



TOWN OF WESTLOCK

## ***LAND USE***

### **BYLAW NO. 2022-12**

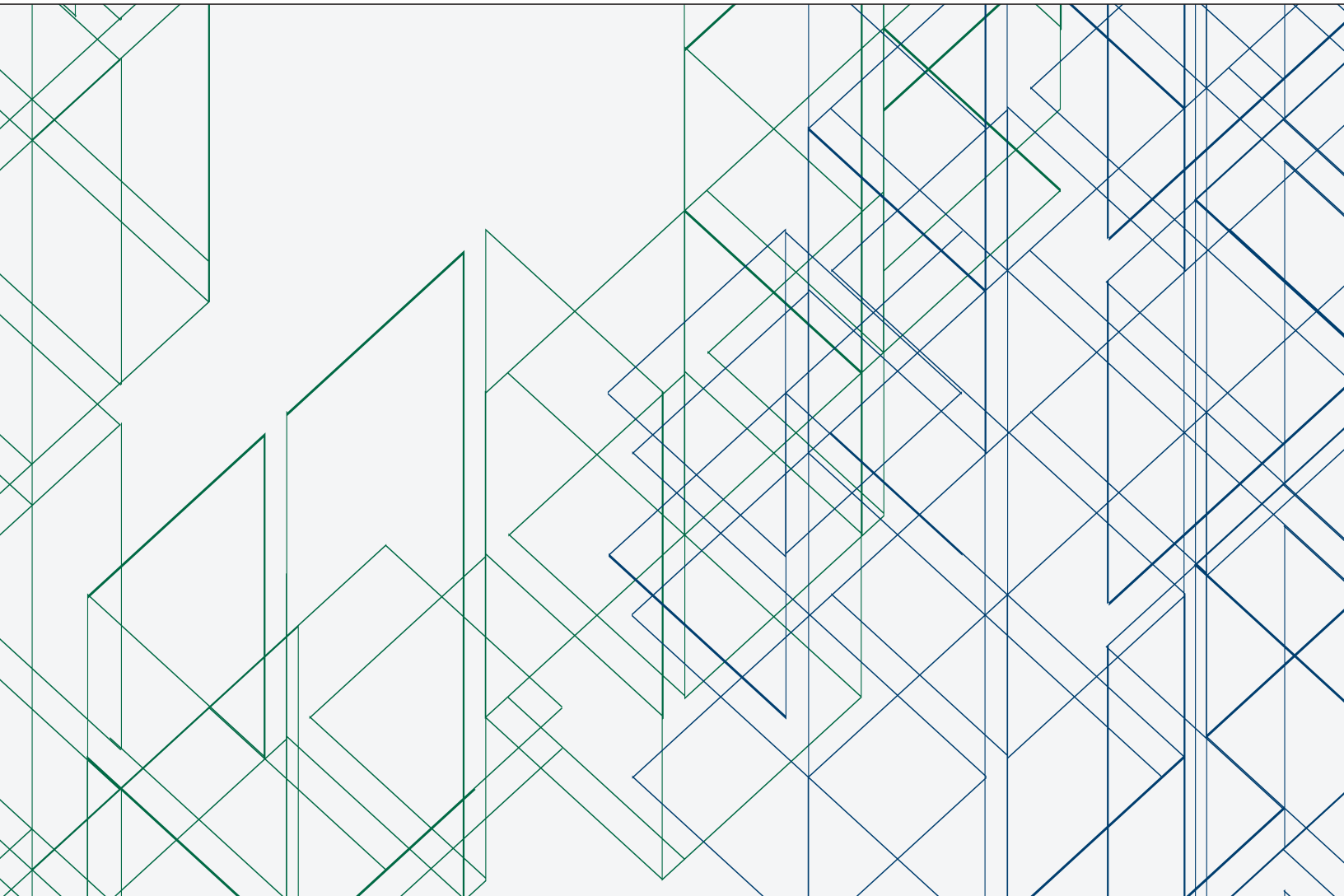
EFFECTIVE DATE – January 1, 2023

#### **CONSOLIDATED FOR CONVENIENCE ONLY**

This is a consolidation of the bylaws below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaws on this subject.

<u>AMENDMENT BYLAW</u>	<u>DATE OF ADOPTION</u>	<u>EFFECTIVE DATE</u>
		(If different from Date of Adoption)
Bylaw No. 2023-03	March 27, 2023	
Bylaw No. 2023-09	July 10, 2023	
Bylaw No. 2023-11	August 14, 2023	
Bylaw No. 2024-05	May 13, 2024	
Bylaw No. 2024-08	July 15, 2024	
Bylaw No. 2024-09	July 8, 2024	
Bylaw No. 2024-11	August 12, 2024	
Bylaw No. 2024-12	August 12, 2024	
Bylaw No. 2024-14	September 9, 2024	

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# **LAND USE BYLAW**

Bylaw No. 2022-12  
As of September 9, 2024

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**BEING A BYLAW OF THE TOWN OF WESTLOCK IN THE PROVINCE OF ALBERTA TO ADOPT  
LAND USE BYLAW 2022-12**

**WHEREAS** under the provisions of *Division 3, Part 17, Municipal Government Act, Chapter M-25, R.S.A. 2000*, and amendments thereto, a municipality must adopt a Land Use Bylaw.

**NOW THEREFORE** the Council of the Town of Westlock enacts as follows:

1. This Bylaw may be cited as the "Town of Westlock Land Use Bylaw".
2. Town of Westlock Land Use Bylaw 2015-02, and all amendments are hereby repealed.
3. This Bylaw comes into effect on January 1, 2023, following third and final reading.

READ a first time this 24<sup>th</sup> day of October 2022

PUBLIC HEARING held 28<sup>th</sup> day of November 2022

READ a second time this 28<sup>th</sup> day of November 2022

READ a third and final time and pass this 28<sup>th</sup> day of November 2022

Signed by Mayor and CAO this 28 day of November 2022



Ralph Leriger, MAYOR



Simone Wiley, CAO

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# HOW TO USE THIS BYLAW

**STEP 1:** Identify the Land Use District for your property in Appendix A: Land Use Map.

**STEP 2:** Check the applicable Land Use District in [Part 9: Residential Land Use Districts](#) or [Part 10: Non-Residential Land Use Districts](#) for all relevant development standards and regulations that would apply to your property. Each district also contains a list of Permitted and Discretionary Uses which specifies what your land and buildings can be used for.

**STEP 3:** Your property and/or your proposed Use may have additional general or Use specific regulations which can be found in

[Part 6: General Regulations for all Land Use Districts](#).

**STEP 4:** Additional clarity on certain terms or words can be found in [Part 5: Definitions](#).

## NEED MORE INFORMATION?

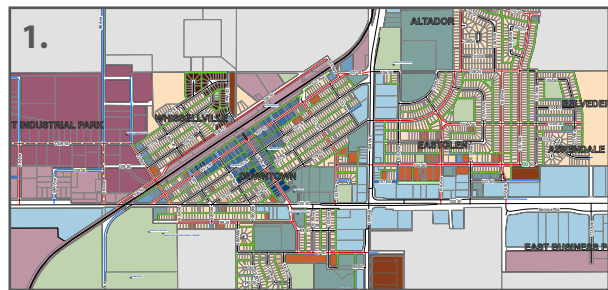
Development Permit application process, requirements, decision making timelines, notifications, and appeals can be found in [Part 3: Development Permits, Applications, and Procedures](#).

Bylaw amendment process (including redistrictings) and enforcement information can be found in [Part 2: Administrative Procedures](#).

Parking space dimensions, on-site parking stall minimums, and other related requirements can be found in [Part 7: Parking and Loading Standards](#)

All sign regulations can be found in [Part 8: Sign Regulations](#).

The relevant landscaping, accessory development (including deck and garages), and fencing regulations for [Residential](#) and [Non-Residential](#) properties can be found in the General Provision section at the beginning of each respective Part.



**2.**

Residential Land Use Districts		Non-Residential Land Use Districts	
R1	Low Density Residential	DT-MU	Downtown Mixed Use
R2	Medium Density Residential	DT-T	Downtown Transitional
R3	High Density Residential	C-MP	Commercial Multi-Purpose
RMM	Medium Density Multiple Residential	C-H	Highway Commercial
R4	Estate Residential	I-L	Industrial - Light
RMH-1	Manufactured Home Subdivision Residential	I-H	Industrial - Heavy
RMH-2	Manufactured Home Park Residential	I	Institutional
		PR	Parks and Recreation
		UR	Urban Reserve
		DC	Direct Control

**3.**

PART 6: GENERAL REGULATIONS FOR ALL LAND USE DISTRICTS	
GENERAL DEVELOPMENT REGULATIONS	
SPECIFIC USE REGULATIONS	

**4.**

PART 5: DEFINITIONS	
5.1	EQUIVALENT TERMINOLOGY
5.1.1	Where a masculine or impersonal pronoun or adjective is used, such a word may also mean the feminine or impersonal pronoun or adjective. Where a word is used in the present tense, such a word may also mean the future tense. The word "person" includes a corporation as well as an individual.
5.2	DEFINITIONS



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# **PART 1:**

# **INTRODUCTION**

# **AND MANDATE**





## PART 1: INTRODUCTION AND MANDATE

### ENACTMENT

#### 1.1 TITLE

1.1.1 This Bylaw is entitled the Town of Westlock Land Use Bylaw and is referenced as “this Bylaw” in the text herein.

#### 1.2 PURPOSE

1.2.1 To facilitate the orderly and economic development of land, the purpose of this Bylaw is to regulate and control the use and development of land and buildings within the Town of Westlock. For that purpose, among other things, this Bylaw:

- a) Divides the Town into Land Use Districts;
- b) Prescribes and regulates the purposes for which land and buildings may be used in each Land Use District;
- c) Establishes a method of making decisions on applications for the re-designation of land and development permits, including the issuance of development permits;
- d) Provides the manner in which notice of the issuance of a development permit is to be given; and
- e) Sets out the method of appealing a decision relative to this Bylaw.

1.2.2 This Bylaw shall conform with the Town of Westlock Municipal Development Plan, as amended.

#### 1.3 APPLICATION

1.3.1 This Bylaw shall serve as a tool to implement policies established in the Municipal Development Plan, other statutory plans and the MGA, as amended from time to time.

1.3.2 All development in the Town of Westlock from the date this Bylaw comes into effect shall conform to the provisions of this Bylaw.

#### 1.4 APPLICATION IN PROGRESS

1.4.1 An application for a development permit or subdivision, which is received before the effective date of this Bylaw, shall be processed in accordance with the Town of Westlock Land Use Bylaw 2015-02, as amended.



## **1.5 SEVERABILITY**

- 1.5.1 If any section, clause, or provision of this Bylaw is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remainder of this Bylaw in whole or in part, other than the section, clause, or provision so declared to be invalid.

## **1.6 COMPLIANCE WITH OTHER LEGISLATION**

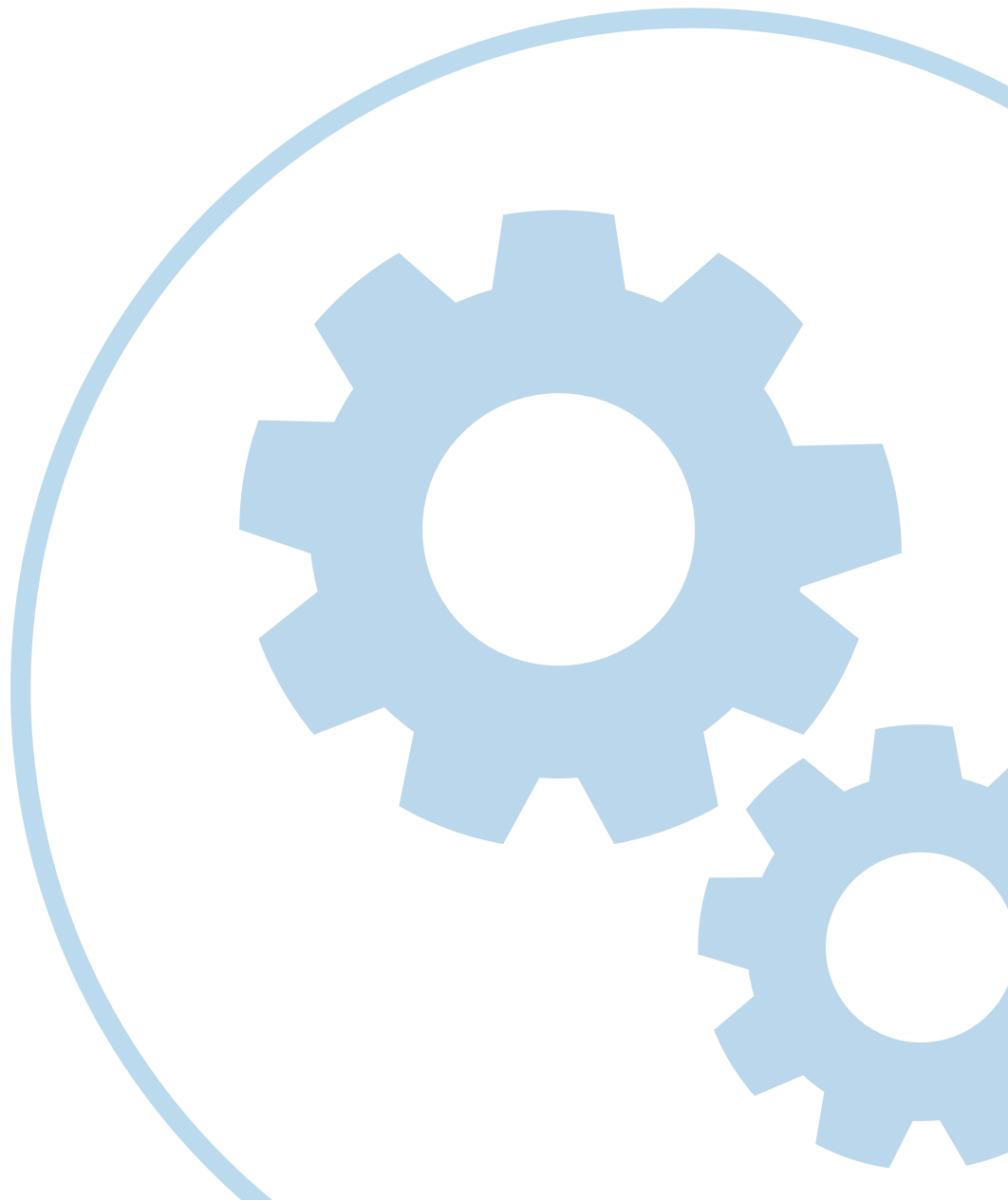
- 1.6.1 Notwithstanding that a development permit may not be required in certain instances under this Bylaw, in no way does this exempt the applicant from complying with:
- a) The conditions of any caveat, covenant, easement, or other instrument affecting a building or land; and
  - b) The requirements of any other federal, provincial, or municipal enactment or any other law.

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# **PART 2:**

# **ADMINISTRATIVE**

# **PROCEDURES**





## PART 2: ADMINISTRATIVE PROCEDURES

### ADMINISTRATION

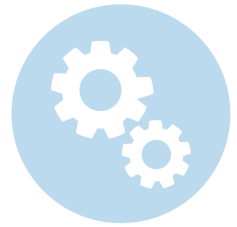
#### 2.1 DEVELOPMENT AUTHORITY

- 2.1.1 The Development Authority of the Town of Westlock shall be as established by the Town's Subdivision and Development Authority Bylaw.
- 2.1.2 In all instances other than those indicated in Sections 2.3 and 2.4, when used in this Bylaw, the term "Development Authority" shall be the Development Officer.

#### 2.2 DEVELOPMENT OFFICER'S ROLE

- 2.2.1 The Development Officer shall administer this Bylaw and decide on all development permit applications except as indicated in the Town's Subdivision and Development Authority Bylaw.
- 2.2.2 The Development Officer shall 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 of same are available to the public at a reasonable charge.
- 2.2.3 The Development Officer shall make available for inspection by the public during office hours, a register of all applications for development permits and the decisions in relation to those applications.
- 2.2.4 For the purposes of administering the provisions of this Bylaw, the Development Officer is hereby authorized to prepare and use such forms and notices as necessary.
- 2.2.5 A Development Officer shall be responsible for the following:
  - a) Reviewing all applications for a development permit, establishing specific conditions related to each development permit approval, and shall provide reasons for those applications on which the Development Officer renders a decision to refuse the application;
  - b) Referring an application to any municipal, provincial, and federal department or any other agency or body;
  - c) Reviewing and referring applicable development permits as per Section 2.3 to the Municipal Planning Commission; and
  - d) To consider and approve a development permit or issue a letter of concurrence or non-concurrence for a license, permit, approval, or other authorization granted by a provincial or federal body.
- 2.2.6 For the purposes of the MGA, the Development Officer is hereby declared to be a designated officer.





## **2.3 MUNICIPAL PLANNING COMMISSION'S ROLE AS DEVELOPMENT AUTHORITY**

2.3.1 The Municipal Planning Commission is hereby given the authority to decide on development permit applications referred to it by the Development Officer in accordance with the Subdivision and Development Authority Bylaw.

## **2.4 COUNCIL'S ROLE AS DEVELOPMENT AUTHORITY**

2.4.1 In a Direct Control (DC) District, the Council shall act as Development Authority on all development permit applications.

## **2.5 INTERPRETATION**

### **BYLAW TEXT**

2.5.1 The standard measurement used within this Bylaw is metric. Any reference to imperial measurement is approximate and for convenience only. In the case of any discrepancy between the metric and imperial measurement, the metric measurement shall prevail.

2.5.2 Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa.

2.5.3 The word person includes a corporation, firm, partnership, trust, and other similar entities as well as an individual.

2.5.4 Words have the same meaning whether they are capitalized or not.

2.5.5 The words "shall" and "must" require mandatory compliance except where a variance has been granted pursuant to the MGA.

2.5.6 The word "should" provides direction to strive toward the specified action, but is not mandatory. The onus is on the application to justify why the desired action or result is not proposed and/or will not be achieved.

2.5.7 The word "encourage" means to promote or support.

2.5.8 The word "may" is a discretionary term, the provision in question can be enforced if the Development Authority chooses to do so and is dependent on the particular circumstances of the specific development, parcel, and application.

2.5.9 Words, phrases, and terms not defined in this section may be given their definition in the MGA. Other words shall be given their usual and customary meaning.



- 2.5.10 Where a regulation involves two or more conditions, provisions, or events connected by a conjunction, the following shall apply:
- a) “And” means all the connected items shall apply in combination;
  - b) “Or” means that the connected items may apply singly or in combination; and
  - c) “Either-or” means that the connection items shall apply singly but not in conjunction.
- 2.5.11 In the case of any conflict between a number written in numerals and a number written in letters, the number written in numerals shall prevail.
- 2.5.12 In the case of any conflict between the text of this Bylaw and any maps or drawings used to illustrate any aspect of this Bylaw, the text shall prevail.
- 2.5.13 Where reference is made to other legislation or documents, this refers to legislation and documents as amended from time to time.

#### LAND USE DISTRICT MAP

- 2.5.14 Where a district boundary is shown on **Appendix A: Land Use Map**, Land Use Districts are approximately following:
- a) A road, lane, railway, pipeline, power line, utility right-of-way, or easement at the centre line, unless otherwise clearly indicated on the Land Use Map;
  - b) The Town of Westlock boundary;
  - c) A property line, if applicable.
- 2.5.15 A district boundary should generally follow the features listed above.
- 2.5.16 In circumstances not covered above, the district boundary shall be determined by the Development Authority.
- 2.5.17 When any road or lane is closed, it has the same districting as the abutting land. When different districts govern abutting lands, the centre of the road or lane is the district boundary unless the district boundary is shown clearly following the edge of the road or lane. If the road or lane is consolidated with an adjoining parcel, that parcel’s district designation applies to affected portions of the closed road or lane.



## FUNDAMENTAL USE PROVISIONS

2.5.18 Fundamental Use Provisions within Land Use Districts are requisite qualifiers for specific or all Permitted and Discretionary Uses within a district. The purpose and intent of Fundamental Use Provisions are to:

- a) Limit or restrict the nature or scope of the Use to align with the purpose of the district in which the use is allowed;
- b) Ensure that Uses achieve a particular planning objective that is characteristic and specific to the Land Use District;
- c) Not be regulatory but to modify the scope of the Use as it applies to that particular district; and
- d) That any qualifiers placed on the Use cannot be varied or relaxed.

## 2.6 ESTABLISHMENT OF LAND USE DISTRICTS

2.6.1 For the purposes of this Bylaw, the Town of Westlock is divided into the following Land Use Districts:

Residential Land Use Districts		Non-Residential Land Use Districts	
R1	Low Density Residential	DT-MU	Downtown Mixed Use
R2	Medium Density Residential	DT-T	Downtown Transitional
R3	High Density Residential	C-MP	Commercial Multi-Purpose
RMM	Medium Density Multiple Residential	C-H	Highway Commercial
R4	Estate Residential	I-L	Industrial - Light
RMH-1	Manufactured Home Subdivision Residential	I-H	Industrial - Heavy
RMH-2	Manufactured Home Park Residential	I	Institutional
		PR	Parks and Recreation
		UR	Urban Reserve
		DC	Direct Control

2.6.2 The boundaries of the districts listed in Section 2.6.1 are as shown in **Appendix A: Land Use Map**.

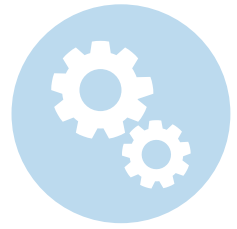
2.6.3 The Development Officer shall maintain a list of Council's decisions with respect to boundaries or portions thereof fixed by it.



## PROCEDURES

### 2.7 BYLAW AMENDMENT APPLICATION

- 2.7.1 Any redesignation (redistricting) of land, or amendment to the text, figures, or tables of this Bylaw shall be considered a Bylaw Amendment.
- 2.7.2 Any person may apply to have this Bylaw amended by making an application complete with reasons in support of the application and submitting it to the Development Authority for referral to Council.
- 2.7.3 The Development Authority may at any time on its own motion, present for the consideration of Council any proposed amendment to this Bylaw and the proposed amendment shall be accompanied by the report and recommendation of the Development Authority.
- 2.7.4 Council may, at any time, initiate an amendment to this Bylaw. Prior to first reading of any proposed amendment, the proposal shall be referred to the Development Authority for their report and recommendation.
- 2.7.5 All applications for amendment to this Bylaw shall be made on the prescribed form and submitted to the Development Authority. Applications shall be signed by the applicant or the applicant's agent.
- 2.7.6 All applications shall be accompanied by the following:
- a) An application fee as established in the Town of Westlock Fees and Rates Bylaw; and
  - b) A certificate of title of the land affected, or any other documents satisfactory to the Development Authority indicating the applicant's interest in the land.
- 2.7.7 In addition to the information required in Section 2.7.4 above, the Development Authority may require other information to properly evaluate the application, including but not limited to:
- a) In the case of a redesignation, conceptual drawings of the proposed development, including a site plan and/or elevation drawings of the proposed development;
  - b) A statement describing how the Municipal Development Plan or any other applicable statutory plan affecting the application and this Bylaw have been considered; and



- c) Any technical studies as may be required by the Development Authority as well as a Concept Plan or Area Structure Plan where considered necessary.

## **2.8 BYLAW AMENDMENT PROCESS**

### **ROLE OF THE DEVELOPMENT AUTHORITY**

2.8.1 Upon receipt of an application to amend this Bylaw, the Development Authority shall:

- a) Initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment;
- b) Prepare a detailed report for Council on the proposed amendment;
- c) Submit a copy of the report, maps, and all material relevant thereto to Council;
- d) Advise the applicant that:
  - i. It is prepared to recommend the amendment to Council without further investigation; or
  - ii. It is not prepared to recommend the amendment; or
  - iii. It is prepared to recommend an alternative amendment either at once or after due investigation.
- e) Not be bound to consider an application made to it unless accompanied by the application fee; and
- f) As soon as reasonably convenient, submit the proposed amendment as originally applied for or as alternatively chosen by the applicant to Council accompanied by the recommendation and report of the Development Authority and other relative material.

### **ROLE OF THE APPLICANT**

2.8.2 Upon receiving the preliminary advice of the Development Authority, the applicant shall advise the Development Authority if:

- a) They wish the Development Authority to proceed with the amendment as proposed; or
- b) They wish the Development Authority to proceed with an alternative amendment proposed by the Development Authority; or
- c) They wish to withdraw their application for amendment.



## ROLE OF COUNCIL

### 2.8.3 Council shall:

- a) Not consider any person's request to amend this Bylaw prior to that person submitting an application to the Development Authority in accordance with the provisions of this Section; and
- b) Consider the application along with the recommendations of the Development Authority and other relevant information before making a decision to:
  - i. Implement the amendment as proposed;
  - ii. Modify the proposed amendment and implement it;
  - iii. Table the proposed amendment; or
  - iv. Reject the proposed amendment.

2.8.4 In accordance with the MGA, amendments to the Land Use Bylaw shall be implemented by Bylaw after three (3) readings by Council.

2.8.5 Prior to the second reading of the proposed Bylaw, Council shall provide written notification, public advertising, and conduct a Public Hearing as required by the MGA.

2.8.6 All amendments to this Bylaw shall conform with the Town of Westlock Municipal Development Plan.

## LIMIT ON FREQUENCY OF APPLICATIONS

2.8.7 Notwithstanding anything contained in this Bylaw, a proposed amendment which has been rejected by Council within the previous twelve (12) months shall not be reconsidered unless Council otherwise directs.

## ENFORCEMENT

### 2.9 CANCELLATION, REVOCATION, SUSPENSION, OR MODIFICATION OF A DEVELOPMENT PERMIT

2.9.1 The Development Authority may cancel, suspend, revoke, or modify a Development Permit if it appears that:

- a) The Development Permit was obtained by fraud or misrepresentation;
- b) The development for which the Development Permit was issued is not being carried out or completed to the extent or in the manner originally approved;



- c) The Development Permit was issued in error;
- d) The conditions of the Development Permit have not been complied with;
- e) The applicant requests in writing that the Development Authority cancel the Development Permit provided that the use, development, or construction has not commenced; or
- f) An appeal is filed against the Development Permit.

2.9.2 Notice of the Development Authority's decision to cancel the Development Permit shall be provided in writing by regular mail to the property owner and to the applicant and such notice shall state the reasons for cancellation of the Development Permit.

2.9.3 Upon receipt of the written notice of cancellation of a Development Permit, the applicant shall cease all development and activities related to the development.

## **2.10 BYLAW CONTRAVENTIONS AND INSPECTION POWERS**

2.10.1 A person, whether an owner or occupant of a building, structure or land, is guilty of an offence when they cause or allow the commencement of any development:

- a) That contravenes or does not comply with the provisions of this Bylaw;
- b) That requires a Development Permit which has not been issued, or has been suspended or cancelled;
- c) That is contrary to a Development Permit that has been issued, or a subdivision approval that has been given, or a condition of a Permit or approval; or
- d) That contravenes a Stop Order.

2.10.2 As per the MGA, if this Bylaw authorizes or requires anything to be inspected, remedied, enforced, or done by the Town in response to a contravention under Section 2.10.1, a designated officer of the Town may, after giving reasonable notice to the owner or occupier of the land or structure, enter to carry out the inspection, remedy, enforcement, or action:

- a) Enter onto that land or structure at any reasonable time, and carry out the inspection, enforcement, or action authorized or required by this Bylaw;
- b) Request anything to be produced to assist in the inspection, remedy, enforcement, or action; and
- c) Make copies of anything related to the inspection, remedy, enforcement, or action.



2.10.3 As per the MGA, the designated officer need not give reasonable notice or enter at a reasonable hour and may enter without the consent of the owner or occupant in the event of an emergency or in extraordinary circumstances which may include, but are not limited to, when a designated officer believes there to be an imminent danger to public safety or damage to property.

2.10.4 The designated officer must, display or produce on request, identification showing that the person is authorized to make entry.

## **2.11 STOP ORDERS**

2.11.1 Where a Development Authority finds that a Use is not in accordance with the MGA, this Bylaw, a Development Permit, or a subdivision approval issued thereunder, the Development Authority may, by notice in writing, order the registered owner, the person in possession of the land or buildings, or another person responsible for the contravention, or any or all of them to:

- a) Stop the development or use of the land or buildings in whole or part as directed by the Stop Order; or
- b) Demolish, remove, or replace the development; or
- c) Carry out any other actions required by the Stop Order so that the development or use of the land or buildings complies with the MGA, this Bylaw, a Development Permit or subdivision approval.

2.11.2 The issuance and enforcement of Stop Orders shall be in accordance with the MGA.

2.11.3 Pursuant to the MGA, a Council may add any expenses and costs incurred in carrying out a Stop Order to the tax roll of that parcel of land.

2.11.4 The Town may apply to the Court of King's Bench for an injunction or other order to enforce this Bylaw, as per the MGA.

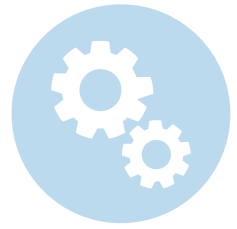
## **2.12 OFFENCES AND PENALTIES**

2.12.1 A person shall not obstruct or hinder any person in the exercise or performance of that person's powers, pursuant to this Bylaw.

2.12.2 A person shall not provide false or misleading information to any designated officer, in regards to any matter governed within this Bylaw.

2.12.3 Any person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable to a fine of not less than \$250.00, and not more than ten thousand dollars (\$10,000.00), in accordance with the MGA.





- 2.12.4 The Development Officer or any other person identified as a designated officer by Council for the purposes of this section shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.
- 2.12.5 All penalties for contraventions of this Bylaw shall be issued in the amount specified in **Appendix B** of this Bylaw. The designated officer will consider the cause, duration, severity, and impact of the contravention when determining a penalty amount.
- 2.12.6 A contravention of this Bylaw may constitute a separate offence in respect of each day (24-hour period) on which it continues.

### VICARIOUS LIABILITY

- 2.12.7 In this Bylaw, employees, employers, principals, and agents, are each severally liable and each guilty of the offence for any contravention of or any failure to comply with this Bylaw committed in the course of employment or in the course of the agent's exercising powers or performing duties on behalf of their principal. When a corporation contravenes or fails to comply with this Bylaw, every principal, director, officer, manager, employee or agent of the corporation who authorized, assented to, acquiesced, or participated in the act or omission that constitutes the offence is severally liable and guilty of the offence.

### MUNICIPAL TAGS

- 2.12.8 Any designated officer, in that officer's sole discretion, is hereby authorized and empowered to issue a municipal tag to any person whom the designated officer has reasonable and probable grounds to believe has contravened or failed to comply with any provision of this Bylaw.
- 2.12.9 A municipal tag may be issued to such person:
- a) Personally; or
  - b) By mailing a copy to such person by registered or ordinary mail to their last known mailing address.
- 2.12.10 A municipal tag shall be in a form approved by the Town of Westlock and shall include:
- a) The name of the person;
  - b) The date upon which the offence was committed;
  - c) The section number(s) of this Bylaw which were contravened;
  - d) The offence;



- e) The appropriate specified penalty or minimum fine for the offence as prescribed by the Bylaw; and
- f) The time within which the entire penalty must be paid to the Town of Westlock.

2.12.11 A municipal tag shall require payment of the specified penalty within 21 days from the date of issuance of the violation tag.

### VIOLATION TICKETS

2.12.12 Where a municipal tag has been issued and if the specified penalty has not been paid within the prescribed time, then a violation ticket may be issued pursuant to the *Provincial Offences Procedures Act*, RSA 2000, and all amendments thereto.

2.12.13 If a violation ticket is issued in respect to an offence, the violation ticket may:

- a) Specify a penalty amount established by this Bylaw for the offence; or
- b) Require a person to appear in Court without the alternative of making a voluntary payment.

2.12.14 If payment is received by the Town of Westlock within the period of time permitted by any such municipal tag, no violation ticket may be issued against the same offender for the same offence.

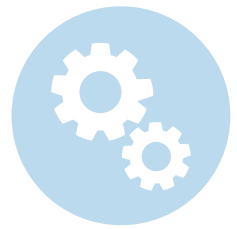
2.12.15 Except where a municipal tag has been paid as prescribed in Section 2.12.3, nothing in this Bylaw shall limit a designated officer's discretion to issue a violation ticket pursuant to the *Provincial Offences Procedure Act* at any time within 2 years of the last occurrence of the offence, regardless of whether or not a violation tag has been issued.

2.12.16 If a person who has been served with a violation ticket fails to pay the penalty specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.

2.12.17 If the person who was served with a violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the penalty imposed shall be as set by the Court.

### VOLUNTARY PAYMENT

2.12.18 Where a municipal tag is issued pursuant to this Bylaw, the person to whom the tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified in the tag within the time period indicated on the tag.



**2.12.19** If a violation ticket has been issued pursuant to this Bylaw, and the violation ticket specifies a penalty amount for the offence; a voluntary payment can be made by submitting to a Provincial Court Clerk, on or before the initial appearance date indicated on the violation ticket, the specified fine set out on the violation ticket.

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# **PART 3:**

# **DEVELOPMENT PERMITS, APPLICATIONS, AND PROCEDURES**





## PART 3: DEVELOPMENT PERMITS, APPLICATIONS, AND PROCEDURES

### 3.1 DEVELOPMENT REQUIRING A DEVELOPMENT PERMIT

- 3.1.1 No development, other than that designated under Section 3.2.2, shall be undertaken within the Town unless an application for it has been approved and a development permit has been issued.
- 3.1.2 In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to ensure and obtain other safety code approvals or licenses that may be required by other regulatory departments or agencies.
- 3.1.3 A building permit shall not be issued unless a development permit, where required, has also been issued.
- 3.1.4 A development permit shall not be valid unless it conforms to this Bylaw and the MGA.

### 3.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

- 3.2.1 No approval pursuant to this Bylaw is required for any development described in Section 3.2 unless the undertaking of such development would be in breach of or constitute a variation of any condition imposed by any development permit which may have been granted respecting the building or site involved and provided further that any such development shall be in accordance with the provision of this Bylaw.
- 3.2.2 The following developments ([Table 3.2](#)) shall not require a development permit provided that the development complies with any of the applicable provisions of this Bylaw and the qualifier(s) identified in [Table 3.2](#):

DEVELOPMENT	QUALIFIER UNDER WHICH A DEVELOPMENT PERMIT IS NOT REQUIRED
a) Accessory Buildings	Shall be less than 10.0m <sup>2</sup> (107.6 ft <sup>2</sup> ) in area  Comply with the setback requirements for the district in which they are located
b) Day Home	Shall not be located within an Apartment
c) Development carried out by or on behalf of Municipal public authorities on land which is publicly owned or controlled	
d) Electric Vehicle Charging Stations	Shall be installed as per manufacturer's instructions  Shall not detract from the minimum number of on-site parking stalls
e) Fences, Gate, Walls	
f) Hard Surfacing	Shall be part of a development for which a Development Permit or Development Agreement has been issued
g) Home Office	



**TABLE 3.2**

**Development Not Requiring a Development Permit**

DEVELOPMENT	QUALIFIER UNDER WHICH A DEVELOPMENT PERMIT IS NOT REQUIRED
h) Hot Tubs & Above Ground Swimming Pools	
i) Landscaping	<p>Shall be on private property</p> <p>Shall not materially alter the existing grade and the natural surface drainage pattern</p>
j) Maintenance or repair of a Building	<p>Shall not change the Use of the building</p> <p>Shall not involve any structural alteration</p>
k) Maintenance and repair of public works, services, and utilities carried out by or on behalf of Federal, Provincial, or Municipal public authorities on land which is publicly owned or controlled	
l) Minor Structures	<p>Such as, but not limited to, a barbecue, dog house, lawn sculpture or bird feeder</p> <p>Shall not exceed 1.83m (6.0ft) in height</p> <p>Shall be ancillary to a Residential Use</p>
m) Non-Residential Renovations	<p>Shall not increase the building footprint</p> <p>Shall not change the Use or the intensity of the Use of the building</p>
n) Portable Fabric Covered Structures	<p>Shall be located in a Residential District</p>
o) Public Improvements	<p>Shall include the construction, alteration, maintenance, or repair of a public roadway</p>
p) Residential Renovations	<p>Shall not increase the number of dwelling units</p> <p>Shall not increase the building footprint</p>
q) Satellite Dishes and Antennas	<p>Shall be less than 1.2m (3.9ft) in diameter</p> <p>Shall be attached directly to a roof, side wall, or balcony</p> <p>Shall not be located within a front setback or road</p> <p>Shall be entirely below the highest point of the roof of a dwelling in a Residential or Commercial District</p>
r) Solar Collectors	<p>Shall be mounted directly to a roof or side wall</p> <p>May require Safety Codes Permits</p>



**TABLE 3.2**

**Development Not Requiring a Development Permit**

DEVELOPMENT	QUALIFIER UNDER WHICH A DEVELOPMENT PERMIT IS NOT REQUIRED
s) Sign	<p>Statutory and official notices and functional advertisements of local authorities and public transport agencies</p> <p>Signs erected by the Town</p> <p>Signs relating specifically to pending elections provided that such signs be removed within fourteen (14) days of the election</p> <p>Municipal address numbers or letters displayed on the premises to which they refer</p> <p>Signs within a building</p> <p>Signs in or on an operational vehicle</p> <p>Signs on door plates, door bars, or kick plates</p> <p>Changing the copy of any sign for which a valid Development Permit has been issued</p> <p>Cleaning, repair, or repainting of any sign</p>
t) Sign, A-Frame	<p>Shall be removed outside of business hours</p> <p>Shall be no larger than 1.0m<sup>2</sup> (10.0ft<sup>2</sup>) in area on any panel</p>
u) Signs displayed during construction	<p>Shall be wholly situated upon the construction site and not projecting over a public roadway</p> <p>Shall not be more than one (1) per each boundary of the property under construction which fronts onto a road</p> <p>Shall be no larger than 6.0m<sup>2</sup> (64.6ft<sup>2</sup>) in area</p> <p>Shall be removed after substantial completion of construction</p>
v) Sign, Flag	<p>Shall be located only within a Commercial or Industrial District</p>
w) Sign, Identification	<p>Shall be in respect of the land, buildings, or occupants on which the notices are displayed, including Residential land, buildings, and occupants</p> <p>Shall not exceed 0.2m<sup>2</sup> (2.2ft<sup>2</sup>) in area</p> <p>Shall not exceed one notice for each occupant of the land or building for each side of the land or building that has access</p>





**TABLE 3.2**

**Development Not Requiring a Development Permit**

DEVELOPMENT	QUALIFIER UNDER WHICH A DEVELOPMENT PERMIT IS NOT REQUIRED
x) Sign, Inflatable	Shall be less than 5.5m <sup>2</sup> (59.2ft <sup>2</sup> ) in area
y) Sign relating to sale, lease, or rental	<p>Shall not be illuminated</p> <p>Shall not exceed 3.0m<sup>2</sup> (32.3ft<sup>2</sup>) in area for parcels of land exceeding 50.0m (164.0ft) of frontage width</p> <p>Shall not exceed 0.5m<sup>2</sup> (5.4ft<sup>2</sup>) in area for all other lots</p> <p>Shall be limited to one notice for each side of the land or building that has access</p>
z) Temporary signs referring to sales	<p>Shall be displayed upon or direct persons to the premises upon or within which a sale will be or is being conducted</p> <p>Shall not be more than 0.2m<sup>2</sup> (2.2ft<sup>2</sup>) in area or, if inflatable, shall be no larger than 5.5m<sup>2</sup> (59.2ft<sup>2</sup>)</p> <p>Shall not be illuminated</p> <p>Shall be constructed of a material intended to be displayed for a short period of time only</p> <p>Shall not be erected more than seven (7) days prior to commencement of the sale and removed within two (2) days of completion of said sale</p>
aa) Tent (Special Event)	
ab) Temporary Construction Building	<p>Shall be solely incidental to the erection or alteration of a building for which a development permit has been issued under this Bylaw</p> <p>Shall be removed within 30 days of substantial completion or as determined by the Development Authority</p>
ac) Unenclosed patios or decks under 0.6m (2.0ft) from grade	
ad) Use and construction of a building which was lawfully under construction at the date of approval of this Bylaw provided that the building is completed in accordance with the conditions of any development permit granted in respect to it	
ae) Uses and developments exempted under the MGA and its regulations	

3.2.3 Notwithstanding the qualifiers in [Table 3.2](#), a development permit is required if the Development does not adhere to or comply with any section of this Land Use Bylaw.



### **3.3 NON-CONFORMING BUILDINGS AND USES**

3.3.1 A non-conforming building or use shall be regulated in accordance with the MGA.

### **3.4 VARIANCE TO REGULATIONS**

3.4.1 The Development Authority may approve or conditionally approve an application for a development that does not comply with this Bylaw, if in the opinion of the Development Authority:

- a) The proposed development would not:
  - i. Unduly interfere with the amenities of neighbourhood; or
  - ii. Materially interfere with or affect the use, enjoyment, safety, or value of neighbouring land.
- b) The proposed development conforms to the Use prescribed for that land or building in this Bylaw.

3.4.2 In approving an application for a development permit under this Section, the Development Authority shall consider the specific merits of the application, the general purpose and intent of the District, and any practical difficulties peculiar to the use, character, or situation of land or a building which are not typical of other land in the same district.

3.4.3 The Development Authority does not have any authority to vary, waive, or relax a Fundamental Use Provision or Use definition.

3.4.4 If a variance is granted, the Development Authority shall specifically detail its nature and extent in the associated Development Permit.

### **3.5 COMPLIANCE WITH OTHER LEGISLATION**

3.5.1 Compliance with the requirements of this Bylaw does not exempt any person from:

- a) The requirements of any federal, provincial, or municipal legislation; and
- b) Complying with any easement, covenant, or agreement of contract affecting the land or landowner.

### **3.6 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS**

3.6.1 An application for a Development Permit shall include:

- a) A completed application on the prescribed form that shall be signed by the applicant or the applicant's agent as well as the landowner;



- b) The applicable fee as established in the Town of Westlock Fees and Rates Bylaw;
- c) The proposed use or purpose of all parts of the land and building; and
- d) The estimated cost of the project.

3.6.2 The Development Authority may also require:

- a) A site plan showing all of the following:
  - i. North arrow;
  - ii. Scale of plan, to the satisfaction of the Development Authority;
  - iii. Legal description of the property;
  - iv. Municipal address;
  - v. Property lines shown with dimensions;
  - vi. Front, side, and rear yard setback areas shown with dimensions;
  - vii. A dimensioned layout of existing and proposed parking areas, driveways, paved areas, entrances, and exits abutting public roadways shown and labelled;
  - viii. Location of sidewalks and curbs;
  - ix. Location and dimensions of principal building and other structures including accessory developments, garages, carports and fences;
  - x. Location of major landscaped areas including retaining walls and existing trees;
  - xi. Site topography, drainage patterns, grade, and special conditions; and
  - xii. Location of all registered utility easements and rights-of-way.
- b) Fully dimensioned plans showing the elevations and floor plans of the proposed development including a description of the exterior finishing materials and colours;
- c) Photographic prints showing the site or buildings in its existing condition;
- d) A detailed landscaping plan of the entire site to show grading, loading and parking areas, tree planting or removal, grassed areas, the location and species of shrubs and trees, playgrounds, and parks;
- e) Engineering drawings including, but not limited to, lot grading, drainage plans, roadway plans, utility servicing plans, and storm servicing plans;



- f) A geotechnical or flood plain study prepared by a qualified engineer, if in the opinion of the Development Authority the site is potentially hazardous or unstable;
- g) A Phase 1 and/or Phase 2 environmental site assessment, conducted according to Canadian Standards Association (CSA) guidelines to determine potential contamination and mitigation;
- h) An Environmental Impact Assessment prepared by a qualified professional if the proposed development may, in the opinion of the Development Authority, result in potentially significant environmental effects;
- i) A Traffic Impact Analysis prepared by a qualified engineer specializing in transportation engineering. Such an analysis shall include, but not limited to, impacts on adjacent public roadways, pedestrian circulation on and off the site, vehicular circulation on and off the site, turning radius diagrams for large truck movements on and off the site, and any other information required by the Development Authority;
- j) A parking study prepared by a qualified engineer specializing in transportation engineering;
- k) A noise attenuation study prepared by a qualified professional;
- l) A report showing the effect of wind or shadow produced by the proposed development;
- m) Information to assist in assessing the impact the proposed development may have on utilities, services, traffic circulation within the site and on adjacent public roadways, land use, tax base, community facilities, employment, and other matters;
- n) Elevations of any signs proposed for the development;
- o) A Construction Fire Safety Plan;
- p) Information showing that the applicant has discussed the proposed development with nearby property owners;
- q) A Crime Prevention through Environmental Design (CPTED) assessment prepared by a qualified professional architect or planner;
- r) Information to assist the Development Authority in determining the correct appeal body for the application;
- s) Those special requirements specified elsewhere in this Bylaw; and
- t) Such other plans, photographs or other documents, and information of any kind that the Development Authority may consider necessary to properly evaluate the proposed development.



