temporary signs shall:
- Require sign permits and each commercial event shall require a separate permit,
 - No more than one (1) temporary sign shall be located on a site at one time, except that one (1) Temporary Sign may be allowed for each business in a multiple-occupancy development provided that the signs are separated a minimum of 15 m apart.
 - Where signs are not located on the premises being advertised, the address and phone number shall be displayed for those businesses that do not exist at that location.
 - A Temporary Sign shall be allowed on a vacant lot, provided permission has been granted by the business/landowner.
 - No Temporary Sign shall be located closer than 1.5 m to a property line.
 - Any support structure for a sign shall be set back a minimum of 0.5 m from any property line and no part of a Temporary Sign shall encroach onto or overhang an adjacent site, road, or lane.



- (g) Not exceed a height of 2.5 m above grade and shall have a maximum copy area of 3 m²,
- (h) Not be permitted within 1.8 m of the face of curb of a road,
- (i) Not be located on sidewalks or public walkways or any other location that may impede pedestrian access or City roadside maintenance operations,
- (j) Not be placed on a site to conflict with or take up space for parking, loading, or walkways,
- (k) Be double-faced,
- (l) Be located in such a manner that they will not impair vision of pedestrians and motor vehicle operations,
- (m) Not be permitted within the site triangle of any intersection as described in [Section C1.6](#),
- (n) Not be illuminated,
- (o) Be removed if damaged and replaced by the permit holder within twelve (12) hours of the damage.

14. Vehicle Signs

- (1) A vehicle sign means a sign mounted, painted, placed on, attached, or affixed to a licensed or unlicensed trailer, truck, automobile, or other form of motor vehicle so parked or placed so that the sign is discernible from a public road or right-of-way as a means of communication or advertising.
- (2) Vehicle signs are not permitted within 300 m of a highway right-of-way, or within 800 m of the intersection of a public road and a highway.

C5.5 Sign Permits and Conditions of Approval

- (1) If the sign authorized by a permit has not been installed within twelve (12) months from the date of its issue, the permit is deemed to be void, unless an extension to this period has been applied for and granted by the Development Authority.
- (2) Provided the sign is erected within twelve (12) months of the date of issue of the permit, the permit shall continue in force from year to year.
- (3) All sign structures shall be securely constructed and erected to conform to the standards set forth in this Bylaw and Alberta Safety Codes as applicable.
- (4) Whenever the conditions of installation require unusual structural provisions, the Development Authority may require that a structural drawing be prepared by and bear the seal of a professional engineer.
- (5) Upon application by the owner, the Development Authority may consider a variance to the size, dimensions, area, or distance separation for any sign in accordance with the requirements of [Section D1.7\(4\)](#).

C5.6 Enforcement

- (1) Neither the granting of a sign permit, nor the approval of the plans nor any inspections made by the Development Authority shall in any way relieve the owner from full compliance with this Bylaw or other applicable legislation.
- (2) The owner or the lessee of a sign shall maintain the sign in a proper and safe state of repair and shall not allow or permit the sign to become dilapidated or unsightly. Where the Development Authority finds a sign to be abandoned or in a state of disrepair, the Development Authority may, by notice in writing, order the registered owner, the person in possession of the land or building, or the person responsible for the abandoned or dilapidated sign to:
 - (a) Remove the sign and all related structural components within a specified time, as outlined in the written notice, or
 - (b) Take such measures as are specified in the written notice to alter and refurbish the sign.

- (3) The notice described above shall be considered a violation ticket and/or stop order.
- (4) If an existing sign has been placed in contravention of this Bylaw, is causing a public safety problem by reason of its siting, illumination, or structural condition, is abandoned or in a state of disrepair and is hazardous to vehicular, bicycle and/or pedestrian traffic, is detrimental to the amenities of the District in which the sign is located, and the person has not responded to the official written notice outlined above, the City has the authority to enter the subject property and remedy the situation and may charge the invoice against the owner's tax roll and the debt shall be collectible and recoverable in a like manner as municipal taxes.
- (5) The Development Authority may, by notice in writing:
 - (a) Direct the owner to correct the condition of any sign or remove any sign within thirty (30) days of receipt of the notice where, in the opinion of the Development Authority, that condition or sign constitutes a violation of this bylaw or any permit hereunder, has become unsightly or is unsafe,
 - (b) Order the owner to stop work on a sign if it is proceeding in contravention of this Bylaw, and/or
 - (c) Order the owner to stop work on a sign if a permit has not been issued.
- (6) The costs associated with a removal of the sign and any storage charges shall be paid by the owner prior to the release of the sign to the owner as well as any permit fees which may be outstanding.
- (7) Unless otherwise allowed in this Bylaw, no person shall attach anything to an existing permitted sign unless a new permit is issued for such addition.

C6 URBAN DESIGN AND BUILDING APPEARANCE

C6.1 General

- (1) The general design, siting, external finish, architectural appearance, and landscaping of all buildings, including any accessory buildings or structures, signs and any reconstruction shall be to the satisfaction of the Development Authority.
- (2) The developer will be required to arrange a scheme for the control of dwelling design within the site and to encourage a variety of styles. This scheme shall be maintained by the developer and is subject to the approval of the Development Authority.

C6.2 Placement and Massing of Buildings

- (1) Maintaining a small-town atmosphere is important to making the area pedestrian friendly and respecting its natural setting by articulating building elevations, modulating building mass and keeping an active streetscape:
 - (a) Permitted maximum heights shall be in accordance with [Part B](#).
 - (b) Floor plates of taller buildings should be relatively small to allow for increased ground floor open space, maintain view corridors of the Lake and reduce adverse microclimatic effects.
 - (c) In commercial and mixed-use areas, buildings should suggest a pattern of individually owned shops with narrow frontages and individual entrances.
 - (d) In the [R4](#), [RMX](#), [C1](#), [C2](#), [LC](#), and [BI](#) districts, before allowing heights in excess of the maximum standards as outlined in each district, the applicant shall be required to clearly demonstrate to the approving authority that:
 - (i) The increase in height results in an increase in useable and publicly accessible open space,
 - (ii) The increase in height does not have a detrimental effect on adjoining properties in terms of loss of privacy, shadowing, or other adverse microclimatic effects, and
 - (iii) The architectural treatment of the building has superior design elements in terms of the use of materials, colours, and architectural detailing.

C6.3 Building Design

- (1) All buildings shall be of high quality, apply a variety of styles, and be attractive in appearance, with facades that apply compatible and harmonious exterior finishing. All buildings shall comply with any architectural / design guidelines in an applicable Area Structure Plan.
- (2) Except in industrial districts, mechanical equipment on the roof of any building should be concealed by incorporating it within the building roof, or by screening it in a way that is consistent with the character and finishing of the building.
 - (a) The design of rooftops visible from higher buildings should be carefully considered, and where feasible, rooftop gardens and patios should be provided to improve rooftop aesthetics and provide additional amenity space.
 - (b) Rooflines and building facades shall be articulated and varied to reduce perceived mass and linear appearance of large buildings.
- (3) For commercial and mixed-use buildings, a step back is encouraged above the first floor to articulate the façade and provide opportunities for patios and outdoor eating areas.
- (4) The exterior finish of a building in all districts shall be completed within two (2) years from the issuance of the development permit, unless otherwise extended by the Development Authority.
- (5) All sides of a building exposed to a highway or public road shall be treated as a principal façade and finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.

- (a) The finish and appearance of all buildings on the lot, including accessory buildings, should complement the other structures located on the same lot.
 - (b) The design of development shall respect, complement, and work with the natural features of the development site, to the satisfaction of the Development Authority.
- (6) Higher density residential development should feature individual entries, doorways, porches, and windows at ground level.
 - (7) Commercial and mixed-use developments should be encouraged to have setbacks and mid-block mews to accommodate outdoor cafes and eating areas.
 - (8) Blank walls should be avoided by wrapping active retail or residential uses around above-grade parking structures to maintain an active and attractive streetscape.
 - (9) Buildings on corner sites must provide attractive facades on both street frontages and address adjacent buildings and buildings on opposing corners. Buildings should acknowledge this special site condition by creating visual focal points at the corner such as a circular bay window or a clock tower.
 - (10) The design of commercial and institutional development shall enhance the overall appearance as seen by the traveling public and to ensure appropriate separation and buffering from adjacent uses.
 - (11) The design of each commercial and institutional site shall ensure architectural compatibility of structures such that the principal design elements, finishing materials, colours and roof style shall be applied to each building with appropriate variations.
 - (12) Buildings fronting onto arterial and collector roads shall have a significant building orientation towards the road.
 - (13) The building form, encompassing the height, scale and massing of the building height shall be consistent and complementary to the surrounding built environment.
 - (14) Direct and clearly marked pedestrian walks shall connect building entrances to parking lots and sidewalks of abutting streets.
 - (15) The design of each commercial and institutional site shall ensure the privacy of adjacent residential development.

C6.4 Pedestrian Environment

- (1) Lighting and other street furniture should enhance the character of the pedestrian realm.
- (2) A system of wayfinding signs, gateway features, kiosks and graphics should be designed and installed to help orient motorists and pedestrians.
 - (a) A graphics standards manual should be developed for gateway features and signage to ensure a comprehensive and unified approach that uses a consistent colour scheme and identifier.
 - (b) Gateway features should be designed and constructed at strategic locations identified in the development site plan.
- (3) Lighting of all signs should be maximized and indirect front-lit signs are encouraged wherever possible.

C6.5 Winter Climate

- (1) New development within the site area should consider incorporating materials and design strategies to minimize the adverse effects of winter climates, which may include the following:

- (a) Encourage the use of functional and decorative lighting to enhance the appearance of the area during darker winter months.
- (b) Deciduous trees, where possible, should be planted to shade interior spaces in order to allow winds to cool down the house during summer and allow direct sunlight in the winter.
- (c) Compact development to minimize the impacts of prevailing winds should be encouraged.
- (d) Awnings, where possible, over public sidewalks along retail street frontages should be provided to offer shelter from wind, rain and snow.
- (e) The main façade for buildings should face south or southwest, wherever possible to maximize solar exposure.
- (f) Two-storey design is encouraged to facilitate heating.
- (g) Sloped roofs are encouraged.
- (h) Location of living spaces on the south side of the building and utility spaces on the north side in order to act as a buffer from winter winds.
- (i) Evergreens, where possible should be planted on the prevailing winter wind side.
- (j) Use of solar efficient windows to reduce heat loss and optimize passive heat gain.
- (k) Use of roof overhangs to let the sun light in during the winter months and out during summer months.
- (l) Use of covered porches to reduce the solar heat gain in the summer.

PART D ADMINISTRATION

D1 APPLICATIONS

D1.1 Development Permits Required

- (1) Except as otherwise provided for in [Section D1.2](#), no development shall be commenced unless a development permit has been issued pursuant to this Bylaw, and the development is undertaken in accordance with the terms and conditions of the development permit.

D1.2 Development Permits not Required

- (1) A development permit is not required for the following developments, provided they otherwise comply with the provisions of this Bylaw:
 - (a) The carrying out of works of maintenance or repair to any building, if such works do not include structural alterations that would result in the enlargement of the building and would not result in a change of use of the building,
 - (b) The completion of a development that was lawfully under construction at the effective date of this Bylaw provided that the development is completed within the time limit, if specified, in the development permit, or within twelve (12) months of the effective date of this Bylaw, whichever is earlier,
 - (c) The construction of private driveways and patios in residential districts, where no alteration of the existing lot grade is required,
 - (d) The erection or construction of buildings, works, plants, or machinery needed in connection with operations for which a development permit has been issued, for the period of those operations, provided that such development does not increase the design capacity, number of employees, or traffic to the site of the approved operation,
 - (e) An accessory building or structure not greater than:
 - (i) 10 m² in area nor exceeding 2.4 m in height in a residential district, or
 - (ii) 58 m² in area nor exceeding 3 m in height in a non-residential district,
 - (f) The temporary placement of intermodal containers on private or public lands, for construction purposes only and specifically associated with new development activity on said lands,
 - (g) An unenclosed deck or a deck enclosed by a rail or parapet wall, with a floor less than 0.6 m above grade,
 - (h) Developments exempted under the *Act*,
 - (i) Use of a building as a temporary polling station, returning officers headquarters, candidates campaign office and any other government temporary use in connection with a federal, provincial, or municipal election, referendum, or census,
 - (j) Landscaping where the existing grade and surface drainage pattern is not materially altered, except where the landscaping is required as part of a development permit,
 - (k) Public improvements such as clock towers, monuments, sculptures, federal, provincial, or municipal flags, and similar aesthetic enhancements that are undertaken by the municipal, provincial or government,
 - (l) Lot stripping, grading, or filling, or tree clearing on private land required to construct a development for which a development permit has been issued,
 - (m) The construction, maintenance and repair of public works, services, and utilities carried out by or on behalf of federal, provincial, or municipal authorities on land that is publicly owned or controlled,
 - (n) Satellite dishes,
 - (o) In a residential district, holding a garage sale up to three (3) times per calendar year, each for a duration of not more than three (3) consecutive days,
 - (p) Signs listed in [Section C5](#) as not requiring a development permit,
 - (q) The erection, construction, or maintenance of gates, walls, fences, or other means of enclosure:
 - (i) A maximum of 1.8 m in height for that portion that does not abut a front yard, or
 - (ii) A maximum of 0.9 m in height for that portion that abuts a front yard,
 - (r) All forms of non-permanent pools/hot tubs,

- (s) Temporary or special events (including associated temporary buildings), less than seven days in duration (including set up and take down). As per the *Alberta Safety Codes Act*, a Safety Codes Permit may be required for any associated temporary buildings and/or tent structures,
- (t) The continued agricultural use of a parcel that is assessed as farmland and used for extensive agricultural operations,
- (u) A change in the business or the occupancy of a building or portion of a building by a permitted use which, in the opinion of the Development Authority, does not constitute a change in the type of use, or does not result in an increase to on-site parking requirements, and
- (v) Roof-mounted solar panels.

D1.3 Development Permit Applications

- (1) Applications for development permits shall be made in writing to the Development Authority by submitting:
 - (a) An application form prescribed by the Development Authority with the signature of the registered owner of the land or an agent authorized by the owner to make the application. If the applicant is not the registered owner, the applicant must provide a Property Owner Authorization Form, signed by the registered owner giving the applicant authority to apply on the registered owner's behalf,
 - (b) A site plan to the satisfaction of the Development Authority containing the following information:
 - (i) North arrow,
 - (ii) Plan scale,
 - (iii) Legal description of property,
 - (iv) Municipal address,
 - (v) Location and dimensions of property lines as required by the Development Authority must be clearly identified by appropriate markers and pins,
 - (vi) Proposed setback dimensions from all property lines,
 - (vii) Identification of any proposed and existing buildings on the site,
 - (viii) Location of existing and proposed easements and utility rights-of-way, and
 - (ix) At the discretion of the Development Authority, the following information may also be required to be included on the site plan:
 - A. Proposed lot grade to provide positive drainage to an approved drainage course or stormwater management system in accordance with the City's Municipal Engineering Standards, with the location and setbacks from property lines of existing and proposed structures, utility poles, fences, retaining walls, trees, and landscaping, including buffer and screening area where necessary, and an indication of which existing features will be retained,
 - B. Location and setback from steep bank, slope, or high-water mark,
 - C. The location and number of parking and loading stalls as per [Section C4](#),
 - D. If a commercial development, proposed garbage enclosures, bicycle racks and site furnishings,
 - E. Entrance and exit points to the site,
 - F. Location of the garage doors,
 - G. Location of sidewalks and curbs,
 - H. Location and width of the driveway, and setback distance(s) from the side lot lines, and
 - I. Location of fire hydrants, and water and sanitary sewer services.
 - (c) A copy of the certificate of title dated no more than thirty (30) days from the date of application,
 - (d) Abandoned well information obtained from the Alberta Energy Regulator,
 - (e) Confirmation that water and sewer services and road access are available to the site to the satisfaction of the Development Authority,
 - (f) The estimated commencement and completion dates,
 - (g) If the applicant is not the owner and is represented by an agent or consultant, written consent of the owner shall also be provided by the applicant,
 - (h) A signed right-of-entry form,
 - (i) The application fee, as established by Council from time to time, and
 - (j) If the application results in the creation of a new home as defined by the *New Home Buyer Protection Act*, proof that home warranty coverage, or an exemption from providing home warranty coverage, for the proposed new home has been approved in accordance with the *New Home Buyer Protection Act*.

- (2) In addition to the requirements stipulated in subsection (1), the Development Authority may require any of the following additional information to be provided:
 - (a) Topographical elevations and plans showing engineered slope stability protection measures,
 - (b) Additional studies identified by the City's Engineering Department, including environmental site assessment, geotechnical study, or traffic impact assessment,
 - (c) Petroleum Tank Management Association of Alberta (PTMAA) approval, where applicable,
 - (d) Plans respecting the provision of water and sewer services and franchise utilities for the development according to the City's Municipal Engineering Standards,
 - (e) Detailed plans including drainage plans for all retaining walls showing engineered flood protection measures,
 - (f) Landscaping plan prepared in accordance with [Section C3.2](#),
 - (g) The number of employees and the proposed hours of operation,
 - (h) A lighting plan, and
 - (i) Floor plans, sections, and elevations of any proposed buildings, including a description of the exterior finishing materials,
- (3) In addition to the application fee required under subsection (1)(i), the Development Authority shall require the applicant to provide security to the City to cover the costs resulting from any damage to sidewalks, curbs, gutters or any surface or underground utilities and to ensure the completion of the development to the City's satisfaction. Such security shall consist of a refundable deposit of an amount established by resolution of Council for the cost of any required repairs resulting from the development. The security will be returned when the repairs have been undertaken in accordance with the City's Municipal Engineering Standards to the satisfaction of the City.

D1.4 Subdivision Applications

- (1) A subdivision application shall be made to the Development Authority in writing on the prescribed form and shall be signed by the landowner or an authorized agent.
- (2) The Development Authority shall require the following information in order to be considered a complete subdivision application:
 - (a) The application form,
 - (b) A right of entry form signed by the landowner,
 - (c) A tentative plan,
 - (d) A copy of the certificate of title dated within thirty (30) days of the application,
 - (e) A map illustrating the land uses on all adjacent lands,
 - (f) Information respecting existing and proposed sources of water,
 - (g) Information respecting existing and proposed methods of sewage disposal, including setback distances,
 - (h) Abandoned well information obtained from the Alberta Energy Regulator,
 - (i) The prescribed non-refundable application fee, the amount of which shall be established by Council from time to time.
- (3) In addition to the requirements of subsection (2), other information may be required by the Development Authority to review a subdivision permit application, including: water testing, soil testing, geotechnical reports, floodplain mapping, and site topography.

D1.5 Completeness of Applications

- (1) Within twenty (20) days of receipt of a subdivision or development permit application pursuant to [Section D1.3\(1\)](#) or [Section D1.4\(2\)](#), the Development Authority shall determine whether an application is complete, unless an agreement is reached between the Development Authority and the applicant to extend the twenty (20) day period. If the Development Authority fails to determine that the application is complete within the prescribed time period, the application shall be deemed to be complete.

- (2) When, in the opinion of the Development Authority an application is deemed to be incomplete, the applicant shall be advised in writing that the application is incomplete, and that the application will not be processed until the required information is provided. The written notice shall include a description of the information required for the application to be considered complete and the deadline by which the required information is to be submitted. Failure to submit the required information in accordance with the notice shall result in the application being deemed refused and may be appealed in accordance with [Section D2](#).
- (3) Once an application is deemed to be complete in accordance with subsection (1) or (2), the applicant shall be notified in writing that the application is complete, and the Development Authority shall process the application.
- (4) The requirements of this Section do not apply to the optional information identified in [Section D1.3\(1\)](#) and [Section D1.4\(2\)](#), but if required shall be provided by the applicant to the Development Authority prior to a decision being made.
- (5) Notwithstanding subsections (1)-(4), the Development Authority may decide on a development permit application without all the required information, if the Development Authority determines that a decision can be properly made without such information.
- (6) Notwithstanding subsections (1)-(4), a development permit application shall not be deemed to be complete until:
 - (a) All applicable fees and offsite levies have been paid in full to the City, and
 - (b) Where subdivision approval is required, until the appropriate subdivision is registered, and a Construction Completion Certificate (CCC) has been issued.
- (7) Notwithstanding subsection (6)(a) the City may, at its sole discretion, accept and process development permit applications within a registered subdivision where a CCC has not been issued subject to the following:
 - (b) Development permit applications will only be accepted / development permits issued prior to issuance of CCC between October 15th and May 1st of the following calendar year,
 - (c) Installation of all essential services as defined in the City's Standard Development Agreement except for asphalt paving and storm retention ponds, and
 - (d) Receipt of the required non-occupancy assurance security deposit in the amount specified by the City's Planning and Development Fee Schedule.
- (8) In the event of a discrepancy between any written description or measurement and the drawings, the written description or measurement shall prevail.
- (9) Where an application for a development permit is determined to contain incorrect information, the development permit shall not be issued until such information is corrected by the applicant.

D1.6 Referrals

- (1) The Development Authority:
 - (a) Shall provide notice(s) of a development permit application in accordance with Table D1.1, and
 - (b) May refer applications for development permits to municipal departments, and other agencies to obtain comments.
 - (c) The City shall refer development permit and subdivision applications to the Municipal District of Bonnyville in accordance with the requirements of the Intermunicipal Development Plan.

D1.7 Variance Authority

- (1) The Development Officer, at its discretion, may allow a variance up to a maximum thirty three percent (33%) respecting front, rear, and side yard setbacks, building height requirements, and gross floor area for existing and proposed principal and accessory buildings.

