MD of Opportunity

Land Use Bylaw

BYLAW 2026-15 As Amended

September 14, 2026

1385-3222-2494, v. 3

TABLE OF CONTENTS

Page

GUIDE TO USING THE MD OPPORTUNITY LAND USE BYLAW 14

PART 1 – GENERAL ADMINISTRATIVE PROCEDURES 15

1.1 TITLE 15

1.2 PURPOSE 15

1.3 DEFINITIONS 16

1.4 METRIC AND IMPERIAL MEASUREMENTS 48

1.5 ESTABLISHMENT OF LAND USE DISTRICTS 48

1.6 ESTABLISHMENT OF LAND USE DISTRICT REGULATIONS 49

1.7 ESTABLISHMENT OF SPECIAL AIRPORT HEIGHT REGULATIONS 50

PART 2 – DEVELOPMENT APPROVAL AUTHORITIES 49

2.1 DEVELOPMENT AUTHORITY 49

2.2 DEVELOPMENT AUTHORITY OFFICER 49

2.3 MUNICIPAL PLANNING COMMISSION 51

2.4 COUNCIL 51

2.5 SUBDIVISION AND DEVELOPMENT APPEAL BOARD 51

PART 3 – GENERAL ADMINISTRATIVE PROCEDURES 52

3.1 CONTROL OF DEVELOPMENT 52

3.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT 52

3.3 NON-CONFORMING BUILDINGS AND USES 54

PART 4 – DEVELOPMENT APPLICATION PROCESS 56

4.1 APPLICATION FOR DEVELOPMENT 56

4.2 REFERRAL OF APPLICATIONS 62

4.3 DECISION 62

4.4 VARIANCE PROVISIONS 67

4.5 DEVELOPMENT PERMITS AND NOTICES 68

PART 5 – DEVELOPMENT APPEAL PROCESS 70

5.1 APPEAL PROCEDURE 70

PART 6 – BYLAW AMENDMENT PROCESS 71

6.1 APPLICATION FOR AMENDMENT 71

6.2 PUBLIC HEARING PROCESS 71

PART 7 - ENFORCEMENT AND ADMINISTRATION 72

7.1 CONTRAVENTION AND PENALTIES 72

PART 8 – LAND USE DISTRICTS – GENERAL REGULATIONS 74
8.1 AMATEUR & SMALL RADIO ANTENNAS 74
8.2 AMENITY AREAS 74
8.3 ANCILLARY BUILDINGS & USES IN OTHER DISTRICTS 75
8.4 ANCILLARY BUILDINGS & USES IN RESIDENTIAL DISTRICTS 76
8.5 ANIMAL CARE AND RELATED USES 77
8.6 BED AND BREAKFAST ESTABLISHMENTS 77
8.7 BUILDING EXTERIORS IN WABASCA DOWNTOWN 78
8.8 CANNABIS PRODUCTION AND DISTRIBUTION DEVELOPMENTS 78
8.9 CANNABIS RETAIL SALES 82
8.10 CAR WASHES 84
8.11 CONFINED FEEDING OPERATIONS AND MANURE STORAGE FACILITIES 85
8.12 CONTROLLED APPEARANCE/BUILDING EXTERIORS 85
8.13 CONVERSION OF SINGLE FAMILY DWELLINGS TO OTHER USES 85
8.14 DAY USE AND PICNIC AREAS 86
8.15 DEVELOPMENT ON CORNER LOTS 86
8.16 DRIVE-IN BUSINESSES 86
8.17 ENVIRONMENTAL SCREENING 89
8.18 EXISTING SUBSTANDARD LOTS 90
8.19 FENCING MATERIALS 90
8.20 GARAGE SUITES 90
8.21 GARDEN SUITES 91
8.22 GROUP HOMES, DAY HOMES AND CHILD CARE FACILITIES 93
8.23 HAZARDOUS MATERIALS 94
8.23A HEAVY VEHICLE PARKING LOT 95
8.24 HOME OCCUPATIONS 96
8.25 INDUSTRIAL DEVELOPMENT 98
8.26 IN-LAW SUITES 99
8.27 INTENSIVE AGRICULTURE 100
8.28 KEEPING OF DOMESTIC PETS AND LIVESTOCK 100
8.29 LANDSCAPING 102
8.30 LARGE WIND ENERGY CONVERSION SYSTEMS 102
8.31 LIGHTING 105
8.32 MAJOR AND MINOR TWO-LANE HIGHWAYS 105
8.33 MANUFACTURED AND MOBILE HOMES 114
8.34 MICRO WIND ENERGY CONVERSION SYSTEMS 115

8.35 MOTELS 116
8.36 MOVED-IN BUILDINGS 116
8.37 MULTIPLE DWELLING DEVELOPMENTS 116
8.38 MUNICIPAL SERVICES/SANITARY FACILITIES/ROAD AVAILABILITY 117
8.39 NATURAL RESOURCE EXTRACTION INDUSTRIES 117
8.40 NEIGHBOURHOOD COMMERCIAL DEVELOPMENTS 118
8.41 NOISE 119
8.42 NUISANCE 119
8.43 NUMBER OF DWELLING UNITS ON A LOT 119
8.44 OBJECTS PROHIBITED OR RESTRICTED IN YARDS 120
8.45 OFF-STREET LOADING 122
8.46 OFF-STREET PARKING 123
8.47 PLACES OF WORSHIP 131
8.48 PRIVATE SWIMMING POOLS AND HOT TUBS 131
8.49 PROJECTION OVER YARDS 132
8.50 PROTECTION FROM EXPOSURE HAZARDS 132
8.51 RECREATION 133
8.52 RECREATIONAL VEHICLE CAMPGROUNDS 133
8.53 RECREATIONAL VEHICLE CAMPGROUND, WORKCAMPS 134
8.55 RECREATIONAL VEHICLES 138
8.56 SEA CANS 139
8.57 SECONDARY SUITES 140
8.58 SENIORS HOUSING DEVELOPMENTS 141
8.59 SERVICE STATIONS AND GAS BARS 142
8.60 SHOPPING CENTRES 143
8.61 SHOW HOMES 144
8.62 SIDEWALK CAFES 144
8.63 SIGNS 146
8.64 SINGLE LOT SUBDIVISIONS FOR RESIDENTIAL USE 157
8.65 SITE CONDITIONS 159
8.66 SMALL WIND ENERGY CONVERSION SYSTEMS 160
8.67 SOLAR ENERGY COLLECTION SYSTEMS 162
8.68 SOUR GAS FACILITIES 162
8.69 SPECIAL SETBACKS 163
8.70 SUBDIVISION OF LAND 163
8.71 SURVEILLANCE SUITES 163

8.72 TINY HOUSES....164
8.73 TOPSOIL REMOVAL....164
8.74 WIRELESS COMMUNICATIONS FACILITIES....164
8.75 WORKCAMPS....166
PART 9 – LAND USE DISTRICTS – DISTRICT REGULATIONS....168
9.1 E – RESOURCES DISTRICT....168
9.2 R1 – RESIDENTIAL DISTRICT....174
9.3 R1A – RESIDENTIAL DISTRICT....178
9.4 R1B – RESIDENTIAL DISTRICT....182
9.5 R1C – RESIDENTIAL DISTRICT....186
9.6 R1D – RESIDENTIAL DISTRICT....190
9.7 R1E – RESIDENTIAL DISTRICT....194
9.8 R2 – RESIDENTIAL DISTRICT....198
9.9 R3 – RESIDENTIAL DISTRICT....202
9.10 R4 – RESIDENTIAL DISTRICT....206
9.11 CR – COUNTRY RESIDENTIAL DISTRICT....210
9.12 RSF – RESIDENTIAL SMALL FARM DISTRICT....214
9.13 RR – RECREATION RESIDENTIAL DISTRICT....218
9.14 RMH – MANUFACTURED HOME PARK DISTRICT....222
9.15 RMH1 – MANUFACTURED HOME PARK SUBDIVISION DISTRICT....228
9.16 C1 – COMMERCIAL DISTRICT....232
9.17 C2 – COMMERCIAL DISTRICT....236
9.18 C3 – COMMERCIAL DISTRICT....240
9.19 CH – HIGHWAY COMMERCIAL DISTRICT....244
9.20 M1 –INDUSTRIAL DISTRICT....248
9.21 M2 – INDUSTRIAL DISTRICT....250
9.22 M3 – AIRPORT INDUSTRIAL DISTRICT....252
9.23 UR – URBAN RESERVE DISTRICT....254
9.24 P – CONSERVATION DISTRICT....256
9.25 I – INSTITUTIONAL/RECREATIONAL DISTRICT....258
9.26 DC – DIRECT CONTROL DISTRICT....260
PART 10 – SPECIAL AIRPORT HEIGHT REGULATIONS....262
10.1 DEFINITIONS....262
10.2 GENERAL PROVISIONS....262
10.3 ESTABLISHMENT OF PROTECTION AREA....263
10.4 HEIGHT LIMITATIONS....263

SUBSCHEDULE 1 - RED EARTH AIRPORT VICINITY PROTECTION AREA 264
SUBSCHEDULE 1 265
SUBSCHEDULE 2 - HEIGHT LIMITATIONS 266
PART 11 LAND USE DISTRICT MAPS 268
11.1 MAP 1: LAND USE DISTRICT MAP.....269
11.2 INSET MAPS 270-279

Table of Figures

Page

Figure 1: Adjacent Land 16
Figure 2: Single Family Dwelling 23
Figure 3: Manufactured Home 23
Figure 4: Modular Home 23
Figure 5: Duplex 24
Figure 6: Semi-Detached Dwelling 24
Figure 7: Four-plex 24
Figure 8: Row Housing 24
Figure 9: Apartment Building 25
Figure 10: Surveillance Suite 25
Figure 11: Workcamp 25
Figure 12: Garage Suite 25
Figure 13: Garden Suite 26
Figure 14: Established Grade 27
Figure 15: Height of a Building 30
Figure 16: Recreational Vehicle 39
Figure 17: A-Frame Sign 41
Figure 18: Canopy Sign 41
Figure 19: Fascia Sign 42
Figure 20: Inflatable Sign 43
Figure 21: Freestanding Sign 43
Figure 22: Off Site Sign 43
Figure 23: Projecting Sign 44
Figure 24: Roof Sign 44
Figure 25: Temporary/Portable Sign 44
Figure 26: Under Canopy Sign 44
Figure 27: Setbacks from the Intersection of a Grid Road and a Minor Two-Lane Highway 108
Figure 28: Setbacks from the Intersection of Two Minor Two-Lane Highways 109
Figure 29: Setback Requirements within the Curve of a Grid Road or Highway 110
Figure 30: Setbacks from the Intersection of Two Major Two-Lane Highways 111
Figure 31: Setbacks from the Intersection of a Grid Road and a Major Two-Lane Highway 112
Figure 32: Setbacks from the Intersection of a Major Two-Lane Hwy and a Minor Two-Lane Hwy 113
Figure 33: Neighbourhood Commercial Development Example 119
Figure 34: Parking Lot and Stall Definitions 125
Figure 35: Off Street Parking Standards 126
Figure 36: A-Frame Sign Height and Area Requirements 150
Figure 37: Fascia Sign Placement on a One Storey Building 153
Figure 38: Example of a Parapet Wall and Eaves 154
Figure 39: Fascia Sign Placement on a Two Storey Building 154

RECORD OF BYLAW AMENDMENTS

The MD of Opportunity Land Use Bylaw, Bylaw 2013-14, as amended, was adopted by the Council of the MD on June 12th, 2013.

Effective June 12th, 2013.

The Following is a list of Bylaws adopted by Council subsequent to June 12th, 2013, which amended Parts 1 through 11 of the Land Use Bylaw. The list is in chronological order, based on the adoption dates of Council.

Adoption Date	Bylaw	Content
2013		
October 9th, 2013	2013-21	Red Earth Creek rezoning – Lot 11 & 12 Block 1, Plan 032 4469 from R1A – Residential District to R3 – Residential District.
December 11th 2013	2013-23	Calling Lake rezoning – Lots 1, 2, 3, and 4 Block 0, Plan 082 8421 and Lot 1 of Block 0, Plan 872 0186 from R1C-Residential District to RR – Recreational Residential.
December 18th 2013	2013-24	Wabasca rezoning – Lot A, Block A, Plan 118RS from C1- Commercial District to R1D – Residential District
2014		
January 8th 2014	2013-27	Wabasca rezoning – Lot 7, Block 12, Plan 792 0484 from R1A – Residential District to R3 – Residential District.
January 8th 2014	2013-28	Wabasca rezoning – Lot 4 Block 15 Plan 792 2533 from C3 – Commercial District to M3 - Airport Industrial District.
July 9th 2014	2014-09	Wabasca rezoning – Lot 7MR Block 4 Plan 042 2616 from P – Conservation District to R1A – Residential District.
August 13th 2014	2014-12	Wabasca rezoning – Part of SE-25-80-25 W4M from UR – Urban Reserve District to CH – Highway Commercial District.
September 10th 2014	2014-14	That Section 9.1 (4) (i) (ii) is removed from the Land Use Bylaw.

RECORD OF BYLAW AMENDMENTS

September 10th, 2014	2014-16	Wabasca rezoning – Part of SW and SE 25-80-25-W4M from UR – Urban Reserve District to CH – Highway Commercial District.
October 15th 2014	2014-17	Calling Lake rezoning – Lots 26 to 28 and 30 to 34, Block 1, Plan 912 0016 from R1A – Residential District to RR – Recreation Residential District.
October 15th 2014	2014-18	Wabasca rezoning – Part of Lot 0 Block A Plan 862 2598 from R1A – Residential District to C3 Commercial District.

2015

May 13th 2015	2015-10	Wabasca rezoning – Part of Lot 5 Block 2 Plan 902 0838 from R1A – Residential District to R3 Residential District.
May 13th 2015	2015-11	Wabasca rezoning – Part of Lot 6 Block A Plan 082 0340 from C1 – Commercial District to C3 Commercial District
July 8th, 2015	2015-14	Sandy Lake rezoning – Lot 103, Plan 832 1796 from P – Conservation to R1C – Residential District.
July 8th, 2015	2015-15	Sandy Lake rezoning – Lot 11A, Plan 832 1796 From R1C – Residential District to P – Conservation.

2016

January 13th 2016	2015-25	Calling Lake rezoning – Part of SE 29- 72-21 W4M from UR – Urban Reserve District to CH – Highway Commercial District
April 20th 2016	2016-05	Sandy Lake rezoning – Lot 22, Plan 832 1796 from P – Conservation District to R1C – Residential District
September 14th 2016	2016-13	Wabasca rezoning – Lot 7, Block A, Plan 082 0340 from C1 – Commercial District to C3 – Commercial District
September 14th 2016	2016-14	Amendment to the Land Use Bylaw Section 8.54 – Sea can Regulations

RECORD OF BYLAW AMENDMENTS

December 7th, 2016	2016-17	Calling Lake rezoning – Lot 6, Block 1, Plan 641NY from R1C – Residential District, to R1B – Residential District.
2017		
January 11th 2017	2016-18	Amendment to the Land Use Bylaw Section 8.54 (5) Sea can regulations
July 12th, 2017	2017-10	Sandy Lake Rezoning – Lot 1, Block 1, Plan 142 0533 and Lot 6, Block 1, Plan 142 0534 from R1C – Residential District to P – Conservation District.
July 12th 2017	2017-13	Wabasca Rezoning – Lot 2, Block 1, Plan 902 0838 from R1A – Residential District to R1D – Residential District.
July 26th 2017	2017-11	Calling Lake Rezoning – Lot 1, Block 11, Plan 902 0094 from C2 – Commercial District to R1D Residential District and Lot 2, Block 11, Plan 902 0094 from R1D – Residential District to C2 – Commercial District. Calling Lake ASP amendment classifying those portions of Lot 1, Block 11, Plan 902 0094 from Cultural/Recreational Policy Area to Residential Policy Area and those portions of Lot 2, Block 11, Plan 902 0094 from Residential Policy Area to Cultural/Recreational Policy Area.
July 26th, 2017	2017-14	Wabasca rezoning Lot 4, Plan 842 1714 from R3 – Residential District to R1A – Residential District.
August 23rd, 2017	2017-15	Sandy Lake rezoning Lot 75, Plan 832 1796 from R1C – Residential District to R1B – Residential District
September 13th, 2017	2017-16	Calling Lake Rezoning – part of SW-17-72-21-W4M from UR – Urban Reserve District to R1C – Residential District Calling Lake ASP amendment reclassifying part of SW-17-72-21-W4M from Commercial Policy Area to Residential Policy Area

RECORD OF BYLAW AMENDMENTS

November 8th, 2017	2017-19	Calling Lake Rezoning Lot 4, Block 16, Plan 792 1556 from R1C – Residential District to RR - Recreation Residential District

2018

February 28th, 2018	2018-01	Wabasca Rezoning – Lot 1, Block 1, Plan 152 2516 from CH – Highway Commercial to M1 – Industrial District
May 9th, 2018	2018-02	Wabasca Rezoning – Lot 7, Block 11, Plan 782 2447 from R1D – Residential District to C3 – Commercial District
May 9th, 2018	2018-03	Amendment to Part 1.3 to a variety of definitions to exclude cannabis production and distribution facilities and cannabis retail sales. Amendment to Part 1.3 to insert new definitions for cannabis related items. Amendment to Part 8 to include cannabis production and distribution facilities and cannabis retail sales regulations.
June 13th, 2018	2018-04	Red Earth Creek Rezoning – Lot 1D, Block A, Plan 892 1384 from CH – Highway Commercial District to M1 – Industrial District. Red Earth Creek ASP Amendment reclassifying part of SE-11-87-9-W5M from Highway Commercial Policy Area to Industrial Policy Area.
June 13th, 2018	2018-08	Amendment to Part 1.3 to insert a definition for tiny house. Amendment to Part 8 to include tiny house regulations. Deletion and replacement of Part 8.43(1)(b) and 8.43(3). Amendment to Part 9.2 - 9.6 and 9.12 to include tiny house as a discretionary use

RECORD OF BYLAW AMENDMENTS

		Revision to Part 9.2(4)(e), 9.3(4)(e), 9.4(4), 9.5(4), and 9.6(4) to insert minimum floor area.
August 8th, 2018	2018-15	Wabasca Rezoning – Lot 2, Block 4, Plan 112 0660 from R1A – Residential District to RMH – Manufactured Home Park District
December 14th, 2018	2018-26	Red Earth Creek Rezoning – Lots 2 & 3, Block 2, Plan 902 0825 from M1 – Industrial District to R1D – Residential District.

2019

April 11th, 2019	2019-01	Wabasca Rezoning – Lot 4, Block 1, Plan 192 0562 from R1D – Residential District to R3 – Residential District.
June 26th, 2019	2019-04	Partial Plans Consolidation – Cancel Part of Subdivision Plan No. 062 2842; Block 4 Lots 6

2020

July 22nd, 2020	2020-06	Sandy Lake Rezoning – Lot 12, Plan 832 1796 - Residential District to R1D – R1D Residential District.
August 12th, 2020	2020-08	Wabasca Area Structure Plan
August 12th, 2020	2020-09	Red Earth Area Structure Plan
August 12th, 2020	2020-10	Calling Lake Area Structure Plan

2021

April 14th, 2021	2021-10	Wabasca Rezoning – Plan 6765NY, Block 2 Lot 3 from R1A – Residential to R3 – Residential.

RECORD OF BYLAW AMENDMENTS

2022

March 23rd, 2022	2022-01	Amendment to the Sandy Lake Area Structure Plan.
March 23rd, 2022	2022-04	Sandy Lake Rezoning – Plan 832 1796, Lot 59 R1C – Residential District to C3 – Commercial District.
July 13th, 2022	2022-08	Wabasca Rezoning – A portion of SE 34-80-25-W4M P – Conservation District to I – Institutional/Recreational District
November 15th, 2022	2022-10	Wabasca Rezoning – Plan 842 1714, , Lot 4 R1A – Residential District to R3 – Residential District.

2023

August 10th, 2023	2023-09	Amendment to the LUB to add/remove definitions, insert new definitions into Part 1.3, insert Part 8.23A.
July 26th, 2023	2023-10	Patrial Plans Cancellation Bylaw – Cancel Part of Subdivision Plan No. 902 0285; Block 2, Lots 2 & 3.
July 26th, 2023	2023-11	Designate Lots D & E of Plan 641NY as CR
October 11th, 2023	2023-12	Calling Lake Rezoning – Part of SW-30-71-21-W4 & SE-30-71-21-W4 UR – Urban Reserve District to M1 – Industrial District.

2024

March 13th, 2024	2024-02	Incorporate 9.7 R1E – Residential District

GUIDE TO USING THE MD OF OPPORTUNITY LAND USE BYLAW

The Land Use Bylaw establishes the regulations on how land can be developed (that is, how land can be used and buildings can be either constructed or moved) in the MD of Opportunity. Regulations vary depending on the location and types of development. Other Bylaws or regulations of the MD, Province, or Federal Government also have to be followed.

There are several parts of the Land Use Bylaw that need to be examined to understand how it works. Firstly, the Land Use Bylaw maps divide the MD into various Land Use Districts. Secondly, the text of the Land Use Bylaw details the uses that are allowed in each District. Thirdly, the text provides additional regulations that apply to certain uses and/or within certain Districts. The following steps may assist the user:

1. Locate the subject property on the Land Use District maps. These maps divide the MD into various Land Use Districts. Each Land Use District has a designation such as “E” for RESOURCE or “R1” for RESIDENTIAL. Take note of which Land Use District the subject property is located in. Also note if the subject property is affected by an Area Structure Plan which may modify some of the uses and regulations of the Land Use Bylaw or impose additional regulations.
2. Check the table of contents and locate the Land Use District you are interested in. Each Land Use District is listed alphabetically starting in Part 9. In each Land Use District you will find a list of permitted and discretionary uses, subdivision regulations, development regulations and other miscellaneous regulations. This determines how and what can be developed in any given Land Use District. There are definitions in **Part 1.3** that should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood.
3. Review the table of contents to see if there might be any general regulations that apply to the situation or use in question. **Part 8.3** contains general regulations about ancillary buildings and **Part 8.22** contains general regulations about home occupations, to name a few.
4. Discuss your proposal/concern with the Lands and Planning Department staff. MD staff are well trained and eager to assist you with your development/ subdivision or general inquiry issues and explain procedures. They can also assist with other situations such as enforcement or a Land Use Bylaw amendment.

NOTE: THIS PAGE IS INTENDED ONLY TO ASSIST USERS AND DOES NOT FORM PART OF THIS BYLAW.

Pursuant to the Municipal Government Act, R.S.A. 2000, as amended, the Council of the MD of Opportunity, duly assembled, herby enacts as follows:

PART 1 – GENERAL ADMINISTRATIVE PROCEDURES

1.1 TITLE

The Land Use Bylaw.

1.2 PURPOSE

The purpose of this Bylaw is to regulate the use and development of land and buildings within the MD to achieve the orderly and economic development of land, and for that purpose, amongst other things:

(1) to divide the MD into districts;

(2) to establish the Development Authority for the MD;

(3) to prescribe and regulate for each district the uses for which land and buildings may be used;

(4) to establish a method of making decisions on applications for development permits including the issuing of development permits;

(5) to provide the manner in which notice of the issuance of a development permit is to be given; and

(6) to establish the number of dwelling units allowed on a parcel of land.

1.3 DEFINITIONS

For the purposes of this Bylaw:

"Act" means the Municipal Government Act, R.S.A. 2000, c M-26 as amended;

"adjacent land" means land that is contiguous to a particular parcel of land and includes land that would be contiguous if not for a highway, road, river or stream;

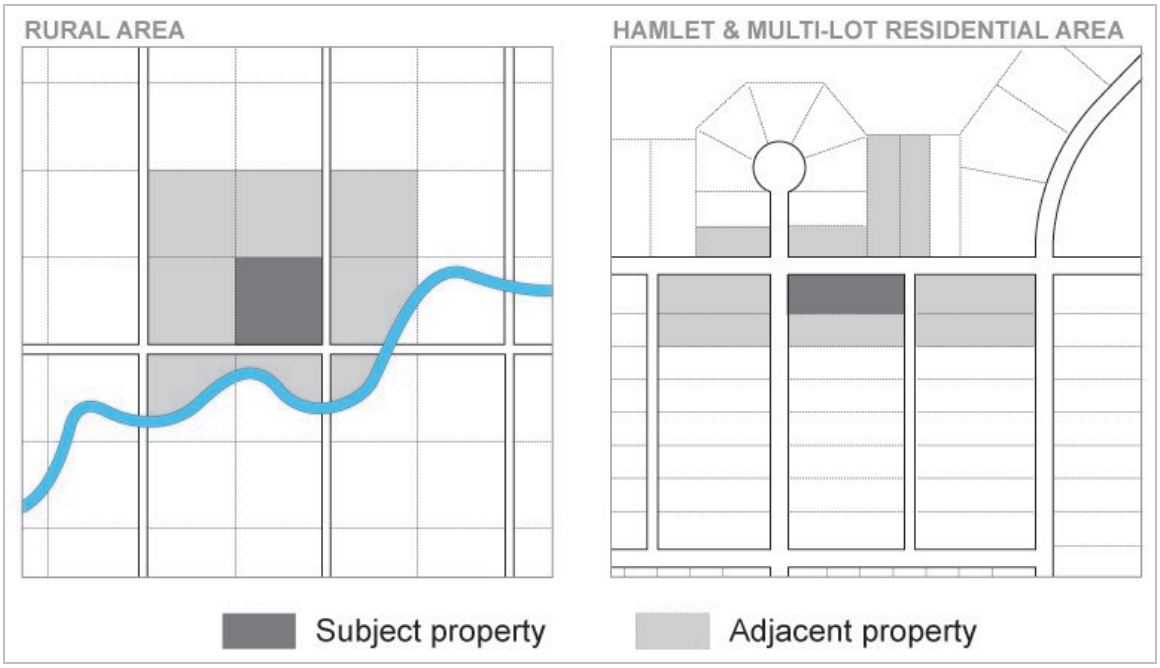


Figure 1: Adjacent Land

"agricultural operation" means an agricultural operation as defined in the Agricultural Operation Practices Act;

"agroforestry" means the science and art of practicing and investigating both agricultural and forestry activities on an area of land. Activities may include: cultivating hybrid poplar, the establishment of an arboretum, planting of shelter-belts combining the harvesting and growing of trees with pasturing for livestock, or habitat enhancement for native wildlife species. Agroforestry does not include cannabis production and distribution facilities or cannabis retail sales;

"airport" means:

(a) any area of land or water, including the frozen surfaces thereof, or other supporting surface used or intended to be used either in whole or in part for the arrival and departure or servicing of aircraft, and

(b) includes any building, installation or equipment in connection therewith, operated by the Department of National Defense or for

which an airport license has been issued by the Ministry of Transport;

“amateur and small radio antennas” means a development that is intended for transmitting or receiving radio communications signals from devices such as ham radios, fleet dispatch systems, or private communications systems. Typical amateur or small radio communications towers are short, usually no more than 3 m (9.8 ft.) taller than the adjacent buildings;

"amusement establishment, indoor" means a development providing recreational facilities with table games and/or electronic games played by patrons for entertainment. Major amusement establishments include billiard parlours and electronic games arcades with tables and/or games and bowling alleys;

"amusement establishment, outdoor" means a development providing recreational facilities outdoors played by patrons for entertainment. Outdoor

amusement establishments include but are not limited to the following uses: amusement parks, go-cart tracks, and miniature golf courses. However, outdoor amusement establishments do not include drive-in motion picture theatres, carnivals or circuses;

"ancillary building" means a building separate and subordinate to the main building. An ancillary building on a residential lot includes a garage, carport, shed, storage buildings, hobby greenhouse, sundeck, patio or balcony, permanently installed private swimming pool or hot tub, and similar buildings. Where an ancillary building is attached to the main building on a lot by a roof or an open or enclosed structure, except carports where vehicular access to the rear yard is not obstructed, said ancillary building is part of the main building and not an ancillary building and shall, unless otherwise specified in this Bylaw, adhere to the yard and other requirements for main buildings;

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

"animal hospital" means a building used by veterinarians primarily for the purposes of the consultation, diagnosis and office treatment of household pets, but shall not include long-term board facilities for animals or kennels;

"apartment" means a dwelling containing three (3) or more dwelling units, with shared entrance facilities;

"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;

"automotive and equipment repair shop" means a development where automobiles, motorcycles, snowmobiles and similar vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed. Automotive and equipment repair shops include transmission shops,

muffler shops, tire shops, automotive glass shops, and upholstery shops, but not body repair or paint shops;

"automotive and recreational vehicle sales/rentals establishment" means a development where new or used automobiles, trucks, motorcycles, snowmobiles, tent trailers, boats, travel trailers, or similar recreational vehicles or craft are sold or rented, together with incidental maintenance services and sale of parts. Automotive and recreational vehicle sales/rental establishments include automobile, recreational vehicle, and motorcycle dealerships and rental agencies;

"basement" means the portion of a development which is wholly or partially below grade, having above grade no more than 1.8 m (6.0 ft.) of its clear height lying below the finished level of the floor directly above;

"bed and breakfast establishment" means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of three (3) bedrooms, with or without meals, are provided for remuneration to members of the public. A bed and breakfast establishment shall include a boarding house;

"boarding house" means a building or portion thereof where meals are served for a remuneration involving no more than four (4) bedrooms, exclusive of the occupant and their immediate family. For the purposes of this Bylaw, boarding houses shall not include an eating or drinking establishment, a drive-in restaurant, a refreshment stand, or other similar use;

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

"bulk fuel storage and sales" means lands, buildings and structures for the storage and distribution of fuels and oils including retail sales and key lock operations;

"business support services establishment" means a development providing support services to businesses. Business support services establishments 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; or the sale, rental, repair or servicing of office equipment, furniture and machines. Business support services establishments include but are not limited to printing establishments, film processing establishments, janitorial firms, and office equipment sales and repair establishments;

"cabin" means a one room building intended for short term occupancy. A cabin does not include a full kitchen or bathroom facilities and is not connected to services (sanitary, water, electrical). A cabin is not considered a dwelling unit;

"campground" means a development where tents are erected and/or recreational vehicles are parked for the purpose of overnight or short term accommodation. A campground includes any building, structure, tent, vehicle or enclosure ancillary to the main use that is located on the land and used as an integral part of the campground such as washhouses, gazebos, picnic shelters, etc.;

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

"cannabis lounge" means a development where the primary purpose of the facility is the sale of cannabis to the eligible public, for the consumption within the premises that is authorized by provincial or federal legislation. This does not include cannabis production and distribution;

"cannabis retail sales" means a retail store licensed by the Province of Alberta where non-medicinal cannabis and cannabis accessories are sold to individuals who attend at the premises;

"cannabis production and distribution facility" means a development used principally for one or more of the following activities relating to cannabis:

(a) The production, cultivation, harvesting, and growth of cannabis;

(b) The processing, trimming, drying, and curing of raw materials;

(c) The making, testing, manufacturing, assembling, packaging or in any way altering the chemical or physical properties of semi-finished or finished cannabis goods or products;

(d) The storage or shipping of materials, goods, or products, or;

(e) The distribution and sales of materials, goods, and products to cannabis retail stores or to individual customers.

"car wash" means a facility for the washing of private non-commercial vehicles

"cemetery" means development of land for the interment or entombment of the deceased, and may include, at the discretion of the Development Authority, crematoriums, mausoleums and memorial parks or a religious assembly, and one attached or separate manse;

"commercial use" means a business through which products, services, or entertainment are available to consumers, whether the general public or other commercial establishments, and does not include the manufacturing of products. Commercial use shall include but not limited to animal hospitals, bed and breakfast establishments, business support services establishments, campgrounds, drive-in businesses, drive-in restaurants, eating and drinking establishments, entertainment establishments, general retail stores,

greenhouses, health services, highway commercial uses, hotels, marinas, office uses, personal service shops, recreation camps, recreational vehicle campground, and resorts. Commercial use does not include cannabis retail sales;

"confined feeding operation" means a confined feeding operation as defined in the Agricultural Operation Practices Act;

"contractor service, limited" means a development where electrical, plumbing, heating, painting and similar contractor services are provided, primarily to individual households, and where goods normally associated with the contractor service may be stored and sold, where all materials are kept within an enclosed building, and where there are no ancillary manufacturing activities or parking or storage of more than four (4) vehicles;

"contractor service, general" means a development where building, concrete, landscaping, electrical, excavation, drilling, heating, plumbing, paving, road, oil field, pipeline, or similar services of a construction or services nature are provided, which have on-site storage of materials, construction equipment, or vehicles normally associated with the contractor service, and which is not a limited contractor service. Any sales, display, office or technical support service areas shall be ancillary to the main use only;

"corner lot" means a lot having boundary lines on two or more roads or highways, or with a road and a highway, at their intersection or junction. Corner lot also means a lot having a boundary line at a point where a road or highway changes direction by a minimum of 45 degrees around the boundaries of the lot;

"Council" mean the Council of the MD of Opportunity;

"coverage" means the sum of the ground floor areas of all buildings on a lot divided by the area of the lot;

“day care facility" means a provincially licensed development providing daytime personal care, maintenance and supervision to seven (7) or more children under the age of eleven (11) years, by persons unrelated to the children by blood or marriage, but does not include overnight accommodation. Day care facilities include day care centres, day nurseries, kindergartens, nursery school, and play schools and after school or baby-sitting programmes which satisfy this definition. Day care facilities shall not include a day home, a family care facility, a group care facility, or a school operated by a School Division;

"day home" means a development operated from a dwelling supplying supervision to a maximum of six (6) children under the age of eleven (11) years or senior citizens, including any resident children and seniors, for periods of more than three (3) but no more than fourteen (14) consecutive hours. A day home may supply an outside recreation space that is both fenced and gated;

"developer" means an owner, agent or any person, firm or company required to obtain or having obtained a development permit;

"development" means:

(a) an excavation or stockpile and the creation of either of them, or

(b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or

(c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or

(d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;

and without restricting the generality of the foregoing, includes:

(i) in the case of a lot used for residential purposes, alterations made to a building or an additional building on the lot whether or not the building is a dwelling or part of a dwelling unit,

(ii) in the case of a lot used for other than residential purposes, alterations or additions made to a building on the lot or a use of the lot which would increase either the capacity of the building or the intensity of use of the lot,

(iii) the display of advertisements or signs on the exterior of a building or on any land,

(iv) the deposit of earth, debris, waste materials, refuse, or any other material on any land, including land already being used for that purpose, or if the natural topography or drainage is altered,

(v) 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 and live in any building or on any site, including any increase in the number of dwelling units in a building or on a site,

(vi) the placing of refuse or waste material on any land,

(vii) the use of land for the storage or repair of motor vehicles or other machinery or equipment,

(viii) the continued use of land or of a building for any purpose for which it is being used unlawfully when this Bylaw comes into effect,

(ix) the demolition or removal of a building,

(x) the placement of an already constructed or a partially constructed building on a parcel of land,

(xi) the use of land for the parking of trailers, bunk houses, portable dwellings, skid shacks, or any other type of portable building whatsoever, whether or not the same has been placed or affixed to the land in any way,

(xii) the removal of topsoil from land,

(xiii) the recommencement of the use to which land or a building has been previously put if that use has been discontinued for a period of more than six months, or

(xiv) the use of land for storage purposes or for the repair of equipment, vehicles or other kinds of machinery;

"development authority" means the development authority of the MD established by this Bylaw;

"development authority officer" means the development authority officer of the MD as established by this Bylaw;

"development permit" means a document authorizing a development issued pursuant to this Land Use Bylaw;

"discretionary use" means the use of land or a building provided for in this Land Use Bylaw for which a development permit may be issued upon an application having been made;

"domestic pets" means animals which are not livestock as defined in the Agricultural Operation Practices Act and which are often kept within a dwelling unit. Such animals include dogs, cats, small birds and similar animals;

"**drinking establishment**" means a development possessing a Class A Minors Prohibited liquor license, where the sale and consumption of liquor on site are open to the public and where alcohol, rather than food, is the predominant item consumed. A drinking establishment does not include an entertainment establishment or cannabis lounge;

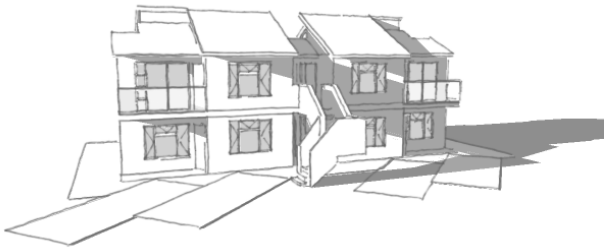
"drive-in business" means a development which serves customers traveling in motor vehicles driven onto the site where such business is carried on, where normally the customer either remains in the vehicle for service, or parks the vehicle for a short period for the purpose of doing business at the premises. Drive-in businesses include service stations, gas bars, drive-in restaurants, drive-through vehicle service establishments such as lubrication shops, recycling depots, and car washes;

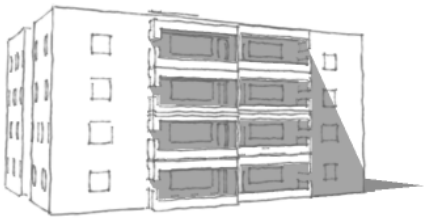
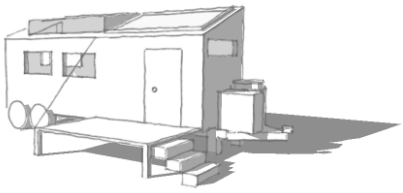
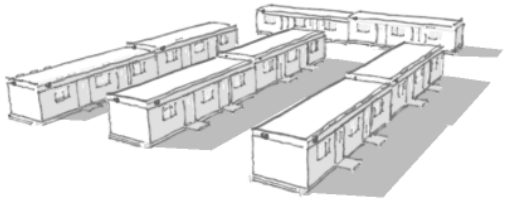
"drive-in restaurant" means an eating and drinking establishment which is designed as a drive-in business. Drive-in restaurants may have one or more of the following features: car attendant services, drive-through food pickup services, or parking primarily intended to allow for the on-site consumption of food within a motor vehicle;

"duplex " means a dwelling containing two (2) dwelling units which share a common wall, and which are located in part or in whole one above the other;

"dwelling" means any building used exclusively for human habitation. This definition shall include single family dwellings, duplexes, semi-detached dwellings, row housing, apartments, and manufactured homes. The following figures illustrate different dwelling types;

Single family dwelling	 **Figure 2: Single Family Dwelling**
Manufactured Home	 **Figure 3: Manufactured Home**
Modular Home	 **Figure 4: Modular Home**

Duplex	 **Figure 5: Duplex**
Semi-detached	 **Figure 6: Semi-Detached Dwelling**
Four-plex	 **Figure 7: Four-plex**
Row Housing	 **Figure 8: Row Housing**

Apartment Building	 **Figure 9: Apartment Building**
Surveillance Suite	 **Figure 10: Surveillance Suite**
Workcamp	 **Figure 11: Workcamp**
Garage Suite	 **Figure 12: Garage Suite**

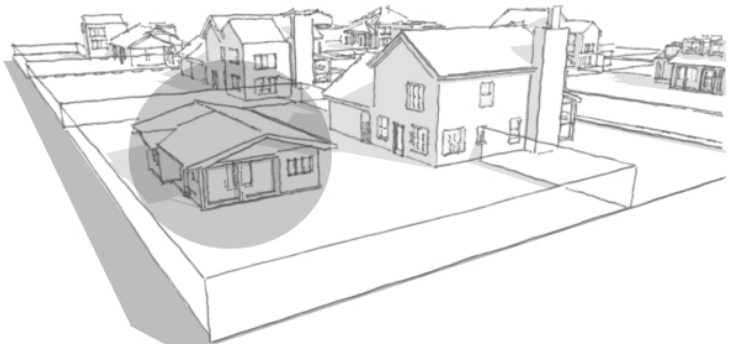
Garden Suite	

Figure 13: Garden Suite

"dwelling unit" means a complete dwelling or self-contained portion of a dwelling, set or suite of rooms which contains sleeping, cooking and separated or shared toilet facilities, intended for domestic use, and used or intended to be used permanently, semi-permanently, or seasonally as a residence for one (1) household, and which, except for a secondary suite, is not separated from direct access to the outside by another separate dwelling unit;

"eating and drinking establishment" means a development where food and/or beverages are prepared and offered for sale to the public, for consumption within the premises, at an ancillary outdoor seating area on the site, or off the site. An eating and drinking establishment does not include either a drinking establishment or an entertainment establishment unless otherwise provided for in an approved development permit. An eating and drinking establishment does not include cannabis lounge;

"entertainment establishment" means a development where persons are entertained by music, theatre, or the like. An entertainment establishment includes theatre, dancing or cabaret entertainment, whether recorded or live. An eating and drinking establishment may contain within it an entertainment establishment, but only if specifically provided for in an approved development permit. An entertainment establishment does not include cannabis lounge;

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

"established grade" means the average of the highest (A) and lowest (B) elevation of finished surface of the ground where it meets the exterior main walls of a building or the average elevation of the finished grade of the ground immediately surrounding a structure, exclusive in both case of any artificial embankment or entrenchment (see **figure 14**).

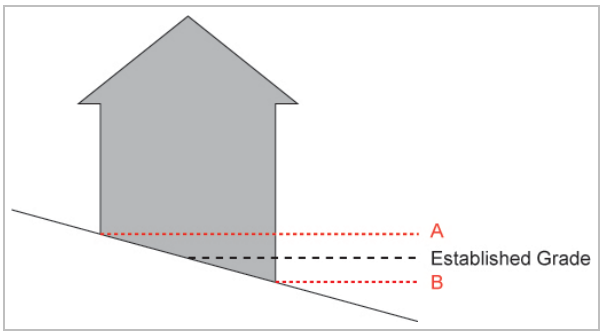


Figure 14: Established Grade

"extensive agriculture" means the use of land or buildings, including one dwelling, for an agricultural operation, but not including intensive agriculture or a confined feeding operation which requires either a registration or an approval under Part 2 of the Agricultural Operations Practices Act. Extensive agriculture does not include cannabis production and distribution facilities. This definition shall include agroforestry;

"extensive recreation" means a development where the prime reason for location is to take advantage of natural features including the availability of large areas of land to provide for non-facility oriented recreational activities. In the context of a large area of land, that is, anything over 32 ha (79.1 ac.), extensive recreation may include such activities as hunting, trail riding, snowmobiling, hiking and other similar uses. In the context of a smaller area of land, that is, anything under 32 ha (79.1 ac), extensive recreation may include the provision of opportunities for viewing nature, fishing, relaxation, and rest, and may or may not include a site where only one or two recreational vehicles or campsites may be located, and/or one cottage, single family dwelling or manufactured home;

"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 0.6 m (2.0 ft.);

"farmstead" means the habitable residence and other improvements used in connection with an agricultural operation, and situated on an unsubdivided quarter section used in connection with such agricultural operation;

"floor area" means the total area of all floors of a building above grade within the outside surface of exterior walls or within the glass-line 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;

"fragmented parcel" means a parcel that is separated from the balance of a quarter section or a part of a quarter section by a natural barrier such as a river or a coulee, or by a physical barrier such as a road or highway;

“portable sign” see **“sign, portable”**

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

"front yard" means a yard extending across the full width of a lot from the front line of the lot to the nearest wall of the main building situated on the lot. For the purposes of lakefront lots, the front line of the lot shall be considered to be closest to the lake;

"fur farm" means any land, building, or premises used for the keeping, breeding, or rearing of furbearing livestock;

"game farming" means an agricultural operation or a confined feeding operation, including the first dwelling, for the raising of livestock for gain or profit except for the raising of cattle, dairy cattle, pigs, calves, horses, poultry (including turkeys, geese and ducks), sheep, or goats;

“garage" means a building to be used for the storage of vehicles such as a passenger car, a truck with a gross vehicle weight of 2 tonnes or less, a recreational vehicle, a boat, or similar chattels;

"general retail establishment" means a development where, among other goods, 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, stationary, second hand goods, and similar goods are bought, rented, and/or sold, except for any and all types of alcoholic beverages or cannabis. Minor public services, such as postal services and film processing depots may also be provided;

"government services" means a development where municipal, provincial, or federal government services are provided directly to the public. Government services do not include protective and emergency services, major and minor utility services, and public education facilities. Government services may include government administration offices, courthouses, postal distribution offices, manpower and employment offices and social services offices;

"greenhouse" means a commercial establishment, with or without a building, where vegetables, flowers and other plants are grown for sale as plants, and which may include a market garden or plant nursery. Greenhouse does not include cannabis production and distribution facilities;

"golf course" means the golf playing area and ancillary buildings and uses related to the playing of the game of golf and, without restricting the generality of the foregoing, includes pro shop, club house, eating and drinking establishment, driving range and ancillary uses;

"grid roads" includes all Government Road Allowances in the Municipal District, and also includes all forced roads, other than those identified as major or minor two-lane highways in the Municipal District’s Municipal Development Plan;

"group home" means a building or portion of a building used for the care or rehabilitation or adults or children which is not predominantly related to age or a physical disability or the care or rehabilitation of the aged or the physically disabled. Group homes include halfway houses, addiction rehabilitation centres, care which is an alternative to legal incarceration, or treatment for mental illness or mental instability;

"guest house" means an ancillary building to a single family dwelling, which contains a temporary dwelling unit or part of a dwelling unit which is used solely by members of the family or by temporary guests of the family occupying the single family dwelling without paying compensation;

"health service" means a development where physical or mental health services are provided on an out-patient or on an in-patient basis. If the services are provided on an in-patient basis, health service may include room and board for the sick, injured, or infirm, and may also include ancillary staff residences. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. Health services may include but are not limited to: medical, chiropractic, and dental offices, health clinics and counseling services, hospitals, sanitariums, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres;

"heavy industrial use" see **"industrial use, heavy;**

"heavy equipment" means a powered vehicle that is specifically designed for construction and/or earthmoving tasks and includes, but is not limited to: wheel loaders, bulldozers, excavators, scrapers, backhoes, graders, and forklifts.

"heavy vehicle" means a Vehicle, or a Vehicle with a Trailer attached, that has a gross weight of 7,000 kilograms or more, with or without load, or exceeds eleven meters in overall length;

"heavy vehicle parking lot" means the on-lot, outdoor parking of heavy vehicles and may also include the parking of heavy equipment;

"height" means, when used in relation to a building, the vertical distance between the established grade and the highest point of a building that is not a stairway entrance, a ventilating fan, a skylight, a chimney, a smoke stack, a fire wall, or a flagpole, or similar device not structurally essential to the building;

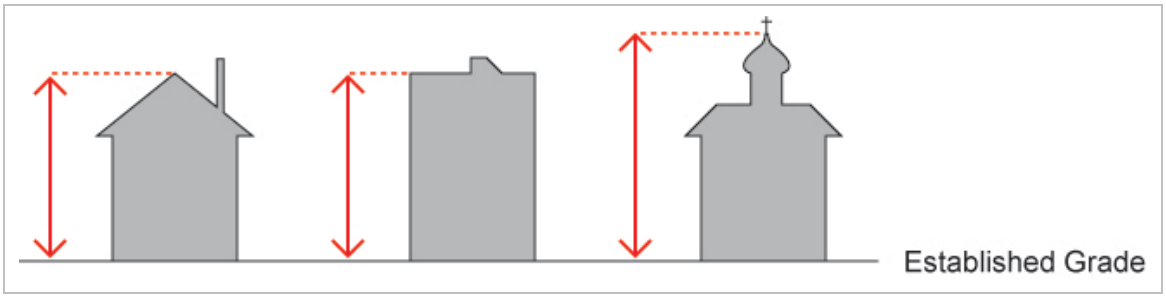


Figure 15: Height of a Building

"highway" means a highway as defined in the Highways Development and Protection Act, SA 2004, c H-8.5;

"highway commercial" means a commercial use intended to serve the motoring public and includes, but is not limited to, service or gas stations, drive-in restaurants, and motels. Highway commercial does not include cannabis retail sales;

"home occupation" means any occupation, trade profession, or craft carried on by an occupant of a dwelling as a use secondary to the residential use of the building, and which does not change the character of or have any exterior evidence of such secondary use other than a sign as allowed in this Bylaw. For the purposes of this Bylaw, home occupations are divided into two sub-classifications - major home occupations and minor home occupations - with specific regulations for each as indicated in this Bylaw. A minor home occupation does not include any business which would normally attract more than five (5) clients per week, or the employment at the dwelling or ancillary buildings of any paid assistant, other than the occupants of the dwelling. A major home occupation may include a business which would normally attract more than five (5) clients per week, but does not include the employment at the dwelling or ancillary buildings of more than two (2) paid assistants, other than the occupant and the occupant's family. Minor home occupation and major home occupations do not include cannabis production and distribution facilities or cannabis retail sales;

"hotel" means a building containing rentable units, occupied or equipped to be occupied as a temporary abode for tourists or transients, which also may contain a general retail establishment, a drinking establishment, or an eating and drinking establishment; however, a hotel shall not include an entertainment establishment unless specifically provided for in an approved development permit. A hotel shall not include a workcamp;

"household" means one or more people who occupy the same dwelling and live together. This can include:

> a person living alone, or a couple or a family, or unrelated roommates sharing a home,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 three (3) boarders or lodgers, or up to four (4) foster children;

"household repair service" means a development where goods, equipment and appliances normally found within a dwelling unit may be repaired. Household repair services include radio, television, appliance and electronics repair shops, and furniture refinishing and upholstery shops, but not personal service shops. Household repair services do not have any outdoor storage;

"**industrial use, heavy"** means a development which would be considered to be a light industrial use except that, in the opinion of the Development Authority, the development may not be able to co-exist compatibly in proximity to other uses or population concentrations due to: the potential for an adverse environmental impact beyond the immediate site of the medium industrial use; the potential for significant toxic or noxious by-products such as air or water-born emissions; or the potential to emit significant noise, smoke, dust, odour, vibration, etc., which may be offensive or hazardous to human health, safety or well-being. Heavy Industrial uses also include: the storage of toxic, flammable or explosive products in significant quantities; rendering plants, petro-chemical industrial establishments, and alfalfa processing plants or large-scale outdoor storage that is unsightly or visually offensive. Heavy industrial use does not include cannabis production and distribution facilities;

"**industrial use, light**" means a development which, in the opinion of the Development Authority, may be able to co-exist compatibly in proximity to other uses or population concentrations. Light industry is usually less capital intensive than heavy industry, and is more consumer-oriented than business-oriented. Light industries require only a small amount of raw materials, area and power. For further clarification it means where:

(a) raw materials are processed, and/or

(b) semi-finished or finished goods, products or equipment are manufactured and/or assembled, and/or

(c) materials, goods and equipment normally associated with industrial or commercial business are cleaned, serviced, repaired, salvaged, and/or tested, and/or

(d) goods and equipment associated with personal or household use are cleaned, serviced, and/or repaired, and/or

(e) materials, goods and equipment are stored and/or tran-shipped, and/or

(f) materials, goods and equipment are distributed and/or sold to institutions and/or industrial and commercial businesses for their direct use and/or to general retail establishments and/or other retail establishments for resale to individual customers, and/or

(g) personnel are trained in general industrial operations,

in such a manner, in the opinion of the Development Authority, that an adverse environmental impact is not created beyond the immediate site of the general industrial use, which does not produce significant toxic or noxious by-products, and which is compatible with other industrial and commercial uses in a concentrated setting. General industrial uses include motor vehicle body and paint shops, but do not include the preparation of food and/or beverages for direct sale to the public Light industrial uses do not include cannabis production and distribution facilities or cannabis retail sales.