- 3.6.3 The Development Authority may decide on a development permit application without all of the requirements described in Section 3.6.1 and 3.6.2, if the Development Authority is of the opinion that a decision can be properly made without such requirements.
- 3.6.4 The correctness of the information supplied as part of a development permit application shall, when required by the Development Authority, be verified by a Statutory Declaration;
- 3.6.5 An application for a development permit may be submitted to the Development Authority in an electronic format.

## **DEVELOPMENT APPROVAL PROCEDURES**

### **3.7 APPLICATION COMPLETENESS**

- 3.7.1 An application for a development permit shall not be considered complete and received by the Town until such time as the requirements of Section 3.6 Development Permit Application Requirements have been met to the satisfaction of the Development Authority. The sufficiency and quality of information and documentation for those requirements shall be at the discretion of the Development Authority, who:
  - a) May return the application form and all submissions to the applicant, together with the appropriate refund in compliance with the Fees and Rates bylaw; and
  - b) Shall deem the application not to have been submitted until all required information and details have been submitted.
- 3.7.2 The Development Authority must, within twenty (20) days after receipt of an application for a development permit, make a determination whether the application is complete. An application is complete if:
  - a) In the opinion of the Development Authority, the application contains the documents and information necessary to review the application; or
  - b) The Development Authority does not make a determination within twenty (20) days.
- 3.7.3 Notwithstanding Section 3.7.2, the time period to determine if the application is complete may be extended by an agreement in writing between the applicant and the Development Authority.



3.7.4 The Development Authority must issue to the applicant in writing by either regular mail or electronic mail:

- a) If deemed complete, acknowledgement that the application is complete within five (5) days of the determination. The acknowledgement must specify the date on which the application is deemed complete, identify the development subject, state the legal land description, and the applicant's name; or
- b) If deemed incomplete, a notice that the application is incomplete within the time period specified in Section 3.7.2. The notice must provide reasons on why the application has been determined incomplete, specify any outstanding documentation and information necessary, and set a date by which any outstanding items must be submitted.

3.7.5 Notwithstanding Section 3.7.4 b), the Development Authority and the applicant may agree on a later date for the application to be deemed complete.

3.7.6 If the applicant fails to submit all outstanding information and documentation on or before the date referred to in Section 3.7.4 b), the application is deemed to be refused. The Development Authority must issue the applicant a notice in accordance with Section 3.11.

### **3.8 INTERMUNICIPAL REFERRALS**

3.8.1 Development permit applications meeting the requirements for referral under the Intermunicipal Development Plan shall be referred, once deemed complete, to the attention of the Westlock County CAO or their designee.

3.8.1 In making a decision on an application, the Development Authority shall give due consideration to any recommendations or comments received from the municipality to which it was circulated.

### **3.9 DECISIONS ON DEVELOPMENT PERMITS**

3.9.1 The Development Authority shall receive all applications for development permits and determine whether or not the submitted applications are complete.

3.9.2 The Development Authority shall review each application for a development permit to determine the type of use the development constitutes. The Development Authority shall make this determination based on:

- a) The merits of the application submission regardless of the Use applied for by the applicant;
- b) The definition of the Use as expressed in **Part 5** of this Bylaw; and
- c) The intent of the defined Use.



- 3.9.3** In making a decision on an application for a development permit for a permitted use, the Development Authority:
- a) Shall approve, with or without conditions, the application if the proposed development conforms with this Bylaw;
  - b) May refuse the application if the proposed development does not conform to this Bylaw; or
  - c) May approve the application with variances, relaxations, or waivers to applicable provisions within this Bylaw.
- 3.9.4** In reviewing an application for a development permit for a discretionary use, the Development Authority shall have regard to:
- a) The circumstances and merits of the application, including but not limited to:
    - i. The impact on properties in the vicinity from such nuisance factors such as traffic, smoke, other airborne emissions, odours, and noise; and
    - ii. The design, character, and appearance of the proposed development and, in particular, whether it is reasonably compatible with, and complementary to, the surrounding properties and land use.
  - b) The purpose and intent of any applicable Statutory Plan adopted by the Town; and
  - c) The purpose and intent of any non-statutory plan and pertinent policy adopted by the Town.
- 3.9.5** In making a decision on an application for a development permit for a discretionary use, the Development Authority:
- a) May approve the application, with or without conditions, based on the merits of the application if it conforms to the requirements of this Bylaw and any applicable approved Statutory Plan or Policy affecting the site;
  - b) May refuse the application even if it conforms to the requirements of this Bylaw; or
  - c) May refuse the application if the proposed development does not conform to the requirements of this Bylaw.
- 3.9.6** Variances shall be processed and notification to adjacent owners given in accordance with Section 3.11 of this Bylaw.



3.9.7 If no decision is made by the Development Authority within forty (40) days of the application being deemed complete, in accordance with Section 3.7 of this Bylaw, the applicant may deem the application to have been refused.

3.9.8 The applicant may enter into an agreement with the Development Authority to extend the time period provided for in Section 3.9.7.

### **3.10 CONDITIONS OF A DEVELOPMENT PERMIT**

3.10.1 Where applicable and necessary, the Development Authority may impose conditions on a development permit:

- a) To uphold the intent and objectives of any Statutory Plan under preparation or as adopted;
- b) To conform to the applicable provisions of this Bylaw; and
- c) To provide security acceptable to the Development Authority to ensure performance of the conditions imposed on the development permit by this Bylaw.

3.10.2 The Development Authority may as a condition of issuing a development permit require that an applicant enter into a Development Agreement with the Town to do all or any of the following:

- a) To construct or pay for the construction of a roadway required to give access to the development;
- b) To construct or pay for the construction of:
  - i. A pedestrian walkway system to serve the development; and
  - ii. Off-site or other parking facilities as well as loading and unloading facilities;
- c) To install or pay for the installation of utilities that are necessary to service the development;
- d) To repair or reinstate, or to pay for the repair or reinstatement, to original condition, any street furniture, curbing, sidewalk, boulevard, landscaping, and tree planting which may be damaged or destroyed or otherwise harmed by development or building operations upon the site;
- e) To pay any off-site levy;
- f) To give security to ensure that the terms of the agreement are carried out; and
- g) To attend to all other matters the Development Authority considers appropriate.





- 3.10.3 To ensure compliance with a Development Agreement, the Town may register a caveat against the property being developed which shall be discharged upon the conditions of the agreement being met.
- 3.10.4 Subject to this Bylaw, any Statutory Plan, and the MGA, the Development Authority may attach any conditions considered appropriate to a development permit for either a permitted or discretionary use, including by not limited to, requirements regarding:
- a) Landscaping;
  - b) Noise attenuation;
  - c) Special parking provisions;
  - d) Location, appearance, and character of buildings;
  - e) Grading a site to protect adjacent properties;
  - f) Conditions specified elsewhere in this Bylaw; and
  - g) Any other condition to ensure that the proposed development is compatible with surrounding land uses.

### **3.11 NOTICE OF DECISION**

- 3.11.1 A decision of the Development Authority on an application for a development permit shall:
- a) Be in writing; and
  - b) State the date on which the decision was made and be sent to the applicant via either regular or electronic mail on the same day the decision is made.
- 3.11.2 If the Development Authority refuses an application for a development permit, the Notice of Decision shall contain the reasons for the refusal.
- 3.11.3 The Notice of Decision shall contain any conditions of approval, the applicable appeal body, and the deadline for any appeal.
- 3.11.4 Notification of a development permit for a discretionary use, or for a development permit for a permitted or discretionary use involving a variance, shall include a description of the development and state the decision of the Development Authority, the applicable appeal body, and the right of appeal therefrom.
- 3.11.5 The Development Authority shall upon approving a development permit for a discretionary use or for a variance, mail on the date of decision a written notice to, at a minimum, property owners within 50.0m (164.0ft) of the subject site containing the information specified in Section 3.11.4.



3.11.6 The Development Authority may also, at their discretion, publish a notice containing the information specified in Section 3.11.4 in any or all of the following forms:

- a) Publish a notice in one (1) issue of a newspaper circulating in the Town; or
- b) Post a notice of decision on the Town's website.

### **3.12 ISSUANCE AND VALIDITY OF A DEVELOPMENT PERMIT**

3.12.1 A development permit shall not be valid unless and until:

- a) Any conditions of approval, except those of a continuing nature, have been fulfilled; and
- b) No notice of appeal from such approval has been served on the applicable appeal body within the time specified in the MGA.

3.12.2 Where a development permit has been approved by an appeal body, it shall not be valid unless and until:

- a) The Chairman of the appeal body has reviewed and signed the decision; and
- b) Any conditions of approval, except those of a continuing nature, have been fulfilled.

3.12.3 A development permit shall be deemed to be valid twenty-one (21) days after the date on which the notice of issuance of the development permit was given in accordance with Section 3.12.1. If an appeal against the development permit is made to the Appeal Authority, the Development Permit shall not come into effect unless and until any conditions of approval have been fulfilled.

3.12.4 If the development authorized by a development permit is not commenced within twelve (12) months from the date of its issuance the permit is deemed to be void, unless an extension to this period is granted by the Development Authority.

3.12.5 The applicant shall advise the Development Authority within thirty (30) days prior to the expiry of the 12-month period described in Section 3.12.4 if they require an extension. The Development Authority may grant up to a one (1) year extension of the Development Permit.

3.12.6 A development shall be completed to the satisfaction of the Development Authority within two (2) years of the issuance of the Development Permit, unless the applicant, within thirty (30) days prior to the expiry, applies for and is granted an extension from the Development Authority. The Development Authority may grant one (1) extension of the effective period and the extension period shall not exceed twelve (12) months.



3.12.7 If the use of a building, or a portion of a building, ceases for a period of two (2) years or less, the re-establishment of the same or similar use in the premises does not require a development permit, unless:

- a) Structural changes are made or proposed to be made; or
- b) There is a change in the intensity of the use.

3.12.8 If the use of a building, or portion of a building, ceases operation for more than two (2) years, the re-establishment of that use in the building requires authorization through a new development permit.

3.12.9 Section 3.12.8 does not apply to the use of a Dwelling for residential purposes.

### **3.13 REAPPLICATION INTERVAL**

3.13.1 When an application for a development permit is refused by the Development Authority, Council, or an Appeal Authority, another application for the same parcel for a development permit for the same or similar use or development shall not be made by the same or any other applicant until six (6) months has expired from the refusal date.

3.13.2 When a development permit or refusal of a development permit is under appeal, the submission of another application for the same or similar use or development on the same parcel by the same or any other applicant shall not be made while the appeal is ongoing.

3.13.3 The determination of what constitutes same or similar use or development shall be at the discretion of the Development Authority.

### **3.14 APPEALING A DECISION**

3.14.1 The development permit appeal process shall be in accordance with the MGA as amended.

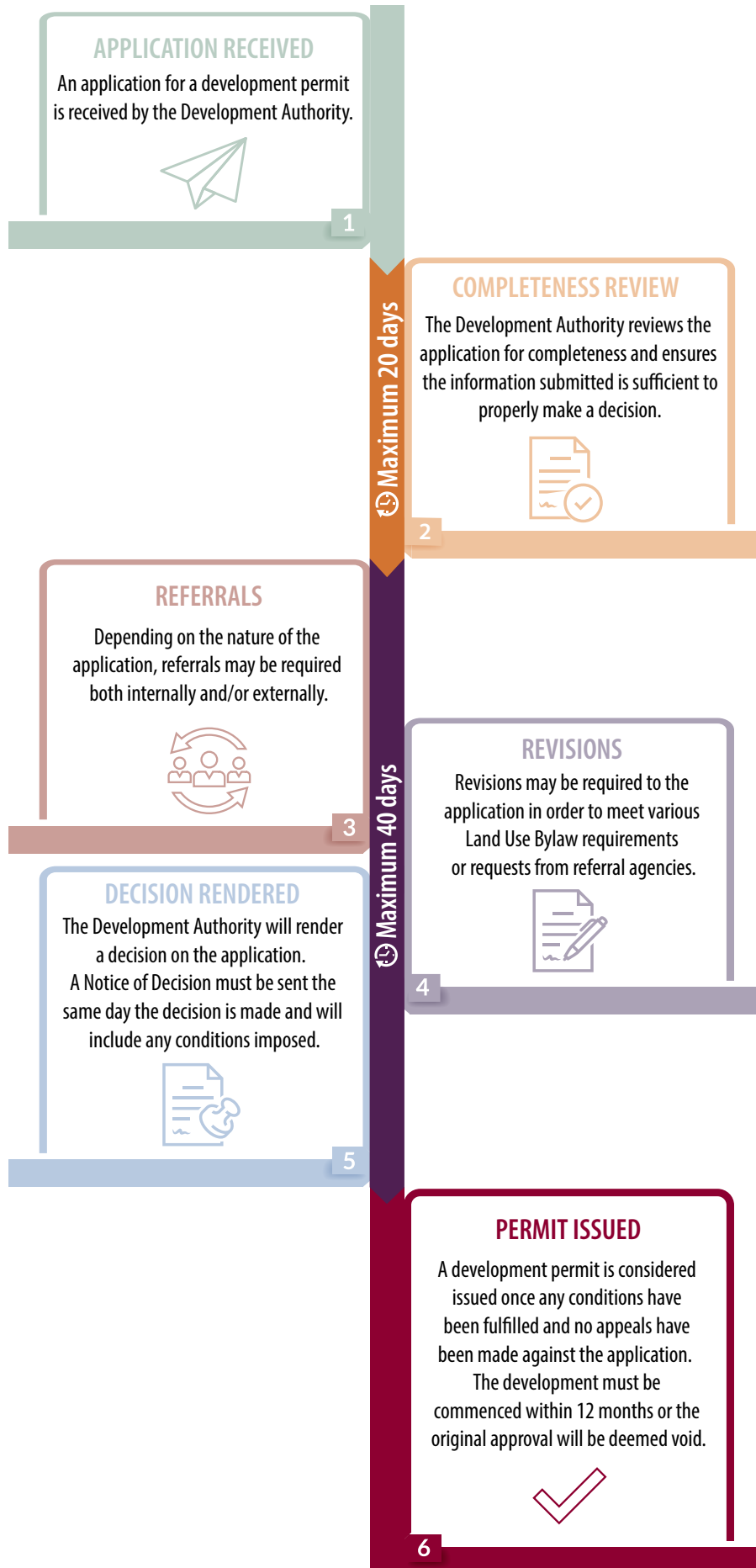


Figure 3.0: Development Permit Process and Timelines

# **PART 4:**

# **SUBDIVISION**

# **APPLICATIONS AND**

# **PROCEDURES**





## PART 4: SUBDIVISION APPLICATIONS AND PROCEDURES

### 4.1 SUBDIVISION APPLICATION REQUIREMENTS

4.1.1 An application proposing to subdivide land shall be in accordance with the relevant sections of the MGA and the Matters related to Subdivision and Development Regulation, as amended.

### 4.2 APPLICATION COMPLETENESS

4.2.1 An application to subdivide land shall not be considered complete and received by the Town until the Development Officer is satisfied that the documentation and information received is sufficient. The sufficiency and quality of information and documentation for those requirements shall be at the discretion of the Development Officer, who:

- a) May return the application form and all submissions to the applicant, together with the appropriate refund in compliance with the Fees and Rate bylaw; and
- b) Shall deem the application not to have been submitted until all required information and details have been submitted.

4.2.2 The Development Officer must, within twenty (20) days after receipt of an application for subdivision approval, make a determination whether the application is complete. An application is complete if:

- a) In the opinion of the Development Officer, the application contains the documents and information necessary to review the application; or
- b) The Development Officer does not make a determination within twenty (20) days.

4.2.3 Notwithstanding Section 4.2.2, the time period to determine if the application is complete may be extended by written agreement between the applicant and the Development Officer.

4.2.4 The Development Officer must issue to the applicant, in writing, by either regular mail or electronic mail:

- a) If deemed complete, acknowledgement that the application is complete within five (5) days of the determination. The acknowledgement must specify the date on which the application is deemed complete, and state the legal land description, and the applicant's name; or
- b) If deemed incomplete, a notice that the application is incomplete within the time period specified in Section 4.2.2. The notice must provide reasons on why the application has been determined incomplete, specify any outstanding documentation and information necessary, and set a



date by which any outstanding items must be submitted.

- 4.2.5 Notwithstanding Section 4.2.4 b), the Development Officer and the applicant may agree on a later date for the application to be deemed complete.
- 4.2.6 If the applicant fails to submit all outstanding information and documentation on before the date referred to in Section 4.2.4 b), the application is deemed to be refused. The Subdivision Authority must issue the applicant a notice in accordance with Section 4.4.2.

### **4.3 INTERMUNICIPAL REFERRALS**

- 4.3.1 Subdivision applications meeting the requirements for referral under the Intermunicipal Development Plan shall be referred, once deemed complete, to the attention of the Westlock County CAO or their designee.
- 4.3.2 In making a decision on an application, the Subdivision Authority shall give due consideration to any recommendations or comments received from the municipality to which it was circulated.

### **4.4 NOTICE OF DECISION**

- 4.4.1 The decision of the Subdivision Authority on an application to subdivide land shall be given to the applicant in the form prescribed by the Town. The notice of decision shall state the date on which the decision was made and be sent to the applicant via either regular or electronic mail on the same day the decision was made.
- 4.4.2 If the Subdivision Authority refuses an application to subdivide land, the Notice of Decision shall contain the reasons for refusal.

### **4.5 APPEALING A DECISION**

- 4.5.1 The subdivision appeal process shall be in accordance with the MGA as amended.

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# **PART 5:**

# **DEFINITIONS**





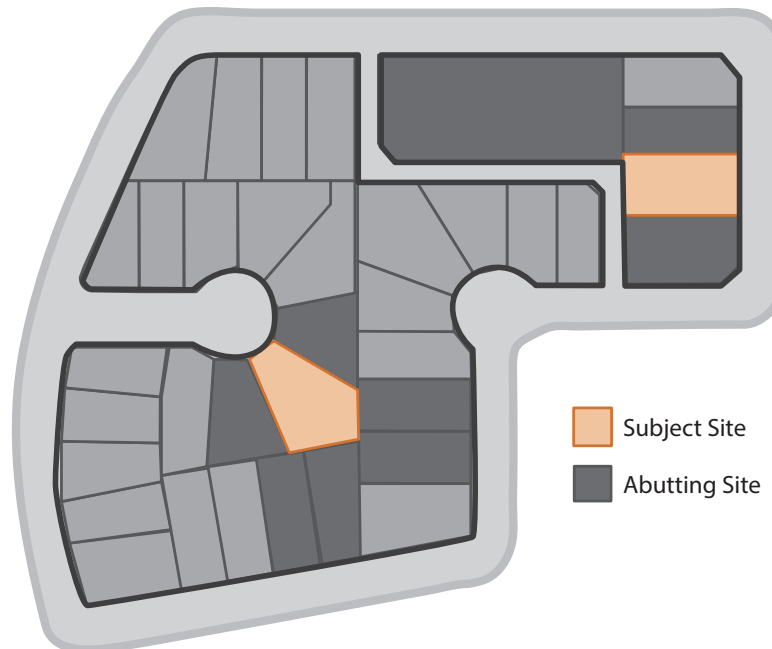
## PART 5: DEFINITIONS

### 5.1 DEFINITIONS

Definitions pertaining to specific Uses are **HIGHLIGHTED** in blue below.

#### A

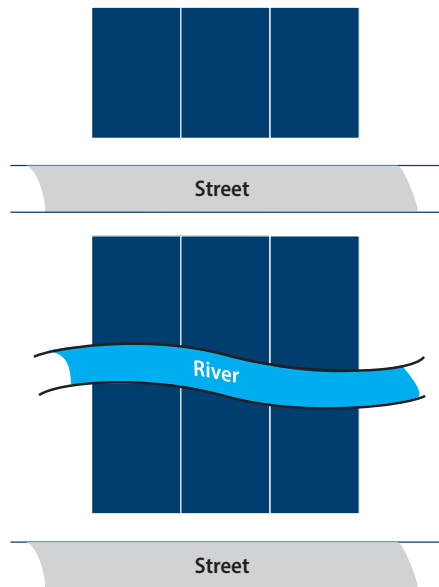
**ABUTTING** means immediately contiguous or physically touching, and, when used with respect to a lot or site, means that the lot or site physically touches upon another lot or site and shares a property line or boundary line with it.



**ACCESSORY DEVELOPMENT** means a building, structure, or use that is subordinate to, incidental to and located on the same parcel of land as the principal building or use. Where a structure is attached to a principal building on a site it shall be considered part of the principal building. This may include, but is not limited to, sheds, detached garages, gazebos, play structures, and pergolas.



**ADJACENT** means contiguous to, or would be contiguous if not for a river, stream, railway, road, utility right-of-way, or public utility lot.



**AGRICULTURAL EQUIPMENT SALES AND SERVICE** means the selling and service of agricultural equipment and machinery such as farm implements and supplies, and may include offices, showrooms, and sale rooms related to such equipment.

**AGRICULTURE, EXTENSIVE** means the use of land or buildings for the raising or production of crops, livestock, or poultry. This does not include confined feeding operations, intensive hog operation, beekeeping, intensive poultry or fowl operations, sod farms, plant nurseries, livestock yards, or residences.

**AGRIPLEX** means a variety of agricultural related businesses such as seed processing and distribution plants, grain storage and distribution, agricultural equipment manufacturing and distribution, fertilizer storage and distribution, agricultural support services and any other similar uses involving agricultural raw materials or products. This use class does not include any facility involving livestock raising or breeding.

**AMENITY AREA** means an area which is developed for the active or passive recreation and enjoyment of the occupants or a dwelling or dwellings. Such area may be for either private or communal use and may be under either individual or common ownership.

**APPLICANT** means the landowner, developer, or authorized agent thereof applying for a redesignation, subdivision, development permit, Land Use Bylaw amendment, or other similar application.



**AREA STRUCTURE PLAN** means a statutory plan adopted by Council, prepared pursuant to the MGA, which addresses the future development of large areas of land at a conceptual level of detail.

**ASSISTED LIVING FACILITY** means a facility where meals, lodging, and continuing nursing care are provided for compensation, including assisted living facilities, nursing homes, retirement homes, and medical receiving homes.

**ASSISTED LIVING FACILITY, LIMITED** means a building or portion of a building where meals, lodging, and care or rehabilitation of children, adolescents or adults are provided for compensation.

**ATTACHED GARAGE** means a building attached to the principal building which is designed or used primarily for the storage of motor vehicles.

**AUCTIONEERING ESTABLISHMENT** means a development specifically intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment. Auctioneering establishments do not include flea markets or livestock auctioneering.

**AUCTIONEERING ESTABLISHMENT, LIVESTOCK** means a development specifically intended for the auctioning of livestock.

**AUTO WRECKING YARD** means an area where motor vehicles are disassembled, dismantled, or junked, and where inoperable motor vehicles or used parts of motor vehicles are stored or sold to the general public.

**AUTOMOTIVE REPAIR, SERVICE, RENTAL, AND SALES** means land, buildings and structures used for the repair, servicing, rental, and sales of vehicles, motorcycles, and recreational vehicles or watercraft, and may include the accessory sale, installation, or servicing of related parts and accessories.

## **B**

**BALCONY** means an outside projecting platform with an entrance from an upper floor of a building.

**BASEMENT** means the portion of a building which is wholly or partially below grade, the ceiling of which is no more than 1.5m (4.9 ft) above finished grade.

**BED AND BREAKFAST** means a development within a dwelling where temporary sleeping accommodations of no more than four (4) bedrooms, with or without meals, are provided for remuneration to members of the traveling public.



**BOULEVARD** means that portion of the road right-of-way located between the property line and the edge or curb of a road, excluding any sidewalk. A boulevard can also mean a median strip located between two edges or curbs of a road.

**BREWERIES, WINERIES, AND DISTILLERIES** means the manufacturing of beer, wine, spirits or other alcoholic beverages. This Use may include the sale of alcoholic beverages to the public for consumption within the premises. Retail sales of alcoholic beverages for consumption off-site shall be limited to alcoholic beverages manufactured on-site. Accessory activities may include the preparation and sale of food, and the storage, packaging, bottling, canning, and shipping of products.

**BUILDING** means anything constructed or placed on, in, over, or under land but does not include a highway, road, or a bridge that forms part of a highway or road, as defined in the MGA, as amended.

**BUSINESS** means:

- a) A commercial, merchandising, or industrial activity or undertaking;
- b) A profession, trade occupation, calling, or employment; or
- c) An activity providing goods or services;

whether or not for profit, and however organized or formed, including a co-operative or association of persons.

**BUSINESS FRONTAGE** means:

- a) Any side of a commercial or industrial lot or building which abuts a road; or
- b) In the case of individual businesses or tenants within a building, that portion of the frontage, as defined above, occupied by such individual businesses or tenants.

**BUSINESS SUPPORT SERVICE** means a development providing support services to businesses. Typical uses include but are not limited to: printing establishments, film processing establishments, computer service establishments, janitorial firms, office equipment sales and repair establishment, and security system sales and service establishments.

## **C**

**CAMPGROUND** means a development where tents, vacation trailers, or motor-homes used by travelers and tourists for overnight accommodation are located. Related facilities that are necessary to and support the campground such as an administrative office, laundromat, picnic grounds, and playgrounds may be located on-site.



**CANNABIS** means a cannabis plant, fresh cannabis, dried cannabis, cannabis oil, and cannabis plant seeds, including any products or edible products containing cannabis, and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time.

**CANNABIS ACCESSORY** means cannabis accessory as defined in the *Cannabis Act* (Canada) and its regulations, as amended from time to time.

**CANNABIS PRODUCTION FACILITY** means a Federally licensed and authorized development for growing, producing, testing, destroying, storing, or distributing medical and non-medical cannabis or cannabis products. This use does not include Retail, Cannabis or any other cannabis related uses.

**CANOPY** means a projection extending from the outside wall of a building normally for the purpose of shielding part of the building from the weather.

**CEMETERY** means a development for the entombment of the deceased, and may include the following accessory developments: crematories, cineraria, columbaria, and mausoleums. Cemeteries may include memorial parks, burial grounds, and gardens of remembrance.

**CHILD CARE FACILITY** means a development licensed by the Province to provide personal care, maintenance, education, or supervision of children. Child care facilities include: daycare centres, nurseries, kindergartens, play schools, after-school programs, or baby-sitting programs.

**COMMERCIAL SCHOOL** means a development where training and instruction in a specific trade, skill, or service is provided for the financial gain of the individual or company owning the school. Commercial schools do not include schools as defined by the *Schools Act*, as amended, but includes secretarial, business, hairdressing, beauty, culture, dancing, or music schools.

**COMMERCIAL VEHICLE** means any motorized vehicle that is designed or used for any activity with the main purpose of financial gain, and shall include, but is not limited to:

- a) Any vehicle licensed or used for commercial purposes and having a gross vehicle weight (GVW) rating in excess of 4,000kg or exceeding 7m (23ft) in length or any trailer licensed or used for commercial purposes;
- b) Any piece of construction equipment or agricultural equipment;
- c) Any vehicle not licensed as a commercial vehicle, but is used for the collection or delivery, or both, of merchandise or commodities in the ordinary course of a business undertaking; or
- d) Any vehicle that incorporates a boom (cherry picker) or similar mechanical fitting.



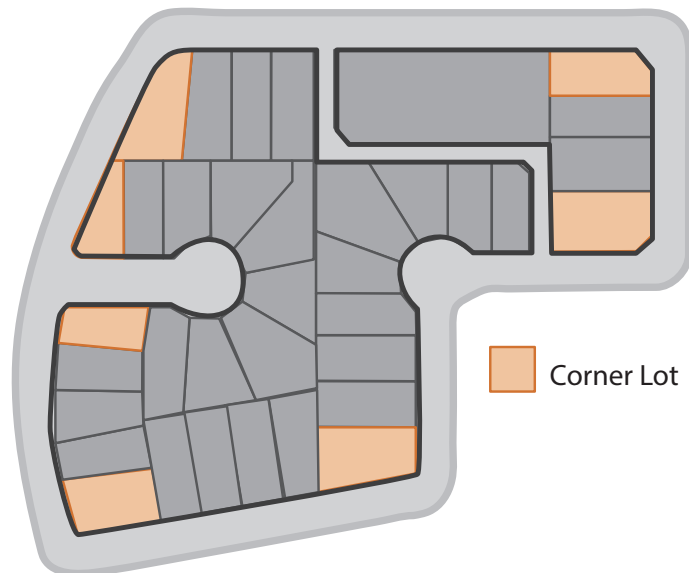
**COMMUNITY GARDEN** means a plot of land used by a group of community members to grow vegetables and fruit for personal use and consumption.

**CONDOMINIUM** means a building or lot containing bare land units or other units and shared areas, as defined in the *Condominium Property Act*, as amended.

**COPY** means the letters, graphics, or characters that make up the message on a sign face.

**COPY AREA** means the total area of the sign, within one or more rectangles, in which the entire limits of the copy is enclosed. The total copy area of any sign shall be calculated as the sum of all individual faces of the sign.

**CORNER LOT** means a lot located at the intersection of two public roadways, other than a lane.



**COUNCIL** means the Council of the Town of Westlock.

**CULTURAL AND COMMUNITY FACILITY** means a building or portion of a building used for social, education, or cultural activities. Such uses include libraries, museums, tourist information kiosks, and banquet halls.

**CURB CUT** means the lowering of a curb, sidewalk, or boulevard to provide vehicular or pedestrian or both access to the site.



## D

**DAY HOME** means an accessory use providing temporary care, education services, and supervision to children operated from a private residence that complies with the Alberta Family Day Home Standards.

**DECK** means an uncovered platform attached to a building having a height of 0.6m (2.0ft) or greater above grade.

**DENSITY** means a measure of the average number of dwelling units per unit of area.

**DETACHED GARAGE** means a building not attached in any way, accessory to a principal building, which is designed or primarily used for the storage of motor vehicles.

**DEVELOPER** means an owner, agency, occupant, or any person, firm, or company required to obtain or having obtained a development permit.

**DEVELOPMENT** means:

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

as defined in the MGA.

**DEVELOPMENT AUTHORITY** means the Development Authority established pursuant to the MGA through the Municipality's Subdivision and Development Authority Bylaw.

**DEVELOPMENT OFFICER** means the Development Officer established and appointed pursuant to the MGA through the Municipality's Subdivision and Development Authority Bylaw.

**DEVELOPMENT PERMIT** means a document issued pursuant to this Bylaw authorizing a development as defined in the MGA.

**DISCONTINUED** means the time at which, in the opinion of the Development Authority, substantial construction activity or use, whether conforming or non-conforming to this Bylaw, has ceased.

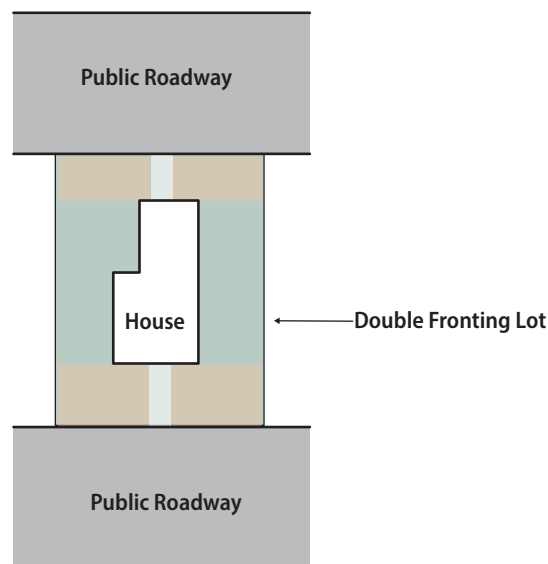




**DISCRETIONARY USE** means the use of land or a building provided for in this Bylaw for which a development permit may only be issued, with or without conditions, at the discretion of the Development Authority.

**DOMESTIC PET** means an animal which is normally kept inside a dwelling. Domestic pets include dogs, cats, birds, and similar-sized animals.

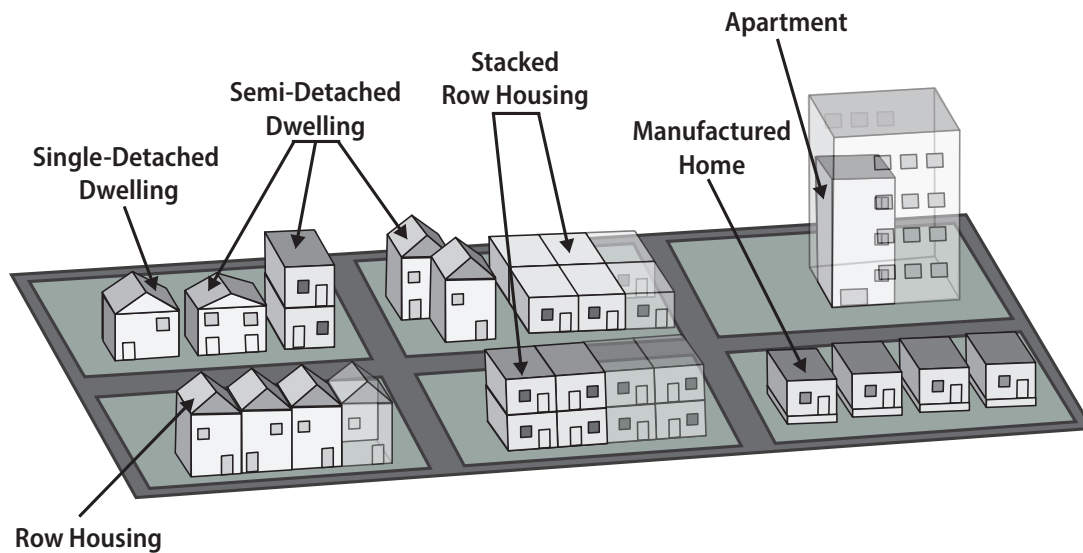
**DOUBLE FRONTING LOT** means a lot which abuts two public roads, not including a lane, which are parallel to or nearly parallel where abutting the site.



**DRIVE-IN BUSINESS** means a development which provides for rapid customer service to patrons in a motor vehicle and may include outdoor speakers. This includes, but is not limited to drive-through financial institutions, drive-in/through food services, and similar developments providing drive-in service in which patrons generally remain within their vehicles.

**DRIVEWAY** means a private area that provides for vehicle access from an individual lot or site to a public roadway.

**DWELLING OR DWELLING UNIT** means a complete building or self-contained portion of a building, containing sleeping, cooking, and sanitary facilities intended as a permanent residence and having an independent entrance either directly from the outside of the building or through a common area inside the building.



**DWELLING, APARTMENT** means a building containing three (3) or more dwelling units with shared exterior entrance facilities.

**DWELLING, MANUFACTURED HOME** means a prefabricated detached dwelling unit that meets, at a minimum, the Canadian Standards Association (CSA) Z240 standards and the requirements of the Alberta Building Code. A manufactured home is normally constructed off-site and then transported on its own heavy transport chassis, hitch, and wheels or by other means to its site. A manufactured home is not supported on a permanent foundation or base extending below ground. This applies to both single section and multi-section models, but does not apply to modular construction, recreational vehicles, or industrial camp trailers.

**DWELLING, ROW HOUSING** means a building that includes three (3) or more dwelling units which are located one beside the other, with at least one common wall between each unit, and each unit having a separate exterior entrance.

**DWELLING, SEMI-DETACHED** means a building containing two (2) dwelling units which are located either one above the other or one beside the other, in whole or in part, each having a separate entrance.

**DWELLING, SINGLE-DETACHED** means a building consisting of one (1) dwelling unit. This use does not include manufactured homes.

**DWELLING, STACKED ROW HOUSING** means a building that includes three (3) or more dwelling units arranged two deep, either vertically so that dwelling units are placed over others or horizontally so that dwelling units are attached at the rear as well as at the side. Each dwelling unit shall have separate and individual access, not necessarily directly to grade, provided that no more than two dwelling units may share access to grade.



## **E**

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

**EATING AND DRINKING ESTABLISHMENT** means a development where food or beverages are both prepared and offered for sale to the public for consumption by dining in or taking away. This use includes, but is not limited to, neighbourhood pubs, restaurants, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands, outdoor cafes and patios, and take-out restaurants. This use does not include casinos.

**ELEVATION** means a drawing made in projection on a vertical plane to show a building face.

**EMPLOYEES** means the total number of persons reasonably anticipated to be employed in a building or on a parcel of land during normal periods of use.

**ENTERTAINMENT ESTABLISHMENT, INDOOR** means an indoor development providing recreational facilities in which the public participates in and/or views an activity for entertainment or social purposes. This use includes the sale of food and beverages to the patrons and may be licensed by the Province for the on-site consumption of alcohol. Indoor entertainment establishments include, but are not limited to movie theatres, billiard parlors, electronic arcades, bowling alleys, theatrical, musical or dance theatres, museums, and bingo halls. This use does not include gambling establishments.

**ENTERTAINMENT ESTABLISHMENT, OUTDOOR** means an outdoor development providing recreational facilities in which the public participates in and/or views an activity for entertainment or social purposes. This use includes the sale of food and beverages to the patrons and may be licensed by the Province for the on-site consumption of alcohol. Outdoor entertainment establishments include amusement parks, go-cart tracks, motorcross tracks, drive-in theatres, carnivals, animal or vegetation exhibits, and circuses.

**EQUIPMENT RENTAL, SALES AND SERVICE** means a development where tools, appliances, recreation craft, office machines, furniture, light construction equipment or similar items are rented, sold or serviced. This use does not include developments where motor vehicles, agricultural, or industrial equipment are rented or serviced.

**ERECT** means to build, construct, reconstruct, place, locate, or relocate.

**EXCAVATION** means any breaking of ground, except common household gardening, ground care, agricultural cultivation, and landscaping for a use for which a development permit has been issued.



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

## F

**FABRIC SHELTER** means an accessory building where the outer shell is made of fabric spanned across rigid trusses.

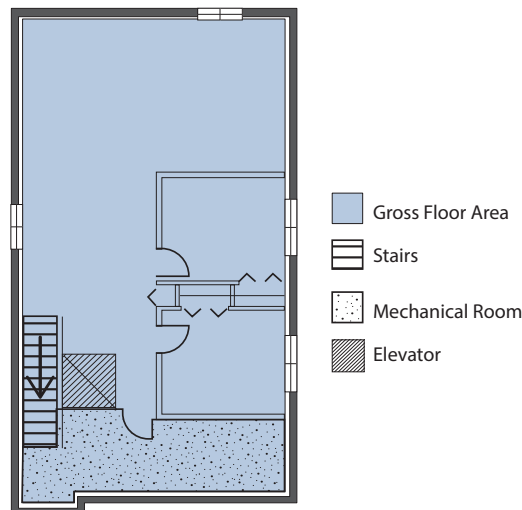
**FAÇADE** means the exterior outward face of a building. Typically, the façade of interest is the surface that serves as the front of that building and faces the primary public roads. Buildings on the corner of two public roads present two public façades.

**FENCE** means a vertical physical barrier constructed to try to reduce sound or visual intrusion or to limit unauthorized access, but does not include any enclosed building or a building with a roof.

**FINANCIAL SERVICE** means development primarily used for the provision of financial services. Typical uses include banks, credit unions, loan offices, and similar financial uses.

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

**FLOOR AREA** means the sum of the areas of all above grade floors of a building measured to the glassline, or where there is no glassline, to the outside surface of the exterior walls, or where buildings are separated by firewalls, to the centre line of the common firewalls, and includes all mechanical equipment areas and all open areas inside a building, including atriums, elevator shafts, stairwells, basements, attached garages, sheds, open porches, breezeways and similar areas.





**FLOOR AREA RATIO (FAR)** means the numerical value of the gross floor area on all levels of all buildings on a lot, divided by area of the lot.

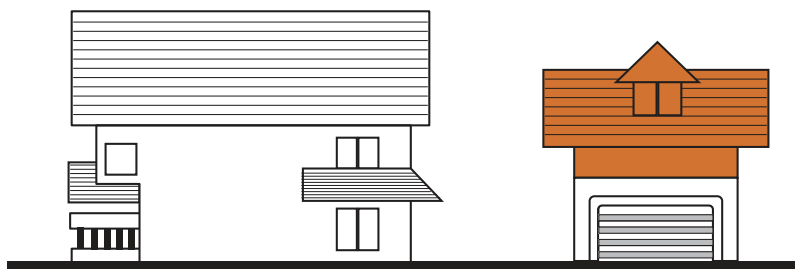
**FOUNDATION** means the lower portion of a building, usually concrete or masonry, and includes the footings, which transfer the weight of loads on a building to the ground.

**FRONTAGE** means the length of the front line. On double fronting lots, all front lines shall be considered frontage.

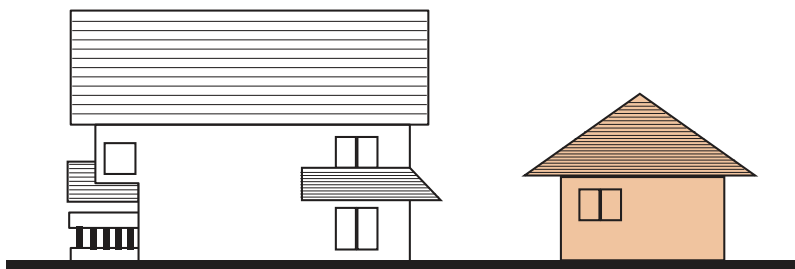
**FUNERAL HOME** means a development where the deceased are prepared for burial or cremation and where funeral services are held. This use includes undertaking establishments and monument sales.

## G

**GARAGE SUITE** means an accessory dwelling located above a detached garage or attached to the side or rear of a detached garage. This use does not include Secondary Suites or Garden Suites.



**GARDEN SUITE** means an accessory dwelling which is separate from the principal dwelling but located on the same lot. This land use does not include Secondary Suites or Garage Suites.



**GAZEBO** means a freestanding pavilion structure with a roof supported by pillars of open walls to provide a shaded resting area.

**GRADE** means the average elevation at the finished level of ground at the corners of a site or at the foundation or as otherwise established by the Town.



**GROSS FLOOR AREA (GFA)** means the total floor area of all floors of a building above grade not including the floor area of basements, attached garages, sheds, open porches, or breezeways, except that all dwelling units in an apartment shall be included in the calculation of floor area.

**GROSS LEASABLE AREA** means the floor area of a building plus the horizontal area contained within the exterior of the basement walls, excluding the floor areas of mechanical and utility rooms, public washrooms, stairwells, and elevators.

## H

**HARD SURFACING** means asphalt, concrete, paving stone, or other similar material that is used in the construction of a driveway or parking area to the satisfaction of the Development Authority.

**HEALTH SERVICE** means a development where physical or mental health services are provided on an out-patient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. This use includes medical, chiropractic, physiotherapy, dental offices, health clinics, and counselling services.

**HEIGHT** means the vertical distance between grade (at the base of the structure) and the highest point of a structure excluding any device or addition not structurally essential to the structure, including an elevator housing, mechanical housing, roof stairway entrance, ventilating fan, skylight, steeple, chimney, smoke stack, firewall, parapet wall, flagpole, or similar devices.



**HIGHWAY** means a provincial highway under the *Highways Development and Protection Act*, as amended.

**HOME BUSINESS** means the accessory use of a principal dwelling, or a combination of a principal dwelling and an accessory building, in a residential district to operate an occupation, trade, profession, craft, or enterprise or related uses. This use does not include any Cannabis related uses.

**HOME OFFICE** means an accessory use located within a dwelling unit for the purposes of office uses. This use does not include any Cannabis related uses.