Table D1.1: Development Permit Notice Requirements

Nature of Application	Notice of Application to Adjacent Landowners	MPC Meeting Required	Notice of Decision to Adjacent Landowners	Notice of Decision Posted on City Website
Permitted Use	N	N	N	N
Permitted Use (Variance < 33%)	Y	N	Y	Y
Permitted Use (Variance > 33%)	Y	Y	Y	Y
Discretionary Use	Y	See District	Y	Y

- (2) The Development Officer, at its discretion, may allow a variance respecting lot coverage of up to five percent (5%) of the lot area.
- (3) The MPC, at its discretion, may allow a variance to any standard or regulation contained in this Bylaw.
- (4) Pursuant to the Act, the Development Authority may approve a variance if in its opinion:
- The proposed development would not:
 - Unduly interfere with the amenities of the neighbourhood,
 - Materially interfere with or affect the use, enjoyment, or value of neighbouring properties, and
 - The proposed development conforms with the use prescribed for that land or building under this Bylaw.
- (5) When a variance is granted, the Development Authority shall specify the nature of the variance in the development permit approval.
- (6) Where a use is proposed which is not specifically listed in any district, but is, in the opinion of the Development Authority, similar in character and purpose to another listed use in the district in which such use is proposed, the MPC may determine that the proposed use is either a permitted or discretionary use in the district in which such use is proposed.
- (7) The uses that are listed in the permitted uses and discretionary uses columns within each district are not intended to be exclusive or restrictive. Where a proposed use does not specifically conform to the wording of any definition, the Development Authority may, at its discretion, deem that the use conforms to and is included in that definition and/or district.

D1.8 Development Permit Decisions

- (1) In deciding on a development permit, the Development Authority shall, in accordance with this Bylaw and any applicable statutory plan or policy:
- Approve the application unconditionally,
 - Approve the application with conditions considered appropriate, permanently, or for a limited period of time, or
 - Refuse the application and provide reasons.

- (2) The Development Authority may:
 - (a) Limit the period of time that a temporary development may be approved and establish conditions under which such use shall be terminated or discontinued with no liability to the City,
 - (b) Refuse a development permit application if the proposed development does not conform with this Bylaw,
 - (c) Refuse a development permit application for a discretionary use, even though it meets the requirements of this Bylaw, and provide reasons.
- (3) The Development Authority shall consider and decide on applications for a development permit within forty (40) days of the receipt of the application in its complete form. If a decision is not made within forty (40) days, the application shall, at the option of the applicant, be deemed refused. If a decision is not made within forty (40) days, the applicant may enter into an agreement with the Development Authority to extend the forty (40) day period using the prescribed time extension form.
- (4) A development permit does not come into effect until twenty-one (21) days after the date of the Notice of Decision is issued in accordance with [Section D1.11](#).
- (5) Where an appeal is made pursuant to [Section D2](#), a development permit which has been granted shall not come into effect until the outcome of the appeal has been determined.
- (6) If a decision on a development permit application is made by the Development Authority that is not in accordance with the *Act*, the application may be deemed as refused by the applicant and persons claiming to be affected may appeal to the SDAB in accordance with [Section D2](#).
- (7) In cases where a development also requires a building permit, the development permit shall not be valid for building purposes unless and until a building permit is obtained in accordance with the *Safety Codes Act*. The requisite development permit shall be presented to the City's Building Safety Codes Officer when application is made for a building permit.
- (8) The Development Authority shall refuse to accept a new development permit application on the same property and for the same or similar use:
 - (a) Within three (3) months of the date of a refusal by the Development Authority, or
 - (b) Within three (3) months of the date of a written decision of the SDAB on a previous application, if the previous application was appealed to, and subsequently refused by, the SDAB, or
 - (c) Within three (3) months of the date of a written decision of the Alberta Court of Appeal on the previous application if the application has been appealed to the Alberta Court of Appeal, or
 - (d) During the time prior to the decision of the SDAB or the Alberta Court of Appeal if the application has been appealed to the SDAB or the Alberta Court of Appeal.
- (9) Subsection (8) shall not apply in the case of an application for a development permit for a permitted use if the application complies with all the regulations of this Bylaw.
- (10) If upon review of any application for a development permit, the Development Authority determines that subsection (8) applies, then the application may be presented to the MPC or may be returned to the applicant, along with any fees that have been submitted.
- (11) Any amendments to a development application must be made prior to the review and issuance of permits or is subject to reapplication and all applicable fees.

D1.9 Development Permit Conditions

- (1) As a condition of issuing a subdivision or development permit approval, the City may require that the applicant enter into an agreement to do any or all of the following:
 - (a) To construct or pay for the construction of a road required to give access to the development or subdivision,

- (b) To construct or pay for the construction of a pedestrian walkway system to serve the development or subdivision, or pedestrian walkways to connect the pedestrian walkway system serving the development or subdivision with a pedestrian walkway system that serves or is proposed to serve an adjacent development,
 - (c) To install or pay for the installation of public utilities that are necessary to serve the development,
 - (d) To construct or pay for the construction of off-street or other parking facilities and loading and unloading facilities,
 - (e) To construct or pay for the installation of landscaping,
 - (f) To pay an off-site levy or redevelopment levy imposed by bylaw,
 - (g) To address damage to existing municipal infrastructure incurred during construction,
 - (h) To provide security to ensure that the terms of the agreement are carried out, and
 - (i) Any other requirements the City deems necessary.
- (2) To secure the agreement under subsection (2), the City may register a caveat under the *Land Titles Act* against the certificate of title of the property being developed, which shall be discharged when the terms of the agreement have been met.
- (3) The Development Authority may:
- (a) Impose conditions on the approval of a permitted use development if the authority to do so is specified in this Bylaw. Nothing in this section prevents a Development Authority from identifying on the development permit applicable sections of this Bylaw that the applicant is required to comply with,
 - (b) In the case of a temporary development, impose conditions limiting the duration of the validity of the development permit and requiring the reinstatement of the land back to its condition before the temporary development commenced. The Development Authority may exercise this power to add conditions to permitted and discretionary use approvals,
 - (c) With respect to a discretionary development or a development in a Direct Control district, impose such conditions as deemed appropriate, having regard to the provisions of this Bylaw and any statutory plan,
 - (d) Require the applicant to provide a plot plan,
 - (e) Require a guaranteed security in accordance with the City's requirements to ensure that the landscaping is provided and installed in accordance to recognized horticultural practices.
- (4) The Development Authority shall require, as a condition of approval of a development permit for new development, the provision of landscaping in accordance with [Section C3](#) and the provision of hard surfacing in accordance with [Section C4.2](#). The Development Authority may waive these requirements where the development consists of a change in use of an existing building where the gross floor area of the building or the parking requirement is not being increased.
- (5) The approval of any application, drawing, or the issuing of a development permit shall not prevent the Development Authority from thereafter requiring the correction of errors, nor from prohibiting the development being carried out, when the same is in violation of this Bylaw.

D1.10 Development Completion

- (1) If the development authorized by a permit has not commenced within twelve (12) months from the date of its issue, the permit is deemed to be void, unless an extension to this period has been applied for and granted by the Development Authority, prior to expiry of the original permit. An extension to a development permit that has already been issued, and for which the authorized development has not commenced within twelve (12) months from the date of its issue, shall only be granted once. If the applicant has not commenced development within the extended time, the development permit ceases to be valid.
- (2) A development must be completed to municipal standards within two (2) years of the start of construction, failing which the Development Authority may direct that the site be returned to its original condition or to a condition acceptable to the Development Authority.

- (3) If a development has commenced but is thereafter determined to have been abandoned and is incomplete, the Development Authority may require the owner to reinstate the land back to its original condition.
- (4) The City shall not issue a development completion certificate unless:
 - (a) The development has been completed to the City's satisfaction in accordance with the conditions of the development permit,
 - (b) A final rough lot grade plan prepared by a qualified person having a Permit to Practice under the *Engineering, Geological and Geophysical Professions Act* has been submitted by the applicant and approved by the City's Engineering Department,
 - (c) All utility connections have been completed to the City's satisfaction in accordance with the City's Municipal Engineering Standards,
 - (d) Any damages to the City's infrastructure including sidewalks, curbs, gutters, road surfaces or underground utilities resulting from construction activity have been repaired to the City's satisfaction in accordance with the City's Municipal Engineering Standards. In the event that the repair of damages is delayed due to weather or seasonal conditions, a development completion certificate may be issued subject to the repairs being completed when weather conditions allow and within a timeframe specified by the City, and
 - (e) The development complies with the Alberta Building Code and Alberta Safety Codes Act, where applicable.

D1.11 Notice of Decision

- (1) A Notice of Decision on a development permit or subdivision application shall be in writing and provided to the applicant by way of letter mail or electronic means.
- (2) When a decision involves a discretionary use or a variance to a permitted use, the Development Authority shall prepare a written Notice of Decision stating the legal description and municipal address of the site for which the application has been made, the use proposed, and the decision. The Notice of Decision shall be advertised as follows and as summarized in Table D1.1:
 - (a) The Development Authority shall:
 - (i) Post the Notice of Decision to the City's website for a period of twenty-one (21) days, and
 - (ii) Mail the Notice of Decision to adjacent landowners.
 - (b) The Development Authority may also, at its discretion:
 - (i) Mail a copy of the Notice of Decision to additional landowners who may be affected, and
 - (ii) Provide a copy of the Notice of Decision by mail or electronic means to additional agencies and/or municipalities as deemed necessary by the Development Authority.

D2 APPEALS

D2.1 Method of Appeal

- (1) A decision on a development permit may be appealed by the applicant or the person affected, by submitting a written notice of appeal, to the Clerk within twenty-one (21) days of the date upon which the person is notified of the decision, where the Development Authority:
 - (a) Refuses or fails to issue a development permit to a person within forty (40) days of receipt of the application,
 - (b) In the case of a permitted use has misinterpreted the bylaw,
 - (c) Issues a development permit for a discretionary use,
 - (d) Issues a development permit for a permitted use with a variance, or
 - (e) Issues an order under [Section D4.2](#).
- (2) A decision on a subdivision may be appealed by the applicant by submitting a written notice of appeal to the Clerk within fourteen (14) days after notice of the decision of subdivision was given.
- (3) An appeal to the SDAB is subject to a non-refundable fee in accordance with a schedule as set from time to time by resolution of Council. An appeal shall not be accepted by the Clerk without the prescribed fee.
- (4) For the purposes of this Bylaw, [Section D1.11\(2\)](#) establishes the date a notice of decision is deemed to have been given.

D2.2 Appeal Hearing

- (1) Within thirty (30) days of receipt of a notice of appeal, the SDAB shall hold a hearing respecting the appeal.
- (2) The SDAB shall give at least five (5) days' notice in writing of the hearing to:
 - (a) The appellant,
 - (b) The Development Authority whose order, decision, or development permit the appeal is made,
 - (c) Those adjacent landowners who were notified of the issuance of the development permit and any other person who, in the opinion of the SDAB, is affected by the order, decision, or permit, and
 - (d) Such other persons as the SDAB specifies.
- (3) The SDAB shall make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal.
- (4) At the public hearing the SDAB shall hear:
 - (a) The appellant or any person acting on behalf of the appellant,
 - (b) The Development Authority from whose order, decision, or development permit the appeal is made, or a person acting on behalf of the Development Authority,
 - (c) Any other person who was given a notice of the hearing and who wishes to be heard or a person acting on behalf of that person, and
 - (d) Any other person who claims to be affected by the order, decision, or permit and that the SDAB agrees to hear or a person acting on behalf of that person.

D2.3 Decision

- (1) The SDAB shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the hearing.
- (2) In determining an appeal, the SDAB:
 - (a) Shall comply with the provincial land use policies, together with any statutory plan and bylaw in effect,
 - (b) May confirm, revoke, or vary the order, decision, or development permit, or any condition attached to any of them or make or substitute an order, decision, or permit of its own,

- (c) May make an order or decision or issue or confirm the issuance of a development permit notwithstanding that the proposed development does not comply with this Bylaw if, in its opinion:
 - (i) The proposed development would not unduly interfere with the amenities of the neighbourhood, or materially interfere with, or affect the use, enjoyment, or value of neighbouring properties, and
 - (ii) The proposed development conforms to the use prescribed for that land or building in this Bylaw.
- (3) A decision made under this Section 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 appeal to the Alberta Court of Appeal shall be filed and served with the Alberta Court of Appeal within thirty (30) days after the issue of the order, decision, permit, or approval sought to be appealed.

D3 AMENDING THE BYLAW

D3.1 Amendment Applications

- (1) A person may apply in writing to Council to have this Bylaw amended. The application shall:
 - (a) Specify the nature of the amendment requested,
 - (b) Outline the reasons for making the application,
 - (c) Include a non-refundable application fee, as established by Council from time to time,
 - (d) If the application is for a change of district, include:
 - (i) A copy of the current certificate of title for the lands affected, or any other documentation satisfactory to the City stating the proponent's legal interest in the land,
 - (ii) If the applicant is an agent of the landowner, a letter from the landowner authorizing the agent to make the application,
 - (iii) Permission allowing the City employees to enter upon the land for the purposes of inspecting the property, and
 - (iv) A drawing showing the dimensions and the area of the land to be changed; and
 - (e) Other information that the City may deem necessary to properly evaluate the application which may include the following:
 - (i) A statement describing how the Municipal Development Plan and other relevant statutory and non-statutory plans and studies have been considered,
 - (ii) A site concept plan that describes the land uses proposed for the property, if the land is to be developed in stages (or phases), the size of the lots proposed, the location of proposed roads and other utility infrastructure and how the proposed development will integrate with the natural topography and features, such as existing treed areas, watercourse, wetlands, and ravines,
 - (iii) A geotechnical study conducted by a qualified professional,
 - (iv) A noise attenuation study conducted by a qualified professional,
 - (v) A traffic impact assessment conducted by a qualified professional,
 - (vi) Assessment of effect on environmentally significant areas,
 - (vii) A Phase I Environmental Site Assessment (ESA),
 - (viii) An analysis of the impacts on community services and protective and emergency services (e.g. fire and police protection and other emergency response services), assessment of effects on the natural environment including potential mitigative measures,
 - (ix) Staging, implementation schedule, and duration of construction for any proposed development,
 - (x) Municipal land, right of way or easement requirements; and any known concerns and opinions of area residents, landowners, adjacent municipalities, and affected stakeholders regarding the application.
- (2) The City may consider a redistricting without all the above requirements if it is of such a nature that a decision can be made without some of the required information.

D3.2 The Amendment Process

- (1) Upon receipt of an amendment application, the Development Officer shall determine when the application will be placed before Council for first reading and establishing a public hearing date. An amending bylaw shall be forwarded to Council within sixty (60) days of the City receiving the application and deeming it complete.
- (2) Council may, after due consideration of the amendment application, give first reading to the amending bylaw.
- (3) Council may, on its own initiative, proceed to undertake an amendment to this Bylaw by directing the Development Officer to initiate an application.
- (4) Should first reading be given to the amending bylaw, Council shall establish the date, time, and place for a public hearing on the proposed bylaw,

- (5) On first reading being given to the proposed bylaw, the Development Officer shall:
 - (a) Arrange for notice of the public hearing to be posted on the City's website for two (2) consecutive weeks preceding the date of the hearing, and
 - (b) Send by email or letter mail, notice to
 - (i) The applicant,
 - (ii) The owner of the land if not the applicant,
 - (iii) The owners of adjacent land if the proposed bylaw provides for a change of district,
 - (iv) If adjacent land is in another municipality, notice to that municipality, and
 - (v) Any other authorities who, in the opinion of the Development Officer, may be affected, not less than fourteen (14) days preceding the date of the hearing.
- (6) The notice of the public hearing shall contain the following information:
 - (a) The date, time, and place of the public hearing,
 - (b) The purpose of the proposed bylaw,
 - (c) That a copy of the proposed bylaw and any public documents applicable to the proposed bylaw may be inspected at the City Office during regular office hours, and
 - (d) The procedure to be followed at the public hearing.
- (7) Council, after considering the representations made to it at the public hearing, any statutory plan affecting the application, and this Bylaw, may:
 - (a) Make such changes as it considers necessary to the proposed bylaw if any, and proceed to pass the proposed bylaw, or
 - (b) Defeat the proposed bylaw.
- (8) Notwithstanding anything contained in this Part, a proposed amendment which has been rejected by Council within the previous twelve (12) months shall not be reconsidered unless Council otherwise directs.

D4 ENFORCEMENT

D4.1 Non-Conforming Buildings and Uses

- (1) If a development permit has been issued on or before the day on which this Bylaw or an amendment thereto comes into force and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect despite the coming into force of the bylaw.
- (2) A non-conforming use of a building or land 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.
- (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 to it or on it.
- (4) A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.
- (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 routine maintenance of the building if the Development Authority considers it necessary, or
 - (c) In accordance with the variance powers of the Development Authority in accordance with [Section D1.7](#).
- (6) If a non-conforming building is damaged or destroyed to the extent more than seventy five percent (75%) of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- (7) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.
- (8) Within six (6) months of a building being vacated, owners are responsible for the following, to the satisfaction of the Development Authority:
 - (a) The removal of signs,
 - (b) Boarding up windows and doors, and
 - (c) The removal of graffiti, posters, and other debris.

D4.2 Contravention

- (1) The owner a building or site shall permit Development Authority representatives to enter the owner's premises at any reasonable time for the purpose of inspecting a development or administering or enforcing this Bylaw.
- (2) Where the Development Authority finds that a development or use of a building is not in accordance with the *Act* or the *Regulation*, a development permit or subdivision approval or this Bylaw, the Development Authority may, by written notice of contravention, and/or written stop order notice, notify or order the registered owner, the person in possession of the land or buildings or the person responsible for the contravention or all, or any of them to:
 - (a) Stop the development or use of the land or buildings in whole or in part as directed by the notice,
 - (b) Demolish, remove, or replace the development, or

- (c) Take such other measures as are specified in the notice so that the development or use of the land or building is in accordance with the Act, the regulations, a development permit, subdivision approval, or this Bylaw as the case may be, within the time specified by the notice.

D4.3 Compliance

- (1) If it appears that:
 - (a) A development permit has been obtained by fraud or misrepresentation,
 - (b) Facts concerning the application or the developer were not disclosed at the time of application,
 - (c) The development permit was issued in error,
 - (d) The application was withdrawn by way of written notice from the applicant, or
 - (e) A development for which a development permit has been issued is not being carried out or completed to the extent or in the manner originally approved,
 the City may cancel, suspend, revoke, or modify the development permit.
- (2) A person, whose development permit is cancelled, suspended, revoked, or modified under subsection (1) may appeal that decision to the SDAB in accordance with [Section D2](#).
- (3) Where a person fails or refuses to comply with an order within the time specified, the Development Authority, or a person appointed by it may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order.
- (4) A person receiving a stop order notice may appeal to the SDAB.
- (5) The Development Authority may cause an application to be made to the Alberta Court of Queen's Bench for an injunction or other order in respect of a contravention or non-compliance.
- (6) The person in possession of the land or buildings or the person responsible for the contravention or all, or any of them, may be asked to pay another development permit application fee prior to the development or use of the land or buildings resumes, if at the discretion of the Development Authority, they have failed to comply with the order directed to them within the time specified.
- (7) Development Compliance Certificates
 - (a) The registered owner or a person with legal or equitable interest in a property may apply for a Compliance Certificate or a Statement Respecting Compliance.
 - (b) The City requires a Compliance Certificate Request Form to be completed and/or signed by the registered owner of the property in question, or a person with legal or equitable interest in a property shall provide a Certified Copy of Title or a letter of authorization from the registered owner.
 - (c) The applicant for a Compliance Certificate shall submit an original Real Property Report bearing an original signature and produced by an accredited Alberta Land Surveyor dated no earlier than one (1) year prior to the date of submittal.
 - (d) A request for a Compliance Certificate shall be accompanied with a non-refundable application fee in accordance with a schedule as set from time to time by resolution of Council.
 - (e) Within fourteen (14) days of receiving a complete request for a Compliance Certificate, the Development Authority shall issue a Compliance Certificate if it is determined that all buildings on the property, as shown on the Real Property Report, comply with this Bylaw. The City will refuse to accept an incomplete, faxed, or illegible document.
 - (f) A Compliance Certificate may be issued when the buildings as shown on the Real Property Report provided by the applicant are located on the lot in accordance with the separation distance and yard and building setbacks regulations of this Bylaw.
 - (g) The City may issue a Statement Respecting Compliance separate from the Real Property Report and based solely on the information contained within the land file for the respective property. Such statement will contain information and a statement that the development and/or use of the property in question may be in conformance with this Bylaw.

- (h) The Development Authority shall notify the owner or a person with legal or equitable interest or the applicant if the subject property does not comply with this Bylaw and the steps necessary to ensure compliance.

D4.4 Penalties

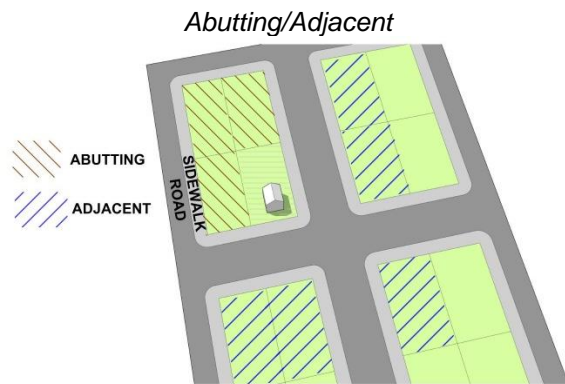
- (1) Where the Development Authority or person appointed by it carries out an order, the Development Authority shall cause the costs and expenses incurred in carrying out the order to be placed on the tax role as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.
- (2) A person who contravenes this Bylaw or obstructs or hinders any person in performance of these powers or duties under this Bylaw, is guilty of an offence and is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one (1) year, or to both fine and imprisonment in accordance with the Act.
- (3) A person who continues to contravene this Bylaw after conviction for that contravention is guilty of a further offence and is liable to a fine not exceeding \$2,500.00 for every day that the offence continues after conviction, exclusive of costs for such continuing contravention of this Bylaw, and upon failure to pay such a fine and costs, imprisonment for a period not exceeding one (1) year unless such a fine and costs are sooner paid.

