



TOWN OF WESTLOCK

LAND USE

BYLAW NO. 2015-02

EFFECTIVE DATE – May 25, 2015

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.

AMENDMENT BYLAW

DATE OF ADOPTION

EFFECTIVE DATE

(If different from Date of Adoption)

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| Bylaw No. 2015-20 | August 10, 2015 | |
| Bylaw No. 2015-19 | September 14, 2015 | |
| Bylaw No. 2015-22 | December 14, 2015 | |
| Bylaw No. 2016-05 | June 27, 2016 | |
| Bylaw No. 2016-07 | July 18, 2016 | |
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| Bylaw No. 2017-12 | December 11, 2017 | |
| Bylaw No. 2017-13 | December 11, 2017 | |
| Bylaw No. 2018-09 | June 25, 2018 | |
| Bylaw No. 2018-10 | August 20, 2018 | |
| Bylaw No. 2018-13 | October 22, 2018 | |
| Bylaw No. 2019-04 | April 8, 2019 | |
| Bylaw No. 2020-02 | February 20, 2020 | |
| Bylaw No. 2020-06 | May 25, 2020 | |
| Bylaw No. 2020-07 | June 8, 2020 | |
| Bylaw No. 2020-19 | October 13, 2020 | |
| Bylaw No. 2020-21 | October 26, 2020 | |
| Bylaw No. 2021-19 | August 16, 2021 | |

Town of Westlock
Land Use Bylaw

Bylaw 2015-02

May 2015



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Part I

Introduction and Mandate

1 Enactment

1.1 Title

- 1.1.1 This Bylaw is entitled “Town of Westlock Land Use Bylaw 2015-02”.

1.2 Purpose

- 1.2.1 The purpose of this Bylaw is to regulate and control the [use](#) and [development](#) of land and [buildings](#) within the Town of Westlock to achieve the orderly and economic [development](#) of land. For that purpose, among other things, this Bylaw:

- a) Divides the Town into districts;
- b) Prescribes and regulates the purposes for which land and [buildings](#) [may](#) be used in each district;
- c) Establishes a method of making decisions on applications for [development permits](#) and issuing [development permits](#);
- d) Provides the manner in which notice of the issuance of a [development permit](#) is to be given;
- e) Prescribes and regulates standards for [signs](#) and on-site parking; and
- f) Establish the number of [dwelling units](#) on a parcel.

1.3 Effective Date

- 1.3.1 This Land Use Bylaw comes into effect on the date of the third reading and signing. At that time, the former Bylaw No. 2004-06, and amendments thereto, [shall](#) cease to apply to new subdivision and [development](#) in the Town of Westlock.

1.4 Application

- 1.4.1 This Land Use Bylaw [shall](#) serve as a tool to implement policies established in the Municipal Development Plan, other statutory plans and the Municipal Government Act ([MGA](#)), as amended from time to time.

- 1.4.2 All [development](#) from the date this Bylaw comes into effect in the Town of Westlock [shall](#) conform to the provisions of this Bylaw.

1.5 Application in Progress

- 1.5.1 A [completed](#) application for a [development permit](#) or subdivision, which is received before passage of this Bylaw [shall](#) be processed in accordance with the Town of Westlock Land Use Bylaw No. 2004-06 as amended.

1.6 Severability

- 1.6.1 If any section, clause, or provision of this Bylaw, including anything shown on Map 1 Land Use Districts, 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, including anything shown on Map 1 Land Use Districts, so declared to be invalid.

1.7 Compliance with Other Legislation

- 1.7.1 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) Other requirements for approval by municipal bylaw, the [MGA](#), conditions, any other instrument affecting building or land or other applicable regulation;
 - b) Any [easement](#), covenant, agreement or contract affecting the [development](#);

- c) The provisions and regulations of this Bylaw do not exempt any person or corporation from complying with the provisions or regulations of any other municipal, provincial, or federal statute;
- d) Requirements of Alberta Building Code; and
- e) Alberta Safety Codes Act, R.S.A. 2000, Chapter S-1.

1.8 Interpretation

Bylaw Text

- 1.8.1 Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa; and the word “person” includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual. Words have the same meaning whether they are capitalized or not.
- 1.8.2 The words “shall” and “must” require mandatory compliance except where a variance has been granted pursuant to the [MGA](#).
- 1.8.3 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.
- 1.8.4 Where a regulation involves two or more conditions, provisions, or events connected by the conjunction “and”, the “and” means all the connected items shall apply in combination; “or” indicates that the connected items may apply singly or in combination; and “either-or” indicates the items shall apply singly but not in combination.
- 1.8.5 Where reference is made to other legislation or documents, this refers to the legislation and documents as may be amended from time to time.
Land Use District Map
- 1.8.6 Where a district boundary is shown on Map 1 Land Use Districts as approximately following:
 - a) A road, lane, railway, pipeline, power line, utility right of way, or easement, it follows the centre line, unless otherwise clearly indicated on Map 1 Land Use Districts;
 - b) The Town of Westlock boundary;
 - c) A property line, if applicable.
- 1.8.7 A district boundary should generally follow the features listed above.
- 1.8.8 In circumstances not covered above, the district boundary shall be determined by the [Development Authority](#).
- 1.8.9 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 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.

2 Approval and Appeal Authorities

2.1 Development Authority

2.1.1 The Development Authority of the Town of Westlock shall be as established by the Municipality's 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 sections 2.3 and 2.4 of this 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 A Development Officer shall be responsible for the following:

- a) Reviewing all applications for a development permit, establish specific conditions related to each development permit application and 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 all development permit applications for non-residential and discretionary uses and variances of more than 10% to the Municipal Planning Commission; and

d) To consider and approve a development permit that is consistent with a license, permit, approval or other authorization granted by either the Alberta Energy Regulator (AER) or Natural Resources and Conservation Board (NRCB).

2.2.5 For the purposes of section 542 of the MGA, the Development Officer is hereby declared to be the 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, involving non-residential or discretionary uses, or variances of more than 10%.

2.4 Council's Role as Development Authority

2.4.1 In the DC District, the Council shall have the same authority as possessed by the Municipal Planning Commission when it deals with a development permit application.

Part II

Administrative Procedures

3 Development Permits, Applications and Procedures

3.1 Control of Development

- 3.1.1 No development, other than that designated in section 3.3 of this Bylaw, shall be undertaken within the Municipality 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.

3.2 Development Requiring a Development Permit

- 3.2.1 Except as otherwise provided for in section 3.3, no development shall be started or allowed to continue in the Municipality unless a development permit application for it has been approved and a development permit issued.
- 3.2.2 A development permit shall not be valid unless it conforms to this Bylaw and the MGA.

3.3 Development Not Requiring a Development Permit

- 3.3.1 No approval pursuant to this Bylaw is required for any development described in the following subsections 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 provisions of this Bylaw.

3.3.2 The following developments shall not require a development permit:

- a) The carrying out of works of maintenance or repair to the interior of any building, provided the use of the building is not changed;
- b) The completion of a building which was lawfully under construction at the date of the approval of this Bylaw, provided that the building is completed in accordance with the terms of any development permit granted in respect of it and subject to the conditions to which such development permit was granted and provided also that the building, whether or not a development permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of the approval of this Bylaw;
- c) The use of such buildings as are referred to in section 3.3.2(b) for the purpose for which construction was commenced;
- d) As outlined in Figure 3.1 Fencing Requirements, the erection or construction of gates, fences, walls, or other means of enclosure less than 1.0m (3.3ft) in height in front and flanking yards and less than 1.83m (6.0ft) in height in side and rear yards, and the maintenance, improvement, or other alterations of any gates, fences, walls, or other means of enclosure;

e)

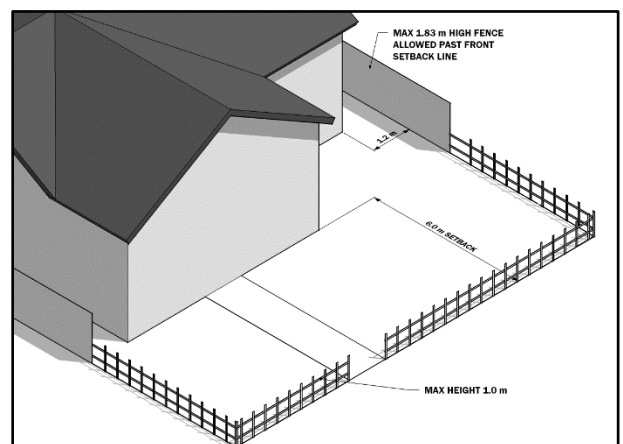


Figure 3.1 Fencing Requirements

- A temporary [building](#), the sole purpose of which is incidental to the [erection](#) or alteration of a [building](#), for which a [development permit](#) has been issued under this Bylaw;
- f) The [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;
 - g) Those [uses](#) and [developments](#) exempted under section 618 of the [MGA](#) and its regulations;
 - h) [Landscaping](#) where existing [grade](#) and the natural surface drainage pattern is not materially altered;
 - i) Minor structures not exceeding 1.83m (6.ft) in height which are ancillary to a residential [use](#), such as a barbecue, dog house, lawn sculpture or bird feeder;
 - j) Unenclosed [patios](#);
 - k) The construction or [erection](#) of [accessory buildings](#) in residential districts provided the [accessory buildings](#) are:
 - i) Less than 9.5m² (102.3ft²) of [GFA](#);
 - ii) Set back a minimum of 1.9m (6.2ft) from other [accessory buildings](#); and
 - iii) Comply with the setback requirements as defined for the district in which they are located.
 - l) The [erection](#) of a satellite dish antenna provided the antenna is:
 - i) Less than 61.0cm (2.0ft) in diameter;
 - ii) Not located within a front setback or [road](#) in a residential, commercial, or urban reserve district; and
 - iii) Entirely below the highest point of the [roof](#) of the [dwelling](#) on a [site](#) in a residential or commercial district.

- m) [Signs](#) as described in section 14.2 of this Bylaw; and
- n) The [erection](#) of above ground private [swimming pools](#) and hot tubs provided the requirements of section 11.8 are met.

3.4 [Non-Conforming Buildings and Uses](#)

- 3.4.1 A [non-conforming building](#) or [use shall](#) be regulated in accordance with section 643 of the [MGA](#).

3.5 [Relocation of Buildings](#)

- 3.5.1 A [development permit](#) is required to:
 - a) Place on a parcel a [building](#) which has previously been [erected](#) or placed on a different parcel; or
 - b) Alter the location of a [building](#) on a parcel which has already been constructed on that parcel.
- 3.5.2 In addition to the requirements of section 3.5.1, the [Development Authority may](#) require an application for a [development permit](#) to be accompanied by:
 - a) Recent colour photographs showing all sides of the [building](#);
 - b) A statement on the age, size and structural condition of the [building](#); and
 - c) A statement of proposed improvements to the [building](#).

3.6 [Compliance with Other Legislation](#)

- 3.6.1 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, agreement, or contract affecting the land or land [owner](#).

3.7 Development Permit Application Procedure

3.7.1 The development permit applications for the following accessory buildings or structures shall be considered as minor applications:

- a) Decks greater than 0.6m (2.0ft) in height requiring a development permit;
- b) A car port;
- c) Detached garage;
- d) Signs; and
- e) Any other minor accessory building or structure in residential, commercial or industrial districts that is not exempt from criteria established in section 3.3.

3.7.2 All other applications shall be considered as major development permit applications.

Application for Major Development Permit

3.7.3 An application for a major development permit shall be made to the Development Authority in writing on the form prescribed by the Development Authority and shall be accompanied by:

- a) A site plan to scale, with dimensions indicated, in duplicate showing the legal description and the front, rear and side yards, if any, and any provision for on-site loading and vehicle parking and access and egress points to the site;
- b) Two copies of floor plans and elevations of sections;
- c) An overall drainage plan for site and all easements shown and labelled;
- d) A statement of uses and purpose;
- e) A statement of ownership of land including the signature of the registered owner and the applicant if the applicant is other than the registered owner;

- f) The estimated commencement and completion date;
- g) The estimated cost of the project or contract price;
- h) Those special requirements specified elsewhere in this Land Use Bylaw; and
- i) Any other information which may be required by the Development Authority.

Application for Minor Development Permit

3.7.4 An application for a minor development permit shall be made to the Development Authority in writing on the form prescribed by the Development Authority and may be accompanied by:

- a) A site plan to scale, with dimensions indicated including front, side and rear setbacks;
- b) Two copies of floor plans and elevations of sections, if required by the Development Authority;
- c) A statement of ownership of land including the signature of the registered owner and the applicant if the applicant is other than the registered owner;
- d) The estimated commencement and completion date;
- e) The estimated cost of the project or contract price;
- f) Those special requirements specified elsewhere in this Land Use Bylaw; and
- g) Any other information which may be required by the Development Authority.

3.7.5 Each application for a development permit shall be accompanied by the proper fee as prescribed by Bylaw approved by Council.

Non-Compliance with Information Requirements

- 3.7.6 The [Development Authority](#) *may* refuse to accept a [development permit](#) application where the requirements described in sections 3.7.3 or 3.7.4 have not been supplied, or where, in their opinion, they are inaccurate or of inadequate quality to properly evaluate the application.

Waiver of Information Requirement

- 3.7.7 The [Development Authority](#) *may* decide on a [development permit](#) application without all the requirements described in sections 3.7.3 or 3.7.4 if the [Development Authority](#) is of the opinion that a decision can be properly made without such requirements.

Electronic Submission

- 3.7.8 An application for a [development permit](#) *may* be submitted to the [Development Authority](#) in an electronic format

3.8 Decisions on [Development Permits](#)

[Development Officer](#)

- 3.8.1 In making decisions on applications for [development permits](#), the [Development Officer](#) *shall* in conformance with the Municipal Development Plan and this Bylaw:
- a) Refer any application for the [development](#) of permitted or [discretionary uses](#) to any municipal officer or department for comment, if required;
 - b) Refer to the [Municipal Planning Commission](#), together with any recommendations, all [discretionary use](#) applications for commercial, industrial, and institutional [uses](#); and
 - c) Refer to the [Council](#) an application for [development](#) which is within a Direct Control District.

- 3.8.2 The [Development Authority](#) *shall* make a decision to approve or conditionally approve an application for a [development permit](#) for what the [Development Authority](#) determines to be a [permitted use](#) where no provision of this Bylaw has been relaxed or varied

- 3.8.3 After the [Development Authority](#) has made a decision on an application for a [development permit](#), the [Development Authority](#) *shall*:

- a) Issue a notice of decision to the [applicant](#); and
- b) If the decision is to refuse an application, provide written reasons for doing so.

[Municipal Planning Commission](#)

- 3.8.4 In making decisions on applications for [development permits](#), the [Municipal Planning Commission](#) *shall*, in conformity with the Municipal Development Plan and this Bylaw:

- a) Approve the application with conditions considered appropriate, permanently, or for a limited period of time; or
- b) Refuse the application, and provide written reason for doing so.

- 3.8.5 Where a proposed [development](#) or variance does not comply with the regulations of this Bylaw, or if the proposed [development](#) is to be a rebuilding, enlargement, addition, or a structural alteration of a [non-conforming use](#), and in the opinion of the [Municipal Planning Commission](#), the proposed [development](#) would not:

- a) Unduly interfere with the amenities of the neighbourhood; nor
- b) Materially interfere with or affect the [use](#), enjoyment, or value of neighbouring properties; nor
- c) Conflict with the [use](#) prescribed for that land or [building](#) in the Land Use Bylaw, the [Municipal Planning Commission](#) *may* issue a [development permit](#) for that [development](#).

Variance

3.8.6 Notwithstanding sections 3.8.1 and 3.8.2, the Development Officer may approve a variance to an approved permitted use development that does not comply with this Bylaw if, in their opinion the proposed development would not:

- a) Materially interfere with or affect the use, enjoyment or value of neighbouring properties and involve the variance of any development standard by more than 10%; or
- b) Involve the variance of floor area as stipulated in the applicable land use district, and the proposed development conforms with the use prescribed for that land or building in this Bylaw.

3.8.7 The Development Officer shall refer applications that require variance for any setback or regulation by more than 10% to the Municipal Planning Commission.

3.8.8 In approving an application for a development permit under this subsection, the Development Authority shall not consider any variance from regulations prescribing maximum height or density.

Development Agreement and Levies

3.8.9 The Development Authority may, as a condition of issuing a development permit, require that an applicant enter into an agreement, which shall be attached to and form part of such development permit, to do all or any of the following:

- a) Construct, or pay for the construction of a public roadway required to give access to the development;
- b) To construct, or pay for the construction of a pedestrian walkway system to serve the development;
- c) To specify the location and number of vehicular and pedestrian access points to development sites from public roadways;

d) To install or pay for the installation of utilities that are necessary to serve the development;

e) To construct or pay for the construction of on-site or other parking facilities, and loading and unloading facilities;

f) 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; and

g) To give security to ensure that the terms of the agreement are carried out.

3.8.10 The Development Authority may require an agreement entered into pursuant to section 3.8.9 above to be caveated against the title of the lot at the Land Titles Office.

3.8.11 Deemed Refusals

3.8.12 If no decision is made by the Development Authority within forty (40) days of the submission of the application, the applicant may deem the application to have been refused.

3.8.13 The applicant may enter into an agreement with the Development Authority to extend the forty (40) day period provided for in section 3.8.12 above.

Reapplication Interval

3.8.14 When an application for a development permit is refused by the Development Authority, Council or the Subdivision and Development Appeal Board, another application with respect to the same lot (s) for a development permit for the same or a similar use shall not be made by the same or any other applicant until 6 months has expired from the refusal date.

Notification

- 3.8.15 A decision of the [Development Authority](#) on an application for a [development permit shall](#):
- a) Be in writing;
 - b) Contain any conditions of approval and the deadline for any appeal;
 - c) Contain reasons for a refusal; and
 - d) Be immediately mailed or delivered to the [applicant](#).
- 3.8.16 After the [Development Authority](#) makes a decision to approve an application for a [development permit](#) for what the [Development Authority](#) determines to be a [discretionary use](#), or for a [permitted use](#) where one or more provisions of this Bylaw have been relaxed or varied, the [Development Authority shall](#):
- a) Issue a notice of decision to the [applicant](#); and
 - b) Immediately publish a notice in a newspaper circulating in the [Municipality](#) stating the location of the property (legal description and [road](#) and property address) for which the application has been made and the [use](#) or [uses](#) approved.
- 3.8.17 When a decision of the [Development Authority](#) is mailed, it [shall](#) be deemed for the purposes of this Bylaw to have been delivered and received five (5) business days after the date of mailing. If the notice of decision is also advertised, the appeal period [shall](#) commence on the date of publication.

[Development Permit Validity](#)

- 3.8.18 A [development permit shall](#) not be issued pursuant to this Part unless and until:
- a) Fifteen (15) days have passed after the date that a decision is communicated or delivered as described in section 3.8.15, 3.8.16 and 3.8.17 of this Bylaw;
 - b) Any conditions of approval have been fulfilled, except those that are continuing in nature; and
 - c) No notice of appeal from such approval has been served on the [Subdivision and Development Appeal Board](#) within the time specified in the section 686 of the [MGA](#).
- 3.8.19 Where an application for a [development permit](#) has been approved by the [Subdivision and Development Appeal Board](#), it [shall](#) not be valid unless and until:
- a) The Chairman of the [Subdivision and Development Appeal Board](#) has reviewed and signed the decision; and
 - b) Any conditions of approval save those of a continuing nature have been fulfilled.
- 3.8.20 If the [development](#) authorized by a 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](#).
- 3.8.21 The [Development Authority may](#) revoke a permit if conditions attached to that permit are not complied with in a specified time period.

4 Appealing a Decision

- 4.1.1 The subdivision and development appeal process [shall](#) be in accordance with the [MGA](#), as amended.

5 Compliance Certificates

5.1 Compliance Certificate Application Procedure

- 5.1.1 The registered [owner](#) or a person with legal or equitable interest in a [lot](#) [may](#) apply for a Compliance Certificate.
- 5.1.2 The [applicant](#) for a Compliance Certificate [shall](#) be required to submit the following:
- a) A Real Property Report for the [lot](#). Any real property report that is dated for a period of more than 90 days from the date of application [must](#) be submitted with a Statutory Declaration indicating the accuracy of the Real Property Report;
 - b) A letter requesting a compliance certificate, including:
 - i) [Applicant](#)'s name, address, phone, fax, email;
 - ii) Municipal address of the property;
 - iii) Legal land description of the property; and
 - iv) Mode of delivery (mail, email, courier or pick-up).
 - c) Application fee as prescribed by [Council](#), and amended from time to time.

5.2 Decisions on Compliance Certificates

- 5.2.1 A Compliance Certificate [may](#) be issued when the [buildings](#) as shown on the Real Property Report provided by the [applicant](#) are located on the [lot](#) in accordance with the [yard](#) and building setback regulations of this Land Use Bylaw or the [yard](#) or building setbacks specified in any [development permit](#) which [may](#) have been issued for the [lot](#).
- 5.2.2 A Compliance Certificate [shall](#) only cover those [buildings](#) or parts thereof, shown on the Real Property Report.
- 5.2.3 An application for a Compliance Certificate [may](#) be refused if the Real Property Report does not indicate all [developments](#) on the [lot](#) or [developments](#) on the [lot](#) were constructed without a required [development permit](#) or the [development](#) is in non-compliance with this or any other Town of Westlock Bylaw.
- 5.2.4 A Compliance Certificate is not a [development permit](#).

6 Enforcement

6.1 Cancellation, Revocation, Suspension or Modification of a Development Permit

6.1.1 If it appears to the Development Authority that a development permit has been obtained by fraud or misrepresentation or that a development for which a development permit has been issued is not being carried out or completed to the extent or in the manner originally approved, the Development Authority may cancel, suspend, revoke, or modify the development permit.

6.2 Stop Orders

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

- a) Stop the development or use of the land or buildings in whole or in part as directed by the notice; or
- b) Demolish, remove or replace the development; or

6.2.2 Take such other measures specified in the notice so that the development or use of the land or buildings is in accordance with the MGA and its regulations, a development permit, subdivision approval or this Land Use Bylaw as the case may be, within the time specified by the notice.

6.2.3 The issuance and enforcement of stop orders shall be in accordance with sections 645 and 646 of the MGA.

6.3 Offences and Penalties

6.3.1 A person, who contravenes this Bylaw or obstructs or hinders any person in performance of these powers or duties under this Bylaw, is guilty of an offence and is liable to a fine established by Council bylaw. The list of offences and fines shall be established by Council bylaw and revised annually, if necessary. This fine shall not be more than ten thousand dollars (\$10,000.00) in accordance with the MGA.

6.3.2 In addition to the process and penalties described above, the Development Officer or any other person identified as a designated officer by the Council for the purposes of this section shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.

6.3.3 A violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment of a fine to the Town within 21 days from the date of issue of the violation ticket.

6.3.4 Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty as set by Bylaw of Council. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.

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

6.3.6 If the person who was served with a violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall be as set by Council bylaw for each offence.

7 Bylaw Amendment

7.1 Who Can Apply For an Amendment


- 7.1.1 Any person can apply to have this Bylaw amended by applying to the [Development Authority](#) in writing, furnishing reasons in support of the application and requesting that the [Development Authority](#) submit the application to [Council](#).
- 7.1.2 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](#).
- 7.1.3 [Council](#) may, at any time, initiate an amendment to this Bylaw but prior to first reading of any proposed amendment, the proposal shall be referred to the [Development Authority](#) for their reports and recommendations.

7.2 Plans and Information Required

- 7.2.1 All applications for amendment to this Bylaw shall be made to the [Development Authority](#) and shall be accompanied by the following:
- An application fee as prescribed by [Council](#), and amended from time to time, shall be submitted for each application;
 - A certificate of title of the land affected or other documents satisfactory to the [Development Authority](#) indicating the [applicant](#)'s interest in the said land; and
 - Drawings which shall be drawn on standard drafting material to the satisfaction of the [Development Authority](#) and be fully dimensioned, accurately figured, explicit, and complete.