**HOSPITAL** means a development which provides room, board, and surgical or other medical treatment for the sick, injured, or infirm. Hospitals may include out-patient services and accessory staff residences. This use includes extended medical treatment facilities including hospitals, sanitariums, nursing homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

**HOTEL** means a development providing lodging for temporary or short-term accommodation in the form of rooms or suites. Access to the rentable units is from a common entranceway or individual entrance ways. A hotel may include eating and drinking establishments, meeting rooms, personal service shops, indoor entertainment establishments, and general retail stores.

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**INDOOR PLAYGROUND** means an indoor development providing an indoor play space, typically for children. An indoor playground is typically commercially operated and may include the sale of food and beverages to patrons only.

**INDUSTRIAL, GENERAL** means a use which may involve one or more of the following activities:

- a) The processing of raw or finished materials;
- b) The manufacturing or assembly of goods, products, or equipment;
- c) The cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing, and repair operations to goods and equipment associated with personal or household uses, where such operations have impacts that would make them incompatible with non-industrial Land Use Districts;
- d) The storage or transshipping of materials, goods, and equipment, including warehouses;
- e) The training of personnel in general industrial operations; and
- f) Indoor display, office, technical, or administrative support areas or any sales operation accessory to the General Industrial use.

This use does not include Cannabis Production Facility; Retail, Cannabis; or any other cannabis related uses.

**INDUSTRIAL, HAZARDOUS** means an industrial use that involves the manufacturing, storage, processing, transshipment, collection, treatment, or disposal of hazardous materials or chemicals. This use excludes agricultural fertilizer, pesticide warehousing or sales facilities, depots for the collection of farm chemical containers, and ethanol and biodiesel plants and associated production facilities.



**KENNEL** means a development in which domestic pets are maintained, boarded, trained, cared for, bred, or raised for renumeration or for sale, generally for periods of greater than twenty-four (24) hours. This use may also include grooming, impounding/quarantining facilities, animal shelters, and retail sale of associated products.

**KITCHEN FACILITIES** means a facility for the storage and preparation of food. Kitchen facilities include, but are not limited to, cabinets, refrigerators, sinks, stoves, ovens, microwave ovens, or any other cooking appliances, and kitchen tables and chairs.

L

**LANDSCAPE BUFFER** means an area landscaped with sod and any other soft landscaping elements.

**LANDSCAPING** means the preservation or modification of the natural features of a site through the placement or addition of any or a combination of the following:

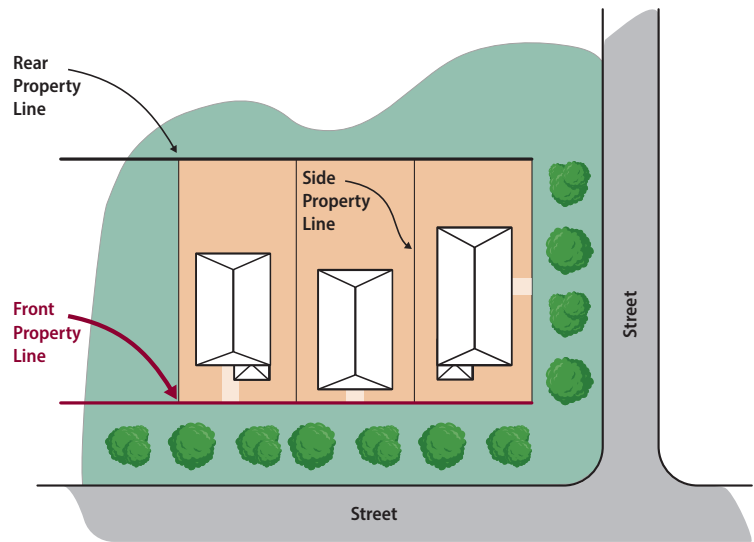
- a) Soft landscaping elements consisting of vegetation such as, but not limited to, trees, shrubs, plants, gardens, lawns, xeriscaping, and ornamental plantings;
- b) Hard landscaping elements such as bricks, pavers, shale, crushed rock, or other suitable materials, excluding monolithic concrete and asphalt, in the form of patios, walkways, and paths; and
- c) Architectural elements such as fences, walls, and sculptures.

**LANE** means a right-of-way on which motorized vehicles are normally allowed to operate or an alley as defined in the *Traffic Safety Act*, as amended.

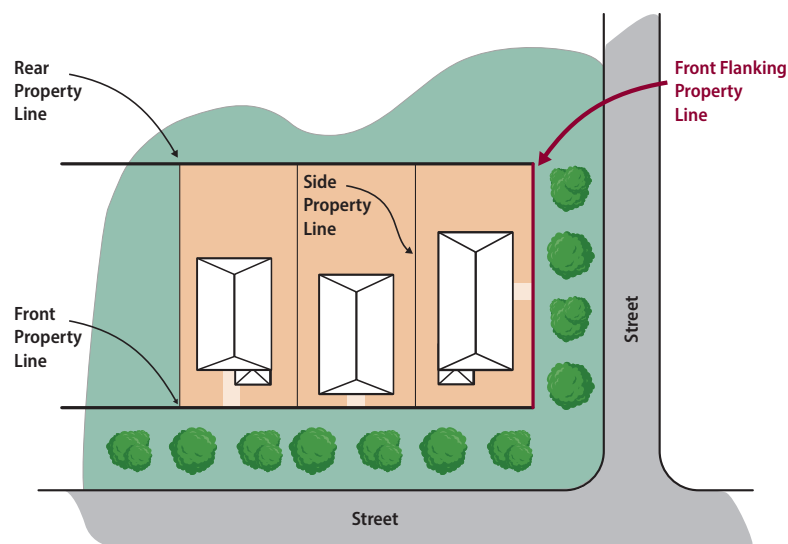




**LINE, FRONT** means the property line of a lot lying adjacent to a road. In the case of a corner lot, the shorter of the two property lines adjacent to the road shall be considered the front line. In the case of a double fronting lot, both property lines adjacent to the roads shall be considered front lines.

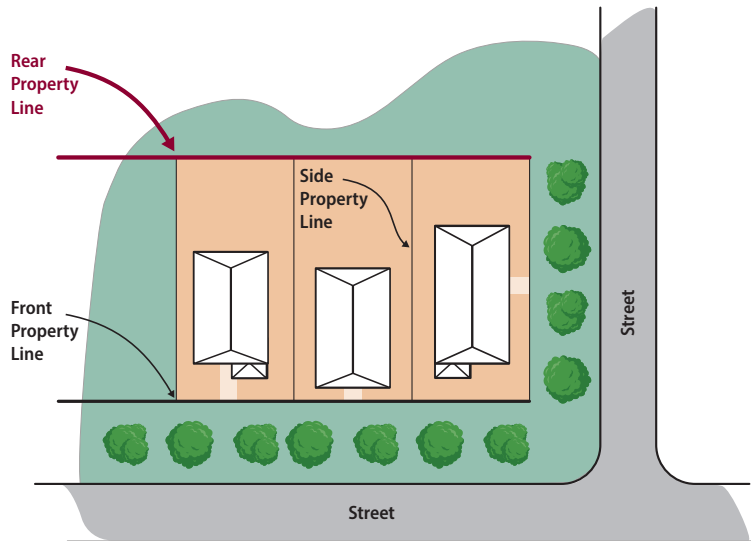


**LINE, FRONT FLANKING** means, on a corner site, the property line separating a lot from an abutting road other than a lane that is not the front line. This is the longer of the property lines abutting a road, other than a lane. In the case of a corner site formed by a curved corner, the front flanking line shall be the longer of the two segments of the lot line lying between the point determined to be the actual corner and the two points at the extremities of that property line.

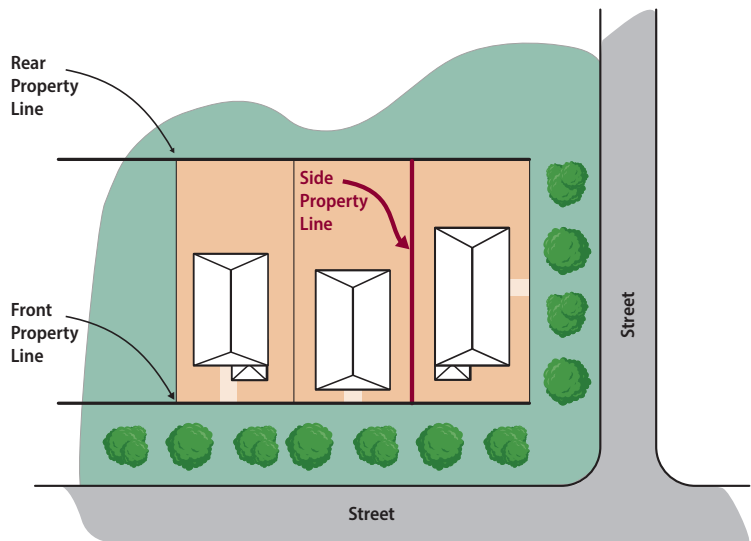




**LINE, REAR** means the property line of a lot lying opposite to the front line of the lot or farthest from a road.



**LINE, SIDE** means the property line of a lot lying between a front line and a rear line of a lot.



**LIVESTOCK** means livestock as defined in the *Agricultural Operation Practices Act*, as amended.

**LOADING SPACE** means an open area used to provide free access for vehicles to a loading door, platform, or bay.



**LOT** means:

- a) A quarter section;
- b) A part of a parcel of land described in a certificate of title if the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision; or
- c) A part of a parcel of land described in a certificate of title if the boundaries of the part are described by reference to a plan of subdivision.

as defined in the MGA.

**LOT AREA** means the total area of a lot.

**LOT DEPTH** means the average horizontal distance between the front and rear lines of a lot measured either perpendicular to the front line, or perpendicular to the tangent on a curve from the midpoint of a curved front line.

**LOT WIDTH** means the average horizontal distance between the side lines measured parallel to the front line or at right angles to the tangent on a curve from the midpoint of a curved front line.

## M

**MAINTENANCE** means the upkeep of the physical form of any building, which does not require a permit pursuant to the *Safety Codes Act*, as amended. Maintenance includes painting, replacing flooring, replacing roofing materials, and repair of any facility related to a development, but will not include any activity that will change the habitable floor area of any dwelling unit or the internal volume of a building.

**MANUFACTURED HOME PARK** means any site on which two (2) or more occupied manufactured homes are harboured or are permitted to be harboured without regard to whether a fee or charge is paid or made and shall include any building, structure, tent, vehicle, or enclosure used or intended for use as a part of the equipment of such park.

**MANUFACTURING ESTABLISHMENT** means a use which includes one or more of the following activities:

- a) Manufacturing or assembly of goods, products, or equipment or the processing of raw or finished materials;
- b) The servicing, repairing, testing of materials, goods, and equipment normally associated with the manufacturing, processing, or assembly operation; and
- c) Any indoor display, office, major workshops, technical administrative support areas, or any sales operation accessory to the Manufacturing establishment.



**MIXED USE DEVELOPMENT** means a development that is designed to accommodate a mix of commercial, residential, and/or a limited range of light industrial uses within a single site. The mix of uses may be vertical or horizontal.

**MODULAR CONSTRUCTION** means a form of construction in which a building consisting of one or more sections constructed off-site, often in a factory, which meets Canadian Standards Association (CSA) A277 standards and the requirements of the Alberta Building Code. The building is transported to a site where the section(s) are permanently assembled and anchored to a permanent foundation. A modular section has no chassis, running gear, or wheels. The units or sections may be stacked horizontally or vertically and completed to form one or more complete units for year-round occupancy. Modular construction does not include a manufactured home but any other structures can be built using modular construction.

**MOTOR VEHICLE** means:

- a) a vehicle propelled by any power other than muscle power; or
- b) a moped, but does not include a bicycle, a power bicycle, an aircraft, an implement of husbandry, or a motor vehicle that runs only on rails;

as defined by the *Traffic Safety Act*, as amended.

**MUNICIPALITY** means the Town of Westlock.

**MUNICIPAL PLANNING COMMISSION** means the Municipal Planning Commission of the Town of Westlock established pursuant to the MGA through the Municipality's Subdivision and Development Authority Bylaw.

**MUNICIPAL TAG** means a tag or similar document issued by the Town of Westlock pursuant to the MGA for the purposes of notifying a person that an offence has been committed for which a prosecution may follow.

## **N**

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

- a) That is lawfully constructed or lawfully under construction at the date a Land Use Bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective; and
- b) That, on the date the Land Use Bylaw becomes effective, does not, or in the case of a building under construction, will not, comply with the Land Use Bylaw.

as defined in the MGA.



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

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

as defined in the MGA.

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

## O

**OCCUPANCY** means the act of occupying a building following the substantial completion of construction. In this Bylaw, occupancy commences on the date a Permit Services Report has been issued for said building.

**OFFENSIVE** means, when used with reference to a development, a Use which by its nature or from the manner of carrying on the same, creates or is liable to create by reason of:

- a) Noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire;
- b) Explosive hazard, heat, humidity, glare; or
- c) The unsightly storage or goods, materials, salvage, junk, waste or other materials, a condition;

which, in the opinion of the Development Authority may be or may become hazardous or injurious to health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the normal enjoyment of any land or building.

**OUTDOOR STORAGE** means a development used for the outdoor storage of goods, materials, or equipment on a more or less permanent or continuous basis.

**OWNER** means the person shown as the registered landowner on a Certificate of Title for a parcel.

## P

**PARCEL** means the aggregate of one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a Land Titles Office, as defined in the MGA.



**PARKING AREA** means the area set aside for the storage and parking of vehicles. Components of parking areas include parking spaces, loading spaces, aisles, entrances, and exits to the parking area, and traffic islands where they are part of the parking area. A parking area may be within a building and, if so, is commonly referred to as a parkade.

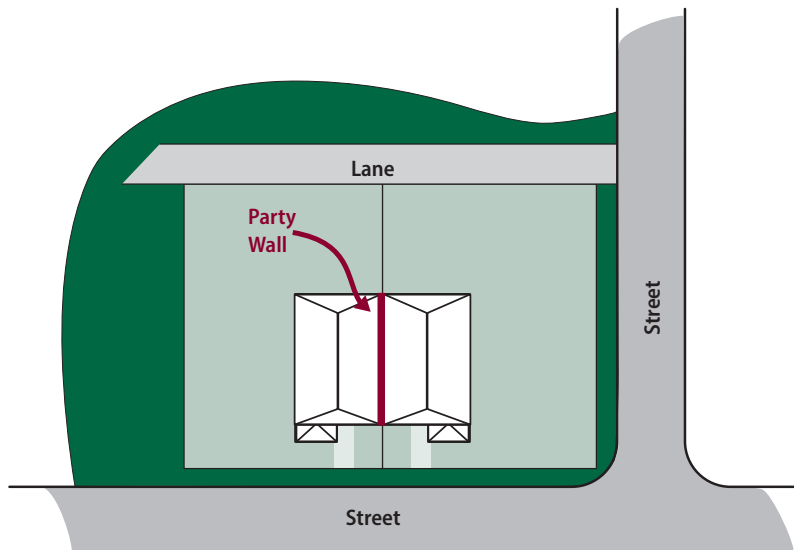
**PARKING SPACE** means an area set aside for the parking of one (1) vehicle.

**PARKING FACILITY** means the area set aside for the storage and parking of vehicles and includes parking spaces, parkades, loading spaces, aisles, entrances, and exits to the area, and traffic islands where they are part of the parking facility. The land use may be the principal use on site or an accessory use. This use includes underground parking facilities and park and ride facilities.

**PARK MODEL TRAILER** means a recreational unit designed for seasonal use. Park Model Trailers are built on a single chassis mounted on wheels, are designed to facilitate occasional relocation and must be connected to utilities to operate installed fixtures and appliances.

**PARTY WALL** means either:

- a) A wall erected at, or upon, a line separating two parcels of land each of which is, or is capable of being, a separate legal parcel subdivided under the MGA; or
- b) A wall separating two dwellings or rear detached garages, each of which is, or is capable of being, a separate legal parcel divided under the *Condominium Property Act*, as amended.



**PATIO** means any developed surface on a site which is less than 0.6m (2.0ft) above ground level.

**PERMITTED USE** means the use of land or a building provided for in this Bylaw for which a development permit shall be issued, with or without conditions, if the proposed development complies in all respects with this Bylaw.



**PERSONAL SERVICE** means a development where personal services related to the care and appearance of the body or the cleaning and repair of personal effects are provided to persons. This use includes, but is not limited to, barbershops, hair salons, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaners, and laundromats. This use does not include health services.

**PET CARE SERVICE** means a development where small animals normally considered as domestic pets are washed, groomed, trained, and/or boarded, but not overnight. This use may also include the retail sales of associated products.

**PLACE OF WORSHIP** means a development where worship and related religious, philanthropic, and social activities occur. Accessory uses include rectories, manses, classrooms, dwelling units, and dormitories. This use includes churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries.

**PORCH** means an entrance structure typically attached to the front or sides of a residential dwelling at the ground floor entrance level, consisting of a roof and floor, where the front and sides of the structure are enclosed by solid walls and/or windows.

**PORTABLE FABRIC COVERED STRUCTURE** means a non-permanent, prefabricated structure designed to be collapsible in nature, usually constructed with a metal, wood, or plastic frame and covered with a flame-resistant fabric or similar type of cover used for storage.

**PRINCIPAL BUILDING** means a building which:

- a) Occupies the major or central portion of the site;
- b) Is the chief or main building among one or more buildings on a site; or
- c) Constitutes by reason of its use the primary purpose for which the site is used.

**PRINCIPAL USE** means the primary purpose or purposes for which a building or site is used.

**PRIVACY WALL** means a structure that:

- a) Provides visual screening;
- b) Is located on a balcony, deck, or patio; and
- c) Does not include a railing or balustrade.

**PRIVATE CLUB** means a development used for the meeting and social or recreational activities of members of a non-profit philanthropic, social service, athletic, business, or fraternal organization, without on-site dwellings nor hotel rentable units. Private clubs may include eating and drinking establishments and rooms for assembly.



**PROFESSIONAL, OFFICE, GOVERNMENT, AND BUSINESS SERVICE** means development primarily used for the provision of professional, management, administrative, and consulting services. Typical uses include: the offices of Government, corporations, lawyers, accountants, engineers, and architects; offices for real estate and insurance firms; clerical, secretarial employment, telephone answering, and similar office support services.

**PROJECTION** means structures projecting from the wall of a building. Common structures include balconies, raised terraces, fireplaces, bay windows, and decks.

**PROPERTY LINE** means the boundary that legally and geometrically demarcates a parcel.

**PROTECTION AND 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. This use includes police stations, fire stations, ambulance services, and ancillary training facilities.

**PUBLIC PARK** means a development designed or reserved for active or passive recreational use, including natural and man-made open space and landscaping, facilities, playing fields and buildings that are consistent with the general purposes of recreation, whether or not such recreational facilities are publicly operated or operated by other organizations. This use includes tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches, and other similar outdoor sports fields.

**PUBLIC UTILITY** means a public utility, as defined in the MGA.

## **R**

**RECREATION FACILITY, INDOOR** means a development providing facilities that are available to the public for sports and recreational activities conducted indoors. This use includes indoor swimming pools, hockey rinks, gymnasiums, indoor tennis courts, and indoor athletic fields.

**RECREATION FACILITY, OUTDOOR** means a development providing facilities that are available to the public for sports and recreational activities conducted outdoors. This use includes golf courses, outdoor swimming pools, hockey rinks, sports fields, parks, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, bowling greens, and fitness trails.





**RECREATIONAL VEHICLE** means a portable structure designed and built to be transported on its own wheels or carried on a vehicle to provide temporary living accommodation for recreational or travel purposes and/or for motorized sports activities conducted on both land and water. This use includes, but is not limited to: motor homes or travel trailers, fifth wheel trailers, campers, tent trailers, park model trailers, boats, off-highway vehicles, as defined by the *Traffic Safety Act*, as amended, utility trailers, and a trailer used to transport any of the above. A recreational vehicle does not include manufactured homes and is not considered a dwelling.

**RECYCLING DEPOT** means a development used for the buying, collecting, sorting and storage of bottles, cans, newspapers, and similar household goods for reuse, where all storage is contained within an enclosed building or an enclosed compound.

**RENEWABLE ENERGY DEVICE** means a large-scale device where energy is derived from sources that are not depleted by using them, such as solar, geothermal, wind, and co-generation production of electricity. Typical uses include wind or solar farms.

**RENEWABLE ENERGY DEVICE (LIMITED)** means a small-scale device where energy is derived from sources that are not depleted by using them, such as solar, geothermal, and wind energy. Typical uses include solar panels mounted or attached to a roof or accessory building.

**RENOVATION** means an addition to, deletion from, or change to any building which requires a permit pursuant to the *Safety Codes Act* other than a plumbing permit, a gas permit, or an electrical permit.

**RETAIL, CANNABIS** means a development licensed by the Province to sell cannabis and cannabis accessories to the public, for consumption elsewhere. This use does not include cannabis Production Facility or any other cannabis related uses.

**RETAIL, GENERAL** means a development used for the sale of groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionery, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary, and other similar goods from an enclosed building. Minor public services, such as postal services and film processing may also be provided. This use does not include the sale of gasoline, cannabis or cannabis related products, motor vehicles, manufactured homes, recreational vehicles, and agricultural or industrial equipment.

**RETAIL, LIQUOR** means a development licensed by the Province for the sale of alcoholic beverages to the public, for consumption elsewhere. This use includes wine and beer stores.

**RIGHT-OF-WAY** means an interest in land, most commonly granted for public utilities where there is a need for a continuous right-of-way under one or more parcels of land, which is registered only against the land which is subject to the interest.



**ROAD** means a right-of-way on which motorized vehicles are normally allowed to operate, or a road as defined in the MGA, and includes a highway, but does not include a lane.

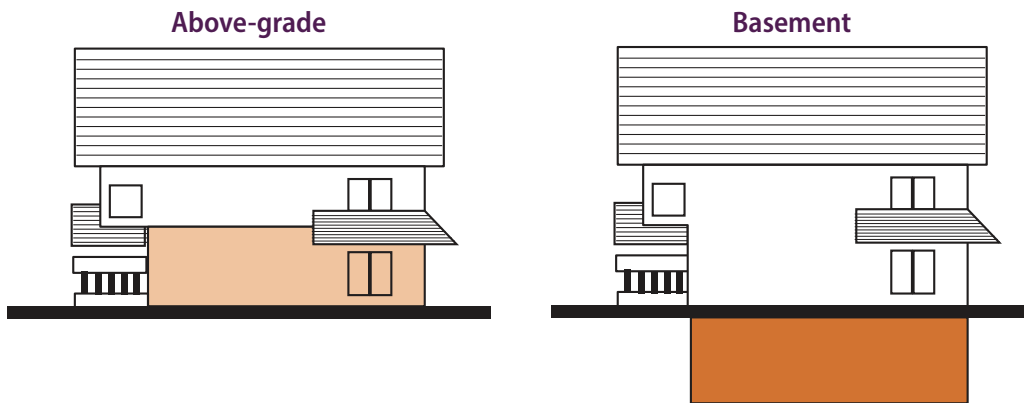
**ROOF** means the top enclosure, above or within the vertical walls of a building.

## S

**SCHOOL** means a development where education, training, or instruction is offered to a student of any age by a school board or an operator of a private school as defined by the *Schools Act*, as amended. This use includes elementary schools, junior and senior high schools, college, or university but does not include Commercial Schools.

**SCREENING** means a fence, wall, berm, or landscaping feature used to visually separate areas or functions.

**SECONDARY SUITE** means an accessory dwelling unit located within a principal dwelling. This use class includes the development or conversion of basement space or above-grade space to a separate dwelling, or the addition of new floor space to an existing dwelling. This use does not include garage or garden suites.



**SERVICE STATION** means a development where gasoline, lubricating oils, and other automotive fluids and accessories for motor vehicles are bought and sold. Service stations may be self-serve and/or full-serve. Service stations may include eating and drinking establishments, general retail, facilities for the wash, repair, or servicing of motor vehicles, and towing dispatch. This use does not include body repair or paint shops.

**SETBACK** means the distance that a development shall be set back from a lot line or any other features on a site as specified by this Bylaw. A setback is not a yard. A setback measurement shall be taken from the building foundation.

**SHIPPING CONTAINER** means a shipping container, originally used to transport goods, removed from its axle and wheels and used as an accessory building for storage.



**SHOPPING CENTRE** means a development consisting of a building or a group of buildings, comprising of general retail stores, personal service shops, office uses, and similar uses, with shared on-site parking facilities, and which may be managed as a single unit.

**SHOW HOME** means a permanent dwelling that is used for the temporary purpose of illustrating to the public the type or character of a dwelling or dwellings to be constructed in other parts of a subdivision or development area. Show home may contain offices for the sale of other lots of dwellings in the area. A show home may not be occupied by any person for the purpose of residency. This use may include a show suite in a multi-unit development.

**SIDEWALK** means a paved or asphalted path for pedestrians which is usually located adjacent to a roadway.

**SIGN** means any device, erection, or structure used for the display of advertising or calling attention to any business, organization, person, matter, thing, or event.

**SIGN, A-FRAME** means a self-supporting sign comprised of one or more panels joined at the top used to promote products or services on or adjacent to the property where the sign is displayed.

**SIGN AREA** means the total surface area of a sign upon which copy could be placed. In the case of a sign comprised of individual letters or symbols, the area of the sign shall be calculated as the area of a rectangle enclosing the letters or symbols.

**SIGN, BILLBOARD** means a sign supported by one or more uprights, braces, or pylons which stands independently of a building and contains copy related to a product, service, facility, or business located outside of the site upon which the sign is located.

**SIGN, ELECTRONIC MESSAGE** means a sign that displays copy by means of a digital display but does not contain copy that is full motion video, motion picture, Moving Picture Experts Group (MPEG), or any other digital video format.

**SIGN, FASCIA** means a sign placed flat and parallel to the face of the building. Typical fascia signs include painted signs, wall signs, channel lettering, and banners.

**SIGN, FLAG** means a sign of flexible and durable material with copy on one or both sides attached to a support pole that is normally inserted into a receptacle in the ground.

**SIGN, FREESTANDING** means a sign, except a billboard, on a standard or column permanently attached to the ground, and which is not connected in any way to any building or other structure. Freestanding signs are located on the premises or site of the product, service, facility, or business advertised.

**SIGN, IDENTIFICATION** means a freestanding sign carrying point-of-sale copy matter.



**SIGN, ILLUMINATED** means a sign where an artificial light source is used to illuminate the sign from the side or back of the display panel or from an external source, and may be contained within the structure of the sign.

**SIGN, INFLATABLE** means a sign comprised of an inflated three-dimension object, which is anchored or affixed to a building or site.

**SIGN, MARQUEE or CANOPY** means any roof-like structure, which may be constructed as an integral part of a building or attached in such a manner as not to be an integral part of a building, but is so constructed to provide shelter or shade over an entrance way or window.

**SIGN, PORTABLE** means a sign mounted on a frame or on a trailer, stand, or similar support which together with the support can be relocated to a another location and may include copy that can be changed manually through the use of detachable characters.

**SIGN, PROJECTING** means a sign which is attached to a building or structure so that part of the sign projects outwards from the face of the building or structure.

**SIGN, ROOF** means a sign erected upon, against or directly above a roof or on top of or above the parapet wall of a building.

**SIGN, TEMPORARY** means a sign which is intended to advertise community or civic projects, construction projects, real estate for sale or lease, or other special events on a temporary basis.

**SITE** means a lot, a part of a lot, or a number of abutting lots which are considered for a single use or a mixture of uses, which is owned or managed as a single unit.

**SITE AREA** means the total area of a site.

**SITE COVERAGE** means the ratio of the total horizontal area of all buildings and structures on a site which are located at or higher than 0.6m (2.0ft) above grade, including covered porches and verandas, enclosed decks and patios, and similar projections. Parcel coverage shall include stair wells, and all other space within an enclosed building. This definition shall not include:

- a) Steps, eaves, cornices, and similar uncovered projections;
- b) Driveways, aisles, and parking spaces unless they are part of a parking garage; or
- c) Unenclosed inner and outer courts, terraces and patios where there are less than 0.6m (2.0ft) above grade.

**SOFT LANDSCAPING** means landscaping consisting of vegetation such as trees, shrubs, hedges, grass, and ground cover, including non-grass alternatives such as xeriscaping.



**STALL** means an area of land upon which a manufactured home unit is to be located within a manufactured home park, and which is reserved for the exclusive use of the residents of that particular manufactured home unit.

**STATUTORY PLAN** means an Intermunicipal Development Plan, a Municipal Development Plan, an Area Structure Plan, or an Area Redevelopment Plan adopted by a municipality under the MGA.

**STOREY** means the space between one floor and the next floor above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement shall not be considered a storey.

**STRUCTURAL ALTERATIONS** means the addition to, deletion from, or change to any building which requires a permit pursuant to the *Safety Codes Act*, as amended.

**STRUCTURE** means a building (including eaves) or other thing erected or placed in, on, over or under land, whether or not it is affixed to the land.

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD** means the Subdivision and Development Appeal Board established pursuant to the MGA through the municipality's Subdivision and Development Appeal Board Bylaw.

**SUBDIVISION AUTHORITY** means the Subdivision Authority of the Town of Westlock established pursuant to the MGA through the municipality's Subdivision and Development Authority Bylaw.

**SUBSEQUENT OFFENCE** means an offence committed by a person after that person has been convicted for the same offence or has voluntarily paid a fine for the same offence within the past twenty-four (24) months.

**SUBSTANDARD LOT** means any lot which is smaller, in area or any dimension, than the minimum area of dimension stipulated in the regulations of the district in which the lot is located.

**SURVEILLANCE SUITE** means a single dwelling unit, forming part of a development, which is accessory to the principal use and is used solely to accommodate persons whose official function is to provide surveillance required for the maintenance and safety of the development.

**SWIMMING POOL** means a swimming pool as defined in the Alberta Building Code.

## **I**

**TEMPORARY BUILDING** means a building that has been allowed to be located or used or both for a limited time only. Temporary buildings include construction shacks used for administrative or storage purposes or both during construction of a large-scale development.



**TEMPORARY INDUSTRIAL CAMP** means a temporary residential complex used to house camp workers by various contracting firms on a temporary basis. The camp may be made up of a number of mobile units, clustered in such a way as to provide sleeping, eating, recreation, or other basic living facilities.

**TEMPORARY SALES CENTRE** means a temporary building, other than a show home, used for a limited period of time for the purpose of marketing residential land and buildings.

**TEMPORARY USE** means a use that has been allowed to be located or operated or both for a limited time only. Temporary uses include pipe, vehicle, or heavy equipment storage compounds, or special events such as circuses, carnivals, and rodeos.

**TIE DOWN** means, in relation to a manufactured home, a method whereby the manufactured home is fastened to the ground, base, or foundation. A tie down may include a bolt, a heavy duty wire rope, or some other similar fastening device or combination of devices.

**TRAFFIC ISLAND** means an area of space set aside within a street, road, or parking area, prohibited for use by motor vehicles and is marked or indicated by paint or physical means, to be clearly visible at all times. Typically, islands are raised with perimeter concrete curbs and are landscaped within.

## U

**USE** means the purpose or activity for which a site, a parcel, or lot and any buildings located on it are designed, arranged, developed, or intended, or for which it is occupied or maintained.

**UTILITY** means a system or works used to provide or deliver one or more of the following for public consumption, benefit convenience or use:

- a) Water or steam;
- b) Sewage disposal;
- c) Public transportation operated by or on behalf of the Town;
- d) Irrigation;
- e) Drainage;
- f) Fuel;
- g) Electric power;
- h) Heat;
- i) Waste management;
- j) Residential and commercial street lighting; or



k) Any building required to operate the utility as defined in the MGA, as amended.

## V

**VARIANCE** means an alteration or change to a standard prescribed by this Bylaw that is authorized by the Development Authority or an appeal board.

**VEHICLE IMPOUNDMENT YARD** means a building or open compound used for the temporary storage of motor vehicles or other items which have been seized and impounded due to a bylaw enforcement violation or other similar circumstance and may include an accessory office.

**VEHICLE WASH** means a development providing cleaning services to motor vehicles where the customer remains within their vehicle or waits on the premises, unless the facility includes a self-service wand wash. Typical uses include automatic/drive-through or coin/time operated car washes.

**VETERINARY CLINIC** means a development where domestic pets or livestock are cared for and treated. Veterinary clinic primarily involves out-patient care and medical procedures involving hospitalization. This use may also include the retail sale of associated products.

**VIOLATION TICKET** means a ticket is issued pursuant to the *Provincial Offences Procedure Act*, as amended.

## W

**WAREHOUSING** means a development used for the storage and distribution of raw materials, processed or manufactured goods, and establishments providing servicing for those purposes.

**WORKSHOP, LIMITED** means the crafting or assembly of goods by hand or small-scale equipment considered not to be a nuisance to adjacent land uses.

## X

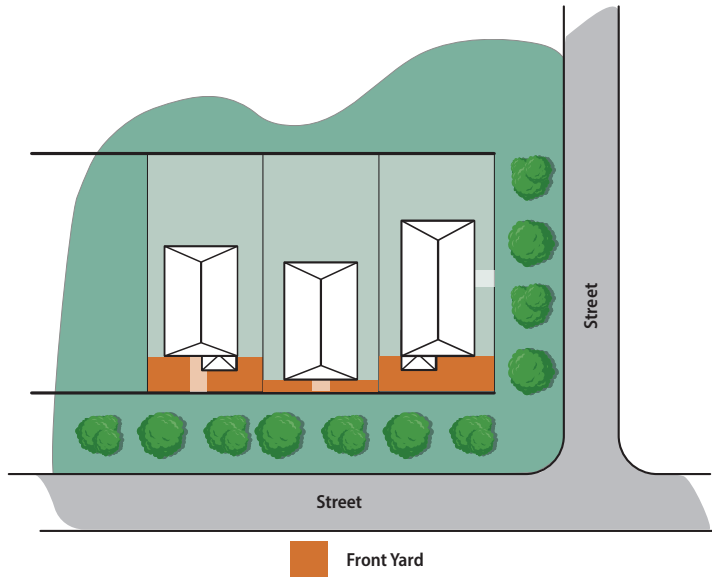
**XERISCAPING** means a method of landscaping that uses plants, soils, and mulches whose natural requirements are appropriate to the local climate, resulting in low maintenance, water efficient, and sustainable landscapes.



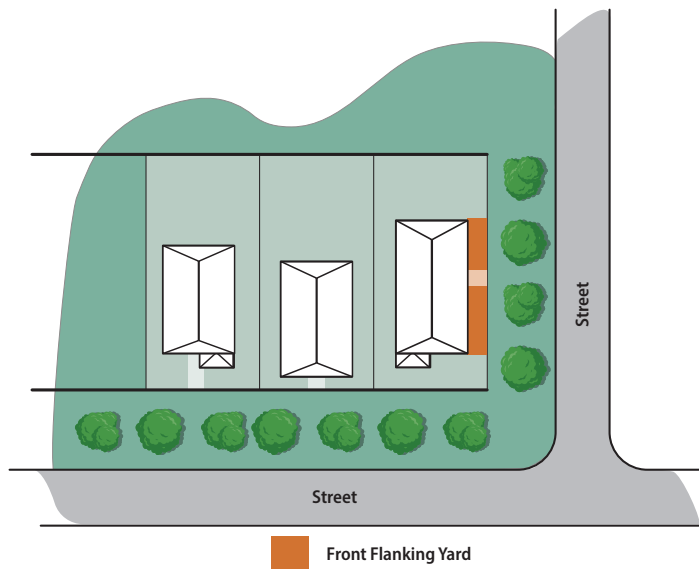
Y

**YARD** means a part of a site which is unoccupied and unobstructed by any building or portion of a building above ground level, unless otherwise allowed by this Bylaw.

**YARD, FRONT** means that portion of a lot extending across the full width of a lot from the front line to the nearest exterior wall of the principal building situated on the lot, measured at right angles to the front line. In the case of a curved front line, the front yard will also form a curve.



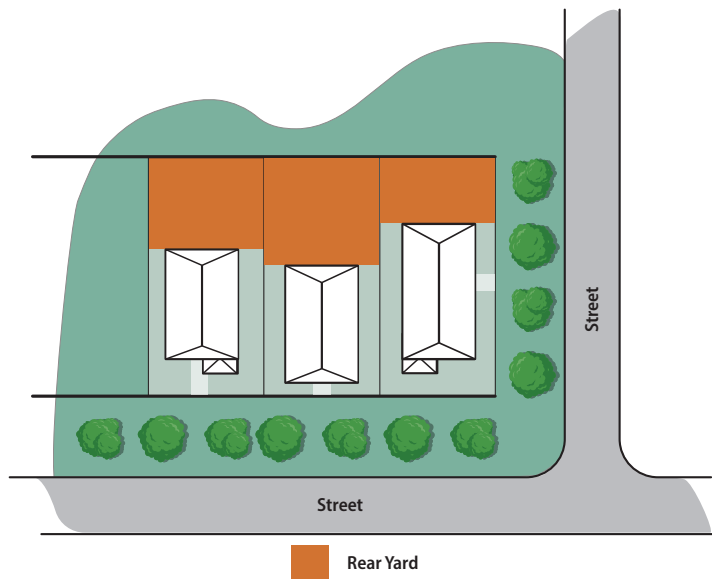
**YARD, FRONT FLANKING** means that portion of a lot on a corner lot abutting the front flanking lot line extending from the front yard to the rear yard. The front flanking yard is situated between the front flanking lot line and the nearest wall of the principal building.



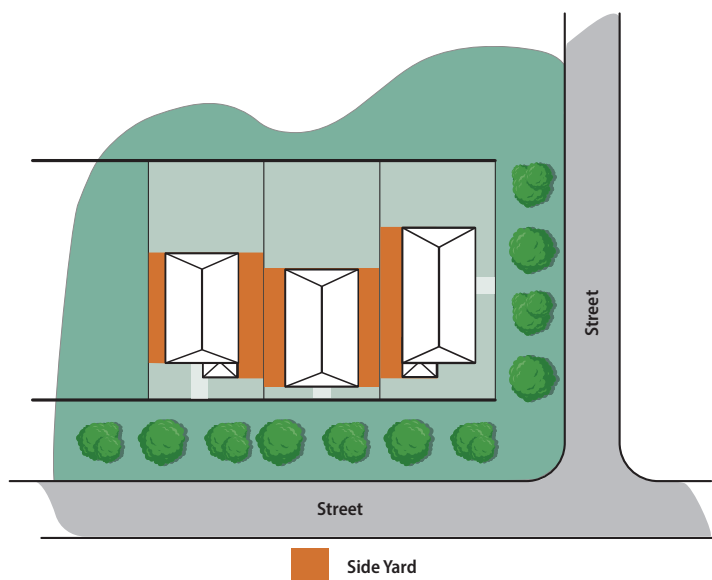




**YARD, REAR** means that portion of a lot extending across the full width of a lot from the rear line to the nearest exterior wall of the principal building situated on the lot, measured at right angles to the rear line. In the case of a curved rear line, the rear yard will also form a curve.



**YARD, SIDE** means that portion of a lot extending from the side line to the nearest exterior wall of the principal building situated on a lot, and lying between the front and rear yards on the lot, measured at right angles to the side line. In the case of a curved side line, the side yard will also form a curve.



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**PART 6:  
GENERAL REGULATIONS  
FOR ALL LAND USE  
DISTRICTS**





### GENERAL DEVELOPMENT REGULATIONS

#### 6.1 ACCESS TO SITES

- 6.1.1 Access to a site shall be provided from a public roadway or a lane.
- 6.1.2 Curb cuts and ramps shall be located at convenient, safe locations for the physically disabled, for bicyclists, and for people pushing strollers or carts, subject to prior approval of the Development Authority. The location and design of curb cuts and ramps shall avoid crossing or funneling traffic through loading areas, drive through service lanes, and outdoor trash storage/collection areas.
- 6.1.3 No direct vehicle access shall be permitted from a designated arterial or collector roadway or a public roadway that, in the opinion of the Development Authority, is designed to accommodate major vehicular traffic flows to:
- a) Any residential site, unless the access serves three or more dwelling units;
  - b) Any site, unless turning space is provided on site such that vehicles entering upon the site may turn before re-entering the public roadway; or
  - c) Any site, where in the opinion of the Development Authority, there would be an excessive number of access points onto the public roadway.
- 6.1.4 Access to highways shall be limited to arterial, collector and service roads, and where no service roads are provided, access shall be limited to those access points approved by Alberta Transportation.
- 6.1.5 Sites shall be designed so that appropriate access for emergency services is afforded to all buildings.

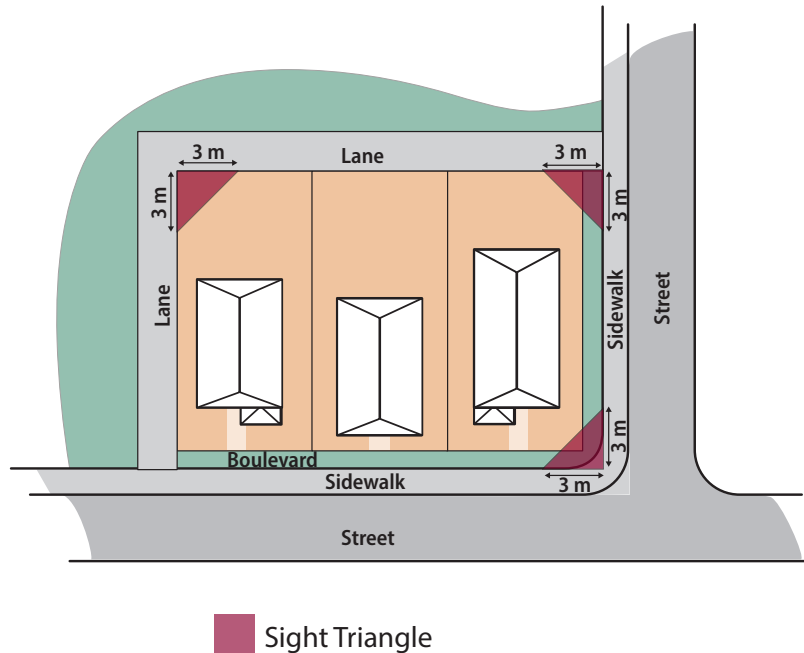
#### 6.2 ACCESSORY DEVELOPMENTS

- 6.2.1 Where a structure is attached to the principal building on site by an open or closed roof, it is considered part of the principal building and not an accessory building and shall comply with the setbacks applicable to the principal building in the applicable Land Use District.
- 6.2.2 An accessory development shall not be constructed or placed on a site prior to the commencement of the construction of the principal building or the commencement of the principal use on the same site.



### 6.3 CORNER SITE RESTRICTIONS

6.3.1 At the intersection of public roadways and lanes, a 3.0m (9.8ft) sight triangle shall be provided as shown in [Figure 6.3](#).



*Figure 6.3: Corner Sight Triangle*

6.3.2 Notwithstanding any other provision of this Bylaw, no person may erect, place, maintain, or permit to grow, over or upon that portion of a site within the sight triangle a fence, wall, sign, tree, hedge, or other structure, planting, or object over the height of 1.0m (3.3ft) above grade that would obstruct the view of a pedestrian, cyclist, or driver of a vehicle travelling on the adjacent roadway.

6.3.3 A person using a corner lot in any district shall comply with all the restrictions, limitations, and conditions relating to visibility approaching road intersection as may be required by the Development Authority.

### 6.4 DESIGN, CHARACTER, AND APPEARANCE OF BUILDINGS

6.4.1 The design, character, and appearance of a building should:

- a) Be compatible with any other building existing in the vicinity, unless the building is setting a new standard of design, character, and appearance for the land use district or a particular locality of it;
- b) Be consistent with the purpose of the land use district in which the building is located; and
- c) Comply with any provision of a statutory plan applicable to the design, character, and appearance of the building.



6.4.2 All sides of a building exposed to a highway or public roadway shall be treated as a principal façade and finished in an appropriate manner to the satisfaction of the Development Authority.

## **6.5 DOUBLE FRONTING LOTS**

6.5.1 Where a lot in any land use district fronts onto more than one public roadway, not including a lane, the front yard shall be established from the roadway that is identified by a municipal address.

6.5.2 Notwithstanding any other provision of this Bylaw, the Development Authority may require that development on a double fronting lot provide two minimum front yards, after having regard to adjacent lots and to the location of access to the development.

