



AGENDA

Town Council

August 26, 2024 - 5:00 PM

Town Administration Building - Council Chambers

AGENDA FOR REGULAR MEETING OF THE TOWN COUNCIL TO BE HELD ON MONDAY, AUGUST 26, 2024 AT 5:00 PM IN THE COUNCIL CHAMBERS OF THE TOWN ADMINISTRATION BUILDING, 4938 – 50 AVENUE, RIMBEY, ALBERTA.

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(Bylaw 939/18 - Council Procedural Bylaw Part XXI 1. The open forum shall be for a maximum total of twenty (20) minutes in length to allow members of the public present at the meeting to address Council regarding issues arising from the meeting in progress. No formal decision shall be made on any matter discussed with Council during the open forum session.

11. CLOSED SESSION

12. ADJOURNMENT

Town Council
REQUEST FOR DECISION



Meeting: August 26, 2024
Submitted By: Craig Douglas, Chief Administrative Officer
Subject: Minutes
Item For: Public Information -or- Closed Session

BACKGROUND:

Minutes of Regular Council Meeting of July 22, 2024, as presented.

RECOMMENDATION:

To accept Minutes of the Regular Council Meeting of July 22, 2024, as presented.

ATTACHMENTS:

[2024 07 22 Regular Council Meeting Minutes](#)

PREPARED BY: Craig Douglas, Chief Administrative Officer

August 22, 2024
Date

ENDORSED BY:

A handwritten signature in blue ink that reads "Craig Douglas".

Craig Douglas, Chief Administrative Officer

August 22, 2024
Date



MINUTES

Town Council Meeting

Monday, July 22, 2024 - 5:00 PM

Town Administration Building - Council Chambers

1. CALL TO ORDER REGULAR COUNCIL MEETING & RECORD OF ATTENDANCE

Mayor Pankiw called the meeting to order at 5:00 p.m. with the following in attendance:

- Mayor Rick Pankiw
- Councillor Wayne Clark
- Councillor Lana Curle
- Councillor Gayle Rondeel
- Bonnie Rybak - Executive Assistant
- Liz Armitage - Development Officer
- Craig Douglas - Chief Administrative Officer
- Duncan Campbell - Director of Public Works

Public: (16) members of the public

1.1. LAND ACKNOWLEDGEMENT

2. AGENDA APPROVAL AND ADDITIONS

Motion 134/2024

Moved by Councillor Curle to accept the Agenda for the July 22, 2024, Regular Council Meeting, as presented.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED

3. MINUTES

3.1. Minutes

Motion 135/2024

Moved by Councillor Clark to accept the Minutes of Regular Council Meeting on June 24, 2024, and the Minutes of the Special Council Meeting on July 8, 2024, as presented.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED

4.

PUBLIC HEARINGS

4.1. Land Use Bylaw

Mayor Pankiw Opening of Public Hearing for Bylaw 1008/24 – Land Use Bylaw at 5:03 P.M.

Mayor Pankiw advised the purpose of Bylaw 1008/24 is a bylaw to regulate and control the use and development of land and buildings within the Town to achieve the orderly and economic development of land, and for that purpose, amongst other things:

Mayor Pankiw requested confirmation of notice from Development Officer.

Notice was placed in the July 9, 2024, and July 16, 2024, editions of the Rimbeby Review.

Notice was given to adjacent property owners by regular mail and notice was provided to affected agencies.

Notice of this public hearing was posted on the Town of Rimbeby website under important notices with a copy of the complete package available for public review and posted on both the front and back doors of the Town of Rimbeby Administration Office and at the front counter.

As a result of Council motion 121/2024, notice of the addition of housing, manufactured to the CR and RE districts was mailed via Canada Post to all landowners in both districts on July 5, 2024.

Mayor Pankiw requested a report from Development Officer regarding Bylaw 1008/24 Amendment to Land Use Bylaw 917/16.

At the Regular Council Meeting held on May 24, 2024, Development Officer, Liz Armitage presented 1008/24 Bylaw draft to Council, at which time Council gave it first reading. The proposed bylaw is an update to the existing Land Use Bylaw 917/16. Staff is presenting the bylaw in a repeal and replace manner for simplicity of adoption. The amendments are summarized as follows:

- Subdivision and Development Appeal Board has been updated to reference Appeal Body due to updated provincial legislation with the creation of the Land and Rights Tribunal.
- Vehicular definitions and objectionable items in yard regulations amendments at the suggestion of the Bylaw Committee.
- Amendments to housing, manufactured, housing, modular and housing, mobile.
- Clarification of regulations for accessory buildings.
- Clarification of when development permits are required for solar collectors.
- Complete Certificate has been changed to Complete Letter.
- Clarification of variance authority.
- Clarification of notice of decision.
- Clarification of appeal procedures.
- Clarification of lighting regulations in the parking section.
- Clarification of Home Occupations and renaming them to Home Based Businesses.
- Correction of minor typos and grammatical errors and updating of numbering throughout the document.

At the Regular Council Meeting held on June 24, 2024, Council made the following motion:

Motion 121/2024 - Moved by Mayor Pankiw to approve the addition of "manufactured homes" to the list of discretionary uses for Residential Estates and Country Residential, in the 1008/24 Land Use Bylaw and to send letters to the adjacent landowners.

Please note that the bylaw presented before Council today does not have this addition included as the motion was not considered during the approval process which is not the standard order for amending a bylaw within the approval system, per the MGA. Should Council wish to proceed with this amendment, I recommend a motion be passed while considering second reading.

In addition to the formal circulation responses received, the Town of Rimbey received two additional requests for land use bylaw amendments that were coincidentally submitted during the same time period.

1. On behalf of Rimbey Ridge Properties Ltd., Elaa Aki has requested the redesignation of Lots 4, 5 and 6, Block 19, Plan 1623868 from High Density Residential (R3) to Low Density Residential (R1). Note that Council approved the redesignation of this property from Low Density Residential (R1) to High Density Residential (R3) on May 27, 2024. Upon further evaluation the landowner has determined that they would prefer to build single family houses and thus require the R1 designation be re-established on these properties.

2. Amend section 12.7.(5)(a)(ii) to read "3.0 m from the rear lot line of the manufactured home park." from the 6.0m setback currently in the LUB. This request was submitted by John Le Vann, owner of the Lindy's Trailer Park. The rationale for the setback change is to accommodate modern manufactured homes within the park.

As both amendments are minor in nature, administration recommends that both amendments be approved as part of the approval of Land Use Bylaw 1008/24.

Mayor Pankiw asked if there were any written submissions.

Development Officer Liz Armitage advised that written submissions were received from the following:

- Three (3) phone calls, in which all 3 individuals expressed opposition to the addition of manufactured homes.
- Sixteen (16) letters of opposition to the amendment to add "manufactured homes" to the list of discretionary uses for Residential Estates and Country Residential land use districts. All the letters are attached to this report.
- Multiple emails from 1 individual indicating that they intend to apply for a Development Permit for a manufactured home. These emails were not submitted specifically for this bylaw purpose and as such are not included in the report.

Two (2) additional written submission were received after the deadline to be included in the Council package. These will be read into the record:

Agency circulation is currently underway. At this time, we have received comments from Alberta Transportation (as attached). The comments have resulted in the following suggested amendments:

- All references of Alberta Transportation be updated to read "Alberta Transportation and Economic Corridors."
- Section 4.2(3) be amended to read:
Notwithstanding 4.2(1), the Development Authority may refer development in proximity to a Highway:
(a)Applications for development located within 0.3 km of the highway right of way, or within 0.8 km of the centre point of the intersection of the highway and another roadway, of a multi-lane highway or a major two-lane highway where the proposed development would have direct access from the highway or intensify traffic to impact highway intersection shall be referred to Alberta Transportation and Economic Corridors for comment prior to any decision by the Development Authority;

- Remove section 4.2(3)(b)
- Amend Section 11.7(7)(a) to add “in accordance with Section 11 (2) of the Highway Development Protection Regulation.” The clause will read “Billboard signs, electronic signs, dynamic signs and rotating signs which are visible from Highway 20, Highway 20A and Highway 53, but located outside of the Highway Right-Of-Way, shall be circulated to Alberta Transportation and Economic Corridors for comment in accordance with Section 11(2) of the Highway Development Protection Regulation.”

Additional feedback received from agencies should be brought to Council prior to third reading.

As a result of this input, Administration has prepared a motion for council to consider, which is contained in the Council report.

Mayor Pankiw asked if there were any persons present wishing to be heard.

Shandel Barr spoke in favor of the change to add manufactured homes to the list of discretionary uses for Residential Estates and Country Residential. She presented the guidelines and specifications of the proposed manufactured home of her clients.

Duane Adams spoke in opposition to the bylaw change to add manufactured homes to the list of discretionary uses for Residential Estates and Country Residential. He feels that allowing the change will decrease the value of the existing properties.

Cyril Johnson, a potential buyer, spoke in favor of the bylaw change and his proposed manufactured home.

John Bromwich spoke in opposition to the change to add manufactured homes to the list of discretionary uses for Residential Estates and Country Residential.

Bob Lawson spoke about the specifications and standards that were in place when they purchased their lot which is why they chose that lot. He is in opposition to the change to add manufactured homes to the list of discretionary uses for Residential Estates and Country Residential.

Kim Short spoke in opposition to the change to add manufactured homes to the list of discretionary uses for Residential Estates and Country Residential. She feels that allowing the change will decrease the value of the existing properties.

Mayor Pankiw asked a second time if there were any persons present wishing to be heard.

Sarah Cooper spoke about the possibility of changing the definition for manufactured homes to avoid confusion.

Mayor Pankiw asked at third time if there were any persons present wishing to be heard.

Cary Anderson spoke about the need to sell lots in the subdivision while maintaining property values. He stated manufactured homes can be as nice as stick built homes.

Mayor Pankiw adjourned the Public Hearing for Bylaw 1008/24 Amendment to Land Use Bylaw 917/16 until 5:00 P.M. on August 26, 2024, in order to accept outstanding circulation responses from agencies.

Motion 136/2024

Moved by Councillor Clark to adjourn the Public Hearing for Bylaw 1008/24 Amendment to Land Use Bylaw 917/16 until 5:00 P.M. on August 26, 2024, in order to accept outstanding circulation responses from agencies.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED

5. DELEGATIONS

6. BYLAWS

7. NEW AND UNFINISHED BUSINESS

8. REPORTS

8.1. DEPARTMENT REPORTS

8.1.1 Department Reports

Motion 137/2024

Moved by Councillor Curle to accept the department reports, as information.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED

8.2. BOARDS/COMMITTEE REPORTS

8.2.1 Boards/Committee Reports

Motion 138/2024

Moved by Councillor Clark to accept the boards/committee reports, as information.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED

9. CORRESPONDENCE

9.1. Correspondence

Motion 139/2024

Moved by Councillor Curle to accept the correspondence from RimbeY Interclub 4H Exchange Group, as information.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED

10. OPEN FORUM

11. CLOSED SESSION

12. ADJOURNMENT

12.1. Adjournment

Motion 140/2024

Moved by Councillor Rondeel to adjourn the meeting at 5:53 p.m.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED

Rick Pankiw, Mayor

Craig Douglas, Chief Administrative Officer

Town Council REQUEST FOR DECISION



Meeting: August 26, 2024
Submitted By: Liz Armitage, Development Officer
Subject: Land Use Bylaw
Item For: Public Information -or- Closed Session

BACKGROUND:

At the Regular Council Meeting held on May 24, 2024, Development Officer, Liz Armitage presented 1008/24 Bylaw draft to Council, at which time Council gave it first reading.

At the Regular Council Meeting held on June 24, 2024, Council made the following motion:

Motion 121/2024

Moved by Mayor Pankiw to approve the addition of "manufactured homes" to the list of discretionary uses for Residential Estates and Country Residential, in the 1008/24 Land Use Bylaw and to send letters to the adjacent landowners.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED

Note: Should Council choose to proceed with adding manufactured homes to the list of discretionary uses for Residential Estates and Country Residential land use districts, clause 12.9(10)(e) "No moved in or relocated buildings shall be permitted in the Residential Estates (RE) district." will also need to be removed from the Land Use Bylaw.

Council held a public hearing on July 22, 2024. At that meeting four (4) people spoke in opposition to the proposed changes referenced in motion 121/2024. Three (3) people spoke in favour. The public hearing was adjourned in accordance with the Town of Rimbey's procedural bylaw and scheduled for August 26, 2024 at 5pm to accommodate additional agency circulation comments to be brought to the August 26, 2024 Public Hearing. Additional agency comments are included in this report.

Public Notices:

Notice was placed in the July 9, 2024, and July 16, 2024, editions of the Rimbey Review.

Notice of this public hearing was posted on the Town of Rimbey website under important notices with a copy of the complete package available for public review and posted on both the front and back doors of the Town of Rimbey Administration Office and at the front counter.

As per **Motion 121/2024**, all properties contained within the Residential Estates Land Use District and the County Residential Land Use District received notice of the addition of “manufactured homes” to the Land Use Bylaw. Letters were mailed via Canada Post on July 5, 2024.

Summary of Community Responses:

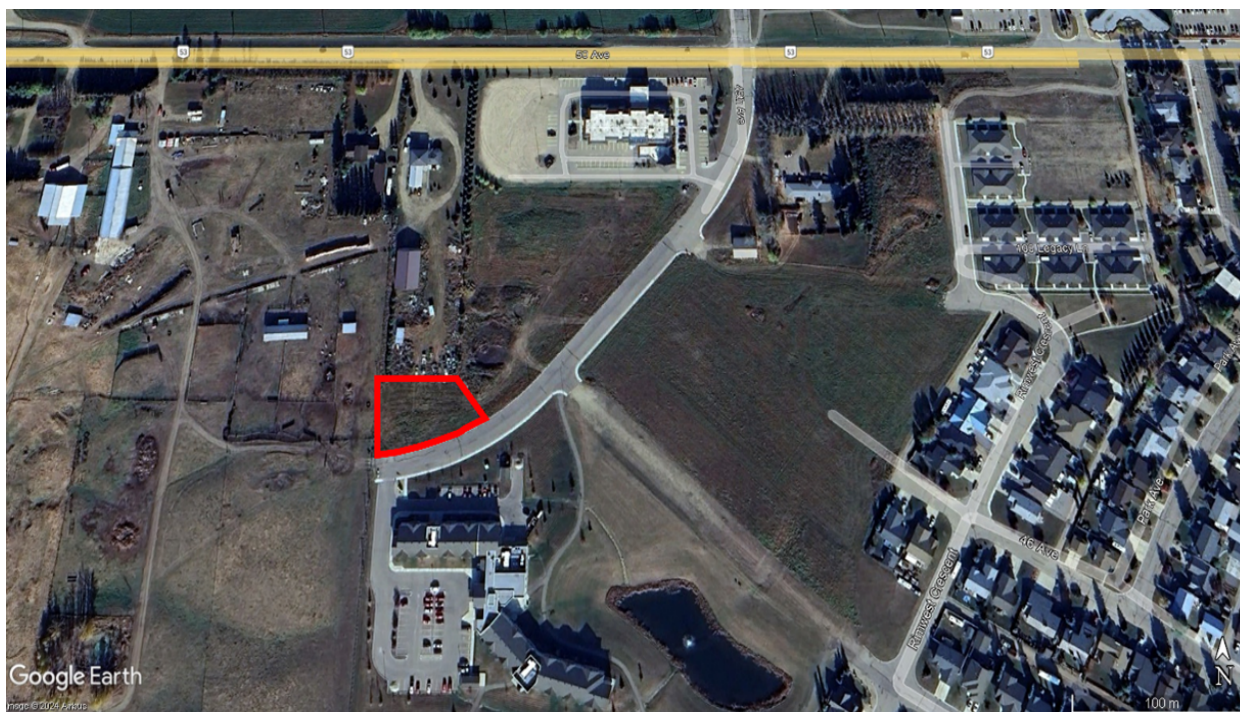
In response to the Public Hearing notices, the following is a summary of the responses received as of the written submission deadline of July 17, 2024, by 4:30pm.

- Three (3) phone calls, in which all 3 individuals expressed opposition to the addition of manufactured homes.
- Sixteen (16) letters of opposition to the amendment to add “manufactured homes” to the list of discretionary uses for Residential Estates and Country Residential land use districts. All the letters are attached to this report.
- Multiple emails from 1 individual indicating that they intend to apply for a Development Permit for a manufactured home. These emails were not submitted specifically for this bylaw purpose and as such are not included in the report.

Two (2) written submissions, which are included in the attachments, were received after the deadline and they were read aloud at the Public Hearing on July 22, 2024.

In addition to the formal circulation responses received, the Town of Rimbey received two additional requests for land use bylaw amendments that were coincidentally submitted during the same time period.

1. On behalf of Rimbey Ridge Properties Ltd., Elaa Aki has requested the redesignation of Lots 4, 5 and 6, Block 19, Plan 1623868 from High Density Residential (R3) to Low Density Residential (R1), as indicated in the map below. Note that Council approved the redesignation of this property from Low Density Residential (R1) to High Density Residential (R3) on May 27, 2024. Upon further evaluation the landowner has determined that they would prefer to build single family houses and thus require the R1 designation be re-established on these properties.



2. Amend section 12.7.(5)(a)(ii) to read “3.0 m from the rear lot line of the manufactured home park.” from the 6.0m setback currently in the LUB. This request was submitted by John Le Vann, owner of the Lindy’s Trailer Park. The rationale for the setback change is to accommodate modern manufactured homes within the park.

As both amendments are minor in nature, administration recommends that both amendments be approved as part of the approval of Land Use Bylaw 1008/24.

Agency Circulation Responses:

At the time of the July 22, 2024, Public Hearing, the Town had received comments from Alberta Transportation. The comments have resulted in the following suggested amendments:

- All references of Alberta Transportation be updated to read “Alberta Transportation and Economic Corridors.”
- Section 4.2(3) be amended to read:
Notwithstanding 4.2(1), the Development Authority may refer development in proximity to a Highway:
(a)Applications for development located within 0.3 km of the highway right of way, or within 0.8 km of the centre point of the intersection of the highway and another roadway, of a multi-lane highway or a major two-lane highway where the proposed development would have direct access from the highway or intensify traffic to impact highway intersection shall be referred to Alberta Transportation and Economic Corridors for comment prior to any decision by the Development Authority;
- Remove section 4.2(3)(b)
- Amend Section 11.7(7)(a) to add “in accordance with Section 11 (2) of the Highway Development Protection Regulation.” The clause will read “Billboard signs, electronic signs, dynamic signs and rotating signs which are visible from Highway 20, Highway 20A and Highway 53, but located outside of the Highway Right-Of-Way, shall be circulated to Alberta Transportation and Economic Corridors for comment in accordance with Section 11(2) of the Highway Development Protection Regulation.”

Additional feedback received from agencies for Council consideration at the August 26, 2024 Public Hearing is as follows:

- ATCO Natural Gas – no comments
- Alberta Health Services provided comments, with one comment being relevant at the current LUB amendment stage:
“...the landfills be moved to from a permitted use to a dictionary use under the PUBLIC SERVICE district”

RECOMMENDATION:

Administration recommends that Council close the Public Hearing.

Administration recommends that Council give second and third reading of Land Use Bylaw 1008/24 with the following amendments:

1. Redesignation of Lots 4, 5 and 6, Block 19, Plan 1623868 from High Density Residential (R3) to Low Density Residential (R1).
2. Amend section 12.7.(5)(a)(ii) to read “3.0 m from the rear lot line of the manufactured home park.”

3. All references of Alberta Transportation be updated to read “Alberta Transportation and Economic Corridors.”
4. Section 4.2(3) be amended to read: Notwithstanding 4.2(1), the Development Authority may refer development in proximity to a Highway:
(a) Applications for development located within 0.3 km of the highway right of way, or within 0.8 km of the centre point of the intersection of the highway and another roadway, of a multi-lane highway or a major two-lane highway where the proposed development would have direct access from the highway or intensify traffic to impact highway intersection shall be referred to Alberta Transportation and Economic Corridors for comment prior to any decision by the Development Authority;
5. Remove section 4.2(3)(b)
6. Section 11.7(7)(a) be updated to read “Billboard signs, electronic signs, dynamic signs and rotating signs which are visible from Highway 20, Highway 20A and Highway 53, but located outside of the Highway Right-Of-Way, shall be circulated to Alberta Transportation and Economic Corridors for comment in accordance with Section 11(2) of the Highway Development Protection Regulation.”
7. Section 12.4, Table 12.14.1 be amended to remove landfill from permitted uses list and add landfill to the discretionary uses list.

ATTACHMENTS:

- [20240521 - Proposed Amendments LUB - track changes](#)
- [2008 24 Land Use Bylaw and Schedule A](#)
- [RB129 20240522 LUB](#)
- [Resident Letters Regarding Public Hearing 1008 24 Redacted](#)
- [Additional Letters to LUB received after deadline](#)
- [Alberta Transportation Comments RE Changes to the Land Use Bylaw 1008-24 Redacted](#)
- [AHS Comments - Rimbey LUB 1008-24 August 15, 2024](#)
- [ATCO Comments to LUB](#)

PREPARED BY: Liz Armitage, Development Officer

August 22, 2024
Date

ENDORSED BY:



Craig Douglas, Chief Administrative Officer

August 22, 2024
Date



Town of Rimbey

Bylaw ~~917/161008/24~~

LAND USE BYLAW

Schedule A

Approved ~~July 25, 2016~~ XXX, 2024

Consolidation of Amendments to May 3, 2023

AMENDMENTS TO LAND USE BYLAW #~~917/16~~1008/24

All amendments to the Land Use Bylaw of the Town of Rimbey #~~1008/24~~ 917/16 must be passed as a bylaw. Any bylaw requires three (3) separate hearings by Town Council under Section 187 of the Alberta Municipal Government Act (MGA), and a public hearing must be held by Council prior to Second Reading of the proposed bylaw under Section 692 of the MGA.

Bylaw #	Date	Description
928/16	2017.01.09	Manufactured home park setbacks.
929/17	2017.03.13	Signage on roadways, boulevard, sidewalks and land owned by the Development Authority.
932/17	2017.05.08	Deletion of Country Residential Estate district. Creation of Residential Estate district and Country Residential district.
940/18	2018.04.10	Addition of "brewery, winery and distillery" and "brewpub".
941/18	2018.04.10	Addition of "commercial recreation and entertainment facility".
944/18	2018.07.25	Significant update
952/19	2019.03.12	Addition of accessory buildings regulation and sign regulation
960/20	2020.03.10	A portion of Lot 9 Block 10 Plan 072 1276 is redesignated from UH to C2, and a portion of Lot 10 Block 10 Plan 072 1276 is redesignated from PS to C2
962/20	2020.04.28	Addition of Direct Control District – 2020-01
965/20	2020.09.21	A portion of Lot 9 Block 10 Plan 072 1276 is redesignated from UH to PS
971/20	2021.09.21	Maximum variance granted by Development Authority
976/21	2021.05.11	Lot 20 Block 9 Plan 812 0791 is redesignated from C2 to R1
977/21	2021.05.11	Lot 1 Block 3 Plan 0328 ET is redesignated from C1 to R2
982/21	2021.06.22	Lot 6 Block 1 Plan 782 3240 is redesignated from C1 to R2
987/22	2022.05.25	Lot 16 Block 3 Plan 09523274 is redesignated redesignated from C2 to M

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PART 1 - ENACTMENT**1.1 TITLE**

The title of this Bylaw shall be the Land Use Bylaw of the Town of Rimbey.

1.2 PURPOSE

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

- (1) to divide the Town into districts;
- (2) to prescribe and regulate for each district the purposes for which land and buildings may be used;
- (3) to establish a method of making decisions on applications for development permits including the issuing of development permits;
- (4) to provide the manner in which notice of the issuance of a development permit is to be given; and
- (5) to establish the number of dwelling units permitted on a parcel of land.

1.3 APPLICATION

This Bylaw shall apply to the whole of the Town of Rimbey being all lands and buildings contained within its corporate limits.

1.4 EFFECTIVE DATE

- (1) This Bylaw comes into effect upon the date of its third reading.
- (2) Land Use Bylaw No.762-04, as amended, is hereby repealed.

1.5 CONFORMITY WITH THE BYLAW

- (1) No person shall commence any development within the Town except in conformity with this Bylaw.

- (2) Compliance with the requirements of this Bylaw does not exempt any person from the requirements of any adopted Statutory Plan.

1.6 OTHER LEGISLATIVE REQUIREMENTS

- (1) In addition to this Bylaw, an applicant is responsible for complying with any other applicable federal, provincial, or municipal legislation or law. The applicant is also responsible for complying with the conditions of any caveat, covenant, easement or other instrument affecting a building or land.
- (2) The Town is not responsible for nor does the Town have any obligation whatsoever to determine what other legislation may apply to a development, nor to monitor or enforce compliance with such legislation.
- (3) The Development Authority shall not approve an application for a development permit that is not in conformity with the Town's Statutory Plans.

1.7 SEVERABILITY

- (1) In the event any portion of this Bylaw is found invalid by a Court of Law or is overturned by a superior jurisdiction, the validity of the remaining portions of the Bylaw shall not be affected.

1.8 TRANSITION

- (1) An application for a Subdivision, Development Permit or amendment to this Bylaw commenced prior to the coming into force of this Bylaw shall be evaluated under the provisions of the Town's Land Use Bylaw No. ~~917/16762-04~~, as amended.

PART 2 – INTERPRETATION

2.1 RULES OF INTERPRETATION

- (1) Where a word is used in the singular, such a word may also mean plural.
- (2) Where a masculine or impersonal pronoun or adjective is used, such a word may also mean the feminine or impersonal pronoun or adjective.
- (3) Where a word is used in the present tense, such a word may also mean the future tense.
- (4) The word “person” includes a corporation as well as an individual.
- (5) The words “shall” and “must” require mandatory compliance except where a variance has been granted pursuant to the Act or this Bylaw.
- (6) Words, phrases, and terms not defined in this part may be given their definition in the Act ~~or~~ the Alberta Building Code [or other provincial legalisation](#). Other words shall be given their usual and customary meaning.
- (7) Where a regulation involves two or more conditions or provisions connected by the conjunction “and” means all the connected items shall apply in combination; “or” indicates that the connected items may apply singly; and “and/or” indicates the items may apply singly or in combination.
- (8) All units of measure contained within this Bylaw are metric (SI) standards, and are rounded to the nearest decimal place. For the purpose of convenience, the following conversion factors are provided:

Metric	Imperial
1 square metre (m ²)	10.8 square feet (ft ²)
1 hectare (ha)	2.47 acres (ac)
1 kilometre (km)	0.6 mile (mi)
1 metre (m)	3.3 feet (ft)
1 centimetre (cm)	0.4 inch (in)
1 millimetre (mm)	0.04 inches (in)
1 kilogram (kg)	2.2 pounds (lb)

2.2 DEFINITIONS

For the purposes of this Bylaw and any amendments made hereto, the definitions set out in the following shall be used. When no definition is provided hereunder, the Town's dictionary of choice shall be used.

- (1) "abattoir" means a building and/or site used as a slaughterhouse, where animals are killed and butchered for human or animal consumption;
 - (2) "abut" or "abutting" means immediately contiguous or physically touching, and, when used with respect to a lot or site, means that the lot or site physically touches upon another lot or site, and shares a property line or boundary line with it;
 - (3) "accessory building" means a building separate and subordinate to the principle building, the use of which is incidental to that principle building and is located on the same lot. A garage attached to a principle building is deemed to be part of the principle building;
 - (4) "accessory use" means any use in a building and/or on a parcel of land which is supplementary or subordinate to the principle use located in the same building and/or on the same parcel of land;
 - (5) "Act" means the Municipal Government Act, R.S.A. 2000, as amended;
 - (6) "adjacent" 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;
 - (7) "adult entertainment" means any building used as "retail" in which books and/or items for a mature audience are displayed and sold, or a building that shows mature films or live entertainment;
 - (8) "agricultural operation" means an agricultural operation as defined in the Agricultural Operation Practices Act;
 - (9) "agricultural sales and/or service" means a building or site used for "retail" but in which the goods for sale are vehicles, equipment, or machinery for use in the agricultural industry, and/or the servicing of vehicles, equipment, or machinery related to the agricultural industry;
 - (10) "Air supported and fabric-covered structure" means a building where the outer shell is supported by artificially produced and constantly maintained air pressure above local atmospheric level or the outer shell pliable membrane across rigid trusses. This may also be known as a tent structure, but it is not the same as a tent garage.
- 944/18
- (11) "amusement arcade" means a building and/or site which operates mechanical and/or electronic games, and rides, for entertainment purposes;
 - (12) "animal kennel" means a building and/or site used for the breeding, care, supervision, and/or housing of animals on either a short or long term basis;
 - (13) "animal shelter" means a building and/or site used for the temporary accommodation and/or impoundment of animals;

(14) "appeal body" means the board hearing a subdivision or development permit appeal in accordance with the Municipal Government Act.

~~(14)~~(15) _____ "art gallery" means a building used for the display and "retail" of works of art;

~~(15)~~(16) _____ "auction mart" means a building and/or site used for "retail" but in which goods are sold by an auctioneer and where goods are sold to the highest bidder;

~~(16)~~(17) _____ "automotive sales and/or rental" means a building or site used for "retail" but in which the goods for sale, and/or lease are automobiles, trucks, boats, trailers, recreational vehicles, or other similar personal vehicles;

~~(17)~~(18) _____ "automotive supply store" means a building or site used for "retail" but in which the goods for sale are related to the use and operation of automobiles, trucks, boats, trailers, recreational vehicles, or other similar personal vehicles;

~~(18)~~(19) _____ "automotive service and/or paint shop" means a building or site used for the repair, servicing, and/or painting of motor vehicle, boats, trailers, recreational vehicles, or other similar personal vehicles and may include the sale of automotive fuels, lubricating oils or other like automotive fluids;

~~(19)~~(20) _____ "bakery" means a building used for baking food as well as the "retail" of said food;

~~(20)~~(21) _____ "balcony" means a horizontal structure, with a railing, adjoining a building above the first storey floor level, and intended for use as a private outdoor amenity space with access only from within the building.

~~(21)~~(22) _____ "basement" means the portion of a development which is wholly or partially below grade, having above grade no more than 1.8 m of its clear height lying below the finished level of the floor directly above;

~~(22)~~(23) _____ "bed and breakfast" means a home based business in which an owner occupying a single-detached dwelling provides temporary accommodation with one meal provided to registered patrons in exchange for compensation;

~~(23)~~(24) _____ "brewery, winery and distillery" means a use where beer, wine, spirits and other alcoholic beverages are manufactures and that may have areas and facilities for the storage, packaging, bottling, canning and shipping of the products made;

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~~(24)~~(25) _____ "brewpub" means a restaurant or drinking establishment where beer, wine or alcoholic spirits are produced on-site for consumption within the development and for retail sale. The facility must be appropriately licensed by the Alberta Liquor and Faming Commission;

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~~(25)~~(26) _____ "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;

~~(26)~~(27) “bulk fuel and/or fertilizer sales and storage” means the storage of and “retail” of large quantities of fuel and/or fertilizer;

~~(28)~~ “c-can” means a metal freight/steel container or a shipping container 2.6m in height, that is used for the temporary storage of materials and equipment. All C-Cans must meet all general regulations for C-Cans. See portable storage container definition.

~~(27)~~ means a specific type of portable storage container which is a metal freight container that is used for the temporary storage of materials and equipment. See portable storage container definition;

~~(29)~~

~~(28)~~(30) “campground” means the use of a site managed for the short term stay of tents, campers, and/or recreational vehicles, but which is not used as year round storage or accommodation;

~~(29)~~(31) “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 it’s regulations, as amended from time to time and includes edible products that contain cannabis.

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~~(30)~~(32) “cannabis accessory” means cannabis accessory including but not limited to, rolling paper or wraps, holders, pipes, water pipes, bongs and vaporizers, or any other thing described in the Cannabis Act (Canada) that is used in the consumption or production of cannabis.”

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~~(31)~~(33) “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 use does not include cannabis production and distribution;

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~~(32)~~(34) “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, and growth of cannabis;
- (b) The processing of raw materials
- (c) The making, testing, manufacturing, assembling, 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 sale of materials, goods and products to cannabis retail sales stores or to individual customers

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~~(33)~~(35) “cannabis retail sales” means a retail store licensed by the Province of Alberta where:

- (a) where cannabis is sold for consumption off the premises,
- (b) where consumption of cannabis must not occur, and
- (c) that may include the ancillary retail sale or rental of merchandise;

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~~(34)~~(36) "car/truck wash" means the use of a building and/or site for the cleaning of motorized vehicles either manually or through an automated process;

~~(35)~~(37) "cemetery" means a site used for the burying of the remains of animals and/or humans;

~~(36)~~(38) "Certificate of Compliance" means the endorsement by the Development Officer on a survey document indicating that the building locations on a lot are in compliance with this Bylaw.

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~~(37)~~(39) "Child Care Facility" means a development intended to provide care, educational activities and supervision for groups of seven or more children under thirteen (13) years of age during the day or evening, but does not include overnight accommodation, and is intended to be operated for at least twelve (12) consecutive weeks each year. This includes daycares, pre-schools, out-of-school care, and other programs where the primary purpose is the care of children.

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~~(38)~~(40) "commercial recreation and entertainment facility" means a facility or establishment that provides recreation or entertainment for gain or profit but does not include a casino or adult entertainment establishment;

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~~(39)~~(41) "club" means a building and/or site used for the private meeting and social activities of members of a private organization and which may include space for eating, drinking, and congregating;

~~(40)~~(42) "community centre" means a building and/or site open to the general public and used for recreational, educational, social and/or cultural activities;

~~(41)~~(43) "confined feeding operation" means a confined feeding operation as defined in the Agricultural Operation Practices Act;

~~(42)~~(44) "contracting services" means a building or site used for the operation and storage of materials and/or vehicles related to the industries of construction, painting, plumbing, heating, electrical, landscaping, drilling and excavation, paving, maintenance and cleaning;

~~(43)~~(45) "convenience store" means "retail" but where the gross floor area does not exceed 186.0 m² in gross floor area;

~~(44)~~(46) "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 within the boundaries of the lot;

~~(45)~~(47) "Council" mean the Council of the Town of Rimbey;

~~(46)~~(48) "coverage" means the sum of the floor areas at grade of all buildings, both principle and accessory, on a lot divided by the area of the lot;

~~(47)~~(49) "date of issue" means the date on which the notice of a decision of the Development Authority is published or mailed;

~~(48)~~(50) "deck" means a means an uncovered horizontal structure with a surface height greater than 0.6m (2 ft) above grade at any point, and intended for use as a private outdoor space;

~~(49)~~(51) "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) the removal of topsoil from land,
 - (vi) 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,
 - (vii) the use of land for storage purposes or for the repair of equipment, vehicles or other kinds of machinery, or
 - (viii) the removal or demolition of a building;

~~(50)~~(52) "development authority" means the development authority of the Town as established by this Bylaw;

~~(51)~~(53) "development permit" means a document authorizing a development issued pursuant to this Land Use Bylaw;

~~(52)~~(54) "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 at the discretion of the development authority upon an application having been made;

~~(53)~~(55) "driveway" means a vehicle access route on the parcel which provides access to the driving surface;

~~(54)~~(56) "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 a household, and which is not separated from direct access to the outside by another separate dwelling unit;

~~(55)~~(57) "Essential Public Service" means a fire station, police station or similar service.

944/18

~~(56)~~(58) "family care facility" means a development which provides resident care service in a dwelling unit to six (6) or fewer individuals. These individuals may be handicapped, aged, disabled, or in need of adult supervision and are provided service and supervision in accordance with their individual needs. Family care facilities include boarding homes for children and group homes;

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~~(57)~~(59) "family day home" means a dwelling unit used for the temporary supervision or care for a maximum of six (6) children 0-12 years old, including the residents' own children. In a family day home a maximum of three (3) children may be under 36 months with a maximum of two (2) children may be under 24 months. These regulations are the same for Before/After School Care or Private Babysitting service.

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~~(58)~~(60) "farming" means the raising or production of crops, or animals, and includes a single residence for the farmer, but does not include a "Confined Feeding Operation" as defined by the Agricultural Operation Practices Act (Chapter A-7, R.S.A. 2000) and all regulations and amendments passed thereto;

~~(59)~~(61) "financial services" means a building used as a bank, credit union, or any other similar monetary enterprise;

~~(60)~~(62) "floor area" means the total area of all floors of all buildings including accessory buildings located on any lot, excluding the area of basement floors, EXCEPT THAT basement suites in apartment buildings shall be included in the calculation of floor area;

~~(61)~~(63) "floor/area ratio" means the ratio or decimal resulting from dividing the floor area of all buildings by the total site area of the parcel of land on which the buildings are located;

~~(62)~~(64) "fragmented parcel" means a parcel of land that is separated from the balance 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;

~~(63)~~(65) "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;

~~(64)~~(66) "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;

~~(65)~~(67) "funeral Home" means a building and/or site used for the organization of funerals, the preparation of the deceased for burial or cremation, and/or the holding of funeral services;

~~(66)~~(68) "gambling and gaming hall" means a building used as a gaming establishment which offers games of chance including slot machines, table games, video lottery terminals, and/or a bingo hall;

~~(67)~~(69) "garage" means a building or portion thereof which is designated and used for the storage, marking or the maintenance of personal vehicles.

~~(68)~~(70) "gas bar" means a site or portion thereof used for the sale of gasoline, propane and other fuels, the sale of lubricating oils and other automotive fluids or motor vehicle accessories but does not include automotive service establishments;

~~(69)~~(71) "golf course" means a site used for the purposes of playing golf and which may include a clubhouse as an accessory use;

~~(70)~~(72) "grade" means the average elevation at the finished level of the ground, excluding an artificial embankment, at any point immediately adjacent to the building. Grade may have been established in conjunction with a subdivision grade plan prepared by a civil engineer.

~~(71)~~(73) "greenhouse" means a building and/or site used to grow and "retail" flowers, trees, shrubs, vegetables, and/or other plants;

~~(72)~~(74) "grocery store" means a building used for "retail" but which sells primarily food items for consumption off-site, and which has a gross floor area greater than 450 m²;

~~(73)~~(75) "group home" means a building and/or site use in a residential setting for individuals who require supervision because of their age, disability, or need for rehabilitation, and where qualified staff are present at all times;

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~~(76)~~ "habitable floor space" means any room or enclosed space used or useable for human occupancy, including but not limited to kitchens, bedrooms, living rooms, family rooms and dens, bathrooms, laundries, pantries, foyers, hallways/entry ways, and areas containing infrastructure/servicing (furnace, circuit panel, water heater, etc.) but excludes any room or space not intended primarily for human occupancy including but limited to storage areas/cellars and undeveloped basements;

(77) “heavy vehicle” means a motor vehicle, alone or together with any trailer, semi-trailer or other vehicle being towed by the motor vehicle, with a registration gross weight of five (5) tonnes or more, or exceeding eleven (11) metres in total length, excluding recreational vehicles. A public passenger vehicle, when engaged in the transport of passengers, shall be deemed to be excluded from the definition of a heavy vehicle for the purposes of sections 11.1 and 11.2 of this Bylaw;

(74)(78) _____

(75)(79) _____ “head shop” means a retail outlet which specializes in drug paraphernalia related to consumption of cannabis, other recreational drugs and new age herbs, as well as counterculture art, magazines, music, clothing and home décor. This does not include cannabis retail sales or cannabis production and distribution facility;

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(76)(80) _____ “height” means the vertical distance between the grade and the highest point of a building that is not a stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall, or a flagpole, or similar device not structurally essential to the building;

(77)(81) _____ “highway” means a highway as defined in the Public Highways Development Act, R.S.A. 2000;

(78)(82) _____ “Home based business~~occupation~~” means any occupation, trade, profession, or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building, and which does not change the character thereof or have any exterior evidence of such secondary use;

(79)(83) _____ “hospital” means a building and/or site used for medical care, examination, treatment, surgery and recovery of patients and which may include an extended stay;

(80)(84) _____ “hotel” means a building used for short term stays through the provision of rooms or suites where rooms are accessed from a common interior corridor, and which may also contain commercial uses such as restaurants, or convention space;

(81)(85) _____ “Housing, apartment (low rise)” means a residential use consisting of more than four dwelling units, but which has a height less than 15 metres, but shall not mean row housing;

(82)(86) _____ “Housing, apartment (high rise)” means a residential use consisting of more than four dwelling units, but which has a height greater than 15 metres, but shall not mean row housing;

(83)(87) _____ “housing, duplex” means a building with two dwelling units that have sharing one common wall in the case of side-by-side units, or having the dwelling area located above the dwelling area of the other in the cases of vertical units, each with a private entry;

(84)(88) _____ “housing, fourplex” means a building that contains four dwelling units;

(85)(89) _____ “housing, manufactured home” means a transportable factory built residential building containing one dwelling unit suitable for long term occupancy, designed to be movable, transported on its own wheels and chassis or other means and arriving at a site

ready for occupancy except for incidental operations such as placement on foundation supports and connection to utilities. Manufactured homes shall have pitched roofs and eaves and shall conform to CAN/CSA Z240 MH Series and A277 certified standards. Where a component of a building is assembled off the building site in such a manner that it cannot be reviewed on site, off-site reviews shall be carried out to by a qualified safety codes officer to determine compliance with Safety Codes;

- (86)(90) _____ “housing, mixed use” means a building and/or site which has a combination of uses but which typically entails “retail” or “office” uses on the ground floor and residential uses on the upper floors;
- (87)(91) _____ “housing, mobile” means a factory constructed detached dwelling unit, with an integral frame, readily relocatable singly or in double modules. Due to the age of the home they ~~do~~ may not meet the Canadian Standards Association (CSA) A277 Standard or building code standards;
- (88)(92) _____ ~~“housing, modular” means a building containing one dwelling unit, built in a factory and transported to a site to be permanently installed on a foundation., and which appears indistinguishable in design and finish from a stick-built house, and does not includes “housing, manufactured home” or “housing, mobile”;~~
- (89)(93) _____ “housing, row house” means a building with one of three or more dwellings joined side by side or side to back. Can also include townhouse, garden homes and townhouses attached to high-rise buildings. Have no dwellings above or below them;
- (90)(94) _____ “housing, secondary suite” means a self-contained living space either located in the principle building or on the same site as the principle building. Secondary suites have a separate entrance, cooking, sleeping and bathing facilities and are no larger than 70 m². Secondary suites shall include basement suites and garage suites;
- (91)(95) _____ “housing, single detached” means a residential building containing one dwelling unit which is intended as a permanent residence. Single detached dwellings must be of new construction and be physically separate from any other residential building. Single detached dwellings do not include a manufactured home;
- (92)(96) _____ “housing, triplex” means a building that contains three dwelling units;
- (93)(97) _____ “internal local roads” includes all roads within subdivisions, and all service roads adjacent to major two-lane highways, minor two-lane highways, and multi-lane highways;
- (94)(98) _____ “landfill” means a site operated by the Town for controlled waste management where waste collected within the municipality is recycled or permanently disposed of;
- (95)(99) _____ “lane” means a right-of-way on which motorized vehicles are normally allowed to operate which is 10 m or less in width;
- (96)(100) _____ “lake” means a body of water, free from large quantities of aquatic vegetation, and characterized by relatively large open water and deep water zones compared with the shore zone; and, as defined by the Council of the Town of Rimbey;
- (97)(101) _____ “library” means a building which primarily loans reading and/or visual material to the general public;

~~(98)~~(102) “livestock” means livestock as defined in the Agricultural Operation Practices Act;

~~(99)~~(103) “liquor store” means a building and/or site used for “retail” but in which the goods sold are liquor/alcohol for human consumption;

~~(100)~~(104) “lot” means:

- (a) a quarter section,
- (b) a river lot or a lake 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;

~~(101)~~(105) “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;

~~(102)~~(106) “major” means, when added as a prefix or suffix to a use, a use which, due to its nature or relatively larger scale, will or could have, in the sole opinion of the Development Authority, an impact on surrounding uses, or which may be intended to serve an area larger than the immediate or local area;

~~(103)~~(107) “Manufacturing, processing, packaging or assembly of goods or materials” means a building and/or site where materials are merged to assemble a product and where the product is then packaged for distribution;

~~(104)~~(108) “may” is an operative word meaning a choice is available , with no particular direction or guidance intended;

~~(105)~~(109) “meat processing plant” means the processing and distributing of animal carcasses to retailers, but does not include a kill floor;

~~(106)~~(110) “medical clinic” means a building used for the provision of physical and mental health services on an outpatient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counselling nature. Health services may include dental offices, physical therapy, pharmacy, counselling, doctor’s offices, chiropractic offices and medical cannabis clinics;

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~~(107)~~(111) “medical cannabis clinic” means any business or enterprise whether or not operated for profit intended to serve as a means of distributing or providing cannabis for medical purposes as defined by provincial or federal legislation;

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~~(108)~~(112) “MGA” means the Municipal Government Act (Chapter M-26, R.S.A. 2000) and all regulations and amendments passed pursuant thereto;

~~(109)~~(113) “mini storage” means a building and/or site used for containing separate secured indoor storage units, designed to be rented or leased for private storage of personal goods;

~~(110)~~~~(114)~~ “minor” means, when added as a prefix or suffix to a use, a use which, due to its nature or relatively smaller scale, will or could have, in the sole opinion of the Development Authority, a limited impact on surrounding uses, or which may be intended to serve a small or local area;

~~(111)~~~~(115)~~ “motel” means a building or group of buildings on a parcel of land designed and operated for the provision of rooms or suites for temporary sleeping accommodation where each room has its own exterior access, and may include a restaurant and/or convention services;

~~(112)~~~~(116)~~ “municipality” means the Town of Rimbey;

~~(113)~~~~(117)~~ “museum” means a building and/or site used for the display of artefacts for cultural and educational purposes;

~~(114)~~~~(118)~~ “nightclub” means a building and/or site featuring live entertainment such as music and dancing, and in which alcohol and food may also be served to patrons;

~~(115)~~~~(119)~~ “non-conforming building” means a building:

- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective, and
- (b) that on the date this land use bylaw becomes effective does not, or when constructed will not, comply with this land use bylaw;

~~(116)~~~~(120)~~ “non-conforming use” means a lawful specific use:

- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw affecting the land or building becomes effective, and
- (b) that on the date this land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with this land use Bylaw;

~~(117)~~~~(121)~~ “office” means a building primarily used for the provision of professional, management, administrative and consulting services but does not include the use as “retail”;

~~(118)~~~~(122)~~ “open space” means land and water areas which are retained in an essentially undeveloped state and often serve one or more of the following uses: conservation of resources; ecological protection; recreation purposes; historic or scenic purposes; enhancement of community values and safety; maintenance of future land use options;

~~(119)~~~~(123)~~ “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 shown as the owner on the Land Title.

~~(120)~~~~(124)~~ “parcel of land” means the aggregate of one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;

~~(121)~~~~(125)~~ “park” means any parcel of land which is for use by the general public for recreational activities, sporting, or gathering, and which may be left in a natural state or may

include man-made features including area for sporting activities, playgrounds, picnic areas, and/or walking trails;

~~(122)~~~~(126)~~ “parking facility” means a building and/or site used for vehicular parking as a principal use;

~~(123)~~~~(127)~~ “pawn shop” means a building and/or site used for “retail” but in which the goods for sale are second hand personal items;

~~(124)~~~~(128)~~ “permitted use” means the use of land or a building provided for in a land use Bylaw for which a development permit shall be issued upon application having been made, provided that all of the regulations of this Bylaw, and all of the matters left to the discretion or the satisfaction of the Development Authority, have been satisfied to the satisfaction of the Development Authority;

~~(125)~~~~(129)~~ “personal service establishment” means a use relating to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include barber shops, beauty parlours, nail salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments (pick-up and drop-off only), laundromats, photographic studios, personal fitness activity, and may include accessory retail sales. This use class does not include escort services, even as an accessory use;

~~(126)~~~~(130)~~ “portable storage container” means a secure, steel/wood structure that is portable in nature (e.g. Sea Can, cargo container, shipping container, c-can etc.). See also “sea-c-can” definition;

~~(127)~~~~(131)~~ “porch” means a structure abutting a dwelling having a roof but with walls that are open and unenclosed to the extent of at least 50% thereof except for removable screens and storm sashes or awnings, used as a private outdoor amenity space;

~~(128)~~~~(132)~~ “principle building” means a building where the principle use of the site operates from;

~~(129)~~~~(133)~~ “principle use” means the primary purpose or purposes for which a building or lot is used;

~~(130)~~~~(134)~~ “public administration” means the use of a building and/or site for the operation and/or provision of services by the Municipal, Provincial, and/or Federal governments;

~~(131)~~~~(135)~~ “Real Property Report” means a codified standard adopted by the Alberta Land surveyor’s Association which contains: (a) the legal description of the property and the municipal address; (b) the dimensions and bearings of all property boundaries as determined by an actual field survey in accordance with the Surveys Act; (c) the designation of adjacent properties, roads, lanes, etc.; (d) the location and description of all pertinent improvements located on the property along with their dimensions and clearances to the property boundaries; (e) the projections of overhangs or eaves are also shown; (f) the location of any easements which may affect the property; (g) the location and dimensions of any visible encroachments onto or off of the property; (h) a list of the registered encumbrances as noted on the title to the property at the date of the survey; (i) a certification by an Alberta Land

Surveyor duly signed.

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~~(132)~~~~(136)~~ “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;

~~(133)~~~~(137)~~ “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;

~~(138)~~ “recreational facility” means a building and/or site used for sports or other active recreational activities and may include health and fitness clubs, racquet courts, dance studios, martial arts schools, basketball and volleyball courts, hockey arenas, football and soccer field, and or other similar sporting fields but not including an outdoor golf course;

~~(134)~~~~(139)~~ “recreational vehicle” means any vehicle, trailer or anything designed to be carried on a vehicle or trailer that is designed for temporary habitation of people commonly referred to as a holiday trailer, motor home, camper or tent trailer.

~~(135)~~~~(140)~~ “recycling depot” means a facility used for the purchasing, collection, sorting, packaging, and temporary storage of empty bottles, cans, and containers or other recyclable and reusable materials and where storage is contained within an enclosed building;

~~(136)~~~~(141)~~ “religious institution” means a building used for the congregation, meeting, study, and prayer related to any religious faith;

~~(137)~~~~(142)~~ “repair shop” – means a building and/or site used for the maintenance, and repair of any goods and/or equipment excluding motor and/or recreational vehicles;

~~(138)~~~~(143)~~ “reserve land” means environmental reserve, conservation reserve, municipal reserve, community services reserve, school reserve or municipal and school reserve;

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~~(139)~~~~(144)~~ “Residential Care Facility” means a private or publicly funded seniors lodge, nursing home, extended or congregate care facility.

944/18

~~(140)~~~~(145)~~ “restaurant” means a use where food is prepared and served on the premises for sale to patrons, and which may or may not be licensed to serve alcohol, and may include entertainment which is accessory to the preparation and service of food;

~~(141)~~~~(146)~~ “restaurant, drive-thru” means a building where food is prepared and sold for consumption to patrons and which offers service through a drive up window;

~~(142)~~~~(147)~~ “retail” means a use that focuses on the display and sale of goods, wares, or merchandise. This use includes, but is not limited to drug stores, clothing stores, sporting goods stores and other similar uses, but does not includes retail stores where the majority of total sales are generated through the sale of adult-oriented materials (clothing, videos, magazines, etc.);

~~(143)~~~~(148)~~ “retaining wall” means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock, or similar materials;

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- ~~(144)~~~~(149)~~ “riding arena, private” means a building or structure in which equestrian, athletic or recreational activities are carried out on the lot upon which the arena is located;
- ~~(145)~~~~(150)~~ “road” means a right-of-way on which motorized vehicles are normally allowed to operate, or a road as defined in the Act, but does not include either a highway or a lane;
- ~~(146)~~~~(151)~~ “salvage yard” means a building and/or site used for the storage and deconstruction of scrap materials;
- ~~(147)~~~~(152)~~ “school” means a use operated by a School Board that provides grade and secondary school instruction to pupils through courses prescribed or approved by the Provincial Government;
- ~~(148)~~~~(153)~~ “screening” means a fence, wall, berm, hedge or other barrier providing visual and/or acoustic separation of sites;
- ~~(154)~~ “sea can” [See c-can and portable storage container definitions;](#)
- ~~(149)~~~~(155)~~ [see c-can;](#)
- ~~(150)~~~~(156)~~ “setback” means the perpendicular distance that a development must be set back from the front, side or rear property boundaries of the parcel as specified in the particular District in which the development is located;
- ~~(151)~~~~(157)~~ “shall” is an operative word which means the action is obligatory;
- ~~(152)~~~~(158)~~ “shoreline” means the bank of the body of water as determined pursuant to the Surveys Act;
- ~~(153)~~~~(159)~~ “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;
- ~~(154)~~~~(160)~~ “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;
- ~~(155)~~~~(161)~~ “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;
- ~~(156)~~~~(162)~~ “sign” means any word, letter, model, picture, symbol, device or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any structure, or portion thereof, which is used primarily to carry, hold, maintain, support or sustain a sign is construed as being part of the sign, and except as provided for in this Bylaw, is subject to all regulations governing signs;
- ~~(157)~~~~(163)~~ “site” means an area of land designed to accommodate, and intended to be rented for, a tent or recreational vehicle or cabin;
- ~~(158)~~~~(164)~~ “solar collector” means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy. [May also be known as solar panels.](#)

- ~~(159)~~(165) “subdivision and development appeal board” means a subdivision and development appeal board appointed pursuant to Town Bylaw and the Act;
- ~~(160)~~(166) “subdivision authority” means the Subdivision Authority established pursuant to the Act through the Town’s Subdivision Authority Bylaw;
- ~~(161)~~(167) “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;
- ~~(162)~~(168) “temporary development” means a development for which a development permit has been issued and which exists for a limited time only;
- ~~(163)~~(169) “theatre” means a building and/or site used to show entertainment including films, live theatre, or musical performances;
- ~~(164)~~(170) “tourist information centre” means the use of a building and/or site to dispense information to the travelling public regarding the Town and may also include washrooms, picnic facilities, or other similar amenities;
- ~~(165)~~(171) “trucking establishment” means any building and/or site where commercial vehicles may park for a short or long term stay and which may include a “convenience store,” “restaurant,” and/or “gas bar”;
- ~~(166)~~(172) “undeveloped lot” means a lot which does not contain a dwelling or any other building, but which may contain utility services;
- ~~(167)~~(173) “unique site requirements” are a set of site locational requirements which have been demonstrated to the Town’s satisfaction to be necessary in order for the development of a commercial or industrial use to be carried out;
- ~~(168)~~(174) “use” means the utilization of a building or parcel of land for a particular type of operation;
- ~~(169)~~(175) “utility” means a utility as defined in the Act, as amended;
- ~~(170)~~(176) “utility installations” means a building and/or site for use by a utility company maintains to maintain or shelter any equipment used in connection with the utility;
- ~~(171)~~(177) “Variance” means an alteration or change to a standard prescribed by this Bylaw that is authorized by the Development Authority or the Board.
- 944/18
- ~~(172)~~(178) “veterinary clinic” means a building and/or site used for the medical care and treatment of animals on either a short term or long term basis;
- ~~(173)~~(179) “warehouse” means a building and/or site used for the storage of materials, goods, and products which will ultimately be distributed and for sale at “retail” stores;
- ~~(174)~~(180) “wrecking yard” means land and buildings that are used for the storage and dismantling of old or wrecked vehicles and / or machinery for the purpose of recycling their components;
- ~~(175)~~(181) “yard” means a part of a parcel of land upon or over which no building is to be erected unless otherwise provided for in this Bylaw.