PART E DEFINITIONS

- (1) The definitions of uses group individual land uses into classes, with common functional or physical impact characteristics, which define the range of uses that are principal and secondary, with or without conditions, within various Districts of this Bylaw.
- (2) All other words and expressions used in this Bylaw shall have the meanings assigned to them in the *Act*.
- (3) For purpose of this Bylaw the following words, terms, and phrases, wherever they occur in this Bylaw, shall have the meaning assigned to them as follows:

Abattoir means the use of land, or a building for the slaughter of livestock or poultry and may include the packing, treating, storing and sale of the meat produced.

Abut or Abutting means contiguous to or physically touching, and when used with respect to a lot or site, means that the lot or site physically touches upon another lot or site and shares a boundary with it.



Accessory Building or Use means a building, structure or use which is incidental, subordinate, or secondary to the principal building or use that is located on the same site.

Act means the Municipal Government Act, RSA 2000 as amended.

Adjacent means land that is contiguous to another site, or would be contiguous if not for a stream, road, pipeline, power line, or railway.

Adult Entertainment Establishment means a business that provides entertainment or services appealing to erotic or sexual appetites or inclination which include without restricting the generality of the foregoing any or all of the following:

- (a) An adult mini-theatre or other similar establishment where, either as a principal

activity or an activity ancillary to some other activity which is conducted on the premises,

- (i) Live performances involving or depicting the nudity or partial nudity of any person take place, or
- (ii) Motion pictures, video tapes, digital video discs, slides or other electronic productions are shown, the main features of which are the depiction of sexual activities and the display of persons in states of nudity or partial nudity,
- (b) A night club, eating and drinking establishment, or other similar establishment where, either as a principal activity or an activity ancillary to some other activity which is conducted on the premises,
 - (i) Live performances or displays involving or depicting the nudity or partial nudity of any person (e.g. topless waitresses, exotic dancing, etc.) take place, or
 - (ii) Competitions are engaged in, involving the nudity or partial nudity of any person,
- (c) A body painting studio or other similar establishment where, either as a principal activity or an activity ancillary to some other activity conducted on the premises, paint, powder, or some other material is applied to the nude or partially nude body of a person in a manner intended to be sexually arousing to, or otherwise appealing to erotic or sexual interests, appetites, or inclinations of, viewers or participants,
- (d) A massage or body rub parlour or other similar establishment where, either as a principal activity or an activity ancillary to some other activity conducted on the premises, the body or part of the body of a person is massaged, manipulated, touched, rubbed or stimulated by any means in a manner intended to be sexually arousing to, or otherwise appealing to erotic or sexual interests, appetites or inclinations of, viewers or participants, but excluding places where the described activity is performed solely for medical or therapeutic purposes by a person

who is duly licensed or registered under an enactment governing a trade, calling or profession,

- (e) Any development that the Development Authority considers to be similar to any of those described in clauses (a) to (d) of which a principal feature or characteristic is the nudity or partial nudity of any person.

For the purpose of this definition, “partial nudity” means less than completely and opaquely covered: human genitals or human pubic regions, human buttocks, or, female breasts below a point immediately above the top of the areola.

Adult Entertainment Establishments shall only be allowed in Direct Control districts created specifically for that purpose.

Adult Retail Establishment means a business that provides goods appealing to erotic or sexual appetites or inclination which include without restricting the generality of the foregoing any or all of the following:

- (a) Love boutiques/shops which are retail or wholesale businesses where greater than thirty (30%) of the gross floor area is used for the display and sale of merchandise and/or products intended to be used for sexual pleasure,
- (b) Adult video stores which are businesses where greater than thirty percent (30%) of the gross floor area is used to sell, rent, lease or loan “X” rated adult video tapes, digital video disks or other similar electronic or photographic reproductions,
- (c) Any development that the Development Authority considers to be similar to any of those described in clauses (a) or (b).

Agricultural Operation means the raising or production of any cultivated crops, livestock or dairy products that utilize relatively large areas of land and in which the use of buildings and confinement areas is auxiliary to the use of the land itself. This constitutes an “agricultural operation” pursuant to the requirements of the *Agricultural Operation Practices Act* and does not include a confined feeding operation or an urban garden.

Airport means a facility for the arrival, departure, and movement or servicing of aircraft and includes any building, installation, or equipment in connection therewith, and for which an airport license has been issued by the Minister of Transport. For the purpose of this Bylaw, it does not include the National Defence Establishment - 4 Wing, except for those

areas specifically designated to be subject to this Bylaw.

Amenity Area means an area on a site or within a development that has been designed to serve as a space for passive or active recreation, and may include child play areas, courtyards, atria, patios, or similar facilities.

Amusement Establishment, Indoor means facilities within any building, room or area having table games, electronic games, similar games played by patrons for entertainment.

Amusement Establishment, Outdoor means development providing facilities for entertainment and amusement activities which primarily take place out-of-doors, where patrons are primarily participants. Typical uses include amusement parks, go-cart tracks, miniature golf and motor cross establishments. This use class does not include participant recreation outdoor, temporary, or special events.

Animal Shelter means development used for the temporary accommodation and care or impoundment of small animals within an enclosed building. This use class does not include kennels or veterinary services.

Apartment means a multi-storey residential building consisting of five (5) or more dwelling units but shall not include buildings containing units with separate exterior entranceway(s).

Area Structure Plan or Area Redevelopment Plan means a statutory plan adopted pursuant to the *Act* by the municipality respecting the planning and future development or redevelopment of a specific tract of land.

Auction Yard means a facility for the auctioning of goods and equipment, including the temporary storage of such goods and equipment, but excludes animals, and does not include flea markets or farmers markets.

Automotive and Equipment Repair means a development for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles, and similar vehicles and may include the sale, installation or servicing of related accessories and parts. This includes transmission shops, muffler shops, tire shops, automotive glass shops, auto body and/or paint shops and upholstery shops.

Automotive Wrecker means a development consisting of the storage, dismantling, and wrecking of vehicles, not in running condition, or parts of them.

Awning or Canopy means a projection outward from a facade of a building, primarily designed to provide protection from climatic elements.

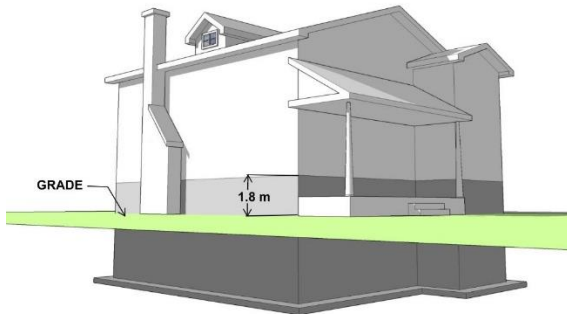
Balcony means a platform, attached to and projecting from the face of a building, with or without a supporting structure above the first storey, typically surrounded by a balustrade or railing, and used as an outdoor amenity space, with access only from within the building.

Barrier Free Design means the incorporation and utilization of design principles to construct an environment that is functional, safe, and convenient for all users, including those with any type of disability.

Barrier Free Design Guide is a design guide respecting the minimum building requirements for disabled persons in the *Alberta Building Code*.

Basement means that portion of a building that is located wholly or partially below grade, the ceiling of which does not extend more than 1.8 m above grade.

Basement



Bed and Breakfast means a secondary commercial use of a single detached dwelling, whereby temporary accommodation, with or without meals, is provided for remuneration to members of the public. Bed and Breakfast establishments are not allowed in a manufactured home.

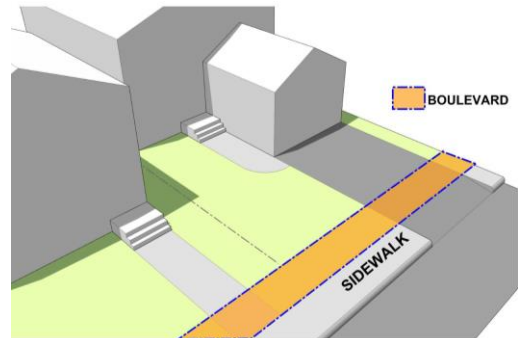
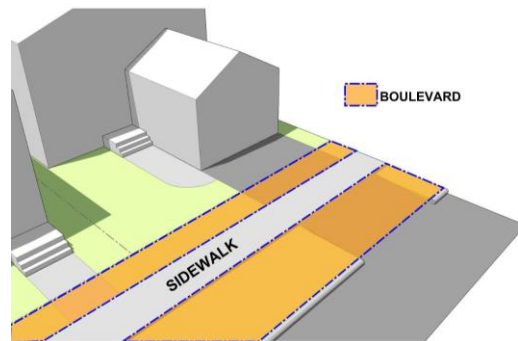
Boat Launch means a structure, ramp, or both, utilized for the purpose of setting a boat in the water.

Body Art Shop means any room place, establishment, or part thereof, where body piercing and/or tattooing is conducted.

Boulevard means:

- (a) That portion of the right-of-way of a road lying between the curb line of the road and the abutting lot line, excepting that portion occupied by a sidewalk; or
- (b) Where there is no curb, that portion of the right-of-way lying between the edge of the road ordinarily used by vehicles and the abutting lot line, excepting that portion occupied by a sidewalk.

Boulevard



Buffer means a row of trees, shrubs, or berming to provide visual screening and separation between sites and districts.

Building includes anything constructed or placed on, in, over or under land but does not include a highway or public road or bridge forming part of a highway or public road.

Building Height means the vertical distance from the average finished grade at the exterior wall to the highest point of a building, excluding a stairway entrance, a skylight, chimney, flagpole, antenna, a parapet wall, or similar device not structurally essential to the building.

Bulk Fuel Station means development for handling petroleum products in bulk quantities and includes supplementary tanker vehicle storage. Key-lock pumps and retail fuel sales may be incorporated as an accessory use. This use class does not include gas bars or service stations.

Business Support Service means development used to provide support services to businesses and which is generally characterized by one or more of the following activities: document printing and duplicating, binding, or photographic processing; secretarial services; office maintenance or custodial services; office security; repair, or servicing of office equipment, furniture, machines, computers, and communications equipment. Typical uses include but are not limited to printing establishments, testing laboratories, film processing establishments, janitorial firms and office equipment sales, repair establishments and sign shops.

Campground means a facility which has been planned and improved for the seasonal short-term use of holiday trailers, motor homes, tents, campers, and similar recreational vehicles and is not intended for year-round storage, or accommodation for residential use. Related facilities that are accessory to and support the campsite, such as an administration office, laundromat, picnic areas, playgrounds and boating facilities may be included on-site. Typical uses include tourist trailer parks, campsites, and tenting grounds, but does not include work camps or manufactured homes.

Cannabis means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds, and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time and includes edible products that contain cannabis.

Cannabis Micro-Processing means a development used for processing, packaging, or shipping of cannabis by a federal government licensed commercial producer in accordance with a micro-processing license as defined by Health Canada per the *Cannabis Act* and its regulations. This use does not include the growing of cannabis on-site. This use class does not include cannabis production facility or cannabis retail store.

Cannabis Production Facility means an indoor facility, used for the purpose of growing, processing, researching, destroying, storing, packaging, or shipping of cannabis by a federal government licensed commercial producer in accordance with

federal legislation. This does not include the production of industrial hemp as defined by federal legislation. This use class does not include agricultural operation, cannabis micro-processing, or cannabis retail store.

Cannabis Retail Store means a development used for the retail sale of cannabis authorized by provincial or federal legislation. This use includes the sale of cannabis-related accessories but does not include the sale of liquor, tobacco, or pharmaceuticals. This use class does not include cannabis micro-processing, cannabis production facility, retail, convenience, or retail store.

Carport means a residential parking structure designed and used for the storage of motor vehicles, consisting of a roof supported on posts or columns and enclosed on three (3) or fewer sides whether separate from, or attached to the principal dwelling.

Cemetery means development of a parcel of land primarily as landscaped open space for the entombment of the deceased.

Certificate of Title means a certificate issued by the Land Titles Office identifying the owner(s) of a particular parcel of land.

Change of Intensity of Use means a change in the degree of utilization or capacity of a site or building.

Change of Use means a change in the use of a site, structure or building from one use class to another use class, or the introduction of additional uses beyond those already lawfully present.

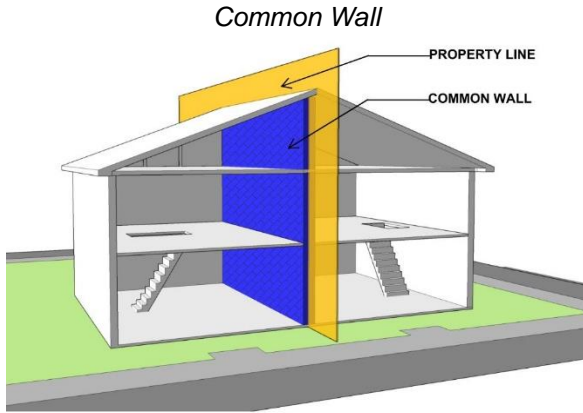
Child Care Facility means a provincially regulated facility used for the provision of care, educational services, or supervision for seven (7) or more children during the day or evening without overnight accommodation. This use does not include a family day home or group home.

City means the City of Cold Lake and its authorized agents.

Clerk means the Clerk of the SDAB.

Commence means to initiate a development pursuant to an approved development permit and generally refers to the excavation of a site and/or the construction of the foundation of a building or structure.

Common Wall means a wall jointly owned and jointly used by two parties under easement agreement, or by right in law, and erected at or upon a line separating two lots, each of which is, or is capable of being, a separate real estate entity.



Communication Tower means a federally regulated structure for supporting equipment for transmitting or receiving television, radio, telephone, or other electronic communications.

Complete Application means a development permit or subdivision application that contains all of the information required in order for the Approving Authority to make a decision.

Compliance Certificate means a document which states that building locations, as shown on a submitted real property report, meet or do not meet the setback requirements specified within this Bylaw.

Condominium means a building in which each unit has a separate title.

Confined Feeding Operation (CFO) means a prohibited land use where livestock is confined for the purpose of growing, sustaining, finishing, or breeding by means other than grazing and requires registration or approval under the conditions set forth in the *Agricultural Operations Practices Act* (AOPA), through the Natural Resources Conservation Board (NRCB). CFOs are prohibited from locating in the City.

Construct means to build, reconstruct, or relocate, and without limiting the generality of the word, also includes:

- (a) Any preliminary operation such as exaction, filling or draining,

- (b) Altering an existing building or structure by an addition, enlargement, extension, or other structural change, and
- (c) Any work which requires a building permit.

Contractor, General means the provision of building construction, oil field servicing, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office, or technical support service areas shall be accessory to the principal general contractor use only.

Contractor, Limited means the provision of electrical, plumbing, heating, painting, refrigeration, carpet cleaning, catering, and similar services primarily to individual households and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four (4) vehicles.

Copy Area means the total surface area within the outer periphery of a sign, and, in the case of a sign comprised of individual letters or symbols shall be the area of a theoretical rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in the computation of copy area.



Corner Visibility Triangle means that triangle formed by a straight line drawn between two points on the lot lines of a lot from the point where the lot lines intersect.

Courier Depot means a development with a gross floor area no greater than 450 m² used for the processing and sorting of packages for shipment or local delivery and may include customer visits for package pick up or drop off. This use class includes the use of not more than four (4) fleet vehicles and may include the ancillary sale of packing and shipping materials, money orders, printing and duplicating services, or mailbox rentals.

Council means the Council of the City of Cold Lake.

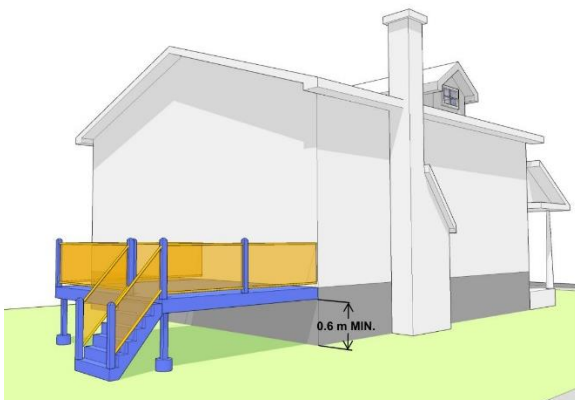
Cremation and Interment means the purification and reduction of the deceased body by heat and the keeping of deceased bodies, other than in cemeteries.

Crime Prevention Through Environmental Design (CPTED) means design and use of the built environment that leads to a reduction in the fear and incidence of crime and an overall improvement of quality of life.

Dealership means the retail sale, service, or rental of new or used automobiles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar recreational vehicles, manufactured homes, farm equipment, industrial equipment, or construction equipment together with incidental maintenance services and sale of parts.

Deck means an unenclosed amenity area with a finished floor height greater than 0.6 m above grade at any point.

Deck



Density means, when referencing residential development, the number of dwellings on a site, expressed as dwellings per hectare.

Development means:

- (a) An excavation or stockpile and the creation of either,
- (b) A building, or an addition to, or replacement or repair of a building or structure, and the construction or placing in, on, over or under land of any of them,
- (c) A change of use of land, structure, or building,
- (d) A change in the intensity of use of land structure or building,

Developer means a registered owner, agent or any person, firm, or company responsible for a development.

Development Authority means the Development Officer, the Municipal Planning Commission, the Subdivision and Development Appeal Board, or Council, as the case may be.

Development Completion Certificate means a document issued by the Development Officer confirming that the requirements and conditions of a development permit have been met.

Development Officer means an official of the City appointed, according to the procedures authorized by the City, to act as a Development Authority.

Development Permit means a document authorizing a development issued pursuant to this Bylaw.

Discontinued means the cessation of use of land or a building, excluding a dwelling unit, for a period of six (6) consecutive months or more.

Discretionary Use means the use of land or a building for which a development permit may be issued at the discretion of the Development Authority.

District means a defined area of the City as shown on the Land Use District Maps.

Drive-Through Vehicle Service means rapid cleaning, lubrication, maintenance, or repair services to motor vehicles, where the customer typically remains within the vehicle or waits on the premises. Typical uses include automatic or coin operated car washes, rapid lubrication shops and specialty repair establishments, but excludes eating and drinking

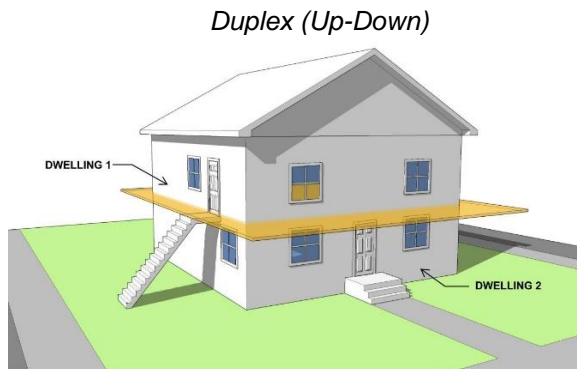
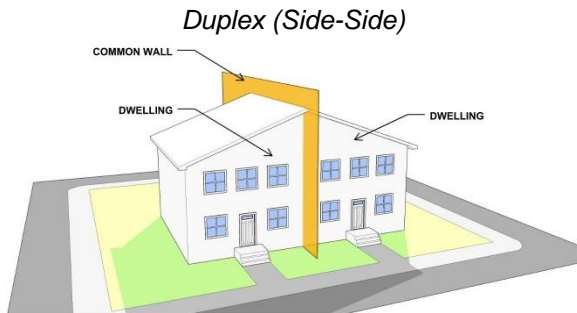
establishments that have an accessory drive-through service.

Driveway means a private road that provides vehicle access from a lot or site to a public or private road.

Dwelling or Dwelling Unit means a building or a portion of a building containing one (1) or more rooms that constitute a self-contained living accommodation unit having sleeping, cooking, and toilet facilities and intended as a permanent residence.

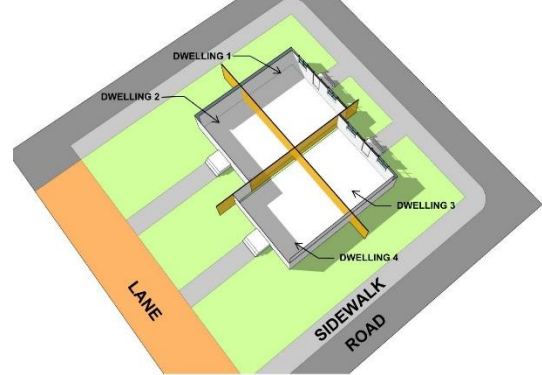
Dwelling, Duplex means development consisting of a building containing two (2) dwellings, with individual and separate access to each dwelling, and may take either of the following forms:

- (a) "Side-Side" where the dwellings share a common wall, or
- (b) "Up-Down" where one (1) dwelling unit is located above the other.