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory and subordinate to the general industrial use activities identified above. The floor area devoted to such accessory activities shall not exceed a total of thirty-three percent (33%) of the total floor area of the building or buildings devoted to the general industrial use, except that this restriction shall not apply where, in the opinion of the Development Authority, a significant portion of the industrial activity naturally and normally takes place out of doors;

“industrial use, medium” means a development which may include indoor or outdoor storage and in the opinion of the Development Authority, the development may not be able to co-exist compatibly in proximity to other uses or population concentrations due to: the potential for on-site adverse environmental impacts; the potential for significant toxic or noxious by-products which may be offensive or hazardous to human health, safety or well-being; the storage of toxic, flammable or explosive products in small quantities; or large-scale outdoor storage that is unsightly or visually offensive. Medium industrial uses may include manufacturing, transportation, warehousing; distribution, and utilities. Medium industrial uses do not include cannabis production and distribution facilities;

"industrial vehicle and equipment sales/rentals establishment" means a development where new or used heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield, and mining construction, manufacturing, assembling, and processing operations and/or agricultural operations are sold or rented, together with incidental maintenance services and sale of parts. Industrial vehicle and equipment sales/rental establishments do not include truck and recreational vehicle sales/rental establishments or automotive and minor recreational vehicles sales/rental establishments;

“in-law suite” see “suite, in-law”

"institutional use" includes but is not limited to hospitals, public offices, educational facilities, religious assemblies, libraries and senior citizen housing;

"intensive agriculture" means an agricultural operation which operates on an intensive basis. Without restricting the generality of the foregoing, this shall

include nurseries, greenhouses, and kennels, but not confined feeding operations or cannabis production and distribution facilities;

"intensive recreation" means high density recreational activities such as campgrounds, picnic grounds, fishing lodges, beach areas, marinas, riding stables, race tracks, sports fields, golf courses, arenas, swimming pools, tennis courts and other similar activities;

"internal local roads" includes all roads within subdivisions, and all service roads adjacent to highways;

"kennel" means a development in which more than four (4) domestic pets over six (6) months in age are maintained, boarded, bred, trained or cared for or kept for purposes of sale;

"lake front lot" means a lot either adjacent to a lake or adjacent to a Reserve parcel which is adjacent to a lake;

"liquor store" means a development or a part of a development used for the retail sale of any and all types of alcoholic beverages to the public for consumption off premises. This use may include the retail sales of related products such as soft drinks and snack foods. A liquor store development does not include cannabis retail sales;

"livestock" means livestock as defined in the Agricultural Operation Practices Act;

"livestock sales yard" means any enclosed area of land, with or without ancillary buildings or structures, upon which livestock is collected for sale or for market distribution;

"lot" means

(a) a quarter section,

(b) a river lot, lake lot, or settlement lot shown on an official plan referred to in the Surveys Act that is filed or lodged in a Land Titles Office,

(c) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision, or

(d) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title by reference to a plan of subdivision;

"lot width" means the length of a line parallel to the front line or, in a lot with a curved front line, perpendicular to a line running between the mid-point of the

front line and the mid-point of the rear line, measured at a distance from the front line equal to the minimum required front yard;

"main building" means the primary building or buildings used on the lot and associated with the main use;

"main use" means the primary purpose or purposes for which a building or lot is used;

"maintenance" means the upkeep of the physical form of any building which does not require a permit pursuant to the Safety Codes Act. Maintenance will include painting, replacing flooring, replacing roofing materials, but will not include any activity that will increase the habitable floor area of any dwelling unit or the internal volume of any building;

"major two-lane highway" means a road or highway identified as a major two-lane highway in the Municipal District's Municipal Development Plan;

"manufactured home" means a single family dwelling, manufactured in full compliance with both the Canadian Standards Association (CSA) Z-240 MH National Mobile Home Standard and the Alberta Building Code (ABC), bearing a prominently displaced CSA Z240MH Mobile Home label AND an Alberta Municipal Affairs label that certifies compliance to the ABC. Notwithstanding the requirement regarding labels, should a building not have a label, it can still be considered a manufactured home for the purposes of this Bylaw should the inspection and upgrading procedures outlined in **Section 8.31** of this Bylaw be followed. A manufactured home is normally constructed off-site and then transported to its site. Upon arriving at the site for location, apart from incidental operations such as placement on a foundation and connection of utilities, it is ready for year round use as a dwelling for one household. However, a manufactured home may be entirely constructed on-site. Additionally, to be considered a manufactured home, a dwelling with one dwelling unit shall have a roof pitch of less than 1:4, or a depth of eaves of less than 45 cm (18 in.), or a ratio of depth vs. width (or width vs. depth) of more than 2.5:1, not including porches or other additions, or not be supported on a permanent foundation or base extending below grade;

"manufactured home park" means a parcel of land under single ownership which has been planned and divided into rentable spaces or lots for the long term accommodation of manufactured homes;

marina" means a development where boats and boat accessories are berthed, stored, serviced, repaired or kept for sale or rent, and where facilities for the sale of marine fuels and lubricants may be provided;

"may" is an operative word meaning a choice is available, with no particular direction or guidance intended;

"minor two-lane highway" means a road or highway identified as a minor two-lane highway in the Municipal District's Municipal Development Plan;

"mobile home" see **"manufactured home"**

"modular home" means a single detached dwelling constructed in large sections, away from the home site, and under controlled conditions. It does not refer to a type of dwelling but rather to a method of construction, and does not include manufactured or mobile homes;

"motel" means a development where members of the travelling public are lodged for brief periods of time, in rentable units, and where access to each of the rentable units is individually available from grade, either at grade or via stairways. A motel may include minor eating and drinking establishments and convenience retail stores, but shall not include a liquor store, an entertainment establishment, or an establishment where there is a dance floor. A motel shall not include a workcamp;

"Municipal Planning Commission" means the Municipal Planning Commission established by Council Bylaw;

"municipality" means the MD of Opportunity;

"must" is an operative word, which means, similarly to the word shall, that an action is imperative or mandatory;

"natural area" means an area of land and/or water especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means. Areas such as groomed parks, recreational areas for sports, and schoolyards are not included in this definition.

"natural resource extraction industry" means an industry engaged in the extraction of natural resources such as trees, clay, sand, gravel, limestone, shale, coal, and other minerals including petroleum and natural gas and which may include bringing these resources together with other elements such as power or water into integrated processes for the purpose of primary treatment into a marketable form;

"**neighbourhood commercial development"** means a development where goods and services required by area residents or employees on a day to day basis are provided, bought or sold. The gross leasable area of a neighbourhood commercial development shall not exceed 275.0 m^2 (2,960 ft^2). Neighbourhood commercial developments include small food stores, drug stores, and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware, and/or printed matter as well as small personal service shops. Neighbourhood commercial development does not include cannabis retail sales;

"nuisance" means any act or deed, or omission, or thing, which is or could reasonably be expected to be annoying, or troublesome, or destructive or harmful, or inconvenient, or injurious to another person and/or their property, or anything troublesome or bothersome to other people **"occupancy"** means the use or intended use of a building or part thereof for the shelter or support of persons or property;

"**occupant"** means any person occupying or having control over the condition of any property and the activities conducted on any property, be such person the owner, lessee, tenant or agent of the owner or whether such person resided thereon or conducts a business thereon;

"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;

"office use" means a development where government, professional, management, administrative, consulting, and financial services may be provided. Office uses include the offices of lawyers, accountants, engineers, architects, and realtors. Office uses also include insurance firms; clerical, secretarial, employment and telephone answering and similar office support services; banks, credit unions, loan offices and similar financial institutions; the offices of governmental and public agencies;

"outdoor storage" means a development where, in the opinion of the Development Authority, goods, materials, and/or heavy equipment are or may be placed outside of a building on a more or less permanent or continuous basis, and shall not include a heavy vehicle parking lot;

"owner" means

(a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or

(b) in the case of any other land, the person or persons shown as the owner(s) of land on the certificate of title to the land;

"park model" means a type of recreational vehicle; however, for the purposes of this Bylaw, park models are not allowed in any District within this Land Use Bylaw unless either recreational vehicles or recreational vehicle campgrounds are listed as a permitted or a discretionary use within the District, and, further, that a park model has been specifically identified and approved by the Development

Authority within an approved development permit. As well, park models shall not be used as dwellings within the municipality. There are a number of types of park models. Currently, two types described below are recognized by the recreational vehicle industry.

"parking lot" means a parking area which is located on a lot and not accessory to a particular use or development;

"patio" means any developed surface adjacent to a building on a site which is less than 0.6 m (2.0 ft.) above ground level;

"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 barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments, and laundromats;

"place of worship" means a development where worship and related religious, philanthropic, and social activities occur. Accessory developments include rectories, manses, classrooms and dormitories. Places of worship include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries;

"principal building" see **“main building”**

"principal use" see **“main use”**

"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. Private club developments do not include cannabis lounge or cannabis retail sales;

"protective and emergency services" means a development where the administration of the protection of persons and property from injury, harm or damage takes place, and where the equipment necessary for such activities is stored, maintained, and supplied. Protective and emergency services include police stations, detention centres, fire stations, ambulance bays and ancillary training facilities;

"public education facility" 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 education facilities include the administration offices, storage, and maintenance operations of the School Division. Public education facilities include public and separate schools, community colleges, universities, technical and vocational schools, and

private academies or “charter schools”, and their administrative offices and maintenance facilities;

"public or quasi-public building" means a building which is owned or leased by a department or agency of the federal or provincial government, or the Municipality for purposes of public administration and the delivery of services and shall also include a building for the purpose of assembly, instruction, culture or enlightenment, or for community activities;

"public or quasi-public use" means a use by a department or agency of the federal or provincial government, or the Municipality, for public administration and the delivery of services and shall also include uses for the purpose of assembly, instruction, culture or enlightenment, or for community related activities;

"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 pursuant to arrangements with the public authority owning the public park. 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;

"public utility" means a public utility as defined in the Act;

"public utility building" means a building in which the proprietor of a public utility, as defined in the Act, maintains its office or offices and/or maintains or stores any equipment used in connection with the public utility;

"rear line" means the boundary line of a lot lying opposite to the front line of the lot and/or farthest from a highway or road;

"rear yard" means a yard extending across the full width of a lot from the nearest wall of the main building situated on the lot, to the rear line of the lot;

"recreation camp" means a development that contains accommodation facilities and is used wholly or partly for recreational purposes, and without limitation, includes trail riding ranches and guest ranches, rural experience camps, survival training camps, fishing and hunting camps, religious camps and camps for disabled persons;

"recreational use" means a recreational development conducted on a unified basis on a single site where the prime reason for location may be to take advantage of natural features. A recreational use may include the provision of day to day sporting and athletic facilities and the structures incidental thereto such as ski slopes, golf courses, archery, trap and rifle ranges, racetracks, boating, swimming, picnicking, athletic, and similar uses, and may include a refreshment stand incidental to the primary use. However, recreational use does

not include extensive recreation, or a campground, a recreational vehicle campground or a recreation camp;

"recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational camping or travel use, which either has its own motor or is mounted or drawn by another vehicle. Recreational vehicles include travel trailers, camping trailers, truck campers, 5th wheels, motor homes, or park models, but not manufactured homes, a garage package/garage suite, or a cabin on any sort of transportation device such as skids or wheels up to a maximum interior space of 75 sq. m (807.3 sq. ft.). Any vehicle larger than 75 sq. m (807.3 sq. ft.) in interior space shall be considered to be a manufactured home for the purposes of this Bylaw;

Recreational Vehicle	 **Figure 16: Recreational Vehicle**

"recreational vehicle campground" means a development on which three (3) or more recreational vehicles are 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 part of the equipment of such recreational vehicle campground. A recreational vehicle campground may include within it a campground. See Section 8.50;

"**recreational vehicle campground, workcamp**" means a development consisting of stalls or sites for the location of more than three (3) recreational vehicles, used to house camp workers by various contracting firms on a temporary basis. The units may be dismantled and removed from the site from time to time. See Section 8.51;

“recreational vehicle storage” means a development which provides fenced or indoor, secure, on-site storage of more than three (3) recreational vehicles;

"recycling depot" means a development where bottles, cans, newspapers, and similar non-hazardous household goods are bought, sold, and temporarily stored for reuse and where all storage is contained within an enclosed building or an enclosed compound;

"religious assembly" means a development where worship and related religious, philanthropic, and social activities occur. Ancillary developments include rectories, manses, classrooms, and dormitories. Religious assembly includes churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries;

"resort" means a commercial development which offers a combination of stick built or modular guest accommodation and recreational opportunities, and may include a hotel, rental cabins, staff housing, a convention centre, and/or eating and drinking establishments;

"row housing" means a building consisting of at least three (3) dwelling units with each unit having direct access to the outside grade, but shall not mean apartment;

"secondary commercial" means a commercial use that is secondary or subordinate in scale and intensity to the primary use on the site. Secondary commercial use shall **not** include: animal hospitals, highway commercial uses, hotels, marinas, liquor stores, drinking establishments, recreation camps, recreational vehicle campground, resorts, cannabis retail sales, or uses of a similar intensity and scale;

"secondary residential" means a single family residential unit that is secondary or subordinate in scale and intensity to the primary use on the site. Secondary residential uses that are entirely independent of the commercial use located on the site may include: manufactured homes, modular homes, and single family residential uses. Secondary uses that are contained within buildings that also include commercial uses may include apartments or apartment style condos located partially or entirely on the second story of an approved commercial building;

"secondary suite" see **"suite, secondary"**;

"semi-detached dwelling" means a building used or intended to be used for two dwelling units, located entirely side by side;

"seniors housing development" means a grouping of single family dwellings, manufactured homes, duplexes, semi-detached dwellings and/or row housing buildings on a single site designed to accommodate senior citizens as defined by Provincial and Federal agencies and legislation;

"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;

"setback" means, depending on the context of the term, the minimum horizontal distance between buildings or a lot boundary and buildings;

"shall" is an operative word which means the action is obligatory;

"shop" means a building to be used for light industrial purposes or the storage of vehicles larger than that allowed in a garage;

"**shopping centre**" means a building or a group of buildings, comprising retail commercial and similar uses, with shared off-street parking facilities, and which may be managed as a single unit;

"shoreline" means the bank of the body of water as determined pursuant to the Surveys Act;

"should" is an operative word which means that, in order to achieve local goals and objectives it is strongly advised that the action be taken. Exceptions shall be made only under extenuating circumstances;

"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 highway or road shall be considered a side line;

"side yard" means a yard extending from the front yard of a lot to the rear yard of the lot and lying between the side line of the lot and the nearest wall of the main building;

"sign area" means the total face area of a sign intended for the letters or graphics of the message. In the case of a double-faced sign, only half of the area of each sign face shall be used in calculating sign area;

"sign, A-frame" means a type of sign commonly referred to as "sandwich boards", composed of two hinged or otherwise joined boards which leans on the ground,



Figure 17: A-Frame Sign

"sign, canopy" means a sign which is part of or attached to the outside edge of a canopy but which does not extend below the bottom edge or surface of the canopy (see Figure 18);

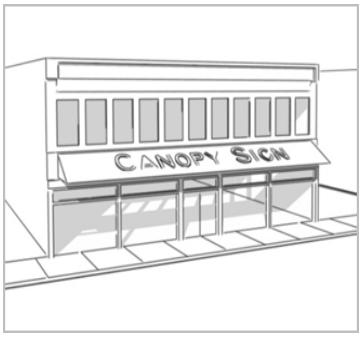


Figure 18: Canopy Sign

"sign, fascia" means a sign attached to or placed flat against an exterior vertical surface of a building, and projects no more than 0.3 m (12.0”) from the surface of the building, and does not project above the roof or parapet. Fascia signs are also called wall signs;



Figure 19: Fascia Sign

"sign, inflatable" means a sign made of flexible material or fabric that is made to take on a three-dimensional shape (to blow up like a balloon) when filled with a sufficient volume of air or gas. Commonly used as a temporary sign for special events or promotions;



Figure 20: Inflatable Sign

"sign, freestanding" means a sign supported by one or more uprights, braces or pylons, and stands independently of another structure;

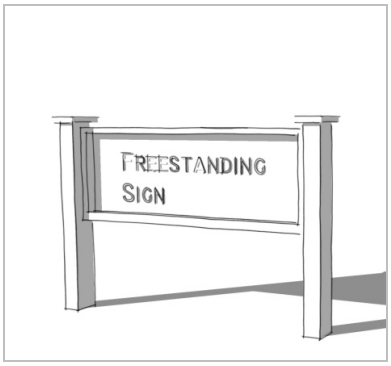


Figure 21: Freestanding Sign

"sign, off site" means a sign that advertises goods, products, services or facilities not available on the site where the sign is located, and which may also direct persons to another location;

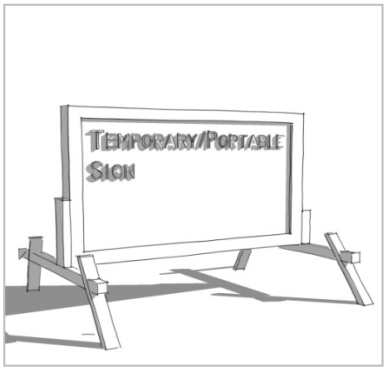


Figure 22: Off Site Sign

"sign, projecting" means a sign affixed to a building or part thereof and extending beyond the building by more than 0.3 m (1.0 ft.). This does not include a sign attached to the ground;



Figure 23: Projecting Sign

"sign, roof" means a sign erected upon, against or directly above the roof of a building or the top of a parapet wall;



Figure 24: Roof Sign

"sign, temporary/portable" means a sign on a standard or column fixed to its own self-contained base and capable of being moved manually;

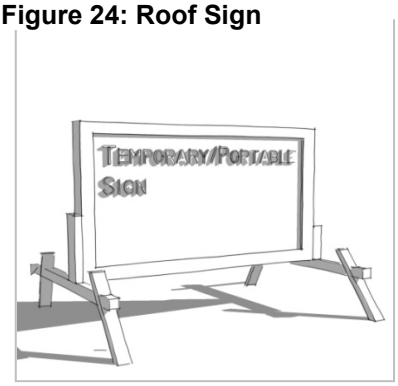


Figure 25: Temporary/Portable Sign

"sign, under canopy" means a sign which is attached to the bottom surface or edge of a canopy;



Figure 26: Under Canopy Sign

"single family dwelling" means a building consisting of one (1) dwelling unit. A single family dwelling is a dwelling which is normally constructed on-site. However, a single family dwelling may be constructed in pieces off-site, or even in one piece, with the piece(s) being transported to the site for assembly on-site;

"similar use" means a use which, in the opinion of the Development Authority, closely resembles another specified use with respect to the type of activity, structure and its compatibility with the surrounding environment;

"solar array" means multiple solar panels use in conjunction to produce electricity.

"**small radio communications tower**" means a development that is intended for transmitting or receiving radio communications signals from devices such as ham radios, fleet dispatch systems, or private communications systems. Typical small radio communications towers are short, usually no more than 3 m (9.8 ft.) taller than the adjacent buildings;

"**solar energy collection system**" means a system of one or more buildings or appurtenances to buildings designed to convert solar energy into mechanical or electrical energy and includes solar array, solar panels, free standing, ground and roof mounted.

"**solar panel, free standing"** means a device which is used to convert energy contained within the sun's rays into electricity, which is not mounted or attached to any other structure for support.

"solar panels, roof mounted" means a device which is used to convert energy contained within the sun's rays into electricity, which is located, mounted, or attached to the roof of a structure.

"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;

"structural alterations" means the addition to, deletion from, or change to any building which requires a development permit other than a plumbing permit, gas permit or an electrical permit pursuant to the Safety Codes Act;

"Subdivision and Development Appeal Board" means the Subdivision and Development Appeal Board established by the Subdivision and Development Appeal Board Bylaw;

"Subdivision Authority" means the Subdivision Authority established by the Subdivision Authority Bylaw;

"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;

“suite, garage” means a self-contained dwelling located above a rear detached garage which is accessory to a single detached house. Garage suites have a separate entrance from the vehicle entrance to the rear detached garage, either from a common indoor landing or directly from the exterior of the structure. Garage suites do not include secondary suites or garden suites;

“suite, garden” means a single-storey accessory building which contains a dwelling unit and is located in a building on a site that is separate from a main building in which the main use is a single detached dwelling. A garden suite has cooking, food preparation, sleeping, and sanitary facilities which are separate from those of the single family dwelling located on the site. This use does not include secondary suites or garage suites;

“suite, secondary” means a self-contained dwelling unit, clearly secondary in size to the main dwelling unit within a dwelling, which may or may not share access to the outside and/or other facilities with the main dwelling unit; A secondary suite is considered "secondary" or "accessory" to the primary residence on the parcel. It normally has its own entrance, kitchen, bathroom and living area;

“**suite, in-law”** means an additional dwelling unit intended for the sole occupancy of one (1) or two (2) persons. The floor area of the attached in-law suite shall not exceed 30 percent of the existing living area of the primary residence;

"suite, surveillance" means a dwelling unit on a parcel of land which is incidental and contained within a main building, or located in a subordinate, standalone structure which is incidental to the main use. Surveillance suites must be used specifically for the purpose of providing surveillance or protection of private property;

"temporary development" means a development for which a development permit has been issued and which is to exist for a limited time only;

“tiny house” a residential building containing a single dwelling unit intended for year-round use, with a maximum floor area of 37m^2 (398.27 ft^2). These may be constructed on a chassis or a foundation;

"trailer" means “trailer” as defined in the *Traffic Safety Act*;

"trucking and cartage establishment" means a development where goods shipped by truck are transferred from one truck to another, or where trucks are dispatched to pick up and/or deliver goods. Trucking and cartage establishments may include dispatch offices or storage compounds for the temporary storage of goods, and include moving or cartage firms involving vehicles with a gross vehicle weight of more than 3,000.0 kg (6,613.9 lbs.);

“truck wash” means a facility for the washing of large or commercial vehicles

"undeveloped lot" means a lot which does not contain a residence, building or structure;

"vehicle" means a device in, upon or by which a Person or thing may be transported or drawn upon a Municipal Road and includes an Off-Highway Vehicle, as defined in Bylaw 2022-12, as amended or replaced, and a combination of Vehicles, but does not include a mobility aid;

"vehicle repair establishment" means development used for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles, recreational vehicles, and trucks, including the sale, installation or servicing of related accessories and parts. This use class includes transmission shops, muffler shops, tire shops, automotive glass shops, upholsterer shops, and body repair and/or paint shops;

"veterinary clinic" means a development where domestic pets are cared for and treated, including hospitalization for fewer than four (4) days. Veterinary clinics may also treat livestock, but they will be treated via out-patient care. All animals shall be kept within an enclosed building;

"veterinary clinic – large animal" means a development where large animals, including 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. Veterinary clinics do not include animal hospitals or small animal breeding and boarding establishments;

"warehouse sales establishment" means a development where bulky goods are sold from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. Warehouse sales establishments include furniture stores, carpet stores, major appliance stores, and building materials stores;

"**wind energy conversion system, large**" means one or more buildings designed to convert wind energy into mechanical or electrical energy and which has a rated capacity equal to or greater than 300 kW;

"wind energy conversion system, micro" means a small-scale wind turbine, which is small in height and diameter and can be installed on the roof of a building or structure.

"wind energy conversion system, small" refers to a wind energy conversion system (WECS) consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 300 kW, and which is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale.

"wind turbine tower" refers to the guyed or freestanding structure that supports a wind turbine generator.

"wind turbine tower height" The height above grade of the fixed portion of the wind turbine tower, excluding the wind turbine and rotor.

"wireless communications facility" means a facility that provides communication service using RF technology to transmit and receive voice, picture, text and data, in either digital or analogue form, on system of elevating support structures. These structures include monopoles, lattice towers (self- supported or guyed) or other configurations as well as, although not limited to, shelters, transmitters, receivers, antennas, antenna mounts, transmission lines, waveguides, transmission line supporting equipment and material, aeronautical obstruction lights, antenna deicing equipment, antenna power dividers and matching equipment, combiners and utility power equipment, conditioners and backup power systems.

"workcamp" means a temporary residential complex used to house workers, usually but not necessarily for a contracting firm or project, on a temporary basis of more than twenty-eight (28) days and less than one (1) year. A workcamp is usually made up of a number of buildings, (not including manufactured homes, modular homes or single family dwellings), clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities. The buildings are designed to be dismantled and moved from location to location and from time to time;

"workcamp, short term" means a temporary residential complex used to house workers, usually but not necessarily for a contracting firm or project, on a temporary basis of not more than twenty-eight (28) days. A workcamp is usually made up of a number of buildings, (not including manufactured homes, modular homes or single family dwellings), clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities. The buildings are designed to be dismantled and moved from location to location and from time to time;

"yard" means a part of a parcel upon or over which no building is to be erected unless otherwise provided for in this Bylaw;

and all other words and expressions have the meanings respectively assigned to them in the Act or in common law.

1.4 METRIC AND IMPERIAL MEASUREMENTS

Within this Bylaw, both Metric and Imperial measures are normally provided, the Imperial measures within brackets. The Imperial measures are approximations, provided only for information, and are provided in order to provide some comparison for persons who are unfamiliar with Metric measures.

1.5 ESTABLISHMENT OF LAND USE DISTRICTS

(1) For the purposes of this Bylaw:

The R1, R1A, R1B, R1C, R1D, R1E, R2, R3, R4, CR, RSF, RR, RMH, and RMH1 Districts shall be considered to be Residential Districts

The C1, C2, C3, and CH Districts shall be considered to be Commercial Districts

The M1, M2, and M3 Districts shall be considered to be Industrial Districts.

(2) The boundaries of the districts listed in this Bylaw are as delineated in the LAND USE DISTRICT MAP, which is in **Part 11** of this Bylaw.

(3) Where uncertainty exists as to the boundaries of districts as delineated in the LAND USE DISTRICT MAP, the following rules shall apply:

Rule 1: Where a boundary is shown as following a street, lane, or canal, it shall be deemed to follow the centre line thereof.

Rule 2: Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.

Rule 3: In circumstances not cover by Rules 1 and 2, the location of the district boundary shall be determined:

(a) where dimensions are set out on the LAND USE DISTRICT MAP, by the dimensions so set; or

(b) where no dimensions are set out on the LAND USE DISTRICT MAP with respect to such boundary, by measurement of and use of the scale shown on the LAND USE DISTRICT MAP.

(4) Where the application of the above rules does not determine the exact location of the boundary of a district, the Council, either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary, shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to the measurements and directions as the circumstances may require.

(5) The Development Authority shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

1.6 ESTABLISHMENT OF LAND USE DISTRICT REGULATIONS

Land Use District regulations shall be as set forth in **Sections 8 and 9** of this Bylaw.

1.7 ESTABLISHMENT OF SPECIAL AIRPORT HEIGHT REGULATIONS

Special height regulations related to the hazard represented by airports shall be as set forth in **Section 10** of this Bylaw

PART 2 – DEVELOPMENT APPROVAL AUTHORITIES

2.1 DEVELOPMENT AUTHORITY

(1) The Development Authority is hereby established to exercise development powers and perform duties on behalf of the Municipal District.

(2) The Development Authority shall be:

(a) the Municipal Planning Commission,

(b) the Development Authority Officer, and

(c) in a Direct Control District, Council.

(3) If the Municipal Planning Commission is to be making the decision on a development permit application, the term "Development Authority", when used in this Bylaw, shall be the Municipal Planning Commission.

(4) In all instances other than those indicated in Subsection (3) above, when used in this Bylaw, the term "Development Authority" shall be the Development Authority Officer.

2.2 DEVELOPMENT AUTHORITY OFFICER

(1) The Development Authority Officer is the designated officer for [what purposes, ie conducting 542 insspections?].

(2) The Development Authority Officer shall be appointed by resolution of the Council.

(3) The Development Authority Officer shall perform such duties that are specified in this Bylaw.

(4) The Development Authority Officer:

(a) shall consider and decide upon all development permit applications unless the application is referred to the Municipal Planning Commission pursuant to this Section;

(b) shall refer with their recommendation to Council any development permit application affecting land within the Direct Control (DC) District;

(c) shall refer with their recommendations to the Municipal Planning Commission for its consideration and decision any development permit application for discretionary uses;

(d) shall refer with their recommendations to the Municipal Planning Commission for its consideration and decision any development permit application for a permitted use where the development application does not conform with this Bylaw and where either:

(i) the Development Authority Officer has decided not to make a decision on the application notwithstanding their ability to do so pursuant to Subsections (d) and (e) above,

(ii) the regulations to which the development application does not conform do not relate to the regulations indicated in Subsection (d) above, or

(iii) the variance to the regulations of this Bylaw being provided by the proposed development exceeds 25%.

(e) shall refer to the Municipal Planning Commission at their discretion any application which in their opinion should be decided by the Commission;

(f) 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;

(g) shall make available for inspection by the public during office hours a register of all applications for development permits and the decisions made thereon;

(h) shall collect fees according to the Land Use Bylaw Fee Schedule as amended from time to time by resolution of Council;

(i) is the designated officer for the purposes of Section 542 of the Act; and

(j) may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by it.

(5) The Municipal Planning Commission as established by Bylaw shall be authorized to decide upon all development permit applications referred to it by the Development Authority Officer and to issue such orders that it sees fit.

(6) The Council shall be authorized to decide upon all development permit applications referred to it by the Development Authority Officer within the Direct Control (DC) District.

(7) The Development Authority Officer may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by the Development Authority or by the Development Authority Officer.

(8) The Development Authority Officer shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto, and keep a register of all applications for development, including the decisions thereon.

2.3 MUNICIPAL PLANNING COMMISSION

(1) The Municipal Planning Commission shall decide upon all development permit applications referred to it by the Development Authority Officer.

(2) The Municipal Planning Commission may:

(a) provide recommendations for subdivision proposals to the Subdivision Authority; and

(b) perform such other duties as described or implied in this Bylaw or as may be assigned to it by Council.

2.4 COUNCIL

The Council shall perform such duties that are specified for it in this Bylaw.

2.5 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

The Subdivision and Development Appeal Board shall perform such duties as are specified in **Bylaw 2026-11 Subdivision and Development Appeal Board**.

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PART 3 – GENERAL ADMINISTRATIVE PROCEDURES

3.1 CONTROL OF DEVELOPMENT

(1) No development other than that designated in **Section 3.2** shall be undertaken within the MD unless an application for it has been approved and a development permit has been issued.

3.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

(1) The following development shall not require a development permit:

(a) the carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation that would require a building permit;

(b) the completion of a building which was lawfully under construction at the date of the first publication of the notice required by the Act, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of the first publication of the notice;

(c) the use of any such buildings as referred to in subsection (2) for the purpose for which construction was commenced;

(d) the erection, construction, or maintenance, improvement or alteration of gates, fences or walls or other means of enclosure less than 1.2 m (4.0 ft.) in height in front yards or in side yards abutting a highway or road, and less than 1.8 m (6.0 ft.) in rear yards or in other side yards, and the maintenance, improvement and other alterations of any gates, fences or walls or other means of enclosure, unless the fencing material is razor wire. An approved development permit shall always be necessary before razor wire is used as a fencing material except in the E – Resource District;

(e) the use of razor wire or barbed wire for fencing materials within the E – Resource District;

(f) a temporary building or sign, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw;

(g) the maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled;

(h) extensive agriculture, excepting where the following situations apply:

(i) where the lot is smaller than 32 ha (80 ac.) in size, or

(ii) where the proposed development involves a dwelling or an ancillary use or building to a dwelling, or

(iii) where beehives are proposed within 15.2 m (50 ft.) of a property line adjacent to a road or highway, or

(iv) where fences for game farming are proposed within 15.2 m (50 ft.) of a property line adjacent to a road or highway, or within 30 m (98.4 ft.) of the centreline of a road or highway, or

(v) where other buildings and dugouts are proposed within:

1. - 40 m (131.2 ft.) of a property line of a grid road,

2. - 50 m (164 ft.) of a centreline of a minor two-lane highway, or

3. - 70 m (230 ft.) of a centreline of a major two-lane highway or a multi-lane highway;

(i) except for beehives described in Section 3.2(1)(g)(iii) above, a building or structure with a floor area of under 10.0 sq. m (107.6 sq. ft.) which is not on a permanent foundation;

(j) the erection of campaign signs for federal, provincial, municipal or school board elections on privately-owned lots for no more than thirty (30) days, or such time as regulated under provincial or federal legislation provided that:

(i) such signs are removed within seven (7) days after the election date,

(ii) such signs do not obstruct or impair vision or traffic,

(iii) such signs are not attached to fences, trees, or utility poles; and

(iv) such signs indicate the name and address of the sponsor and the person responsible for removal;

(k) development within a basement which does not change or add to the uses within a dwelling;

(l) sheds which are ancillary to dwellings, which are less than 10.0 sq. m (107.6 sq. ft.) in floor area, and which satisfy all the setback requirements of this Bylaw;

(m) development within the CL District;

(n) the removal of top soil except in conjunction with a development for which a development permit has been issued;

(o) grading and/or landscaping where the proposed grades will not adversely affect the drainage of the subject or adjacent lots;

(p) the demolition or removal of any building or structure for which a development permit would not be required pursuant to subsections (d) through (m) above, both inclusive.

3.3 NON-CONFORMING BUILDINGS AND USES

(1) A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform to this Bylaw.

(2) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, shall not be enlarged or added to and no structural alterations may be made thereto or therein.

(3) A non-conforming use of part of a lot may not be exceeded or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed upon the lot while the non-conforming use continues.

(4) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:

(a) to make it a conforming building,

(b) for the routine maintenance of the building, if the Development Authority considers it necessary, or

(c) in accordance with the powers possessed by the Development Authority pursuant to the Act and **Section 4.4** of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.

(5) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.

(6) The use of land or the use of a building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

PART 4 – DEVELOPMENT APPLICATION PROCESS

4.1 APPLICATION FOR DEVELOPMENT

(1) An application for a development permit shall be completed and submitted to the Development Authority in writing, in the form required by the Development Authority, and shall be accompanied by:

(a) a site plan showing the legal description; the front, rear, and side yards, if any provision for off-street loading and vehicle parking; and access and egress points to the site;

(b) building dimensions;

(c) a statement of the proposed uses; and

(d) a statement of ownership of the land and the interest of the applicant therein.

(2) Each application for a development permit shall be accompanied by a non-refundable application fee as established by Council.

(3) The Development Authority Officer may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application shall commence. Such information may include:

(a) the location of existing and proposed municipal and private storm and sanitary sewage collection and disposal, and water supply and distribution utilities, landscaped areas and buffering and screening;

(b) the height and horizontal dimensions of all existing and proposed buildings;

(c) outlines of roof overhangs on all buildings;

(d) existing and proposed elevations on the site and on adjacent sites, roads and lanes;

(e) post construction site and building elevations;

(f) floor plans, elevations and sections of any proposed buildings, including the lowest floor elevation in either the basement or on the main floor in the principal and accessory buildings;

(g) landscaping plans, including the location of existing and proposed trees, shrubs, grassed areas, fences, screenings, and outdoor

furniture on the site and on adjacent boulevards within road rights-of-way;

(h) drainage plans;

(i) in a Residential District, the suggested location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal;

(j) future development plans for a site which is to be partially developed through the applicable development permit;

(k) in the case of a proposed home occupation, information concerning the number of employees, the location of any goods to be kept or stored, and an estimate of the number of client visits to be expected to the site each week;

(l) in the case of the placement of an already constructed or partially constructed building on a site, including a manufactured home, information relating to the age and condition of the building and its compatibility with the District in which it is to be located, including photographs of the building;

(m) any other information or tests required by the Development Authority, at their discretion, respecting the site or adjacent lands, including an environmental screening of the site;

(n) a statutory declaration indicating that the information supplied is accurate; and

(o) for a moved in (relocated) building or a manufactured home, the applicant pictures of the exterior of the structure.

(p) an engineering study, geotechnical report or flood plain mapping to demonstrate the physical suitability of site with respect to soils, slopes, flood susceptibility and drainage,

(4) In addition to the information requirements above, for an industrial development application, the Development Authority, at the Development Authority's discretion, may also ask for the following information::

(a) type of industry,

(b) estimated number of employees,

(c) estimated water demand and anticipated source,

(d) estimated gas demand and anticipated source,

(e) type of effluent and method of treatment,

(f) type of air emissions and method of abatement,

(g) estimated noise generated by the development and method of abatement;

(h) estimated light generated by the development and (if necessary) method of abatement,

(i) transportation routes to be used and estimated traffic impact,

(j) reason for specific location,

(k) means of solid waste disposal,

(l) any accessory works required (pipeline, railway spurs, power lines, etc.),

(m) anticipated residence location of employees,

(n) municipal servicing costs associated with the development,

(o) physical suitability of site with respect to soils, slopes and drainage,

(p) if a subdivision is involved, the size and number of parcels and proposed phasing (if any),

(q) servicing requirements and provisions for meeting them, and

(r) costs associated with providing new or upgraded municipal services associated with the development,

and/or any other information as may be necessary to review the application.

(5) In addition to the information requirements indicated above, the Development Authority may require for a proposed industrial use the provision of environmental assessment information and a risk assessment to assist the Development Authority in assessing the effect of the proposed development in relation to the natural and human environments, and indicate both if and how any negative matters can be mitigated.

(6) In addition to the information requirements indicated above, the Development Authority may require for any development proposal either within or in proximity to an Airport Industrial (M3) District, the provision of sufficient information such that the Development Authority may assess the effect of the proposed development on the operations of any airport that may be located within the M3 District, and indicate both if and how any negative effects can be mitigated. In dealing with this requirement, the definition of the term “proximity” shall be at the sole discretion of the

Development Authority, but shall reflect the areas where aircraft may be taking off and landing.

(7) Within the area outlined on **Map A-8: Wabasca Downtown Overlay in Part 11** of this Bylaw, if the development proposal includes any construction which is or may be visible from a road, the Development Authority shall require additional information respecting the relationship of the proposed development to the Wabasca Downtown Design Guidelines before consideration of the development permit application shall commence.

(8) In addition to any or all of the information requirements indicated above, each application for a commercial or recreational development may be required, at the discretion of the Development Authority, to be accompanied by the following information:

(a) physical suitability of site with respect to soils, slopes and drainage,

(b) the size and number of parcels and proposed phasing (if any),

(c) servicing requirements and provisions for meeting them,

(d) estimated water demand and anticipated source,

(e) estimated gas demand and anticipated source,

(f) type of effluent and method of treatment,

(g) type of air emissions and method of abatement,

(h) estimated noise generated by the development and method of abatement,

(i) estimated light generated by the development and (if necessary) method of abatement,

(j) costs associated with providing new or upgraded municipal services associated with the development,

(k) the requirements and provisions for employee and customer parking and for site access,

(l) a landscaping plan,

(m) cross-sections and elevations for each building,

(n) a list of proposed uses, and

(o) transportation routes and estimated traffic impact.

(9) In addition to the information requirements indicated above, where not required to do so by the Province, the proponent of a natural resource extraction industry may be required to submit a reclamation plan.

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

(a) location and area of the site where the excavation is to take place,

(b) existing land use and vegetation,

(c) the type and dimensions including average depth of the excavation to be done, and the potential, if any, to affect existing drainage patterns on and off the site,

(d) the depth and variation in depth of groundwater encountered in test holes, if required at the discretion of the Development Authority,

(e) identification of potential for outdoor noise and the discharge of substances into the air,

(f) the condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected, and for preventing, controlling or lessening erosion or dust from the site,

(g) an indication of all municipal servicing costs associated with the development, and

(h) the proposed haul route, dust control plan and expected hours of operation.

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

(12) In addition to the information requirements indicated above, the Development Authority may also require that a report prepared by a Professional Engineer accompany a development permit application in proximity to a waterbody, which describes the potential of the subject site being flooded from a 1:100 year flood event, the potential subsidence or erosion of the subject site, and the ground compaction of the subject site, together with further information describing the mitigative measures necessary to eliminate the defined flood, subsidence, erosion hazard or to resolve any ground compaction concerns.

(13) In addition to the information requirements indicated above, the Development Authority may also require any phase of an environmental assessment to determine the possible contamination of the subject site and the mitigative measures necessary to eliminate such contamination. Alternative to or in addition to the foregoing, the Development Authority may require a biophysical assessment to determine the potential effects of a proposed development on the natural environment, and the measures necessary to mitigate such effects.

(14) At the sole discretion of the Development Authority Officer, any new development within an existing subdivision may be required to provide to the Development Authority, for approval, an elevation plan of the subject site which indicates where the storm water is to be directed. Storm water from the subject site is not to be directed onto adjoining properties unless appropriate drainage easements or rights-of-way are in place. If the applicant for a development permit indicates that the municipality is to verify compliance with the elevation and/or storm water management plan, the cost to verify that the lot grades have been completed according to the plan shall be included in the cost of the development permit.

(15) In addition to the information indicated above, a development permit application for land lying within an Area Structure Plan area may, at the sole discretion of the Development Authority Officer, be required to include such other materials to demonstrate to the satisfaction of the Development Authority that the intent of the District and/or of any Area Structure Plan policy have been met. Such materials shall be provided by qualified professionals, if applicable.

(16) When, in the opinion of the Development Authority, sufficient details of the proposed development have not been included with the application for a development permit, the Development Authority may, at its sole discretion, either return the application to the applicant for further details or make a decision on the application with the information it has available. A returned application shall be deemed to not have been submitted until all required details have been provided to the satisfaction of the Development Authority.

(17) The Development Authority may refuse to accept an application for a development permit if the application is for a similar development on the same property as a development permit which has been applied for and refused by the Development Authority or the Subdivision and Development Appeal Board within the last six (6) months.

4.2 REFERRAL OF APPLICATIONS

(1) Development in proximity to a Highway:

Applications for development located within 0.8 km (0.5 mi.) of the right of way of a highway, where the proposed development would have direct access from the highway, shall be referred to Alberta Transportation for comment prior to any decision by the Development Authority;

(2) Development in Proximity to Existing Confined Feeding Operations:

In dealing with development of uses in close proximity to existing confined feeding operations (as determined by the Development Authority), the application for development may be referred to the Natural Resources Conservation Board (NRCB) for assistance.

(3) The Development Authority may refer any application for a development permit to any person or agency for comments in writing. Within an Area Structure Plan area, an application for a development permit shall be referred for comments in accordance with any applicable Area Structure Plan policy.

4.3 DECISION

(1) Permitted Use Applications

(a) Upon receipt of a **completed** application for a development permit for a permitted use, the Development Authority Officer shall approve, with or without conditions, an application for a permitted use where the proposed development conforms to this Bylaw and may:

(i) impose such conditions as are required to ensure compliance with this Bylaw including both the verification by either an official appointed by the municipality or by certification by either an engineer, an architect, or an Alberta Land Surveyor that the measures indicated within the various elements of information provided with the application, including any mitigative or elimination measures, as described through the information provided pursuant to **Section 4.1** above, have been completed or will be undertaken, as appropriate, in accordance with the Development Authority's approval;

(ii) require, as a condition of issuing a development permit, that the applicant enter into a development agreement with the municipality to do any or all of the following:

(A) to construct or pay for the construction of a road required to give access to the development;

(B) to construct or pay for the construction of a pedestrian walkway system to serve the development, or pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;

(C) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;

(D) to construct or pay for the construction of: off-street or other parking facilities, and loading and unloading facilities;

(E) to pay an off-site levy or redevelopment levy;

(F) to give security to ensure that the terms of the agreement under this section are carried out;

(iii) refuse to issue a development permit in the case where satisfactory arrangements have not been made by a developer for a proposed building on any parcel, where it would otherwise be permitted by the Bylaw, for the supply of water, electric power, sewerage and road access, or any of them, including payment of the costs of installing or constructing any such utility by the developer; and/or

(a) (iv) A person to whom a development permit has been issued shall obtain from the appropriate authority, where applicable, permits

relating to building, grades, sewers, water mains, electricity, highways, and all other permits required in connection with the proposed development.

(c) The applicant shall be financially responsible during construction for any damage by the applicant, their servants, their suppliers, agents or contractors to any public or private property.

(d) The applicant shall prevent excess soil or debris from being spilled on public roads, lanes and sidewalks, and shall not place soil or any other materials on an adjacent parcel without permission in writing from the adjacent property owners.

(e) **Sections 4.3(1)(c) and 4.3(1)(d)** above may be enforced pursuant to **PART 7.0** of this Bylaw. Any costs incurred as a result of neglect

to public property may be collected where financial guarantees have been required pursuant to **Section 4.3(1)(a)(ii)(F)** of this Bylaw.

(f) No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user or proposed occupant of said building or use demonstrates that substantial completion, as determined by the Development Authority Officer, has been undertaken.

(g) Notwithstanding **Subsection (a)** above, upon receipt of a completed application for a development permit for a permitted use, the Development Authority Officer may refer to the Municipal Planning Commission those applications for development specified in the list of permitted uses that, in the opinion of the Development Authority Officer, should be decided by the Municipal Planning Commission.

(h) Where development permit applications for permitted uses are referred to the Municipal Planning Commission pursuant to **Section 4.3(1)(g)** above, the Municipal Planning Commission shall be subject to the same provisions that apply and are available to the Development Authority Officer as prescribed in **Section 4.3(1), Subsections (a) to (f)** of this Bylaw.

(2) Discretionary Use Applications

(a) Upon receipt of a completed application for a development permit for a discretionary use, the Development Authority Officer shall review the application and refer the application with the Development Authority Officer's recommendations to the Municipal Planning Commission for decision.

(b) The Municipal Planning Commission may, prior to making a decision, refer any application for a discretionary use to any municipal department or external agency for comment.

(c) The Municipal Planning Commission shall approve, with or without conditions, or refuse the application, giving reasons for the refusal.

(d) The Municipal Planning Commission may require, as a condition of issuing a development permit, that:

(i) the applicant enter into an agreement with the municipality to do any or all of the following:

(A) to construct or pay for the construction of a road required to give access to the development;

(B) to construct or pay for the construction of: a pedestrian walkway system to serve the development, or pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;

(C) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;

(D) to construct or pay for the construction of off-street or other parking facilities, and loading and unloading facilities;

(E) to pay an off-site levy or redevelopment levy;

(F) to give security to ensure that the terms of the agreement under this section are carried out;

(G) any other requirements as determined by the Development Authority.

(ii) the applicant provide a Real Property Report, signed by an Alberta Land Surveyor, along with a signed authorization form or letter from the Alberta Land Surveyor stating that the municipality may utilize the Surveyor's Real Property Report for evaluating the compliance of the development against all land use regulations and conditions of approval.