7.3 Amendment Process

Role of [Development Authority](#)

- 7.3.1 Upon receipt of an application to amend this Bylaw, the [Development Authority](#) shall:
- Initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment;
 - Prepare a detailed report for the [Council](#) on the proposed amendment;
 - Submit a copy of the report, maps, and all material relevant thereto to the [Council](#);
 - Advise the [applicant](#) that:
 - It is prepared to recommend the amendment to the [Council](#) without further investigations; or
 - It is not prepared to recommend the amendment; or
 - It is prepared to recommend an alternative amendment either at once or after due investigation.
 - Not be bound to consider an application made to it unless it is accompanied by the application fee;  and
 - As soon as reasonably convenient, submit the proposed amendment as originally applied for or as alternatively chosen by the [applicant](#), as the case may be, to the [Council](#), accompanied by the recommendation and the report of the [Development Authority](#) and other relevant material.

Role of the [Applicant](#)

- 7.3.2 Upon receiving the preliminary advice of the [Development Authority](#), the [applicant](#) shall advise the [Development Authority](#) if:
- 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 an amendment.

Role of Council

7.3.3 The [Council shall](#):

- a) Require that a person who applies to the [Council](#) for an amendment to this Bylaw submit their application to the [Development Authority](#) in accordance with the provisions of this section before it considers the amendment proposed by such person; 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.

Council Approval Process

- 7.3.4 In accordance with the [MGA](#), amendments to the Land Use Bylaw [shall](#) be implemented by Bylaw after three readings by [Council](#).
- 7.3.5 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](#).
- 7.3.6 All amendments to this Bylaw [shall](#) conform with the Town of Westlock Municipal Development Plan.

Limit on Frequency of Applications

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

7.4 Compliance with Legislation, Other Bylaws and Regulations

- 7.4.1 Compliance with the requirements of this Bylaw does not afford relief from compliance with the [MGA](#), other statutes, Bylaws and regulations affecting the [development](#) in question.
- 7.4.2 This Bylaw [shall](#) conform with the Town of Westlock Municipal Development Plan Bylaw, as amended.

Part III

Definitions

8 Definitions

8.1 Equivalent Terminology

8.1.1 Where a word is used in the singular, such a word may also mean plural. 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.

8.2 General Definitions

8.2.1 **"ABUT" or "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.

8.2.2 **"ACCESSORY BUILDING"** means a building separate and subordinate to the principal building, the use of which is incidental to that of the principal building and located on the same parcel of land. If a structure such as a garage or carport is attached to the principal building, it shall be considered to be part of the principal building and not an accessory building. Accessory buildings shall include decks, fabric shelters, gazebos, play structures, sheds, and treehouses.

8.2.3 **"ACCESSORY USE"** means a use that is subordinate to the principal use and located on the same parcel of land.

8.2.4 **"ADJACENT LAND"** means land that is contiguous to a particular parcel of land. This includes land that would have a common boundary with the subject parcel of land if not for a road, river or stream.

8.2.5 **"ADVERTISEMENT"** means any word, letter, model, picture, symbol, device, or representation, whether illuminated or not, in the nature of or used wholly or in part for the purposes of advertisement, announcement, or direction.

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

8.2.7 **"APPLICANT"** means the person applying for a rezone, subdivision, development permit or other similar application. An applicant can be a land owner, developer, or authorized agent thereof.

8.2.8 **"AREA OF A SIGN"** means the total surface area within the outer periphery of the said sign and the advertising on said sign, excluding any support structures unless they have any advertisement on them. 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.

8.2.9 **"AREA STRUCTURE PLAN"** means a plan adopted by Council as an Area Structure Plan pursuant to the MGA.

8.2.10 **"BASEMENT"** means the portion of a building which is wholly or partially below grade, having above grade no more than 1.5m (4.9ft) of its clear height which lies below the finished level of the floor directly above.

8.2.11 **"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 the two edges or curbs of a road.

8.2.12 **"BUILDING"** means anything constructed or placed on, in, over, or under land but does not include a road or a bridge forming part of a road.

- 8.2.13 **"BUILDING AREA"** means the greatest horizontal area of a [building](#) above [grade](#) within the glassline of [exterior walls](#), or within the glassline of [exterior walls](#) and the centreline of firewalls.
- 8.2.14 **"BUILDING HEIGHT"** means the vertical distance measured from the [grade](#) to the highest point of the [building](#), exclusive of any accessory [roof](#) construction such as a mechanical housing, an elevator housing, a ventilating fan, a skylight, a smokestack, a flagpole, a fire wall, a parapet wall, a chimney, a steeple, an antenna, or a similar device.
- 8.2.15 **"BUSINESS FRONTAGE"** means:
- Any side of a commercial or industrial [lot](#) or [building](#) which [abuts](#) a [road](#); or
 - 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.
- 8.2.16 **"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.
- 8.2.17 **"CANNABIS ACCESSORY"** means cannabis accessory as defined in the *Cannabis Act* (Canada) and its regulations, as amended from time to time.
- 8.2.18 **"CANOPY"** means a projection extending from the outside wall of a [building](#) normally for the purpose of shielding a part of the [building](#) from the sun.
- 8.2.19 **"CORNER LOT"** means a [lot](#) with boundary lines on two separate [roads](#) which intersect at an angle of less than one hundred and thirty five (135) degrees, or a single [road](#) that curves such that the arc of the inside boundary of the [road](#) is less than 45 m (147.6 ft.) in radius over an angle of more than one hundred and thirty-five (135) degrees) at the subject [lot](#).
- 8.2.20 **"COUNCIL"** means the Council of the Town of Westlock.
- 8.2.21 **"CURB CUT"** means the lowering of a curb, sidewalk or [boulevard](#) or any of them to provide vehicular or pedestrian or both access to a [site](#).
- 8.2.22 **"DECK"** means any open structure attached to a [building](#) having a height greater than 0.6m (2.0ft) above [grade](#).
- 8.2.23 **"DENSITY"** means a measure of the average number of persons or [dwelling units](#) per unit of area.
- 8.2.24 **"DEVELOPER"** means an [owner](#), agent, occupant, or any person, firm or company required to obtain or having obtained a [development permit](#).
- 8.2.25 **"DEVELOPMENT"** means:
- An [excavation](#) or stockpile and the creation of either of them;
 - A [building](#) or an addition to or replacement or repair of a [building](#) and the construction or placing of any of them in, on, over or under land;
 - A change of [use](#) of land or a [building](#) or an act done in relation to land or a [building](#) that results in or is likely to result in a change in the [use](#) of the land or [building](#); or
 - A change in the intensity of [use](#) of land or a [building](#) or an act done in relation to land or a [building](#) that results in or is likely to result in a change in the intensity of [use](#) of the land or [building](#).
- And includes, but is not limited to:
- Any increase in the number of [households](#) occupying and living in any [building](#) or on any [site](#), and any construction or alterations or additions which would provide for an increase in the number of [households](#) which could occupy any [building](#) or on any [site](#), including any

- increase in the number of [dwelling units](#) in a [building](#) or on a [site](#);
- f) Any increase in the number of businesses occupying and operating within any [building](#) or on any [site](#), and any construction or alterations or additions which would provide for an increase in the number of businesses which could occupy and operate in any [building](#) or on any [site](#);
- g) The placing of refuse or waste material on any land;
- h) The [use](#) of land for the storage or repair of motor vehicles or other machinery or equipment on land that was previously either not used at all or not used for such purpose;
- i) The demolition or removal of a [building](#);
- j) The placement of an already constructed or a partially constructed [building](#) on a parcel of land;
- k) The [use](#) of land for the parking of trailers, bunk houses, portable [dwellings](#), skid shacks, or any other type of portable [building](#), whether or not the same has been placed or affixed to the land in any way;
- l) The display of [advertisements](#) on the exterior of any [building](#) or on any land, post, or support;
- m) A [sign](#); or
- n) The removal of topsoil.
- 8.2.26 **"DEVELOPMENT AUTHORITY"** means the Development Authority established pursuant to the [MGA](#) through the [Municipality's](#) Development Authority Bylaw.
- 8.2.27 **"DEVELOPMENT OFFICER"** means the Development Officer established and appointed pursuant to the [MGA](#) through the [Municipality's](#) Development Authority Bylaw.
- 8.2.28 **"DEVELOPMENT PERMIT"** means a document issued pursuant to this Bylaw authorizing a [development](#).
- 8.2.29 **"DISCONTINUED"** means the time at which, in the opinion of the [Development Authority](#), substantial construction activity or [use](#), whether conforming or not conforming to this Bylaw, has ceased.
- 8.2.30 **"DISCRETIONARY USE"** means the [use](#) of land or a [building](#) provided for in this Bylaw for which a [development permit](#) may be issued, with or without conditions, upon an application having been made, at the discretion of the [Development Authority](#).
- 8.2.31 **"DOMESTIC PET"** means an animal which is normally kept inside a [dwelling](#). Domestic pets include dogs, cats, parrots, and similar-sized animals.
- 8.2.32 **"DOUBLE FRONTING LOT"** means a [lot](#) which [abuts](#) two [roads](#). Double fronting [lots](#) include [corner lots](#).
- 8.2.33 **"DWELLING"** means any [building](#) used exclusively for human habitation and which is supported on a [foundation](#) or base extending below ground level.
- 8.2.34 **"EASEMENT"** means a right to use land, generally for access to other property or a right-of-way for a [public utility](#).
- 8.2.35 **"ELECTRONIC SIGN"** means a [sign](#) with action or motion, flashing, colour changes from electrical energy, or electronic or manufactured sources.
- 8.2.36 **"ERECT"** means to build, construct, reconstruct, place, locate, or relocate.
- 8.2.37 **"EXCAVATION"** means any breaking of ground, except common household gardening and ground care.
- 8.2.38 **"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).
- 8.2.39 **"FABRIC SHELTER"** means an [accessory building](#) where the outer shell is made of fabric spanned across rigid trusses.

- 8.2.40 **"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](#).
- 8.2.41 **"FOUNDATION"** means the lower portion of a [building](#), usually concrete or masonry, and includes the footings, which transfer the weight of and loads on a [building](#) to the ground.
- 8.2.42 **"FRONT LINE"** means the boundary line of a [lot](#) lying adjacent to a [road](#). In the case of a [corner lot](#), the shorter of the two boundary lines adjacent to the [road shall](#) be considered the front line. In the case of a [double fronting lot](#), both boundary lines adjacent to the [roads shall](#) be considered front lines.
- 8.2.43 **"FRONT YARD"** means a [yard](#) 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.
- 8.2.44 **"FRONTAGE"** means the length of the [front line](#). On [double fronting lots](#), all [front lines shall](#) be considered frontage.
- 8.2.45 **"GAZEBO"** means a freestanding pavilion structure with a [roof](#) supported by pillars of open walls to provide a shaded resting area.
- 8.2.46 **"GRADE"** means a geodetic elevation from which the height of a structure is measured. The [Development Authority shall](#) determine grade by selecting, from the methods listed below, the method that best ensures compatibility with the surrounding development:
- a) Where a [site](#) does not contain any slope greater than 3.3%, the grade is the average of the highest and lowest elevation on the [site](#);
 - b) Grade is the average of the elevation at the corners of the [site](#) prior to construction as shown on the site grading plan; or
 - c) Grade is the average elevation of the corners of the buildings on all adjacent properties.
- 8.2.47 **"GROSS FLOOR AREA (GFA)"** means the total area of all floors of a [building](#) above [grade](#) within the outside surface of [exterior walls](#) or within the glassline of [exterior walls](#) and the centreline of fire walls, but 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.
- 8.2.48 **"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.
- 8.2.49 **"HOUSEHOLD"** means:
- a) A person;
 - b) Two (2) or more persons related by blood, marriage, a common law relationship, or adoption; or
 - c) A group of not more than five (5) persons who are not related by blood, marriage, or adoption.
- All living together as a single housekeeping group and using cooking facilities shared in common. A household [may](#) also include bona fide servants, up to two (2) boarders or lodgers, or up to four (4) foster children.
- 8.2.50 **"IDENTIFICATION SIGN"** means a [free-standing sign](#) carrying point-of-sale advertising matter.
- 8.2.51 **"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.

- 8.2.52 **"LANDSCAPING"** means lawns, trees, shrubs, ornamental plantings, [fences](#), walks, or other structures and materials used in landscape architecture.
- 8.2.53 **"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.
- 8.2.54 **"LOADING SPACE"** means an open area used to provide free access for vehicles to a loading door, platform, or bay.
- 8.2.55 **"LOT"** means, as outlined in Figure 8.1 Lot Definitions:
- A quarter section;
 - 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
 - A part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

- 8.2.56 **"LOT AREA"** means the total area of a [lot](#).
- 8.2.57 **"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](#).
- 8.2.58 **"LOT WIDTH"** means the average horizontal distance between the [side lines](#) or, where the [lot](#) width would be shorter, the distance between the [side lines](#) at either the minimum required [front yard](#) distance or the minimum required [rear yard](#) distance, whichever distance is the shorter, measured parallel to the [front line](#) or at right angles to the tangent on a curve from the midpoint of a curved [front line](#).
- 8.2.59 **"MAINTENANCE"** means the upkeep of the physical form of any [building](#), which upkeep does not require a permit pursuant to the Safety Codes Act. Maintenance 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 any [building](#).

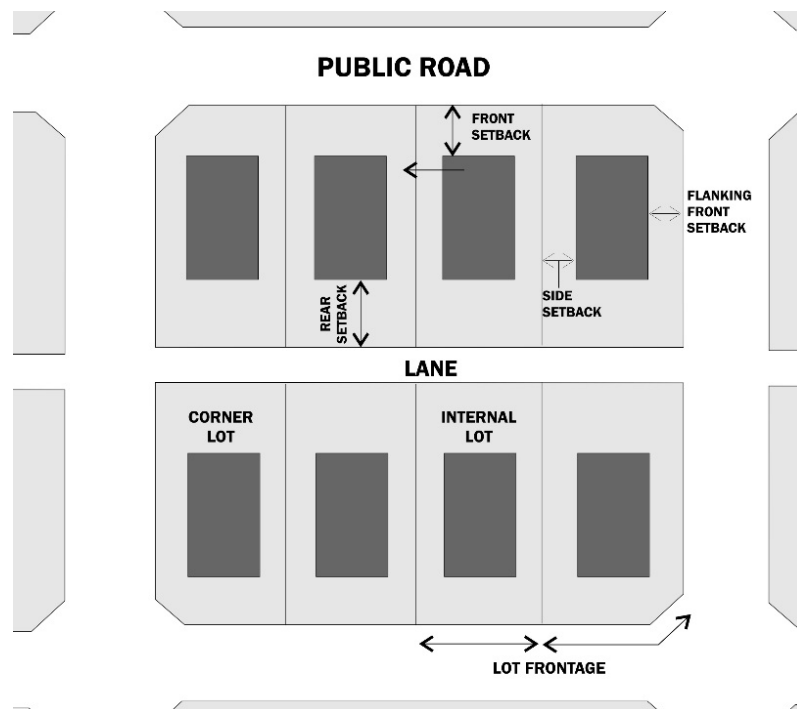


Figure 8.1 Lot Definitions

- 8.2.60 **"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 manufactured home park.
- 8.2.61 **"MAY"** is an operative word meaning a choice is available, with no particular direction or guidance intended.
- 8.2.62 **"MGA"** means the Municipal Government Act, R.S.A. 2000, as amended, and any Regulations made pursuant thereto.
- 8.2.63 **"MUNICIPAL PLANNING COMMISSION"** means the Municipal Planning Commission of the Town of Westlock established by [Council](#) pursuant to the [MGA](#).
- 8.2.64 **"MUNICIPALITY"** means the Town of Westlock.
- 8.2.65 **"MUST"** is an operative word which means the action is obligatory.
- 8.2.66 **"NON-ACCESSORY PARKING LOT"** means a [parking area](#) which is not accessory to a particular [use](#) or [development](#) on the [lot](#) on which it is located.
- 8.2.67 **"NON-CONFORMING BUILDING"** means a [building](#):
- a) That is lawfully constructed or lawfully under construction at the date a Land Use Bylaw or any amendment thereof affecting the [building](#) or the land on which the [building](#) is situated becomes effective; and
 - b) That on the date the Land Use Bylaw becomes effective does not, or when constructed [will](#) not, comply with the Land Use Bylaw.
- 8.2.68 **"NON-CONFORMING USE"** means a lawful specific [use](#):
- a) Being made of land or a [building](#) or intended to be made of a [building](#) lawfully under construction at the date a Land Use Bylaw affecting the land or [building](#) becomes effective; and
 - b) That on the date the Land Use Bylaw becomes effective does not, or in the case of a [building](#) under construction [will](#) not, comply with the Land Use Bylaw.
- 8.2.69 **"NUISANCE"** means anything that interferes with the [use](#) or enjoyment of property, endangers personal health or safety, or is [offensive](#) to the senses.
- 8.2.70 **"OCCUPANCY"** means the act of occupying a [building](#) once the Permit Services Report has been completed for the said [building](#). In this Bylaw, occupancy commences on the date of completion for the Permit Service Report.
- 8.2.71 **"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 noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of 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](#).
- 8.2.72 **"OWNER"** means the person shown as the registered owner according to land titles.

- 8.2.73 **"PARCEL COVERAGE"** means the total area of the first floor of a [building](#) above [grade](#) within the outside surface of [exterior walls](#) or within the glassline of [exterior walls](#) and the centreline of fire walls, including covered porches and verandas, enclosed [decks](#) and [patios](#), steps, cornices, eaves and similar projections. Parcel coverage [shall](#) include air wells, and all other space within an enclosed [building](#).
- 8.2.74 **"PARKING AREA"** means the area set aside for the storage and/or 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.
- 8.2.75 **"PARKING SPACE"** means an area set aside for the parking of one (1) vehicle.
- 8.2.76 **"PATIO"** means any developed surface adjacent to a [building](#) on a [site](#) which is less than 0.6m (2.0ft) above ground level.
- 8.2.77 **"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, upon an application having been made provided that the proposed [development](#) complies in all respects with this Bylaw.
- 8.2.78 **"PRINCIPAL BUILDING"** means a [building](#) which:
- a) Occupies the major or central portion of a [site](#);
 - b) Is the chief or main [building](#) among one or more [buildings](#) on the [site](#); or
 - c) Constitutes by reason of its [use](#) the primary purpose for which the [site](#) is used.
- 8.2.79 **"PRINCIPAL USE"** means the primary purpose or purposes for which a [building](#) or [site](#) is used.
- 8.2.80 **"REAR LINE"** means the boundary line of a [lot](#) lying opposite to the [front line](#) of the [lot](#) or farthest from a [road](#).
- 8.2.81 **"REAR YARD"** means a [yard](#) 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.
- 8.2.82 **"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.
- 8.2.83 **"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](#).
- 8.2.84 **"ROOF"** means the top enclosure, above or within the vertical walls of a [building](#).
- 8.2.85 **"SHALL"** is an operative word which means the action is obligatory.
- 8.2.86 **"SIDE LINE"** means the boundary line of a [lot](#) lying between a [front line](#) and a [rear line](#) of a [lot](#). In the case of a [corner lot](#), the longer of the two boundary lines adjacent to the [road shall](#) be considered a side line.
- 8.2.87 **"SIDE YARD"** means a [yard](#) extending from the [side line](#) to the nearest [exterior wall](#) of the [principal building](#) situated on the [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.
- 8.2.88 **"SIGN"** means any device, [erection](#), or structure used for the display of [advertisements](#), and without in any way restricting the generality of the foregoing, includes posters, notices, panels, boardings, and banners.
- 8.2.89 **"SIGN, A-FRAME"** means a self-supporting [sign](#) comprised of two panels not more than 1.0m (3.3ft) high or 0.6m (2.0ft) wide joined at the top used to promote products or services on or adjacent to the property where the [sign](#) is displayed.

- 8.2.90 **"SIGN, BILLBOARD"** means a [sign](#) supported by one or more uprights, braces or pylons, which stands independently of a [building](#) and contains advertising copy related to product, service, facility or business located outside of the parcel upon which the billboard sign is located.
- 8.2.91 **"SIGN, FASCIA"** means a [sign](#) placed flat and parallel to the face of the [building](#) so that no part, excluding lighting fixtures or related supports, projects more than 31.0cm (1.0ft) from the [building](#).
- 8.2.92 **"SIGN, FREE-STANDING"** means a [sign](#), excepting 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 and which is located on the premises or [lot](#) of the product, service, facility or business advertised.
- 8.2.93 **"SIGN, INFLATABLE"** means a [sign](#) comprised of an inflated three-dimensional object, which is anchored or affixed to a [building](#) or [site](#).
- 8.2.94 **"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 a window.
- 8.2.95 **"SIGN, PORTABLE"** means a [sign](#) with a total area on one face of no greater than 4.65m² (50.1ft²) mounted on a frame or on a trailer, stand or similar support which together with the support can be relocated to another location, and [may](#) include copy that can be changed manually through the use of detachable characters. A permit for a portable sign [shall](#) be valid for ninety (90) days.
- 8.2.96 **"SIGN, PROJECTING"** means a [sign](#) which is attached to a [building](#) or structure so that part of the [sign](#) projects more than 31.0cm (1.0ft) from the face of the [building](#) or structure.
- 8.2.97 **"SIGN, ROOF"** means any [sign](#) erected upon, against or directly above a [roof](#) or on top of or above the parapet wall of a [building](#).
- 8.2.98 **"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.
- 8.2.99 **"SITE"** means a [lot](#), a part of a [lot](#), or a number of [abutting lots](#) or parts of [lots](#) which are considered for a single [use](#) or a mixture of [uses](#), which is owned or managed as a single unit.
- 8.2.100 **"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.
- 8.2.101 **"STOREY"** means the space between one floor of a multi-storey [building](#) 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.
- 8.2.102 **"STRUCTURAL ALTERATIONS"** means the addition to, deletion from, or change to any [building](#) which requires a permit other than a plumbing permit, a gas permit, or an electrical permit pursuant to the Safety Codes Act.
- 8.2.103 **"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.
- 8.2.104 **"SUBDIVISION AUTHORITY"** means the Subdivision Authority established pursuant to the [MGA](#) through the [Municipality's](#) Subdivision Authority Bylaw.
- 8.2.105 **"SUBSTANDARD LOT"** means any [lot](#) which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the district in which the [lot](#) is located.

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

8.2.107 **"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](#).

8.2.108 **"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.

8.2.109 **"TIE DOWN"** means, when used in relation to a [manufactured home](#), a means whereby the [manufactured home](#) is fastened to the ground, base, or [foundation](#). A tie down [may](#) include a bolt, a heavy duty wire rope, or some other similar fastening device or combination of devices.

8.2.110 **"USE"** means the purpose or activity for which a [site](#), a parcel of land, or a [lot](#) and any [buildings](#) located on it are designed, arranged, developed, or intended, or for which it is occupied or maintained.

8.2.111 **"WILL"** is an operative word which means the action is obligatory.

8.2.112 **"YARD"** means a part of a [site](#) which is unoccupied and unobstructed by any [building](#) or portion of a [building](#) above the ground level, unless otherwise allowed by this Bylaw.

8.3 Use Class Definitions

8.3.1 **"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 sales rooms related to such equipment.

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

8.3.3 **"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.