## **6.6 FENCES, WALLS, AND HEDGES**

6.6.1 No person shall construct a fence or wall, or permit a hedge to grow on public property.

6.6.2 The height of a fence, wall, or hedge shall be measured from grade.

## **6.7 FARMING BUFFER**

6.7.1 Farms and other agricultural uses on land adjacent to a residential district shall provide a 45.0m (147.6ft) buffer of land which is not used for keeping or raising of livestock between the residential district and the rest of the farm or agricultural operation.

## **6.8 LIGHTING**

6.8.1 Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjacent properties, or interfere with the effectiveness of any traffic control devices.

6.8.2 A plan indicating the location of exterior lights, including the projected light patterns, shall be provided for multi-unit residential, commercial, and institutional sites located adjacent to a residential land use.

## **6.9 MULTIPLE USES**

6.9.1 Where any land, building, or structure is used for more than one purpose, all provisions of this Bylaw relating to each individual use shall apply. If there are conflicts between standards for individual uses, the more stringent standard shall apply.



## **6.10 RELOCATION OF BUILDINGS AND STRUCTURES**

6.10.1 A development permit is required to:

- a) Place on a parcel a building with a floor area greater than 10.0m<sup>2</sup> (107.6ft<sup>2</sup>) which has previously been erected or placed on a different parcel; or
- b) Alter the location of a building with a floor area greater than 10.0m<sup>2</sup> (107.6ft<sup>2</sup>) on a parcel which has already been constructed on that parcel.

6.10.2 The Development Authority shall not approve a Development Permit to relocate a building or structure, unless:

- a) The building or structure complies with the regulations of the Land Use District in which it is to be located; and
- b) The building or structure is, in the opinion of the Development Authority, compatible with the predominant form and character of the neighbourhood in which it is to be located.

## **6.11 REMOVAL AND DEMOLITION OF BUILDINGS AND STRUCTURES**

6.11.1 A development permit shall be required for the demolition of any building or structure with a floor area greater than of 10.0m<sup>2</sup> (107.6ft<sup>2</sup>).

6.11.2 A development permit required pursuant to this Section may require the reclamation of the site, mitigation measures such as dust control, protective barriers, restriction of access, and other provisions deemed appropriate by the Development Authority to protect the public, as well as public and private property.

6.11.3 A development permit application in respect to the demolition of a portion of a building shall be considered to be a change in the intensity of the use and/or the redevelopment of the existing building. The resultant building and use shall be subject to the provisions of this Bylaw.

## **6.12 WASTE AND RECYCLING CONTAINERS**

6.12.1 All developments:

- a) Shall provide receptacles for the purpose of depositing garbage, rubbish, debris, and recyclable materials sufficient in number and size as may be required by the Development Authority; and
- b) Shall use such receptacles for such purpose.



6.12.2 Areas on a site used for waste and recycling containers shall be developed and maintained as follows, to the satisfaction of the Development Authority:

- a) Waste and recycling containers shall be adequate in capacity, number, and distribution to serve the development; and
- b) Garage and recycling areas shall be screened appropriately from public view to the satisfaction of the Development Authority. The screening shall take into consideration the site characteristics and may include a freestanding enclosure, landscaping, or a combination of both.

### **6.13 STORAGE OF CONSTRUCTION MATERIALS**

6.13.1 No person shall keep in any part of any yard an excavation, storage, or piling up of materials required during construction unless all safety measures are undertaken.

6.13.2 The owner of construction materials or excavations shall assume full responsibility and shall not permit the excavation or storage to last any longer than reasonably necessary to complete a particular stage of construction work.

## **LANDSCAPING STANDARDS**

### **6.14 GENERAL STANDARDS**

6.14.1 All required landscaping pursuant to Sections 9.7 and 10.4 of this Bylaw shall be completed within two (2) growing seasons after the occupancy of the development.

6.14.2 Driveways and parking areas connected to a paved roadway must be paved or otherwise hard surfaced within two (2) years of occupancy of the development.

6.14.3 Any portion of a site area not occupied by buildings or parking and storage areas shall be landscaped or maintained in its natural state. Landscaping may consist of hard or soft landscaping, or some combination of both.

6.14.4 If the required landscaping is not completed within the specified timeline, the Development Authority may permit one (1) extension of up to twelve (12) months by written agreement with the applicant.

6.14.5 Except for low density residential districts, the applicant shall provide a detailed landscape plan. The Development Authority may require that the plan be prepared by a landscape architect or technologist. The applicant may incorporate the required landscape plan on the site plan, including:

- a) Common names of trees and shrubs;
- b) Location of trees and shrubs;





- c) Number of trees and shrubs;
- d) Landscape details specifying the mixture of coniferous and deciduous trees and shrubs designed to provide landscape enhancement for year-round effect;
- e) Relative grades of the subject property and all adjacent properties;
- f) Required landscaped areas not covered by seed/sod which may include, in combination with shrubs and flowers, any or all of the following:
  - i. Mulch beds consisting of landscaping fabric and mulch with a minimum depth of 5.0cm (2.0in);
  - ii. "Rip-rap" rock beds consisting of landscaping fabric and rock with a diameter of not less than 10.0cm (3.9in);
  - iii. Crushed rock consisting of landscaping fabric and rock with a diameter of 2.5cm (1.0in) or less;
  - iv. Paving stones or stamped asphalt or concrete for walkways, outdoor eating areas, and parking lots may be considered for up to 50% of the required landscaped area; or
  - v. Raised planters constructed with concrete, concrete blocks, wood with a height of not less than 0.6m (2.0ft), or flower boxes attached to the building or structure.

**6.14.6** Existing vegetation shall be preserved and protected unless removal is demonstrated, to the satisfaction of the Development Authority, to be necessary or desirable to efficiently accommodate the proposed development. Trees and shrubs preserved on site may at the discretion of the Development Authority be credited to the total landscaping requirements.

**6.14.7** All planting shall be installed to the finished grade. Where this is not practical, in the opinion of the Development Authority, planters may be used. Such planters shall be of adequate design, having sufficient soil capacity and insulation to promote healthy growth.

**6.14.8** If a landscaped area is required abutting a boulevard, the tree species and planting shall be similar to, or complement, the boulevard trees. No hard landscaping shall be permitted in areas located between the back of the curb of a public roadway and the property line of the subject site.

**6.14.9** Landscaping that extends onto Town property shall be to the satisfaction of the Development Authority in accordance with the approved landscape plan. Hard landscaping on public property may be considered subject to the applicant and the Town entering into a Development Agreement which sets out obligations regarding maintenance.



## **6.15 SITE GRADING**

**6.15.1** All site grading must adhere to a site grading plan submitted by the developer and approved by the Development Authority. The plan shall adhere to the Town's Procedures and Design Standards for Development and include the following information:

- a) Design elevations;
- b) Surface gradients;
- c) Swale locations; and
- d) Other drainage information, as required by the Development Authority.

**6.15.2** Surface drainage shall be directed to public parks, reserves, boulevards, ditches, or roadways.

**6.15.3** A minimum slope of 2% is required from the minimum front and side setbacks to the side property line. The slope along the property line shall be continuous, without breaks or changes in slope, to the corner elevations.

**6.15.4** Grade differences between adjacent properties shall not be excessive and be no more than 15.0cm (5.9in), unless otherwise approved by the Development Authority.

## **6.16 LANDSCAPING SECURITIES**

**6.16.1** As a condition of a development permit, the applicant must provide a landscaping security to ensure that landscaping required by this Bylaw is completed in accordance with this Bylaw. The amount of security taken shall be, at the discretion of the Development Authority, up to 100% of the estimated total landscaping cost.

**6.16.2** If the required landscaping is not completed to the satisfaction of the Development Authority within two (2) years of occupancy of the development, then the Town may use the landscaping security to undertake the required landscaping. If such amount shall be insufficient to cover the cost of work, the deficiency shall be a debt due from the applicant to the Town of Westlock.

**6.16.3** The Town shall release the security, upon written request, once an inspection of the site demonstrates to the satisfaction of the Development Authority that the landscaping has been well maintained and is in healthy condition after completion of the landscaping. The inspection shall take place within four (4) weeks of the date of the written request.



## **SPECIFIC USE REGULATIONS**

### **6.17 ASSISTED LIVING FACILITY, LIMITED**

- 6.17.1 A limited assisted living facility shall be developed as a purpose-built freestanding structure or single-detached dwelling converted for the purpose.
- 6.17.2 If designed as a freestanding structure, it shall be of a size, scale, and outward appearance that is typical of the surrounding residential development.
- 6.17.3 Accommodations may include limited food preparation facilities.
- 6.17.4 Increases in vehicular traffic generation and parking demand shall not materially interfere with or affect the value of neighbouring properties, to the satisfaction of the Development Authority.
- 6.17.5 No limited assisted living facility shall be located closer than 300.0m (984.3ft) from another such facility.

### **6.18 DRIVE-IN BUSINESS**

- 6.18.1 A drive-in business shall not be located on sites where, in the opinion of the Development Authority, it would create unsafe vehicle circulation or access or egress from the site.
- 6.18.2 A minimum of two (2) queuing spaces shall be provided for each drive-in window
- 6.18.3 All queuing spaces shall be provided on site and be a minimum of 6.5m (21.3ft) long and 3.0m (9.8ft) wide.
- 6.18.4 Queuing lanes shall be provided on-site and provide sufficient space for turning and manoeuvring. The lanes shall not interfere with parking or access to the site.
- 6.18.5 The on-site layout of vehicle circulation patterns shall be to the satisfaction of the Development Authority.
- 6.18.6 The owner, tenant, operator, or person in charge of a drive-in business shall at all times:
  - a) Maintain the site and the buildings, structures, and improvements thereon in a clean, neat, tidy, and attractive condition, free from all rubbish and debris;
  - b) Be responsible for the proper, safe, and orderly operation of the business and of motor vehicles using the site and shall ensure:
    - i. That operators of motor vehicles do not obstruct the sidewalks and boulevards abutting or adjacent to the site; and



- ii. That operators of motor vehicles enter and leave the site only at the entrances and exits provided for such purposes.

## **6.19 GAS BARS, SERVICE STATIONS, AND BULK FUEL STATIONS**

- 6.19.1 A use pursuant to this section shall not be located on sites where, in the opinion of the Development Authority, it would create unsafe vehicle circulation or access.
- 6.19.2 Setback for the above ground and underground storage tanks from buildings and property lines shall meet the Alberta Safety Codes Authority (ASCA) guidelines.

## **6.20 HOME BUSINESS**

- 6.20.1 Home businesses shall not be permitted on a site unless a dwelling unit is located on the site on which the home business is to be located.
- 6.20.2 The Development Authority may place time limits on the period for which a development permit for a home business is valid.
- 6.20.3 No home business may change the principal character or external appearance of the dwelling involved or of any accessory buildings.
- 6.20.4 Home businesses shall be incidental and subordinate to the principal dwelling.
- 6.20.5 No more than 20% or 30.0m<sup>2</sup> (323.0ft<sup>2</sup>), whichever is less, of the dwelling shall be occupied by the home business.
- 6.20.6 Storage related to the home business shall be limited to within the dwelling or accessory buildings.
- 6.20.7 No outdoor business activity or outdoor storage of material or equipment associated with the home business shall be permitted on site.
- 6.20.8 The home business shall not:
  - a) Create any nuisance by way of noise, dust, odour or smoke, or anything of an offensive or objectionable nature;
  - b) Involve any mechanical or electrical equipment which creates external noise, or visible or audible interference with home electronics or computer equipment in adjacent dwellings;
  - c) Generate pedestrian or vehicular traffic which is in excess of that which is characteristic of the district in which the home business is located;
  - d) Involve activities that use or store hazardous materials in quantities exceeding those found in a normal household; and



- e) Involve any use that would materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

6.20.9 Up to one (1) commercial vehicle, of a capacity not exceeding 1.0 tonne, may be parked or maintained on-site.

6.20.10 There shall be no more than one (1) non-resident employee or business partner working on-site at any one time.

6.20.11 The number of clients or customers on-site shall not exceed three (3) at any one time.

6.20.12 A home business shall not be allowed if such use would be more appropriately located in a commercial or an industrial district, having regard for the overall compatibility of the use with the residential character of the area.

6.20.13 A home business may have one fascia sign placed on the dwelling, provided that the sign does not exceed 0.4m<sup>2</sup> (4.3ft<sup>2</sup>) in area. The sign shall be placed in a window or attached to the exterior of the dwelling facing a public roadway as per Figure 6.20.

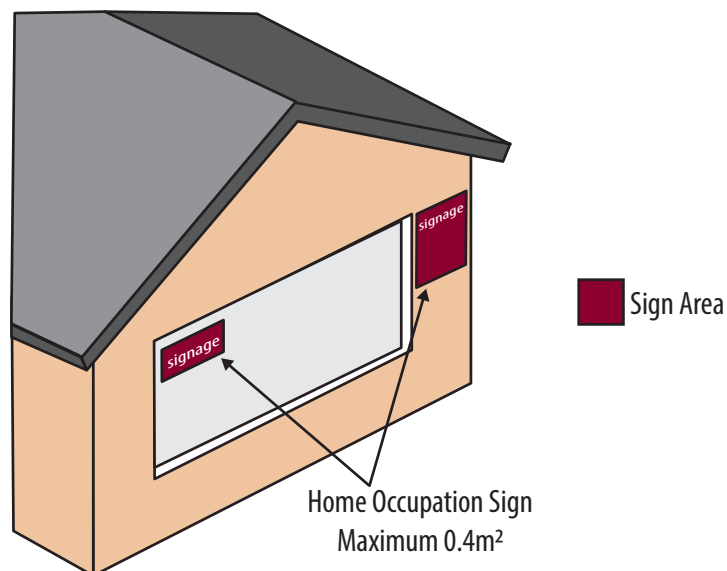


Figure 6.20: Home Business Sign Placement

6.20.14 Signs relating to home businesses shall not be illuminated.



## **6.21 HOME OFFICE**

6.21.1 A home office shall be incidental and subordinate to the principal dwelling and shall be wholly contained within the dwelling.

6.21.2 As determined by the Development Authority, a home office shall:

- a) Not be a cause of inconvenience to adjacent landowners or tenants;
- b) Not employ any person on-site other than a resident of the dwelling;
- c) Not have outside storage of material, equipment, or products;
- d) Not extend the business activity to accessory buildings or outside yard;
- e) Not be detectable from outside the dwelling;
- f) Not have any business associated visits; and
- g) Not involve any parking of commercial vehicles.

## **6.22 HOTELS**

6.22.1 A hotel shall have a minimum front yard setback of 7.5m (24.6ft) and a minimum side and rear yard setback of 3.0m (9.8ft).

6.22.2 Any associated carport or garage shall be setback a minimum of 6.0m (19.7ft) from any rear or side lane, unless, in the opinion of the Development Authority, a lesser setback will not interfere with the free movement of traffic in such lane.

6.22.3 There shall not be more than one (1) entrance and one (1) exit to a public roadway, each having a minimum width of 7.5m (24.6ft). One (1) combined entrance and exit shall be permitted of not less than 9.0m (29.5ft) in width.

## **6.23 GARAGE SUITE**

6.23.1 A garage suite shall be accessory to the principal dwelling and shall:

- a) Be located in a rear or side yard;
- b) Have a minimum side and rear yard setback of 1.5m (4.9ft);
- c) Have a floor area of less than that of the principal dwelling; and
- d) Be architecturally compatible with the principal dwelling.

6.23.2 Consideration shall be given to the privacy of the suite, the principal dwelling and dwelling unit(s) on adjacent properties through the placement of windows, decks, and balconies.



**6.23.3** Windows contained within a garage suite shall be placed and sized such that they minimize overlook into the yards and windows of adjacent properties through one or more of the following:

- a) Off-setting window placement to limit direct views of adjacent rear or side yards, or direct view into a garage suite from an adjacent site;
- b) Strategic placement of windows in conjunction with landscaping or the placement of other accessory developments; and
- c) The placement of larger windows to face a lane, flanking street, or the larger of any side yard adjacent to another property.

**6.23.4** A detached garage containing a garage suite shall have a maximum height of 7.5m (24.6ft) or that of the principal dwelling, whichever is less, from finished grade.

**6.23.5** A garage suite shall be located a minimum of 2.0m (6.6ft) from the principal dwelling or another accessory building.

**6.23.6** Balconies may be allowed as part of a garage suite, provided that the balcony faces a lane or a flanking street.

**6.23.7** The Development Authority shall assess the appropriateness of a garage suite when exercising discretion in considering an application including, but not limited to:

- a) The siting of the building in relation to compatibility with other developments in the vicinity;
- b) The massing of the building in comparison to other buildings on site and in the vicinity; and
- c) The design, character, and appearance of the building.

## **6.24 GARDEN SUITE**

**6.24.1** A garden suite shall be accessory to the principal dwelling and shall:

- a) Be located in a rear or side yard;
- b) Have a minimum side and rear yard setback of 1.5m (4.9ft);
- c) Have a floor area of less than that of the principal dwelling; and
- d) Be architecturally compatible with the principal dwelling.

**6.24.2** Consideration shall be given to the privacy of the suite, the principal dwelling and dwelling unit(s) on adjacent properties through the placement of windows, decks, and balconies.



- 6.24.3 A garden suite shall meet the maximum height requirements for accessory buildings as per Section 9.2.
- 6.24.4 A garden suite shall be located a minimum of 2.0m (6.6ft) from the principal dwelling or another accessory building.
- 6.24.5 The Development Authority shall assess the appropriateness of a garden suite when exercising discretion in considering an application including, but not limited to:
- a) The siting of the building in relation to compatibility with other developments in the vicinity;
  - b) The massing of the building in comparison to other buildings on site and in the vicinity; and
  - c) The design, character, and appearance of the building.

## **6.25 MODULAR CONSTRUCTION**

- 6.25.1 Dwellings built by modular construction shall fit the building character of the neighbourhood to the satisfaction of the Development Authority.
- 6.25.2 The design, character, and appearance of modular dwellings shall be consistent with the purpose of the district in which the building is located and shall take into account any other buildings existing in the vicinity.
- 6.25.3 The Development Authority may, at their discretion, place other conditions on a development permit, including the requirement that the developer provide landscaping, fencing, drainage attenuation, or other such matters they consider necessary if, in their opinion, the conditions would serve to improve the quality or compatibility of the proposed development.
- 6.25.4 The quality of the completed dwelling shall be at least equal to the quality of other dwellings in the area.
- 6.25.5 The dwelling shall have a main entrance located on the front facade fronting the public street. Entrances shall be visibly dominant and shall utilize architectural treatments such as steps, porches, canopies, and enhanced doorways to contribute positively to the neighbourhood image.
- 6.25.6 The dwelling shall comply with the following architectural guidelines:
- a) A minimum width from exterior wall to exterior wall facing the front property line of 7.6m (25.0ft);
  - b) A maximum length to width ratio of 3:1;





- c) A minimum eave projection of 30.0cm (11.8in) from each external wall; and
- d) A roof pitch, style, and features, such as gables, consistent with the roofs of other dwelling units in the vicinity.

6.25.7 The dwelling shall be placed on a permanent foundation consisting of a basement, crawl space, or slab on grade compliant with the Alberta Building Code.

## **6.26 RENEWABLE ENERGY DEVICE**

6.26.1 In all cases, decisions of the Development Authority with regards to this Section, shall not transfer any federal decision making authority, nor confer any rights of veto to the Town in the location of the device.

6.26.2 The Renewable Energy Device shall be installed to the manufacturer's specifications.

6.26.3 Renewable Energy Devices shall be located in a manner than minimizes the impact on the natural environment while recognizing the unique location requirements for the device.

6.26.4 A Renewable Energy Device shall not be located in a front yard.

6.26.5 Appropriate security measures shall be taken to protect the device and deter unauthorized access.

6.26.6 A Renewable Energy Device shall not be illuminated, nor have any advertising, graphics, flags, or other elements unrelated to its function unless required by regulatory bodies.

## **6.27 RENEWABLE ENERGY DEVICE, LIMITED**

6.27.1 A Renewable Energy Device, Limited shall be of an appropriate design and specifications for this type of use and installed to manufacturer's specifications.

6.27.2 A Renewable Energy Device, Limited shall be accessory to the principal use.

6.27.3 A Renewable Energy Device, Limited shall be attached to a principal or accessory building, and shall:

- a) Not extend beyond the outermost edge of the roof or wall to which it is mounted;
- b) Be located and mounted to ensure no glare is produced for neighbouring properties and streets;
- c) Not be located in the front yard; and



- d) Not exceed the maximum height for the building on which it is mounted.

6.27.4 A Renewable Energy Device, Limited shall not be illuminated, nor have any advertising, graphics, flags, or other elements unrelated to its function unless required by regulatory bodies.

## **6.28 RETAIL, CANNABIS**

6.28.1 Setbacks between Retail, Cannabis establishments shall meet all provincial and/or federal regulations, as amended from time to time.

6.28.2 Retail, Cannabis developments shall not utilize signage, fascia, or other advertisement which, in the judgement of the Development Authority, is needlessly or excessively contrary to the visual character of nearby or adjacent businesses or uses.

6.28.3 Retail, Cannabis establishments may not provide or offer door-to-door or off-premises delivery of products or services.

6.28.4 Retail, Cannabis may not occur in conjunction with a Cannabis Production Facility.

## **6.29 SECONDARY SUITES**

6.29.1 Secondary Suites shall:

- a) Be subordinate, incidental to, and exclusively devoted to a principal dwelling;
- b) Be restricted to a maximum of one secondary suite per dwelling;
- c) Be developed in such a manner that the exterior of the principal dwelling containing the secondary suite shall appear as a single dwelling unit;
- d) Have a floor area of less than that of the principal dwelling;
- e) Not be separated from the principal dwelling through a condominium conversion or subdivision; and
- f) Have a separate entry from the principal dwelling, either from a common interior landing or from the exterior.

## **6.30 SHIPPING CONTAINERS**

6.30.1 Shipping containers shall not be located in the front yard of a property or within the required rear and side yard setback areas.

6.30.2 Shipping containers shall be visually screened from public roads and neighbouring properties to the satisfaction of the Development Authority.



**6.30.3** A shipping container shall be used for only storage purposes, and shall not be used to store any dangerous or hazardous materials.

**6.30.4** A shipping container shall not be used as a dwelling unit.

**6.30.5** Shipping containers shall not be stacked one on top of another and must be properly anchored to avoid movement or tipping.

**6.30.6** Shipping containers shall be located a minimum of 3.0m (9.8ft) from the principal building.

**6.30.7** Shipping containers must be kept in good repair and sightly, to the satisfaction of the Development Authority.

### **6.31 SHOW HOMES AND TEMPORARY SALES CENTRES**

**6.31.1** A development permit is required for a show home or temporary sales centre and shall be issued for no more than one (1) year. The Development Authority may consider an application to renewal the approval annually.

**6.31.2** A show home or temporary sales centre shall be subject to the following provisions:

- a) The appearance of the building shall, in the opinion of the Development Authority, be compatible with the architectural character of other buildings in the neighbourhood in which it is located;
- b) Parking for employees and customers of the show home or temporary sales centre shall be on-site; and
- c) The setbacks for a temporary sales centre shall be consistent with the Land Use District in which it is located.

**6.31.3** Signage on show homes shall be subject to the following regulations:

- a) Signage shall be located on site;
- b) A maximum of four (4) signs, which can be a combination of portable, fascia and freestanding signs, are permitted on site;
- c) Signage shall be removed at the developers or builders expense upon expiry of the development permit.

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# PART 7:

# PARKING AND LOADING STANDARDS





## PART 7: PARKING AND LOADING STANDARDS

### 7.1 GENERAL PARKING STANDARDS

- 7.1.1 The requirements of this Section shall apply to all parking, loading facilities, and drive aisles required by this Bylaw. Notwithstanding the requirements of this Section, specific standards specified in any Land Use District may supplement or supersede the parking and loading requirements of this Section.
- 7.1.2 Where parking and/or loading facilities are required by this Bylaw, the applicant shall provide the required parking and/or loading space(s) prior to the occupancy or commencement of the use for which they are required.
- 7.1.3 When any new development is proposed, including but not limited to a change of use of an existing building or lot or when any existing development is, in the opinion of the Development Authority, substantially enlarged or increased in capacity, then provision shall be made for on-site parking spaces in accordance with the requirements of this Section.
- 7.1.4 All off-site parking areas shall be designed to provide:
- a) Adequate access to and egress from individual parking spaces by means of unobstructed manoeuvring aisles designed to the satisfaction of the Development Authority; and
  - b) Adequate access to and egress from the parking area, for the vehicle it is intended to serve, by the means of a clearly defined driveway.
- 7.1.5 Where the calculation of the required number of parking spaces results in a fraction, the next higher number shall apply.
- 7.1.6 In the case of different uses or mixed-uses on the same site, on-site parking facilities shall be the sum of requirements for the use computed separately. On-site parking for one use shall not be considered as providing the required parking for any other use, unless specifically approved by the Development Authority.
- 7.1.7 Every on-site parking space and the access to it shall be surfaced in the same manner and materials as the road or lane from which the space gains access.
- 7.1.8 Notwithstanding Section 7.1.7, any area at the rear or side of the principal building provided for on-site parking in an Industrial district need not be hard-surfaced, but shall be of such a surface as to minimize the carrying of dirt or foreign matter onto the road or lane.
- 7.1.9 Every on-site parking space and the access to it provided in any Commercial district shall be lighted, well-drained, and landscaped.



## 7.2 PARKING SPACE DIMENSION REQUIREMENTS

- 7.2.1 All parking spaces shall be a minimum of 3.0m (9.8ft) in width.
- 7.2.2 All required barrier-free spaces shall meet the dimension requirements of the Alberta Building Code, as amended.
- 7.2.3 All parking spaces shall follow the depth, width, and manoeuvring aisle dimensions as per [Table 7.2](#) and [Figure 7.2](#).

TABLE 7.2		Parking Space Requirements		
a) PARKING ANGLE	b) DEPTH OF SPACE	c) WIDTH PARALLEL TO MANOEUVRING AISLE	d) WIDTH OF MANOEUVRING AISLE (ONE-WAY)	
0°	3.1m (10.2ft)	6.7m (22.0ft)	3.7m (12.1ft)	
30°	4.9m (16.1ft)	5.2m (17.1ft)	3.8m (12.5ft)	
45°	5.5m (18.0ft)	3.5m (11.5ft)	4.5m (14.8ft)	
60°	6.1m (20.0ft)	3.0m (9.8ft)	6.2m (20.3ft)	
90°	6.1m (20.0ft)	3.0m (9.8ft)	7.0m (23.0ft)	

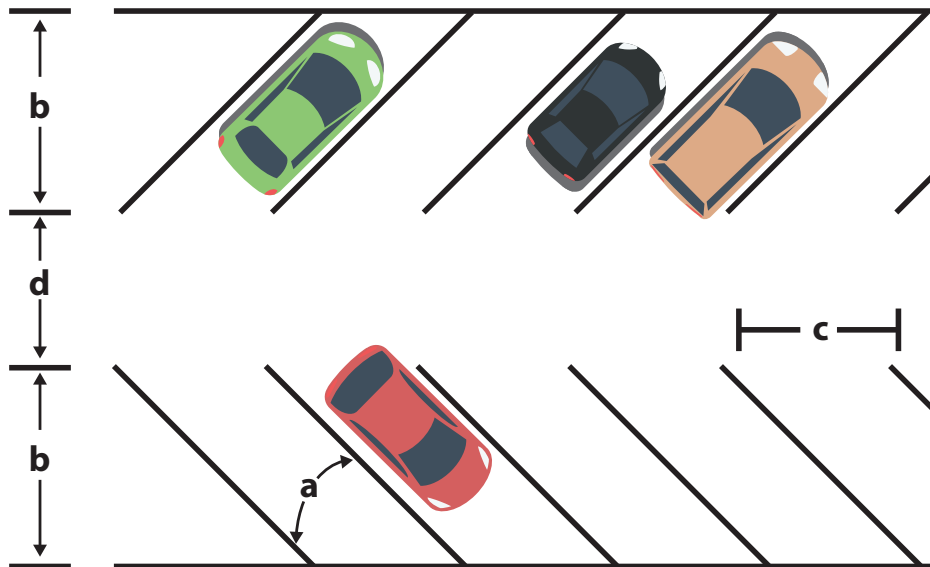
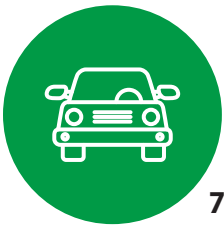


Figure 7.2: Parking Space Requirements



### 7.3 ON-SITE PARKING REQUIREMENTS BY LAND USE

7.3.1 The minimum number of on-site parking spaces shall be as set out in [Tables 7.3a, 7.3b, 7.3c and 7.3d.](#)

<b>TABLE 7.3A Minimum Parking Requirements for Residential Uses</b>	
<b>USE CLASS</b>	<b>MINIMUM NUMBER OF PARKING SPACES</b>
Assisted Living Facility	1 space per 4 units. 1 guest space per every 5 units.
Assisted Living Facility, Limited	1 space per 3 units. 1 space per staff member.
Bed and Breakfast	1 space per guest room. 2 spaces for the principal dwelling.
Dwelling, Apartment Dwelling, Stacked Row Housing	1 space per Bachelor unit. 1 space per 1 Bedroom unit. 2 spaces per 2 or more Bedroom units. 1 guest space per every 5 units.
Dwelling Single-Detached Dwelling, Semi-Detached Dwelling, Row Housing Dwelling, Manufactured Home	2 spaces per dwelling unit. Spaces may be in tandem.
Dwelling, Manufactured Home (within a Manufactured Home Park)	2 spaces per dwelling unit. 1 guest space per every 5 units.
Garage Suite Garden Suite Secondary Suite	1 space per suite, in addition to the parking requirements for the principal dwelling. Parking may be in tandem with the spaces for the principal dwelling.





**TABLE 7.3B Minimum Parking Requirements for Commercial Uses**

USE CLASS	MINIMUM NUMBER OF PARKING SPACES
Automotive Repair, Service, Rental and Sales	1 space per 50.0m <sup>2</sup> (538.2ft <sup>2</sup> ) of GFA.
Business Support Service	1 space per 50.0m <sup>2</sup> (538.2ft <sup>2</sup> ) of GFA.
Eating and Drinking Establishment	1 space per 50.0m <sup>2</sup> (538.2ft <sup>2</sup> ) of GFA.
Entertainment Establishment, Indoor	10 per 100.0m <sup>2</sup> (1076.ft <sup>2</sup> ) of GFA.
Entertainment Establishment, Outdoor	5 per 100.0m <sup>2</sup> (1076.4ft <sup>2</sup> ) of GFA.
Financial Service	1 space per 50.0m <sup>2</sup> (538.2ft <sup>2</sup> ) of GFA.
Health Service	2 spaces per 50.0m <sup>2</sup> (538.2ft <sup>2</sup> ) of GFA.
Hotel	1 space per guest room. 5 spaces for staff.
Indoor Playground	3 spaces per 100m <sup>2</sup> (1076.4ft <sup>2</sup> ) of patron space
Kennel	1 space per 50.0m <sup>2</sup> (538.2ft <sup>2</sup> ) of GFA. 2 spaces for staff.
Pet Care Service	1 space per 50.0m <sup>2</sup> (538.2ft <sup>2</sup> ) of GFA.
Personal Service Shop	1 space per 50.0m <sup>2</sup> (538.2ft <sup>2</sup> ) of GFA.
Private Club	1 space for 25.0m <sup>2</sup> (269.1ft <sup>2</sup> ) of patron space.
Professional, Office, Government and Business Service	1 space per 50.0m <sup>2</sup> (538.2ft <sup>2</sup> ) of GFA.
Retail, General	3 spaces per 100m <sup>2</sup> (1076.4ft <sup>2</sup> ) of GFA.
Retail, Cannabis	
Retail, Liquor	
Shopping Centre	
Service Station	5 spaces for customers. 2 spaces for staff.
Veterinary Clinic	1 space per 50.0m <sup>2</sup> (538.2ft <sup>2</sup> ) of GFA.



**TABLE 7.3B Minimum Parking Requirements for Commercial Uses**

USE CLASS	MINIMUM NUMBER OF PARKING SPACES
All other Commercial Uses	1 space per 30.0m <sup>2</sup> (323.0ft <sup>2</sup> ) for the first 1000.0m <sup>2</sup> (10,764ft <sup>2</sup> ) of GFA.  1 space per 20.0m <sup>2</sup> (215.0ft <sup>2</sup> ) for the next 3000.0m <sup>2</sup> (32,291.0ft <sup>2</sup> ) of GFA.  1 space per 17.0m <sup>2</sup> (183.0ft <sup>2</sup> ) for any GFA beyond 4000.0m <sup>2</sup> (43,056.0ft <sup>2</sup> ) in the building.

**TABLE 7.3C Minimum Parking Requirements for Industrial Uses**

USE CLASS	MINIMUM NUMBER OF PARKING SPACES
All Industrial Uses	1 space per 100.0m <sup>2</sup> (1076.4ft <sup>2</sup> ) of GFA.

**TABLE 7.3D Minimum Parking Requirements for Institutional & Recreational Uses**

USE CLASS	MINIMUM NUMBER OF PARKING SPACES
Cemetery	As required by the Development Authority.
Commercial School	4 spaces per classroom.
Cultural and Community Facility	1 space per 50.0m <sup>2</sup> (538.2ft <sup>2</sup> ) of GFA.
Hospital	1 space per 100.0m <sup>2</sup> (1076.4ft <sup>2</sup> ) of GFA.
Place of Worship	1 space per four (4) seats.
Protection and Emergency Services	As required by the Development Authority
Recreation Facility, Indoor	1 space for 4.5m <sup>2</sup> (48.4ft <sup>2</sup> ) of patron space.
Recreation Facility, Outdoor	As required by the Development Authority.
School	Elementary: 2 spaces per classroom.  Junior, Senior High, & Post-Secondary: 7 spaces per classroom.

7.3.2 Visitor parking for developments, where required, shall be made readily accessible and available for visitors to the development, to the satisfaction of the Development Authority.



7.3.3 Designated parking spaces for physical disabilities shall be provided with appropriate provisions of any other Provincial or Federal requirement, including the Alberta Building Code, and shall be included as part of, not in addition to, the applicable minimum parking requirements.

## 7.4 BARRIER-FREE PARKING SPACES

7.4.1 Barrier-free spaces (designated for disabilities) shall be provided with appropriate provisions of any other Provincial or Federal requirement, including the Alberta Building Code, and shall be included as part of, not in addition to, the applicable minimum parking requirements.

7.4.2 Barrier-free spaces shall be located as close as possible to wheelchair ramps, walkways, and entrances. Parking spaces shall not be located within a wheelchair ramp access area.

7.4.3 Barrier-free spaces shall:

- a) Have a firm, slip-resistant, and level surface; and
- b) Be clearly marked as being for the use of persons with disabilities only.

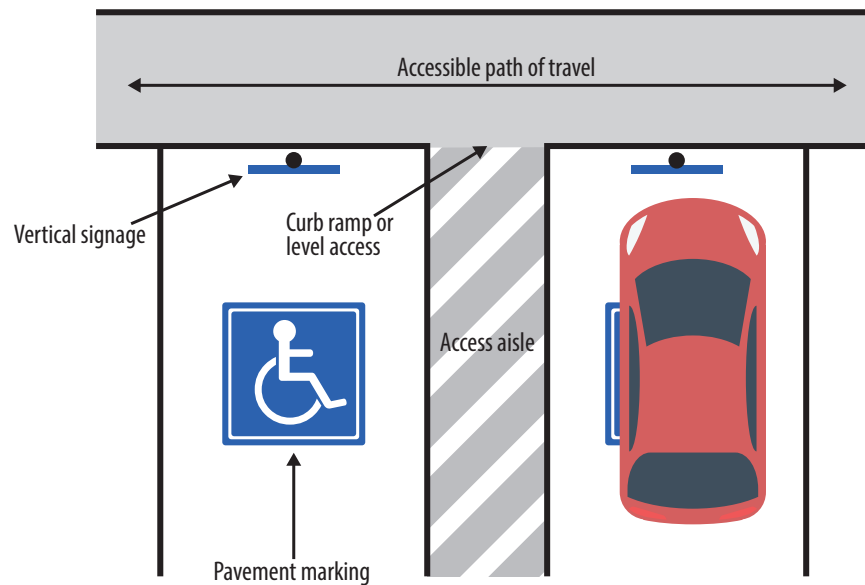


Figure 7.4: Barrier Free Parking Space Requirements

## 7.5 ON-SITE LOADING

7.5.1 When required in a particular Land Use District in this Bylaw or by the Development Authority, a development shall:

- a) Provide loading spaces, each having dimensions of not less than 4.0m (13.1ft) in width, 9.0m (29.5ft) in length, and 5.0m (16.4ft) in height;



- b) Provide vehicular access to and from a road or lane such that no backing or turning movements of vehicles going to or from the site cause interference with traffic in the abutting roads or lanes;
- c) Have loading spaces sited so that the vehicles can be parked and manoeuvred entirely within the bounds of the site;
- d) Have loading spaces sited at an elevation or elevations convenient to a major floor level in the building or to an utility elevator serving each major floor level; and
- e) Have loading spaces graded and drained as to dispose of all storm runoff.

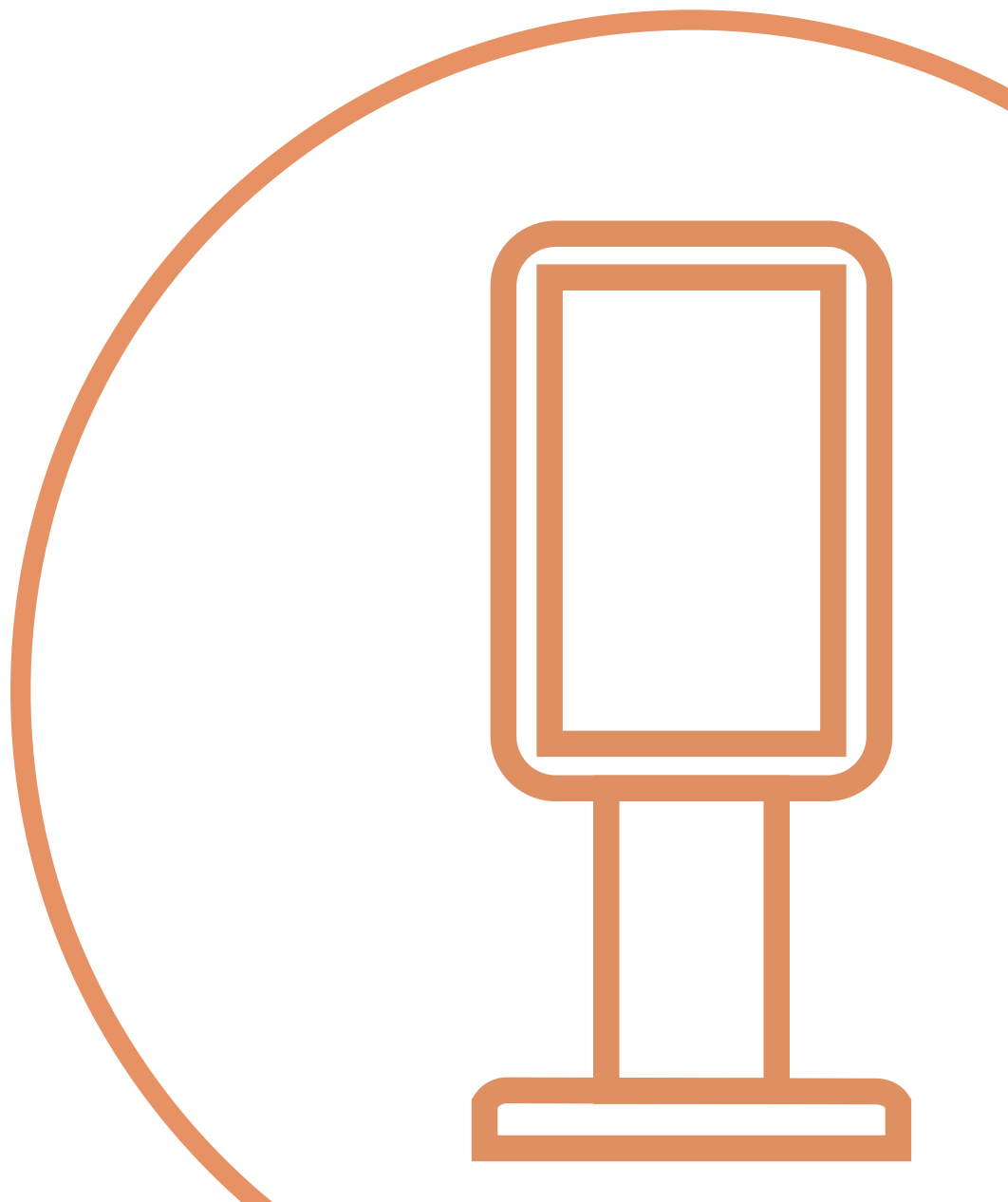
## **7.6 PARKING REGULATIONS FOR DT-MU, DT-T, AND C-MP LAND USE DISTRICTS**

**7.6.1** Notwithstanding Section 7.3, when an applicant has inadequate space for parking, manoeuvring, and loading for a proposed development as required by this Bylaw in the DT-MU, DT-T, or C-MP district, the Development Authority may permit all or part of the parking be provided on an alternate site, provided that:

- a) The alternate site is located within 50.0m (164.0ft) of the proposed development requiring the parking;
- b) The applicant enter into a Development Agreement with the Town in respect of the provision, development, and maintenance of the off-site parking including the construction of the off-site parking;
- c) The applicant register, at its own cost, a caveat for the development agreement against both properties, and provide a copy of that registration to the Development Authority;
- d) The applicant register a restrictive covenant in a form acceptable to the Development Authority against the title of the property where parking is provided, which restricts the use of the property to parking; and
- e) The development permit shall be cancelled if the alternate site becomes unavailable for parking and the applicant is unable to provide a replacement space to the satisfaction of the Development Authority within thirty (30) days from when the alternate site becomes unavailable for parking.

**7.6.2** The Development Authority may grant approval of development applications which are deficient in on-site parking spaces if, in the opinion of the Development Authority, to do so would facilitate business development and expansion and would not substantially exacerbate parking deficiencies in the Downtown. Doing so would be considered a relaxation, not a variance.

# PART 8: SIGN REGULATIONS

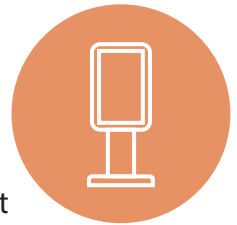




## PART 8: SIGN REGULATIONS

### 8.1 GENERAL PROVISIONS FOR SIGNS

- 8.1.1 No person shall erect, develop, paint, enlarge, relocate, or alter any sign, except as otherwise provided for in this Bylaw without first obtaining a development permit.
- 8.1.2 A development permit is not required to clean, repair, or repaint any sign for which a development permit has been issued.
- 8.1.3 With the exception of billboards and portable signs, all signs shall be for on-site advertising.
- 8.1.4 No sign shall be attached to a fence, pole, tree, or any object in a road or public place.
- 8.1.5 No sign shall be erected in any location which may:
- a) Obstruct free and clear vision of vehicular traffic; or
  - b) Interfere with, or be confused with, any authorized traffic sign, signal or device.
- 8.1.6 All signs shall be maintained in good and safe structural condition and shall be periodically repainted.
- 8.1.7 All sign structures shall be securely built, constructed, and erected to conform to the standards set forth in this Bylaw. All structural features of a sign shall be covered or finished to the satisfaction of the Development Authority.
- 8.1.8 No sign shall be constructed or erected on private property without the owner's permission.
- 8.1.9 Illumination of signs shall be considered by the Development Authority according to the merits of each individual application. The Development Authority may approve a development permit for an illuminated sign provided that:
- a) The sign conforms to all other regulations in this Bylaw;
  - b) Any flasher, animator, or revolving beacon will not be visible from any residential property within a distance of 92.0m (301.8ft);
  - c) The sign is not located within 100m (328ft) of a major intersection;
  - d) Illumination shall not obstruct the view or be confused with a traffic sign or device;
  - e) Illumination shall not resemble flashing lights of police, fire, ambulance, or other emergency vehicles;



- f) Brightness does not exceed 0.3 foot-candles above ambient light conditions during daytime; and
- g) Brightness does not exceed 300 nits between sunset and sunrise.