PART 3 – GENERAL ADMINISTRATIVE PROCEDURES

3.1 CONTROL OF DEVELOPMENT

- (1) No development shall be undertaken within the Town unless an application for it has been approved and a development permit has been issued.
- (2) In the event of a state of emergency (local or provincial) declared pursuant to the Emergency Management Act, RSA 2000, c.E-6.8. as amended, or as a result of such an emergency, such other temporary development or class of temporary development as Council may declare may be approved in any land use district without compliance with the land use bylaw regulations.

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 or internal alteration, provided that such works do not include:
 - (i) structural alterations; or,
 - (ii) major works of renovation that would require a building permit under the Safety Codes Act.
 - (b) Activities as exempted by Section 618 of the Act;
 - (c) The use of any such buildings referred to in Section 3.1(2)(b) above, for the purpose which construction was commenced.
 - (d) The use of land for a farm operation on land situated in the Urban Holdings district, provided that the use or building conforms to the minimum setback requirements specified in the Land Use Bylaw. Notwithstanding this section, all dwellings are subject to obtaining a development permit.
 - (e) The erection, construction, or maintenance, improvement or alteration of gates or fences or other means of enclosure less than 1.0 m in height in front yards or in side yards abutting a road, and less than 2.0 m 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. Notwithstanding, barbs and page wire fences are only permitted in the Urban Holding and Industrial Land Use Districts.
 - (f) All types of fences and windbreaks in the Urban Holding district.
 - (g) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw;
 - (h) 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;

944/18

- (i) The development of Town owned structures or public works, services and utilities. 944/18
- (j) Development within a basement which does not change or add to the uses in a dwelling, which do not require a building permit under the Safety Codes Act;
- (k) All First accessory buildings which are-is less than 13.4 m² in area. 944/18
- (l) The demolition or removal of any building or structure for which a development permit would not have been required pursuant to Subsections (d) to (k) when the building or structure was constructed. 944/18
- (m) Dugouts in the Urban Holdings district provided that they conform to the regulations specified in this Land Use Bylaw.
- (n) Fire pits provided that they conform to the regulations specified in this Land Use Bylaw;
- (i) the combustion area is contained and screened,
- (ii) the outside diameter is no more than 1.0 metres (three feet), and
- (iii) the pit is set back from buildings and fences in accordance with the Alberta Fire Code;
- ~~(iv) only clean wood is burned, and~~
- ~~(v) the location and use does not reduce the quiet enjoyment of neighbouring property.~~
- (o) Landscaping provided that the grades and overland water flows are not substantially altered. 944/18
- (p) The construction of a deck, provided that the deck is uncovered, and the walking surface is less than 60 cm (2 feet) above grade. 944/18
- (q) Solar Collectors located and installed in complete conformity with section 9.10.
- (r) The placement of portable storage containers / c-cans that meet all requirements listed in section 9.13(11) and 9.13(12).
- (2) All items listed in 3.2(1) require compliance with all applicable provincial, federal and Town of Rimbey bylaws and policies.

3.3 NON-CONFORMING BUILDINGS AND USES

- (1) Non-conforming buildings and non-conforming uses shall be treated in accordance with the Act, and any amendments thereto.

3.4 DEVELOPMENT APPROVAL AUTHORITIES

- (1) The Development Authority is hereby established by Bylaw pursuant to the Act.
- (2) The Development Authority shall exercise development powers and duties on behalf of the Town.
- (3) The Development Authority shall be the Development Officer, or where the context of this Bylaw permits, the Council.

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; any provision for off-street loading and vehicle parking; and access and egress points to the site;
 - (b) The presence of abandoned oil and gas wells in accordance with the Subdivision and Development Regulation;
 - (c) The location and dimensions of all existing and proposed buildings, structures, or uses on the property;
 - (d) Statement of existing and proposed services (i.e. on-site or municipal);
 - (e) Identification of existing and proposed road infrastructure that will provide access to the development;
 - (f) A statement of the current and proposed use on the lands; and
 - (g) The authorization of the registered landowner.
- (2) The Development Authority 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 floor plans, elevations and sections of any proposed buildings; drainage, grading and landscaping plans; and, in the case of the placement of an already constructed or partially constructed building on a parcel of land, information relating to the age and condition of the building and its compatibility with the District in which it is to be located. In addition, such additional information may include assessment by a registered professional engineer of any potential flooding or subsidence hazard that may, in the sole opinion of the Development Authority, affect the subject site.
- (3) Each application for a development permit shall be accompanied by a fee as established by Council.

- (4) All applications for development permits on sites within an area covered by an inter-municipal development plan shall be referred to the other municipality for comments and recommendation.
- (5) The Development Authority may make a decision on an application for a development permit notwithstanding that any information required or requested has not been submitted.
- (6) In the case where an application for a development permit has been refused pursuant to this Bylaw or ultimately after appeal to the [Subdivision and Development Appeal Board](#)Appeal Body, the submission of another application for a permit on the same property and for the same or similar use of the land by the same or any other applicant need not be accepted by the Development Authority for at least six (6) months after the date of the previous refusal.

4.2 REFERRAL OF APPLICATIONS

- (1) The Development Authority may refer for comment any matter or any application for a Development Permit to any authority he deems necessary.
- (2) Notwithstanding 4.2(1), the Development Authority may refer to any adjacent municipality for consideration and recommendation, any matter or any application for a Development Permit that relates to lands that abut the municipal boundary.
- (3) Notwithstanding 4.2(1), the Development Authority may refer development in proximity to a Highway:
 - (a) Applications for development located within 0.8 km of the right of way of a multi-lane highway or a major two-lane 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;
 - (b) All applications for development located, within 150 m of the right of way of a minor two-lane highway where the proposed development would have direct access from the highway may be referred to Alberta Transportation for comment prior to any decision by the Development Authority.
- (4) Having received a reply on a matter referred to any authority, the Development Authority shall make a decision giving due consideration to the recommendations and comments received.
- (5) After thirty (30) days from the date of referral, the application may be dealt with by the Development Authority whether or not comments have been received.

4.3 DECISION PROCESS – DEVELOPMENT AUTHORITY

- (1) In making a decision, the Development Authority may approve the application unconditionally, approve the application subject to conditions, approve the application for a limited period of time as specified in the approval, or refuse the application.

944/18
- (2) The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement in accordance with Section 650 of the Municipal Government Act to construct or pay for the construction of roads, pedestrian walkways or parking areas which serve the development or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development, to install or pay for the installation of public utilities other than telecommunications systems or works, to pay an off-site levy, and/or to give security to ensure that the terms of the agreement are carried out.

944/18
- (3) 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 the definition of a permitted or discretionary use prescribed for a particular District.

944/18
- (4) The Development Authority may approve an application for a development permit for new development or an application for a development permit that authorizes a non-conforming building to be enlarged, added to, structurally altered even though the proposed development does not comply with the regulations of this Bylaw, if, in the opinion of the Development Authority:

944/18

 - (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 to the use prescribed for that land or building in this Bylaw.
- (5) Upon receipt of an application, the Development Authority must review the application for

completeness within 20 days of the application being received. The Development Authority shall provide the applicant either:

- 944/18
- (a) A complete [certificateletter](#), if in the opinion of the Development Authority, the application contains the information necessary to review the application;
- 944/18
- (b) An incomplete [certificateletter](#) if in the opinion of the Development Authority, the application is incomplete. An incomplete [certificateletter](#) shall specify:
- (i) the additional information that the Development Authority will require in order for the application to be considered complete;
 - (ii) the deadline for submission of the additional information or at such other later date as agreed between the applicant and the Development Authority; and
 - (iii) any other information identified as being necessary by the Development Authority
- 944/18
- (c) Applications that have been issue an incomplete [certificateletter](#), will be
- (i) Issued a complete [certificateletter](#) shall be issued once the Development Authority receives the necessary information.
 - (ii) deemed refused if an applicant fails to submit all the outstanding items indicated as being outstanding in the incomplete [certificateletter](#) by the deadline set in the incomplete [certificateletter](#). If an application is deemed refused the Development Authority shall issue a Development Permit refusal. The refusal must give reasons for the refusal.
- 944/18
- (d) Despite the issuance of a complete [certificateletter](#) or incomplete [certificateletter](#), the Development Authority may request additional information from the applicant if, in the course of reviewing the application, the Development Authority determines that additional information is necessary to review the application.
- 944/18
- (6) An application for a development permit shall, at the option of the applicant, be deemed to be refused if a decision on the application is not made by the Development Authority within forty (40) days after receipt of the complete application by the Development Authority. The person claiming to be affected by the deemed refusal may appeal in writing as provided for in Part 4 of this Bylaw as though he has received a refusal at the end of the forty (40) day period. The Development Authority and the applicant, may in a written agreement extend the 40 day period in which the Development Authority is to make a decision on the application.
- 944/18
- (7) A Development Authority may suspend or revoke a development permit in writing to the applicant at any time:
- (a) Where the permit was issued on the basis of incorrect information, fraud, non-

- disclosure, or misrepresentation on the part of the applicant; or
- (b) Where the permit was issued in error.
- (8) If an application is made for a development that is identified as a temporary development in a land use bylaw, the Development Authority:
- 944/18
- (a) May consider and approve a development for a specific period of time, not exceeding one year;
- 944/18
- (b) Shall impose a condition on such a permit that the Town is not liable for any costs involved in the cessation or removal of the development at the expiration of the time period stated in the permit; and
- (c) May require the applicant to post acceptable security guaranteeing the cessation or removal of the development. The amount of the security shall be the greater of 25% of the value of the structure or \$1,000.
- 944/18

4.4 DECISION PROCESS – SUBDIVISION AUTHORITY

944/18

- (1) Upon receipt of an application for subdivision, the Subdivision Authority must review the application for completeness twenty (20) days of the application being received. The Subdivision Authority shall provide the applicant either:
- (a) A complete [certificateletter](#), if in the opinion of the Subdivision Authority, the application contains the information necessary to review the application;
- (b) An incomplete [certificateletter](#) if in the opinion of the Subdivision Authority, the application is incomplete. An incomplete [certificateletter](#) shall specify:
- (i) the additional information that the Subdivision Authority will require in order for the application to be considered complete;
- (ii) the deadline for submission of the additional information or such other later date as agreed between the applicant and the Subdivision Authority; and
- (iii) any other information identified as being necessary by the Subdivision Authority
- (c) Applications that have been issued an incomplete [certificateletter](#), will be
- (i) Issued a complete [certificateletter](#) once the Subdivision Authority receives the necessary information.
- (ii) deemed refused if an applicant fails to submit all the outstanding items indicated as being outstanding in the incomplete [certificateletter](#) by the deadline set in the incomplete [certificateletter](#). If an application is deemed refused the Subdivision Authority shall issue a notice to the applicant that the subdivision application has been refused. The refusal must give reasons for the refusal.
- (d) Despite the issuance of a complete [certificateletter](#) or incomplete [certificateletter](#), the Subdivision Authority may request additional information from the applicant if, in the

course of reviewing the application, the Subdivision Authority determines that additional information is necessary to review the application.

- (2) An application for a subdivision shall, at the option of the applicant, be deemed to be refused if a decision on the application is not made by the Development Authority within forty (40) days after receipt of the complete application by the Development Authority. The person claiming to be affected by the deemed refusal may appeal in writing as provided for in Part 4 of this Bylaw as though he has received a refusal at the end of the forty (40) day period. The Development Authority and the applicant, may in a written agreement extend the 40 day period in which the Development Authority is to make a decision on the application.

4.5 VARIANCE AUTHORITY

- (1) Notwithstanding 4.3(3) the Development Authority may approve an application for a development permit for a development that is a Permitted or Discretionary Use, but that does not otherwise comply with the provisions of this Bylaw, if in the opinion of the Development Authority:
 - (a) The proposed development would not unduly interfere with the amenities of the neighbourhood.
 - (b) The proposed development conforms with the use prescribed for that land or building in this Bylaw;
- (2) Notwithstanding 4.4(1) the Development Authority shall not grant a variance from the regulations prescribing height, if the height variance results in an increase in floor area, lot coverage, floor area ratio (FAR), or density.
- (3) In addition to the considerations provided under 4.4(1), a variance may only be granted if, in the opinion of the Development Authority:
 - (a) The variance requested maintains the intent and purpose of the Municipal Development Plan;
 - (b) The variance requested maintains the intent and purpose of this Bylaw;
 - (c) The variance is desirable for the appropriate and orderly development or use of the land; and
 - (d) The variance, in the opinion of the Development Authority, is truly minor in nature.
- (4) All requests for a variance shall be accompanied by a letter from the applicant clearly stating the reasons for the variance, outlining the applicable criteria identified in 4.4(3), and the nature of the hardship incurred if the variance is not granted.

- (5) If a variance is granted pursuant to this Section, the Development Authority shall specify its nature in the Development Permit approval.
- (6) The maximum variance that may be granted by the Development Authority is 20% [except for variances in accordance with 4.5\(7\)](#).
- (7) The maximum variance that may be granted by the Development Authority is 40% for setbacks from the property line, ~~on accessory buildings over 13.4m²~~.
- 971/20
- (8) [An accessory building, over 13.4m², built prior to January 1, 2019, may have the minimum side setback and minimum rear setback requirements varied at the sole discretion of the Development Authority. The Development Authority is not bound by the maximum variance in Section 4.5\(6\) or 4.5\(7\). In accordance with Section 4.5, a variance application shall be required and the applicant must demonstrate that the structure was built prior to January 1, 2019 in a manner deemed satisfactory to the Development Authority.](#)
- 952/19

4.6 DEVELOPMENT PERMITS AND NOTICES

- (1) A development permit does not come into effect until twenty-one (21) days after the date a decision or development permit is publicized as described in [the appropriate section in 4.6 of this bylaw](#). Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- 944/18
- (2) Where an appeal is made pursuant to Part 4 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, or when Council makes a decision on a development permit application within the DC District, no notification shall be given of the decision except to the applicant.
- (4) When a Development Permit has been issued for a Permitted Use, with or without conditions, the Notice of Decision must be delivered to the applicant.
- 944/18

- (5) When a Development Permit for a Permitted Use requiring a variance or a Discretionary Use is approved, with or without conditions or variances, the Notice of Decision must be gdelivered iven to the applicant.

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(6) In addition to 4.6(5), the Development Officer shall do the following:

- (a) Immediately mail a notice in writing to all owners of land adjacent to the subject site; and/or
 (b) Advertise a notice of the decision to be published on the Town of Rimbey's website.

~~(6)(7)~~ In addition to 4.6(5), the Development Officer may, at their discretion, ~~do any or all of the following:~~

- (a) Immediately post a notice of the decision conspicuously on the property for which the development permit application has been issued; ~~and/or~~
 (b) ~~Immediately mail a notice in writing to all owners of land adjacent to the subject site; and/or~~
 (c) ~~Advertise a notice of the decision to be published in a newspaper circulating in the municipality; and/or~~
 (d) ~~Advertise a notice of the decision to be published on the Town of Rimbey's website.~~

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~~(7)(8)~~ The notice indicated in Subsection 4.6(6) shall state:

- (a) the legal description and the street address of the site of the proposed development,
 (b) the uses proposed for the subject development,
 (c) any discretion that was granted in the approval of the development, whether by use or by interpretation of this Bylaw, and any variation or relaxation in regulation that was made by the Development Officer when the development permit was approved,
 (d) the date the development permit was issued, and
 (e) how an appeal may be made to the Subdivision and Development Appeal Board Appeal Body and the deadline for such appeal.

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~~(8)(9)~~ 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.

- (10) When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.
- (11) For the purposes of this Bylaw, a Notice of Decision, ~~notice, acknowledgement, letter, or other document relating to a Development Permit may be sent by courier, ordinary mail, or electronic means and such~~ is deemed to have been served: 012-20
- (a) if by courier, on the day following delivery;
- (b) if by ordinary mail, seven (7) days from the date of mailing;
- (c) hand delivery, on the day of delivery.
- (d) if by electronic means, on the day after it was sent; or
- ~~(9)~~(e) if a Notice of Decision is published in a newspaper circulating in the Town or on the Town website, on the date the Notice of Decision appears in the newspaper or on the Town website.

4.7 DEVELOPMENT AGREEMENTS AND SECURITIES

944/18

- (1) Where a development permit has been granted for the development for any development, as a condition of approval, the applicant shall be required to provide a cash security, in the sum outlined in current Fees and Services Bylaw Schedule A, to ensure the completion of any repairs to Town property. The Town may draw on this security to cover the costs of any repairs to Town property in the event the applicant fails to complete the repairs within thirty (30) days of being notified by the Town of the damages.

944/18

- (2) Where a development permit has been granted for the development of a housing unit consisting of two or less units, including housing, duplex; ~~housing, modular;~~ housing, secondary suite; and, housing, single detached, as a condition of approval, the applicant shall be required to provide an irrevocable Letter of Credit, as a security, in the sum outlined in the current Fees and Services Bylaw, Schedule A, to ensure construction is completed to the satisfaction of the Development Authority.

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- (3) Where a development permit has been granted for the development of a multi-family residential building, consisting of three or more units a new principal commercial or new principal industrial building, as a condition of approval, the applicant shall be required to

provide an irrevocable Letter of Credit, as a security, in the sum outlined in the current Fees and Services Bylaw, Schedule A, to ensure construction is completed to the satisfaction of the Development Authority. The Town shall register a caveat pursuant to the provisions of the Land Titles Act and the Municipal Government Act in respect of a Development Agreement under this Section against the Certificate of Title for the land that is the subject of the development, which said caveat shall be discharged when the agreement has been complied with.

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- (4) Notwithstanding 4.7(3), in all other circumstances the Town may, at its sole discretion require the registration of a caveat pursuant to the provisions of the Land Titles Act and the Municipal Government Act in respect of a Development Agreement under this Section against the Certificate of Title for the land that is the subject of the development, which said caveat shall be discharged when the agreement has been complied with.

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- (5) The Town may require, any applicant to enter into an agreement to construct or pay for the construction of public roadways or parking facilities, to install or pay for the installation of utilities and/or to pay an off-site levy imposed by bylaw or any other conditions as deemed appropriate. This may involve the applicant posting security with respect to the development and paying for construction, where the development requires a road or traffic infrastructure improvement specifically to accommodate the development. The applicant for a development permit may be required to provide dust control adjacent to existing residences located on roads impacted by the development. The Development Authority may require that commercial vehicular traffic be limited to certain roads when gaining access to and from a site.

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PART 5 – DEVELOPMENT APPEAL PROCESS**5.1 APPEAL PROCEDURE**

- (1) An appeal with respect to a decision on a development permit application is governed by the Municipal Government Act.
- (2) An appeal may be made to the appropriate Appeal Body in accordance with the Municipal Government Act.
- ~~(4)~~(3) The Subdivision and Development Appeal Board, as established by Town Bylaw, shall hear and make a decision on an appeal where a Development Authority:
- (a) Refuses or fails to issue a development permit to a person within forty (40) days of receipt of the application, or
 - (b) Issues a development permit subject to conditions, or
 - (c) Issues an order under Part 6 of this Bylaw; and
 - (i) The person applying for the permit or affected by the order, or any other person affected by an order, decision or development permit of a Development Authority appeals to the Subdivision and Development Appeal Board.
- (4) In addition to the Applicant, any person affected by a Development Permit or the decision on it, may appeal to the Appeal Body.
- (5) Notwithstanding 5.1 and 5.2, no appeal lies in respect of the issuance of a development permit for a Permitted Use unless the application was the subject of a variance.
- (6) An appeal shall be commenced by filing a Notice of Appeal, setting out all of the reasons that the person intends to rely on for the appeal, to the Secretary of the Board within twenty-one (21) days after the Notice of Decision has been given under Section 4.6.
- (7) A decision on a Development Application within a Direct Control District cannot be appealed unless the appeal is limited to whether or not the Development Authority followed the directions of Council. If the Board finds that the Development Authority did not follow Council's directions, it may, in accordance with Council's directions, substitute its decision for that of the Development Authority.
- ~~(2) Notwithstanding Subsection (1) above, no appeal lies in respect of the issuance of a development permit by the Council within a DC District, or for a permitted use unless the provisions of this Bylaw were relaxed, varied or misinterpreted.~~

~~(3) — An appeal shall be made by serving a written notice of appeal and submitted the applicable fee to the Secretary of the Subdivision and Development Appeal Board within twenty-one (21) days after:~~

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~~(a) — The date the order, decision or permit issued by the Development Authority was publicized in accordance with this Bylaw; or~~

~~(b) — The forty (40) day period referred to in Section 3.3(5) of this Bylaw has expired.~~

~~(4) — For the purpose of subsection 4(c), the date of receipt of the decision is deemed to be five (5) days from the date the decision is mailed.~~

5.2 APPEAL HEARING

(1) Within thirty (30) days of receipt of a notice of appeal, the ~~Subdivision and Development Appeal Board~~ Appeal Body shall hold an appeal hearing respecting the appeal.

(2) The ~~Subdivision and Development Appeal Board~~ Appeal Body shall give at least five (5) days' notice in writing of the appeal hearing to:

(a) The appellant;

(b) The Development Authority from whose order, decision or development permit the appeal is made;

(c) Those adjacent land owners who were notified under this Bylaw and any other person who, in the opinion of the ~~Subdivision and Development Appeal Board~~ Appeal Body, are affected by the order, decision or permit; and

(d) Such other persons as the ~~Subdivision and Development Appeal Board~~ Appeal Body specifies.

(3) The ~~Subdivision and Development Appeal Board~~ Appeal Body shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:

(a) The application for the development permit, its refusal and the appeal therefrom; or

(b) The order of the Development ~~Authority, as~~ Authority, as the case may be.

(4) At the appeal hearing referred to in subsection (1), the ~~Subdivision and Development Appeal Board~~ Appeal Body shall hear:

(a) The appellant or any other person acting on his behalf;

(b) The Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person;

- (c) Any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf; and
- (d) Any other person who claims to be affected by the order, decision or permit and that the ~~Subdivision and Development Appeal Board~~Appeal Body agrees to hear or a person acting on his behalf.

5.3 APPEAL DECISION

- (1) The ~~Subdivision and Development Appeal Board~~Appeal Body shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the appeal hearing.
- (2) If the decision of the Development Authority to approve a development permit application is reversed by the ~~Subdivision and Development Appeal Board~~Appeal Body, the development permit shall be null and void.
- (3) If the decision of the Development Authority to refuse a development permit application is reversed by the ~~Subdivision and Development Appeal Board~~Appeal Body, the Development Authority shall forthwith issue the development permit in accordance with the decision of the ~~Subdivision and Development Appeal Board~~Appeal Body.
- (4) If the decision of the Development Authority to approve a development permit is varied by the Development Appeal Board, the Development Authority shall forthwith issue the development permit in accordance with the decision of the ~~Subdivision and Development Appeal Board~~Appeal Body.
- (5) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to the Court of Appeal shall be made:
 - (a) to a judge of the Court of Appeal; and
 - (b) within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.

PART 6 – BYLAW AMENDMENT PROCESS**6.1 APPLICATION FOR AMENDMENT**

- (1) A person may apply to have this Bylaw amended by applying in writing, furnishing reasons in support of the application and paying the fee therefore required.
- (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) An application fee according to the governing fee schedule as amended from time to time by resolution of Council shall be submitted for each application, but if the proposed amendment is adopted by Council, Council may determine that the whole or part of the application fee may be returned to the applicant;
 - (b) A title search for the land affected or other documents satisfactory to the Development Authority indicating the applicant's interest in the said land;
 - (c) Drawings drawn 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) Notwithstanding Subsection (3)(a) above, Council may waive payment of an application fee or any part thereof.
- (5) During deliberation on the Bylaw amendment application, Council may refer the application to such agencies as it considers necessary for comment.
- (6) Council may request such information as it deems necessary to reach a decision on the proposed amendment.

6.2 PUBLIC HEARING PROCESS

- (1) 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.
- (2) Prior to any Public Hearing, the Town shall give notice in accordance with the Act.

- (3) First reading of a proposed amendment is given before the Public Hearing, 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 Town.

- (4) Prior to any Public Hearing for a site specific land use bylaw amendment only, the Development Authority shall mail a notice in writing to all owners of land adjacent to the subject site.

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PART 7 – ENFORCEMENT

7.1 CONTRAVENTION

(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:

- (d) Stop the development or use of the land or buildings in whole or in part as directed by the notice, and/or
- (e) Demolish, remove or replace the development, and/or
- (f) Take such other measures as are specified in the notice;
 - (i) 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) above or an order of the ~~Subdivision and Development Appeal Board~~ Appeal Body within the time specified, the Development Authority may, in accordance with Section 542 of the Act, with the support of a Peace Officer or Enforcement Officer, enter upon the land or building and take such action as is necessary to carry out the order. A person who contravenes or fails to comply with any provision of their development permit is guilty of an offence and is liable upon summary conviction of a fine.

(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, Peace Officer, Bylaw Officer or any other person identified by the CAO for the purposes of this Section, shall be authorized to inspect any development to confirm compliance, and if not in compliance to issue violation tickets in respect to any contravention of this Bylaw.

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(7) Violation Tickets:

- (a) The Development Authority, Peace Officer, Bylaw Officer or any other person identified by the CAO 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 voluntary payment, or the option of a court appearance on a date ~~specified, and~~ specified and will be dealt with thereafter at the court's discretion.
- (c) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$500.00 for a first offence and \$1000.00 for a second or subsequent offence within the same calendar year. 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 if the defendant cannot be conveniently found, by leaving it for the defendant at the defendant's place of residence with a person on the premises who appears to be at least 18 year of age. 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.

944/18

PART 8 – GENERAL REGULATIONS**8.1 ACCESSORY BUILDINGS AND USES**

- (1) No person shall construct or utilize an accessory building except in compliance with this section.
- (2) All accessory buildings shall be located at least 2.0 m from any principal building, unless under 13.4 m² and on a non-permanent foundation. 944/18
- (3) An accessory building shall not be used as a dwelling unit. 944/18
- (4) An accessory building that contains sanitation facilities shall ~~contain a sump and~~ be designed to the satisfaction of the Development Authority. 944/18
- (5) An accessory building shall not be constructed within the required front yard setback area of any district.
- (6) Accessory buildings shall be constructed with exterior finish materials that compliment those of the principal building.
- (7) An accessory building shall not be located on an easement or utility right-of-way, without an encroachment agreement registered on title in accordance with section 8.21.
- (8) An accessory building shall not be developed or approved on a lot prior to the issuance of a development permit for the principal building or use on the lot.
- (9) Decks, balconies, sunrooms and the like shall not be constructed on top of an accessory building unless the setbacks of the accessory building comply with the allowable setbacks for the principal building in that district.
- (10) Accessory buildings under 13.4 m² in size and decks which are uncovered, and the walking surface is less than 60 cm (2 feet) above grade are not required to meet the setback requirements for the District in which it is located. 944/18
- (11) An accessory building, over 13.4m², is required to meet the setback requirements for the District in which it is located. 944/18

~~(12) An accessory building, over 13.4m², built prior to January 1, 2019, may have the minimum side setback and minimum rear setback requirements varied at the sole discretion of the Development Authority. The Development Authority is not bound by the maximum variance in Section 4.5(6). In accordance with Section 4.5, a variance application shall be required and the applicant must demonstrate that the structure was built prior to January 1, 2019 in a manner deemed satisfactory to the Development Authority.~~

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8.2 AIR SUPPORTED AND FABRIC-COVERED STRUCTURES

944/18

- (1) All air supported and fabric-covered structures over 13.4 m² and will be erected for more than (3) three days require a development permit.
- (2) Air supported and Fabric-Covered Structures used for recreational purposes will be permitted as a discretionary main building.
- (3) All other Air Supported and Fabric-Covered Structures will be permitted as a discretionary accessory building.

~~(3)(4) Air supported and fabric-covered structures cannot be used for human habitation.~~

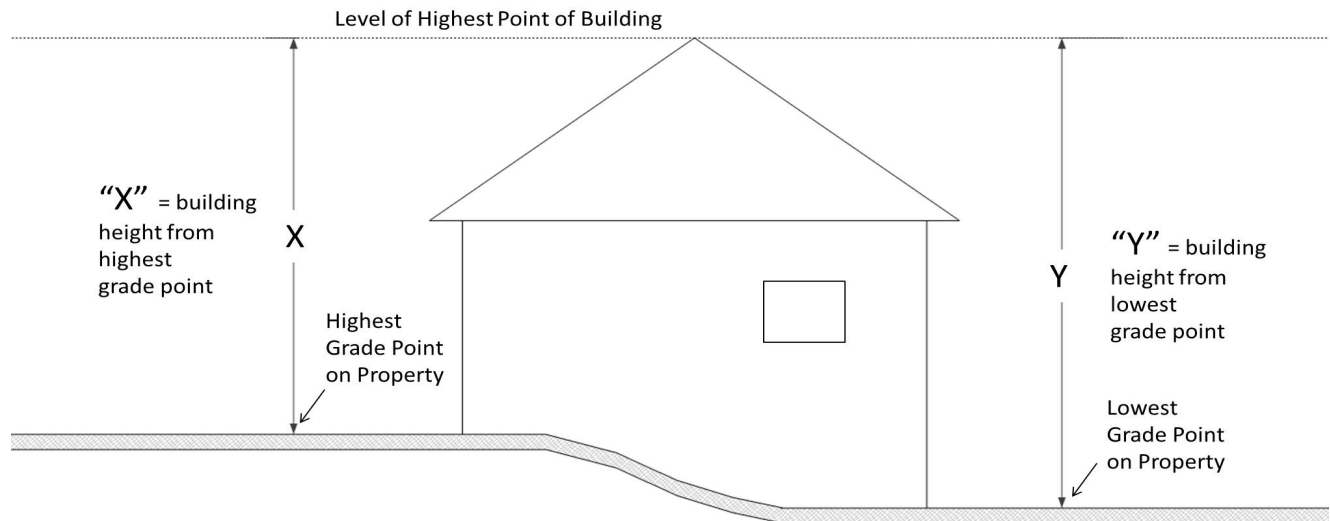
8.3 BARE LAND CONDOMINIUM

- (1) Structures constructed on bare land condominium units shall comply with the general regulations of this bylaw, including the regulations for the land use district in which the unit is located.
- (2) For the purposes of this Bylaw, a bare land condominium plan is a plan of subdivision.

8.4 BUILDING HEIGHT

- (1) If the height of a building is required to be measured or determined, it shall be measured by calculating the average vertical distance between the natural grade, or the average natural grade in the case of a sloping grade, and the highest point of the building as determined under Subsection (2).
- (2) In determining the highest points of a building, the following structures shall not be considered to be part of the building: an elevator housing; mechanical housing; roof stairway entrance; ventilations; a skylight; a steeple; a smokestack; a parapet wall, or a flagpole or similar device not structurally essential to the building.

FIGURE 8.4.1 – BUILDING HEIGHT CALCULATIONS



$$\text{Height Average} = (X+Y)/2$$

8.5 CORNER AND DOUBLE FRONTING PARCELS

- (1) In all districts, a site abutting onto two streets or more shall have a front yard setback on each street in accordance with the front yard regulations of this Bylaw.
- (2) In all cases, the location of building on corner sites shall be subject to approval of the Development Authority who may, at their discretion, relax the front yard setback requirements taking into account the location of existing adjacent buildings or the permitted setback on adjacent sites where a building does not exist.
- (3) On corner parcels contiguous to a highway the Alberta Infrastructure Highway “Minimum Site Triangle” Design Guidelines shall apply.

8.6 CURB CUTS

- (1) The nearest edge of a proposed curb cut to the nearest curb line of the street intersection shall not be less than 12.0 m.
- (2) The maximum width of the curb cut shall not exceed 9.1 m in industrial districts and 6.0 m in all other districts, unless otherwise specified by the Development Authority for reasons of public safety or convenience.

8.7 DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS AND STRUCTURES

- (1) The purpose of this Section is to provide the Town with controls and guidance in order to ensure that aesthetically attractive and compatible development is provided throughout the Town.
- (2) The quality of exterior treatment and design of all buildings shall be to the satisfaction of the Development Authority for permitted uses and discretionary uses.
- (3) Pursuant to Subsection (2), the Development Authority shall consider, but not be limited to the following criteria when evaluating the design, character and appearance of development proposals in all Districts.
 - (a) General Guidelines:
 - (i) The design, character and appearance of all buildings must be compatible with any other buildings existing in the vicinity unless the building is setting a new standard of design and character for the land use district or a particular location of it;
 - (ii) The design of the building or development must be consistent with the purpose and intent of the land use district in which it is located;
 - (iii) The building shall comply with any provisions of a statutory plan or architectural control guidelines adopted by Council.
 - (b) Guidelines for Commercial and Industrial Development:
 - (i) The harsh contrasts of very large or massive buildings mixed with small buildings can be softened by using similar sizes and shapes of massing elements, like roof lines, exterior design and treatment;
 - (ii) Blank, unfinished walls give a very bland appearance to the streetscape. Particular attention should be given to reduce large vacant spaces between buildings which are left open to public view;
 - (iii) Rooftop mechanical equipment should be hidden from view from public streets and from adjacent buildings;
 - (iv) Utility installations and buildings should be located in such a manner so as to be compatible with adjacent buildings and development. This may be achieved by placing utility installations within buildings wherever possible, or development utility buildings which blend into the surrounding area;
 - (v) Natural features are an important part of the urban environment and should be given a high priority in developing a site. This may be achieved by preserving existing trees wherever possible;
 - (vi) Corner sites at the intersection of major streets should be given special consideration. Sight lines for drivers and more pedestrian space are features which should be incorporated into the design of buildings on corner lots;

- (vii) Buildings should provide weather protective overhangs at outdoor pedestrian areas and at building entrances. The overhangs can be achieved through the use of cantilevers, awnings and canopies;
 - (viii) Long buildings along the street front should include a public route through the building which can be accessed by pedestrians to parking areas or simply to reduce having to walk around the building;
 - (ix) Large pedestrian areas or parcels should be designed for safety and at a pedestrian scale. The combination of landscaping and pedestrian walkway connections from the parking area to the shopping areas can act as a windbreak, slow the traffic in the parking area, and soften the harsh visual impact of large asphalt areas;
 - (x) The site illumination of commercial and industrial sites should not shine into residential windows;
 - (xi) On-site parking, loading and shipping areas are less attractive elements of a streetscape and should be hidden from public roadways by buildings, screening and landscaping;
 - (xii) Outdoor storage and garbage collection areas are generally unsightly and undesirable elements from public roadways and should be screened or hidden behind buildings. Existing storage and garbage collection areas should be screened from roadways by using berms, walls and landscaping.
- (c) Guidelines for Residential Development:
- (i) Visual privacy of internal living space and areas should be maintained in new and existing developments. The use of berms, landscaping and the orientation of the dwellings and the living space windows can improve the visual privacy between developments;
 - (ii) Identical or similar housing styles, models, designs and colors should be discouraged. The same housing color, design or treatment should not be used for any more than three adjacent dwellings;
 - (iii) Corner lot houses should be generally lower lying houses as height and mass is emphasized beside a void such as a road.
 - (iv) Any accessory building built on a lot, such as a detached garage or garden shed should be of proportional mass, roof line and treatment as the principal building.
 - (v) Developments should be encouraged to possess good proportion in the front elevations through the use of such elements as dormers, bay windows, shutters, brickwork, roof lines and variations of window sizes.

8.8 DEVELOPMENTS ON OR NEAR SLOPES

(1) Notwithstanding the yard requirements prescribed in the land use districts, no permanent buildings shall be permitted within 20.0 m of the top of the bank of any waterbody and no development shall be permitted within 20.0 m of the top or bottom of an escarpment bank or slope where the grade exceeds 15% (fifteen percent).

(2) The Development Authority may require greater setback than is prescribed in Section 8.8(1).

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(3) Notwithstanding that a proposed development conforms in all respects with this Bylaw, including Sections 8.8(1) and 8.8(2), where the application is for development on lands that are or may be subject to subsidence, the Development Authority shall not issue a development permit unless the applicant can demonstrate that preventative engineering and construction measures can be instituted to make the parcel suitable for the proposed development.

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(4) Subject to Section 8.8(3), the Development Authority may, at their discretion, reduce the setback requirements established pursuant to 8.8(1) and 8.8(2) if the applicant provides satisfactory proof of bank stability.

944/18

8.9 DEVELOPMENTS NEAR WATER

(1) Notwithstanding 8.8, the Development Authority may require reports to be submitted by qualified ~~professionalseconsultants~~ to help determine the setback distance from water bodies. The setback may be reduced if supported by a report submitted by a qualified engineer.

8.10 DWELLING UNITS ON A PARCEL

(1) The number of dwelling units allowed on any single parcel shall be one, except where additional dwellings are:

- (a) Contained in a building designed for, or divided into, two or more dwelling units and is located in a land use district which permits multiple units; and
- (b) A building defined in the Condominium Property Act (Chapter C-22, R.S.A. 2000) and all regulations and amendments thereto and is the subject of an approved condominium plan registered under that Act.

8.11 EMERGENCY ACCESS TO BUILDINGS

- (1) Sites shall be so designed that, in the opinion of the Development Authority, appropriate access for firefighting equipment is afforded to all buildings, moreover,
 - (a) In the case of industrial, commercial, multiple family, or public or quasi-public sites, the distance between the fire hydrant and any driveway or access point shall be a minimum of 3.0 m. In the case of single family sites, the distance between the fire hydrant and any driveway or access point shall be a minimum of 1.85m; and
 - (b) No person shall in any manner obstruct the fire access to any hydrant, valve or curb stop. No vehicle, building, structure, or vegetation higher than 0.5 m, shall be placed within 1.5 m from a hydrant.
- (2) On at least two sides, one of which shall be the longest side, of any building used as an apartment building and which exceeds two storeys in height, there shall be firm level areas accessible for firefighting equipment for at least 75% (seventy five percent) of the length of each of the two sides of the building. Such areas shall not be less than 4.25 m in width and not more than 3.0 m from the building, and no permanent structure or vehicular parking shall be permitted thereon.
- (3) A lane or lanes for the purpose of permitting the access of firefighting equipment to all major access points of shopping centre buildings shall be provided, and no permanent structures or vehicular parking may be permitted thereon.

8.12 EXCAVATION, STRIPPING AND GRADING

- (1) For the purpose of this Section, excavation shall mean excavation other than for construction or building purposed, including, but not limited to, sand and gravel mining, topsoil stripping, and construction of artificial bodies of water.
- (2) An applicant for a development permit for the excavation, stripping or grading of land, which is proposed without any other development on the same land, shall include with his or her application the following information:
 - (a) Location of the lot, including the municipal address if any, and legal description;
 - (b) The area of the lot on which the development is proposed;
 - (c) The type of excavation, stripping or grading proposed, showing the dimensions of the operation or the area of the land and depth to which the topsoil is to be removed;
 - (d) Location on the lot where the excavation, stripping or grading is to be made on the lot; and
 - (e) The condition in which the excavation, stripping or grading is to be left when the operation is complete or the use of the area from which the topsoil is removed.

- (3) Where, in the process of development, areas require levelling, filling, or grading, the topsoil shall be removed before work commences, stockpiled, coverage of 0.15 m shall be provided upon occupancy of the development, and the affected area shall be graded and landscaped to the satisfaction of the Development Authority.

8.13 EXISTING SUBSTANDARD LOTS

- (1) Development on existing substandard lots may be considered by the Development Authority who shall have due regard for compliance with the Safety Codes Act and its regulations prior to granting approval.

8.14 FENCES

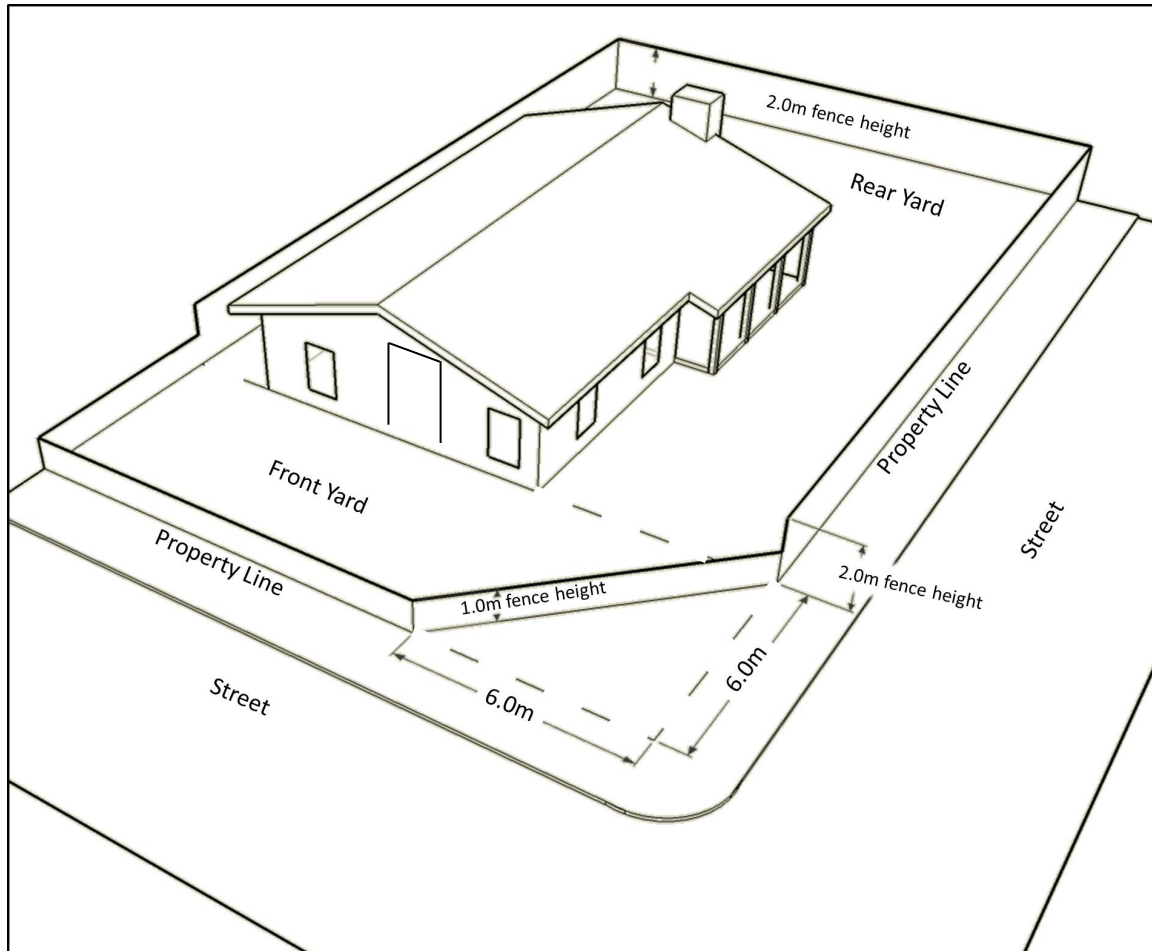
- (1) In any district, except as herein provided,
- (a) No fence shall be constructed that is located on public property;
- (b) No fence shall be constructed that is:
- (i) For internal lots in all residential land use districts, no higher than 2.0 m for the portion of the fence that does not extend beyond the foremost portion of the principal building on the site and 1.0 m for that portion of the fence that does extend beyond the foremost portion of the principal building on the lot; 944/18
- (ii) For internal lots in all non-residential land use districts, no higher than 2.0 m for the portion of the fence that does not extend beyond the foremost portion of the principal building on the site and 1.0 m for that portion of the fence that does extend beyond the foremost portion of the principal building on the lot. The 1.0 m may be increased to a maximum of 2.0m at the discretion of the Development Authority;
- ~~(iii)(iii)~~ For corner lots, as per Figure 8.14.1, fences shall be no higher than 2.0 m for the portion of the fence that does not extend beyond the foremost portion of the principal building if in the opinion of the Development Authority, it will not prejudice the safety and amenities of the adjoining lots. Fences shall be no higher than 1.0 m for the portion of the fence that does extend beyond the foremost portion of the principal building on the lot. 944/18
- ~~(iii)(iv)~~ In the case of corner lots, no person shall construct a fence or other screening, including landscaping, more than 1.0 m high within the triangular area 6.0 m back from the intersecting front boundary lines of the lot, regardless of whether or not a corner cut-off has been taken. The 6.0m triangular area may be reduced by the Development Authority based on an assessment of the corner visibility; and

~~(iv)~~(v) Where lots have both their front and rear yards facing onto a street, special approval of the Development Authority must be obtained prior to the erection of any fences on such properties. Size and specifications for fences in these areas must conform with the overall standard set for the area by the Town.

- (2) Apartments or row houses adjacent to a single detached residential dwelling shall provide a ~~wooden~~ fence, or other such screening ~~approved as deemed appropriate~~ by the Development Authority, of not more than 2.0 m in height along the side abutting the single detached dwelling;
- (3) In the case of ~~industrial~~, commercial, public and quasi-public uses abutting a residential area, a ~~solid~~ fence, ~~or other such screen as deemed appropriate by the Development Authority~~ shall be ~~provided of~~ at least 1.5 m in height and no higher than 2.0 m along the sides abutting the residential area;
- (4) Notwithstanding Subsection 8.14(3), the maximum height of a fence in an Industrial or Urban Reserve District shall be determined by the Development Authority. Where a fence has been permitted to be higher than 2.0 m in an Industrial or Urban Reserve District, no barbed wire fences shall be permitted below a height of 2.0 m. This requirement may be relaxed by the Development Authority at his/her discretion in an area where residences would not be in close proximity to the fence proposed;
- (5) No electrification of fences shall be permitted; and
- (6) No barbed wire fences shall be permitted in residential districts.

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FIGURE 8.14.1 – FENCE DIAGRAM



8.15 FLOODPLAIN DEVELOPMENT

- (1) Notwithstanding Subsection 8.9 no new development or the expansion of existing development shall be allowed within the 1:100 year flood plain of any watercourse or water body as determined by Alberta Environment.

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- (2) Development Permit Applications where a portion of a parcel in the 1:100 year floodplain, shall be accompanied by the following information requirements:
 - (a) Elevation of the site as prepared by a qualified surveyor or engineer;
 - (b) Proposed elevation of main floor of residential buildings as prepared by a qualified surveyor or engineer; and
 - (c) A statement and/or analysis, which demonstrates the suitability of the development to the site as compared to other locations on the parcel.

8.16 LANDSCAPING

- (1) As a condition of the development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority, and within one year of occupancy or commencement of operation of the proposed development. All plant material shall be hardy to the Town of Rimbey.
- (2) The Development Authority may require that landscaping and/or screening is provided in conjunction with any ~~development, and development and~~ is addressed as part of the Development Permit application. The intent of landscaping and screening is to contribute to a reasonable standard of appearance for developments, to provide a positive overall image for the Town.
- (3) Landscaping and screening requirements may be applied to commercial and industrial uses.
- ~~(4)~~ Garbage and waste material in residential districts must be stored in weather and animal proof containers.
- ~~(4)~~~~(5)~~ Garbage and waste materials in all non single-family residential developments must be stored in weather and animal proof container -and screened from adjacent sites and public thoroughfares.
- ~~(5)~~~~(6)~~ On corner parcels, setbacks for landscaping and fencing must be in accordance with Section 8.2.
- ~~(6)~~~~(7)~~ Prior to issuing a development permit the Development Authority may require submission of a detailed landscape plan to a standard satisfactory to the Development Authority, outlining at a minimum the following:
 - (a) The location of the trees and shrubs to be planted, including distance between trees and the anticipated full growth radius at maturity;
 - (b) The number of trees and shrubs to be planted; and
 - (c) The common name of the trees and shrubs to be planted.
- ~~(7)~~~~(8)~~ In addition to the landscaping standards specified in each Land Use District the Development Authority may require the applicant of any development permit to:
 - (a) Retain any natural feature in its original state including, but not limited to, the following:
 - (i) Any water feature, including swamps, gullies and drainage courses;

- (ii) Land with a natural gradient of 15% or greater;
- (iii) Land subject to flooding by a 1:100 year flood;
- (iv) Land located within a minimum distance as determined by the Development Authority from the top of bank of any river, stream, creek, lake or other body of water;
- (v) Any land deemed unstable by the Development Authority.
- (vi) Conserve trees, shrubs or any other natural vegetation to the maximum extent possible.
- (vii) Screen any objectionable effect or potential objectionable effect from adjacent properties;
- (viii) Retain topsoil on the site;
- (ix) Enhance the site by adding topsoil, grass, rock, gravel, vegetation or other landscaping materials to complement the appearance of the site and the character of the neighbourhood; and
- (x) Restricting the amount and location of hard surfacing on the site.

~~(8)~~(9) Trees and Shrubs provided for landscaping shall meet the following minimum requirements:

- (a) A minimum height of 1.8 m (6.0 ft.) for coniferous trees;
- (b) A minimum height of 0.46 m (1.5 ft.) for coniferous shrubs;
- (c) A minimum caliper width of 5.08 cm (2 in) at 0.46 m (1.5 ft.) above ground level for deciduous trees; and
- (d) A minimum height of 0.61 m (2 ft.) for deciduous shrubs.

~~(9)~~(10) Unless otherwise specified in this Bylaw a minimum of thirty-three percent (33%) of the total amount of trees and shrubs provided shall be coniferous.

~~(10)~~(11) _____ All trees shall be separated a minimum distance from each other to allow sufficient space for the tree's maximum potential growth radius at maturity and to ensure healthy, uninhibited growth.

~~(11)~~(12) _____ All landscaping requirements must be completed within one (1) year of completion of construction or the commencement of the use, whichever occurs first.

~~(12)~~(13) _____ The owner of the property, or his/her assignees or successor(s), shall be responsible for the proper ~~up-keep~~upkeep and maintenance of the required landscaping. If the required landscaping does not survive, the applicant/owner must replace it with a similar type of species and with a similar caliper, width and height or to the satisfaction of the Development Authority.

~~(13)~~(14) _____ The Development Authority may, as a condition of a development permit, require submission of a security up to the value of the estimated cost of providing the proposed landscaping to ensure that such landscaping is carried out with reasonable diligence. The condition of the security is that, if the landscaping is not completed in accordance with this Bylaw and development permit within one (1) growing season after completion of the

development, then the specified security amount shall be made available to the Town to use to ensure the landscaping is installed according to the Town's standards.

~~(14)~~(15) A minimum of 30% soft surfaced green landscaped features (i.e. grass, shrubs and trees) shall be maintained in all residential front yards.

~~(15)~~(16) Development Permits are required for all retaining walls over 60 cm (2 feet).

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8.17 LIMITED ACCESS TO MAJOR ROADS

- (1) No access for vehicles will be permitted from an arterial road as designated by the Municipal Development Plan, or Area Structure Plans to:
 - (a) Any residential site, unless the access serves three or more dwelling units; or
 - (b) Any site, unless turning space is provided on the site such that vehicles entering upon the site may turn before re-entering the street; or
 - (c) Any site where, in the opinion of the Development Authority, there would be an excessive number of access points approved by Alberta Transportation.
- (2) Access to Highways 20, 20A and 53 shall be limited to arterial roads, collector and services roads, and where no service roads are provided, access shall be limited to those access points approved by Alberta Transportation.

8.18 OBJECTIONABLE ITEMS IN YARDS

- (1) No person shall keep or permit in any part of a yard in any residential district:
 - (a) Any dismantled or wrecked vehicle for more than fourteen (14) successive days; or
 - (b) Any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district; or
 - (c) Any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work; or
 - (d) Any vehicle not parked on a prepared hard surface (i.e. concrete pad or gravel) in the front yard; or

- (e) A commercial vehicle loaded or unloaded of a maximum weight in excess of 2000 kg;
or
- (f) A commercial vehicle in a front yard; or
- ~~(g)~~ ~~A recreational vehicle in the front yard of a laned subdivision.~~
- ~~(h)~~(g) Contravene the Town of Rimbey Nuisance Bylaw.

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(2) No person maintaining more than one recreation vehicle or more than two (2) motor vehicles in a residential district shall allow them to be kept in a manner which, in the opinion of the Development Authority is unsightly or tends to adversely affect the amenities of the district.

(3) No person shall keep a recreational vehicle, in a residential area, in the front yard or in the flanking/side-yard on a corner lot, for a period longer than is reasonably necessary to load or unload the vehicle to a maximum of 72 hours.

(4) 8.18(3) does not apply between the months of April and October inclusive if the vehicle will not overhang the sidewalk or road otherwise create a traffic hazard., and;
~~(2)~~—

~~(3)~~(5) In commercial districts garbage shall be stored in weatherproof containers screened from adjacent sites and public thoroughfares to the satisfaction of the Development Authority and shall be in a location easily accessible for pickup.

~~(4)~~(6) No Recreational Vehicle may be parked, kept or stored outside on any parcel in town for the purposes of human habitation for more than 4872 hours.

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8.19 ON-SITE AND OFF-SITE SERVICES AND IMPROVEMENTS

- (1) Where any on-site services or improvements, or any off-site local improvements are required to service a proposed development, a person shall not begin the excavation for the foundation nor commence the development until the Development Authority or is satisfied that such services will be provided or improvements will be undertaken.
- (2) No development permit shall be issued for a development to be served by private sewer and water systems until the systems have been approved by the appropriate Municipal or Provincial authorities having jurisdiction.

8.20 PROJECTIONS OVER YARDS

- (1) The following encroachments into required front, side and rear yard setbacks in land use districts may be permitted for canopies, balconies, eaves, box-outs, chimneys, gutters, sills, steps/stairs, and, in addition, cantilevers may be permitted to encroach into the front and rear yards only:

- (a) Front Yard: 2.0 m for balconies; and 1.0 m for cantilevers, eaves, gutters, landings, and window sills (see Figure 8.20.1).
 - (b) Rear Yard: 2.0 m for balconies; and 1.0 m for box-outs, cantilevers, eaves, gutters, landings, and window sills (see Figure 8.20.).
 - (c) Side Yard (Interior): 1.0 m for balconies; and 0.6 m for box-outs, eaves, gutters, landings and window sills (see Figure 8.20.1).
 - (d) Side Yard (Exterior): 1.0 m for balconies; and 0.6 m for box-outs, cantilevers, eaves, gutters, landings and window sills (see Figure 8.20.2).
- (2) For multi-attached dwellings, balconies and decks may be extended to the lot line or common wall, provided that the common wall is extended for separation/privacy.
- (3) No projection will be permitted if, in the opinion of the Development Authority, it may interfere with a loading space, parking area, driveway, or other vehicle or pedestrian circulation or access.
- (4) No projection will be permitted into the side yard required for vehicular access to the rear yard, unless a minimum vertical height of 3.0 m from finished grade to the lowest point of the projection is maintained.
- (5) The projection length limitations are as follows:
- (a) The individual projection maximum length shall not exceed 3.0 m; and
 - (b) The sum of all projections maximum length shall not exceed one-third (1/3) of the length of the building wall (not including the garage walls). This does not apply to front or rear yards.