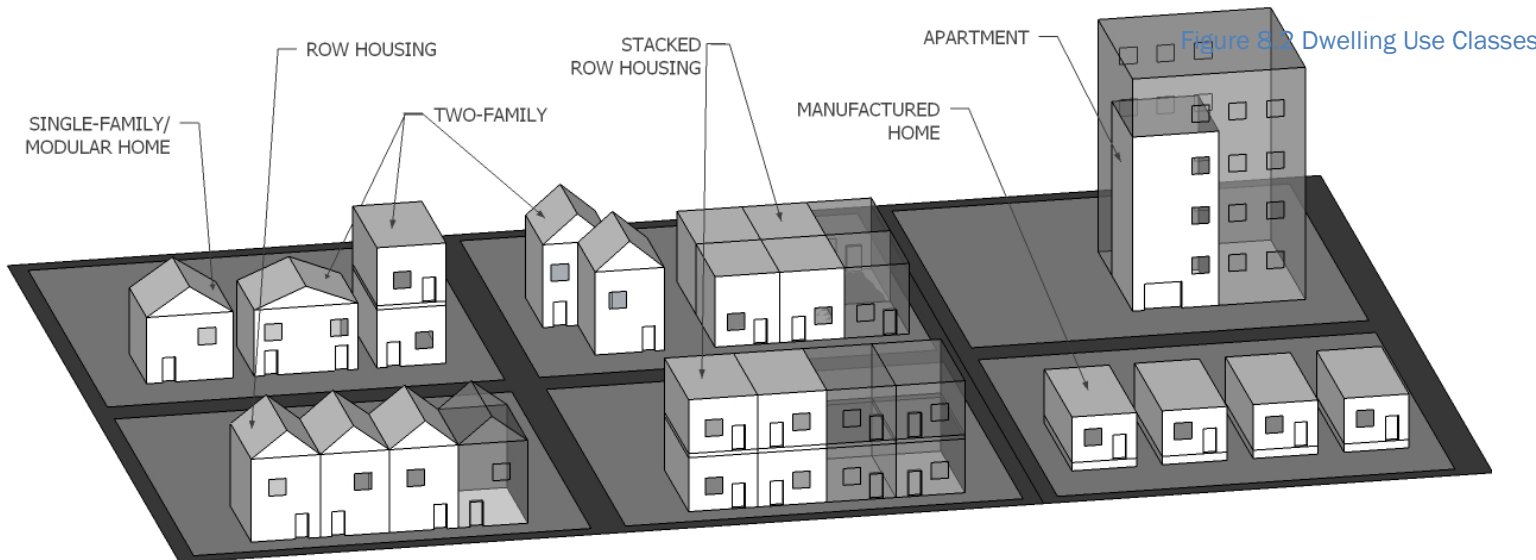
8.3.4 **"ASSISTED LIVING FACILITY, LIMITED"** means a [building](#) or portion of a [building](#) where meals, lodging and care or rehabilitation of children, adolescents or adults are provided for compensation.

8.3.5 **"ATTACHED GARAGE"** means a [building](#), attached to the [principal building](#), which is designed or used or both primarily for the storage of motor vehicles.

8.3.6 **"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.

8.3.7 **"AUCTIONEERING ESTABLISHMENT, LIVESTOCK"** means a [development](#) specifically intended for the auctioning of livestock.

- 8.3.8 **"AUTO WRECKING YARD"** means an area where motor vehicles are disassembled, dismantled or junked, or where vehicles not in operable condition, or used parts of motor vehicles, are stored or sold to the general public.
- 8.3.9 **"AUTOMOTIVE REPAIR, SERVICE, RENTAL AND SALES"** means land, [buildings](#) and structures used for the repair, servicing, rental and sales of vehicles, motorcycles and recreation vehicles or craft and [may](#) include the accessory sale, installation or servicing of related parts and accessories.
- 8.3.10 **"BED AND BREAKFAST ESTABLISHMENT"** means a [development](#) within a [dwelling](#) where temporary sleeping accommodations, up to a maximum of four (4) bedrooms, with or without meals, are provided for remuneration to members of the traveling public.
- 8.3.11 **"BUSINESS SUPPORT SERVICE"** means a [development](#) providing support services to businesses. Business support services are characterized by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; the provision of technological services such as computer hardware or software maintenance, desktop publishing, website design or hosting, and similar [uses](#); or the sale, rental, repair or servicing of office equipment, furniture and machines. Business support services include printing establishments, film processing establishments, computer service establishments, janitorial firms, and office equipment sales and repair establishments.
- 8.3.12 **"CAMPGROUND"** means a [development](#) where tents, vacation trailers, or motor homes used by travellers and tourists for overnight accommodation are located.
- 8.3.13 **"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.
- 8.3.14 **"CEMETERY"** means a [development](#) for the entombment of the deceased, which [may](#) include the following accessory [developments](#): crematories, cineraria, columbaria, and mausoleums. Cemeteries [may](#) include memorial parks, burial grounds and gardens of remembrance.
- 8.3.15 **"CHILD CARE FACILITY"** means a [development](#) where one or more of care, maintenance, education, or supervision of four or more children under the age of thirteen (13) years is carried out, by persons other than ones related by blood or marriage, for periods not exceeding twenty-four (24) consecutive hours. Child care facilities include: daycare centres, nurseries, kindergartens, and after-school or baby-sitting programs.
- 8.3.16 **"COMMERCIAL SCHOOL"** means a [development](#) where training and instruction in a specific trade, skill or service is provided for the financial gain of the individual or company owning the school. Commercial schools do not include [public schools](#), but includes secretarial, business, hairdressing, beauty culture, dancing, or music schools.
- 8.3.17 **"CULTURAL AND COMMUNITY FACILITY"** means a [building](#) or portion of a [building](#) used for social, educational or cultural activities. Such [uses](#) include libraries, museums, tourist information kiosks, and banquet halls.
- 8.3.18 **"DETACHED GARAGE"** means a [building](#), accessory to a [principal building](#), which is designed or used primarily for the storage of motor vehicles. It [may](#) also be referred to as cart port which is a roofed garage used for storing or parking not more than two (2) vehicles and which has a minimum of 40% of its total perimeter open and unobstructed. If less than 40% is open and unobstructed, the [building will](#) be considered to be not a carport, but an [attached garage](#).



- 8.3.19 **"DRIVE-IN BUSINESS"** means a [development](#) which serves customers traveling in motor vehicles driven onto the [site](#) where such business is carried on, where normally the customer either remains in the vehicle for service, or parks the vehicle for a short period for the purpose of doing business at the premises. Drive-in businesses include, but are not limited to, [service stations](#), gas bars, drive-in restaurants, drive-through vehicle service establishments such as lubrication shops, [recycling depots](#), and car washes.
- 8.3.20 **"DWELLING UNIT"** means a complete [dwelling](#), a self-contained portion of a [dwelling](#), or a set or suite of rooms which contains sleeping, cooking, living and separated or shared toilet facilities, intended for domestic [use](#), and used or intended to be used permanently or semi-permanently as a residence for one (1) [household](#).
- 8.3.21 **"DWELLING, APARTMENT"** means a [dwelling](#) containing three (3) or more [dwelling units](#) with shared exterior entrance facilities.
- 8.3.22 **"DWELLING, MANUFACTURED HOME"** means a [dwelling](#) consisting of one (1) [dwelling unit](#) that is normally constructed off-site and then transported on its own wheels or by other means to its [site](#). However, a manufactured home [may](#) be entirely constructed on-site. A manufactured home is not supported on a permanent [foundation](#) or base extending below [grade](#); the [roof](#) pitch is less than 1:4, the depth of eaves is less than 60.0cm (24.0in); and the ratio of depth vs. width (or width vs. depth) is more than 2:1.
- 8.3.23 **"DWELLING, MODULAR HOME"** means a [dwelling](#) consisting of one (1) [dwelling unit](#) that is normally constructed in pieces off-site and assembled on-site. A modular home is supported on a permanent [foundation](#) or base extending below [grade](#); the [roof](#) pitch is equal to or greater than 1:4, the depth of eaves is greater than 60.0cm (24.0in); and the ratio of depth vs. width (or width vs. depth) is less than 2:1.
- 8.3.24 **"DWELLING, ROW HOUSING"** means a [dwelling](#) 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.
- 8.3.25 **"DWELLING, SINGLE-FAMILY"** means a [dwelling](#) consisting of one (1) [dwelling unit](#). A single-family [dwelling](#) is constructed on-site and does not include [modular](#) or [manufactured homes](#).

- 8.3.26 **"DWELLING, STACKED ROW HOUSING"** means a [dwelling](#) 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](#).
- 8.3.27 **"DWELLING, TWO-FAMILY"** means a [dwelling](#) 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.
- 8.3.28 **"EATING AND DRINKING ESTABLISHMENT"** means a [development](#) where food or beverages or both are prepared and offered for sale to the public, for consumption within the premises, at an accessory outdoor seating area on the [site](#), or off the [site](#), which is not a drive-in restaurant. Eating and drinking establishments include, but are not limited to, neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands and take-out restaurants, but [shall](#) not include drive-in restaurants or casinos. Eating and drinking establishments [may](#) contain within them a gambling entertainment establishment or an indoor amusement establishment unless otherwise provided for in an approved [development permit](#).
- 8.3.29 **"ENTERTAINMENT ESTABLISHMENT, INDOOR"** means a [development](#) providing recreational facilities with table games or electronic games or both, used by patrons for entertainment. Indoor amusement establishments include movie theatres, billiard parlours, electronic games arcades with tables or games or both, and bowling alleys, but do not include gambling machine establishments.
- 8.3.30 **"ENTERTAINMENT ESTABLISHMENT, OUTDOOR"** means a [development](#) providing recreational facilities outdoors played by patrons for entertainment. Outdoor amusement establishments include amusement parks, go-cart tracks, motocross tracks and miniature golf courses. However, outdoor amusement establishments do not include drive-in motion picture theatres, carnivals or circuses.
- 8.3.31 **"EQUIPMENT RENTAL, SALES AND SERVICE ESTABLISHMENT"** means a [development](#) where tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items are rented, sold, or serviced. Equipment rental establishments do not include [developments](#) where motor vehicles or industrial equipment are rented or serviced.
- 8.3.32 **"EXTENSIVE AGRICULTURE"** means the [use](#) of land or [buildings](#) for the raising or production of crops, livestock, or poultry; but not restricting the generality of the foregoing, does not include feedlots, intensive hog operations, beekeeping, intensive poultry or fowl operations, sod farm, plant nurseries, livestock yards, or residences.
- 8.3.33 **"FINANCIAL SERVICE"** means [development](#) primarily used for the provision of financial services. Typical [uses](#) include banks, credit unions, loan offices and similar financial [uses](#).
- 8.3.34 **"FLEET SERVICES"** means a [development](#) which administers a number of vehicles which deliver people, goods, or services, and where such vehicles are not available for sale or long term lease. Fleet services [may](#) include the storage and servicing of administered vehicles. Fleet services [may](#) include ambulance services, taxi services, bus lines, messenger and courier services and moving or cartage firms.
- 8.3.35 **"FUNERAL HOME"** means a [development](#) where the dead are prepared for burial or cremation and where funeral services are held. Funeral homes include undertaking establishments.

- 8.3.36 **"HEALTH SERVICE"** means a [development](#) where physical or mental health services are provided on an out-patient basis. Such services [may](#) be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. Health services include medical, chiropractic, physiotherapy, and dental offices, health clinics and counseling services.
- 8.3.37 **"HOME OCCUPATION"** means any business, occupation, trade, profession, or craft carried on by an occupant of a [dwelling unit](#) as an [accessory use](#) to the residential [use](#) of the [dwelling](#), and which does not change the character of the [building](#) in which it is located or have any exterior evidence of such [accessory use](#).
- 8.3.38 **"HOSPITAL"** means a [development](#) which provides room, board and surgical or other medical treatment for the sick, injured, or infirm, and which [may](#) include out-patient services and accessory staff residences. Hospitals include extended medical treatment facilities include hospitals, sanitariums, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.
- 8.3.39 **"HOTEL"** means a [development](#) where members of the traveling public are lodged for brief periods of time, normally not exceeding seven (7) days, in rentable units, where access to the rentable units is from a common entranceway or individual outdoor entranceways. A hotel [may](#) include [eating and drinking establishments](#), meeting rooms, [personal service shops](#), indoor amusement establishments, and [general retail](#) stores no larger than 100m² (1076.4ft²), but [shall](#) not include any entertainment establishment or gambling machine establishment unless specifically approved by the [Development Authority](#).
- 8.3.40 **"INDUSTRIAL, GENERAL"** means any 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 [use](#), where such operations have impacts that would make them incompatible with non-industrial [development](#);
 - 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](#).
- 8.3.41 **"INDUSTRIAL, HAZARDOUS"** means an industrial [use](#) involving the manufacturing, storage, processing, transshipment, collection, treatment or disposal of hazardous materials or chemicals (specifically excluding agricultural fertilizer, herbicide or pesticide [warehousing](#) or sales facilities, depots for the collection of farm chemical containers, and ethanol and biodiesel plants and associated production facilities).
- 8.3.42 **"KENNEL"** means a [development](#) in which [domestic pets](#) are maintained, boarded, trained, cared for, bred, or raised for remuneration or for sale.

- 8.3.43 **"MANUFACTURING ESTABLISHMENT"** means one or more of manufacturing or assembly of goods, products or equipment or the processing of raw or finished materials, including the servicing, repairing or testing of materials, goods and equipment normally associated with the manufacturing, processing or assembly operation. It may include any indoor display, office, major workshops, technical or administrative support areas or any sales operation accessory to the principal use.
- 8.3.44 **"OUTDOOR STORAGE"** means a development where, in the opinion of the Development Authority, goods, materials, or equipment are or may be placed outside of a building on a more or less permanent or continuous basis.
- 8.3.45 **"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. This land use may be the principal use on a site or an accessory use. This use includes underground parking facilities and park and ride facilities.
- 8.3.46 **"PERSONAL SERVICE SHOP"** means a development where personal services related to the care and appearance of the body, or the cleaning and repair of personal effects are provided to persons. Personal service shops include, but are not limited to, barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning depots, and laundromats, but not health services.
- 8.3.47 **"PLACE OF WORSHIP"** means a development where worship and related religious, philanthropic, and social activities occur. Accessory uses include rectories, manses, classrooms, and dormitories. Places of worship include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.
- 8.3.48 **"PRIVATE CLUB"** means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, with neither on-site dwellings nor hotel or motel rentable units. Private clubs may include eating and drinking establishments and rooms for assembly.
- 8.3.49 **"PROFESSIONAL, OFFICE, GOVERNMENT AND BUSINESS SERVICE"**, means development primarily used for the provision of professional, management, and administrative, consulting. Typical uses include: the offices of Government corporations, lawyers, accountants, engineers, and architects; and offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services.
- 8.3.50 **"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. Typical uses include police stations, fire stations, ambulance services, and ancillary training facilities.
- 8.3.51 **"PUBLIC PARK"** means a development designed or reserved for active or passive recreational use, including all 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 public operated or operated by other organizations. Public parks include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches, and similar outdoor sports fields.

- 8.3.52 **"PUBLIC SCHOOL"** means a [development](#) where educational, training, or instruction occurs under the auspices of a school division or under the auspices of an organization authorized by the Province to provide education similar to that which would be provided by a school division. [Public schools](#) include the administration offices, storage, and [maintenance](#) operations of the [public school](#), but not of the school division as a whole. [Public schools](#) include public and separate elementary, junior high and high schools, community colleges, universities, technical and vocational schools, and private academies or "charter schools", and their administrative offices and [maintenance](#) facilities.
- 8.3.53 **"PUBLIC UTILITY"** means a public utility, as defined in The [MGA](#).
- 8.3.54 **"RECREATION FACILITY, INDOOR"** means a [development](#) providing facilities that are available to the public for sports and recreational activities conducted indoors. Typical uses include indoor [swimming pools](#), hockey rinks, gymnasiums, indoor tennis courts, and indoor athletic fields.
- 8.3.55 **"RECREATION FACILITY, OUTDOOR"** means a [development](#) providing facilities that are available to the public for sports and recreational activities conducted outdoors. Typical [uses](#) include 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.
- 8.3.56 **"RECYCLING DEPOT"** means a [development](#) where bottles, cans, newspapers, and similar non-hazardous household goods are bought, sold, and temporarily stored for reuse, or dropped off or delivered by the public or by a contractor, or collected for recycling, and where all storage is contained within an enclosed [building](#) or an enclosed compound.
- 8.3.57 **"RETAIL, CANNABIS"** (or dispensary) means a retail development licensed by the Province of Alberta, where non-medical Cannabis products are to be sold to individuals who attend at the premises. Whereas a Retail, General Use development may retail Cannabis accessories or paraphernalia, it may not engage in the sale of Cannabis products without first acquiring appropriate Provincial licensing and development permit. Likewise, medical Cannabis suppliers and/or consulting services are encompassed within the Health Service Use. This Use Class does not include a Cannabis Production Facility.
- 8.3.58 **"RETAIL, GENERAL"** means a [development](#) where groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, electronic equipment, recordings, office equipment, stationery, second hand goods, and or similar goods are bought, rented, and or sold from within a [building](#). Minor public services, such as postal services and film processing depots [may](#) also be provided. General retail stores do not include [developments](#) where gasoline, new or used motor vehicles, [manufactured homes](#), recreational vehicles, or heavy agricultural or industrial equipment are sold or rented.
- 8.3.59 **"RETAIL, LIQUOR"** means a retail store licensed by the Province to sell alcoholic beverages to the public, for consumption elsewhere. Typical [uses](#) include wine and beer stores.
- 8.3.60 **"SECONDARY SUITE"** means a separate set of living quarters within a principal or [accessory building](#), containing independent and physically separate sleeping, sanitary and [kitchen facilities](#).

- 8.3.61 **"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](#) also include facilities for the servicing or repairing of motor vehicles, and a towing service dispatch point, but not including body repair or paint shops.
- 8.3.62 **"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 provided that a building permit can be issued under the Building Bylaw.
- 8.3.63 **"SHOPPING CENTRE"** means a [development](#) consisting of a [building](#) or a group of [buildings](#), comprising [general retail](#) stores, [personal service shops](#), office [uses](#), and similar [uses](#), with shared on-site parking facilities, and which [may](#) be managed as a single unit.
- 8.3.64 **"TEMPORARY INDUSTRIAL CAMP"** means a temporary residential complex used to house camp workers by various contracting firms on a temporary basis of more than 28 days and less than one (1) year. The camp [may](#) be made up of a number of mobile units, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities.
- 8.3.65 **"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 vehicle bylaw enforcement violation or other similar circumstance and [may](#) include an accessory office.
- 8.3.66 **"VETERINARY CLINIC"** means a [development](#) where [domestic pets](#) or livestock are cared for and treated. Veterinary clinics primarily involve out-patient care and minor medical procedures involving hospitalization for fewer than four (4) days
- 8.3.67 **"WAREHOUSING"** means a structure used for the storage and distribution of raw materials, processed or manufactured goods, and establishments providing servicing for those purposes.
- 8.3.68 **"WORKSHOP, LIMITED"** means the crafting or assembly of goods by hand or small scale equipment and is considered by the [Development Authority](#) to not be a [nuisance to adjacent land uses](#).

Part IV

General Regulations

9 Establishment of Land Use Districts

9.1 Establishment of Districts

9.1.1 For the purposes of this Bylaw, the Town of Westlock is divided into the following land [use](#) districts:

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

9.1.2 The boundaries of the districts listed in section 9.1.1. are as shown in Map 1 Land Use Districts.

9.1.3 The [Development Officer shall](#) maintain a list of [Council](#)'s decisions with respect to boundaries or portions thereof fixed by it.

9.1.4 For the purpose of administering the provisions of this Land Use Bylaw, the [Development Officer](#) is hereby authorized to prepare and use such forms and notices as necessary.

Table 9.1.1 Use Classes by Type

| Type of Use Class | Use Classes | Type of Use Class | Use Classes |
|---|--|--|---|
| Agriculture and Resource Extraction Uses | <ul style="list-style-type: none"> • Agriplex • Extensive Agriculture | Institutional, Cultural and Social Uses | <ul style="list-style-type: none"> • Assisted Living Facility • Cemetery • Commercial School • Cultural and Community Facility • Health service • Hospital • Place of Worship • Protection and Emergency Services • Public School |
| Commercial Uses | <ul style="list-style-type: none"> • Business Support Service • Drive-In Business • Eating and Drinking Establishment • Entertainment Establishment, Indoor • Entertainment Establishment, Outdoor • Financial Service • Funeral Home • Hotel • Kennel • Personal Service Shop • Private Club • Professional, Office, Government and Business Service • Retail, General • Retail, Liquor • Service Station • Shopping Centre • Workshop, Limited • Veterinary Clinic | Other Use Classes | <ul style="list-style-type: none"> • Outdoor Storage • Shipping Container |
| Industrial and Related Uses | <ul style="list-style-type: none"> • Agricultural Equipment Sales and Service • Auctioneering Establishment • Auctioneering Establishment, Livestock • Auto Wrecking Yard • Equipment Rental, Sales and Service Establishment • Fleet Services • Industrial, General • Industrial, Hazardous • Manufacturing Establishment • Recycling Depot • Temporary Industrial Camp • Warehousing | Park and Recreational Uses | <ul style="list-style-type: none"> • Campground • Public Park • Recreation Facility, Indoor • Recreation Facility, Outdoor |
| | | Residential and Related Uses | <ul style="list-style-type: none"> • Assisted Living Facility, Limited • Attached Garage • Bed and Breakfast Establishment • Child Care Facility • Detached Garage • Dwelling Unit • Dwelling, Apartment • Dwelling, Manufactured Home • Dwelling, Modular Home • Dwelling, Row Housing • Dwelling, Single-Family • Dwelling, Stacked Row Housing • Dwelling, Two-Family • Home Occupation • Secondary Suite |
| | | Transportation and Motor Vehicle Uses | <ul style="list-style-type: none"> • Automotive Repair, Service, Rental and Sales • Parking Facility • Vehicle Impoundment Yard |
| | | Utilities and Related Uses | <ul style="list-style-type: none"> • Public Utility |

**MAP 1:
LAND
USE
DISTRICTS**

10 General Development Regulations

10.1 General Provisions for all Districts

Number of Dwelling Units on a Lot

10.1.1 The number of [dwelling units](#) permitted on any [lot](#) shall not exceed one (1), except where specifically permitted in this Bylaw.

Design, Character and Appearance of Buildings

10.1.2 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](#).

Double Fronting Lots

10.1.3 Where in any district a [lot](#) fronts on more than one [road](#), the [frontage](#) that is on the same [road](#) as adjoining [lot frontages](#) shall be used for determining the front setback. The other [frontage](#) may be considered the side or [rear line](#), at the discretion of the [Development Authority](#).

10.1.4 Notwithstanding anything elsewhere contained in this Bylaw, a person using a [corner lot](#) in any district shall comply with all the restrictions, limitations, and conditions relating to visibility approaching [road](#) intersections as may be required by the [Development Authority](#).