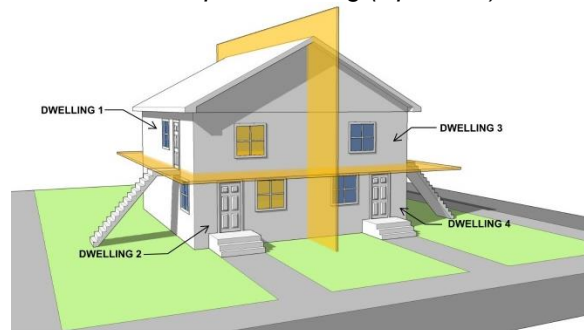


Dwelling, Multiplex means a building containing three (3) or more dwelling units located immediately adjacent to each other and sharing a common wall or with dwellings placed over the others (up-down) in whole, or in part and each having a separate entrance to grade. This use class does not include row house dwelling.

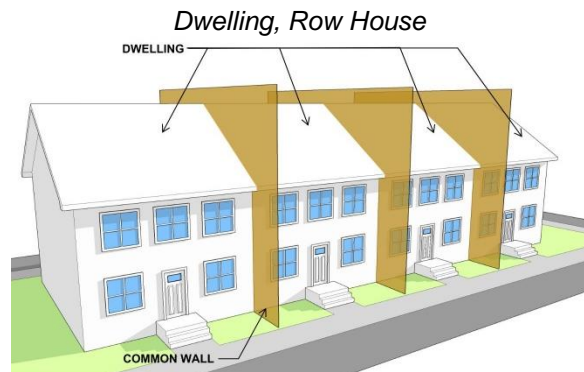
Multiplex Dwelling (Adjacent)



Multiplex Dwelling (Up-Down)



Dwelling, Row Housing means a building designed and built to contain three (3) or more dwelling units in a single row situated side by side. Each dwelling shall be separated from the one adjoining by no more than two common walls. No part of a dwelling unit is placed over another in part or in whole and each dwelling shall have separate, individual, and direct access to grade. For the purposes of this Bylaw, townhouse units are row housing dwellings.



Dwelling, Single Detached means a residential building containing one (1) dwelling unit and may include a modular home.

Easement means, for the purposes of this Bylaw, a utility right-of-way or similar legal right to use or cross land for a public utility or for access to another property that is registered by caveat on a certificate of title.

Eating and Drinking Establishment means a development where prepared food and beverages are offered for sale to the public, for consumption within the premises or off the site. This includes bars, restaurants, lounges, cafes, delicatessens, take-out restaurants, and may include accessory drive-through food service. This use class does not include nightclubs.

Elevation means a drawing made in projection on a vertical plane to illustrate a building facade.

Emergency Services means a development that is required for the public protection of persons and property from injury, harm, or damage together with the incidental storage of equipment and vehicles necessary for the local distribution of utility services. Typical uses include police stations, fire stations, and ambulance stations.

Encroach/Encroachment means a situation where a use, structure or building located on private land extends on to abutting land that is owned or controlled by the City.

Environmental Impact Assessment means a comprehensive site analysis that reports the potential environmental impact of a proposed development on the site, adjacent properties or land uses, and the future land use potential of the property.

Environmental Reserve means land that consists of:

- (a) A swamp, gully, ravine, coulee, or natural drainage course,
- (b) Land that is subject to flooding, or is unstable, or
- (c) A strip of land, not less than 6 m in width, abutting the bed and shore of any lake, river, stream, or other body of water for the purpose of preventing pollution or providing public access to and beside the bed and shore.

Environmentally Sensitive Lands means an area with one or more of the following characteristics:

- (a) Slopes exceeding twenty percent (20%),
- (b) Lands subject to flooding or adjacent to watercourses,
- (c) High water table,

- (d) Soils subject to erosion,
- (e) Mature stands of native vegetation; or any other lands deemed to be unstable.

Equipment Rentals means the rental of tools, appliances, office machines, minor construction equipment, or similar items. This use class does not include a dealership.

Excavation means the digging or removal of geological materials which alters the topography of a site, including but not limited to topsoil stripping and construction of artificial bodies of water, but does not include excavations for construction, building or utility installation purposes.

Exhibition Grounds means an outdoor and/or indoor facility used to host public events, including rodeos, horse shows, and exhibitions and any necessary structure used for spectator seating or viewing.

Family Day Home means a provincially monitored facility that provides day-to-day childcare service in a private residence for six (6) or fewer children, under the age of 11 and including the children of the day home provider. This use does not include childcare facilities or group homes.

Farmer's Market means a retail establishment or collection of retail establishments at which local producers and artisans sell meat, produce, baked goods and craft products directly to consumers. This use does not include a flea market.

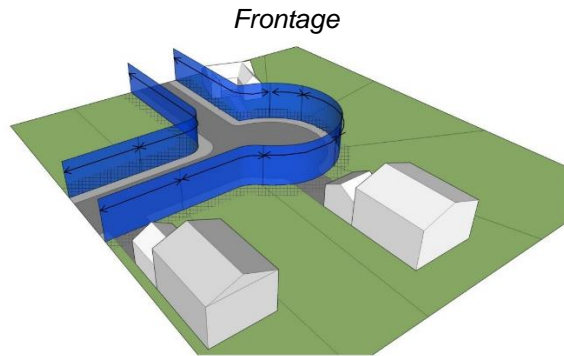
Fence, Wall, Gate, or Other Means of Enclosure means a vertical physical barrier constructed for the purposes of limiting visual intrusion, sound abatement and/or to prevent unauthorized entry.

Flea Market means a temporary retail development used for the sale of new or used goods by vendors renting tables and/or space outdoors or within an enclosed building. This use does not include a farmer's market.

Fleet Service means using a fleet of vehicles for the delivery of people, goods, or services where such vehicles are not available for sale or long-term lease. This includes taxi services, bus lines, and messenger services, but does not include a truck terminal, or a courier depot.

Flood Line means the grade elevation of land along a river, lake, stream, or creek that delineates the area that is at risk of seasonal flooding.

Frontage means that portion of a lot that abuts a public road.



Funeral Services means a commercial establishment where the dead are prepared for burial or cremation, and for the holding of memorial services. This includes funeral homes and undertaking establishments.

Garage means an accessory building, or part of a principal building designed and used primarily for the storage of non-commercial motor vehicles. This use includes portable garages, shelters, and canopies.

Gas Bar means a development used for the sale of motor fuel, lubricating oils, and automotive fluids, and associated convenience store products. The gas bar may be a self-service, full-service, or other similar operation and may include vehicle washing facilities. This use class does not include service stations, bulk fuel stations, automotive and equipment repair, or auto body and/or paint shops.

Golf Course means a public or private area operated for the purpose of playing golf, including a club house and recreational facilities, accessory driving ranges, and similar uses.

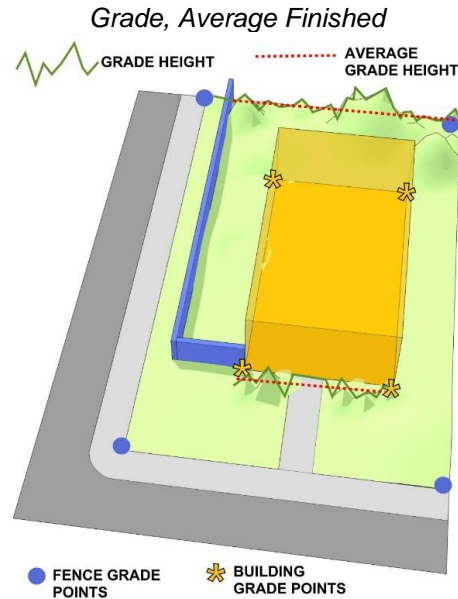
Grade means the normal ground elevation of a lot or site.

Grade, Average Finished means:

- For the purposes of measuring building height, the mean level of the finished ground adjoining the building or structure at the exterior wall, and
- For the purposes of measuring fence or retaining wall height, the mean level of the ground calculated at the corners of the site.

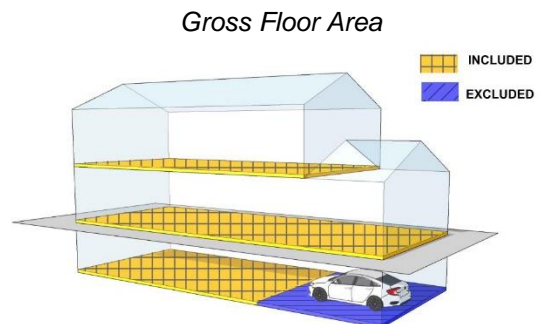
Green Building means the practise of increasing the efficiency with which buildings and their sites use and harvest energy, water, and materials, reducing building impacts on human health and the environment through better siting, design,

construction, operation, maintenance, and the complete building life cycle.



Greenhouse and Plant Nursery means development used primarily for the raising, storage and sale of produce, bedding, household and ornamental plants and related materials such as tools, soil, and fertilizers. The business shall be primarily plant-related, and any aggregate sales shall only be a minor accessory component of the business. This use class does not include cannabis micro-processing, a cannabis production facility, a cannabis retail store, or an urban garden.

Gross Floor Area (GFA) means the combined area of each floor of a building or structure measured from the outside surface of the exterior walls and includes all floors and basement but does not include parking levels.



Growing Season means the period between May 15th and October 15th in a given calendar year.

Hard Surfacing means a durable and dust-free ground/surface constructed of concrete, asphalt, paving stone or similar materials in accordance with City standards. Hard surfacing does not include loose gravel.

Health Service means the provision of physical and mental health services on an outpatient basis. Services may be of a preventive, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Typical uses include medical and dental offices, health clinics, acupuncture clinics, massage, and counselling services, but does not include emergency services or public buildings and services.

Heavy Industrial Use means an industrial use that, by reason of noise, dust, smoke, emission of odours, vibration, unsightliness, or other nuisance factors, is incompatible with residential, commercial, and other land uses, due to the creation of nuisances beyond the boundaries of the site, to the detriment of surrounding land uses. Such uses include cement plants, asphalt plants and similar uses.

Herbaceous Plant means a plant having little or no woody tissue above ground.

Home-Based Business means the use of a portion of a dwelling or accessory building to conduct a business or activity or occupation. This use class includes:

- (a) Home-Based Business, Major which allows for client visits, non-resident employees, and outdoor storage, and
- (b) Home-Based Business, Minor, which does not allow for client visits, non-resident employees or outdoor storage.

Hotel means a development consisting of individual guest rooms intended for the accommodation of the traveling public where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities. Hotels may include eating and drinking establishments, recreation facilities, meeting rooms, and personal service establishments.

Household means:

- (a) A person, or two or more persons related by blood, marriage, or adoption,
- (b) A group of not more than five (5) persons, including boarders, who are not related by blood, marriage, or adoption, or
- (c) A combination of (a) and (b) if the combined total does not exceed more than three (3)

persons unrelated by blood, marriage, or adoption, all living together as a single household, using the same cooking facilities.

Intensity means the degree of utilization or capacity of a site or building.

Intermodal Container means a standardized reusable steel shipping container used for the secure storage and movement of materials and products.

Intermunicipal Development Plan means the Intermunicipal Development Plan between the City and the Municipal District of Bonnyville #87 as amended.

Kennel means the keeping or boarding, typically overnight, of more than three (3) dogs, (excluding unweaned pups) or other domesticated animals. This use class does not include pet care service, animal shelter or veterinary services.

Landscaping means the preservation or modification of the natural features of a site through the placement or addition of any, or a combination of soft landscaping elements (i.e. trees, shrubs, plants, lawns, ornamental plantings) decorative hard surfacing elements (i.e. bricks, pavers, shale, crushed rock) and architectural elements (i.e. fencing, walls, sculptures).

Lane means a right-of-way, which provides a secondary means of access to a lot.

Leadership in Energy and Environmental Design (LEED) means the certification program rating system for sustainable green building and development practices, providing an internationally accepted benchmark for the design, construction, and operation of high-performance green buildings.

Light Industrial means a development used principally for one or more of the following:

- (a) Processing of raw materials,
- (b) The manufacture or assembly of semi-finished or finished goods, products, or equipment,
- (c) The storage, cleaning, servicing, repairing, or testing of materials, goods and equipment normally associated with industrial, business or household use, terminals for the storage or transshipping of materials, goods, and equipment,

- (d) The distribution and sale of material, bulk goods, and equipment to industrial, institutional, or commercial businesses, or
- (e) Any indoor display, office, technical, administrative support, or retail sale operation shall be accessory to the general industrial uses listed above.

This use includes only those developments where no significant nuisance factor is created or apparent beyond the boundaries of the site and does not include heavy industrial uses.

Livestock means animals including cattle, horses, sheep, swine, goats, and fowl.

Loading Space means an open area used to provide vehicular access to a loading platform, door, or cargo bay.

Lot means areas of land, which boundaries are shown on a plan registered in a Land Titles Office or are described in the Certificate of Title to the land, and includes a quarter section, river lot or settlement lot.

Lot, Corner means a lot located at the intersection of two public roads, or a lot abutting a public road, which substantially changes direction at any point where it abuts the lot.

Lot Coverage means the total horizontal area of all buildings or structures on a lot or site which are located at or higher than 0.3 m above grade, including accessory buildings or structures.

Lot Depth means the minimum distance between the front and rear lot lines measured along the median between the side lot lines as determined from the legal lot plan.

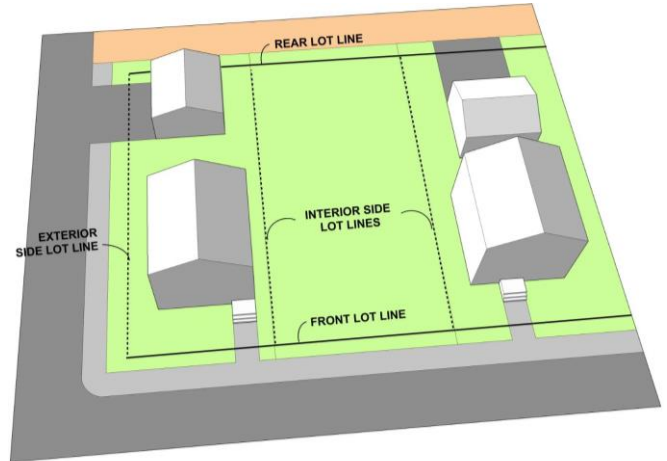
Lot Grading means any excavating, filling, or combination thereof associated with the development of a lot or site.

Lot Grading Plan means an engineering drawing that illustrates the post-development surface drainage patterns of a lot or site and the grading relationship between the subject lot or site and abutting lands.

Lot Line means the legally defined boundary of any lot or property line as per a legal Plan of Survey.

Lot Line, Exterior Side means a side lot line that abuts a public road.

Lot Lines



Lot Line, Front means the lot line dividing the lot from an abutting public road. In the case of a corner lot the shorter of the two lot lines abutting public roads shall be the front lot line.

Lot Line, Interior Side means a side lot line that is not an exterior side lot line.

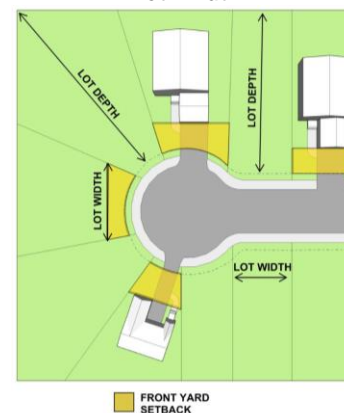
Lot Line, Rear means the lot line along the rear of the lot, generally parallel to the front line.

Lot Line, Side means the lot line along the side of a lot, generally perpendicular to the front lot line.

Lot, Through means a lot that has frontage on two parallel roads.

Lot Width means the horizontal distance between the side lot lines measured at a distance from the front lot line equal to the minimum required front yard setback for the applicable land use district. The minimum width of a lot fronting the bulb of a cul-de-sac or bulb of a corner lot shall be measured at the front yard setback line.

Lot Width



Manufactured Home means a prefabricated detached dwelling that meets Canadian Standards Association (CSA) Z240 standards and meets the requirements of the *Alberta Building Code*. These units are complete when they leave the factory, except for incidental assembly on site and have the CSA Z240 label. A manufactured home may be a single structure (“single-wide”) or consist of two parts which are put together to comprise a complete dwelling unit (“double-wide”). A manufactured home does not include a single detached dwelling, recreational vehicle, or a modular home.

Manufactured Home Lot means the area allocated for the placement of one (1) manufactured home in a manufactured home community or subdivision.

Manufactured Home Community means a parcel of land under single ownership and management that has been divided into manufactured home lots and improved for the placement of manufactured homes.

Marina means a facility that extends into or over a lake and provides docking, loading and/or other servicing of recreational watercraft.

Measurement means all required measurements and shall be in metric measurement.

Mini-Storage Facility means a development that provides cubicles for rent to the public for the storage of goods. This use class does not include warehousing and storage or storage yard.

Mixed-Use Development means a building designed for more than one type of land use on the same site. The composition of uses will typically be retail or office on the main floor, with residential units above.

Modular Home means a prefabricated detached dwelling that meets Canadian Standards Association (CSA) A277 standards and meets the requirements of the *Alberta Building Code* and may be transported to a lot as a complete unit or in segments where it is installed on a permanent foundation but does not include a manufactured home.

Motel means a development consisting of individual guest rooms intended for the accommodation of the traveling public, each with a separate exterior entrance. Motels may include food services and personal service establishments.

Municipal Planning Commission (MPC) means the Municipal Planning Commission appointed by Council pursuant to the *Act*.

Municipal Reserve means land dedicated through the subdivision process, typically for use as a public park, public recreation area, or to serve as a buffer between different land uses.

Museum means a building or place where collections of objects of artistic, scientific, or historical interest are kept and displayed for viewing by the public.

Natural Resource Development means the on-site removal, extraction and primary processing of raw materials found on or under the site. Typical uses include gravel pits, sandpits, and clay pits. This does not include the processing of materials transported to the site.

Night Club means development where the primary purpose is for dancing, drinking and entertainment. This use typically has a limited food menu, minors are prohibited from patronizing the establishment during at least some portion of the hours of operation and a significant portion of the facility is designed for entertainment. This use class does not include eating and drinking establishments.

Non-Conforming refers to a building or use that does not comply with the provisions of this Bylaw. means a building that is lawfully constructed or lawfully under construction at the date that a Land Use Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective and that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the Land Use Bylaw.

Nuisance means any activity that:

- (a) Interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses by way of noise, smoke, dust, odour, heat, fumes, fire, or explosive hazard,
- (b) Results in unsightly or unsafe storage of goods, salvage, junk, waste, or other materials; poses a hazard to health and safety, or
- (c) Adversely affects the amenities of the neighbourhood or interferes with the rights of neighbours to the normal enjoyment of any land or building.

Nursing Home means a private or publicly funded senior care facility licensed and approved to provide health care and social support to patients who require daily care. This use does not include supportive living accommodation or health services.

Oilfield Supports means a development that is engaged in the sale, rental, or manufacturing of materials, equipment or supplies required for use in the petroleum industry.

Parcel means the aggregate of one (1) or more areas of land described in a certificate of title by reference to a plan filed or registered in a Land Titles Office.

Parking Area means any portion of a lot that is used for short-term or long-term parking of any type of motor vehicle, recreational vehicle, boat, or trailer.

Parking Garage or Lot means a structure, site, or portion of a site containing parking spaces to accommodate motor vehicles located at, above, or below grade.

Parking Stall means a space within a parking garage or lot that is designed to accommodate the parking of one vehicle.

Participant Recreation, Indoor means development providing facilities within an enclosed building for sports and active recreation where patrons are predominately participants and any spectators are incidental and attend on a recurring basis. Typical uses include athletic clubs, health and fitness clubs, curling rinks, roller skating and hockey rinks, swimming pools, bowling alleys and soccer and racquet clubs.

Participant Recreation, Outdoor means development providing facilities for sports and active recreation conducted outdoors. Typical uses include golf courses, driving ranges, ski hills, sports fields, athletic fields, equestrian trails, waterslides, recreational vehicle, rifle and pistol ranges and motor vehicle and motor bike racecourses. This use class does not include amusement establishments outdoor, marinas, or temporary special events.

Patio means an unenclosed private outdoor amenity area that is less than 0.6 m in height above finished grade.

Permanent Structure means a building located on a fixed foundation that cannot and is not designed to be moved or transported.

Permitted Use means the use of land or a building for which a development permit shall be issued if it complies with the requirements of this Bylaw.

Personal Service Facility means a development used for the provision of services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This includes, but not limited to, barber shops, hairdressers, beauty salons, body art shops, fitness studios, tailors, dressmakers, shoe repair shops and dry-cleaning establishments and laundromats.

Pet Care Service means the use of a building, or portion of a building to wash, groom and board small animals during the day and that may have the incidental sale of products related to the services provided by the use. A pet care service does not have any outside enclosures, pens, runs or exercise areas. In residential land use districts, pet care service is included as a major home-based business. This use class does not include kennels, animal shelters or veterinary services.

Principal Building or Use means a building or use that, in the opinion of the Development Authority:

- (a) Occupies the major or central portion of a lot or site,
- (b) Is the main or principal building or use of the lot or site on which it is erected, or
- (c) Constitutes by reason of its use the primary purpose for which the lot or site is used.

There shall only be one (1) principal building on a site unless specifically permitted in this Bylaw.

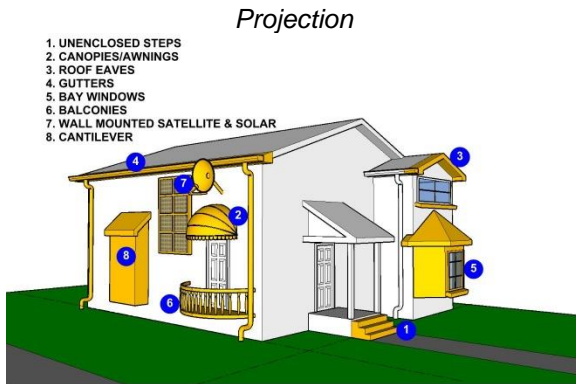
Private Club means a development used for social or recreational activities of members of a non-profit, religious, philanthropic, athletic, business, or fraternal organization with or without on-site facilities, and may include rooms for eating, drinking and assembly purposes.