FIGURE 8.20.1: PERMITTED PROJECTIONS – FRONT AND INTERIOR SIDE YARD SETBACKS

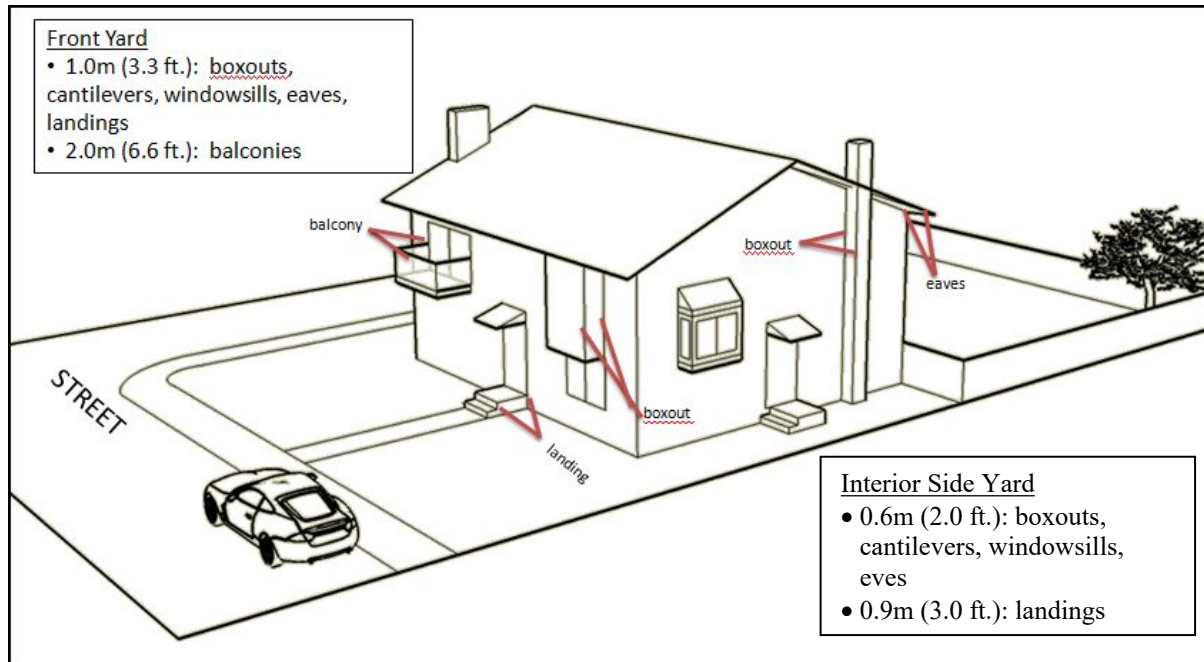
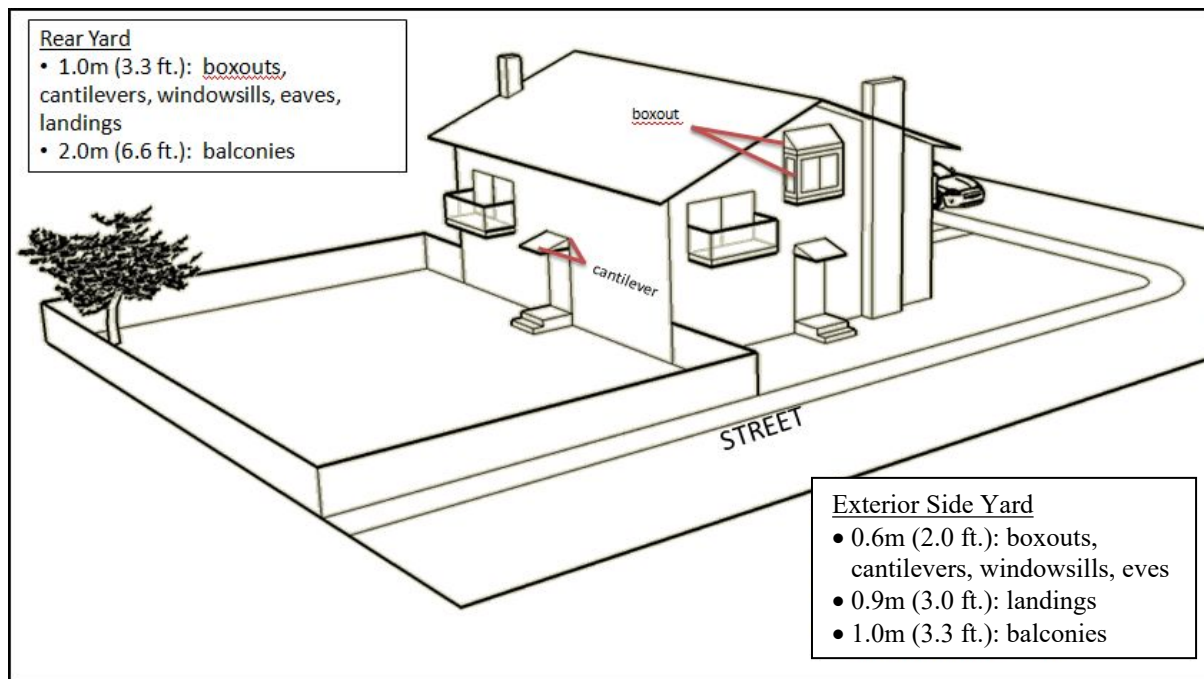


FIGURE 8.20.2: PERMITTED PROJECTIONS – REAR AND EXTERIOR SIDE YARD SETBACK



8.21 PUBLIC LANDS AND TOWN BOULEVARDS

- (1) There shall be no unauthorized encroachments onto municipal property, including parks and road rights-of-way. Where an encroachment exists without Town approval, the owner shall be required to remove the encroachment at his/her own ~~expense, or~~ expense or seek permission from the Town CAO or Council for the encroachment to remain.
 - (a) There shall be no encroachments into Alberta Transportation Highway Right-Of-Ways without written approval from Alberta Transportation.
- (2) All developments on lands owned by the Town of Rimbey shall not require a development permit.
- (3) Notwithstanding 8.21(3), the owner(s) of a lot may develop the boulevard abutting their property by excavating, backfilling, levelling or consolidating to final grade, and seed or perform other works that may be necessary to develop a turf boulevard provided that all work shall be entirely at the owner's expense.

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- (4) Any development, planting or other development not authorized by a development permit shall be done at the owner's risk, and any damage to municipal services caused by the growth, removal or maintenance of such development shall be the responsibility of the owner.
- (5) Every owner or occupant of land shall be responsible for maintaining any development allowed under this Section, and for controlling the weeds on boulevards owned by the Town abutting their property.

8.22 PUBLIC UTILITY BUILDINGS AND EASEMENTS

- (1) Notwithstanding other regulations in this Bylaw, a person erecting a public utility facility or placing utility equipment on a site shall cause it to be placed in a location and with yard setbacks which are satisfactory to the Development Authority.
- (2) Utility lots, utility buildings and publicly owned buildings may be permitted in any district except as specifically regulated elsewhere in this bylaw.
- (3) Subject to the conditions of a utility easement, no permanent structure other than a fence shall be constructed or placed on that utility easement unless:
 - (a) In the opinion of the Development Authority the said structure does not restrict access to the utility easement for the purpose of installation and maintenance of the utility; and
 - (b) Written consent has been obtained from the person whose use the easement has been granted.

8.23 RELOCATION OF BUILDINGS OR STRUCTURES

- (1) No person shall:
 - (a) Place on a lot a building which has previously been erected or placed on a different lot; or
 - (b) Alter the location on a lot of a building which has already been constructed on that lot,
 - (c) Unless the Development Authority approves the placement or alteration.

- (2) An approval shall not be granted under Subsection (1) above unless the Development Authority is satisfied that:
 - (a) The placement or location of the building would meet the requirements of the Bylaw; and
 - (b) The building and the lot meet the requirements of this Bylaw and the land use district in which it is proposed to be located.

- (3) Before considering any application for a Moved-in Building and in addition to the requirements of Section 8.23(1) and Section 8.23(2), the Development Official shall require a development permit application that includes:

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 - (a) Recent colour photographs of all elevations including additions;
 - (b) A statement of the age, size, and structural condition of the building; and
 - (c) Documentation from a certified safety code officer that the building meets the requirements of the Safety Codes Act or, if it does not, how the building will be brought up to these requirements.

- (4) As a condition of issuing a development permit approval for a Moved-In Building, the Development Authority shall require a letter of undertaking (agreement) and the posting of security in the form of an irrevocable letter of credit or cash, in the amount of the total estimated costs to relocate the building, to be provided prior to the issuance of a building permit and the building being moved on site. This security will ensure that any required modifications to the design, construction, siting, finishing and cladding of the relocated building are completed.

- (5) The conditions shall be completed within one year of the issuance of the development permit, as determined by the Development Authority.

- (6) The security will be released once all the conditions have been completed by the applicant to the satisfaction of the Development Authority, and Authority and are met within the time frame as set out in the development permit.

- (7) Upon expiry of the Development Permit, if the required work has not been completed to Town's satisfaction, the Town may use the security to have the work completed and bring the building into compliance.

- (8) The applicant shall be advised not less than 30 days prior to the expiration time set out in the development permit, that action will be undertaken by the Town to use the security in completing the required renovations if they have not been completed by the expiration

date. Only Council may direct Administration to delay action to complete the requirements of the permit.

8.24 RESIDENTIAL AND INDUSTRIAL USES ADJACENT

~~(13)~~(12) In considering subdivision or development permit applications for residential uses adjacent to existing industrial developments or industrial uses adjacent to existing residential developments, the Development Authority may impose conditions addressing:

- (a) Providing proper services and access to the site,
- (b) Screening, aesthetics and landscaping,
- (c) Control of signage,
- (d) Noise control,
- (e) A development agreement, with the need to provide security, and
- (f) Any other issue deemed necessary by the Development Authority.

8.25 TEMPORARY STRUCTURES

- (1) A temporary structure may not be erected without permission of the Development Authority which may be granted as follows:
 - (a) In a residential district provided that:
 - (i) No such temporary structure shall be more than 3.0 metres in height or set back less than 1 metre from the side and rear property lines; and
 - (ii) The owner enters into an agreement to remove such a structure in accordance with the terms and conditions stipulated by the Development Authority;
 - (iii) There shall be no more than one temporary structure per site;
 - (iv) A temporary structure must be placed in the rear yard only;
 - (v) In the case of a pre-manufactured temporary structure, the elevations shall be subject to approval of the Development Authority; and
 - (vi) The structure is completed in accordance with the terms stipulated by the Development Authority, provided that the temporary structure development permit shall expire at the end of one year, unless renewed by the Development Authority for a further term, and that such temporary structure must comply with this Bylaw.
- (2) Temporary Structures include, but are not limited to:
 - (a) Portable Storage Containers, including c-cans;
 - (b) Tent Garages.
- (3) If an owner fails to comply with the terms and conditions of a temporary structure development permit, the Development Authority may remove or cause to be removed such structure as the case may be, the costs of which shall be charged against the lands upon which the temporary structure is situated and shall be payable by the owner to the Town on demand.

- (4) A temporary structure shall not be used as a dwelling.

PART 9 – SPECIFIC USE REGULATIONS

9.1 BED AND BREAKFAST ESTABLISHMENTS

- (1) Bed and Breakfast Accommodation shall be reviewed as Home Business permit.
- (2) All persons operating bed and breakfast facilities must provide evidence of compliance with municipal, provincial and/or federal regulations in regard to their operation.
- (3) A bed and breakfast is an accessory use to a main residential use.
- (4) A Development Authority may permit a Bed and Breakfast Accommodation use only if in the opinion of the Development Authority it will:
 - (a) Be restricted to the dwelling unit;
 - (b) Not change the principal character or external appearance of the dwelling involved; except where minimal exterior modification of the structure or grounds are compatible with the character of the area or neighborhood and pursuant to a Development Permit;
 - (c) Not create a nuisance by way of noise, parking or traffic generation;
 - (d) Not employ anyone but the residents of the dwelling;
 - (e) Be limited to one (1) identification sign no more than 0.3 m² in size and displayed from within the establishment;
 - (f) Not occupy more than three (3) bedrooms;
 - (g) Be limited to one meal provided on a daily basis to registered guests only; and
 - (h) One on-site parking stall shall be provided for each bedroom provided for compensation and shall meet the signage requirements of this Bylaw.

9.2 CANNABIS PRODUCTION AND DISTRIBUTION FACILITY

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- (1) Cannabis facilities must have a licence issued by the Health Canada.
- (2) The following regulations apply to cannabis facilities:
 - (a) An ancillary building or structure used for security purposes may be located on the parcel containing the use as an accessory building which meets the regulations of this Land Use Bylaw.
 - (b) Facilities must include equipment designed and intended to remove odours from the air where it is discharged from the facility as part of a ventilation system.
 - (c) Facilities must not be within 100 metres of a residential district measured from the building containing the use to the nearest property line of a parcel designated as a residential district.

- (3) An application for a Development Permit for Cannabis Production and Distribution Facility requires a Development Permit shall be made to the Development Authority and shall include reports prepared by the appropriate professionals for the following:
 - (a) the incineration of waste products and air borne emission, including smell;
 - (b) the quantity and characteristics of liquid and waste material discharged by the facility; and,
 - (c) the method and location of collection and disposal of liquid and waste material.
 - (d) Additional information as required by the Development Authority.
- (4) The operator of a Cannabis Production and Distribution Facility must ensure that nuisances, including odour, are addressed to the satisfaction of the Development Authority.

9.3 CANNABIS RETAIL SALES

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- (1) Cannabis stores and where all cannabis that is offered for sale or sold must be from a federally approved and licensed facility.
- (2) Cannabis stores must be licensed by the Alberta Government.
- (3) Cannabis stores must be a stand-alone use, which means it cannot be combined with another use, such as a convenience store. However, cannabis stores can occur in a multi-tenant building or as part of a mixed-use development.
- (4) The operator of a Cannabis Retail Sales must ensure that nuisances, including odour, are addressed to the satisfaction of the Development Authority.
- (5) Cannabis stores shall not be located within 100 metres of any other Cannabis Store, when measured from the closest point of a parcel of land containing a Cannabis Store to the closest point of another parcel of land containing a Cannabis Store with the following exceptions:
 - (a) A proposed cannabis store is at the same location as an existing retail store that currently sells cannabis-related paraphernalia as its main merchandise,
 - (b) There is only one other cannabis store within the minimum separation distance,
 - (c) A proposed cannabis store is located on a different street or on the opposite side of the same street as the existing cannabis store,
 - (d) A major road, expressway or river separates the proposed cannabis store from the existing cannabis store,
 - (e) A proposed cannabis store is located in an enclosed shopping centre, or
 - (f) An existing approved cannabis store proposes to relocate to a new location within 100 metres of its original location, provided that it does not move within the separation distance of a different cannabis store.
- (6) Cannabis stores shall not abut a Liquor Store.

- (7) Cannabis stores shall not be located within 100 metres of the following:
- (a) A building containing a public school, private school, or a boundary of the parcel of land which the facility is located, or
 - (b) All properties which are designated as School Reserve or municipal and school reserve on the certificate of title.
 - (c) A provincial health care facility, or a boundary of the parcel of land on which the facility is located, or
 - (d) Emergency shelter.

9.4 CHILD CARE FACILITIES AND FAMILY DAY HOMES

- (1) Child Care Facilities:
- (a) Shall follow the Child Care Licensing Regulations that may provide programming for the social, creative, educational and physical development of children;
 - (b) Shall have privacy screening or other buffering techniques designed to limit impact on other uses or the surrounding residential properties;
 - (c) In any Residential District:
 - (i) Shall not change the principal character or external appearance of the dwelling in which it is located;
 - (ii) Shall have an outdoor play area designed and secured according to Provincial regulations and must be shown on the plan submitted for a development permit; and
 - (iii) Shall provide parking according to the regulations outlined in *Part 10 Parking & Loading Facilities* of this Bylaw. In addition, a drop-off area shall be provided at the rate of one (1) drop-off space for every five (5) children, or at the discretion of the Development Authority.
- (2) A Family Day Home/ After School Care:
- (a) shall not be located in a dwelling unit containing another Home Business;
 - (b) require privacy screening that prevents visual intrusion into any outdoor play areas; and

9.5 GAS BAR

- (1) Must not have a canopy that exceeds 5.0 m in height when measured from grade;
- (2) Must have fully recessed canopy lighting;
- (3) May have an outdoor display of products related to the use, provided they are within 4.5 m of the building entrance or on gas pump islands;

9.6 HOME OCCUPATIONSBASED BUSINESSES

- (1) All home businesses shall:
- require a development permit; and,
 - be considered temporary uses.
- (2) Only one Home Business permit shall be issued per residence. Multiple Home Businesses may be allowed under the single permit provided that the requirements are not exceeded by the combined businesses.
- (3) Uses that are not considered Home Businesses include, but are not limited to:
- Adult Entertainment Facilities;
 - Auto Body and Paint Shop, Auto Detailing Facility, Automotive, Equipment and Vehicle Services, Automotive Services, and Automotive Specialty;
 - Cannabis Retail Sales, Cannabis Production and Distribution;
 - Child Care Facilities;
 - Escort Services; or
 - Veterinary services.
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- (4) The Development Authority has the discretion to refuse a Home Business permit application if the proposed use would be better suited in a commercial or industrial district.
- (5) All home occupationsbased businesses shall comply with the following general regulations:
- All home occupationsbased businesses shall be operated as a secondary use only and shall not change the principal character and external appearance of the dwelling in which it is located.
 - One professionally manufactured non-illuminated fascia sign or nameplate to identify a home based business occupation not greater than 0.3 square metres (3.2 square feet) in an area placed within the dwelling unit or any accessory building is permitted.
 - A home occupation based business, whether or not a development permit has been issued, shall be reviewed by the Development Officer, when complaints are registered against a home based business occupation by an affected landowner. A development permit issued for a home occupation based business is liable to recall and cancellation on the basis of non-compliance on 60 days notice.
- (6) Home occupationsbased businesses shall meet all the requirements of 9.6(5) and shall comply with the following regulations:
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- The home based business occupation shall be operated by the permanent resident(s) of the principal dwelling and shall employ no more than one non-resident, on-site employee.
 - There shall be no more than four (4) home based business occupation clients or customers on site during any period of 24 hours for a minor home business.

- (c) The home ~~occupation-based business~~ shall not occupy more than 30% of the gross floor area of the principal dwelling.
- (d) Any storage of materials or goods related to the home ~~based business~~~~occupation~~ must be located within the principal dwelling and/or accessory structure and no exterior storage is permitted.
- (e) The home ~~occupation-based business~~ shall have no more than two (2) ~~home-occupation~~ vehicles used in conjunction with the home ~~based business~~ ~~occupation~~, parked and maintained on site. There shall be no heavy vehicles (~~> 4,500 kg or 9,900 lbs~~) parked on-site of a home ~~based business~~ ~~occupation~~.

9.7 KENNEL REGULATIONS

- (1) An Animal Shelter, Veterinary Clinic, Veterinary Hospital or Commercial Kennel may need to provide soundproofing pens, rooms, exercise runs, or holding stalls to the satisfaction of the Development Authority.
- (2) An Animal Shelter, Veterinary Clinic, Veterinary Hospital or Commercial Kennel shall meet public health regulations and be kept in a manner satisfactory to the health regulatory authority.
- (3) Commercial Kennel, including any outdoor runs or exercise areas shall be located a minimum of 3m from any Property Line.
- (4) Commercial Kennel including any outdoor runs or exercise areas may be required to be visually screened from existing dwellings on adjoining parcels to the satisfaction of the Development Authority.
- (5) All exterior exercise areas (runs) shall be enclosed with a fence acceptable to the Development Authority with a minimum Height of 1.8 m.
- (6) All exterior exercise areas (runs) shall be sited behind the Principal building.
- (7) The Development Authority may regulate the hours that the animals are allowed outdoors.

9.8 MANUFACTURED HOMES

- (1) Development Permits for a Manufactured home units shall have:
 - (a) Third party certification from an accredited inspection agency including the Canadian Standard Association (CSA), Intertek or Quality Auditing Institute (QAI). 944/18
 - (b) Alberta Municipal Affairs Label ~~or CSA label~~. 944/18
 - (c) Model number.
 - (d) Manufactured home unit serial number.

- (2) All accessory structures, such as patios, porches, additions and skirtings, shall be
 - (a) Factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured home units,
 - (b) Considered as part of the main building, and
 - (c) Erected only after obtaining a Development Permit.
- (3) A manufactured home unit shall be skirted from the floor level to the ground level. The skirting shall compliment the external finish of the manufactured home unit.
- (4) The maximum permitted floor area of porches and additions shall be no more than 50% of the floor area of the manufactured home unit.
- (5) No accessory building or use, other than parking spaces, shall be located in the front yard of a manufactured home unit.
- (6) Furniture, domestic equipment, or ~~seasonally used~~ seasonally used equipment shall be stored in adequate covered storage or screened area, either individually on the stall or lot or communally, which storage facility shall conform to the regulations passed under the Safety Codes Act.
- (7) The following regulations apply to all manufactured home units:
 - (a) The hitch and wheels are to be removed from the manufactured home unit.
 - (b) All manufactured home units shall be placed on a foundation or base.
 - (c) The lot or stall is to be fully landscaped within one (1) year from the date of issuance of the development permit for the manufactured home unit.
- (8) The following regulations also apply to manufactured home parks developed after 2015:
 - (a) The stalls shall be located at least 3.0 m from a property boundary line. This 3.0 m wide strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.
 - (b) All roadways shall be constructed and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 12 m with a paved carriage way of at least 8 m.
 - (c) A safe, convenient, all season pedestrian walkway of at least 1.0 m in width shall be provided for access between individual manufactured home units, the park roadways, and all community facilities provided for park residents.
 - (d) Visitor parking spaces shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.
 - (e) The design of manufactured home parks shall be to the satisfaction of the Development Authority.
 - (f) All municipal utilities shall be provided underground to stalls.

- (g) A minimum of 5% of the gross site area shall be devoted to recreational use.
- (h) All areas not occupied by manufactured home units and their additions, roadways, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around maintenance yards, refuse collection points and playgrounds.
- (i) 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.
- (j) Manufactured home park facilities shall be arranged to create a homelike atmosphere. This objective may be achieved by variations in street pattern, block shapes, and the location of manufactured home unit stalls.
- (k) Each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- (l) Street lighting shall be to the same standard as that in a conventional residential neighbourhood.
- (m) Only one main, free-standing, identification sign of residential character and appearance may be erected at the entrance to a manufactured home park, unless the Development Authority is of the opinion that a second and similar sign shall be allowed under exceptional circumstances relating to the layout, location and size of the park in relation to surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Authority. 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.
- (n) Manufactured home units shall be separated from each other by at least 3.5 m. Any porch or addition to the manufactured home unit shall be regarded as part of the manufactured home unit for the purpose of this separation.
- (o) The minimum distance between a manufactured home unit and the front, side, or rear lines of its stall shall be 3.0 m.
- (p) The minimum lot area of the manufactured home park shall be 2.0 ha (4.9 ac.).
- (q) The maximum permissible density for a manufactured home park shall be 20 manufactured home units per gross developable hectare (8 per ac.) of the lot being developed at each stage of development.
- (r) The minimum area for a manufactured home stall shall be 370 m².

9.9 RIDING ARENA, PRIVATE

- (1) A Development Permit is required for a Riding Arena, Private.
- (2) A Riding Arena, Private shall be an Accessory use on a Lot with a Principal residence.

- (3) A Riding Arena, Private shall not have a building or structure larger than 1,500 m² (16,146 ft²) in area.
- (4) A Riding Arena, Private shall be used solely by the occupants of the residence and/or by not more than four (4) non-resident users per day in addition to the residents.
- (5) The Approving Authority may require a manure management plan as a condition of development permit.

9.10 SOLAR COLLECTORS

- (1) A solar collector may be located on the roof or wall of a building or structure.
- (2) A solar collector mounted on a roof with a pitch of less than 4:12, may project:
 - (a) A maximum of 0.5 m from the surface of a roof, when the solar collector is located 5.0 m or less from a side lot line, measured directly due south from any point along the side lot line; and
 - (b) In all other cases, maximum of 1.3 m from the surface of a roof.
- (3) A solar collector mounted on a roof with a pitch of 4:12 or greater, may project a maximum of 1.3 m from the surface of a roof.
- (4) A solar collector mounted on a roof must not extend beyond the outermost edge of the roof.
- (5) A solar collector that is mounted on a wall:
 - (a) Must be located a minimum of 2.4 m above grade; and
 - (b) May project a maximum of:
 - (i) 1.5m from the surface of that wall, when the wall is facing a rear lot line; and
 - (ii) In all other cases, 0.6 m from the surface of that wall.
- (6) A solar collector mounted on a structure must meet yard setback and district height regulations.

9.11 USES PERMITTED IN ALL LAND USE DISTRICTS

- (1) The following Uses are permitted in all Land Use Designations:
 - (a) Public utility;
 - (b) Road;
 - (c) Highway; and
 - (d) Park.

9.12 WRECKING YARD (AUTO AND EQUIPMENT WRECKAGE SITE)

(1) Wrecking Yards shall have a minimum area of 1.0 ha and a maximum area of 4.0 ha for storage, and must be completely fenced and screened by a type of fence approved by the Development Authority to a height of 2.4 m.

(2) All vehicles within a Wrecking Yards shall be stored within the enclosure and maintenance of the site shall be in accordance with any standards deemed necessary by the Development Authority.

9.13 C-CANS

(2) —

- (1) All c-cans are subject to the regulations for an accessory building for the district in which it is located.
- (2) C-Cans shall meet all provisions outlined in Section 8.18 OBJECTIONABLE ITEMS IN YARDS
- (3) C-Cans shall not be attached in any way to a principal building.
- (4) C-Cans shall not be stacked.
- (5) No sign shall be attached to a c-cans.
- (6) C-Cans Storage Containers may only be located in industrial, commercial public service and urban holding districts providing that:
 - (a) They are not located in a front yard or exterior side yard;
 - (b) They are not stacked;
 - (c) They are not used to store any dangerous or hazardous materials;
- (7) C-Cans shall be visually screened from public roads and adjacent properties in a manner which satisfies the Development Authority.
- (8) C-Can shall have no visual or material impacts on neighbouring properties, to the satisfaction of the Development Authority.
- (9) A maximum of three (3) c-ans may be allowed within a single parcel, as long as the total coverage does not exceed the lot coverage in the district.
- (10) C-Cans may be temporarily placed on a site in any district:
 - (d) During active construction on a site when the shipping container is solely for the storage of supplies and equipment that are used for the site, provided that a valid building permit has been issued for the construction. The c-cans must be removed from the site upon completion of construction; or
 - (e) For the purposes of loading and unloading of items associated with the principal use for a period of not more than ten (10) days in any six month period.
- (11) When placed on a site pursuant to section 9.13(10), the c-cans shall:
 - (a) Be located so as to not create a safety hazard;
 - (b) Not be located within 1.2 m of a property boundary; and
 - (c) Be located in the rear yard where possible.
- (12) Temporary c-cans as outlined in 9.13(11), may be permitted in the front yard of a property at the sole discretion of the development authority. A development permit is required for temporary c-cans located in the front yard.

PART 10 – PARKING, ~~&~~ LOADING AND STORAGE FACILITIES

10.1 PARKING FACILITIES – GENERAL REGULATIONS

~~(1)~~(2) Parking stalls and loading spaces shall be clearly marked in the parking facility. Such marking shall be regularly maintained to ensure legibility to users and shall be to the satisfaction of the Development Authority.

~~(2)~~(3) All off-street parking facilities shall be so constructed that:

- (a) Necessary curb cuts are located and flared to the satisfaction of the Development Authority;
- (b) 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;
- (c) Parking and storage facilities ~~used at night~~ shall have adequate lighting for the ~~entire~~ parking and/or storage facility. Such lighting shall be directed away from adjacent residential properties and other properties where in the opinion of the Development Authority they would have adverse effects;
- (d) Grades and drainage shall dispose of surface water. In no case shall grades be established that would permit surface drainage to cross any sidewalk or site boundary without the approval of the Development Authority or Municipal Planning Commission; and
- (e) Parking for the physically handicapped shall be provided as provincial regulations require and shall be considered as part of the number of stalls required for the project.

~~(3)~~(4) Where a proposed development will, from time to time, require pick-up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the site to the satisfaction of the Development Authority or Municipal Planning Commission.

~~(4)~~(5) Pursuant to 10.1(3), the Development Authority shall consider the following criteria when reviewing off-street loading regulations:

- (a) Off-street loading spaces shall have dimensions of not less than 4.0 m in width and 8.0 m in length;
- (b) Have overhead clearance of not less than 5.3 m above grade;
- (c) Have vehicular access to and exit from a street or lane either directly or by a clearly defined traffic aisle;
- (d) Be sited at an elevation or elevations convenient to a major flood level in the building or to a utility elevator serving each major flood level;
- (e) Be so graded and drained as to dispose of all surface water. In no case shall grades be established that would permit drainage to cross site boundaries or sidewalks without the approval of the Development Authority or Municipal Planning Commission;

- (f) Be paved or hard-surfaced where an off-street parking facility is required to be paved or hard-surfaced;
- (g) Have adequate lighting to the satisfaction of the Development Authority or Municipal Planning Commission; and
- (h) Be screened on each side adjoining or fronting on any property in a residential district by a wall, fence, earth berm or hedge of not less than 2.0 m in height, to the satisfaction of the Development Authority or Municipal Planning Commission.

10.2 PARKING AREAS

- (1) Unless otherwise approved by the Development Authority, each development shall provide on its site a parking area containing, at a minimum, the number of parking spaces as calculated in Table 10.2.1.
 - (a) In the case of a use not specifically mentioned, the required number of on-site parking spaces shall be the same as for a similar use as determined by the Development Authority.
 - (b) Where a development contains more than one use as listed, the required number of parking spaces shall be the sum of the requirements for each of the uses listed.
 - (c) Where a fractional number of parking spaces are required, the next highest number of spaces shall be provided.
 - (d) If the Development Authority approves, one or more developments or uses may pool their minimum required parking spaces within one or more communal parking areas and may thereby collectively fulfill the requirements of this Bylaw.

Table 10.2.1 – Parking Requirements

Use of a Building or Site	Minimum Number of Parking Spaces
Residential Uses	
Multi-family dwellings	2 per dwelling unit
Seniors apartments	1 per dwelling unit, or as required by the Development Authority
Boarding houses	1 per bedroom
Senior citizen homes	1 per dwelling unit
Secondary suites	1 per bedroom
All other dwellings	2 per dwelling unit
Manufactured home parks	In addition to 2 per dwelling unit, 1 visitor parking space per 4 manufactured home units
Commercial and Industrial Uses	
Cannabis Production Facilities	1 per 100 m ² (1,076 ft ²) of gross floor area for the first 2,000 m ² , and then 1 per each subsequent 500 m ² 944/18
Eating and drinking establishment	1 per 5 seating spaces
Eating and drinking establishments (take out)	1 per 13 m ² (140 ft ²) of gross leasable area plus 1 per 3 employees on maximum shift
Drive thru restaurants	2 per drive thru window
Other drive thru businesses	2 per drive thru window
Hotels and motels	1.5 per rentable unit
Bed and breakfast	1 per bedroom
Home occupationsbased businesses	1 in addition to the requirements for the residential use
All other commercial uses	1 per 28 m ² (301.4 ft ²) of gross leasable area
All industrial uses	1 per 46 m ² (495 ft ²) of gross leasable area
Institutional Uses	
Places of Public Assembly	1 per 5 seating spaces
Schools (elementary/junior high)	2 per classroom
High schools	3 per classroom
Commercial schools	1 per student
Hospitals and similar uses	2 per bed
Nursing homes	0.75 per bed

- (2) At the discretion of the Development Authority, minimum parking requirements may be relaxed for existing buildings where historical site design is not being ~~altered, and~~ altered and cannot accommodate the required number of parking stalls.

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- (3) At the discretion of the Development Authority, a developer may pay money to the Town in lieu of providing parking spaces. The amount of money will be determined by Council and be based on the amount of money needed to acquire land and to develop the required number of parking spaces on adjacent lands.

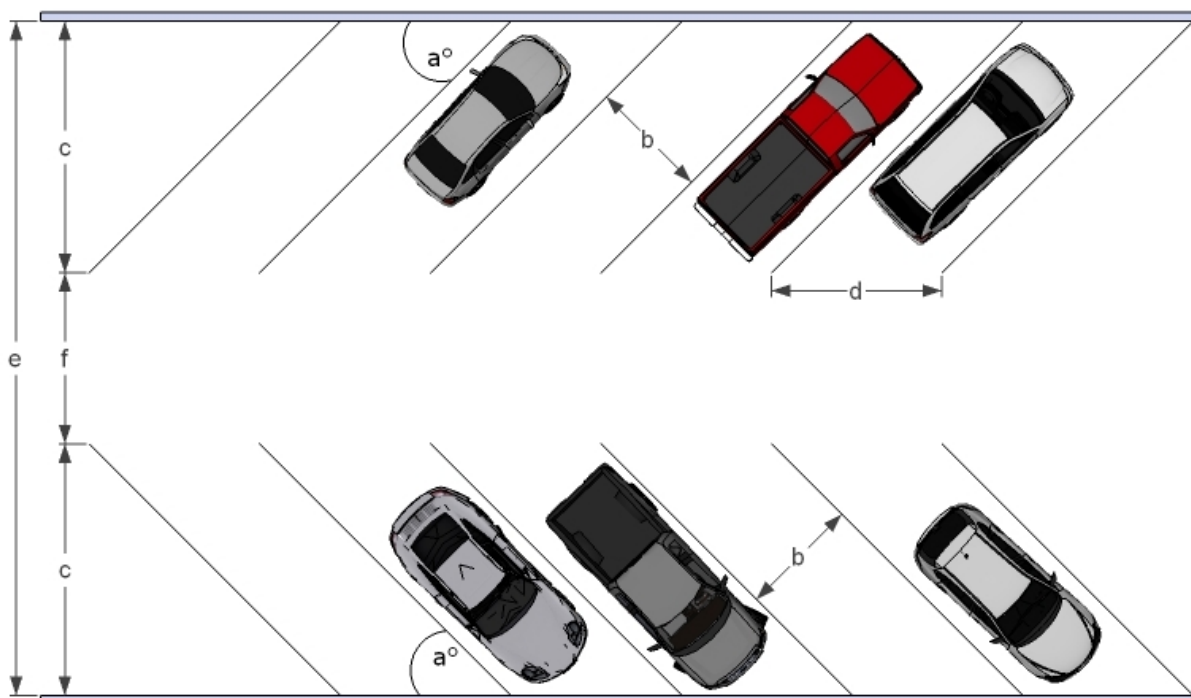
- (4) Surfacing and Drainage
 - (a) All parking areas shall be clearly marked, landscaped and adequately lit with lighting away from adjacent sites, adequately graded and drained to dispose of all stormwater run-off, contain the necessary curb cuts, and surfaced in a manner to match the road or lane from which the parking area gains access.
 - (b) The approach or access to every off-street parking area shall be surfaced in the same manner as the adjoining road from which access is gained.
 - (c) Drainage shall only be allowed to cross sidewalks if approved by the Development Authority.

- (5) All parking areas shall conform to the requirements shown in Table 10.2.2 and Figure 10.2.3.

Table 10.2.2 – Required Parking Stall Dimensions

(a) Parking Angle (in degrees)	(b) Width of Space in m (ft)	façade Stall Depth Perpendicular to Aisle	(d) Width of Space Parallel to Manoeuvring Aisle in m (ft)	façade Overall Depth in m (ft)	(f) Width of Manoeuvring Aisle in m (ft)
0	2.7 (9)	2.7 (9)	7.0 (23)	9.1 (30)	3.6 (12)
30	2.7 (9)	5.2 (17)	5.5 (18)	14.0 (46)	3.6 (12)
45	2.7 (9)	5.9 (19)	4.0 (13)	15.2 (50)	4.0 (13)
60	2.7 (9)	6.1 (20)	3.1 (10)	18.3 (60)	6.1 (20)
90	2.7 (9)	6.1 (20)	2.7 (9)	19.5 (64)	7.3 (24)

Figure 10.2.1 – Parking Guide to Correspond with Table



10.3 OFF-STREET LOADING AREAS

- (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 3.5 m (11.5 ft.) in width, 7.5 m (24.6 ft.) in length, and 4.0 m (13.1 ft.) in height above grade;
 - (b) Have vehicular ingress to, and egress from, a road or lane either directly or by a clearly defined traffic aisle such that no backing or turning movements of vehicles going to or from the loading space shall cause interference with traffic in the abutting road or lane;
 - (c) Be sited at an elevation or elevations convenient to a major floor level in building or to a utility elevator serving each major floor level;
 - (d) Be so graded and drained as to dispose of all storm water runoff. Drainage shall only be allowed to cross sidewalks if approved by the Development Authority;
 - (e) Be surfaced in the same manner as the adjacent road or lane; and
 - (f) 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) The number of loading spaces required to be provided in a development shall be as follows:
 - (a) For a retail, industrial, warehouse, or similar development,
 - (i) One (1) space for a development of less than 460 m² (4951.6 ft²) of gross leasable area, plus
 - (ii) One (1) space for the next 1840 m² (19,805.6 ft²) of gross leasable area or fraction thereof in a development, plus
 - (iii) One (1) additional space for each additional 2300 m² (24,757.0 ft²) of gross leasable area or fraction thereof in a development.
 - (b) For an office use, place of public assembly, convalescent home, institution, club or lodge, school or any similar use, one (1) space for a development of less than 2800 m² (30,139.9 ft²) of gross floor area, and one (1) additional space for each additional 2800 m² (30,139.9 ft²) of gross floor area or fraction thereof.
 - (c) For multi-family dwellings, one (1) space for each twenty (20) dwelling units or fraction thereof.
 - (d) Any other building or use shall provide loading spaces as required by the Development Authority.
 - (e) Where a fractional number of loading spaces are required, the next highest number of spaces shall be provided.

PART 11 – SIGNS

11.1 PURPOSE

- (1) The purpose of this Chapter is to regulate the development and display of signage within the Town of Rimbey. This Chapter provides signage development standards related to:
- (a) Location.
 - (b) Type.
 - (c) Quantity.
 - (d) Height.
 - (e) Size.

11.2 DEFINITIONS

- (1) For the purpose of this Part the following definitions shall apply, in addition to those contained in Section 2.2:
- (a) “A-Frame Sign” means a temporary, movable, self-supporting A-shaped sign consisting of two flat surfaces joined at the upper end and resting on the ground
 - (b) “Awning Sign” means a non-illuminated sign painted on the fabric surface supported by an exterior wall of a building
 - (c) “Billboard” means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located
 - (d) “Building Face” means the total area of the wall of a building
 - (e) “Copy” means the text, illustrations and symbols that make up the message on a sign
 - (f) Dynamic Sign means a sign or portion of a sign with features that move or appear to move or change, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. A Dynamic Sign includes any display that incorporates a technology or other method allowing the image on the sign face to change, such as rotating panels, LED lights manipulated through digital input, or “digital ink”. A Dynamic Sign does not include a sign whose message or image is changed by physically removing and replacing the sign or its components.

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 - (g) “Electronic Message Centre” means a sign or component of a sign on which the copy can be changed by electrical or electronic means.

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 - (h) “Freestanding Sign” means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structure
 - (i) “Identification Sign” any sign which is used to display the address, and name of a building or parcel of land
 - (j) “Illuminated Sign” means any sign illuminated either directly from a source of light incorporated in or connected with the sign, or indirectly from an artificial source

- (k) "Portable Sign" means a sign, excluding A-board and temporary signs that can be carried or transported from one site to another
- (l) "Projecting Sign" means a sign, which is attached to a building or structure so that part of the sign projects beyond the face of the building or structure
- (m) "Real-Estate Sign" means any temporary sign which advertises for the sale, lease, or rent of a building or parcel of land
- (n) "Roof Sign" means any sign placed on or over a roof
- (o) "Rotating Sign" means any sign or part of a sign which moves in a clockwise or counter-clockwise motion
- (p) "Sign" means any word, letter, model, picture, symbol, device or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any structure, or portion thereof, which is used primarily to carry, hold, maintain, support or sustain a sign is construed as being part of the sign, and except as provided for in this Bylaw, is subject to all regulations governing signs.
- (q) "Sign Area" means the total surface area within the outer periphery of the said sign, and in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.
- (r) "Sign Height" means the vertical distance measured from natural grade at the base of the sign to the highest point of such sign.
- (s) "Temporary Sign" means a sign or banner that is not permanently installed or affixed, advertising a product, activity or event on a limited time basis and does not include a portable sign.
- (t) "Third Party Sign" typically associated with a "Billboard Sign" means a sign, which directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premise on which the sign is located
- (u) "Vehicle Sign" means a sign mounted, posted or otherwise adhered on or to a motor vehicle, including but not limited to trailers, wagons, tractors, and recreational vehicles
- (v) "Wall Sign" means a sign placed flat and parallel to the face of the building so that no part projects more than one foot from the building
- (w) "Window Sign" means a sign which is painted on or affixed to a window and faces towards an adjacent sidewalk or roadway

11.3 SIGNS

(1) ~~Sign~~ Development Permit ~~for signs are r~~Required:

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- (a) Except as stated in Section 10.3(2), no sign shall be erected or altered on land or affixed to any exterior surface of a building or structure unless a sign permit for this purpose has been issued by the Development Authority
- (b) Unless otherwise specified in this Bylaw a permit is required for the following signs:
 - (i) Free standing sign
 - (ii) Wall sign
 - (iii) Canopy sign
 - (iv) Rotating sign
 - (v) Projecting sign
 - (vi) Roof sign
 - (vii) Billboard sign
 - (viii) Portable sign

(2) Unless otherwise specified in this Bylaw no ~~sign~~ development permit ~~for a sign~~ is required for the following signs:

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- (a) Signs posted or displayed within the interior space of a building
- (b) Signs posts or displayed in or on an operating motor vehicle if the vehicle is not temporarily or permanently parked solely for the purpose of displaying the sign
- (c) A statutory or official notice of a function of the Town
- (d) Signs posted by a municipal, provincial, or federal government agency
- (e) Traffic and directional signs authorized by the Town and/or Alberta Provincial Authorities
- (f) The erection of campaign signs for federal, provincial, municipal, or school board elections on private properties for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation provided that
 - (i) Such signs are removed within ten (10) days of the election date
 - (ii) The consent of the property owner or occupant is obtained
 - (iii) Such signs do not obstruct or impair vision or traffic
 - (iv) Such signs are not attached to utility poles
 - (v) Such signs indicate the name and address of the sponsor and the person responsible for removal
- (g) A non-illuminated sign that is posted or exhibited solely for the identification of the address or name of the land or building on which it is displayed including signs identifying the occupants, if the sign:
 - (i) Does not exceed 1.0 m² in area, and
 - (ii) Is posted only at each entrance from which access from a public roadway To the building is provided
 - (iii) Does not advertise for a home-based business or bed and breakfast establishment

- (h) A non-illuminated sign that is posted or exhibited for sale, lease or rentals of land or a building if the sign:
 - (i) Is 3.0 m² of less in area
 - (ii) Is posted only on each side of the building or land facing a different public roadway
- (i) Window Sign
- (j) An A-Frame sign:
 - (i) Provided it is advertising for goods or services which are located for sale or offered on the same lot or on a sidewalk adjacent to the same lot
 - (ii) Does not obstruct vehicular or pedestrian traffic
- (k) A non-illuminated sign of a building contractor relating to construction work in progress on the land on which such signs are erected, provided that:
 - (i) Such signs are removed within fourteen (14) days of occupancy, and
 - (ii) Such sign are limited in size to a maximum of 3.0 m², and in number to one sign for each boundary of the property under construction which fronts onto a public street.
- (l) A non-illuminated temporary sign advertising a garage sale, estate sale or open house. Such signs may be posted for a maximum period of 48 hours, and may not exceed 1.0 m² in area or 1.0 m in height.

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11.4 SIGN DEVELOPMENT PERMIT FOR SIGNS SUBMISSION

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- (1) An application for a Development Permit to structurally alter or erect a Sign that requires a Development Permit shall be made to the Development Authority and shall include the following:
 - (a) A letter of consent from the registered owner of the land or building upon which the sign will be located.
 - (b) A letter outlining the contact information of the owner of the Sign.
 - (c) The location of all existing and proposed Signs on the building façade or on a site plan of the parcel indicating the front and side property lines, setbacks and distances from existing buildings.
 - (d) Two copies of a rendering / illustration of the proposed Sign with dimensions and total Sign Area, height of top and bottom of the Sign above average ground level and
 - (e) thickness of the Sign.
 - (f) Materials, finishes, colours, size of lettering and graphics.
 - (g) Mounting or installation details: the Development Authority may require that a structural drawing be prepared and sealed by a Professional Engineer.

- (h) Mounting height or clearance to grade.
- (i) The appropriate fee.

Type of Sign	Land Use Designation and Development Standards											
	PS			R1, R1A, R2, R3, RE, CR, MHP, MHS			C1			C2, M		
	#	H	SA	#	H	SA	#	H	SA	#	H	SA
Freestanding Sign	1	4.0 m	3.0 m ²	1	1.5 m	1.5 m ²	1	10m	10 m ²	1	10 m	12 m ²
Wall Sign	1	N/A	3.0 m ²	1	N/A	1.0 m ²	1^	N/A	20 m ²	1^	N/A	24 m ²
A-Frame Sign	1*	1.0 m	0.7 m ²	Not Permitted			1*	1.0 m	0.7 m ²	1*	1.0 m	0.7 m ²
Temporary Sign	1	4.0 m	3.0 m ²	Not Permitted			1	6.0 m	9.0 m ²	1	6.0 m	9.0 m ²
Canopy Sign	1*	2.5 m**	1.5 m ²	Not Permitted			1*	2.5 m**	1.5 m ²	1*	2.5 m**	1.5 m ²
Dynamic Sign 944/18	1	2.5 m	1.5 m ²	Not Permitted			1	2.5 m	1.5 m ²	1	2.5 m	1.5 m ²
Rotating Sign	Not permitted			Not Permitted			1	10 m	10 m ²	1	12 m	15 m ²

11.5 PROHIBITED LOCATION

- (1) No part of any sign, including any accessory components, shall be located on any roadway, boulevard, sidewalk. Only ‘A-Frame’ type signs may be permitted on a sidewalk abutting a business but must first receive the written consent of the Development Authority. 929/17
- (2) No part of any sign, including any accessory components, shall be located on any land owned by the Development Authority-Town of Rimbey without a council motion granting use of the land prior to the Development Authority issuing a Development Permit. 929/17

11.6 SIGN DEVELOPMENT STANDARDS

- (1) Unless provided elsewhere in this Bylaw, signs shall be erected in accordance with the standards specified in Table 11.6.1.

Projecting Sign	Not permitted	Not Permitted	1	2.5 m**	1.5 m ²	1	2.5 m**	1.5 m ²
Roof Sign	Not Permitted	Not Permitted	1	7.5 m	10 m ²	1	10 m	15 m ²
Billboard Sign	Not Permitted	Not Permitted	1	10 m	10 m ²	1	9.5 m	12 m ²
Portable Sign	Not Permitted	Not Permitted	1	2.5 m	3.0m ²	1	2.5 m	3.0 m ²

Key

= Refers to the maximum Number of Signs permitted per lot

H = Refers to the maximum Sign Height permitted

SA = Refers to the maximum Sign Area permitted

^ = Refers to the maximum number of permitted signs per each side of a building facade

* = Refers to the maximum number of permitted signs per business on a lot

** = Refers to the minimum vertical clearance from grade or, if applicable, a sidewalk to the bottom of the sign

Table 11.6.1 – Sign Development Standards

(2) In addition to the standards specified in Table 3, the following regulations will also apply:

(a) Awning/Canopy Sign

(i) No portion of the canopy/awning shall be closer than 600 mm to a vertical line drawn from the adjacent curb.

(b) Billboard Sign

- (i) Where a billboard shares a lot with a building, no billboard shall be located in the front or side yard which runs parallel to an adjacent roadway.
- (ii) Billboards shall be spaced at a distance of 90 metres from one another.
- (iii) Where a portable sign is serving as a billboard it shall be spaced 45 metres from other portable or permanent signs serving as billboards.

(c) Dynamic Signs

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- (i) No Dynamic Sign may be erected except as permitted in this Section;
- (ii) The Development Authority shall only approve a Dynamic Sign as a portion of a permitted Community, Canopy, Free Standing or Fascia Sign.
- (iii) A Dynamic Sign may display public service ~~announcements, but~~ announcements ~~but~~ shall not include third party advertising or sponsor recognition except when it is located on a site in a Public Service (PS) district.
- (iv) Dynamic Signs shall only be permitted as a discretionary use in Commercial, Industrial and Public Service Districts, and must meet the following requirements:

- (1) not be located within 30.0 m radius of a residential district, and when site or lot of a proposed dynamic sign location is adjacent to a residential district, notification will be sent within a 100.0 m radius of the proposed site,
- (2) be limited to one sign per building or site, with the exception of Public Service sites over 17 ha will be limited to two (2) signs provided that one of the signs must be a fascia sign and the other must be a portion of a freestanding sign, and further provided that the two (2) signs must be at least 50.0 m apart,
- (3) not be located on a lot within a 50.0 m radius of the boundary of a lot containing an existing dynamic sign,
- (4) comprise of not more than 25% of the total freestanding or fascia sign area.
- (v) A development permit for a dynamic sign shall be valid for a maximum of two (2) years, at which time a new permit must be applied for. The conversion of an existing sign to a dynamic sign shall require a development permit.
- (vi) Any digital sign located within 50 m of a residential district may be subject to restricted operating hours at the discretion of the Development Authority.
- (vii) The use, size and location of digital signs must comply with all other relevant municipal and provincial regulations.
- (viii) The sign panel does not contain or display flashing, intermittent, or moving lights, including animated or scrolling text.
- (ix) A sign panel provided as a public service showing the time and temperature shall not be considered a flashing or moving sign.
- (x) The sign content remains fixed/static for a minimum message display duration, where: $\text{Min. Display Duration (sec)} = \text{Sight distance to sign (m)} / \text{Speed limit (m/sec)}$.
 - (1) In lower speed areas, the formula above should be used with a minimum sight distance to sign of 350 m.
 - (2) In areas with speed limit ≥ 80 km/h, the minimum message display duration is 60 seconds, unless the sight distance to the sign is less than 1 kilometre
- (xi) When a message is changed electronically, it must be accomplished within an interval of 0.1 seconds or less so that an approaching driver cannot perceive any blanking of the display screen.
- (xii) There shall be no visual effects between successive displays.
- (xiii) The sign panel must contain a default design that will freeze the sign panel message in one position if a malfunction occurs.
- (xiv) The sign panel shall be equipped with a control system that automatically adjusts light emission level to ambient light conditions so as not to cause glare or excessive brightness.
- (xv) In no case shall the light level of any sign panel exceed 300 nits (candelas per square metre) between the time of sunset and sunrise, nor 5,000 nits at other times.
- (xvi) The sign must not diminish the conspicuity of nearby traffic control devices.

- (xvii) In cases where the sign is adjacent to an Alberta Transportation right-of-way, Alberta Transportation shall have the ongoing discretion to require the brightness, frequency, colours or other qualities of the sign panel be adjusted in order to address safety concerns.
 - (xviii) All dynamic sign applications fronting onto Alberta Transportation roadways shall be circulated to Alberta Transportation for comment.
- (d) Freestanding Signs
- (i) No freestanding sign shall be located within 10 m of the intersection of lanes/streets, or a street or lane.
 - (ii) For any lot located in the C2 or M designations, one Freestanding Sign shall be permitted for every 90 metres of frontage.
 - (iii) Illuminated Freestanding Signs shall be permitted only in C1, C2 and M designations.
 - (iv) Copy is permitted on both sides of Freestanding Signs, including signs angled up to 90 degrees, therefore allowing the Sign Area to be double the permitted Sign Area.
 - (v) Freestanding Signs shall not be located closer than 1.0 m to any front, rear, or side property line.
 - (vi) In accordance with Alberta Transportation's setback requirements where abutting a highway.
- (e) Wall Signs
- (i) Wall signs shall be restricted to the first storey of the building in the R1, R2, R3, MHP, MHS, RCE, PS zone designations.
 - (ii) Wall signs shall not project more than 0.4 m horizontally from the Building Face to which it is attached.
 - (iii) Illuminated Wall Signs shall be permitted only in C1, C2, and M designations.
- (f) Portable Signs
- (i) Copy is permitted on both sides of Projecting Signs, therefore allowing the Sign Area to be double the permitted Sign Area.
 - (ii) Maximum one (1) Portable Sign shall be displayed per lot.
 - (iii) Portable Signs shall not be located within a required off street parking space or a driveway.
- (g) Projecting Signs
- (i) Copy is permitted on both sides of Projecting Signs, therefore allowing the Sign Area to be double the permitted Sign Area.
 - (ii) The height of a Projecting Sign shall refer to the minimum vertical clearance from grade or, if applicable, a sidewalk, and shall be a minimum of 2.5m.
- (h) Temporary Signs

- (i) Large Temporary Signs relating to the sale or renting of land, the sale of goods or livestock, the carrying out of building or similar work, or announcement of any local event must obtain a development permit and meet the following conditions:
 - (1) Maximum two (2) Temporary Signs not exceeding a total Sign Area of 9.0 m²;
 - (2) Copy is permitted on both sides of the Temporary Sign, including signs angled up to 90 degrees, therefore allowing Sign Area to be double the permitted Sign Area;
 - (3) The maximum Sign Height shall not exceed 6.0 m;
 - (4) The Temporary Sign shall be removed by the advertiser within fifteen (15) days of the completion of the event, sale, or works to which such signs relate.

- (i) Signage for a Bed and Breakfast
 - (i) Each Bed and Breakfast homestay shall provide one (1) on-site Freestanding Sign for the purpose of identification and shall be regulated in accordance with the following requirements:
 - (1) The sign shall be located within the front yard and must be visible from a public road;
 - (2) The sign be attached to either existing fencing or on independent posts to the satisfaction of the Development Authority;
 - (3) The sign shall be constructed using high density plywood or solid wood and shall be finished with high density reflective finish or equivalent, with dye cut lettering or silk screen lettering.