Projections into Minimum Yards

10.1.5 The following features may project into a required minimum setback area:

- a) As outlined in Figure 10.1 Requirements of Projections into Minimum Yards, eaves, shade projections, bay or oriel windows, chimney breasts, or parts of a chimney that are constructed of non-combustible material, belt courses, sills, balconies, unenclosed steps, with or without a landing but without a [roof](#) and not more than 1.0m (3.3ft) above ground level, and any other architectural features which, in the opinion of the [Development Authority](#), are of a similar character, provided such projections do not exceed 0.6m (2.0ft);
- b) Balconies in [apartment buildings](#) not more than 1.5m (4.9ft) as outlined in Figure 10.2 Requirements of Projections of Balconies into Minimum Yards;
- c) Uncovered steps and entrance ways not more than 2.0m (6.56ft) into the required front setback as outlined in Figure 10.1 Requirements of Projections into Minimum Yards; and

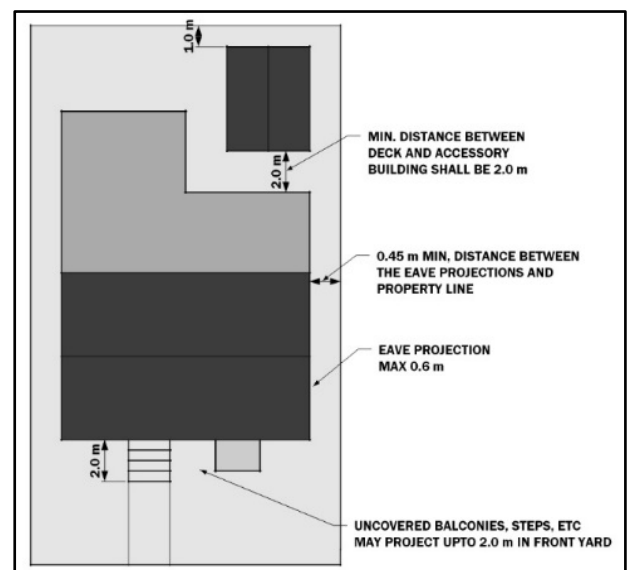
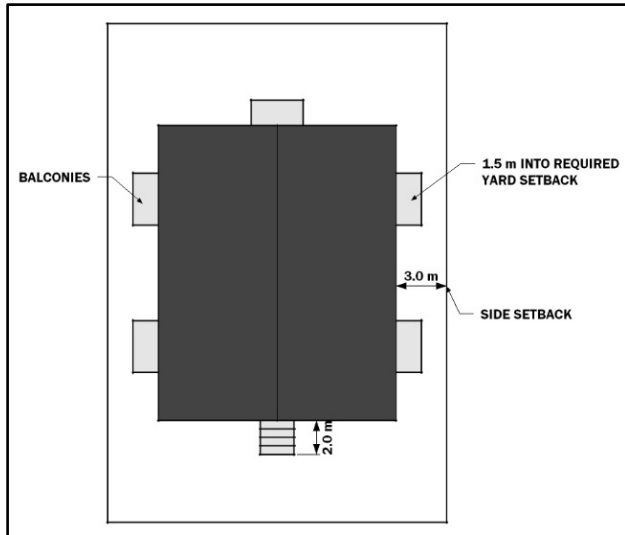


Figure 10.1 Requirements of Projections into Minimum Yards



- d) Figure 10.2 Requirements of Projections of Balconies into Minimum Yards In no situations shall the projections into any required setbacks shall be closer than 0.45m (1.47ft) to the adjoining property line to meet the requirements of high-intensity residential fires regulations established by the Province of Alberta.

Farming Buffer

- 10.1.6 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.

Accessory Buildings and Structures

- 10.1.7 Where a structure is attached to the principal building on a site by a roof, open, or closed structure, a floor or foundation, it is considered a part of the principal building and not an accessory building.
- 10.1.8 The minimum setback, parcel coverage, height and other development standards for accessory buildings shall be in accordance with the regulations established in each land use district.

10.2 Lighting

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

10.3 Waste and Recycling Containers

- 10.3.1 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;
- b) Shall use such receptacles for such purpose; and
- c) If in commercial locations, must screen all waste and recycling containers from public view.

11 Specific Use Regulations

11.1 Establishment of Special Land Use Regulations

11.1.1 Special land [use](#) provisions [shall](#) be set forth in section 11 and [may](#) be amended in the same manner as any other Part of this Bylaw.

11.2 Assisted Living Facility

11.2.1 In reviewing an application for an [assisted living facility](#), the [Development Authority](#) [shall](#) consider if the [development](#) would be suitable for the [site](#) taking into account the potential traffic generation, and the potential interference or the peaceful enjoyment of neighbouring properties. The [Development Authority](#) [shall](#) also consider if the proposed [use](#) [will](#) materially interfere with or affect the value of neighbouring properties.

11.3 Assisted Living Facility, Limited

11.3.1 The maximum [occupancy](#) of a [limited assisted living facility](#) [shall](#) be six (6) residents.

11.3.2 The [Development Authority](#) [may](#) restrict the [occupancy](#) of a [limited assisted living facility](#) to fewer than the maximum number of residents allowed having regard for the level of traffic generation, parking demand, and frequency of visits by emergency vehicles relative to that which is characteristic of the land [use](#) district in which the [limited assisted living facility](#) is located.

11.3.3 A [limited assisted living facility](#) [shall](#) be developed as a purpose-built freestanding structure or [single-family dwelling](#) converted for the purpose.

11.3.4 Accommodations [may](#) include limited food preparation facilities such as bar fridge, mini-sink, and microwave.

11.3.5 No [home occupation](#) or [secondary suite](#) [shall](#) be permitted as part of a [limited assisted living facility development](#) or on the [site](#) of such [development](#).

11.3.6 Where a [limited assisted living facility](#) is designed as a freestanding structure it [shall](#) be of a size, scale, and outward appearance that is typical of surrounding residential [development](#).

11.3.7 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](#).

11.3.8 No [limited assisted living facility](#) [shall](#) be located closer than 300.0m (984.3ft) to another such facility.

11.4 Drive-In Business

11.4.1 A drive-through business [shall](#) not be located on [sites](#) where, in the opinion of the [Development Authority](#), the drive-through business would create unsafe vehicle circulation or access or egress from the [site](#).

11.4.2 The minimum required [front yard](#) [shall](#) be 3.0m (9.8ft), or such greater distance as prescribed for the district within which the [development](#) is located.

11.4.3 All parts of a [site](#) to which vehicles [may](#) have access [shall](#) be hard surfaced and drained to the satisfaction of the [Development Authority](#) to provide a durable dust-free surface.

11.4.4 A minimum of 10% of the [site](#) area of a drive-through business [shall](#) be landscaped to the satisfaction of the [Development Authority](#).

11.4.5 Where a drive-through business is located [abutting](#) to a residential district, screening [shall](#) be provided to the satisfaction of the [Development Authority](#).

11.4.6 A minimum of two (2) queuing spaces [shall](#) be provided for each drive-in window.

11.4.7 All queuing spaces [shall](#) be a minimum of 6.5m (21.3ft) long and 3.0m (9.8ft) wide. Queuing [lanes](#) [shall](#) provide sufficient space for turning and maneuvering and not interfere with parking or access on the [site](#).

- 11.4.8 The on-site layout of vehicle circulation patterns shall be to the satisfaction of the Development Authority.
- 11.4.9 Any lighting proposed to illuminate the site shall be located and arranged so that all direct rays of light are directed upon the site only and not on any abutting residential districts.
- 11.4.10 Where the customer normally remains in the vehicle for service, the minimum site size shall be 930.0m² (10,010.4ft²), and the minimum building area shall be 37.0m² (398.3ft²).
- 11.4.11 No curb cut shall be within 6.0m (19.7ft) from the nearest corner of the intersection of two roads.
- 11.4.12 The maximum width of a curb cut shall be 10.7m (35.1ft).
- 11.4.13 The minimum distance between adjacent curb cuts on the same side of a site shall be 6.0m (19.7ft), measured along the lot line.
- 11.4.14 A sufficient number of catch basins to drain the site shall be provided, to the satisfaction of the Development Authority.
- 11.4.15 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 without restricting the generality of the foregoing, 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.

11.5 Gas Bars, Service Stations and Bulk Fuel Stations

- 11.5.1 Notwithstanding the District Regulations, a use pursuant to this section shall not be located on sites, where, in the opinion of the Development Authority, the use would create unsafe vehicle circulation or access or egress from the site.
- 11.5.2 Minimum site area shall meet the requirements as outlined in Table 11.5.1.

Table 11.5.1 Site Area Requirements

| Use | Minimum Site Area |
|---|---------------------|
| Bulk Fuel Station | 2,700m ² |
| Gas Bar | 1,200m ² |
| Gas Bar/Service Station including Car Wash | 2,700m ² |
| <u>Service Station</u> | 1,500m ² |
| Where a <u>Service Station</u> or Gas Bar forms part of a <u>Shopping Centre</u> , the area containing the <u>Service Station</u> or Gas Bar <u>Buildings</u> and <u>Pump areas</u> . | 1,000m ² |
| Where a <u>Service Station</u> or Gas Bar is combined with a <u>Convenience Store</u> | 1,200m ² |

- 11.5.3 Setback of Buildings and Structures
 - a) Petroleum Tank Management Association of Alberta (PTMAA) is the designated approval authority for administration of Alberta Fire Code for the Town of Westlock as it relates to one or more of petroleum or bulk fuel product storage system construction, registration, upgrading, testing, closure, maintenance and operation standards;

- b) The setback requirements for the above ground and underground storage tanks from buildings and property lines shall meet the PTMAA guidelines.

11.5.4 Site and Building Requirements

- a) All parts of the site to which vehicles may have access shall be hard-surfaced if the property is accessed from a paved public road or lane, and drained to the satisfaction of the Development Authority; and
- b) A minimum of 10% of the site area of a gas bar and service station under this section shall be landscaped to the satisfaction of the Development Authority.

11.5.5 The maximum building coverage for a use under this section shall be 25% of the site area.

11.6 Home Occupations

11.6.1 Home occupations shall not be allowed on a site unless a dwelling unit is located on the site on which the home occupation is to be located.

11.6.2 The Development Authority may place time limits on the period for which a development permit for a home occupation is valid.

11.6.3 No home occupation shall change the principal character or external appearance of the dwelling involved or of any accessory buildings.

11.6.4 Home occupations shall be incidental and subordinate to the principal use of the dwelling.

11.6.5 No more than 20% or 30.0m² (323ft²), whichever is less, of the dwelling unit shall be occupied by the home occupation.

11.6.6 Storage related to the home occupation and the home occupation itself may be allowed in either the dwelling or accessory buildings.

11.6.7 There shall be no outdoor business activity, or outdoor storage of material or equipment associated with the home occupation allowed on the site.

11.6.8 The home occupation shall not create any nuisance by way of noise, dust, odour, or smoke, or anything of an offensive or objectionable nature.

11.6.9 There shall be no mechanical or electrical equipment used which creates external noise, or visible or audible interference with home electronics or computer equipment in adjacent dwellings.

11.6.10 When a development permit is issued for a home occupation, such permit shall be terminated should the applicant for the development permit vacate the property for which the development permit has been issued.

11.6.11 Pedestrian or vehicular traffic or parking, shall not be generated in excess of that which is characteristic of the district in which the home occupation is located.

11.6.12 Up to one (1) commercial vehicle, of a capacity not exceeding 1.0tonne (2205.0lbs), may be used in conjunction with the home occupation, or parked or maintained on the site or on the road in proximity to the site.

11.6.13 Home occupations shall not involve:

- a) Activities that use or store hazardous material in quantities exceeding those found in a normal household; or
- b) Any use that would materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

11.6.14 There shall be no non-resident employees or business partners working on-site at any time.

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

11.6.16 The home occupation 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.

11.6.17 The dwelling in which a home occupation is located may have one fascia sign placed on the dwelling, providing that the sign does not exceed 0.4m² (4.3ft²) in area.

11.6.18 Home occupation signs will be evaluated on their merits by the Development Authority. In addition to any other criteria the Development Authority may use in considering a sign for a home occupation, the Development Authority, as outlined in Figure 11.1 Home Occupation Sign Requirements, shall require that:

- a) The sign not be any larger than 0.4m² (4ft²); and
- b) The sign shall be placed in a window or attached to the exterior of the residence on the road side of the residence.

11.6.19 Home occupation signs shall not be illuminated.

11.7 Hotels

11.7.1 The minimum site size shall be 1,300.0m² (13,993.0ft²). The minimum parcel coverage shall be 14.0m² (151.0ft²). The maximum parcel coverage coverage shall be 30%.

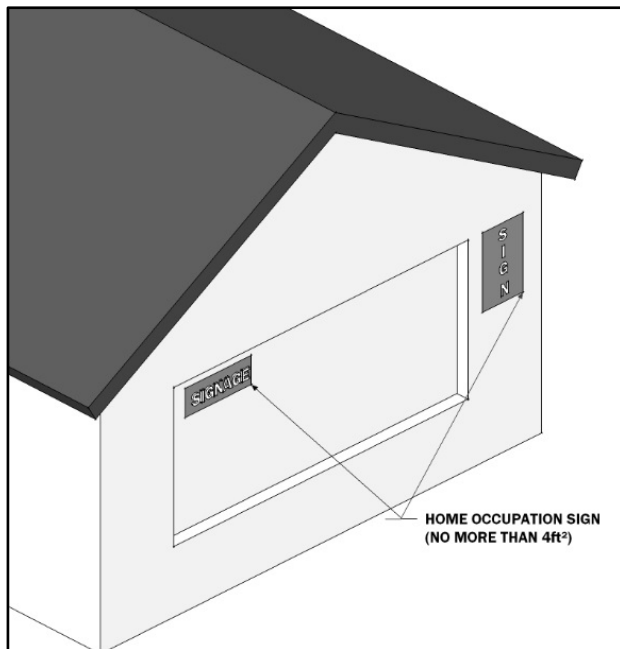


Figure 11.1 Home Occupation Sign Requirements

11.7.2 The minimum required front yard shall be 7.5m (24.6ft).

11.7.3 The minimum required side and rear yards shall be 3.0m (9.8ft), provided that no carport or garage shall be less than 6.0m (19.7ft) from any rear or side lane, unless a distance of less than 6.0m (19.7ft) will not interfere with the free movement of traffic in such lane.

11.7.4 There shall be not more than one (1) motor vehicle entrance and one (1) motor vehicle exit to a road, each of a minimum width of 7.5m (24.6ft) measured at its minimum dimension, provided that one (1) combined motor vehicle entrance and exit not less than 9.0m (29.5ft) in width shall be permitted.

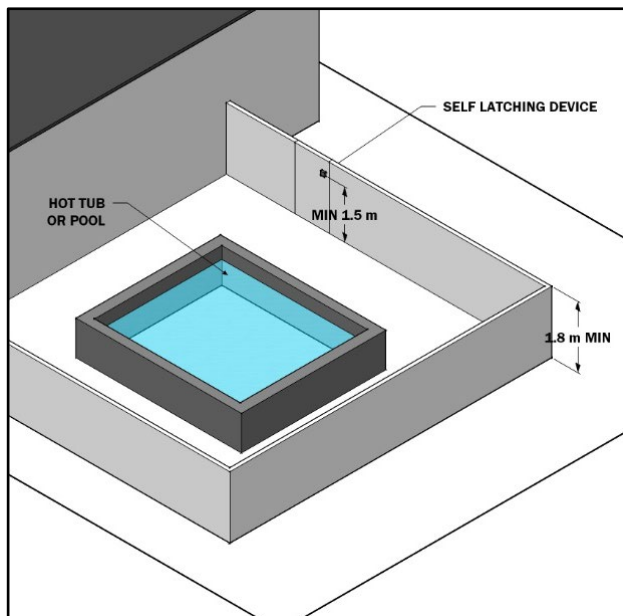
11.8 Private Swimming Pools and Hot Tubs

11.8.1 Private outdoor above and below ground swimming pools and hot tubs shall conform with the following requirements outlined in Figure 11.2 Private Swimming Pool and Hot Tub Requirements:

- a) 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, and the height of the fence above the outside ground level shall be not less than 1.8m (5.9ft);
- b) Openings for access through the fence or enclosure around a pool or hot tub shall be protected by a gate that is:
 - i) The same height as the fence or enclosure;
 - ii) Equipped with a self-closing device; and
 - iii) Equipped with a self-latching device on the inside of the gate located not less than 1.5m (4.9ft) above the ground level.
- c) 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. Permission from the Town shall be obtained prior to draining pools or hot tubs into any sewer;
- d) Shall not be located within any required front yard;
- e) Shall comply with Alberta Building Code.

Figure 11.2 Private Swimming Pool and Hot Tub Requirements



11.9 Shipping Containers

- 11.9.1 There is no limit to the number of shipping containers used for storage or warehousing in commercial or industrial districts.
- 11.9.2 Shipping containers shall be strictly prohibited in any front yard of a property. A shipping container shall be allowed to the side or rear of buildings on the same parcel and shall not be placed within required setbacks.
- 11.9.3 Shipping containers shall be visually screened from public roads and neighbouring properties to the satisfaction of the Development Authority.
- 11.9.4 A shipping container where permitted shall be used for storage purposes only, and shall not be used to store any dangerous or hazardous materials.
- 11.9.5 The use of a shipping container as a dwelling unit is prohibited in all land use districts, except where they have been modified to the satisfaction of the Development Authority. Where a shipping container or trailer is proposed to be used as a dwelling, they must comply with all other regulations in this Bylaw applicable to standard dwelling houses.
- 11.9.6 Use of shipping containers shall be prohibited in all residential districts.
- 11.9.7 The shipping containers must be properly anchored to avoid movement or tipping and shall not be stacked one on top of another.
- 11.9.8 The shipping containers must be a minimum distance of 3.0m (9.8ft) from the primary building and must be located behind the rear wall of the principal building and where possible visually hidden from any public roadway.
- 11.9.9 The shipping containers must be kept in good shape and sightly as determined by the Development Authority.

11.10 Cannabis Retail

11.10.1 The Development Authority shall impose a condition on any development permit issued for cannabis sales requiring that the development shall not commence until authorised by, and compliant with provincial or federal legislation and any regulations pertaining thereto;

- a) Proof of relevant provincial and/or federal licensing and approvals must be kept up-to-date and on-file with the Town.

11.10.2 Setbacks for Cannabis Retail must meet provincial and/or federal regulations as they may be amended from time to time.

11.10.3 Cannabis Retail developments must not utilize signage, fascia, or other advertisement or marketing which targets youth or ineligible consumers, or in the judgment of the Development Authority that is needlessly or excessively contrary to the visual character of nearby or adjacent businesses or uses.

11.10.4 Cannabis Retail may not provide or offer door-to-door or off-premises delivery products or services.

11.10.5 Shall provide a disposal plan concerning the means of removing and disposing of waste products from the operation, which shall be agreed to in writing prior to approval.

11.10.6 Shall provide an enhanced security plan (potentially utilizing crime prevention through environmental design considerations) which shall be agreed in writing prior to approval.

11.10.7 Cannabis Retail sales may not occur at a Cannabis Production Facility unless approved under a separate development agreement.

12 Parking and Loading Standards

12.1 Access and Approach

- 12.1.1 In any district, 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 regulations and standards contained in this Bylaw.
- 12.1.2 Adequate access to and egress from individual [parking spaces](#) is to be provided at all times by means of unobstructed manoeuvring aisles developed to the satisfaction of the [Development Authority](#), except where otherwise indicated in this Bylaw.
- 12.1.3 All curb crossings, entrances, and exits [shall](#) be subject to the prior approval of the [Development Authority](#).

12.2 General Parking Standards

- 12.2.1 Parking requirements for [uses](#) not listed in section 12.4 [shall](#) be in accordance with requirements determined by the [Development Authority](#).
- 12.2.2 Where the number of [parking spaces](#) is determined by reference to a unit such as the number of seats, floor area, beds, etc., the next higher whole number [shall](#) be required where the calculation results in a fractional number of [parking spaces](#).
- 12.2.3 In the case of different [uses](#) or mixed-uses on the same [site](#), on-site parking facilities [shall](#) be the sum of the requirements for the [uses](#) computed separately. On-site parking facilities for one [use shall](#) not be considered as providing required facilities for any other [use](#), unless specifically approved by the [Development Authority](#).

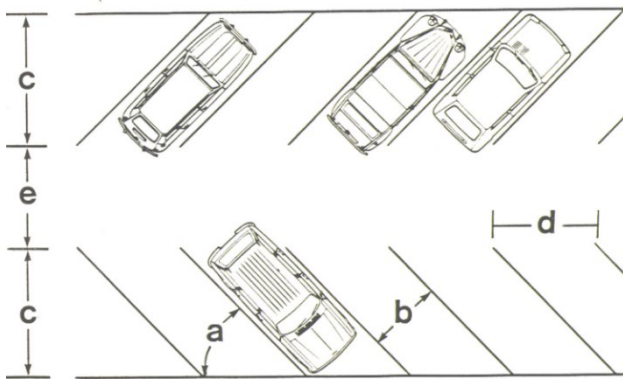
- 12.2.4 Every on-site [parking space](#) provided or required in any district and the access to it [shall](#) be surfaced in the same manner and materials as the [road](#) or [lane](#) from which the space gains access.
- 12.2.5 Every on-site [parking space](#) provided or required in any commercial district and the access to it, [shall](#) be lighted, well-drained, and landscaped.
- 12.2.6 Notwithstanding section 12.2.4 above, any area at the rear or the side of the [principal building](#) provided or required for on-site parking in an industrial district need not be hard-surfaced, but [shall](#) be of such a surface as [will](#) minimize the carrying of dirt or foreign matter onto the [road](#) or [lane](#).
- 12.2.7 Adequate curbs or [fences shall](#) be provided to the satisfaction of the [Development Authority](#) within or at the boundaries of a [parking space](#) or area if, in the opinion of the [Development Authority](#), it is or becomes necessary to protect adjacent [fences](#), walls, [boulevards](#), landscaped areas, or [buildings](#) on the site or on an [abutting](#) site from contact with vehicles using such [parking space](#) or area.

12.3 Parking Space Dimension Requirements

- 12.3.1 Except as noted in Table 12.3.1 Parking Space Requirements and section 12.3.1b) below, all [parking spaces](#) provided [must](#) conform to the following minimum requirements:
- a) Width of [parking space](#): 3.0m (9.8ft)
 - b) If barrier-free [parking spaces](#) are required as per section 12.6, those required [parking spaces shall](#) be:
 - i) At least 4.0m in width; and
 - ii) At least 7.0m in depth.

Table 12.3.1 Parking Space Requirements

| (a) Parking Angle | (b) Minimum Width of Space | (c) Depth of Space Perpendicular to Manoeuvring Aisle | (d) Width of Space Parallel to Manoeuvring Aisle | (e) Width of Manoeuvring Aisle (one way) |
|----------------------|-------------------------------|--|---|---|
| 0° | 3.0m (9.8ft) | 3.1m (10.2ft) | 6.7m (22.0ft) | 3.7m (12.1ft) |
| 30° | 3.0m (9.8ft) | 4.9m (16.1ft) | 5.2m (17.1ft) | 3.8m (12.5ft) |
| 45° | 3.0m (9.8ft) | 5.5m (18.0ft) | 3.5m (11.5ft) | 4.5m (14.8ft) |
| 60° | 3.0m (9.8ft) | 6.1m (20.0ft) | 2.8m (9.2ft) | 6.2m (20.3ft) |
| 90° | 3.0m (9.8ft) | 6.1m (20.0ft) | 2.6m (8.5ft) | 7.0m (23.0ft) |



12.4 Number of On-Site Parking Requirements by Land Use

12.4.1 The minimum number of on-site [parking spaces](#) required for any [development shall](#) be as follows:

Residential Parking Requirements

12.4.2 The minimum number of on-site [parking spaces](#) required for residential [uses shall](#) be as defined in Table 12.4.1

12.4.3 Reduced parking requirements [may](#) be considered by the [Development Authority](#) for high [density apartments](#) in downtown districts and for Assisted Living Facilities.

12.4.4 Reduced parking requirements [may](#) be considered by the [Development Authority](#) for row-housing. Alternatively, the [Development Authority may](#) request additional parking if the [Development Authority](#) feels such parking is warranted.

Additional Residential Parking Requirements

12.4.5 In the R3 district, one guest [parking space shall](#) be provided on-site for each five (5) [dwelling units](#). In the R4 district, one guest [parking space shall](#) be provided on-site for each four (4) [dwelling units](#). These [shall](#) be marked and assigned as guest parking and readily available to an entrance of the [building](#) served.

Commercial Parking Requirements

12.4.6 The minimum number of on-site [parking spaces](#) required for commercial [uses shall](#) be as defined in Table 12.4.2.