(e) A person to whom a development permit has been issued shall obtain from the appropriate authority, where applicable, permits relating to building, grades, sewers, water mains, electricity and highways, and all other permits required in connection with the proposed development.

(f) The applicant shall be financially responsible during construction for any damage by the applicant, their servants, their suppliers, agents or contractors to any public or private property.

(g) The applicant shall prevent excess soil or debris from being spilled on public roads, lanes and sidewalks, and shall not place soil or any other materials on an adjacent parcel without permission in writing from the adjacent property owners.

(h) **Sections 4.3(2)(f) and 4.3(2)(g)** above may be enforced pursuant to PART 7 of this Bylaw. Any costs incurred as a result of neglect to public property may be collected where financial guarantees have been required pursuant to Section **4.3(2)(d)(ii)(F)** of this Bylaw.

(i) No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user or proposed occupant of said building or use demonstrates that substantial completion, as determined by the Development Authority Officer, has been undertaken.

(j) The Municipal Planning Commission may issue a temporary development permit where the Municipal Planning Commission is of the opinion that the discretionary use is of a temporary nature. When issuing a temporary development permit, the expiry date for the permit shall be clearly indicated on the notice of decision.

(k) Where any use is proposed which is not specifically shown in any land use district but is, in the opinion of the Municipal Planning Commission, similar in character, intent and purpose to other uses of land and buildings provided by the Bylaw in the land use district in which such use is proposed, the Municipal Planning Commission may, if requested by the applicant, rule that the proposed use is a discretionary use in the land use district in which such use is proposed.

(l) The Municipal Planning Commission may refuse, or approve with conditions, any development if, in the opinion of the Municipal Planning Commission, the proposed development will detract from the character or appearance of the general development in the area.

(3) Additional Provisions

(a) Council has approved the contents of the Wabasca Downtown Design Guidelines as their intent for the designated downtown area outlined on **Map A-8 in Part 11** of this Bylaw. The Development Authority shall make the Wabasca Downtown Design Guidelines known to individuals requesting an application for all development permits within the designated area if their development proposal includes any construction which is or may be visible from a road.

(b) The Development Authority may also require that as a condition of issuing a development permit, all requirements of this Bylaw and of Provincial regulations be met, and that any further development on the subject site require a development permit.

(c) In the case where a proposed specific use of land or a building is not provided for in any District in the Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for a particular District.

(d) An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made by the Development Authority within forty (40) days after receipt of the application by the Development Authority. The person claiming to be affected may appeal in writing as provided for in Part 5 of this Bylaw as though he has received a refusal at the end of the forty (40) day period specified in this subsection.

(e) A Development Authority may suspend or revoke a development permit at any time:

(i) where the permit was issued on the basis of incorrect information, fraud, non-disclosure, or misrepresentation on the part of the applicant; or

(ii) where the permit was issued in error.

4.4 VARIANCE PROVISIONS

(1) The Municipal Planning Commission may approve or conditionally approve a discretionary use or a permitted use referred to the Municipal Planning Commission that does not comply with this Bylaw if, in the opinion of the Development Authority Officer or Municipal Planning Commission, as the case may be:

(a) the proposed development would not:

(i) unduly interfere with the amenities of the neighbourhood, or,

(ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and

(b) the proposed development conforms with the use prescribed for that land or building in this Bylaw.

(2) The Development Authority Officer may in deciding on a development permit application for a permitted use allow for a total variance to a maximum of 25% (twenty five percent) of any or all of the following requirements :

(i) setbacks from water bodies and watercourses as required pursuant to **Section 8.61(2)** of this Bylaw,

(ii) heights of fences in all Districts excepting Direct Control Districts,

(iii) setback regulations for required front, side, and rear yards in all Districts excepting Direct Control Districts;

(iv) minimum floor area requirements in all Districts excepting Direct Control Districts;

If:

(v) the proposed development would not:

(A) unduly interfere with the amenities of the neighbourhood, or,

(B) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and

(vi) the proposed development conforms with the use prescribed for that land or building in this Bylaw.

4.5 DEVELOPMENT PERMITS AND NOTICES

(1) Except for those permits described in **Section 4.5(3)** hereof, a permit granted pursuant to this Part does not come into effect until fifteen (15) days after the date that notice of an order, decision, or development permit is received as described in subsection (4). For the purposes of this Bylaw, notice is deemed to be received on the fifth day after the date of the issuance of the order, decision, or permit. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.

(2) Where an appeal is made pursuant to **Part 5** of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit has been confirmed, modified or nullified thereby.

(3) When a permit has been issued for the development of a permitted use, and no provisions of this Bylaw have been relaxed or varied, no notification shall be given of the decision except to the applicant.

(4) When a permit other than a permit described in **Section 4.5(3)** has been issued, the Development Authority shall immediately:

(a) post a notice of the decision conspicuously on the property for which the application has been made; and/or

(b) mail a notice in writing to all adjacent land owners who, in the sole opinion of the Development Authority, may be affected; and/or

(c) publish a notice of the decision in a newspaper circulating in the Municipal District,

stating the location of the property for which the application has been made and the use approved.

(5) If the development authorized by a permit is not commenced within twelve (12) months from the date of the issue of the development permit, and completed within three (3) years of the date of issue, the permit is deemed to be void, unless an extension to this period is granted by the Development Authority.

(6) A decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant.

(7) When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

PART 5 – DEVELOPMENT APPEAL PROCESS

5.1 APPEAL PROCEDURE

The Subdivision and Development Appeal Board shall perform such duties as are specified in **Bylaw 2026-11 Subdivision and Development Appeal Board**

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PART 6 – BYLAW AMENDMENT PROCESS

6.1 APPLICATION FOR AMENDMENT

(1) A person may apply to have this Bylaw amended

(2) Council may at any time initiate an amendment to this Bylaw by directing the Development Authority to initiate an amendment.

(3) All applications for amendment to the Land Use Bylaw shall be made to the Council and shall be accompanied by the following, namely:

(a) the application fee as outlined in the Fees Bylaw, which , at the discretion of Council, may be returned in full or part if Council adopts the amendment; (b) a certificate of title dated within 30 days of the application;

(c) drawings drawn on standard drafting material to the satisfaction of the Development Authority, which shall be fully dimensioned, accurately figured, explicit and complete; and

(d) any other information deemed necessary by the Development Authority.

(4) During deliberation on the Bylaw amendment application, Council may refer the application to such agencies as it considers necessary for comment.

(5) Council may request such information as it deems necessary to reach a decision on the proposed amendment.

6.2 PUBLIC HEARING PROCESS

(1) At the discretion of Council, first reading of a proposed amendment may be given before the Public Hearing process, and Council may require that the applicant pay a fee for advertising according to the governing Land Use Bylaw advertising fee schedule as amended from time to time by resolution of MD Council.

(2) All amendments to this Bylaw shall be made by Council, by Bylaw, and in conformity with the requirements of the Act with regard to the holding of a Public Hearing.

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PART 7 - ENFORCEMENT AND ADMINISTRATION

7.1 CONTRAVENTION AND PENALTIES

(1) Where a Development Authority finds that a development or use of land or buildings is not in accordance with

(a) the Act or the regulations made thereunder, or

(b) a development permit or subdivision approval, or

(c) this Bylaw,

the Development Authority may, by notice in writing, order the owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to

(i) stop the development or use of the land or buildings in whole or in part as directed by the notice, and/or

(ii) demolish, remove or replace the development, and/or

(iii) take such other measures as are specified in the notice

so that the development or use of the land or buildings is in accordance with the Act, the regulations made thereunder, a development permit, subdivision approval or this Bylaw, as the case may be.

(2) Where a person fails or refuses to comply with an order directed to him under subsection (1) or an order of the Subdivision and Development Appeal Board within the time specified, the Development Authority may, in accordance with Section 542 of the Act, enter upon the land or building and take such action as is necessary to carry out the order.

(3) Where the Development Authority carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.

(4) A person who contravenes or fails to comply with any provision of this Bylaw is guilty of an offence and is liable upon summary conviction to a fine not exceeding $10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment, pursuant to Section 566 of the Act.

(5) A Development Authority may suspend or revoke a development permit which has not been complied with, following notification, stating the reasons for such action.

(6) In addition to the process and penalties described above, the Development Authority 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.

(7) Violation Tickets

(a) The Development Authority or any other person identified as a designated officer by the Council for the purposes of this Section, may issue a violation ticket to any person alleged to have breached any provision of this Bylaw.

(b) The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within 21 days from the date of issue of the violation ticket, of a fine to the Municipal District.

(c) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of $250.00 for a first offence and $500.00 for a second or subsequent offence. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.

(d) The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.

(e) 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.

(f) If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than the amount specified in the violation ticket(s), plus court costs, for each offence.

(g) If a violation ticket has been issued with respect to a development which has occurred without an approved development permit, all fines indicated above shall be doubled.

PART 8 – LAND USE DISTRICTS – GENERAL REGULATIONS

8.1 AMATEUR & SMALL RADIO ANTENNAS

An amateur or small radio antenna shall conform to the following provisions:

(a) it shall be installed according to the manufacturer's specifications;

(b) it shall be located in the rear yard;

(c) it shall conform to the height regulations in the district in which the antenna is located;

(d) it shall not be illuminated or have any signs affixed thereto; and

(e) at the discretion of the development authority, it shall be adequately buffered from adjacent land uses.

8.2 AMENITY AREAS

Where required in any District, private and/or communal amenity areas shall be provided in accordance with the following:

(1) Private outdoor amenity areas shall be designed for the occupants of an individual dwelling unit and shall:

  (a) be located immediately adjacent to, and with direct access from, the dwelling it is intended to serve;

  (b) be located in a yard other than a front yard;

  (c) be landscaped and surfaced for convenient use for outdoor activities;

  (d) be of a width and length of at least 4 m (13.2 ft.); and

  (e) be developed as open space unencumbered by any accessory buildings or future additions.

(2) Notwithstanding Subsection (1)(d) above, balconies may be considered private outdoor amenity areas provided they are unenclosed and have a minimum depth of 2.0 m (6.5 ft.).

(3) Communal amenity areas shall be designed for the recreational use of all residents of the development or for the use and enjoyment of the public in the case of a non-residential development. The area shall be indoor or outdoor space, or a combination thereof, including but not limited to landscaped courtyards, public seating areas, swimming pools, fitness rooms, party rooms, games rooms, and children's play areas complete with equipment.

(4) In multi-family dwelling developments of eight (8) dwelling units or more, a minimum communal amenity area of 2.5 sq. m (26.9 sq. ft.) per dwelling unit shall be provided and be developed as children's play space or other communal recreation space, and be aggregated into areas of not less than 50.0 sq. m (528.2 sq. ft.).

(5) In multi-family dwelling developments, at least ten percent (10%) of the open space area required on the lot shall be provided for recreational purposes; and in multi-family dwelling developments of eight (8) units or more, recreational equipment shall be provided on this area to the satisfaction of the Development Authority. This requirement may be relaxed at the discretion of the Development Authority where indoor recreational facilities are provided.

8.3 ANCILLARY BUILDINGS & USES IN OTHER DISTRICTS

(1) An ancillary building or use is subject to the requirements for main buildings and uses within that District.

(2) All ancillary buildings and uses shall comply with all relevant provisions of this Bylaw.

(3) No person shall use, or permit an ancillary building to be used as a dwelling unit, except as a surveillance suite, garden suite or a garage suite, where allowed in this Bylaw.

(4) Ancillary buildings shall not be located on an easement or a utility right-of-way.

(5) A temporary ancillary building or fence may be permitted on a utility right-of-way at the discretion of the Development Authority if a Development Permit is approved and an encroachment agreement is signed to the satisfaction of the Municipal District.

8.4 ANCILLARY BUILDINGS & USES IN RESIDENTIAL DISTRICTS

(1) All ancillary buildings and uses shall comply with all relevant provisions of this Bylaw.

(2) No person shall use, or permit an ancillary building to be used as a dwelling unit, except as a surveillance suite, a garden suite or a garage suite, where allowed in this Bylaw.

(3) Ancillary buildings shall not be located on an easement or a utility right-of-way.

(4) A temporary ancillary building or fence may be permitted on a utility right-of-way at the discretion of the Development Authority if a Development Permit is approved and an encroachment agreement is signed to the satisfaction of the Municipal District.

(5) Where a building is attached to the main building on a site by its roof, an open or enclosed structure, a floor or a foundation, it is considered to be a part of the main building.

(6) Except as otherwise indicated in this Bylaw, this Section applies within all Residential Districts.

(7) No ancillary building or use, other than a parking space or a fence, shall be erected or placed within a minimum required front yard.

(8) Notwithstanding Subsection (3) above, the Development Authority may approve the erection of an ancillary building or use other than a swimming pool or a hot tub within the minimum front yard requirement provided that no building is located within 15.0 m (49.2 ft.) from the right-of-way of a highway or road.

(9) With the exception of a rear-entrance garage, an ancillary building shall be situated on an interior lot so that the exterior wall is at least 0.9 m (2.9 ft.) from the side and rear lines of the lot.

(10) Garages shall be located so that vehicle entrance doors shall not be closer than 5.5 m (18.0 ft.) from the boundary line towards which they face or open.

(11) On corner lots, ancillary buildings shall be situated so that the side yard which abuts the road is not less than the minimum side yard requirement for the main building or use.

(12) On lake front lots, a boat house may, at the discretion of the Development Authority, be located on the lot not less than 7.5 m (24.6 ft.) from the boundary line closest to the lake shoreline.

(13) An ancillary building shall be not more than 6.0m (19.7 ft.) in height.

(14) Except at the discretion of the Development Authority, no ancillary building may have a floor area greater than the floor area of the dwelling on the same lot.

(15) All ancillary buildings shall be constructed of materials that blend harmoniously with the main building on the lot.

(16) Except in Residential Recreation District, no ancillary building may be built on a lot before a main building or a main use is developed on the lot.

(17) Sea cans must be well-maintained and in good condition, or alternatively, must be adequately buffered to the satisfaction of the Development Authority. The Development Authority may require that a sea can be given a fresh coat of paint or any other exterior finish to ensure that the sea can conforms to the appearance of existing buildings on the site and/or adjacent sites, as a condition of the issuance of a development permit.

8.5 ANIMAL CARE AND RELATED USES

(1) These regulations shall apply to all animal care and related uses, including: animal hospitals, and veterinary clinics.

(2) The Development Authority shall require that developers of these uses pay particular attention to **Sections 8.41 and 8.42** of this Bylaw, specifically noise and odour which may cause nuisance or negative external impact. Pens, rooms, and runs shall be adequately soundproofed.

(3) Facilities which house animals overnight shall be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed.

(4) A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other developments

8.6 BED AND BREAKFAST ESTABLISHMENTS

A bed and breakfast establishment shall comply with the following regulations:

(1) A bed and breakfast establishment shall not change the principal character or external appearance of the dwelling involved.

(2) Cooking facilities shall not be located within the sleeping units.

(3) In addition to any other parking requirements of this Bylaw, one (1) additional parking space shall be provided for each sleeping unit.

(4) A bed and breakfast establishment shall comply with all of the requirements for a home occupation described elsewhere in this Bylaw.

8.7 BUILDING EXTERIORS IN WABASCA DOWNTOWN

(1) The regulations and requirements of this section shall apply to all development permit applications on all lands identified as being affected by this Section on **Map A-8 of Part 11**, in this Bylaw.

(2) The exterior finish and design features on all buildings within the area identified on **Map A-8 of Part 11** shall, in the sole opinion of the Development Authority, conform to the principals and details of the Wabasca Downtown Design Guidelines which have been approved by Council, and further, shall be of a character and quality satisfactory to the Development Authority.

(3) The design, character, and appearance of all buildings within the area identified on **Map A-8 of Part 11** shall:

(a) be compatible with other buildings in the vicinity unless the building is setting a new standard for the District in which it is located,

(b) be suited to the purpose of the District in which it is located, and

(c) comply with the provision of any statutory plan applicable to the design, character or appearance of the building.

8.8 CANNABIS PRODUCTION AND DISTRIBUTION DEVELOPMENTS

Regulations within this section apply to the production and development of cannabis for medicinal and non-medicinal purposes.

(1) No cannabis production and distribution development may be permitted unless all applicable licensing and approvals have been provided for by the provincial and federal governments.

(2) Cannabis production and distribution developments shall comply with all Land Use Bylaw and policy requirements as well as all applicable Federal and Provincial regulations including:

(a) The sale of cannabis in accordance with the Access to Cannabis for Medical Purposes Regulations, as amended, or any subsequent legislation that may be enacted.

(3) Where provisions in this section or are in conflict with the regulations of any district or any section of this Bylaw, the provisions of this section shall

take precedence and be applied in addition to the regulations of the district and other applicable sections of this Bylaw.

(4) Any cannabis production and distribution development must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:

(a) A cannabis production and distribution development must meet all applicable requirements of the identified district, which allows for the use.

(b) Only facilities licensed by the provincial or federal governments will be permitted.

(c) A copy of the license(s) for the cannabis production and distribution development as issued by the provincial and/or federal government shall be provided to the Development Authority.

(d) A cannabis production and distribution development may not operate in conjunction with another approved use on the lot(s) or parcel(s).

(e) Cannabis products must not be smoked, ingested, or otherwise consumed on the premises of a cannabis production and distribution development.

(f) The cannabis production and distribution development must not permit any person who is not an adult to be present anywhere on the cannabis production and distribution development premises, unless accompanying an adult authorized user to the designated waiting area(s).

(5) The Development Authority may require an applicant for a Development Permit for a cannabis production and distribution development to have any or all of the following information be prepared by a qualified professional and have it included with the application:

(a) Waste Management Plan

(b) Environmental Assessment

(c) Traffic Impact Assessment

(d) Water/Wastewater Report

(e) Storm Water Management Plan

(f) Any additional study or assessment necessary to address specific concerns at the discretion of the Development Authority.

(6) Cannabis production and distribution development must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking shall comply with regulations of this Bylaw and meet all servicing standards of the municipality.

(7) Cannabis production and distribution development shall meet security and premises requirements as required under provincial and federal legislation.

(8) The design of the buildings and the landscaping on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.

(9) The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.

(10) No outdoor storage of goods, material, or supplies shall be permitted.

(11) Garbage containers and waste material shall be contained within an enclosed and locked building.

(12) Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.

(13) All activities related to the cannabis production and distribution development shall occur within fully enclosed stand-alone building(s), including but not limited to loading, receiving, and shipping of cannabis and any other goods, materials, and supplies.

(14) Hours of operation shall be restricted as a condition of the development permit issued by The Development Authority.

(15) A School Site, for the purposes of this section, means the lot(s) or parcel(s) on which either a day care or a public education facility is situated, including those wherein "institutional" is listed as a permitted use.

(16) A Residential Parcel, for the purposes of this section, means any parcel wherein a "dwelling" is listed as a permitted use excepting those wherein a "dwelling unit" is listed and described as accessory to the use or accessory to the principal use.

(17) A cannabis production and distribution development's exterior lighting and noise levels shall satisfy the following requirements:

(a) The illumination of parking areas, walkways, signs, and other structures associated with cannabis production and distribution development shall be arranged to meet the requirements under provincial and federal regulations.

(b) Noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and/or policy of the municipality and the requirements under provincial and federal regulations.

(18) The development permit application for a cannabis production and distribution development, shall; in addition to the above noted requirements, include the following additional information:

(a) The distance between the proposed facility and all school sites within the municipality. A school site, for the purposes of this section, means the lot(s) or parcel(s) on which either a day care or a public education facility is situated, including those wherein “institutional” is listed as a permitted use.

(b) The distance between the proposed facility and the nearest residential development or lot. A residential lot, for the purposes of this section, means any lot wherein a “dwelling” is listed as a permitted use excepting those uses wherein a “dwelling unit” is listed and described as accessory to the use or accessory to the principal use.

(19) A cannabis production and distribution development shall meet the minimum separation distance of 0.8 km (0.5 miles) between an existing Dwelling, School Site, or Residential Parcel and the cannabis production and distribution development. The minimum separation distance between an existing Residential lot or School Site and a cannabis production and distribution development shall be established by measuring the shortest distance between the boundary of a Residential Parcel or School Site and the boundary of the cannabis production and distribution development.

(20) A Dwelling, Residential Parcel, or School Site constructed or created after the approval of a cannabis production and distribution development shall not be considered a Dwelling, Residential Parcel, or School Site.

(21) A building or structure used for security purposes for a cannabis production and distribution development may be located in the front yard and must comply with the required minimum setbacks.

(22) On site buffering measures shall be required for all cannabis production and distribution developments. Buffers may include a combination of space separation, vegetation, and fencing to mitigate the impacts on adjacent lots.

(23) A site, building or structure established, operated, or maintained as a cannabis production and distribution development shall comply with the provisions made for in any applicable Municipal, Provincial, and Federal regulations as per this Bylaw.

(24) This is not exclusive and shall not prevent the municipality from exercising any other remedy available under the law, nor shall the provisions of this section prohibit or restrict other Federal or Provincial law or policy to be enacted upon.

8.9 CANNABIS RETAIL SALES

Regulations within this section apply to the sale of cannabis for non-medical purposes.

(1) No cannabis retail sale development may be permitted unless all applicable licensing and approvals have been provided for by the provincial and federal governments.

(2) Cannabis retail sale developments shall comply with all Land Use Bylaw and policy requirements as well as all applicable Federal and Provincial regulations including:

(a) The production of cannabis in accordance with the Access to Cannabis for Medical Purposes Regulations, as amended, or any subsequent legislation that may be enacted.

(3) Where provisions in this section or are in conflict with the regulations of any district or any section of this Bylaw, the provisions of this section shall take precedence and be applied in addition to the regulations of the district and other applicable sections of this Bylaw.

(4) Any cannabis retail sale development must comply with the following requirements, in addition to any other municipal or provincial regulations or requirements:

(a) A cannabis retail sale development must meet all applicable requirements of the identified district, which allows for the use.

(b) Only facilities licensed by the provincial or federal governments will be permitted.

(c) A copy of the license(s) for the cannabis retail store development as issued by the provincial and/or federal government shall be provided to the Development Authority.

(d) Cannabis products must not be smoked, ingested, or otherwise consumed on the Premises of a cannabis retail sale development.

(e) The cannabis retail sale development must not permit any person who is not an adult to be present anywhere in the cannabis retail sale building.

(5) The Development Authority may require an applicant for a Development Permit for a cannabis retail sale development to have any or all of the following information be prepared by a qualified professional and have it included with the application:

(a) Waste Management Plan

(b) Environmental Assessment

(c) Traffic Impact Assessment

(d) Water/Wastewater Report

(e) Storm Water Management Plan

(f) Any additional study or assessment necessary to address specific concerns at the discretion of the Development Authority.

(6) Cannabis retail sale development must include suitable landscaping and parking requirements, as determined by the Development Authority. Parking shall comply with regulations of this Bylaw and meet all servicing standards of the municipality.

(7) Cannabis retail sale development shall meet security and premises requirements as required under provincial and federal legislation.

(8) The design of the buildings and the landscaping on the site shall be consistent with the characteristics and appearance of the surrounding neighbourhood.

(9) The development shall be designed to minimize any exposure or disturbance to the surrounding area including, but not limited to, dust, pollution, noise, odour, or any other related land use nuisance effects.

(10) No outdoor storage of goods, material, or supplies shall be permitted.

(11) Solid waste material shall be secured in accordance with provincial and federal regulations until destroyed.

(12) Hours of operation shall be restricted as a condition of the development permit issued by The Development Authority.

(13) A cannabis retail sale development's exterior lighting and noise levels shall satisfy the following requirements:

(a) The illumination of parking areas, walkways, signs, and other structures associated with cannabis retail sale development shall be arranged to meet the requirements under provincial and federal regulations.

(b) Noise from facilities shall not exceed that allowed under the Land Use Bylaw or any other bylaw and/or policy of the municipality and the requirements under provincial and federal regulations.

(14) Cannabis retail sales as defined in this Bylaw shall be prohibited:

(a) within 100m (328.1 ft.) from a public education facility;

(b) within 100m (328.1 ft.) from a health service;

(c) within 100m (328.1 ft.) from a public park;

(d) within 100m (328.1 ft.) from a day care facility;

(e) within 100m (328.1 ft.) from a recreational use; and

(f) within 200m (656.2 ft.) from approved cannabis retail sales.

(15) A public education facility, health service, public park, day care facility, or recreational use constructed or created after the approval of a cannabis retail sale development shall not be considered public education facility, health service, public park, day care facility, or recreational use.

(16) The separation distance between cannabis retail sales use and the uses listed in 8.9 subsection (14) shall be determined by measuring a straight line from the closest point on the lot line of the lot on which the proposed cannabis retail sales use is located to the closest point on the lot line of the lot on which the other specified use is located. The separation distance shall not be measured from district boundaries or walls of buildings.

(17) A site, building or structure established, operated, or maintained as a cannabis retail sale development shall comply with the provisions made for in any applicable Municipal, Provincial, and Federal regulations as per this Bylaw.

(18) This is not exclusive and shall not prevent the municipality from exercising any other remedy available under the law, nor shall the provisions of this section prohibit or restrict other Federal or Provincial law or policy to be enacted upon.

8.10 CAR WASHES

(1) In addition to those locations permitted in this Schedule, a car wash may be allowed as a discretionary use as part of a shopping centre if the Development Authority is satisfied that it will not adversely affect an adjoining land use or traffic circulation within and adjacent to the shopping centre.

(2) The minimum lot area shall be 560.0 sq. m (6028.0 sq. ft.). In the case of service stations or gas bars including car washes, minimum lot area shall be 1110.0 sq. m (11,948.0 sq. ft.).

(3) All lot and building requirements pertaining to drive-in businesses shall also apply to car washes.

8.11 CONFINED FEEDING OPERATIONS AND MANURE STORAGE FACILITIES

Confined feeding operations and manure storage facilities for which an approval, a registration, or an authorization is required pursuant to the Agricultural Operation Practices Act are not regulated by this Bylaw but by that Act.

8.12 CONTROLLED APPEARANCE/BUILDING EXTERIORS

(1) The exterior finish on all buildings shall be of a permanent material, and be of a character and quality satisfactory to the Development Authority.

(2) The design, character, and appearance of all buildings shall:

(a) be compatible with other buildings in the vicinity unless the building is setting a new standard for the District in which it is located,

(b) be suited to the purpose of the District in which it is located, and

(c) comply with the provision of any statutory plan applicable to the design, character or appearance of the building.

(3) Unless forming part of a single project which has been designed and approved under one development permit application, no single detached dwellings of identical or, in the opinion of the Development Authority, similar roof or front elevations and fronting on either side of a road shall be located within two (2) lots from each other.

8.13 CONVERSION OF SINGLE FAMILY DWELLINGS TO OTHER USES

(1) In considering any application for the conversion of a single family dwelling into another use, the Development Authority shall ensure that the Development complies with the following requirements:

(a) The use shall be listed as a permitted or a discretionary use in the District in which the single family dwelling is located.

(b) Off-street parking shall be located at the rear of the principal building wherever possible and accessible from the lane only, except in the case of a corner lot where parking may be allowed

between the side of the principal building and the road, if the parking is screened from adjacent roads to the satisfaction of the Development Authority.

(c) Where the conversion involves exterior renovation, such renovation shall be of a nature which maintains a height, exterior finish, design and coverage to the satisfaction of the Development Authority.

(d) Existing healthy vegetation should be retained whenever possible and to the satisfaction of the Development Authority.

(e) All signs shall be in keeping with Section 8.41 of this Bylaw.

8.14 DAY USE AND PICNIC AREAS

(1) A sufficient number of picnic tables, fire pits and garbage cans shall be provided to accommodate the design capacity of the lot. Exact numbers shall be at the discretion of the Development Authority.

(2) The facility shall be designed and landscaped in order to minimize disturbance to the natural environment and to protect heavy use areas from damage.

(3) Where the day use area directly adjoins a residential development, adequate screening or fencing, to the satisfaction of the Development Authority, will be required between the uses.

(4) Parking areas should be physically separated from the rest of the day use or picnic areas.

8.15 DEVELOPMENT ON CORNER LOTS

On corner lots in any district, no fence, wall, tree, bush structure or thing more than 0.9 m (3 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting boundary lines of the lot adjacent to the highway or road and a straight line joining points on those boundary lines 6 m (20 ft.) from their intersection.

8.16 DRIVE-IN BUSINESSES

(1) Location

(a) A drive-in business may be located only where it can be shown, to the satisfaction of the Development Authority that the development would not:

(i) impede safe traffic movement entering and exiting the lot;

(ii) interfere with the functioning of surrounding roads or the enjoyment of any neighbouring residential uses; and

(iii) create unsafe traffic circulation on the lot.

(b) A drive-in business may be located in a shopping centre or other multiple use development at the discretion of the Development Authority.

(2) Lot Area and Coverage

(a) Except as provided in Subsection (b) hereof or Table 3, the minimum parcel area shall be 600.0 sq. m (6458.0 sq. ft.), the minimum frontage shall be 30.0 m (98.4 ft.), and the maximum floor area of buildings shall be 90.0 sq. m (969.0 sq. ft.).

Parcel Area and Parcel Coverage Requirements for Drive-in Businesses		
Type of Business	**Parcel Area (Minimum)**	**Parcel Coverage (Maximum)**
Drive-in Restaurant	600.0 sq. m (6458.0 sq. ft.)	20%
Gas Bars (not associated with other developments)	60.0 sq. m (646.0 sq. ft.) for each fuel pump not including the area covered by buildings	15%
Service Stations	1200.0 sq. m (12,917.0 sq. ft.)	20% including pump islands
Car Washes	600.0 sq. m (6458.0 sq. ft.)	20%
Service Station & Car Wash together	1200.0 sq. ft. (12,917.0 sq. ft.)	20%
Drive-through Vehicle Service Establishment	600.0 sq. m (6458 sq. ft.)	20%

Table 1: Parcel Area and Parcel Coverage Requirements for Drive-in Businesses

(b) Where a drive-in business forms part of a shopping centre of multiple use development, the minimum parcel area, maximum parcel coverage, and maximum building floor area may be varied at the discretion of the Development Authority.

(3) Curb Cuts

(a) The nearest edge of a curb cut to the property line on the adjacent road shall be not less than 8.0 m (26.2 ft.).

(b) The maximum width of the curb cut shall be 10.0 m (32.8 ft.).

(c) The minimum distance between curb cuts on the same lot line shall be 6.0 m (19.6 ft.). The Development Authority may increase this minimum distance for situations where, in their sole opinion, public safety or convenience would be improved.

(4) The minimum required distances between lot lines and any building shall be:

(a) 9.5 m (31.1 ft.) from the lot line to that part of the principal building used as a drive-through building or as part of a drive-through;

(b) 6.0 m (19.6 ft.) from any lot line or parking areas to all pump islands;

(c) 3.0 m (9.8 ft.) from any lot line to canopies over pump islands or drive-through aisles; and

(d) for a drive-through development adjacent to a residential use or Residential District:

(i) 10.0 m (32.8 ft.), or

(ii) in the case of a car wash, 25.0 m (82.0 ft.), or

(iii) such greater distance that the Development Authority deems necessary in order to buffer the residential use or District from noise, traffic or other impacts of the drive-through development.

(5) Queuing Space

(a) Queuing space and traffic circulation shall be provided in accordance with the following:

Queuing Space Requirements for Drive-in Businesses		
Type of Business	**Inbound queuing Space Requirements**	**Outbound Queuing Space Requirements**
Drive-through Development with a Drive-up Service	3 per service window	1 per service window
Drive-through Vehicle Service Establishment	4 per service bay	1 per service bay
Full Service Car Wash	4 or any such number as required by the Development Authority taking into consideration the number of wash bays	2 or any such number as required by the Development Authority taking into consideration the number of wash bays

Table 2: Queuing Space Requirements

(b) Queuing spaces must allow for vehicle turning and maneuvering.

(c) Pump islands must be located to allow a through traffic lane with a minimum width of 6.0 m (19.6 ft.).

(d) With the exception of a drive-through restaurant, a queuing space does not include any space occupied by a motor vehicle during the provision of service.

(6) Lot and Building Requirements

(a) All parts of the lot to which vehicles may have access shall be hard-surfaced and drained to the satisfaction of the Development Authority.

(b) The lot and all improvements thereon shall be maintained in clean and tidy condition, free from rubbish and debris.

(c) Receptacles for the purpose of disposing of rubbish and debris shall be provided as required by the Development Authority.

(d) A minimum of ten percent (10%) of the lot area of a drive-in business shall be landscaped to the satisfaction of the Development Authority.

(e) In addition to the fencing, landscaping, and environmental protection requirements indicated in Section 7.4 a berm and/or fence shall be erected and maintained by the developer of a drive-in business along any lot lines abutting or across a lane or walkway from a Residential District.

(f) If a car wash is located on a lot which abuts a residential use or a Residential District, noise attenuation shall be provided to the satisfaction of the Development Authority.

8.17 ENVIRONMENTAL SCREENING

(1) Where the potential for prior contamination of a lot exists, the Development Authority may require that a Phase 1 Environmental Site Assessment be conducted according to, applicable provincial requirements and/or guidelines prior to a development permit being issued. Any follow-up assessment or remedies that may be required may be incorporated into conditions for the approval of a development permit.

(2) Where the potential for flooding or high ground water levels on a lot exists, the Development Authority may require that a geotechnical report be conducted according to, applicable provincial requirements and/or guidelines prior to a development permit being issued. Any follow-up

assessment or remedies that may be required to be incorporated into conditions for the approval of a development permit.

(3) Where a lot is adjacent to a lake, the Development Authority may require that a geotechnical report be conducted according to, applicable provincial requirements and/or guidelines prior to a development permit being issued. Any follow-up assessment or remedies that may be required may be incorporated into conditions for the approval of a development permit.

8.18 EXISTING SUBSTANDARD LOTS

Development on existing substandard lots may be allowed by the Development Authority. Compliance with the Alberta Safety Codes Act and any applicable Provincial Board of Health Regulations shall be required.

8.19 FENCING MATERIALS

(1) Neither razor wire nor barbed wire shall be allowed within the Residential Districts on lots under 0.4 ha (1.0 ac.) in area.

(2) Razor wire shall not be used in the municipality without a development permit having been issued to allow its use.

(3) Except in the E District, barbed wire shall be used as a fencing material only if a development permit has been issued to allow its use.

8.20 GARAGE SUITES

(1) A garage suite shall only be allowed on a lot occupied by a single family dwelling or a duplex dwelling.

(2) A garage suite is prohibited from being constructed within an apartment.

(3) A maximum of one (1) garage suite is permitted per lot where allowed on parcels under 0.8 ha (2.0 ac) in area.

(4) A maximum of two (2) garage suites are permitted per lot where allowed on parcels 0.8 ha (2.0 ac) in area or greater. However, if two (2) garage suites are developed on a lot then no additional garden suite, in-law suite or secondary suite shall be allowed.

(5) Notwithstanding any other provisions in this Bylaw, a garage suite shall only be permitted to be constructed on a lot concurrently with the main use or after the main use on the lot has been built.

(6) Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the garage suite.

(7) A garage suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove (or provision of 220 volt wiring) and toilet with bathing facilities.

(8) A garage suite shall have an entrance separate from the entrance to the garage, either from a common indoor landing or directly from the exterior of the structure.

(9) The minimum floor area for an at grade garage suite shall be 30.0 sq. m (322.9 sq. ft.).

(10) The minimum floor area for an above grade garage suite shall be 30.0 sq. m (322.9 sq. ft.).

(11) A garage suite shall remain accessory to and subordinate to the principal dwelling and shall not exceed 80.0 sq. m (860.0 sq. ft.) in floor area.

(12) At grade garage suites shall have a maximum height of 4.3 m (14.1 ft.).

(13) Above grade suites have a maximum height of 5.5 m (18.0 ft.) for suites with a flat roof, and 6.5 m (21.3 ft.) for suites with a sloped roof, provided that the maximum height is not higher than the height of the principal dwelling.

(14) A minimum of two (2) on-site parking spaces for the dwelling and one (1) on-site parking spaces for each garage suite – is required. Tandem parking may be permitted at the discretion of the Development Authority.

(15) A garage suite shall not be subject to separation from the principal Dwelling through a condominium conversion or subdivision.

8.21 GARDEN SUITES

(1) A garden suite shall only be allowed on a lot occupied by a single family dwelling or a duplex dwelling.

(2) A garden suite is prohibited from being constructed on the same lot as an apartment.

(3) A maximum of one garden suite is permitted per lot where allowed on parcels under 0.8 ha (2.0 ac) in area.

(4) A maximum of two (2) garden suites are permitted per lot where allowed on parcels 0.8 ha (2.0 ac) in area or greater. However, if two (2) garden

suites are developed on a lot then no additional garage suite, in-law suite or secondary suite shall be allowed.

(5) Notwithstanding any other provisions in this Bylaw, a garden suite shall only be permitted to be constructed on a lot concurrently with the main use or after the main use on the lot has been built.

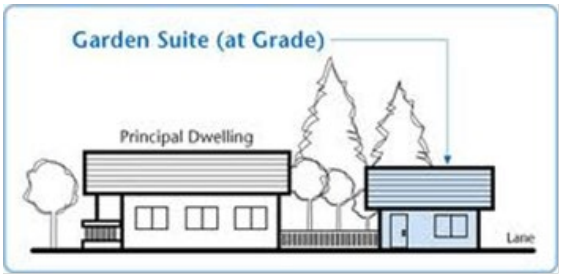


Figure 29: Garden Suite at Grade

(6) The exterior finish of a garden suite must be well maintained and consistent with the finish of the primary building.

(7) Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the garden suite.

(8) A garden suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove (or provision of 220 volt wiring) and toilet with bathing facilities.

(9) The minimum floor area for a garden suite shall be 30.0 sq. m (322.9 sq. ft.).

(10) A garden suite shall remain accessory to and subordinate to the principal dwelling and shall not exceed 80.0 sq. m (860.0 sq. ft.) in floor area.

(11) Garden suites shall have a maximum height of 4.3 m (14.1 ft.).

(12) A minimum of two (2) on-site parking spaces for the dwelling and one (1) on-site parking spaces for each garden suite – is required. Tandem parking may be permitted at the discretion of the Development Authority.

(13) Windows contained within a garden suite shall be placed and sized such that they minimize overlook into Yards and windows of abutting properties through one or more of the following:

(a) off-setting window placement to limit direct views of abutting rear or side yard amenity areas, or direct view into a Garden Suite window on an abutting site;

(b) strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and

(c) placing larger windows such as living room windows, to face a lane, a flanking street, or the larger of any side yard abutting another property.

(14) A garden suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.

8.22 GROUP HOMES, DAY HOMES AND CHILD CARE FACILITIES

(1) All group homes, day homes, and child care facilities shall conform to regulations under the Safety Codes Act and any other relevant Provincial legislation and regulations.

(2) In addition to all other regulations of this Bylaw, a group home development shall comply with the following regulations:

(a) The maximum number of residents shall be established by the Development Authority who shall have regard for the nature of the group home and the density of the District in which it is located.

(b) In making a decision on a development permit for a group home, the Development Authority shall consider, among other matters, if the development would be suitable for the location proposed, taking into account: potential traffic generation, proximity to a park or other open or recreation areas, isolation of the proposed location from other residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of their properties by nearby residents, and consistency in terms of intensity of use with other development in the area.

(c) The group home shall not generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of the District in which it is located.

(3) In addition to all other regulations of this Bylaw, a child care facility development and a day home development shall comply with the following regulations:

(a) The maximum number of children for which care may be provided in a child care facility shall be established by the Development Authority who shall have regard for the nature of the facility, the density of the District in which it is located, potential increases in traffic, and the location of the use in relation to other uses in the area of the development.

(b) The maximum number of children for which care may be provided in a day home shall be established by the Development Authority

who shall have regard for the nature of the day home, the density of the District in which it is located, potential increases in traffic, and the location of the use in relation to other uses in the area of the development.

(c) Notwithstanding subsection (3)(b) above, the number of children within a day home established within a dwelling unit in any Residential District shall conform to provincial standards.

(d) A child care facility shall not be the main use of a building within any Residential District.

(e) A child care facility in any non-residential District shall be in a separate facility, either within the main building on the lot or in an accessory building, with a separate access to ground level and an adjacent playground area.

8.23 HAZARDOUS MATERIALS

(1) No anhydrous ammonia (AA) or liquefied petroleum gas tank or (LPG) storage tank with a water capacity exceeding 9080 l (2000 gal.) shall be allowed within the hamlet areas

(2) All developments which store, manufacture, or utilize materials or products which may be hazardous due to their flammable or explosive characteristics will comply with Provincial and Federal legislation and regulations.

(3) No development in any District shall emit air or water contaminants in excess of the standards in prescribed Provincial and Federal legislation and regulations.

(4) No development shall create or discharge toxic materials in amounts or quantities that exceed the levels prescribed by Provincial and Federal legislation and regulations.

(5) All commercial or industrial developments involving the following hazardous materials in bulk shall submit a written description of the materials and operations being undertaken on the lot to the Development Authority for review prior to development approval at the time of development permit application: or at the time the operation begins using the material and provide the Development Authority with a site plan showing where the materials will be stored:

(a) poisonous and infections agents;

(b) pesticides;

(c) corrosives and explosives;

(d) flammable and combustible liquids;

(e) manures; and

(f) radiation.

(6) No development shall discharge toxic or noxious materials:

(a) across the boundaries of a lot;

(b) through infiltration into the soil;

(c) into the municipal sewage disposal system, except as otherwise directed by the municipality; or

(d) into a water body, any surface water channel, or any below surface water course.

8.23A HEAVY VEHICLE PARKING LOT

(1) A heavy vehicle parking lot shall be located at least 30 m (100 ft.) from any water body or watercourse in the Municipal District.

(2) A minimum of 25% of the required front yard, side yard, and rear yard setback identified for a heavy vehicle parking lot shall be retained as open space and shall be landscaped.

(3) All off-street parking facilities shall be separated from the property line or street by a landscaped area at least 2.0 m (6.5 ft.) in width and shall have suitable barriers to prevent motor vehicles from encroaching onto landscaped areas.

(4) All off-street parking facilities shall have suitable barriers to prevent any material being stored on the lot from leaking onto an adjacent parcel or public roadway.

(5) All off-street parking facilities shall be hard surfaced to the satisfaction of the Development Authority.

(6) A landscaped area at least 3.0 m (9.8 ft.) in width shall be required adjacent to any property line which abuts a non-industrial district.

(7) The landscaping requirements for heavy vehicle/vehicle parking lots shall be:

(a) one (1) tree for every 15.0 linear meters (49 linear feet) along any rear or side lot line that is shared with a non-industrial district or use other than a public roadway.

(b) any side or rear yard areas that abuts a non-industrial district or use other than a public roadway, with or without an intervening lane, shall be screened to a minimum height of 1.8 m (6.0 ft.) by fences, privacy walls, earth berm, gates or landscaping that creates screening between the uses, to the satisfaction of the Development Authority; and

(c) any yard area utilized for heavy vehicle/heavy vehicle parking lots that abuts a non-industrial district or use other than a public roadway, with or without an intervening public roadway, shall require a solid fence, earth berm, or combination thereof, to substantially obstruct the view into the heavy vehicle/heavy vehicle storage lot area, to the satisfaction of the Development Authority.

8.24 HOME OCCUPATIONS

(1) All development permits issued for home occupations shall be revocable at any time by the Development Authority, if, in its opinion, the use is or has become detrimental to the amenities of the neighbourhood in which it is located.

(2) A minor home occupation shall comply with the following regulations:

(a) A minor home occupation shall not employ any person on-site other than a resident of the dwelling.

(b) No offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance detectable beyond the boundary of the lot on which the minor home occupation is located shall be produced by the home occupation.

(c) Except in the E District, there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the minor home occupation allowed on the site. Storage related to the minor home occupation shall be allowed only in either the dwelling or ancillary buildings.

(d) Up to five (5) business visits per week are allowed.

(e) Exterior alterations or additions to accommodate a minor home occupation shall not be allowed.

(f) No commercial vehicle used in or for the home based business shall be parked on the subject site, unless the vehicle is fully enclosed within a garage, or on the adjoining road.

(g) No exterior signage shall be allowed.

(3) A major home occupation shall comply with the following regulations:

(a) The number of non-resident employees working on-site shall not exceed two (2) on-site, non-occupant employees.

(b) Up to 8 business visits per day are allowed in the E District. In all other Districts, up to four (4) business visits per day are allowed.

(c) No more than one (1) commercial vehicle up to a size of a tandem truck, to be used in conjunction with the major home occupation, shall be parked or maintained on the site in a Residential District. The parking space for the commercial vehicle shall be adequately

screened and sited behind the principal building to the satisfaction of the Development Authority.

(d) Not more than four (4) commercial vehicles, each with one ancillary trailer, to be used in conjunction with the major home occupation, shall be parked or maintained on a site in an E District. The number of commercial vehicles that will be allowed to be parked on or in proximity to the site of a major home occupation will be a condition of the approval of a development permit for a major home occupation.

(e) Any interior or exterior alterations or additions to accommodate a major home occupation may be allowed at the discretion of the Development Authority, as long as such alterations comply with this Bylaw and the Alberta Safety Codes Act and the regulations made thereunder.

(f) There shall be no exterior signage, display or advertisement other than a business identification sign, the size of which shall be entirely at the discretion of the Development Authority, and related to the location of the sign on the lot.

(4) All home occupations shall comply with the following requirements:

(a) In addition to a development permit application, each application for a minor home occupation or a major home occupation shall be accompanied by a description of the business to be undertaken in the dwelling, an indication of the anticipated number of business visits per week, and details for the provision of parking along with other pertinent details of the business operation.

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

(c) A minor or major home occupation shall not occupy more than 20% of the floor area of the main dwelling or 35 sq. m (375 sq. ft.), whichever is the lesser.

(d) Home occupations shall not involve:

(i) activities that use or store hazardous material in quantities exceeding those found in a normal household; or

(ii) any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

(5) Notwithstanding any other provision of this Bylaw to the contrary, within the E District, a home occupation may include the use of any building built specifically for use by that home occupation or the outdoor storage of one (1) or more vehicles.

(6) A permit issued for a home occupation is valid for one (1) year or longer as determined by the Development Authority. It is the obligation of the developer to seek renewal of a development permit prior to the expiry of the time period for which the initial permit was issued. The Development Authority shall consider the renewal on its merits.

(7) A stop order may be issued at any time if, in the opinion of the Development Authority, the operator of the home occupation has violated any provisions of this Bylaw or conditions of the approval of the development permit and complaints based on the operation of the home occupation have been received.

8.25 INDUSTRIAL DEVELOPMENT

(1) An application for the establishment of an industrial use shall be considered by the Development Authority after requesting advisory comment by the provincial authorities and agencies that the Development Authority may deem, in their sole discretion, to have an interest. The Development Authority shall request that such comments be made in writing.

(2) Each application for an industrial use shall be accompanied by the following information related to the application, in addition to the information required pursuant to Section 4.1 of this Bylaw:

- Type of industry
- Size of buildings
- Number of employees
- Estimated water demand and anticipated source
- Type of effluent and method of treatment
- Transportation routes to be used (rail and road)
- Reason for specific location
- Any accessory works required (pipeline, railway spurs, etc.)

and/or any such other information as may be reasonably required by the Development Authority.

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

8.26 IN-LAW SUITES

(1) An in-law suite shall only be allowed on a lot occupied by a single family dwelling or a duplex dwelling.

(2) An in-law suite is prohibited from being constructed within an apartment.

(3) A maximum of one in-law suite is permitted on any single detached dwelling or duplex lot.

(4) An in-law suite must be subordinate in area and appearance to the main use on the lot.

(5) Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the in-law suite.

(6) An in-law suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove (or provision of 220 volt wiring) and toilet with bathing facilities.

(7) An in-law suite does not have an entrance separate from the entrance to the main dwelling.

(8) A minimum of three (3) on-site parking spaces – two (2) for the dwelling and one (1) for the in-law suite – are required. Tandem parking may be permitted at the discretion of the Development Authority.

8.27 INTENSIVE AGRICULTURE

All development proposals for intensive agriculture shall be considered and decided upon by the Development Authority individually based upon their individual merit and consideration should be given to such items as site selection, waste disposal, first owner priority, and the distance from watercourses and waterbodies, and from roads and highways.

8.28 KEEPING OF DOMESTIC PETS AND LIVESTOCK

The keeping of domestic pets and livestock in the Residential Districts shall be in accordance with the following, without the need to obtain a development permit:

(1) No animals other than domestic pets or the animals listed in Subsection (7) of this Section shall be allowed in Residential Districts.

(2) The total number of domestic pets per lot shall not exceed four (4).

(3) On any lot less than 0.61 ha (1.5 ac.) in size, no animals except as provided for in **Subsection 8.28(2)** shall be allowed.

(4) On lots 1.0 ha (1.5 ac) in size and larger, additional livestock units shall be allowed in accordance with the following:

Lot Size	Allowable Number of Livestock Units
0.61 – 1.0 ha (1.5 – 2.5 ac.)	2
1.0 – 2.0 ha (2.5 – 5.0 ac.)	3
2.0 – 3.1 ha (5.0 – 7.5 ac.)	4
2.01 – 8.09 ha (7.5 – 19.99 ac.)	5

On lots greater than 8.09 ha (19.99 ac.), livestock unit restrictions shall not apply.