## **8.2 APPLICATION FOR SIGNS**

8.2.1 Applicants shall provide the following information in addition to the requirements of Section 3.6 when applying for a development permit for a sign:

- a) All dimensions of the sign structure, including height and projection of sign attached to a building;
- b) Area and design of the copy face;
- c) Details of sign illumination (if any);
- d) Type of construction and finishing;
- e) Method of support; and
- f) Site plan showing sign location in relation to other signs, property boundaries, and buildings.

## **8.3 RESPONSIBILITIES OF A SIGN OWNER**

8.3.1 The owner of a sign shall comply with the provisions of this and all other Bylaws of the Town and may not deviate from the approved plans, unless such deviation is approved, in writing, by the Development Authority.

8.3.2 The owner of a sign shall maintain the sign in a proper state of repair and shall:

- a) Keep it properly painted at all times;
- b) Ensure that all structural members, guy wires or other methods of support are properly attached to the sign and building;
- c) Clean all sign surfaces as it becomes necessary due to an accumulation of dust, dirt, and/or debris; and
- d) The Development Authority shall have discretion for signage that may be in disrepair.

## **8.4 REMOVAL OF SIGNS**

8.4.1 Where the Development Authority determines that a sign is abandoned, was placed without proper approvals, poses an immediate safety concern, or is in an overall state of disrepair they may, by written notice, order the owner of the land on which the sign is located and/or the owner or operator of the sign itself to:



- a) Remove the sign and all related structural components within a reasonable time period, as determined by the Development Authority; or
- b) Take such measures as the Development Authority specifies in the notice to alter, refurbish, or repair the sign.

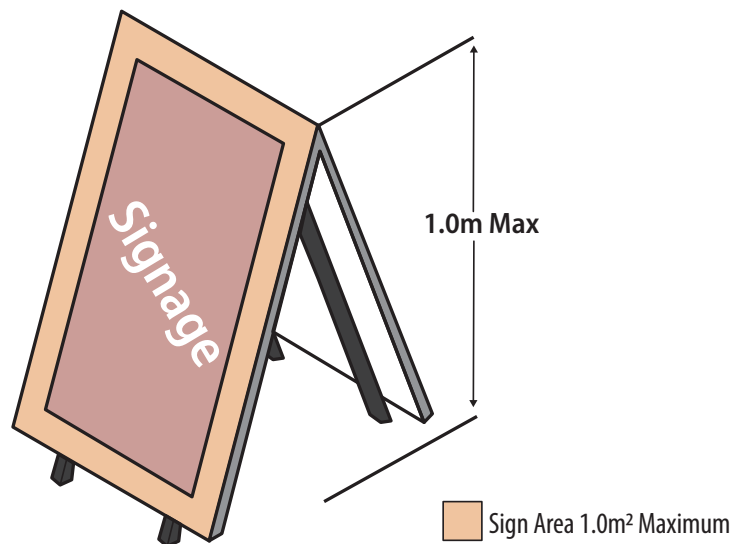
8.4.2 If a written notice issued under Section 8.4.1 is not complied with within the specified time period, the Development Authority may remove the subject sign and any impound fee associated with its removal shall be charged to the owner of the Sign.

8.4.3 Any impounded sign shall be held for thirty (30) days. If not claimed, the Sign will be disposed of in any manner the Town deems appropriate.

## 8.5 A-FRAME SIGNS

8.5.1 A-Frame Signs shall conform with the following maximum dimensions as shown in [Figure 8.5](#):

- a) Maximum Sign Area - 1.0m<sup>2</sup> (10.8ft<sup>2</sup>)
- b) Maximum Height - 1.0m (3.3ft)



*Figure 8.5: A-Frame Sign Dimension Requirements*

8.5.2 A-Frame Signs shall conform with the following standards:

- a) Shall be no more than one (1) sign per business;
- b) Shall be placed only during hours of operation;
- c) Shall not obstruct pedestrian or vehicular traffic visibility of sight-lines; and
- d) Shall have no illumination or electronic messaging.

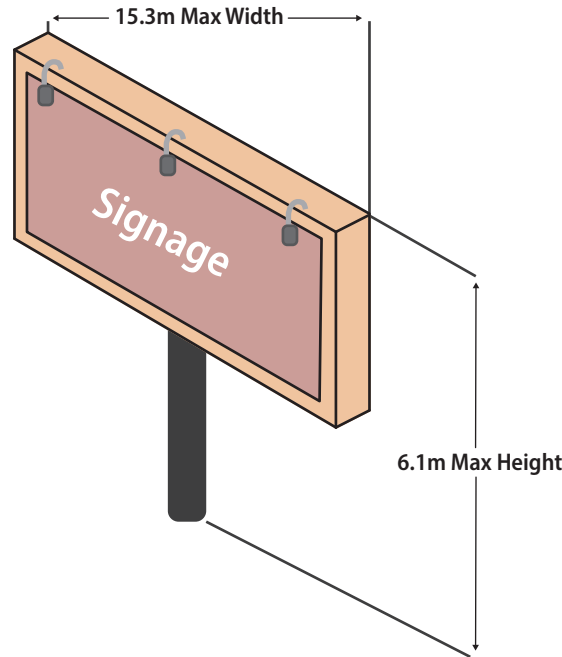




## 8.6 BILLBOARDS

8.6.1 Billboard Signs shall conform with the following maximum dimensions as shown in [Figure 8.6](#):

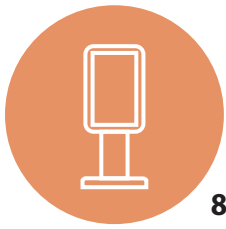
- a) Maximum Height - 6.1m (20.0ft)
- b) Maximum Width - 15.3m (50.2ft)



*Figure 8.6: Billboard Sign Dimension Requirements*

8.6.2 Billboard Signs shall conform with the following standards:

- a) Shall be a minimum of 6.0m (19.7ft) from any property line;
- b) Shall have a minimum clearance of 3.0m (9.8ft) from grade;
- c) On corner lots, shall be a minimum of 30.0m (98.4ft) from any abutting public roadway;
- d) Shall not have vertical posts supporting the structure that project above the upper edge of the boarding.
- e) Shall contain any additional bracing between the front and rear faces of the vertical supports.

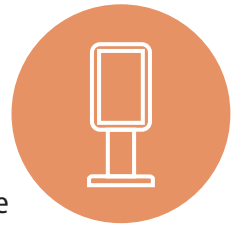


## **8.7 ELECTION SIGNS**

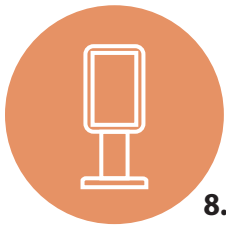
- 8.7.1 Election signs installed within a highway right-of-way shall have a maximum sign area of 1.5m<sup>2</sup> (16.1ft<sup>2</sup>).
- 8.7.2 Election signs installed on private property shall have a maximum sign area of 1.0m<sup>2</sup> (10.8ft<sup>2</sup>).
- 8.7.3 Election signs shall be removed by no later than fourteen (14) days after the election of which they refer.
- 8.7.4 Election signs shall:
- a) Not imitate the wording of a standard or commonly used highway traffic sign, such as stop, stop ahead, or yield;
  - b) Not be animated, illuminated, rotating, flashing, or have moving lights or other electrical features;
  - c) Not have attachments such as balloons, kites, or inflatable devices;
  - d) Not contain an electronic message component;
  - e) Not resemble traffic control devices;
  - f) Not be placed in such a way as to create a potential hazard to vehicular or pedestrian traffic and must not obstruct the view of any portion of a traffic control device or signal;
  - g) Not be placed within centre medians and traffic islands; and
  - h) Be self supporting and not attached to any Town property such as fences, benches, trees, street light poles, traffic signal poles, or fire hydrants.
- 8.7.5 Election signs placed on a corner lot shall be setback a minimum of 3.0m (9.8ft) from the front and front flanking property lines.

## **8.8 ELECTRONIC MESSAGE SIGNS**

- 8.8.1 A sign located within a Residential Land Use District shall not have an electronic message component.
- 8.8.2 A sign with an electronic message component shall not be located within 300.0m (984.3ft) of any other Electronic Message Sign facing the same oncoming traffic.
- 8.8.3 An Electronic Message Sign shall not include illumination that may compete with or dull the contrast of a traffic control device or traffic control signal for oncoming vehicular traffic.

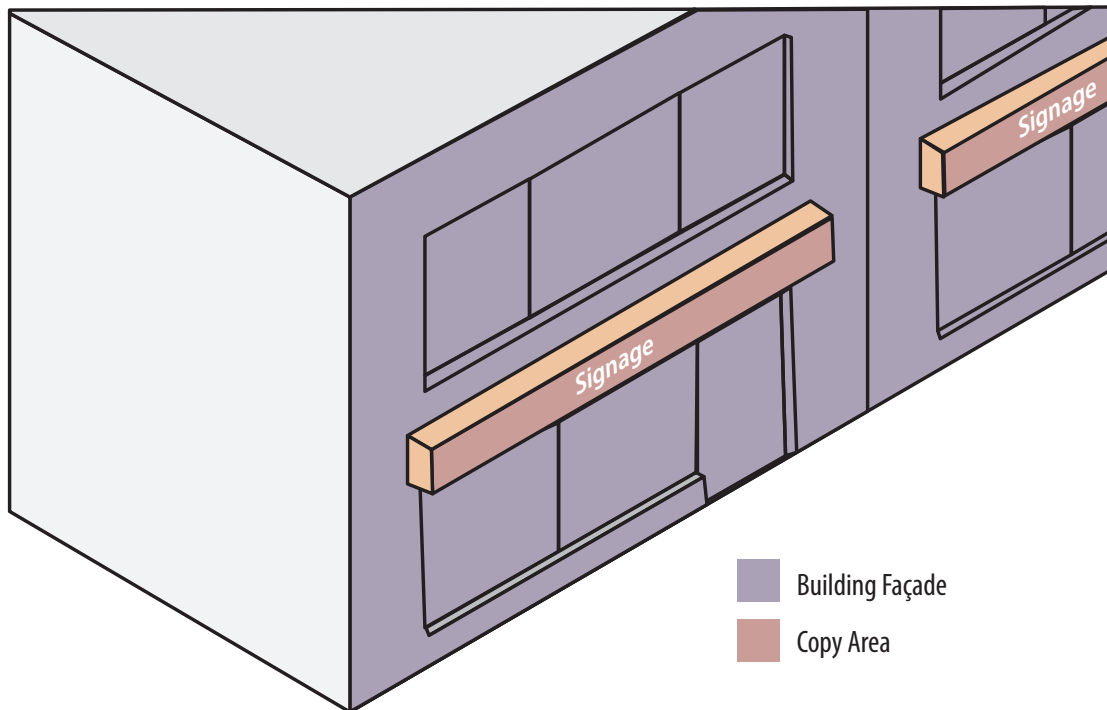


- 8.8.4** Electronic Message Signs shall not face a Residential Use and shall only be located or constructed such that the illumination from the sign does not project onto any surrounding residential land uses, to the satisfaction of the Development Authority.
- 8.8.5** A sign located on, or attached to, a roof of a building shall not have an electronic message component.
- 8.8.6** The design and character of an Electronic Message Sign on any site shall be to the satisfaction of the Development Authority, who may take into consideration the compatibility with the general architectural character and theme of the area.
- 8.8.7** The electrical power supply to an Electronic Message Sign shall be provided underground.
- 8.8.8** More than one electronic message sign may be permitted per site, provided they are placed no closer than 90.0m (295.3ft) apart, providing they do not face the same oncoming traffic.
- 8.8.9** Digital displays on Electronic Message Signs shall comply with the following:
- a) Copy shall be static and remain in place for a minimum of six (6) seconds before switching to a new or the next copy;
  - b) Transitions between each digital copy shall be instantaneous and not involve any visible effects, including but not limited to: action, motion, fading in or out, dissolving, blinking, intermittent or flashing lights, or the illusion of such effects;
  - c) Copy shall not be shown on the digital display using full motion video, movies, Motion Picture Experts Group (MPEG), or any other non-static digital format;
  - d) The light output for the digital display shall be set to operate and not exceed the levels established in Section 8.1.9 at all times the sign is operating; and
  - e) If any component of the sign fails or malfunctions in any way, the sign owner shall ensure that the sign is turned off until all components are fixed and operating as required.
- 8.8.10** Electronic Message Signs that are accessory to a drive-in business and are used for the purpose of menu board ordering may be placed closer together than the distance prescribed in Section 8.7.8, at the discretion of the Development Authority.
- 8.8.11** Portable signs shall not have an electronic message component.



## 8.9 FASCIA SIGNS

8.9.1 Fascia Signs shall have a maximum copy area of less or equal to 25% of the building façade as show in [Figure 8.9](#).



*Figure 8.9: Fascia Sign Copy Area Requirements*

8.9.2 Fascia Signs shall conform with the following standards:

- a) Shall not project more than 1.0m (3.3ft) above the vertical face of the wall to which the sign is attached;
- b) Shall not project more than 0.3m (1.0ft) from the face of the wall to which the sign is attached; and
- c) Shall only be located on building frontages facing a public roadway.

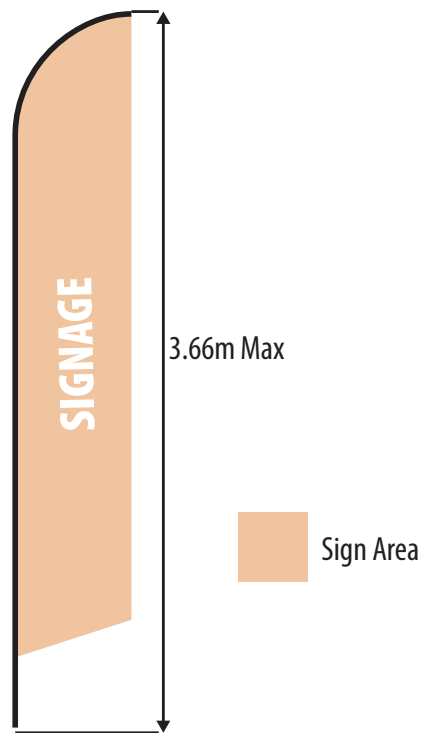
8.9.3 Notwithstanding Section 8.9.2 c) above, fascia signs, other than painted wall signs, may be approved on a building façade which is not a business frontage by the Development Authority according to the merits of the individual application.



## 8.10 FLAG SIGNS

8.10.1 Flag Signs shall conform with the following maximum dimensions as shown in [Figure 8.10](#):

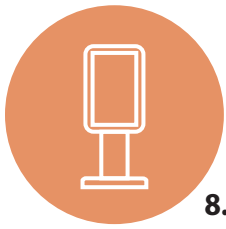
- a) Maximum Sign Area - 1.85m<sup>2</sup> (19.9ft<sup>2</sup>)
- b) Maximum Height - 3.66m (12.0ft)



*Figure 8.10: Flag Sign Dimension Requirements*

8.10.2 Flag Signs shall conform with the following standards:

- a) Shall be no more than three (3) flag signs per site;
- b) Shall not block sidewalks or interfere with pedestrian or vehicular traffic;
- c) Shall not obstruct views to any existing business or existing permanent sign;
- d) Shall be located within the property lines of the site on which it is placed; and
- e) Shall be secured and stabilized so as to withstand wind gusts, or be removed during windy conditions.



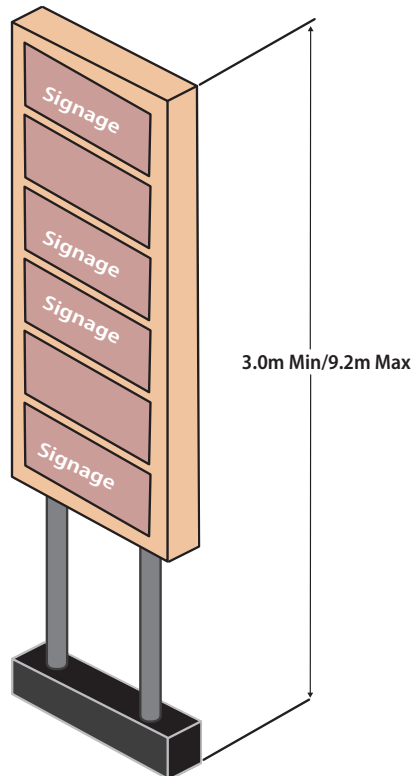
## 8.11 FREESTANDING SIGNS

8.11.1 Freestanding Signs shall have a maximum sign area of:

- a)  $8.5\text{m}^2$  ( $91.5\text{ft}^2$ ) for the first  $15.3\text{m}$  ( $50.2\text{ft}$ ) of business frontage;
- b) Plus  $0.35\text{m}^2$  ( $3.8\text{ft}^2$ ) for each additional metre of business frontage;
- c) To a maximum of  $14.1\text{m}^2$  ( $151.8\text{ft}^2$ ).

8.11.2 Freestanding Signs shall conform with the following requirements for height as show in [Figure 8.11](#):

- a) Minimum Height -  $3.0\text{m}$  ( $9.8\text{ft}$ )
- b) Maximum Height -  $9.2\text{m}$  ( $30.2\text{ft}$ )



*Figure 8.11: Freestanding Sign Height Requirements*

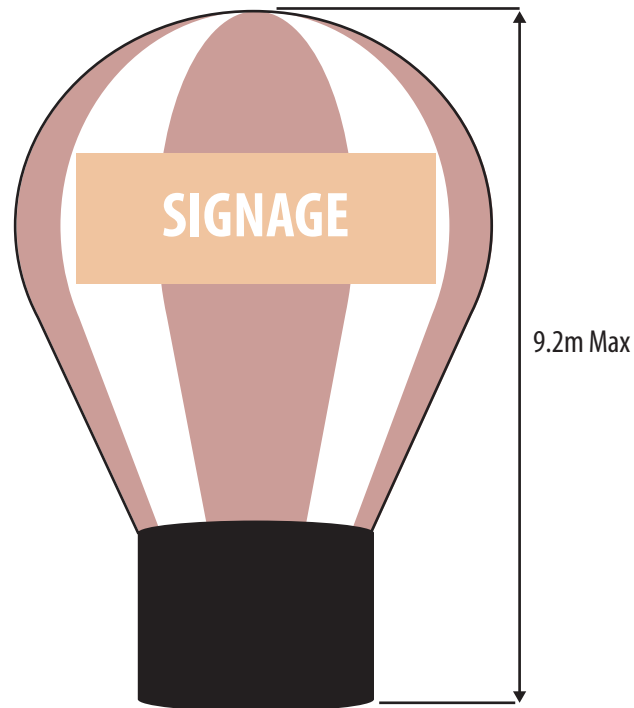
8.11.3 Freestanding Signs shall conform with the following standards:

- a) Shall have a minimum front setback of  $3.0\text{m}$  ( $9.8\text{ft}$ );
- b) Shall be a minimum of  $15.3\text{m}$  ( $50.2\text{ft}$ ) from any other freestanding sign;
- c) Shall have structural members free of advertising; and
- d) Shall not be more than one (1) free-standing sign per each  $15.3\text{m}$  ( $50.2\text{ft}$ ) of business frontage, or portion thereof.



## 8.12 INFLATABLE SIGNS

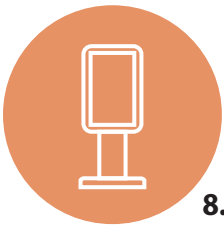
8.12.1 Inflatable Signs shall have a maximum height of 9.2m (30.2ft) as shown in [Figure 8.12](#).



*Figure 8.12: Inflatable Signs Maximum Height Requirements*

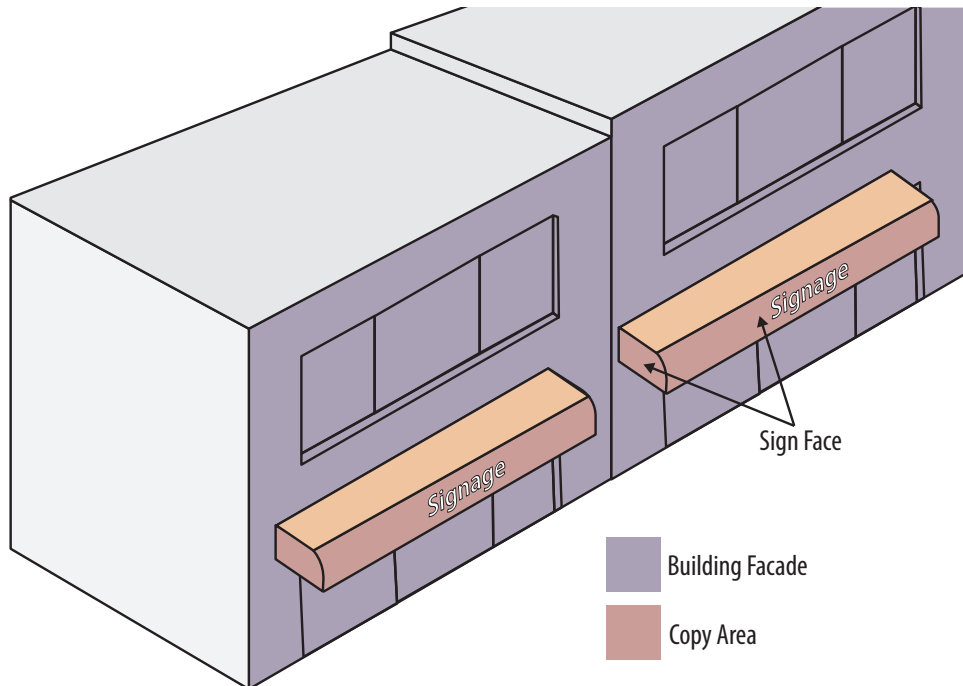
8.12.2 Inflatable Signs shall conform with the following standards:

- a) Shall not be more than one (1) inflatable sign per site;
- b) Shall be tethered or anchored so that the sign is touching the ground surface to which it is anchored; and
- c) Shall only be located on a site twice in a calendar year and not for longer than thirty (30) consecutive days each time.



## 8.13 MARQUEE OR CANOPY SIGNS

8.13.1 Marquee or Canopy Signs shall have a maximum sign area of less or equal to 25% of the building façade and a maximum copy area of any single face less or equal to 50% of the canopy area as shown in [Figure 8.13](#).



*Figure 8.13: Marquee or Canopy Sign Area Requirements*

8.13.2 Marquee or Canopy Signs shall conform with the following standards:

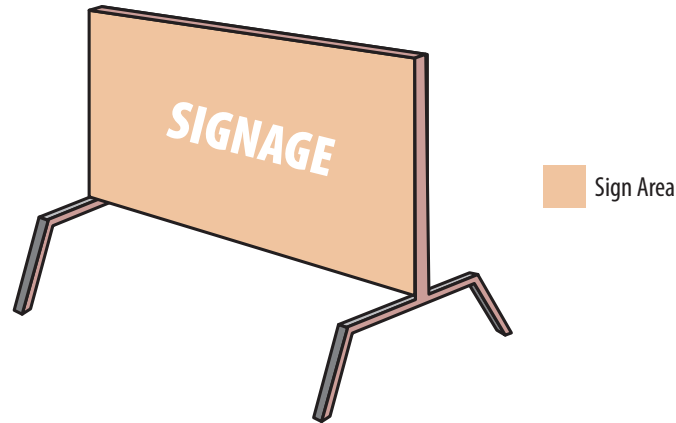
- a) Shall be located on a business frontage facing a public roadway;
- b) Shall have no more than 1.0m (3.3ft) projection above the top edge of the canopy;
- c) Shall have a minimum clearance of 2.5m (8.2ft) above grade;
- d) Shall not project over a road or lane;
- e) Shall be attached to the edge of the marquee or canopy; and
- f) Shall have no additional supporting wires or stays attached to the sign structure or wall.





## 8.14 PORTABLE SIGNS

8.14.1 Portable Signs shall have a maximum sign area of 4.65m<sup>2</sup> (50.0ft<sup>2</sup>) as shown in [Figure 8.14](#).



*Figure 8.14 Portable Sign Area Requirements*

8.14.2 Portable Signs shall be located:

- a) A minimum of 1.0m (3.3ft) from any property line;
- b) A minimum of 15.3m (50.2ft) from any other portable sign; and
- c) A minimum of 15.3m (50.2ft) from the intersections of any roads or lanes.

8.14.3 Portable Signs shall conform with the following standards:

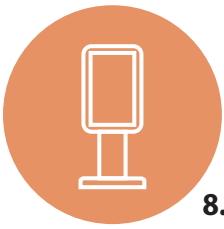
- a) Shall not be more than one (1) portable sign per each 15.3m (50.2ft) of business frontage;
- b) Shall not be more than one (1) portable sign per business in a multiple-occupancy development;
- c) Shall bear a name plate indicating, at a minimum, the name and phone number of the owner of the sign; and
- d) Shall not be placed within a road right-of-way.

8.14.4 Portable sign approvals shall be issued for 3-, 6-, and 12-month time periods.

8.14.5 Should a portable sign be removed, the development permit is considered void, and a new development permit is required for the signs' replacement.

8.14.6 Following the expiry of a portable sign approval, the portable sign shall be immediately removed from the site until a new development permit is issued.

8.14.7 Portable signs approved on municipally owned lands shall be used solely for the advertising needs of community or non-profit organizations.

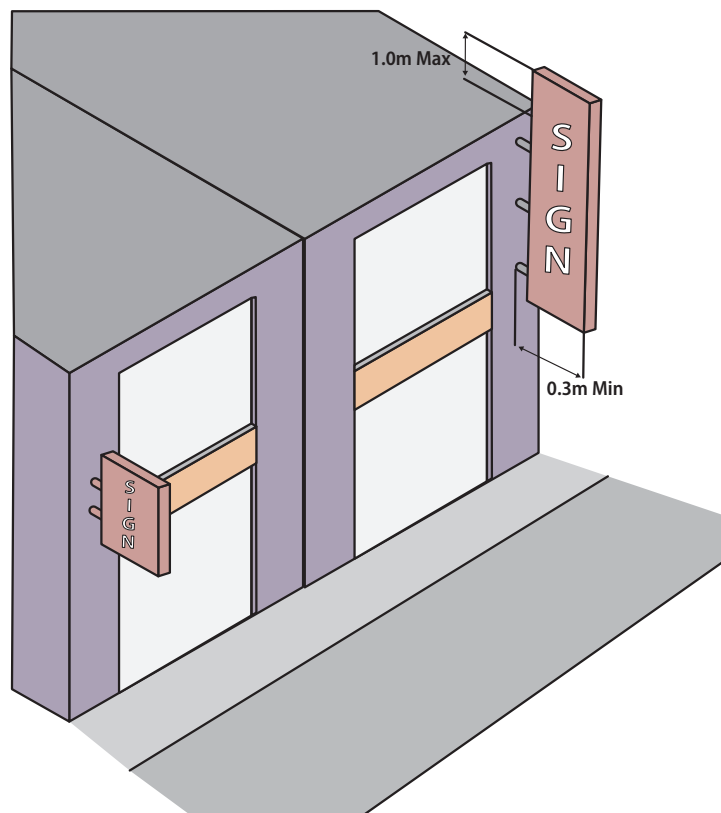


## 8.15 PROJECTING SIGNS

8.15.1 The maximum sign area of a projecting sign shall be at the discretion of the Development Authority.

8.15.2 A projecting sign shall conform with the following requirements for projection from the wall to which it is attached as shown in [Figure 8.15](#):

- a) Minimum projection of 0.3m (1.0ft) from the face of wall; and
- b) Maximum projection of 1.0m (3.3ft) above the top of the vertical face of the wall.



*Figure 8.15: Projecting Sign Projection Requirements*

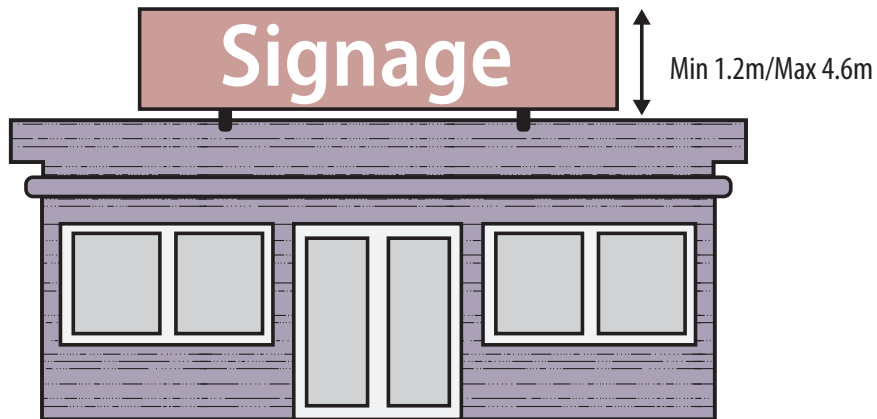
8.15.3 Projecting signs shall conform with the following standards:

- a) Shall have a minimum clearance of 3.0m (9.8ft) above ground;
- b) Shall be no closer than 0.6m (2.0ft) from a curb or edge of a public roadway; and
- c) Shall not be more than one (1) projecting sign for each business.



## 8.16 ROOF SIGNS

8.16.1 Roof Signs shall have a minimum height of 1.2m (3.9ft) and a maximum height of 4.6m (15.1ft) from the level of the roof as shown in [Figure 8.16](#).



*Figure 8.16: Roof Sign Height Requirements*

- 8.16.2 The maximum sign area of roof signs shall be at the discretion of the Development Authority.
- 8.16.3 A roof sign shall only be attached to a building with a minimum height of 10.5m (34.4ft) with a flat roof.
- 8.16.4 Roof Signs shall only refer to the business conducted in the building on which it is erected.

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# **PART 9:**

# **RESIDENTIAL LAND USE DISTRICTS**





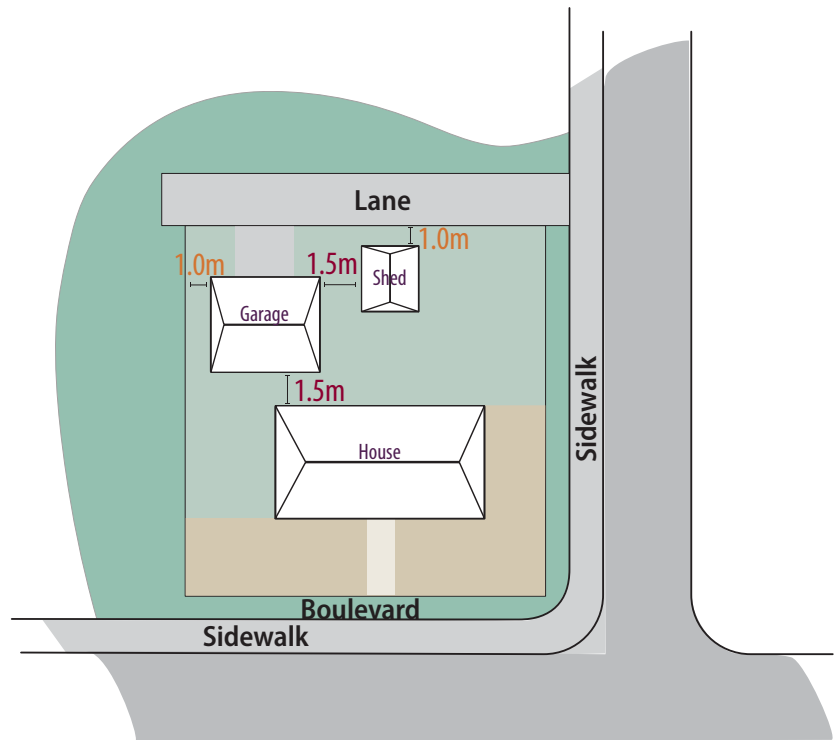
## GENERAL PROVISIONS FOR ALL RESIDENTIAL DISTRICTS

### 9.1 ACCESSORY USES AND BUILDINGS IN RESIDENTIAL DISTRICTS

9.1.1 Accessory buildings in Residential Land Use Districts may include, but are not limited to, detached garages, carports, sheds, storage buildings, gazebos, playhouses, play equipment, swimming pools, and hot tubs not attached to the principal building. Any Accessory Building not specifically identified herein shall meet the minimum height and setback requirements for a residential detached garage.

9.1.2 Unless otherwise provided in a specific Land Use District, accessory buildings within Residential Land Use Districts shall be located (Figure 9.1a):

- a) Not within a front yard or front flanking yard area;
- b) No closer than 1.5m (4.9ft) from any other building, on-site, unless attached to or located thereon;
- c) No closer than 1.0m (3.3ft) from the rear property line; and
- d) No closer than 1.0m (3.3ft) from the side property line.



Accessory Buildings Not Permitted      — Minimum Separation Distance  
— Minimum Setback

Figure 9.1a: Residential Accessory Building Location Requirements



9.1.3 Unless otherwise provided for in a specific Land Use District, accessory buildings shall:

- a) Not exceed 4.6m (15.1ft) in height;
- b) Be finished with an exterior treatment complementing that of the principal building with respect to colour, finish, materials, and texture; and
- c) Have eaves that project no more than 0.6m (2.0ft) into a minimum setback.

9.1.4 The maximum site coverage permitted in a Land Use District shall be inclusive of the combined total area for all accessory developments individually having an area of more than 10.0m<sup>2</sup> (107.6ft<sup>2</sup>).

### DETACHED GARAGES

9.1.5 Unless otherwise provided in a specific Land Use District, detached garages within Residential Land Use Districts shall be located no closer than 1.0m (3.3ft) from a rear or side property line, unless (Figure 9.1b):

- a) Located on a corner site, in which case, no closer than 3.0m (9.8ft) from the front flanking property line; or
- b) Constructed as an adjoining rear detached garage with a party wall.

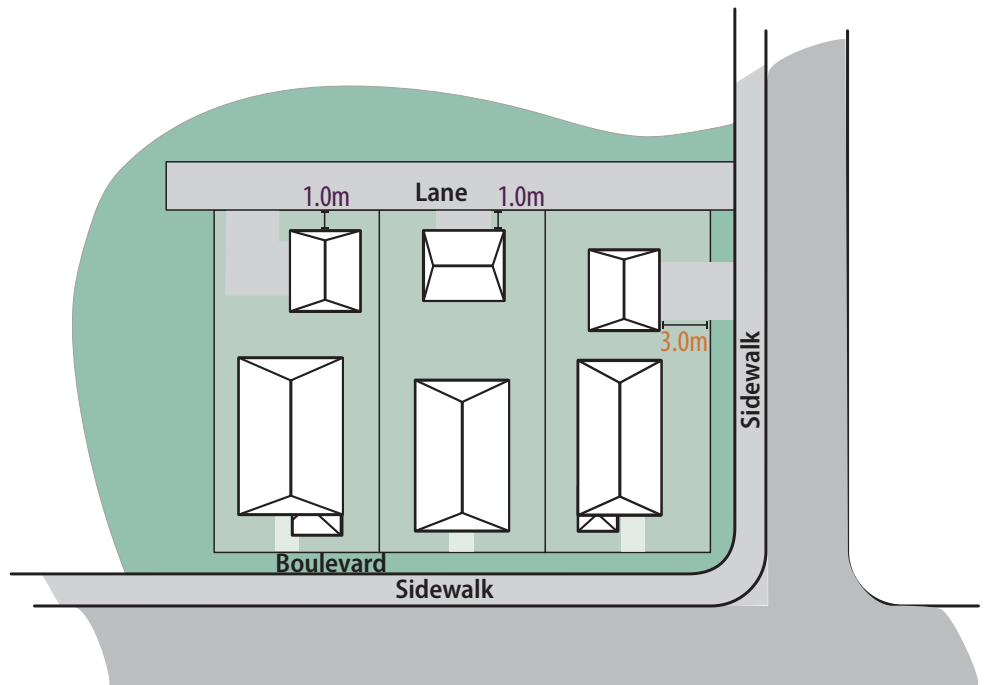


Figure 9.1b: Detached Garage Location Requirements



## SHIPPING CONTAINERS

9.1.6 Shipping containers shall not be located in Residential Land Use Districts.

## PORTABLE FABRIC-COVERED STRUCTURES

9.1.7 Portable fabric-covered structures shall (Figure 9.1c):

- a) Not have a floor area exceeding 30.0m<sup>2</sup> (322.9ft<sup>2</sup>);
- b) Be prefabricated and consist of metal, plastic, or wood-framing covered with a flame-resistant fabric or film;
- c) Be securely anchored to the ground;
- d) Not restrict in any manner any required egress or exits from the principal dwelling;
- e) Be constructed and orientated in such a manner than snow and ice is to fall, and remain, on the property on which it is placed; and
- f) Be maintained in a good state of repair, including, but not limited to, free of rips and tears and clean of dirt or grime.

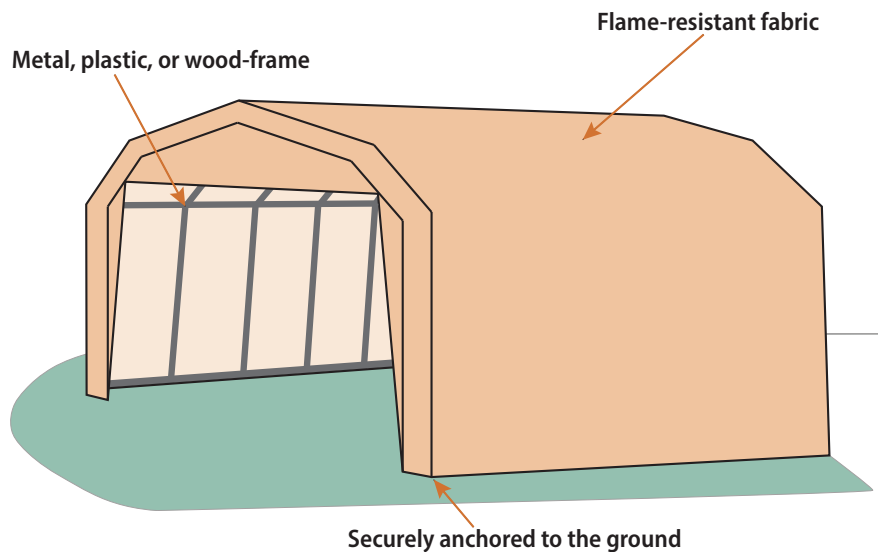


Figure 9.1c: Portable Fabric-Covered Structure Requirements

9.1.8 No more than one (1) portable fabric-covered structure shall be permitted per lot.

9.1.9 If the owner of a portable fabric-covered structure fails to comply with this Bylaw, the Development Authority may, by written notice, order the owner of the land on which the structure is located to:

- a) Remove the structure within a reasonable time period, as determined by the Development Authority; or





- b) Take such measures as the Development Authority specifies in the notice to alter, refurbish, or repair the structure.

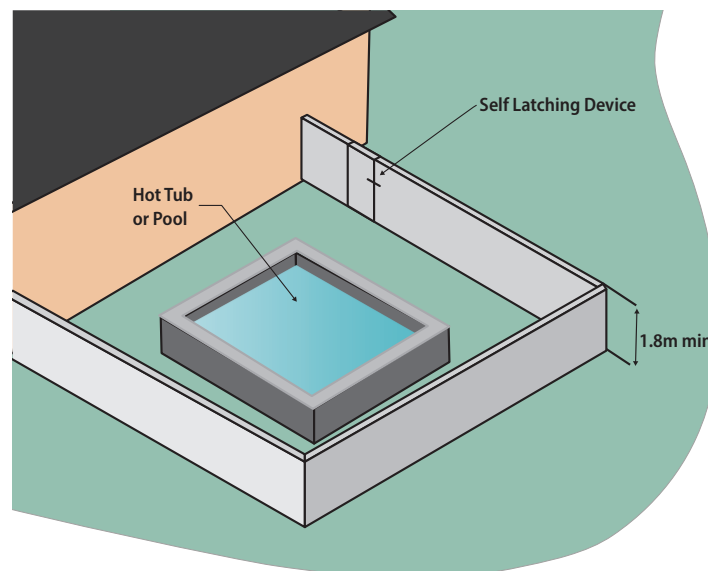
**9.1.10** If a written notice issued under Section 9.1.9 is not complied with within the specified time period, the Development Authority may remove the subject structure. Any impounded structure shall be held for thirty (30) days. If not claimed, the structure will be disposed of in any manner the Town deems appropriate.

### SWIMMING POOLS AND HOT TUBS

**9.1.11** Swimming pools and hot tubs in Residential Land Use Districts shall be located:

- a) Not within any required front yard, utility right-of-way, or easement;
- b) Such that the water surface is no closer than 1.0m (3.3ft) from a property line; and
- c) Such that diving boards, slides, and other accessory uses do not encroach on the setback requirements.

**9.1.12** The entire area of the pool or hot tub shall be protected by a fence, building, wall, or enclosure that can prevent access by unauthorized persons, as shown in [Figure 9.1d](#), and the height of the fence above grade shall not be less than 1.83m (6.0ft).



*Figure 9.1d: Swimming Pool and Hot Tub Enclosure Requirements*

**9.1.13** Openings for access through the fence or enclosure around a pool or hot tub shall be protected by a gate that is the same height as the fence or enclosure and is equipped with a self-closing device.



9.1.14 Notwithstanding Section 9.1.12, a fence, building, wall, or enclosure is not required if the pool or hot tub is equipped with a CSA certified lockable cover.

9.1.15 The area around an above-ground pool or hot tub shall be sloped to drain either to a lane or road and away from adjacent properties. Pools or hot tubs shall not be drained into the Town's sanitary system.

## 9.2 PROJECTION INTO MINIMUM YARDS

9.2.1 The following features and structures may project into a required minimum setback area, subject to the approval of the Development Authority as per [Table 9.2](#):

PROJECTION	FRONT YARD SETBACK AREA	REAR YARD SETBACK AREA	SIDE YARD SETBACK AREA
Eaves	0.6m (2.0ft) maximum	0.6m (2.0ft) maximum	0.6m (2.0ft) maximum
Shade Projections	0.6m (2.0ft) maximum	0.6m (2.0ft) maximum	0.6m (2.0ft) maximum
Bay or Oriel Windows	0.6m (2.0ft) maximum	0.6m (2.0ft) maximum	0.6m (2.0ft) maximum
Chimney	0.6m (2.0ft) maximum	0.6m (2.0ft) maximum	0.6m (2.0ft) maximum
Belt Courses and Sills	0.6m (2.0ft) maximum	0.6m (2.0ft) maximum	0.6m (2.0ft) maximum
Covered Balconies	0.6m (2.0ft) maximum	0.6m (2.0ft) maximum	0.6m (2.0ft) maximum
Covered Balconies (Apartment Dwelling)	0.6m (2.0ft) maximum	0.6m (2.0ft) maximum	1.5m (4.9ft) maximum
Unenclosed Balconies, Steps and Entrance Ways	2.0m (6.56ft) maximum	0.6m (2.0ft) maximum	0.6m (2.0ft) maximum
Uncovered Decks	1.2m (3.9ft) maximum)	3.0m (9.8ft) maximum	Not Permitted

9.2.2 Notwithstanding [Table 9.2](#), in no situation shall the projection into any required setback be closer than 0.45m (1.5ft) to an adjoining property line.

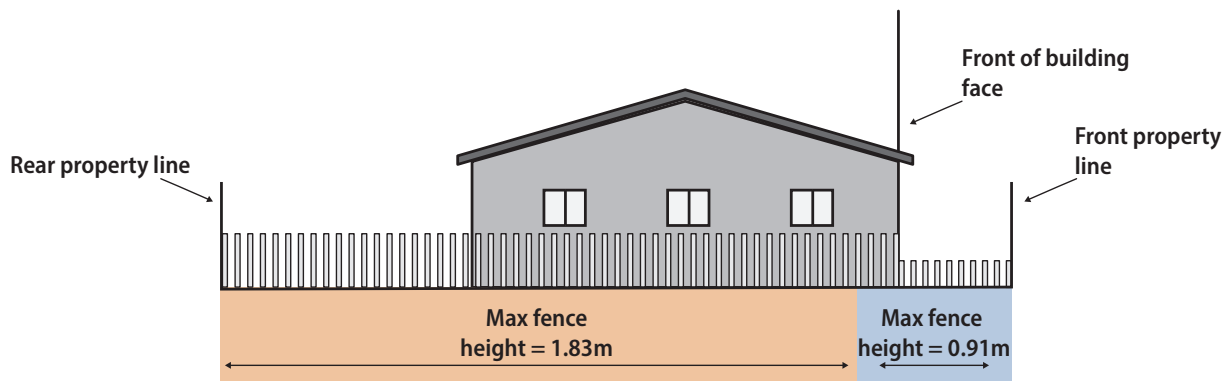


### 9.3 DECKS AND PATIOS

- 9.3.1 Decks within Residential Land Use Districts shall be located to preserve the privacy on adjacent properties.
- 9.3.2 Decks within Residential Land Use Districts shall require a Development Permit if located 0.6m (2.0ft) or greater above grade and shall adhere to all setbacks for the principal building when attached to the principal building, except for the projections noted in [Table 9.2](#).
- 9.3.3 Decks and patios within Residential Land Use Districts that are under 0.6m (2.0ft) above grade shall not be included in the calculation of total site coverage on a lot.