12.4.7

Table 12.4.1 Residential Parking Requirements

| Residential Uses | Parking Requirements | Space |
|---|---|-------|
| Assisted Living Facility | 1 parking space per 4 units. | |
| Child Care Facility | 1 parking space for 1 st 2 employees plus 0.5 per additional employee for day homes providing care to 7 or more children; and 1 parking space for non-resident employee in addition to primary dwelling parking requirements. | |
| Dwelling, Apartment & Dwelling, Stacked Row Housing | 1 parking space per 1 bedroom; 1.5 parking spaces per 2 bedrooms; or 1.7 parking spaces per 3 or more bedrooms. | |
| Dwelling, Row Housing | 1.5 parking spaces per unit. | |
| Dwelling, Single-Family | 2 parking spaces per dwelling unit . | |
| Assisted Living Facility, Limited | 1 parking space per 3 sleeping units and 1 parking space per resident staff member. | |
| Dwelling, Manufactured Home | 2 parking spaces per unit. | |
| Dwelling, Two-Family | 2 parking spaces per dwelling unit (may be in tandem). | |
| Secondary Suite | 1 parking space for each 2 bedrooms in a secondary suite (may be in tandem with parking for principal building). | |

Table 12.4.2 Commercial Parking Requirements

| Commercial Uses | Parking Requirements |
|--|---|
| Automotive Repair, Service, Rental and Sales | 1 parking space per 50.0m ² (538.2ft ²) of GFA . |
| Bed and Breakfast Establishment | 1 parking space per guest room plus parking requirements for principal building . |
| Business Support Service | 1 parking space per 50.0m ² (538.2ft ²) of GFA . |
| Eating and Drinking Establishment | 1 parking space per four (4) seats. |
| Eating and Drinking Establishment (all food taken off-site to be consumed) | 1 parking space per 13.0m ² (140.0ft ²) of GFA . |
| Entertainment Establishment, Indoor | 1 parking space per three (3) seats. |
| Entertainment Establishment, Outdoor | 1 parking space per five (5) seats. |
| Financial Service | 2 parking spaces per 100m ² (1076.4ft ²) of GFA . |
| Funeral Home | 1 parking space per six (6) seats for attending services plus 1 parking space per funeral home vehicle. |
| Hotel | 1 parking space per guest room. |
| Kennel | 2 parking spaces per 100.0m ² (1076.4ft ²) of GFA plus 1 parking space per staff member. |
| Personal Service Shop | 1 parking space per 50m ² (538.2ft ²) of GFA . |

| Commercial Uses | Parking Requirements |
|--|---|
| Private Club | 1 parking space per ten (10) fixed seats or 1 parking space per 25m ² (269.1ft ²) of patron space if seating is not fixed. |
| Professional, Office, Government and Business Service | 2 parking spaces per 100m ² (1076.4ft ²) of GFA . |
| Retail, General Retail, Liquor Shopping Centre | 3 parking spaces per 100m ² (1076.4ft ²) of GFA . |
| Service Station | 1 parking space per employee plus a minimum of five (5) for customers. |
| Veterinary Clinic | 2 parking spaces per 100m ² (1076.4ft ²) of GFA . |

Additional Commercial Parking Requirements

12.4.8 For all commercial [uses](#) not mentioned in Table 12.4.2:

- a) For the first 1000.0m² (10,764.0ft²) 1 per 30.0m² (323.0ft²) of [gross leasable area](#) in the [building](#); and
- b) For the next 3000.0m² (32,291.0ft²) 1 per 20.0m² (215.0ft²) of [gross leasable area](#) in the [building](#) for any additional gross leasable area beyond 4000.0m² (43,056.0ft²) 1 per 17.0m² (183.0ft²) of [gross leasable area](#) in the [building](#).

Institutional Parking Requirements

12.4.9 The minimum number of on-site [parking spaces](#) required for institutional [uses](#) [shall](#) be as defined in Table 12.4.4.

Table 12.4.3 Institutional Parking Requirements

| Institutional Uses | Parking Requirements |
|---|--|
| Cemetery | As required by the Development Authority |
| Commercial School | 1 parking space per student. |
| Cultural and Community Facility | 2 parking spaces per 100m ² (1076.4ft ²) of GFA . |
| Health service | 4 parking spaces per 100m ² (1076.4ft ²) of GFA . |
| Hospital | 1 parking space per 100m ² (1076.4ft ²) of GFA . |
| Place of Worship | 1 parking space per four (4) seats. |
| Protection and Emergency Services | As required by the Development Authority |
| Public School | Elementary: 3 parking spaces per classroom. Senior High: 7 parking spaces per classroom. Post-Secondary: 7 parking spaces per classroom. |

Industrial Parking Requirements

12.4.10 The minimum number of on-site [parking spaces](#) required for industrial [uses](#) [shall](#) be as defined in Table 12.4.4.

Table 12.4.4 Industrial Parking Requirements

| Industrial Uses | Parking Requirements |
|----------------------------------|--|
| All I-H and I-L Land Use Classes | 1 parking space per 70.0m ² (753.5 ft ²) of GFA |

Recreational Parking Requirements

12.4.11 The minimum number of on-site [parking spaces](#) required for recreational [uses](#) shall be as defined in Table 12.4.5.

Table 12.4.5 Recreational Parking Requirements

| Recreational Uses | Parking Requirements |
|--------------------------------|---|
| Recreational Facility, Indoor | 1 parking space per six (6) seating spaces for the public or 1 parking space per 4.5m ² (48.4ft ²) used by patrons whichever is greater. |
| Recreational Facility, Outdoor | At the discretion of the Development Authority |

12.5 On-Site Loading

12.5.1 When required by the district regulations of this Bylaw or when required by the [Development Authority](#), a [development](#) shall:

- a) Provide [loading spaces](#), each having dimensions of not less than 3.0m (9.8ft.) in width, 7.5m (24.6ft.) in length, and 4.25m (13.9ft.) 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) Be sited at an elevation or elevations convenient to a major floor level in the [building](#) or to a utility elevator serving each major floor level; and
- d) Be so graded and drained as to dispose of all storm water runoff.

12.6 Barrier-Free [Parking Spaces](#)

12.6.1 If more than eleven (11) [parking spaces](#) are required by this Bylaw, a portion of those [parking spaces](#) shall be barrier-free [parking spaces](#) for use by persons with physical disabilities in accordance with Table 12.6.1.

12.6.2 Barrier-free [parking 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.

Table 12.6.1 Barrier-Free Parking Space Requirements

| Number of Parking Spaces Required | Number of Barrier-Free Spaces required |
|--|--|
| 11-25 | 1 |
| 26-50 | 2 |
| 51-100 | 3 |
| For each additional increment of 100 or part thereof | One (1) additional parking space |

12.7 Additional Parking Regulations

12.7.1 Any parking facility shall be developed to the satisfaction of the [Development Authority](#) within one (1) year of the completion of the [development](#) for which the [development permit](#) was issued.

12.7.2 When a [building](#) is enlarged or altered in such a manner as to cause an intensification or change of [use](#), provisions shall be made for additional [parking spaces](#) as required by section 12.4.

12.8 Parking Regulation for DT-MU, DT-T and C-MP Land Use Districts

12.8.1 Notwithstanding section 12.4, 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:

- a) Accept money-in-lieu for all or part of the parking required in accordance with a per [parking space](#) fee established by [Council](#) resolution or Bylaw (funds generated shall be used to develop new public parking facilities or improve existing ones in the downtown area commercial districts);
- b) Permit all or part of the parking required to be provided on an alternate [site](#), provided that:
 - i) The alternate [site](#) is located within 50.0m (164.0ft) of the proposed [development](#) requiring the parking;
 - ii) 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 off-street parking;
 - iii) The [applicant](#) register, at its own cost, a caveat for the development agreement against the titles of both properties, and provide a copy of the registration to the [Development Authority](#);
 - iv) 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

- v) The [Development Authority](#) imposes a condition on the [development permit](#) that the [development permit](#) is 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.

12.8.2 In the case of DT-MU, DT-T and C-MP districts in the downtown area only, the [Development Authority](#) may grant approval of development applications despite reduction of available parking or failure to provide sufficient on-site [parking spaces](#) on [site](#) 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 core.

13 Landscaping Standards

13.1 General Standards

- 13.1.1 All required landscaping shall be completed within two (2) growing seasons after the occupancy of the development.
- 13.1.2 Commercial, industrial, residential, or institutional driveways and parking areas that are connected to a paved roadway must be paved or otherwise hard surfaced within two (2) years of occupancy of the development.
- 13.1.3 Any portion of a site area not occupied by buildings or parking or storage areas shall be landscaped or maintained in its natural state. Landscaping may consist of hard landscaping or soft landscaping, or some combination of them.
- 13.1.4 Where landscaping is required pursuant to the regulations of a medium or high density residential land use district or a non-residential land use district, the applicant shall provide a detailed landscape plan. 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) In order to facilitate the consideration of this matter a development permit application will show the relative grades of the subject property and all adjacent properties. Grade differences between adjacent properties will not be excessive and no more than 15.0cm (5.9in) unless otherwise approved by the Development Authority;
- f) Required landscaped areas not covered by seed/sod which may include, in combination with shrubs or 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, parking lots may be considered for up to 50% of the required landscaped area; or
 - v) Raised planters constructed with concrete, concrete blocks or wood with a height of not less than 0.61m (2.0ft) or flower boxes attached to the building or structure.
- g) The Development Authority may require that the landscape plan be prepared by a landscape architect or technologist.
- 13.1.5 If a landscaped screening buffer is required abutting to a residential use, the landscaped buffer:
- a) Shall be a minimum of 3.0m (9.8ft) in width;
 - b) Shall include a mix of deciduous and coniferous trees with at least 60% of these trees being coniferous;
 - i) Deciduous trees must have a minimum caliper of 75mm;
 - ii) Coniferous trees must be a minimum height of 3.5m;

- c) [Shall](#) include trees which are at least 6.1m (20.0ft) high at maturity; and
- d) [May](#) include shrubs in addition to trees provided that the shrubs are at least 1.83m (6.0ft) high at maturity.

13.1.6 Minimum landscape requirements for residential districts:

- a) One tree for each 35.0m² (376.7ft²) and 15.0m² (161.5ft²) of setback area at [grade](#);
- b) [One](#) tree for each 20.0m² (215.3ft²) and one shrub for each 10.0m² (107.6ft²) of required parking area islands. In no case [shall](#) there be less than one tree per required parking area island; and
- c) Any parking lot having eight (8) or more [parking spaces](#) that are visible from an adjoining [site](#) in a residential area [shall](#) have plantings around the perimeter of the [site](#).

13.1.7 Minimum landscape requirements for non-residential districts including commercial and industrial [developments](#):

- a) One tree for each 25.0m² (269.1ft²) and one shrub for each 15.0m² (161.5ft²) of setback at [grade](#);
- b) One tree for each 20.0m² (215.3ft²) and one shrub for each 10.0m² (107.6ft²) of required parking area islands. In no case [shall](#) there be less than one tree per required parking area island;
- c) [Outdoor storage](#) area in industrial districts [shall](#) be appropriately screened from public roadway to the satisfaction of the [Development Authority](#) using a variety of techniques such as building orientation, landscape or architectural elements.

13.1.8 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 the [site may](#), at the discretion of the [Development Authority](#), be credited to the total [landscaping](#) requirements.

13.1.9 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. All [landscaping](#) and planting required [must](#) be carried out to the satisfaction of the [Development Authority](#) within two (2) growing seasons after the [occupancy](#) of the [development](#).

13.1.10 On-site parking lots in any commercial district [shall](#) be landscaped by planting at least one tree for every 185.0m² (1,991.3ft²) of paved surface. Trees required [shall](#) be located within the [parking area](#) in locations so visibility for the safe movement of persons and traffic is not impaired.

13.1.11 If a landscaped area is required [abutting](#) to 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 curb of a street and the property line of the subject [site](#).

13.1.12 [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 [developer](#) and the Town entering a development agreement which sets out obligations regarding [maintenance](#).

13.2 Site Grading

13.2.1 All site grading must adhere to a site grading plan submitted by the developer and approved by the Development Authority, provided that the site grading plan:

- a) Includes the following information:
 - i) Design elevations;
 - ii) Surface gradients;
 - iii) Swale locations; and
 - iv) Other drainage information, as required by the Development Authority;
- b) Directs surface drainage to public parks, reserves, boulevards, ditches, or roads;
- c) Has a minimum slope of 2% from the minimum front and side setbacks to the side property line; and
- d) Shows the slope along the property line to the design corner elevations to be continuous, without breaks or changes in slope.

13.2.2 Where drainage along property lines is provided within or outside of easements, the site grading plan shall be adhered to and drainage courses not obstructed.

13.2.3 If it is not possible for a developer to adhere to the site grading plan, or the developer chooses to deviate from the site grading plan, it is the property owner's responsibility to ensure the deviations are made without adversely affecting abutting properties. Retaining walls or special sloping are the responsibility of the party deviating from the site grading plan.

13.3 Landscaping Securities

13.3.1 As a condition of a development permit, the developer must provide a landscaping security in the amount established by Council, as amended from time to time.

13.3.2 If the developer does not meet landscaping requirements of this section within two (2) years of occupancy of the development, then the Town of Westlock may use the landscaping security to undertake the required landscaping. If such amount shall be insufficient to cover the cost of the work the deficiency shall be a debt due from the developer to Westlock.

13.3.3 The Town shall release the security to the developer, 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 a healthy condition after completion of the landscaping. The inspection shall take place within four (4) weeks of the date of the written request.

14 Sign Regulations

14.1 Purpose of Regulation

14.1.1 The sign regulations provide direction for the outdoor commercial advertising related to the preferred number, size, and location of advertisements. The regulations address the following key issues:

- a) The appearance and character of any building or area frequented by the public; and
- b) The concentration of the motoring public and its ability to define authorized traffic signs.

14.2 Signs Not Requiring a Development Permit

14.2.1 Signs specified in this section are deemed permitted uses and may be erected without a development permit, provided that the permission hereby granted in respect of any such advertisements specified below shall be subject to all other orders, Bylaws, and regulations affecting such advertisements:

- a) Statutory and official notices and functional advertisements of local authorities and public transport agencies;
- b) Traffic and directional signs authorized by Council;
- c) Notices of identification in respect of the land, buildings or occupants of the land or building on which the notices are displayed, including residential land, buildings and occupants, provided that:
 - i) Each notice or name plate shall not exceed 0.185m² (2.0ft²) in area; and
 - ii) For each side of the land or building that has access, there shall be a limit of one notice for each occupant of the land or building.

- d) Notices relating to the sale, lease, or rental of the building, or land to which they are attached, provided that:
 - i) The notices shall not be illuminated;
 - ii) Each notice shall not exceed 3.0m² (32.3ft²) in area for parcels of land exceeding 50.0m (164.0ft) of frontage width and a minimum lot area of 0.5ha (1.24ac), or 0.37m² (4.0ft²) in area for all other lots; and
 - iii) For each side of the land or building that has access, there shall be a limit of one notice.
- e) Posters relating specifically to pending elections, provided that such posters shall be removed within fourteen (14) days after the election;
- f) advertisements of contractors relating to work in progress on the land on which such advertisements are erected, provided that:
 - i) Such advertisements shall be removed once project is completed; and
 - ii) Such advertisements shall be limited in size to a maximum of 6.0m² (64.6ft²), and in number to one advertisement for each boundary of the property under construction which fronts onto a road.
- g) Temporary signs referring to sales which are displayed upon the premises upon or within which such sales will be or are being conducted, or temporary advertisements referring to sales which direct persons to the premises upon or within which such sales will be or are being conducted if such sales are in residential areas, provided that:
 - i) The signs shall not be more than 0.2m² (2.2ft²) in surface area on each of two sides;

- ii) The [signs shall](#) not be illuminated and [shall](#) be constructed of paper, canvas, cardboard, wood, or other light materials or painted on glass and intended to be displayed for a short period of time only;
 - iii) An [inflatable sign](#) no larger than 5.5 m² (59.2 ft²); and
 - iv) Such [advertisements shall](#) not be [erected](#) more than seven days before the commencement of the sale to which they refer, and [shall](#) be removed within two days of the completion of the said sale.
- h) [Signs](#) on enclosed land where not readily visible to the public;
 - i) [Signs](#) within a [building](#);
 - j) [Signs](#) in or on an operational vehicle; and
 - k) [Signs](#) on door plates, door bars, or kick plates.

14.3 Permitted [Signs](#) Requiring a [Development Permit](#)

- 14.3.1 Unless otherwise provided in this Bylaw, all [signs](#) except [billboards](#) are permitted as an [accessory use](#) in all districts except residential.
- 14.3.2 All [signs](#) which are not specified in section 14.2 above [may](#) be [erected](#) only after the issuance of a [development permit](#). No person [shall](#) perform any work of [erection](#) or of placing a [sign](#) differing from or enlarging the work for which a [development permit](#) has been issued. If during the progress of the work the [applicant](#) desires to deviate in any way from the terms of the original approved [development permit](#), they [shall](#) notify the [Development Authority](#) and submit amended drawings and, if necessary, [shall](#) make application for approval of the plans as amended. Until the [applicant](#) has approval for the altered [signs](#), he [shall](#) not continue any [erection](#) or placement of the [sign](#).

- 14.3.3 A [development permit](#) is not required to clean, repair, or repaint any [sign](#).

14.4 Details of Application

- 14.4.1 An [applicant shall](#) make a [development permit](#) applications for a [sign](#) requiring a [development permit](#) to the [Development Authority](#).

- 14.4.2 The application [shall](#):

- a) Be made out on the official form provided by the [Development Authority](#);
- b) Include a letter of consent from the [owner](#) of the property on which the [sign will](#) be located; and
- c) Include one copy of drawings drawn to scale.

- 14.4.3 The drawings [shall](#) indicate:

- a) The location of the [sign](#) by elevation drawing or [lot](#) plan;
- b) The overall dimensions of the [sign](#);
- c) The amount of projection from the face of the [building](#);
- d) The amount of projection over public property;
- e) The height of the [sign](#) relative to the ground and structure it is fixed to;
- f) The manner of illuminating the [sign](#) and any form of animated or intermittent lights that [may](#) be embodied in the construction;
- g) The distance that the [sign will](#) be [erected](#) from an intersection of one [road](#) with another; also, the distance from any device for the control of traffic at such an intersection; and
- h) The location and size of all other existing and proposed [signs](#) on the [site](#).

14.5 General Provisions

- 14.5.1 With the exception of billboards and portable signs, all signs shall be for on-site advertising.
- 14.5.2 No sign shall be allowed which is attached to a fence, pole, tree, or any object in a road or public place.
- 14.5.3 No sign shall be erected in any location which may obstruct free and clear vision of vehicular traffic or where it may interfere with, or be confused with, any authorized traffic sign, signal, or device.
- 14.5.4 Except as provided for in sections 11.6 and 14.2, no signs shall be allowed in residential districts.
- 14.5.5 All signs shall be maintained in good and safe structural condition and shall be periodically repainted.

14.6 Abandoned Signs

- 14.6.1 Where the Development Authority determines that a sign is abandoned or in an overall state of disrepair they may, by notice in writing to the owner of the land on which the sign is located and, if it is indicated on the sign, the owner or operator of the sign, order the owner of the land and the owner or operator of the sign to:
- Remove the sign and all related structure components within what the Development Authority deems to be a reasonable period of time; or
 - Take such measures as the Development Authority may specify in the notice to alter, refurbish or repair the sign.

14.7 A-Frame Signs

- 14.7.1 A-frame signs meeting the requirements in Figure 14.1 A-Frame Sign Requirements, may be approved by the Development Authority provided that:
- The maximum sign area of each sign face shall be 0.6m² (6.5ft²);
 - The maximum height of the sign shall be 1.0m (3.2ft); and
 - There shall be no more than one (1) A-frame sign per business frontage.

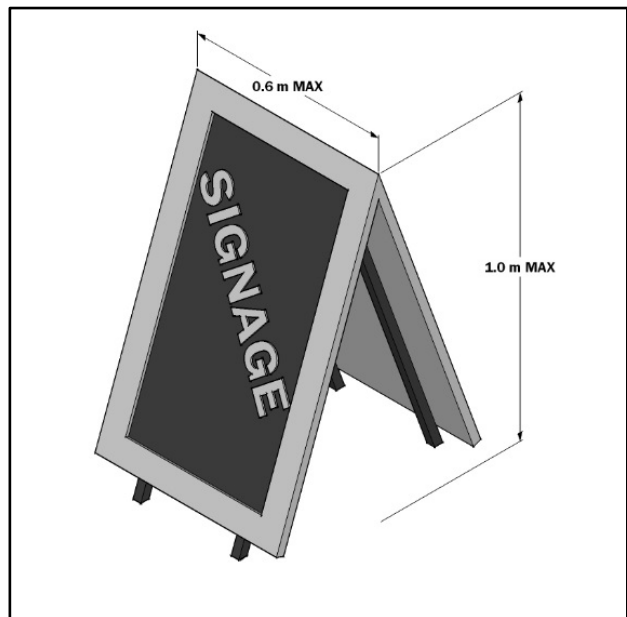


Figure 14.1 A-Frame Sign Requirements

14.8 Billboards

14.8.1 Billboards meeting the requirements in Figure 14.2 Billboard Sign Requirements, may be approved by the Authority provided that:

- a) The structure does not exceed 6.1m (20.0ft) in height nor 15.3m (50.2ft) in length, nor, in the C-H, I-H and I-L districts only, has a clearance of less than 3.0m (9.8ft);
- b) The structure is set back on corner lots a minimum of 30.0m (98.4ft) from the corner and has a minimum of 3.0m (9.8ft) clearance below the sign;
- c) The vertical posts supporting the structure do not project above the upper edge of the boarding;
- d) Any additional bracing is contained between the front and rear faces of the vertical supports;

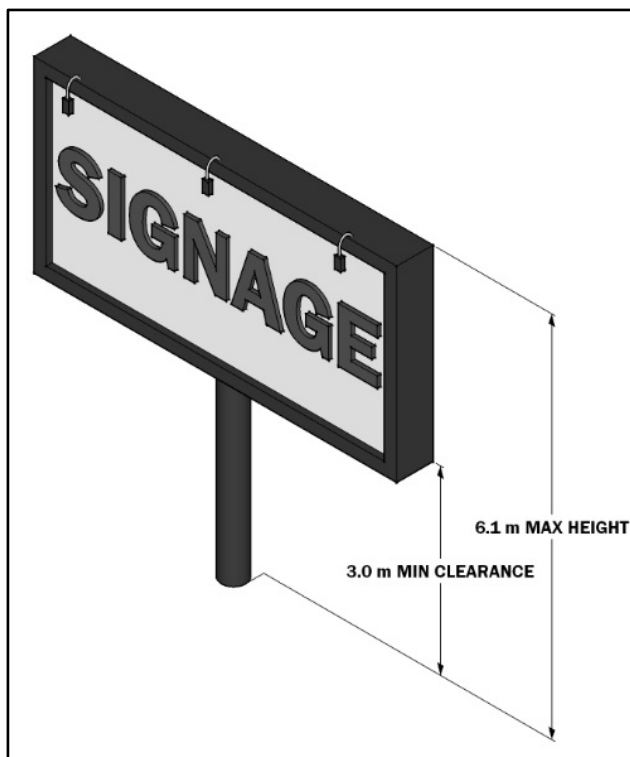


Figure 14.2 Billboard Sign Requirements

- e) The rear of any billboard which is plainly visible from a road is covered with wooden slats or trellis fixed against the rear face of the vertical supports and painted;
- f) No part of the structure projects within 1.5m (4.9ft) of a road, a lane, or other public property;
- g) It is not less than 60.0m (196.9ft) from any existing billboard;
- h) The structure is at all times kept in good order and repair;
- i) Notwithstanding any other provisions of this Bylaw to the contrary, billboards shall always be considered to be discretionary uses.