(5) Animals shall be kept under such conditions that they do not act as a nuisance and reduce the amenities of the residential area for other residents, nor shall they create any health nuisance.

(6) The keeping of domestic pets or livestock not in accordance with this section 8.28 shall require a development permit.

(7) For the purposes of this section, “one (1) livestock unit” means:

(a) one (1) horse (over one (1) year old), or

(b) two (2) colts (up to one (1) year old), or

(c) one (1) cow or steer (over one (1) year old), or

(d) one (1) buffalo (over one (1) year old), or

(e) two (2) calves (up to one (1) year old), or

(f) one (1) llama, or

(g) two (2) alpacas, or

(h) one (1) pig (over one (1) year old), or

(i) two (2) piglets (up to one (1) year old), or

(j) ten (10) ducks, turkeys, geese or chickens, or

(k) two (2) sheep or goats, or

(l) twenty (20) rabbits or similar rodents.

(8) The keeping of ostriches, emus, or other ratites shall only be allowed upon issuance of a development permit. Two (2) ostriches, emus, or other ratites shall be the equivalent of one livestock unit. Any development permit issued for the keeping of these animals shall require, as a condition of the approval, the construction of a minimum 1.8 m (5.9 ft.) high perimeter fence comprised of tight lock game fencing or chain link fencing with steel or wooden posts around the fenced pen area.

(9) For animals specified in **Subsections 8.28(7)(a) to (g),** a perimeter fence not less than 1.2 m (3.9 ft.) in height shall be constructed of four (4) strand barbed wire, chain link or wood/ steel rail. The perimeter fence is to be no closer than 20.0 m (65.6 ft.) from the nearest dwelling. For all other animals specified in **Subsection 8.28(7)**, appropriate fencing will be constructed to contain said animals/birds within the property.

(10) The municipality will discourage grazing within sensitive riparian areas and will not approve grazing leases adjacent to the bed and shore of lakes within the hamlets.

8.29 LANDSCAPING

(1) The Development Authority may require, as a condition of the approval of a development permit, the preparation and implementation of a landscaping plan.

(2) A landscaping plan shall contain the following information for the site and adjacent boulevards:

(a) all physical features, existing or proposed, including shrubs, trees, flower beds, berm contours, walls, fences, outdoor furniture, surface utilities, and decorative paving; with

(b) all shrubs and trees, whether existing or proposed labeled by their common name and size.

(3) The Development Authority may impose conditions requiring the retention or removal of trees, as well as additional tree planting.

(4) In addition to other provisions in this Bylaw, all permitted forms of non-farming related (residential, industrial, recreational) developments shall maintain a buffer as may be required by the Development Authority.

(5) Buffers may include vegetation screens, distance separation, or a combination of these or any such suitable interposing features as the Development Authority may require.

(6) All development in proximity to highways shall be screened, landscaped and buffered to the satisfaction of the Development Authority.

(7) A garbage collection area, an open storage area, or an outdoor service area which is visible from an abutting site in a residential district, or from a public roadway other than a lane, shall be fenced or have a screen planting. The location, length, thickness and height of such fence or screen planting shall be in accordance with the landscaping plan as approved by the Development Authority. Such fence or screen planting shall be maintained to provide effective screening from the ground to a height of 1.8 m (6 ft.).

8.30 LARGE WIND ENERGY CONVERSION SYSTEMS

(1) Prior to making a decision on an application for a development permit for a

large wind energy conversion system, the Development Authority shall consider input from:

(a) any adjacent municipality should the proposed development be located within 2 km (1.2 mi.) of the municipality; and

(b) landowners within 2 km (1.2 mi.) of the proposed development.

(2) When making an application for a development permit for a Large Wind Energy Conversion System, the developer shall provide to the Development Authority appropriate reports and/or approvals from the following:

(a) Transport Canada

(b) NavCanada

(c) Alberta Culture and Community Spirit

(d) Alberta Environment

(e) Alberta Sustainable Resource Development

(f) Alberta Tourism, Parks and Recreation

(g) Alberta Transportation

(3) Should a large wind energy conversion system discontinue producing power for a minimum of two (2) years, the system operator shall be required to provide a status report to the Development Authority. The Development Authority may then require that the system be decommissioned. Failure to comply with a decommissioning requirement shall be considered to be a breach of this Bylaw, and subject to the enforcement provisions of this Bylaw.

(4) A large wind energy conversion system shall comply with all the setbacks related to roads and highways that govern the principal use in the district in which it is located.

(5) Where, in the opinion of the Development Authority, the setbacks referred to in Section 8.30(4) above are not sufficient to reduce the impact of a large wind energy conversion system from a road or highway, the Development Authority may increase the required setback.

(6) The turbine base shall be no closer to the property line than four times the height of the wind turbine tower. Where in the opinion of the Development Authority the setback from the property line should be varied, the Development Authority may require an acoustical study to establish appropriate setbacks.

(7) The minimum vertical blade clearance from grade shall be 7.4 m (24.6 ft.) for a wind energy conversion system employing a horizontal axis rotor unless otherwise required by the Development Authority.

(8) To ensure public safety, the Development Authority may require that:

(a) a secure fence not less than 1.8 m (5.9 ft.) in height with a lockable gate surround a wind energy conversion system tower if the tower is climbable or subject to vandalism that could threaten tower integrity;

(b) no ladder or permanent tower access device be located less than 3.7 m (12.1 ft.) from grade;

(c) a locked device be installed on the tower to preclude access to the top of the tower; and

(d) such additional safety mechanisms or procedures be provided as the Development Authority may consider reasonable and appropriate.

The use of tubular towers, with locked door access, may, at the sole discretion of the Development Authority, make unnecessary the above requirements.

(9) All power lines on the site of a large wind energy conversion system to the power grid or a power substation will be underground except where the Development Authority specifically approves overhead or above grade installations.

(10) Unless otherwise required by the Development Authority, a large wind energy conversion system shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a system to the sole requirements of the Development Authority.

(11) No lettering, advertising or other symbol shall appear on the towers or blades. On other parts of the large wind energy conversion system, the only lettering or symbol allowed will be the manufacturer's and/or owner's identification or symbol and then, only upon the approval of and at the sole discretion of the Development Authority.

(12) The Development Authority may approve a large wind energy conversion system on a case-by-case basis having regard for:

(a) information provided in the application;

(b) the proximity of the proposed development to other land uses;

(c) the cumulative effect of all wind energy conversion systems

approved or proposed in the area;

(d) underlying utilities; and

(e) information received from the circulation of the application and from the public.

(13) Large wind energy systems must comply with applicable air traffic safety regulations. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process.

8.31 LIGHTING

Any proposed lighting shall be located and arranged so that light is not directed onto adjacent properties.

8.32 MAJOR AND MINOR TWO-LANE HIGHWAYS

(1) This Section only applies to lands within the Resource (E) District.

(2) The following regulations apply to development adjacent to minor-two lane highways:

(a) On a parcel of land located at the intersection of a minor two-lane highway with a grid road, no development shall be allowed within the areas illustrated in **Figure 27.**

(b) On a parcel of land located at the intersection of two minor two-lane highways, no development shall be allowed within the area illustrated in **Figure 28**.

(c) On a parcel of land located in the inside of a road curve, no development shall be allowed within the areas illustrated in **Figure 29**.

(d) No development shall be located so that access or egress to a minor two-lane highway road is within 150 m (500 ft) of the beginning or end of a road curve of greater than twenty (20) degrees curvature or within the distance from the intersection of two roads as illustrated in **Figures 30, 31 and 32**, unless otherwise approved by the Development Authority.

(e) Access or egress to a minor two-lane highway shall not be permitted where it would be:

(i) less than 150 m (500 ft.) from an existing access on the same side of the road;

(ii) less than 150 m (500 ft.) from a bridge;

(iii) less than 150 m (500 ft.) from an at-grade railway crossing; or

(iv) at a point where the gradient of the road is in excess of three percent when the existing surveyed road has been constructed to minor two-lane highway standards. Access or egress will be permitted only if construction to minor two-lane highway standards is expected within two years and the grade will then be less than three percent.

(f) The planting of trees adjacent to minor two-lane highways shall be in accordance with the requirement illustrated in **Figures 27, 28 and 29**, unless otherwise approved by the Development Authority.

(g) The Development Authority may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials or other similar uses.

(h) Undeveloped parcels legally created prior to the enactment of this Bylaw and which would not have building sites resulting from this section are excluded from the conditions shown in **Figures 27, 28 and 32**; however, development must meet provisions as required by the Development Authority.

(3) The following regulations apply to development adjacent to major-two lane highways:

(a) On a lot located at the intersection of two major two-lane highways, no development shall be allowed within the areas illustrated in **Figure 30** unless otherwise approved by the Development Authority.

(b) On a lot located at the intersection of a major two-lane highway with a minor two-lane highway, no development shall be allowed within the areas illustrated in **Figure 32** unless otherwise approved by the Development Authority.

(c) On a lot located at the intersection of a major two-lane highway with a grid road no development shall be allowed within the areas illustrated in **Figure 31** unless otherwise approved by the Development Authority.

(d) The planting of trees adjacent to major two-lane highways shall be in accordance with the requirements illustrated in **Figures 30, 31 and 32**, unless otherwise approved by the Development Authority.

(e) The Development Authority may prescribe or approve screening or uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials or other similar uses.

(f) Notwithstanding highway development control regulations which apply, this bylaw may establish a higher standard than those regulations for development adjacent to major two-lane highways and their intersections.

(g) Undeveloped parcels legally created prior to the enactment of this Bylaw and which would not have building sites resulting from this section are excluded from the conditions shown in **Figures 30, 31 and 32**,;however, development must meet provisions as required by the Development Authority.

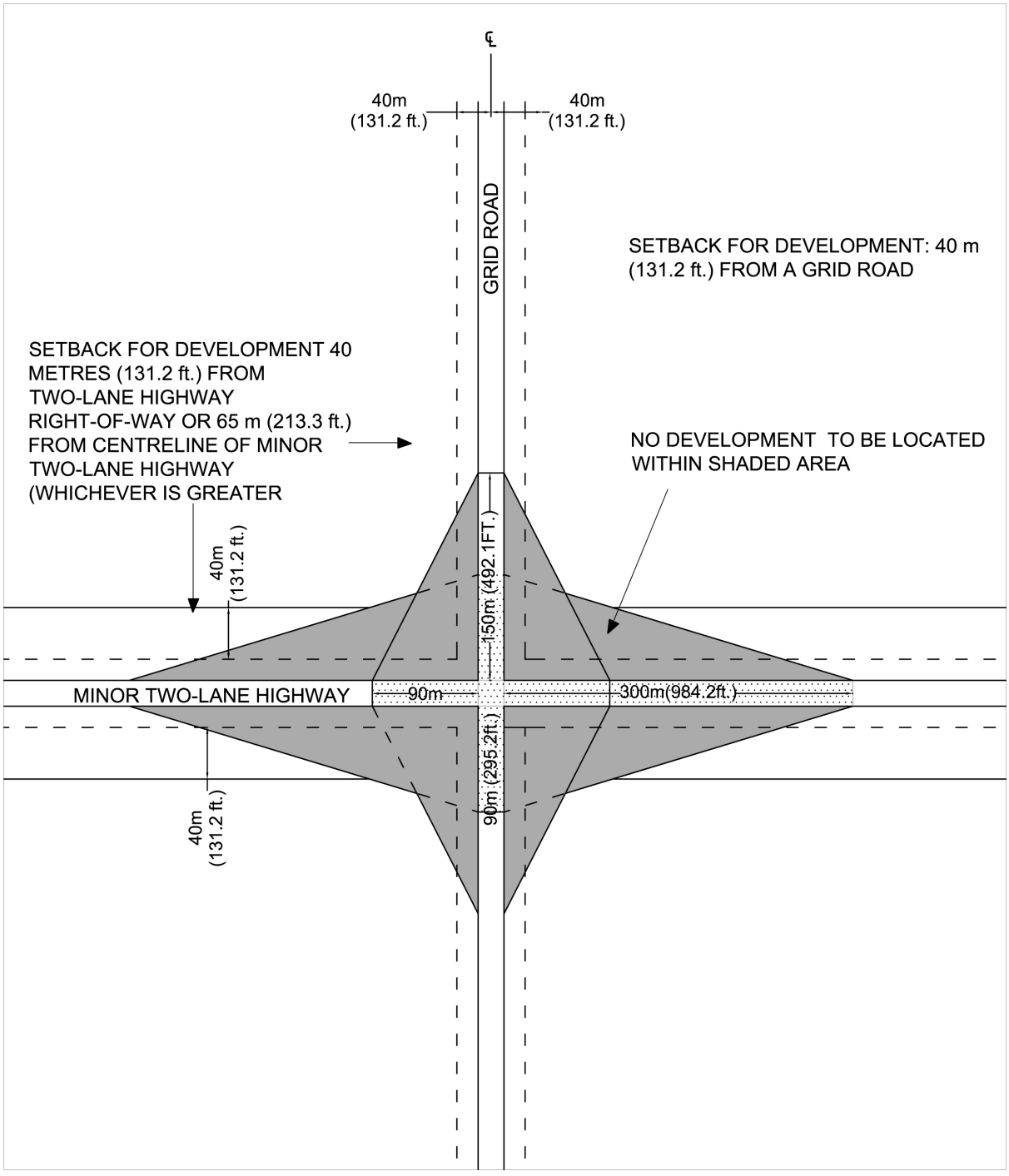


Figure 27: Setbacks from the Intersection of a Grid Road and a Minor Two-Lane Highway

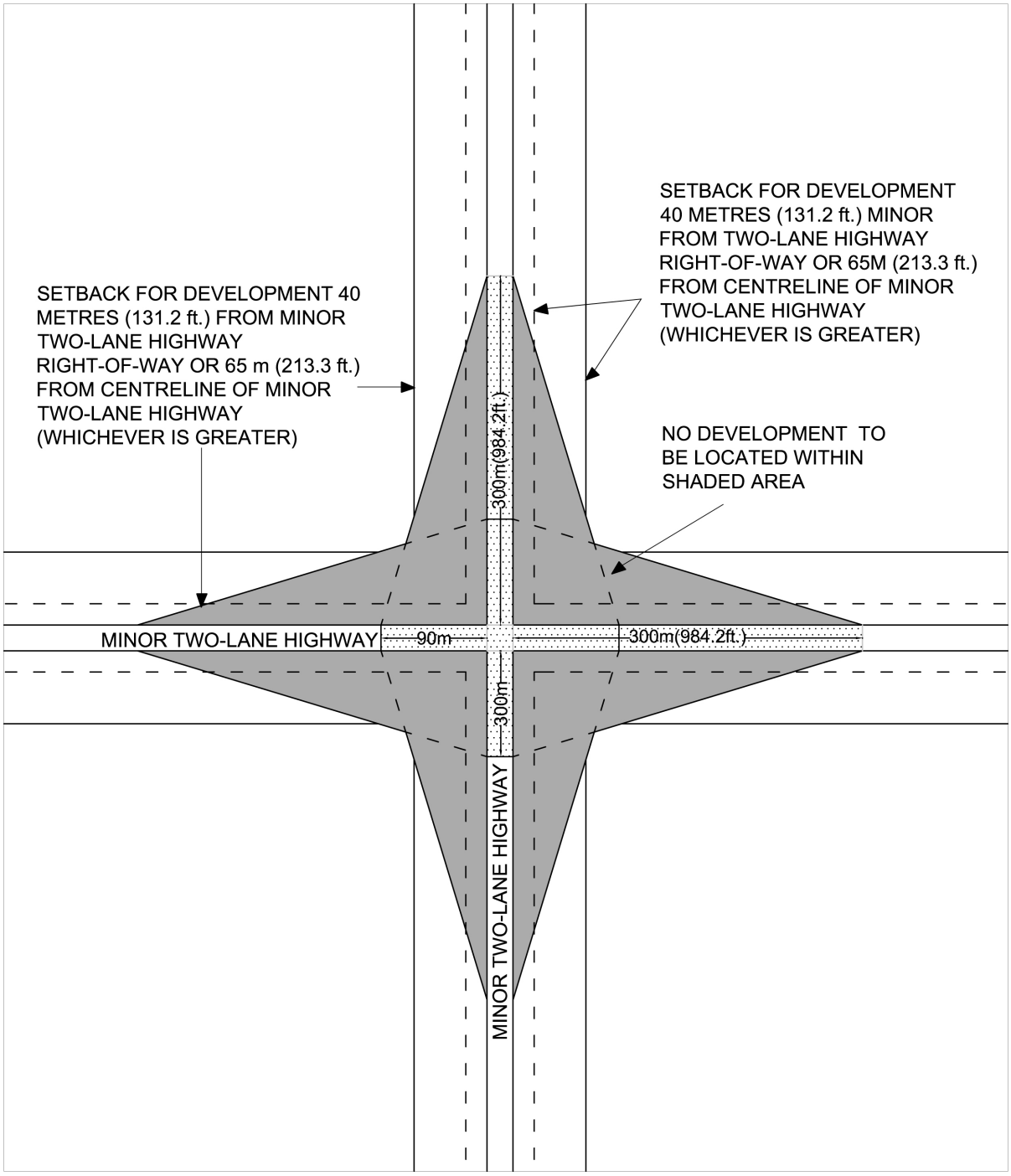


Figure 28: Setbacks from the Intersection of Two Minor Two-Lane Highways

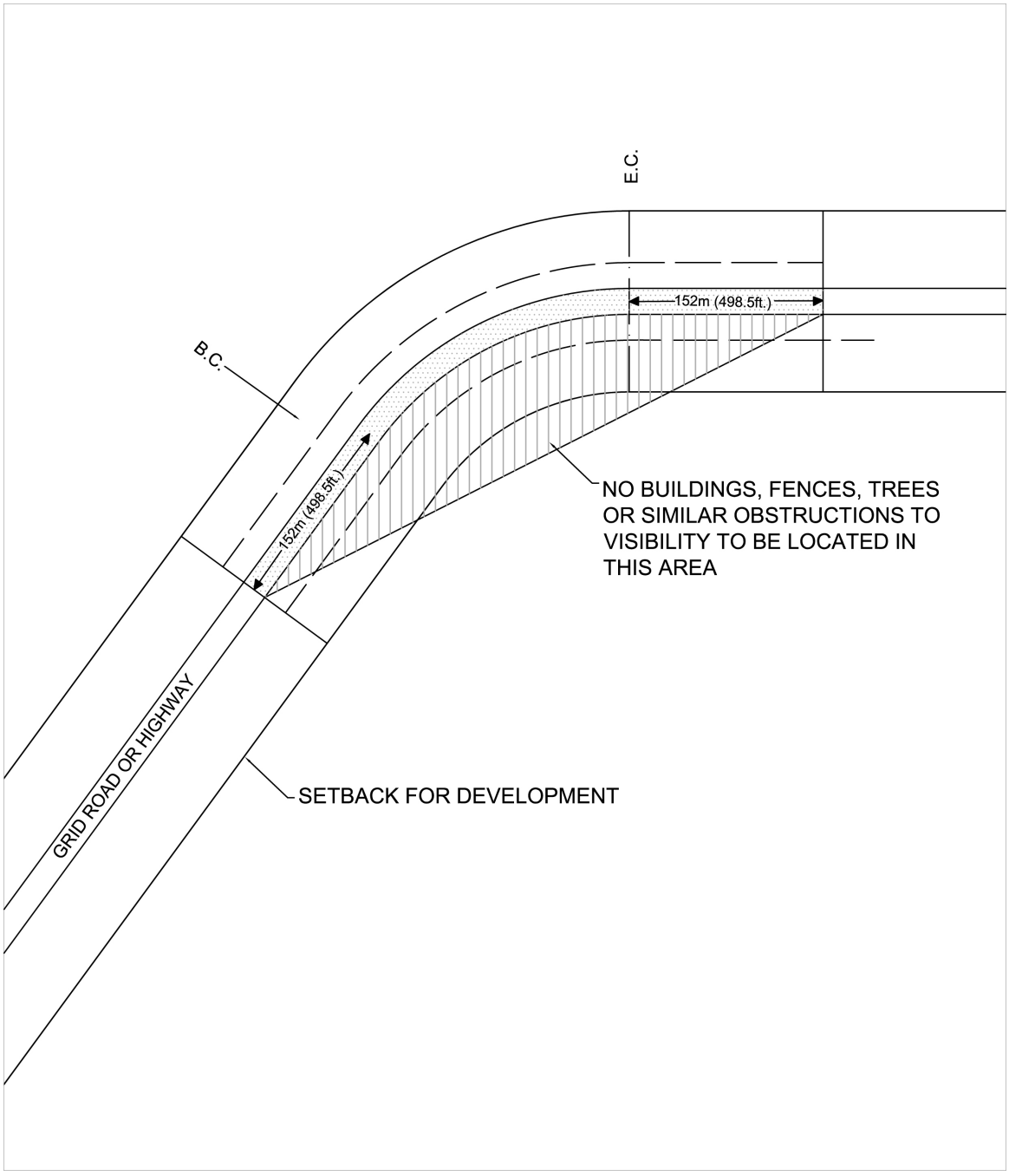


Figure 29: Setback Requirements within the Curve of a Grid Road or Highway

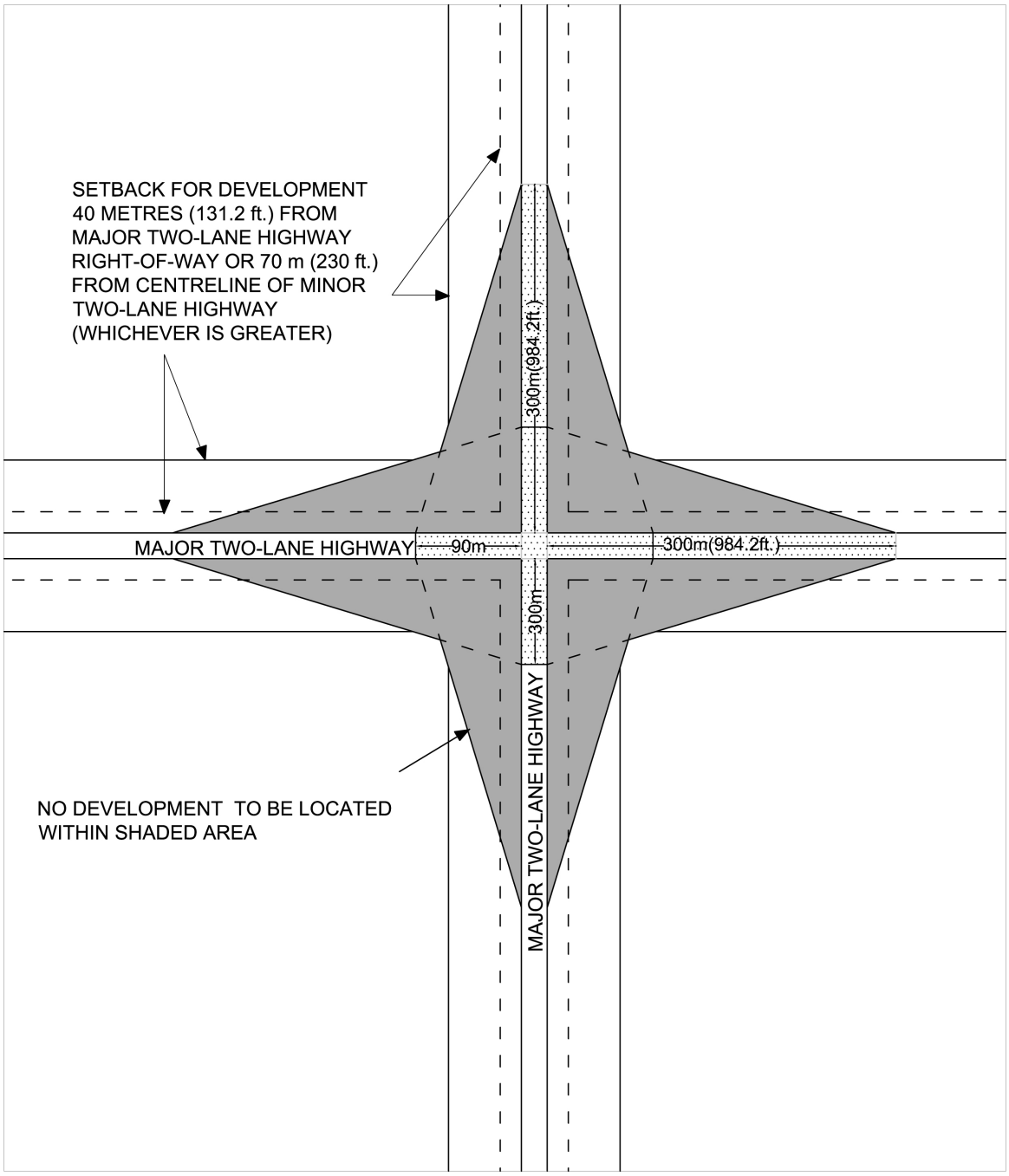


Figure 30: Setbacks from the Intersection of Two Major Two-Lane Highways

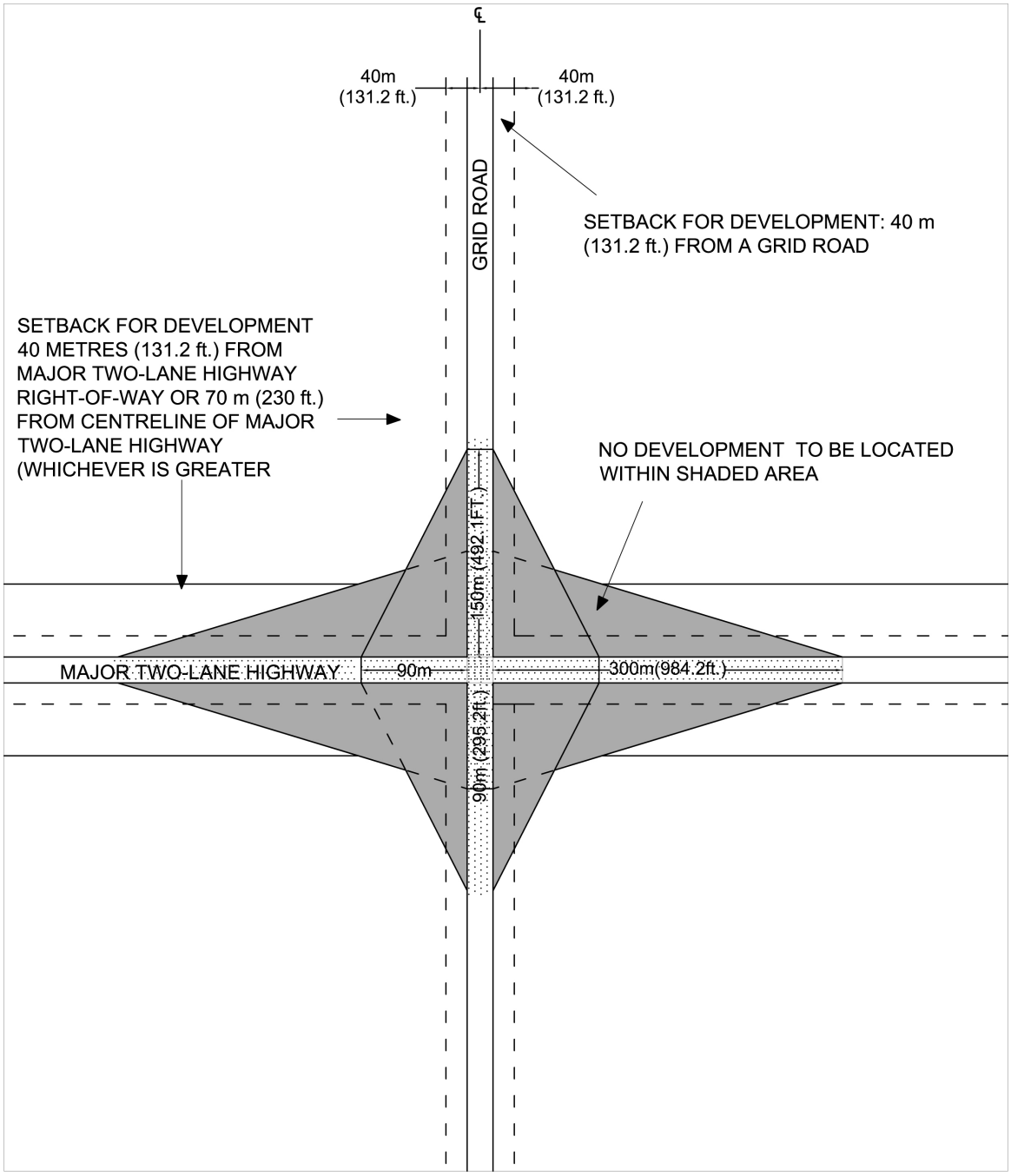


Figure 31: Setbacks from the Intersection of a Grid Road and a Major Two-Lane Highway

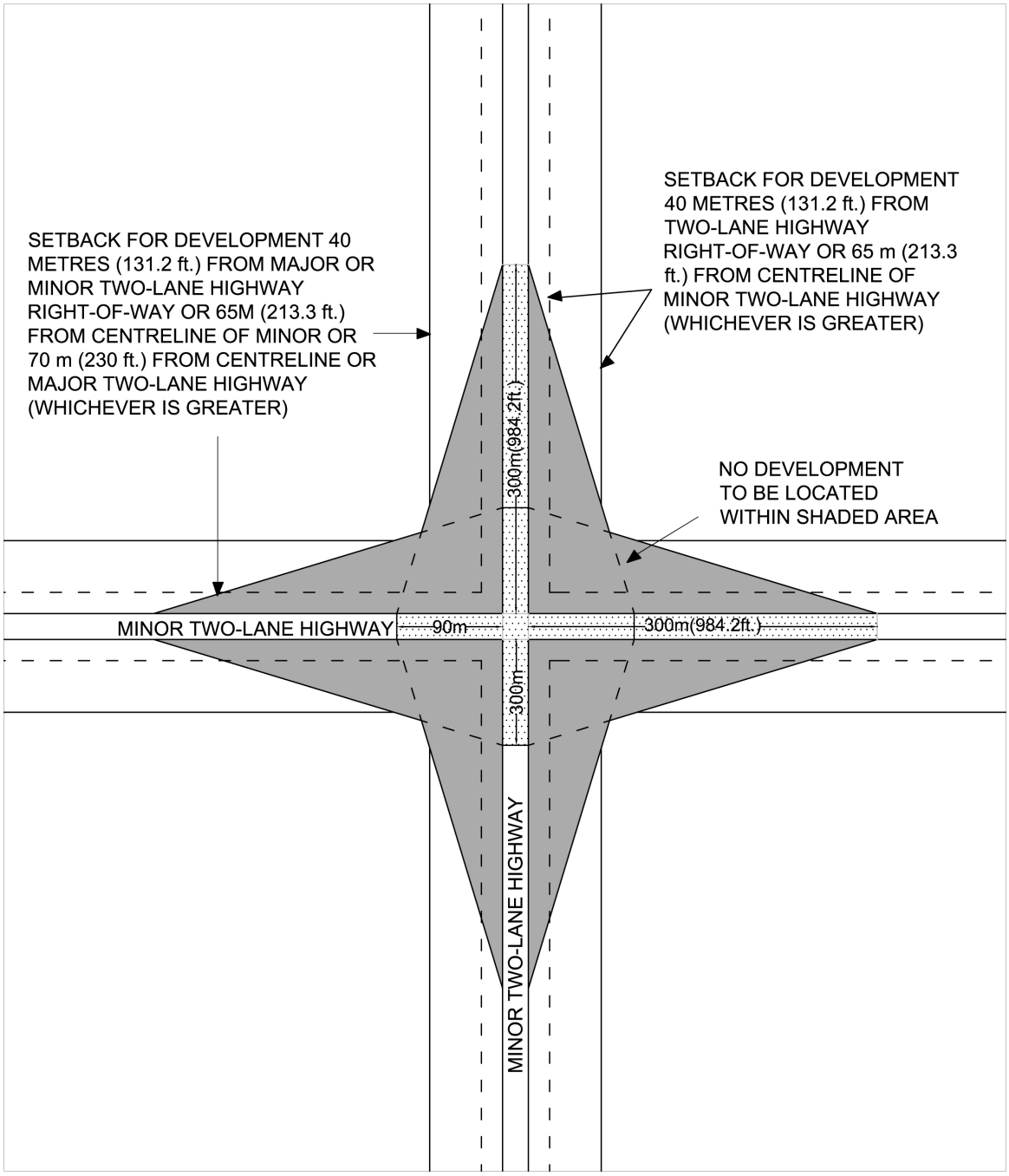


Figure 32: Setbacks from the Intersection of a Major Two-Lane Highway and a Minor Two-Lane Highway

8.33 MANUFACTURED AND MOBILE HOMES

(1) Before a development permit application is approved for a manufactured or mobile home, the development authority shall ask the applicant for verification that the home complies with both the CSA Z240 MH National Mobile Home Standard and the Alberta Building Code (ABC) by virtue of the existence of appropriate labels. If either the CSA Z240 or the Alberta Municipal Affairs label is missing, the development authority will require an inspection prior to approving an application for a development permit for the location of the manufactured home or mobile home on a lot. That inspection is to be done by an Alberta Safety Codes Officer and is to indicate whether, and under what circumstances, the manufactured or mobile home can regain a CSA Z240 label, and can be modified to comply with the regulations made pursuant to the Alberta Safety Codes Act.

(2) Should one or both labels not be attached, and therefore should an inspection by an Alberta Safety Codes Officer be required, a copy of the inspection report shall be provided to the Development Authority. Should the inspection indicate that upgrades to the manufactured or mobile home are necessary to bring the home into compliance with the CSA Z240 standard or regulations made pursuant to the Alberta Safety Codes Act, the Development Authority will assess the nature of the required upgrades and, in consultation with the applicant, determine if the applicant is willing to undertake the upgrades necessary, in terms of both cost and time. If the applicant indicates, in writing, that he is willing to undertake the upgrades, the Development Authority may approve the development permit application, but only on condition that all required upgrades are made and that the Development Authority receive verification from an Alberta Safety Codes Officer that such upgrades have been satisfactorily completed prior to occupancy of the manufactured or mobile home as a dwelling.

(3) Should both labels be attached to the manufactured or mobile home, the development authority will still require, as a condition of the approval of a development permit, that an inspection by an Alberta Safety Codes Officer be undertaken, that the inspection report be provided to the Development Authority, and should the inspection indicate that upgrades to the manufactured or mobile home are necessary to bring the home into compliance with the requirements of the regulations made pursuant to the Safety Codes Act, all required upgrades shall be made, and further require that all of these steps be undertaken prior to the occupancy of the manufactured or mobile home as a dwelling.

(4) In addition to the requirements of 8.33(1) and 8.33(2) above, a manufactured or mobile home must meet the following aesthetic regulations:

(a) The height of the main floor above grade shall be consistent with the height of the main floor of dwellings in the immediate and general area;

(b) The roof pitch shall be consistent with the roof pitch of dwellings in the immediate and general area;

(c) Exterior finishing materials used on the roof and exterior walls shall be consistent with the materials used on dwellings in the immediate and general area;

(d) Minimum roof overhang or eaves should be consistent with the overhang or eaves of dwellings in the immediate and general area;

(e) The design of each manufactured or mobile home shall ensure the side or end facing the street on which the home fronts contains a prominently placed front door, and windows in quantity and size that are consistent with dwelling units in the immediate area;

(f) Every manufactured or mobile home shall be placed on a full perimeter foundation that complies with the Alberta Safety Codes Act unless the manufactured or mobile home is designed to be supported on longitudinal floor beams, in which case an alternate skirted foundation system as described in CSA Z240.10.1 may be employed;

(g) The full perimeter foundation or the skirting material utilized on an alternative skirting foundation should be parged in order to create the same finished appearance customarily found on concrete basements of single detached dwellings in the immediate and general area.

Any required aesthetic upgrades to the manufactured or mobile home must be completed before the issuance of the development permit.

8.34 MICRO WIND ENERGY CONVERSION SYSTEMS

(1) A micro wind energy conversion system may be an accessory building on a lot where any other use is the principal use. A micro wind energy conversion system may also, where indicated as a permitted or discretionary use within a District, be a principal use on a lot.

(2) Notwithstanding any other provisions in this Land Use Bylaw, micro wind energy conversion systems, which are systems which have a rated capacity of less than 0.5 KW, may only be roof mounted or ground mounted within a side or rear yard.

(3) Micro wind energy conversion systems shall be required to conform to set back requirements for accessory buildings.

(4) Maximum height shall be the maximum height provisions that apply within the district in which the micro wind energy conversion system is located.

(5) Number per lot

One micro wind energy conversion system is allowed per lot. A second system may be permitted at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the lot.

8.35 MOTELS

(1) Notwithstanding the provisions of the District in which it is located, a motel shall have a minimum required front yard of 6.0 m (19.6 ft.).

(2) Notwithstanding any other provisions of this Bylaw to the contrary, a minimum of 10% of the lot area of a motel development shall be landscaped in accordance with Section 8.29 and to the satisfaction of the Development Authority.

8.36 MOVED-IN BUILDINGS

(1) The movement of any building onto a lot, other than a farm building in the E District, whether permanently or for a specific period of time, and whether or not the building is portable or can easily be removed from the lot, shall require an approved development permit.

(2) The Development Authority may require the applicant to provide an acceptable security equal to the estimated amount of repairs, to ensure completion of any renovations set out as a condition of approval of a permit.

8.37 MULTIPLE DWELLING DEVELOPMENTS

(1) Before any application for development of row housing or an apartment development can be considered, the applicant must submit to the Development Authority:

(a) design plans and working drawings, including elevations, which have been done or endorsed by a registered architect; and

(b) site plans showing the proposed:

(i) location and position of structures on the lot, including any "For Rent" or identification signs,

(ii) location and number of parking spaces, exits, entries, and drives from roads, lanes, or highways, and

(iii) landscape plan of the entire lot that shall also show intended surfacing for drives and parking areas.

(2) The aforementioned plans will be appended to the application. If the development permit is approved, the plans shall be deemed conditions of approval. The Development Authority may require that security be provided to ensure that the conditions are satisfied.

(3) The relationship of buildings to each other and to the landscape, in particular such matters as architectural appearance, the provision of light, air, privacy, and landscaping, shall be shown upon the site plans. All this information shall be provided to the satisfaction of the Development Authority.

8.38 MUNICIPAL SERVICES/SANITARY FACILITIES/ROAD AVAILABILITY

(1) A development permit shall not be valid for a proposed use without the necessary approvals respecting the proposed type of sanitary facilities required by Provincial regulation.

(2) A development permit shall not be issued for residential, recreational, commercial or industrial uses unless the Development Authority is satisfied that water supplies of sufficient quality and quantity are available to support existing and proposed development.

(3) At the discretion of the Development Authority, the provision of a water reservoir, dugout or other similar facility may be required in a residential development of more than three (3) lots for the purpose of firefighting protection.

(4) No development shall take place and no development permit shall be approved unless the lot on which the development is to take place has direct access to a developed, all-weather road constructed to municipal standards or better. Alternatively, the Development Authority may establish as a condition of approval that an all-weather road be constructed by the developer/landowner to municipal standards or better from the nearest such road to the lot.

8.39 NATURAL RESOURCE EXTRACTION INDUSTRIES

(1) In considering an application for the establishment of a natural resource extraction industry, the Development Authority may request advisory comment from the following authorities whose interest or jurisdiction may be affected:

(a) any Provincial government agency,

(b) Regional Health Authority.

(2) No development permit shall be issued for a proposed natural resource extraction industry unless it can be demonstrated to the satisfaction of the Development Authority that all necessary provincial permits and approvals pertinent to the proposed development have been obtained.

(3) Unless exempted by the Act, no development permit shall be approved for a proposed natural resource extraction industry without a requirement that there be a development agreement between the MD and the developer.

8.40 NEIGHBOURHOOD COMMERCIAL DEVELOPMENTS

(1) Neighbourhood commercial developments located entirely within a standalone building or located within a building that also contains residential use may be allowed to locate in Residential Districts provided that the development meets all of the other regulations of this Bylaw and, further, that the development:

(a) does not include as part of its operation a gas bar or vehicular servicing component; and/or

(b) is situated on a corner lot with safe access to a collector road **(see Figure 33).**

(2) The façade of a structure building containing a neighbourhood commercial development that is located in a Residential District must be integrated with the surrounding residential area.

(3) The height of a building containing a neighbourhood commercial development in a residential district may not exceed twice the height and massing of the adjacent buildings.



Figure 33: Neighbourhood Commercial Development Example

8.41 NOISE

No use or operation shall create noise levels which exceed those measures prescribed in municipal bylaws.

8.42 NUISANCE

(1) No activity may be undertaken on any lot which, in the opinion of the Development Authority, constitutes a nuisance by reason of the generation of vibration, heat, humidity, glare, smoke, dust, other particulate matter, or odour.

(2) Lots and buildings in all Districts shall be maintained in a clean and tidy condition, free from all rubbish and debris.

(3) Garbage shall be stored in weather-proof and animal-proof containers and shall be placed in a location or screened from adjacent lots and roads, in a manner that is to the satisfaction of the Development Authority and shall be in a location easily accessible for pick-up.

8.43 NUMBER OF DWELLING UNITS ON A LOT

(1) The number of dwelling units allowed on any residential lot shall not exceed one (1) except where a second dwelling unit :

(a) is proposed to be constructed or located on a lot of 32 ha (79 ac.) or more; or

(b) is a secondary suite, in-law suite, garage suite, garden suite or tiny house as defined in this Bylaw, and which is located on a lot smaller than 0.8 ha (2.0 ac.) in area within a District where a

secondary suite, in-law suite, garage suite, garden suite or tiny house is allowed as either a permitted or a discretionary use; or

(2) Notwithstanding subsection (1) more than two (2) dwelling units may be permitted on a residential lot at the discretion of the Development Authority where the additional dwelling units:

(a) are contained in a building that, or in buildings each of which is designed for or divided into two (2) or more dwelling units; or

(b) is a manufactured home in a manufactured home park; or

(c) is a building, as defined in the Condominium Property Act, that is the subject of a condominium plan to be registered in a land titles office under the Act; or

(3) Additionally, notwithstanding subsection (1), on lots 0.8 ha (2.0 ac.) or greater in area within a residential district where a secondary suite, in-law suite, garage suite, garden suite or tiny house is allowed as either a permitted or a discretionary use a maximum of up to but not exceeding two (2) secondary suites, in-law suites, garage suites or garden suites may be permitted.

(4) If the additional dwelling unit is as defined in Section 8.43(1)(a) is allowed, the Development Authority may, as a condition of the approval of the second or additional dwelling unit, require that the dwelling unit be placed on the lot in such a manner as to allow for any future subdivision of parcels of land containing the dwelling units from the remainder of the titled area, with such other conditions relevant thereto that the Development Authority may deem advisable. This regulation does not imply any future commitment regarding the approval of a subdivision of any dwelling units on a parcel of land.

(5) If the additional dwelling unit is as defined in Section 8.43(1)(a) above, the Development Authority may, as a condition of the approval of the second or additional dwelling unit, require that the dwelling unit be a temporary building and/or a manufactured home, except in the case of a secondary suite within a dwelling which is not a manufactured home.

8.44 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

(1) No person shall keep or permit in any Residential District any object, chattel, or other use of land which, in the opinion of the Development Authority is unsightly or tends to adversely affect the amenities of the district. This includes dismantled or wrecked motor vehicles, and any excavation, stockpiling or storage of materials, explosives, flammable liquids, diesel fuel, propane and gasoline products on lots under 0.2 ha (0.5 ac.) in size.

(2) Notwithstanding Subsection (1) above, on lots in a Residential District within hamlets where natural gas service is not provided and on lots which are:

(a) greater than 1.2 ha (3 ac.) in area; and

(b) where the proponent can prove to the satisfaction of the Development Authority that the location and use of the propane tanks meets acceptable fire code and safety standards;

the Development Authority may, at its sole discretion, allow more than four (4) propane tanks or any number of propane tanks with a capacity which exceeds 91.0 kg (200 lbs.) to be located on a lot.

(3) Notwithstanding Subsection (2) above, in Commercial and Recreation Districts, where the applicant for a development permit can prove to the satisfaction of the Development Authority that the location and use of the proposed propane tanks meets acceptable fire code and safety standards as well as emergency response requirements, the Development Authority may, at its sole discretion, allow more than four (4) propane tanks or any number of propane tanks with a total capacity which exceeds 91.0 kg (200 lbs.) to be located either:

(a) within an individual lot; or

(b) within each recreational vehicle stall located in an approved campground/recreational vehicle campground.

(4) All development permit applications to allow more than four (4) propane tanks, or any number of propane tanks with a total capacity which exceeds 91.0 kg (200 lbs.), to be located within individual stalls, in approved campground or recreational vehicle campground or recreational vehicle workcamp, will be required to include an Emergency Response Plan, prepared by the developer, at no cost to the municipality. The Emergency Response Plan will be circulated to the municipality's Fire Department for approval prior to issuance of a development permit.

(5) Excepting on residential parcels in hamlets where natural gas service is unavailable, development permits issued for more than four (4) propane tanks or any number of propane tanks with a total capacity which exceeds 91.0 kg (200 lbs.) will only be granted for a period of one year. New development permit applications must be submitted annually if the proponent wishes to extend the development period.

(6) No person shall keep or permit in any part of any yard in the R1, R1A, R1B, R1C Districts on lots smaller than 0.2 ha (0.5 ac.) in area any vehicle, loaded or unloaded, of a gross vehicle weight in excess of 7000.0 kg (15,432.4 lbs.) for longer than is reasonably necessary to load or unload the Vehicle.

(7) Notwithstanding section (6), above, in the R1, R1A, R1B, R1C, and R1D Districts, on lots larger than 0.2 ha (0.5 ac.) in area, one (1) Vehicle, loaded or unloaded, of a gross vehicle weight in excess of 7,000.0 kg (15,432.4 lbs.) may be parked on the lot.

(8) In the E, C2, CH, M1, M2, and M3 Districts, and in any Direct Control District, no person shall keep, permit to keep, or park any vehicle in excess of 7,000.0 kg (15,432.4 lbs.) for longer than is reasonably necessary to load or unload the Vehicle, unless a development permit for a "Heavy Vehicle Parking Lot" has been issued for the portion of the lot being used for parking.

8.45 OFF-STREET LOADING

(1) Where a proposed development will, in the opinion of the Development Authority, require pick-up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the site.

(2) When required by the Development Authority, loading spaces shall:

(a) have dimensions of not less than:

Width	4.0 m (13.1 ft.),
Length	8.0 m (26.2 ft.),
Height above grade	4.3 m (14.1 ft.);

(b) provide vehicular ingress to, and egress from, a street or lane such that no backing or turning movements of vehicles going to or from the site cause interference with traffic in the abutting streets 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. In no case shall drainage be allowed to cross sidewalks.

(e) be paved or hard surfaced where a parking area is required to be paved or hard surfaced;

(f) have adequate lighting to the satisfaction of the Development Authority; and

(g) be screened on each side adjoining any Residential District by a wall, fence, earth berm or hedge of not less than 1.5 m (4.9 ft.) and not more than 2.0 m (6.6 ft.) in height.

(3) Number of Off-Street Loading Spaces

(a) The number of loading spaces required to be provided in a development shall be as follows:

Table 1: Off-Street Loading Spaces

USE OF BUILDING OR SITE	MINIMUM NUMBER OF LOADING SPACES
NON RESIDENTIAL USES	
Office uses and all other non-residential uses	
Less than 1,000.0 m^2 (10,764.0 $ft.^2$) of gross leasable area	1 space
The next 1,000.0 m^2 (10,764.0 $ft.^2$) of gross leasable area or a fraction thereof in a development~~,~~	1 space
Each additional 2,000.0 m^2 (21,528.0 $ft.^2$) of gross leasable area or a fraction thereof in a development.	1 space
RESIDENTIAL USES	
Multi-family dwellings	
All	1 per 12 dwelling units

(b) If hazardous materials are to be loaded or unloaded on the site then a parking plan, showing loading areas must be provided to the Development Authority for approval. Loading spaces for hazardous materials should not be located in a side or rear yard adjacent to a residential district.

8.46 OFF-STREET PARKING

(1) An off-street parking area or ancillary off-street parking area:

(a) shall not be located within 1 m (3.25 ft.) of a lot line;

(b) shall be constructed so that adequate access to and exit from each parking space is to be provided at all times by means of maneuvering aisles designed to the satisfaction of the Development Authority;

(c) shall have necessary access located and constructed to the satisfaction of the Development Authority; and

(d) shall be adequately signed so as to direct access to it.

(2) Dimensions

(a) All parking spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions and shall conform to the requirements shown in **Table 2**.

Table 2: Minimum Parking Standards (in m (ft.))