Private Education means instruction and education in a specific trade, skill, or service which is not maintained at public expense and which may or may not offer courses of study equivalent to those offered in a public school or private instruction. Typical uses include secretarial, business, hairdressing, beauty culture, dancing or music schools, driver education, and private colleges.

Professional or Financial Service means the provision of professional, management, administrative, consulting, and financial services, but does not include health services or government services. Typical uses include the offices of lawyers,

accountants, engineers, and architects, travel agencies, real estate and insurance firms, clerical, secretarial, employment, telephone answering and similar office support services, and banks, credit unions, loan offices, mortgage brokers, and similar financial institutions.

Projection means a portion or part of a building that extends horizontally above and beyond the foundation of a building, including, but not limited to chimneys, awnings, eaves, gutters, bay or bow windows and unenclosed steps.



Public Building or Service means municipal, provincial or federal services provided directly to the public, any local board or agency that has the express purpose of providing public services to the community. Typical uses include but are not limited to municipal, Provincial and Federal offices, courthouses, hospitals, tourist information centres, public schools and colleges, libraries, community centres, transit stations and postal offices. This use class does not include health services, nursing homes, private education, or supportive living accommodation.

Public Park means development specifically designed or reserved for the public for active or passive recreational use and includes all natural and man-made landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purposes of public parkland, whether such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features and playing fields for baseball, soccer, and similar sports.

Public Road means land shown as a road on a plan of survey that has been filed or registered in a land

titles office, or used as a public road, and includes a bridge forming part of a public road and any structure incidental to a public road but does not include a highway or a lane.

Public Utility means a system or works used to provide one (1) or more of the following for public consumption, benefit, convenience, or use:

- (a) Water or steam,
- (b) Sewage disposal,
- (c) Telecommunication,
- (d) Drainage,
- (e) Irrigation,
- (f) Heat,
- (g) Electric power,
- (h) Waste management, and
- (i) Street lighting.

Real Property Report means a document prepared by a registered Alberta Land Surveyor that illustrates permanent above ground structures, improvements, and registered easements in relation to each other and the boundaries of a lot or site.

Recreational Vehicle means a vehicle or portable structure designed to be carried on a motor vehicle, towed behind a motor vehicle, or designed and built to be transported on its own wheels, to provide temporary living accommodation for travel and/or recreational purposes. This includes such vehicles as motor homes, fifth wheel trailers and holiday trailers, but does not include a manufactured home.

Recycling Depot means a development for collecting, sorting, and temporarily storing recyclable materials, such as bottles, cans, paper, boxes, and small household goods, but does not include auto wreckers.

Registered Owner means:

- (a) In the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or
- (b) In the case of any other land:
 - (i) The purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title of the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title, or
 - (ii) In the absence of a person described in subsection (i), the person registered under the Land Titles Act as the owner of the fee simple estate in the land.

Regulation means the *Subdivision and Development Regulation*.

Religious Assembly means a development used by a religious organization for worship and related religious, philanthropic, or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories, and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries.

Residential Sales Centre means a show home or temporary building used for a limited time for the purpose of marketing residential land and buildings.

Reserve Land means municipal, school, municipal/school or environmental reserve that has been dedicated in accordance with the *Act*.

Retail, Convenience means the retail sale of those goods required by area residents or employees on a day-to-day basis, from business premises which do not exceed 270 m² in gross floor area. Typical uses include small food stores, drug stores, video sales and rentals, and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware, or printed matter.

Retail Store means premises where goods, merchandise, other materials, and personal services are offered for sale at retail to the public and includes limited on-site storage or limited seasonal outdoor sales that support the store's operations. Typical uses include but are not limited to grocery, hardware, pharmaceutical, appliance, pet shops, liquor stores, antique stores and sporting good stores, but does not include convenience retail, warehouse sales, gas bars, dealerships, or second-hand goods stores.

Retaining Wall means a vertical structure that serves to hold soils/fill materials in place and creates a difference in ground elevation from one side of the face of the structure to the other.

Right-of-Way means a strip of land over which the public has a right of passage, including roads, parkways, medians, sidewalks, and driveways constructed thereon.

Roof means the structure forming the top enclosure, above or within the vertical walls of a building.

Secondary Suite means a self-contained accessory dwelling unit meeting the requirements of the *Alberta*

Building Code that is contained within or located on the same lot as the principal dwelling, and providing sleeping, cooking (including stove or provision of 220-volt wiring), toilet facilities and heating and ventilation systems that are separate from those of the principal dwelling. A secondary suite also has an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the exterior of the structure, that leads directly to the outdoors. A secondary suite may take the form of:

- (a) Basement Suite located within the basement of the principal dwelling,
- (b) Garage Suite located either above or attached to the side of a garage, or takes the form of conversion of an existing garage,
- (c) Garden suite located within the rear yard area of the principal residence.

Second-Hand Goods Store means a retail store whose merchandise may include previously owned goods offered for sale, or sale on a consignment basis to the public.

Service Station means the washing, servicing, and repair of vehicles within a building, and the sale of gasoline, petroleum products, and a limited range of automotive parts and accessories.

Setback means the perpendicular distance that a development must be located from a front, side, or rear lot line as specified in a district.

Shed means typically a simple, single-story accessory building, which may or may not be secured to a foundation, located in a rear yard that is used for storage or as a workshop.

Shopping Centre means a group of commercial establishments, planned, developed, owned, and managed as one unit, with associated parking provided, on a single site.

Short Term Rental Accommodation means the use of a dwelling unit or one (1) or more sleeping units within a dwelling unit for tourist accommodation not exceeding 28 days. This use does not include bed and breakfasts, hotels, or motels.

Show Home means a permanent dwelling that is initially constructed for use as a Residential Sales Centre.

Sign means an object or device used for the purpose of advertising or calling attention to any person, matter, thing, or event.

Site means a lot or group of lots used for or proposed to be used for a single development.

Sleeping Unit means a habitable room not equipped with self-contained cooking facilities, providing temporary accommodation for guests.

Solar Collector means a device used to collect sunlight that is part of a system that converts radiant energy from the sun into thermal or electrical energy for on-site use. This use does not include a solar energy facility.

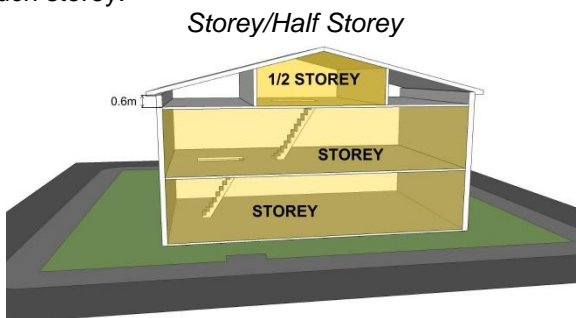
Solar Energy Facility means a commercial facility that is designed to collect sunlight and then generate, store, and distribute the converted energy for public consumption.

Spectator Entertainment means facilities within an enclosed building specifically intended for live theatrical, cultural, musical or dance performances or the showing of motion pictures. This does not include entertainment developments associated with eating and drinking establishments. Typical uses include auditoriums, cinemas, and theatres.

Storage Yard means an outdoor area used for the storing, stockpiling or accumulation of goods, equipment, or materials. Typical uses include but are not limited to pipe yards or heavy equipment storage compounds.

Storey means that portion of a building that is situated between the top of any floor and the top of the floor next above it. If there is no floor above, the storey is the portion of the building that is situated between the top of any floor and the ceiling above it.

Storey, Half means a storey under a sloping roof, the wall plates of which, on at least two opposite walls, are not more than 0.6 m above the floor of such storey.



Structural Alteration means a development or construction, including a renovation or addition to a

building that affects the structural integrity or access to or within a building, but does not result in an increase to the gross floor area of the building.

Structure means anything constructed or erected for a fixed location on the ground and includes buildings, walls, fences, and signs.

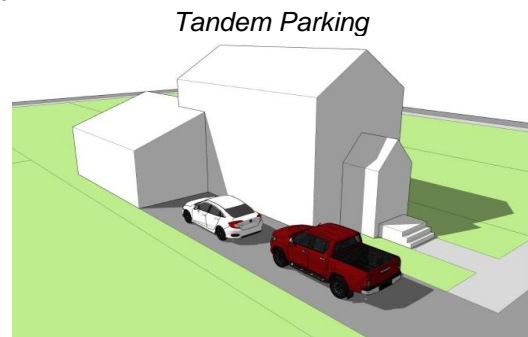
Subdivision and Development Appeal Board (SDAB) means the Subdivision and Development Appeal Board appointed by Council pursuant to the Act.

Supergraphic means large-scale painted or applied decorative art in bold colors and typically in geometric or typographic designs, used over walls and sometimes floors and ceilings to create an illusion of expanded or altered space.

Supportive Living Accommodation means a building or units in a building intended for permanent residential living where an operator provides or arranges for services to assist residents to live as independently as possible. This use includes group homes but does not include single detached dwellings or nursing homes.

Surveillance Suite means an accessory dwelling located on a non-residential lot or site to accommodate a person, or persons related as family, or employee whose official function is to provide surveillance and security for the maintenance and safety of the non-residential development.

Tandem Parking means two parking spaces, one behind the other, with a common or shared point of entrance to a manoeuvring aisle, lane, or public road.



Temporary means a use of land or a building for a period not exceeding three (3) years.

Temporary Building means a structure that has been permitted to exist, for a period of time as

determined by the Development Authority and with the intent to remove the structure at the expiration of the time period. In respect of a building, this would typically mean a building constructed or placed without any foundation below grade and may include but is not limited to tent structures and trailers. This use class does not include an accessory building or use.

Temporary or Special Event means an organized public activity that is temporary in nature and does adversely impact adjacent land uses. Typical uses may be active or passive in nature and include, but are not limited to organized sporting events, community festivals and events, carnivals, and outdoor church services. This use class does not include flea markets.

Temporary Shelter means sponsored, or supervised by a public authority or non-profit agency, temporary accommodation for persons requiring immediate shelter and assistance for a short period of time. Typical uses include hostels and emergency shelters.

Topsoil Removal means the scraping or removal of topsoil or other geological materials which does not alter the topography of a site.

Truck Terminal means a development that includes facilities related to transportation-oriented business and requires a large area to accommodate the parking of large commercial vehicles including tractor/trailer units. Typical uses include oilfield hauling of materials and equipment, gravel haulers, water haulers, and heavy equipment transport.

Urban Reserve means undeveloped lands within the corporate limits of the City, which are intended for future development, to accommodate the City's long-term residential, commercial, and industrial land requirements.

Urban Garden means the stand-alone use of a parcel of land for the cultivation, growing and harvesting of plants or produce including, but not limited to vegetables, fruits, gourds, and herbs. This use does not include agricultural operation (extensive), cannabis production facility, greenhouse and plant nursery or gardens developed as an accessory use on a parcel where a principal residential use exists.

Use means the purpose or activity for which a site and its buildings are designed, arranged, developed,

or intended, or for which it is occupied or maintained.

Utility Trailer means a vehicle so designed that it:

- (a) May be attached to or drawn by a motor vehicle or tractor,
- (b) Is intended to transport property, and
- (c) Includes any vehicle defined by Alberta Regulation as a trailer but does not include machinery or equipment solely used in the construction or maintenance of highways.

Vacant Lot means a parcel of land for which no use or building has been approved by the Development Authority.

Value means in determining value for the purposes of determining the percentage of damage occurring from fire or other. It shall be as per the City's tax assessment roll for the year in which the building existed prior to the damage or destruction taking place.

Variance means an alteration or change to a standard prescribed by this Bylaw that is authorized by the Development Authority.

Vehicle Washing Facility means a use where the primary function is the washing of vehicles and trucks.

Veranda means an entrance structure typically located at the front or side of a dwelling at the ground floor entry level, consisting of a roof and floor, where the front and sides of the structure remain open to the outside elements.

Veterinary Services means the care and treatment of small animals where the veterinary service primarily involves out-patient care and minor medical procedures involving hospitalization for fewer than four days. Typical uses include pet clinics, small animal veterinary clinics and veterinary offices.

Warehouse Sales means the wholesale or retail sale of a limited range of bulk goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. This includes developments where principal goods being sold are such bulk items as furniture, carpet, major appliances and building materials.

Warehousing and Storage means the use of a building and/or site primarily for the keeping of

goods and merchandise, excluding dangerous or hazardous materials, derelict vehicles, or any waste material. Such uses may include building and storage yards for franchise utility companies, moving companies, or similar uses where the building or yard is used for material or vehicle storage.

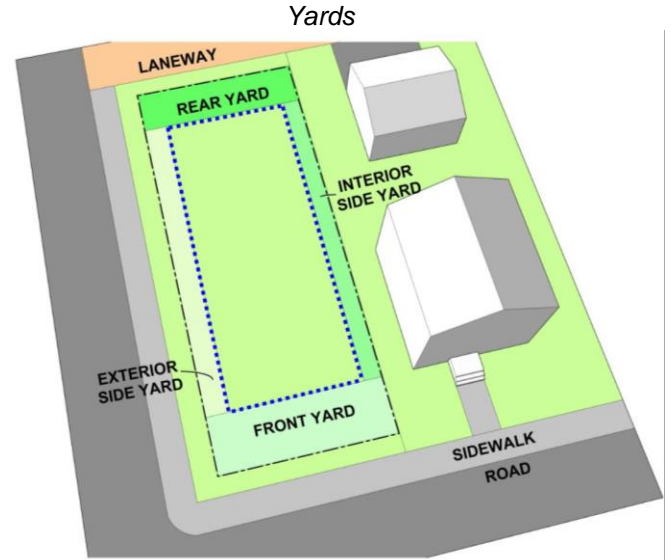
Waste Management Site means a site used primarily for the storage, processing, treatment, and disposal of solid and/or liquid wastes, which may have adverse environmental impact on adjacent sites by virtue of potential emissions and/or appearance. Typical uses include sanitary landfills, garbage transfer and compacting stations, incinerators, sewage lagoons, and similar uses.

Wind Energy Conversion System (WECS) means a development that converts wind energy into electrical power. The following definitions pertain to a WECS:

- (a) "Blade" means the part of a WECS that forms an aerodynamic surface and revolves on contact with the wind,
- (b) "Blade Clearance" means the minimum distance from grade to the tip of the blade when that tip is at the bottom of a full 360-degree revolution and pointed down to the ground,
- (c) "Horizontal Axis Nacelle" means a WECS on which the axis of the nacelle is parallel to the grade,
- (d) "Nacelle" means the part of the WECS that includes a generator, gearbox or yaw motor, and other operating parts that is installed at the top of the tower, and to which the blades are attached, and is responsible for converting wind power to energy,
- (e) "Total Height" means the distance from grade to the tip of a blade when that tip is at the top of a full 360-degree revolution and is pointed up to the sky, and
- (f) "Tower" means the vertical structure that supports the nacelle and the blade above the ground.

Wind Energy Conversion System (WECS), Small Scale means a single WECS developed to generate electrical power for on-site consumption, either on or off-grid, and may provide residual power to the grid but is not intended to produce power for resale. The system and supporting structure is less than 25 m (80 ft) in height.

Yard means the required open space unoccupied by any building, unless otherwise permitted in this Bylaw.



Yard, Exterior Side means a yard abutting a public road that extends from the front yard to the rear yard and is situated between the side lot line and the nearest exterior wall of the principal building.

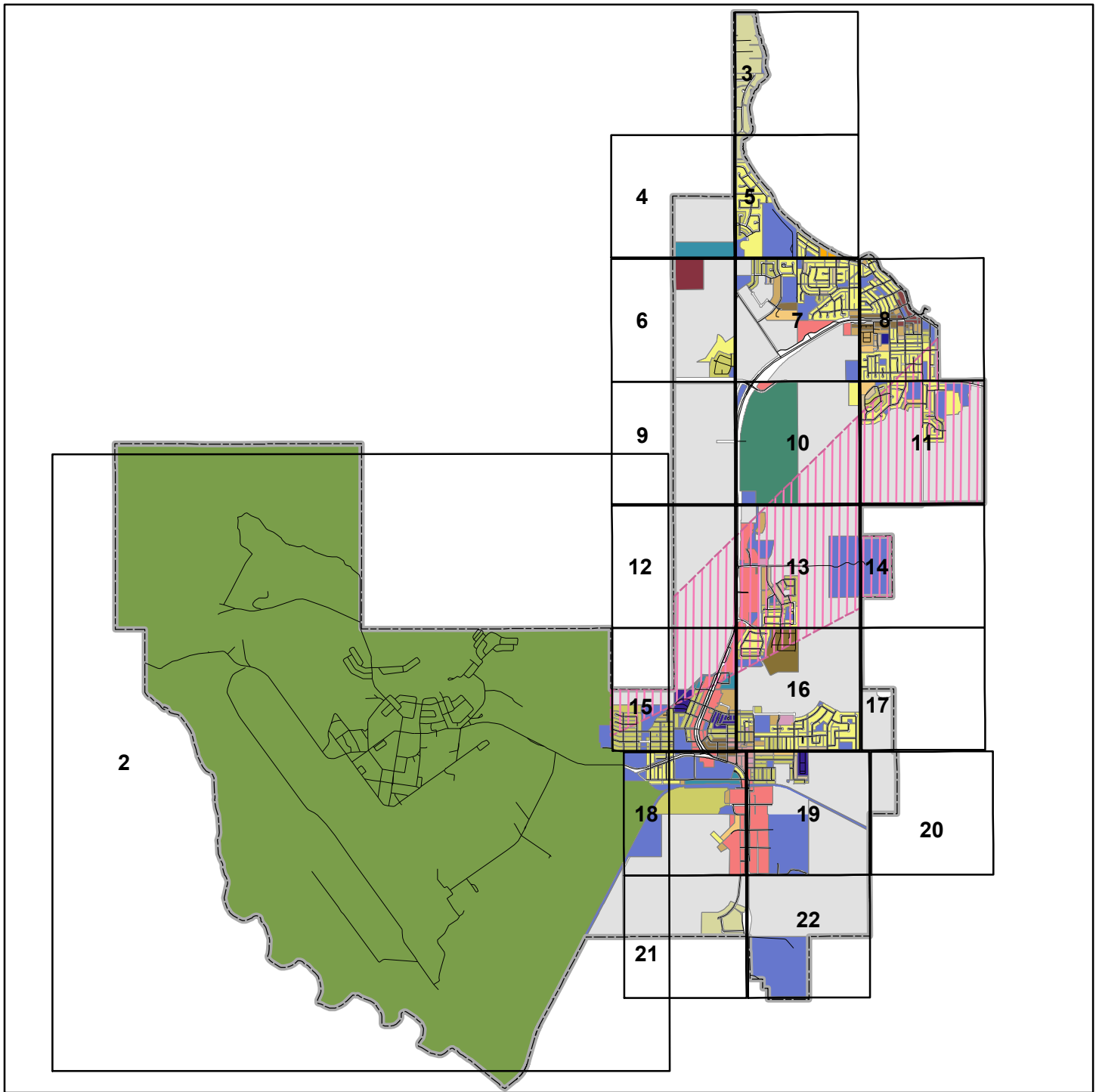
Yard, Front means a yard extending across the full width of a lot from the front lot line to the front wall of the principal building.

Yard, Interior Side means a side yard other than an exterior side yard.

Yard, Rear means a yard extending across the full width of a lot from the rear lot line to the rear wall of the principal building.