14.9 Fascia Signs

14.9.1 Fascia signs meeting all requirements in Figure 14.4 Fascia Sign Requirements, may be approved by the Development Authority, provided that the fascia sign:

- a) Does not project more than 92.0cm (36.2in) above the top of the vertical face of the wall to which they are attached;
- b) Does not exceed in area the equivalent of 25% of the building façade area; and
- c) Be located on building frontages facing a public roadway only.

14.9.2 Fascia signs, other than painted wall signs, on a wall which is not on a business frontage, may be considered by the Development Authority according to the merits of the individual application.

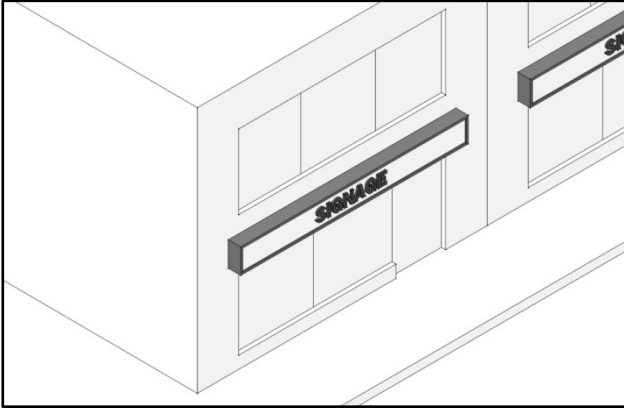


Figure 14.3 Fascia Sign

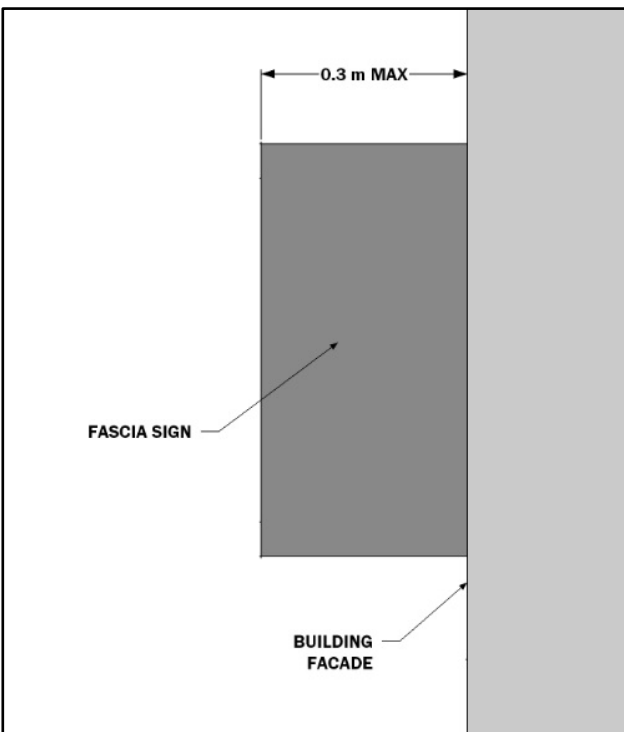


Figure 14.4 Fascia Sign Requirements

- b) No part of the sign projects more than 0.6m (2.0ft) beyond the property line;
- c) The area of the sign does not exceed 8.5m² (91.5ft²) for the first 15.3m (50.2ft) of business frontage, plus 0.35m² (3.77ft²) for each additional metre of business frontage up to a maximum of 14.1m² (151.8ft²);
- d) The area of the sign shall be computed exclusive of pylons, supports, and structural members provided that such pylons, supports, and structural members are free of advertising and are so constructed that they do not form part of the advertisement;
- e) It is not less than 15.3m (50.2ft) from any existing free-standing sign; and
- f) Notwithstanding section (e), there is not more than one free-standing sign for each 15.3m (50.2ft) of business frontage, or portion thereof.

14.10 Free-Standing Signs

14.10.1 Free-standing signs meeting the requirements in Figure 14.5, may be approved by the Development Authority provided that:

- a) The Development Authority may require that no part of the sign be less than 3.0m (9.8ft) or more than 9.2m (30.2ft) above ground if the Development Authority, in its sole discretion, deems it necessary for visibility;

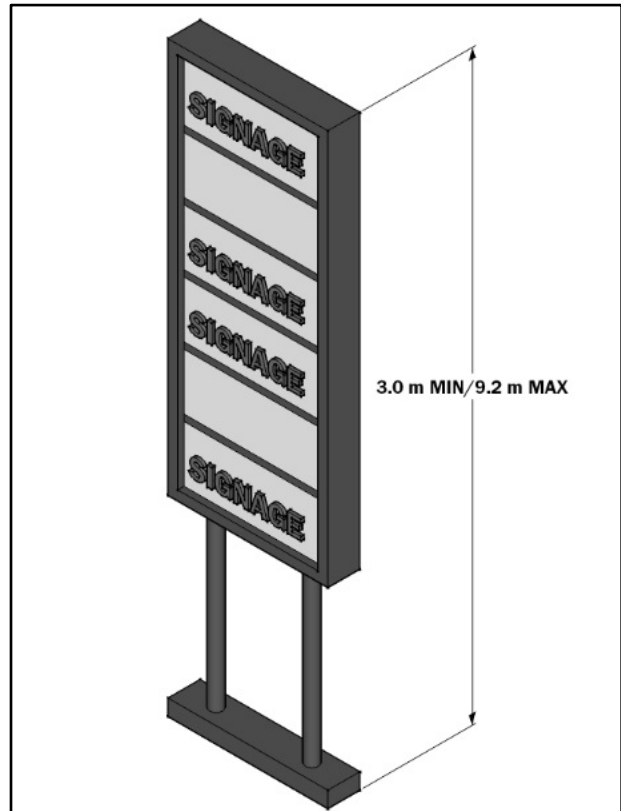


Figure 14.5 Free-Standing Sign Requirements

14.11 Illuminated Signs

14.11.1 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 of a major intersection;
- d) Illumination [shall](#) not obstruct the view of, or be confused with a traffic sign or device;
- e) Illumination [shall](#) not resemble flashing lights of police, fire, ambulance or other emergency vehicle;
- f) Brightness does not exceed 0.3footcandles above ambient light conditions during daytime; and
- g) Brightness does not exceed 300nits between sunset and sunrise.

14.12 Inflatable Signs

14.12.1 The [Development Authority may](#) approve a [development permit](#) for [inflatable signs](#) provided that:

- a) [Inflatable signs](#) 5.5m² (59.2ft²) or larger require that a [development permit](#) be applied for, and approval obtained before installation;
- b) One [inflatable sign may](#) be located on a [site](#) and [must](#) be tethered or anchored so that it is touching the ground surface to which it is anchored;

- c) The maximum height of an [inflatable sign shall](#) be the allowed height of a freestanding sign for the [site](#); and
- d) An [inflatable sign](#) can only be located on a [site](#) twice in a calendar year and not for longer than thirty (30) consecutive days each time.

14.13 Marquee or Canopy Signs

14.13.1 [Marquee or canopy signs may](#) be approved by the [Development Authority](#) provided that the sign:

- a) Is attached to the edge of the marquee or canopy;
- b) Has no additional supporting wires or stays attached to the sign structure or wall;
- c) Has no part projecting below the bottom edge, or more than 92.0cm (36.2in) above the top edge of the marquee or [canopy](#);
- d) Does not exceed in area the equivalent of 25% of the building façade area;
- e) Copy on any single face of the [canopy](#) does not exceed in area 50% of the area of the face of the [canopy](#);
- f) Is located on a [business frontage](#);
- g) Is no less than 2.5m (8.2ft) above [grade](#);
- h) Does not project over a [road](#) or [lane](#)

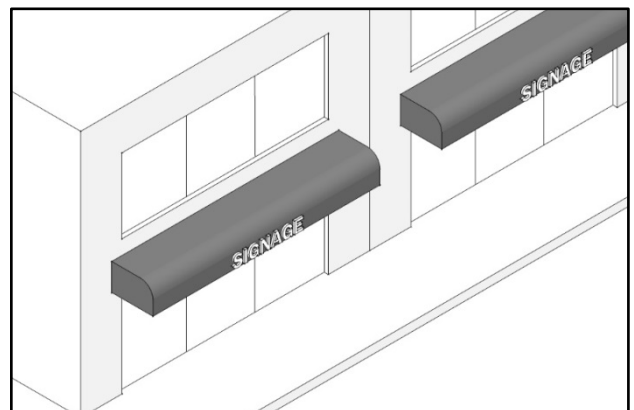


Figure 14.6 Canopy Sign

14.13.2A sign not exceeding 31.0cm (12.2in) x 124.0cm (48.8in) in outside dimensions may be suspended below a marquee or canopy provided no part of the sign shall be closer than 2.5m (8.2ft) to the ground or sidewalk.

14.14 Portable Signs

14.14.1 Portable signs meeting the requirements in **Error! Reference source not found.**, may be approved by the Development Authority provided that:

- a) The portable sign application is completed to the satisfaction of the Development Authority;
- b) The portable sign does not interfere with vehicle access or egress, parking, loading or walkway areas, or visibility for traffic;
- c) It is not less than 15.3m (50.2ft) from any existing portable sign;
- d) Notwithstanding section (c), there is not more than one portable sign for each 15.3m (50.2ft) of business frontage, or portion thereof.
- e) Notwithstanding sections (c) and (d), one (1) portable sign may be allowed for each business in a multiple-occupancy development;
- f) The portable sign is located a minimum of 15.2m (49.9ft) from the intersections of any roads or lanes;
- g) The portable sign bears a name plate indicating the name and telephone number of the owner of the sign together with, at the option of the owner, the mailing address of the owner of the sign. Where a person or business owns more than one portable sign, the signs shall be numbered or otherwise identified;

- h) The placement of portable signs on a road right-of-way is prohibited; and
- i) Portable signs may be approved on municipal lands, as designated by the Development Authority, for the advertising needs of community or non-profit organizations.

14.14.2 All development permits for portable signs shall be issued for 3-, 6- and 12-month time periods. As well, should the sign in any way come to contravene this Bylaw, the development permit may be revoked by the Development Authority prior to the expiration of the time period.

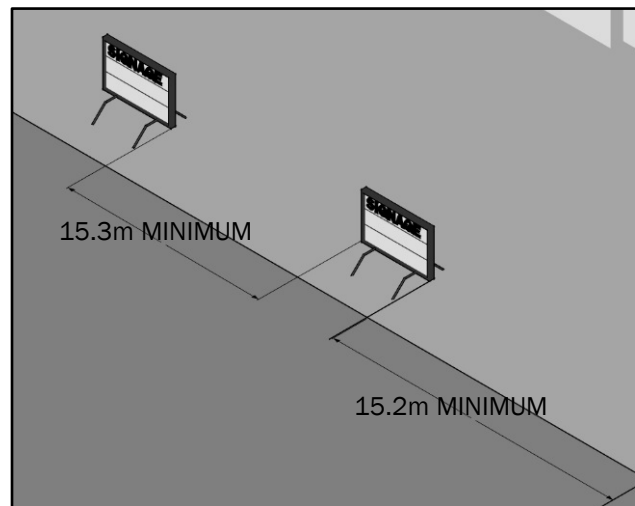


Figure 14.7 Portable Sign Requirements

14.15 Projecting Signs

In the DT-MU, DT-T and C-H districts, projecting signs meeting the requirements in Figure 14.8 Projecting Sign Requirements for may be approved by the Development Authority provided that :

- a) For any building located less than 6.0m (19.7ft) from a property line, not more than one projecting sign 2.4m² (25.8ft²) or less in area is erected; and

- b) No part of the sign, as outlined Figure 14.8 Projecting Sign Requirements for DT-MU, DT-T & C-H Districts:
 - i) Extends more than 1.0m (3.3ft) above the parapet of the [building](#);
 - ii) Extends more than 1.5m (4.9ft) from the face of the building; and
 - iii) Is less than 3.0m (9.8ft) above ground.

- c) No part of the sign projects more than 92.0cm (36.2in) above the top of the vertical face of the wall to which it is attached;
- d) There is only one [projecting sign](#) for each [business frontage](#), provided that, if a [business frontage](#) exceeds 15.3m (50.2ft), a further [projecting sign](#) is permitted for each additional 15.3m (50.2ft) or portion thereof; and
- e) The permitted [area of the sign shall](#) be at the discretion of the [Development Authority](#).

14.15.1 In C-MP, I-H, I-L, I, PR, and DC districts a

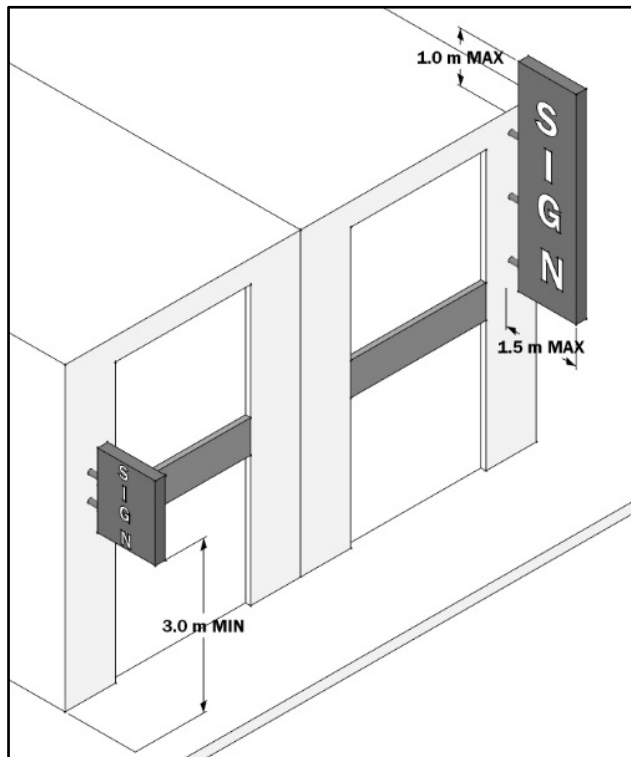


Figure 14.8 Projecting Sign Requirements for DT-MU, DT-T & C-H Districts

[projecting sign shall](#) conform to the following criteria:

- a) No part of the sign is less than 3.0m (9.8ft) above ground;
- b) No part of the sign projects more than 2.0m (6.6ft) over public property, or comes within 0.6m (2.0ft) of the curb or edge of a roadway;

14.16 Roof Signs

14.16.1 The [Development Authority may](#) approve [roof signs](#) provided that:

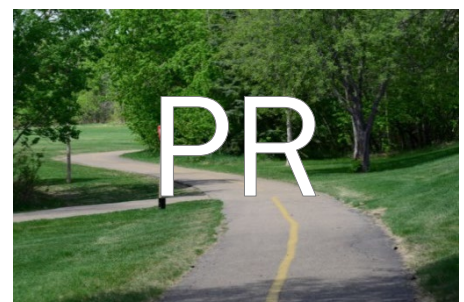
- a) The sign is attached to a flat [roof](#) on a [building](#) more than 10.5m (34.4ft) high;
- b) No part of the sign is less than 1.2m (3.9ft) or more than 4.6m (15.1ft) above the level of the [roof](#); and
- c) The sign refers to the business conducted in the [building](#) on which it is [erected](#).

Part V

District Regulations



15 Land Use District Regulations



15.1 R1 Low Density Residential District

Purpose

15.1.1 The general purpose of this district is to allow low [density](#) [single-family](#) residential [development](#) and associated supporting [uses](#) that [may](#) be appropriate for low [density](#) neighbourhoods.

Regulations

15.1.2 [Permitted](#) and [discretionary uses](#) within the R1 district are outlined in Table 15.1.1

15.1.3 Development standards for [principal uses](#) and [accessory buildings](#) in R1 district are outlined in Table 15.1.2 and Table 15.1.3.



Table 15.1.1 R1 Permitted and Discretionary Uses

| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Attached Garage | P | |
| Detached Garage | P | |
| Dwelling, Modular Home | P | |
| Dwelling, Single-Family | P | |
| Public Utility | P | |
| Assisted Living Facility, Limited | | D |
| Bed and Breakfast Establishment | | D |
| Child Care Facility | | D |
| Dwelling, Two-Family | | D |
| Home Occupation | | D |
| Secondary Suite | | D |

Table 15.1.2 R1 Development Standards for Principal Uses

| Regulation | Standard |
|---|---|
| Lot Dimension, Minimum | Width: 15.0m (49.2ft) Depth: 35.0m (114.8ft) |
| Parcel Area, Minimum | 450.0m ² (4,843.8ft ²) |
| Parcel Coverage , Maximum | Total: 40% Principal building : 30% |
| Front Setback, Minimum | 6.0m (19.7ft) |
| Front Setback Plan 1720439, Minimum | 3.0m (9.8ft) |
| Flanking Front Setback | 3.0m (9.8ft) |
| Side Setback, Minimum | 1.2m (3.9ft) |
| Rear Setback, Minimum | 7.5m (24.6ft) |
| Floor Area, Minimum | 100.0m ² (1,076.4ft ²) |
| Height, Maximum | 10.0m (32.8ft) 2 storeys |
| Number of Dwelling Units | 1 dwelling unit plus a secondary suite per lot for single-family ; 2 dwelling units per lot for two-family |
| Density , Maximum | 25 units/net hectare |

Table 15.1.3 R1 Development Standards for Accessory Buildings/Structures

| Regulation | Standard |
|----------------------------------|----------------|
| <u>Parcel Coverage</u> , Maximum | 10% |
| Front Setback, Minimum | 6.0m (19.7ft) |
| Flanking Front Setback | 3.0m (9.8ft) |
| Side Setback, Minimum | 1.0m (3.3ft) |
| Rear Setback, Minimum | 1.0m (3.3ft) |
| Height, Maximum | 4.6 m (15.1ft) |

Development Regulations

- 15.1.4 Where an accessory structure including a garage or carport is attached to a principal building by a roof, open or close structure or foundation, it shall be considered as part of the principal building and not an accessory building.
- 15.1.5 Development of single-family dwellings where no lanes are provided must include provision for future development of a garage, either attached or detached, and access to it.
- 15.1.6 No person shall construct a fence higher than 1.8m (6ft) in any residential district. The height of the fence along the front and side property lines within the portion of the front yard located beyond the front setback line of the principal building shall be no greater than 0.9m (3.0ft).
- 15.1.7 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, and the owner of such materials or excavations assumes full responsibility and does not permit the excavation or storage to last any longer than reasonably necessary to complete a particular stage of construction work.

- 15.1.8 The Development Authority shall exercise discretion in considering two-family dwellings with regard to:
 - a) Compatibility of the use with the siting, height, building types, and material characteristic of surrounding dwellings; and
 - b) The effect on the privacy of adjacent properties.

15.2 R2 Medium Density Residential District

Purpose

15.2.1 The general purpose of this district is to allow a variety of medium [density](#) residential land [uses](#) such as for [row housing](#) and [stacked row housing developments](#).

Regulations

15.2.2 [Permitted](#) and [discretionary uses](#) within the R2 district are outlined in Table 15.2.1.

15.2.3 Development standards for [principal uses](#) and [accessory](#) buildings in the R2 district are outlined in Table 15.2.2 and Table 15.2.3.



Table 15.2.1 R2 Permitted and Discretionary Uses

| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Attached Garage | P | |
| Detached Garage | P | |
| Dwelling, Modular Home | P | |
| Dwelling, Row Housing | P | |
| Dwelling, Single-Family | P | |
| Dwelling, Stacked Row Housing | P | |
| Dwelling, Two-Family | P | |
| Public Utility | P | |
| Child Care Facility | | D |
| Dwelling, Manufactured Home | | D |
| Home Occupation | | D |
| Secondary Suite* | | D |

* '[Secondary Suite](#)' shall be permitted in only '[Dwelling, Single-Family](#)'

Table 15.2.2 R2 Development Standards for Principal Uses

| Regulation | Standard |
|---|---|
| Lot Dimension, Minimum | Width: 15.0m (49.2ft) Depth: 35.0m (114.8ft) |
| Parcel Area, Minimum | 450.0m ² (4,843.8ft ²) |
| Parcel Coverage , Maximum | Total: 50% Principal building : 40% Accessory buildings : 10% |
| Front Setback, Minimum | Public road : 6.0m (19.7ft) Flanking: 3.0m (9.8ft) |
| Side Setback, Minimum | 1.5m (4.9ft) |
| Rear Setback, Minimum | 3.0m (9.8ft) |
| Height, Maximum | 12.0m (39.4ft) 2.5 storeys |
| Density , Maximum | 50 units/net hectare |

Table 15.2.3 R2 Development Standards for Accessory Buildings/Structures

| Regulation | Standard |
|---------------------------------|----------------|
| Parcel Coverage, Maximum | 10% |
| Front Setback, Minimum | 6.0m (19.7ft) |
| Flanking Front Setback | 3.0m (9.8ft) |
| Side Setback, Minimum | 1.0m (3.3ft) |
| Rear Setback, Minimum | 1.0m (3.3ft) |
| Height, Maximum | 4.6 m (15.1ft) |

Development Regulations

- 15.2.4 Where an accessory structure including a garage or carport is attached to a [principal building](#) by a [roof](#), open or close structure or [foundation](#), it [shall](#) be considered as part of the [principal building](#) and not an [accessory building](#).
- 15.2.5 Where no rear alley is provided, [development](#) of [two-family dwellings](#) [shall](#) include provision for future [development](#) of a garage, either attached or detached, and access to it. Parking for [row housing](#) and [stacked row housing](#) [shall](#) be either covered or provided as a surface parking lot.

- 15.2.6 Where a rear alley exists, the [two-family dwelling](#), [row housing](#) or [stacked row housing](#) [shall](#) provide vehicular access from rear of the property.
- 15.2.7 No person [shall](#) construct a [fence](#) higher than 1.8m (6.0ft) in any residential district. The height of the [fence](#) along the front and [side](#) property lines within the portion of the [front yard](#) located beyond the front setback line of the [principal building](#) [shall](#) be no greater than 0.9m (3ft).
- 15.2.8 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, and the owner of such materials or [excavations](#) assumes full responsibility, and does not permit the [excavation](#) or storage to last any longer than reasonably necessary to complete a particular stage of construction work.
- 15.2.9 [Front](#) and [rear yards](#) [shall](#) be considered as [amenity areas](#) for [row housing](#) and [stacked row housing developments](#).

15.3 R3 High Density Residential District

Purpose

15.3.1 The general purpose of this district is to allow high [density residential development](#) including [row housing](#), [stacked row housing](#), [apartment housing](#) and other supporting non-residential [uses](#) that [may](#) be appropriate to serve the high [density](#) residential areas.

Regulations

15.3.2 [Permitted](#) and [discretionary uses](#) within the R3 district are outlined in Table 15.3.1.

15.3.3 Development standards for [principal uses](#) and [accessory buildings](#) in the R3 district are outlined in Table 15.3.2 and Table 15.3.3.



Table 15.3.1 R3 Permitted and Discretionary Uses

| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Assisted Living Facility | P | |
| Attached Garage | P | |
| Detached Garage | P | |
| Dwelling, Apartment | P | |
| Dwelling, Row Housing | P | |
| Dwelling, Stacked Row Housing | P | |
| Public Utility | P | |
| Child Care Facility | | D |
| Retail, General | | D |

Table 15.3.2 R3 Development Standards for Principal Uses

| Regulation | Standard |
|--|--|
| Lot Dimension, Minimum | Width: 20.0m (65.6ft) Depth: 35.0m (114.8ft) |
| Parcel Area, Minimum | 700.0m ² (7,534.7ft ²) |
| Parcel Coverage, Maximum | Total: 50% Principal building : 40% |
| Front Setback, Minimum | 6.0m (19.7ft) |
| Flanking Front Setback | 3.0m (9.8ft) |
| Side Setback, Minimum | 3.0m (9.8ft) |
| Rear Setback, Minimum | 7.5m (24.6ft) |
| Height, Maximum | 16.0m (52.5ft) 4 storeys |
| Density, Maximum | 80 units/net hectare |

Table 15.3.3 R3 Development Standards for Accessory Buildings/Structures

| Regulation | Standard |
|--|---------------|
| Parcel Coverage, Maximum | 10% |
| Front Setback, Minimum | 6.0m (19.7ft) |
| Flanking Front Setback | 3.0m (9.8ft) |
| Side Setback, Minimum | 1.0m (3.3ft) |

| Regulation | Standard |
|-----------------------|---------------|
| Rear Setback, Minimum | 3.0m (9.8ft) |
| Height, Maximum | 4.6m (15.1ft) |

Development Regulations

15.3.4 Where an accessory structure including a garage or carport is attached to a principal building by a roof, open or close structure or foundation, it shall be considered as part of the principal building and not an accessory building; and

15.3.5 Where rear alley exists, apartment housing, row housing or stacked row housing shall provide vehicular access from rear of the property. Attached or detached front garages or car ports shall be discouraged for parcels where rear alleys exist.