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

(See the diagram for definitions of column headings)

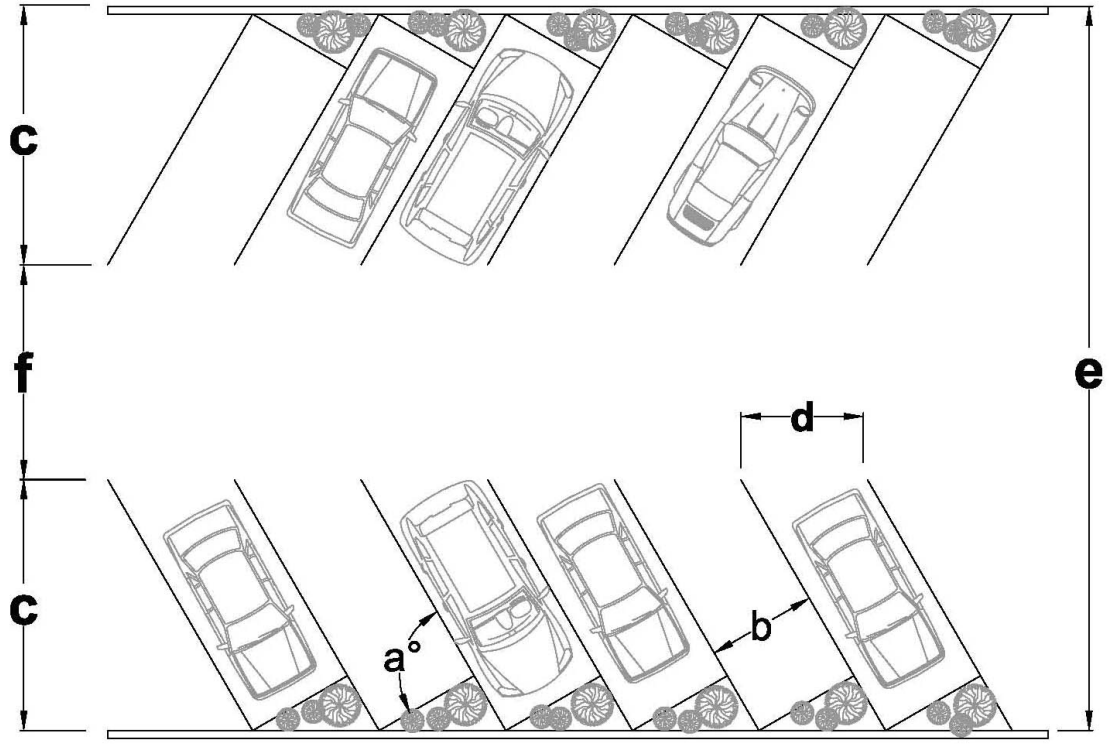


Figure 34: Parking Lot and Stall Definitions

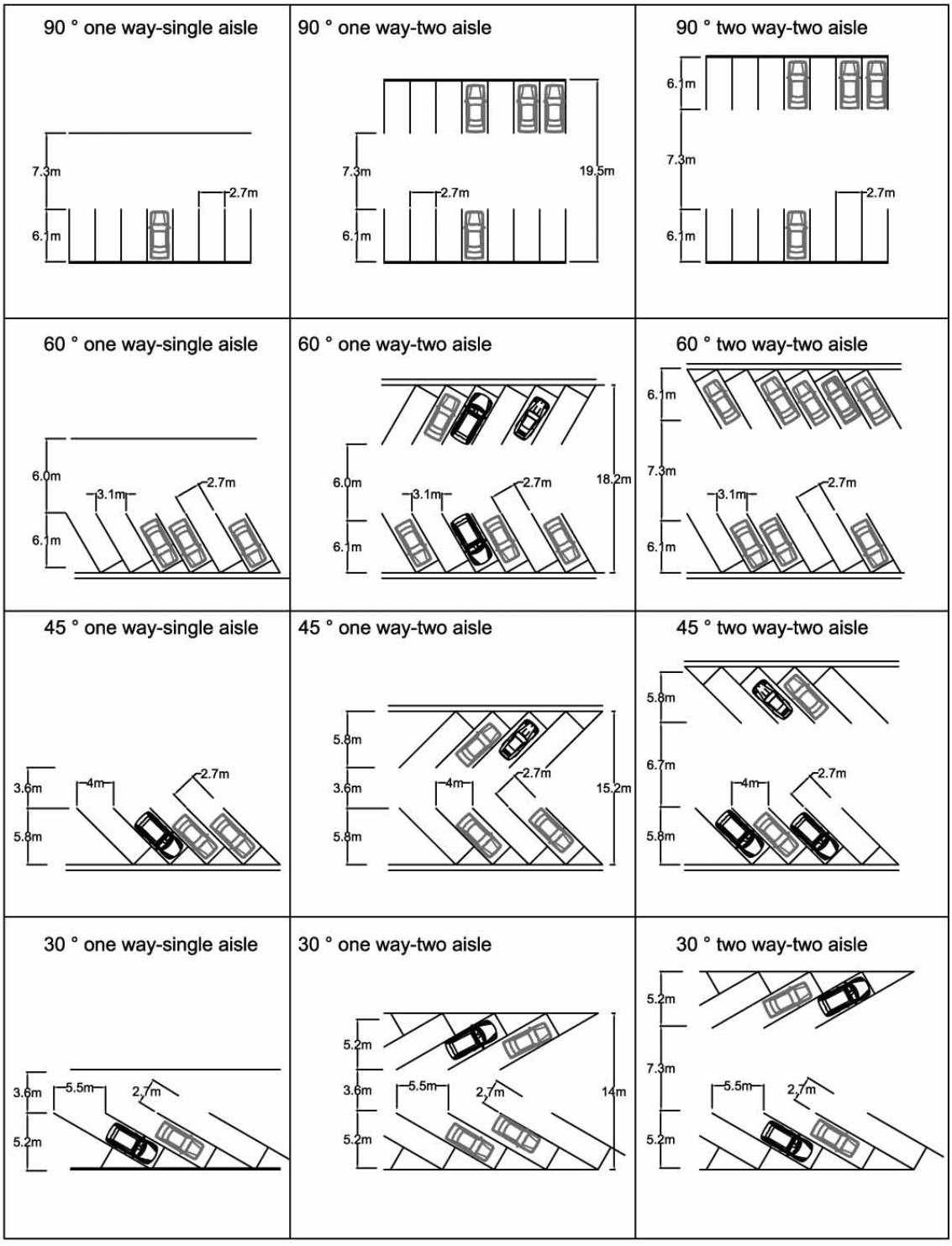


Figure 35: Off Street Parking Standards

(b) In the **C2, C3, CH, M1, M2 and M3 Districts**, the Development Officer may require some parking spaces provided to be a minimum width of 3.0 m (10 ft.) and a minimum depth of 20 m (65.5 ft.), specifically designed for large trucks. Maneuvering aisles and accesses will be sized appropriately to permit vehicular access to these spaces.

(3) Surfacing and Drainage

(a) Every off-street parking space provided, and the access thereto, shall be hard surfaced if the access is from a street or lane which is hard surfaced; parking areas must be paved or of gravel mixture as approved by the Development Authority.

(b) On parcels within the C1 or DC Districts that are also affected by the Wabasca Downtown area overlay all off-street parking areas shall be paved in asphalt, concrete, or similar materials, to the satisfaction of the Development Authority.

(c) Within all other lands in the Commercial Districts, the Development Authority may, at its sole discretion, require that all off-street parking areas be paved in asphalt, concrete, or similar materials.

(d) Each parking area shall be so graded and drained as to dispose of all storm water runoff. In no case shall drainage be allowed to cross a sidewalk unless allowed otherwise by the Development Authority.

(4) Required Number of Off-Street Parking Spaces

The minimum number of off-street parking spaces required for each building or use shall be as in the following table. In the case of use not specifically mentioned, the required number of off-street parking spaces shall be the same as for a similar use as determined by the Development Authority. Where a development falls within more than one class, the required number of spaces shall be the sum of the requirements for each of the development classes.

Table 3: Required Number of Off-Street Parking Spaces

USE OF BUILDING OR SITE	MINIMUM NUMBER OF PARKING SPACES
RESIDENTIAL USES	
Apartments	
dwelling units with 1 or fewer bedrooms	1.5 per dwelling unit
dwelling units with 2 bedrooms	2 per dwelling unit
dwelling units with 3 or more bedrooms	2 per dwelling unit
visitor parking	1 per 7 dwelling units
Seniors' apartments	2 per 3 dwelling units
Boarding and lodging houses	1 per sleeping unit in addition to the parking requirements for the primary dwelling
Senior citizens' homes	1.5 per 3 dwelling units
Secondary suites, garage suites and in-law suites	1 per dwelling unit
All other dwellings (single family, duplex, row housing)	2 per dwelling unit
Manufactured home parks	2 per manufactured home plus 1 visitor parking space per 7 manufactured homes
COMMERCIAL USES	
Office uses and government services	1 per 40.0 m^2 (430.0 $ft.^2$) of gross leasable area
Health services	1 per 30.0 m^2 (325.0 $ft.^2$) of gross leasable area **or** 3 for each full time or part-time professional whichever is greater
Eating and drinking establishments	
Eating and drinking establishments (except those as noted below)	1 per 4 seating spaces or 1 per 3 employees, whichever is greater
Restaurants	1 per 13.0 m^2 (140.0 $ft.^2$) of gross leasable area plus 1 per 3 employees on maximum shift
Nightclubs	1 per 13.0 m^2 (140.0 $ft.^2$) of gross leasable area plus 1 per 3 employees on maximum shift
Bars and neighbourhood pubs	1 per 13.0 m^2 (140.0 $ft.^2$) of gross leasable area plus 1 per 3 employees on maximum shift
Drive-in restaurants	1 per 3.0 m^2 (32.3 $ft.^2$) of gross leasable area or 1

	per 5 seating spaces, whichever is greater
Other drive-in businesses	8
Hotels and motels	1 per rentable unit plus 1 per 3 employees on maximum shift
Workcamps	1 per rentable unit plus 1 per 3 employees on maximum shift
Bed and breakfast establishments	1 per sleeping unit in addition to the parking requirements for the primary dwelling
Major home occupations	1 in addition to the requirements for the residential use
All other commercial uses	
Less than 4,500 m^2 (48,437.5 $ft.^2$) of gross leasable area	2.5 per 100.0 m^2 (1,076.4 $ft.^2$) of floor area
4,500 m^2 (48,437.5 $ft.^2$) to 9,000 m^2 (96,872.2 $ft.^2$) of gross leasable area	3 per 100.0 m^2 (1,076.4 $ft.^2$) of floor area
9,000 m^2 (96,872.2 $ft.^2$) to 28,000 m^2 (301,386.5 $ft.^2$) of gross leasable area	3.5 per 100.0 m^2 (1,076.4 $ft.^2$) of floor area
Greater than 28,000 m^2 (301,386.5 $ft.^2$) of gross leasable area	4 per 100.0 m^2 (1,076.4 $ft.^2$) of floor area
PLACES OF PUBLIC ASSEMBLY	
Auditoriums, halls, clubs, theatres and other recreation places	1 per 5 seats
Places of worship	1 per 4 seats
Spectacular entertainment establishments	1 per 5 seats
Spectacular sports establishments	1 per 5 seats
Outdoor amusement establishments and recreational uses	1 per 3 employees plus the requirements for any accessory uses plus any additional requirements at the discretion of the Development Authority
Golf courses	8 per hole plus 1 per 3 employees plus the requirements for any accessory uses
Indoor amusement	1 per 5 seats
Bowling alleys	4 per lane plus the requirements for accessory uses
Curling rinks	8 per sheet plus the requirements for accessory uses

Health and fitness clubs	1 per 10.0 m^2 (107.6 $ft.^2$) of floor area
Hockey rinks and swimming pools	1 per 5 seats
Racket sports facilities	2 per court plus the requirements for accessory uses
SCHOOLS	
Elementary and junior high schools	1 per school employee during regular school hours plus 8
High schools	4 per 10 students
Commercial schools	1 per on-site student
INDUSTRIAL USES	
All industrial uses	1 per employee on maximum shift
HOSPITALS AND SIMILAR USES	
Health centres and hospitals	1 per 100.0 m^2 (1,076.4 $ft.^2$) of gross floor area or 1 per 4 beds, whichever is greater, plus 1 per 2 employees on maximum shift
Extended medical treatment (sanatoriums, convalescent homes, senior citizen lodges, group care facilities, etc.)	1.5 per 3 dwelling units plus 1 per employee maximum shift
Nursing homes/long term care facilities	1 per 3 beds plus 1 per employee on maximum shift
Auxiliary hospitals	1 per 3 beds plus 1 per employee on maximum shift

8.47 PLACES OF WORSHIP

(1) Minimum front, side and rear yards shall be those required within the District in which the place of worship is located.

(2) A place of worship may be located in any District even if it has not been listed as a permitted or discretionary use if it is an accessory use to a permitted or discretionary use in that District.

(3) Notwithstanding any other provision of this Bylaw to the contrary, a portion of the required minimum number of parking spaces may be located on a lot other than that of the subject place of worship if it is demonstrated to the satisfaction of the Development Authority that such off-site parking spaces are available for the use of the patrons of the place of worship.

(4) All places of worship shall abut a road which is designated an arterial road or a major collector road in the municipality's Municipal Development Plan, or an arterial road, a major collector road or a minor collector road in an Area Structure Plan.

8.48 PRIVATE SWIMMING POOLS AND HOT TUBS

(1) A private swimming pool or hot tub may be an accessory building on a lot where a residential use, a commercial use, a public use, or an institutional use is the principal use. A private swimming pool or hot tub may also, where indicated as a permitted or discretionary use within a District, be a principal use on a lot.

(2) Notwithstanding any other provision of this Bylaw to the contrary, a development permit is required prior to the commencement of the installation or construction of a private swimming pool or hot tub.

(3) Private swimming pools and hot tubs shall not be located within any required minimum front yard.

(4) Every private swimming pool or hot tub shall be secured against entry by the public other than owners, tenants, or their guests.

(5) No private swimming pool or hot tub may be constructed except within an enclosed building unless it is entirely fenced, except that a wall of a building may be considered to replace any part of the required fence provided that the wall is a minimum of 1.8 m (5.9 ft.) in height for the length that it replaces the fence.

(6) Every fence enclosing a private swimming pool or a hot tub constructed outside of an enclosed building shall be 1.8 m (5.9 ft.) in height or, at the discretion of the Development Authority, higher, and shall be of

appropriate design to limit the ability of persons to use the fence parts to climb the fence or to crawl through or under the fence. Gates shall be equipped with a self-latching device and a lock mechanism located on the inside of the gate.

(7) No barbed wire or electrification of any part of a fence or gate enclosing a swimming pool or hot tub shall be allowed.

8.49 PROJECTION OVER YARDS

(1) No portion of any building shall project onto, over or into a minimum required yard.

(2) Notwithstanding Subsection (1) above, the portions of an attachment to a main building which may project over a minimum required yard are:

(a) on a site in a residential district, a cornice, sill, a canopy or eaves which project for a distance not exceeding one-half of the minimum required side yard;

(b) a chimney which projects 0.6 m (2 ft.) or less provided that in each case it is not less than 0.9 m (3 ft.) from the side line; and

(c) unenclosed steps with or without a landing and above the surface of the yard if they do not project more than 2.4 m (8 ft.) over or on a minimum required front or rear yard.

8.50 PROTECTION FROM EXPOSURE HAZARDS

(1) The location of an anhydrous ammonia or liquefied petroleum gas (AA or LPG) storage tank with a water capacity exceeding 9080 l (2000 gal.) shall be in accordance with the requirement of the Development Authority, but in no case be less than a minimum distance of 228 m (748 ft.) from assembly, institutional, mercantile or residential buildings. Nor shall a storage tank be placed within a minimum of 38 m (124.5 ft.) of the centre line of a grid road, 41 m (134.5 ft.) from the right-of-way of a minor two-lane highway or 70 m (230 ft.) from the right-of-way of a major two-lane highway.

(2) AA or LPG containers with a water capacity of less than 9080 l (2000 gal.) shall be located in accordance with regulations under the Alberta Safety Codes Act.

(3) Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Alberta Safety Codes Act.

(4) Setbacks from pipelines and other utility corridors shall be at the discretion of the Development Authority and be in accordance with the appropriate provincial regulations or acts, but in no case be less than a minimum distance of 30 m (98.4 ft.) for institutional, commercial, or residential buildings.

(5) The location of the storage tank shall be completely enclosed by a security fence having a minimum height of 1.8 m (6 ft.).

(6) Dangerous Goods warning signs of an appropriate nature shall be clearly visible at the site. Signs shall be attached to the fence and to the storage tanks.

8.51 RECREATION

(1) A site plan detailing the protection of existing treed areas and site topography may be required as a condition of the approval of a development for a recreational use.

(2) Spaces for day use, picnicking, camping and similar activities shall be suitably organized, clearly marked, and constructed to the satisfaction of the Development Authority.

8.52 RECREATIONAL VEHICLE CAMPGROUNDS

(1) The construction and maintenance of all internal roads are to be the responsibility of the landowner/developer. Internal roads shall have a minimum of a 6.0 m (19.7 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.65 m (12.0 ft.) usable top.

(2) Recreational vehicle or camping spaces shall have a minimum of 13.5 m (49 ft.) width and a minimum of 273.0 sq. m (2938.5 sq. ft.) area. All such spaces shall be set back a minimum of 30.0 m (98.4 ft.) from the shoreline of any body of water or lake.

(3) The developer shall provide an adequate on-site water supply.

(4) As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction over the type of development.

(5) The development agreement may require the developer to construct, upgrade, or pay to construct or upgrade the necessary MD roads to access the development.

(6) The developer shall designate an area equivalent to ten percent (10%) of the total recreational vehicle campground area as a playground. This area is to be clearly marked and free from all traffic hazards.

(7) The Developer shall provide reasonable and adequate lake access where applicable.

8.53 RECREATIONAL VEHICLE CAMPGROUND, WORKCAMPS

(1) Provisions in this section apply to recreational vehicle campground, workcamps.

(2) Each space for a recreational vehicle shall have a minimum width of 10.0 m (32.8 ft.) and a minimum area of 250.0 m^2 (2,691.0 $ft.^2$),

(3) All spaces for recreational vehicles shall maintain a minimum setback of 30.0 m (98.4 ft.) from the shoreline of any body of water.

(4) Minimum Yard Setbacks:

Front, side, corner and rear yard setbacks on the site shall be 7.6 m (25.0 ft.).

(5) The maximum number of recreational vehicles allowed per space shall be one (1).

(6) All recreational vehicle campground, workcamps shall be considered temporary developments.

(7) All recreational vehicle campground workcamps require a development permit and the Development Authority shall give due regard to the need, location and type of camp, prior to rendering its decision.

(8) A development permit for a recreational vehicle campground workcamp may be issued for up to three (3) years. If all conditions have not been satisfied to the satisfaction of the Development Authority then the permit will no longer be considered valid. The permit must be renewed after the three (3) year period. An application may be made for a continuance of the use for one (1) additional year, after which a new development permit approval is required.

(9) The Development Authority may establish whatever conditions for the approval of a recreational vehicle campground, workcamp that it, at its discretion, deems reasonable to ensure that the workcamp will be a temporary development.

(10) If all of the conditions of the development permit have not been fulfilled to the satisfaction of the Development Authority then the permit will not be considered valid.

(11) In addition to the requirements of **Section 4** of this Bylaw, an application for a development permit for a recreational vehicle campground workcamp must provide the following information:

(a) the location, type and purpose of the camp,

(b) adjacent land uses,

(c) the method for connecting the proposed development to municipal water, sewage, waste disposal and storm water systems,

(d) the number of persons proposed to live in the camp,

(e) the start date for the development, date of occupancy by residents, and removal date for the camp, and

(f) reclamation measures to be completed once the camp is no longer needed to the satisfaction of the Development Authority.

(12) As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction, including any necessary approvals pursuant to the Safety Codes Act that may be applicable.

(13) As a condition of approval, the Development Authority may require that the developer construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service to the development.

(14) All internal roads shall be the responsibility of the Developer for both construction and future maintenance. Also, internal roads shall have a minimum of a 6.0 m (20.0 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.65 m (12.0 ft.) usable top.

(15) The developer shall provide on-site potable water supply in accordance with the municipality's Design Standards as well as all applicable Provincial regulations.

(16) The developer shall provide sewage disposal facilities in accordance with the municipality's Design Standards as well as all applicable Provincial regulations.

(17) All stalls designated for year round use must have on-site connections to municipal sewer and water systems.

(18) The developer shall be required to enter into a development agreement with the municipality as a condition of development approval. The development agreement will include provisions requiring the developer to construct, upgrade, or pay to construct or upgrade the necessary municipal roads to access the development when determined necessary by the Development Authority.

(19) A site plan detailing the protection of existing treed areas and site topography is required prior to issuance of a development permit.

(20) All other site requirements shall be as required by the Development Authority.

(21) All recreational vehicle campground, workcamps must:

(a) ensure that all required access, including internal roadways and intersection improvements, are provided to the satisfaction of the Development Authority at the sole cost to the developer;

(b) be designed so that all points of access and egress are located to the satisfaction of the Development Authority and when required, Alberta Transportation;

(c) be able to accommodate a minimum of twenty (20) persons and a maximum of five hundred (500) persons;

(d) be secured by the installation of appropriate security and buffering measures such as berms, fences and landscaping. The form of the buffering will be determined by and to the satisfaction of the Development Authority;

(e) if required by the development authority, provide on-site security staff to the satisfaction of the Development Authority;

(f) provide and develop all parking on the site to the satisfaction of the Development Authority. Normally, on-site parking for private vehicles will adhere to the same standard as parking for a hotel or motel;

(g) post security with the municipality sufficient to ensure removal of the development and/or reclamation of the site if needed after the

recreational vehicle campground, workcamp has been removed from the site; and

(h) be separated from adjacent land uses.

(22) Maximum site coverage shall be such that space is available for all the parking on the site, together with the applicable setbacks and required landscaping as determined by the Development Authority.

(23) Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.

(24) The development must comply with current Building and Fire Code requirements as amended from time to time.

(25) Because of the number of temporary workers and related traffic impacts the applicant will also be required to provide a report which details the following:

(a) discussions with and impact on the local RCMP,

(b) discussions with and impact on the local Emergency Medical Services,

(c) discussions with and impact on the local Fire Department, and

(d) discussions with AB Transportation and information regarding anticipated impact on the local road system and/or provincial road network including a Traffic Impact Assessment.

(26) Any other conditions required to the satisfaction of the Development Authority.

8.54 RECREATIONAL VEHICLES LOCATED IN RECREATIONAL VEHICLE CAMPGROUNDS, RECREATIONAL VEHICLE CAMPGROUNDS-SEASONAL AND RECREATIONAL VEHICLE CAMPGROUNDS-WORKCAMPS

(1) No recreational vehicle, whether located within a recreational vehicle campground or on a lot, may have associated with it any more than two (2) accessory structures or buildings, in addition to fences, benches, fire pits, and picnic tables. The two (2) accessory structures may include a small shed with a maximum size of 18.58 m^2 (200.0 $ft.^2$), and a screened or roofed patio around or beside the recreational vehicle.

(2) No structure accessory to a recreational vehicle shall be used as sleeping quarters.

(3) The total gross floor area or ground area covered by all accessory structures and buildings or recreational vehicles shall not exceed fifty percent (50%) of the size of the lot on which the recreational vehicle campground is located.

8.55 RECREATIONAL VEHICLES

(1) Notwithstanding any other provision of this Bylaw to the contrary, no person may occupy a recreational vehicle on any lot unless a development permit has been received for the placement and use of the recreational vehicle.

(a) If the intention of the placement of a recreational vehicle on a parcel is to rent the recreational vehicle for any consideration (whether for money or for goods or service in kind), a development permit for a recreational vehicle park must be approved. Such a permit may only be approved in Districts where recreational vehicle campgrounds are listed as a permitted or a discretionary use.

(b) If the intention is to have the recreational vehicle temporarily occupied by person or persons for a period of up to but not exceeding 28 days, but not have any arrangement for any consideration as described in Subsection (a) above, a development permit for the placement of the recreational vehicle as an accessory building and use must be approved. Such a permit may only be approved in Districts where residential uses are listed as a permitted or a discretionary use, and may only be approved for a period of time, which period shall not exceed 28 days. In addition, no more than one (1) recreational vehicle used for such a purpose shall be allowed on any lot less than 0.5 ac. in area, and the placement of the recreational vehicle shall abide by all requirements for accessory buildings on the subject lot.

c) If the intention is to store an unoccupied recreational vehicle, unless a development permit has been issued for Outdoor Storage which includes recreational vehicles, no more than one (1) recreational vehicle shall be allowed on any lot less that 0.5 ac. in area. No development permit shall be required for the storage of one (1) unoccupied recreational vehicle on a lot.

(2) No recreational vehicle, whether located within a recreational vehicle park or on a lot, may have associated with it any more than two (2) ancillary structures, buildings, or other appurtenances, in addition to fences, benches, fire pits, picnic tables, a small shed with a maximum size of 10 sq. m (107.6 sq. ft.), and a screened or roofed patio around or beside the recreational vehicle.

(3) No structure ancillary to a recreational vehicle shall be used as sleeping quarters.

(4) Except for a recreational vehicle on a lot which may have an appurtenant garage for the storage of vehicles or boats, the total floor area or ground area covered by all ancillary structures, buildings or other appurtenances

(other than those indicated in Subsection 1. above) shall not exceed the total floor area of the recreational vehicle.

8.56 SEA CANS

(1) "No sea can shall be permitted on a lot within a residential district smaller than 0.5 ac. in area within the hamlets of Wabasca, Red Earth Creek, and Sandy Lake.

(2) "Notwithstanding subsection (1), at the discretion of the development authority, sea cans may be permitted on lots under 0.5 ac. (0.2 ha) in area within any residential district located in the Hamlet of Calling Lake."

(3) "Notwithstanding section 8.54(1), a temporary permit for the placement and use of a sea can on a residential lot smaller than 0.5 ac. in area located within the Hamlet of: Wabasca, Red Earth Creek, Calling Lake, or Sandy Lake may be permitted at the discretion of the development authority for a period of six (6) months. After the temporary permit has expired the developer may apply to the MD for an extension to the permit. A single extension may be issued at the discretion of the Development Authority for an additional six (6) month period.

(4) A sea can may be an accessory building on a lot where a principal use is located

(5) A sea can may not be located on a lot where there is not a principal use.

(6) The placement of a sea can on any lot in the MD requires a development permit.

(7) "A maximum number of one (1) sea can may be allowed, at the discretion of the Development Authority on residential parcels less than or equal to 0.5 ac (0.2 ha) in area in any residential district."

(8) On residential lots greater than 0.5 ac (0.2ha) additional sea cans may be allowed at the discretion of the Development Authority.

(9) The maximum number of sea cans that may be placed on a commercial or industrial lot is at the discretion of the Development Authority.

(10) Sea cans cannot be stacked. The maximum height for a sea can allowed on a lot is 3.0 m (9.8 ft.).

(11) Sea cans cannot be used as a dwelling unit of any form within the Municipal District.

(12) No human or animals habitation will be permitted within a sea can.

(13) The exterior finish of a sea can sited within a commercial or residential district must be consistent with the finish of the primary building.

8.57 SECONDARY SUITES

(1) A secondary suite shall only be allowed on a lot occupied by a single family dwelling or a duplex dwelling.

(2) A secondary suite is prohibited from being constructed within apartment housing.

(3) A maximum of one secondary suite is permitted per dwelling unit where allowed. Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the secondary suite.

(4) A secondary suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove (or provision of 220 volt wiring) and toilet with bathing facilities.

(5) A secondary suite has an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the exterior of the structure.

(6) A secondary suite may include the conversion of a portion of existing space in the principal dwelling, the addition of new floor space to an existing dwelling or the construction of an accessory building.

(7) The minimum parcel size for a secondary suite is 360.0 sq. m (3875.0 sq. ft.) in size.

(8) There is no minimum lot width requirement for secondary suites.

(9) The minimum area for a secondary suite is 30.0 sq. m (322.9 sq. ft).

(10) A secondary suite cannot exceed the maximum area of the principal dwelling.

(11) Prior to development permit approval the developer must submit, along with an application for a development permit a parking plan that indicates the location and size of the on-site parking spaces.

(12) A minimum of three (3) on-site parking spaces – two (2) for the dwelling and one (1) for the secondary suite – are required. Tandem parking may be permitted at the discretion of the Development Authority.

8.58 SENIORS HOUSING DEVELOPMENTS

(1) Seniors housing developments shall only be allowed in those Districts in which it is listed as a permitted or discretionary use

(2) A development permit shall not be issued for a seniors housing development until the Development Authority receives confirmation from appropriate authorities indicating that the proposed sewage disposal system and water supply system have been approved.

(3) All buildings, including any ancillary or added structures such as porches or other additions shall be:

(a) factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the semi-detached dwelling or row housing;

(b) considered as part of the main buildings; and

(c) erected only after obtaining a development permit.

(4) All dwellings shall be located a minimum of 7.6 m (25 ft.) from the boundary of the lot containing the development with a road or highway and 4.5 m (14.75 ft.) from adjacent lots. The setback strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.

(5) All roads in a seniors housing development shall be surfaced, and well drained, and maintained to the satisfaction of the Development Authority. Minimum driving surface width shall be 7.3 m (24 ft.).

(6) All seniors housing developments shall be provided with safe, convenient, all-season pedestrian access of at least 1.0 m (3.25 ft.) in width for intended use between individual dwellings, the development road and all community facilities.

(7) Notwithstanding any other provision of this Bylaw to the contrary, parking shall be provided for seniors housing developments at a ratio of at least one (1) space for each dwelling unit, plus one (1) visitor space for every two (2) dwelling units.

(8) Visitor parking spaces shall be located at convenient locations throughout the seniors housing development.

(9) The design of seniors housing developments shall be to the satisfaction of the Development Authority.

(10) All areas of a seniors housing development not occupied by dwellings and their additions, internal roads, footpaths, driveways, permanent buildings and any other developed facilities, shall be fully landscaped to the

satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority.

(11) No part of the development shall be used for non-residential purposes except such uses as are required for the direct servicing and wellbeing of the residents of the development and for the management and maintenance of the development.

(12) Seniors housing development facilities shall be arranged to create a homelike atmosphere. This objective is achieved by variations in street pattern, block shapes and location of dwellings.

(13) Dwellings shall be separated from each other by at least 6 m (19.5 ft.) side to side and 6 m (19.5 ft.) from all roads or pedestrian pathways, provided further that any porch or addition to a dwelling is regarded as part of the dwelling for the purpose of spacing. As well, the minimum yard requirement for all development shall be 6.0 m (19.5 ft.) from all property lines.

(14) The minimum floor area for any dwelling unit shall be 45 sq. m (484 sq. ft.).

(15) The maximum density for a seniors housing development shall be 35 dwelling units per 1 hectare (14 per acre)."

8.59 SERVICE STATIONS AND GAS BARS

(1) Service stations and gas bars shall be located in such a manner that:

(a) No entrance or exit thereto for motor vehicles shall be within 60 m (197 ft.) of an entrance to or exit from fire hall, public or private school, playground, library, religious assembly, hospital, children's or senior citizen's home, or other public or quasi-public use;

(b) No part of a service station or gas station building or of any pump or other ancillary shall be within 6 m (19.5 ft.) of a side or rear property line;

(c) Service stations shall have a front yard of not less than 12 m (39.5 ft.) and no fuel pump shall be located closer than 6 m (19.5 ft.) to the front property line; and

(d) Storage tanks shall be set back from adjacent buildings in accordance with the Alberta Safety Codes Act and regulations made thereunder, and the Alberta Fire Code.

(2) Site Area and Coverage

(a) The minimum site areas shall be 740 sq. m (7965.5 sq. ft.) and the maximum building coverage shall be 25% of the site area. For service stations including car wash, the minimum site area shall be 1115 sq. m (12,002 sq. ft.).

(b) Where a service station forms part of an auto dealership development, the minimum site area and maximum building coverage may be varied at the discretion of the Development Authority.

(3) Site and Building Requirements

(a) All parts of the site to which vehicles may have access shall be surfaced and drained to the satisfaction of the Development Authority.

(b) No activity may be carried on which constitutes an undue nuisance or annoyance to persons occupying land in the immediate vicinity of the site, by reason of dust, noise, gases, odours, smoke or vibration.

(c) The site of the buildings shall be maintained in a clean and tidy condition and free from all rubbish and debris.

8.60 SHOPPING CENTRES

(1) The maximum building height shall be 10.7 m (35.1 ft.) or two (2) storeys, whichever is greater.

(2) The maximum floor area shall be equal to the lot area; however, all other regulations of this Bylaw, such as required yards, parking and loading requirements, etc. shall be adhered to.

(3) Refer to **Section 8.63** for sign provisions affecting shopping centres.

(4) All shopping centres shall satisfy the Development Authority as to:

(a) the orientation, exterior design, and architectural appearance of buildings;

(b) the location of development in relation to adjacent land uses;

(c) vehicular traffic flow patterns within and access to and from the lot;

(d) safe pedestrian access and egress within the lot and from any pedestrian way; and

(e) the location of exterior signs.

(5) A shopping centre shall only contain those uses listed as permitted or discretionary uses within the District in which the shopping centre is located.

(6) The Development Authority may require any other matters, regulations, or conditions relating to the development as, in their opinion, are necessary, having regard to the nature of the proposed shopping centre development and adjacent land uses.

8.61 SHOW HOMES

(1) In addition to the requirements of Section 3 of this Bylaw, a development permit application for a show home shall be accompanied by information indicating:

(a) the location of the proposed sales office if applicable;

(b) the location and area intended for the show home; and

(c) proposed parking, exterior lighting and signs.

(2) Development permits shall be issued for a maximum of one (1) year only, and if the operator wishes to continue the use, must be renewed on an annual basis.

(3) The appearance of the building shall, in the opinion of the Development Authority, be compatible with the character of other buildings in the vicinity.

8.62 SIDEWALK CAFES

(1) A sidewalk cafe may be an accessory building or use on a lot where an eating and drinking establishment is located as a principal or an accessory use. A sidewalk cafe may not be located on a lot where there is not an eating or drinking establishment.

(2) A sidewalk café permit is normally valid from the date of issuance for one (1) year. However, at the sole discretion of the Development Authority, a development permit for a sidewalk café may be issued for a period longer than one (1) year.

(3) Sidewalk cafés shall not operate earlier than 7:00 AM or later than 12:00 AM unless the hours of the establishment are more restricted by operation of law or otherwise, in which case, the establishment's more restrictive hours shall control.

(4) All sidewalk café employees shall be subject to and comply with all applicable requirements and standards for a retail food establishment:

(a) Patrons must wear shoes and shirts at all times.

(b) All sidewalk cafés must have an opening for ingress and egress at all times.

(c) All sidewalk cafés must adhere to the size, design, and any other specifications approved by the MD at all times. Strict adherence to required design standards as set forth herein is mandatory.

(d) Strict adherence to hours of operation, approved layout of all components of the sidewalk café, clear space for pedestrians and required landscaping is mandatory.

(5) Where the MDhas installed a permanent structure such as a parking meter, planter, light pole or other device, the developer of the sidewalk café shall make accommodation for the required clearance for pedestrian passage. Developers of sidewalk cafés shall be mindful of the rights of pedestrians travelling past their sidewalk café at all times during the operation of the sidewalk café. Complaints regarding sidewalk cafés will be investigated by the MDand violations of the regulations promulgated will result in citations being issued to the developer and/or revocation of a developer's sidewalk café permit.

(6) All areas within and surrounding the sidewalk café must be maintained in a clean, neat and sanitary condition and shall be policed routinely by the developer to ensure removal of all wrappings, litter, debris and food there from. Daily sanitary cleaning of the sidewalk café is required. Sidewalks within and adjacent to the sidewalk café must be washed down and cleaned on a daily basis. The developer shall not wash garbage cans or any other container, or other personal property of any nature on the sidewalks. All cleaning must be performed in accordance with applicable federal and state regulations.

(7) The Development Authority and/or the Bylaw enforcement officer will inspect all sidewalk cafés after permits have been issued and the café is in operation. Any violations of the provisions of these rules and regulations, or any deviation from approved plans or willful omissions of the application will result in citations being issued to the operator and/or revocation of developer's sidewalk café permit.

(8) Any developer or their or her employees, agents or contractors who violate or resist enforcement of any provision of the sidewalk café ordinance and/or these rules and regulations may be subject to immediate permit revocation by the MDand/or shall be subject to a fine of not less than that set forth in PART 7 of the MD of Opportunity Land Use Bylaw provided that each day that such violation continues shall be deemed a

separate and distinct offence. These fines shall be in addition to any expenses incurred for restoration or repair of the public right-of-way, which shall be the responsibility of the developer.

THE ISSUANCE OF A SIDEWALK CAFÉ PERMIT IS A PRIVILEGE GRANTED BY THE MD OF OPPORTUNITY. THE MD REQUIRES COMPLIANCE WITH ALL RULES AND REGULATIONS AS WELL AS TO HAVE RESPECT FOR THE COMMUNITY IN WHICH THE CAFÉ IS LOCATED. THE DEVELOPMENT AUTHORITY AND BYLAW ENFORCEMENT OFFICERS WILL MONITOR THE OPERATION OF SIDEWALK CAFÉS AND ARE EMPOWERED TO ISSUE CITATIONS FOR BYLAW VIOLATIONS.

(9) The developer shall be required to maintain a current MD of Opportunity business license.

(10) The developer shall be required to abide by all federal and provincial laws, rules and regulations applicable to the operation of a Sidewalk Café in the MD of Opportunity (i.e. Alberta Gaming and Liquor Commission and Regional Health Authority)

8.63 SIGNS

In addition to the other regulations of this Bylaw, the following additional regulations shall apply to signs:

(1) Limitations

(a) Except as provided in Section 3.2 of this Bylaw, no person shall erect, relocate or structurally alter or enlarge any sign, including an election sign, unless they have complied with the requirements of this Section and any other relevant provisions of this Bylaw, and has been issued a development permit in respect thereof.

(b) The Development Authority may issue a development permit for a sign as part of the development permit for the use or the building to which the sign pertains, provided the development permit application indicates that there is to be a sign and provided further that all information requirements for a development permit application for a sign are met to the satisfaction of the Development Authority.

(c) Provisions for election signs and property for sale or rent signs are provided in Section 3.2 of this Bylaw.

(2) Information Requirements for a Development Permit for a Sign

In addition to the requirements of Section 4.1 of this Bylaw, a development permit application for a sign shall include the following information:

(a) a letter of consent from the property owner,

(b) two copies of colour drawings, drawn to scale, showing the sign, any structural supports, and the dimensions, thickness, area, and colours, of the sign,

(c) any animation, moving copy, or other moving features of the sign, if applicable,

(d) method of illumination, if applicable,

(e) mounting details,

(f) the location and size of all other existing and proposed signs on the building façade or site,

(g) mounting heights and clearances to grade, and

(h) the amount of projection of the sign from a building, if any.

(3) Signs as Permitted or Discretionary Uses

(a) No sign, other than an off-site sign in the Districts indicated in Subsection (b) below, or a sign which is otherwise exempted from the requirement of obtaining a development permit as indicated in Section 3.2 of this Bylaw, shall be allowed unless it is accessory to an existing use.

(b) Notwithstanding any other provision of this Bylaw to the contrary, except as otherwise indicated in this section, off-site signs shall be considered to be discretionary developments in all Commercial Districts, in all Industrial Districts, and in the Urban Reserve (UR) District.

(4) Procedures for the Consideration of Development Permit Applications for Signs

All development permit applications for signs shall follow the process outlined in **Part 4** of this Bylaw and be subject to appeal if applicable in accordance with **Part 5** of this Bylaw.

(5) General Sign Regulations

(a) A sign shall not be erected, operated, used or maintained if, in the opinion of the Development Authority:

(i) its position, size, shape, colour, format or illumination obstructs the view of, or may be confused with, an official

traffic sign, signal or device or other official sign, or otherwise poses a potential hazard to traffic,

(ii) it displays lights which may be mistaken for the flashing lights customarily associated with danger or with those used by police, fire, or other emergency vehicles, or

(iii) it would be situated within the area regulated by **Section 8.2** of this Bylaw.

(b) A sign shall be integrated with the building on which it is to be located and compatible with the general architectural lines and forms of the nearby buildings or of adjoining developments.

(c) Where possible, signs shall not cover architectural details such as arches, sills, mouldings, cornices and transom windows.

(d) A sign or sign structure shall be set back a minimum of 0.5 m (1.6 ft.) from any property boundary and no part of a sign may encroach onto an adjacent lot or a road or lane.

(e) Except as otherwise specified in this Bylaw, the maximum area of any sign shall be 18.0 sq. m (193.6 sq. ft.).

(f) At the discretion of the Development Authority a maximum of five (5) signs may be allowed on a lot, including temporary signs and portable signs.

(g) Signs will not be allowed on fences in Residential Districts or Commercial Districts.

(6) Care and Maintenance of Signs

(a) All signs shall be maintained in good and safe structural condition and shall be periodically repainted.

(b) 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:

(i) remove the sign and all related structure components within what the Development Authority deems to be a reasonable period of time, or

(ii) take such measures as they may specify in the notice to alter and/or refurbish and/or repair the sign.

(c) Failure to remove the sign or to comply with the measures specified in the notice described in Subsection (b) above may result in the issuance of a violation ticket as described in this Bylaw.

(d) The notice described in Subsection (b) above shall be considered to be a stop order for the purposes of this Bylaw.

(7) Type of Signs

(a) A-Frame Signs

(i) Notwithstanding any other provision of this Bylaw to the contrary, A-frame signs shall be allowed only in Commercial Districts.

(ii) The maximum area of each A-frame sign face which is located on a sidewalk shall be 0.7 sq. m (7.5 sq. ft.). **Figure 36** illustrates area and height requirements for A-frame signs.

(iii) The maximum area of each A-frame sign face located in another location, approved by the development authority, shall be 1.5 sq. m (16.0 sq. ft.)

(iv) The maximum height of an A-frame sign which is located on a sidewalk shall be 1.0 m (3.3 ft.).

(v) No A-frame sign shall be located on a sidewalk in such a manner so as to obstruct pedestrian flow.

(vi) The maximum height of an A-frame sign placed in other locations shall be 1.8 m (6 ft.), measured perpendicular distance from the ground to the highest point of the sign when set up.

(vii) No more than one (1) A-frame sign shall be allowed per business frontage.

(viii) Where the back of an A-frame sign is visible, it shall be suitably painted or otherwise covered to present a neat and clean appearance. Angle iron shall not be open to public view unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.

(ix) The area around an A-frame sign shall be kept clean. All vegetation shall be cleared away to a distance of at least 1.5 m (4.9 ft.) around the A-frame sign.

(x) A-frame signs are not to be used in conjunction with projecting signs at grade level.

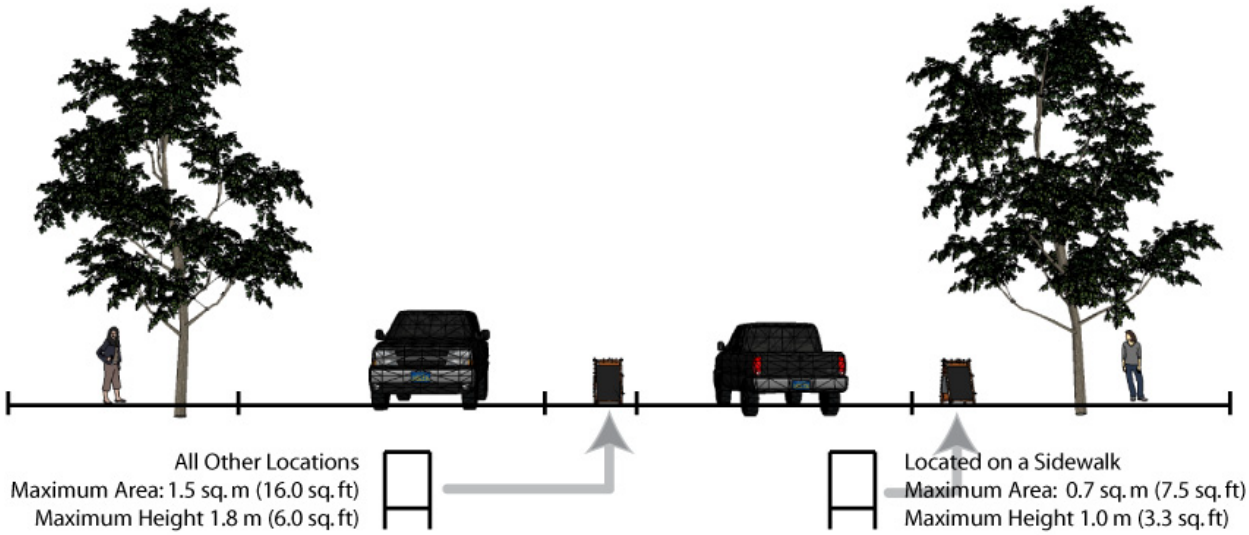


Figure 36: A-Frame Sign Height and Area Requirements

(b) Canopy Signs

Where a canopy is constructed solely as a support structure for a sign, the following regulations shall be adhered to:

(i) the maximum area of all canopy signs on one face of a canopy shall not exceed 50% of the area of the face of the canopy,

(ii) the bottom of the canopy shall be not less than 2.5 m (8.2 ft.) above grade,

(iii) no part of the canopy shall project over a road or lane,

(iv) unless otherwise approved by the Development Authority, the vertical dimension of the canopy shall not exceed 1.5 m (4.9 ft.),

(v) signs suspended under a canopy shall have a vertical clearance of a minimum of 2.5 m (8.2 ft.) from grade,

(vi) each tenant of a building shall be allowed one (1) under-canopy sign of no more than 0.5 sq. m (5.4 sq. ft.) in area, and

(vii) all canopy signs shall be erected in such a manner that the structural support elements are designed to appear as an integral part of the overall sign design and concealed such that no angle iron bracing, guy wires or similar support elements are visible from a road or lane.

(c) Freestanding Signs

(i) The sign area for a single or multi-faceted freestanding sign shall be the average of the total area of all freestanding sign faces.

(ii) One (1) freestanding sign per business frontage may be erected on a site having a minimum business frontage of 15.0 m (49.2 ft.) at road level.

(iii) Notwithstanding Subsection (b) above, a maximum of one (1) freestanding sign may be allowed per site except:

(A) where a site has more than a 90.0 m (295.3 ft.) frontage, one (1) additional freestanding sign may be erected at the discretion of the Development Authority.

(B) where a site is considered by the Development Authority to be a double fronting site, each frontage may have freestanding signs providing that the freestanding signs are at least 90.0 m (295.3 ft.) apart.

(C) Additional signs may be allowed at the discretion of the Development Authority.

(iv) The total sign area of all freestanding signs on a site shall not exceed 0.3 sq. m (3.2 sq. ft.) in area for each lineal metre of frontage, to a maximum of 12.0 sq. m (129.2 sq. ft.).

(v) The maximum height of a freestanding sign shall be 7.0 m (23.0 ft.).

(vi) Where a freestanding sign and a projecting sign are located along the same frontage of a site, a minimum distance of 10.0 m (32.8 ft.) shall be maintained between the signs.

(vii) Any support structure for a freestanding sign shall be set back a minimum of 0.3 m (1.0 ft.) from any site line and no part of the freestanding sign itself shall encroach onto or overhang an adjacent site, road or lane.

(d) Portable Signs

(i) Any support structure for a portable sign shall be set back a minimum of 0.5 m (1.6 ft.) from any site line and no part of a portable sign shall encroach onto or overhang an adjacent site, road or lane.

(ii) No more than one (1) portable sign shall be located on a site.

(iii) Notwithstanding Subsection (b) above, one (1) portable sign may be allowed for each business in a multiple-occupancy development provided that no portable sign is located closer to another than 15.0 m (49.2 ft.).

(iv) All portable signs shall be double-faced.

(v) No portable sign shall exceed a height of 2.5 m (8.2 ft.) above grade.

(vi) Portable signs shall not be placed on a site so as to conflict with or take up space for parking, loading, or walkways.

(vii) Notwithstanding any other provision of this Bylaw to the contrary, portable signs shall not be allowed in any Residential District.

(e) Projecting Signs

(i) No projecting sign shall project over another site, a road, or a lane.

(ii) A projecting sign shall have a vertical clearance of a minimum of 2.5 m (8.2 ft.) from grade.

(iii) No more than one (1) projecting sign of 0.5 m^2 (5.4 ft^2 in size shall be allowed for each frontage of a commercial or industrial use.

(iv) All projecting signs shall be erected in such a manner that the structural support elements are designed to appear as an integral part of the overall sign design and concealed such that no angle iron bracing, guy wires, or similar support elements are visible from a road.

(f) Roof Signs

(i) Roof signs must be manufactured and erected in such a way that they appear as an architectural feature and they shall be finished in such a manner that the visual appearance from all sides makes them appear to be part of the building itself.

(ii) No supporting structure for a roof sign shall be visible to the public unless finished in an aesthetically pleasing manner to the satisfaction of the Development Authority.

(iii) All roof signs shall be set back a minimum of 1.0 m (3.3 ft.) from the edge of the building on which the roof sign is located.