SCHEDULE A

LAND USE DISTRICT MAPS



- RE – Residential Estate
- R1A – Residential (Single Detached)
- R1B – Residential (Single Detached - Small Lot)
- R2 – Residential (Duplex)
- R3 – Medium Density Residential
- R4 – High Density Residential
- RMX – Residential Mixed Use
- RMH – Residential Manufactured Home
- C1 – Downtown Commercial
- C2 – Arterial
- LC – Lakeshore Commercial

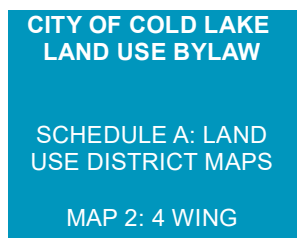
- BD – Beach
- BI – Business Industrial
- GI – General Industrial
- PS – Public Service
- IP – Imperial Park
- CON – Conservation
- UR – Urban Reserve
- DC – Direct Control
- DC-SR – Spinnaker Ridge Direct Control
- DC-TCE – Tri City Estates Direct
- DC-FV – Fontaine Village Direct Control
- FW – National Defense
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- Airport Approach Zone Overlay
- West End Redevelopment Overlay



CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 1: CITY INDEX



- 1:45,000



- RE – Residential Estate
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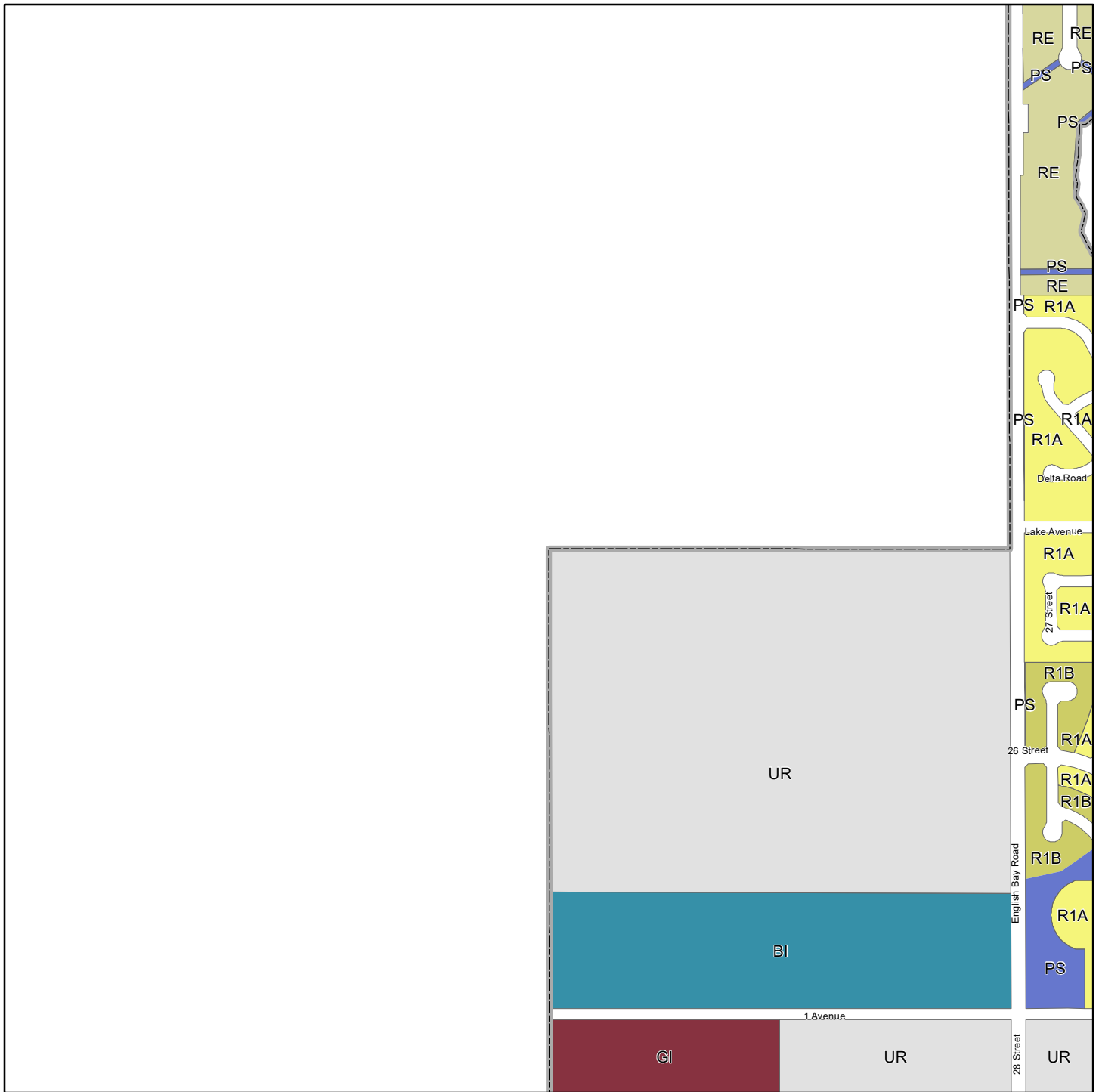
CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 3: 35-63-2-W4M



1:10,000



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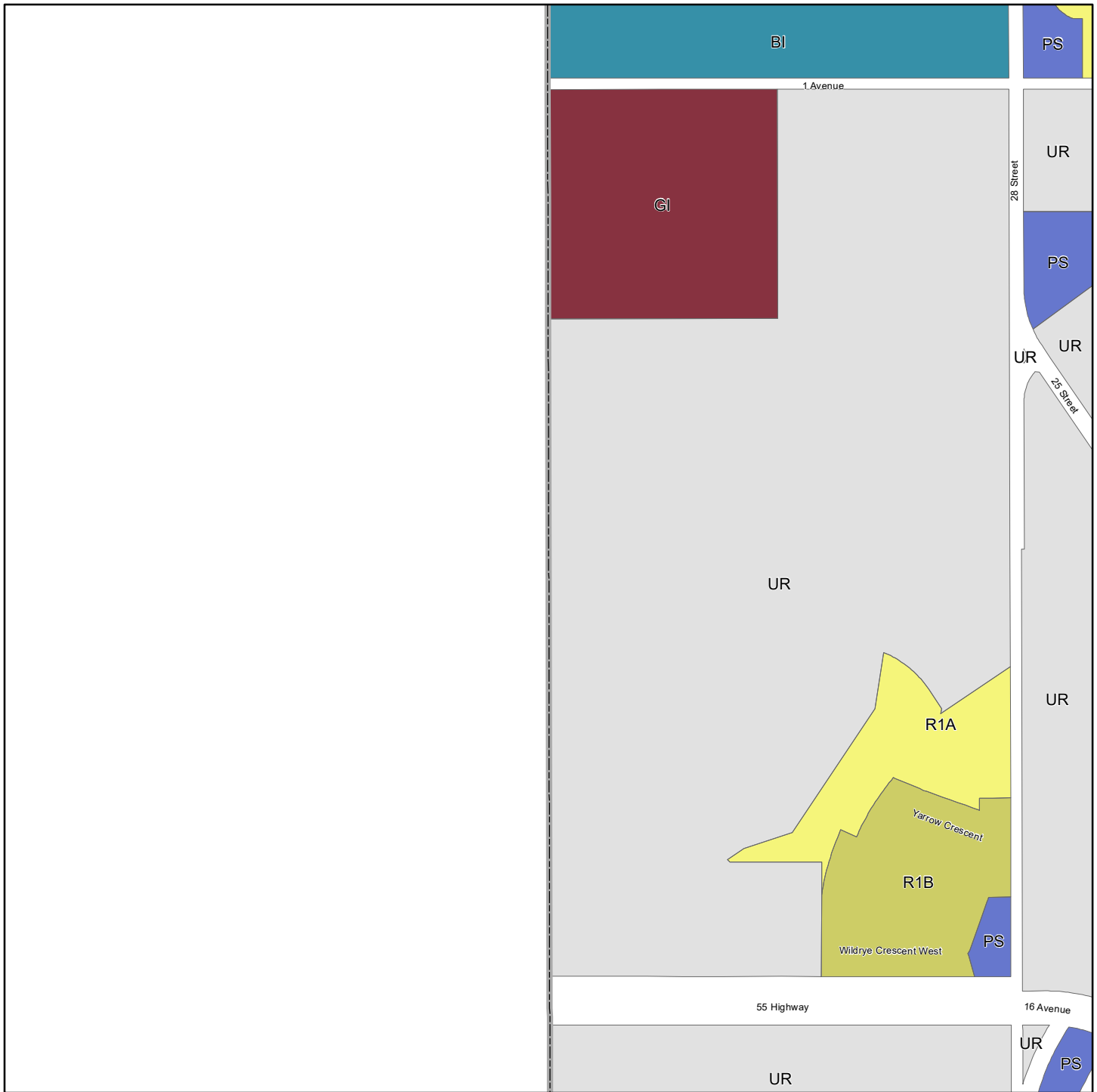
CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 4: 27-63-2-W4M

1:10,000

1:10,000



- RE – Residential Estate
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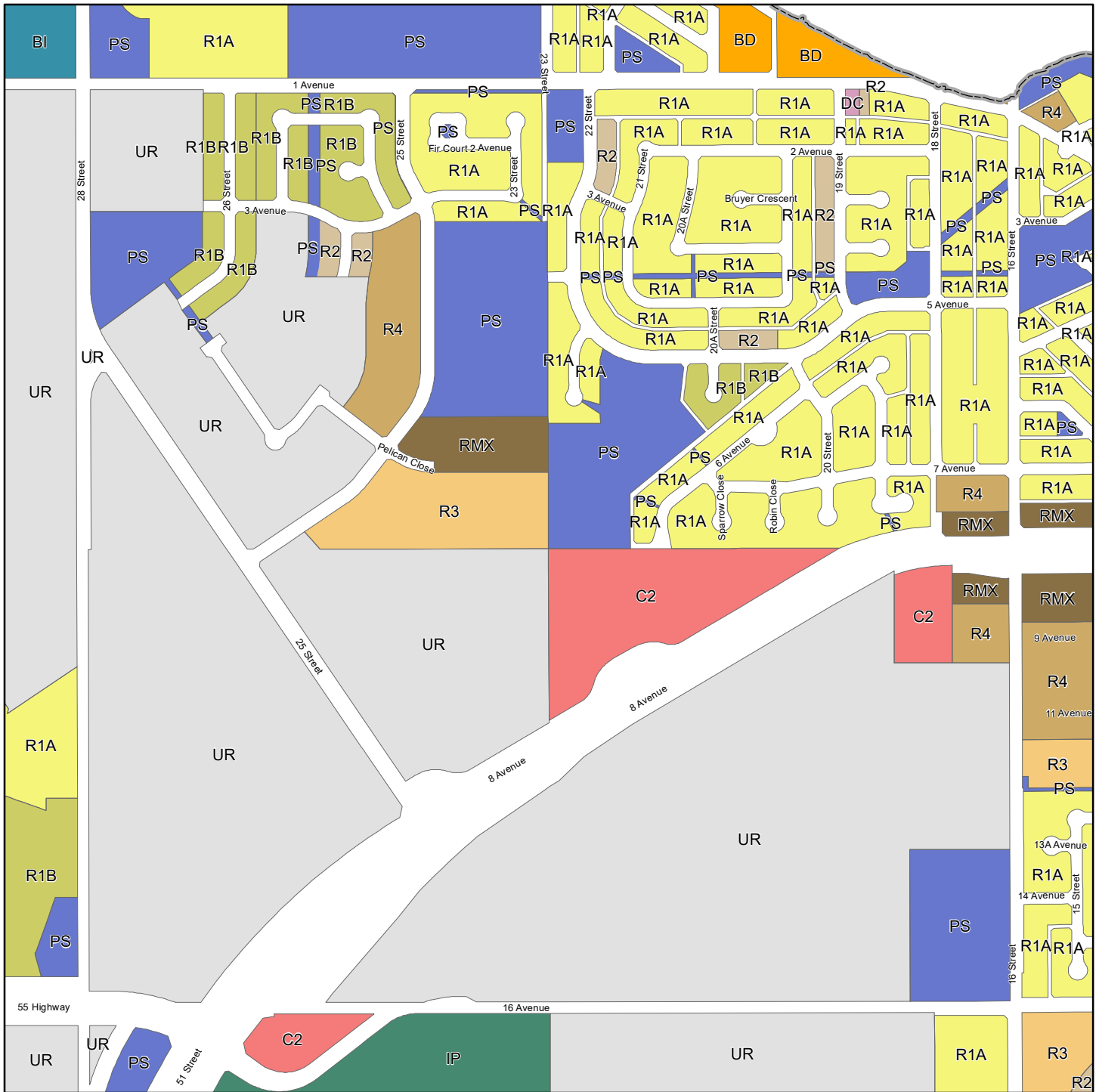
CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 6: 22-63-2-W4M



1:10,000



- RE – Residential Estate
- R1A – Residential (Single Detached)
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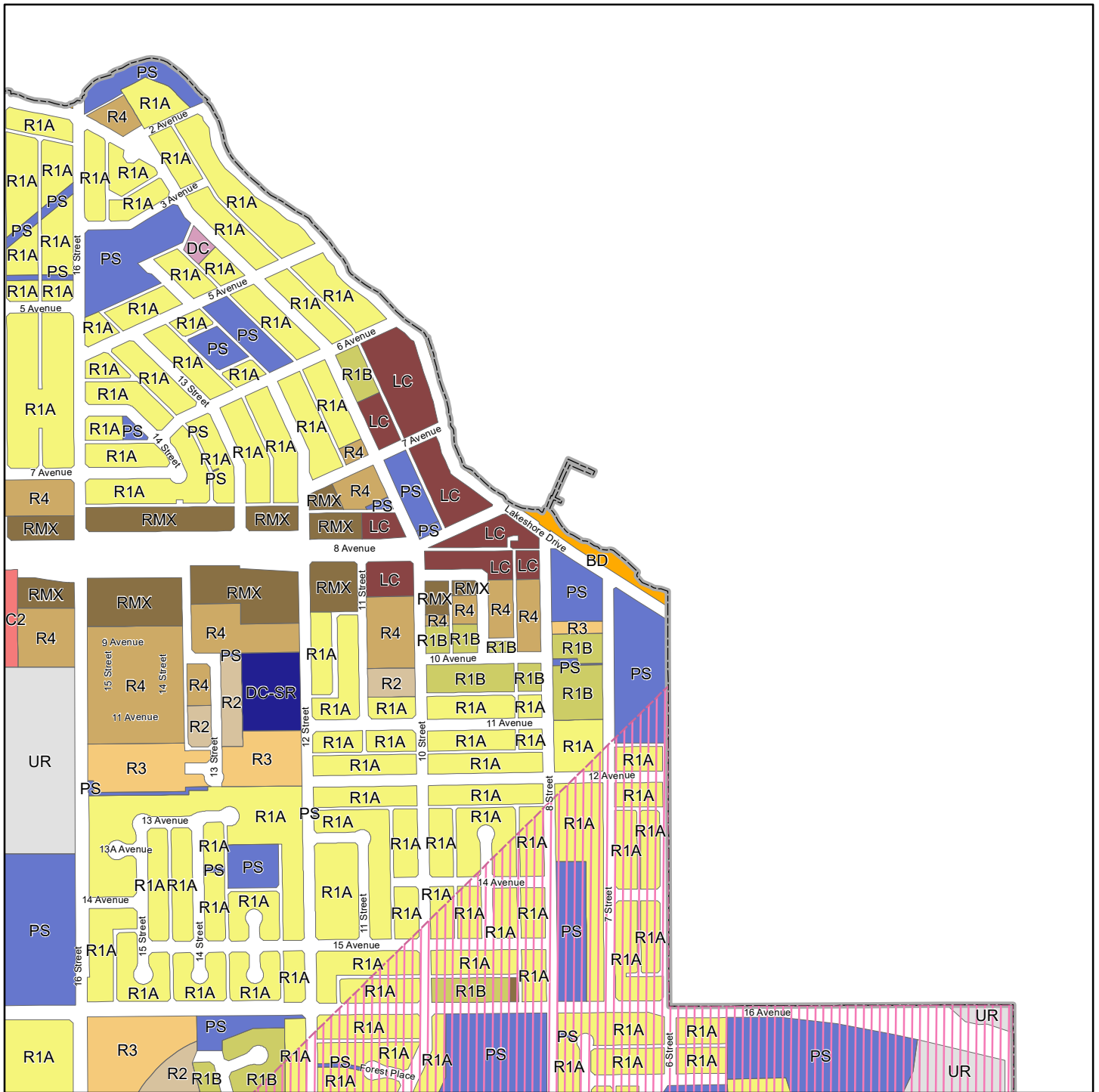


CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 7: 23-63-2-W4M

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- RE – Residential Estate
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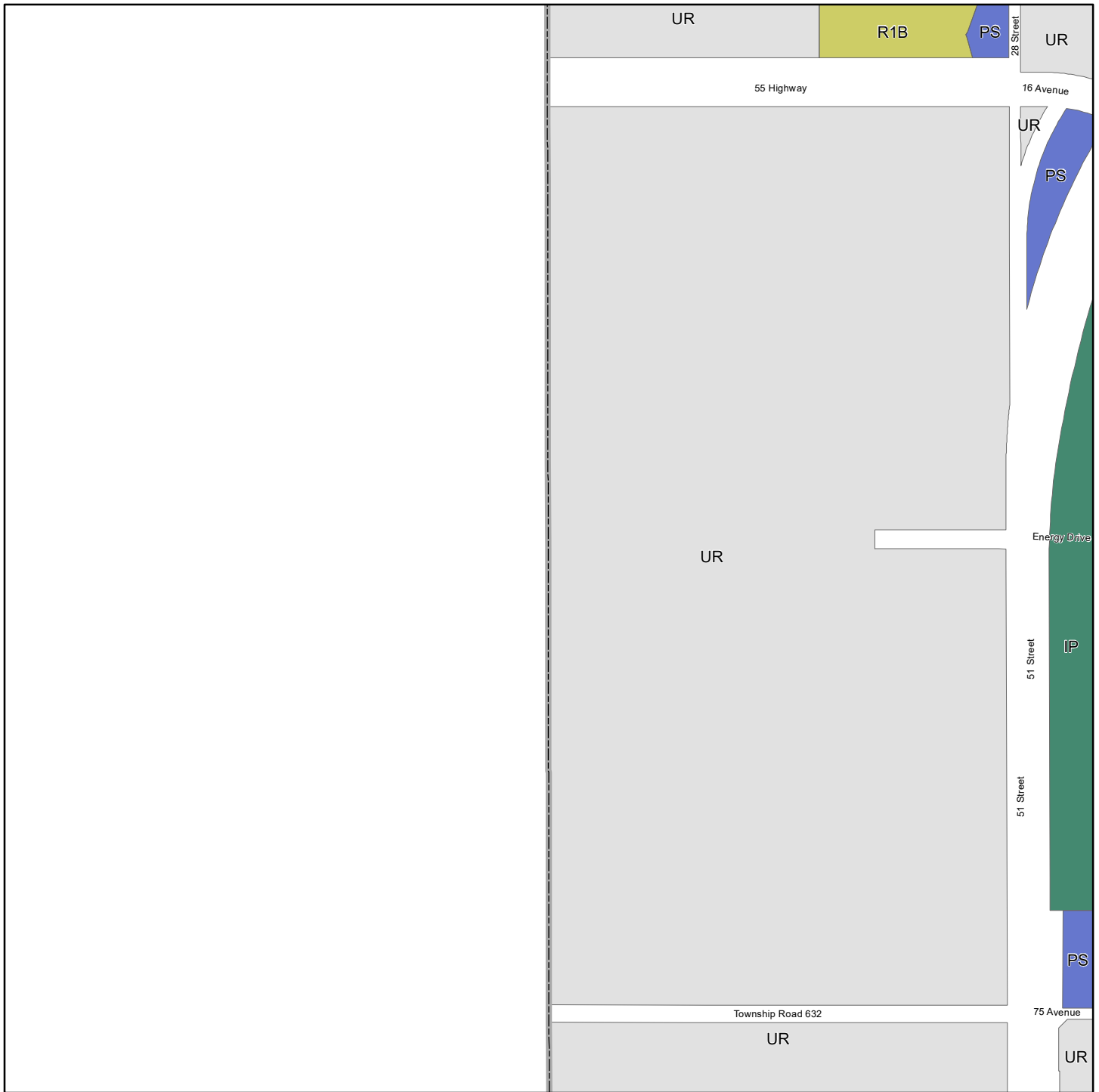


CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 8: 24-63-2-W4M

1:10,000



- RE – Residential Estate
- R1A – Residential (Single Detached)
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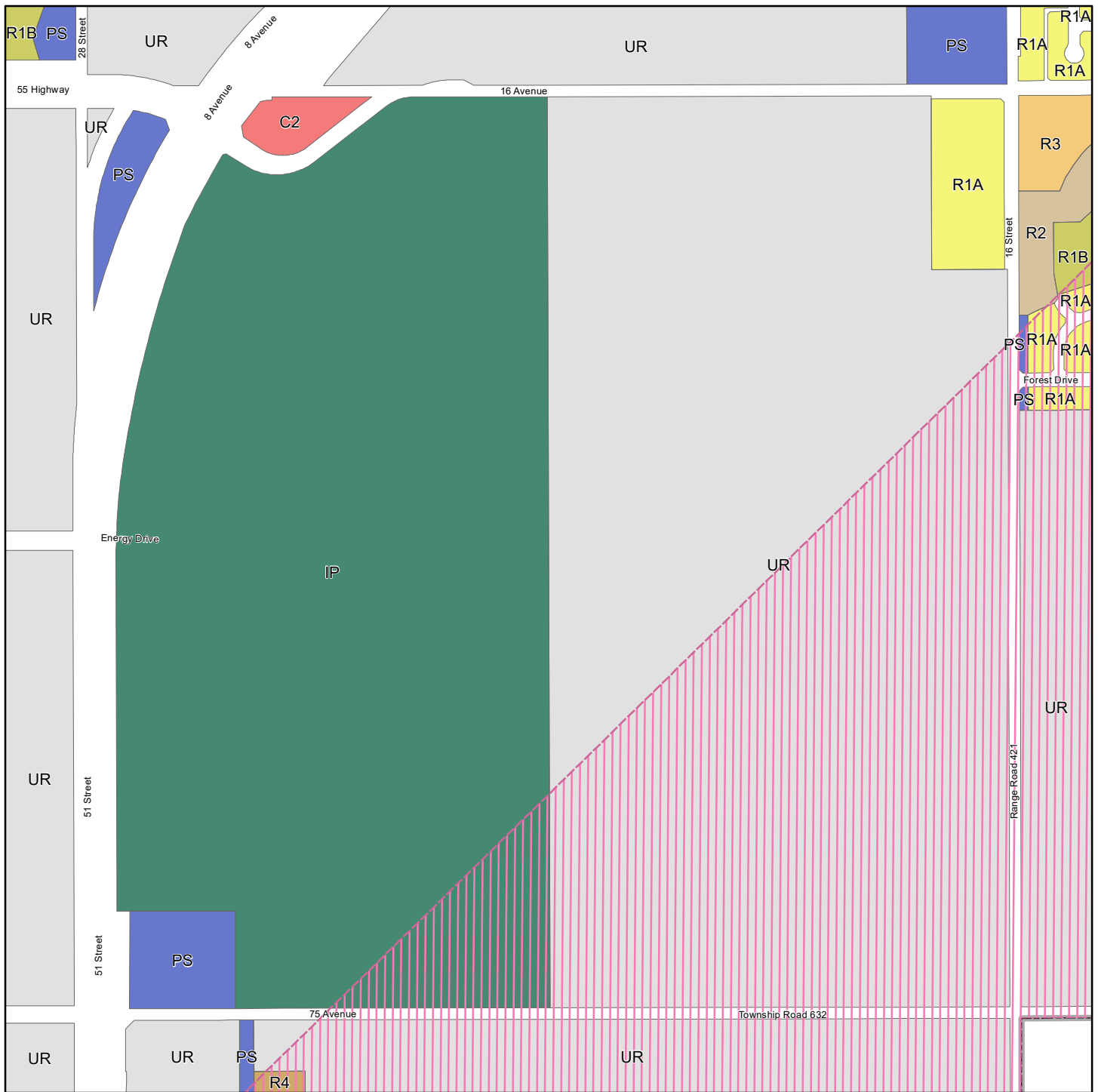


CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 9: 15-63-2-W4M

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- DC-TCE – Tri City Estates Direct Control
- DC-FV – Fontaine Village Direct Control
- FW – National Defense
- Downtown Business District Parking Overlay
- Airport Approach Zone Overlay
- West End Redevelopment Overlay



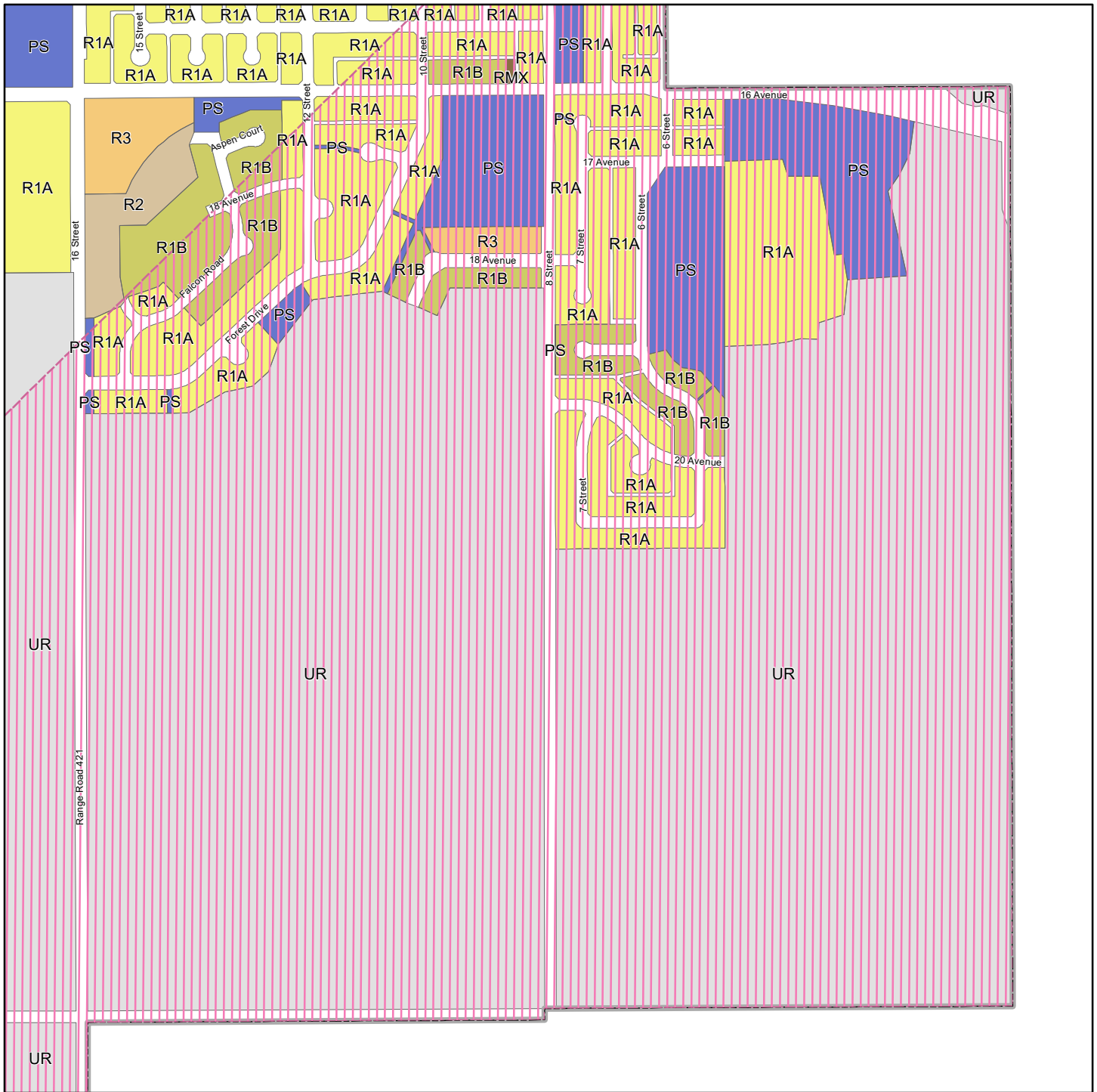
CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 10: 14-63-2-W4M



1:10,000



- RE – Residential Estate
- R1A – Residential (Single Detached)
- R1B – Residential (Single Detached - Small Lot)
- R2 – Residential (Duplex)
- R3 – Medium Density Residential
- R4 – High Density Residential
- RMX – Residential Mixed Use
- RMH – Residential Manufactured Home
- C1 – Downtown Commercial
- C2 – Arterial
- LC – Lakeshore Commercial

- BD – Beach
- BI – Business Industrial
- GI – General Industrial
- PS – Public Service
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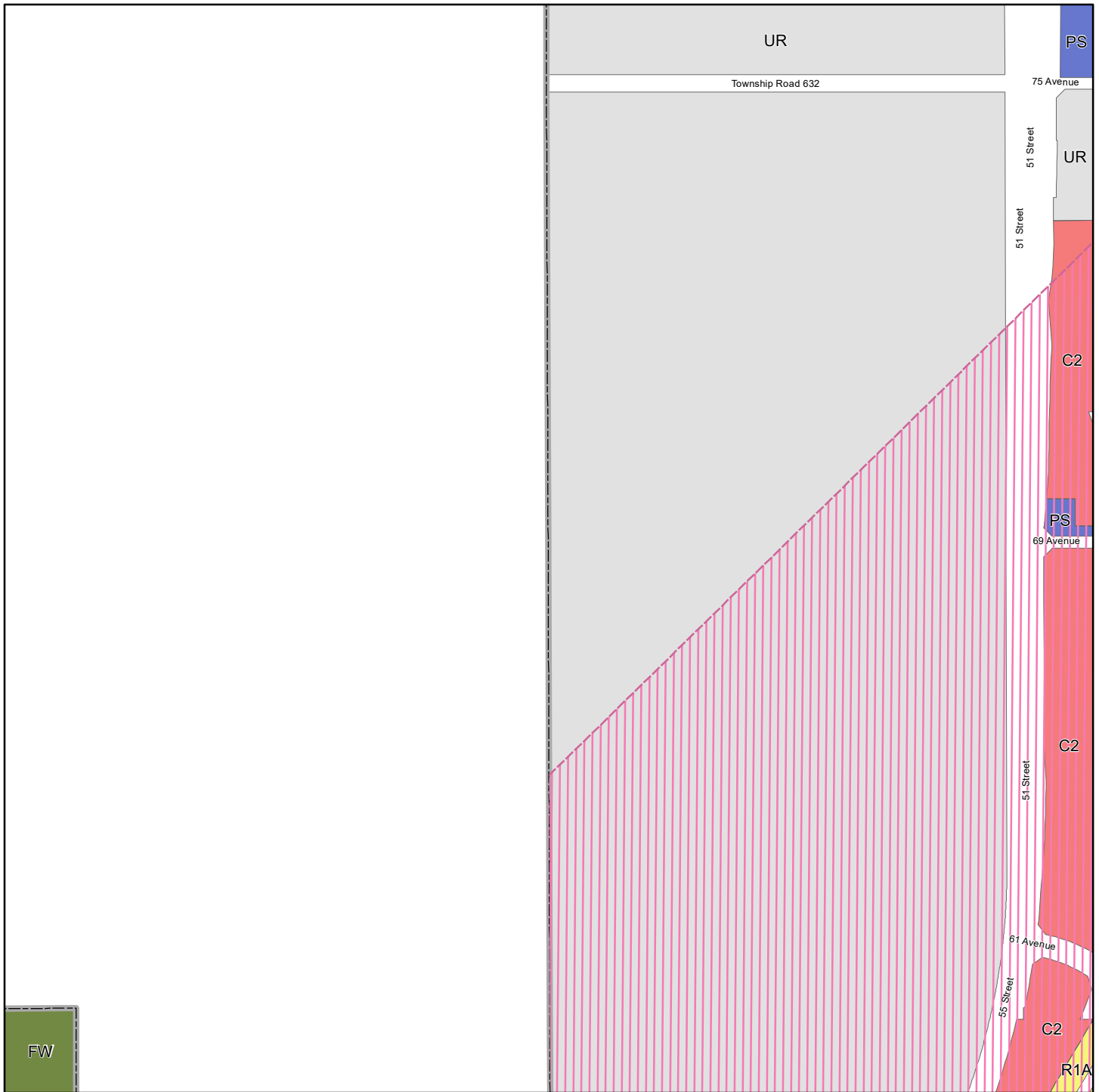


CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 11: 13-63-2-W4M

1:10,000



- RE – Residential Estate
- R1A – Residential (Single Detached)
- R1B – Residential (Single Detached - Small Lot)
- R2 – Residential (Duplex)
- R3 – Medium Density Residential
- R4 – High Density Residential
- RMX – Residential Mixed Use
- RMH – Residential Manufactured Home
- C1 – Downtown Commercial
- C2 – Arterial
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- Airport Approach Zone Overlay
- West End Redevelopment Overlay

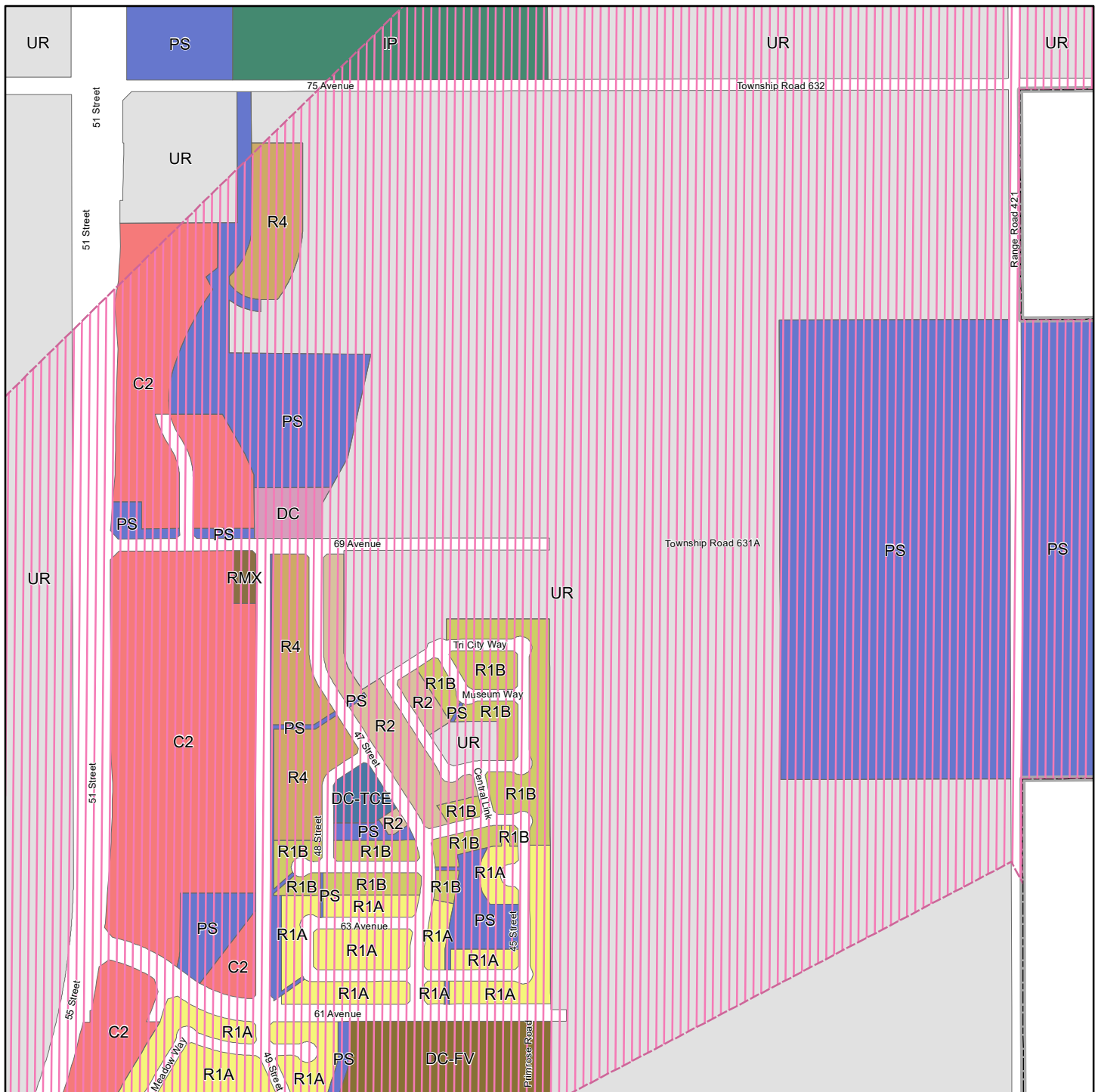


CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 12: 10-63-2-W4M

1:10,000



- RE – Residential Estate
- R1A – Residential (Single Detached)
- R1B – Residential (Single Detached - Small Lot)
- R2 – Residential (Duplex)
- R3 – Medium Density Residential
- R4 – High Density Residential
- RMX – Residential Mixed Use
- RMH – Residential Manufactured Home
- C1 – Downtown Commercial
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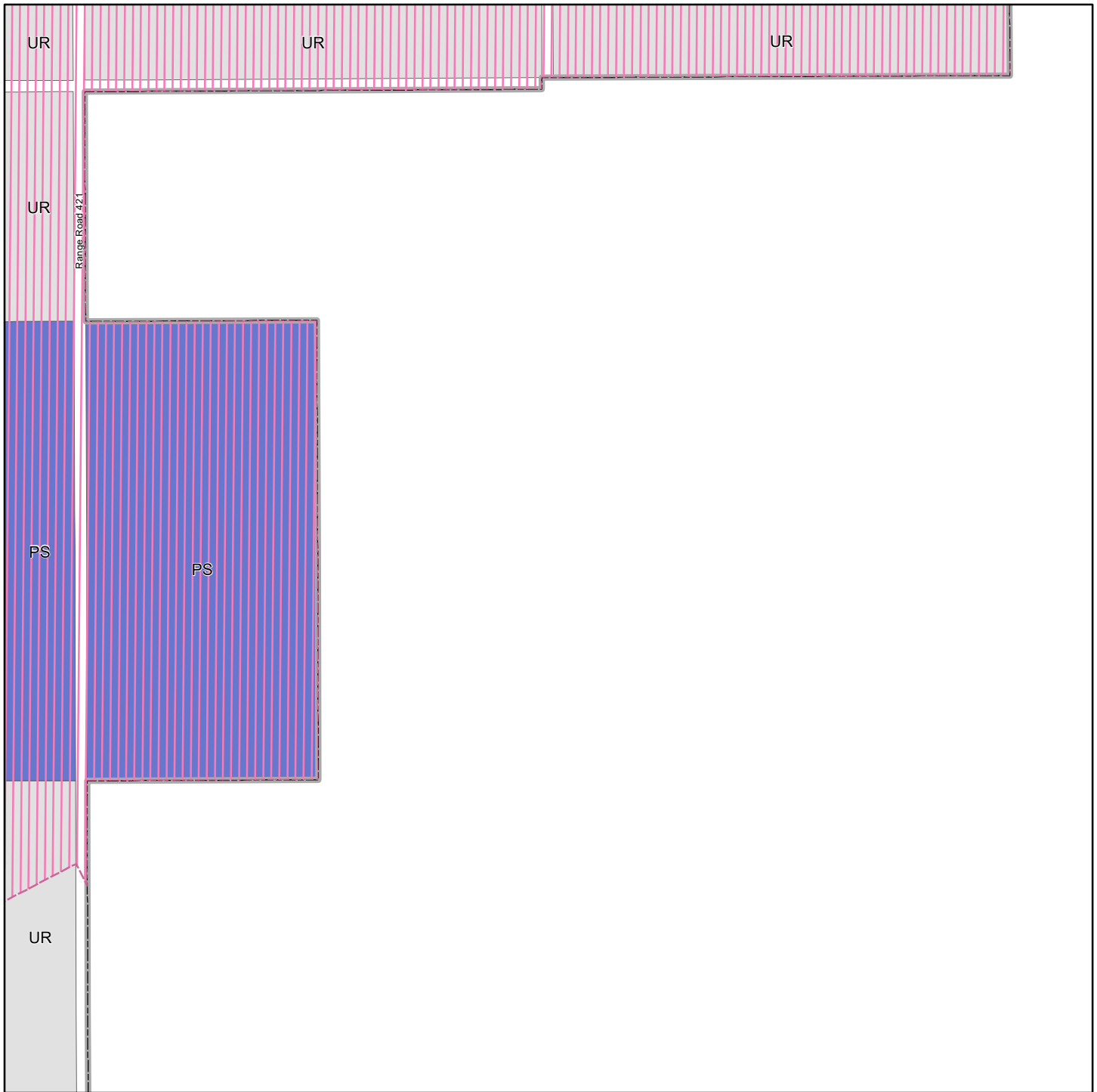


CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 13: 11-63-2-W4M

1:10,000



- RE – Residential Estate
- R1A – Residential (Single Detached)
- R1B – Residential (Single Detached - Small Lot)
- R2 – Residential (Duplex)
- R3 – Medium Density Residential
- R4 – High Density Residential
- RMX – Residential Mixed Use
- RMH – Residential Manufactured Home
- C1 – Downtown Commercial
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CITY OF COLD LAKE LAND USE BYLAW