11.7 ADDITIONAL SIGN REGULATIONS

- (1) All signs requiring a sign permit shall follow the development permit process as specified under Section 4.1 of this Bylaw.
- (2) Council may require the removal of any sign, which is in its opinion, has become unsightly, or is in such a state of disrepair as to constitute a hazard.
- (3) Quality, aesthetic character and finishing of sign construction shall be to the satisfaction of the Development Authority.
- (4) Where, in the opinion of the Development Authority, a proposed sign in a Commercial or Industrial District might be objectionable to a resident in any adjacent residential district, the Development Authority may impose such other regulations as they feel would protect the interests of residents.
- (5) Flashing, animated or interiorly illuminated signs shall not be permitted in any district where in the opinion of the Development Authority they might:
 - (a) Affect residents in adjacent housing, or residential districts;

- (b) Interfere with or obstruct a motor vehicle driver's vision or interpretation of oncoming traffic signs or traffic signal lights.
- (6) Notwithstanding 11.7(5), no person shall exhibit or place an illuminated sign, rotating sign or dynamic sign that permits or provides for:
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- (a) A current interrupting or flashing device, unless there is a continuous source of concealed illumination on the translucent portions of the sign;
- (b) A flashing beacon of a type that is the same or similar to those used by emergency vehicles;
- (c) A flashing device, animator or revolving beacon within 50.0 m of the intersection of two or more public roadways;
- (d) A device described in 11.7(5) that would be directly visible from any residential building within a distance of 50.0 m of the sign.
- (7) No person shall erect or place a sign so that it would be considered, in the opinion of the Development Authority, to be a traffic hazard or an obstruction to the vision of persons driving motor vehicles.
- (a) Billboard signs, electronic signs, dynamic signs and rotating signs which are visible from Highway 20, Highway 20A and Highway 53, but located outside of the Highway Right-Of-Way, shall be circulated to Alberta Transportation for comment.
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- (8) Notwithstanding section 11.7(7) ~~no~~ the Development Authority may not approve any signs located within an Alberta Transportation Highway Right-Of-Way without written approval from Alberta Transportation.
- (9) The area around sign structures shall be kept clean and free of overgrown vegetation, and free from refuse material.
- (10) The Development Authority may at their discretion require an engineer-approved plan prior to the issuance of a sign permit in order to ensure the safety of a sign, awning or canopy design and placement.
- (11) Notwithstanding Part 4 of this Bylaw, the Development Authority may, with respect to an application for a sign permit,
- 944/18**
- (a) Grant a sign permit to an applicant subject to such conditions considered necessary to ensure this Bylaw is complied with;
- (b) Refuse the application.
- (12) Offensive Signage

- (a) No sign shall be erected which promotes intolerance, hatred or ridicule of any race, religion or other segment of society.

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- (13) The number of signs, location of signs and size of signs may be varied to accommodate the placement of new signs on existing sign structures which were installed prior to January 1, 2019 at the sole discretion of the Development Authority. The Development Authority is not bound by the maximum variance in Section.4.5(6). In accordance with Section 4.5, a variance application shall be required and the applicant must demonstrate that the original signs were installed prior to January 1, 2019 in a manner deemed satisfactory to the Development Authority.

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PART 12 – DISTRICTS AND REGULATIONS

12.1 ESTABLISHMENT OF DISTRICTS AND DISTRICT REGULATIONS

- (1) Land use district and land use regulations shall be set forth in Part 12 and may be amended in the same manner as any other Part or Section of this Bylaw.

12.2 LAND USE DISTRICTS

- (1) The Town is hereby divided into the following districts:

Designation Name	Designation Acronym
Low Density Residential	R1
Low Density General Residential	R2
High Density Residential	R3
Manufactured Home Park	MHP
Manufactured Home Subdivision	MHS
Residential Estate	RE 932/17
Country Residential	CR 932/17
Central Commercial	C1
Highway Commercial	C2
Industrial	M
Public Service	PS
Urban Holdings	UH
Direct Control	DC

12.3 LAND USE DISTRICT MAP

- (1) Land use districts specified under 12.2 are described in the short form on the LAND USE DISTRICT MAP which is an integral part of this Bylaw.
- (2) Throughout this Bylaw and amendments thereto, a District may be referred to either by its full name or its abbreviation.
- (3) The district regulations are delineated on the LAND USE DISTRICT MAP. Where uncertainty arises as to the precise location of the property of any district, the following rules shall apply:
 - (a) Where a boundary is shown as following a street, lane, stream or canal, it shall be deemed to follow the centreline thereof.
 - (b) Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.
 - (c) In circumstances not covered by 12.3(a) and 12.3(b) above the location of the district boundary shall be determined by:
 - (i) Where dimensions are set out on the Land Use District Map, by the dimensions so set, or
 - (ii) Where 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 a 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 regulations of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.
- (5) After Council has fixed a district boundary pursuant to the provisions of 12.3, the portion of the boundary so fixed shall not be thereafter altered except by an amendment to this Bylaw.
- (6) The Council shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

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12.4 LOW DENSITY RESIDENTIAL (R1)

(1) Purpose

The R1 – Low Density Residential designation is intended to accommodate the development of low-density residential development on moderately sized lots throughout the community.

(2) Permitted and Discretionary Uses

Table 12.4.1 outlines the permitted and discretionary uses contemplated in the R1 designation where approval is subject to the issuance of an authorized development permit.

Table 12.4.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and under 944/18 • First Accessory Building 13.4 m² and over 944/18 • Accessory Uses 944/18 • Housing, modular 944/18 • Housing, secondary suite • Housing, single-detached • Home based business • Park 	<ul style="list-style-type: none"> • <u>Second and additional, Accessory Building under 13.4m²</u> • <u>Second and additional, Accessory Building 13.4 m² and over</u> • Additional Accessory Buildings 944/18 • Bed and breakfast • Child care facility 944/18 • Family care facility 944/18 • Religious institution • Utility installations • <u>C-Can (Temporary)</u> • _____ • Solar Collectors <u>not in conformance with Section 9.10.</u>

(3) Lot Area

The minimum lot area shall be in accordance with the following table:

Table 12.4.2

Use	Minimum Lot Area
Housing, single-detached	550 m ²
Other principle uses listed in Table 12.4.1	550 m ²

(4) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

Table 12.4.3

Use	Minimum Lot Frontage (m)
Housing, single-detached	15 metres
Other principle uses listed in Table 12.4.1	15 metres

(5) Lot Coverage

The maximum lot coverage of buildings (principle and accessory) shall be in accordance with the following table:

Table 12.4.4

Use	Maximum Lot coverage (%)
Housing, single-detached	40%
Other principle uses listed in Table 12.4.1	40%

(6) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

Table 12.4.5

Use	Minimum Front Yard Setback (m)
Housing, single-detached	6 metres
Other principle uses listed in Table 12.4.1	6 metres

(7) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

Table 12.4.6

Use	Minimum Rear Yard Setback (m)
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Housing, single-detached	6 metres	
Accessory buildings, under 13.4m ²	Nil	944/18
Accessory buildings, over 13.4m ²	1.5 metres	944/18
Other principle uses listed in Table 12.4.1	6 metres	

(8) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

Table 12.4.7

Use	Minimum Side Yard Setback (m)	
Housing, single-detached (side property line of a flanking street)	3.0 metres	
Housing, single-detached (on one side of the lot where there is no road or lane access from the rear yard)	3.0 metres	
Accessory buildings, under 13.4m ²	Nil	944/18
Accessory buildings, over 13.4m ²	1.5 metres	944/18
Other principle uses listed in Table 12.4.1	1.5 metres	

(9) Height

The maximum building height shall be in accordance with the following table:

Table 12.4.8

Use	Maximum Building Height (m)
Housing, single-detached	11 metres
<u>Accessory building</u>	<u>6 metres</u>
Other principle uses listed in Table 12.4.1	11 metres

(10) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.

- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.5 LOW DENSITY GENERAL RESIDENTIAL (R2)

(1) Purpose

The R2 – Low Density General Residential designation is intended to provide opportunities for innovation in residential development. Through the provision of narrower lots the development of low density housing types will be provided at higher than conventional densities.

(2) Permitted and Discretionary Uses

Table 12.5.1 outlines the permitted and discretionary uses contemplated in the R2 designation where approval is subject to the issuance of an authorized development permit.

Table 12.5.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and under 944/18 • First Accessory Building 13.4 m² and over 944/18 • Accessory Uses 944/18 • Housing, duplex • Housing, modular 944/18 • Housing, single-detached • Housing, secondary suite • Home based business • Park 	<ul style="list-style-type: none"> • Second and additional, Accessory Building under 13.4m² • Second and additional, Accessory Building 13.4 m² and over • Additional Accessory Buildings 944/18 • Bed and breakfast • Child care facility 944/18 • Family care facility 944/18 • Housing, manufactured 944/18 • Religious institution • Utility installations • C-Can (Temporary) • Solar Collectors not in conformance with Section 9.10.

(3) Lot Area

The minimum lot area shall be in accordance with the following table:

Table 12.5.2

Use	Minimum Lot Area
Housing, duplex	200 m ² (per unit)
Housing, single detached (with adjacent rear	250 m ²

lane)	
Housing, single detached (without adjacent rear lane)	400 m ²
Other principle uses listed in Table 12.5.1	325 m ²

(4) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

Table 12.5.3

Use	Minimum and Maximum Lot Frontage (m)
Housing, duplex	Minimum 7.5 metres but maximum 10.5 metres
Housing, single detached (with adjacent rear lane)	Minimum/maximum of 7.5 metres
Housing, single detached (without adjacent rear lane)	Minimum/maximum of 10.5 metres
Other principle uses listed in Table 12.5.1	Minimum 7.5 metres but maximum 10.5 metres

(5) Lot Coverage

The maximum coverage of buildings (principle and accessory) on a lot shall be in accordance with the following table:

Table 12.5.4

Use	Maximum Lot coverage (%)
Housing, duplex	55%
Housing, single detached (with adjacent rear lane)	55%
Housing, single detached (without adjacent rear lane)	55%
Other principle uses listed in Table 12.5.1	55%

(6) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

Table 12.5.5

Use	Minimum Front Yard Setback (m)
Housing, duplex	6 metres
Housing, single detached (with adjacent rear lane)	6 metres
Housing, single detached (without adjacent rear lane)	6 metres
Other principle uses listed in Table 12.5.1	6 metres

(7) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

Table 12.5.6

Use	Minimum Rear Yard Setback (m)
Housing, duplex	5 metres
Housing, single detached (with adjacent rear lane)	5 metres
Housing, single detached (without adjacent rear lane)	5 metres
Other principle uses listed in Table 12.5.1	5 metres
Accessory buildings, under 13.4m ²	Nil 944/18
Accessory buildings, over 13.4m ²	1.5 metres 944/18

(8) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

Table 12.5.7

Use	Minimum Side Yard Setback (m)
Housing, duplex	1.5 metres
Housing, single-detached (side property line of a flanking street)	3.0 metres
Housing, single-detached (on one side of the lot where there is no road or lane access from the rear yard)	3.0 metres
Accessory buildings, under 13.4m ²	Nil 944/18
Accessory buildings, over 13.4m ²	1.5 metres 944/18
Other principle uses listed in Table 12.5.1	1.5 metres

(9) Height

The maximum building height shall be in accordance with the following table:

Table 12.5.8

Use	Maximum Building Height (m)
Housing, duplex	11 metres
Housing, single detached (with adjacent rear lane)	11 metres
Housing, single detached (without adjacent rear lane)	11 metres
<u>Accessory building</u>	<u>6 metres</u>
Other principle uses listed in Table 12.5.1	11 metres

(10) Design Regulations

- (a) Where a lot has access to an adjacent rear lane, no vehicular access to the lot shall be provided from the fronting public roadway.
- (b) Where there is an attached garage accessed via the fronting public roadway, the garage shall not extend more than 1.0 metre in front of the living space of the dwelling.

- (c) Where there is an attached garage accessed via the fronting public roadway, the width of the garage facing the fronting roadway shall not exceed 50 percent of the total front façade/elevation of a dwelling.

(11) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.6 HIGH DENSITY RESIDENTIAL (R3)

(1) Purpose

The R3 - High Density Residential designation is intended to provide opportunities for the development of higher density residential. The intent of this zone is to encourage residential development at higher densities in close proximity to key nodes and/or corridors

(2) Permitted and Discretionary Uses

Table 12.6.1 outlines the permitted and discretionary uses contemplated in the R3 designation where approval is subject to the issuance of an authorized development permit

Table 12.6.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and under 944/18 • First Accessory Building 13.4 m² and over 944/18 • Accessory Uses 944/18 • Housing, duplex • Housing, triplex • Housing, fourplex • Housing, row housing • Housing, secondary suite • Public parks and recreation areas 	<ul style="list-style-type: none"> • <u>Second and additional, Accessory Building under 13.4m²</u> • <u>Second and additional, Accessory Building 13.4 m² and over</u> • Additional Accessory Buildings 944/18 • Bed and breakfast • Child care facility 944/18 • Family care facility 944/18 • Home businesses • Housing, high rise apartment • Housing, low rise apartment • Religious institution • <u>Utility installations</u> • <u>C-Can (Temporary)</u> • <u>Solar Collectors</u> <u>not in conformance with Section 9.10.</u>

(3) Lot Area

The minimum lot area shall be as specified in the following table:

Table 12.6.2

Use	Minimum Lot Area (m2)
Housing, duplex	250 m ²

Housing, low rise/high rise apartment	500 m ²
Housing, triplex	500 m ²
Housing, fourplex	500 m ²
Housing, row	120 m ² (per unit)
Other principle uses listed in Table 12.6.1	500 m ²

(4) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

Table 12.6.3

Use	Minimum Lot Frontage (m)
Housing, duplex	7.5 metres
Housing, low rise/high rise apartment	15 metres
Housing, triplex	15 metres
Housing, fourplex	15 metres
Housing, row	4 metres (per unit)
Other principle uses listed in Table 12.6.1	15 metres

(5) Lot Coverage

The maximum coverage of buildings (principle and accessory) on a lot shall be in accordance with the following table:

Table 12.6.4

Use	Maximum Lot coverage (%)
Housing, duplex	50%
Housing, low rise/high rise apartment	50%
Housing, triplex	50%
Housing, fourplex	50%
Housing, row	50%
Other principle uses listed in Table 12.6.1	50%

(6) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

Table 12.6.5

Use	Minimum Front Yard Setback (m)
Housing, duplex	6 metres
Housing, low rise/high rise apartment	6 metres
Housing, triplex	6 metres
Housing, fourplex	6 metres
Housing, row	6 metres
Other principle uses listed in Table 12.6.1	6 metres

(7) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

Table 12.6.6

Use	Minimum Rear Yard Setback (m)
Housing, duplex	5 metres
Housing, low rise/high rise apartment	5 metres
Housing, triplex	5 metres
Housing, fourplex	5 metres
Housing, row	5 metres
Accessory buildings, under 13.4m ²	Nil 944/18
Accessory buildings, over 13.4m ²	1.5 metres 944/18
Other principle uses listed in Table 12.6.1	5 metres

(8) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

Table 12.6.7

Use	Minimum Side Yard Setback (m)
Housing, duplex	1.5 metres
Housing, low rise/high rise apartment	3 metres
Housing, triplex	1.5 metres
Housing, fourplex	1.5 metres
Housing, row	1.5 metres
Accessory buildings, under 13.4m ²	Nil 944/18
Accessory buildings, over 13.4m ²	1.5 metres 944/18
Other principle uses listed in Table 12.6.1	1.5 metres

(9) Height

The maximum building height shall be in accordance with the following table:

Table 12.6.8

Use	Maximum Building Height (m)
Housing, duplex	11 metres
Housing, low rise/high rise apartment	20 metres
Housing, triplex	11 metres
Housing, fourplex	11 metres
Housing, row	11 metres
<u>Accessory building</u>	<u>6 metres</u>
Other principle uses listed in Table 12.6.1	11 metres

(10) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.7 MANUFACTURED HOME PARK (MHP)

(1) Purpose

The MHP – Manufactured Home Park designation is intended to provide for and regulate the development of land for the use of manufactured homes on lots in comprehensively designed parks wherein no individually titled parcels have been created.

(2) Permitted and Discretionary Uses

Table 12.7.1 outlines the permitted and discretionary uses contemplated in the MHP designation where approval is subject to the issuance of an authorized development permit.

Table 12.7.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and under 944/18 • First Accessory Building 13.4 m² and over 944/18 • Accessory Uses 944/18 • Housing, manufactured home • Housing, modular • Park 	<ul style="list-style-type: none"> • Second and additional, Accessory Building under 13.4m² • Second and additional, Accessory Building 13.4 m² and over • Additional Accessory Buildings 944/18 • Group homes • Home businesses • Utility installations • C-Can (Temporary) • Solar Collectors <u>not in conformance with Section 9.10.</u>

(3) General Regulations

- (a) A Comprehensive site plan shall be required for manufactured home parks developed after 2015.
- (b) Prior to the development of a new Manufactured Home Park the applicant will submit to the Development Authority a comprehensive site plan and/or any other supporting documentation that will identify the following elements:
 - (i) Site area with lot lines of the manufactured home park and any titled lots clearly delineated.
 - (ii) Proposed layout and placement of individual housing units.
 - (iii) Internal and adjacent pedestrian or walkway connections.
 - (iv) Internal and adjacent roadways.
 - (v) Internal and perimeter landscaping.

- (vi) Garbage areas.
 - (vii) Parking areas.
 - (viii) Recreational areas.
 - (ix) Storage areas.
- (c) A development permit and move-in permit are required anytime a new manufactured home unit is moved onto a Manufactured Home Park site. Move-in permits shall require:
- (i) Third party certification from an accredited inspection agency including the Canadian Standard Association (CSA), Intertek or Quality Auditing Institute (QAI). 944/18
 - (ii) Alberta Municipal Affairs Label or CSA Label. 944/18
 - (iii) Model number. 944/18
 - (iv) Manufactured home unit serial number.
- (d) A move-out permit is required when units vacate a site. A new move-in permit shall not be issued until a move-out permit has been completed for the lot.
- (e) All permits are the responsibility of the Manufactured Home Park site.

(4) Manufactured Home Park Size

- (a) The gross density of a residential home park is 17 manufactured homes per hectare
- (b) A residential home park shall have a minimum park area of 2 hectares but a maximum park area of 4 hectares

(5) Setbacks

- (a) The minimum yard requirements for manufactured homes shall be at least:
 - (i) 3.5 m from a similar manufactured home unit.
 - (ii) 6.0 m from the rear lot line of the manufactured home park. 928/16
 - (iii) 2.4 m from any internal access road or common parking area. 928/16
 - (iv) 1.2 m from front lot line of the manufactured home park. 928/16
- (b) The minimum side yard and rear yard setback requirements for accessory buildings shall be at least:
 - (i) Nil for accessory buildings, under 13.4m². 944/18
 - (ii) 1.5 m for accessory buildings, over 13.4m². 944/18

(6) Height

- (a) The maximum height as specified in Section 12.8(10) shall apply.

(7) Design Regulations

- (a) All additions shall be designed in a manner that complements the manufactured homes.
- (b) Five percent of the gross area of a manufactured home park shall be developed for recreational use either in the form of indoor community building and/or outdoor recreational space.

(8) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.8 MANUFACTURED HOME SUBDIVISION (MHS)

(1) Purpose

The MHS – Manufactured Home Subdivision designation is intended to provide for and regulate the development of land for the use of manufactured homes on separately titled parcels.

(2) Permitted and Discretionary Uses

Table 12.8.1 outlines the permitted and discretionary uses contemplated in the MHS designation where approval is subject to the issuance of an authorized development permit.

Table 12.8.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Buildings 13.4 m² and under 944/18 • First Accessory Buildings 13.4 m² and over 944/18 • Accessory Uses 944/18 • Housing, manufactured home • Housing, modular • Public parks and recreation areas 	<ul style="list-style-type: none"> • Second and additional, Accessory Building under 13.4m² • Second and additional, Accessory Building 13.4 m² and over • Additional Accessory Buildings 944/18 • Home businesses • Utility installations • Uses accessory to the above • C-Can (Temporary) • Solar Collectors not in conformance with Section 9.10.

(3) Manufactured Home Subdivision

The following development standards apply to areas where individually titled parcels have been created.

(4) Lot Area

The minimum lot area shall be as specified in the following table:

Table 12.8.2

Use	Minimum Lot Area (m2)
Housing, manufactured home	375 m ²

All other principle uses	500 m ²
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(5) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

Table 12.8.3

Use	Minimum Lot Frontage (m)
Housing, manufactured home	7.5 metres
All other principle uses	15 metres

(6) Lot Coverage

The maximum coverage of buildings (principle and accessory) on a lot shall be in accordance with the following table:

Table 12.8.4

Use	Maximum Lot coverage (%)
Housing, manufactured home	50%
All other principle uses	50%

(7) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

Table 12.8.5

Use	Minimum Front Yard Setback (m)
Housing, manufactured home	6 metres
All other principle uses	6 metres

(8) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

Table 12.8.6

Use	Minimum Rear Yard Setback (m)
Housing, manufactured home	3 metres
Accessory buildings, under 13.4m ²	Nil 944/18
Accessory buildings, over 13.4m ²	1.5 metres 944/18
All other principle uses	5 metres

(9) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

Table 12.8.7

Use	Minimum Side Yard Setback (m)
Housing, manufactured home	1.5 metres
Accessory buildings, under 13.4m ²	Nil 944/18
Accessory buildings, over 13.4m ²	1.5 metres 944/18
All other principle uses	1.5 metres

(10) Height

The maximum building height shall be in accordance with the following table:

Table 12.8.8

Use	Maximum Building Height (m)
Housing, manufactured home	5 metres
<u>Accessory building</u>	<u>5 metres</u>
All other principle uses	<u>115</u> metres

(11) Design Regulations

- (a) All additions shall be designed in a manner that complements the manufactured homes.
- (b) Ten percent of the gross area of a manufactured home park shall be developed for recreational use either in the form of indoor community building and/or outdoor recreational space.

(12) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.

- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.9 RESIDENTIAL ESTATE (RE)

932/17

(1) Purpose

The RE – Residential Estate designation is intended to accommodate low-density residential development in a comprehensively designed naturalized environment.

(2) Permitted and Discretionary Uses

Table 12.9.1 outlines the permitted and discretionary uses contemplated in the RE designation where approval is subject to the issuance of an authorized development permit

Table 12.9.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and under 944/18 • First Accessory Building 13.4 m² and over 944/18 • Accessory Uses 944/18 • Housing, modular 944/18 • Housing, secondary suite • Housing, single-detached • Park 	<ul style="list-style-type: none"> • <u>Second and additional, Accessory Building under 13.4m²</u> • <u>Second and additional, Accessory Building 13.4 m² and over</u> • Additional Accessory Buildings 944/18 • Bed and breakfast • Child care facility 944/18 • Family care facility 944/18 • Home businesses • Religious institution • <u>Utility installations</u> • <u>C-Can (Temporary)</u> • Solar Collectors <u>not in conformance with Section 9.10.</u>

(3) Lot Area

The minimum lot area shall be in accordance with the following table:

Table 12.9.2

Use	Minimum Lot Area
Housing, single-detached	0.5 acres
Other principle uses listed in Table 12.9.1	0.5 acres

(4) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

Table 12.9.3

Use	Minimum Lot Frontage (m)
Housing, single-detached	15 metres
Other principle uses listed in Table 12.9.1	15 metres

(5) Lot Coverage

The maximum coverage of buildings (principle and accessory) on a lot shall be in accordance with the following table:

Table 12.9.4

Use	Maximum Lot coverage (%)
Housing, single-detached	50%
Other principle uses listed in Table 12.9.1	50%

(6) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

Table 12.9.5

Use	Minimum Front Yard Setback (m)
Housing, single-detached	5 metres
Other principle uses listed in Table 12.9.1	5 metres

(7) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

Table 12.9.6

Use	Minimum Rear Yard Setback (m)	
Housing, single-detached	5 metres	
Accessory buildings, under 13.4m ²	Nil	944/18
Accessory buildings, over 13.4m ²	1.5 metres	944/18
Other principle uses listed in Table 12.9.1	5 metres	

(8) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

Table 12.9.7

Use	Minimum Side Yard Setback (m)	
Housing, single-detached	5 metres	
Accessory buildings, under 13.4m ²	Nil	944/18
Accessory buildings, over 13.4m ²	1.5 metres	944/18
Other principle uses listed in Table 12.9.1	5 metres	

(9) Height

The maximum building height shall be in accordance with the following table:

Table 12.9.8

Use	Maximum Building Height (m)
Housing, single-detached	11 metres
Other principle uses listed in Table 12.9.1	11 metres

(10) Design Regulations

944/18

- (a) Upon initial construction the following design regulations shall apply:
- (i) Shingles are to be asphalt, tile or wooden shake.
 - (ii) The façade of any ~~principle~~principal building shall be finished 25% masonry, stone or brick.
 - (iii) Vinyl siding shall not be permitted on any structure, including principal and accessory buildings.
 - (iv) Notwithstanding Landscaping regulations in Section 8.16, a minimum of three (3) trees must be placed in the front yard.
- (b) The main floor of the residence, not including attached garage, shall be a minimum of 140 square meters (1,500 square feet).
- (c) All developments shall be located in a manner which the garage entrance faces onto the front road and maintains privacy of the neighbouring parcels.

- (d) The quality of exterior treatment and design of all buildings and fences shall be to the satisfaction of the Development Authority for permitted uses and discretionary uses. Additional design regulations may be required at the discretion of the Development Authority.
- (e) No moved in or relocated buildings shall be permitted in the Residential Estates (RE) district.
- (f) A maximum of one vehicular approach shall be permitted per lot.

(11) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.10 COUNTRY RESIDENTIAL (CR)

932/17

(1) Purpose

The CR – Country Residential designation is intended to accommodate low-density residential development in a comprehensively designed naturalized environment but where minimal urban infrastructure and services are provided.

(2) Permitted and Discretionary Uses

Table 12.10.1 outlines the permitted and discretionary uses contemplated in the RE designation where approval is subject to the issuance of an authorized development permit

Table 12.10.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and under 944/18 • First Accessory Building 13.4 m² and over 944/18 • Accessory Uses 944/18 • Housing, modular 944/18 • Housing, secondary suite • Housing, single-detached • Park 	<ul style="list-style-type: none"> • <u>Second and additional, Accessory Building under 13.4m²</u> • <u>Second and additional, Accessory Building 13.4 m² and over</u> • Additional Accessory Buildings 944/18 • Bed and breakfast • Child care facility 944/18 • <u>C-Can (Temporary)</u> • Family care facility 944/18 • Home businesses • Religious institution • Utility installations • Solar Collectors <u>not in conformance with Section 9.10.</u>

(3) Lot Area

The minimum lot area shall be in accordance with the following table:

Table 12.10.2

Use	Minimum Lot Area
Housing, single-detached	2.5 acres
Other principle uses listed in Table 12.9.1	2.5 acres

(4) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

Table 12.10.3

Use	Minimum Lot Frontage (m)
Housing, single-detached	10 metres
Other principle uses listed in Table 12.9.1	10 metres

(5) Lot Coverage

The maximum coverage of buildings (principle and accessory) on a lot shall be in accordance with the following table:

Table 12.10.4

Use	Maximum Lot coverage (%)
Housing, single-detached	50%
Other principle uses listed in Table 12.9.1	50%

(6) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

Table 12.10.5

Use	Minimum Front Yard Setback (m)
Housing, single-detached	5 metres
Other principle uses listed in Table 12.9.1	5 metres

(7) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

Table 12.10.6

Use	Minimum Rear Yard Setback (m)
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Housing, single-detached	5 metres	
Accessory buildings, under 13.4m ²	Nil	944/18
Accessory buildings, over 13.4m ²	1.5 metres	944/18
Other principle uses listed in Table 12.9.1	5 metres	

(8) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

Table 12.10.7

Use	Minimum Side Yard Setback (m)	
Housing, single-detached	5 metres	
Accessory buildings, under 13.4m ²	Nil	944/18
Accessory buildings, over 13.4m ²	1.5 metres	944/18
Other principle uses listed in Table 12.9.1	5 metres	

(9) Height

The maximum building height shall be in accordance with the following table:

Table 12.10.8

Use	Maximum Building Height (m)
Housing, single-detached	11 metres
Other principle uses listed in Table 12.9.1	11 metres

(10) Additional Regulations

- (a) The main floor of the residence, not including attached garage, shall be a minimum of 150 square meters (1,614 square feet). 944/18
- (b) Accessory uses in this designation shall be subject to the regulations as per **8.1.**
- (c) Temporary uses in this designation shall be subject to the regulations as per **8.25.**
- (d) Non-conforming uses in this designation shall be subject to the regulations in **3.3.**
- (e) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10.**
- (f) Landscaping in this designation shall be provided in accordance with the regulations in **8.16.**
- (g) The construction of signs in this designation shall be in accordance with the regulations in **Part 11.**

12.11 CENTRAL COMMERCIAL (C1)**(1) Purpose**

The C1 – Central Commercial designation is intended to provide for a wide variety of commercial, institutional and residential uses within the town centre. The intent is to foster mixed-use development and encouraging vibrancy in a manner that facilitates pedestrian movement.

(2) Permitted and Discretionary Uses

Table 12.11.1 outlines the permitted and discretionary uses contemplated in the C1 designation where approval is subject to the issuance of an authorized development permit.

Table 12.11.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and under 944/18 • First Accessory Building 13.4 m² and over 944/18 • Art gallery • Bakery • Club • Convenience store • Dry cleaning/Laundromat services • Financial Services • Funeral home • Grocery store • Hotel • Housing, mixed use • Office • Medical clinic • Motel • Personal Services • Public administration • Religious Institution • Restaurant • Retail • Sign, excluding dynamic sign 944/18 • Theatre 	<ul style="list-style-type: none"> • Additional Accessory Buildings 944/18 • <u>Second and additional, Accessory Building under 13.4m²</u> • <u>Second and additional, Accessory Building 13.4 m² and over</u> • Adult entertainment • Automotive sales and/or rental • Automotive supply store • Brewery, winery and distillery 940/18 • Brewpub 940/18 • Cannabis retail sales 944/18 • Car/Truck wash • Child care facility 944/18 • Commercial recreation & entertainment facility 941/18 • Contracting services • Dynamic Sign 944/18 • Gas bar • Head shop 944/18 • Housing, apartment (low rise), second story and above 944/18 • Housing, apartment (high rise) , second story and above 944/18 • Liquor store • Nightclub • Parking facility • Pawn shop • Recycling depot • Repair shop • <u>Restaurant – drive thru</u> • <u>C-Can</u> • Solar Collectors <u>not in conformance with Section 9.10.</u> • Utility installations

(3) Development Standards

The Development Standards for all uses listed in Table 12.11.1 shall adhere to the standards listed in Table 12.11.2.

Table 12.11.2

Development Standard	Site Standard
Minimum Lot Area (m ²)	250 m ²
Minimum Lot Frontage (m)	6 m
Maximum Lot Coverage (%)	80%
Minimum Front Yard Setback (m)	Nil
Minimum Rear Yard Setback (m)	6 m
Minimum Rear Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil 944/18
Minimum Rear Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres 944/18
Minimum Side Yard Setback (m)	Nil
Minimum Side Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil 944/18
Minimum Side Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres 944/18
Maximum Height	15 m

(4) Design Regulations

- (a) The façade of any ~~principle~~principal building should be finished in brick, rock, stone, stucco, wood, glass, and/or precast concrete. Exterior finishes should require minimal maintenance but demonstrate high quality workmanship.
- (b) Buildings should be built to the property line in order to create a defined relationship with the public realm.
- (c) A minimum of 60% of the ground floor of any building should be finished in clear glazing to allow for natural surveillance, and to create an engaging and vibrant public realm. Reflective or tinted glazing should be discouraged.
- (d) The street wall, where it runs parallel to a roadway, should be designed to occupy 100% of a lot's frontage.
- (e) The provision of canopies or awnings are encouraged in order to provide weather protection for pedestrians.

- (f) No parking area shall be located within the front yard of any lot. Parking areas should be located within the rear yard, with vehicular access from an adjacent lane.
- (g) The ground floor of any residential building should be utilized for commercial purposes.
- (h) Additional design regulations may be required at the discretion of the Development Authority.

(5) Additional Regulations

- (g) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (h) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (i) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (j) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (k) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (l) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.12 HIGHWAY COMMERCIAL (C2)

(1) Purpose

The C2 – Highway Commercial designation is intended to accommodate the development of a wide array of commercial uses on lots adjacent to roadways that facilitate large volumes of automotive traffic.

(2) Permitted and Discretionary Uses

Table 12.12.1 outlines the permitted and discretionary uses contemplated in the C2 designation where approval is subject to the issuance of an authorized development permit.

Table 12.12.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> ● First Accessory Building 13.4 m² and under 944/18 ● First Accessory Building 13.4 m² and over 944/18 ● Accessory Uses ● Auction mart ● Automotive sales and/or rental ● Automotive supply store ● Bakery ● Car/Truck wash ● Club ● Convenience store ● Dry cleaning/laundromat services ● Financial Services ● Funeral home ● Gas bar ● Grocery store ● Hotel ● Office ● Medical clinic ● Motel ● Personal services ● Public administration ● Religious Institution ● Restaurant ● Restaurant – drive thru ● Retail ● Sign, excluding dynamic sign 944/18 	<ul style="list-style-type: none"> ● Additional Accessory Buildings 944/18 ● Second and additional, Accessory Building under 13.4m² ● Second and additional, Accessory Building 13.4 m² and over ● Air supported structure and fabric-covered structure 944/18 ● Any permitted use with a height exceeding 10 metres ● Adult entertainment ● Amusement arcade ● Automotive service and/or paint shop ● Brewery, winery and distillery 940/18 ● Brewpub 940/18 ● Cannabis retail sales 944/18 ● Child care facility 944/18 ● Commercial recreation & entertainment facility 941/18 ● Contracting services ● Dynamic Sign 944/18 ● Gambling and gaming hall ● Head shop ● Housing, apartment (low rise), second story and above 944/18 ● Housing, apartment (high rise), second story and above 944/18 ● Liquor store ● Nightclub ● Pawn shop ● Recycling depot ● Repair shop ● C-Can ● — ● Solar Collectors <u>not in conformance with Section 9.10.</u> ● Theatre

	<ul style="list-style-type: none"> • Trucking establishment • Utility installations • Warehouse
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(3) Development Standards

The Development Standards for all uses identified in Table 12.12.1 shall adhere to the standards listed in Table 12.12.2.

Table 12.12.2

Development Standard	Site Standard
Minimum Lot Area (m ²)	1000 m ²
Minimum Lot Frontage (m)	6 m
Maximum Lot Coverage (%)	65%
Minimum Front Yard Setback (m)	8 m
Minimum Rear Yard Setback (m)	5 m
Minimum Rear Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil 944/18
Minimum Rear Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres 944/18
Minimum Side Yard Setback (m)	3 m
Minimum Side Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil 944/18
Minimum Side Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres 944/18
Maximum Height	15 m

(4) Design Regulations

- (a) The façade of any ~~principle~~principal building should be finished in brick, rock, stone, stucco, wood, glass, and/or precast concrete. Exterior finishes should require minimal maintenance but demonstrate high quality workmanship.
- (b) Additional design regulations may be required at the discretion of the Development Authority.

(5) Additional Regulations

- (a) No access to a lot shall be provided from Highway 20 or Highway 53 without obtaining the approval of Alberta Transportation.
- (b) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (c) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (d) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (e) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (f) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (g) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.13 INDUSTRIAL (M)

(1) Purpose

The M – Industrial designation is intended to accommodate the development of a wide array of industrial uses but which will not cause any objectionable or noxious conditions, be it noise, odour, dust, vibration or any other similar sensation, beyond the lot on which they are located.

(2) Permitted and Discretionary Uses

Table 12.13.1 outlines the permitted and discretionary uses contemplated in the M designation where approval is subject to the issuance of an authorized development permit.

Table 12.13.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> ● First Accessory Building 13.4 m² and under 944/18 ● First Accessory Building 13.4 m² and over 944/18 ● Accessory Uses ● Agricultural sales and/or service ● Animal kennel ● Animal shelter ● Auction mart ● Automotive sales and/or rental ● Automotive service and/or paint shop ● Automotive supply store ● Bakery ● Car/Truck wash ● Club ● Convenience store ● Contracting services ● Dry cleaning/Laundromat services ● Gas bar ● Greenhouse ● Manufacturing, processing, packaging or assembly of goods or materials ● Mini storage ● Public Administration ● Repair shop ● Sign, excluding dynamic sign 944/18 ● Trucking establishment ● Warehouse ● Veterinary clinic 	<ul style="list-style-type: none"> ● <u>Second and additional, Accessory Building under 13.4m²</u> ● <u>Second and additional, Accessory Building 13.4 m² and over</u> ● Additional Accessory Buildings 944/18 ● Abattoir ● Air supported structure and fabric-covered structure 944/18 ● Amusement arcade ● Adult entertainment ● Auction mart ● Bulk fuel and/or fertilizer sales and storage ● Cannabis facility 944/18 ● Dynamic Sign 944/18 ● Gambling and gaming hall ● Housing, apartment (low rise), second story and above 944/18 ● Housing, apartment (high rise), second story and above 944/18 ● Liquor store ● Meat processing plant ● Recycling depot ● Restaurant ● Restaurant, drive-thru ● <u>Salvage yard</u> ● <u>C-Can</u> ● <u>Solar Collectors not in conformance with Section 9.10.</u> ● Wrecking yard

(3) Development Standards

The Development Standards for all uses identified in Table 12.13.1 shall adhere to the standards listed in Table 12.13.2.

Table 12.13.2

Development Standard	Site Standard	
Minimum Lot Area (m ²)	500 m ²	
Minimum Lot Frontage (m)	15 m	
Maximum Lot Coverage (%)	50%	
Minimum Front Yard Setback (m)	6 m	
Minimum Rear Yard Setback (m)	5 m	
Minimum Rear Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil	944/18
Minimum Rear Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres	944/18
Minimum Side Yard Setback (m)	3 m	
Minimum Side Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil	944/18
Minimum Side Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres	944/18
Maximum Height	15 m	

(4) Design Regulations

- (a) The façade of any ~~principle~~principal building should be finished in brick, rock, stone, stucco, wood, glass, and/or precast concrete. Exterior finishes should require minimal maintenance but demonstrate high quality workmanship.
- (b) No outdoor storage of goods, materials, or equipment shall be permitted within any portion of a front, side, or rear yard, which runs parallel to an adjacent roadway.
- (c) All loading facilities should be located and accessed from a side and/or rear yard.
- (d) Additional design regulations may be required at the discretion of the Development Authority.

(5) Additional Regulations

- (a) No access to a lot shall be provided from Highway 20 or Highway 53 without obtaining the approval of Alberta Transportation.
- (b) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (c) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (d) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (e) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (f) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (g) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (h) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.14 PUBLIC SERVICE (PS)

(2) Purpose

The PS – Public Services designation is intended to accommodate the development of uses which serve the public and which are of benefit to the community.

(3) Permitted and Discretionary Uses

Table 12.14.1 outlines the permitted and discretionary uses contemplated in the PS designation where approval is subject to the issuance of an authorized development permit.

Table 12.14.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> ● First Accessory Buildings 13.4 m² and under 944/18 ● First Accessory Buildings 13.4 m² and over 944/18 ● Cemetery ● Community centre ● Hospital ● Landfill ● Library ● Museum ● Park ● Public administration ● Recreational facility ● Residential care facility 944/18 ● School ● <u>Sign</u> ● Tourism information centre ● Utility installations 	<ul style="list-style-type: none"> ● <u>Second and additional, Accessory Building under 13.4m²</u> ● <u>Second and additional, Accessory Building 13.4 m² and over</u> ● Additional Accessory Buildings 944/18 ● Animal shelter ● Campground ● Child care facility 944/18 ● Golf course ● Medical clinic 944/18 ● Retail ● Restaurant ● Sign ● C-Can ● ● Solar Collectors <u>not in conformance with Section 9.10.</u>

(4) Development Standards

The Development Standards for all uses identified in Table 12.14.1 shall adhere to the standards listed in Table 12.14.2.

Table 12.14.2

Development Standards	Site Standard
Minimum Lot Area (m ²)	500 m ²
Minimum Lot Frontage (m)	15 m
Maximum Lot Coverage (%)	75%
Minimum Front Yard Setback (m)	7.5 m
Minimum Rear Yard Setback (m)	5 m
Minimum Rear Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil 944/18
Minimum Rear Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres 944/18
Minimum Side Yard Setback (m)	3 m
Minimum Side Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil 944/18
Minimum Side Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres 944/18
Maximum Height	12.2 m

(5) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.15 URBAN HOLDINGS (UH)

(1) Purpose

The UH – Urban Holdings designation is intended to retain land in an undeveloped manner for future urban expansion, while contemplating a limited number of interim uses, and allowing existing uses to remain until development ~~proceeds~~proceeds.

(2) Permitted and Discretionary Uses

Table 12.15.1 outlines the permitted and discretionary uses contemplated in the UH designation where approval is subject to the issuance of an authorized development permit.

Table 12.15.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • Accessory Uses 944/18 • <u>Agriculture, excluding intensive livestock operations</u> • <u>Home based business</u> • Park • Public administration • Stormwater Management Facility • Utility installations 	<ul style="list-style-type: none"> • Animal shelter • Campground • Golf course • <u>Sign</u> • <u>C-Can</u> • <u>Solar collectors, not in conformance with Section 9.10.</u>

(3) Development Standards

The Development Standards for all uses identified in Table 12.15.2 shall adhere to the standards listed in Table 12.15.2.

Table 12.15.2

Development Standards	Site Standard	
Minimum Lot Area (m ²)	500 m ²	
Minimum Lot Frontage (m)	15 m	
Maximum Lot Coverage (%)	75%	
Minimum Front Yard Setback (m)	7.5 m	
Minimum Rear Yard Setback (m)	5 m	
Minimum Rear Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil	944/18
Minimum Rear Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres	944/18
Minimum Side Yard Setback (m)	3 m	
Minimum Side Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil	944/18
Minimum Side Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres	944/18
Maximum Height	12.2 m	

(4) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.16 DIRECT CONTROL (DC)**(1) Purpose**

The DC – Direct Control designation is intended to provide control over the use and development of land or buildings for which Council has determined that, because of unique land use characteristics, innovative ideas, or special environmental concerns, such development could not be effectively accommodated under any other land use designation in this Bylaw.

(2) Permitted and Discretionary Uses

- (a) All permitted and discretionary uses shall be as prescribed in the previously written Statutory Plan.
- (b) In the absence of an adopted Area Structure Plan or Area Redevelopment Plan, any use which, in the opinion of the Development Authority, is compatible with the character of existing surrounding uses and adjacent designated Land Use Districts may also be allowed.

(3) Development Standards

- (a) The Development Authority may require additional information to properly evaluate the proposed development in terms of its compliance with this Bylaw, and any applicable Statutory Plan.
- (b) All development shall comply with the lot sizes, building setback requirements and other development criteria as prescribed in any applicable Statutory Plan.

(4) Additional Regulations

- (a) All other development requirements shall be at the discretion of the Development Authority. In determining the appropriate requirements for a development in the DC District, the Development Authority shall have regard to any provisions in this Bylaw for similar uses or developments.
- (b) In the absence of an adopted Area Structure Plan or Area Redevelopment Plan, the regulations which will be applied to a development will be those which, in the opinion of the Development Authority, are compatible with the character of existing surrounding uses and adjacent designated Land Use Districts.

12.17 DIRECT CONTROL DISTRICT – 2020-01

962/20

(1) Location

Lot 1, Block 9, Plan 148BT (4906 – 50 Street)

(2) Purpose

To accommodate and allow for the residential units to be located on the ground floor within an otherwise designated Central Commercial (C1) district.

(3) Permitted Uses

(a) Two (2) Ground floor residential units.

(b) As per the permitted uses contained within the Central Commercial (C1) designation.

(4) Discretionary Uses

(a) Additional ground floor residential units.

(b) As per the permitted uses contained within the Central Commercial (C1) designation.

(5) Development Standards and Setback Requirements

(a) As per the requirements contained within the Central Commercial (C1) designation.

(b) Additional development standards as determined by Council or its delegate.

(6) Maximum Number of Lots

(a) One (1).



TOWN OF RIMBEY LAND USE BYLAW

Bylaw 1008/24

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO REPEAL BYLAW 917/16 LAND USE BYLAW AS AMENDED AND ENACT BYLAW 1008/24 LAND USE BYLAW.

WHEREAS, Section 639 of the Municipal Government Act, Chapter M-26 empowers Council to adopt a Land Use Bylaw, providing direct regulations to prohibit or regulate and control the use and development of land and buildings in a municipality;

AND WHEREAS, Section 63(1) and 2(b) of the Municipal Government Act, Chapter M-26 empowers Council to undertake a comprehensive review and update of the Town of Rimbey’s Land Use Bylaw No. 917/16. Council has deemed it necessary to repeal the said Bylaw and adopt a new Town of Rimbey Land Use Bylaw;

AND WHEREAS, copies of this Bylaw and related documents were made available for inspection to the public at the Town office as required by the Municipal Government Act Revised Statutes of Alberta 2000, Chapter M-26;

NOW THEREFORE, Council of the Town of Rimbey duly assembled and pursuant to the Municipal Government Act Revised Statutes of Alberta 2000, Chapter M-26 enacts as follows:

1. That this Bylaw shall be known as the Land Use Bylaw of the Town of Rimbey.
2. That the Town of Rimbey Land Use Bylaw 917/16 and all amendments are hereby repealed.
3. That the attached “Appendix A” is hereby adopted as the Town of Rimbey Land Use Bylaw.
4. The adoption of this Land Use Bylaw is effective upon the date of the passing of the third and final reading of this Bylaw No. 1008/24.

READ a first time this _____ day of _____, 2024.

MAYOR RICK PANKIW

CHIEF ADMINISTRATIVE OFFICER,
CRAIG DOUGLAS



TOWN OF RIMBEY LAND USE BYLAW

Bylaw 1008/24

READ a second time this _____ day of _____, 2024.

MAYOR RICK PANKIW

CHIEF ADMINISTRATIVE OFFICER
CRAIG DOUGLAS

READ a third and final time this _____ day of _____, 2024.

MAYOR RICK PANKIW

CHIEF ADMINISTRATIVE OFFICER
CRAIG DOUGLAS



Town of Rimbey

Bylaw 1008/24

LAND USE BYLAW

Schedule A

Approved XXX, 2024

AMENDMENTS TO LAND USE BYLAW #1008/24

All amendments to the Land Use Bylaw of the Town of Rimbey #1008/24 must be passed as a bylaw. Any bylaw requires three (3) separate hearings by Town Council under Section 187 of the Alberta Municipal Government Act (MGA), and a public hearing must be held by Council prior to Second Reading of the proposed bylaw under Section 692 of the MGA.

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PART 1 - ENACTMENT**1.1 TITLE**

The title of this Bylaw shall be the Land Use Bylaw of the Town of Rimbey.

1.2 PURPOSE

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

- (1) to divide the Town into districts;
- (2) to prescribe and regulate for each district the purposes for which land and buildings may be used;
- (3) to establish a method of making decisions on applications for development permits including the issuing of development permits;
- (4) to provide the manner in which notice of the issuance of a development permit is to be given; and
- (5) to establish the number of dwelling units permitted on a parcel of land.

1.3 APPLICATION

This Bylaw shall apply to the whole of the Town of Rimbey being all lands and buildings contained within its corporate limits.

1.4 EFFECTIVE DATE

- (1) This Bylaw comes into effect upon the date of its third reading.
- (2) Land Use Bylaw No.762-04, as amended, is hereby repealed.

1.5 CONFORMITY WITH THE BYLAW

- (1) No person shall commence any development within the Town except in conformity with this Bylaw.

- (2) Compliance with the requirements of this Bylaw does not exempt any person from the requirements of any adopted Statutory Plan.

1.6 OTHER LEGISLATIVE REQUIREMENTS

- (1) In addition to this Bylaw, an applicant is responsible for complying with any other applicable federal, provincial, or municipal legislation or law. The applicant is also responsible for complying with the conditions of any caveat, covenant, easement or other instrument affecting a building or land.
- (2) The Town is not responsible for nor does the Town have any obligation whatsoever to determine what other legislation may apply to a development, nor to monitor or enforce compliance with such legislation.
- (3) The Development Authority shall not approve an application for a development permit that is not in conformity with the Town's Statutory Plans.

1.7 SEVERABILITY

- (1) In the event any portion of this Bylaw is found invalid by a Court of Law or is overturned by a superior jurisdiction, the validity of the remaining portions of the Bylaw shall not be affected.

1.8 TRANSITION

- (1) An application for a Subdivision, Development Permit or amendment to this Bylaw commenced prior to the coming into force of this Bylaw shall be evaluated under the provisions of the Town's Land Use Bylaw No.917/16 as amended.

PART 2 – INTERPRETATION

2.1 RULES OF INTERPRETATION

- (1) Where a word is used in the singular, such a word may also mean plural.
- (2) Where a masculine or impersonal pronoun or adjective is used, such a word may also mean the feminine or impersonal pronoun or adjective.
- (3) Where a word is used in the present tense, such a word may also mean the future tense.
- (4) The word “person” includes a corporation as well as an individual.
- (5) The words “shall” and “must” require mandatory compliance except where a variance has been granted pursuant to the Act or this Bylaw.
- (6) Words, phrases, and terms not defined in this part may be given their definition in the Act, the Alberta Building Code or other provincial legalisation. Other words shall be given their usual and customary meaning.
- (7) Where a regulation involves two or more conditions or provisions connected by the conjunction “and” means all the connected items shall apply in combination; “or” indicates that the connected items may apply singly; and “and/or” indicates the items may apply singly or in combination.
- (8) All units of measure contained within this Bylaw are metric (SI) standards, and are rounded to the nearest decimal place. For the purpose of convenience, the following conversion factors are provided:

Metric	Imperial
1 square metre (m ²)	10.8 square feet (ft ²)
1 hectare (ha)	2.47 acres (ac)
1 kilometre (km)	0.6 mile (mi)
1 metre (m)	3.3 feet (ft)
1 centimetre (cm)	0.4 inch (in)
1 millimetre (mm)	0.04 inches (in)
1 kilogram (kg)	2.2 pounds (lb)

2.2 DEFINITIONS

For the purposes of this Bylaw and any amendments made hereto, the definitions set out in the following shall be used. When no definition is provided hereunder, the Town's dictionary of choice shall be used.

- (1) "abattoir" means a building and/or site used as a slaughterhouse, where animals are killed and butchered for human or animal consumption;
- (2) "abut" or "abutting" means immediately contiguous or physically touching, and, when used with respect to a lot or site, means that the lot or site physically touches upon another lot or site, and shares a property line or boundary line with it;
- (3) "accessory building" means a building separate and subordinate to the principle building, the use of which is incidental to that principle building and is located on the same lot. A garage attached to a principle building is deemed to be part of the principle building;
- (4) "accessory use" means any use in a building and/or on a parcel of land which is supplementary or subordinate to the principle use located in the same building and/or on the same parcel of land;
- (5) "Act" means the Municipal Government Act, R.S.A. 2000, as amended;
- (6) "adjacent" 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;
- (7) "adult entertainment" means any building used as "retail" in which books and/or items for a mature audience are displayed and sold, or a building that shows mature films or live entertainment;
- (8) "agricultural operation" means an agricultural operation as defined in the Agricultural Operation Practices Act;
- (9) "agricultural sales and/or service" means a building or site used for "retail" but in which the goods for sale are vehicles, equipment, or machinery for use in the agricultural industry, and/or the servicing of vehicles, equipment, or machinery related to the agricultural industry;
- (10) "Air supported and fabric-covered structure" means a building where the outer shell is supported by artificially produced and constantly maintained air pressure above local atmospheric level or the outer shell pliable membrane across rigid trusses. This may also be known as a tent structure, but it is not the same as a tent garage.
- (11) "amusement arcade" means a building and/or site which operates mechanical and/or electronic games, and rides, for entertainment purposes;
- (12) "animal kennel" means a building and/or site used for the breeding, care, supervision, and/or housing of animals on either a short or long term basis;
- (13) "animal shelter" means a building and/or site used for the temporary accommodation and/or impoundment of animals;

- (14) “appeal body” means the board hearing a subdivision or development permit appeal in accordance with the Municipal Government Act.
- (15) “art gallery” means a building used for the display and “retail” of works of art;
- (16) “auction mart” means a building and/or site used for “retail” but in which goods are sold by an auctioneer and where goods are sold to the highest bidder;
- (17) “automotive sales and/or rental” means a building or site used for “retail” but in which the goods for sale, and/or lease are automobiles, trucks, boats, trailers, recreational vehicles, or other similar personal vehicles;
- (18) “automotive supply store” means a building or site used for “retail” but in which the goods for sale are related to the use and operation of automobiles, trucks, boats, trailers, recreational vehicles, or other similar personal vehicles;
- (19) “automotive service and/or paint shop” means a building or site used for the repair, servicing, and/or painting of motor vehicle, boats, trailers, recreational vehicles, or other similar personal vehicles and may include the sale of automotive fuels, lubricating oils or other like automotive fluids;
- (20) “bakery” means a building used for baking food as well as the “retail” of said food;
- (21) “balcony” means a horizontal structure, with a railing, adjoining a building above the first storey floor level, and intended for use as a private outdoor amenity space with access only from within the building.
- (22) "basement" means the portion of a development which is wholly or partially below grade, having above grade no more than 1.8 m of its clear height lying below the finished level of the floor directly above;
- (23) “bed and breakfast” means a home based business in which an owner occupying a single-detached dwelling provides temporary accommodation with one meal provided to registered patrons in exchange for compensation;
- (24) “brewery, winery and distillery” means a use where beer, wine, spirits and other alcoholic beverages are manufactures and that may have areas and facilities for the storage, packaging, bottling, canning and shipping of the products made;
- (25) “brewpub” means a restaurant or drinking establishment where beer, wine or alcoholic spirits are produced on-site for consumption within the development and for retail sale. The facility must be appropriately licensed by the Alberta Liquor and Faming Commission;
- (26) "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;
- (27) “bulk fuel and/or fertilizer sales and storage” means the storage of and “retail” of large quantities of fuel and/or fertilizer;
- (28) “c-can” means a metal freight/steel container or a shipping container 2.6m in height, that is used for the temporary storage of materials and equipment. All C-Cans must meet all general regulations for C-Cans. See portable storage container definition.

- (29) “campground” means the use of a site managed for the short term stay of tents, campers, and/or recreational vehicles, but which is not used as year round storage or accommodation;
- (30) “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 it’s regulations, as amended from time to time and includes edible products that contain cannabis.
- (31) “cannabis accessory” means cannabis accessory including but not limited to, rolling paper or wraps, holders, pipes, water pipes, bongs and vaporizers, or any other thing described in the Cannabis Act (Canada) that is used in the consumption or production of cannabis.”
- (32) “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 use does not include cannabis production and distribution;
- (33) “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, and growth of cannabis;
 - (b) The processing of raw materials
 - (c) The making, testing, manufacturing, assembling, 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 sale of materials, goods and products to cannabis retail sales stores or to individual customers
- (34) “cannabis retail sales” means a retail store licensed by the Province of Alberta where:
- (a) where cannabis is sold for consumption off the premises,
 - (b) where consumption of cannabis must not occur, and
 - (c) that may include the ancillary retail sale or rental of merchandise;
- (35) “car/truck wash” means the use of a building and/or site for the cleaning of motorized vehicles either manually or through an automated process;
- (36) “cemetery” means a site used for the burying of the remains of animals and/or humans;
- (37) “Certificate of Compliance” means the endorsement by the Development Officer on a survey document indicating that the building locations on a lot are in compliance with this Bylaw.
- (38) “Child Care Facility” means a development intended to provide care, educational activities and supervision for groups of seven or more children under thirteen (13) years of age during the day or evening, but does not include overnight accommodation, and is intended to be operated for at least twelve (12) consecutive weeks each year. This includes daycares, pre-schools, out-of-school care, and other programs where the primary purpose is the care of children.