15.3.6 No person shall construct a fence higher than 1.8m (6.0ft) in any residential district. The height of the fence along the front and side property lines within the portion of the front yard located beyond the front setback line of the principal building shall be no greater than 0.9m (3.0ft).

15.3.7 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, and the owner of such materials or excavations assumes full responsibility and does not permit the excavation or storage to last any longer than reasonably necessary to complete a particular stage of construction work.

15.3.8 Amenity area requirement for apartment developments shall be as follows:

- a) 7.5m² (80.7ft²) per unit indoor amenity area which may include area used for covered or uncovered balconies and other indoor common recreational facilities including multipurpose facilities, gymnasium or other similar facilities for use of apartment residents; and

- b) A minimum 10% of the site area to be developed as outdoor amenity area for outdoor recreational uses such as a gazebo, outdoor seating, children’s play area or similar uses.

15.3.9 Front and rear yards shall be considered as amenity areas for row housing and stacked row housing developments.

15.3.10 Site planning and design regulations for stacked row housing, row housing and apartment dwellings shall be as follows:

- a) Where two (2) or more buildings are on one lot, there shall be a minimum separation distance of 6.0m (19.7ft) between the walls of the two buildings;
- b) Residential units on ground floor of row housing, apartment housing or multifamily housing fronting the public sidewalk shall provide an at grade separation of minimum 1m (3ft) from the public sidewalk level;
- c) In the case of two or more grouped buildings, the relationship of the buildings to each other and to the site, in particular, in respect to such matters as appearance, provision of adequate light, privacy, and landscaping shall be fully shown in the site plans for the whole development and shall be to the satisfaction of the Development Authority;
- d) Development involving a row housing complex shall provide front, rear and side setbacks in accordance with Table 15.3.1. In addition, the internal lots shall also be required to provide the minimum front setbacks from internal private roadways as well as side and rear setbacks established in Table 15.3.1;
- e) 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 similar equipment; and

- f) Waste collection areas [shall](#) generally be located at the rear of the property and appropriately screened from adjacent

properties and the public roadway using appropriate [landscaping](#) measures to the satisfaction of the [Development Authority](#).

15.4 R4 Estate Residential District

Purpose

15.4.1 The general purpose of this district is to provide for large [lot](#) [single-family](#) residential [development](#).

Regulations

15.4.2 [Permitted](#) and [discretionary uses](#) within the R4 district are outlined in Table 15.4.1.

15.4.3 Development standards for [principal uses](#) and [accessory buildings](#) in the R4 district are outlined in Table 15.4.2 and Table 15.4.3.



Table 15.4.1 R4 Permitted and Discretionary Uses

| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Attached Garage | P | |
| Detached Garage | P | |
| Dwelling, Modular Home | P | |
| Dwelling, Single-Family | P | |
| Public Utility | P | |
| Secondary Suite | P | |
| Bed and Breakfast Establishment | | D |
| Child Care Facility | | D |
| Home Occupation | | D |

Table 15.4.2 R4 Development Standards for Principal Uses

| Regulation | Standard |
|--|--|
| Lot Dimension, Minimum | Width: 30.0m (98.4ft) Depth: 70.0m (229.7ft) |
| Parcel Area, Minimum | 2,100.0m ² (22,604.2ft ²) |
| Parcel Coverage, Maximum | Total: 35% Principal building : 25% |
| Front Setback, Minimum | 6.0m (19.7ft) |
| Side Setback, Minimum | 3.0m (9.8ft) |
| Rear Setback, Minimum | 7.5m (24.6ft) |
| Floor Area, Minimum | 150.0m ² (1614.6ft ²) |
| Height, Maximum | 10.0m (32.8ft) 2 storeys |
| Number of Dwelling Units | 1 dwelling unit plus a secondary suite per lot |

Table 15.4.3 R4 Development Standards for Accessory Buildings/Structures

| Regulation | Standard |
|---------------------------------|---------------|
| Parcel Coverage, Maximum | 10% |
| Front Setback, Minimum | 6.0m (9.8ft) |
| Flanking Front Setback | 6.0m (9.8ft) |
| Side Setback, Minimum | 1.0m (3.3ft) |
| Rear Setback, Minimum | 1.0m (3.3ft) |
| Height, Maximum | 4.6m (15.1ft) |

Development Regulations

- 15.4.4 No person shall construct a fence higher than 1.8m (6.0ft) in any residential district. The height of the fence along the front and side property lines within the portion of the front yard located beyond the front setback line of the principal building shall be no greater than 0.9m (3.0ft).

- 15.4.5 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, and the owner of such materials or excavations assumes full responsibility and does not permit the excavation or storage to last any longer than reasonably necessary to complete a particular stage of construction work.

15.5 RMH-1 Manufactured Home Subdivision Residential District

Purpose

15.5.1 The general purpose of this district is to allow the [development](#) of residential subdivisions composed of [manufactured homes](#).

Regulations

15.5.2 [Permitted](#) and [discretionary uses](#) within the RMH-1 district are outlined in Table 15.5.1.

15.5.3 Development standards for [principal uses](#) and [accessory buildings](#) in the RMH-1 district are outlined in Table 15.5.2 and Table 15.5.3.



Table 15.5.1 RMH-1 Permitted and Discretionary Uses

| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Attached Garage | P | |
| Detached Garage | P | |
| Dwelling, Manufactured Home | P | |
| Child Care Facility | | D |
| Dwelling, Single-Family | | D |
| Home Occupation | | D |

Table 15.5.2 RMH-1 Development Standards for Principal Uses

| Regulation | Standard |
|--|---|
| Lot Dimension, Minimum | Width: 15.0m (49.2ft) Depth: 35.0m (114.8ft) |
| Parcel Area, Minimum | 450.0m ² (4,843.8ft ²) |
| Parcel Coverage, Maximum | Total: 40% Principal building : 30% |
| Front Setback, Minimum | 6.0m (19.7ft) |
| Flanking Front Setback | 3.0m (9.8ft) |
| Side Setback, Minimum | 1.2m (3.9ft) |
| Rear Setback, Minimum | 7.5m (24.6ft) |
| Floor Area, Minimum | 100.0m ² (1,076.4ft ²) |
| Height, Maximum | 6.0m (19.7ft) 1 storeys |
| Number of Dwelling Units | 1 dwelling unit per lot |

Table 15.5.3 RMH-1 Development Standards for Accessory Buildings/Structures

| Regulation | Standard |
|--------------------------|---------------|
| Parcel Coverage, Maximum | 10% |
| Front Setback, Minimum | 6.0m (19.7ft) |
| Flanking Front Setback | 3.0m (9.8ft) |
| Side Setback, Minimum | 1.0m (3.3ft) |
| Rear Setback, Minimum | 1.0m (3.3ft) |
| Height, Maximum | 4.6m (15.1ft) |

Development Regulations

- 15.5.4 No parking shall be located in the front yard unless it is a driveway on either side of the manufactured home.
- 15.5.5 Detached garages shall be set back a minimum of 2.4m (7.9ft) from the manufactured home.
- 15.5.6 No person shall construct a fence higher than 1.8m (6ft) in any residential district. The height of the fence along the front and side property lines within the portion of the front yard located beyond the front setback line of the principal building shall be no greater than 0.9m (3.0ft).
- 15.5.7 The design and siting of manufactured homes and accessory buildings shall comply with the following:
 - a) Only one manufactured home may be located on a lot in a manufactured home subdivision;
 - b) All accessory buildings and structures such as steps, patios, porches, additions, and storage facilities shall be:
 - i) Factory prefabricated or the equivalent, the exterior and design of which shall match the manufactured home;

- ii) Considered as part of the principal building; and
- iii) Erected only after obtaining a development permit.

15.6 RMH-2 Manufactured Home Park Residential District

Purpose

15.6.1 The general purpose of this district is to allow the development of [manufactured home developments](#) where individual [manufactured home sites](#) are leased separately. A [manufactured home park](#) generally has only one land title. The common internal green space and other community facilities are shared by all leaseholders.

Regulations

15.6.2 [Permitted](#) and [discretionary uses](#) within the RMH-2 district are outlined in Table 15.6.1.

15.6.3 Development standards for [principal uses](#) and [accessory buildings](#) in the RMH-2 are outlined in Table 15.6.2 and Table 15.6.3.



Table 15.6.1 RMH-2 Permitted and Discretionary Uses

| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Attached Garage | P | |
| Detached Garage | P | |
| Dwelling, Manufactured Home | P | |
| Child Care Facility | | D |

Table 15.6.2 RMH-2 Development Standards for Principal Uses

| Regulation | Standard |
|--|---|
| Stall Dimension, Minimum | Width: 13.7m (44.9ft) Depth: 30.0m (98.4ft) |
| Parcel Area | Minimum: 0.8ha (2.0ac) Maximum: 4.0ha (10.0ac) |
| Stall Coverage, Maximum | 28% (not including accessory buildings /structures) |
| Stall Front Setback, Minimum | 6.0m (19.7ft) |
| Stall Side Setback, Minimum | 1.5m (4.9ft) |
| Stall Rear Setback, Minimum | 1.5m (4.9ft) |
| Density , Maximum | 20 manufactured homes per ha (8.1 per ac) |

Table 15.6.3 RMH-2 Development Standards for Accessory Buildings/Structures

| Regulation | Standard |
|--------------------------|---------------|
| Parcel Coverage, Maximum | 12% |
| Front Setback, Minimum | 6.0m (19.7ft) |
| Flanking Front Setback | 3.0m (9.8ft) |
| Side Setback, Minimum | 1.0m (3.3ft) |
| Rear Setback, Minimum | 1.0m (3.3ft) |
| Height, Maximum | 4.6 m(15.1ft) |

Development Regulations

- 15.6.4 No parking shall be located in the front yard unless it is a driveway on either side of the manufactured home.
- 15.6.5 Detached garages shall be set back a minimum of 2.4m (7.9ft) from the manufactured home.
- 15.6.6 Visitor parking area(s) shall be hard-surfaced and provided at a ratio of one (1) space for every four (4) manufactured home stalls and shall be conveniently located.
- 15.6.7 Visitor parking areas shall be signed as such and shall be placed in convenient locations throughout the Manufacture Home Park and not used for storage of tenants' recreational vehicles and equipment.
- 15.6.8 No person shall construct a fence higher than 1.8m (6.0ft) in any residential district. The height of the fence along the front and side property lines within the portion of the front yard located beyond the front setback line of the principal building shall be no greater than 0.9m (3.0ft).

15.6.9 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, and the owner of such materials or excavations assumes full responsibility and does not permit the excavation or storage to last any longer than reasonably necessary to complete a particular stage of construction work.

15.6.10 The design and siting of manufactured homes and accessory buildings shall comply with the following:

- a) The front, rear and side setbacks shall be in accordance with Table 15.6.2 and Table 15.6.3. In addition, internal stalls shall also be required to provide the minimum front setbacks from internal private roadways as well as side and rear setbacks established in Table 15.6.2 and Table 15.6.3;
- b) Only one manufactured home may be located on a stall in a manufactured home park;
- c) Smaller site areas may be approved at the discretion of the Development Authority where development is proposed to be staged and where the site is adjacent to another or a proposed manufactured home park;
- d) All roads and lanes in a manufactured home park shall be paved, well drained, and maintained to the satisfaction of the Development Authority. Minimum roadway width, including travelled surface and storm drains, shall be 10.5m (34.4ft). Manufactured homes and all community facilities in a manufactured home park shall be connected by a safe, convenient, concrete pedestrian walkway of at least 1.2m (3.9ft) in width;
- e) Manufactured home parks shall have at least two legal road accesses;

- f) A minimum of 10% of the stall area shall be provided for the recreational use of the manufactured home park occupants. The recreational area shall be:
- i) Located convenient to all manufactured home park residents;
 - ii) Free from traffic hazards;
 - iii) Be clearly marked and landscaped;
 - iv) Screened or fenced;
 - v) Not included in areas designated as buffer strips; and
 - vi) The amount of recreation space may be reduced at the discretion of the Development Authority if, in its opinion, adequate recreation space exists in the area in which the manufactured home park is located.
- g) Screening in the form of vegetation or fencing to the satisfaction of the Development Authority shall be provided:
- i) Between the manufactured home park and adjacent uses where the uses are incompatible with the residential use of the manufactured home park; and
 - ii) Around laundry areas, service buildings, and garbage collection facilities.
- h) All accessory buildings and structures such as steps, patios, porches, additions, and storage facilities shall be:
- i) Factory prefabricated or the equivalent thereof, the exterior and design of which shall match the manufactured home;
 - ii) Considered as part of the principal building; and
 - iii) Erected only after obtaining a development permit.
- i) Additions to a manufactured home shall have a foundation or skirting equivalent to that of the manufactured home.
- 15.6.11 The owner, or person in charge of the manufactured home park, shall at all times:
- a) Maintain the park and the common buildings, structures, and improvements thereon in a clean, neat, tidy, and attractive condition and free from all rubbish and debris; and
- 15.6.12 Each manufactured home stall shall be clearly marked on the ground by permanent stakes, markers, or other means and shall be clearly defined with a stall number or other address system.

15.7 DT-MU Downtown Mixed Use District

Purpose

15.7.1 The general purpose of the DT-MU district is to provide for a wide variety of commercial mixed-use [developments](#) within the downtown to serve the surrounding community and promote walkability.

Regulations

15.7.2 [Permitted](#) and [discretionary uses](#) within the DT-MU district are outlined in Table 15.7.1.

15.7.3 [Development](#) standards for [principal uses](#) in the DT-MU district are outlined in Table 15.7.2.



| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Dwelling, Apartment* | P | |
| Attached Garage | P | |
| Child Care Facility | P | |
| Commercial School | P | |
| Cultural and Community Facility | P | |
| Detached Garage | P | |
| Eating and Drinking Establishment | P | |
| Entertainment Establishment, Indoor | P | |
| Financial Service | P | |
| Funeral Home | P | |
| Health service | P | |
| Hotel | P | |
| Parking Facility | P | |

| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Personal Service Shop | P | |
| Place of Worship | P | |
| Private Club | P | |
| Professional, Office, Government and Business Service | P | |
| Public Utility | P | |
| Retail, Cannabis | P | |
| Retail, General | P | |
| Retail, Liquor | P | |
| Workshop, Limited | P | |
| Assisted Living Facility | | D |
| Automotive Repair, Service, Rental and Sales | | D |
| Shopping Centre | | D |

*above ground floor retail use

Table 15.7.1 DT-MU Permitted and Discretionary Uses

Table 15.7.2 DT-MU Development Standards for Principal Uses

| Regulation | Standard |
|---------------------------------|---|
| Lot Dimension, Minimum | Width: 10.0m (32.8ft) Depth: 35.0m (114.8ft) |
| Parcel Area, Minimum | 350.0m ² (3,767.37ft ²) |
| Parcel Coverage, Maximum | Total: 100% |
| Front Setback, Minimum | 0.0m |
| Side Setback, Minimum | 0.0m |
| Rear Setback, Minimum | 3.0m (9.8ft) |
| Height | 16.0m (52.5ft) 4 storeys |

Development Regulations

15.7.4 No person [shall](#) construct a [fence](#) higher than 1.8m (6.0ft). Fencing [shall](#) not be permitted along the front and [side](#) property lines within the front setback area; and

15.7.5 If [buildings](#) are setback from the front property line, the front setback area [shall](#) provide [landscaping](#) treatment consistent with the public sidewalk treatment.

15.7.6 Architectural Controls

- a) 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;
- b) Blank facades [shall](#) be minimised;
- c) Ground floor [shall](#) provide multiple entrances. In addition, a minimum of 50% of the ground floor façade [shall](#) provide transparency to improve pedestrian interaction;

- d) A separate distinguishable entrance [shall](#) be provided for residential [uses](#) above ground floor commercial [uses](#), if any;
- e) Buildings [shall](#) provide special architectural treatment such as change in [roof](#) line, height accentuation, special canopies or other similar mechanisms at corner locations;
- f) 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](#);
- g) The [Development Authority](#) [may](#) require a uniform [roof](#) line, a uniform [canopy](#) or projections line, and a uniform height from sidewalk to display windows in the case of two or more adjacent [buildings](#);
- h) The [Development Authority](#) [shall](#) ensure that signs are visually compatible with each other and that the individual signs do not detract from the appearance of the area or [road](#); and
- i) [Accessory buildings](#) [may](#) only be permitted in the rear setback area, if any.

15.7.7 [General retail](#) stores [shall](#) not include [buildings](#) or [yards](#) used for the sale or storage of new or used motor vehicles or agricultural or heavy industrial machinery or equipment.

15.8 DT-T Downtown Transitional

Purpose

15.8.1 The general purpose of this district is to provide for a range of commercial and retail [uses](#) that would help integrate the downtown district with adjacent residential districts.

Regulations

15.8.2 [Permitted](#) and [discretionary uses](#) within the DT-T district are outlined in Table 15.8.1.

15.8.3 Development standards for [principal uses](#) and [accessory buildings](#) in the DT-T district are outlined in Table 15.8.2 and Table 15.8.3.



Table 15.8.1 DT-T Permitted and Discretionary Uses

| Use | Permitted | Discretionary |
|--|-----------|---------------|
| Auctioneering Establishment | P | |
| Automotive Repair, Service, Rental and Sales | P | |
| Commercial School | P | |
| Dwelling, Apartment | P | |
| Eating and Drinking Establishment | P | |
| Entertainment Establishment, Outdoor | P | |
| Funeral Home | P | |
| Parking Facility | P | |
| Personal Service Shop | P | |
| Place of Worship | P | |
| Private Club | P | |

| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Professional, Office, Government and Business Service | P | |
| Public Utility | P | |
| Workshop, Limited | P | |
| Cultural and Community Facility | | D |
| Dwelling, Single-Family | | D |
| Entertainment Establishment, Indoor | | D |
| Health service | | D |
| Recycling Depot | | D |
| Retail, General | | D |
| Retail, Liquor | | D |
| Dwelling, Two-Family | | D |

Table 15.8.2 DT-T Development Standards for Principal Uses

| Regulation | Standard |
|---------------------------------|---|
| Parcel Area, Minimum | 450.0m ² (4,843.8ft ²) |
| <u>Parcel Coverage, Maximum</u> | Total: 50% <u>Principal building:</u> 40% |
| Front Setback, Minimum | 3.0m (9.8ft) |
| Flanking Front Setback, Minimum | 3.0m (9.8ft) |
| Side Setback, Minimum | 1.5m (4.9ft) |
| Rear Setback, Minimum | 3.0m (9.8 ft) |
| Height | 16.0m (52.5ft) 4 <u>storeys</u> |

Table 15.8.3 DT-T Development Standards for Accessory Buildings/Structures

| Regulation | Standard |
|---------------------------------|---------------|
| <u>Parcel Coverage, Maximum</u> | 10% |
| Front Setback, Minimum | 3.0m (9.8ft) |
| Flanking Front Setback | 3.0m (9.8ft) |
| Side Setback, Minimum | 1.2m (3.9ft) |
| Rear Setback, Minimum | 1.0m (3.3ft) |
| Height, Maximum | 4.6m (15.1ft) |

Development Regulations

15.8.4 No person shall construct a fence higher than 1.8m (6.0ft). Fencing shall not be permitted along the front and side property lines within the front setback area.

15.8.5 The following site planning and design considerations shall apply to all developments:

- a) 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.

15.8.6 Developments adjacent to residential districts or residential uses shall comply with the following:

- a) The development of permitted and discretionary uses shall be carefully buffered in order to alleviate, mitigate or eliminate, to the satisfaction of the Development Authority, any negative impact the commercial use may have on the existing or future residential use; and
- b) In addition, if, in the opinion of the Development Authority, the alleviation, mitigation or elimination of the negative impact of a proposed discretionary use on an existing or future residential use cannot be reasonably assured, the Development Authority may refuse to approve any development permit for a discretionary use.

15.9 C-MP Commercial Multi-Purpose

Purpose

15.9.1 The general purpose of this district is to provide for a wide range of commercial and retail businesses and services at a medium intensity and which serve areas within and beyond the surrounding community and which are not suitable for downtown as well as highway corridor areas.

Regulations

15.9.2 [Permitted](#) and [discretionary uses](#) within the C-MP district are outlined in Table 15.9.1.

15.9.3 Development standards for [principal uses](#) and [accessory buildings](#) in the C-MP district are outlined in Table 15.9.2 and Table 15.9.3.

Table 15.9.1 C-MP Permitted and Discretionary Uses

| Use | Permitted | Discretionary |
|--|-----------|---------------|
| Dwelling, Apartment | P | |
| Auctioneering Establishment | P | |
| Automotive Repair, Service, Rental and Sales | P | |
| Commercial School | P | |
| Drive-In Business | P | |
| Eating and Drinking Establishment | P | |
| Entertainment Establishment, Outdoor | P | |
| Funeral Home | P | |
| Hotel | P | |
| Parking Facility | P | |
| Personal Service Shop | P | |
| Place of Worship | P | |



| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Private Club | P | |
| Professional, Office, Government and Business Service | P | |
| Public Utility | P | |
| Workshop, Limited | P | |
| Cultural and Community Facility | | D |
| Dwelling, Single-Family | | D |
| Entertainment Establishment, Indoor | | D |
| Equipment Rental, Sales and Service Establishment | | D |
| Fleet Services | | D |
| Health service | | D |
| Outdoor Storage | | D |
| Recycling Depot | | D |
| Retail, Liquor | | D |
| Service Station | | D |
| Shopping Centre | | D |

Table 15.9.2 C-MP Development Standards for Principal Uses

| Regulation | Standard |
|----------------------------------|---|
| Parcel Area, Minimum | 450.0m ² (4,843.8ft ²) |
| <u>Parcel Coverage</u> , Maximum | Total: 50% <u>Principal building</u> : 40% |
| Front Setback, Minimum | 3.0m (9.8ft) |
| Flanking Front Setback, Minimum | 3.0m (9.8ft) |
| Side Setback, Minimum | 1.5m (4.9ft) |
| Rear Setback, Minimum | 3.0m (9.8 ft) |
| Height | 16.0m (52.5ft) 4 <u>storeys</u> |

Table 15.9.3 C-MP Development Standards for Accessory Buildings/Structures

| Regulation | Standard |
|----------------------------------|---------------|
| <u>Parcel Coverage</u> , Maximum | 10% |
| Front Setback, Minimum | 3.0m (9.8ft) |
| Flanking Front Setback | 3.0m (9.8ft) |
| Side Setback, Minimum | 1.2m (3.9ft) |
| Rear Setback, Minimum | 1.0m (3.3ft) |
| Height, Maximum | 4.6m (15.1ft) |

Development Regulations

- 15.9.4 No person shall construct a fence higher than 1.8m (6.0ft). Fencing shall not be permitted along the front and side property lines within the front setback area.
- 15.9.5 The following site planning and design considerations shall apply to all developments:
- a) 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.
- 15.9.6 Developments adjacent to residential districts or residential uses shall comply with the following:
- a) The development of permitted and discretionary uses shall be carefully buffered in order to alleviate, mitigate or eliminate, to the satisfaction of the Development Authority, any negative impact the commercial use may have on the existing or future residential use; and
 - b) In addition, if, in the opinion of the Development Authority, the alleviation, mitigation or elimination of the negative impact of a proposed discretionary use on an existing or future residential use cannot be reasonably assured, the Development Authority may refuse to approve any development permit for a discretionary use.