### 9.4 FENCES AND HEDGES

- 9.4.1 Fences and hedges within Residential Land Use Districts shall be no higher than ([Figure 9.4](#)):
- 1.83m (6.0ft) along a rear or side property line; and
  - 0.91m (3.0ft) along a front property line.



*Figure 9.4: Residential Fence Height Requirements*

- 9.4.2 Fences and hedges on a corner or double fronting lot may be increased to a height of 1.83m (6.0ft) along a flanking front property line, provided that the fence or hedge is not located within any portion of the defined front yard.
- 9.4.3 There shall be no electrification of fences, barbed, or paige wire in Residential Land Use Districts.
- 9.4.4 No fence or hedge is permitted in the front or side yard of a corner lot, if in the opinion of the Development Officer, the fence will block or impede traffic sight lines.



## 9.5 PRIVACY WALLS

9.5.1 Unless otherwise referenced in a specific Land Use District, a privacy wall may be located on a patio, deck, or balcony provided that it:

- a) Does not exceed 2.0m (6.6ft) in height when measured from the surface of the patio, deck, or balcony (Figure 9.5); and

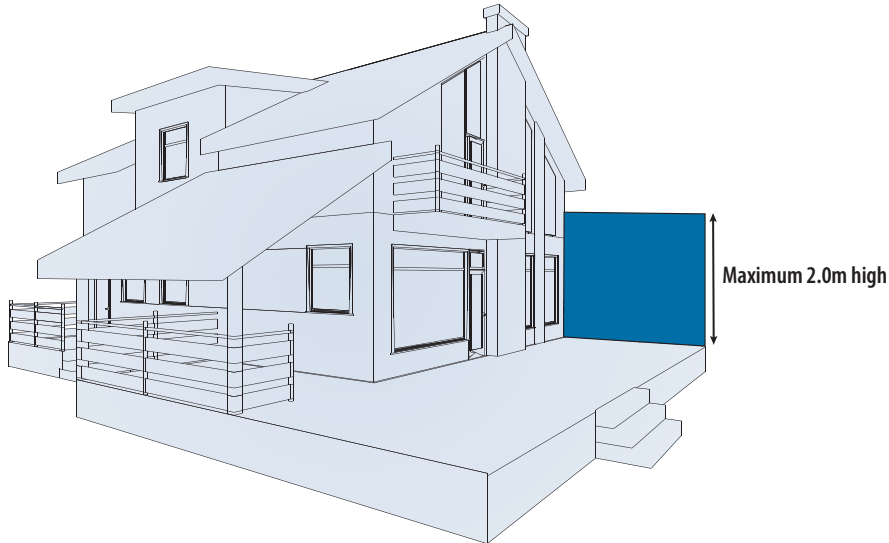


Figure 9.5: Privacy Wall Height Maximum

- b) Is not located between the foremost front façade of the principal building and the front property line.

## RESIDENTIAL LANDSCAPING

### 9.6 LANDSCAPING REQUIREMENTS FOR RESIDENTIAL USES

9.6.1 No more than 10.0m (32.8ft) of the front yard of any single detached, semi-detached, or row house shall be covered in hard landscaping (Figure 9.6a).

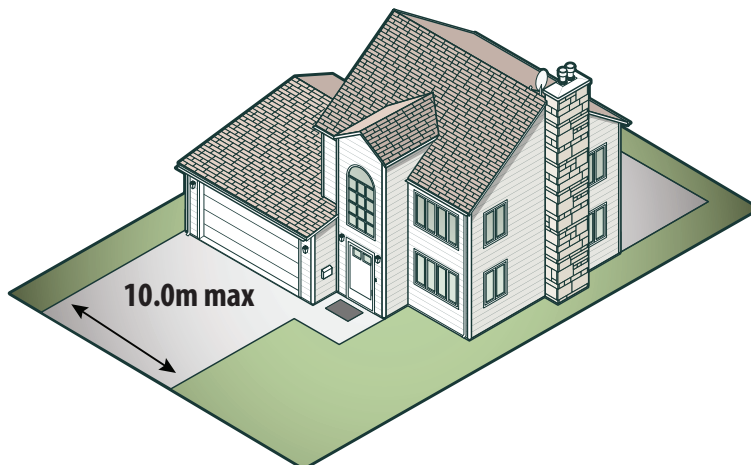


Figure 9.6a: Front Yard Hard Landscaping



9.6.2 In addition to the provisions of Section 6.13 General Landscaping Requirements, the following shall apply to all multi-unit housing developments:

- a) A minimum of 20% of the site area shall be landscaped, including all areas not occupied by buildings or parking areas;
- b) Any parking lot having eight (8) or more parking spaces that are visible from an adjoining site in a residential area shall have plantings of trees and/or shrubs around the perimeter of the site; and
- c) Landscape buffers (Figure 9.6b) between parking, loading, and hard surfaced areas and adjacent residential sites shall be a minimum of 3.0m (9.8ft) in width, or to the satisfaction of the Development Authority, and shall include:
  - i. A mix of deciduous and coniferous trees with at least 60% of those trees being coniferous; and
  - ii. The trees included shall be at least 6.1m (20.0ft) high at maturity.

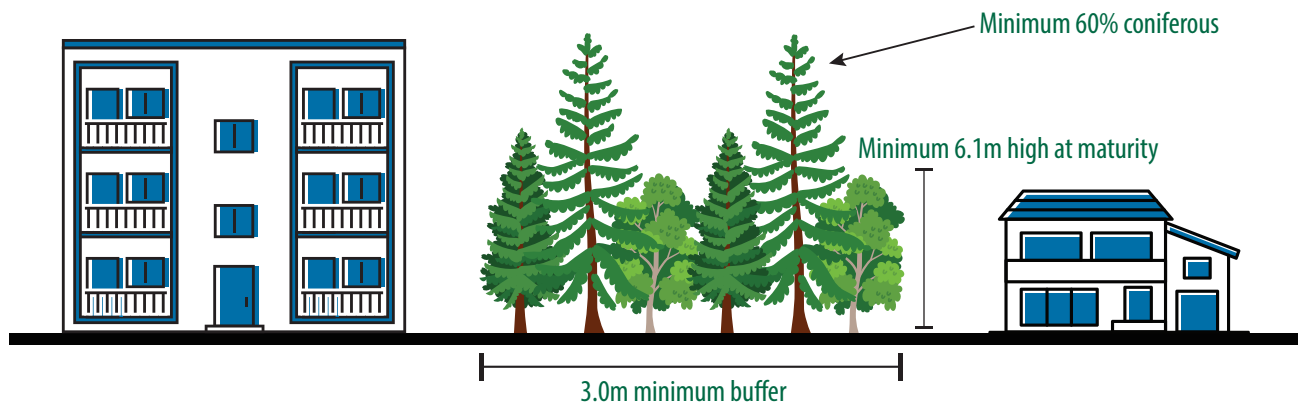


Figure 9.6b: Residential Landscape Buffers



## 9.7 R1 - LOW DENSITY RESIDENTIAL DISTRICT

### 9.7.1 R1 PURPOSE

The purpose of this District is to allow for low density single-detached residential development and associated supporting uses that may be appropriate for low density neighbourhoods.



Figure 9.7a: Example R1 Building Forms

### 9.7.2 R1 PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 9.7.2 b) and c) and shall ensure:

- i. Only one Secondary Suite; Garage Suite, or Garden Suite is permitted per lot.

b) R1 PERMITTED USES	c) R1 DISCRETIONARY USES
Day Home	Assisted Living Facility, Limited
Dwelling, Single-Detached	Bed and Breakfast
Garage Suite	Child Care Facility
Garden Suite	Dwelling, Semi-Detached
Home Office	Home Business
Public Utility	Show Home
Renewable Energy Device, Limited	Temporary Sales Centre
Secondary Suite	
Accessory development to any use listed in subsection 9.7.2 b) or c)	



### 9.7.3 R1 LOT SUBDIVISION STANDARDS

	INTERIOR OR CORNER LOT
a) Lot Width	15.0m (49.2ft) minimum
b) Lot Depth	35.0m (114.8ft) minimum
c) Lot Area	450.0m <sup>2</sup> (4,843.8ft <sup>2</sup> ) minimum

### 9.7.4 R1 DEVELOPMENT STANDARDS

	INTERIOR LOT	CORNER LOT	
a) Front Setback	6.0m (19.7ft) minimum	Front	6.0m (19.7ft) minimum
		Flanking	3.0m (9.8ft) minimum
b) Front Setback (Plan 172 0439)	3.5m (11.5ft) minimum		
c) Side Setback	1.2m (3.9ft) minimum		
d) Rear Setback	7.5m (24.6ft) minimum		
e) Floor Area	100.0m <sup>2</sup> (1,076ft <sup>2</sup> ) minimum		
f) Height	Principal Building: Two (2) storeys, 10.0m (32.8ft) maximum		
g) Lot Coverage	30% maximum for principal building		
	40% maximum for all buildings and structures		
h) Density	Single-Detached Dwelling: 1 dwelling unit per lot maximum		
	Semi-Detached Dwelling: 2 dwelling units per lot maximum		
	25 units/net hectare maximum		

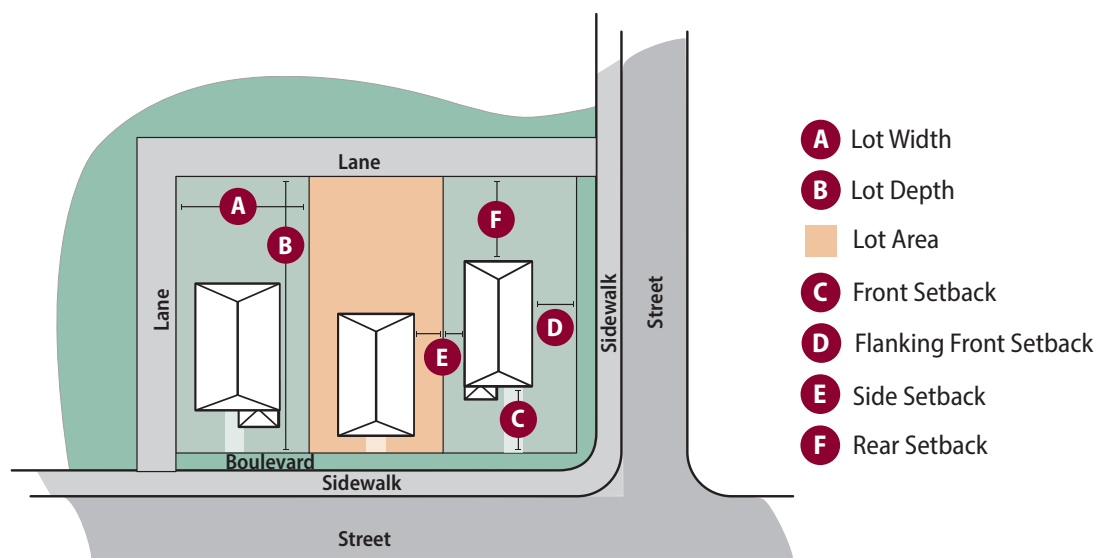


Figure 9.7b: R1 Subdivision and Development Standards



#### 9.7.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR R1:

- a) Development of single-detached dwellings where no lanes are provided must include provision for the future development of a garage, either attached or detached, and access to it.
- b) The Development Authority shall exercise discretion in considering semi-detached dwelling developments with regard to:
  - i. Compatibility of the use with the siting, height, building types, and material characteristic of surrounding dwellings; and
  - ii. The effect on the privacy of adjacent properties.
- c) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 9.1 to 9.6 of **Part 9 – Residential Land Use Districts**.





## 9.8 R2 - MEDIUM DENSITY RESIDENTIAL DISTRICT

### 9.8.1 R2 PURPOSE

The purpose of this District is to allow for a variety of medium-density residential land uses such as row housing and stacked row housing developments.

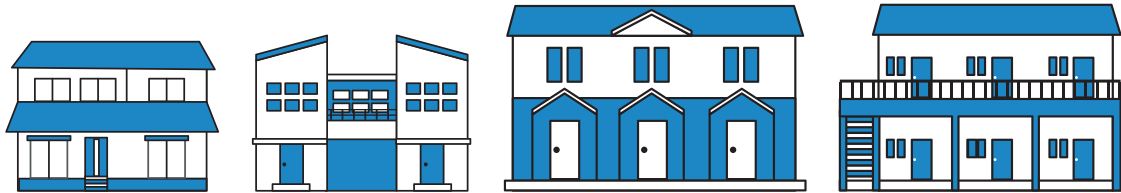


Figure 9.8a: Example R2 Building Forms

### 9.8.2 R2 PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 9.8.2 b) and c) and shall ensure:

- i. Secondary Suite, Garage Suite, and Garden Suite uses shall only be accessory to a Dwelling, Single-Detached; and
- ii. Only one Secondary Suite; Garage Suite, or Garden Suite is permitted per lot.

b) R2 PERMITTED USES	c) R2 DISCRETIONARY USES
Day Home	Assisted Living Facility, Limited
Dwelling, Row Housing	Child Care Facility
Dwelling, Semi-Detached	Dwelling, Manufactured Home
Dwelling, Single-Detached	Garage Suite
Dwelling, Stacked Row Housing	Garden Suite
Home Office	Home Business
Public Utility	Secondary Suite
Renewable Energy Device, Limited	Show Home
Accessory development to any use listed in subsection 9.8.2 b) or c)	Temporary Sales Centre



### 9.8.3 R2 LOT SUBDIVISION STANDARDS

	INTERIOR OR CORNER LOT
a) Lot Width	15.0m (49.2ft) minimum
b) Lot Depth	35.0m (114.8ft) minimum
c) Lot Area	450.0m <sup>2</sup> (4,843.8ft <sup>2</sup> ) minimum

### 9.8.4 R2 DEVELOPMENT STANDARDS

	INTERIOR LOT	CORNER LOT	
a) Front Setback	6.0m (19.7ft) minimum	Front	6.0m (19.7ft) minimum
		Flanking	3.0m (9.8ft) minimum
b) Side Setback	1.5m (4.9ft) minimum		
c) Rear Setback	7.5m (24.6ft) minimum		
d) Height	Principal Building: Two and a half (2 1/2) storeys, 12.0m (39.4ft) maximum		
e) Lot Coverage	40% maximum for principal building		
	50% maximum for all buildings and structures		
f) Density	50 units/net hectare, maximum		

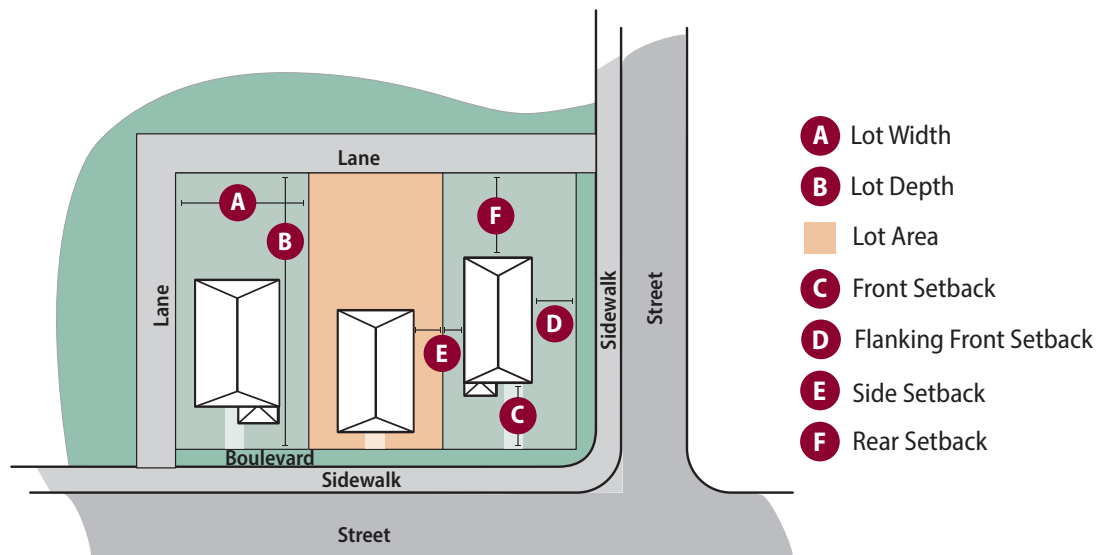


Figure 9.8b: R2 Subdivision and Development Standards



#### 9.8.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR R2:

- a) Development of semi-detached dwellings where no lanes are provided must include provision for the future development of a garage, either attached or detached, and access to it.
- b) Parking for row housing or stacked row-housing shall be either covered or provided as a surface parking lot.
- c) Where a lane exists, semi-detached, row housing, or stacked row-housing dwellings shall be designed such that vehicular access is from the rear of the property.
- d) Front and rear yards shall be considered as amenity areas for row-housing and stacked row-housing developments.
- e) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 9.1 to 9.6 of **Part 9 – Residential Land Use Districts**.



## 9.9 R3 - HIGH DENSITY RESIDENTIAL DISTRICT

### 9.9.1 R3 PURPOSE

The purpose of this District is to allow for high-density residential development including row-housing, stacked-row-housing, apartments and other supporting non-residential uses that may be appropriate to serve the high-density residential areas.



Figure 9.9a: Example R3 Building Forms

### 9.9.2 R3 PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 9.9.2 b) and c) and shall ensure:

- i. Personal Service; Professional, Office, Government, and Business Service; and Retail, General Uses are not permitted as a principal use in a stand-alone building and shall only be located at the ground floor of a Dwelling, Apartment.

b) R3 PERMITTED USES	c) R3 DISCRETIONARY USES
Assisted Living Facility	Child Care Facility
Dwelling, Apartment	Personal Service
Dwelling, Row-Housing	Professional, Office, Government, and Business Service
Dwelling, Stacked Row Housing	Retail, General
Home Office	Show Home
Public Utility	Temporary Sales Centre
Renewable Energy Device, Limited	
Sign, A-Frame	
Sign, Fascia	
Sign, Flag	
Sign, Freestanding	
Accessory development to any use listed in subsection 9.9.2 b) or c)	



### 9.9.3 R3 LOT SUBDIVISION STANDARDS

	INTERIOR OR CORNER LOT
a) Lot Width	20.0m (65.6ft) minimum
b) Lot Depth	35.0m (114.8ft) minimum
c) Lot Area	700.0m <sup>2</sup> (7,534.7ft <sup>2</sup> ) minimum

### 9.9.4 R3 DEVELOPMENT STANDARDS

	INTERIOR LOT	CORNER LOT	
a) Front Setback	6.0m (19.7ft) minimum	Front	6.0m (19.7ft) minimum
		Flanking	3.0m (9.8ft) minimum
b) Side Setback	3.0m (9.8ft) minimum		
c) Rear Setback	Principal Building: 7.5m (24.6ft) minimum		
	Accessory Building: 3.0m (9.8ft) minimum		
d) Height	Principal Building: Four (4) storeys, 16.0m (52.5ft) maximum		
e) Lot Coverage	40% maximum for principal building		
	50% maximum for all buildings and structures		
f) Density	80 units/net hectare, maximum		

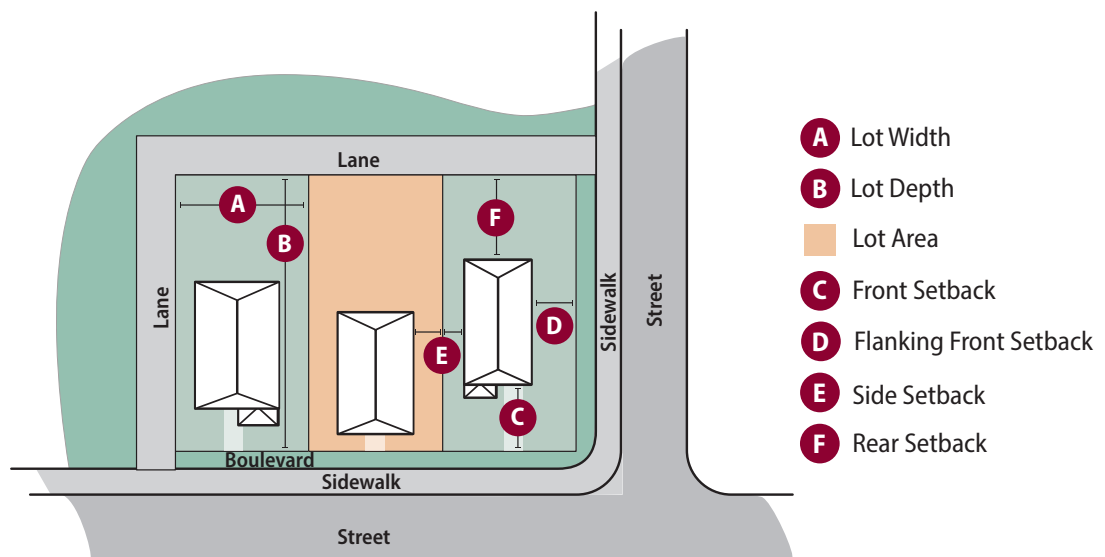


Figure 9.9b: R3 Subdivision and Development Standards



#### 9.9.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR R3:

- a) Where a lane exists, apartment, row housing, or stacked row-housing dwellings shall be designed such that vehicular access is from the rear of the property.
- b) Where a lane exists, attached, or detached front garages shall be discouraged.
- c) Apartment dwelling developments shall include amenity areas as follows:
  - i. Indoor amenity area of 7.5m<sup>2</sup> (80.7ft<sup>2</sup>) per unit, which may include covered or uncovered balconies and other indoor common recreational facilities including multipurpose facilities, gymnasium, or other similar facilities; and
  - ii. Outdoor amenity area totaling a minimum of 10% of the site area, which may include outdoor recreational uses such as a gazebo, outdoor seating, children's play area, or similar facilities.
- d) Front and rear yards shall be considered as amenity areas for row-housing and stacked row-housing developments.
- e) Where there are two (2) or more buildings on one lot, there shall be a minimum separation distance of 6.0m (19.7ft) between each building.
- f) Residential units on a ground floor fronting a public sidewalk shall provide a minimum at grade separation of 1.0m (3.3ft).
- g) For multi-building developments, the buildings shall relate to each other and to the site, in particular, in respect to such matters as appearance, provision of adequate light, privacy, and landscaping.
- h) Row-house and stacked-row house buildings shall be setback a minimum of 6.0m (19.7ft) from internal private roadways.
- i) The Development Authority may approve a storage compound on site for the storage of large trucks, recreational vehicles, and similar equipment. There shall be no outdoor storage of furniture or other similar equipment.
- j) Waste collection areas shall generally be located at the rear of the site and appropriately screened from adjacent properties and the public roadway using appropriate landscaping measures to the satisfaction of the Development Authority.

- k) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 9.1 to 9.6 of **Part 9 – Residential Land Use Districts**.





## 9.10 RMM - MEDIUM DENSITY MULTIPLE RESIDENTIAL DISTRICT

### 9.10.1 RMM PURPOSE

The purpose of this District is to provide for the development of mixed medium density residential land uses as part of site-specific condominium developments.

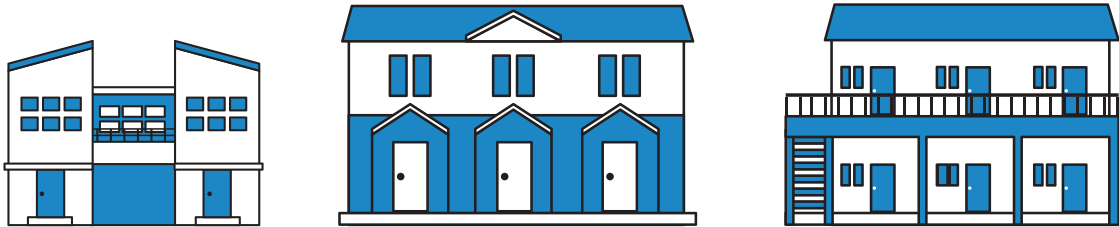


Figure 9.10a: Example RMM Building Forms

### 9.10.2 RMM PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 9.10.2 b) and c) and shall ensure:

#### i. None.

b) RMM PERMITTED USES	c) RMM DISCRETIONARY USES
Dwelling, Semi-Detached	Child Care Facility
Dwelling, Row-Housing	Home Business
Dwelling, Stacked Row Housing	Show Home
Home Office	Temporary Sales Centre
Public Utility	
Renewable Energy Device, Limited	
Sign, Freestanding	
Accessory development to any use listed in subsection 9.10.2 b) or c)	





### 9.10.3 RMM SUBDIVISION STANDARDS

	INTERIOR OR CORNER LOT
a) Lot Width	13.0m (42.7ft) minimum
b) Lot Depth	24.0m (78.7ft) minimum
c) Lot Area	310.0m <sup>2</sup> (3,336.8ft <sup>2</sup> ) minimum

### 9.10.4 RMM DEVELOPMENT STANDARDS

	INTERIOR LOT	CORNER LOT	
a) Front Setback	6.0m (19.7ft) minimum	Front	6.0m (19.7ft) minimum
		Flanking	3.0m (9.8ft) minimum
b) Side Setback	1.5m (4.9ft) minimum		
c) Rear Setback	3.0m (9.8ft) minimum		
d) Height	Principal Building: Two and a half (2 1/2) storeys, 12.0m (39.4ft) maximum		
e) Lot Coverage	50% maximum for principal building		
	60% maximum for all buildings and structures		
f) Density	50 units/net hectare, maximum		

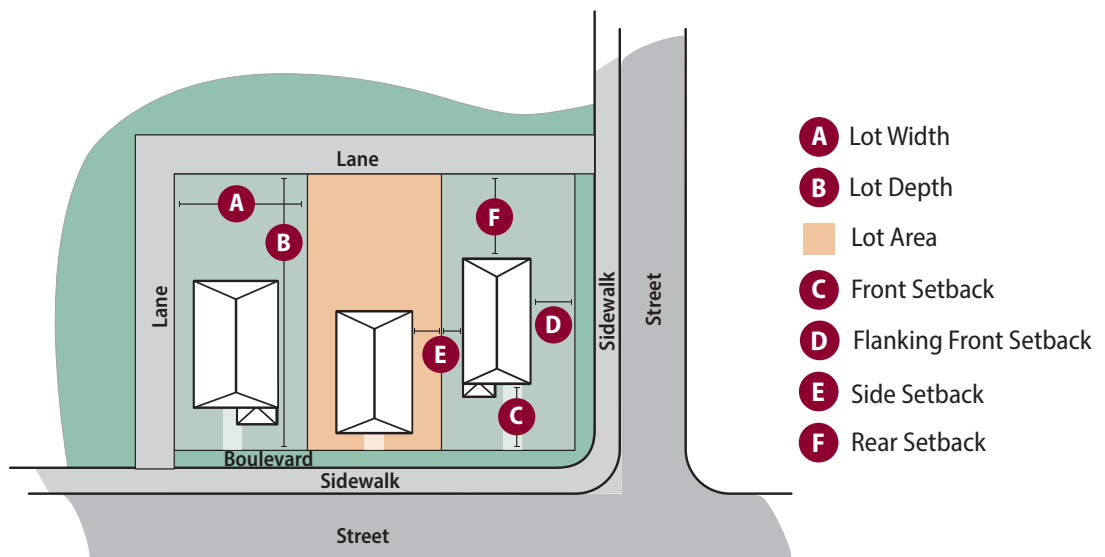


Figure 9.10b: RMM Subdivision and Development Standards



#### 9.10.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR RMM:

- a) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 9.1 to 9.6 of **Part 9 – Residential Land Use Districts**.



## 9.11 RE - ESTATE RESIDENTIAL DISTRICT

### 9.11.1 RE PURPOSE

The purpose of this District is to provide for large lot single-detached residential development.

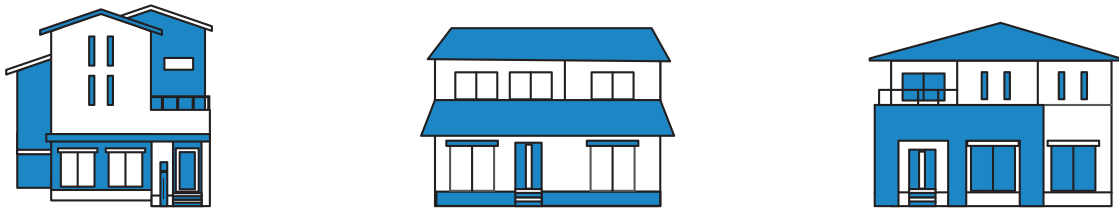


Figure 9.11a: Example RE Building Forms

### 9.11.2 RE PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 9.11.2 b) and c) and shall ensure:

- i. Only one Secondary Suite; Garage Suite, or Garden Suite is permitted per lot.

b) RE PERMITTED USES	c) RE DISCRETIONARY USES
Day Home	Bed and Breakfast
Dwelling, Single-Detached	Child Care Facility
Home Office	Home Business
Garage Suite	Show Home
Garden Suite	Temporary Sales Centre
Public Utility	
Renewable Energy Device, Limited	
Secondary Suite	
Sign, Freestanding	
Accessory development to any use listed in subsection 9.11.2 b) or c)	



### 9.11.3 RE SUBDIVISION STANDARDS

	INTERIOR OR CORNER LOT
a) Lot Width	30.0m (98.4ft) minimum
b) Lot Depth	70.0m (229.7ft) minimum
c) Lot Area	2,100.0m <sup>2</sup> (22,604.2ft <sup>2</sup> ) minimum

### 9.11.4 RE DEVELOPMENT STANDARDS

	INTERIOR LOT	CORNER LOT	
a) Front Setback	6.0m (19.7ft) minimum	Front	6.0m (19.7ft) minimum
		Flanking	6.0m (19.7ft) minimum
b) Side Setback	3.0m (9.8ft) minimum		
c) Rear Setback	7.5m (24.6ft) minimum		
d) Height	Principal Building: Two and a half (2 1/2) storeys, 12.0m (39.4ft) maximum		
e) Lot Coverage	25% maximum for principal building		
	35% maximum for all buildings and structures		
f) Density	1 principal dwelling unit per lot		

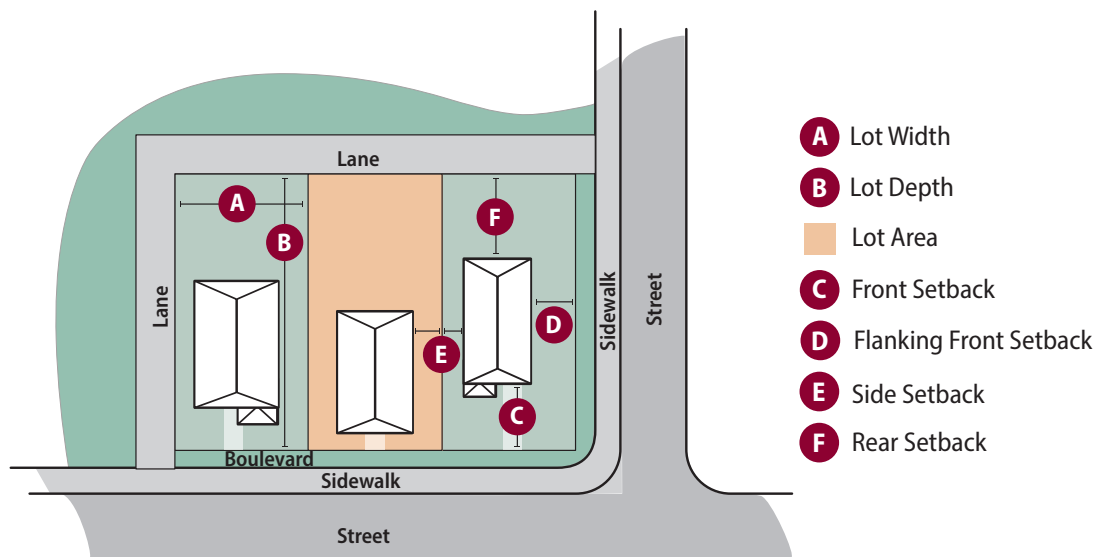


Figure 9.11b: RE Subdivision and Development Standards

### 9.11.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR RE

- a) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 9.1 to 9.6 of **Part 9 – Residential Land Use Districts**.





## 9.12 RMH-1 - MANUFACTURED HOME SUBDIVISION RESIDENTIAL DISTRICT

### 9.12.1 RMH-1 PURPOSE

The purpose of this District is to allow the development of residential subdivisions composed of manufactured homes.

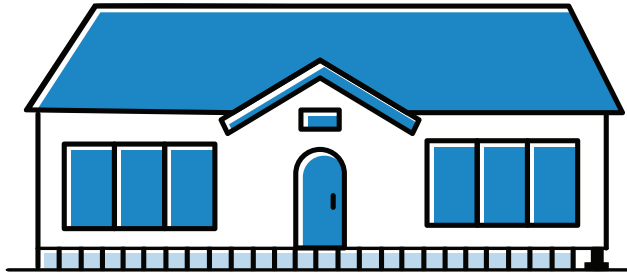


Figure 9.12a: Example RMH-1 Building Form

### 9.12.2 RMH-1 PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 9.12.2 b) and c) and shall ensure:

- i. Only one Garage Suite, or Garden Suite is permitted per lot.

#### b) RMH-1 PERMITTED USES

Day Home  
 Dwelling, Manufactured Home  
 Garage Suite  
 Garden Suite  
 Home Office  
 Public Utility  
 Renewable Energy Device, Limited  
 Accessory development to any use listed in subsection 9.12.2 b) or c)

#### c) RMH-1 DISCRETIONARY USES

Child Care Facility  
 Dwelling, Single-Detached  
 Home Business  
 Show Home  
 Temporary Sales Centre



### 9.12.3 RMH-1 SUBDIVISION STANDARDS

	INTERIOR OR CORNER LOT
a) Lot Width	15.0m (49.2ft) minimum
b) Lot Depth	35.0m (114.8ft) minimum
c) Lot Area	450.0m <sup>2</sup> (4,843.8ft <sup>2</sup> ) minimum

### 9.12.4 RMH-1 DEVELOPMENT STANDARDS

	INTERIOR LOT	CORNER LOT	
a) Front Setback	6.0m (19.7ft) minimum	Front	6.0m (19.7ft) minimum
		Flanking	3.0m (9.8ft) minimum
b) Side Setback	1.2m (3.9ft) minimum		
c) Rear Setback	7.5m (24.6ft) minimum		
d) Floor Area	100.0m <sup>2</sup> (1,076.4ft <sup>2</sup> ) minimum		
e) Height	Principal Building: One (1) storey, 6.0m (19.7ft) maximum		
f) Lot Coverage	30% maximum for principal building		
	40% maximum for all buildings and structures		
g) Density	1 dwelling unit per lot		

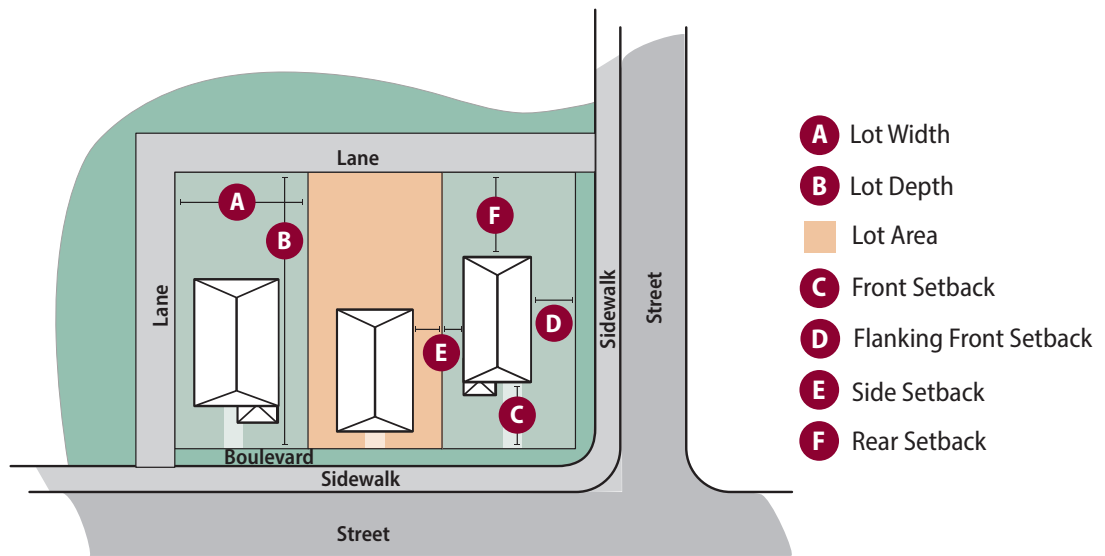


Figure 9.12b: RMH-1 Subdivision and Development Standards



#### 9.12.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR RMH-1:

- a) No parking areas shall be located in the front yard unless part of a driveway on either side of a manufactured home.
- b) Detached garages shall have a minimum separation distance of 2.4m (7.9ft) from a manufactured home.
- c) The design and siting of manufactured homes and accessory buildings shall comply with the following:
  - i. All accessory buildings and structures such as steps, patios, porches, additions, and storage facilities shall be factory prefabricated, or the equivalent, the exterior and design of such shall match the manufactured home; and
  - ii. Additions to a manufactured home shall have a foundation or skirting equivalent to that of the manufactured home.
- d) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 9.1 to 9.6 of **Part 9 – Residential Land Use Districts**.





## 9.13 RMH-2 - MANUFACTURED HOME PARK RESIDENTIAL DISTRICT

### 9.13.1 RMH-2 PURPOSE

The purpose of this District is to allow for the development of manufactured home developments where individual stalls are leased separately with shared common internal green space and other community facilities.

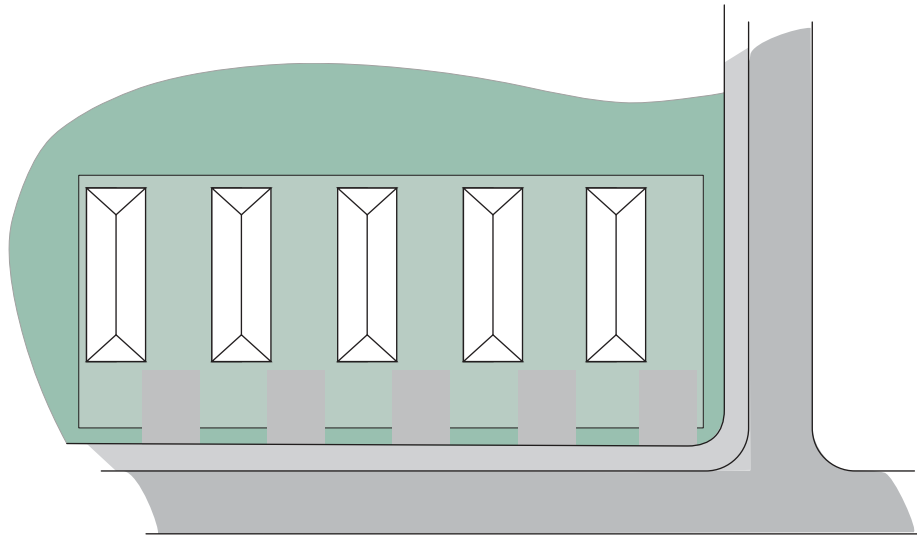


Figure 9.13a: Example RMH-2 Site Layout

### 9.13.2 RMH-2 PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 9.13.2 b) and c) and shall ensure:

- i. None.

b) RMH-2 PERMITTED USES	c) RMH-2 DISCRETIONARY USES
Dwelling, Manufactured Home	Child Care Facility
Home Office	Show Home
Public Utility	Temporary Sales Centre
Renewable Energy Device, Limited	
Sign, Freestanding	
Accessory development to any use listed in subsection 9.13.2 b) or c)	



### 9.13.3 RMH-2 SUBDIVISION STANDARDS

	STALL OR SITE
a) Stall Width	13.7m (44.9ft) minimum
b) Stall Depth	30.0m (98.4ft) minimum
c) Site Area	0.8ha (2.0ac) minimum 4.0ha (10.0ac) maximum

### 9.13.4 RMH-2 DEVELOPMENT STANDARDS

	STALL
a) Front Setback	6.0m (19.7ft) minimum
b) Side Setback	1.5m (4.9ft) minimum
c) Rear Setback	1.5m (4.9ft) minimum
d) Floor Area	100.0m <sup>2</sup> (1,076.4ft <sup>2</sup> ) minimum
e) Height	Principal Building: One (1) storey, 6.0m (19.7ft) maximum
f) Lot Coverage	28% maximum for principal building 40% maximum for all buildings and structures
g) Density	1 dwelling unit per lot maximum 20 stalls per ha (8.1 per ac) maximum

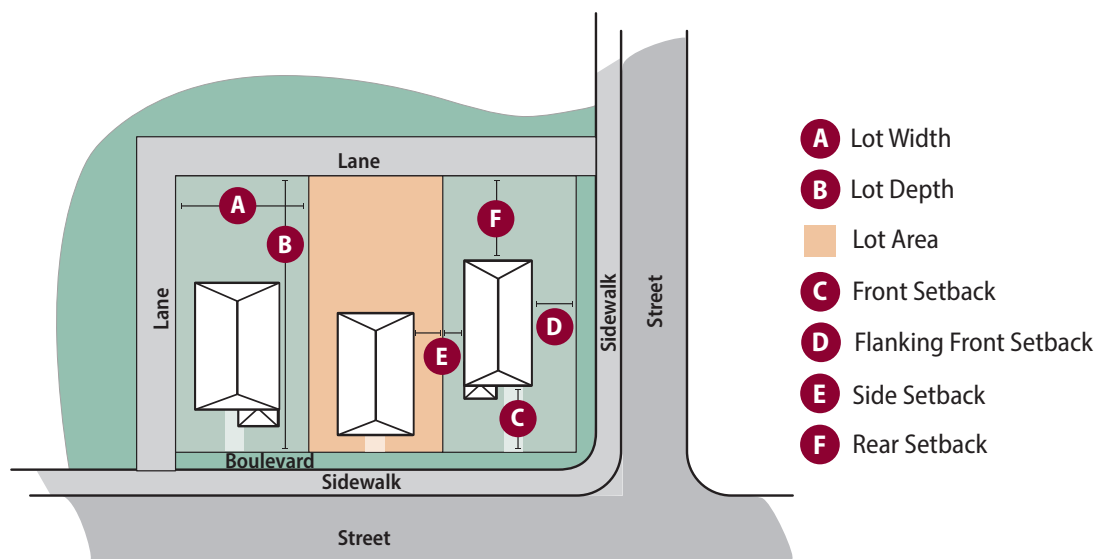


Figure 9.13b: RMH-2 Subdivision and Development Standards



### 9.13.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR RMH-2:

- a) No parking areas shall be located in the front yard unless part of a driveway on either side of a manufactured home.
- b) Detached garages shall have a minimum separation distance of 2.4m (7.9ft) from a manufactured home.
- c) Visitor parking areas shall be signed as such and shall be placed in convenient locations throughout the development and not used for storage of leaseholders' recreational vehicles and equipment.
- d) Manufactured homes shall be setback a minimum of 6.0m (19.7ft) from internal private roadways.
- e) Smaller site areas may be approved at the discretion of the Development Authority where the development is proposed to be staged and where the site is adjacent to an existing or proposed manufactured home development.
- f) All internal roads and lanes shall be paved, well drained, and maintained to the satisfaction of the Development Authority.
- g) Minimum width of internal roadway surfaces shall be 12.0m (39.4ft).
- h) Manufactured homes and all community facilities in the development shall be connected by a safe, convenient, concrete pedestrian walkway of at least 1.2m (3.9ft) in width.
- i) Manufactured home developments shall have at least two (2) legal road accesses.
- j) A minimum of 10% of the total combined stall area shall be provided for the recreational use of the leaseholders as an amenity area. The amenity area shall be:
  - i. Located in a convenient location to all stalls;
  - ii. Free from traffic hazards;
  - iii. Clearly marked and landscaped including screening or fencing; and
  - iv. Not located in designated buffer areas.
- k) Notwithstanding subsection 9.13.5 j), the amount of amenity area may be reduced at the discretion of the Development Authority if, in its opinion, adequate amenity space exists in the neighbourhood in which the manufactured home development is located.