- (39) “commercial recreation and entertainment facility” means a facility or establishment that provides recreation or entertainment for gain or profit but does not include a casino or adult entertainment establishment;
- (40) “club” means a building and/or site used for the private meeting and social activities of members of a private organization and which may include space for eating, drinking, and congregating;
- (41) “community centre” means a building and/or site open to the general public and used for recreational, educational, social and/or cultural activities;
- (42) "confined feeding operation" means a confined feeding operation as defined in the Agricultural Operation Practices Act;
- (43) “contracting services” means a building or site used for the operation and storage of materials and/or vehicles related to the industries of construction, painting, plumbing, heating, electrical, landscaping, drilling and excavation, paving, maintenance and cleaning;
- (44) “convenience store” means “retail” but where the gross floor area does not exceed 186.0 m² in gross floor area;
- (45) "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 within the boundaries of the lot;
- (46) "Council" mean the Council of the Town of Rimbey;
- (47) "coverage" means the sum of the floor areas at grade of all buildings, both principle and accessory, on a lot divided by the area of the lot;
- (48) "date of issue" means the date on which the notice of a decision of the Development Authority is published or mailed;
- (49) “deck” means a means an uncovered horizontal structure with a surface height greater than 0.6m (2 ft) above grade at any point, and intended for use as a private outdoor space;
- (50) "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) the removal of topsoil from land,
 - (vi) 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,
 - (vii) the use of land for storage purposes or for the repair of equipment, vehicles or other kinds of machinery, or
 - (viii) the removal or demolition of a building;
- (51) "development authority" means the development authority of the Town as established by this Bylaw;
- (52) "development permit" means a document authorizing a development issued pursuant to this Land Use Bylaw;
- (53) "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 at the discretion of the development authority upon an application having been made;
- (54) "driveway" means a vehicle access route on the parcel which provides access to the driving surface;
- (55) "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 a household, and which is not separated from direct access to the outside by another separate dwelling unit;
- (56) "Essential Public Service" means a fire station, police station or similar service.
- (57) "family care facility" means a development which provides resident care service in a dwelling unit to six (6) or fewer individuals. These individuals may be handicapped, aged, disabled, or in need of adult supervision and are provided service and supervision in accordance with their individual needs. Family care facilities include boarding homes for children and group homes;
- (58) "family day home" means a dwelling unit used for the temporary supervision or care for a maximum of six (6) children 0-12 years old, including the residents' own children. In a family day home a maximum of three (3) children may be under 36 months with a maximum of two (2) children may be under 24 months. These regulations are the same for Before/After School Care or Private Babysitting service.

- (59) "farming" means the raising or production of crops, or animals, and includes a single residence for the farmer, but does not include a "Confined Feeding Operation" as defined by the Agricultural Operation Practices Act (Chapter A-7, R.S.A. 2000) and all regulations and amendments passed thereto;
- (60) "financial services" means a building used as a bank, credit union, or any other similar monetary enterprise;
- (61) "floor area" means the total area of all floors of all buildings including accessory buildings located on any lot, excluding the area of basement floors, EXCEPT THAT basement suites in apartment buildings shall be included in the calculation of floor area;
- (62) "floor/area ratio" means the ratio or decimal resulting from dividing the floor area of all buildings by the total site area of the parcel of land on which the buildings are located;
- (63) "fragmented parcel" means a parcel of land that is separated from the balance 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;
- (64) "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;
- (65) "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;
- (66) "funeral Home" means a building and/or site used for the organization of funerals, the preparation of the deceased for burial or cremation, and/or the holding of funeral services;
- (67) "gambling and gaming hall" means a building used as a gaming establishment which offers games of chance including slot machines, table games, video lottery terminals, and/or a bingo hall;
- (68) "garage" means a building or portion thereof which is designated and used for the storage, marking or the maintenance of personal vehicles.
- (69) "gas bar" means a site or portion thereof used for the sale of gasoline, propane and other fuels, the sale of lubricating oils and other automotive fluids or motor vehicle accessories but does not include automotive service establishments;
- (70) "golf course" means a site used for the purposes of playing golf and which may include a clubhouse as an accessory use;
- (71) "grade" means the average elevation at the finished level of the ground, excluding an artificial embankment, at any point immediately adjacent to the building. Grade may have been established in conjunction with a subdivision grade plan prepared by a civil engineer.
- (72) "greenhouse" means a building and/or site used to grow and "retail" flowers, trees, shrubs, vegetables, and/or other plants;
- (73) "grocery store" means a building used for "retail" but which sells primarily food items for consumption off-site, and which has a gross floor area greater than 450 m²;

- (74) “group home” means a building and/or site use in a residential setting for individuals who require supervision because of their age, disability, or need for rehabilitation, and where qualified staff are present at all times;
- (75) “habitable floor space” means any room or enclosed space used or useable for human occupancy, including but not limited to kitchens, bedrooms, living rooms, family rooms and dens, bathrooms, laundries, pantries, foyers, hallways/entry ways, and areas containing infrastructure/servicing (furnace, circuit panel, water heater, etc.) but excludes any room or space not intended primarily for human occupancy including but limited to storage areas/cellars and undeveloped basements;
- (76) “heavy vehicle” means a motor vehicle, alone or together with any trailer, semi-trailer or other vehicle being towed by the motor vehicle, with a registration gross weight of five (5) tonnes or more, or exceeding eleven (11) metres in total length, excluding recreational vehicles. A public passenger vehicle, when engaged in the transport of passengers, shall be deemed to be excluded from the definition of a heavy vehicle;
- (77) “head shop” means a retail outlet which specializes in drug paraphernalia related to consumption of cannabis, other recreational drugs and new age herbs, as well as counterculture art, magazines, music, clothing and home décor. This does not include cannabis retail sales or cannabis production and distribution facility;
- (78) “height” means the vertical distance between the grade and the highest point of a building that is not a stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall, or a flagpole, or similar device not structurally essential to the building;
- (79) “highway” means a highway as defined in the Public Highways Development Act, R.S.A. 2000;
- (80) “Home based business” means any occupation, trade, profession, or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building, and which does not change the character thereof or have any exterior evidence of such secondary use;
- (81) “hospital” means a building and/or site used for medical care, examination, treatment, surgery and recovery of patients and which may include an extended stay;
- (82) “hotel” means a building used for short term stays through the provision of rooms or suites where rooms are accessed from a common interior corridor, and which may also contain commercial uses such as restaurants, or convention space;
- (83) “Housing, apartment (low rise)” means a residential use consisting of more than four dwelling units, but which has a height less than 15 metres, but shall not mean row housing;
- (84) “Housing, apartment (high rise)” means a residential use consisting of more than four dwelling units, but which has a height greater than 15 metres, but shall not mean row housing;
- (85) “housing, duplex” means a building with two dwelling units that have sharing one common wall in the case of side-by-side units, or having the dwelling area located above the dwelling area of the other in the cases of vertical units, each with a private entry;

- (86) “housing, fourplex” means a building that contains four dwelling units;
- (87) “housing, manufactured home” means a transportable factory built residential building containing one dwelling unit suitable for long term occupancy, designed to be movable, transported on its own wheels and chassis or other means and arriving at a site ready for occupancy except for incidental operations such as placement on foundation supports and connection to utilities. Manufactured homes shall have pitched roofs and eaves and shall conform to CAN/CSA Z240 MH Series and A277 certified standards. Where a component of a building is assembled off the building site in such a manner that it cannot be reviewed on site, off-site reviews shall be carried out to by a qualified safety codes officer to determine compliance with Safety Codes;
- (88) “housing, mixed use” means a building and/or site which has a combination of uses but which typically entails “retail” or “office” uses on the ground floor and residential uses on the upper floors;
- (89) “housing, mobile” means a factory constructed detached dwelling unit, with an integral frame, readily relocatable singly or in double modules. Due to the age of the home they may not meet the Canadian Standards Association (CSA) A277 Standard or building code standards;
- (90) “housing, row house” means a building with one of three or more dwellings joined side by side or side to back. Can also include townhouse, garden homes and townhouses attached to high-rise buildings. Have no dwellings above or below them;
- (91) “housing, secondary suite” means a self-contained living space either located in the principle building or on the same site as the principle building. Secondary suites have a separate entrance, cooking, sleeping and bathing facilities and are no larger than 70 m². Secondary suites shall include basement suites and garage suites;
- (92) “housing, single detached” means a residential building containing one dwelling unit which is intended as a permanent residence. Single detached dwellings must be of new construction and be physically separate from any other residential building. Single detached dwellings do not include a manufactured home;
- (93) “housing, triplex” means a building that contains three dwelling units;
- (94) “internal local roads” includes all roads within subdivisions, and all service roads adjacent to major two-lane highways, minor two-lane highways, and multi-lane highways;
- (95) “landfill” means a site operated by the Town for controlled waste management where waste collected within the municipality is recycled or permanently disposed of;
- (96) “lane” means a right-of-way on which motorized vehicles are normally allowed to operate which is 10 m or less in width;
- (97) “lake” means a body of water, free from large quantities of aquatic vegetation, and characterized by relatively large open water and deep water zones compared with the shore zone; and, as defined by the Council of the Town of Rimbey;

- (98) “library” means a building which primarily loans reading and/or visual material to the general public;
- (99) “livestock” means livestock as defined in the Agricultural Operation Practices Act;
- (100) “liquor store” means a building and/or site used for “retail” but in which the goods sold are liquor/alcohol for human consumption;
- (101) “lot” means:
- (a) a quarter section,
 - (b) a river lot or a lake 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;
- (102) “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;
- (103) “major” means, when added as a prefix or suffix to a use, a use which, due to its nature or relatively larger scale, will or could have, in the sole opinion of the Development Authority, an impact on surrounding uses, or which may be intended to serve an area larger than the immediate or local area;
- (104) “Manufacturing, processing, packaging or assembly of goods or materials” means a building and/or site where materials are merged to assemble a product and where the product is then packaged for distribution;
- (105) “may” is an operative word meaning a choice is available , with no particular direction or guidance intended;
- (106) “meat processing plant” means the processing and distributing of animal carcasses to retailers, but does not include a kill floor;
- (107) “medical clinic” means a building used for the provision of physical and mental health services on an outpatient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counselling nature. Health services may include dental offices, physical therapy, pharmacy, counselling, doctor’s offices, chiropractic offices and medical cannabis clinics;
- (108) “medical cannabis clinic” means any business or enterprise whether or not operated for profit intended to serve as a means of distributing or providing cannabis for medical purposes as defined by provincial or federal legislation;
- (109) “MGA” means the Municipal Government Act (Chapter M-26, R.S.A. 2000) and all regulations and amendments passed pursuant thereto;

- (110) “mini storage” means a building and/or site used for containing separate secured indoor storage units, designed to be rented or leased for private storage of personal goods;
- (111) “minor” means, when added as a prefix or suffix to a use, a use which, due to its nature or relatively smaller scale, will or could have, in the sole opinion of the Development Authority, a limited impact on surrounding uses, or which may be intended to serve a small or local area;
- (112) “motel” means a building or group of buildings on a parcel of land designed and operated for the provision of rooms or suites for temporary sleeping accommodation where each room has its own exterior access, and may include a restaurant and/or convention services;
- (113) “municipality” means the Town of Rimbey;
- (114) “museum” means a building and/or site used for the display of artefacts for cultural and educational purposes;
- (115) “nightclub” means a building and/or site featuring live entertainment such as music and dancing, and in which alcohol and food may also be served to patrons;
- (116) “non-conforming building” means a building:
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw affecting the building or the land on which the building is situated becomes effective, and
 - (b) that on the date this land use bylaw becomes effective does not, or when constructed will not, comply with this land use bylaw;
- (117) “non-conforming use” means a lawful specific use:
- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw affecting the land or building becomes effective, and
 - (b) that on the date this land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with this land use Bylaw;
- (118) “office” means a building primarily used for the provision of professional, management, administrative and consulting services but does not include the use as “retail”;
- (119) “open space” means land and water areas which are retained in an essentially undeveloped state and often serve one or more of the following uses: conservation of resources; ecological protection; recreation purposes; historic or scenic purposes; enhancement of community values and safety; maintenance of future land use options;
- (120) “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 shown as the owner on the Land Title.
- (121) “parcel of land” means the aggregate of one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;

- (122) “park” means any parcel of land which is for use by the general public for recreational activities, sporting, or gathering, and which may be left in a natural state or may include man-made features including area for sporting activities, playgrounds, picnic areas, and/or walking trails;
- (123) “parking facility” means a building and/or site used for vehicular parking as a principal use;
- (124) “pawn shop” means a building and/or site used for “retail” but in which the goods for sale are second hand personal items;
- (125) “permitted use” means the use of land or a building provided for in a land use Bylaw for which a development permit shall be issued upon application having been made, provided that all of the regulations of this Bylaw, and all of the matters left to the discretion or the satisfaction of the Development Authority, have been satisfied to the satisfaction of the Development Authority;
- (126) “personal service establishment” means a use relating to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include barber shops, beauty parlours, nail salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments (pick-up and drop-off only), laundromats, photographic studios, personal fitness activity, and may include accessory retail sales. This use class does not include escort services, even as an accessory use;
- (127) “portable storage container” means a secure, steel/wood structure that is portable in nature (e.g. Sea Can, cargo container, shipping container, c-can etc.). See also “c-can” definition;
- (128) “porch” means a structure abutting a dwelling having a roof but with walls that are open and unenclosed to the extent of at least 50% thereof except for removable screens and storm sashes or awnings, used as a private outdoor amenity space;
- (129) “principle building” means a building where the principle use of the site operates from;
- (130) “principle use” means the primary purpose or purposes for which a building or lot is used;
- (131) “public administration” means the use of a building and/or site for the operation and/or provision of services by the Municipal, Provincial, and/or Federal governments;
- (132) “Real Property Report” means a codified standard adopted by the Alberta Land surveyor’s Association which contains: (a) the legal description of the property and the municipal address; (b) the dimensions and bearings of all property boundaries as determined by an actual field survey in accordance with the Surveys Act; (c) the designation of adjacent properties, roads, lanes, etc.; (d) the location and description of all pertinent improvements located on the property along with their dimensions and clearances to the property boundaries; (e) the projections of overhangs or eaves are also shown; (f) the location of any easements which may affect the property; (g) the location and dimensions of any visible encroachments onto or off of the property; (h) a list of the registered encumbrances as noted on the title to the property at the date of the survey; (i) a certification by an Alberta Land Surveyor duly signed.
- (133) “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;

- (134) “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;
- (135) “recreational facility” means a building and/or site used for sports or other active recreational activities and may include health and fitness clubs, racquet courts, dance studios, martial arts schools, basketball and volleyball courts, hockey arenas, football and soccer field, and or other similar sporting fields but not including an outdoor golf course;
- (136) “recreational vehicle” means any vehicle, trailer or anything designed to be carried on a vehicle or trailer that is designed for temporary habitation of people commonly referred to as a holiday trailer, motor home, camper or tent trailer.
- (137) “recycling depot” means a facility used for the purchasing, collection, sorting, packaging, and temporary storage of empty bottles, cans, and containers or other recyclable and reusable materials and where storage is contained within an enclosed building;
- (138) “religious institution” means a building used for the congregation, meeting, study, and prayer related to any religious faith;
- (139) “repair shop” – means a building and/or site used for the maintenance, and repair of any goods and/or equipment excluding motor and/or recreational vehicles;
- (140) “reserve land” means environmental reserve, conservation reserve, municipal reserve, community services reserve, school reserve or municipal and school reserve;
- (141) “Residential Care Facility” means a private or publicly funded seniors lodge, nursing home, extended or congregate care facility.
- (142) “restaurant” means a use where food is prepared and served on the premises for sale to patrons, and which may or may not be licensed to serve alcohol, and may include entertainment which is accessory to the preparation and service of food;
- (143) “restaurant, drive-thru” means a building where food is prepared and sold for consumption to patrons and which offers service through a drive up window;
- (144) “retail” means a use that focuses on the display and sale of goods, wares, or merchandise. This use includes, but is not limited to drug stores, clothing stores, sporting goods stores and other similar uses, but does not includes retail stores where the majority of total sales are generated through the sale of adult-oriented materials (clothing, videos, magazines, etc.);
- (145) “retaining wall” means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock, or similar materials;
- (146) “riding arena, private” means a building or structure in which equestrian, athletic or recreational activities are carried out on the lot upon which the arena is located;
- (147) “road” means a right-of-way on which motorized vehicles are normally allowed to operate, or a road as defined in the Act, but does not include either a highway or a lane;
- (148) “salvage yard” means a building and/or site used for the storage and deconstruction of scrap materials;

- (149) “school” means a use operated by a School Board that provides grade and secondary school instruction to pupils through courses prescribed or approved by the Provincial Government;
- (150) “screening” means a fence, wall, berm, hedge or other barrier providing visual and/or acoustic separation of sites;
- (151) “sea can” See c-can and portable storage container definitions;
- (152) “setback” means the perpendicular distance that a development must be set back from the front, side or rear property boundaries of the parcel as specified in the particular District in which the development is located;
- (153) “shall” is an operative word which means the action is obligatory;
- (154) “shoreline” means the bank of the body of water as determined pursuant to the Surveys Act;
- (155) “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;
- (156) “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;
- (157) “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;
- (158) “sign” means any word, letter, model, picture, symbol, device or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any structure, or portion thereof, which is used primarily to carry, hold, maintain, support or sustain a sign is construed as being part of the sign, and except as provided for in this Bylaw, is subject to all regulations governing signs;
- (159) “site” means an area of land designed to accommodate, and intended to be rented for, a tent or recreational vehicle or cabin;
- (160) “solar collector” means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal or electrical energy. May also be known as solar panels.
- (161) “subdivision and development appeal board” means a subdivision and development appeal board appointed pursuant to Town Bylaw and the Act;
- (162) “subdivision authority” means the Subdivision Authority established pursuant to the Act through the Town’s Subdivision Authority Bylaw;
- (163) “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;
- (164) “temporary development” means a development for which a development permit has been issued and which exists for a limited time only;

- (165) “theatre” means a building and/or site used to show entertainment including films, live theatre, or musical performances;
- (166) “tourist information centre” means the use of a building and/or site to dispense information to the travelling public regarding the Town and may also include washrooms, picnic facilities, or other similar amenities;
- (167) “trucking establishment” means any building and/or site where commercial vehicles may park for a short or long term stay and which may include a “convenience store,” “restaurant,” and/or “gas bar”;
- (168) “undeveloped lot” means a lot which does not contain a dwelling or any other building, but which may contain utility services;
- (169) “unique site requirements” are a set of site locational requirements which have been demonstrated to the Town’s satisfaction to be necessary in order for the development of a commercial or industrial use to be carried out;
- (170) “use” means the utilization of a building or parcel of land for a particular type of operation;
- (171) “utility” means a utility as defined in the Act, as amended;
- (172) “utility installations” means a building and/or site for use by a utility company maintains to maintain or shelter any equipment used in connection with the utility;
- (173) “Variance” means an alteration or change to a standard prescribed by this Bylaw that is authorized by the Development Authority or the Board.
- (174) “veterinary clinic” means a building and/or site used for the medical care and treatment of animals on either a short term or long term basis;
- (175) “warehouse” means a building and/or site used for the storage of materials, goods, and products which will ultimately be distributed and for sale at “retail” stores;
- (176) “wrecking yard” means land and buildings that are used for the storage and dismantling of old or wrecked vehicles and / or machinery for the purpose of recycling their components;
- (177) “yard” means a part of a parcel of land upon or over which no building is to be erected unless otherwise provided for in this Bylaw.

PART 3 – GENERAL ADMINISTRATIVE PROCEDURES

3.1 CONTROL OF DEVELOPMENT

- (1) No development shall be undertaken within the Town unless an application for it has been approved and a development permit has been issued.
- (2) In the event of a state of emergency (local or provincial) declared pursuant to the Emergency Management Act, RSA 2000, c.E-6.8. as amended, or as a result of such an emergency, such other temporary development or class of temporary development as Council may declare may be approved in any land use district without compliance with the land use bylaw regulations.

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 or internal alteration, provided that such works do not include:
 - (i) structural alterations; or,
 - (ii) major works of renovation that would require a building permit under the Safety Codes Act.
 - (b) Activities as exempted by Section 618 of the Act;
 - (c) The use of any such buildings referred to in Section 3.1(2)(b) above, for the purpose which construction was commenced.
 - (d) The use of land for a farm operation on land situated in the Urban Holdings district, provided that the use or building conforms to the minimum setback requirements specified in the Land Use Bylaw. Notwithstanding this section, all dwellings are subject to obtaining a development permit.
 - (e) The erection, construction, or maintenance, improvement or alteration of gates or fences or other means of enclosure less than 1.0 m in height in front yards or in side yards abutting a road, and less than 2.0 m 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. Notwithstanding, barbs and page wire fences are only permitted in the Urban Holding and Industrial Land Use Districts.
 - (f) All types of fences and windbreaks in the Urban Holding district.
 - (g) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw;
 - (h) 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;

- (i) The development of Town owned structures or public works, services and utilities.
- (j) Development within a basement which does not change or add to the uses in a dwelling, which do not require a building permit under the Safety Codes Act;
- (k) First accessory building which is less than 13.4 m² in area.
- (l) The demolition or removal of any building or structure for which a development permit would not have been required pursuant to Subsections (d) to (k) when the building or structure was constructed.
- (m) Dugouts in the Urban Holdings district provided that they conform to the regulations specified in this Land Use Bylaw.
- (n) Fire pits provided that they conform to the regulations specified in this Land Use Bylaw;
 - (i) the combustion area is contained and screened,
 - (ii) the outside diameter is no more than 1.0 metres (three feet), and
 - (iii) the pit is set back from buildings and fences in accordance with the Alberta Fire Code.
 - (iv)
- (o) Landscaping provided that the grades and overland water flows are not substantially altered.
- (p) The construction of a deck, provided that the deck is uncovered, and the walking surface is less than 60 cm (2 feet) above grade.
- (q) Solar Collectors located and installed in complete conformity with section 9.10.
- (2) The placement of portable storage containers / c-cans that meet all requirements listed in section 9.13(11) and 9.13(12). All items listed in 3.2(1) require compliance with all applicable provincial, federal and Town of Rimbey bylaws and policies.

3.3 NON-CONFORMING BUILDINGS AND USES

- (1) Non-conforming buildings and non-conforming uses shall be treated in accordance with the Act, and any amendments thereto.

3.4 DEVELOPMENT APPROVAL AUTHORITIES

- (1) The Development Authority is hereby established by Bylaw pursuant to the Act.
- (2) The Development Authority shall exercise development powers and duties on behalf of the Town.
- (3) The Development Authority shall be the Development Officer, or where the context of this Bylaw permits, the Council.

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; any provision for off-street loading and vehicle parking; and access and egress points to the site;
 - (b) The presence of abandoned oil and gas wells in accordance with the Subdivision and Development Regulation;
 - (c) The location and dimensions of all existing and proposed buildings, structures, or uses on the property;
 - (d) Statement of existing and proposed services (i.e. on-site or municipal);
 - (e) Identification of existing and proposed road infrastructure that will provide access to the development;
 - (f) A statement of the current and proposed use on the lands; and
 - (g) The authorization of the registered landowner.
- (2) The Development Authority 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 floor plans, elevations and sections of any proposed buildings; drainage, grading and landscaping plans; and, in the case of the placement of an already constructed or partially constructed building on a parcel of land, information relating to the age and condition of the building and its compatibility with the District in which it is to be located. In addition, such additional information may include assessment by a registered professional engineer of any potential flooding or subsidence hazard that may, in the sole opinion of the Development Authority, affect the subject site.
- (3) Each application for a development permit shall be accompanied by a fee as established by Council.
- (4) All applications for development permits on sites within an area covered by an inter-municipal development plan shall be referred to the other municipality for comments and recommendation.
- (5) The Development Authority may make a decision on an application for a development permit notwithstanding that any information required or requested has not been submitted.

- (6) In the case where an application for a development permit has been refused pursuant to this Bylaw or ultimately after appeal to the Appeal Body, the submission of another application for a permit on the same property and for the same or similar use of the land by the same or any other applicant need not be accepted by the Development Authority for at least six (6) months after the date of the previous refusal.

4.2 REFERRAL OF APPLICATIONS

- (1) The Development Authority may refer for comment any matter or any application for a Development Permit to any authority he deems necessary.
- (2) Notwithstanding 4.2(1), the Development Authority may refer to any adjacent municipality for consideration and recommendation, any matter or any application for a Development Permit that relates to lands that abut the municipal boundary.
- (3) Notwithstanding 4.2(1), the Development Authority may refer development in proximity to a Highway:
 - (a) Applications for development located within 0.8 km of the right of way of a multi-lane highway or a major two-lane 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;
 - (b) All applications for development located, within 150 m of the right of way of a minor two-lane highway where the proposed development would have direct access from the highway may be referred to Alberta Transportation for comment prior to any decision by the Development Authority.
- (4) Having received a reply on a matter referred to any authority, the Development Authority shall make a decision giving due consideration to the recommendations and comments received.
- (5) After thirty (30) days from the date of referral, the application may be dealt with by the Development Authority whether or not comments have been received.

4.3 DECISION PROCESS – DEVELOPMENT AUTHORITY

- (1) In making a decision, the Development Authority may approve the application unconditionally, approve the application subject to conditions, approve the application for a limited period of time as specified in the approval, or refuse the application.
- (2) The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement in accordance with Section 650 of the Municipal Government Act to construct or pay for the construction of roads, pedestrian walkways or parking areas which serve the development or which connect the walkway with another walkway system that serves or is proposed to serve an adjacent development, to install or pay for the installation of public utilities other than telecommunications systems or works, to pay an off-site levy, and/or to give security to ensure that the terms of the agreement are carried out.
- (3) 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 the definition of a permitted or discretionary use prescribed for a particular District.
- (4) The Development Authority may approve an application for a development permit for new development or an application for a development permit that authorizes a non-conforming building to be enlarged, added to, structurally altered even though the proposed development does not comply with the regulations of this Bylaw, if, in the opinion of the Development Authority:
 - (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 to the use prescribed for that land or building in this Bylaw.
- (5) Upon receipt of an application, the Development Authority must review the application for completeness within 20 days of the application being received. The Development Authority shall provide the applicant either:
 - (a) A complete letter, if in the opinion of the Development Authority, the application contains the information necessary to review the application;
 - (b) An incomplete letter if in the opinion of the Development Authority, the application is incomplete. An incomplete letter shall specify:
 - (i) the additional information that the Development Authority will require in order for the application to be considered complete;

- (ii) the deadline for submission of the additional information or at such other later date as agreed between the applicant and the Development Authority; and
 - (iii) any other information identified as being necessary by the Development Authority
 - (c) Applications that have been issue an incomplete letter, will be
 - (i) Issued a complete letter shall be issued once the Development Authority receives the necessary information.
 - (ii) deemed refused if an applicant fails to submit all the outstanding items indicated as being outstanding in the incomplete letter by the deadline set in the incomplete letter, If an application is deemed refused the Development Authority shall issue a Development Permit refusal. The refusal must give reasons for the refusal.
 - (d) Despite the issuance of a complete letter or incomplete letter, the Development Authority may request additional information from the applicant if, in the course of reviewing the application, the Development Authority determines that additional information is necessary to review the application.
- (6) An application for a development permit shall, at the option of the applicant, be deemed to be refused if a decision on the application is not made by the Development Authority within forty (40) days after receipt of the complete application by the Development Authority. The person claiming to be affected by the deemed refusal may appeal in writing as provided for in Part 4 of this Bylaw as though he has received a refusal at the end of the forty (40) day period. The Development Authority and the applicant, may in a written agreement extend the 40 day period in which the Development Authority is to make a decision on the application.
- (7) A Development Authority may suspend or revoke a development permit in writing to the applicant at any time:
 - (a) Where the permit was issued on the basis of incorrect information, fraud, non-disclosure, or misrepresentation on the part of the applicant; or
 - (b) Where the permit was issued in error.
- (8) If an application is made for a development that is identified as a temporary development in a land use bylaw, the Development Authority:
 - (a) May consider and approve a development for a specific period of time, not exceeding one year;
 - (b) Shall impose a condition on such a permit that the Town is not liable for any costs involved in the cessation or removal of the development at the expiration of the time period stated in the permit; and
 - (c) May require the applicant to post acceptable security guaranteeing the cessation or removal of the development. The amount of the security shall the greater of 25% of the value of the structure or \$1,000.

4.4 DECISION PROCESS – SUBDIVISION AUTHORITY

- (1) Upon receipt of an application for subdivision, the Subdivision Authority must review the application for completeness twenty (20) days of the application being received. The Subdivision Authority shall provide the applicant either:
 - (a) A complete letter, if in the opinion of the Subdivision Authority, the application contains the information necessary to review the application;
 - (b) An incomplete letter if in the opinion of the Subdivision Authority, the application is incomplete. An incomplete letter shall specify:
 - (i) the additional information that the Subdivision Authority will require in order for the application to be considered complete;
 - (ii) the deadline for submission of the additional information or such other later date as agreed between the applicant and the Subdivision Authority; and
 - (iii) any other information identified as being necessary by the Subdivision Authority
 - (c) Applications that have been issued an incomplete letter, will be
 - (i) Issued a complete letter once the Subdivision Authority receives the necessary information.
 - (ii) deemed refused if an applicant fails to submit all the outstanding items indicated as being outstanding in the incomplete letter by the deadline set in the incomplete letter. If an application is deemed refused the Subdivision Authority shall issue a notice to the applicant that the subdivision application has been refused. The refusal must give reasons for the refusal.
 - (d) Despite the issuance of a complete letter or incomplete letter, the Subdivision Authority may request additional information from the applicant if, in the course of reviewing the application, the Subdivision Authority determines that additional information is necessary to review the application.
- (2) An application for a subdivision shall, at the option of the applicant, be deemed to be refused if a decision on the application is not made by the Development Authority within forty (40) days after receipt of the complete application by the Development Authority. The person claiming to be affected by the deemed refusal may appeal in writing as provided for in Part 4 of this Bylaw as though he has received a refusal at the end of the forty (40) day period. The Development Authority and the applicant, may in a written agreement extend the 40 day period in which the Development Authority is to make a decision on the application.

4.5 VARIANCE AUTHORITY

- (1) Notwithstanding 4.3(3) the Development Authority may approve an application for a development permit for a development that is a Permitted or Discretionary Use, but that does not otherwise comply with the provisions of this Bylaw, if in the opinion of the Development Authority:
 - (a) The proposed development would not unduly interfere with the amenities of the neighbourhood.
 - (b) The proposed development conforms with the use prescribed for that land or building in this Bylaw;
- (2) Notwithstanding 4.4(1) the Development Authority shall not grant a variance from the regulations prescribing height, if the height variance results in an increase in floor area, lot coverage, floor area ratio (FAR), or density.
- (3) In addition to the considerations provided under 4.4(1), a variance may only be granted if, in the opinion of the Development Authority:
 - (a) The variance requested maintains the intent and purpose of the Municipal Development Plan;
 - (b) The variance requested maintains the intent and purpose of this Bylaw;
 - (c) The variance is desirable for the appropriate and orderly development or use of the land; and
 - (d) The variance, in the opinion of the Development Authority, is truly minor in nature.
- (4) All requests for a variance shall be accompanied by a letter from the applicant clearly stating the reasons for the variance, outlining the applicable criteria identified in 4.4(3), and the nature of the hardship incurred if the variance is not granted.
- (5) If a variance is granted pursuant to this Section, the Development Authority shall specify its nature in the Development Permit approval.
- (6) The maximum variance that may be granted by the Development Authority is 20% except for variances in accordance with 4.5(7).
- (7) The maximum variance that may be granted by the Development Authority is 40% for setbacks from the property line.

- (8) An accessory building, over 13.4m², built prior to January 1, 2019, may have the minimum side setback and minimum rear setback requirements varied at the sole discretion of the Development Authority. The Development Authority is not bound by the maximum variance in Section 4.5(6) or 4.5(7). In accordance with Section 4.5, a variance application shall be required and the applicant must demonstrate that the structure was built prior to January 1, 2019 in a manner deemed satisfactory to the Development Authority.

4.6 DEVELOPMENT PERMITS AND NOTICES

- (1) A development permit does not come into effect until twenty-one (21) days after the date a decision or development permit is publicized as described in the appropriate section in 4.6 of this bylaw. 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 4 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, or when Council makes a decision on a development permit application within the DC District, no notification shall be given of the decision except to the applicant.
- (4) When a Development Permit has been issued for a Permitted Use, with or without conditions, the Notice of Decision must be delivered to the applicant.
- (5) When a Development Permit for a Permitted Use requiring a variance or a Discretionary Use is approved, with or without conditions or variances, the Notice of Decision must be delivered to the applicant.
- (6) In addition to 4.6(5), the Development Officer shall do the following:
- (a) Immediately mail a notice in writing to all owners of land adjacent to the subject site; and/or
 - (b) Advertise a notice of the decision to be published on the Town of Rimbey's website.
- (9) In addition to 4.6(5), the Development Officer may, at their discretion,
- (a) Immediately post a notice of the decision conspicuously on the property for which the development permit application has been issued.

- (10) The notice indicated in Subsection 4.6(6) shall state:
 - (a) the legal description and the street address of the site of the proposed development,
 - (b) the uses proposed for the subject development,
 - (c) any discretion that was granted in the approval of the development, whether by use or by interpretation of this Bylaw, and any variation or relaxation in regulation that was made by the Development Officer when the development permit was approved,
 - (d) the date the development permit was issued, and
 - (e) how an appeal may be made to the Appeal Body and the deadline for such appeal.

- (11) 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.

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

- (13) For the purposes of this Bylaw, a Notice of Decision, is deemed to have been served:
 - (a) if by courier, on the day following delivery;
 - (b) if by ordinary mail, seven (7) days from the date of mailing;
 - (c) hand delivery, on the day of delivery.
 - (d) if by electronic means, on the day after it was sent; or
 - (e) if a Notice of Decision is published on the Town website, on the date the Notice of Decision appears on the Town website.

4.7 DEVELOPMENT AGREEMENTS AND SECURITIES

- (1) Where a development permit has been granted for the development for any development, as a condition of approval, the applicant shall be required to provide a cash security, in the sum outlined in current Fees and Services Bylaw Schedule A, to ensure the completion of any repairs to Town property. The Town may draw on this security to cover the costs of any repairs to Town property in the event the applicant fails to complete the repairs within thirty (30) days of being notified by the Town of the damages.

- (2) Where a development permit has been granted for the development of a housing unit consisting of two or less units, including housing, duplex;; housing, secondary suite; and, housing, single detached, as a condition of approval, the applicant shall be required to provide an irrevocable Letter of Credit, as a security, in the sum outlined in the current Fees and Services Bylaw, Schedule A, to ensure construction is completed to the satisfaction of the Development Authority.

- (3) Where a development permit has been granted for the development of a multi-family residential building, consisting of three or more units a new principal commercial or new principal industrial building, as a condition of approval, the applicant shall be required to provide an irrevocable Letter of Credit, as a security, in the sum outlined in the current Fees and Services Bylaw, Schedule A, to ensure construction is completed to the satisfaction of the Development Authority. The Town shall register a caveat pursuant to the provisions of the Land Titles Act and the Municipal Government Act in respect of a Development Agreement under this Section against the Certificate of Title for the land that is the subject of the development, which said caveat shall be discharged when the agreement has been complied with.
- (4) Notwithstanding 4.7(3), in all other circumstances the Town may, at its sole discretion require the registration of a caveat pursuant to the provisions of the Land Titles Act and the Municipal Government Act in respect of a Development Agreement under this Section against the Certificate of Title for the land that is the subject of the development, which said caveat shall be discharged when the agreement has been complied with.
- (5) The Town may require, any applicant to enter into an agreement to construct or pay for the construction of public roadways or parking facilities, to install or pay for the installation of utilities and/or to pay an off-site levy imposed by bylaw or any other conditions as deemed appropriate. This may involve the applicant posting security with respect to the development and paying for construction, where the development requires a road or traffic infrastructure improvement specifically to accommodate the development. The applicant for a development permit may be required to provide dust control adjacent to existing residences located on roads impacted by the development. The Development Authority may require that commercial vehicular traffic be limited to certain roads when gaining access to and from a site.

PART 5 – DEVELOPMENT APPEAL PROCESS**5.1 APPEAL PROCEDURE**

- (1) An appeal with respect to a decision on a development permit application is governed by the Municipal Government Act.
- (2) An appeal may be made to the appropriate Appeal Body in accordance with the Municipal Government Act.
- (3) The Subdivision and Development Appeal Board, as established by Town Bylaw, shall hear and make a decision on an appeal where a Development Authority:
 - (a) Refuses or fails to issue a development permit to a person within forty (40) days of receipt of the application, or
 - (b) Issues a development permit subject to conditions, or
 - (c) Issues an order under Part 6 of this Bylaw; and
 - (i) The person applying for the permit or affected by the order, or any other person affected by an order, decision or development permit of a Development Authority appeals to the Subdivision and Development Appeal Board.
- (4) In addition to the Applicant, any person affected by a Development Permit or the decision on it, may appeal to the Appeal Body.
- (5) Notwithstanding 5.1 and 5.2, no appeal lies in respect of the issuance of a development permit for a Permitted Use unless the application was the subject of a variance.
- (6) An appeal shall be commenced by filing a Notice of Appeal, setting out all of the reasons that the person intends to rely on for the appeal, to the Secretary of the Board within twenty-one (21) days after the Notice of Decision has been given under Section 4.6.
- (7) A decision on a Development Application within a Direct Control District cannot be appealed unless the appeal is limited to whether or not the Development Authority followed the directions of Council. If the Board finds that the Development Authority did not follow Council's directions, it may, in accordance with Council's directions, substitute its decision for that of the Development Authority.

5.2 APPEAL HEARING

- (1) Within thirty (30) days of receipt of a notice of appeal, the Appeal Body shall hold an appeal hearing respecting the appeal.
- (2) The Appeal Body shall give at least five (5) days' notice in writing of the appeal hearing to:
 - (a) The appellant;
 - (b) The Development Authority from whose order, decision or development permit the appeal is made;
 - (c) Those adjacent land owners who were notified under this Bylaw and any other person who, in the opinion of the Appeal Body, are affected by the order, decision or permit; and
 - (d) Such other persons as the Appeal Body specifies.
- (3) The Appeal Body shall make available for public inspection before the commencement of the appeal hearing all relevant documents and materials respecting the appeal including:
 - (a) The application for the development permit, its refusal and the appeal therefrom; or
 - (b) The order of the Development Authority, as the case may be.
- (4) At the appeal hearing referred to in subsection (1), the Appeal Body shall hear:
 - (a) The appellant or any other person acting on his behalf;
 - (b) The Development Authority from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person;
 - (c) Any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf; and
 - (d) Any other person who claims to be affected by the order, decision or permit and that the Appeal Body agrees to hear or a person acting on his behalf.

5.3 APPEAL DECISION

- (1) The Appeal Body shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the appeal hearing.
- (2) If the decision of the Development Authority to approve a development permit application is reversed by the Appeal Body, the development permit shall be null and void.
- (3) If the decision of the Development Authority to refuse a development permit application is reversed by the Appeal Body, the Development Authority shall forthwith issue the development permit in accordance with the decision of the Appeal Body.

- (4) If the decision of the Development Authority to approve a development permit is varied by the Development Appeal Board, the Development Authority shall forthwith issue the development permit in accordance with the decision of the Appeal Body.

- (5) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to the Court of Appeal shall be made:
 - (a) to a judge of the Court of Appeal; and
 - (b) within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.

PART 6 – BYLAW AMENDMENT PROCESS**6.1 APPLICATION FOR AMENDMENT**

- (1) A person may apply to have this Bylaw amended by applying in writing, furnishing reasons in support of the application and paying the fee therefore required.
- (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) An application fee according to the governing fee schedule as amended from time to time by resolution of Council shall be submitted for each application, but if the proposed amendment is adopted by Council, Council may determine that the whole or part of the application fee may be returned to the applicant;
 - (b) A title search for the land affected or other documents satisfactory to the Development Authority indicating the applicant's interest in the said land;
 - (c) Drawings drawn 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) Notwithstanding Subsection (3)(a) above, Council may waive payment of an application fee or any part thereof.
- (5) During deliberation on the Bylaw amendment application, Council may refer the application to such agencies as it considers necessary for comment.
- (6) Council may request such information as it deems necessary to reach a decision on the proposed amendment.

6.2 PUBLIC HEARING PROCESS

- (1) 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.
- (2) Prior to any Public Hearing, the Town shall give notice in accordance with the Act.
- (3) First reading of a proposed amendment is given before the Public Hearing, 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 Town.
- (4) Prior to any Public Hearing for a site specific land use bylaw amendment only, the Development Authority shall mail a notice in writing to all owners of land adjacent to the subject site.

PART 7 – ENFORCEMENT**7.1 CONTRAVENTION**

- (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:
- (d) Stop the development or use of the land or buildings in whole or in part as directed by the notice, and/or
 - (e) Demolish, remove or replace the development, and/or
 - (f) Take such other measures as are specified in the notice;
 - (i) 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) above or an order of the Appeal Body within the time specified, the Development Authority may, in accordance with Section 542 of the Act, with the support of a Peace Officer or Enforcement Officer, enter upon the land or building and take such action as is necessary to carry out the order. A person who contravenes or fails to comply with any provision of their development permit is guilty of an offence and is liable upon summary conviction of a fine.
- (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, Peace Officer, Bylaw Officer or any other person identified by the CAO for the purposes of this Section, shall be authorized to inspect any development to confirm compliance, and if not in compliance to issue violation tickets in respect to any contravention of this Bylaw.
- (7) Violation Tickets:
- (a) The Development Authority, Peace Officer, Bylaw Officer or any other person identified by the CAO 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 voluntary payment, or the option of a court appearance on a date specified and will be dealt with thereafter at the court's discretion.
 - (c) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of \$500.00 for a first offence and \$1000.00 for a second or subsequent offence within the same calendar year. 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 if the defendant cannot be conveniently found, by leaving it for the defendant at the defendant's place of residence with a person on the premises who appears to be at least 18 years of age. 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.

PART 8 – GENERAL REGULATIONS**8.1 ACCESSORY BUILDINGS AND USES**

- (1) No person shall construct or utilize an accessory building except in compliance with this section.
- (2) All accessory buildings shall be located at least 2.0 m from any principal building, unless under 13.4 m² and on a non-permanent foundation.
- (3) An accessory building shall not be used as a dwelling unit.
- (4) An accessory building that contains sanitation facilities shall be designed to the satisfaction of the Development Authority.
- (5) An accessory building shall not be constructed within the required front yard setback area of any district.
- (6) Accessory buildings shall be constructed with exterior finish materials that compliment those of the principal building.
- (7) An accessory building shall not be located on an easement or utility right-of-way, without an encroachment agreement registered on title in accordance with section 8.21.
- (8) An accessory building shall not be developed or approved on a lot prior to the issuance of a development permit for the principal building or use on the lot.
- (9) Decks, balconies, sunrooms and the like shall not be constructed on top of an accessory building unless the setbacks of the accessory building comply with the allowable setbacks for the principal building in that district.
- (10) Accessory buildings under 13.4 m² in size and decks which are uncovered, and the walking surface is less than 60 cm (2 feet) above grade are not required to meet the setback requirements for the District in which is it located.
- (11) An accessory building, over 13.4m², is required to meet the setback requirements for the District in which it is located.

8.2 AIR SUPPORTED AND FABRIC-COVERED STRUCTURES

- (1) All air supported and fabric-covered structures over 13.4 m² and will be erected for more than (3) three days require a development permit.
- (2) Air supported and Fabric-Covered Structures used for recreational purposes will be permitted as a discretionary main building.
- (3) All other Air Supported and Fabric-Covered Structures will be permitted as a discretionary accessory building.
- (4) Air supported and fabric-covered structures cannot be used for human habitation.

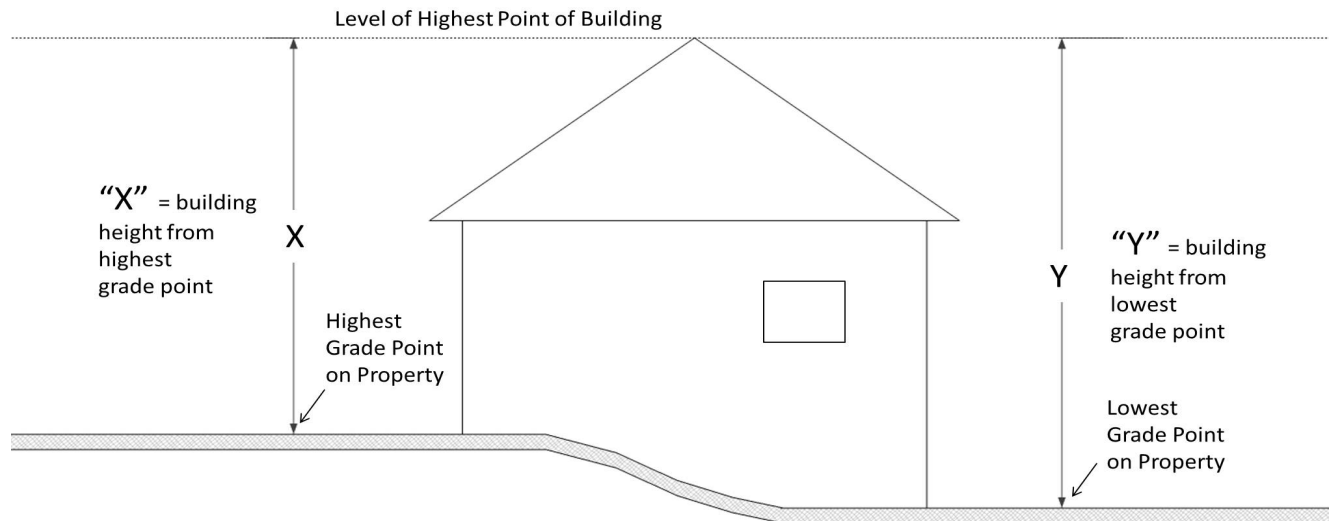
8.3 BARE LAND CONDOMINIUM

- (1) Structures constructed on bare land condominium units shall comply with the general regulations of this bylaw, including the regulations for the land use district in which the unit is located.
- (2) For the purposes of this Bylaw, a bare land condominium plan is a plan of subdivision.

8.4 BUILDING HEIGHT

- (1) If the height of a building is required to be measured or determined, it shall be measured by calculating the average vertical distance between the natural grade, or the average natural grade in the case of a sloping grade, and the highest point of the building as determined under Subsection (2).
- (2) In determining the highest points of a building, the following structures shall not be considered to be part of the building: an elevator housing; mechanical housing; roof stairway entrance; ventilations; a skylight; a steeple; a smokestack; a parapet wall, or a flagpole or similar device not structurally essential to the building.

FIGURE 8.4.1 – BUILDING HEIGHT CALCULATIONS



$$\text{Height Average} = (X+Y)/2$$

8.5 CORNER AND DOUBLE FRONTING PARCELS

- (1) In all districts, a site abutting onto two streets or more shall have a front yard setback on each street in accordance with the front yard regulations of this Bylaw.
- (2) In all cases, the location of building on corner sites shall be subject to approval of the Development Authority who may, at their discretion, relax the front yard setback requirements taking into account the location of existing adjacent buildings or the permitted setback on adjacent sites where a building does not exist.
- (3) On corner parcels contiguous to a highway the Alberta Infrastructure Highway "Minimum Site Triangle" Design Guidelines shall apply.

8.6 CURB CUTS

- (1) The nearest edge of a proposed curb cut to the nearest curb line of the street intersection shall not be less than 12.0 m.
- (2) The maximum width of the curb cut shall not exceed 9.1 m in industrial districts and 6.0 m in all other districts, unless otherwise specified by the Development Authority for reasons of public safety or convenience.

8.7 DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS AND STRUCTURES

- (1) The purpose of this Section is to provide the Town with controls and guidance in order to ensure that aesthetically attractive and compatible development is provided throughout the Town.
- (2) The quality of exterior treatment and design of all buildings shall be to the satisfaction of the Development Authority for permitted uses and discretionary uses.
- (3) Pursuant to Subsection (2), the Development Authority shall consider, but not be limited to the following criteria when evaluating the design, character and appearance of development proposals in all Districts.
 - (a) General Guidelines:
 - (i) The design, character and appearance of all buildings must be compatible with any other buildings existing in the vicinity unless the building is setting a new standard of design and character for the land use district or a particular location of it;
 - (ii) The design of the building or development must be consistent with the purpose and intent of the land use district in which it is located;
 - (iii) The building shall comply with any provisions of a statutory plan or architectural control guidelines adopted by Council.
 - (b) Guidelines for Commercial and Industrial Development:
 - (i) The harsh contrasts of very large or massive buildings mixed with small buildings can be softened by using similar sizes and shapes of massing elements, like roof lines, exterior design and treatment;
 - (ii) Blank, unfinished walls give a very bland appearance to the streetscape. Particular attention should be given to reduce large vacant spaces between buildings which are left open to public view;
 - (iii) Rooftop mechanical equipment should be hidden from view from public streets and from adjacent buildings;
 - (iv) Utility installations and buildings should be located in such a manner so as to be compatible with adjacent buildings and development. This may be achieved by placing utility installations within buildings wherever possible, or development utility buildings which blend into the surrounding area;
 - (v) Natural features are an important part of the urban environment and should be given a high priority in developing a site. This may be achieved by preserving existing trees wherever possible;
 - (vi) Corner sites at the intersection of major streets should be given special consideration. Sight lines for drivers and more pedestrian space are features which should be incorporated into the design of buildings on corner lots;

- (vii) Buildings should provide weather protective overhangs at outdoor pedestrian areas and at building entrances. The overhangs can be achieved through the use of cantilevers, awnings and canopies;
 - (viii) Long buildings along the street front should include a public route through the building which can be accessed by pedestrians to parking areas or simply to reduce having to walk around the building;
 - (ix) Large pedestrian areas or parcels should be designed for safety and at a pedestrian scale. The combination of landscaping and pedestrian walkway connections from the parking area to the shopping areas can act as a windbreak, slow the traffic in the parking area, and soften the harsh visual impact of large asphalt areas;
 - (x) The site illumination of commercial and industrial sites should not shine into residential windows;
 - (xi) On-site parking, loading and shipping areas are less attractive elements of a streetscape and should be hidden from public roadways by buildings, screening and landscaping;
 - (xii) Outdoor storage and garbage collection areas are generally unsightly and undesirable elements from public roadways and should be screened or hidden behind buildings. Existing storage and garbage collection areas should be screened from roadways by using berms, walls and landscaping.
- (c) Guidelines for Residential Development:
- (i) Visual privacy of internal living space and areas should be maintained in new and existing developments. The use of berms, landscaping and the orientation of the dwellings and the living space windows can improve the visual privacy between developments;
 - (ii) Identical or similar housing styles, models, designs and colors should be discouraged. The same housing color, design or treatment should not be used for any more than three adjacent dwellings;
 - (iii) Corner lot houses should be generally lower lying houses as height and mass is emphasized beside a void such as a road.
 - (iv) Any accessory building built on a lot, such as a detached garage or garden shed should be of proportional mass, roof line and treatment as the principal building.
 - (v) Developments should be encouraged to possess good proportion in the front elevations through the use of such elements as dormers, bay windows, shutters, brickwork, roof lines and variations of window sizes.

8.8 DEVELOPMENTS ON OR NEAR SLOPES

- (1) Notwithstanding the yard requirements prescribed in the land use districts, no permanent buildings shall be permitted within 20.0 m of the top of the bank of any waterbody and no development shall be permitted within 20.0 m of the top or bottom of an escarpment bank or slope where the grade exceeds 15% (fifteen percent).
- (2) The Development Authority may require greater setback than is prescribed in Section 8.8(1).
- (3) Notwithstanding that a proposed development conforms in all respects with this Bylaw, including Sections 8.8(1) and 8.8(2), where the application is for development on lands that are or may be subject to subsidence, the Development Authority shall not issue a development permit unless the applicant can demonstrate that preventative engineering and construction measures can be instituted to make the parcel suitable for the proposed development.
- (4) Subject to Section 8.8(3), the Development Authority may, at their discretion, reduce the setback requirements established pursuant to 8.8(1) and 8.8(2) if the applicant provides satisfactory proof of bank stability.

8.9 DEVELOPMENTS NEAR WATER

- (1) Notwithstanding 8.8, the Development Authority may require reports to be submitted by qualified professionals to help determine the setback distance from water bodies. The setback may be reduced if supported by a report submitted by a qualified engineer.

8.10 DWELLING UNITS ON A PARCEL

- (1) The number of dwelling units allowed on any single parcel shall be one, except where additional dwellings are:
 - (a) Contained in a building designed for, or divided into, two or more dwelling units and is located in a land use district which permits multiple units; and
 - (b) A building defined in the Condominium Property Act (Chapter C-22, R.S.A. 2000) and all regulations and amendments thereto and is the subject of an approved condominium plan registered under that Act.

8.11 EMERGENCY ACCESS TO BUILDINGS

- (1) Sites shall be so designed that, in the opinion of the Development Authority, appropriate access for firefighting equipment is afforded to all buildings, moreover,
 - (a) In the case of industrial, commercial, multiple family, or public or quasi-public sites, the distance between the fire hydrant and any driveway or access point shall be a minimum of 3.0 m. In the case of single family sites, the distance between the fire hydrant and any driveway or access point shall be a minimum of 1.85m; and
 - (b) No person shall in any manner obstruct the fire access to any hydrant, valve or curb stop. No vehicle, building, structure, or vegetation higher than 0.5 m, shall be placed within 1.5 m from a hydrant.
- (2) On at least two sides, one of which shall be the longest side, of any building used as an apartment building and which exceeds two storeys in height, there shall be firm level areas accessible for firefighting equipment for at least 75% (seventy five percent) of the length of each of the two sides of the building. Such areas shall not be less than 4.25 m in width and not more than 3.0 m from the building, and no permanent structure or vehicular parking shall be permitted thereon.
- (3) A lane or lanes for the purpose of permitting the access of firefighting equipment to all major access points of shopping centre buildings shall be provided, and no permanent structures or vehicular parking may be permitted thereon.

8.12 EXCAVATION, STRIPPING AND GRADING

- (1) For the purpose of this Section, excavation shall mean excavation other than for construction or building purposed, including, but not limited to, sand and gravel mining, topsoil stripping, and construction of artificial bodies of water.
- (2) An applicant for a development permit for the excavation, stripping or grading of land, which is proposed without any other development on the same land, shall include with his or her application the following information:
 - (a) Location of the lot, including the municipal address if any, and legal description;
 - (b) The area of the lot on which the development is proposed;
 - (c) The type of excavation, stripping or grading proposed, showing the dimensions of the operation or the area of the land and depth to which the topsoil is to be removed;
 - (d) Location on the lot where the excavation, stripping or grading is to be made on the lot; and
 - (e) The condition in which the excavation, stripping or grading is to be left when the operation is complete or the use of the area from which the topsoil is removed.

- (3) Where, in the process of development, areas require levelling, filling, or grading, the topsoil shall be removed before work commences, stockpiled, coverage of 0.15 m shall be provided upon occupancy of the development, and the affected area shall be graded and landscaped to the satisfaction of the Development Authority.