(g) Fascia Signs

(i) The portion of a wall which can be used for or which can be covered by a wall sign on the front of a building shall be the space defined by the following lower and upper limits:

(A) the lower limit of the portion shall be the lower limit of the lintel or the window head of the first storey, but in no case lower than 2.4 m (7.9 ft.) above grade,

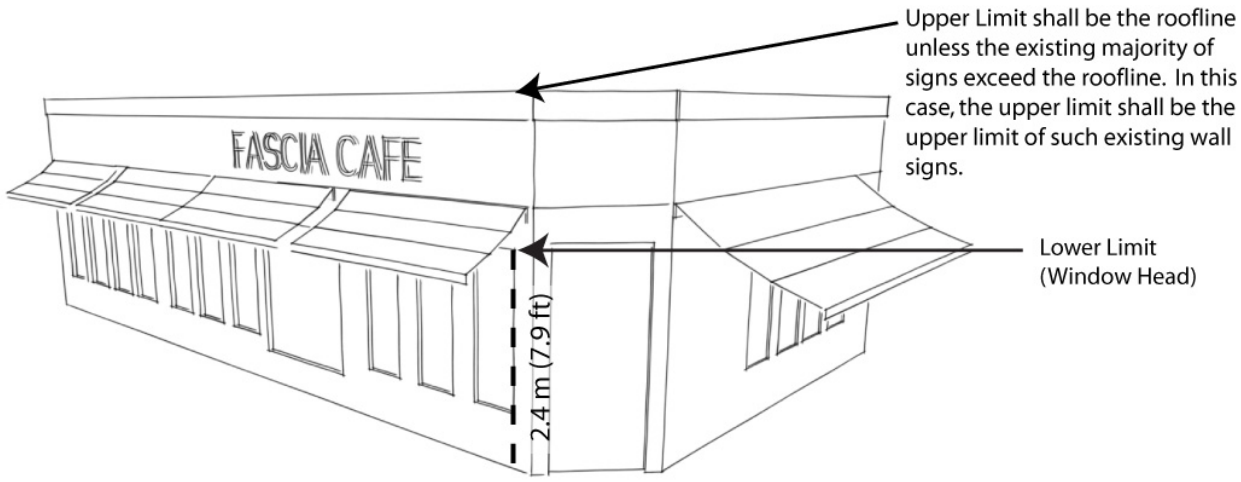


Figure 37: Fascia Sign Placement on a One Storey Building

(B) in the case of a one storey building, the upper limit of the portion shall be either:

1. the roofline of a flat-roofed building, or, where there is an existing majority of wall signs which exceed the roofline, the upper limit of such existing wall signs, or

2. a maximum of 0.8 m (31.5 inches) above the line of the eaves, if there is a parapet wall, provided that the sign does not project above the upper edge of the parapet, or

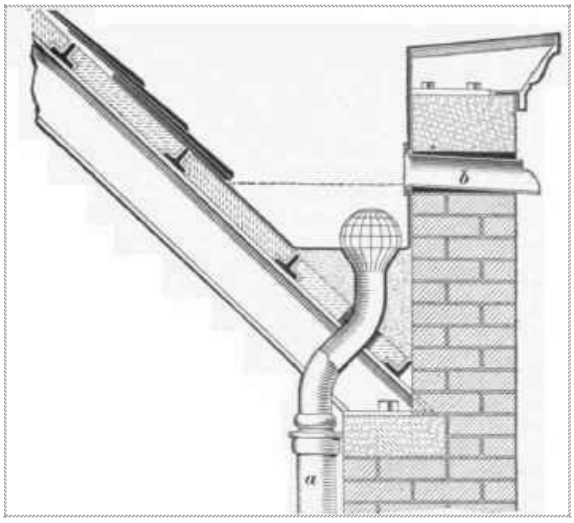


Figure 38: Example of a Parapet Wall and Eaves

3. the line of the eaves,

(C) in the case of a building that is not a one storey building, the upper limit of the portion shall be the window sill of the second storey or, in the absence of any windows on the second storey, 0.8 m (31.5 inches) above the floor elevation of the second storey.

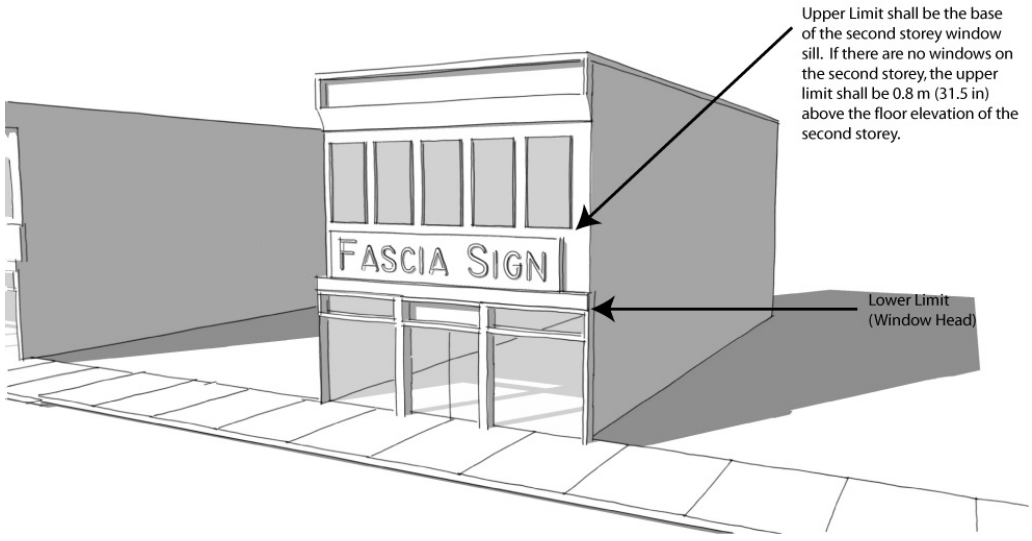


Figure 39: Fascia Sign Placement on a Two Storey Building

(ii) Notwithstanding Subsection (a) above, a wall sign may be located:

(A) below the area defined in Subsection (a) above, provided:

1. the sign consists of individual letters, symbols, or logos that are directly attached to the building face,

2. the sign states no more than the name of the building or the principal tenant of the building, and

3. the sign area does not exceed 20% of the building face below the area defined in Subsection (a)above,

(B) between the second storey window lintel and the third storey window sill or, in the case of a two storey building, between the second storey window lintel and the roof or parapet, provided:

1. the sign states no more than the name of the building or the principal tenant of the building, and

2. the sign area does not exceed 2.5 sq. m (26.9 21. ft.), or

(C) above the third storey window sill, provided:

1. the sign states no more than the name of the building or principal tenant of the building, and

2. there is no more than one (1) sign per building face above the third storey.

(iii) A wall sign may be allowed on the side wall of a building facing a road where a development is located on a corner site provided that the sign is integrated with the other signage on the building and is of the same height and width.

(iv) Any other location for a wall sign shall be at the discretion of the Development Authority, who shall have consideration for the aesthetic quality and compatibility of the proposed wall sign with adjacent developments.

(h) Inflatable Signs

(i) A small inflatable style sign can be placed on an approved temporary sign location, and does not require a development permit, provided it is, no larger than 5.5 sq. m (59.2 sq. ft.) as applicable.

(ii) Larger inflatable signs require that a development permit be applied for, and approval obtained before installation.

(iii) 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.

(iv) The maximum height of an inflatable sign shall be the allowed height of a freestanding sign for the site.

(v) An inflatable sign can only be located on a site twice in a calendar year and not for longer than 30 consecutive days.

(vi) Inflatable signs cannot be located on the roof of a structure.

(8) Signs in or Adjacent to Residential Districts

(a) Except as provided in Subsections (b) and (c) below, no sign shall be permitted in Residential Districts except for places of worship, schools or other public institutions.

(b) An approved major home occupation may display a sign, not larger than 0.2 sq. m (2 sq. ft.) in the window of the dwelling.

(c) An approved bed and breakfast may display a sign, not larger than 0.2 sq. m (2.0 sq. ft.). If outside, the sign shall be placed in a location that is satisfactory to the Development Authority. Alternatively, the sign may be displayed from the inside of a window of the dwelling.

(d) One (1) freestanding sign per site may be allowed for the purpose of identifying the name of a multi-family dwelling, a manufactured home park, a neighbourhood, or a subdivision, provided:

(i) the sign area does not exceed 5.0 sq. m (53.8 sq. ft.),

(ii) the height of the sign does not exceed 2.0 m (6.6.ft.), and

(iii) the sign is not internally illuminated, though it may be lit from the front.

(e) Name or number signs shall have a surface area of no more than 0.3 sq. m (3.0 sq. ft.).

(f) When an illuminated sign is located in a District adjacent to a Residential District, the illumination from that sign shall be deflected away from the Residential District.

(g) When, in the opinion of the Development Authority, a proposed sign in any District adjacent to a Residential District might be

objectionable to a resident in the Residential District, the Development Authority may impose such other requirements as they deem necessary, to protect the amenities of the Residential District.

(9) Signs Relating to Institutional Uses

In any District where a place of worship or a school or another institutional use is allowed, one (1) sign of not more than 5.0 sq. m (53.8 sq. ft.) in area shall be allowed to be erected on the site occupied by the place of worship, school, or other institutional use.

8.64 SINGLE LOT SUBDIVISIONS FOR RESIDENTIAL USE

(Including the subdivision of farmsteads and fragmented parcels)

(1) Subdivision applications for the purpose of creating more than one (1) lot for residential use as defined in this Bylaw per quarter section of land in the E District shall not be approved.

(2) When reviewing applications to reclassify land from the E District to another District to allow for more than one lot for residential use on one quarter section of land, Council shall have regard, among other matters, to the following:

(a) Development for residential uses may be prohibited:

(i) on lands currently under agricultural production that are classified in the farmland assessment as either arable or improved pasture, and assessed as having a 40% agricultural productivity capability or higher;

(ii) on sites where adequate year-round access is not available

by either a paved or a graveled all-weather road in good condition;

(iii) on sites where necessary services are not provided at the sole expense of the developer; or

(iv) on sites where water quality and/or quantity is marginal or substandard.

(3) Notwithstanding the above-noted criteria, the Development Authority may consider a development permit application for a residential use on a lot registered in the Land Titles Office as a separate title as of the date of the approval of this Bylaw in the E District.

(4) A single lot subdivision for a residential use as defined in this Bylaw or a subdivision of a farmstead shall generally be from 3.4 ha (8.4 ac.) to 5.0 ha (12.4 ac.) in size in order to meet the requirements of Provincial regulations for surface sewage discharge. However, subdivisions of farmsteads shall incorporate within their boundaries those natural and man-made features that form part of the residence-related portion of a farm operation, such as shelterbelts, small tree stands, gardens, small corrals, driveways, fences, buildings, structures, water supply and sewage disposal facilities and other features which are normally considered to be part of a farmstead. By including those above-named features, the size of a single lot subdivision for residential use or a farmstead may exceed the 5.0 ha (12.4 ac.) criterion.

(5) The subdivision of a single lot subdivision for residential use, as defined in this Bylaw to include extensive recreation, or a subdivision of a farmstead shall not be allowed unless the proposed lot:

(a) has a habitable dwelling,

(b) has a potable water supply, and

(c) has electrical power service on-site.

(6) In the case of the subdivision of a fragmented area used or intended to be used for residential use as defined in this Bylaw, the adequacy of the parcel shall be determined by the Subdivision Authority. The subdivision of a fragmented area which does not have a building site which would meet the yard and setback requirements of this Bylaw, which would be suitable for the construction of a dwelling, and which is readily accessible from a constructed road or highway, shall not be approved.

(7) Development for residential use as defined in this Bylaw shall be prohibited:

(a) on sites where adequate year-round access is not available by either a paved or graveled all-weather road in good condition;

(b) on sites where necessary services are not provided at the sole expense of the developer;

(c) on sites on which adequate storm water drainage is not provided; or

(d) within 30 m (98.4 ft.) of the shoreline of any lake.

(8) When a farmstead is subdivided from a quarter section, it shall be regarded as a residential site for the purposes of this Bylaw.

(9) The Subdivision Authority shall consider the minimum distance separation between dwellings and a confined feeding operation as determined

through the use of Schedule 1 of the Standards and Administration Regulation adopted pursuant to the Agricultural Operation Practices Act as a guide for evaluating all subdivisions for residential use in proximity to confined feeding operations.

8.65 SITE CONDITIONS

(1) Development shall not be allowed on unstable slopes, land characterized by soil instability, or land exhibiting evidence of poor drainage or flooding unless it can be demonstrated to the satisfaction of the Development Authority that unique site requirements warrant otherwise.

(2) Development Near Waterbodies and Watercourses

(a) Where a parcel of land borders on or contains a coulee, ravine or valley, without a watercourse, the minimum required setback of a building from the coulee, ravine or valley shall be 7.5 m (25.0 ft.).

(b) A minimum setback of 30 m (100 ft.) shall be provided for all buildings from the top of bank of any watercourse, from the top of the ravine or other topographical feature in which a watercourse is located, or from any water body unless the Development Authority is satisfied through the submission of a detailed geotechnical engineering study from a registered professional engineer that a lesser setback is warranted. This requirement shall not apply to fences, boat houses or swimming facilities, which may be allowed within this strip.

(c) The Development Authority may increase any minimum yard or setback requirement, where any permitted or discretionary use or ancillary development may be detrimental to the preservation of

shoreland, or adversely affected by reason of such use being in a floodplain, or in proximity to lands with unstable or steep slopes.

(3) Lands Subject to Flooding or Subsidence

(a) Notwithstanding that a proposed development conforms in all respects with this Bylaw, where the application is for development on lands that are or may be subject to flooding or subsidence, or in an area potentially subject to a 1:100 year flood, the Development Authority shall not approve a development permit unless the applicant can demonstrate that preventive engineering and construction measures can be instituted to make the site suitable for the proposed development or to protect the development from the potential flooding hazard.

(b) If a development is subsequently approved in such an area, the developer shall be required to implement the preventive measures

referred to in Subsection (a) above, and agree within an agreement that can be caveated against the titles of the affected lands, that they and/or any subsequent landowners shall be responsible for any damage or loss caused by flooding or subsidence.

(4) The Development Authority may impose conditions on the approval of a development permit requiring the retention of trees, or additional planting of such a type and extent that is considered necessary.

(5) The Development Authority may prescribe setback and/or buffering requirements for uses which may be incompatible with adjacent land uses.

(6) The Development Authority may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials, and other similar uses.

8.66 SMALL WIND ENERGY CONVERSION SYSTEMS

(1) For property sizes between 0.1 ha (0.25 ac.) and 0.2 ha (0.5 ac.) the wind turbine tower height shall be limited to 25.0 m (82.0 ft.). For property sizes of 0.2 ha (0.5 ac.) or more, there is no limitation on wind turbine tower height, subject to the set-back requirements below, and provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacturer or any distributor of the system.

(2) The turbine base shall be no closer to the property line than the height of the wind turbine tower, and no part of the system structure, including guy wire anchors, may extend closer than 3.0 m (9.8 ft.) to the property boundaries of the installation site. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of 2.0 m (6.6 ft.) above the guy wire anchors. The Development Authority may waive setback requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners.

(3) The mean value of the sound pressure level from small wind energy systems shall not exceed more than 6 decibels (dBA) above background sound, as measured at the exterior of the closest neighbouring inhabited dwelling (at the time of installation or during operation), for wind speeds below 10 meters per second (22 mph) and except during short-term events such as utility outages and/or severe wind storms.

(4) Development permit applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, footings, anchoring method and drawn to scale. An engineering analysis of the wind turbine tower showing compliance with the International Building Code and certified by a licensed professional mechanical, structural, or civil engineer shall also be submitted.

Documentation of this analysis supplied by the manufacturer shall be accepted.

(5) Small wind energy systems must comply with applicable air traffic safety regulations. A statement on compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Small wind turbine towers shall not be artificially lit except as required by Nav Canada.

(6) Building permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to existing electrical codes. This information is frequently supplied by the manufacturer.

(7) No small wind energy system that is tied into a grid shall be installed until evidence has been given that the utility has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of a letter to the applicant's utility is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.

(8) One Small Wind Energy System is allowed per single detached dwelling on a lot.

8.67 SOLAR ENERGY COLLECTION SYSTEMS

(1) Ground mounted solar collectors shall be located in a side or rear yard only.

(2) When a solar energy collection system is installed on a lot, accessory structures or vegetation on an abutting lot should not be located so as to block the solar collector's access to solar energy. The portion of a solar collector that is protected is the portion which:

(a) is located so as not to be shaded between the hours of 10:00 a.m. and 3:00 p.m. by a hypothetical 3.66 m (12 ft.) obstruction located on the lot line; and,

(b) has an area not greater than one-half of the heated floor area of the structure, or the largest of the structures, to be served.

Notwithstanding the foregoing, the MD shall not be held responsible for protecting access to solar energy on private land.

(3) No solar energy collection system that is tied into a grid shall be installed until evidence has been given that the utility has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of a letter to the applicant's utility is sufficient. No response or evidence of approval from the utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.

8.68 SOUR GAS FACILITIES

(1) No development shall be allowed within 100 m (328 ft.) of a Level 1 sour gas facility (consisting of a well) as determined by the Alberta Energy Resources Conservation Board (ERCB).

(2) In the case of a Level 2 sour gas facility as determined by the ERCB:

(a) no permanent dwelling shall be allowed within 100 m (328 ft.) of the sour gas facility; and

(b) no institutional use shall be allowed within 500 m (1640 ft.) of the sour gas facility.

(3) In the case of Level 3 sour gas facility as determined by the ERCB:

(a) no permanent dwelling shall be allowed within 100 m (328 ft.) of the sour gas facility;

(b) no residential development with a density of more than eight (8) dwelling units per quarter section shall be allowed within 500 m (1640 ft.) of the sour gas facility; and

(c) no institutional use shall be allowed within 1500 m (4921 ft.) of the sour gas facility.

8.69 SPECIAL SETBACKS

(1) Notwithstanding any other provisions of this bylaw, septic tanks and/or cesspools shall not be located within 40 m (134 ft.) of the right-of-way of any highway or road in the E District unless approved by the Development Authority.

(2) Notwithstanding any other provisions of this bylaw, minimum required yards for dugouts and borrow pits shall be at the discretion of the Development Authority.

8.70 SUBDIVISION OF LAND

(1) Where the development of land requires a subdivision, no development permit shall be issued until the proposed subdivision has received tentative approval from the Subdivision Authority for the Municipal District.

(2) For the purposes of this Bylaw, an unsubdivided quarter section shall include those quarter sections where a separate title exists for a public utility, a railroad, or an institutional use.

(3) Development agreements shall be required as a condition of approval for subdivision of land within the Municipal District.

8.71 SURVEILLANCE SUITES

(1) Surveillance suites shall not be allowed on a lot as an accessory use unless specifically listed as a permitted or as a discretionary use within the District within which the lot is located. Surveillance suites shall not be allowed on a lot as a principal use.

(2) A surveillance suite which is not located, attached to, or within the principal building shall be located:

(a) a minimum of 2.0 m (6.5 ft.) from any buildings;

(b) a minimum of 3.0 m (9.8 ft.) from the rear and side lines; and

(c) no closer to the front line than the principal building.

(3) A surveillance suite may not be a single family dwelling, manufactured home, modular home, recreational vehicle or park model.

(4) The maximum floor area of a surveillance suite shall be 32.6 sq. m (351.0 sq. ft.).

(5) The design and quality of the exterior treatment of the surveillance suite shall be compatible with any other buildings existing on the property and shall be to the satisfaction of the Development Authority.

8.72 TINY HOUSES

(1) Servicing for tiny houses shall be to the satisfaction of the Development Authority.

8.73 TOPSOIL REMOVAL

(1) A development permit is required for the removal of top soil, sand, or gravel for commercial purposes.

(2) The Development Authority may refer a copy of a development permit application for topsoil removal to the appropriate provincial agencies for input prior to making a decision.

8.74 WIRELESS COMMUNICATIONS FACILITIES

(1) The municipality will encourage developers of wireless communications facilities to demonstrate good planning and design with foremost regard to safety of the general public; adherence to established construction standards in industry; minimizing impacts to the natural environment; minimizing the visual impacts on nearby residents; and ensuring public consultation in the early development stages. A letter of support will be provided to licensing and approving authorities for applications meeting these criteria. A letter of non-support will be provided to licensing and approving authorities for applications not meeting these criteria.

(2) Developers of a wireless communications facility that plan for the facility and can accommodate other wireless operators on the site will be given priority status.

(3) The application for development of a wireless communications facility is encouraged to engage existing owner/operators of these structures for co-location opportunities. Existing operators are encouraged to participate in the process by charging reasonable rates for this privilege.

(4) Applications for development of structures outside of the Alberta Building Code such as lattice towers shall include a document from authoritative sources demonstrating structural adequacy of the specified structure for the location and loading defined in the application. Such authorities include: the Canadian Standards Association and qualified structural engineers. Stamps and Seals of approval shall accompany the documentation.

(5) Guyed-tower structures are to be located on properties that allow for a distance from the base to boundary setbacks that is no less than equal to the final structure height. In all cases that base and anchor structures must be designed for the soil conditions present. A professional engineered design with supporting soil profiles must accompany the application for development. Precise location (Latitude and Longitude) of the base and anchors must be revealed.

(6) Self-support towers are to be located respecting the building and safety codes for the community. In all cases the base structures must be designed for the soil conditions present. A professional engineered design with supporting soil profiles must accompany the application for development.

(7) Multiple tower structures will require individual development permit applications.

(8) Applications for the development of wireless facilities must include in the development application letters from the following authorities:

(a) Transport Canada governing painting and lighting of the applicant's tower for aeronautical safety;

(b) Nav Canada governing aircraft communication and instrumentation immunity from the applicant's tower transmissions;

(c) Industry Canada governing the frequency of operations and public safety from non-ionized radiation in accordance with Safety Code 6. Licensed Exempt operators must provide a stamped letter from a licensed professional RF engineer guaranteeing these conditions will be met; and

(9) Appropriate fencing around the base, anchors and site limiting public access to the tower and exposure to high RF energy fields must be provided with consideration of community esthetics.

(10) The application for development must include consideration to minimizing environmental damage through the following measures:

(a) Consultation with Federal and Provincial environmental agencies to ensure the site selected and the resultant construction does not

impact upon sensitive ecologies nor interfere with migrating birds or animals. Confirming letters from these agencies must accompany the application for development.

(b) The application for development shall include a signed letter from the applicant detailing corrective action(s) to remediate any environmental damages.

(11) As a condition of obtaining a development permit the applicant agrees to the following:

(a) The site will be reclaimed within six (6) months of cessation of operation.

(b) The site reclamation will comply with Alberta Environmental Laws to be provided by Alberta Environment or their agent.

(12) Applicants for development of a wireless facility within a Hamlet must demonstrate attention to community esthetics in their choice of structure.

(13) A public consultative process shall commence with the intent to establish a wireless facility and include advertisement in the local newspapers and a letter to the adjacent property owners 120 days prior to the anticipated date of construction. The municipality will arrange for the public meetings at its discretion and at the sole expense of the applicant.

8.75 WORKCAMPS

(1) All workcamps, including short term workcamps, require a development permit before any development may take place, and the Development Authority shall give due regard to the need, location and type of camp, prior to rendering its decision.

(2) No workcamp other than a short term workcamp or a workcamp approved for a specified period of time shall be approved within the municipality. To that end, any approval for a workcamp shall be for a specified period of time not to exceed fifteen (15) months. If a workcamp is used to temporarily house construction personnel, and if the construction period for the development to which the workcamp is associated will exceed two (2) years, the applicant may ask the Development Authority to extend an approval of an already approved workcamp. Under such circumstance, the Development Authority, at its sole discretion, may allow said extension.

(3) The Development Authority may establish whatever conditions for the approval of a workcamp or a short term workcamp that it, at its sole discretion, deems reasonable to ensure that the workcamp or short term workcamp will be a temporary development.

(4) The Development Authority may, at its sole discretion, establish any conditions of approval for a workcamp or a short term workcamp to ensure that the site of the development will be restored to its previous situation after the development ceases operations.

(5) Workcamps shall not be allowed adjacent to or within close proximity to residential areas, nor adjacent to the major roads within hamlets.

(6) All parking must be provided on the lot and areas for parking developed to the satisfaction of the Development Authority.

(7) All points of access and egress shall be located to the satisfaction of the Development Authority.

(8) Maximum parcel coverage shall be such that space is available for all the parking on the lot, together with the applicable setback and such area as required for landscaping as determined by the Development Authority.

(9) Adjacent buildings in workcamps shall be located sufficient distance from each other as required for fire protection purposes as determined by the Alberta Safety Codes Act and by the Development Authority.

(10) Screening and fencing of storage areas shall be to the satisfaction of the Development Authority.

PART 9 – LAND USE DISTRICTS – DISTRICT REGULATIONS

9.1 E – RESOURCES DISTRICT

(1) General Purpose

To regulate land uses within the "Green Area" of the Municipal District, and to provide for natural resource extraction uses and the conservation of extensive areas of agricultural land for a wide range of agricultural uses.

(2) Permitted Uses

- Agroforestry
- Extensive agriculture
- Game farms
- Minor home occupations
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Agricultural industries
- Airports
- Animal hospitals
- Bed and breakfast establishments
- Cabins
- Campgrounds
- Cemeteries
- Day homes
- Extensive recreation

- Family care facilities
- Fur farms
- Garden Suite on single lot subdivisions
- Garage Suite on single lot subdivisions
- Greenhouses
- Group care facilities
- Group homes
- Heavy truck and equipment storage
- Heavy vehicle parking lot
- In-law Suite on single lot subdivisions
- Intensive agriculture
- Intensive recreation existing as of the date of the approval of this Bylaw
- Kennels
- Landfills
- Large wind energy conversion systems
- Livestock sales yards
- Major home occupations
- Manure storage facilities
- Natural areas
- Natural resource extraction industries
- Outdoor amusement establishments
- Public or quasi-public buildings
- Public or quasi-public uses
- Public parks
- Public utilities
- Public utility buildings

- Radio, television and other communication towers
- Recreation camps
- Recreational vehicle campgrounds, workcamp
- Religious assemblies
- Rural industries
- Sanitary waste disposal facilities
- Secondary Suites on single lot subdivisions
- Sewage disposal facilities
- Single family dwellings or manufactured homes on single lot subdivisions
- Waste transfer facilities
- Wireless communications facilities
- Workcamps
- Other uses which are, in the opinion of the Development Authority, similar to the above-listed permitted and discretionary uses
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted Uses – 64.7 ha (160 ac.) except where the lot is subject to the following:

(i) where discretionary uses have been allowed to reduce the lot size, then the area of the quarter section less the discretionary uses;

(ii) where the lot is fragmented by a natural barrier such as a watercourse or waterbody, then the area of the fragmented lot;

(iii) where the lot is fragmented by a physical barrier such as a road or railway, then the area of the fragmented lot;

(iv) where the original quarter section contained less than 64.7 ha (160 ac.), then, subject to Subsection (i) above, the area of the original quarter section.

(b) Minimum and Maximum Lot Area for Discretionary Uses:

(i) A lot for a single family dwelling or for a modular or manufactured home shall be at least 2.02 ha (5.0 ac.) in area.

(ii) The minimum and maximum lot sizes for other discretionary uses shall be as required by the Development Authority.

(c) The subdivision of a quarter section which has had a lot for residential use previously subdivided from it shall not be allowed.

(d) Minimum Front Yard Requirements:

(i) Internal Local Road – 8 m (26.2 ft.) from the boundary of the right-of-way,

(ii) Grid Road – 40 m (131.2 ft.) from the right-of-way,

(iii) Minor Two-Lane Highway – 40 m (131.2 ft.) from the boundary of the right-of-way (Note that Section 8.19 also applies),

(iv) Major Two-Lane Highway – 70 m (230 ft.) from the centre line or 40 m (131.2 ft.) from the boundary of the right-of-way, whichever is greater (Note that Section 8.19 also applies),

(v) Developments which cannot comply with Subsections (i), (ii), (iii), and (iv) above and which are located on lots created prior to the establishment of this Bylaw shall meet the setback requirements determined by the Development Authority.

(e) Minimum Side Yard Requirements:

(i) For internal lots, 15.0 m (49.2 ft.)

(ii) For corner lots, the minimum required side yard shall be the same as the minimum required front yard unless otherwise determined by the Development Authority.

(f) The minimum required rear yard shall be 15 m (49.2 ft.), or as determined by the Development Authority.

(g) Landscaping Requirements:

Landscaping may be required for permitted and discretionary uses to screen developments from view. Vegetated buffer strips and/or other screening of a visually pleasing nature may be required by the Development Authority.

(h) Confined Feeding Operations and Manure Storage Facilities

Confined feeding operations and manure storage facilities shall meet the requirements of Provincial legislation and regulations.

(i) Workcamps

(i) No workcamp shall be approved for a time period exceeding fifteen (15) months.

(j) Other Requirements:

(i) The Development Authority may specify, as a condition of the approval of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal shall be provided in accordance with the appropriate legislation.

(ii) The Development Authority may decide on such other requirements as are necessary, having due regard to the nature of a proposed development and the purpose of this District.

(iii) The Development Authority may allow a second dwelling unit on a lot in accordance with Section 8.43 of this Bylaw.

(iv) A development permit may be issued for development on Crown land subject to a disposition (lease, license, disposition leading to a patent) being obtained from the Province of Alberta.

(v) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

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9.2 R1 – RESIDENTIAL DISTRICT

(1) General Purpose

To provide for municipally serviced and un-serviced low density residential development in established hamlets.

(2) Permitted Uses

- Manufactured homes 10 years or less in age at the time of development permit application
- Minor home occupations
- Modular homes
- Parks, playgrounds and similar recreational uses
- Public utilities
- Single family dwellings
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Bed and breakfast establishments
- Day homes
- Duplexes
- Family care facilities
- Institutional uses
- Major home occupations
- Manufactured homes more than 10 years in age at the time of development permit application
- Neighbourhood commercial developments
- Public parks

- Public or quasi-public uses
- Religious assemblies
- Semi-detached dwellings
- Senior citizens' drop in centres
- Show homes
- Suites, garage
- Suites, garden
- Suites, in-law
- Suites, secondary
- Tiny house
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted Uses:

(i) Unserviced lot – 1860 sq. m (20,021 sq. ft.)

(ii) Serviced with municipal water only – 1400 sq. m (15,069.5 sq. ft.)

(iii) Serviced by municipal sewage collection only – 930 sq. m (10,010 sq. ft.)

(iv) Serviced by both municipal sewer and water systems – 465 sq. m (5,005 sq. ft.)

(b) Minimum Lot Width:

(i) 30 m (98.4 ft.) for unserviced or partially serviced lots

(ii) 15 m (49.2 ft.) for lots serviced by both municipal water and sewer systems.

(c) The minimum lot area for discretionary uses shall be as required by the Development Authority.

(d) Development on existing substandard lots may be considered by the Development Authority. Compliance with provincial plumbing, drainage and health regulations will be required.

(e) Minimum Floor Area for Residential Uses

(i) Except in Red Earth Creek, (shown on Inset Map A-4), one story single family single family dwellings shall have a minimum floor area of 29.0 sq. m (312.0 sq. ft.)

(ii) Two story or split level single family dwellings shall have a minimum floor area of 75 sq. m (807 sq. ft.) with a basement, or 85.0 sq. m (915.0 sq. ft.) without a basement.

(iii) Semi-detached and duplex dwellings shall have a minimum floor area of 55 sq. m (592 sq. ft.) for each dwelling unit.

(iv) In Red Earth Creek (shown on Inset Map A-4), one story single family dwellings shall have a minimum floor area of 45.0 sq. m (484 sq. ft.) with a basement, or 55 sq. m (592 sq. ft.) without a basement. .

(v) The minimum floor area for a tiny house shall be as required by the Development Authority.

(f) Minimum Yard Requirements:

(i) Front yard – 7.5 m (24.6 ft.)

(ii) Except as noted below, side yard – 1.5 m (4.92 ft.)

(iii) Side yard abutting a road in the case of a corner lot – 3.0 m (9.84 ft.)

(iv) Rear yard – 7.5 m (24.6 ft.)

Notwithstanding these regulations, any requirements established pursuant to the Alberta Safety Codes Act must be provided.

(g) Design, Character and Appearance of Buildings:

(i) Buildings may be either of new construction or moved in. Exterior finish to be wood, metal (or similar siding), brick or stucco to the satisfaction of the Development Authority.

(ii) All manufactured homes shall be factory built or of a quality equivalent thereto with walls of pre-finished baked enamel aluminum siding or equivalent, as required by the Development Authority. Solid footings and a concrete or wood block foundation, wall or skirting shall be provided so

that the appearance, design and construction compliment the manufactured home. The undercarriage of a manufactured home shall be screened from view to the satisfaction of the Development Authority. Manufactured homes shall not be placed “sideways” on a lot, with their longer dimension (length)

parallel or nearly parallel to the front line, unless the lot width exceeds 45.0 m (147.6 ft.).

(iii) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will complement the manufactured home.

(h) Other Requirements:

(i) The Development Authority may specify, as a condition of the approval of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal shall be provided in accordance with the appropriate legislation.

(ii) Every fence enclosing an outdoor swimming pool or hot tub exceeding 0.9 m (3.0 ft.) in depth shall be at least 1.7 m (5.6 ft.) in height and shall be designed so as to try to deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall be the same height as the fence and shall be equipped with a self-latching device located on the inside of the fence.

(iii) The maximum height of any building shall be 10 m (32.8 ft.).

(iv) All applications for subdivision and development must comply with any Area Structure Plan affecting the lands.

9.3 R1A – RESIDENTIAL DISTRICT

(1) General Purpose

To provide for one family residential development, fully serviced lots in established hamlets.

(2) Permitted Uses

- Manufactured homes 10 years or less in age at the time of development permit application
- Modular homes
- Minor home occupations
- Parks, playgrounds and similar recreational uses
- Public utilities
- Single family dwellings
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Bed and breakfast establishments
- Day homes
- Duplexes
- Family care facilities
- Institutional uses
- Major home occupations
- Manufactured homes more than 10 years in age at the time of development permit application
- Neighbourhood commercial developments
- Public parks
- Public or quasi-public uses
- Religious assemblies
- Semi-detached dwellings
- Senior citizens' drop in centres
- Show homes
- Suites, garage

- Suites, garden
- Suites, in-law
- Suites, secondary
- Tiny house
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted Uses – 465 sq. m (5,005 sq. ft.)

(b) Minimum Lot Width – 15.0 m (49.2 ft)

(c) The minimum lot area for discretionary uses shall be as required by the Development Authority.

(d) Development on existing substandard lots may be considered by the Development Authority. Compliance with provincial plumbing, drainage and health regulations will be required.

(e) Minimum Floor Area for Residential Uses

(i) Except in Red Earth Creek, (shown on Inset Map A-4), one story single family single family dwellings shall have a minimum floor area of 29.0 sq. m (312.0 sq. ft.)

(ii) Two story or split level single family dwellings shall have a minimum floor area of 75 sq. m (807 sq. ft.) with a basement, or 85.0 sq. m (915.0 sq. ft.) without a basement.

(iii) Semi-detached and duplex dwellings shall have a minimum floor area of 55 sq. m (592 sq. ft.) for each dwelling unit.

(iv) In Red Earth Creek (shown on Inset Map A-4), one story single family dwellings shall have a minimum floor area of 45.0 sq. m (484 sq. ft.) with a basement, or 55 sq. m (592 sq. ft.) without a basement.

(v) The minimum floor area for a tiny house shall be as required by the Development Authority.

(f) Minimum Yard Requirements:

(i) Front yard – 7.5 m (24.6 ft.)

(ii) Except as noted below, side yard – 1.5 m (4.92 ft.)

(iii) Side yard abutting a road in the case of a corner lot – 3.0 m (9.84 ft.)

(iv) Rear yard – 7.5 m (24.6 ft.)

Notwithstanding these regulations, any requirements established pursuant to the Alberta Safety Codes Act must be provided.

(g) Maximum Coverage by All Development – 40%

(h) Design, Character and Appearance of Buildings:

(i) Buildings may be either of new construction or moved in. Exterior finish to be wood, metal (or similar siding), brick or stucco to the satisfaction of the Development Authority.

(ii) All manufactured homes shall be factory built or of a quality equivalent thereto with walls of pre-finished baked enamel aluminum siding or equivalent, as required by the Development Authority. Solid footings and a concrete or wood block foundation, wall or skirting shall be provided so that the appearance, design and construction compliment the manufactured home. The undercarriage of a manufactured home shall be screened from view to the satisfaction of the Development Authority. Manufactured homes shall not be placed “sideways” on a lot, with their longer dimension (length) parallel or nearly parallel to the front line, unless the lot width exceeds 45.0 m (147.6 ft.).

(iii) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will complement the manufactured home.

(i) Other Requirements:

(i) No dwelling shall be developed within this District unless the dwelling is provided with full municipal piped water supply and sewage collection and disposal services.

(ii) Every fence enclosing an outdoor swimming pool or hot tub exceeding 0.9 m (3 ft.) in depth shall be at least 1.7 m (5.6 ft.) in height and shall be designed so as to try to deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall be the same height as the fence and shall be equipped with a self-latching device located on the inside of the fence.

(iii) The maximum height of any building shall be 10 m (32.8 ft.).

(iv) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

9.4 R1B – RESIDENTIAL DISTRICT

(1) General Purpose

To provide for low density, serviced and un-serviced residential development other than manufactured homes in established hamlets.

(2) Permitted Uses

- Modular Homes
- Minor home occupations
- Parks, playgrounds and similar recreational uses
- Public utilities
- Single family dwellings
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Bed and breakfast establishments
- Day homes
- Duplexes
- Family care facilities
- Institutional uses
- Major home occupations
- Public parks
- Public or quasi-public uses
- Religious assemblies
- Semi-detached Dwellings
- Senior citizens' drop in centres
- Show homes
- Suites, garage
- Suites, garden
- Suites, in-law
- Suites, secondary
- Tiny house

- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted Uses:

(i) Unserviced lot – 1860 sq. m (20,021 sq. ft.)

(ii) Serviced with municipal water only – 1400 sq. m (15,069.5 sq. ft.)

(iii) Serviced by municipal sewage collection only – 930 sq. m (10,010 sq. ft.)

(iv) Serviced by both municipal sewer and water systems – 465 sq. m (5,005 sq. ft.)

(b) Minimum Lot Width:

(i) 30 m (98.4 ft.) for unserviced or partially serviced lots

(ii) 15 m (49.2 ft.) for lots serviced by both municipal water and sewer systems.

(c) The minimum lot area for discretionary uses shall be as required by the Development Authority.

(d) Development on existing substandard lots may be considered by the Development Authority. Compliance with provincial plumbing, drainage and health regulations will be required.

(e) Minimum Floor Area for Residential Uses – 75 sq. m (807 sq. ft.) for each dwelling unit

(f) Minimum Yard Requirements:

(i) Front yard – 7.5 m (24.6 ft.)

(ii) Except as noted below, side yard – 1.5 m (4.92 ft.)

(iii) Side yard abutting a road in the case of a corner lot – 3.0 m (9.84 ft.)

(iv) Rear yard – 7.5 m (24.6 ft.)

Notwithstanding these regulations, any requirements established pursuant to the Alberta Safety Codes Act must be provided.

(g) Maximum Coverage by All Development – 40%

(h) Design, Character and Appearance of Buildings:

(i) Buildings may be either of new construction or moved in. Exterior finish to be wood, metal (or similar siding), brick or stucco to the satisfaction of the Development Authority.

(i) The minimum floor area for a tiny house shall be as required by the Development Authority.

(j) Other Requirements:

(i) The Development Authority may specify, as a condition of the approval of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal shall be provided in accordance with the appropriate legislation.

(ii) Every fence enclosing an outdoor swimming pool or hot tub exceeding 0.9 m (3 ft.) in depth shall be at least 1.7 m (5.6 ft.) in height and shall be designed so as to try to deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall be the same height as the fence and shall be equipped with a self-latching device located on the inside of the fence.

(iii) The maximum height of any building shall be 10 m (32.8 ft.).

(iv) All applications for subdivision and development must comply with any approved Area Structure Plan and/or Development Concept Plan affecting the lands.

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9.5 R1C – RESIDENTIAL DISTRICT

(1) General Purpose

To provide for low density, un-serviced and partially serviced residential development in established hamlets.

(2) Permitted Uses

- Manufactured homes, 10 years in age or less at the time of development permit application
- Modular homes
- Minor home occupations
- Parks, playgrounds and similar recreational uses
- Public utilities
- Single family dwellings
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Bed and breakfast establishments
- Day homes
- Family care facilities
- Institutional uses
- Major home occupations
- Manufactured homes, older than 10 years at the time of development permit application
- Neighbourhood commercial developments
- Public parks
- Public or quasi-public uses
- Religious assemblies
- Senior citizens' drop in centres
- Show homes,
- Suites, garage
- Suites, garden
- Suites, in-law

- Suites, secondary
- Tiny house
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted Uses:

(i) Unserviced lot – 1860 sq. m (20,021 sq. ft.)

(ii) Serviced with municipal water only – 1400 sq. m (15,069.5 sq. ft.)

(iii) Serviced by municipal sewage collection only – 930 sq. m (10,010 sq. ft.)

(b) Minimum Lot Width:

(i) 30 m (98.4 ft.) for unserviced or partially serviced lots

(c) The minimum lot area for discretionary uses shall be as required by the Development Authority.

(d) Development on existing substandard lots may be considered by the Development Authority. Compliance with provincial plumbing, drainage and health regulations will be required.

(e) Minimum Floor Area for Residential Uses – 75 sq. m (807 sq. ft.) for each dwelling unit

(f) Minimum Yard Requirements:

(i) Front yard – 7.5 m (24.6 ft.)

(ii) Except as noted below, side yard – 1.5 m (4.92 ft.)

(iii) Side yard abutting a road in the case of a corner lot – 3.0 m (9.84 ft.)

(iv) Rear yard – 7.5 m (24.6 ft.)

Notwithstanding these regulations, any requirements established pursuant to the Alberta Safety Codes Act must be provided.

(g) Maximum Coverage by All Development – 40%

(h) Design, Character and Appearance of Buildings:

(i) Buildings may be either of new construction or moved in. Exterior finish to be wood, metal (or similar siding), brick or stucco to the satisfaction of the Development Authority.

(i) The minimum floor area for a tiny house shall be as required by the Development Authority.

(j) Other Requirements:

(i) The Development Authority may specify, as a condition of the approval of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal shall be provided in accordance with the appropriate legislation.

(ii) Every fence enclosing an outdoor swimming pool or hot tub exceeding 0.9 m (3 ft.) in depth shall be at least 1.7 m (5.6 ft.) in height and shall be designed so as to try to deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall be the same height as the fence and shall be equipped with a self-latching device located on the inside of the fence.

(iii) The maximum height of any building shall be 10 m (32.8 ft.).

(iv) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

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9.6 R1D – RESIDENTIAL DISTRICT

(1) General Purpose

To provide for municipally serviced and un-serviced low density residential development with limited secondary commercial uses in established hamlets.

(2) Permitted Uses

- Manufactured homes 10 years or less in age at the time of development permit application
- Minor home occupations
- Modular homes
- Parks, playgrounds and similar recreational uses
- Public utilities
- Single family dwellings
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Bed and breakfast establishments
- Day homes
- Duplexes
- Family care facilities
- Institutional uses
- Major home occupations
- Manufactured homes more than 10 years in age at the time of development permit application
- Neighbourhood commercial developments
- Public parks
- Public or quasi-public uses
- Religious assemblies
- Secondary commercial uses
- Suites, Garden

- Suites, Garage
- Suites, In-law
- Suites, Secondary
- Semi-detached dwellings
- Senior citizens' drop in centres
- Show homes
- Tiny house
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted Uses:

(i) Unserviced lot – 1860 sq. m (20,021 sq. ft.)

(ii) Serviced with municipal water only – 1400 sq. m (15,069.5 sq. ft.)

(iii) Serviced by municipal sewage collection only – 930 sq. m (10,010 sq. ft.)

(iv) Serviced by both municipal sewer and water systems – 465 sq. m (5,005 sq. ft.)

(b) Minimum Lot Width:

(i) 30 m (98.4 ft.) for unserviced or partially serviced lots

(ii) 15 m (49.2 ft.) for lots serviced by both municipal water and sewer systems.

(c) The minimum lot area for discretionary uses shall be as required by the Development Authority.

(d) Development on existing substandard lots may be considered by the Development Authority. Compliance with provincial plumbing, drainage and health regulations will be required.

(e) Minimum Floor Area for Residential Uses – 75 sq. m (807 sq. ft.) for each dwelling unit

(f) Minimum Yard Requirements:

(i) Front yard – 7.5 m (24.6 ft.)

(ii) Except as noted below, side yard – 1.5 m (4.92 ft.)

(iii) Side yard abutting a road in the case of a corner lot – 3.0 m (9.84 ft.)

(iv) Rear yard – 7.5 m (24.6 ft.)

Notwithstanding these regulations, any requirements established pursuant to the Alberta Safety Codes Act must be provided.

(g) Maximum Coverage by All Development – 40%

(h) Design, Character and Appearance of Buildings:

(i) Buildings may be either of new construction or moved in. Exterior finish to be wood, metal (or similar siding), brick or stucco to the satisfaction of the Development Authority.

(ii) All manufactured homes shall be factory built or of a quality equivalent thereto with walls of pre-finished baked enamel aluminum siding or equivalent, as required by the Development Authority. Solid footings and a concrete or wood block foundation, wall or skirting shall be provided so that the appearance, design and construction compliment the manufactured home. The undercarriage of a manufactured home shall be screened from view to the satisfaction of the Development Authority. Manufactured homes shall not be placed “sideways” on a lot, with their longer dimension (length) parallel or nearly parallel to the front line, unless the lot width exceeds 45.0 m (147.6 ft.).

(iii) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will complement the manufactured home.

(i) The minimum floor area for a tiny house shall be as required by the Development Authority.

(j) Other Requirements:

(i) The Development Authority may specify, as a condition of the approval of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal shall be provided in accordance with the appropriate legislation.

(ii) Every fence enclosing an outdoor swimming pool or hot tub exceeding 0.9 m (3 ft.) in depth shall be at least 1.7 m (5.6 ft.) in height and shall be designed so as to try to deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall be the same height as the fence and shall be equipped with a self-latching device located on the inside of the fence.

(iii) The maximum height of any building shall be 10 m (32.8 ft.).

(iv) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

9.7 R1E – RESIDENTIAL DISTRICT

(1) General Purpose

To provide for one family residential development, fully serviced lots in established hamlets.

(2) Permitted Uses

- Manufactured homes 10 years or less in age at the time of development permit application
- Modular homes
- Minor home occupations
- Parks, playgrounds and similar recreational uses
- Public utilities
- Single family dwellings
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Bed and breakfast establishments
- Day homes
- Duplexes
- Family care facilities
- Group homes
- Institutional uses
- Major home occupations
- Manufactured homes more than 10 years in age at the time of development permit application
- Neighbourhood commercial developments
- Public parks
- Public or quasi-public uses
- Religious assemblies
- Semi-detached dwellings
- Senior citizens' drop in centres
- Show homes

- Suites, garage
- Suites, garden
- Suites, in-law
- Suites, secondary
- Tiny house
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted Uses – 465 sq. m (5,005 sq. ft.)

(b) Minimum Lot Width – 15.0 m (49.2 ft)

(c) The minimum lot area for discretionary uses shall be as required by the Development Authority.

(d) Development on existing substandard lots may be considered by the Development Authority. Compliance with provincial plumbing, drainage and health regulations will be required.

(e) Minimum Floor Area for Residential Uses

(i) Except in Red Earth Creek, (shown on Inset Map A-4), one story single family single family dwellings shall have a minimum floor area of 29.0 sq. m (312.0 sq. ft.)

(ii) Two story or split level single family dwellings shall have a minimum floor area of 75 sq. m (807 sq. ft.) with a basement, or 85.0 sq. m (915.0 sq. ft.) without a basement.

(iii) Semi-detached and duplex dwellings shall have a minimum floor area of 55 sq. m (592 sq. ft.) for each dwelling unit.

(iv) In Red Earth Creek (shown on Inset Map A-4), one story single family dwellings shall have a minimum floor area of 45.0 sq. m (484 sq. ft.) with a basement, or 55 sq. m (592 sq. ft.) without a basement.

(v) The minimum floor area for a tiny house shall be as required by the Development Authority.

(f) Minimum Yard Requirements:

(i) Front yard – 7.5 m (24.6 ft.)

(ii) Except as noted below, side yard – 1.5 m (4.92 ft.)

(iii) Side yard abutting a road in the case of a corner lot – 3.0 m (9.84 ft.)

(iv) Rear yard – 7.5 m (24.6 ft.)

Notwithstanding these regulations, any requirements established pursuant to the Alberta Safety Codes Act must be provided.