15.10 C-H Highway Commercial District

Purpose

15.10.1 The general purpose of this district is to provide for certain commercial [uses](#) appropriate for serving the travelling and regional population along highways and which [may](#) not be suitable within downtown or other commercial areas within the Town.

Regulations

15.10.2 [Permitted](#) and [discretionary uses](#) within the C-H district are outlined in Table 15.10.1.

15.10.3 Development standards for the C-H district are outlined in Table 15.10.2.

Table 15.10.1 C-H Permitted and Discretionary Uses

| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Agricultural Equipment Sales and Service | P | |
| Auctioneering Establishment | P | |
| Automotive Repair, Service, Rental and Sales | P | |
| Commercial School | P | |
| Drive-In Business | P | |
| Eating and Drinking Establishment | P | |
| Entertainment Establishment, Indoor | P | |
| Equipment Rental, Sales and Service Establishment | P | |
| Financial Service | P | |
| Funeral Home | P | |
| Hotel | P | |



| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Parking Facility | P | |
| Professional, Office, Government and Business Service | P | |
| Public Utility | P | |
| Retail, Cannabis | P | |
| Service Station | P | |
| Shipping Container | P | |
| Shopping Centre | P | |
| Veterinary Clinic | P | |
| Cultural and Community Facility | | D |
| Fleet Services | | D |
| Manufacturing Establishment | | D |
| Outdoor Storage | | D |
| Personal Service Shop | | D |
| Recycling Depot | | D |
| Retail, Liquor | | D |
| Warehousing | | D |

Table 15.10.2 C-H Development Standards for Principal and Accessory Buildings/Structures

| Regulation | Standard |
|--------------------------|--|
| Parcel Area, Minimum | 450.0m ² (4,843.8ft ²) |
| Parcel Coverage, Maximum | Total: 50% Principal buildings: 40% Accessory buildings: 10% |
| Front Setback, Minimum | 9.0m (29.5ft) |
| Side Setback, Minimum | 3.0m (9.8ft) |
| Rear Setback, Minimum | 3.0m (9.8ft) |
| Height | 16.0m (52.5ft) 4 storeys |

Development Regulations

15.10.4 A minimum of one on-site [loading space](#) for each loading door, with a minimum of two spaces [shall](#) be provided.

15.10.5 No person [shall](#) construct a [fence](#) higher than 1.8m (6.0ft). Fencing [shall](#) not be permitted along the front and [side](#) property lines within the front setback area.

15.10.6 The following [site](#) planning and design considerations [shall](#) apply to all [developments](#):

- a) The [Development Authority](#) [may](#) require an increase in the minimum required [yards](#) so as to allow for the planned widening of [roads](#) or the provision of service [roads](#) where required by the [Development Authority](#) or by Alberta Transportation;
- b) Notwithstanding the above, if the [yard](#) is adjacent to Highway 18 or Highway 44, the minimum required [yard](#) [shall](#) be determined by the [Development Authority](#) at their sole discretion;
- c) The access from the [site](#) to the [road](#) [shall](#) be allowed only at points established by the [Development Authority](#);

- d) Vehicles and other equipment being displayed, serviced, or stored [shall](#) not be parked on [roads](#), [lanes](#), sidewalks, or [boulevards](#), and wheel guards or bumper guards [shall](#) be provided and located so that no part of a vehicle or equipment extends into the right-of-way of such [roads](#), [lanes](#), sidewalks, or [boulevards](#); and
- e) All [yards](#) adjacent to [roads](#) [shall](#) be landscaped, and the entire [site](#) and all [buildings](#) [shall](#) be maintained in a neat and tidy manner. Landscaped areas [shall](#) be trimmed and kept up and debris and unsightly objects [shall](#) be removed.

15.10.7 [Developments](#) adjacent to residential districts or residential [uses](#) [shall](#) comply with the following:

- a) [Development](#) [shall](#) be carefully buffered in order to alleviate and/or mitigate and/or eliminate, to the satisfaction of the [Development Authority](#), any negative impact the commercial [use](#) [may](#) have on the existing or future residential [use](#);
- b) In addition, if, in the opinion of the [Development Authority](#), the alleviation, mitigation, and/or elimination of the negative impact of a proposed [discretionary use](#) on an existing or future residential [use](#) cannot be reasonably assured, the [Development Authority](#) [may](#) refuse to approve any [development permit](#) for a [discretionary use](#); and
- c) In addition, 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 1.5m (4.9ft) high.

15.11 I-H Industrial Heavy District

Purpose

15.11.1 The general purpose of the I-H district is to provide opportunities for those industrial and manufacturing uses which may have the potential of having a detrimental effect on surrounding land uses.

Regulations

15.11.2 Permitted and discretionary uses within the I-H district are outlined in Table 15.11.1.

15.11.3 Development standards for the I-H district are outlined in Table 15.11.2.

Table 15.11.1 I-H Permitted and Discretionary Uses

| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Agriplex | P | |
| Auctioneering Establishment | P | |
| Auto Wrecking Yard | P | |
| Equipment Rental, Sales and Service Establishment | P | |
| Fleet Services | P | |
| Industrial, General | P | |
| Manufacturing Establishment | P | |
| Outdoor Storage | P | |
| Public Utility | P | |
| Recycling Depot | P | |
| Shipping Container | P | |
| Vehicle Impoundment Yard | P | |
| Warehousing | P | |



| Use | Permitted | Discretionary |
|--|-----------|---------------|
| Auctioneering Establishment, Livestock | | D |
| Industrial, Hazardous | | D |
| Kennel | | D |

Development Regulations

15.11.4 A minimum of one (1) on-site loading space for each loading door, with a minimum of two (2) spaces shall be provided.

15.11.5 Any industrial operation including production, processing, cleaning, testing, repair, warehousing, storage, receiving, trans-shipment, or distribution of any material, shall conform to the following performance standards at all times:

- a) Smoke, dust, ash, odour, toxic gases and substances - These shall only be released to the atmosphere in such amounts and under such conditions and safeguards as shall have been approved by the Provincial Government;

Table 15.11.2 I-H Development Standards for Principal and Accessory Buildings/Structures

| Regulation | Standard |
|---------------------------------|--|
| Lot Dimensions, Minimum | Width: 30.0m (98.4ft) |
| Parcel Area, Minimum | 930.0m ² (10,010.4ft ²) |
| Parcel Coverage, Maximum | Total: 80% |
| Front Setback, Minimum | <p>6.0m (19.7ft)</p> <p>Where a lot fronts on a highway, the minimum required front setback shall be 30.0m (98.4ft). If a service road right-of-way exists adjacent to the highway, the minimum required front yard may be reduced to 7.5m (24.6ft); and</p> <p>Where a lot fronts on a road other than a service road adjacent to a parallel highway, the minimum required front setback shall be 10.5m (34.4ft).</p> |
| Side Setback, Minimum | 4.5m (14.8ft). Additional setback may be required at the discretion of the Development Authority subject to factors such as location, type of industry, adjacent development and other safety factors. |
| Rear Setback, Minimum | 4.5m (14.8ft). Additional setback may be required at the discretion of the Development Authority subject to factors such as location, type of industry, adjacent development and other safety factors. |
| Height | 30.0m (98.4ft) 8 storeys |

- b) Glare, heat, noise, or vibration - No industrial operation [shall](#) be carried out which would produce any of these so as to be [offensive](#) beyond the boundary of the I-H district in which the [lot](#) is located; and
- c) Industrial waste - The [developer shall](#) not discharge any wastes into any sewer or drainage system which does not conform to the standards established from time to time by Alberta Environment or a bylaw of the Town or both.

15.11.6 The onus of proving to the [Development Authority's](#) satisfaction that a proposed [development](#) does and [will](#) comply with these standards rests with the [applicant](#), land [owner](#) or develop or any or all of them; and

15.11.7 In considering an application for [development](#), the [Development Authority shall](#) have regard to the intent of this section, which is to establish [use](#) on the basis of:

- a) Appropriate performance standards;
- b) The methods, equipment, and techniques of the [use](#); and
- c) The [use](#) of neighbouring land and districts and the compatibility of the proposed [use](#) with neighbouring lands and districts.

15.12 I-L Industrial Light District

Purpose

15.12.1 The general purpose of the I-L district is to provide for industrial businesses which are compatible with each other and which carry out their operations in such a way that does not create a nuisance factor which might adversely affect surrounding non-industrial land uses.

Regulations

15.12.2 Permitted and discretionary uses within the I-L district are outlined in [Table 15.12.1](#).

15.12.3 Development standards for the I-L district are outlined in [Table 15.12.2](#).



Table 15.12.1 I-L Permitted and Discretionary Uses

| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Agricultural Equipment Sales and Service | P | |
| Auctioneering Establishment | P | |
| Business Support Service | P | |
| Equipment Rental, Sales and Service Establishment | P | |
| Fleet Services | P | |
| Industrial, General | P | |
| Outdoor Storage | P | |

| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Public Utility | P | |
| Shipping Container | P | |
| Veterinary Clinic | P | |
| Kennel | | D |
| Manufacturing Establishment | | D |
| Recycling Depot | | D |
| Temporary Industrial Camp | | D |
| Vehicle Impoundment Yard | | D |

Table 15.12.2 I-L Development Standards for Principal and Accessory Buildings/Structures

| Regulation | Standard |
|--------------------------------|---|
| Lot Dimensions, Minimum | Width: 30.0m (98.4ft) |
| Parcel Area, Minimum | 930.0m ² (10,010.4ft ²) |
| Front Setback, Minimum* | 6.0m (19.7ft) |
| Side Setback, Minimum* | 4.5m (14.8ft). The minimum required side setback <u>may</u> be reduced by the <u>Development Authority</u> where there is a railway line, <u>lane</u> , or utility <u>lot abutting</u> the side <u>lot</u> line; Minimum required rear setback <u>may</u> be reduced to 1.2 m (3.9 ft.) where there is a <u>lane abutting</u> the rear <u>lot</u> line; 7.5m (25ft) when adjacent to residential parcel |
| Rear Setback, Minimum* | 4.5m (14.8ft) 7.5m (25ft) when adjacent to residential parcel |
| Height | 16.0m (52.5ft) 4 <u>storeys</u> |

*All minimum 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.

Development Regulations

15.12.4 For on-site loading one (1) space for each loading door, with a minimum of two (2) spaces shall be provided.

15.12.5 No person shall construct a fence higher than 2.0m (6.56ft).

15.12.6 Any industrial operation, including production, processing, cleaning, testing, repairing, warehousing, storage, receiving, trans-shipment, or distribution of any material shall conform to the following performance standards at all times:

- a) Noise - No noise of industrial production shall be audible at any lot line of the lot on which the operation takes place;
- b) Smoke - No process involving the use of solid fuel is permitted;
- c) Dust and Ash - No process involving the emission of dust, fly ash, or other particulate matter is permitted;
- d) Smell - The emission of any odorous gas or other matter is prohibited;
- e) Toxic Gases or Substances - The emission of toxic gases or other toxic substances is prohibited; Glare or Heat - No industrial operation shall be carried out that would produce glare or heat discernible beyond the lot lines of the lot concerned; and
- f) The onus of providing to the Development Authority's satisfaction that a proposed development does and will comply with these standards rests with the applicant.

15.12.7 Appearance:

- a) All yards adjacent to a road shall be landscaped, and the entire site and all buildings maintained in a neat and tidy manner. Landscaped areas shall be trimmed and kept up and debris and unsightly objects shall be removed;
- b) All storage, freight, or trucking yards shall be enclosed or completely screened by buildings, coniferous trees, landscaped features, or fences, or a combination thereof;

- d) Notwithstanding section (b) above, the external storage of goods or materials is permitted only if kept in a neat and orderly manner or suitably enclosed by a [fence](#) or wall to the satisfaction of the [Development Authority](#);
- e) All driveways with access to paved public [roads shall](#) be paved for a minimum distance of 15.0m (49.2ft) from the boundary of the [lot](#) within one (1) year of the commencement of construction;
- f) All [front yards shall](#) be landscaped to the satisfaction of the [Development Authority](#); and
- g) No area for loading or storage, or any other like purpose, [shall](#) be permitted within the minimum required front setback.

15.12.8 [Developments](#) Adjacent to Residential Districts or Residential [Uses](#):

- a) [Developments shall](#) be carefully buffered in order to alleviate, mitigate or eliminate, to the satisfaction of the [Development Authority](#), any negative impact the industrial [use may](#) have on the existing or future residential [use](#);
- b) If, in the opinion of the [Development Authority](#), the alleviation, mitigation, or elimination of the negative impact of a proposed [discretionary use](#) on an existing or future residential [use](#) cannot be reasonably assured, the [Development Authority may](#) refuse to approve any [development permit](#) for a [discretionary use](#); and
- c) In addition, all storage areas and parking [lots shall](#) be screened from any adjacent Residential district by a solid wall, [fence](#), or other screening not less than 2.0m (6.56ft) high acceptable to the [Development Authority](#).

15.13I Institutional District

Purpose

15.13.1 The general purpose of this district is to provide for the [development](#) of public or privately owned [uses](#) of a community service nature.

Regulations

15.13.2 [Permitted](#) and [discretionary uses](#) within the I district are outlined in Table 15.13.1.

15.13.3 Development standards for the I district are outlined in Table 15.13.2.



Table 15.13.1 I Permitted and Discretionary Uses

| Use | Permitted | Discretionary |
|--|-----------|---------------|
| Assisted Living Facility | P | |
| Business Support Service | P | |
| Child Care Facility | P | |
| Cultural and Community Facility | P | |
| Health service* | P | |
| Hospital | P | |
| Parking Facility | P | |
| Protection and Emergency Services | P | |
| Public School | P | |
| Public Utility | P | |
| Cemetery | | D |
| Dwelling Unit* | | D |
| Eating and Drinking Establishment* | | D |
| Financial Service* | | D |

| Use | Permitted | Discretionary |
|--|-----------|---------------|
| Professional, Office, Government and Business Service* | | D |
| Shipping Container | | D |
| *As an accessory use only | | |

Table 15.13.2 I Development Standards for Principal and Accessory Buildings/Structures

| Regulation | Standard |
|--|---|
| Parcel Area, Minimum | 465.0m ² (5,005.2ft ²) |
| Parcel Coverage, Maximum | Total: 45% |
| Front Setback, Minimum | 6.0m (19.7ft) |
| Side Setback, Minimum | 4.5m (14.8ft) |
| Rear Setback, Minimum | 7.5m (24.6ft) |
| Height | 16.0m (52.5ft) 4 storeys |

Development Regulations

15.13.4 No person shall construct a fence higher than 1.8m (6.0ft). Fencing shall not be permitted along the front and side property lines within the front setback area.

15.14 PR Parks and Recreation District

Purpose

15.14.1 The general purpose of this district is to provide for recreational, educational, and conservation uses.

Regulations

15.14.2 Permitted and discretionary uses within the PR district are outlined in Table 15.14.1.

15.14.3 Development standards for the PR district are outlined in Table 15.14.2.

Table 15.14.1 PR Permitted and Discretionary Uses

Table 15.14.2 PR Development Standards for Principal and Accessory Buildings/Structures



| Regulation | Standard |
|----------------------------------|---|
| Parcel Area, Minimum | 465.0m ² (4,975.0ft ²) |
| <u>Parcel Coverage</u> , Maximum | Total: 45% |
| Front Setback, Minimum | 6.0m (19.7ft) |
| Side Setback, Minimum | 4.5m (14.8ft) |
| Rear Setback, Minimum | 7.5m (24.6ft) |
| Height | 16.0m (52.5ft) 4 <u>storeys</u> |

Development Regulations

15.14.4 No person shall construct a fence higher than 1.8m (6.0ft). Fencing shall not be permitted along the front and side property lines within the front setback area.

15.15 UR Urban Reserve District

Purpose

15.15.1 The general 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.

Regulations

15.15.2 [Permitted](#) and [discretionary uses](#) within the UR district are outlined in [Table 15.15.1](#).

15.15.3 Development standards for the UR district are outlined below.

Table 15.15.1 UR Permitted and Discretionary Uses

| Use | Permitted | Discretionary |
|---|-----------|---------------|
| Dwelling, Single-Family | P | |
| Extensive Agriculture | P | |
| Temporary Industrial Camp | | D |



Development Regulations

15.15.4 No subdivision or [development](#) other than for the above [uses shall](#) take place until an outline plan or [Area Structure Plan](#) for the overall area has been approved by [Council](#). This plan [shall](#) outline the approximate location and the scale of the proposed land [uses](#), roadways, reserves, utilities, and phases. [Area Structure Plans shall](#) be prepared and considered in accordance with the [MGA](#).

15.15.5 For [single-family dwellings](#), minimum required [yards shall](#) be as determined by the [Development Authority](#).

15.15.6 [Signs shall](#) conform with the regulations in section 14.

15.15.7 On-site parking requirements [shall](#) be in accordance with section 12.

15.15.8 [Landscaping shall](#) be in accordance with section 13.

15.15.9 No person [shall](#) construct a [fence](#) higher than 1.8m (6.0ft).

15.16 DC Direct Control District

Purpose

15.16.1 The purpose of the DC district is to provide for site specific development control at the discretion of Council to address unique project conditions.

Uses

15.16.2 Any land uses and buildings shall be subject to the approval of Council.

Process

15.16.3 Council shall act as Development Authority, and, notwithstanding anything in this Bylaw to the contrary, may make decisions on all development permit applications without reference to the Municipal Planning Commission or the Development Officer.

15.16.4 All site requirements shall be at the discretion of Council, based upon a review of the merits of the development proposal and the relevant land use planning consideration.

15.16.5 Council may decide on other requirements as deemed necessary, having regard to the nature of the proposed development.

15.16.6 All development in a Direct Control district shall conform to the Town of Westlock Municipal Development Plan.

15.16.7 Council may refer to other sections off this Bylaw to determine requirements for specific types of proposed land uses on property zoned under this district. However, Council is not bound by any other provisions of this Bylaw other than those contained within section 15.16.

15.16.8 When deciding upon a development permit application, Council shall consider the following:

- a) The existing and future land use of neighbouring properties;
- b) The suitability of the site for the proposed use;
- c) The provision of municipal or on-site services such as water and sewer;
- d) The provision of access to the property; and
- e) Any considerations which are unique to the proposed development.

15.16.9 Each DC district site shall be considered unique. Each DC district site shall be indicated on the Map 1 Land Use Districts by a hyphen plus an identifying number (eg., "DC-1"). The uses and regulations for each site shall be listed within the text of this Bylaw.

15.16.10 There shall be no appeal to the Subdivision and Development Appeal Board on decisions made by Council on applications for proposed development on land zoned as a DC district.

15.16.11 The Development Authority, if directed by Council, may require the applicant to submit any or all of the following:

- a) An explanation of the intent of the development;
- b) An explanation of how the development may contribute to the present and projected needs of Westlock as a whole;
- c) The features of the development, which make it desirable to the general public and the Town;

- d) An economic analysis of the [development's](#) anticipated impact on the local community and Westlock; or
- e) A detailed proposal containing the following information:
 - i) Location of all proposed [buildings](#);
 - ii) Elevation and architectural treatment of all [buildings](#) and associated structures;
 - iii) Proposed servicing scheme and its relationship to Westlock's existing and proposed servicing plans;
 - iv) All [yard](#) setbacks, [parcel coverage](#), [site](#) areas, floor areas, sizes of [lots](#), and number of [parking spaces](#);
 - v) An explanation of how the proposal complies with the MDP and relevant ASP; and
 - vi) Such additional requirements as deemed necessary regarding the nature of the proposed [development](#) and the surrounding [use](#) which [may](#) be affected.



TOWN OF WESTLOCK

Town of Westlock
Land Use Bylaw
Bylaw 2015-02
May 2015



Land Use Bylaw 2015-02

Bylaw Amendment List

| Bylaw No. | Land Use District | Purpose | Adopted |
|-----------|-------------------|---|------------|
| 2015-20 | Table 15.8.1 | Amend Table 15.8.1 to change the Second Dwelling, Single Family to Dwelling, Two Family. | 2015-08-10 |
| 2015-19 | IL | Rezone Pt. Block C Plan 7432AN from R1 (Low Density Residential) District to an IL (Industrial Light) District. | 2015-09-14 |
| 2015-22 | R2 | Rezone Lot 8 Block 6 Plan 4183HW (Provincial Linc 0018 357 145) from R1 (Low Density Residential) District to R2 (Medium Density Residential) District. | 2015-12-14 |
| 2016-05 | R2 | Rezone lots 9&10 Block 6 Plan 7432AN (9844-104 Street) and Lot 11 Block 6 Plan 7432AN (9840-100 Street) from R1 (Low Density Residential) District to R2 (Medium Density Residential) District. | 2016-06-27 |
| 2016-07 | R2 | Rezone Lot 19 Block 5 Plan 7821663 from R1 (Low Density Residential) District to R2 (Medium Density Residential) District. | 2016-07-18 |
| 2017-03 | R2 | Rezone Lots 11&12 Block 1 Plan 2955HW from R1 (Low Density Residential) District to R2 (Medium Density Residential) District. | 2017-05-23 |
| 2017-12 | Table 15.1.2 | Amend Table 15.1.2 to add Front Setback Plan 1720439, Minimum 3.0 M (9.8 ft.). | 2017-12-11 |
| 2017-13 | IL | Rezone Pt of NW 24-59-26-4 from UR (Urban Reserve) District to IL (Light Industrial) District | 2017-12-11 |

| Bylaw No. | Land Use District | Purpose | Adopted |
|------------------|--|--|----------------|
| 2018-09 | R2 | Rezone Lot 9 Block 3 Plan 7822704 from R1 (Low Density Residential) District to R2 (Medium Density Residential) District. | 2018-06-25 |
| 2018-10 | Sections 8.2, 8.3, and 11.10, Tables 15.7.1, and 15.10.1 | Amend by adding and defining certain items relating to Cannabis. | 2018-08-20 |
| 2018-13 | R1 | Rezone Lot 1 Block C Plan 1621164 from IL (Light Industrial) District to R1 (Low Density Residential) District. | 2018-10-22 |
| 2019-04 | CMP | Rezone Lots 6 & 7 Block 13 Plan 579TR from RMH1 (Manufactured Home Subdivision Residential) District to CMP (Commercial Multi-Purpose) District. | 2019-04-08 |
| 2020-02 | R2 | Rezone Lot 10 Block 5 Plan 4183HW from R1 (Low Density Residential) District to R2 (Medium Density Residential) District | 2020-02-10 |
| 2020-06 | DT-MU | Rezoning Lots 15, 16 & 17 Block 12 Plan 7432 AN from I (Institutional) District to DT-MU (Downtown Mixed Use) District | 2020-05-25 |
| 2020-07 | R2 | Rezoning Lot 1, Block 1, Plan 4183 HW from R1 (Low Density Residential) District to R2 (Medium Density Residential) District | 2020-06-08 |
| 2020-19 | Table 15.12.1 | Add recycling depot to the list of Discretionary Uses to Table 15.12.1 in the IL (Industrial Light) District. | 2020-10-13 |
| 2020-21 | R2 | Rezoning Lots 1 & 2, Block 6, Plan 7432AN from R1 (Low-density Residential) District to R2 (Medium-Density Residential) District | 2020-10-26 |

| Bylaw No. | Land Use District | Purpose | Adopted |
|-----------|-------------------|---|------------|
| 2021-19 | R2 | Rezone Lot 17, Block 19, Plan 7432AN from DT-MU (Downtown Mixed Use) District to R2 (Medium Density Residential) District | 2021-08-16 |