- l) Screening in the form of vegetation or fencing to the satisfaction of the Development Authority shall be provided:
  - i. Between the manufactured home development and adjacent uses; and
  - ii. Around laundry areas, service buildings, and waste collection facilities.
- m) All accessory buildings and structures such as steps, patios, porches, additions, and storage facilities shall be factory prefabricated or the equivalent thereof, the exterior and design of such shall match the manufactured home.
- n) Additions to a manufactured home shall have a foundation or skirting equivalent to that of the manufactured home.
- o) The management of the manufactured home park shall at all time maintain the development and the common buildings, structures and improvements thereon in a clean, neat, tidy, and attractive condition free from all rubbish and debris.
- p) Each manufactured home stall shall be clearly marked on the ground by permanent stakes or markers, and shall be clearly defined with a stall number or other address system.
- q) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 9.1 to 9.6 of **Part 9 – Residential Land Use Districts**.



## 9.14 R-NC - RESIDENTIAL NEIGHBOURHOOD COMMERCIAL DISTRICT

### 9.14.1 R-NC PURPOSE

The purpose of this District is to provide for a variety of housing options while allowing for neighbourhood-scale commercial, business or community activities that function as a central neighbourhood hub.

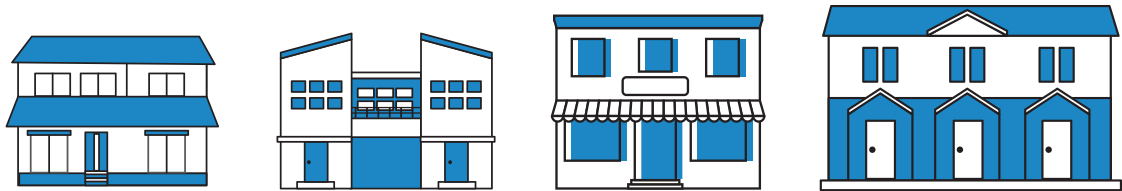


Figure 9.13a: Example R-NC Building Forms

### 9.14.2 R-NC PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 9.14.2 b) and c) and shall ensure:

- i. That any Use which includes a drive-in business shall be considered neither a Permitted nor a Discretionary Use; and; and
- ii. Indoor Playground shall have a maximum floor area of 185.8m<sup>2</sup> (2000.00 ft<sup>2</sup>) dedicated to patron space.

b) R-NC PERMITTED USES	c) R-NC DISCRETIONARY USES
Child Care Facility	Bed and Breakfast
Dwelling, Row Housing	Cultural and Community Facility
Dwelling, Semi-Detached	Health Service
Dwelling, Single-Detached	Home Business
Dwelling, Stacked Row Housing	Retail, General
Home Office	Show Home
Indoor Playground	Sign, Inflatable
Personal Service	Sign, Portable
Professional, Office, Government, and Business Service	Sign, Roof
Public Utility	Temporary Sales Centre
Renewable Energy Device, Limited	Workshop, Limited
Sign, A-Frame	



b) R-NC PERMITTED USES	c) R-NC DISCRETIONARY USES
------------------------	----------------------------

- Sign, Fascia
  - Sign, Freestanding
  - Sign, Marquee/Canopy
  - Sign, Projecting
- Accessory development to any use listed in subsection 9.8.2 b) or c)

**9.14.3 RMH-2 SUBDIVISION STANDARDS**

	INTERIOR OR CORNER LOT
a) Lot Width	At the discretion of the Development Authority
b) Lot Depth	At the discretion of the Development Authority
c) Lot Area	450.0m <sup>2</sup> (4,843.8ft <sup>2</sup> ) minimum

**9.14.4 RMH-2 DEVELOPMENT STANDARDS**

	INTERIOR LOT	CORNER LOT	
a) Front Setback	6.0m (19.7ft) minimum	Front	6.0m (19.7ft) minimum
		Flanking	3.0m (9.8ft) minimum
b) Side Setback	Principal Building: 1.5m (4.9ft) minimum		
	Accessory Building: 1.0m (3.3ft) minimum		
c) Rear Setback	Principal Building: 3.0m (9.8ft) minimum		
	Accessory Building: 1.0m (3.3ft) minimum		
d) Height	Three (3) storeys, 11.0m (36.0ft) maximum		
	A maximum differential of 1 storey shall be allowed between adjacent sites.		
e) Lot Coverage	40% maximum for principal building		
	50% maximum for all buildings and structures		

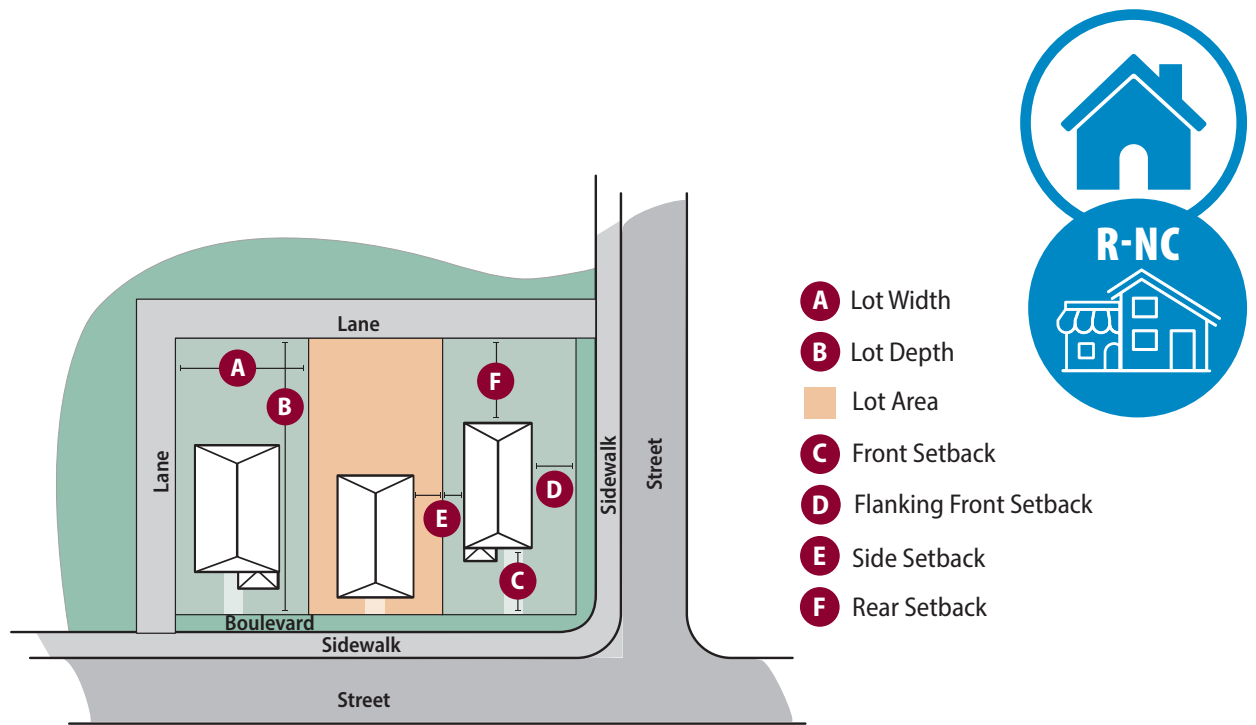


Figure 9.13b: RMH-2 Subdivision and Development Standards

#### 9.14.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR R-NC:

- a) Fencing shall not be permitted within the front yard area.
- b) No outdoor storage shall be permitted.
- c) Dwellings two (2) storeys or taller must be designed so that windows, doors, balconies, and landscaping are placed to reduce direct views of adjacent properties.
- d) Buildings shall be scaled and orientated to enhance pedestrian access and the visibility of entrances.
- e) Front porches, stoops and architectural features such as awnings are encouraged to highlight the front façade and entry to each building.
- f) Front attached garages and driveways should be minimized. Where present, the width of the driveway and curb cut shall be minimized.
- g) When located adjacent to a low-density residential district, the development shall be screened from adjacent properties through a solid fence with a minimum height of 1.83m (6.0ft).
- h) Connectivity shall be provided between and throughout each site to adjacent pedestrian sidewalks and trails.
- i) Parking areas for non-residential uses shall not be located in any front yard.
- j) All development and uses within this Land Use District are subject to the applicable provisions of [Part 6 – General Regulations for all Land Use Districts](#), [Part 7 – Parking and Loading Standards](#), [Part 8 – Sign Regulations](#), and Sections 9.1 to 9.6 of [Part 9 – Residential Land Use Districts](#).

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# **PART 10:**

# **NON-RESIDENTIAL**

# **LAND USE DISTRICTS**





## PART 10: NON-RESIDENTIAL LAND USE DISTRICTS

### GENERAL PROVISIONS FOR ALL NON-RESIDENTIAL DISTRICTS

#### 10.1 ACCESSORY DEVELOPMENTS IN NON-RESIDENTIAL DISTRICTS

10.1.1 Unless provided for in a specific Land Use District, accessory buildings with a Non-Residential District shall:

- a) Be no closer than 1.5m (4.9ft) from any other buildings on-site unless attached to or located thereon;
- b) Have a maximum height of 4.6m (15.1ft);
- c) Be located such that eaves and foundations do not encroach onto public utility lots or easements; and
- d) Be finished with an exterior treatment complementing that of the principal building with respect to colour, finish, materials, and texture.

10.1.2 Where a Land Use District does not specify a setback, the setbacks for accessory buildings shall be at the discretion of the Development Authority, subject to the Alberta Building Code.

10.1.3 Notwithstanding the above, accessory buildings and uses shall not be located in front of the principal building.

10.1.4 Covered decks, covered terraces, and covered patios shall not be located in any minimum front or side yard setback area.

10.1.5 Uncovered decks, uncovered terraces, and uncovered patios may be located within a front or side yard setback area provided that:

- a) The area is used by clientele on a seasonal basis;
- b) Access to the area shall be from the principal building only; and
- c) The area shall be fenced off from adjoining public areas.

#### 10.2 FENCES, WALLS, AND HEDGES

10.2.1 Unless provided for in a specific Land Use District, fences, walls, or hedges within Non-Residential Districts shall be no higher than:

- a) 1.83m (6.0ft) along a rear or side property line; and
- b) 0.91m (3.0ft) along a front yard property line.



10.2.2 Fences, walls, or hedges on a corner or double fronting lot may be increased to a height of 1.83m (6.0ft) along a flanking front property line, provided that the fence, wall, or hedge is not located within any portion of the defined front yard.

### 10.3 INTERFACE WITH RESIDENTIAL LAND USES

10.3.1 The Development Authority may require mitigation of potential development impacts of developments adjacent to residential Districts or residential uses, including:

- a) The provision of one or more of the following:
  - i. Provision of noise attenuation walls;
  - ii. Increased landscaping and landscaping buffers;
  - iii. Relocation of parking areas, walkways, business entrances, or other high activity areas away from residential property lines;
  - iv. Screening or relocating on-site lighting to avoid spillage onto residential sites; and
  - v. Changing the proposed building or structure to mitigate noise, light, or glare impact.
- b) Uses shall be carefully buffered in order to alleviate, mitigate, or eliminate any negative impact the use may have on an existing or future residential use; and
- c) If the negative impact of a proposed discretionary use cannot be reasonably alleviated, mitigated, or eliminated, the Development Authority may refuse to approve any development permit for that discretionary use.

### 10.4 LANDSCAPING REQUIREMENTS FOR NON-RESIDENTIAL LAND USES

10.4.1 A minimum of 20% of the total site area of all commercial and institutional sites shall be landscaped, including all areas not occupied by buildings, parking areas, or vehicular access areas. One (1) tree for each 40.0m<sup>2</sup> (430.6ft<sup>2</sup>) and one (1) shrub for each 20.0m<sup>2</sup> (215.3ft<sup>2</sup>) of landscape area shall be provided.

10.4.2 A minimum of 10% of the total site area of all industrial sites shall be landscaped, including all areas not occupied by buildings, parking areas, or vehicular access areas. One (1) tree for each 40.0m<sup>2</sup> (430.6ft<sup>2</sup>) and one (1) shrub for each 20.0m<sup>2</sup> (215.3ft<sup>2</sup>) of landscape area shall be provided.



10.4.3 Landscaped buffers (Figure 10.4) between parking, loading, and hard surfaced areas and any adjacent residential sites shall be a minimum of 3.0m (9.8ft) in width, or to the satisfaction of the Development Authority, and shall include:

- a) A mix of deciduous and coniferous trees with at least 60% of those trees being coniferous; and
- b) The trees included shall be at least 6.1m (20.0ft) high at maturity.

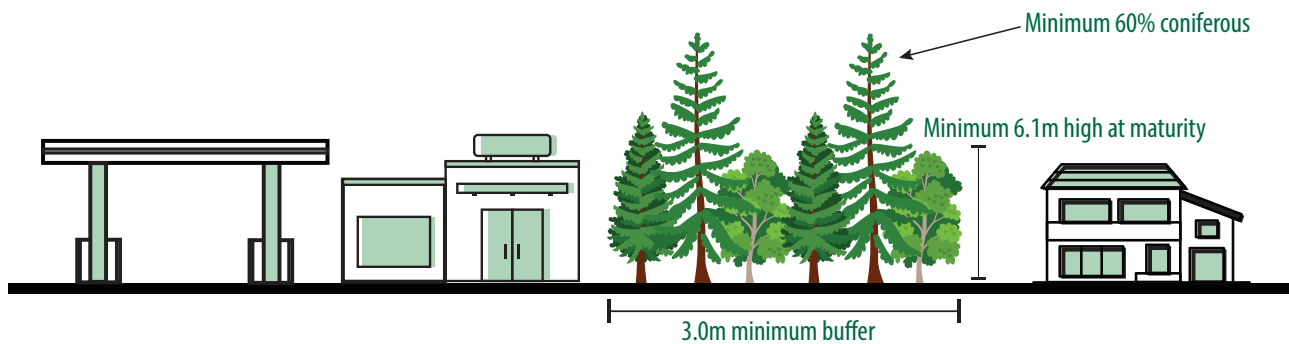


Figure 10.4: Non-Residential Landscape Buffers

10.4.4 If parking islands are provided, each island shall have a minimum of one (1) tree.

10.4.5 Trees located within a parking area shall be in locations so visibility for the safe movement of persons and traffic is not impaired.

10.4.6 Notwithstanding Section 10.4.2, the Development Authority may accept an alternative landscaping plan for industrial sites that, in their opinion, results in an aesthetically pleasing site through the use of art, enhanced signage, decorative fencing, and other enhanced landscaping elements.

## 10.5 OUTDOOR STORAGE

10.5.1 Outdoor storage areas shall be appropriately screened from public roadways to the satisfaction of the Development Authority, using a variety of techniques such as building orientation, landscaping, or architectural elements.

## 10.6 SITE PLANNING AND DESIGN STANDARDS

10.6.1 Site shall be planned and designed to:

- a) Ensure a coordinated and coherent pattern of roadways, outdoor spaces, landscaping, building forms, and land uses with adjacent developments;
- b) Provide appropriate transitions in scale and intensity to adjacent land use districts;

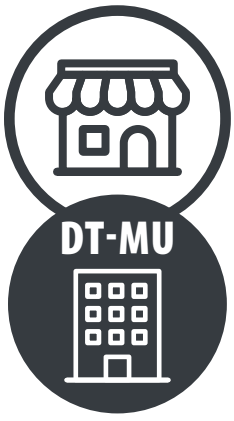


- c) Provide direct pedestrian access to building entrances as well as other uses and buildings within the site;
- d) Minimize visual impact on adjacent public roadways by locating mechanical equipment, waste collection areas, outdoor storage areas, work operations, and vehicle servicing areas in rear or side yards to the maximum extent feasible;
- e) Link on-site pedestrian walkways and sidewalks with adjacent sidewalks on public roadways and trails; and
- f) Provide for bicycle amenities, if feasible and practical for the development.

**10.6.2** All outdoor storage areas shall be enclosed with a fence and kept in a clean and orderly condition at all times, to the satisfaction of the Development Authority.

## **10.7 SURVEILLANCE SUITES**

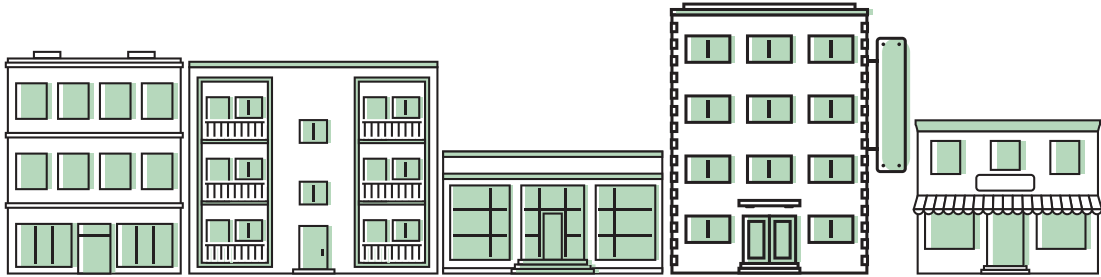
**10.7.1** A maximum of one (1) surveillance suite is permitted per site where allowed in a Non-Residential land use district.



## 10.8 DT-MU - DOWNTOWN MIXED-USE DISTRICT

### 10.8.1 DT-MU PURPOSE

The purpose of this District is to provide for a wide variety of mixed-use development within the Downtown to serve the surrounding community and promote walkability.



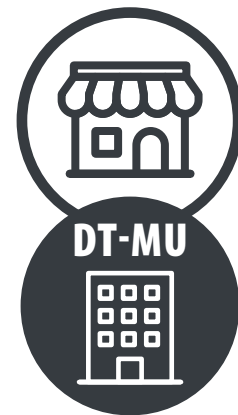
*Figure 10.8a: DT-MU Built Form Examples*

### 10.8.2 DT-MU PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 10.8.2 b) and c) and shall ensure:

- i. That any Use which includes a drive-in business shall be considered neither a Permitted nor a Discretionary Use;
- ii. Breweries, Wineries, and Distilleries shall have a maximum floor area of 1,114.8 m<sup>2</sup> (12,000.0ft<sup>2</sup>);
- iii. Dwelling, Apartment shall only occur above ground floor commercial uses; and
- iv. Retail, General uses shall not include buildings or yards used for the sale or storage of motor vehicles or agricultural or heavy industrial machinery and equipment.

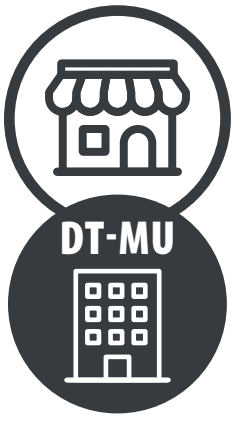


**b) DT-MU PERMITTED USES**

- Dwelling, Apartment
- Breweries, Wineries, and Distilleries
- Business Support Service
- Child Care Facility
- Commercial School
- Cultural and Community Facility
- Eating and Drinking Establishment
- Entertainment Establishment, Indoor
- Financial Service
- Funeral Home
- Health Service
- Hotel
- Parking Facility
- Personal Service
- Place of Worship
- Private Club
- Professional, Office, Government, and Business Service
- Public Utility
- Renewable Energy Device, Limited
- Retail, Cannabis
- Retail, General
- Retail, Liquor
- Sign, A-Frame
- Sign, Fascia
- Sign, Freestanding
- Sign, Inflatable
- Sign, Marquee or Canopy
- Sign, Portable
- Sign, Projecting
- Sign, Roof
- Workshop, Limited
- Accessory development to any use listed in subsection 10.8.2 b) or c)

**c) DT-MU DISCRETIONARY USES**

- Assisted Living Facility
- Automotive Repair, Service, Rental, and Sales
- Bed and Breakfast
- Pet Care Service
- Protection and Emergency Services
- School
- Shopping Centre



### 10.8.3 DT-MU SUBDIVISION STANDARDS

	INTERIOR OR CORNER LOT
a) Lot Width	10.0m (32.8ft) minimum
b) Lot Depth	35.0m (114.8ft) minimum
c) Lot Area	350.0m <sup>2</sup> (3,767.37ft <sup>2</sup> ) minimum

### 10.8.4 DT-MU DEVELOPMENT STANDARDS

	INTERIOR OR CORNER LOT
a) Front Setback	0.0m minimum
b) Side Setback	0.0m minimum
c) Rear Setback	3.0m (9.8ft) minimum
d) Height	Principal Building: Four (4) storeys, 16.0m (52.5ft) maximum
e) Lot Coverage	100% maximum for all buildings and structures

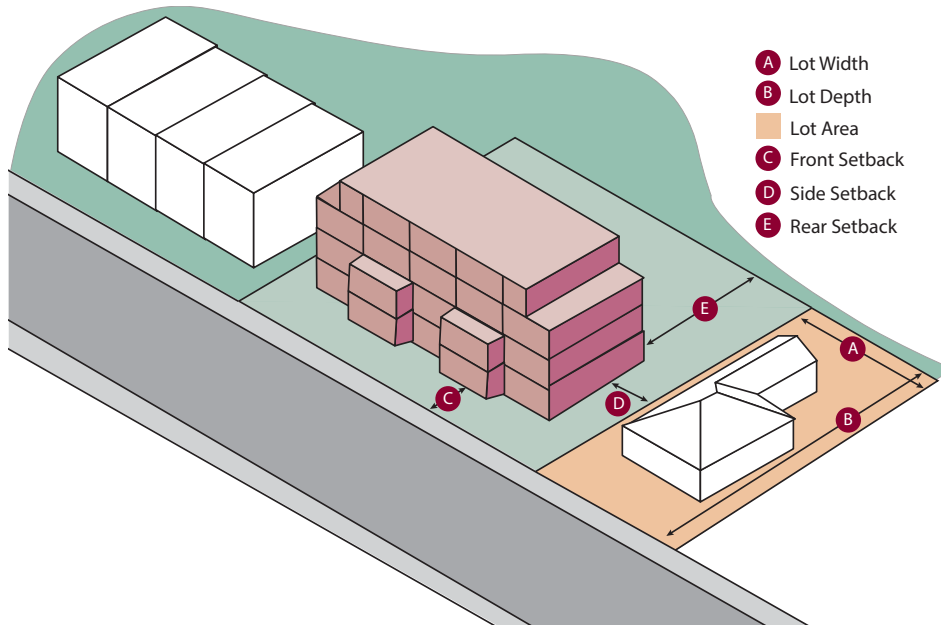
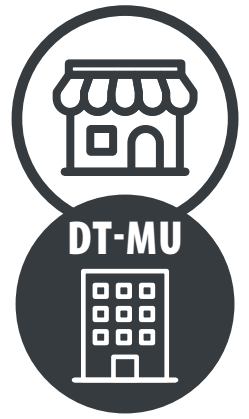


Figure 10.8b: DT-MU Subdivision and Development Standards





### 10.8.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR DT-MU

- a) Fencing shall not be permitted within the front yard area.
- b) If a building is setback from the front property line, the front yard shall include a landscaping treatment consistent with the public sidewalk treatment.
- c) Building facades shall provide visual interest through vertical articulation by a variety of measures such as change in colours or materials and use of projections and recesses (Figure 10.8c).

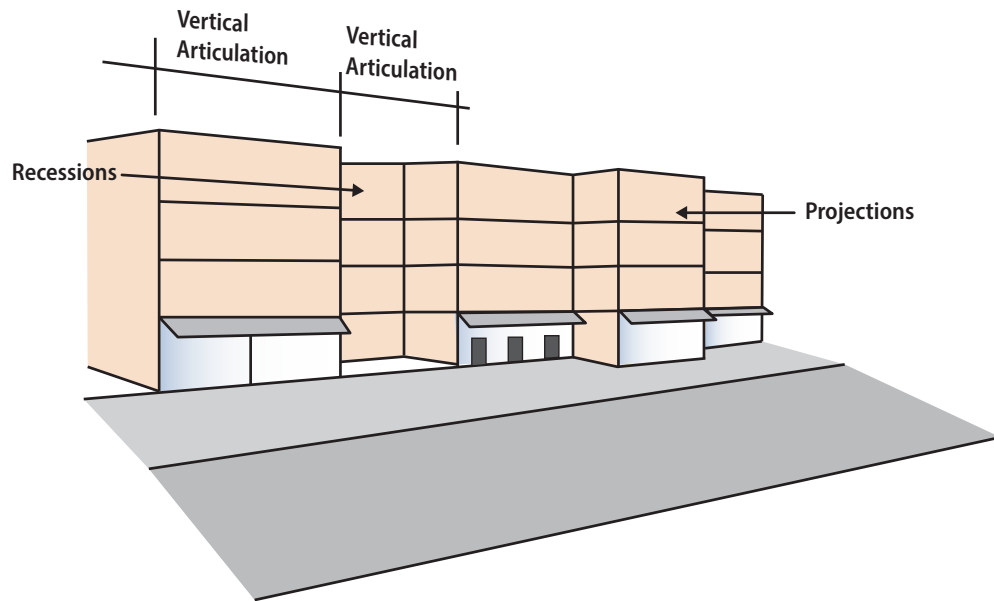


Figure 10.8c: Vertical Articulation

- d) Blank facades shall be minimized.
- e) Multiple entrances shall be provided at the ground floor.
- f) A minimum of 50% of the ground floor façade shall provide transparency to improve pedestrian interaction (Figure 10.8d).

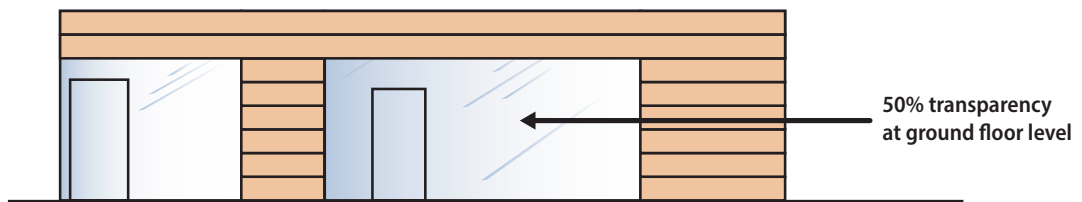
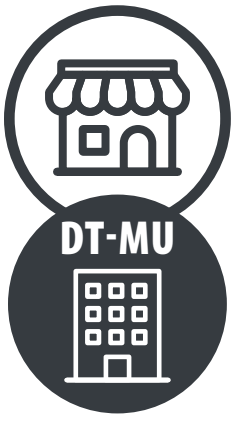
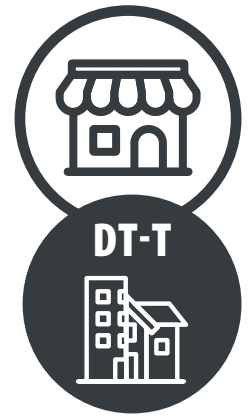


Figure 10.8d: Ground Floor Transparency



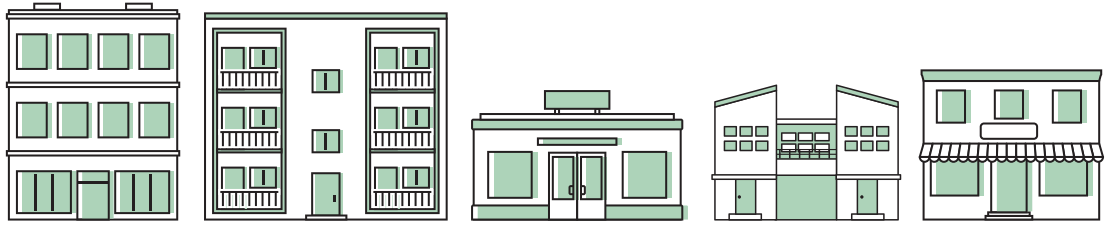
- g) A separate distinguishable entrance shall be provide for residential uses above ground floor commercial uses.
- h) Buildings shall provide special architectural treatment such as change in roof line, height accentuation, special canopies, or other similar mechanisms at corner locations.
- i) The design, siting, external finish, height, architectural appearance, and landscaping in general of all land and buildings, including any accessory buildings and structures, shall be to the satisfaction of the Development Authority.
- j) The Development Authority may require a uniform roof line, a uniform canopy or projection line, and a uniform height from sidewalk to display windows in the case of two or more adjacent buildings.
- k) The Development Authority shall ensure that signs are visually compatible with each other and that no individual signs detract from the appearance of the area or road.
- l) Projecting signs meeting the requirements of **Part 8** may be approved by the Development Authority provided that:
  - i. For any building located less than 6.0m (19.ft) from a property line, not more than one (1) projecting sign of 2.4m<sup>2</sup> (25.8ft<sup>2</sup>) in area is erected;
  - ii. The sign does not extend more than 1.0m (3.3ft) above the parapet of the building;
  - iii. The sign does not extend more than 1.5m (4.9ft) from the face of the building; and
  - iv. The sign has a minimum clearance of 3.0m (9.8ft) from grade.
- m) Accessory buildings may only be permitted in the rear yard, if any.
- n) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 10.1 to 10.7 of **Part 10 – Non-Residential Land Use Districts**.



## 10.9 DT-T - DOWNTOWN TRANSITIONAL DISTRICT

### 10.9.1 DT-T PURPOSE

The purpose of this District is to provide for a range of commercial and retail uses that would help integrate the Downtown with adjacent residential Districts.



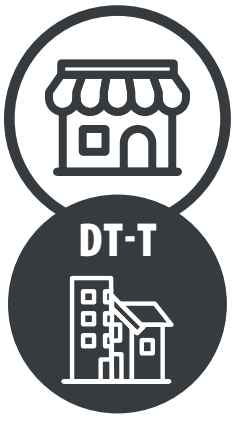
*Figure 10.9a: DT-T Built Form Examples*

### 10.9.2 DT-T PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 10.9.2 b) and c) and shall ensure:

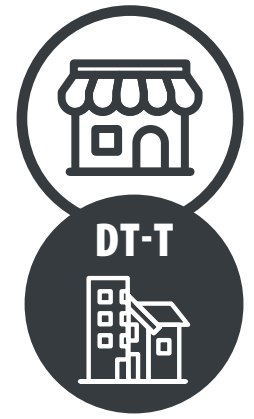
- i. That any Use which includes a drive-in business shall be considered neither a Permitted nor a Discretionary Use; and
- ii. Breweries, Wineries, and Distilleries shall have a maximum floor area of 1,114.8 m<sup>2</sup> (12,000.0ft<sup>2</sup>).



b) DT-T PERMITTED USES	c) DT-T DISCRETIONARY USES
------------------------	----------------------------

- Auctioneering Establishment
- Automotive Repair, Service, Rental, and Sales
- Business Support Service
- Child Care Facility
- Commercial School
- Dwelling, Apartment
- Eating and Drinking Establishment
- Financial Service
- Funeral Home
- Home Office
- Parking Facility
- Personal Service
- Place of Worship
- Private Club
- Professional, Office, Government, and Business Service
- Public Utility
- Renewable Energy Device, Limited
- Retail, General
- Sign, A-Frame
- Sign, Fascia
- Sign, Freestanding
- Sign, Inflatable
- Sign, Marquee or Canopy
- Sign, Portable
- Sign, Projecting
- Sign, Roof
- Workshop, Limited
- Accessory development to any use listed in subsection 10.9.2 b) or c)

- Bed and Breakfast
- Breweries, Wineries, and Distilleries
- Cultural and Community Facility
- Dwelling, Single-Detached
- Dwelling, Semi-Detached
- Entertainment Establishment, Indoor
- Entertainment Establishment, Outdoor
- Health Service
- Pet Care Service
- Recycling Depot
- Retail, Liquor



### 10.9.3 DT-T SUBDIVISION STANDARDS

	INTERIOR OR CORNER LOT
a) Lot Width	At the discretion of the Development Authority
b) Lot Depth	At the discretion of the Development Authority
c) Lot Area	450.0m <sup>2</sup> (4,843.8ft <sup>2</sup> ) minimum

### 10.9.4 DT-T DEVELOPMENT STANDARDS

	INTERIOR LOT	CORNER LOT	
a) Front Setback	3.0m (9.8ft) minimum	Front	3.0m (9.8ft) minimum
		Flanking	3.0m (9.8ft) minimum
b) Side Setback	Principal Building: 1.5m (4.9ft) minimum Accessory Building: 1.2m (3.9ft) minimum		
c) Rear Setback	Principal Building: 3.0m (9.8ft) minimum Accessory Building: 1.0m (3.3ft) minimum		
d) Height	Principal Building: Four (4) storeys, 16.0m (52.5ft) maximum		
e) Lot Coverage	40% maximum for principal building 50% maximum for all buildings and structures		

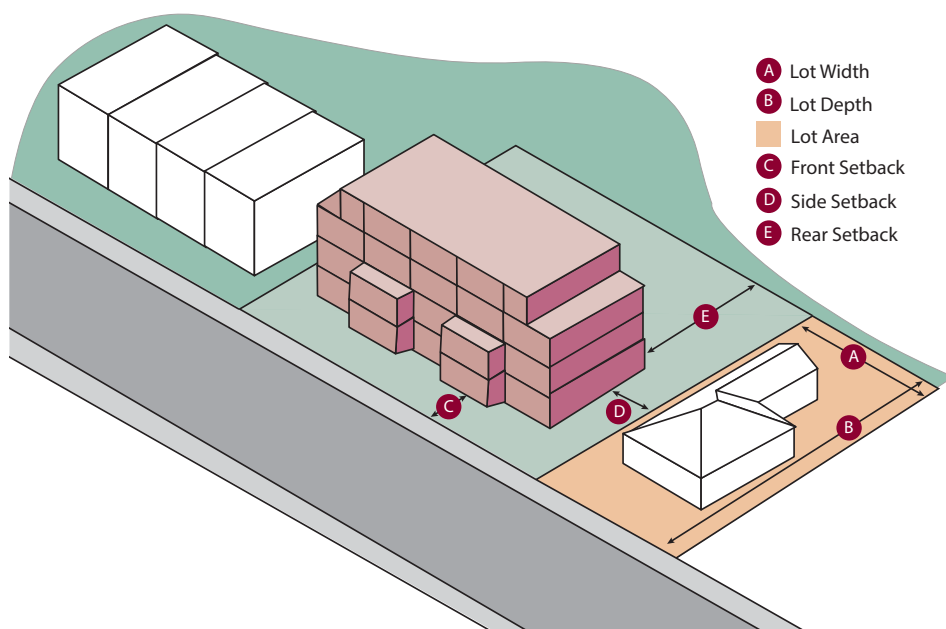
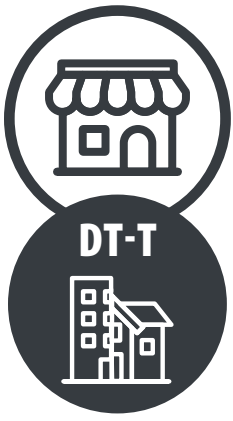


Figure 10.9b: DT-T Subdivision and Development Standards



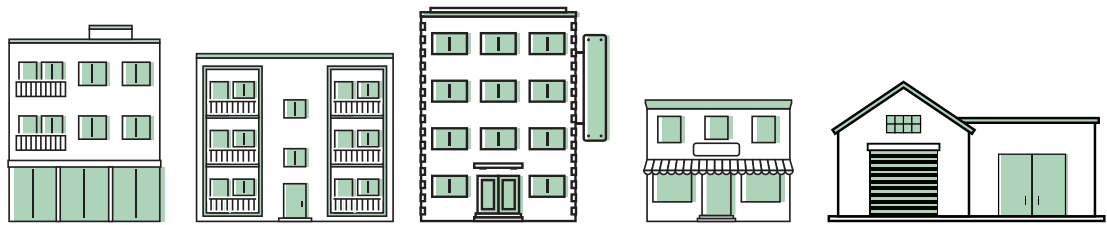
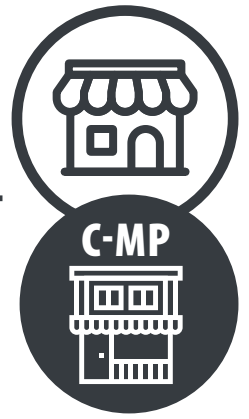
#### 10.9.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR DT-T:

- a) Fencing shall not be permitted within the front yard area.
- b) All outdoor storage areas shall be enclosed with a fence and kept in a clean and orderly condition at all times, to the satisfaction of the Development Authority.
- c) Projecting signs meeting the requirements of **Part 8** may be approved by the Development Authority provided that:
  - i. For any building located less than 6.0m (19.ft) from a property line, not more than one (1) projecting sign of 2.4m<sup>2</sup> (25.8ft<sup>2</sup>) in area is erected;
  - ii. The sign does not extend more than 1.0m (3.3ft) above the parapet of the building;
  - iii. The sign does not extend more than 1.5m (4.9ft) from the face of the building; and
  - iv. The sign has a minimum clearance of 3.0m (9.8ft) from grade.
- d) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 10.1 to 10.7 of **Part 10 – Non-Residential Land Use Districts**.

## 10.10C-MP - COMMERCIAL MULTI-PURPOSE DISTRICT

### 10.10.1 C-MP PURPOSE

The purpose of this District is to provide for a wide range of commercial uses at a medium intensity to serve the local neighbourhood as well as the surrounding community which are not suitable for Downtown or highway corridors.



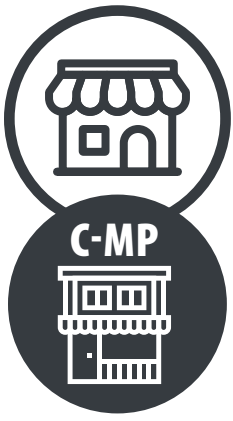
*Figure 10.10a: C-MP Built Form Examples*

### 10.10.2 C-MP PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 10.10.2 b) and c) and shall ensure:

- i. None.



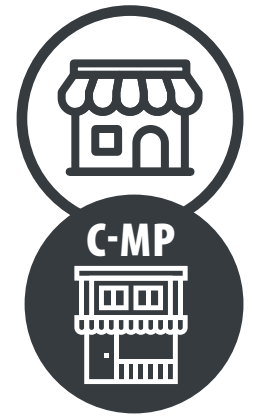
**b) C-MP PERMITTED USES**

- Auctioneering Establishment
- Automotive Repair, Service, Rental, and Sales
- Business Support Service
- Child Care Facility
- Commercial School
- Dwelling, Apartment
- Eating and Drinking Establishment
- Financial Service
- Funeral Home
- Home Office
- Hotel
- Parking Facility
- Personal Service
- Pet Care Service
- Place of Worship
- Private Club
- Professional, Office, Government, and Business Service
- Public Utility
- Renewable Energy Device, Limited
- Retail, General
- Sign, A-Frame
- Sign, Fascia
- Sign, Flag
- Sign, Freestanding
- Sign, Inflatable
- Sign, Marquee or Canopy
- Sign, Portable
- Sign, Projecting
- Sign, Roof
- Workshop, Limited
- Accessory development to any use listed in subsection 10.10.2 b) or c)

**c) C-MP DISCRETIONARY USES**

- Breweries, Wineries, and Distilleries
- Cultural and Community Facility
- Dwelling, Single-Detached
- Entertainment Establishment, Indoor
- Entertainment Establishment, Outdoor
- Equipment Rental, Sales, and Service
- Fleet Services
- Health Service
- Outdoor Storage
- Recycling Depot
- Retail, Liquor
- Service Station
- Shopping Centre
- Vehicle Wash





### 10.10.3 C-MP SUBDIVISION STANDARDS

	INTERIOR OR CORNER LOT
a) Lot Width	At the discretion of the Development Authority
b) Lot Depth	At the discretion of the Development Authority
c) Lot Area	450.0m <sup>2</sup> (4,843.8ft <sup>2</sup> ) minimum

### 10.10.4 C-MP DEVELOPMENT STANDARDS

	INTERIOR LOT	CORNER LOT	
a) Front Setback	3.0m (9.8ft) minimum	Front	3.0m (9.8ft) minimum
		Flanking	3.0m (9.8ft) minimum
b) Side Setback	Principal Building: 1.5m (4.9ft) minimum		
	Accessory Building: 1.2m (3.9ft) minimum		
c) Rear Setback	Principal Building: 3.0m (9.8ft) minimum		
	Accessory Building: 1.0m (3.3ft) minimum		
d) Height	Principal Building: Four (4) storeys, 16.0m (52.5ft) maximum		
e) Lot Coverage	40% maximum for principal building		
	50% maximum for all buildings and structures		

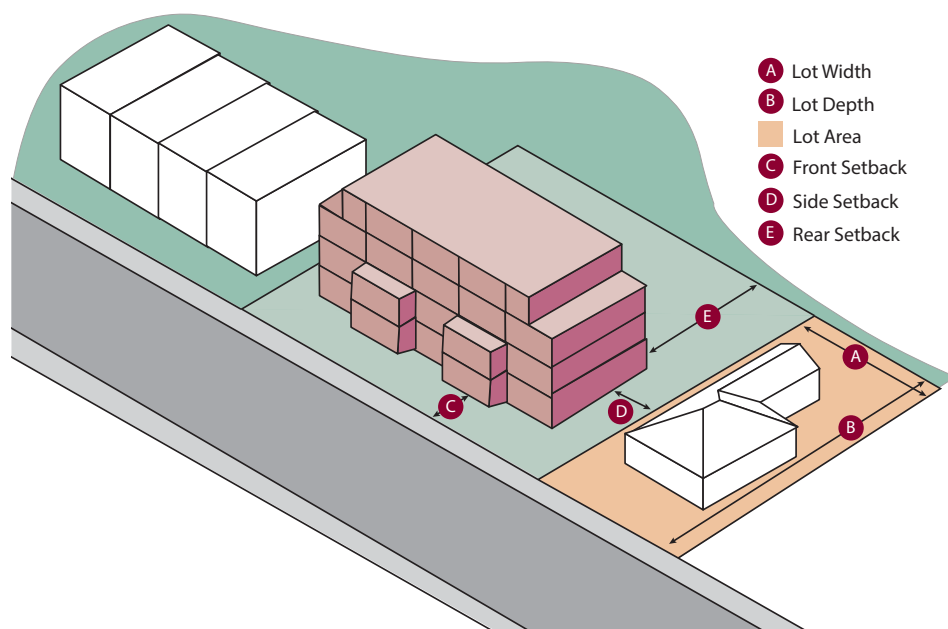
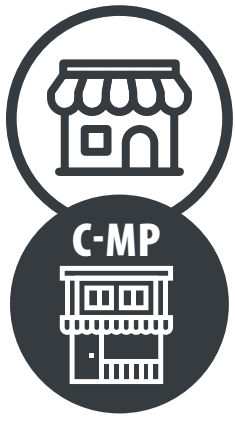


Figure 10.10b: C-MP Subdivision and Development Standards



#### 10.10.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR C-MP:

- a) Fencing shall not be permitted within the front yard area.
- b) All outdoor storage areas shall be enclosed with a fence and kept in a clean and orderly condition at all times, to the satisfaction of the Development Authority.
- c) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 10.1 to 10.7 of **Part 10 – Non-Residential Land Use Districts**.



## 10.11 C-H - HIGHWAY COMMERCIAL DISTRICT

### 10.11.1 C-H PURPOSE

The purpose of this District is to provide for vehicle-orientated commercial uses appropriate for along highway corridors which may not be suitable in the Downtown or in other commercial areas within the Town.