(g) Maximum Coverage by All Development – 40%

(h) Design, Character and Appearance of Buildings:

(i) Buildings may be either of new construction or moved in. Exterior finish to be wood, metal (or similar siding), brick or stucco to the satisfaction of the Development Authority.

(ii) All manufactured homes shall be factory built or of a quality equivalent thereto with walls of pre-finished baked enamel aluminum siding or equivalent, as required by the Development Authority. Solid footings and a concrete or wood block foundation, wall or skirting shall be provided so that the appearance, design and construction compliment the manufactured home. The undercarriage of a manufactured home shall be screened from view to the satisfaction of the Development Authority. Manufactured homes shall not be placed “sideways” on a lot, with their longer dimension (length) parallel or nearly parallel to the front line, unless the lot width exceeds 45.0 m (147.6 ft.).

(iii) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will complement the manufactured home.

(i) Other Requirements:

(i) No dwelling shall be developed within this District unless the dwelling is provided with full municipal piped water supply and sewage collection and disposal services.

(ii) Every fence enclosing an outdoor swimming pool or hot tub exceeding 0.9 m (3 ft.) in depth shall be at least 1.7 m (5.6 ft.) in height and shall be designed so as to try to deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall be the same height as the fence and shall be equipped with a self-latching device located on the inside of the fence.

(iii) The maximum height of any building shall be 10 m (32.8 ft.).

(iv) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

9.8 R2 – RESIDENTIAL DISTRICT

(1) General Purpose

To provide for medium density (duplex, semi-detached and row housing) residential development in established hamlets.

(2) Permitted Uses

- Duplexes
- Minor home occupations
- Parks, playgrounds and similar recreational uses
- Public utilities
- Semi-detached dwellings
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Bed and breakfast establishments
- Day homes
- Family care facilities
- Institutional uses
- Major home occupations
- Neighbourhood commercial developments
- Public parks
- Public or quasi-public uses
- Religious assemblies
- Row housing
- Suites, Garden
- Suites, Garage
- Suites, In-law
- Suites, Secondary
- Show homes
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted Uses:

(i) Serviced by both municipal sewer and water systems – 371.6 sq. m (4000 sq. ft. per unit).

(b) Minimum Lot Width:

(i) 12 m (39.4 ft.) for lots serviced by both municipal water and sewer systems.

(c) The minimum lot area for discretionary uses shall be as required by the Development Authority.

(d) Development on existing substandard lots may be considered by the Development Authority. Compliance with provincial plumbing, drainage and health regulations will be required.

(e) Minimum Floor Area for Residential Uses:

(i) Semi-detached dwellings shall have a minimum floor area of 55 sq. m (592 sq. ft.) for each dwelling unit.

(f) Minimum Yard Requirements:

(i) Front yard – 7.5 m (24.6 ft.)

(ii) Except as noted below, side yard – 1.5 m (4.92 ft.)

(iii) Side yard abutting a road in the case of a corner lot – 3.0 m (9.84 ft.)

(iv) Rear yard – 7.5 m (24.6 ft.)

Notwithstanding these regulations, any requirements established pursuant to the Alberta Safety Codes Act must be provided.

(g) Maximum Coverage by All Development – 40%

(h) Design, Character and Appearance of Buildings:

(i) Buildings may be either of new construction or moved in. Exterior finish to be wood, metal (or similar siding), brick or stucco to the satisfaction of the Development Authority.

(ii) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that the

appearance, design and construction will complement the manufactured home.

(i) Other Requirements:

(i) The Development Authority may specify, as a condition of the approval of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal shall be provided in accordance with the appropriate legislation.

(ii) Every fence enclosing an outdoor swimming pool or hot tub exceeding 0.9 m (3 ft.) in depth shall be at least 1.7 m (5.6 ft.) in height and shall be designed so as to try to deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall be the same height as the fence and shall be equipped with a self-latching device located on the inside of the fence.

(iii) The maximum height of any building shall be 10 m (32.8 ft.).

(iv) All applications for subdivision and development must comply with any approved Area Structure Plan and/or Development Concept Plan affecting the lands.

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9.9 R3 – RESIDENTIAL DISTRICT

(1) General Purpose

To provide for high density residential development, including semi-detached dwellings, row housing and apartments in established hamlets.

(2) Permitted Uses

- Apartments
- Minor home occupations
- Parks, playgrounds and similar recreational uses
- Public utilities
- Row housing
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Day homes
- Duplexes
- Family care facilities
- Institutional uses
- Major home occupations
- Neighbourhood commercial developments
- Public parks
- Public or quasi-public uses
- Religious assemblies
- Semi-detached dwellings
- Senior citizens' drop in centers
- Show homes
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted and Discretionary Uses

(i) at the Discretion of the Development Authority

(b) Minimum Lot Width

(i) at the Discretion of the Development Authority

(c) The maximum density for row housing shall be 37.5 dwelling units per hectare (15 dwelling units per acre).

(d) The maximum density for apartments shall be 120.0 dwelling units per hectare (48.6 dwelling units per acre).

(e) The minimum lot area for discretionary uses shall be as required by the Development Authority.

(f) Minimum Floor Area for Residential Uses:

(i) Ground oriented multi-family housing shall have a minimum floor area of 55 sq. m (592 sq. ft.) for each dwelling unit.

(g) Minimum Yard Requirements:

(i) Front yard – 7.5 m (24.6 ft.)

(ii) Except as noted below, side yard – 1.5 m (4.92 ft.)

(iii) Side yard abutting a road in the case of a corner lot – 3.0 m (9.84 ft.)

(iv) Rear yard – 7.5 m (24.6 ft.)

Notwithstanding these regulations, any requirements established pursuant to the Alberta Safety Codes Act must be provided.

(h) Maximum Coverage by All Development

(i) at the Discretion of the Development Authority

(i) Design, Character and Appearance of Buildings:

(i) Buildings may be either of new construction or moved in. Exterior finish to be wood, metal (or similar siding), brick or stucco to the satisfaction of the Development Authority.

(ii) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that the

appearance, design and construction will complement the development.

(j) Other Requirements:

(i) The Development Authority may specify, as a condition of the approval of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal shall be provided in accordance with the appropriate legislation.

(ii) Every fence enclosing an outdoor swimming pool or hot tub exceeding 0.9 m (3 ft.) in depth shall be at least 1.7 m (5.6 ft.) in height and shall be designed so as to try to deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall be the same height as the fence and shall be equipped with a self-latching device located on the inside of the fence.

(iii) The maximum height of any building shall be 10 m (32.8 ft.).

(iv) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

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9.10 R4 – RESIDENTIAL DISTRICT

(1) General Purpose

To provide for high rise apartment development in established hamlets.

(2) Permitted Uses

- Minor home occupations
- Parks, playgrounds and similar recreational uses
- Public utilities
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Apartments
- Day care facilities
- Day homes
- Family care facilities
- Neighbourhood commercial developments
- Public parks
- Public or quasi-public uses
- Senior citizens' drop in centers
- Show homes
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted and Discretionary Uses

(i) at the Discretion of the Development Authority

(b) Minimum Lot Width

(i) at the Discretion of the Development Authority

(c) The maximum density for apartments shall be 150 dwelling units per hectare (60 dwelling units per acre).

(d) The minimum lot area for discretionary uses shall be as required by the Development Authority.

(e) Minimum Floor Area for Residential Uses:

(i) Dwelling units in apartments shall have a minimum floor area of 37 sq. m (398 sq. ft.) plus an additional 7.5 sq. m (80.7 sq. ft.) for each bedroom.

(f) Minimum Yard Requirements:

(i) Front yard – 18.3 m (60 ft.)

(ii) Side yard for apartments – 18.3 m (60 ft.)

(iii) Rear yard – 18.3 m (60 ft.)

Notwithstanding these regulations, any requirements established pursuant to the Alberta Safety Codes Act must be provided.

(g) Maximum Coverage by All Development

(i) at the Discretion of the Development Authority

(h) Design, Character and Appearance of Buildings:

(i) Buildings may be either of new construction or moved in. Exterior finish to be wood, metal (or similar siding), brick or stucco to the satisfaction of the Development Authority.

(ii) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will complement the development.

(i) Other Requirements:

(i) The Development Authority may specify, as a condition of the approval of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal shall be provided in accordance with the appropriate legislation.

(ii) Every fence enclosing an outdoor swimming pool or hot tub exceeding 0.9 m (3 ft.) in depth shall be at least 1.7 m (5.6 ft.) in height and shall be designed so as to try to deter

children from climbing over or crawling through or under it to gain access. Gates in the fence shall be the same height as the fence and shall be equipped with a self-latching device located on the inside of the fence.

(iii) The maximum height of any building shall be **determined on a site specific basis and shall be at the discretion of the development authority.**

(iv) All applications for subdivision and development must comply with any approved Area Structure Plan and/or Development Concept Plan affecting the lands.

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9.11 CR – COUNTRY RESIDENTIAL DISTRICT

(1) General Purpose

To provide for large lot, un-serviced, residential development in established hamlets.

(2) Permitted Uses

- Manufactured homes 10 years or less in age at the time of development permit application
- Modular homes
- Minor home occupations
- Parks, playgrounds and similar recreational uses
- Public utilities
- Single family dwellings
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Bed and breakfast establishments
- Day homes
- Family care facilities
- Institutional uses
- Major home occupations
- Manufactured homes more than 10 years in age at the time of development permit application
- Public parks
- Public or quasi-public uses
- Religious assemblies
- Suites, Garden
- Suites, Garage
- Suites, In-law
- Suites, Secondary
- Show homes
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted Uses – 0.8 ha (2 ac.)

(b) Minimum Lot Width – 60 m (196.8 ft.)

(c) The minimum lot area for discretionary uses shall be as required by the Development Authority.

(d) Minimum Floor Area for Residential Uses:

(i) Single family dwellings shall have a minimum floor area of 74.3 sq. m (800 sq. ft.) with a basement, or 111.5 sq. m (1200 sq. ft.) without a basement.

(e) Minimum Yard Requirements:

(i) Front yard – 7.5 m (24.6 ft.)

(ii) Side yard – 7.5 m (24.6 ft.)

(iii) Rear yard – 7.5 m (24.6 ft.)

Notwithstanding these regulations, any requirements established pursuant to the Alberta Safety Codes Act must be provided.

(f) Maximum Coverage by All Development – 40%

(g) Design, Character and Appearance of Buildings:

(i) Buildings may be either of new construction or moved in. Exterior finish to be wood, metal (or similar siding), brick or stucco to the satisfaction of the Development Authority.

(h) Other Requirements:

(i) The Development Authority may specify, as a condition of the approval of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal shall be provided in accordance with the appropriate legislation.

(ii) Every fence enclosing an outdoor swimming pool or hot tub exceeding 0.9 m (3 ft.) in depth shall be at least 1.7 m (5.6 ft.) in height and shall be designed so as to try to deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall be the same height as the fence and shall be equipped with a self-latching device located on the inside of the fence.

(iii) The maximum height of any building shall be 10 m (32.8 ft.).

(iv) All applications for subdivision and development must comply with any approved Area Structure Plan and/or Development Concept Plan affecting the lands.

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9.12 RSF – RESIDENTIAL SMALL FARM DISTRICT

(1) General Purpose

To provide for large-lot, unserviced, single family residential development at the edges of established hamlets where small-scale agricultural pursuits may also take place.

(2) Permitted Uses

- Extensive agriculture
- Manufactured homes 10 years or less in age at the time of development permit application
- Minor home occupations
- Modular Homes
- Parks, playgrounds and similar recreational uses
- Public utilities
- Single family dwellings
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Fur farms
- Greenhouses
- Intensive agriculture
- Major home occupations
- Manufactured homes more than 10 years in age at the time of development permit application
- Manure storage facilities
- Public parks
- Public or quasi-public uses
- Suites, Garden
- Suites, Garage
- Suites, In-law
- Suites, Secondary
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted Uses – 2.0 ha (5 ac.)

(b) Minimum Lot Width – 60 m (196.8 ft.)

(c) The minimum lot area for discretionary uses shall be as required by the Development Authority.

(d) Minimum Floor Area for Residential Uses:

(i) Single family dwellings shall have a minimum floor area of 74.3 sq. m (800 sq. ft.) with a basement, or 111.5 sq. m (1200 sq. ft.) without a basement.

(e) Minimum Yard Requirements:

(i) Front yard – 7.5 m (24.6 ft.)

(ii) Side yard – 7.5 m (24.6 ft.)

(iii) Rear yard – 7.5 m (24.6 ft.)

Notwithstanding these regulations, any requirements established pursuant to the Alberta Safety Codes Act must be provided.

(f) Design, Character and Appearance of Buildings:

(i) Buildings may be either of new construction or moved in. Exterior finish to be wood, metal (or similar siding), brick or stucco to the satisfaction of the Development Authority.

(g) Other Requirements:

(i) The Development Authority may specify, as a condition of the approval of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal shall be provided in accordance with the appropriate legislation.

(ii) Every fence enclosing an outdoor swimming pool or hot tub exceeding 0.9 m (3 ft.) in depth shall be at least 1.7 m (5.6 ft.) in height and shall be designed so as to try to deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall be the same height as the fence and shall be equipped with a self-latching device located on the inside of the fence.

(iii) The maximum height of any building shall be 10 m (32.8 ft.).

(iv) All applications for subdivision and development must comply with any approved Area Structure Plan and/or Development Concept Plan affecting the lands.

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9.13 RR – RECREATION RESIDENTIAL DISTRICT

(1) General Purpose

To allow the development of private, seasonal residences on sites capable of accommodating this type of recreational activity.

(2) Permitted Uses

- Cabins
- Cottages
- Bed and breakfast establishments
- Extensive recreation
- Modular homes
- Public parks
- Public utilities
- Single family dwellings
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Boathouses
- Guest houses
- Intensive recreation
- Public or quasi-public buildings
- Public or quasi-public uses
- Recreational uses
- Recreation vehicle parks
- Resorts
- Show homes
- Suites, garden
- Suites, garage
- Suites, in-law
- Suites, secondary
- Tiny house

- Buildings and uses ancillary to permitted uses

(4) Requirements

(a) Minimum Lot Area

(i) 2000 sq. m (0.5 ac.) for a cottage

(ii) 0.4 ha (1 ac.) for other uses

(b) Minimum Yards

(i) Front – 7.5 m (24.6 ft.).

(ii) Side – 3.0 m (9.8 ft.)

(iii) Rear – 7.5 m (24.6 ft.)

(c) Notwithstanding the minimum yard indicated in Subsection (b) above, no part of any building or structure shall be located within 40 m (131.2 ft.) of the right-of-way of any road or highway.

(d) The maximum height of any buildings shall be 10 m (32.8 ft.).

(e) Design, Character and Appearance of Buildings

The architecture, construction materials and appearance of buildings shall compliment other structures and the natural features and character of the site.

(f) Other Requirements

(i) The Development Authority may specify, as a condition of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development.

(ii) All applications for subdivision and development must comply with any Area Structure Plan affecting the subject lands.

(iii) Refer to Section 8.29 for landscaping requirements which may affect development in this District.

(iv) Refer to Section 8.65 for waterbody and watercourse provisions which may affect development in this District.

(v) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

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9.14 RMH – MANUFACTURED HOME PARK DISTRICT

(1) General Purpose

To provide for the development of manufactured home parks serviced by a common water supply distribution system and sewage collection and disposal system in the municipality.

(2) Permitted Uses

- Manufactured homes 10 years or less in age at the time of development permit application
- Minor home occupations
- Parks, playgrounds and similar recreational uses
- Public utilities
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Day homes
- Major home occupations
- Manufactured homes more than 10 years in age at the time of development permit application
- Manufactured home parks
- Public or quasi-public uses
- Show homes
- Uses directly related to the convenience of the manufactured home park residents or management
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Stall Area – 465 sq. m (5005 sq. ft.)

(b) Minimum Stall Width – 15.0 m (49.2 ft.)

(c) Minimum lot area size for a manufactured home park – 2 ha (5 ac.)

(d) Maximum area coverage for manufactured home and ancillary buildings on a stall – 40%

(e) Maximum Density – 20 manufactured homes per ha (8 per ac.)

(f) Minimum Yards for a Manufactured Home Park:

(i) Front – 7.6 m (25 ft.)

(ii) Side adjacent to a road – 7.6 m (25. ft.)

(iii) All other yards – 3.0 m (9.8 ft.)

Notwithstanding these regulations, any requirements established pursuant to the Alberta Safety Codes Act must be provided.

(g) Setback Requirements for Manufactured Homes within a Manufactured Home Stall:

(i) Front setback from an internal roadway or parking area – 3.7 m (12 ft.).

(ii) Manufactured homes including attached structures shall be at least 15.2 m (50 ft.) from any manufactured home, including any attached structures or permanent park structures located directly on the opposite side of a park street.

(iii) Minimum Side Setback:

No manufactured home shall be located within 4.5 m (15 ft.) of another and no portion of a manufactured home or ancillary building shall be placed closer than 1.5 m (5 ft.) to a side line. No manufactured homes shall be permitted within a block of parcels designed or designated for zero lot line placement.

(iv) Minimum rear setback – 2.3 m (7.5 ft.).

(5) Manufactured Home Park Requirements

(a) Storage:

(i) Communal or individual storage areas for vehicles, recreation vehicles, watercraft, and other items that cannot be stored on a manufactured home stall shall be provided at a rate of at least 18.6 sq. m (220 sq. ft.) of storage area per manufactured home stall.

(ii) The Development Authority may require that a storage area be enclosed or screened by trees, landscape features or fences or a combination thereof to the satisfaction of the Development Authority.

(iii) No vehicle greater than 9 m (30 ft.) in length may be parked on a manufactured home stall or manufactured home park street.

(iv) Not more than one recreation vehicle or trailer may be parked on a manufactured home stall.

(b) Visitors' Off-Street Parking:

In addition to the parking requirements articulated in this Bylaw, one (1) parking stall for every five (5) manufactured home stalls shall be provided in the manufactured home park, as common parking for guests or as required by the Development Authority.

(c) Open Space:

A minimum of 10% of the gross park area shall be set aside as common open space recreation area and no portion of any manufactured home stall shall be included in this open space.

(d) Utilities:

All utility lines shall be placed underground or as stipulated in a development agreement.

(e) Appearance:

(i) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will complement the manufactured home.

(ii) The undercarriage of each manufactured home shall be screened from view by skirting or such other means satisfactory to the Development Authority.

(iii) Outdoor lighting shall be of a design and appearance satisfactory to the Development Authority.

(iv) All areas of manufactured home park not developed or occupied by park roads, walkways, driveways, parking aprons, buildings, communal storage areas, or other developed facilities shall be grassed and landscaped.

(f) Fences and Screening:

The manufactured home park shall be screened from view with a vegetated buffer strip of a minimum of 9 m (30 ft.) and/or other screening of a visually pleasing nature as required by the Development Authority.

(g) Buffer:

A landscaped buffer of not less than 10 m (33 ft.) or a width satisfactory to the Development Authority shall be provided around the perimeter of the manufactured home park.

(h) Retroactivity:

No developed portion of any existing manufactured home park developed prior to the enactment of this Bylaw will be subject to the above provisions. However, if the park is redeveloped, it will have to meet these standards. If the park is enlarged, only the addition will have to meet these standards.

(i) Other:

(i) A development permit shall not be issued for a manufactured home park until the Development Authority has received assurance from appropriate authorities indicating that the proposed sewage disposal system has been approved.

(ii) Adequate on-site recreation areas such as playgrounds and tot lots may be required if deemed appropriate.

(iii) All roads in a manufactured home park shall be surfaced, and well drained, and maintained to the satisfaction of the Development Authority. Minimum driving surface width shall be 7.3 m (24.0 ft.).

(iv) All parks shall be provided with safe, convenient, all-season pedestrian access of at least 1.0 m (3.25 ft.) width for intended use between individual manufactured homes, the park street and all community facilities provided for park residents.

(v) The design of manufactured home parks shall be to the satisfaction of the Development Authority.

(vi) All municipal utilities shall be provided underground to stalls in a manufactured home park.

(vii) No part of the park shall be used for non-residential purposes except such uses as are required for the direct servicing and well-being of the park residents and for the management and maintenance of the park.

(viii) Manufactured home park facilities shall be arranged to create a homelike atmosphere. This objective is achieved by variations in street pattern, block shapes and location of manufactured home stands.

(ix) Each manufactured home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.

(x) Only one main, free-standing, identification sign of residential character and appearance shall be erected at the entrance to a manufactured home park unless the Development Authority is of the opinion that a further and similar sign shall be allowed under exceptional circumstances involving the layout, location and size of the park in relation to the surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Authority.

(xi) Directional signs within the manufactured home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.

(xii) Notwithstanding any other provisions of this Bylaw to the contrary, manufactured homes shall not be placed “sideways” on a lot, with their longer dimension (length) parallel or nearly parallel to the front line, unless the lot width exceeds 45.0 m (147.6 ft.).

(xiii) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

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9.15 RMH1 – MANUFACTURED HOME PARK SUBDIVISION DISTRICT

(1) General Purpose

To allow for the development of manufactured home subdivisions, in which each manufactured home is located on a separate lot.

(2) Permitted Uses

- Manufactured homes 10 years or less in age at the time of development permit application
- Minor home occupations
- Parks, playgrounds and similar recreational uses
- Public utilities
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Day homes
- Major home occupations
- Manufactured homes more than 10 years in age at the time of development permit application
- Manufactured home parks
- Public or quasi-public uses
- Show homes
- Uses directly related to the convenience of the manufactured home park residents or management
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area –

(i) For single wide manufactured homes – 370 sq. m (3983 sq. ft.)

(ii) For double wide manufactured homes – 460 sq. m (4951 sq. ft.)

(iii) Minimum Stall Area – 465 sq. m (5005 sq. ft.)

(b) Minimum Lot Width

(i) For single wide manufactured homes – 12 m (39.4 ft.)

(ii) For double wide manufactured homes – 15 m (49.2 ft.)

(iii) Minimum Stall Width – 15.0 m (49.2 ft.)

(c) Maximum area coverage for manufactured home and ancillary buildings on a stall – 40%

(d) Maximum Density – 25 manufactured homes per ha (10.1 per ac.)

(e) Minimum Yards for a Manufactured Home:

(i) Front – 7.6 m (25 ft.)

(ii) Side adjacent to a road – 7.6 m (25. ft.)

(iii) All other yards – 3.0 m (9.8 ft.)

Notwithstanding these regulations, any requirements established pursuant to the Alberta Safety Codes Act must be provided.

(f) Utilities:

All utility lines shall be placed underground or as stipulated in a development agreement.

(g) Appearance:

(i) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will complement the manufactured home.

(ii) The undercarriage of each manufactured home shall be screened from view by skirting or such other means satisfactory to the Development Authority.

(iii) Outdoor lighting shall be of a design and appearance satisfactory to the Development Authority.

(iv) All manufactured homes shall be placed on a foundation or base. The manufactured home shall be attached by means of bolting or otherwise to the foundation, base or ground.

(v) Notwithstanding any other provisions of this Bylaw to the contrary, manufactured homes shall not be placed

"sideways" on a lot, with their longer dimension (length) parallel or nearly parallel to the front line, unless the lot width exceeds 45.0 m (147.6 ft.).

(vi) Notwithstanding any other provision of this Bylaw to the contrary, where a manufactured home is to be on a lot abutting any Residential District other than the RMH District or the RMH1 District, that manufactured home shall be a double-wide unit and not a single-wide unit.

(vii) Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority may refuse an application for a development permit to allow the placement of a manufactured home if, in their opinion, the proposed manufactured home will not :

1. meet the Z-240 industry standards;

2. be of a suitable quality, age, or condition, matching the quality, age or condition of adjacent manufactured homes; and

3. meet current Building and Safety Code requirements.

(viii) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

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9.16 C1 – COMMERCIAL DISTRICT

(1) General Purpose

To provide for a wide variety of commercial uses within the downtown area of established hamlets.

(2) Permitted Uses

- Bus depots
- Business support services establishments
- Eating and drinking establishments
- General retail establishment
- Government services
- Health services
- Hotels
- Household repair services
- Indoor amusement establishments
- Libraries and cultural exhibits
- Office uses
- Personal service shops
- Public or quasi-public buildings
- Public or quasi-public uses
- Public parks
- Public utilities
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Automotive and equipment repair shops
- Automotive and recreational vehicle sales/rentals establishments
- Cannabis retail sales
- Car washes
- Day care facilities
- Drive-in businesses
- Entertainment establishments
- Equipment rental establishments

- Institutional uses
- Limited contractor services
- Liquor stores
- Marinas
- Motels
- Outdoor amusement establishments
- Private clubs
- Protective and emergency services
- Recycling depots
- Religious assemblies
- Senior citizens' drop in centres
- Service stations and Gas Bars
- Surveillance suite (maximum of one per lot)
- Vehicle repair establishments
- Veterinary clinics
- Other uses which are, in the opinion of the Development Authority, similar to the above-listed permitted and discretionary uses
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted Uses:

(i) Unserviced lot – 1860 sq. m (20,021 sq. ft.)

(ii) Serviced with municipal water only – 1400 sq. m (15,069.5 sq. ft.)

(iii) Serviced by municipal sewage collection only – 930 sq. m (10,010 sq. ft.)

(iv) Serviced by both municipal sewer and water systems – 465 sq. m (5,005 sq. ft.)

(b) Minimum Lot Width for Permitted Uses:

(i) 30 m (98.4 ft.) for unserviced or partially serviced lots

(ii) 15 m (49.2 ft.) for lots serviced by both municipal water and sewer systems.

(c) The minimum lot area for discretionary uses shall be as required by the Development Authority.

(d) Development on existing substandard lots may be considered by the Development Authority. Compliance with provincial plumbing, drainage and health regulations will be required.

(e) Minimum Yard Requirements:

(i) Front yard – 7.5 m (24.6 ft.)

(ii) Except as noted below, side yard – 1.5 m (4.92 ft.)

(iii) Side yard abutting a road in the case of a corner lot – 3.0 m (9.84 ft.)

(iv) Side yard for row housing – 3.0 m (9.84 ft.)

(vi) Rear yard – 7.5 m (24.6 ft.)

(f) Design, Character and Appearance of Buildings:

(i) Buildings may be either of new construction or moved in. Exterior finish to be wood, metal (or similar siding), brick or stucco to the satisfaction of the Development Authority.

(ii) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will complement the building.

(g) Other Requirements:

(i) The Development Authority may specify, as a condition of the approval of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal shall be provided in accordance with the appropriate legislation.

(ii) Every fence enclosing an outdoor swimming pool or hot tub exceeding 0.9 m (3 ft.) in depth shall be at least 1.7 m (5.6 ft.) in height and shall be designed so as to try to deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall be the same height as the fence and shall be equipped with a self-latching device located on the inside of the fence.

(iii) The maximum height of any building shall be 10 m (32.8 ft.).

(iv) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands..

9.17 C2 – COMMERCIAL DISTRICT

(1) General Purpose

To provide for commercial activities that require larger parcel of land to facilitate parking and/or onsite storage of materials within the hamlet areas.

(2) Permitted Uses

- All uses listed as permitted in the C1 District
- Public Utilities
- Recreational uses
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- All uses listed as discretionary in the C1 District
- Auctioneering establishments
- Bulk fuel storage and sales
- Cannabis retail sales
- Extensive recreation
- General contractor services
- Greenhouses
- Heavy truck and equipment storage
- Heavy vehicle parking lot
- Industrial vehicle and equipment sales/rentals establishments
- Institutional uses
- Intensive recreation
- Public and quasi-public uses
- Outdoor storage
- Truck Washes
- Recreational Vehicle Campground
- Recreational Vehicle Campground, workcamp
- Senior citizens' drop in centres

- Veterinary Clinic – large animal
- Warehouse sales establishments
- Other uses which are, in the opinion of the Development Authority, similar to the above-listed permitted and discretionary uses
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted Uses:

(i) Unserviced lot – 1860 sq. m (20,021 sq. ft.)

(ii) Serviced with municipal water only – 1400 sq. m (15,069.5 sq. ft.)

(iii) Serviced by municipal sewage collection only – 930 sq. m (10,010 sq. ft.)

(iv) Serviced by both municipal sewer and water systems – 465 sq. m (5,005 sq. ft.)

(b) Minimum Lot Width:

(i) 30 m (98.4 ft.) for unserviced or partially serviced lots

(ii) 15 m (49.2 ft.) for lots serviced by both municipal water and sewer systems.

(c) The minimum lot area for discretionary uses shall be as required by the Development Authority.

(d) Minimum Yard Requirements for Permitted Uses:

(i) Front yard – 7.5 m (24.6 ft.)

(ii) Except as noted below, side yard – 1.5 m (4.92 ft.)

(iii) Side yard abutting a road in the case of a corner lot – 3.0 m (9.84 ft.)

(iv) Rear yard – 7.5 m (24.6 ft.)

(e) Minimum Yard Requirements for Discretionary Uses:

(i) General retail stores adjacent to other commercial uses, at the discretion of the Development Authority, may have no

front or side yard, provided that the proposed use has direct access onto a developed lane.

(ii) Commercial uses without direct access onto a developed lane shall have one side yard of a minimum of 4.5 m (14.8 ft.)

(iii) All other yard requirements shall be as determined by the Development Authority

(f) Other Requirements:

(i) The Development Authority may specify, as a condition of the approval of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal shall be provided in accordance with the appropriate legislation.

(ii) The maximum height of any building shall be 10 m (32.8 ft.).

(iii) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

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9.18 C3 – COMMERCIAL DISTRICT

(1) General Purpose

To provide for a wide variety of commercial uses and limited secondary residential uses within established hamlets.

(2) Permitted Uses

- Business support services establishments
- Commercial uses
- Eating and drinking establishments
- Extensive recreation
- Family care facilities
- General retail establishment
- Government services
- Household repair services
- Office uses
- Personal service shops
- Public or quasi-public buildings
- Public or quasi-public uses
- Public utility buildings
- Vehicle repair establishments
- Minor home occupations
- Parks, playgrounds and similar recreational uses
- Public utilities
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Bed and breakfast establishments
- Cannabis retail sales
- Day care facilities
- Day homes
- Garage Suites
- Intensive recreation
- Liquor stores

- Major home occupations
- Public and quasi-public uses
- Recreational vehicle campground
- Recreational vehicle campground, workcamp (maximum of 6 stalls)
- Secondary residential uses
- Suites, garage
- Suites, garden
- Suites, in-law
- Suites, secondary
- Service stations and gas bars
- Surveillance suite (maximum of one per lot)
- Truck Washes
- Other uses which are, in the opinion of the Development Authority, similar to the above-listed permitted and discretionary uses
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area for Permitted Uses:

(i) Unserviced lot – 1860 sq. m (20,021 sq. ft.)

(ii) Serviced with municipal water only – 1400 sq. m (15,069.5 sq. ft.)

(iii) Serviced by municipal sewage collection only – 930 sq. m (10,010 sq. ft.)

(iv) Serviced by both municipal sewer and water systems – 465 sq. m (5,005 sq. ft.)

(b) Minimum Lot Width:

(i) 30 m (98.4 ft.) for unserviced or partially serviced lots

(ii) 15 m (49.2 ft.) for lots serviced by both municipal water and sewer systems.

(c) The minimum lot area for discretionary uses shall be as required by the Development Authority.

(d) Development on existing substandard lots may be considered by the Development Authority. Compliance with provincial plumbing, drainage and health regulations will be required.

(e) Minimum Floor Area for Residential Uses:

(i) one storey single family dwellings shall have a minimum floor area of 45 sq. m (484 sq. ft.) with a basement, or 55 sq. m (592 sq. ft.) without a basement.

(ii) Two storey or split level single family dwellings shall have a minimum floor area of 45 sq. m (484 sq. ft.) with a basement, or 55 sq. m (592 sq. ft.) without a basement.

(iii) Manufactured and modular homes shall have a minimum floor area of 55 sq. m (592 sq. ft.).

(iv) Semi-detached dwellings or row housing shall have a minimum floor area of 55 sq. m (592 sq. ft.) for each dwelling unit.

(v) Dwelling units in apartments shall have a minimum floor area of 37 sq. m (398 sq. ft.) plus an additional 7.5 sq. m (80.7 sq. ft.) for each bedroom.

(f) Minimum Yard Requirements for Permitted Uses:

(i) Front yard – 7.5 m (24.6 ft.)

(ii) Except as noted below, side yard – 1.5 m (4.92 ft.)

(iii) Side yard abutting a road in the case of a corner lot – 3.0 m (9.84 ft.)

(iv) Side yard for row housing – 3.0 m (9.84 ft.)

(v) Side yard for apartments – 4.5 m (14.8 ft.)

(vi) Rear yard – 7.5 m (24.6 ft.)

(g) Minimum Yard Requirements:

(i) General retail stores adjacent to other commercial uses, at the discretion of the Development Authority, may have no front or side yard, provided that the proposed use has direct access onto a developed lane.

(ii) Commercial uses without direct access onto a developed lane shall have one side yard of a minimum of 4.5 m (14.8 ft.)

(iii) All other yard requirements shall be as determined by the Development Authority

(h) Design, Character and Appearance of Buildings:

(i) Buildings may be either of new construction or moved in. Exterior finish to be wood, metal (or similar siding), brick or stucco to the satisfaction of the Development Authority.

(ii) All manufactured homes shall be factory built or of a quality equivalent thereto with walls of pre-finished baked enamel aluminum siding or equivalent, as required by the Development Authority. Solid footings and a concrete or wood block foundation, wall or skirting shall be provided so that the appearance, design and construction compliment the manufactured home. The undercarriage of a manufactured home shall be screened from view to the satisfaction of the Development Authority. Manufactured homes shall not be placed “sideways” on a lot, with their longer dimension (length) parallel or nearly parallel to the front line, unless the lot width exceeds 45.0 m (147.6 ft.).

(iii) All ancillary structures such as patios, porches, additions, skirting and storage facilities shall be factory pre-fabricated units, or of a quality equivalent thereto, so that the appearance, design and construction will complement the manufactured home.

(i) Other Requirements:

(i) The Development Authority may specify, as a condition of the approval of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal shall be provided in accordance with the appropriate legislation.

(ii) Every fence enclosing an outdoor swimming pool or hot tub exceeding 0.9 m (3 ft.) in depth shall be at least 1.7 m (5.6 ft.) in height and shall be designed so as to try to deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall be the same height as the fence and shall be equipped with a self-latching device located on the inside of the fence.

(iii) The maximum height of any building shall be 10 m (32.8 ft.).

(iv) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

9.19 CH – HIGHWAY COMMERCIAL DISTRICT

(1) General Purpose

To provide for commercial development in hamlet areas that is intended to serve the travelling public.

(2) Permitted Uses

- Bus depots
- Business support services establishments
- Eating and drinking establishments
- General retail establishments
- Government services
- Health services
- Hotels
- Motels
- Household repair services
- Indoor amusement establishments
- Libraries and cultural exhibits
- Office uses
- Personal service shops
- Public utilities
- Recreational uses
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Auctioneering establishments
- Automotive and equipment repair shops
- Automotive and recreational vehicle sales/rentals establishments
- Bulk fuel storage and sales
- Cannabis retail sales
- Day care facilities
- Drive-in businesses
- Entertainment establishments

- Equipment rental establishments
- Extensive recreation
- General contractor services
- Greenhouses
- Heavy truck and equipment storage
- Heavy vehicle parking lot
- Industrial vehicle and equipment sales/rentals establishments
- Institutional uses
- Intensive recreation
- Light industrial uses
- Limited contractor services
- Liquor stores
- Marinas
- Outdoor amusement establishments
- Outdoor storage
- Private clubs
- Protective and emergency services
- Public or quasi-public buildings
- Public or quasi-public uses
- Public parks
- Recreational vehicle campground
- Recreational Vehicle Campground, workcamp (maximum of 6 stalls)
- Recreational vehicle storage
- Recycling depots
- Religious assemblies
- Senior citizens' drop in centres
- Service stations
- Surveillance suite (maximum of one per lot)
- Trucking and cartage establishments
- Vehicle repair establishments
- Veterinary clinics
- Warehouse sales establishments
- Other uses which are, in the opinion of the Development Authority, similar to the above-listed permitted and discretionary uses

- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area – as required by the Development Authority to provide sufficient space for the facility proposed and private servicing on-site.

(b) Minimum Yards:

(i) Front – 7.5 m (24.6 ft.) where a service road right-of-way exists. Where a service road right-of-way does not exist, 38.0 m (125 ft.) from the road right-of-way, or as required by the Development Authority.

(ii) Side – 4.5 m (14.8 ft.), or as required by the Development Authority.

(iii) Rear – 4.5 m (14.8 ft.), or as required by the Development Authority.

(c) Minimum Setback from Water Bodies – 22.8 m (75 ft.), or as required by the Development Authority, from the top of the bank of the waterbody

(d) Special Provisions:

(i) All parking must be provided on the lot.

(ii) Access and egress shall normally be provided by way of service road, or to the satisfaction of the Development Authority in consultation with Alberta Transportation, such that highway safety is not impaired when the subject site is in proximity to a highway.

(iii) Minimum lot area shall be determined by the capability to provide private on-site servicing, required parking area, applicable setback, and such areas of landscaping or screening as determined necessary by the Development Authority.

(iv) In evaluating proposals for development in this District, provision of private servicing shall be a primary consideration.

(v) In evaluating proposals for development in this District, a primary consideration shall be the potential negative effects of the proposed development on any nearby residential uses.

(vi) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

9.20 M1 –INDUSTRIAL DISTRICT

(1) General Purpose

To provide for light industrial activities in hamlet areas.

(2) Permitted Uses

- General retail stores
- Light industrial uses
- Limited contractor services
- Office uses
- Personal service shops
- Protective and emergency services
- Public or quasi-public buildings
- Public or quasi-public uses
- Public Utilities
- Truck Washes
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Agricultural industries
- Automotive and equipment repair shops
- Bulk fuel storage and sales
- Cannabis production and distribution facility
- Drive-in businesses, but not including drive-in restaurants
- Equipment rental establishments
- General contractor services
- Heavy industrial uses
- Heavy truck and equipment storage
- Heavy vehicle parking lot
- Industrial vehicle and equipment sales/rentals establishments
- Manufactured Homes located on existing parcels as of the date of this bylaw

- Modular homes located on existing parcels as of the date of this bylaw
- Oilfield and gas field servicing
- Oilfield waste processing and disposal services
- Outdoor storage
- Recreational Vehicle Campground, workcamp (maximum of 6 stalls)
- Salvage yards and/or auto wreckers
- Sewage lagoons and other sewage treatment facilities
- Single family dwellings located on existing parcels as of the date of this bylaw
- Surveillance suite (maximum of one per lot)
- Vehicle repair establishments
- Workcamps,
- Workcamps, short term
- Other uses which are, in the opinion of the Development Authority, similar to the above-listed permitted and discretionary uses
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area – 2.0 ha (5 ac.).

Lot areas less than this minimum may be allowed provided that necessary private on-site servicing, parking, loading, and other facilities can be accommodated.

(b) Minimum Yards:

(i) Front – 9.0 m (29.5 ft.), or as required by the Development Authority.

(ii) Side – 4.5 m (14.8 ft.), or as required by the Development Authority.

(iii) Rear – 7.5 m (24.6 ft.), or as required by the Development Authority.

(c) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

9.21 M2 – INDUSTRIAL DISTRICT

(1) General Purpose

To provide for medium and heavy industrial uses outside of the hamlet areas.

(2) Permitted Uses

- Light industrial uses
- Limited contractor services
- Office uses
- Protective and emergency services
- Public or quasi-public buildings
- Public or quasi-public uses
- Public Utilities
- Truck washes
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Bulk fuel storage and sales
- Equipment/vehicle rentals
- Heavy industries
- Heavy truck and equipment storage
- Heavy vehicle parking lot
- Medium industrial uses
- Natural resource extraction industries
- Oilfield and gas field servicing
- Oilfield waste processing and disposal services
- Pipe and equipment storage yards
- Recreational vehicle campgrounds
- Recreational vehicle campgrounds, workcamp
- Salvage yards and/or auto wreckers
- Sewage lagoons and other sewage treatment facilities

- Surveillance suite (maximum of one per lot)
- Vehicle repair establishments
- Workcamps
- Workcamps, short term
- Other uses which are, in the opinion of the Development Authority, similar to the above-listed permitted and discretionary uses
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area – 2.0 ha (5 ac).

Lot areas less than this minimum may be allowed provided that necessary private on-site servicing, parking, loading, and other facilities can be accommodated.

(b) Minimum Yards:

(i) Front – 9.0 m (29.5 ft.), or as required by the Development Authority.

(ii) Side – 4.5 m (14.8 ft.), or as required by the Development Authority.

(iii) Rear – 7.5 m (24.6 ft.), or as required by the Development Authority.

(c) Workcamps

No workcamp shall be approved for a time period exceeding fifteen (15) months.

(d) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

9.22 M3 – AIRPORT INDUSTRIAL DISTRICT

(1) General Purpose

To provide for appropriate development within the areas of airports.

(2) Permitted Uses

- Airports
- Light industrial uses
- Limited contractor services
- Office uses
- Protective and emergency services
- Public or quasi-public buildings
- Public or quasi-public uses
- Public Utilities
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Bulk fuel storage and sales
- Eating and drinking establishments
- General contractor services
- General retail stores
- Heavy vehicle parking lot
- Outdoor storage
- Recreational vehicle campground, workcamp
- Workcamps,
- Workcamps, short term
- Other uses which are, in the opinion of the Development Authority, similar to the above-listed permitted and discretionary uses
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) Minimum Lot Area – 1.0 ha (2.5 ac.).

Lot areas less than this minimum may be allowed provided that necessary private on-site servicing, parking, loading, and other facilities can be accommodated.

(b) Minimum Yards:

(i) Front – 9.0 m (29.5 ft.), or as required by the Development Authority.

(ii) Side – 4.5 m (14.8 ft.), or as required by the Development Authority.

(iii) Rear – 7.5 m (24.6 ft.), or as required by the Development Authority.

9.23 UR – URBAN RESERVE DISTRICT

(1) General Purpose

To reserve lands for future community growth and development.

(2) Permitted Uses

- Extensive agriculture
- Buildings and uses ancillary to permitted uses
- Public or quasi-public buildings
- Public or quasi-public uses
- Public utilities

(3) Discretionary Uses

- Extensive recreation
- Intensive agriculture, but not including kennels
- Parks and playgrounds
- Any temporary use or building which, in the opinion of the Development Authority, will not prejudice the possibility of conveniently and economically re-subdividing or developing the area in the future at urban densities.
- Other uses which are, in the opinion of the Development Authority, similar to the above-listed permitted and discretionary uses
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) The minimum parcel area shall be 8 ha (20 ac.), or as required by the Development Authority.

(b) Minimum Yard Requirements:

(i) Front yard - 7.5 m (24.6 ft.)

(ii) Side yard - 7.5 m (24.6 ft.)

(iii) Rear yard - 7.5 m (24.6 ft.)

(c) The maximum height of any building or structure shall be 10 m (32.8 ft.).

(d) Other Requirements:

(i) The Development Authority may specify, as a condition of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal shall be provided in accordance with Provincial legislation and regulations.

(ii) No subdivision or non-temporary development shall take place until an Area Structure Plan or an Outline Plan affecting the subject lands has been prepared and approved by the Council. Such a Plan should determine an appropriate pattern for future land uses, public reserve dedication and utility servicing.

(iii) Extensive Agricultural uses shall not be offensive in nature, and shall not include the breeding and raising of livestock of any kind.

(iv) Any permit issued at the discretion of the Development Authority for a temporary use shall be for the period of up to a year only, or for a specified length of time to ensure that the use does not adversely affect future subdivision, servicing and urban development of such lands. Applications to extend the temporary use for a period of a year may be considered at the discretion of the Development Authority.

(v) All applications for subdivision and development must comply with any approved Area Structure Plan and Development Concept Plan affecting the lands.

9.24 P – CONSERVATION DISTRICT

(1) General Purpose

To control land development near water bodies where, because of topography, the land may be subject to flooding or severe drainage problems.

(2) Permitted Uses

- Extensive recreation
- Natural areas
- Public parks
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Intensive agriculture, but not including kennels
- Public or quasi-public buildings
- Public or quasi-public uses
- Public utilities
- Other uses which are, in the opinion of the Development Authority, similar to the above-listed permitted and discretionary uses
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) The minimum parcel area shall be as required by the Development Authority.

(b) The minimum yards shall be as required by the Development Authority.

(c) Other Requirements:

(i) The Development Authority may specify, as a condition of a development permit, the type of water supply system and/or sewage disposal system to be provided to service a proposed development. Water supply and sewage disposal

shall be provided in accordance with Provincial legislation and regulations.

(ii) The Development Authority may, at its discretion, issue a development permit to allow a temporary extensive recreational use. Applications to extend the temporary use for a period of a year may be considered at the discretion of the Development Authority. The Development Authority will ensure that any time limitations assigned to the temporary use occur in accordance with the conditions of the development permit.

(iii) The Development Authority may, as a condition of a development permit, require certification that a proposed development complies with the Canada Mortgage and Housing Corporation flood risk guidelines.

9.25 I – INSTITUTIONAL/RECREATIONAL DISTRICT

(1) General Purpose

To control the development of public and quasi-public buildings and uses, including recreational facilities within hamlets.

(2) Permitted Uses

- Day care facilities
- Government services
- Health services
- Institutional uses
- Libraries and cultural exhibits
- Office uses
- Protective and emergency services
- Public education facilities
- Public or quasi-public buildings
- Public or quasi-public uses
- Public parks
- Public Utilities
- Recreational uses
- Buildings and uses ancillary to permitted uses

(3) Discretionary Uses

- Intensive recreation
- Seniors housing developments
- Other uses which are, in the opinion of the Development Authority, similar to the above-listed permitted and discretionary uses
- Buildings and uses ancillary to discretionary uses

(4) Requirements

(a) All seniors housing developments shall be developed in accordance with the requirements of Section 8.34 of Part 8 of this Bylaw.

(b) All other development shall be developed in accordance with requirements as determined by the Development Authority.

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9.26 DC – DIRECT CONTROL DISTRICT

(1) General Purpose

To provide substantial control over land use and development within parts of the MD to the Council, where the Council wishes to exercise such control in order to implement its policies respecting community development.

(2) Discretionary Uses

(a) Apartments
(b) Cannabis retail sales
(c) Commercial uses
(d) Heavy vehicle parking lot
(e) Institutional uses
(f) Public or quasi-public buildings
(g) Public or quasi-public uses
(h) Public utilities
(i) Public utility buildings
(j) Recreational uses
(k) Row housing
(l) Other uses which are, in the opinion of the Council acting as Development Authority, similar to the above-listed permitted and discretionary uses
(m) Buildings and uses ancillary to permitted uses

(3) Requirements

All development requirements, including minimum yards, maximum density, height, and coverage, landscaping, parking, loading, and building requirements, shall be at the discretion of the Council, acting as Development Authority.

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PART 10 – SPECIAL AIRPORT HEIGHT REGULATIONS

10.1 DEFINITIONS

(1) In this Part of the Bylaw,

(a) "airport" means the Red Earth Airport with the protection area

(b) "airport runway" means the area of land within the airport that is used or intended to be used for the take-off and landing of aircraft;

(c) "airport zoning reference point elevation" means the airport zoning reference point elevation of the runway as described in Subschedule 2;

(d) "basic strip" means a basic strip as described in Subschedule 2;

(e) "outer surface" means the outer surface as described in Subschedule 2;

(f) "protection area" means the Red Earth Airport Vicinity Protection Area as shown in Subschedule 1;

(g) "take-off/approach surface" means the take-off and approach surface as described in Subschedule 2;

(h) "transitional surface" means a transitional surface as described in Subschedule 2.

10.2 GENERAL PROVISIONS

(1) This Part of the Bylaw only applies to a development wholly or partly within the boundary of the protection area as show on the map in Subschedule 1.

(2) This Part does not apply to:

(a) a development in respect of which a development permit application was submitted before the date on which this Bylaw comes into force, or

(b) a development exempted from requiring a development permit before the date on which this Bylaw comes into force.

(3) All developments within the protection area require a development permit.

(4) The Development Authority and the Subdivision and Development Appeal Board are not precluded by this Part from attaching any other conditions to a development permit, in accordance with this Land Use Bylaw.

(5) The Development Authority may issue a development permit for a development only if the development conforms with this Part and the Land Use Bylaw.

10.3 ESTABLISHMENT OF PROTECTION AREA

The area shown on Subschedule 1 is established as the Red Earth Airport Vicinity Protection Area.

10.4 HEIGHT LIMITATIONS

(1) The Development Authority may issue a development permit for a development in the protection area only if no point of the development will exceed the height of any of the following surfaces:

(a) the take-off/approach surface;

(b) the transitional surfaces.

(2) For the purposes of this Section,

(a) if the development is a railway, the highest point of the development shall be deemed to be 6.0 m (19.7 ft.) higher than the actual height of the rails, and

(b) if the development is a highway or road, the highest point shall be deemed to be 4.5 m (14.76 ft.) higher than the actual height of the part of the highway or road on which vehicles travel.