8.13 EXISTING SUBSTANDARD LOTS

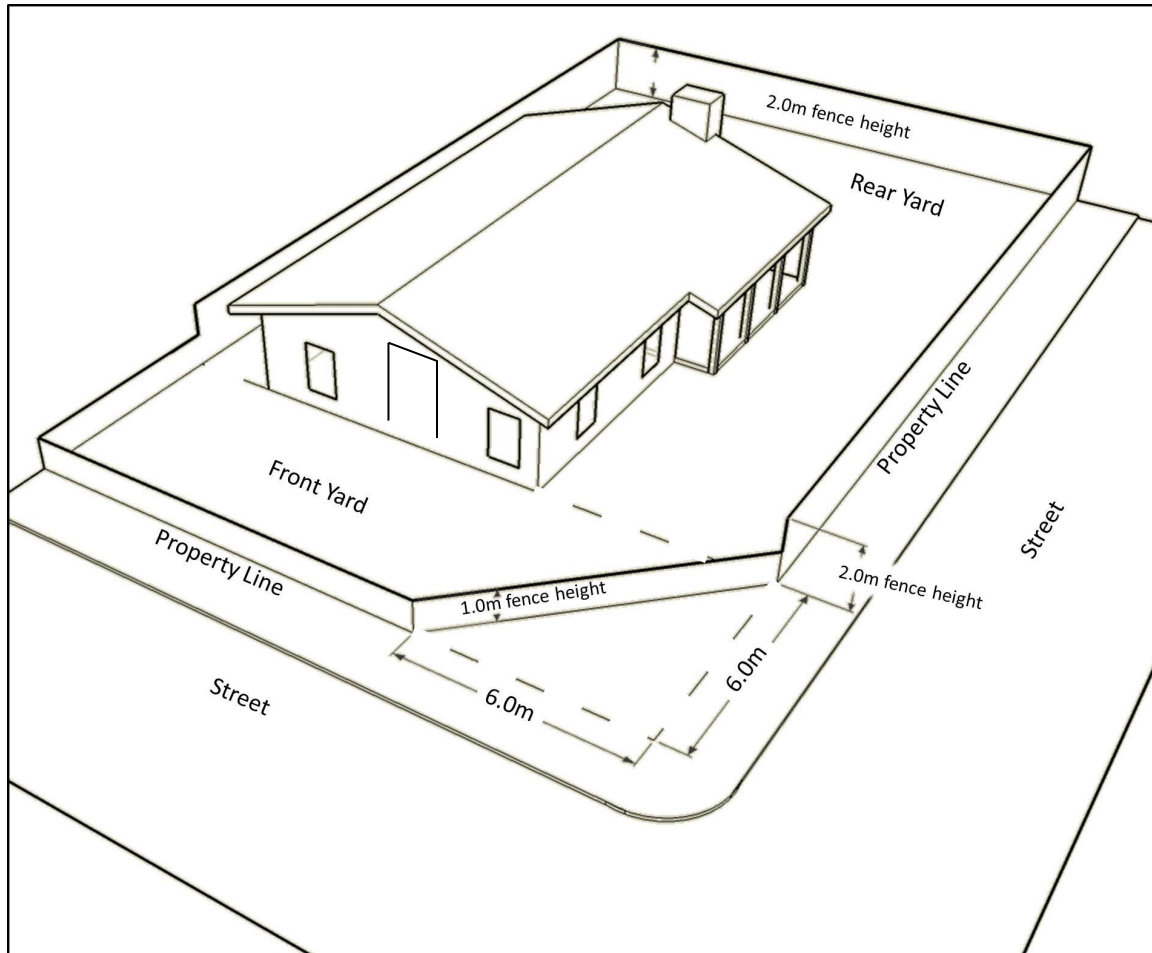
- (1) Development on existing substandard lots may be considered by the Development Authority who shall have due regard for compliance with the Safety Codes Act and its regulations prior to granting approval.

8.14 FENCES

- (1) In any district, except as herein provided,
 - (a) No fence shall be constructed that is located on public property;
 - (b) No fence shall be constructed that is:
 - (i) For internal lots in all residential land use districts, no higher than 2.0 m for the portion of the fence that does not extend beyond the foremost portion of the principal building on the site and 1.0 m for that portion of the fence that does extend beyond the foremost portion of the principal building on the lot;
 - (ii) For internal lots in all non-residential land use districts, no higher than 2.0 m for the portion of the fence that does not extend beyond the foremost portion of the principal building on the site and 1.0 m for that portion of the fence that does extend beyond the foremost portion of the principal building on the lot. The 1.0 m may be increased to a maximum of 2.0m at the discretion of the Development Authority;
 - (iii) For corner lots, as per Figure 8.14.1, fences shall be no higher than 2.0 m for the portion of the fence that does not extend beyond the foremost portion of the principal building if in the opinion of the Development Authority, it will not prejudice the safety and amenities of the adjoining lots. Fences shall be no higher than 1.0 m for the portion of the fence that does extend beyond the foremost portion of the principal building on the lot.
 - (iv) In the case of corner lots, no person shall construct a fence or other screening, including landscaping, more than 1.0 m high within the triangular area 6.0 m back from the intersecting front boundary lines of the lot, regardless of whether or not a corner cut-off has been taken. The 6.0m triangular area may be reduced by the Development Authority based on an assessment of the corner visibility; and

- (v) Where lots have both their front and rear yards facing onto a street, special approval of the Development Authority must be obtained prior to the erection of any fences on such properties. Size and specifications for fences in these areas must conform with the overall standard set for the area by the Town.
- (2) Apartments or row houses adjacent to a single detached residential dwelling shall provide a fence, or other such screening as deemed appropriate by the Development Authority, of not more than 2.0 m in height along the side abutting the single detached dwelling;
- (3) In the case of industrial, commercial, public and quasi-public uses abutting a residential area, a fence, or other such screen as deemed appropriate by the Development Authority shall be at least 1.5 m in height and no higher than 2.0 m along the sides abutting the residential area;
- (4) Notwithstanding Subsection 8.14(3), the maximum height of a fence in an Industrial or Urban Reserve District shall be determined by the Development Authority. Where a fence has been permitted to be higher than 2.0 m in an Industrial or Urban Reserve District, no barbed wire fences shall be permitted below a height of 2.0 m. This requirement may be relaxed by the Development Authority at his/her discretion in an area where residences would not be in close proximity to the fence proposed;
- (5) No electrification of fences shall be permitted; and
- (6) No barbed wire fences shall be permitted in residential districts.

FIGURE 8.14.1 – FENCE DIAGRAM



8.15 FLOODPLAIN DEVELOPMENT

- (1) Notwithstanding Subsection 8.9 no new development or the expansion of existing development shall be allowed within the 1:100 year flood plain of any watercourse or water body as determined by Alberta Environment.
- (2) Development Permit Applications where a portion of a parcel in the 1:100 year floodplain, shall be accompanied by the following information requirements:
 - (a) Elevation of the site as prepared by a qualified surveyor or engineer;
 - (b) Proposed elevation of main floor of residential buildings as prepared by a qualified surveyor or engineer; and
 - (c) A statement and/or analysis, which demonstrates the suitability of the development to the site as compared to other locations on the parcel.

8.16 LANDSCAPING

- (1) As a condition of the development permit, all landscaping and planting required must be carried out to the satisfaction of the Development Authority, and within one year of occupancy or commencement of operation of the proposed development. All plant material shall be hardy to the Town of Rimbey.
- (2) The Development Authority may require that landscaping and/or screening is provided in conjunction with any development and is addressed as part of the Development Permit application. The intent of landscaping and screening is to contribute to a reasonable standard of appearance for developments, to provide a positive overall image for the Town.
- (3) Landscaping and screening requirements may be applied to commercial and industrial uses.
- (4) Garbage and waste material in residential districts must be stored in weather and animal proof containers.
- (5) Garbage and waste materials in all non single-family residential developments must be stored in weather and animal proof container and screened from adjacent sites and public thoroughfares.
- (6) On corner parcels, setbacks for landscaping and fencing must be in accordance with Section 8.2.
- (7) Prior to issuing a development permit the Development Authority may require submission of a detailed landscape plan to a standard satisfactory to the Development Authority, outlining at a minimum the following:
 - (a) The location of the trees and shrubs to be planted, including distance between trees and the anticipated full growth radius at maturity;
 - (b) The number of trees and shrubs to be planted; and
 - (c) The common name of the trees and shrubs to be planted.
- (8) In addition to the landscaping standards specified in each Land Use District the Development Authority may require the applicant of any development permit to:
 - (a) Retain any natural feature in its original state including, but not limited to, the following:
 - (i) Any water feature, including swamps, gullies and drainage courses;
 - (ii) Land with a natural gradient of 15% or greater;
 - (iii) Land subject to flooding by a 1:100 year flood;
 - (iv) Land located within a minimum distance as determined by the Development Authority from the top of bank of any river, stream, creek, lake or other body of water;
 - (v) Any land deemed unstable by the Development Authority.

- (vi) Conserve trees, shrubs or any other natural vegetation to the maximum extent possible.
 - (vii) Screen any objectionable effect or potential objectionable effect from adjacent properties;
 - (viii) Retain topsoil on the site;
 - (ix) Enhance the site by adding topsoil, grass, rock, gravel, vegetation or other landscaping materials to complement the appearance of the site and the character of the neighbourhood; and
 - (x) Restricting the amount and location of hard surfacing on the site.
- (9) Trees and Shrubs provided for landscaping shall meet the following minimum requirements:
- (a) A minimum height of 1.8 m (6.0 ft.) for coniferous trees;
 - (b) A minimum height of 0.46 m (1.5 ft.) for coniferous shrubs;
 - (c) A minimum caliper width of 5.08 cm (2 in) at 0.46 m (1.5 ft.) above ground level for deciduous trees; and
 - (d) A minimum height of 0.61 m (2 ft.) for deciduous shrubs.
- (10) Unless otherwise specified in this Bylaw a minimum of thirty-three percent (33%) of the total amount of trees and shrubs provided shall be coniferous.
- (11) All trees shall be separated a minimum distance from each other to allow sufficient space for the tree's maximum potential growth radius at maturity and to ensure healthy, uninhibited growth.
- (12) All landscaping requirements must be completed within one (1) year of completion of construction or the commencement of the use, whichever occurs first.
- (13) The owner of the property, or his/her assignees or successor(s), shall be responsible for the proper upkeep and maintenance of the required landscaping. If the required landscaping does not survive, the applicant/owner must replace it with a similar type of species and with a similar caliper, width and height or to the satisfaction of the Development Authority.
- (14) The Development Authority may, as a condition of a development permit, require submission of a security up to the value of the estimated cost of providing the proposed landscaping to ensure that such landscaping is carried out with reasonable diligence. The condition of the security is that, if the landscaping is not completed in accordance with this Bylaw and development permit within one (1) growing season after completion of the development, then the specified security amount shall be made available to the Town to use to ensure the landscaping is installed according to the Town's standards.
- (15) A minimum of 30% soft surfaced green landscaped features (i.e. grass, shrubs and trees) shall be maintained in all residential front yards.

(16) Development Permits are required for all retaining walls over 60 cm (2 feet).

8.17 LIMITED ACCESS TO MAJOR ROADS

(1) No access for vehicles will be permitted from an arterial road as designated by the Municipal Development Plan, or Area Structure Plans to:

- (a) Any residential site, unless the access serves three or more dwelling units; or
- (b) Any site, unless turning space is provided on the site such that vehicles entering upon the site may turn before re-entering the street; or
- (c) Any site where, in the opinion of the Development Authority, there would be an excessive number of access points approved by Alberta Transportation.

(2) Access to Highways 20, 20A and 53 shall be limited to arterial roads, collector and services roads, and where no service roads are provided, access shall be limited to those access points approved by Alberta Transportation.

8.18 OBJECTIONABLE ITEMS IN YARDS

(1) No person shall keep or permit in any part of a yard in any residential district:

- (a) Any dismantled or wrecked vehicle for more than fourteen (14) successive days; or
- (b) Any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district; or
- (c) Any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work; or
- (d) Any vehicle not parked on a prepared hard surface (i.e. concrete pad or gravel) in the front yard; or
- (e) A commercial vehicle loaded or unloaded of a maximum weight in excess of 2000 kg; or
- (f) A commercial vehicle in a front yard; or
- (g) Contravene the Town of Rimbey Nuisance Bylaw.

(2) No person maintaining more than one recreation vehicle or more than two (2) motor vehicles in a residential district shall allow them to be kept in a manner which, in the opinion of the Development Authority is unsightly or tends to adversely affect the amenities of the district.

- (3) No person shall keep a recreational vehicle, in a residential area, in the front yard or in the flanking/sideyard on a corner lot, for a period longer than is reasonably necessary to load or unload the vehicle to a maximum of 72 hours.
- (4) 8.18(3) does not apply between the months of April and October inclusive if the vehicle will not overhang the sidewalk or road otherwise create a traffic hazard.
- (5) In commercial districts garbage shall be stored in weatherproof containers screened from adjacent sites and public thoroughfares to the satisfaction of the Development Authority and shall be in a location easily accessible for pickup.
- (6) No Recreational Vehicle may be parked, kept or stored outside on any parcel in town for the purposes of human habitation for more than 72 hours.

8.19 ON-SITE AND OFF-SITE SERVICES AND IMPROVEMENTS

- (1) Where any on-site services or improvements, or any off-site local improvements are required to service a proposed development, a person shall not begin the excavation for the foundation nor commence the development until the Development Authority or is satisfied that such services will be provided or improvements will be undertaken.
- (2) No development permit shall be issued for a development to be served by private sewer and water systems until the systems have been approved by the appropriate Municipal or Provincial authorities having jurisdiction.

8.20 PROJECTIONS OVER YARDS

- (1) The following encroachments into required front, side and rear yard setbacks in land use districts may be permitted for canopies, balconies, eaves, box-outs, chimneys, gutters, sills, steps/stairs, and, in addition, cantilevers may be permitted to encroach into the front and rear yards only:
 - (a) Front Yard: 2.0 m for balconies; and 1.0 m for cantilevers, eaves, gutters, landings, and window sills (see Figure 8.20.1).
 - (b) Rear Yard: 2.0 m for balconies; and 1.0 m for box-outs, cantilevers, eaves, gutters, landings, and window sills (see Figure 8.20.).
 - (c) Side Yard (Interior): 1.0 m for balconies; and 0.6 m for box-outs, eaves, gutters, landings and window sills (see Figure 8.20.1).
 - (d) Side Yard (Exterior): 1.0 m for balconies; and 0.6 m for box-outs, cantilevers, eaves, gutters, landings and window sills (see Figure 8.20.2).
- (2) For multi-attached dwellings, balconies and decks may be extended to the lot line or common wall, provided that the common wall is extended for separation/privacy.

- (3) No projection will be permitted if, in the opinion of the Development Authority, it may interfere with a loading space, parking area, driveway, or other vehicle or pedestrian circulation or access.
- (4) No projection will be permitted into the side yard required for vehicular access to the rear yard, unless a minimum vertical height of 3.0 m from finished grade to the lowest point of the projection is maintained.
- (5) The projection length limitations are as follows:
 - (a) The individual projection maximum length shall not exceed 3.0 m; and
 - (b) The sum of all projections maximum length shall not exceed one-third (1/3) of the length of the building wall (not including the garage walls). This does not apply to front or rear yards.

FIGURE 8.20.1: PERMITTED PROJECTIONS – FRONT AND INTERIOR SIDE YARD SETBACKS

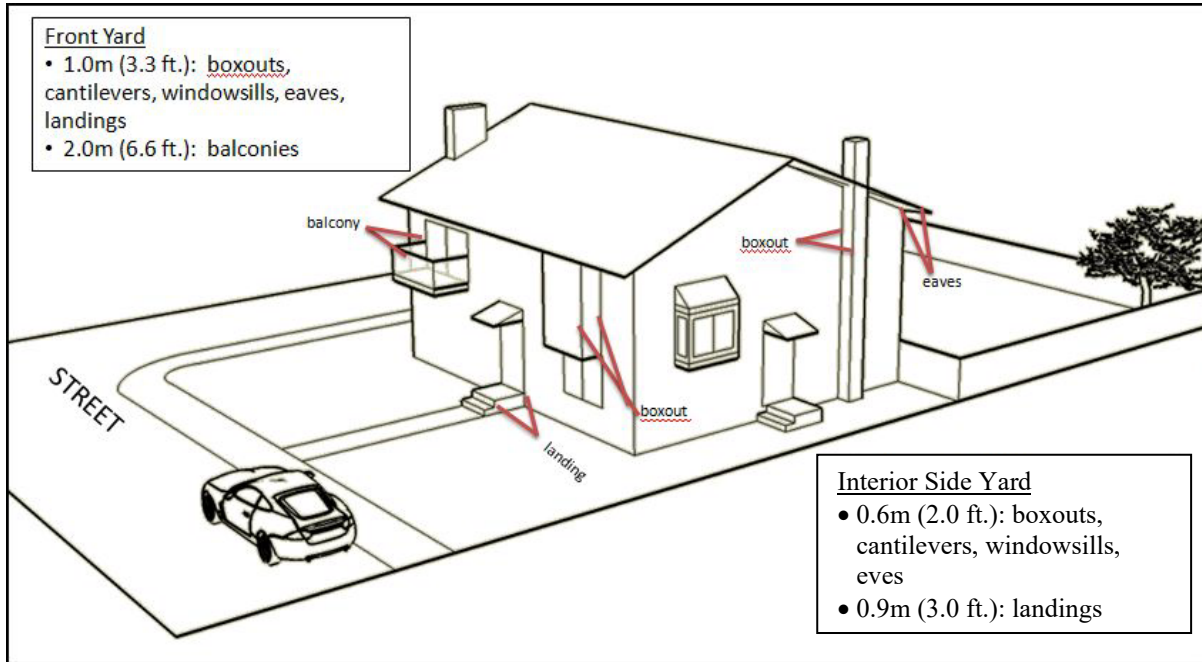
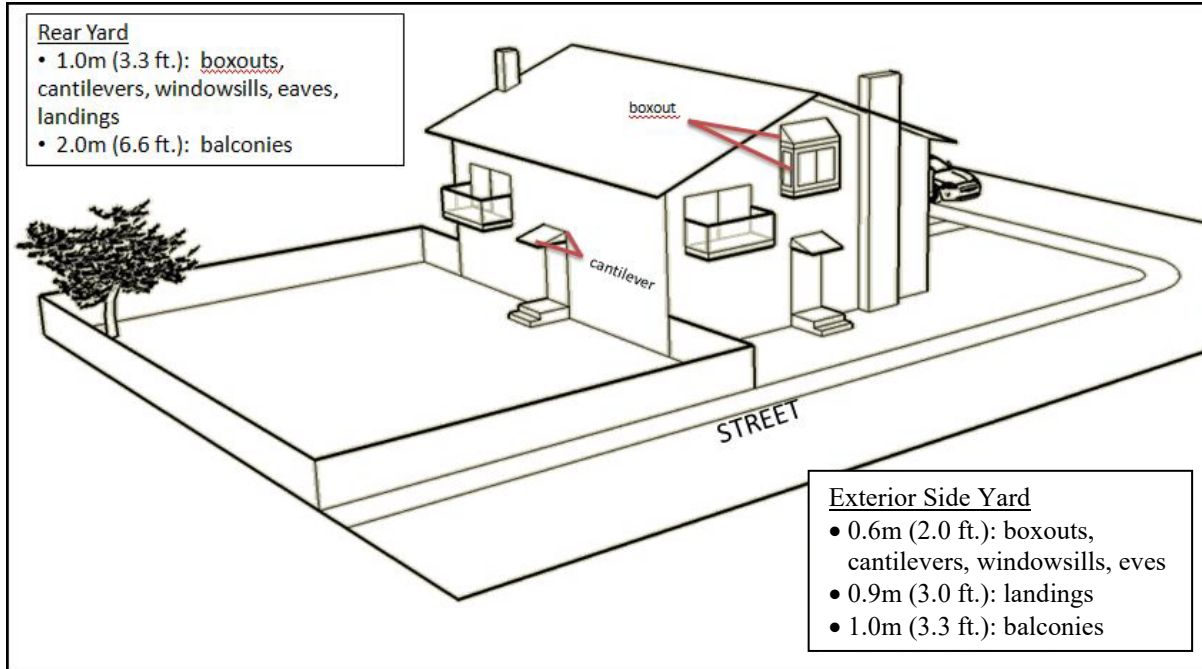


FIGURE 8.20.2: PERMITTED PROJECTIONS – REAR AND EXTERIOR SIDE YARD SETBACK



8.21 PUBLIC LANDS AND TOWN BOULEVARDS

- (1) There shall be no unauthorized encroachments onto municipal property, including parks and road rights-of-way. Where an encroachment exists without Town approval, the owner shall be required to remove the encroachment at his/her own expense or seek permission from the Town CAO or Council for the encroachment to remain.
 - (a) There shall be no encroachments into Alberta Transportation Highway Right-Of-Ways without written approval from Alberta Transportation.
- (2) All developments on lands owned by the Town of Rimbey shall not require a development permit.
- (3) Notwithstanding 8.21(3), the owner(s) of a lot may develop the boulevard abutting their property by excavating, backfilling, levelling or consolidating to final grade, and seed or perform other works that may be necessary to develop a turf boulevard provided that all work shall be entirely at the owner's expense.
- (4) Any development, planting or other development not authorized by a development permit shall be done at the owner's risk, and any damage to municipal services caused by the growth, removal or maintenance of such development shall be the responsibility of the owner.
- (5) Every owner or occupant of land shall be responsible for maintaining any development allowed under this Section, and for controlling the weeds on boulevards owned by the Town abutting their property.

8.22 PUBLIC UTILITY BUILDINGS AND EASEMENTS

- (1) Notwithstanding other regulations in this Bylaw, a person erecting a public utility facility or placing utility equipment on a site shall cause it to be placed in a location and with yard setbacks which are satisfactory to the Development Authority.
- (2) Utility lots, utility buildings and publicly owned buildings may be permitted in any district except as specifically regulated elsewhere in this bylaw.
- (3) Subject to the conditions of a utility easement, no permanent structure other than a fence shall be constructed or placed on that utility easement unless:
 - (a) In the opinion of the Development Authority the said structure does not restrict access to the utility easement for the purpose of installation and maintenance of the utility; and
 - (b) Written consent has been obtained from the person whose use the easement has been granted.

8.23 RELOCATION OF BUILDINGS OR STRUCTURES

- (1) No person shall:
 - (a) Place on a lot a building which has previously been erected or placed on a different lot; or
 - (b) Alter the location on a lot of a building which has already been constructed on that lot,
 - (c) Unless the Development Authority approves the placement or alteration.
- (2) An approval shall not be granted under Subsection (1) above unless the Development Authority is satisfied that:
 - (a) The placement or location of the building would meet the requirements of the Bylaw; and
 - (b) The building and the lot meet the requirements of this Bylaw and the land use district in which it is proposed to be located.
- (3) Before considering any application for a Moved-in Building and in addition to the requirements of Section 8.23(1) and Section 8.23(2), the Development Official shall require a development permit application that includes:
 - (a) Recent colour photographs of all elevations including additions;
 - (b) A statement of the age, size, and structural condition of the building; and
 - (c) Documentation from a certified safety code officer that the building meets the requirements of the Safety Codes Act or, if it does not, how the building will be brought up to these requirements.
- (4) As a condition of issuing a development permit approval for a Moved-In Building, the Development Authority shall require a letter of undertaking (agreement) and the posting of security in the form of an irrevocable letter of credit or cash, in the amount of the total estimated costs to relocate the building, to be provided prior to the issuance of a building permit and the building being moved on site. This security will ensure that any required modifications to the design, construction, siting, finishing and cladding of the relocated building are completed.
- (5) The conditions shall be completed within one year of the issuance of the development permit, as determined by the Development Authority.
- (6) The security will be released once all the conditions have been completed by the applicant to the satisfaction of the Development Authority and are met within the time frame as set out in the development permit.
- (7) Upon expiry of the Development Permit, if the required work has not been completed to Town's satisfaction, the Town may use the security to have the work completed and bring the building into compliance.

- (8) The applicant shall be advised not less than 30 days prior to the expiration time set out in the development permit, that action will be undertaken by the Town to use the security in completing the required renovations if they have not been completed by the expiration date. Only Council may direct Administration to delay action to complete the requirements of the permit.

8.24 RESIDENTIAL AND INDUSTRIAL USES ADJACENT

- (12) In considering subdivision or development permit applications for residential uses adjacent to existing industrial developments or industrial uses adjacent to existing residential developments, the Development Authority may impose conditions addressing:
- (a) Providing proper services and access to the site,
 - (b) Screening, aesthetics and landscaping,
 - (c) Control of signage,
 - (d) Noise control,
 - (e) A development agreement, with the need to provide security, and
 - (f) Any other issue deemed necessary by the Development Authority.

8.25 TEMPORARY STRUCTURES

- (1) A temporary structure may not be erected without permission of the Development Authority which may be granted as follows:
- (a) In a residential district provided that:
 - (i) No such temporary structure shall be more than 3.0 metres in height or set back less than 1 metre from the side and rear property lines; and
 - (ii) The owner enters into an agreement to remove such a structure in accordance with the terms and conditions stipulated by the Development Authority;
 - (iii) There shall be no more than one temporary structure per site;
 - (iv) A temporary structure must be placed in the rear yard only;
 - (v) In the case of a pre-manufactured temporary structure, the elevations shall be subject to approval of the Development Authority; and
 - (vi) The structure is completed in accordance with the terms stipulated by the Development Authority, provided that the temporary structure development permit shall expire at the end of one year, unless renewed by the Development Authority for a further term, and that such temporary structure must comply with this Bylaw.
 - (2) Temporary Structures include, but are not limited to:
 - (a) Portable Storage Containers, including c-cans;
 - (b) Tent Garages.
 - (3) If an owner fails to comply with the terms and conditions of a temporary structure development permit, the Development Authority may remove or cause to be removed such

structure as the case may be, the costs of which shall be charged against the lands upon which the temporary structure is situated and shall be payable by the owner to the Town on demand.

- (4) A temporary structure shall not be used as a dwelling.

PART 9 – SPECIFIC USE REGULATIONS

9.1 BED AND BREAKFAST ESTABLISHMENTS

- (1) Bed and Breakfast Accommodation shall be reviewed as Home Business permit.
- (2) All persons operating bed and breakfast facilities must provide evidence of compliance with municipal, provincial and/or federal regulations in regard to their operation.
- (3) A bed and breakfast is an accessory use to a main residential use.
- (4) A Development Authority may permit a Bed and Breakfast Accommodation use only if in the opinion of the Development Authority it will:
 - (a) Be restricted to the dwelling unit;
 - (b) Not change the principal character or external appearance of the dwelling involved; except where minimal exterior modification of the structure or grounds are compatible with the character of the area or neighborhood and pursuant to a Development Permit;
 - (c) Not create a nuisance by way of noise, parking or traffic generation;
 - (d) Not employ anyone but the residents of the dwelling;
 - (e) Be limited to one (1) identification sign no more than 0.3 m² in size and displayed from within the establishment;
 - (f) Not occupy more than three (3) bedrooms;
 - (g) Be limited to one meal provided on a daily basis to registered guests only; and
 - (h) One on-site parking stall shall be provided for each bedroom provided for compensation and shall meet the signage requirements of this Bylaw.

9.2 CANNABIS PRODUCTION AND DISTRIBUTION FACILITY

- (1) Cannabis facilities must have a licence issued by the Health Canada.
- (2) The following regulations apply to cannabis facilities:
 - (a) An ancillary building or structure used for security purposes may be located on the parcel containing the use as an accessory building which meets the regulations of this Land Use Bylaw.
 - (b) Facilities must include equipment designed and intended to remove odours from the air where it is discharged from the facility as part of a ventilation system.
 - (c) Facilities must not be within 100 metres of a residential district measured from the building containing the use to the nearest property line of a parcel designated as a residential district.

- (3) An application for a Development Permit for Cannabis Production and Distribution Facility requires a Development Permit shall be made to the Development Authority and shall include reports prepared by the appropriate professionals for the following:
 - (a) the incineration of waste products and air borne emission, including smell;
 - (b) the quantity and characteristics of liquid and waste material discharged by the facility; and,
 - (c) the method and location of collection and disposal of liquid and waste material.
 - (d) Additional information as required by the Development Authority.
- (4) The operator of a Cannabis Production and Distribution Facility must ensure that nuisances, including odour, are addressed to the satisfaction of the Development Authority.

9.3 CANNABIS RETAIL SALES

- (1) Cannabis stores and where all cannabis that is offered for sale or sold must be from a federally approved and licensed facility.
- (2) Cannabis stores must be licensed by the Alberta Government.
- (3) Cannabis stores must be a stand-alone use, which means it cannot be combined with another use, such as a convenience store. However, cannabis stores can occur in a multi-tenant building or as part of a mixed-use development.
- (4) The operator of a Cannabis Retail Sales must ensure that nuisances, including odour, are addressed to the satisfaction of the Development Authority.
- (5) Cannabis stores shall not be located within 100 metres of any other Cannabis Store, when measured from the closest point of a parcel of land containing a Cannabis Store to the closest point of another parcel of land containing a Cannabis Store with the following exceptions:
 - (a) A proposed cannabis store is at the same location as an existing retail store that currently sells cannabis-related paraphernalia as its main merchandise,
 - (b) There is only one other cannabis store within the minimum separation distance,
 - (c) A proposed cannabis store is located on a different street or on the opposite side of the same street as the existing cannabis store,
 - (d) A major road, expressway or river separates the proposed cannabis store from the existing cannabis store,
 - (e) A proposed cannabis store is located in an enclosed shopping centre, or
 - (f) An existing approved cannabis store proposes to relocate to a new location within 100 metres of its original location, provided that it does not move within the separation distance of a different cannabis store.
- (6) Cannabis stores shall not abut a Liquor Store.

- (7) Cannabis stores shall not be located within 100 metres of the following:
- (a) A building containing a public school, private school, or a boundary of the parcel of land which the facility is located, or
 - (b) All properties which are designated as School Reserve or municipal and school reserve on the certificate of title.
 - (c) A provincial health care facility, or a boundary of the parcel of land on which the facility is located, or
 - (d) Emergency shelter.

9.4 CHILD CARE FACILITIES AND FAMILY DAY HOMES

- (1) Child Care Facilities:
- (a) Shall follow the Child Care Licensing Regulations that may provide programming for the social, creative, educational and physical development of children;
 - (b) Shall have privacy screening or other buffering techniques designed to limit impact on other uses or the surrounding residential properties;
 - (c) In any Residential District:
 - (i) Shall not change the principal character or external appearance of the dwelling in which it is located;
 - (ii) Shall have an outdoor play area designed and secured according to Provincial regulations and must be shown on the plan submitted for a development permit; and
 - (iii) Shall provide parking according to the regulations outlined in *Part 10 Parking & Loading Facilities* of this Bylaw. In addition, a drop-off area shall be provided at the rate of one (1) drop-off space for every five (5) children, or at the discretion of the Development Authority.
- (2) A Family Day Home/ After School Care:
- (a) shall not be located in a dwelling unit containing another Home Business;
 - (b) require privacy screening that prevents visual intrusion into any outdoor play areas; and

9.5 GAS BAR

- (1) Must not have a canopy that exceeds 5.0 m in height when measured from grade;
- (2) Must have fully recessed canopy lighting;
- (3) May have an outdoor display of products related to the use, provided they are within 4.5 m of the building entrance or on gas pump islands;

9.6 HOME BASED BUSINESSES

- (1) All home businesses shall:
 - (a) require a development permit; and,
 - (b) be considered temporary uses.
- (2) Only one Home Business permit shall be issued per residence. Multiple Home Businesses may be allowed under the single permit provided that the requirements are not exceeded by the combined businesses.
- (3) Uses that are not considered Home Businesses include, but are not limited to:
 - (a) Adult Entertainment Facilities;
 - (b) Auto Body and Paint Shop, Auto Detailing Facility, Automotive, Equipment and Vehicle Services, Automotive Services, and Automotive Specialty;
 - (c) Cannabis Retail Sales, Cannabis Production and Distribution;
 - (d) Child Care Facilities;
 - (e) Escort Services; or
 - (f) Veterinary services.
- (4) The Development Authority has the discretion to refuse a Home Business permit application if the proposed use would be better suited in a commercial or industrial district.
- (5) All home based businesses shall comply with the following general regulations:
 - (a) All home based businesses shall be operated as a secondary use only and shall not change the principal character and external appearance of the dwelling in which it is located.
 - (b) One professionally manufactured non-illuminated fascia sign or nameplate to identify a home based business not greater than 0.3 square metres (3.2 square feet) in an area placed within the dwelling unit or any accessory building is permitted.
 - (c) A home based business, whether or not a development permit has been issued, shall be reviewed by the Development Officer, when complaints are registered against a home based business by an affected landowner. A development permit issued for a home based business is liable to recall and cancellation on the basis of non-compliance on 60 days notice.
- (6) Home based businesses shall meet all the requirements of 9.6(5) and shall comply with the following regulations:
 - (a) The home based business shall be operated by the permanent resident(s) of the principal dwelling and shall employ no more than one non-resident, on-site employee.
 - (b) There shall be no more than four (4) home based business clients or customers on site during any period of 24 hours for a minor home business.

- (c) The home based business shall not occupy more than 30% of the gross floor area of the principal dwelling.
- (d) Any storage of materials or goods related to the home based business must be located within the principal dwelling and/or accessory structure and no exterior storage is permitted.
- (e) The home based business shall have no more than two (2) vehicles used in conjunction with the home based business , parked and maintained on site. There shall be no heavy vehicles parked on-site of a home based business.

9.7 KENNEL REGULATIONS

- (1) An Animal Shelter, Veterinary Clinic, Veterinary Hospital or Commercial Kennel may need to provide soundproofing pens, rooms, exercise runs, or holding stalls to the satisfaction of the Development Authority.
- (2) An Animal Shelter, Veterinary Clinic, Veterinary Hospital or Commercial Kennel shall meet public health regulations and be kept in a manner satisfactory to the health regulatory authority.
- (3) Commercial Kennel, including any outdoor runs or exercise areas shall be located a minimum of 3m from any Property Line.
- (4) Commercial Kennel including any outdoor runs or exercise areas may be required to be visually screened from existing dwellings on adjoining parcels to the satisfaction of the Development Authority.
- (5) All exterior exercise areas (runs) shall be enclosed with a fence acceptable to the Development Authority with a minimum Height of 1.8 m.
- (6) All exterior exercise areas (runs) shall be sited behind the Principal building.
- (7) The Development Authority may regulate the hours that the animals are allowed outdoors.

9.8 MANUFACTURED HOMES

- (1) Development Permits for a Manufactured home units shall have:
 - (a) Third party certification from an accredited inspection agency including the Canadian Standard Association (CSA), Intertek or Quality Auditing Institute (QAI).
 - (b) Alberta Municipal Affairs Label or CSA label.
 - (c) Model number.
 - (d) Manufactured home unit serial number.
- (2) All accessory structures, such as patios, porches, additions and skirtings, shall be
 - (a) Factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured home units,
 - (b) Considered as part of the main building, and
 - (c) Erected only after obtaining a Development Permit.
- (3) A manufactured home unit shall be skirted from the floor level to the ground level. The skirting shall compliment the external finish of the manufactured home unit.
- (4) The maximum permitted floor area of porches and additions shall be no more than 50% of the floor area of the manufactured home unit.
- (5) No accessory building or use, other than parking spaces, shall be located in the front yard of a manufactured home unit.
- (6) Furniture, domestic equipment, or seasonally used equipment shall be stored in adequate covered storage or screened area, either individually on the stall or lot or communally, which storage facility shall conform to the regulations passed under the Safety Codes Act.
- (7) The following regulations apply to all manufactured home units:
 - (a) The hitch and wheels are to be removed from the manufactured home unit.
 - (b) All manufactured home units shall be placed on a foundation or base.
 - (c) The lot or stall is to be fully landscaped within one (1) year from the date of issuance of the development permit for the manufactured home unit.
- (8) The following regulations also apply to manufactured home parks developed after 2015:
 - (a) The stalls shall be located at least 3.0 m from a property boundary line. This 3.0 m wide strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.
 - (b) All roadways shall be constructed and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 12 m with a paved carriage way of at least 8 m.

- (c) A safe, convenient, all season pedestrian walkway of at least 1.0 m in width shall be provided for access between individual manufactured home units, the park roadways, and all community facilities provided for park residents.
- (d) Visitor parking spaces shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.
- (e) The design of manufactured home parks shall be to the satisfaction of the Development Authority.
- (f) All municipal utilities shall be provided underground to stalls.
- (g) A minimum of 5% of the gross site area shall be devoted to recreational use.
- (h) All areas not occupied by manufactured home units and their additions, roadways, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around maintenance yards, refuse collection points and playgrounds.
- (i) 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.
- (j) Manufactured home park facilities shall be arranged to create a homelike atmosphere. This objective may be achieved by variations in street pattern, block shapes, and the location of manufactured home unit stalls.
- (k) Each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges.
- (l) Street lighting shall be to the same standard as that in a conventional residential neighbourhood.
- (m) Only one main, free-standing, identification sign of residential character and appearance may be erected at the entrance to a manufactured home park, unless the Development Authority is of the opinion that a second and similar sign shall be allowed under exceptional circumstances relating to the layout, location and size of the park in relation to surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Authority. 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.
- (n) Manufactured home units shall be separated from each other by at least 3.5 m. Any porch or addition to the manufactured home unit shall be regarded as part of the manufactured home unit for the purpose of this separation.
- (o) The minimum distance between a manufactured home unit and the front, side, or rear lines of its stall shall be 3.0 m.
- (p) The minimum lot area of the manufactured home park shall be 2.0 ha (4.9 ac.).
- (q) The maximum permissible density for a manufactured home park shall be 20 manufactured home units per gross developable hectare (8 per ac.) of the lot being developed at each stage of development.
- (r) The minimum area for a manufactured home stall shall be 370 m².

9.9 RIDING ARENA, PRIVATE

- (1) A Development Permit is required for a Riding Arena, Private.
- (2) A Riding Arena, Private shall be an Accessory use on a Lot with a Principal residence.
- (3) A Riding Arena, Private shall not have a building or structure larger than 1,500 m² (16,146 ft²) in area.
- (4) A Riding Arena, Private shall be used solely by the occupants of the residence and/or by not more than four (4) non-resident users per day in addition to the residents.
- (5) The Approving Authority may require a manure management plan as a condition of development permit.

9.10 SOLAR COLLECTORS

- (1) A solar collector may be located on the roof or wall of a building or structure.
- (2) A solar collector mounted on a roof with a pitch of less than 4:12, may project:
 - (a) A maximum of 0.5 m from the surface of a roof, when the solar collector is located 5.0 m or less from a side lot line, measured directly due south from any point along the side lot line; and
 - (b) In all other cases, maximum of 1.3 m from the surface of a roof.
- (3) A solar collector mounted on a roof with a pitch of 4:12 or greater, may project a maximum of 1.3 m from the surface of a roof.
- (4) A solar collector mounted on a roof must not extend beyond the outermost edge of the roof.
- (5) A solar collector that is mounted on a wall:
 - (a) Must be located a minimum of 2.4 m above grade; and
 - (b) May project a maximum of:
 - (i) 1.5m from the surface of that wall, when the wall is facing a rear lot line; and
 - (ii) In all other cases, 0.6 m from the surface of that wall.
- (6) A solar collector mounted on a structure must meet yard setback and district height regulations.

9.11 USES PERMITTED IN ALL LAND USE DISTRICTS

- (1) The following Uses are permitted in all Land Use Designations:
 - (a) Public utility;
 - (b) Road;
 - (c) Highway; and
 - (d) Park.

9.12 WRECKING YARD (AUTO AND EQUIPMENT WRECKAGE SITE)

- (1) Wrecking Yards shall have a minimum area of 1.0 ha and a maximum area of 4.0 ha for storage, and must be completely fenced and screened by a type of fence approved by the Development Authority to a height of 2.4 m.
- (2) All vehicles within a Wrecking Yards shall be stored within the enclosure and maintenance of the site shall be in accordance with any standards deemed necessary by the Development Authority.

9.13 C-CANS

- (1) All c-cans are subject to the regulations for an accessory building for the district in which it is located.
- (2) C-Cans shall meet all provisions outlined in Section 8.18 OBJECTIONABLE ITEMS IN YARDS
- (3) C-Cans shall not be attached in any way to a principal building.
- (4) C-Cans shall not be stacked.
- (5) No sign shall be attached to a c-cans.
- (6) C-Cans Storage Containers may only be located in industrial, commercial public service and urban holding districts providing that:
 - (a) They are not located in a front yard or exterior side yard;
 - (b) They are not stacked;
 - (c) They are not used to store any dangerous or hazardous materials;
- (7) C-Cans shall be visually screened from public roads and adjacent properties in a manner which satisfies the Development Authority.
- (8) C-Can shall have no visual or material impacts on neighbouring properties, to the satisfaction of the Development Authority.

- (9) A maximum of three (3) c-ans may be allowed within a single parcel, as long as the total coverage does not exceed the lot coverage in the district.
- (10) C-Cans may be temporarily placed on a site in any district:
- (d) During active construction on a site when the shipping container is solely for the storage of supplies and equipment that are used for the site, provided that a valid building permit has been issued for the construction. The c-cans must be removed from the site upon completion of construction; or
 - (e) For the purposes of loading and unloading of items associated with the principal use for a period of not more than ten (10) days in any six month period.
- (11) When placed on a site pursuant to section 9.13(10), the c-cans shall:
- (a) Be located so as to not create a safety hazard;
 - (b) Not be located within 1.2 m of a property boundary; and
 - (c) Be located in the rear yard where possible.
- (12) Temporary c-cans as outlined in 9.13(11), may be permitted in the front yard of a property at the sole discretion of the development authority. A development permit is required for temporary c-cans located in the front yard.

PART 10 – PARKING, LOADING AND STORAGE FACILITIES**10.1 PARKING FACILITIES – GENERAL REGULATIONS**

- (1) Parking stalls and loading spaces shall be clearly marked in the parking facility. Such marking shall be regularly maintained to ensure legibility to users and shall be to the satisfaction of the Development Authority.
- (2) All off-street parking facilities shall be so constructed that:
 - (a) Necessary curb cuts are located and flared to the satisfaction of the Development Authority;
 - (b) 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;
 - (c) Parking and storage facilities shall have adequate lighting for the parking and/or storage facility. Such lighting shall be directed away from adjacent residential properties and other properties where in the opinion of the Development Authority they would have adverse effects;
 - (d) Grades and drainage shall dispose of surface water. In no case shall grades be established that would permit surface drainage to cross any sidewalk or site boundary without the approval of the Development Authority or Municipal Planning Commission; and
 - (e) Parking for the physically handicapped shall be provided as provincial regulations require and shall be considered as part of the number of stalls required for the project.
- (3) Where a proposed development will, from time to time, require pick-up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the site to the satisfaction of the Development Authority or Municipal Planning Commission.
- (4) Pursuant to 10.1(3), the Development Authority shall consider the following criteria when reviewing off-street loading regulations:
 - (a) Off-street loading spaces shall have dimensions of not less than 4.0 m in width and 8.0 m in length;
 - (b) Have overhead clearance of not less than 5.3 m above grade;
 - (c) Have vehicular access to and exit from a street or lane either directly or by a clearly defined traffic aisle;
 - (d) Be sited at an elevation or elevations convenient to a major flood level in the building or to a utility elevator serving each major flood level;
 - (e) Be so graded and drained as to dispose of all surface water. In no case shall grades be established that would permit drainage to cross site boundaries or sidewalks without the approval of the Development Authority or Municipal Planning Commission;

- (f) Be paved or hard-surfaced where an off-street parking facility is required to be paved or hard-surfaced;
- (g) Have adequate lighting to the satisfaction of the Development Authority or Municipal Planning Commission; and
- (h) Be screened on each side adjoining or fronting on any property in a residential district by a wall, fence, earth berm or hedge of not less than 2.0 m in height, to the satisfaction of the Development Authority or Municipal Planning Commission.

10.2 PARKING AREAS

- (1) Unless otherwise approved by the Development Authority, each development shall provide on its site a parking area containing, at a minimum, the number of parking spaces as calculated in Table 10.2.1.
 - (a) In the case of a use not specifically mentioned, the required number of on-site parking spaces shall be the same as for a similar use as determined by the Development Authority.
 - (b) Where a development contains more than one use as listed, the required number of parking spaces shall be the sum of the requirements for each of the uses listed.
 - (c) Where a fractional number of parking spaces are required, the next highest number of spaces shall be provided.
 - (d) If the Development Authority approves, one or more developments or uses may pool their minimum required parking spaces within one or more communal parking areas and may thereby collectively fulfill the requirements of this Bylaw.

Table 10.2.1 – Parking Requirements

Use of a Building or Site	Minimum Number of Parking Spaces
Residential Uses	
Multi-family dwellings	2 per dwelling unit
Seniors apartments	1 per dwelling unit, or as required by the Development Authority
Boarding houses	1 per bedroom
Senior citizen homes	1 per dwelling unit
Secondary suites	1 per bedroom
All other dwellings	2 per dwelling unit
Manufactured home parks	In addition to 2 per dwelling unit, 1 visitor parking space per 4 manufactured home units
Commercial and Industrial Uses	
Cannabis Production Facilities	1 per 100 m ² (1,076 ft ²) of gross floor area for the first 2,000 m ² , and then 1 per each subsequent 500 m ²
Eating and drinking establishment	1 per 5 seating spaces
Eating and drinking establishments (take out)	1 per 13 m ² (140 ft ²) of gross leasable area plus 1 per 3 employees on maximum shift
Drive thru restaurants	2 per drive thru window
Other drive thru businesses	2 per drive thru window
Hotels and motels	1.5 per rentable unit
Bed and breakfast	1 per bedroom
Home based businesses	1 in addition to the requirements for the residential use
All other commercial uses	1 per 28 m ² (301.4 ft ²) of gross leasable area
All industrial uses	1 per 46 m ² (495 ft ²) of gross leasable area
Institutional Uses	
Places of Public Assembly	1 per 5 seating spaces
Schools (elementary/junior high)	2 per classroom
High schools	3 per classroom
Commercial schools	1 per student
Hospitals and similar uses	2 per bed
Nursing homes	0.75 per bed

- (2) At the discretion of the Development Authority, minimum parking requirements may be relaxed for existing buildings where historical site design is not being altered and cannot accommodate the required number of parking stalls.

- (3) At the discretion of the Development Authority, a developer may pay money to the Town in lieu of providing parking spaces. The amount of money will be determined by Council and be based on the amount of money needed to acquire land and to develop the required number of parking spaces on adjacent lands.

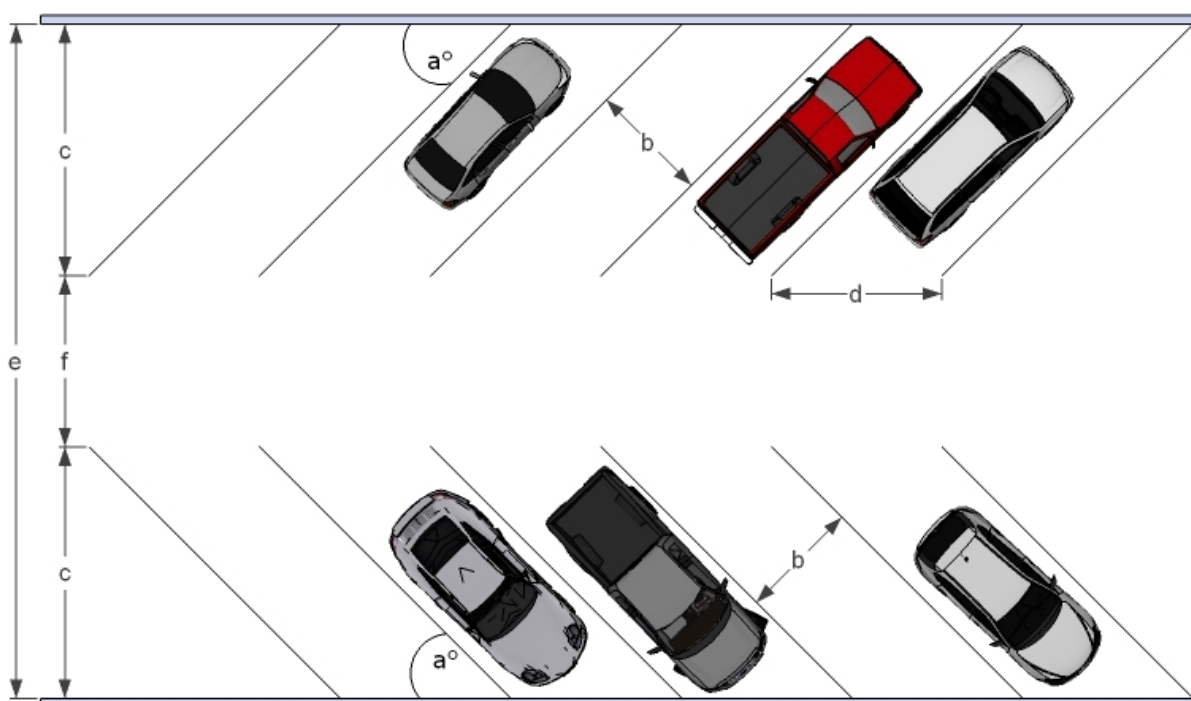
- (4) Surfacing and Drainage
 - (a) All parking areas shall be clearly marked, landscaped and adequately lit with lighting away from adjacent sites, adequately graded and drained to dispose of all stormwater run-off, contain the necessary curb cuts, and surfaced in a manner to match the road or lane from which the parking area gains access.
 - (b) The approach or access to every off-street parking area shall be surfaced in the same manner as the adjoining road from which access is gained.
 - (c) Drainage shall only be allowed to cross sidewalks if approved by the Development Authority.

- (5) All parking areas shall conform to the requirements shown in Table 10.2.2 and Figure 10.2.3.

Table 10.2.2 – Required Parking Stall Dimensions

(a) Parking Angle (in degrees)	(b) Width of Space in m (ft)	façade Stall Depth Perpendicular to Aisle	(d) Width of Space Parallel to Manoeuvring Aisle in m (ft)	façade Overall Depth in m (ft)	(f) Width of Manoeuvring Aisle in m (ft)
0	2.7 (9)	2.7 (9)	7.0 (23)	9.1 (30)	3.6 (12)
30	2.7 (9)	5.2 (17)	5.5 (18)	14.0 (46)	3.6 (12)
45	2.7 (9)	5.9 (19)	4.0 (13)	15.2 (50)	4.0 (13)
60	2.7 (9)	6.1 (20)	3.1 (10)	18.3 (60)	6.1 (20)
90	2.7 (9)	6.1 (20)	2.7 (9)	19.5 (64)	7.3 (24)

Figure 10.2.1 – Parking Guide to Correspond with Table



10.3 OFF-STREET LOADING AREAS

- (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 3.5 m (11.5 ft.) in width, 7.5 m (24.6 ft.) in length, and 4.0 m (13.1 ft.) in height above grade;
 - (b) Have vehicular ingress to, and egress from, a road or lane either directly or by a clearly defined traffic aisle such that no backing or turning movements of vehicles going to or from the loading space shall cause interference with traffic in the abutting road or lane;
 - (c) Be sited at an elevation or elevations convenient to a major floor level in building or to a utility elevator serving each major floor level;
 - (d) Be so graded and drained as to dispose of all storm water runoff. Drainage shall only be allowed to cross sidewalks if approved by the Development Authority;
 - (e) Be surfaced in the same manner as the adjacent road or lane; and
 - (f) 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) The number of loading spaces required to be provided in a development shall be as follows:
 - (a) For a retail, industrial, warehouse, or similar development,
 - (i) One (1) space for a development of less than 460 m² (4951.6 ft²) of gross leasable area, plus
 - (ii) One (1) space for the next 1840 m² (19,805.6 ft²) of gross leasable area or fraction thereof in a development, plus
 - (iii) One (1) additional space for each additional 2300 m² (24,757.0 ft²) of gross leasable area or fraction thereof in a development.
 - (b) For an office use, place of public assembly, convalescent home, institution, club or lodge, school or any similar use, one (1) space for a development of less than 2800 m² (30,139.9 ft²) of gross floor area, and one (1) additional space for each additional 2800 m² (30,139.9 ft²) of gross floor area or fraction thereof.
 - (c) For multi-family dwellings, one (1) space for each twenty (20) dwelling units or fraction thereof.
 - (d) Any other building or use shall provide loading spaces as required by the Development Authority.
 - (e) Where a fractional number of loading spaces are required, the next highest number of spaces shall be provided.

PART 11 – SIGNS

11.1 PURPOSE

- (1) The purpose of this Chapter is to regulate the development and display of signage within the Town of Rimbey. This Chapter provides signage development standards related to:
 - (a) Location.
 - (b) Type.
 - (c) Quantity.
 - (d) Height.
 - (e) Size.