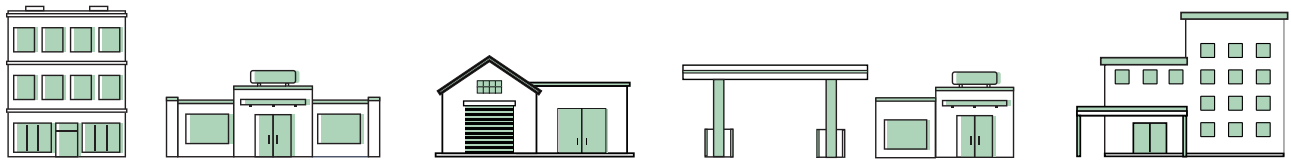


Figure 10.11a: C-H Built Form Examples

### 10.11.2 C-H PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 10.11.2 b) and c) and shall ensure:

- i. None.

b) C-H PERMITTED USES	c) C-H DISCRETIONARY USES
Agricultural Equipment Sales and Service	Cultural and Community Facility
Auctioneering Establishment	Fleet Services
Automotive Repair, Service, Rental and Sales	Manufacturing Establishment
Breweries, Distilleries, and Wineries	Outdoor Storage
Business Support Service	Recycling Depot
Child Care Facility	Sign, Billboard
Commercial School	Warehousing
Eating and Drinking Establishment	
Entertainment Establishment, Indoor	
Entertainment Establishment, Outdoor	
Equipment Rental, Sales, and Service	
Financial Service	
Funeral Home	
Health Service	
Hotel	



**b) C-H PERMITTED USES**

**c) C-H DISCRETIONARY USES**

- Parking Facility
  - Personal Service
  - Pet Care Service
  - Place of Worship
  - Professional, Office, Government, and Business Service
  - Public Utility
  - Renewable Energy Device, Limited
  - Retail, Cannabis
  - Retail, General
  - Retail, Liquor
  - Service Station
  - Shipping Container
  - Shopping Centre
  - Sign, A-Frame
  - Sign, Fascia
  - Sign, Flag
  - Sign, Freestanding
  - Sign, Inflatable
  - Sign, Marquee or Canopy
  - Sign, Portable
  - Sign, Projecting
  - Sign, Roof
  - Vehicle Wash
  - Veterinary Clinic
- Accessory development to any use listed in subsection 10.11.2 b) or c)



### 10.11.3 C-H SUBDIVISION STANDARDS

	INTERIOR OR CORNER LOT
a) Lot Width	At the discretion of the Development Authority
b) Lot Depth	At the discretion of the Development Authority
c) Lot Area	450.0m <sup>2</sup> (4,843.8ft <sup>2</sup> ) minimum

### 10.11.4 C-H DEVELOPMENT STANDARDS

	INTERIOR OR CORNER LOT
a) Front Setback	9.0m (29.5ft) minimum
b) Side Setback	3.0m (9.8ft) minimum
c) Rear Setback	3.0m (9.8ft) minimum
d) Height	Principal Building: Four (4) storeys, 16.0m (52.5ft) maximum
e) Lot Coverage	40% maximum for principal building
	50% maximum for all buildings and structures

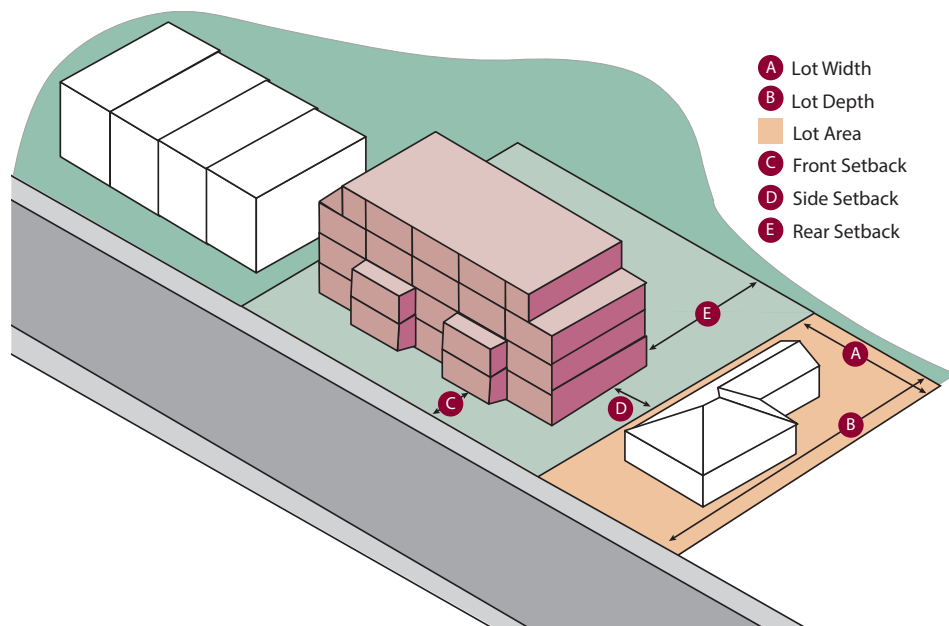


Figure 10.11b: C-H Subdivision and Development Standards



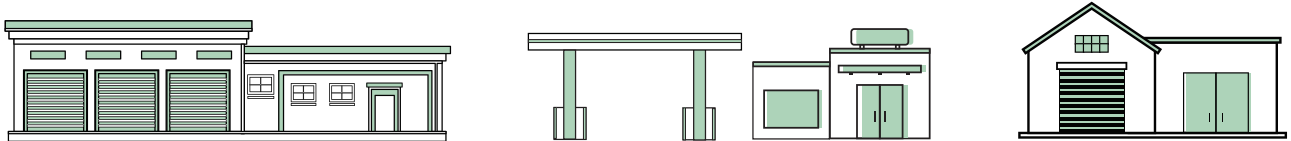
#### 10.11.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR C-H:

- a) A minimum of one on-site loading space for each loading door, with a minimum of two (2) loading spaces shall be provided.
- b) Fencing shall not be permitted within the front yard area.
- c) The Development Authority may require increased setbacks to allow for the planned widening of roads or for the provision of service roads where required by Alberta Transportation.
- d) If property is adjacent to Highway 18 or Highway 44, the minimum required setback from the adjacent property line shall be determined by the Development Authority at their sole discretion.
- e) Access from a site to a public roadway shall be allowed only at points established by the Development Authority.
- f) Vehicles and other equipment being displayed, serviced, or stored shall not be parked on roads, lanes, sidewalks, or boulevards. No part of such vehicles or equipment shall extend into the right-of-way of roads, lanes, sidewalks, or boulevards.
- g) All yards adjacent to public roadways shall be landscaped and the site and all buildings shall be maintained in a neat and tidy manner.
- h) All storage areas and parking lots shall be screened from any adjacent residential district by a solid wall, fence or other screening acceptable to the Development Authority not less than 2.0m (6.6ft) high.
- i) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 10.1 to 10.7 of **Part 10 – Non-Residential Land Use Districts**.

## 10.12I-L - INDUSTRIAL LIGHT DISTRICT

### 10.12.1 I-L PURPOSE

The purpose of this District is to provide for industrial uses which carry out their operations in such a way that does not create a nuisance factor which may adversely affect surrounding non-industrial land uses.



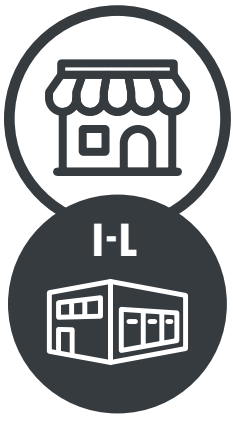
*Figure 10.12a: I-L Built Form Examples*

### 10.12.2 I-L PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 10.12.2 b) and c) and shall ensure:

- i. Personal Service shall be considered a Permitted Use only if located within Lot 10, Block 1, Plan 752 0847.



**b) I-L PERMITTED USES**

- Agricultural Equipment Sales and Service
- Automotive Repair, Service, Rental and Sales
- Auctioneering Establishment
- Breweries, Wineries, and Distilleries
- Business Support Service
- Equipment Rental, Sales, and Service
- Fleet Services
- Industrial, General
- Outdoor Storage
- Personal Service
- Pet Care Service
- Public Utility
- Renewable Energy Device, Limited
- Service Station
- Shipping Container
- Sign, A-Frame
- Sign, Fascia
- Sign, Flag
- Sign, Freestanding
- Sign, Inflatable
- Sign, Marquee or Canopy
- Sign, Portable
- Sign, Projecting
- Sign, Roof
- Vehicle Wash
- Veterinary Clinic
- Warehousing
- Workshop, Limited

Accessory development to any use listed in subsection 10.12.2 b) or c)

**c) I-L DISCRETIONARY USES**

- Entertainment Establishment, Outdoor
- Kennel
- Manufacturing Establishment
- Recycling Depot
- Surveillance Suite
- Temporary Industrial Camp
- Vehicle Impoundment Yard





### 10.12.3 I-L SUBDIVISION STANDARDS

	INTERIOR OR CORNER LOT
a) Lot Width	30.0m (98.4ft) minimum
b) Lot Depth	At the discretion of the Development Authority
c) Lot Area	930.0m <sup>2</sup> (10,010.4ft <sup>2</sup> ) minimum

### 10.12.4 I-L DEVELOPMENT STANDARDS

	INTERIOR OR CORNER LOT
a) Front Setback	6.0m (19.7ft) minimum
b) Side Setback	4.5m (14.8ft) minimum
	1.2m (3.9m) minimum if a lane abuts the rear property line. 7.5m (25.0ft) minimum if adjacent to a residential district
c) Rear Setback	4.5m (14.8ft) minimum
	7.5m (25.0ft) minimum if adjacent to a residential district
d) Height	Principal Building: Four (4) storeys, 16.0m (52.5ft) maximum
e) Lot Coverage	80% maximum for all buildings and structures

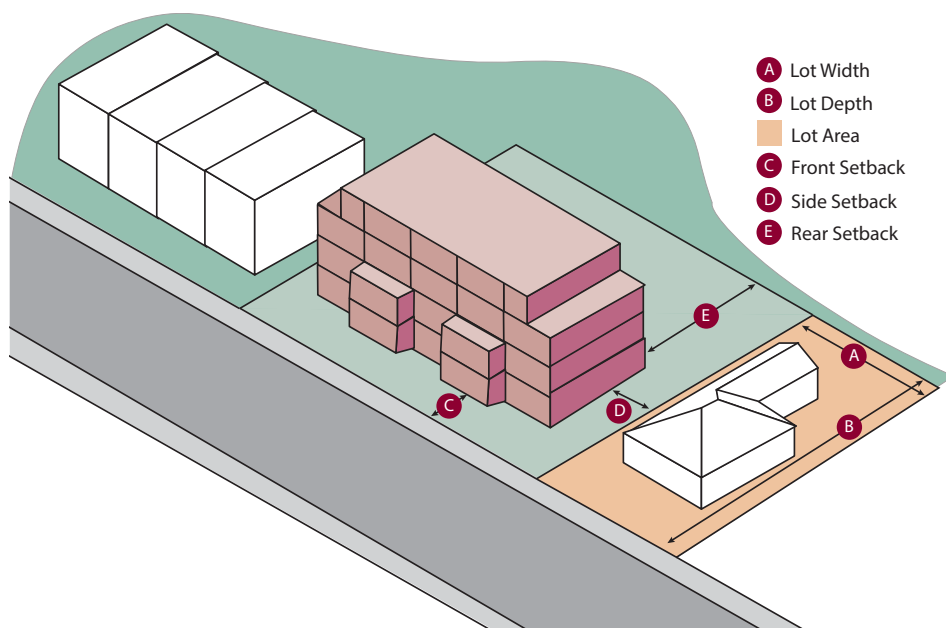


Figure 10.12b: I-L Subdivision and Development Standards

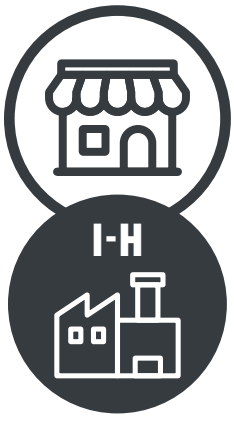


#### 10.12.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR I-L:

- a) The minimum required side setback may be reduced by the Development Authority where a railway line, lane, or utility lot abuts the side property line.
- b) All required setbacks may be increased at the discretion of the Development Authority having due regard for a particular location, type of industry, adjacent development, and safety factors.
- c) A minimum of one on-site loading space for each loading door, with a minimum of two (2) loading spaces shall be provided.
- d) Fences shall be a minimum of 1.83m (6.0ft) high.
- e) Any industrial use, including production, processing, cleaning, testing, repairing, warehousing, storage, receiving, trans-shipment, or distribution of any material shall conform to the following performance standards:
  - i. Noise – no production noise shall be audible at any property line of the lot on which the use is located;
  - ii. Smoke – no process involving the use of solid fuel shall be permitted;
  - iii. Dust and Ash – no process involving the emission of dust, fly ash, or other particulate matter shall be permitted;
  - iv. Smell – the emission of any odorous gas or other matter is prohibited;
  - v. Toxic Gases or Substances – the emission of toxic gases or other toxic substances is prohibited;
  - vi. Glare or Heat – no Use shall be permitted that would produce glare or heat discernible beyond the property lines of the lot on which the use is located; and
  - vii. The applicant shall provide verification to the satisfaction of the Development Authority that a proposed development does and will comply with the above standards.
- f) All yards adjacent to a public roadway shall be landscaped, and the entire site and all buildings maintained in a neat and tidy manner.
- g) All storage, freight, or trucking yards shall be enclosed or completely screened by buildings, landscaping features, fences, or a combination thereof.



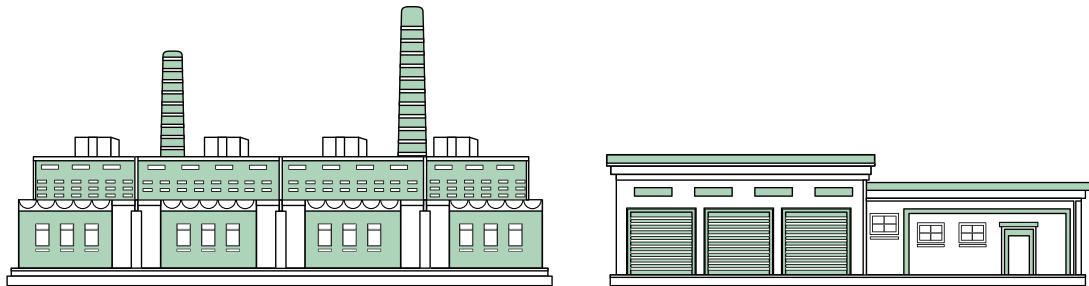
- h) The external storage of goods or materials is permitted only if kept in a neat and orderly manner or suitable enclosed by a fence or wall to the satisfaction of the Development Authority.
- i) All driveways with access to public roadways shall be hard-surfaced in the same manner as the public roadway for a minimum distance of 15.0m (49.2ft) from the property line within one (1) year of the commencement of the development.
- j) No areas for loading or storage, or any like purpose, shall be permitted within the minimum required front setback.
- k) All storage areas and parking lots shall be screened from any adjacent residential district by a solid wall, fence, or other like screening a minimum of 2.0m (6.6ft) high, to the satisfaction of the Development Authority.
- l) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 10.1 to 10.7 of **Part 10 – Non-Residential Land Use Districts**.



## 10.13I-H - INDUSTRIAL HEAVY DISTRICT

### 10.13.1 I-H PURPOSE

The purpose of this District is to provide opportunities for industrial and manufacturing uses which may have the potential of having a detrimental effect on surrounding land uses.



*Figure 10.13a: I-H Built Form Examples*

### 10.13.2 I-H PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 10.13.2 b) and c) and shall ensure:

- i. None.

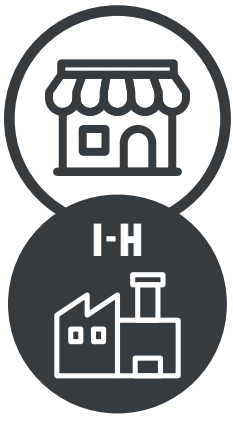


**b) I-H PERMITTED USES**

- Agriplex
- Auctioneering Establishment
- Automotive Repair, Service, Rental, and Sales
- Auto Wrecking Yard
- Equipment Rental, Sales, and Service
- Fleet Services
- Industrial, General
- Manufacturing Establishment
- Outdoor Storage
- Public Utility
- Renewable Energy Device, Limited
- Recycling Depot
- Shipping Container
- Sign, A-Frame
- Sign, Fascia
- Sign, Flag
- Sign, Freestanding
- Sign, Inflatable
- Sign, Marquee or Canopy
- Sign, Portable
- Sign, Projecting
- Sign, Roof
- Surveillance Suite
- Vehicle Impoundment Yard
- Vehicle Wash
- Veterinary Clinic
- Warehousing
- Accessory development to any use listed in subsection 10.13.2 b) or c)

**c) I-H DISCRETIONARY USES**

- Auctioneering Establishment, Livestock
- Industrial, Hazardous
- Kennel
- Renewable Energy Device



**10.13.3 I-H SUBDIVISION STANDARDS**

	INTERIOR OR CORNER LOT
a) Lot Width	30.0m (98.4ft) minimum
b) Lot Depth	At the discretion of the Development Authority
c) Lot Area	930.0m <sup>2</sup> (10,010.4ft <sup>2</sup> ) minimum

**10.13.4 I-H DEVELOPMENT STANDARDS**

	INTERIOR OR CORNER LOT
a) Front Setback	6.0m (19.7ft) minimum
	30.0m (98.4ft) minimum if the lot fronts onto a highway
	7.5m (24.6ft) minimum if fronting onto a service road right-of-way adjacent to a highway
	10.5m (34.4ft) minimum if fronting onto a road other than a service road adjacent to a parallel highway
b) Side Setback	4.5m (14.8ft) minimum
c) Rear Setback	4.5m (14.8ft) minimum
d) Height	Principal Building: Eight (8) storeys, 30.0m (98.4ft) maximum
e) Lot Coverage	80% maximum for all buildings and structures

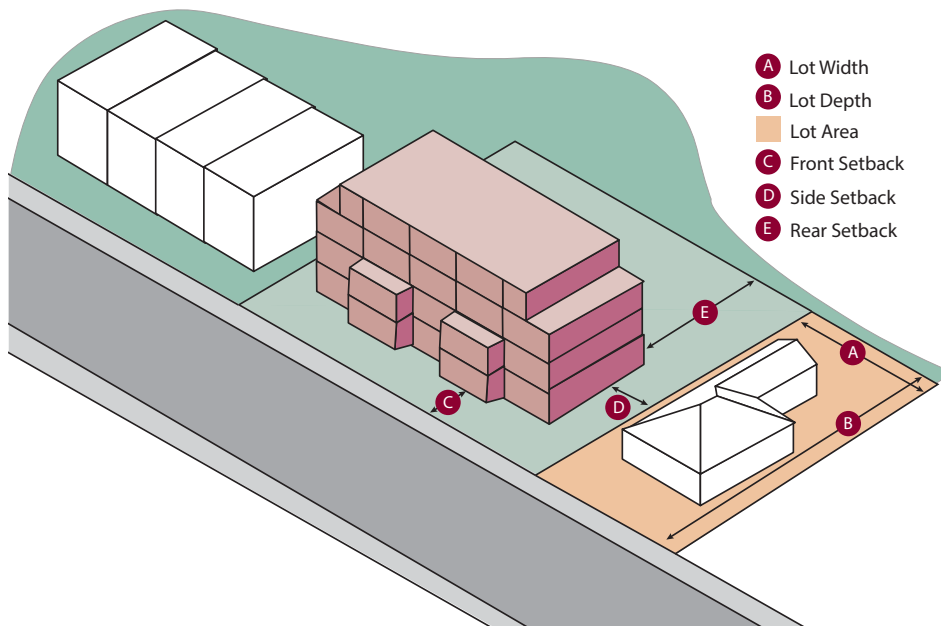


Figure 10.13b: I-H Subdivision and Development Standards



### 10.13.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR I-H:

- a) The minimum required side and rear setbacks may be increased at the discretion of the Development Authority subject to factors such as location, type of industry, adjacent development, and other safety factors.
- b) Any industrial use including production, processing, cleaning, testing, repair, warehousing, storage, receiving, trans-shipment, or distribution of any material shall conform to the following performance standards:
  - i. Smoke, Dust, Ash, Odour, Toxic Gases, and Substances – shall only be released in such amounts and under such conditions and safeguards as approved by the Province;
  - ii. Glare, Heat, Noise, or Vibration – no industrial use shall be carried out which would produce any glare, heat, noise, or vibration so as to be offensive beyond the boundary of the I-H district in which the lot is located;
  - iii. Industrial Waste – no waste shall be discharged into any sewer or drainage system which does not conform to the standards established by Alberta Environment, a bylaw of the Town, or both; and
  - iv. The applicant shall provide verification to the satisfaction of the Development Authority that a proposed development does and will comply with the above standards.
- c) The Development Authority shall establish use on the basis of appropriate performance standards, the methods, equipment and techniques of the use, the use of neighbouring land and districts, and the compatibility of the proposed use with neighbouring land and districts when considering an application for development.
- d) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 10.1 to 10.7 of **Part 10 – Non-Residential Land Use Districts**.



## 10.14 I - INSTITUTIONAL DISTRICT

### 10.14.1 I PURPOSE

The purpose of this District is to provide for the development of uses of a community service nature.



*Figure 10.14a: I Built Form Examples*

### 10.14.2 I PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 10.14.2 b) and c) and shall ensure:

- i. Eating and Drinking Establishment; Health Service; Financial Service; Professional, Office, Government, and Business Service; and Retail, General shall only be considered Permitted or Discretionary Uses if accessory to a principal use; and
- ii. That any Use which includes a drive-in business shall be considered neither Permitted nor Discretionary Uses.





**b) I PERMITTED USES**

- Assisted Living Facility
- Business Support Service
- Child Care Facility
- Community Garden
- Cultural and Community Facility
- Health Service
- Hospital
- Parking Facility
- Place of Worship
- Protection and Emergency Services
- Public Park
- Public Utility
- Renewable Energy Device, Limited
- School
- Sign, A-Frame
- Sign, Fascia
- Sign, Freestanding
- Sign, Marquee or Canopy
- Sign, Portable
- Sign, Projecting
- Accessory development to any use listed in subsection 10.14.2 b) or c)

**c) I DISCRETIONARY USES**

- Cemetery
- Eating and Drinking Establishment
- Financial Service
- Personal Service
- Professional, Office, Government, and Business Service
- Retail, General
- Shipping Container
- Sign, Inflatable



### 10.14.3 I SUBDIVISION STANDARDS

INTERIOR OR CORNER LOT	
a) Lot Width	At the discretion of the Development Authority
b) Lot Depth	At the discretion of the Development Authority
c) Lot Area	465.0m <sup>2</sup> (5,005.2ft <sup>2</sup> ) minimum

### 10.14.4 I DEVELOPMENT STANDARDS

INTERIOR OR CORNER LOT	
a) Front Setback	6.0m (19.7ft) minimum
b) Side Setback	4.5m (14.8ft) minimum
c) Rear Setback	7.5m (24.6ft) minimum
d) Height	Principal Building: Four (4) storeys, 16.0m (52.5ft) maximum
e) Lot Coverage	45% maximum for all buildings and structures

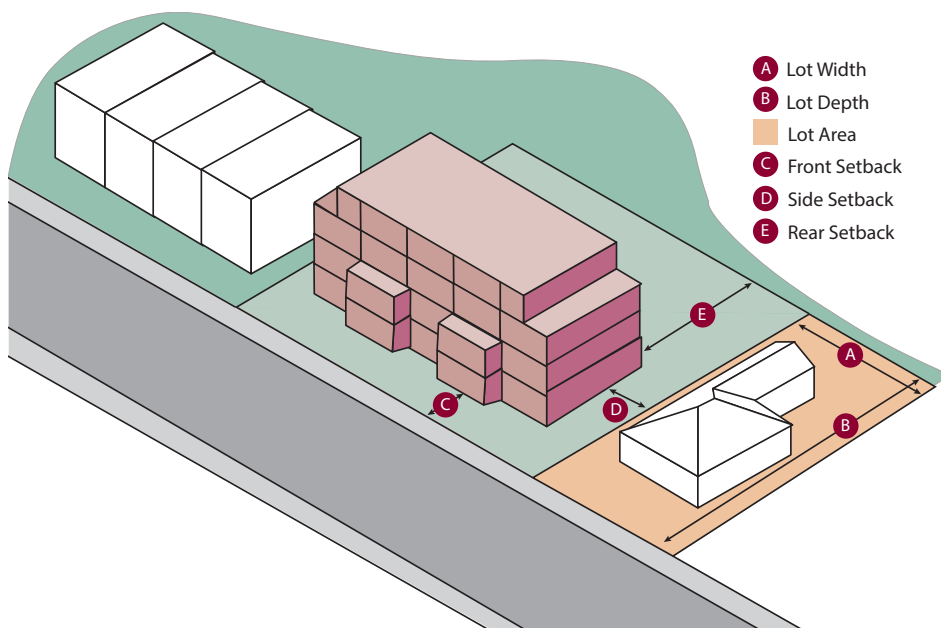
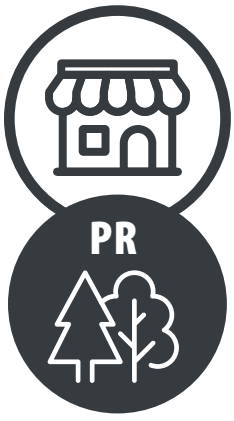


Figure 10.14b: I Subdivision and Development Standards

#### 10.14.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR I:

- a) Fencing shall not be permitted within the front yard area.
- b) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 10.1 to 10.7 of **Part 10 – Non-Residential Land Use Districts**.





## 10.15 PR - PARKS AND RECREATION DISTRICT

### 10.15.1 PR PURPOSE

The purpose of this District is to provide for recreational, educational, and conservation uses.

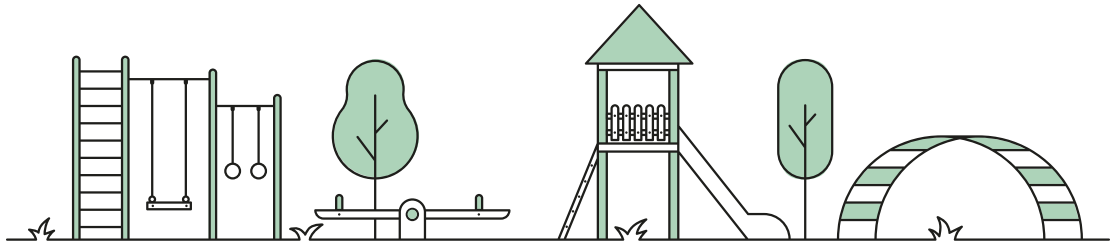


Figure 10.15a: PR Built Form Example

### 10.15.2 PR PERMITTED AND DISCRETIONARY USES

#### a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 10.15.2 b) and c) and shall ensure:

- i. None.

b) PR PERMITTED USES	c) PR DISCRETIONARY USES
Child Care Facility	Campground
Community Garden	Cemetery
Cultural and Community Facility	Entertainment Establishment, Outdoor
Parking Facility	Sign, Inflatable
Public Park	Sign, Roof
Public Utility	
Recreation Facility, Indoor	
Recreation Facility, Outdoor	
Renewable Energy Device, Limited	
Sign, A-Frame	
Sign, Fascia	
Sign, Freestanding	
Sign, Marquee or Canopy	
Sign, Portable	
Sign, Projecting	
Accessory development to any use listed in subsection 10.15.2 b) or c)	

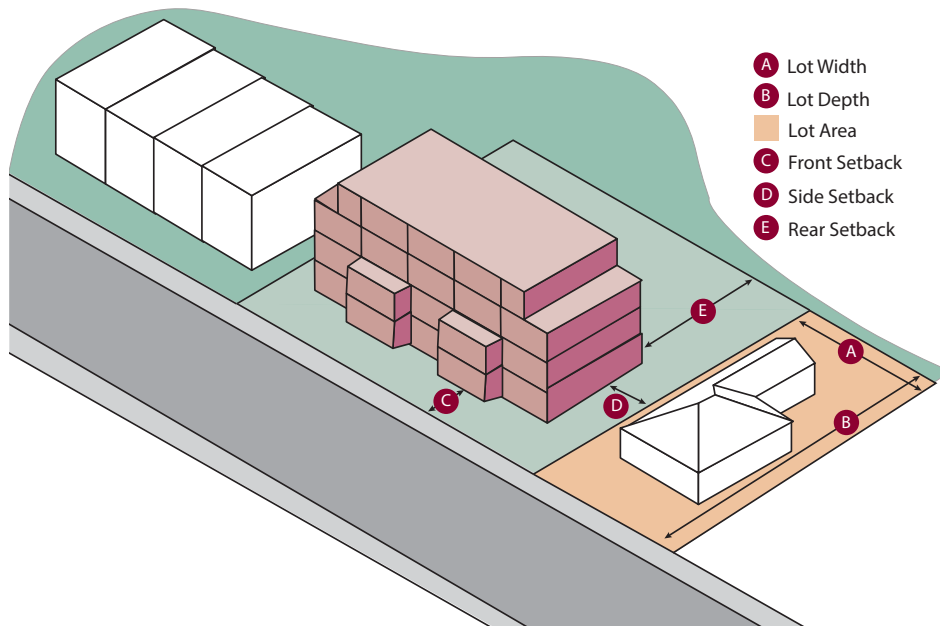


**10.15.3 PR SUBDIVISION STANDARDS**

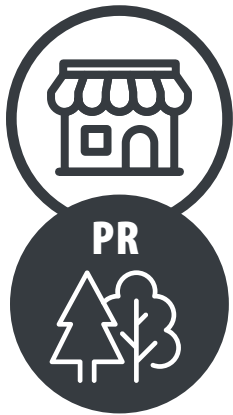
	INTERIOR OR CORNER LOT
a) Lot Width	At the discretion of the Development Authority
b) Lot Depth	At the discretion of the Development Authority
c) Lot Area	465.0m <sup>2</sup> (5,005.2ft <sup>2</sup> ) minimum

**10.15.4 PR DEVELOPMENT STANDARDS**

	INTERIOR OR CORNER LOT
a) Front Setback	6.0m (19.7ft) minimum
b) Side Setback	4.5m (14.8ft) minimum
c) Rear Setback	7.5m (24.6ft) minimum
d) Height	Principal Building: Four (4) storeys, 16.0m (52.5ft) maximum
e) Lot Coverage	45% maximum for all buildings and structures

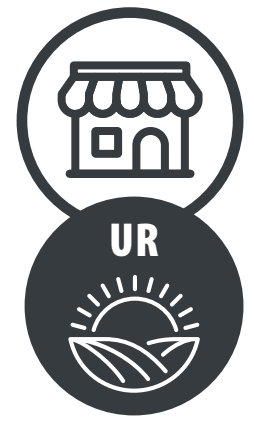


*Figure 10.15b: PR Subdivision and Development Standards*



#### 10.15.5 ADDITIONAL DEVELOPMENT REGULATIONS FOR PR:

- a) Fencing shall not be permitted within the front yard area.
- b) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 10.1 to 10.7 of **Part 10 – Non-Residential Land Use Districts**.



## 10.16 UR - URBAN RESERVE DISTRICT

### 10.16.1 UR PURPOSE

The purpose of this District is to reserve lands for future urban development and to avoid premature subdivision or development which would be incompatible with adjacent districts and existing road and utility systems.

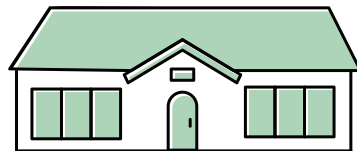
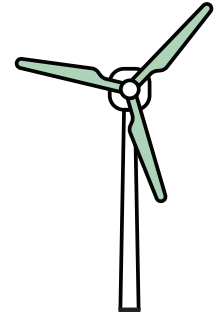


Figure 10.16a: UR Built Form Example



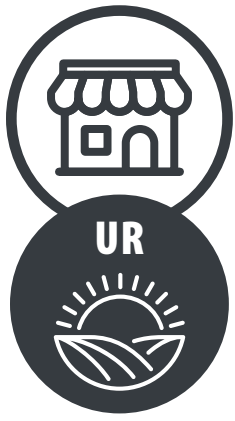
### 10.16.2 UR PERMITTED AND DISCRETIONARY USES

a) Fundamental Use Provisions

The Fundamental Use Provisions are requisite qualifiers for the Permitted and Discretionary Uses listed within 10.16.2 b) and c) and shall ensure:

i. None.

b) UR PERMITTED USES	c) UR DISCRETIONARY USES
Dwelling, Single-Detached	Kennel
Extensive Agriculture	Pet Care Service
Public Utility	Renewable Energy Device
Renewable Energy Device, Limited	Temporary Industrial Camp
Sign, Portable	Sign, Billboard
Accessory development to any use listed in subsection 10.16.2 b) or c)	



### 10.16.3 UR DEVELOPMENT REGULATIONS:

- a) No subdivision or development other than for the uses listed in subsection 10.16.2 shall take place until a Concept Plan or an Area Structure Plan for the overall area has been adopted by Council.
- b) Minimum required setbacks shall be as determined by the Development Authority.
- c) All development and uses within this Land Use District are subject to the applicable provisions of **Part 6 – General Regulations for all Land Use Districts**, **Part 7 – Parking and Loading Standards**, **Part 8 – Sign Regulations**, and Sections 10.1 to 10.7 of **Part 10 – Non-Residential Land Use Districts**.





## 10.17 DC - DIRECT CONTROL DISTRICT

### 10.17.1 DC PURPOSE

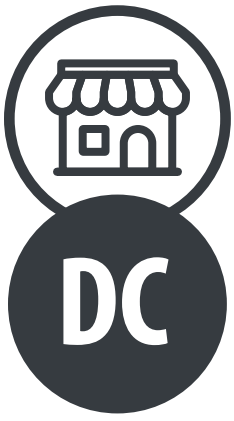
The purpose of a Direct Control district is to provide for site-specific development control at the discretion of Council to address unique project conditions.

### 10.17.2 DC USES

Any proposed use shall be subject to the approval of Council.

### 10.17.3 DC APPLICATION PROCESS:

- a) Council shall act as the Development Authority and may make decisions on all development permit applications within a Direct Control district without reference to the Municipal Planning Commission or the Development Officer.
- b) All development standards shall be at the discretion of Council, based upon a review of the merits of the development proposal and the relevant land use planning considerations.
- c) Council may impose other requirements as deemed necessary, having regard to the nature of the proposed development.
- d) All development within a Direct Control district shall conform to the Town's Municipal Development Plan.
- e) Council may refer to other sections of this Bylaw to determine requirements for specific types of proposed uses. However, Council is not bound by other provisions of this Bylaw.
- f) When deciding on a development permit application, Council shall consider the following:
  - i. The existing and future land use of neighboring properties;
  - ii. The suitability of the site for the proposed use;
  - iii. The provision of municipal services such as water and sewer;
  - iv. The provision of physical access to the property; and
  - v. Any considerations which are unique to the proposed development.



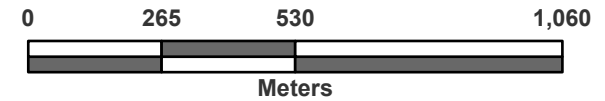
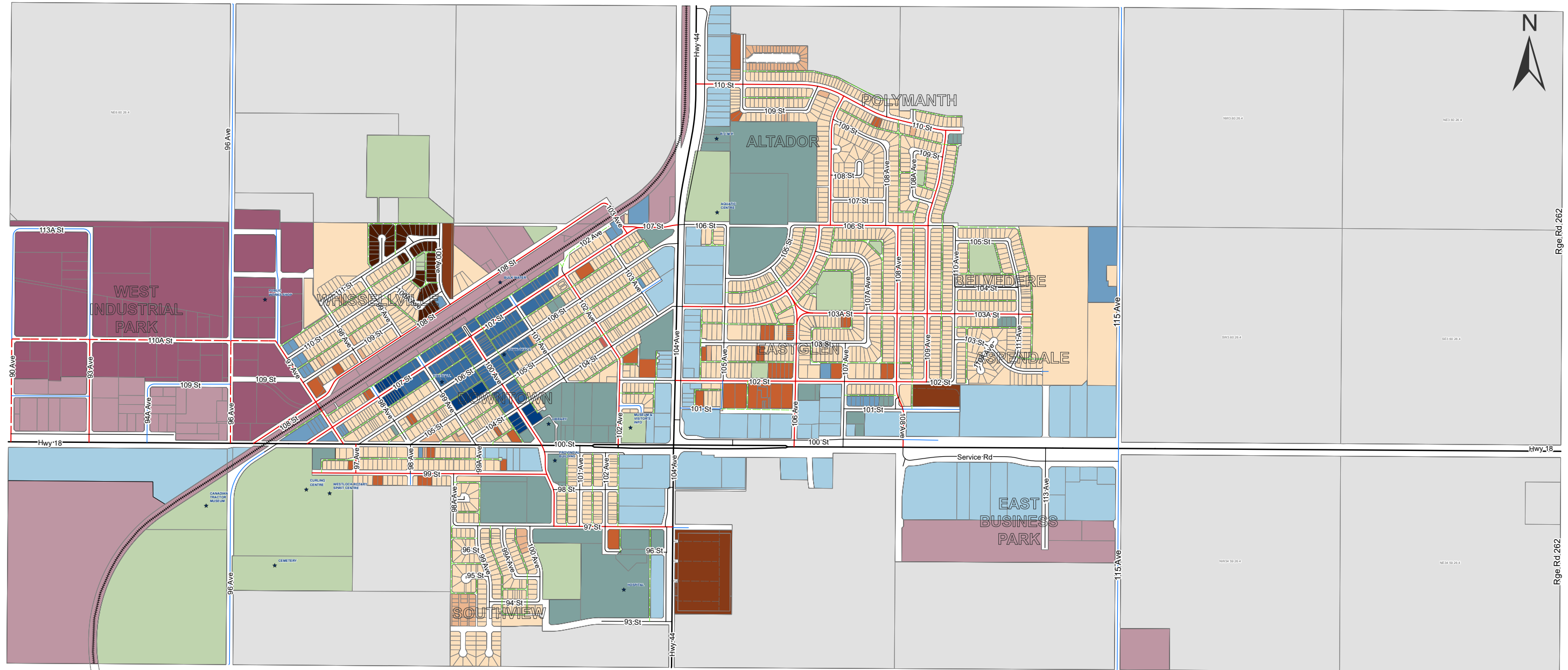
- g) Each Direct Control district shall be considered unique. Each district site shall be indicated on **Appendix A – Land Use Map** by a hyphen plus and identifying number (e.g. “DC-1”). The uses and regulations for each site shall be listed within the text of this Bylaw.
- h) There shall be no appeal to an appeal authority on decisions made by Council on development applications within a Direct Control District.
- i) The Development Authority, if directed by Council, may require the applicant to submit any or all of the following:
  - i. An explanation of the intent of the development;
  - ii. An explanation of how the development may contribute to the present and projected needs of Westlock as a whole;
  - iii. The features of the development which make it desirable to the general public and the Town;
  - iv. An economic analysis of the development’s anticipated impact on the local community;
  - v. A detailed proposal containing the location of all proposed buildings, elevation and architectural treatment of all buildings and associated structures, proposed servicing scheme and its relationship to the Town’s existing and proposed servicing plans, and a site plan complete with setbacks, parcel coverage, floor area, and proposed parking;
  - vi. An explanation of how the proposal complies with the Town’s Municipal Development Plan and relevant Area Structure Plans; and
  - vii. Such additional requirements as deemed necessary regarding the nature of the proposed development and the surrounding uses which may be affected.

# APPENDICES



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# APPENDIX A: LAND USE MAP



- |  |   |  |  |
|--|---|--|--|
| <ul style="list-style-type: none"> <li><span style="color: black; font-weight: bold;">—</span> Arterial, Paved</li> <li><span style="color: red; font-weight: bold;">—</span> Collector, Paved</li> <li><span style="color: red; font-weight: bold;">- -</span> Collector, Gravel</li> <li><span style="color: black; font-weight: bold;">—</span> Local / Street, Paved</li> <li><span style="color: blue; font-weight: bold;">—</span> Local / Street, Gravel</li> <li><span style="color: green; font-weight: bold;">—</span> Alleyway / Lane, Paved</li> <li><span style="color: green; font-weight: bold;">- -</span> Alleyway / Lane, Gravel</li> <li><span style="color: grey; font-weight: bold;">—</span> Local / Strata</li> </ul> | <p><b>Districts</b></p> <ul style="list-style-type: none"> <li><span style="background-color: #f4b084; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> R1- Low Density Residential</li> <li><span style="background-color: #e69d00; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> R2 - Medium Density Residential</li> <li><span style="background-color: #c45e00; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> R3 - High Density Residential</li> <li><span style="background-color: #8b4513; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> R4 - Estate Residential</li> <li><span style="background-color: #d2691e; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> RMM - Medium Density Multiple Residential</li> <li><span style="background-color: #654321; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> RMH1 - Manufactured Home Subdivision Residential</li> </ul> | <ul style="list-style-type: none"> <li><span style="background-color: #800000; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> RMH2- Manufactured Home Park Residential</li> <li><span style="background-color: #cd5c5c; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> RNC - Residential Neighbourhood Commercial</li> <li><span style="background-color: #00008b; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> DTMU - Downtown Mixed Use</li> <li><span style="background-color: #00008b; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> DTT - Downtown Transitional</li> <li><span style="background-color: #4682b4; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> CMP - Commercial Multi-Purpose</li> <li><span style="background-color: #add8e6; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> CH - Highway Commercial</li> <li><span style="background-color: #800080; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> IH - Industrial Heavy</li> </ul> | <ul style="list-style-type: none"> <li><span style="background-color: #c0c0c0; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> IL - Industrial Light</li> <li><span style="background-color: #808080; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> I - Institutional</li> <li><span style="background-color: #90ee90; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> PR - Parks and Recreation</li> <li><span style="background-color: #d3d3d3; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> UR - Urban Reserve</li> <li><span style="background-color: #696969; border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> DC - Direct Control</li> </ul> |
|--|---|--|--|

Produced: 2024/09/11, LandUseBylaw/LUB\_11X17

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## APPENDIX B: FINE SCHEDULE



MINIMUM FINE: \$50.00

MAXIMUM FINE: \$10,000.00

The following fine amounts are established for use on violation tags and violation tickets if a voluntary payment option is offered, which amounts shall be specified penalties for the purposes of the *Provincial Offences Procedures Act*.

OFFENCE	SECTION	FIRST OFFENCE	SECOND OFFENCE	THIRD OFFENCE*
Failure to obtain a Development Permit	2.11	\$250.00	\$500.00	\$1,000.00
Failure to comply with Development Permit Conditions	2.11	\$250.00	\$500.00	\$1,000.00
Failure to comply with a Stop Order	2.11	\$500.00	\$750.00	\$1,250.00
Failure to comply with any other condition of this Bylaw	2.11	\$250.00	\$500.00	\$1,000.00
Obstruct or hinder any person in the exercise or performance of their duties, pursuant to the Land Use Bylaw	2.11	\$500.00	\$750.00	\$1,250.00
Provide a designated officer with false or misleading information	2.11	\$500.00	\$750.00	\$1,250.00

\* for a third or any additional offences

# Land Use Bylaw 2022-12

## Bylaw Amendment List

Bylaw No.	Land Use District	Purpose	Adopted
2023-03	PR – Parks and Recreation District Section 10.15.2	Add Child Care Facility as a Permitted Use in the PR – Parks and Recreation District.	2023-03-27
2023-09	R-NC	Rezone Lot 11, Block 25, Plan 7191 ET from R1 (Low Density Residential) District to R-NC (Residential Neighbourhood Commercial) District and related amendments	2023-07-10
2023-11	I-L – Industrial Light District	Add Personal Service as a Permitted Use in the I-L – Industrial Light District and related amendments	2023-08-14
2024-05	R-1 – Low Density Residential District	Add Garage Suite, Garden Suite and Secondary Suite as Permitted Uses and related amendments	2024-05-13
2024-08	R-3 – High Density Residential District	Redistricting Lot 11, Block 11, Plan 2955HW from R-2 to R-3	2024-07-15
2024-09	R-1 – Low Density Residential District PR – Parks and Recreation District	Redistrict Lot 14, Block 7 Plan 162 3974 from UR to R1 Redistrict Lot 1 Plan 932 1020 and Lot 1, Block 1 Plan 172 2638 from UR to PR	2024-07-08
2024-11	RMH-1 – Manufactured Home Subdivision Residential District	Add Garage and Garden Suite as Permitted Uses and related amendments	2024-08-12
2024-12	R-2 – Medium Density Residential District	Redistrict Lot 7, Block 16, Plan 7432 AN from R1 to R2	2024-08-12
2024-14	C-H – Highway Commercial District	Redistrict Lot B, Block 5, Lot 1281 KS from R3 to C-H	2024-09-09