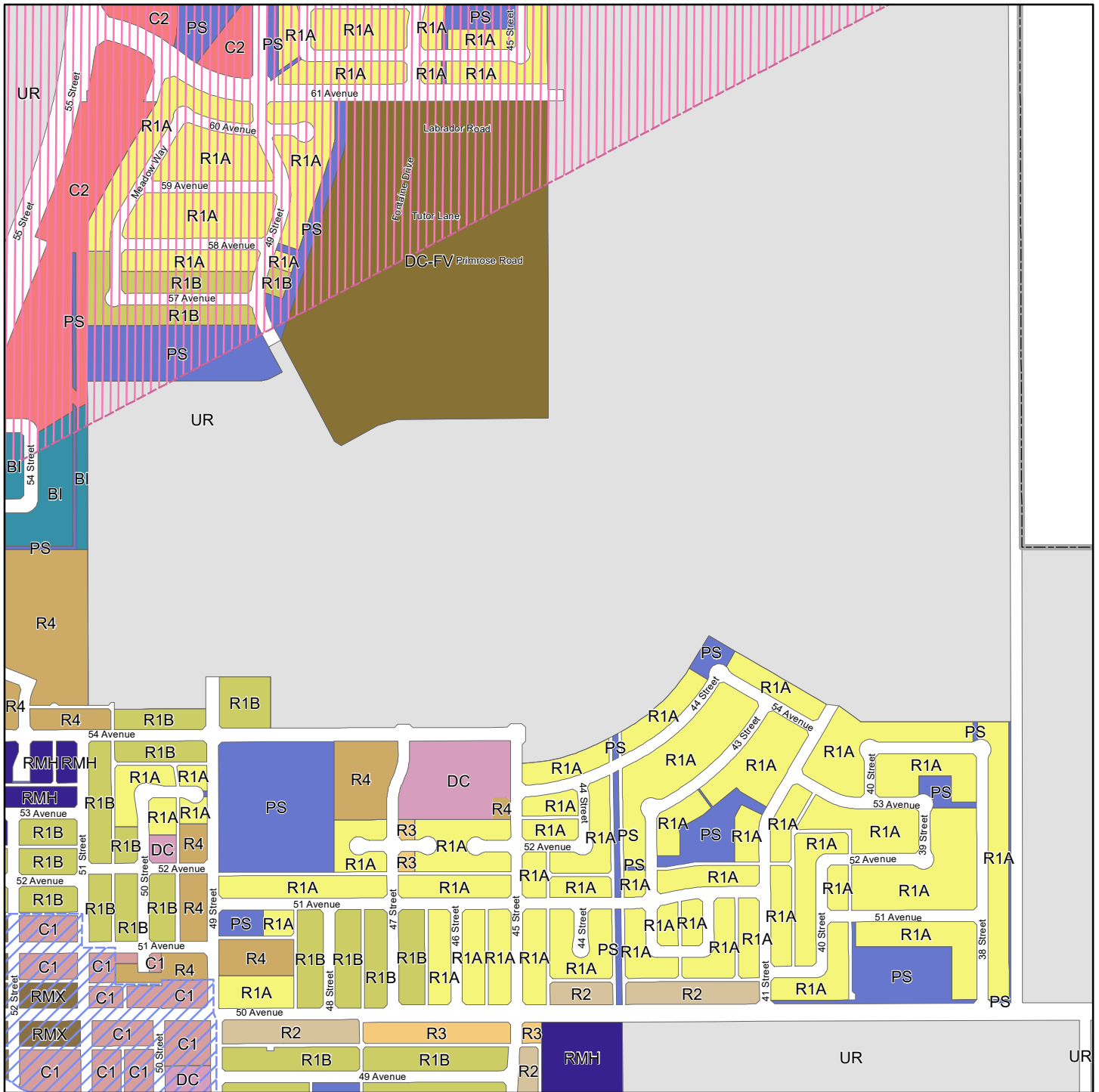
SCHEDULE A: LAND USE DISTRICT MAPS

MAP 14: 12-63-2-W4M



1:10,000





- RE – Residential Estate
- R1A – Residential (Single Detached)
- R1B – Residential (Single Detached - Small Lot)
- R2 – Residential (Duplex)
- R3 – Medium Density Residential
- R4 – High Density Residential
- RMX – Residential Mixed Use
- RMH – Residential Manufactured Home
- C1 – Downtown Commercial
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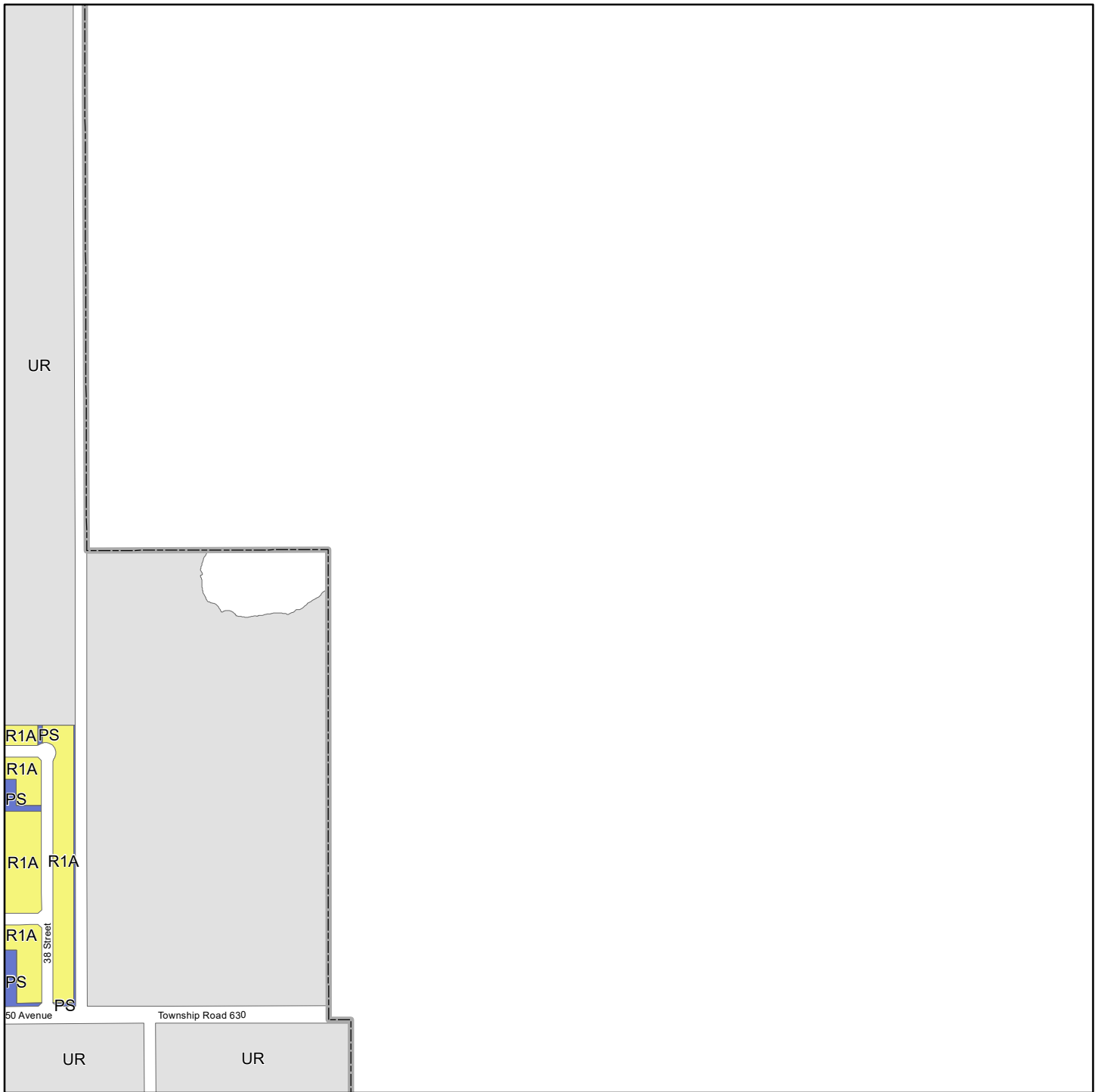
CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 16: 2-63-2-W4M



1:10,000



- RE – Residential Estate
- R1A – Residential (Single Detached)
- R1B – Residential (Single Detached - Small Lot)
- R2 – Residential (Duplex)
- R3 – Medium Density Residential
- R4 – High Density Residential
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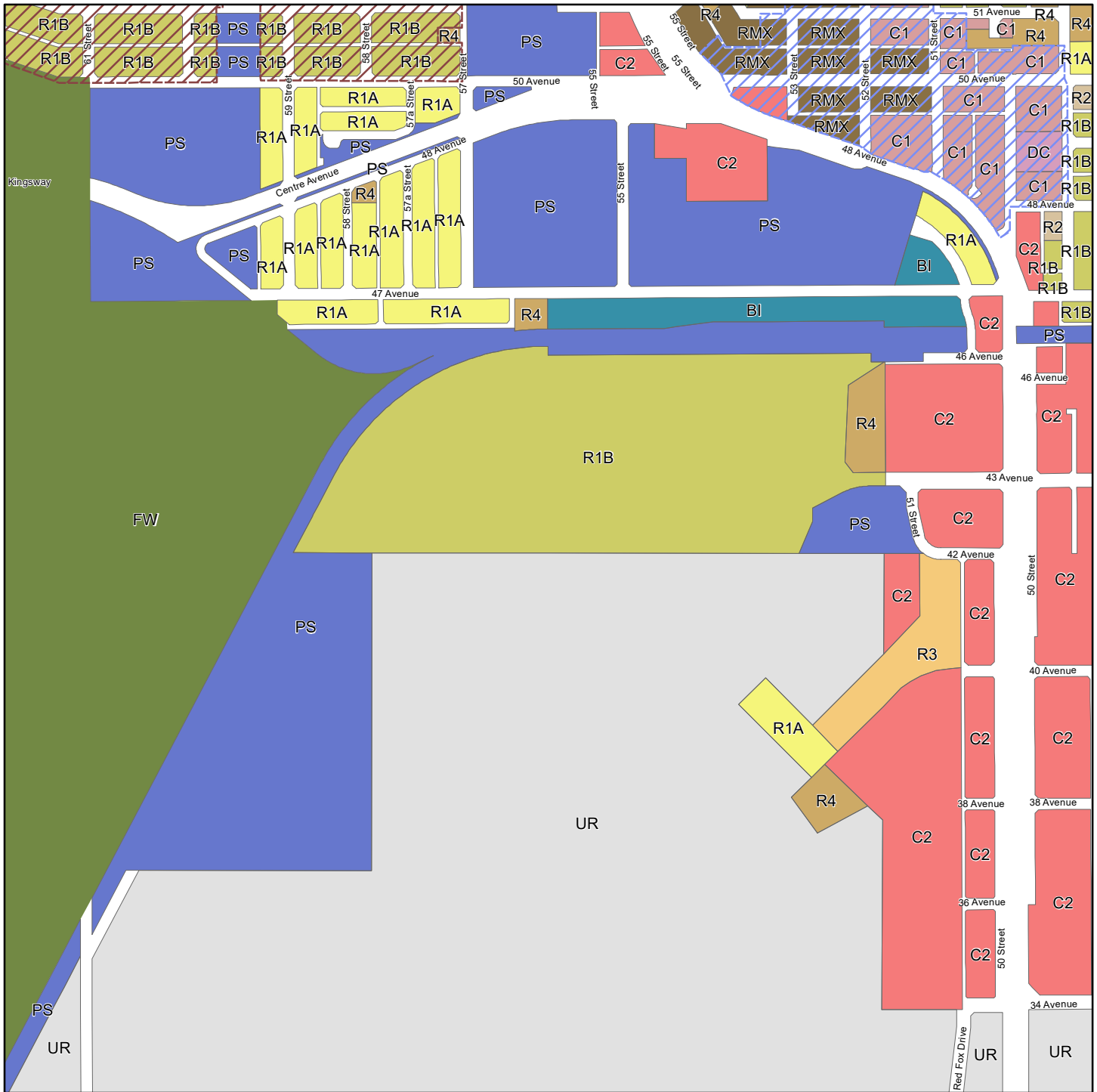


CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 17: 1-63-2-W4M

1:10,000



- RE – Residential Estate
- R1A – Residential (Single Detached)
- R1B – Residential (Single Detached - Small Lot)
- R2 – Residential (Duplex)
- R3 – Medium Density Residential
- R4 – High Density Residential
- RMX – Residential Mixed Use
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- C1 – Downtown Commercial
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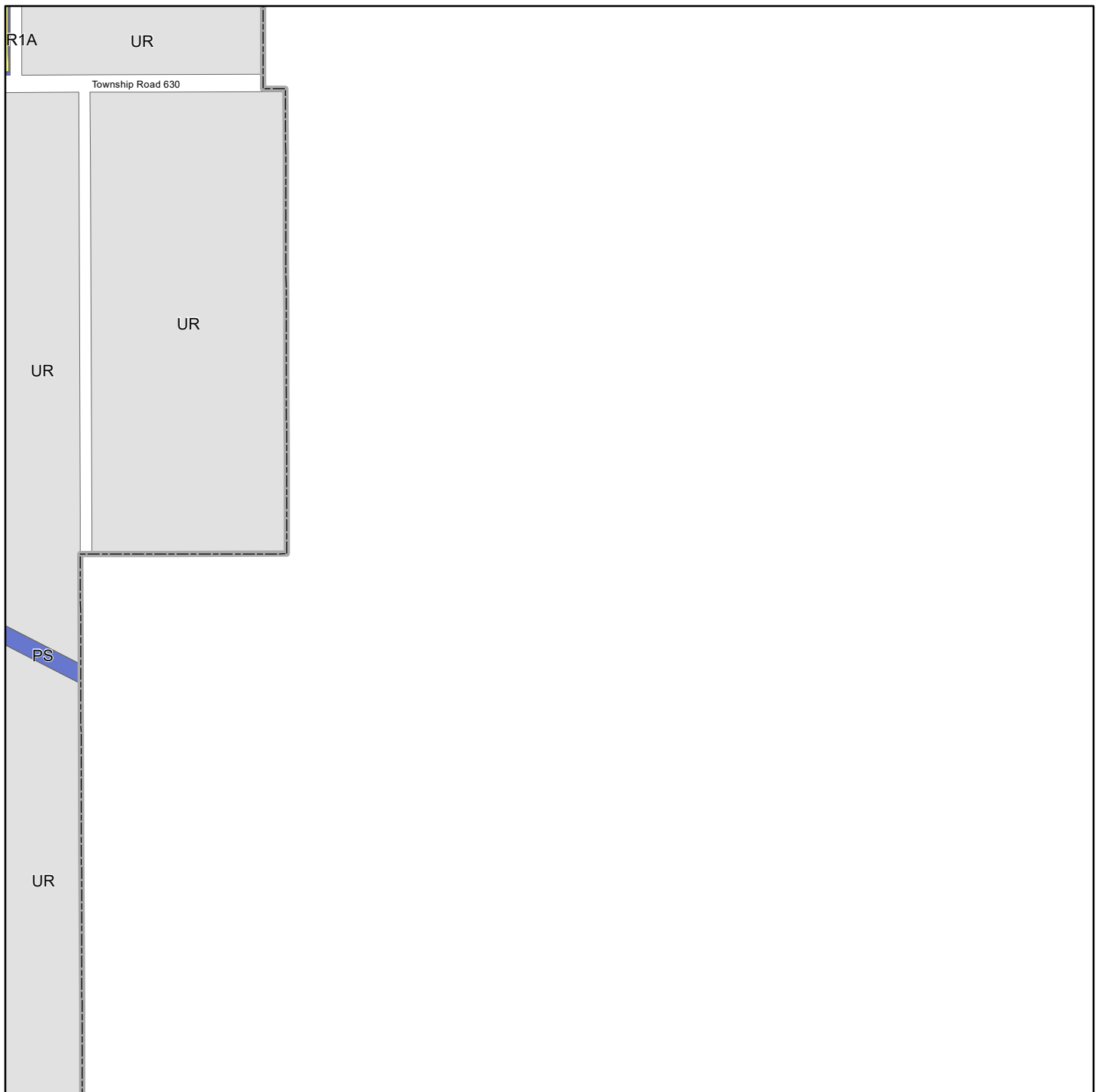
CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 18: 34-62-2-W4M

1:10,000





- RE – Residential Estate
- R1A – Residential (Single Detached)
- R1B – Residential (Single Detached - Small Lot)
- R2 – Residential (Duplex)
- R3 – Medium Density Residential
- R4 – High Density Residential
- RMX – Residential Mixed Use
- RMH – Residential Manufactured Home
- C1 – Downtown Commercial
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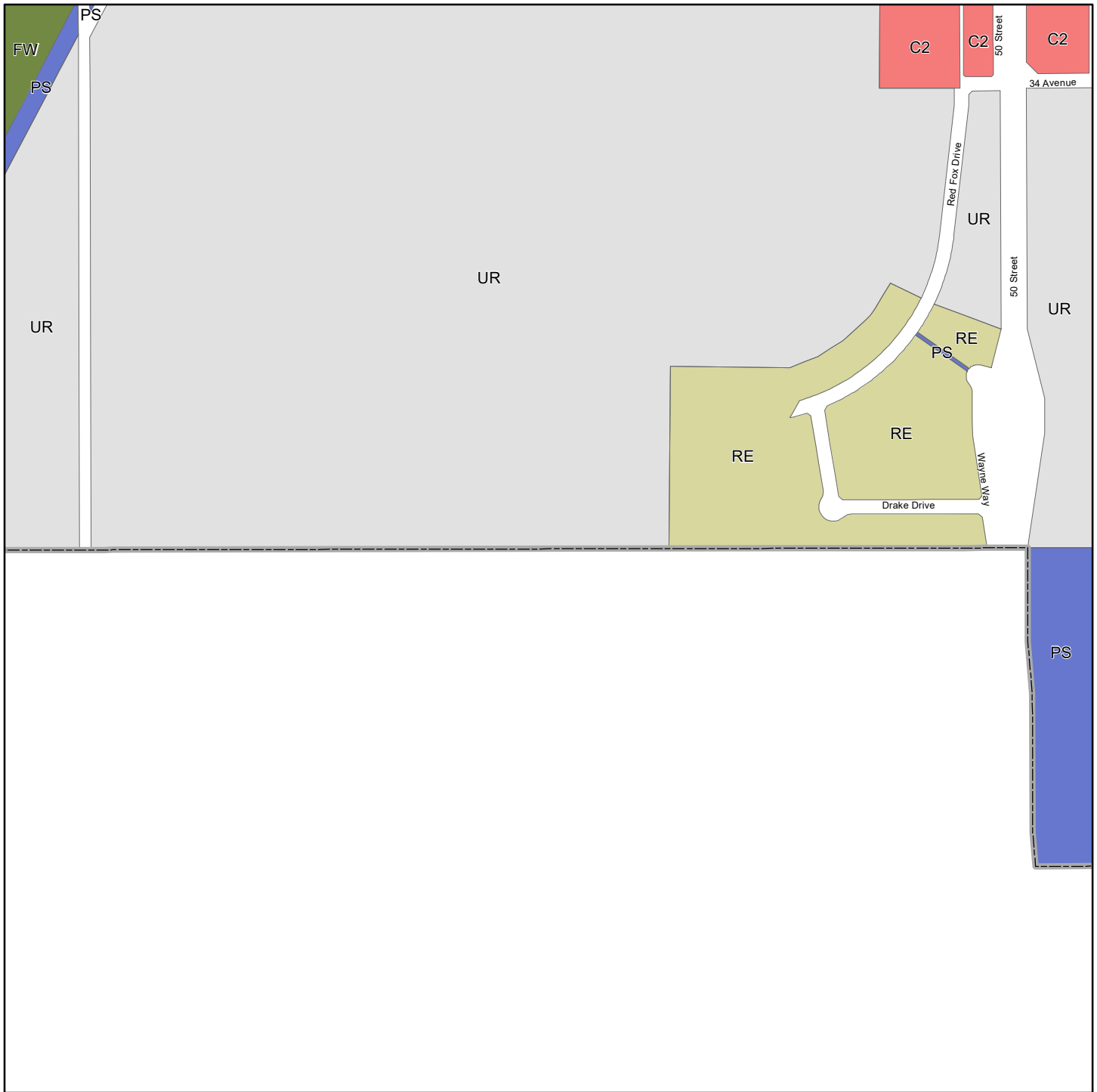
**CITY OF COLD LAKE
LAND USE BYLAW**

**SCHEDULE A: LAND
USE DISTRICT MAPS**

MAP 20: 36-62-2-W4M



1:10,000



- RE – Residential Estate
- R1A – Residential (Single Detached)
- R1B – Residential (Single Detached - Small Lot)
- R2 – Residential (Duplex)
- R3 – Medium Density Residential
- R4 – High Density Residential
- RMX – Residential Mixed Use
- RMH – Residential Manufactured Home
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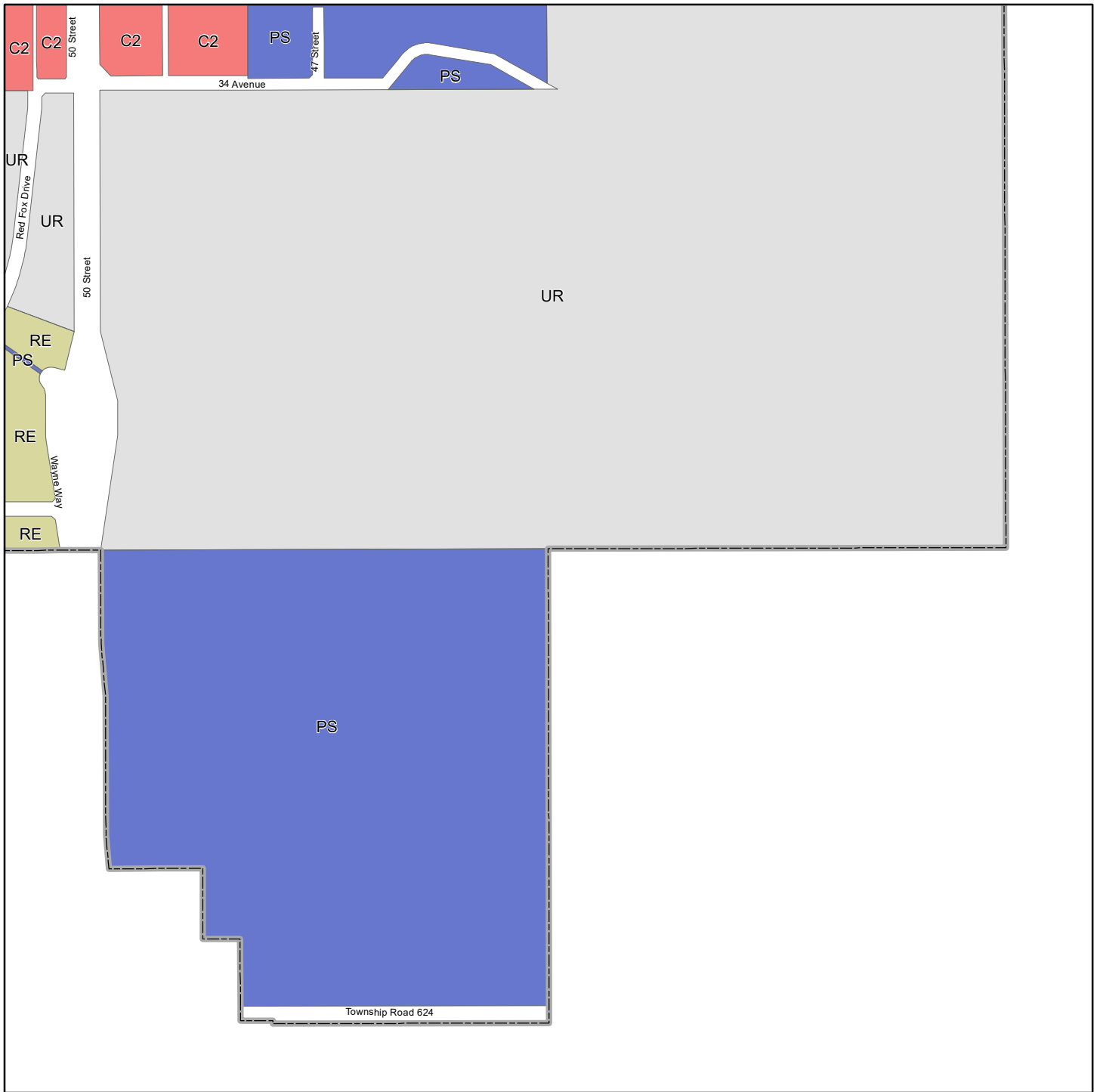
CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 21: 27-62-2-W4M



1:10,000



- RE – Residential Estate
- R1A – Residential (Single Detached)
- R1B – Residential (Single Detached - Small Lot)
- R2 – Residential (Duplex)
- R3 – Medium Density Residential
- R4 – High Density Residential
- RMX – Residential Mixed Use
- RMH – Residential Manufactured Home
- C1 – Downtown Commercial
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CITY OF COLD LAKE LAND USE BYLAW

SCHEDULE A: LAND USE DISTRICT MAPS

MAP 22: 26-62-2-W4M

1:10,000