11.2 DEFINITIONS

- (1) For the purpose of this Part the following definitions shall apply, in addition to those contained in Section 2.2:
 - (a) “A-Frame Sign” means a temporary, movable, self-supporting A-shaped sign consisting of two flat surfaces joined at the upper end and resting on the ground
 - (b) “Awning Sign” means a non-illuminated sign painted on the fabric surface supported by an exterior wall of a building
 - (c) “Billboard” means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located
 - (d) “Building Face” means the total area of the wall of a building
 - (e) “Copy” means the text, illustrations and symbols that make up the message on a sign
 - (f) Dynamic Sign means a sign or portion of a sign with features that move or appear to move or change, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. A Dynamic Sign includes any display that incorporates a technology or other method allowing the image on the sign face to change, such as rotating panels, LED lights manipulated through digital input, or “digital ink”. A Dynamic Sign does not include a sign whose message or image is changed by physically removing and replacing the sign or its components.
 - (g) “Electronic Message Centre” means a sign or component of a sign on which the copy can be changed by electrical or electronic means.
 - (h) “Freestanding Sign” means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structure
 - (i) “Identification Sign” any sign which is used to display the address, and name of a building or parcel of land
 - (j) “Illuminated Sign” means any sign illuminated either directly from a source of light incorporated in or connected with the sign, or indirectly from an artificial source

- (k) “Portable Sign” means a sign, excluding A-board and temporary signs that can be carried or transported from one site to another
- (l) “Projecting Sign” means a sign, which is attached to a building or structure so that part of the sign projects beyond the face of the building or structure
- (m) “Real-Estate Sign” means any temporary sign which advertises for the sale, lease, or rent of a building or parcel of land
- (n) “Roof Sign” means any sign placed on or over a roof
- (o) “Rotating Sign” means any sign or part of a sign which moves in a clockwise or counter-clockwise motion
- (p) “Sign” means any word, letter, model, picture, symbol, device or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement or direction. Any structure, or portion thereof, which is used primarily to carry, hold, maintain, support or sustain a sign is construed as being part of the sign, and except as provided for in this Bylaw, is subject to all regulations governing signs.
- (q) “Sign Area” means the total surface area within the outer periphery of the said sign, and in the case of a sign comprised of individual letters or symbols, shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of surface area.
- (r) “Sign Height” means the vertical distance measured from natural grade at the base of the sign to the highest point of such sign.
- (s) “Temporary Sign” means a sign or banner that is not permanently installed or affixed, advertising a product, activity or event on a limited time basis and does not include a portable sign.
- (t) “Third Party Sign” typically associated with a “Billboard Sign” means a sign, which directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the premise on which the sign is located
- (u) “Vehicle Sign” means a sign mounted, posted or otherwise adhered on or to a motor vehicle, including but not limited to trailers, wagons, tractors, and recreational vehicles
- (v) “Wall Sign” means a sign placed flat and parallel to the face of the building so that no part projects more than one foot from the building
- (w) “Window Sign” means a sign which is painted on or affixed to a window and faces towards an adjacent sidewalk or roadway

11.3 SIGNS

- (1) Development Permit for signs are required:
 - (a) Except as stated in Section 10.3(2), no sign shall be erected or altered on land or affixed to any exterior surface of a building or structure unless a sign permit for this purpose has been issued by the Development Authority
 - (b) Unless otherwise specified in this Bylaw a permit is required for the following signs:
 - (i) Free standing sign
 - (ii) Wall sign
 - (iii) Canopy sign
 - (iv) Rotating sign
 - (v) Projecting sign
 - (vi) Roof sign
 - (vii) Billboard sign
 - (viii) Portable sign

- (2) Unless otherwise specified in this Bylaw no development permit for a sign is required for the following signs:
 - (a) Signs posted or displayed within the interior space of a building
 - (b) Signs posts or displayed in or on an operating motor vehicle if the vehicle is not temporarily or permanently parked solely for the purpose of displaying the sign
 - (c) A statutory or official notice of a function of the Town
 - (d) Signs posted by a municipal, provincial, or federal government agency
 - (e) Traffic and directional signs authorized by the Town and/or Alberta Provincial Authorities
 - (f) The erection of campaign signs for federal, provincial, municipal, or school board elections on private properties for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation provided that
 - (i) Such signs are removed within ten (10) days of the election date
 - (ii) The consent of the property owner or occupant is obtained
 - (iii) Such signs do not obstruct or impair vision or traffic
 - (iv) Such signs are not attached to utility poles
 - (v) Such signs indicate the name and address of the sponsor and the person responsible for removal
 - (g) A non-illuminated sign that is posted or exhibited solely for the identification of the address or name of the land or building on which it is displayed including signs identifying the occupants, if the sign:
 - (i) Does not exceed 1.0 m² in area, and
 - (ii) Is posted only at each entrance from which access from a public roadway To the building is provided

- (iii) Does not advertise for a home-based business or bed and breakfast establishment
- (h) A non-illuminated sign that is posted or exhibited for sale, lease or rentals of land or a building if the sign:
 - (i) Is 3.0 m² of less in area
 - (ii) Is posted only on each side of the building or land facing a different public roadway
- (i) Window Sign
- (j) An A-Frame sign:
 - (i) Provided it is advertising for goods or services which are located for sale or offered on the same lot or on a sidewalk adjacent to the same lot
 - (ii) Does not obstruct vehicular or pedestrian traffic
- (k) A non-illuminated sign of a building contractor relating to construction work in progress on the land on which such signs are erected, provided that:
 - (i) Such signs are removed within fourteen (14) days of occupancy, and
 - (ii) Such sign are limited in size to a maximum of 3.0 m², and in number to one sign for each boundary of the property under construction which fronts onto a public street.
- (l) A non-illuminated temporary sign advertising a garage sale, estate sale or open house. Such signs may be posted for a maximum period of 48 hours, and may not exceed 1.0 m² in area or 1.0 m in height.

11.4 DEVELOPMENT PERMIT FOR SIGNS SUBMISSION

- (1) An application for a Development Permit to structurally alter or erect a Sign that requires a Development Permit shall be made to the Development Authority and shall include the following:
 - (a) A letter of consent from the registered owner of the land or building upon which the sign will be located.
 - (b) A letter outlining the contact information of the owner of the Sign.
 - (c) The location of all existing and proposed Signs on the building façade or on a site plan of the parcel indicating the front and side property lines, setbacks and distances from existing buildings.
 - (d) Two copies of a rendering / illustration of the proposed Sign with dimensions and total Sign Area, height of top and bottom of the Sign above average ground level and
 - (e) thickness of the Sign.
 - (f) Materials, finishes, colours, size of lettering and graphics.
 - (g) Mounting or installation details: the Development Authority may require that a structural drawing be prepared and sealed by a Professional Engineer.
 - (h) Mounting height or clearance to grade.
 - (i) The appropriate fee.

11.5 PROHIBITED LOCATION

- (1) No part of any sign, including any accessory components, shall be located on any roadway, boulevard, sidewalk. Only 'A-Frame' type signs may be permitted on a sidewalk abutting a business but must first receive the written consent of the Development Authority.
- (2) No part of any sign, including any accessory components, shall be located on any land owned by the Town of Rimbey without a council motion granting use of the land prior to the Development Authority issuing a Development Permit.

11.6 SIGN DEVELOPMENT STANDARDS

- (1) Unless provided elsewhere in this Bylaw, signs shall be erected in accordance with the standards specified in Table 11.6.1.

Table 11.6.1 – Sign Development Standards

Type of Sign	Land Use Designation and Development Standards											
	PS			R1, R1A, R2, R3, RE, CR, MHP, MHS			C1			C2, M		
	#	H	SA	#	H	SA	#	H	SA	#	H	SA
Freestanding Sign	1	4.0 m	3.0 m ²	1	1.5 m	1.5 m ²	1	10m	10 m ²	1	10 m	12 m ²
Wall Sign	1	N/A	3.0 m ²	1	N/A	1.0 m ²	1 [^]	N/A	20 m ²	1 [^]	N/A	24 m ²
A-Frame Sign	1*	1.0 m	0.7 m ²	Not Permitted			1*	1.0 m	0.7 m ²	1*	1.0 m	0.7 m ²
Temporary Sign	1	4.0 m	3.0 m ²	Not Permitted			1	6.0 m	9.0 m ²	1	6.0 m	9.0 m ²
Canopy Sign	1*	2.5 m ^{**}	1.5 m ²	Not Permitted			1*	2.5 m ^{**}	1.5 m ²	1*	2.5 m ^{**}	1.5 m ²
Dynamic Sign	1	2.5 m	1.5 m ²	Not Permitted			1	2.5 m	1.5 m ²	1	2.5 m	1.5 m ²
Rotating Sign	Not permitted			Not Permitted			1	10 m	10 m ²	1	12 m	15 m ²
Projecting Sign	Not permitted			Not Permitted			1	2.5 m ^{**}	1.5 m ²	1	2.5 m ^{**}	1.5 m ²
Roof Sign	Not Permitted			Not Permitted			1	7.5 m	10 m ²	1	10 m	15 m ²
Billboard Sign	Not Permitted			Not Permitted			1	10 m	10 m ²	1	9.5 m	12 m ²
Portable Sign	Not Permitted			Not Permitted			1	2.5 m	3.0m ²	1	2.5 m	3.0 m ²
<p>Key</p> <p># = Refers to the maximum Number of Signs permitted per lot</p> <p>H = Refers to the maximum Sign Height permitted</p> <p>SA = Refers to the maximum Sign Area permitted</p> <p>[^] = Refers to the maximum number of permitted signs per each side of a building facade</p> <p>* = Refers to the maximum number of permitted signs per business on a lot</p> <p>** = Refers to the minimum vertical clearance from grade or, if applicable, a sidewalk to the bottom of the sign</p>												

- (2) In addition to the standards specified in Table 3, the following regulations will also apply:
- (a) Awning/Canopy Sign
 - (i) No portion of the canopy/awning shall be closer than 600 mm to a vertical line drawn from the adjacent curb.
 - (b) Billboard Sign
 - (i) Where a billboard shares a lot with a building, no billboard shall be located in the front or side yard which runs parallel to an adjacent roadway.
 - (ii) Billboards shall be spaced at a distance of 90 metres from one another.
 - (iii) Where a portable sign is serving as a billboard it shall be spaced 45 metres from other portable or permanent signs serving as billboards.
 - (c) Dynamic Signs
 - (i) No Dynamic Sign may be erected except as permitted in this Section;
 - (ii) The Development Authority shall only approve a Dynamic Sign as a portion of a permitted Community, Canopy, Free Standing or Fascia Sign.
 - (iii) A Dynamic Sign may display public service announcements but shall not include third party advertising or sponsor recognition except when it is located on a site in a Public Service (PS) district.
 - (iv) Dynamic Signs shall only be permitted as a discretionary use in Commercial, Industrial and Public Service Districts, and must meet the following requirements:
 - (1) not be located within 30.0 m radius of a residential district, and when site or lot of a proposed dynamic sign location is adjacent to a residential district, notification will be sent within a 100.0 m radius of the proposed site,
 - (2) be limited to one sign per building or site, with the exception of Public Service sites over 17 ha will be limited to two (2) signs provided that one of the signs must be a fascia sign and the other must be a portion of a freestanding sign, and further provided that the two (2) signs must be at least 50.0 m apart,
 - (3) not be located on a lot within a 50.0 m radius of the boundary of a lot containing an existing dynamic sign,
 - (4) comprise of not more than 25% of the total freestanding or fascia sign area.
 - (v) A development permit for a dynamic sign shall be valid for a maximum of two (2) years, at which time a new permit must be applied for. The conversion of an existing sign to a dynamic sign shall require a development permit.
 - (vi) Any digital sign located within 50 m of a residential district may be subject to restricted operating hours at the discretion of the Development Authority.
 - (vii) The use, size and location of digital signs must comply with all other relevant municipal and provincial regulations.

- (viii) The sign panel does not contain or display flashing, intermittent, or moving lights, including animated or scrolling text.
 - (ix) A sign panel provided as a public service showing the time and temperature shall not be considered a flashing or moving sign.
 - (x) The sign content remains fixed/static for a minimum message display duration, where: $\text{Min. Display Duration (sec)} = \text{Sight distance to sign (m)} / \text{Speed limit (m/sec)}$.
 - (1) In lower speed areas, the formula above should be used with a minimum sight distance to sign of 350 m.
 - (2) In areas with speed limit ≥ 80 km/h, the minimum message display duration is 60 seconds, unless the sight distance to the sign is less than 1 kilometre
 - (xi) When a message is changed electronically, it must be accomplished within an interval of 0.1 seconds or less so that an approaching driver cannot perceive any blanking of the display screen.
 - (xii) There shall be no visual effects between successive displays.
 - (xiii) The sign panel must contain a default design that will freeze the sign panel message in one position if a malfunction occurs.
 - (xiv) The sign panel shall be equipped with a control system that automatically adjusts light emission level to ambient light conditions so as not to cause glare or excessive brightness.
 - (xv) In no case shall the light level of any sign panel exceed 300 nits (candelas per square metre) between the time of sunset and sunrise, nor 5,000 nits at other times.
 - (xvi) The sign must not diminish the conspicuity of nearby traffic control devices.
 - (xvii) In cases where the sign is adjacent to an Alberta Transportation right-of-way, Alberta Transportation shall have the ongoing discretion to require the brightness, frequency, colours or other qualities of the sign panel be adjusted in order to address safety concerns.
 - (xviii) All dynamic sign applications fronting onto Alberta Transportation roadways shall be circulated to Alberta Transportation for comment.
- (d) Freestanding Signs
- (i) No freestanding sign shall be located within 10 m of the intersection of lanes/streets, or a street or lane.
 - (ii) For any lot located in the C2 or M designations, one Freestanding Sign shall be permitted for every 90 metres of frontage.
 - (iii) Illuminated Freestanding Signs shall be permitted only in C1, C2 and M designations.
 - (iv) Copy is permitted on both sides of Freestanding Signs, including signs angled up to 90 degrees, therefore allowing the Sign Area to be double the permitted Sign Area.
 - (v) Freestanding Signs shall not be located closer than 1.0 m to any front, rear, or side property line.

- (vi) In accordance with Alberta Transportation's setback requirements where abutting a highway.
- (e) Wall Signs
 - (i) Wall signs shall be restricted to the first storey of the building in the R1, R2, R3, MHP, MHS, RCE, PS zone designations.
 - (ii) Wall signs shall not project more than 0.4 m horizontally from the Building Face to which it is attached.
 - (iii) Illuminated Wall Signs shall be permitted only in C1, C2, and M designations.
- (f) Portable Signs
 - (i) Copy is permitted on both sides of Projecting Signs, therefore allowing the Sign Area to be double the permitted Sign Area.
 - (ii) Maximum one (1) Portable Sign shall be displayed per lot.
 - (iii) Portable Signs shall not be located within a required off street parking space or a driveway.
- (g) Projecting Signs
 - (i) Copy is permitted on both sides of Projecting Signs, therefore allowing the Sign Area to be double the permitted Sign Area.
 - (ii) The height of a Projecting Sign shall refer to the minimum vertical clearance from grade or, if applicable, a sidewalk, and shall be a minimum of 2.5m.
- (h) Temporary Signs
 - (i) Large Temporary Signs relating to the sale or renting of land, the sale of goods or livestock, the carrying out of building or similar work, or announcement of any local event must obtain a development permit and meet the following conditions:
 - (1) Maximum two (2) Temporary Signs not exceeding a total Sign Area of 9.0 m²;
 - (2) Copy is permitted on both sides of the Temporary Sign, including signs angled up to 90 degrees, therefore allowing Sign Area to be double the permitted Sign Area;
 - (3) The maximum Sign Height shall not exceed 6.0 m;
 - (4) The Temporary Sign shall be removed by the advertiser within fifteen (15) days of the completion of the event, sale, or works to which such signs relate.
 - (i) Signage for a Bed and Breakfast
 - (i) Each Bed and Breakfast homestay shall provide one (1) on-site Freestanding Sign for the purpose of identification and shall be regulated in accordance with the following requirements:
 - (1) The sign shall be located within the front yard and must be visible from a public road;

- (2) The sign be attached to either existing fencing or on independent posts to the satisfaction of the Development Authority;
- (3) The sign shall be constructed using high density plywood or solid wood and shall be finished with high density reflective finish or equivalent, with dye cut lettering or silk screen lettering.

11.7 ADDITIONAL SIGN REGULATIONS

- (1) All signs requiring a sign permit shall follow the development permit process as specified under Section 4.1 of this Bylaw.
- (2) Council may require the removal of any sign, which is in its opinion, has become unsightly, or is in such a state of disrepair as to constitute a hazard.
- (3) Quality, aesthetic character and finishing of sign construction shall be to the satisfaction of the Development Authority.
- (4) Where, in the opinion of the Development Authority, a proposed sign in a Commercial or Industrial District might be objectionable to a resident in any adjacent residential district, the Development Authority may impose such other regulations as they feel would protect the interests of residents.
- (5) Flashing, animated or interiorly illuminated signs shall not be permitted in any district where in the opinion of the Development Authority they might:
 - (a) Affect residents in adjacent housing, or residential districts;
 - (b) Interfere with or obstruct a motor vehicle driver's vision or interpretation of oncoming traffic signs or traffic signal lights.
- (6) Notwithstanding 11.7(5), no person shall exhibit or place an illuminated sign, rotating sign or dynamic sign that permits or provides for:
 - (a) A current interrupting or flashing device, unless there is a continuous source of concealed illumination on the translucent portions of the sign;
 - (b) A flashing beacon of a type that is the same or similar to those used by emergency vehicles;
 - (c) A flashing device, animator or revolving beacon within 50.0 m of the intersection of two or more public roadways;
 - (d) A device described in 11.7(5) that would be directly visible from any residential building within a distance of 50.0 m of the sign.

- (7) No person shall erect or place a sign so that it would be considered, in the opinion of the Development Authority, to be a traffic hazard or an obstruction to the vision of persons driving motor vehicles.
 - (a) Billboard signs, electronic signs, dynamic signs and rotating signs which are visible from Highway 20, Highway 20A and Highway 53, but located outside of the Highway Right-Of-Way, shall be circulated to Alberta Transportation for comment.
- (8) Notwithstanding section 11.7(7) the Development Authority may not approve any signs located within an Alberta Transportation Highway Right-Of-Way without written approval from Alberta Transportation.
- (9) The area around sign structures shall be kept clean and free of overgrown vegetation, and free from refuse material.
- (10) The Development Authority may at their discretion require an engineer-approved plan prior to the issuance of a sign permit in order to ensure the safety of a sign, awning or canopy design and placement.
- (11) Notwithstanding Part 4 of this Bylaw, the Development Authority may, with respect to an application for a sign permit,
 - (a) Grant a sign permit to an applicant subject to such conditions considered necessary to ensure this Bylaw is complied with;
 - (b) Refuse the application.
- (12) **Offensive Signage**
 - (a) No sign shall be erected which promotes intolerance, hatred or ridicule of any race, religion or other segment of society.
- (13) The number of signs, location of signs and size of signs may be varied to accommodate the placement of new signs on existing sign structures which were installed prior to January 1, 2019 at the sole discretion of the Development Authority. The Development Authority is not bound by the maximum variance in Section.4.5(6). In accordance with Section 4.5, a variance application shall be required and the applicant must demonstrate that the original signs were installed prior to January 1, 2019 in a manner deemed satisfactory to the Development Authority.

PART 12 – DISTRICTS AND REGULATIONS

12.1 ESTABLISHMENT OF DISTRICTS AND DISTRICT REGULATIONS

- (1) Land use district and land use regulations shall be set forth in Part 12 and may be amended in the same manner as any other Part or Section of this Bylaw.

12.2 LAND USE DISTRICTS

- (1) The Town is hereby divided into the following districts:

Designation Name	Designation Acronym
Low Density Residential	R1
Low Density General Residential	R2
High Density Residential	R3
Manufactured Home Park	MHP
Manufactured Home Subdivision	MHS
Residential Estate	RE
Country Residential	CR
Central Commercial	C1
Highway Commercial	C2
Industrial	M
Public Service	PS
Urban Holdings	UH
Direct Control	DC

12.3 LAND USE DISTRICT MAP

- (1) Land use districts specified under 12.2 are described in the short form on the LAND USE DISTRICT MAP which is an integral part of this Bylaw.
- (2) Throughout this Bylaw and amendments thereto, a District may be referred to either by its full name or its abbreviation.
- (3) The district regulations are delineated on the LAND USE DISTRICT MAP. Where uncertainty arises as to the precise location of the property of any district, the following rules shall apply:
 - (a) Where a boundary is shown as following a street, lane, stream or canal, it shall be deemed to follow the centreline thereof.
 - (b) Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.
 - (c) In circumstances not covered by 12.3(a) and 12.3(b) above the location of the district boundary shall be determined by:
 - (i) Where dimensions are set out on the Land Use District Map, by the dimensions so set, or
 - (ii) Where 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 a 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 regulations of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.
- (5) After Council has fixed a district boundary pursuant to the provisions of 12.3, the portion of the boundary so fixed shall not be thereafter altered except by an amendment to this Bylaw.
- (6) The Council shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

12.4 LOW DENSITY RESIDENTIAL (R1)

(1) Purpose

The R1 – Low Density Residential designation is intended to accommodate the development of low-density residential development on moderately sized lots throughout the community.

(2) Permitted and Discretionary Uses

Table 12.4.1 outlines the permitted and discretionary uses contemplated in the R1 designation where approval is subject to the issuance of an authorized development permit.

Table 12.4.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and over • Accessory Uses • Housing, secondary suite • Housing, single-detached • Home based business • Park 	<ul style="list-style-type: none"> • Second and additional, Accessory Building under 13.4m² • Second and additional, Accessory Building 13.4 m² and over • Bed and breakfast • Child care facility • Family care facility • Religious institution • Utility installations • C-Can (Temporary) • Solar Collectors not in conformance with Section 9.10.

(3) Lot Area

The minimum lot area shall be in accordance with the following table:

Table 12.4.2

Use	Minimum Lot Area
Housing, single-detached	550 m ²
Other principle uses listed in Table 12.4.1	550 m ²

(4) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

Table 12.4.3

Use	Minimum Lot Frontage (m)
Housing, single-detached	15 metres
Other principle uses listed in Table 12.4.1	15 metres

(5) Lot Coverage

The maximum lot coverage of buildings (principle and accessory) shall be in accordance with the following table:

Table 12.4.4

Use	Maximum Lot coverage (%)
Housing, single-detached	40%
Other principle uses listed in Table 12.4.1	40%

(6) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

Table 12.4.5

Use	Minimum Front Yard Setback (m)
Housing, single-detached	6 metres
Other principle uses listed in Table 12.4.1	6 metres

(7) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

Table 12.4.6

Use	Minimum Rear Yard Setback (m)
Housing, single-detached	6 metres
Accessory buildings, under 13.4m ²	Nil
Accessory buildings, over 13.4m ²	1.5 metres
Other principle uses listed in Table 12.4.1	6 metres

(8) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

Table 12.4.7

Use	Minimum Side Yard Setback (m)
Housing, single-detached (side property line of a flanking street)	3.0 metres
Housing, single-detached (on one side of the lot where there is no road or lane access from the rear yard)	3.0 metres
Accessory buildings, under 13.4m ²	Nil
Accessory buildings, over 13.4m ²	1.5 metres
Other principle uses listed in Table 12.4.1	1.5 metres

(9) Height

The maximum building height shall be in accordance with the following table:

Table 12.4.8

Use	Maximum Building Height (m)
Housing, single-detached	11 metres
Accessory building	6 metres
Other principle uses listed in Table 12.4.1	11 metres

(10) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.5 LOW DENSITY GENERAL RESIDENTIAL (R2)

(1) Purpose

The R2 – Low Density General Residential designation is intended to provide opportunities for innovation in residential development. Through the provision of narrower lots the development of low density housing types will be provided at higher than conventional densities.

(2) Permitted and Discretionary Uses

Table 12.5.1 outlines the permitted and discretionary uses contemplated in the R2 designation where approval is subject to the issuance of an authorized development permit.

Table 12.5.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and over • Accessory Uses • Housing, duplex • Housing, single-detached • Housing, secondary suite • Home based business • Park 	<ul style="list-style-type: none"> • Second and additional, Accessory Building under 13.4m² • Second and additional, Accessory Building 13.4 m² and over • Bed and breakfast • Child care facility • Family care facility • Housing, manufactured • Religious institution • Utility installations • C-Can (Temporary) • Solar Collectors not in conformance with Section 9.10.

(3) Lot Area

The minimum lot area shall be in accordance with the following table:

Table 12.5.2

Use	Minimum Lot Area
Housing, duplex	200 m ² (per unit)
Housing, single detached (with adjacent rear lane)	250 m ²
Housing, single detached (without adjacent rear lane)	400 m ²
Other principle uses listed in Table 12.5.1	325 m ²

(4) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

Table 12.5.3

Use	Minimum and Maximum Lot Frontage (m)
Housing, duplex	Minimum 7.5 metres but maximum 10.5 metres
Housing, single detached (with adjacent rear lane)	Minimum/maximum of 7.5 metres
Housing, single detached (without adjacent rear lane)	Minimum/maximum of 10.5 metres
Other principle uses listed in Table 12.5.1	Minimum 7.5 metres but maximum 10.5 metres

(5) Lot Coverage

The maximum coverage of buildings (principle and accessory) on a lot shall be in accordance with the following table:

Table 12.5.4

Use	Maximum Lot coverage (%)
Housing, duplex	55%
Housing, single detached (with adjacent rear lane)	55%
Housing, single detached (without adjacent rear lane)	55%
Other principle uses listed in Table 12.5.1	55%

(6) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

Table 12.5.5

Use	Minimum Front Yard Setback (m)
Housing, duplex	6 metres
Housing, single detached (with adjacent rear lane)	6 metres
Housing, single detached (without adjacent rear lane)	6 metres
Other principle uses listed in Table 12.5.1	6 metres

(7) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

Table 12.5.6

Use	Minimum Rear Yard Setback (m)
Housing, duplex	5 metres
Housing, single detached (with adjacent rear lane)	5 metres
Housing, single detached (without adjacent rear lane)	5 metres
Other principle uses listed in Table 12.5.1	5 metres
Accessory buildings, under 13.4m ²	Nil
Accessory buildings, over 13.4m ²	1.5 metres

(8) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

Table 12.5.7

Use	Minimum Side Yard Setback (m)
Housing, duplex	1.5 metres
Housing, single-detached (side property line of a flanking street)	3.0 metres
Housing, single-detached (on one side of the lot where there is no road or lane access from the rear yard)	3.0 metres
Accessory buildings, under 13.4m ²	Nil
Accessory buildings, over 13.4m ²	1.5 metres
Other principle uses listed in Table 12.5.1	1.5 metres

(9) Height

The maximum building height shall be in accordance with the following table:

Table 12.5.8

Use	Maximum Building Height (m)
Housing, duplex	11 metres
Housing, single detached (with adjacent rear lane)	11 metres
Housing, single detached (without adjacent rear lane)	11 metres
Accessory building	6 metres
Other principle uses listed in Table 12.5.1	11 metres

(10) Design Regulations

- (a) Where a lot has access to an adjacent rear lane, no vehicular access to the lot shall be provided from the fronting public roadway.
- (b) Where there is an attached garage accessed via the fronting public roadway, the garage shall not extend more than 1.0 metre in front of the living space of the dwelling.
- (c) Where there is an attached garage accessed via the fronting public roadway, the width of the garage facing the fronting roadway shall not exceed 50 percent of the total front façade/elevation of a dwelling.

(11) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.6 HIGH DENSITY RESIDENTIAL (R3)

(1) Purpose

The R3 - High Density Residential designation is intended to provide opportunities for the development of higher density residential. The intent of this zone is to encourage residential development at higher densities in close proximity to key nodes and/or corridors

(2) Permitted and Discretionary Uses

Table 12.6.1 outlines the permitted and discretionary uses contemplated in the R3 designation where approval is subject to the issuance of an authorized development permit

Table 12.6.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and over • Accessory Uses • Housing, duplex • Housing, triplex • Housing, fourplex • Housing, row housing • Housing, secondary suite • Public parks and recreation areas 	<ul style="list-style-type: none"> • Second and additional, Accessory Building under 13.4m² • Second and additional, Accessory Building 13.4 m² and over • Bed and breakfast • Child care facility • Family care facility • Home businesses • Housing, high rise apartment • Housing, low rise apartment • Religious institution • Utility installations • C-Can (Temporary) • Solar Collectors not in conformance with Section 9.10.

(3) Lot Area

The minimum lot area shall be as specified in the following table:

Table 12.6.2

Use	Minimum Lot Area (m ²)
Housing, duplex	250 m ²
Housing, low rise/high rise apartment	500 m ²
Housing, triplex	500 m ²
Housing, fourplex	500 m ²
Housing, row	120 m ² (per unit)
Other principle uses listed in Table 12.6.1	500 m ²

(4) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

Table 12.6.3

Use	Minimum Lot Frontage (m)
Housing, duplex	7.5 metres
Housing, low rise/high rise apartment	15 metres
Housing, triplex	15 metres
Housing, fourplex	15 metres
Housing, row	4 metres (per unit)
Other principle uses listed in Table 12.6.1	15 metres

(5) Lot Coverage

The maximum coverage of buildings (principle and accessory) on a lot shall be in accordance with the following table:

Table 12.6.4

Use	Maximum Lot coverage (%)
Housing, duplex	50%
Housing, low rise/high rise apartment	50%
Housing, triplex	50%
Housing, fourplex	50%
Housing, row	50%
Other principle uses listed in Table 12.6.1	50%

(6) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

Table 12.6.5

Use	Minimum Front Yard Setback (m)
Housing, duplex	6 metres
Housing, low rise/high rise apartment	6 metres
Housing, triplex	6 metres
Housing, fourplex	6 metres
Housing, row	6 metres
Other principle uses listed in Table 12.6.1	6 metres

(7) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

Table 12.6.6

Use	Minimum Rear Yard Setback (m)
Housing, duplex	5 metres
Housing, low rise/high rise apartment	5 metres
Housing, triplex	5 metres
Housing, fourplex	5 metres
Housing, row	5 metres
Accessory buildings, under 13.4m ²	Nil
Accessory buildings, over 13.4m ²	1.5 metres
Other principle uses listed in Table 12.6.1	5 metres

(8) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

Table 12.6.7

Use	Minimum Side Yard Setback (m)
Housing, duplex	1.5 metres
Housing, low rise/high rise apartment	3 metres
Housing, triplex	1.5 metres
Housing, fourplex	1.5 metres
Housing, row	1.5 metres
Accessory buildings, under 13.4m ²	Nil
Accessory buildings, over 13.4m ²	1.5 metres
Other principle uses listed in Table 12.6.1	1.5 metres

(9) Height

The maximum building height shall be in accordance with the following table:

Table 12.6.8

Use	Maximum Building Height (m)
Housing, duplex	11 metres
Housing, low rise/high rise apartment	20 metres
Housing, triplex	11 metres
Housing, fourplex	11 metres
Housing, row	11 metres
Accessory building	6 metres
Other principle uses listed in Table 12.6.1	11 metres

(10) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.7 MANUFACTURED HOME PARK (MHP)

(1) Purpose

The MHP – Manufactured Home Park designation is intended to provide for and regulate the development of land for the use of manufactured homes on lots in comprehensively designed parks wherein no individually titled parcels have been created.

(2) Permitted and Discretionary Uses

Table 12.7.1 outlines the permitted and discretionary uses contemplated in the MHP designation where approval is subject to the issuance of an authorized development permit.

Table 12.7.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and over • Accessory Uses • Housing, manufactured home • Park 	<ul style="list-style-type: none"> • Second and additional, Accessory Building under 13.4m² • Second and additional, Accessory Building 13.4 m² and over • Group homes • Home businesses • Utility installations • C-Can (Temporary) • Solar Collectors not in conformance with Section 9.10.

(3) General Regulations

- (a) A Comprehensive site plan shall be required for manufactured home parks developed after 2015.
- (b) Prior to the development of a new Manufactured Home Park the applicant will submit to the Development Authority a comprehensive site plan and/or any other supporting documentation that will identify the following elements:
 - (i) Site area with lot lines of the manufactured home park and any titled lots clearly delineated.
 - (ii) Proposed layout and placement of individual housing units.
 - (iii) Internal and adjacent pedestrian or walkway connections.
 - (iv) Internal and adjacent roadways.
 - (v) Internal and perimeter landscaping.
 - (vi) Garbage areas.
 - (vii) Parking areas.

- (viii) Recreational areas.
- (ix) Storage areas.

- (c) A development permit and move-in permit are required anytime a new manufactured home unit is moved onto a Manufactured Home Park site. Move-in permits shall require:
 - (i) Third party certification from an accredited inspection agency including the Canadian Standard Association (CSA), Intertek or Quality Auditing Institute (QAI).
 - (ii) Alberta Municipal Affairs Label or CSA Label.
 - (iii) Model number.
 - (iv) Manufactured home unit serial number.
- (d) A move-out permit is required when units vacate a site. A new move-in permit shall not be issued until a move-out permit has been completed for the lot.
- (e) All permits are the responsibility of the Manufactured Home Park site.

(4) Manufactured Home Park Size

- (a) The gross density of a residential home park is 17 manufactured homes per hectare
- (b) A residential home park shall have a minimum park area of 2 hectares but a maximum park area of 4 hectares

(5) Setbacks

- (a) The minimum yard requirements for manufactured homes shall be at least:
 - (i) 3.5 m from a similar manufactured home unit.
 - (ii) 6.0 m from the rear lot line of the manufactured home park.
 - (iii) 2.4 m from any internal access road or common parking area.
 - (iv) 1.2 m from front lot line of the manufactured home park.

- (b) The minimum side yard and rear yard setback requirements for accessory buildings shall be at least:
 - (i) Nil for accessory buildings, under 13.4m².
 - (ii) 1.5 m for accessory buildings, over 13.4m².

(6) Height

- (a) The maximum height as specified in Section 12.8(10) shall apply.

(7) Design Regulations

- (a) All additions shall be designed in a manner that complements the manufactured homes.
- (b) Five percent of the gross area of a manufactured home park shall be developed for recreational use either in the form of indoor community building and/or outdoor recreational space.

(8) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.8 MANUFACTURED HOME SUBDIVISION (MHS)

(1) Purpose

The MHS – Manufactured Home Subdivision designation is intended to provide for and regulate the development of land for the use of manufactured homes on separately titled parcels.

(2) Permitted and Discretionary Uses

Table 12.8.1 outlines the permitted and discretionary uses contemplated in the MHS designation where approval is subject to the issuance of an authorized development permit.

Table 12.8.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Buildings 13.4 m² and under • First Accessory Buildings 13.4 m² and over • Accessory Uses • Housing, manufactured home • Public parks and recreation areas 	<ul style="list-style-type: none"> • Second and additional, Accessory Building under 13.4m² • Second and additional, Accessory Building 13.4 m² and over • Home businesses • Utility installations • Uses accessory to the above • C-Can (Temporary) • Solar Collectors not in conformance with Section 9.10.

(3) Manufactured Home Subdivision

The following development standards apply to areas where individually titled parcels have been created.

(4) Lot Area

The minimum lot area shall be as specified in the following table:

Table 12.8.2

Use	Minimum Lot Area (m2)
Housing, manufactured home	375 m ²
All other principle uses	500 m ²

(5) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

Table 12.8.3

Use	Minimum Lot Frontage (m)
Housing, manufactured home	7.5 metres
All other principle uses	15 metres

(6) Lot Coverage

The maximum coverage of buildings (principle and accessory) on a lot shall be in accordance with the following table:

Table 12.8.4

Use	Maximum Lot coverage (%)
Housing, manufactured home	50%
All other principle uses	50%

(7) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

Table 12.8.5

Use	Minimum Front Yard Setback (m)
Housing, manufactured home	6 metres
All other principle uses	6 metres

(8) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

Table 12.8.6

Use	Minimum Rear Yard Setback (m)
Housing, manufactured home	3 metres
Accessory buildings, under 13.4m ²	Nil
Accessory buildings, over 13.4m ²	1.5 metres
All other principle uses	5 metres

(9) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

Table 12.8.7

Use	Minimum Side Yard Setback (m)
Housing, manufactured home	1.5 metres
Accessory buildings, under 13.4m ²	Nil
Accessory buildings, over 13.4m ²	1.5 metres
All other principle uses	1.5 metres

(10) Height

The maximum building height shall be in accordance with the following table:

Table 12.8.8

Use	Maximum Building Height (m)
Housing, manufactured home	5 metres
Accessory building	5 metres
All other principle uses	5 metres

(11) Design Regulations

- (a) All additions shall be designed in a manner that complements the manufactured homes.
- (b) Ten percent of the gross area of a manufactured home park shall be developed for recreational use either in the form of indoor community building and/or outdoor recreational space.

(12) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.9 RESIDENTIAL ESTATE (RE)

(1) Purpose

The RE – Residential Estate designation is intended to accommodate low-density residential development in a comprehensively designed naturalized environment.

(2) Permitted and Discretionary Uses

Table 12.9.1 outlines the permitted and discretionary uses contemplated in the RE designation where approval is subject to the issuance of an authorized development permit.

Table 12.9.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and over • Accessory Uses • Housing, secondary suite • Housing, single-detached • Park 	<ul style="list-style-type: none"> • Second and additional, Accessory Building under 13.4m² • Second and additional, Accessory Building 13.4 m² and over • Bed and breakfast • Child care facility • Family care facility • Home businesses • Religious institution • Utility installations • C-Can (Temporary) • Solar Collectors not in conformance with Section 9.10.

(3) Lot Area

The minimum lot area shall be in accordance with the following table:

Table 12.9.2

Use	Minimum Lot Area
Housing, single-detached	0.5 acres
Other principle uses listed in Table 12.9.1	0.5 acres

(4) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

Table 12.9.3

Use	Minimum Lot Frontage (m)
Housing, single-detached	15 metres
Other principle uses listed in Table 12.9.1	15 metres

(5) Lot Coverage

The maximum coverage of buildings (principle and accessory) on a lot shall be in accordance with the following table:

Table 12.9.4

Use	Maximum Lot coverage (%)
Housing, single-detached	50%
Other principle uses listed in Table 12.9.1	50%

(6) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

Table 12.9.5

Use	Minimum Front Yard Setback (m)
Housing, single-detached	5 metres
Other principle uses listed in Table 12.9.1	5 metres

(7) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

Table 12.9.6

Use	Minimum Rear Yard Setback (m)
Housing, single-detached	5 metres
Accessory buildings, under 13.4m ²	Nil
Accessory buildings, over 13.4m ²	1.5 metres
Other principle uses listed in Table 12.9.1	5 metres

(8) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

Table 12.9.7

Use	Minimum Side Yard Setback (m)
Housing, single-detached	5 metres
Accessory buildings, under 13.4m ²	Nil
Accessory buildings, over 13.4m ²	1.5 metres
Other principle uses listed in Table 12.9.1	5 metres

(9) Height

The maximum building height shall be in accordance with the following table:

Table 12.9.8

Use	Maximum Building Height (m)
Housing, single-detached	11 metres
Other principle uses listed in Table 12.9.1	11 metres

(10) Design Regulations

- (a) Upon initial construction the following design regulations shall apply:
 - (i) Shingles are to be asphalt, tile or wooden shake.
 - (ii) The façade of any principal building shall be finished 25% masonry, stone or brick.
 - (iii) Vinyl siding shall not be permitted on any structure, including principal and accessory buildings.
 - (iv) Notwithstanding Landscaping regulations in Section 8.16, a minimum of three (3) trees must be placed in the front yard.
- (b) The main floor of the residence, not including attached garage, shall be a minimum of 140 square meters (1,500 square feet).
- (c) All developments shall be located in a manner which the garage entrance faces onto the front road and maintains privacy of the neighbouring parcels.
- (d) The quality of exterior treatment and design of all buildings and fences shall be to the satisfaction of the Development Authority for permitted uses and discretionary uses. Additional design regulations may be required at the discretion of the Development Authority.
- (e) No moved in or relocated buildings shall be permitted in the Residential Estates (RE) district.
- (f) A maximum of one vehicular approach shall be permitted per lot.

(11) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.10 COUNTRY RESIDENTIAL (CR)

(1) Purpose

The CR – Country Residential designation is intended to accommodate low-density residential development in a comprehensively designed naturalized environment but where minimal urban infrastructure and services are provided.

(2) Permitted and Discretionary Uses

Table 12.10.1 outlines the permitted and discretionary uses contemplated in the RE designation where approval is subject to the issuance of an authorized development permit

Table 12.10.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and over • Accessory Uses • Housing, secondary suite • Housing, single-detached • Park 	<ul style="list-style-type: none"> • Second and additional, Accessory Building under 13.4m² • Second and additional, Accessory Building 13.4 m² and over • Bed and breakfast • Child care facility • C-Can (Temporary) • Family care facility • Home businesses • Religious institution • Utility installations • Solar Collectors not in conformance with Section 9.10.

(3) Lot Area

The minimum lot area shall be in accordance with the following table:

Table 12.10.2

Use	Minimum Lot Area
Housing, single-detached	2.5 acres
Other principle uses listed in Table 12.9.1	2.5 acres

(4) Lot Frontage

The minimum lot frontage shall be in accordance with the following table:

Table 12.10.3

Use	Minimum Lot Frontage (m)
Housing, single-detached	10 metres
Other principle uses listed in Table 12.9.1	10 metres

(5) Lot Coverage

The maximum coverage of buildings (principle and accessory) on a lot shall be in accordance with the following table:

Table 12.10.4

Use	Maximum Lot coverage (%)
Housing, single-detached	50%
Other principle uses listed in Table 12.9.1	50%

(6) Front Yard Setback

The minimum front yard setback shall be in accordance with the following table:

Table 12.10.5

Use	Minimum Front Yard Setback (m)
Housing, single-detached	5 metres
Other principle uses listed in Table 12.9.1	5 metres

(7) Rear Yard Setback

The minimum rear yard setback shall be in accordance with the following table:

Table 12.10.6

Use	Minimum Rear Yard Setback (m)
Housing, single-detached	5 metres
Accessory buildings, under 13.4m ²	Nil
Accessory buildings, over 13.4m ²	1.5 metres
Other principle uses listed in Table 12.9.1	5 metres

(8) Side Yard Setback

The minimum side yard setback shall be in accordance with the following table:

Table 12.10.7

Use	Minimum Side Yard Setback (m)
Housing, single-detached	5 metres
Accessory buildings, under 13.4m ²	Nil
Accessory buildings, over 13.4m ²	1.5 metres
Other principle uses listed in Table 12.9.1	5 metres

(9) Height

The maximum building height shall be in accordance with the following table:

Table 12.10.8

Use	Maximum Building Height (m)
Housing, single-detached	11 metres
Other principle uses listed in Table 12.9.1	11 metres

(10) Additional Regulations

- (a) The main floor of the residence, not including attached garage, shall be a minimum of 150 square meters (1,614 square feet).
- (b) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (c) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (d) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (e) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (f) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (g) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.11 CENTRAL COMMERCIAL (C1)

(1) Purpose

The C1 – Central Commercial designation is intended to provide for a wide variety of commercial, institutional and residential uses within the town centre. The intent is to foster mixed-use development and encouraging vibrancy in a manner that facilitates pedestrian movement.

(2) Permitted and Discretionary Uses

Table 12.11.1 outlines the permitted and discretionary uses contemplated in the C1 designation where approval is subject to the issuance of an authorized development permit.

Table 12.11.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and over • Art gallery • Bakery • Club • Convenience store • Dry cleaning/Laundromat services • Financial Services • Funeral home • Grocery store • Hotel • Housing, mixed use • Office • Medical clinic • Motel • Personal Services • Public administration • Religious Institution • Restaurant • Retail • Sign, excluding dynamic sign • Theatre 	<ul style="list-style-type: none"> • Second and additional, Accessory Building under 13.4m² • Second and additional, Accessory Building 13.4 m² and over • Adult entertainment • Automotive sales and/or rental • Automotive supply store • Brewery, winery and distillery • Brewpub • Cannabis retail sales • Car/Truck wash • Child care facility • Commercial recreation & entertainment facility • Contracting services • Dynamic Sign • Gas bar • Head shop • Housing, apartment (low rise), second story and above • Housing, apartment (high rise) , second story and above • Liquor store • Nightclub • Parking facility • Pawn shop • Recycling depot • Repair shop • Restaurant – drive thru • C-Can • Solar Collectors not in conformance with Section 9.10. • Utility installations

(3) Development Standards

The Development Standards for all uses listed in Table 12.11.1 shall adhere to the standards listed in Table 12.11.2.

Table 12.11.2

Development Standard	Site Standard
Minimum Lot Area (m ²)	250 m ²
Minimum Lot Frontage (m)	6 m
Maximum Lot Coverage (%)	80%
Minimum Front Yard Setback (m)	Nil
Minimum Rear Yard Setback (m)	6 m
Minimum Rear Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil
Minimum Rear Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres
Minimum Side Yard Setback (m)	Nil
Minimum Side Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil
Minimum Side Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres
Maximum Height	15 m

(4) Design Regulations

- (a) The façade of any principal building should be finished in brick, rock, stone, stucco, wood, glass, and/or precast concrete. Exterior finishes should require minimal maintenance but demonstrate high quality workmanship.
- (b) Buildings should be built to the property line in order to create a defined relationship with the public realm.
- (c) A minimum of 60% of the ground floor of any building should be finished in clear glazing to allow for natural surveillance, and to create an engaging and vibrant public realm. Reflective or tinted glazing should be discouraged.
- (d) The street wall, where it runs parallel to a roadway, should be designed to occupy 100% of a lot's frontage.
- (e) The provision of canopies or awnings are encouraged in order to provide weather protection for pedestrians.
- (f) No parking area shall be located within the front yard of any lot. Parking areas should be located within the rear yard, with vehicular access from an adjacent lane.
- (g) The ground floor of any residential building should be utilized for commercial purposes.
- (h) Additional design regulations may be required at the discretion of the Development Authority.

(5) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.12 HIGHWAY COMMERCIAL (C2)

(1) Purpose

The C2 – Highway Commercial designation is intended to accommodate the development of a wide array of commercial uses on lots adjacent to roadways that facilitate large volumes of automotive traffic.

(2) Permitted and Discretionary Uses

Table 12.12.1 outlines the permitted and discretionary uses contemplated in the C2 designation where approval is subject to the issuance of an authorized development permit.

Table 12.12.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and over • Accessory Uses • Auction mart • Automotive sales and/or rental • Automotive supply store • Bakery • Car/Truck wash • Club • Convenience store • Dry cleaning/laundromat services • Financial Services • Funeral home • Gas bar • Grocery store • Hotel • Office • Medical clinic • Motel • Personal services • Public administration • Religious Institution • Restaurant • Restaurant – drive thru • Retail • Sign, excluding dynamic sign 	<ul style="list-style-type: none"> • Second and additional, Accessory Building under 13.4m² • Second and additional, Accessory Building 13.4 m² and over • Air supported structure and fabric-covered structure • Any permitted use with a height exceeding 10 metres • Adult entertainment • Amusement arcade • Automotive service and/or paint shop • Brewery, winery and distillery • Brewpub • Cannabis retail sales • Child care facility • Commercial recreation & entertainment facility • Contracting services • Dynamic Sign • Gambling and gaming hall • Head shop • Housing, apartment (low rise), second story and above • Housing, apartment (high rise), second story and above • Liquor store • Nightclub • Pawn shop • Recycling depot • Repair shop • C-Can • Solar Collectors not in conformance with Section 9.10. • Theatre • Trucking establishment • Utility installations • Warehouse

(3) Development Standards

The Development Standards for all uses identified in Table 12.12.1 shall adhere to the standards listed in Table 12.12.2.

Table 12.12.2

Development Standard	Site Standard
Minimum Lot Area (m ²)	1000 m ²
Minimum Lot Frontage (m)	6 m
Maximum Lot Coverage (%)	65%
Minimum Front Yard Setback (m)	8 m
Minimum Rear Yard Setback (m)	5 m
Minimum Rear Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil
Minimum Rear Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres
Minimum Side Yard Setback (m)	3 m
Minimum Side Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil
Minimum Side Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres
Maximum Height	15 m

(4) Design Regulations

- (a) The façade of any principal building should be finished in brick, rock, stone, stucco, wood, glass, and/or precast concrete. Exterior finishes should require minimal maintenance but demonstrate high quality workmanship.
- (b) Additional design regulations may be required at the discretion of the Development Authority.

(5) Additional Regulations

- (a) No access to a lot shall be provided from Highway 20 or Highway 53 without obtaining the approval of Alberta Transportation.
- (b) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (c) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (d) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (e) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (f) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (g) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.13 INDUSTRIAL (M)

(1) Purpose

The M – Industrial designation is intended to accommodate the development of a wide array of industrial uses but which will not cause any objectionable or noxious conditions, be it noise, odour, dust, vibration or any other similar sensation, beyond the lot on which they are located.

(2) Permitted and Discretionary Uses

Table 12.13.1 outlines the permitted and discretionary uses contemplated in the M designation where approval is subject to the issuance of an authorized development permit.

Table 12.13.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Building 13.4 m² and over • Accessory Uses • Agricultural sales and/or service • Animal kennel • Animal shelter • Auction mart • Automotive sales and/or rental • Automotive service and/or paint shop • Automotive supply store • Bakery • Car/Truck wash • Club • Convenience store • Contracting services • Dry cleaning/Laundromat services • Gas bar • Greenhouse • Manufacturing, processing, packaging or assembly of goods or materials • Mini storage • Public Administration • Repair shop • Sign, excluding dynamic sign • Trucking establishment • Warehouse • Veterinary clinic 	<ul style="list-style-type: none"> • Second and additional, Accessory Building under 13.4m² • Second and additional, Accessory Building 13.4 m² and over • Abattoir • Air supported structure and fabric-covered structure • Amusement arcade • Adult entertainment • Auction mart • Bulk fuel and/or fertilizer sales and storage • Cannabis facility • Dynamic Sign • Gambling and gaming hall • Housing, apartment (low rise), second story and above • Housing, apartment (high rise), second story and above • Liquor store • Meat processing plant • Recycling depot • Restaurant • Restaurant, drive-thru • Salvage yard • C-Can • Solar Collectors not in conformance with Section 9.10. • Wrecking yard

(3) Development Standards

The Development Standards for all uses identified in Table 12.13.1 shall adhere to the standards listed in Table 12.13.2.

Table 12.13.2

Development Standard	Site Standard
Minimum Lot Area (m ²)	500 m ²
Minimum Lot Frontage (m)	15 m
Maximum Lot Coverage (%)	50%
Minimum Front Yard Setback (m)	6 m
Minimum Rear Yard Setback (m)	5 m
Minimum Rear Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil
Minimum Rear Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres
Minimum Side Yard Setback (m)	3 m
Minimum Side Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil
Minimum Side Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres
Maximum Height	15 m

(4) Design Regulations

- (a) The façade of any principal building should be finished in brick, rock, stone, stucco, wood, glass, and/or precast concrete. Exterior finishes should require minimal maintenance but demonstrate high quality workmanship.
- (b) No outdoor storage of goods, materials, or equipment shall be permitted within any portion of a front, side, or rear yard, which runs parallel to an adjacent roadway.
- (c) All loading facilities should be located and accessed from a side and/or rear yard.
- (d) Additional design regulations may be required at the discretion of the Development Authority.

(5) Additional Regulations

- (a) No access to a lot shall be provided from Highway 20 or Highway 53 without obtaining the approval of Alberta Transportation.
- (b) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (c) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (d) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (e) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (f) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (g) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (h) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.14 PUBLIC SERVICE (PS)

(2) Purpose

The PS – Public Services designation is intended to accommodate the development of uses which serve the public and which are of benefit to the community.

(3) Permitted and Discretionary Uses

Table 12.14.1 outlines the permitted and discretionary uses contemplated in the PS designation where approval is subject to the issuance of an authorized development permit.

Table 12.14.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • First Accessory Buildings 13.4 m² and over • Cemetery • Community centre • Hospital • Landfill • Library • Museum • Park • Public administration • Recreational facility • Residential care facility • School • Sign • Tourism information centre • Utility installations 	<ul style="list-style-type: none"> • Second and additional, Accessory Building under 13.4m² • Second and additional, Accessory Building 13.4 m² and over • Animal shelter • Campground • Child care facility • Golf course • Medical clinic • Retail • Restaurant • C-Can • Solar Collectors not in conformance with Section 9.10.

(4) Development Standards

The Development Standards for all uses identified in Table 12.14.1 shall adhere to the standards listed in Table 12.14.2.

Table 12.14.2

Development Standards	Site Standard
Minimum Lot Area (m ²)	500 m ²
Minimum Lot Frontage (m)	15 m
Maximum Lot Coverage (%)	75%
Minimum Front Yard Setback (m)	7.5 m
Minimum Rear Yard Setback (m)	5 m
Minimum Rear Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil
Minimum Rear Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres
Minimum Side Yard Setback (m)	3 m
Minimum Side Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil
Minimum Side Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres
Maximum Height	12.2 m

(5) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.15 URBAN HOLDINGS (UH)

(1) Purpose

The UH – Urban Holdings designation is intended to retain land in an undeveloped manner for future urban expansion, while contemplating a limited number of interim uses, and allowing existing uses to remain until development proceeds.

(2) Permitted and Discretionary Uses

Table 12.15.1 outlines the permitted and discretionary uses contemplated in the UH designation where approval is subject to the issuance of an authorized development permit.

Table 12.15.1

Permitted Uses	Discretionary Uses
<ul style="list-style-type: none"> • Accessory Uses • Agriculture, excluding intensive livestock operations • Home based business • Park • Public administration • Stormwater Management Facility • Utility installations 	<ul style="list-style-type: none"> • Animal shelter • Campground • Golf course • Sign • C-Can • Solar collectors, not in conformance with Section 9.10.

(3) Development Standards

The Development Standards for all uses identified in Table 12.15.2 shall adhere to the standards listed in Table 12.15.2.

Table 12.15.2

Development Standards	Site Standard
Minimum Lot Area (m ²)	500 m ²
Minimum Lot Frontage (m)	15 m
Maximum Lot Coverage (%)	75%
Minimum Front Yard Setback (m)	7.5 m
Minimum Rear Yard Setback (m)	5 m
Minimum Rear Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil
Minimum Rear Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres
Minimum Side Yard Setback (m)	3 m
Minimum Side Yard Setback (m) – Accessory buildings, under 13.4m ²	Nil
Minimum Side Yard Setback (m) – Accessory buildings, over 13.4m ²	1.5 metres
Maximum Height	12.2 m

(4) Additional Regulations

- (a) Accessory uses in this designation shall be subject to the regulations as per **8.1**.
- (b) Temporary uses in this designation shall be subject to the regulations as per **8.25**.
- (c) Non-conforming uses in this designation shall be subject to the regulations in **3.3**.
- (d) Parking and loading facilities in this designation shall be provided in accordance with the regulations in **Part 10**.
- (e) Landscaping in this designation shall be provided in accordance with the regulations in **8.16**.
- (f) The construction of signs in this designation shall be in accordance with the regulations in **Part 11**.

12.16 DIRECT CONTROL (DC)**(1) Purpose**

The DC – Direct Control designation is intended to provide control over the use and development of land or buildings for which Council has determined that, because of unique land use characteristics, innovative ideas, or special environmental concerns, such development could not be effectively accommodated under any other land use designation in this Bylaw.

(2) Permitted and Discretionary Uses

- (a) All permitted and discretionary uses shall be as prescribed in the previously written Statutory Plan.
- (b) In the absence of an adopted Area Structure Plan or Area Redevelopment Plan, any use which, in the opinion of the Development Authority, is compatible with the character of existing surrounding uses and adjacent designated Land Use Districts may also be allowed.

(3) Development Standards

- (a) The Development Authority may require additional information to properly evaluate the proposed development in terms of its compliance with this Bylaw, and any applicable Statutory Plan.
- (b) All development shall comply with the lot sizes, building setback requirements and other development criteria as prescribed in any applicable Statutory Plan.

(4) Additional Regulations

- (a) All other development requirements shall be at the discretion of the Development Authority. In determining the appropriate requirements for a development in the DC District, the Development Authority shall have regard to any provisions in this Bylaw for similar uses or developments.
- (b) In the absence of an adopted Area Structure Plan or Area Redevelopment Plan, the regulations which will be applied to a development will be those which, in the opinion of the Development Authority, are compatible with the character of existing surrounding uses and adjacent designated Land Use Districts.

12.17 DIRECT CONTROL DISTRICT – 2020-01**(1) Location**

Lot 1, Block 9, Plan 148BT (4906 – 50 Street)

(2) Purpose

To accommodate and allow for the residential units to be located on the ground floor within an otherwise designated Central Commercial (C1) district.

(3) Permitted Uses

(a) Two (2) Ground floor residential units.

(b) As per the permitted uses contained within the Central Commercial (C1) designation.

(4) Discretionary Uses

(a) Additional ground floor residential units.

(b) As per the permitted uses contained within the Central Commercial (C1) designation.