SUBSCHEDULE 1 - RED EARTH AIRPORT VICINITY PROTECTION AREA

The Red Earth Airport Vicinity Protection Area consists of the land described as follows:

(1) In Township 87, Range 8, West of the 5th Meridian:

Southwest quarter of Section 7

North half of Section 7

Southwest quarter of Section 8

Section 18

Southwest quarter of Section 19

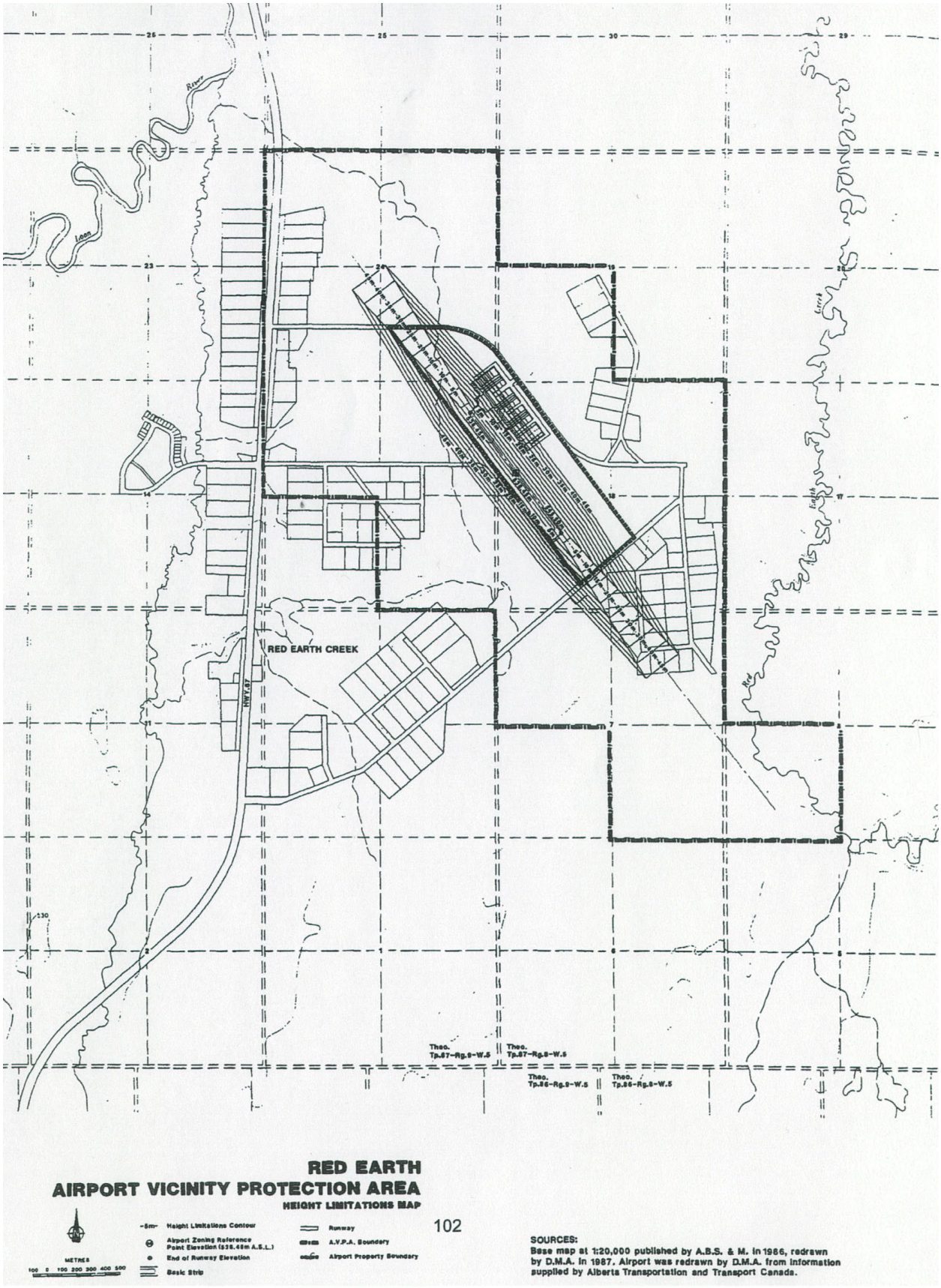
(2) In Township 87, Range 9, West of the 5th Meridian:

Southeast quarter of Section 13

North half of Section 13

Section 24

SUBSCHEDULE 1



102

SUBSCHEDULE 2 - HEIGHT LIMITATIONS

1. Basic Strip

The basic strip is a rectangular area measured 60 m (197.0 ft.) out from each end of the runway, 30 m (98.5 ft.) on either side of the centre line of the runway and with a total length of 1200 m (3937 ft.).

2. Take-off/Approach Surfaces

There are take-off/approach surfaces abutting and extending out from each end of the basic strip and in each case the surface is an imaginary surface consisting of an inclined plane:

(a) the commencement of which coincides with the end of the basic strip,

(b) that rises at a slope ratio of 1:25 measured from the end of the basic strip,

(c) that diverges outward on each side as it rises, at a rate of ten percent (10%) measured from the respective projected sides of the basic strip, and

(d) that ends at its intersection with the outer surface.

3. Transitional Surfaces

There is a transitional surface associated with each lateral limit of the basic strip, and in each case the transitional surface is an imaginary surface consisting of an inclined plane that:

(a) commences at and abuts the lateral limit of the basic strip,

(b) rises at a slope of twenty percent (20%) measured from the lateral limit of the basic strip, and

(c) ends at its intersection with the outer surface or a take-off/approach surface.

4. Outer Surface

The outer surface of the protection area is an imaginary common plane established at a constant elevation of 45 m (147.5 ft.) above the airport reference point elevation and extending to the outer limits of the protection area.

5. Airport Reference Elevation

The airport reference point elevation is deemed to be 538.5 m (1766.7 ft.) above sea level.

6. General

The area location of the take-off/approach surfaces and transitional surfaces are represented on the map shown in Subschedule 1, but if any discrepancy exists between the description of the take-off/approach surfaces in this Subschedule and their location on the map in Subschedule 1, the description in this Subschedule prevails.

PART 11 LAND USE DISTRICT MAPS

11.1 MAP 1: LAND USE DISTRICT MAP

11.2 INSET MAPS

11.2.1 A-1: Hamlet of Calling Lake

11.2.2 A-2: Chipewyan Lake

11.2.3 A-3: Peerless Lake

11.2.4 A-4: Hamlet of Red Earth Creek

11.2.5 A-5: Hamlet of Sandy Lake

11.2.6 A-6: Trout Lake

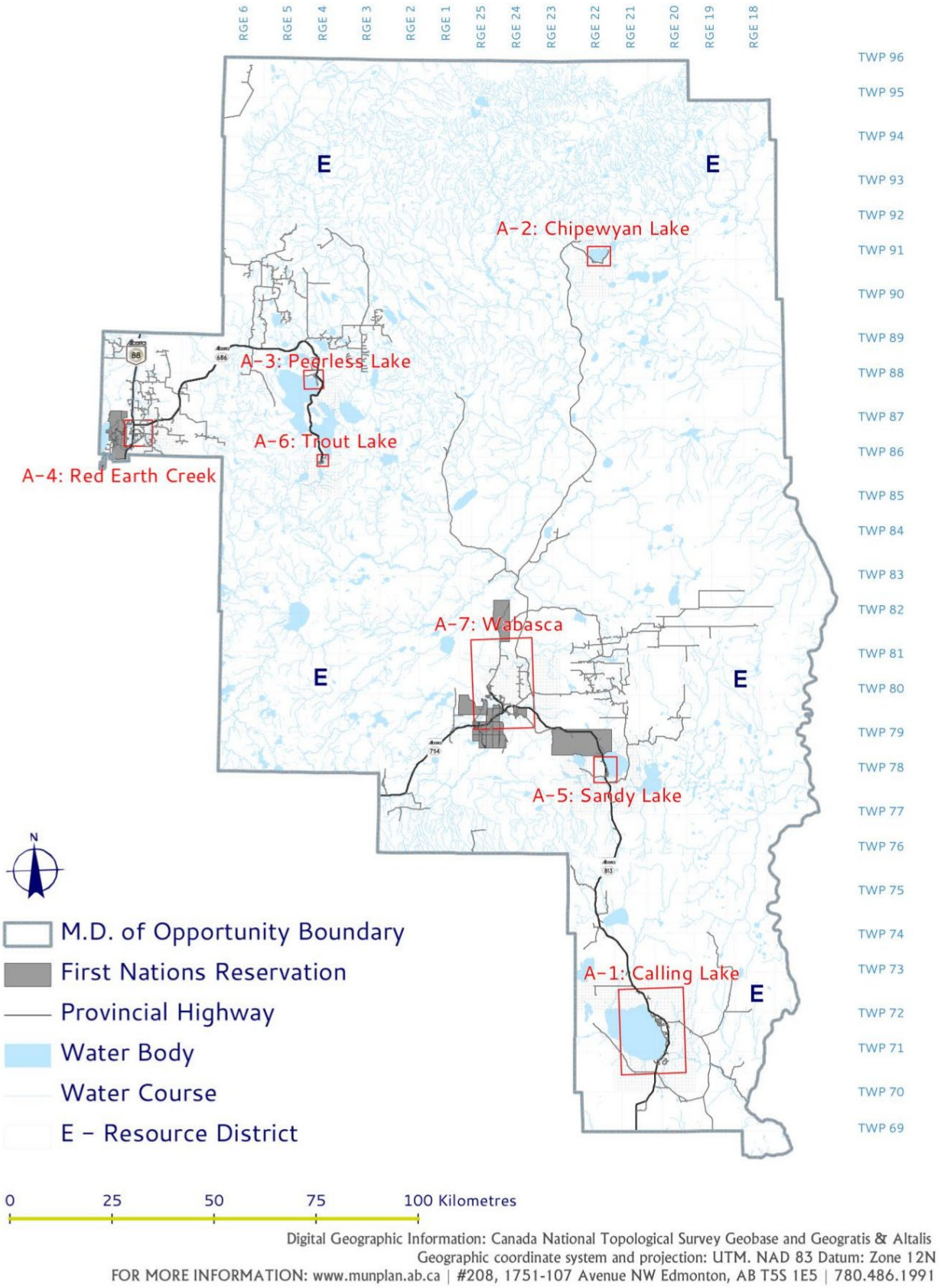
11.2.7 A-7: Hamlet of Wabasca

11.2.8 A-8: Wabasca Downtown Development Concept

11.2.9 A-9: Hamlet Wabasca (North)

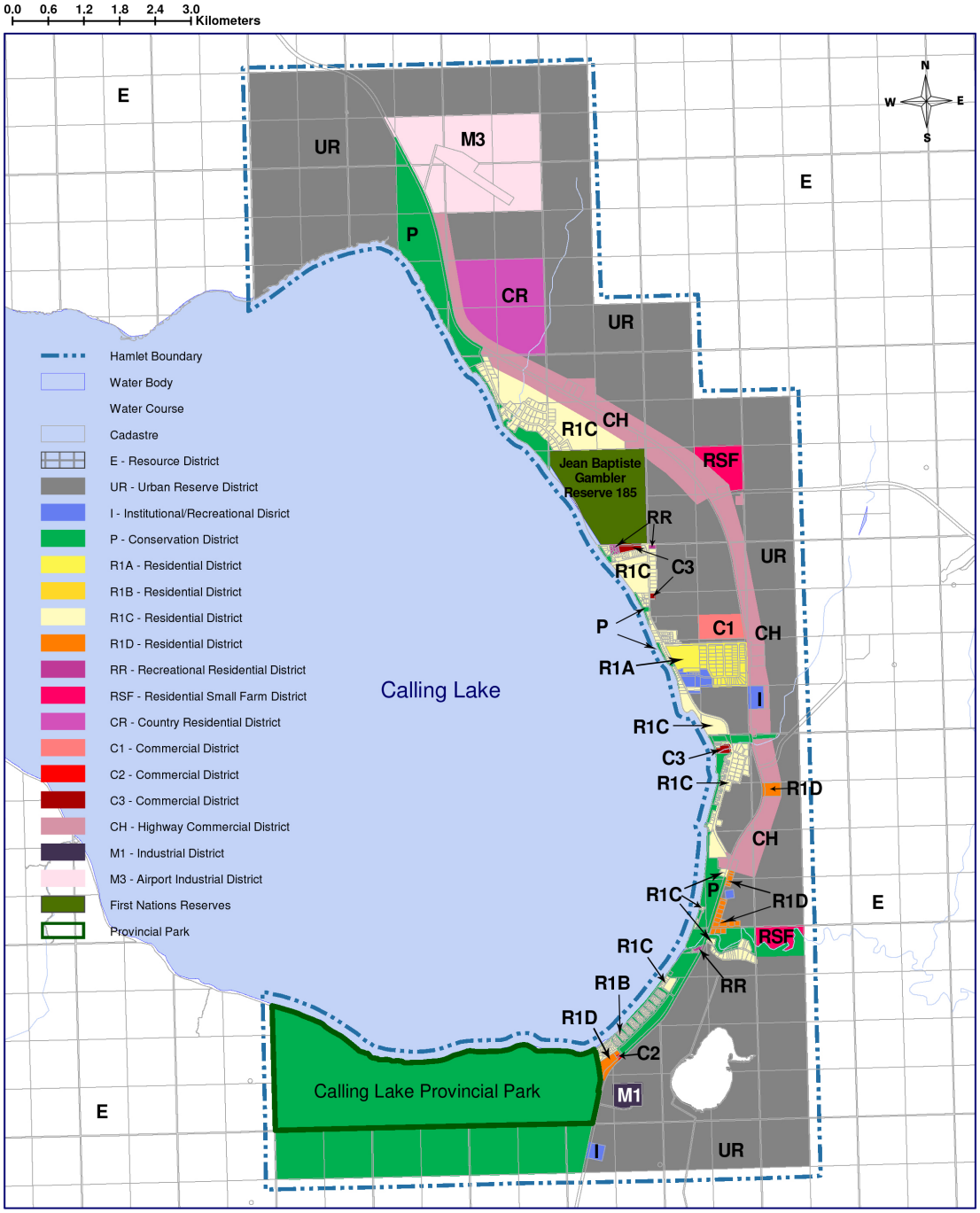
11.2.10 A-10: Hamlet of Wabasca (South)

11.1 MAP 1: LAND USE DISTRICT MAP



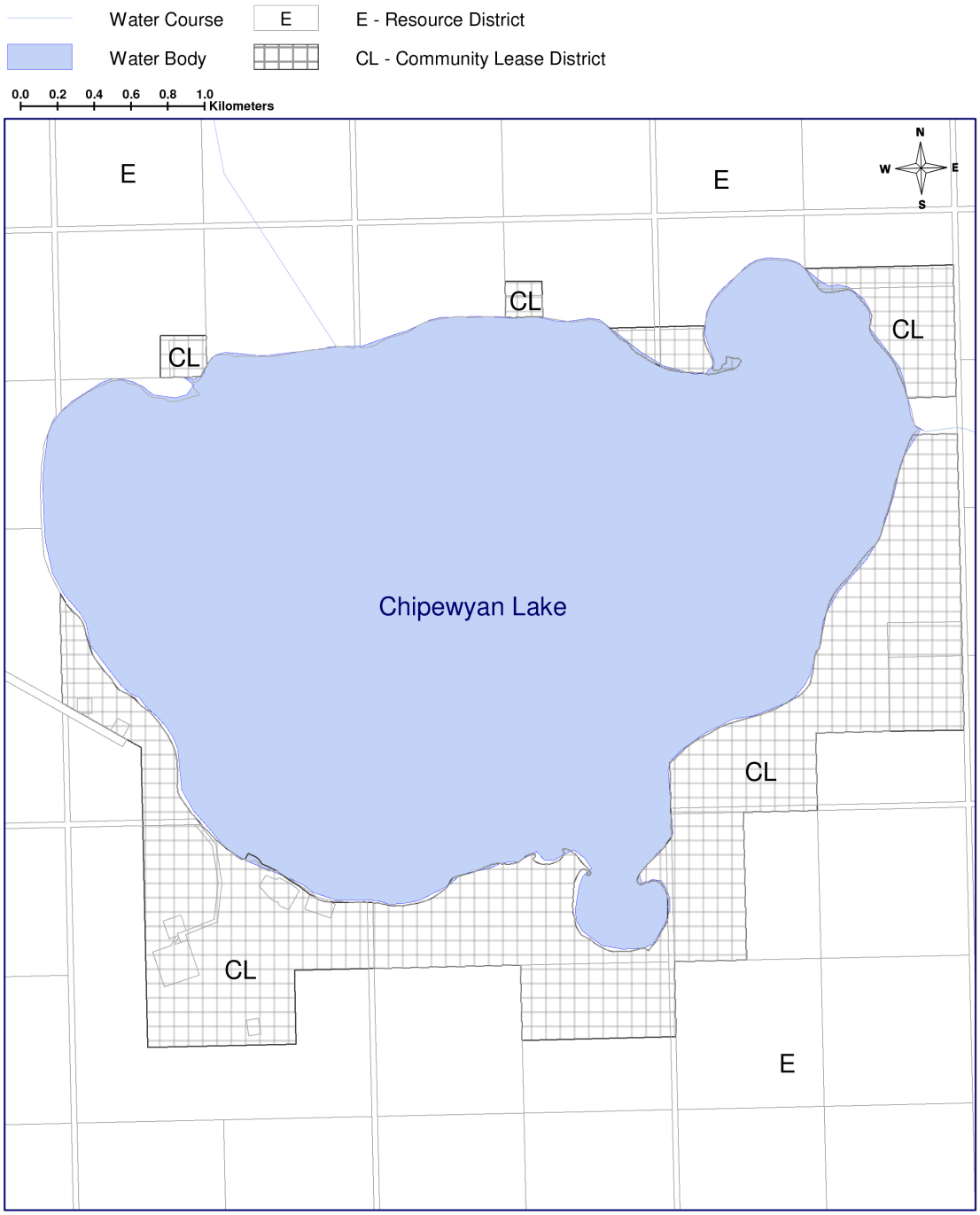
Digital Geographic Information: Canada National Topological Survey Geobase and Geogratis & Altalis
Geographic coordinate system and projection: UTM. NAD 83 Datum: Zone 12N
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11.2.1 A-1: Hamlet of Calling Lake



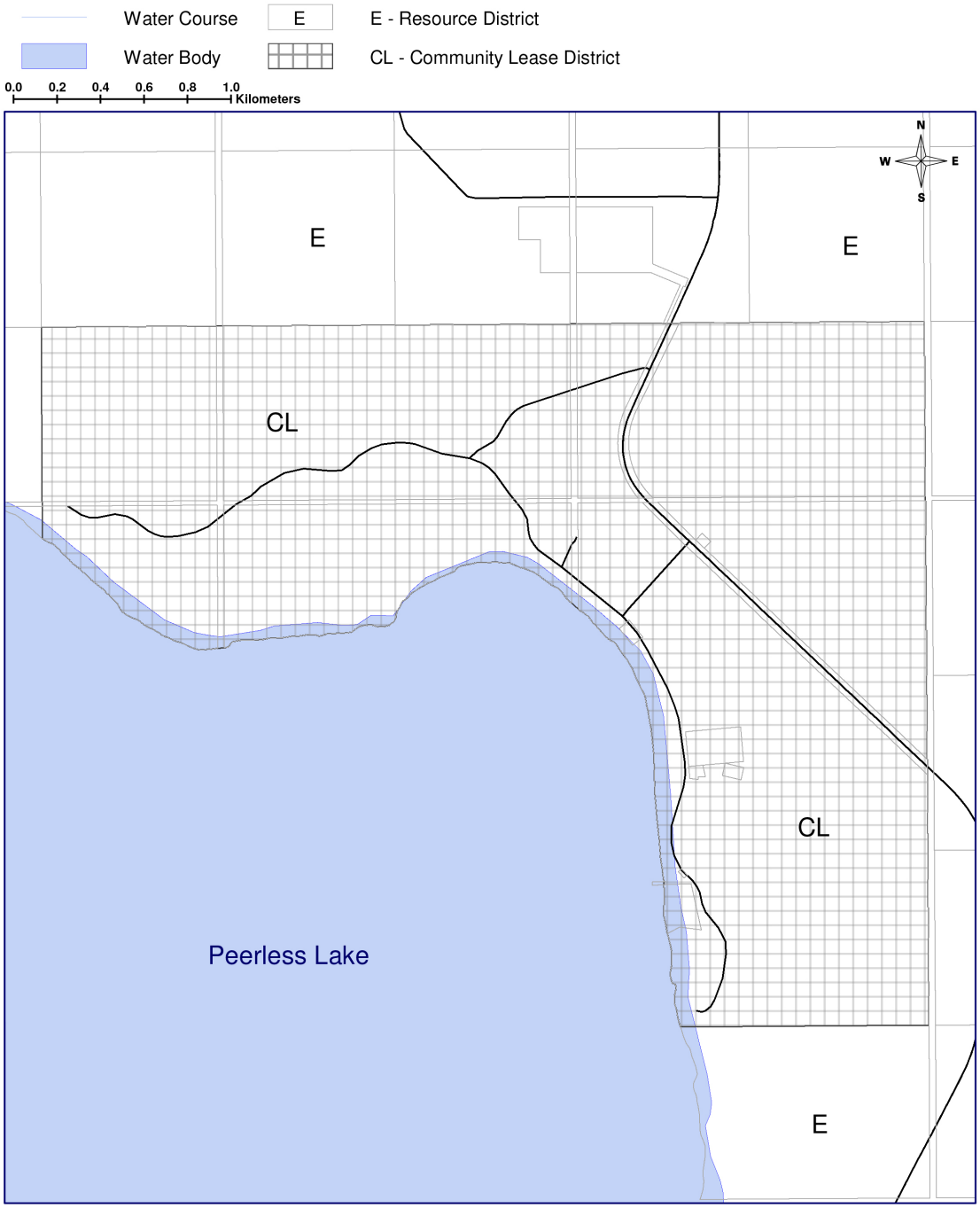
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11.2.2 A-2: Chipewyan Lake



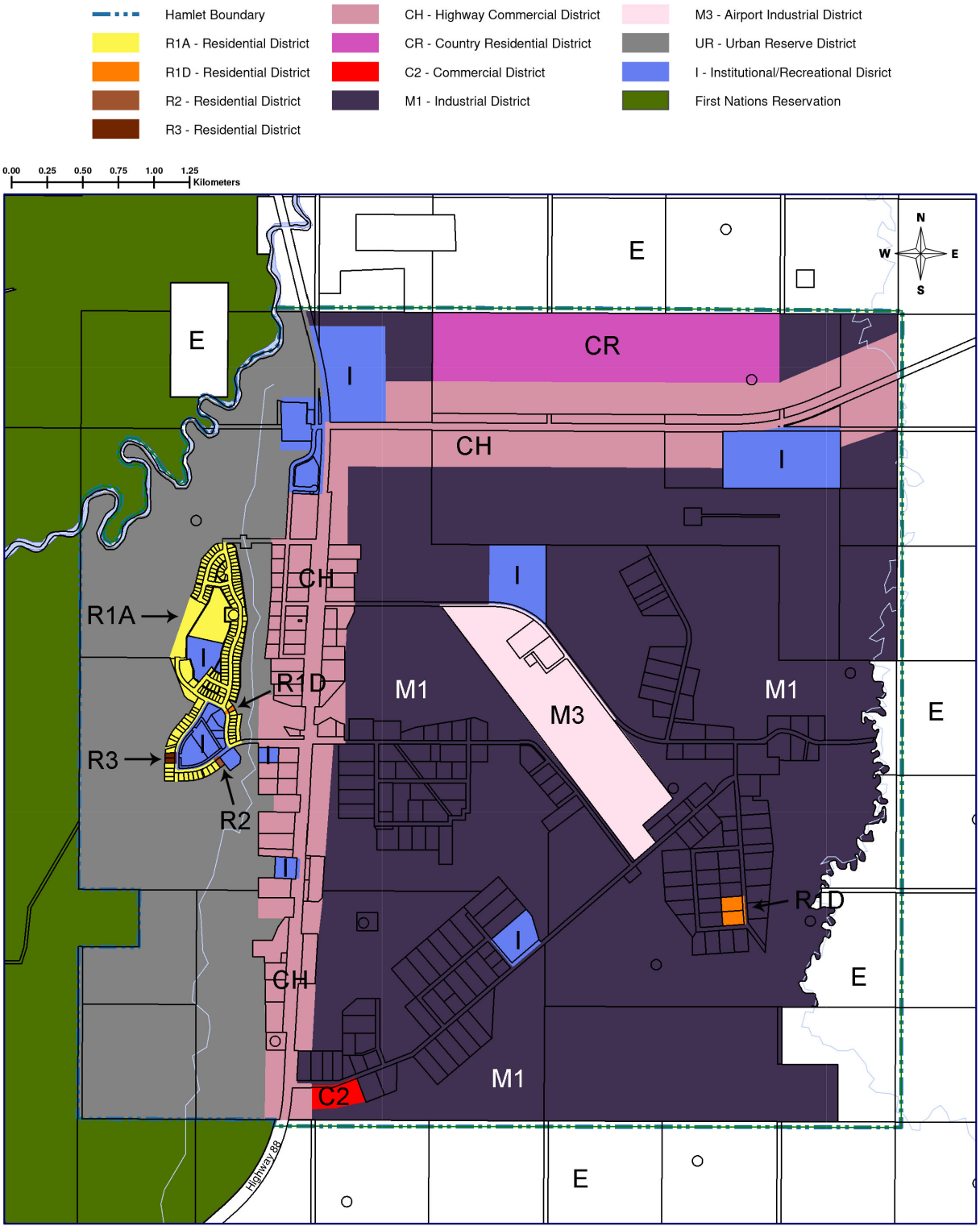
Digital Geographic Information: Canada National Topological Survey Geobase and Geogratis & Atalis
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11.2.3 A-3: Peerless Lake



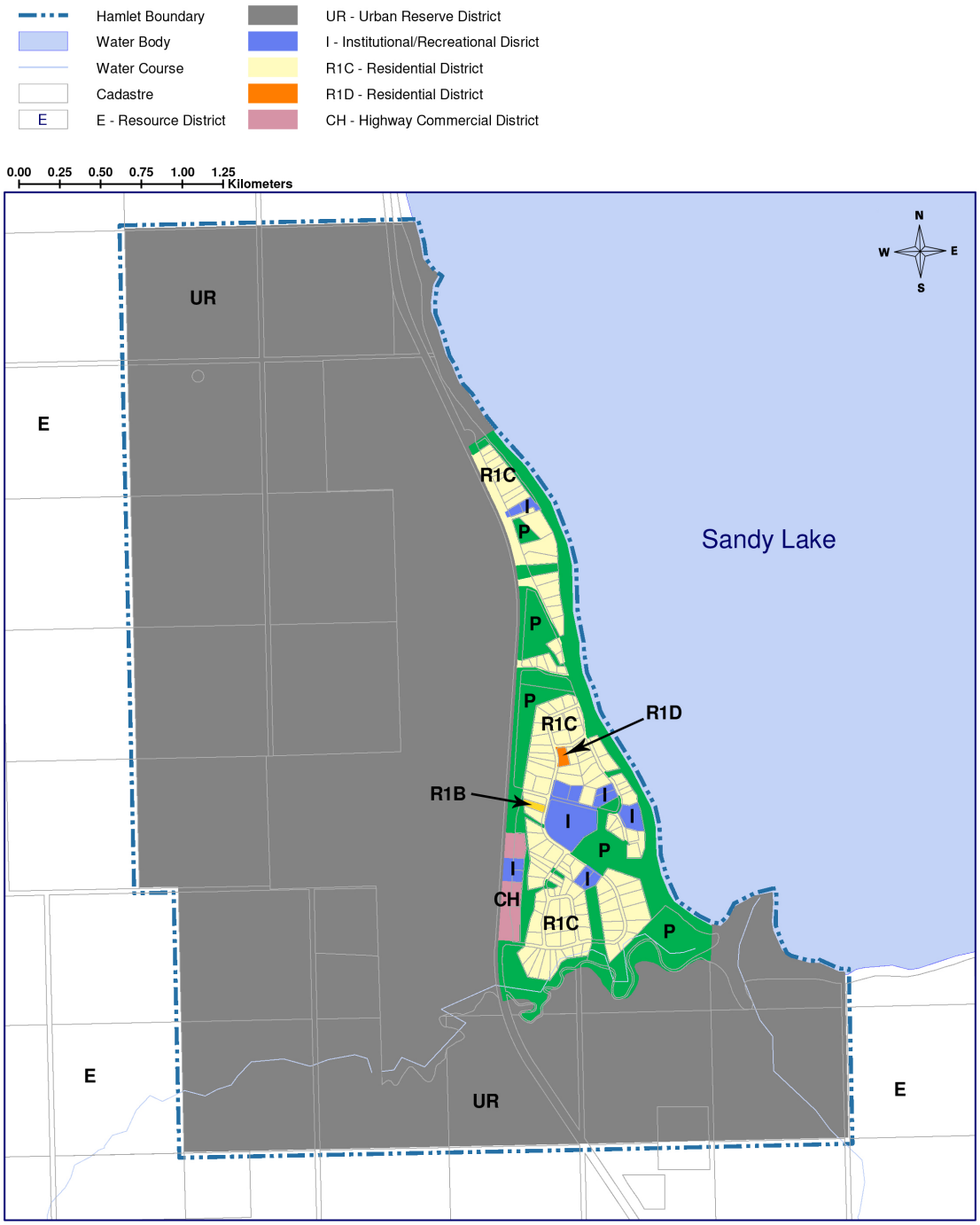
Digital Geographic Information: Canada National Topological Survey Geobase and Geogratis & Atalis
Geographic coordinate system and projection: UTM. NAD 83 Datum: Zone 12N
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11.2.4 A-4: Hamlet of Red Earth Creek



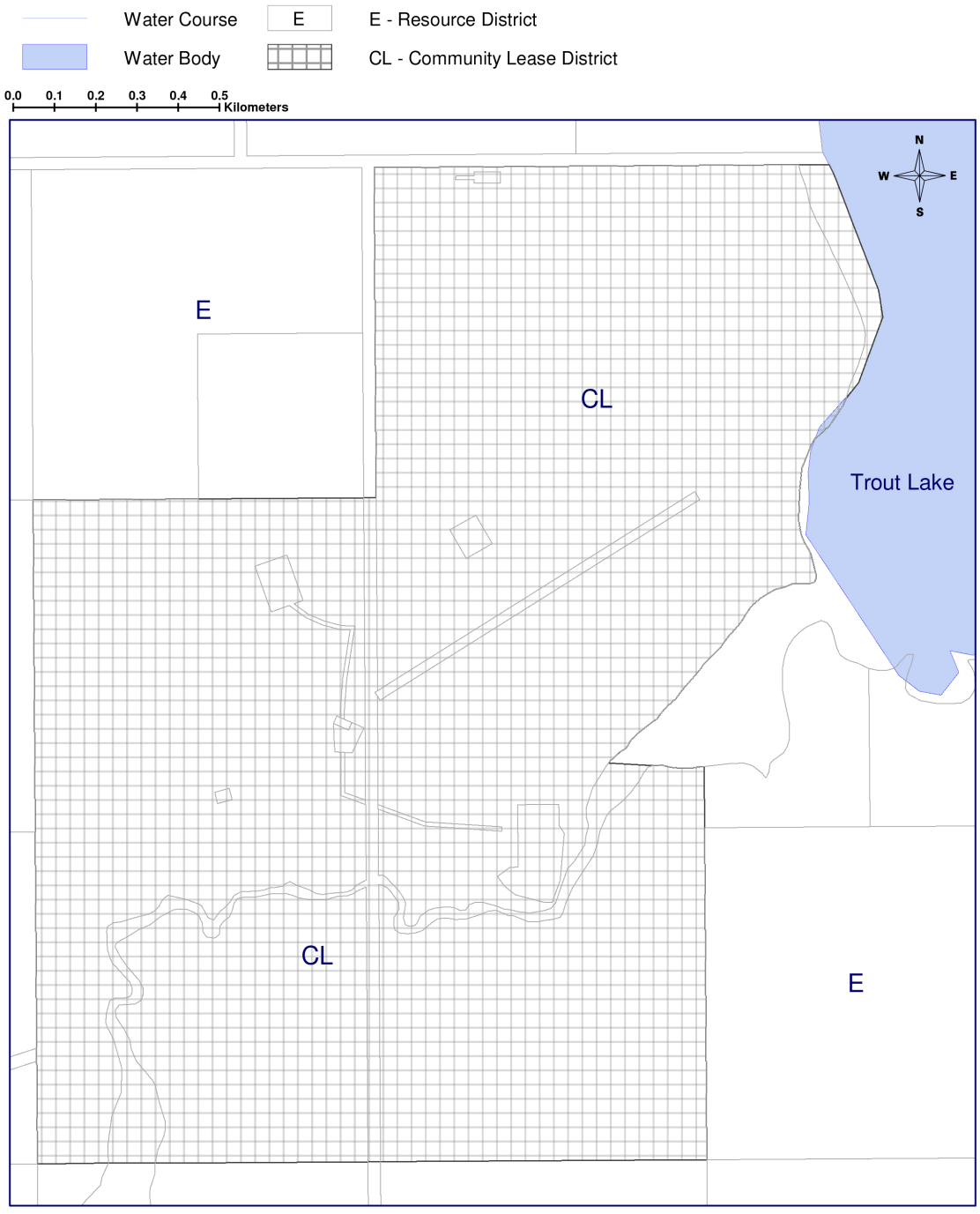
Digital Geographic Information: Canada National Topological Survey Geobase and Geogratis & Atalis
Geographic coordinate system and projection: UTM. NAD 83 Datum: Zone 12N
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11.2.5 A-5: Hamlet of Sandy Lake



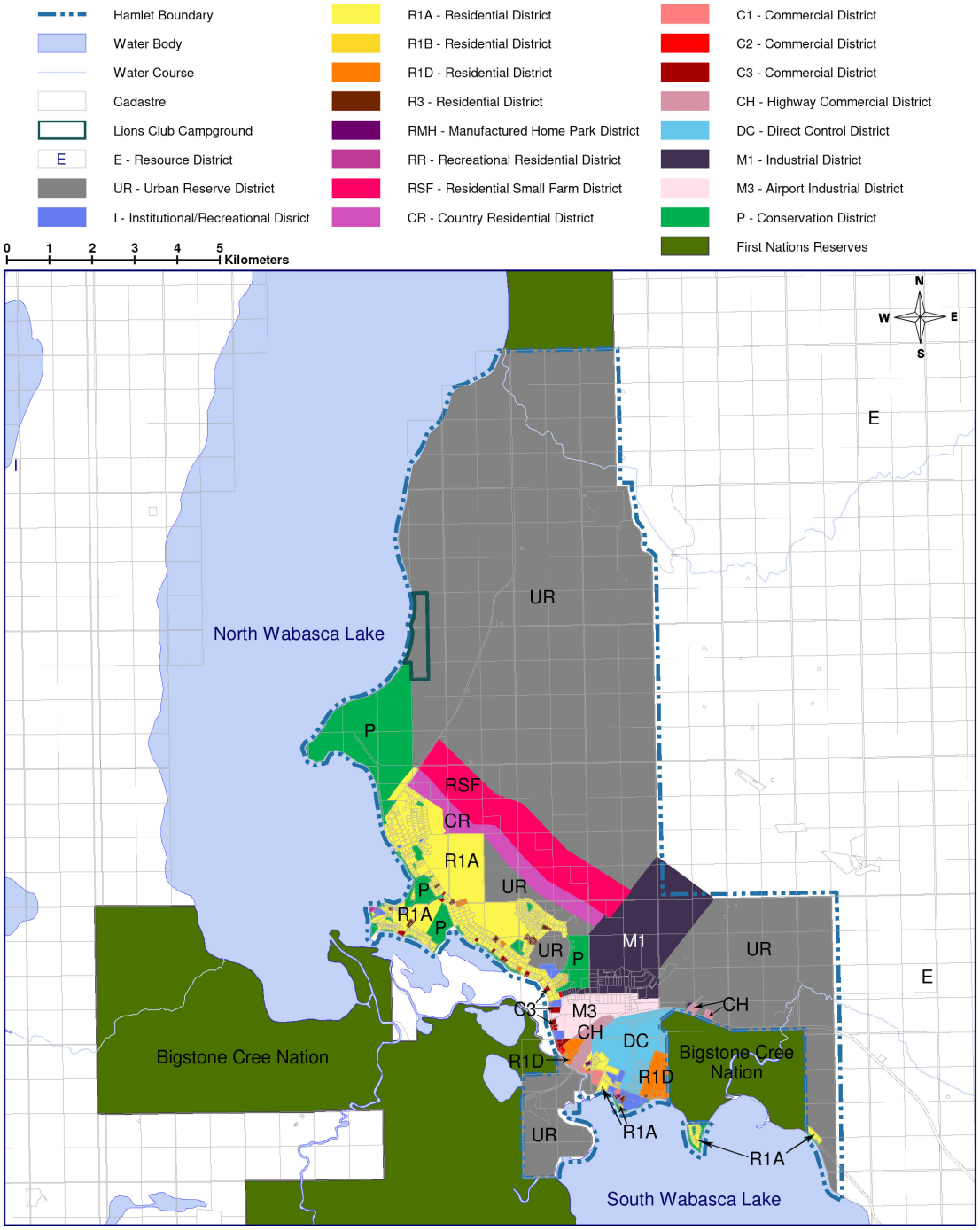
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11.2.6 A-6: Trout Lake



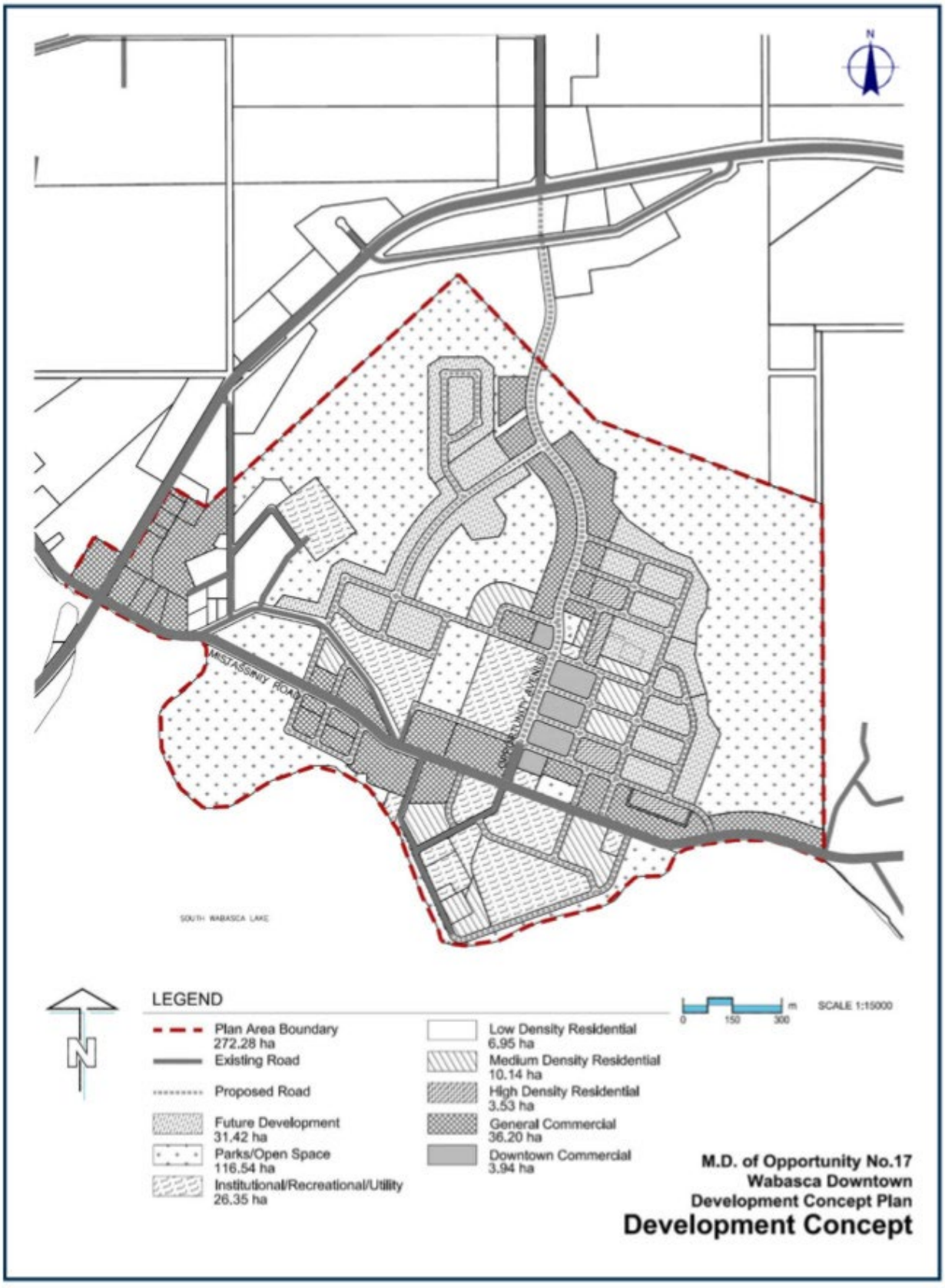
Digital Geographic Information: Canada National Topological Survey Geobase and Geogratis & Atalis
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11.2.7 A-7: Hamlet of Wabasca

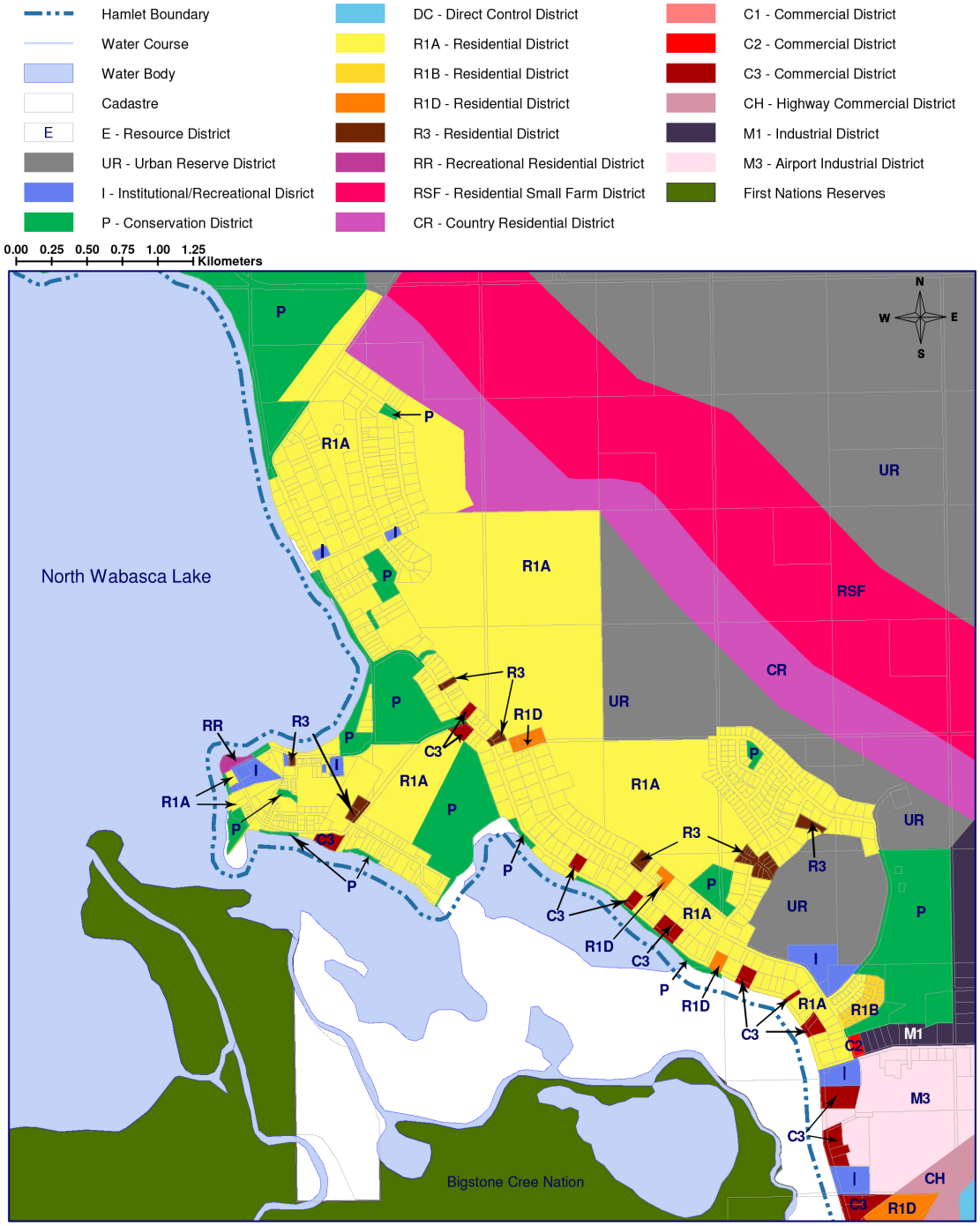


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11.2.8 A-8: Wabasca Downtown Development Concept

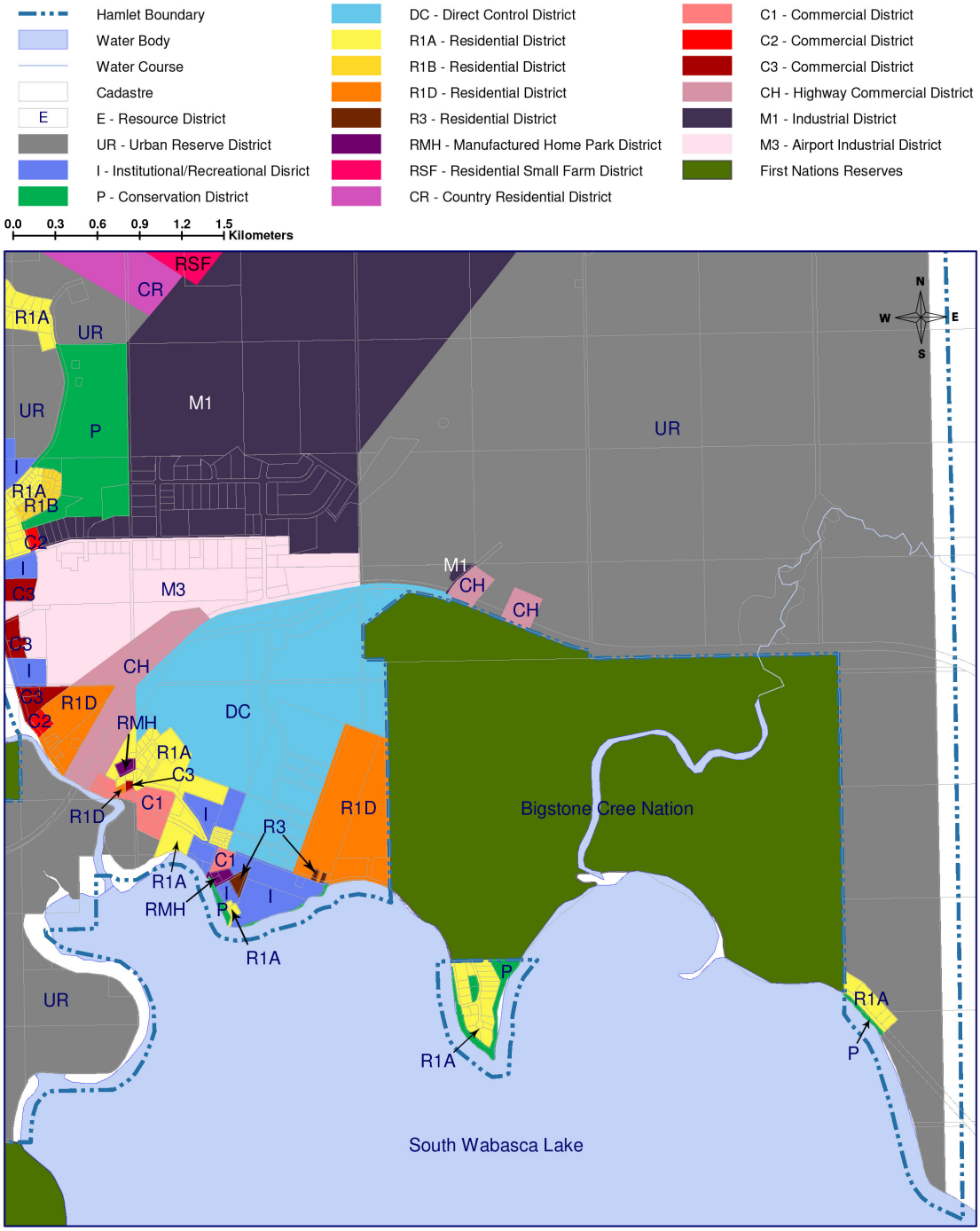


11.2.9 A-9: Hamlet of Wabasca North



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11.2.10 A-10: Hamlet of Wabasca South



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