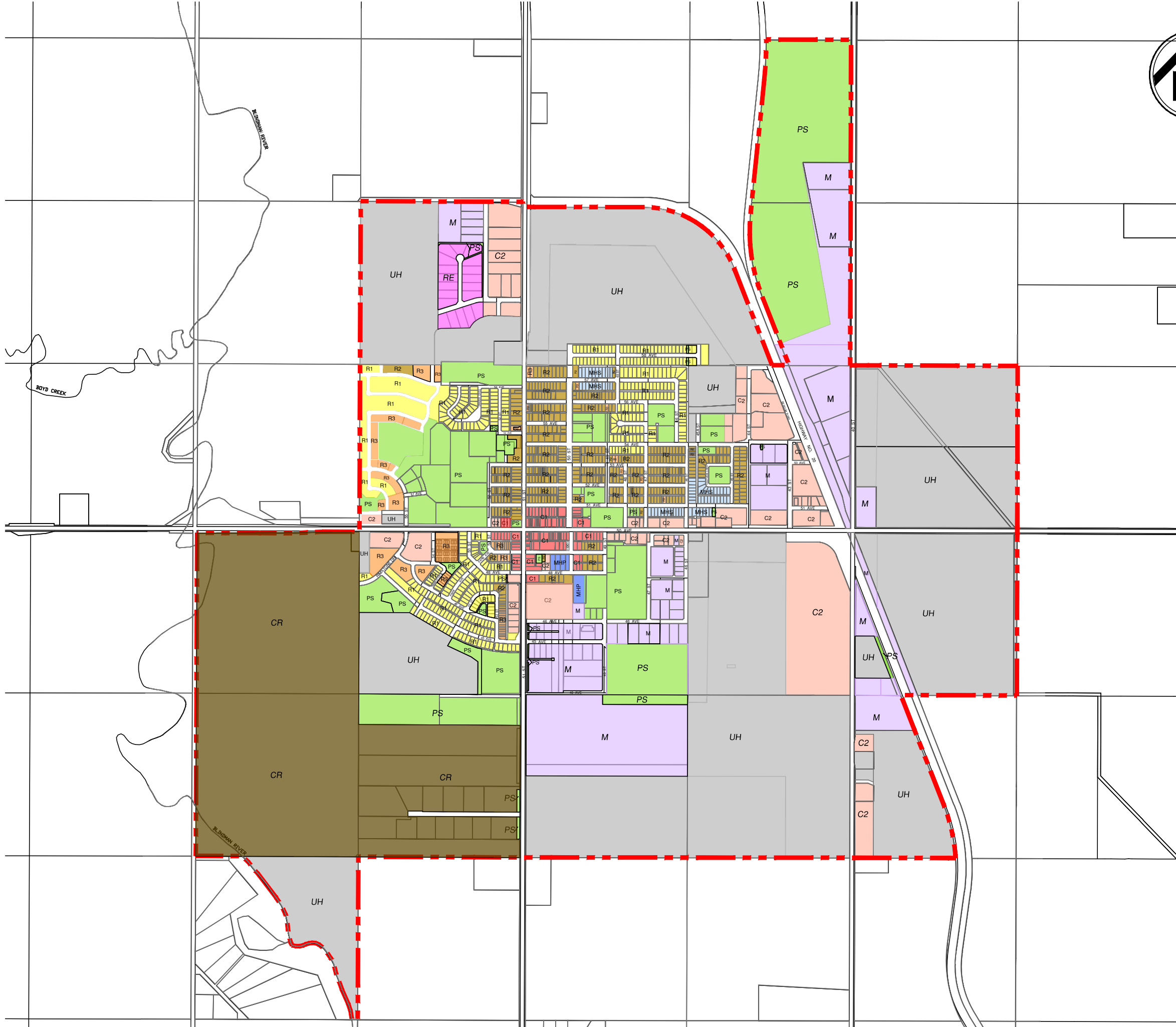
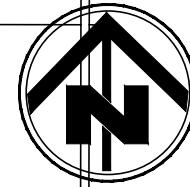
(5) Development Standards and Setback Requirements

(a) As per the requirements contained within the Central Commercial (C1) designation.

(b) Additional development standards as determined by Council or its delegate.

(6) Maximum Number of Lots

(a) One (1).



Legend

DESCRIPTION

TOWN LIMIT

LAND USE BYLAW DEFINITION

- R1 Low density residential
- R2 Low density general residential
- R3 High density residential
- MHS Manufactured housing subdivision
- MHP Manufactured housing park
- RE Residential Estates
- CR Country Residential
- C1 Central commercial
- C2 Highway commercial
- M Industrial
- PS Public Service
- UH Urban holdings
- DC Direct control

Existing Land Use Based on:
Land Use Bylaw - 1008/24



Project
TOWN OF RIMBEY
LAND USE
BYLAW - 1008/24



Consulting Engineers
G4, 5550 - 45 Street, RED DEER, AB T4N 1L1
Phone (403) 346-7710 Fax (403) 341-4909
E-mail admin@tagish-engineering.com

Scale	1:6,000
Date	Rev. 6 - MAY 05, 2024
Dwg. File	RB129_20240522_LUB.dwg

Title LAND USE BYLAW MAP MAP	Project No. RB129
	Drawing No. MAP 1

From:
To: [General Info](#)
Subject: 1008/24 Amendment to Land Use Bylaw 917/16
Date: Monday, July 15, 2024 7:47:49 PM

I oppose the reduction on the zoning to allow “manufactured homes” to the 1008/24 Land Use Bylaw. I realize there can be some nicely built manufactured homes, but there can be some bad ones out there as well. For an example you can speak with Dwayne Adam about the manufactured home that was placed in Evergreen Estates that you allowed to be built contrary to this bylaw. The construction of that home does not even meet the minimum codes let alone fit into the neighborhood. 35th Avenue is 80% built out, why would we want to lower the standards now.

Thanks,

Byron Danser

Rimbey, Alberta

Council Agenda Item 4.1

From:
To: [General Info](#)
Subject: RE: 1008/24 Amendment to Land Use Bylaw 917/16
Date: Monday, July 15, 2024 4:06:45 PM

Good afternoon, Elizabeth.

I am sending my reply regarding the adjacent landowner circulation notice I received referring to 1008/24 Amendment to Land Use Bylaw 917/16.

I am **opposed** to the amendment, and I believe the bylaw should remain as originally written.

This restriction was one of the main reasons we decided to build what, and where, we did.

Thank you for your time.

Chris & Kim Nikirk

Bonnie Rybak

From:
Sent: Thursday, July 11, 2024 7:34 PM
To: General Info
Subject: 1008/24 Amendment to Land Use Bylaw 917/16

Attention: Elizabeth Armitage
Town of Rimbey

This letter is in response to the proposal for a land use bylaw amendment. This proposal is vague, I am assuming it is only for 35th Avenue. We purchased our bare acreage in 2012 and have spent \$100's of \$1000's of dollars on a beautiful home and shop. The bylaws were only for stick built properties of a certain size. That is what this neighbourhood is and we absolutely are against any changes to the bylaws.

Rimbey has many subdivisions that have allowed all manner of housing and it's always been a disaster.

Manufactured homes will bring our property values down! Whoever wants this should go to the other subdivisions that do allow this type of home.

100% against this!

Dale and Wanda McNaught

Rimbey, AB T0C 2J0

Bonnie Rybak

From:
Sent: Monday, July 15, 2024 8:00 AM
To: General Info
Subject: Regarding application 1008/24 amendment to land use bylaw 917/16

Dear Elizabeth Armitage,

We strongly oppose this amendment. There are only two undeveloped lots left in our community so it doesn't seem logical to change the bylaws now. We all had stringent rules to adhere to when we built our houses in order to maintain the value of our properties as well as to keep our little community aesthetically pleasing.

We request that these bylaws remain unchanged.

Thank you for your attention to this matter.

Dan and Carla Garland

JULY 22 LUB MEETING
DUANE ADAMS

WOULD LIKE TO SPEAK IN OPPOSITION TO
MANUFACTURED HOMES IN RE ZONING
(EVERGREEN ESTATES)

RECEIVED
JUL 11 2024
TOWN OF RIMBEY

RECEIVED
JUL 11
TOWN OF RIMBEY

July 16, 2024

Attn: Elizabeth Armitage

Town of Rimbey

generalinfo@rimbey.com

Re: 1008/24 Amendment to Land Use Bylaw 917/16

I am writing to express my strong opposition to the proposal of adding manufactured homes to the Residential Estates subdivision in Rimbey. As a resident of this community, I have several concerns regarding this change and its potential impact on our neighbourhood.

Firstly, the building codes and standards for manufactured homes differ significantly from those of modular homes and traditionally built (stick-built) homes. Manufactured homes are typically constructed to comply with a national standard that can vary from the Canadian building codes followed for modular and stick-built homes. This discrepancy can lead to differences in construction quality, durability, and overall aesthetic that may not align with the existing houses in our subdivision.

The Residential Estates subdivision has been developed with a specific architectural and community standards in mind, which has contributed to the overall appeal and property values of the area. Introducing manufactured homes, which often have different exterior appearances and materials, could disrupt the visual harmony of our community. The change may lead to a decrease in property values and alter the character of the neighbourhood that many of us chose to invest in and call home.

Moreover, there are concerns regarding the long-term maintenance and longevity of manufactured homes. Historically, these homes have been more susceptible to wear and tear over time, potentially leading to increased maintenance needs and costs. This could affect the overall upkeep of the subdivision and place additional burdens on homeowners.

It is important to note that the original vision of the developer has already been altered with the addition of modular homes in July 2018 (944/18), despite opposition from residents of the subdivision. Allowing manufactured homes could further deviate from the initial planning and set a precedent for future changes that may not be in the best interest of our community.

Given these concerns, I strongly believe that maintaining the current standards and restrictions for the Residential Estates subdivision is crucial. Allowing manufactured homes could result in decreased property values and undermine the integrity and appeal of our neighbourhood. I urge the town council to consider the significant concerns raised by myself and other residents and to reject this proposal to maintain the integrity and value of Residential Estates subdivision.

Sincerely,

Duane Adams

July 14, 2024

Town of Rimbey
P.O. Box 350, Rimbey AB
TOC 2JO

RE: 1008/24 Amendment to the use bylaw 917/16

Dear Ms. Elizabeth Armitage, MEDES, RPP, MCIP

In reference to your letter that was sent to all residence of Rimbey concerning the land bylaw which may impact landowners by building **housing - manufactured homes** to the vacant lots.

I, Eric Eaton sole property owner of _____ - Rimbey, currently out of the province and won't be able to attend the meeting in person, I am sending my vote via e-mail.

I purchased this house/property 3.5 years ago in good faith that it would be a good subdivision for Rimbey. I put my life savings and retirement in to this investment and I was planning to call this my home, not to see my property value decrease by lowering the standards that were preset by this subdivision bylaws.

Myself and other homeowner pay high property taxes in this area, it makes no sense to lower the standards of these properties for a few people who want to sell their portions of land and won't be living in that area calling it "home."

Rick Pankiw

From:
Sent: July 15, 2024 3:29 PM
To: Rimbey Town
Cc: Rick Pankiw; Wayne Clark; Lana Curle; Gayle Rondeel
Subject: Proposed Amendment to the 1008/24 Land Use Bylaw

Subject: Proposed Amendment to the 1008/24 Land Use Bylaw

Good afternoon Elizabeth et al:

Thank you for your recent letter regarding the Proposed Amendment to the 1008/24 Land Use Bylaw to include “manufactured home” wording.

We are strongly opposed to this proposal!

Our area was annexed from Ponoka County in 2006. When Jack Bartko (used to own the 25 acres on the north side of 35 avenue) and we (used to own the 22 acres on the south side of 35 avenue) and we applied to sub-divide our acreages in 2007 one of the numerous covenants issued by the town (and agreed to by Bartkos and us) included a “stick built” permanent dwelling of 1640 square feet minimum. These covenants were designed to promote a classy urban/rural development. Some lots sold well but not others due to the negative economic and political issues encountered for several years. Ours is a nice area with good neighbourly folks. Again, we are strongly opposed to the proposed amendment to 1008/24 Land Use Bylaw to down-grade the covenant to include “manufactured home”!

Best regards,

John and Elizabeth Nesbitt

Lynne & John Bromwich

Rimbey.

July 16, 2024

Dear Town of Rimbey,

Re: 1008/24 Amendment to Land Use Bylaw 917/16

This letter is in response to your communication, dated July 5, 2024, regarding proposed land use changes in our residential estate.

Objections and clarifications:

1. Please clarify the definition of a manufactured home. This could open the gates to mobile homes being sited, as a mobile is by definition a manufactured home.
2. Are there any proposed changes to the minimum size requirements to a home? This I am given to understand is currently set to 1500sq ft on the main home level.
3. Will there be a requirement to have a house set permanently on a full foundation?
4. Given the proposal would potentially allow lesser quality developments that will change the original concept of our neighborhood and possibly devalue our homes, what changes to the tax assessments can be expected?
5. Is this proposal driven by a specific application from a single developer?

Note: We are extremely concerned that the area could be vastly affected by cheap, poor quality developments that detract from this estate and its overall appeal. All current residents / landowners have paid a premium to reside in an area that by its nature has home owners who take pride in their homes. So with that being said, we are opposed to the changes in the Land Use Bylaw 917/16.

Yours sincerely

Lynne and John Bromwich

From:
To: [General Info; Liz](#)
Subject: Building bylaw ammendment Evergreen Estates
Date: Wednesday, July 17, 2024 1:57:58 PM

To whom it may concern

I Mike Short and family currently reside in Evergreen Estates and have lived there for about 10 years.

We are strongly opposed to the building ammendment to allow modular/mobile or any other type of factory built homes into our subdivision.

We have spent good money and pay high taxes to live in our subdivision and don't want our house de-valued with these homes.

We are already disappointed with how this subdivision has bent the rules for other properties in the neighborhood. When we purchased our home in Evergreen Estates it was supposed to be a gated community with multiple building stipulations to regulate the house builds and be somewhat higher end houses. I feel this all went to the wayside because the subdivision owner could not sell the lots as he had thought. This is not our problem nor should we have to pay the price for it.

If there is a demand for lots that people want to put factory built homes on, maybe the town of rimbey should be looking into making more subdivisions not changing regulations that were promised in others.

Sent from my Galaxy

July 16, 2024

Attn: Elizabeth Armitage

Town of Rimbey

generalinfo@rimbey.com

Re: 1008/24 Amendment to Land Use Bylaw 917/16

I am writing on behalf of Electri-Spect Services Ltd. to express strong opposition to the proposal of adding manufactured homes to the Residential Estates subdivision in Rimbey. As a property owner in this community, I have concerns regarding this change and its potential impact on this subdivision.

Firstly, the building codes and standards for manufactured homes differ significantly from those of modular homes and traditionally built (stick-built) homes. Manufactured homes are typically constructed to comply with a national standard that can vary from the Canadian building codes followed for modular and stick-built homes. This discrepancy can lead to differences in construction quality, durability, and overall aesthetic that may not align with the existing houses in our subdivision.

The Residential Estates subdivision has been developed with specific architectural and community standards in mind, which has contributed to the overall appeal and property values of the area. Introducing manufactured homes, which often have different exterior appearances and materials, could disrupt the visual harmony of our community. The change may lead to a decrease in property values and alter the character of the neighbourhood going forward.

Moreover, there are concerns regarding the long-term maintenance and longevity of manufactured homes. Historically, these homes have been more susceptible to wear and tear over time, potentially leading to increased maintenance needs and costs. This could affect the overall upkeep of the subdivision and place additional burdens on homeowners.

It is important to note that the original vision of the developer has already been altered with the addition of modular homes in July 2018 (944/18), despite opposition from residents of the subdivision. Allowing manufactured homes could further deviate from the initial planning and set a precedent for future changes that may not be in the best interest of our community.

Given these concerns, I strongly believe that maintaining the current standards and restrictions for the Residential Estates subdivision is crucial. Allowing manufactured homes could result in decreased property values and undermine the integrity and appeal of this neighbourhood. I urge the town council to consider the significant concerns raised by myself and other residents and to reject this proposal, to maintain the integrity and value of Residential Estates subdivision.

Sincerely,

Nancy Adams

Electri-Spect Services Ltd.

Bonnie Rybak

From: Nicole Hunter
Sent: Wednesday, July 10, 2024 7:35 PM
To: General Info
Subject: 1008/24 Amendment to Land use Bylaw 917/16

Attn: Elizabeth Armitage and Rimbey town council

I am writing with concerns about the 1008/24 Amendment to Land use Bylaw 917/16 We are the adjacent property owners and are opposing the request to allow a “manufactured home” on the adjacent property. As per the #8 line on the Restrictive Covenant page it quotes the following..

No manufactured homes, mobile homes, ready-to-move homes, trailers, or modular homes may be placed at any time on any single lot.

My opinion would be to stick to the residential dwelling of 1614 sq feet or more

Thank you
Reid and Nicole Hunter

Rick Pankiw

From: .
Sent: July 10, 2024 6:19 PM
To: info@rimbey.com
Cc: Rick Pankiw; Wayne Clark; Lana Curle; Gayle Rondeel
Subject: RE: 1008/24 Amendment to Land Use Bylaw 917/16
Attachments: land amendment.jpeg

Good Afternoon Elizabeth (and Town Council)

I have been made aware of a request for rezoning on 35th ave. Rimbey.

I am not an adjacent lot but one away and do oppose the reduction on the zoning to allow “manufactured homes” to the 1008/24 Land Use Bylaw.

My opinion is to keep the covenant issued when the subdivision was built as *“stick-built” dwelling of 1,640 square feet minimum*

I realize there can be some nicely built “manufactured” homes but there can be some pretty crappy ones cut there as well.

I pay approximately \$15,000 in taxes every year over a third of it is on 35th ave.

Thanks

Phil Swanson

Robert Lawson
(
Rimbey, Alberta
T0C2J0

Dear Elizabeth

Re: 1008/24 Amendment to Land Use Bylaw 917/16

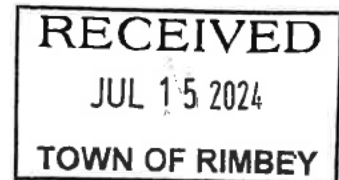
Thank you for your letter dated July 5, 2024 informing us of the proposed change to the Residential Estate Land Use Bylaw. We live at _____ in Evergreen Estates. We purchased our lot in good faith from the Developer in September, 2021 and built our home in 2022. Before purchasing our property, we researched a number of estate subdivisions in Central Alberta. We decided on Evergreen Estates as the Land Use Bylaws in place met our needs and vision; specifically, the Design Regulations which include the minimum size requirement, exterior finish restrictions and, most importantly, prohibit moved in or relocated homes. In fact, I met with you at the Town Office on January 20, 2022 to discuss the Estate Land Use Bylaws. We would have definitely not built a home in Rimbey without these Design Regulations being in place.

We were actually very pleased when we applied for a Development Permit and found how much detail you as Planning and Development Officer requested. We felt that the high level of detail insured compliance and the ongoing integrity of the subdivision. Now, two years later, the Town is contemplating the relaxation of these bylaws. The proposed change devalues the subdivision and the properties of all of the residents. I cannot stress enough the potential for negative financial impact this change will have on the equity of the existing home owners. By agreeing to this change the Town will be taking money from the pockets of the subdivision residents and putting it into the pocket of the Developer. When reasonable people are unable to sell their assets, they reduce their asking price, they do not change the rules to shift the financial burden to others so that they can gain.

Evergreen Estates should be a valued asset for the Town of Rimbey. It is a premium and desirable subdivision and in order to maintain it as such it is in the Town's best interest to deny this change request.

We plan to attend the meeting on July 22, 2024 and will be very interested in the Town's response.

Sincerely; Robert and Pamela Lawson



Gail Cornell

From:
Sent: Monday, July 15, 2024 2:05 PM
To: info@rimbey.com; Rick Pankiw; Gail Cornell
Subject: Fwd: 1008/24

----- Forwarded message -----

From: Rod Schaff
Date: Mon, Jul 15, 2024 at 2:00 PM
Subject: 1008/24
To: <generalinfo@rimbey.co>

Good afternoon Elizabeth

I have received notice of a request to change a zoning bylaw on 35th ave.

I do not agree to the relaxation of the existing covenant.

Manufactured homes is too broad a term in construction.

This can be taken as anything from a mobile home, double wide trailer, etc.

some RTM homes if build by companies such as Jade, could meet all the standards as they are built at a site with the same construction practices as used on a stick built home that has been built on site in our development. Only difference being they are moved in by truck after completion.

As it stands I do not approve of the request 1008/24 to the present bylaw of 917/16

thanks

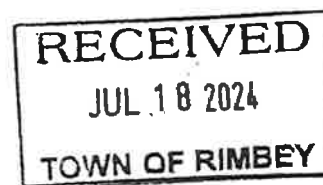
Rod Schaff

From:
To: [General Info](#)
Subject: Re:1008/24 Amendment to Land use Bylaw 917/16
Date: Monday, July 15, 2024 10:02:48 PM

Good Evening Elizabeth & Town Council. We (Trinity & Shayne Leamont have received your letter. We oppose the reduction on the zoning to allow “Manufactured Homes” to the 1008/24 use Bylaw. We all had to build stick- built houses with a certain amount of square footage. We & Everyone else here have followed the rules. There are only 2 lots left. We think that everyone else should have to follow the rules!!! Adding modular homes, trailers etc will depreciate the value of our homes.

Thanks

Shayne & Trinity Leamont



Kaylin & Logan Pankiw

Rimbey, AB, T0C 2J0

July 6, 2024

Town of Rimbey
Rimbey Municipal Office
4938 50 Ave
Rimbey, AB T0C 2J0

Dear Members of the Town Council,

We are writing to express our concerns regarding the proposal to allow manufactured homes in Evergreen Estates. As future homeowners in this neighborhood, we strongly believe that this change will negatively impact the value and appeal of the area.

When we decided to purchase our lot in Evergreen Estates, one of the primary factors in our decision was the stringent building criteria established for the community. These criteria, including specific requirements for the size, type of roof, and exterior siding of homes, were put in place to ensure a cohesive and high-quality appearance for the neighborhood. These standards have contributed to the development of a desirable and aesthetically pleasing community.

Allowing manufactured homes, which often do not meet these criteria, would undermine the integrity of these standards and potentially decrease the property values of existing homes. Land owners and future homeowners, like ourselves, have made significant investments based on the assurance that the neighborhood would maintain a certain level of quality and consistency. Introducing manufactured homes could lead to a less cohesive appearance and diminish the overall appeal of the area.

Moreover, the term "pre manufactured housing" is too vague, encompassing both mobile and modular homes. If the bylaw is amended to allow such homes, specific and stringent criteria must be established. For instance, requiring that homes be set on a permanent foundation, such as a basement, would help maintain architectural consistency and neighborhood integrity.

We urge the Town Council to reconsider this proposal and uphold the original building criteria that have been so integral to the development and success of Evergreen Estates. By doing so, you will help protect the investments of current homeowners and ensure the continued growth and prosperity of our community.

Thank you for your attention to this matter.

Sincerely,

Kaylin Pankiw *Logan Pankiw*

Logan and Kaylin Pankiw

Bonnie Rybak

From: Frank Hull ·
Sent: Saturday, July 20, 2024 5:18 PM
To: General Info
Subject: 1008/24 amendment to land use bylaw 917/16

To whom this may concern;

I totally disagree with this potential amendment.

I can't believe the town council is even considering this.

This doesn't affect me now but if I owned a high value home in the Everygreen subdivision I would be upset if a manufactured house was placed next to my home.

Those folks that own homes in this subdivision would have never built their homes in the Everygreen subdivision if the zoning could be changed and manufactured homes were to be permitted in this subdivision.

This should have been disclosed when the lots were sold initially.

I wouldn't want to be Dwayne Adams who built a million dollar home that will probably be valued at \$700K after the zoning changes.

I can assure you that no one in that subdivision will recover their input costs for their homes.

Homes will immediately devalue.

I don't think that if this zoning change is adopted that this will do anything favourable for town council credibility either.

Everyone wants to be a land developer and make a fortune but it doesn't always work that way.

I know this from experience.

I don't think it's fair to have the current home owners have their homes devalued.

Frank Hull
Ry-Tar Holdings Inc.
Rimbey Alberta.
Sent from my iPhone

Council Agenda Item 4.1

From: [Cheryl Marcyniuk](#)
To: [Liz](#); [Gail Cornell](#)
Cc: [Brittany Van Norman](#)
Subject: RE: Changes to the Land Use Bylaw 1008-24
Date: Thursday, July 18, 2024 12:21:58 PM

Good morning,

Thank you for the opportunity to review your proposed LUB changes. Here are some comments for your consideration:

Where the department is referred to as Alberta Transportation, please update to read: Alberta Transportation and Economic Corridors.

In reference to 4.2 Referral of Applications, Items (3) (a) and (b): Rimbey has no minor classified highways, multi-lane and major classified highways are the same referral proximities. The following is taken from the HDPR

(b) in the case of a multi-lane / (c) major provincial highway other than a freeway,
(i) within the right of way or within 300 metres beyond the limit of the highway, or
(ii) within 800 metres from the centre point of the intersection of the highway and another highway,

May I suggest this change:

- (1) Notwithstanding 4.2(1), the Development Authority may refer development in proximity to a Highway:
 - (a) Applications for development located within 0.83 km of the highway right of way, or within 0.8 km of the centre point of the intersection of the highway and another roadway, of a multi-lane highway or a major two-lane highway where the proposed development would have direct access from the highway or intensify traffic to impact highway intersection shall be referred to Alberta Transportation and Economic Corridors for comment prior to any decision by the Development Authority;
 - ~~(b) All applications for development located, within 150 m of the right of way of a minor two-lane highway where the proposed development would have direct access from the highway may be referred to Alberta Transportation for comment prior to any decision by the Development Authority.~~

... and signage, as we discussed at our recent meeting, and in the interest of time as I'm off tomorrow, a lot of our standards are the same as yours, however anything regarding the following can be updated:

Pursuant to Section 11 (2) of the Highways Development and Protection Regulation, a permit for a sign is not required for a business identification sign provided that the sign is located no closer to the highway than the proposed building or is no more than 30m from either side of the building. If a proposed sign does not meet these requirements the landowner shall submit a separate sign

Council Agenda Item 4.1

application. Fascia signage would apply to this regulation and Alberta Transportation and Economic Corridors has no objections to fascia signage provided there are no:

- Displays of intermittent flashing, rotating, or moving light,
- Flood-lighted in such a manner as to cause a visual distraction for the motoring public,
- Moving or rotating parts,
- Bears a legend giving a command to stop, stop ahead, look, or exercise caution, or gives a similar command, or
- Bears a legend that in any way imitates a standard or commonly used highway traffic sign

Thank you again for the opportunity to review. Should you have any questions, please don't hesitate to reach out.

Cheers,

Cheryl Marcyniuk

Transportation and Economic Corridors

Classification: Protected A



Healthy Albertans.
Healthy Communities.
Together.



August 15, 2024

Town of Rimbey
RR3, Lacombe, AB
T4L 2N3

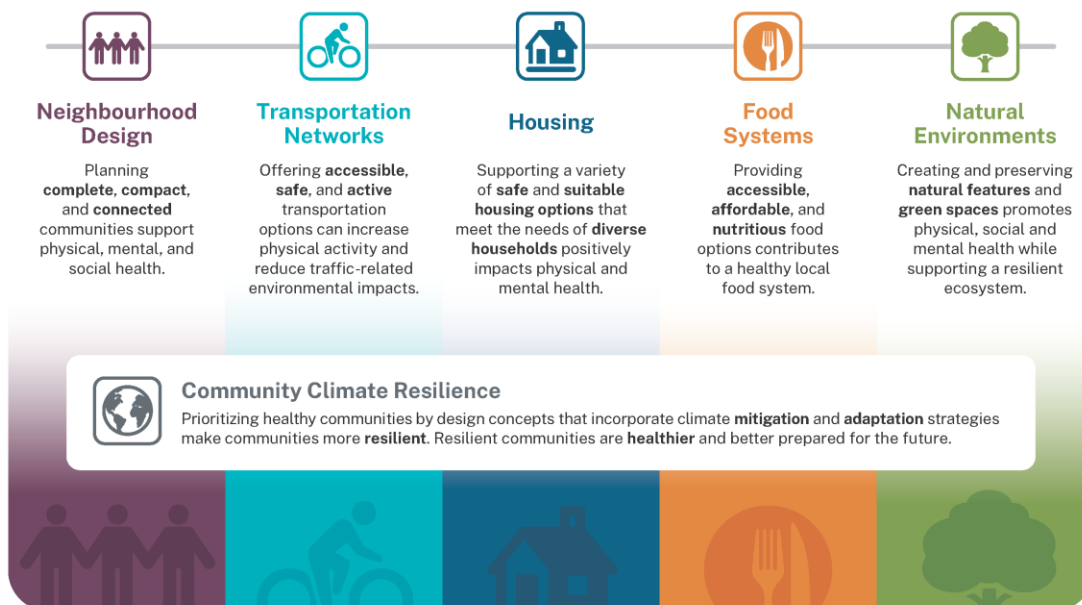
Attention: Elizabeth Armitage, Town Planner liz@rimbey.com

RE: Bylaws 1406/24 and 1407/24

Thank you for the opportunity to comment on the Land Use Bylaw 1008/24. The review by Alberta Health Services- Central Zone Environmental Public Health (AHS), was done using a public health lens that includes considerations for the design of healthy communities based on five health aspects: healthy neighbourhood design, transportation networks, natural environments, housing, and food systems. These concepts are part of the 2018 [Healthy Built Environments Linkages Tool Kit](#). The content of this letter includes a review of how these considerations are incorporated into the referral and any associated recommendations.

Healthy Communities By Design

Healthy Communities by Design is an evidence-based public health approach to municipal planning.



For more information or to contact us, please visit <https://albertahealthycommunities.healthiertogether.ca/take-action/healthy-communities-by-design/>

Environmental Public Health- Johnstone Crossing Community Health Center
300 Jordan Parkway, Red Deer, AB T4P 0G8
p: 403-406-1029
Pamela.Kutuadu@ahs.ca

Healthy Food Systems include a built environment that can support access to and availability of healthy foods for all.

Healthy Transportation Networks include safe and accessible transportation systems that incorporate a diversity of transportation modes and place priority on active transportation over the use of private vehicles.

Specific policies mentioned in the LUB that support healthy transportation include Section 12.11 Town Center (C1) commercial district, which mentions the intent of fostering mixed use development and encouraging pedestrian movement and the Highway Commercial (C2), which prioritizes activities adjacent to highways to facilitate larger vehicular traffic to those areas.

AHS-SHE supports the requirement under section 9.8.8 for Manufactured Home Parks for a “*safe, convenient, all season pedestrian walkway at least 1.0 m wide*”. As well as the requirement for residential neighbourhood equivalent street lighting.

Healthy Neighbourhood Design includes those neighbourhoods where people can easily connect with each other and with a variety of day-to-day services.

AHS-SHE recommends reduction of the industrial- residential interface. According to the map provided, the residential-industrial interface is limited, however there are sections of town where the INDUSTRIAL and PUBLIC SERVICE land use districts abut existing residential areas. Section 8.4 makes specific mention of requirements for Residential and Industrial Adjacent developments through the use of measures such as screening and noise control.

The proposed permitted uses under PUBLIC SERVICE (section 12.14) the district allows for the incompatible uses of a landfill along with sensitive uses such as residential care facilities, schools or a hospital within the same district. While the definition of “INDUSTRIAL” in the LUB states that “*uses will not cause objectionable or noxious conditions (noise, odour, dust, vibration) beyond the lot boundary*”, AHS-SHE recommends that uses that have the potential to create offsite impacts like landfills be moved to discretionary uses instead of permitted.

Healthy Natural Environments includes those where natural environments are protected, and natural elements are incorporated and are experienced by and accessible to all. Diverse ecosystems are more resilient and able to recover from a variety of natural and human induced stressors (i.e., climate change, forest fire, urbanization).

The proposed LUB contains restrictions for development on lands with slopes >15% grade and within 20m of the bank of waterbodies and discretionary requirements for professional assessments. Under section 4.1.2 engineer assessments may be required for flood hazard areas. AHS-SHE supports the inclusion of policies that ensure site suitability.

Healthy Housing includes affordable, accessible, and good quality housing for all that is free of hazards and enables people to engage in activities of daily living while optimizing their health. The map includes a variety of residential densities within the town.

The proposed LUB contains inclusive policies with secondary suites as permitted use for all residential land use districts. This can aid with “aging in place” as well as providing economic co-benefits to homeowners and more affordable rental options.

Cannabis Production and Retail Sales

AHS-SHE supports the inclusion of policies that prevent the normalization and enhanced accessibility of cannabis for youth and children. Section 9.2 and 9.3 restrict production and sales activities to beyond 100m of residential districts, other cannabis retail outlets, schools, health care facilities and emergency shelters.

The LUB definitions include “cannabis lounge”, however there was no mention of it being a permitted or discretionary use under any of the use districts. Should the town receive applications for such a development, AHS would appreciate the opportunity to review.

Drinking Wells and Wastewater Systems

At the subdivision and/or development stage AHS-SHE recommends mapping of the location of the drinking water wells and existing sewage systems within and adjacent to the plan area to protect drinking water sources and prevent negative health impacts on residents. Separation distances between drinking water wells and sewage systems are detailed under Section 15 of the [Nuisance and General Sanitation Regulation \(AR 243/2003\)](#).

AHS has no objection to the proposed LUB and makes the recommendation that landfills be moved to from a permitted use to a discretionary use under the PULBIC SERVICE district.

Should you have any questions or concerns regarding this letter, please contact the undersigned.

Sincerely,



Pamela Kutuadu CPHI(C)
Public Health Inspector/Executive Officer
Pamela.Kutuadu@ahs.ca

Council Agenda Item 4.1

Thank you for forwarding us this document. I reviewed the document and there were no concerns or comments from our end. I have cc'd Hebron Bhatti who is the engineering contact for the region.

Feel free to reach out if you have any questions.

Thank you

Shanaka Samarasena

Engineering Co-op Student, South District Engineering

Natural Gas

P. 825 989 2022

A. 7590 Edgar Industrial Dr, Red Deer AB Canada T4P 3R2

[ATCO.com](#) [LinkedIn](#) [Facebook](#) [Instagram](#) [X](#)

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Town Council
REQUEST FOR DECISION



Meeting: August 26, 2024
Submitted By: Craig Douglas, Chief Administrative Officer
Subject: Change to Speed Zones in Rimbey
Item For: Public Information -or- Closed Session

BACKGROUND:

At the Regular Council Meeting held on June 13, 2022, Councillor Rondeel had requested to change the speed limit within the Town of Rimbey to 40 km/h from 50 km/h. Council discussed the request and made the following motion:

Motion 137/2022

Moved by Councillor Rondeel for Administration to put in a formal request to the Minister of Transportation to change the speed limit within the Town of Rimbey to 40 km/hr from 50 km/h and to move the 70 km/hr to the north side of the intersection of Hwy 20 and 20A adjacent to the Coop Cardlock.

Mayor Pankiw	In Favor
Councillor Clark	In Favor
Councillor Coston	In Favor
Councillor Curle	In Favor
Councillor Rondeel	In Favor

CARRIED

On February 23, 2024, Administration received a letter from Honourable Jason Nixon to inform the town that the proposed changes by Alberta Transportation and Economic Corridors to speed limits on Highway 53 and Highway 20A are set to proceed.

DISCUSSION:

Does Council wish to proceed with the change or do they wish to notify the public for feedback before proceeding?

RECOMMENDATION:

Administration recommends Council determine how they wish to proceed.

ATTACHMENTS:

[Letter from Honourable Jason Nixon](#)

PREPARED BY: Craig Douglas, Chief Administrative Officer

August 22, 2024
Date

ENDORSED BY:

A handwritten signature in blue ink, appearing to read "Craig Douglas", enclosed within a large, stylized blue oval or loop.

Craig Douglas, Chief Administrative Officer

August 22, 2024
Date



LEGISLATIVE ASSEMBLY
ALBERTA

The Honourable Jason Nixon, ECA
MLA Rimbey-Rocky Mountain House-Sundre
Minister Seniors, Community & Social Services

January 12, 2024

Mayor Rick Pankiw
Town of Rimbey
Box 350
Rimbey, AB
T0M 2J0

Your Worship:

I write to inform you that the proposed changes by Alberta Transportation and Economic Corridors to speed limits on Highway 53 and Highway 20A within the Town of Rimbey are set to proceed. I know this has been a top priority for yourself and council and am pleased to see the changes go ahead.

More information will follow from Alberta Transportation in the coming weeks on the implementation of the speed limit adjustments and signage.

Sincerely,

Honourable Jason Nixon, ECA
MLA for Rimbey-Rocky Mountain House-Sundre

RECEIVED
FEB 23 2024
TOWN OF RIMBEY

RECEIVED
FEB 23 2024
TOWN OF RIMBEY

Town Council
REQUEST FOR DECISION



Meeting: August 26, 2024
Submitted By: Craig Douglas, Chief Administrative Officer
Subject: Rimbey Hockey Print Donation
Item For: Public Information -or- Closed Session

BACKGROUND:

Mayor Pankiw is proposing that the Town of Rimbey donate Rimbey Hockey Prints to the winning teams and coaches for the curling championship with an approximate cost of \$1650. This cost includes matting and framing of the prints.

RECOMMENDATION:

Administration recommends that Council determine if they wish to donate framed hockey prints to the winning teams and coaches for the curling championships being held in Rimbey.

PREPARED BY: Craig Douglas, Chief Administrative Officer

August 22, 2024
Date

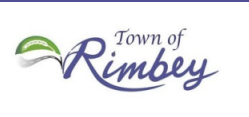
ENDORSED BY:

A handwritten signature in blue ink that reads "Craig Douglas".

Craig Douglas, Chief Administrative Officer

August 22, 2024
Date

Town Council
REQUEST FOR DECISION



Meeting: August 26, 2024
Submitted By: Craig Douglas, Chief Administrative Officer
Subject: Keyera Corp. Naming Rights
Item For: Public Information -or- Closed Session

BACKGROUND:

In 2013, Keyera Corp signed a five-year agreement with the Town of Rimbey for the naming rights to the Peter Loughheed Community Centre. In 2018, a five-year extension to the agreement was signed.

Administration had a meeting with Keyera Corp and they are not interested in pursuing the naming rights in the current form. They may consider it with a name change to the building or something more recognizable for their "brand". Keyera has historically provided \$25,000 a year to the Town.

RECOMMENDATION:

Administration recommends that Council determine if they are open to a name change to the Peter Loughheed Community Centre to ensure that Keyera continues with the naming rights agreement.

PREPARED BY: Craig Douglas, Chief Administrative Officer

August 22, 2024
Date

ENDORSED BY:

A handwritten signature in blue ink, appearing to read "Craig Douglas".

Craig Douglas, Chief Administrative Officer

August 22, 2024
Date

Town Council
REQUEST FOR DECISION



Meeting: August 26, 2024
Submitted By: Craig Douglas, Chief Administrative Officer
Subject: Department Reports
Item For: Public Information -or- Closed Session

BACKGROUND:

Department managers supply a report to Council, bi-monthly advising Council of the work progress for the time period.

RECOMMENDATION:

Motion by Council to accept the department reports, as information.

PREPARED BY: Craig Douglas, Chief Administrative Officer

August 22, 2024
Date

ENDORSED BY:

A handwritten signature in blue ink that reads "Craig Douglas".

Craig Douglas, Chief Administrative Officer

August 22, 2024
Date

August 26, 2024
CAO Report



HIGHLIGHTS

MEETINGS

- Alberta Emergency Management Meeting with Central AB Raceways - July 29
- Keyera Sponsorship Meeting - August 12
- Rocky Chamber of Commerce meeting - August 12
- ESS Meeting with FCSS - August 13
- Drader Paving Project Walkthrough - August 13
- Lacombe Regional Tourism Meeting - August 14
- Attended Boys and Girls Event

ADMINISTRATIVE

- By-Election Preparation - training sessions
- Reviewed reports regarding a resident concern pertaining to a sewer backup
- Reviewed local H2S Safety Plans - various gas plants

PREPARED BY: Craig Douglas, Chief Administrative Officer

August 26, 2024

Director of Finance Report



ATTACHMENTS

[Payables Listing July 17 - August 21, 2024](#)

PREPARED BY: Wanda Stoddart, Director of Finance

Council Board Report 8.1.3



Supplier : 1020405 to ZINCK
 Fund : 1 GENERAL FUND
 Include all Payment Types : Yes

Date Range: 17-Jul-2024 to 21-Aug-2024
 Sequence by: Cheque/EFT#
 Fund No. Masked: Yes

Supplier Name	Chq./EFT#	Chq./EFT Date	Purpose	Amount Allocated to Fund
Anderson's Service	50478	23-Jul-2024	Anderson Service - supplies	73.50
BEATTY HERITAGE HOUSE	50480	23-Jul-2024	Beatty Heritage House - Community Events Gran	238.10
Centratech Technical Services	50481	23-Jul-2024	Centratech - inspection - CC	8,966.65
Foster,Ronald& Walker, Connie ET	50482	23-Jul-2024	Refund on account 001-17230-003.	215.86
LINDE CANADA INC.	50484	23-Jul-2024	Linde Canada Inc - cylinder rent	41.11
Luchak,Angela& Luchak, Steven	50485	23-Jul-2024	Refund on account 003-19560-003.	322.23
Municipal Property Consultants (2009) Ltd.	50486	23-Jul-2024	Municipal Property Consultants - August 2024 fee	3,640.88
Murray,Clint& Murray, Rachel	50487	23-Jul-2024	Clint & Rachel Murray - Dev. Deposit refund - DP	3,000.00
New Can Truck Parts	50488	23-Jul-2024	New Can Truck Parts - PW - brake inspection Un	767.56
ORNAMENTAL BRONZE LIMITED	50489	23-Jul-2024	Ornamental Bronze Limited - columbarium plaque	534.45
Pitney Bowes	50490	23-Jul-2024	Pitney Bowes - June -Aug. 2024 - leasing charge	182.04
Reis,Sheila& Reis, Kevin	50491	23-Jul-2024	Kevin & Sheila Reis - dev. deposit refund - DP 32	3,000.00
Rimbey Implements Ltd.	50492	23-Jul-2024	Rimbey Implements - unit #56 - parts	536.68
RJ Plumbing and Heating	50493	23-Jul-2024	RJ Plumbing - repairs - pool boiler	96.60
Seidel,Rebekah	50494	23-Jul-2024	Rebekah Seidel - expenses - RhPAP/ARC	874.05
Silver Star Septic Service	50495	23-Jul-2024	Silver Star Septic Service - outhouse rental for pa	315.00
Staples Professional	50496	23-Jul-2024	Staples Professional - office supplies	313.03
Superior Safety Codes Inc.	50497	23-Jul-2024	Superior Safety Codes - May 2024 - closed permi	846.41
Tagish Engineering Ltd.	50498	23-Jul-2024	Tagish - RB150 - 2024 street & util improvements	1,318.28
THIBEAULT,BRADLEY	50499	23-Jul-2024	B.Thibeault - expenses	127.20
TRAVIS GOETZ WELDING & MAINTENANCE	50500	23-Jul-2024	Travis Goetz Welding & Maintenance - CC - repa	210.00
True Way Tire Ltd.	50501	23-Jul-2024	True Way Tire - unit #8, repairs	147.00
TWERDOCHLIB,CAYLA	50502	23-Jul-2024	C.Twerdochlib - cardlock refund	25.00
Uni First Canada Ltd.	50503	23-Jul-2024	UniFirst - coveralls/supplies	82.26
Wolseley Industrial Canada INC	50504	23-Jul-2024	Wolseley - pool - bleach	3,883.18
Animal Control Services	50505	23-Jul-2024	Animal Control - June 2024 fees	2,520.00
Automated Aquatics Canada Ltd.	50506	23-Jul-2024	Automated Aquatics - pool - supplies	3,224.36
Brownlee LLP	50507	23-Jul-2024	Brownlee LLP - professional services	3,565.01
John Deere Financial Inc.	50508	23-Jul-2024	John Deere Financial - parts (Brandt)	605.09
Ponoka County	50509	23-Jul-2024	Ponoka County - tippage fees - April - June 2024	2,698.80
Rimbey Implements Ltd.	50510	23-Jul-2024	Rimbey Implements - unit #49 - parts	38.49
Uni First Canada Ltd.	50511	23-Jul-2024	UniFirst - coveralls/supplies	87.30
ATS Traffic Alberta	50512	30-Jul-2024	ATS Traffic - parts	57.46
Buist Motor Products Ltd.	50513	30-Jul-2024	Buist - unit #58 - oil change	117.24
Doornbos,Curtis	50514	30-Jul-2024	Refund on PT Account 000 - 23600	4,017.43
HOLEKSA,ROSANNE	50515	30-Jul-2024	Rosanne Holeksa - refund - swimming lessons	30.00
Industrial Machine Inc.	50516	30-Jul-2024	Industrial Machine Inc - parts	299.97
LOR-AL SPRINGS LTD.	50517	30-Jul-2024	Lor-Al Springs - water	19.35
M & M Refrigeration	50518	30-Jul-2024	M & M Refrigeration - CC - repaired evaporator	147.00
NORTH WEST CRANE ENTERPRISES LTD.	50519	30-Jul-2024	North West Crane - unit #57 - repairs	876.62
Reynolds Mirth Richards & Farmer LLP	50520	30-Jul-2024	Reynolds Mirth Richards & Farmer - general matt	606.38
Rimbey & District Oldtimers' Association	50521	30-Jul-2024	Rimbey & District Old Timers Assoc. - 2024 Budg	238.10
RYBAK,BONNIE	50522	30-Jul-2024	B.Rybak - office supplies	36.70
Uni First Canada Ltd.	50523	30-Jul-2024	UniFirst - coveralls/supplies	82.26
Wolseley Industrial Canada INC	50524	30-Jul-2024	Wolseley - CR to inv # 961438 - pool	1,801.55
Grumpy Pies Catering Company	50525	30-Jul-2024	Grumpy Pies Catering Company - bbq-parade	866.25
AGAT Laboratories	50526	15-Aug-2024	AGAT Lab - south lagoon	835.80
AMSC Insurance Services Ltd.	50527	15-Aug-2024	AMSC Insurance - Mayor/Council - August 2024	34.77
AN Adventure Distribution & Consulting	50528	15-Aug-2024	An Adventure - supplies	251.21
Animal Control Services	50529	15-Aug-2024	Animal Control	3,570.00
Black Press Group Ltd.	50530	15-Aug-2024	Black Press Media - July 2024 ads	970.77
Bubble Up Marketing	50531	15-Aug-2024	Bubbleup Marketing - website support	168.00
Canadian Pacific Railway Company	50532	15-Aug-2024	CP Railway - Hoadley crossing	365.50
CENTRAL LABS	50533	15-Aug-2024	Central Labs - north and south lagoon	1,057.90
Cipperley,Brenda	50534	15-Aug-2024	Brenda Cipperley - demo policy - DP 10/24	4,000.00
Empringham Disposal Corp.	50535	15-Aug-2024	Empringham - July 2024 - monthly fees	14,621.25
Environmental 360 Solutions (Alberta) Ltd	50536	15-Aug-2024	E360 - July 2024 - RCMP - bin rent	1,036.35
Evergreen Co-operative Association	50538	15-Aug-2024	Co-op - cakes - Canada Day	4,827.70



Supplier : 1020405 to ZINCK
 Fund : 1 GENERAL FUND
 Include all Payment Types : Yes

Date Range: 17-Jul-2024 to 21-Aug-2024
 Sequence by: Cheque/EFT#
 Fund No. Masked: Yes

Supplier Name	Chq./EFT#	Chq./EFT Date	Purpose	Amount Allocated to Fund
Expert Security Solutions	50539	15-Aug-2024	Expert Security Solutions - BYAS - annual securit	1,174.32
Imperial Esso Service (1971)	50540	15-Aug-2024	Esso - water - pool	20.00
JOHNSON,DAVID J	50541	15-Aug-2024	Refund on PT Account 000 - 12110	1,207.01
Lifesaving Society	50542	15-Aug-2024	Lifesaving Society - supplies	283.50
LINDE CANADA INC.	50543	15-Aug-2024	Linde Canada Inc - cylinder rent	410.66
Longhurst Consulting	50544	15-Aug-2024	Longhurst Consulting - PW - phone	681.05
M & M Refrigeration	50545	15-Aug-2024	M & M Refrigeration - reapiers AC - JD 1585	105.00
MLA Benefits Inc.	50546	15-Aug-2024	MLA Benefits - Aug. 2024 - Mayor/Council - HSA	1,403.86
NAPA Auto Parts - Rimbey	50547	15-Aug-2024	Napa - unit #1 - parts	17.31
Nikirk Bros. Contracting Ltd.	50548	15-Aug-2024	Nikirk - concrete	1,139.77
Outlaw Electric Ltd.	50549	15-Aug-2024	Outlaw Electric - north lagoon repairs	154.35
Parkland Community Planning Services	50550	15-Aug-2024	Parkland Community Planning Services - SDAB -	504.00
RIMBEY & AREA LOVE MY GARDEN TOUR	50551	15-Aug-2024	Rimbey & Area Love My Garden Tour - 2024 Bud	238.10
Rimbey Builders Supply Centre Ltd.	50552	15-Aug-2024	Rimbey Builders - supplies (Town Office/Library)	15.73
Rimbey Express	50553	15-Aug-2024	Rimbey Express	212.51
Rimbey Home Hardware	50554	15-Aug-2024	Home Hardware - paint	698.62
Rimbey Implements Ltd.	50555	15-Aug-2024	Rimbey Implements - blades - unit #16	762.19
Rimbey Janitorial Supplies	50556	15-Aug-2024	Rimbey Janitorial - CC - supplies	407.40
RJ Plumbing and Heating	50557	15-Aug-2024	RJ Plumbing - CC - new hot water tank	1,183.11
Silver Star Septic Service	50558	15-Aug-2024	Silver Star Septic - clean outhouse - land fill site	63.00
Staples Professional	50559	15-Aug-2024	Staples Professional - office supplies	364.64
Stationery Stories & Sounds (2005)	50560	15-Aug-2024	Stationery Stories Sounds - office supplies	29.40
Superior Safety Codes Inc.	50561	15-Aug-2024	Superior Safety Codes - June 2024 - closed perr	147.00
Town of Ponoka	50562	15-Aug-2024	Town of Ponoka - July 2024 compost	240.00
Town Of Rimbey	50563	15-Aug-2024	Town of Rimbey - utilities	3,549.08
True Way Tire Ltd.	50564	15-Aug-2024	True Way Tire - repairs	2,152.42
Uni First Canada Ltd.	50565	15-Aug-2024	UniFirst - coveralls/supplies	169.56
Vicinia Planning & Engagement Inc.	50566	15-Aug-2024	Vicinia - June 2024 - monthly fees	6,931.27
Wolseley Industrial Canada INC	50567	15-Aug-2024	Wolseley - CR to inv # 963119 - pool	6,696.61
Hayduk,Kiel	50568	21-Aug-2024	Refund on PT Account 000 - 21130	200.00
Hayduk,Kiel& Shipton, Dawn	50569	21-Aug-2024	Refund on account 001-21130-002.	194.50
Hi-Way 9 Express Ltd.	50570	21-Aug-2024	Hi-Way 9 - freight - WR Meadows - PW	159.73
HOLTKAMP,HAILEY	50571	21-Aug-2024	Hailey Holtkamp - facility deposit refund	675.00
Longhurst Consulting	50572	21-Aug-2024	Longhurst Consulting - August 2024 - monthly fee	4,193.77
Municipal Property Consultants (2009) Ltd.	50573	21-Aug-2024	Municipal Property Consultants - Sept. 2024 fees	3,640.88
Nikirk Bros. Contracting Ltd.	50574	21-Aug-2024	Nikirk - concrete	297.37
Petty Cash	50575	21-Aug-2024	Town of Rimbey - petty cash	160.45
Rimbey Implements Ltd.	50576	21-Aug-2024	Rimbey Implements - parts	11.22
RIMBEY PROM	50577	21-Aug-2024	Rimbey Prom - 2024 Budget - Community Events	238.10
Rimoka Housing Foundation	50578	21-Aug-2024	Rimoka Housing Foundation - 2024 Requisition	30,600.00
SKJONSBURG,JESSICA	50579	21-Aug-2024	Jessica Skjonsberg - BYAS janitorial - July 2024	700.00
Uni First Canada Ltd.	50580	21-Aug-2024	UniFirst - coveralls/supplies	87.30
W.R. Meadows	50581	21-Aug-2024	WR Meadows - traffic paint - PW	1,618.54
LAPP	00190-0001	23-Jul-2024	LAPP - Town - (June 30-July 13/24) PP #15 2024	8,834.89
Meridian OneCap Credit Corp	00190-0002	23-Jul-2024	Meridian OneCap - copier lease (Aug.-Oct. 2024)	1,801.80
MYHSA	00190-0003	23-Jul-2024	myHSA - July 17/24	1,397.47
Servus Credit Union - Mastercard	00190-0004	23-Jul-2024	Servus M/C - combined statement - June 30/24	2,713.43
Telus Mobility Inc.	00190-0005	23-Jul-2024	Telus Mobility - July 06/24	376.91
Telus Communications Inc.	00190-0006	23-Jul-2024	Telus - Beatty - July 10/24	2,134.13
Workers' Compensation Board - Alberta	00190-0007	23-Jul-2024	WCB - issue date: July06/24	3,511.36
Waste Management	00191-0001	23-Jul-2024	Waste Management - June 2024	4,011.87
BENEFITS BY DESIGN (BBD)	00192-0001	23-Jul-2024	BBD - August 2024 inv	11,702.18
Canada Revenue Agency	00192-0002	23-Jul-2024	CRA - deductions (June 30-July 13/24) biweekly	20,811.72
Canada Revenue Agency	00193-0001	30-Jul-2024	CRA - deductions (July 14-27/24) biweekly payrol	21,409.41
INNOV8 DIGITAL SOLUTIONS INC.	00193-0002	30-Jul-2024	Innov8 - June-July - copeis	422.10
LAPP	00193-0003	30-Jul-2024	LAPP - FCSS (July 15-28/24) PP #16 2024	8,291.98
MYHSA	00193-0004	30-Jul-2024	myHSA - July 24/24	284.01
ALBERTA MUNICIPAL SERVICE CORPORATION	00194-0001	16-Aug-2024	Alberta Municipal Services Corp - gas/power - Jul	43,872.83

Council Board Report 8.1.3
 Council Agenda Report

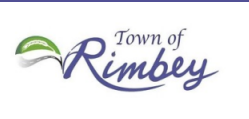


Supplier : 1020405 to ZINCK
Fund : 1 GENERAL FUND
Include all Payment Types : Yes

Date Range: 17-Jul-2024 to 21-Aug-2024
Sequence by: Cheque/EFT#
Fund No. Masked: Yes

Supplier Name	Chq./EFT#	Chq./EFT Date	Purpose	Amount Allocated to Fund
Canada Revenue Agency	00194-0002	16-Aug-2024	CRA - deductions (July 28-Aug10/24) biweekly pa	18,774.03
LAPP	00194-0003	16-Aug-2024	LAPP - Town (July 28-Aug 10/24) PP #17 2024	8,119.86
Servus Credit Union Ltd.	00194-0004	16-Aug-2024	Servus -Debenture #46 - Pool	63,865.35
Servus Credit Union - Mastercard	00194-0005	16-Aug-2024	Servus M/C - combined statement - July 31/24	13,229.87
Telus Mobility Inc.	00194-0006	16-Aug-2024	Telus Mobility - Aug 06/24	397.70
Telus Communications Inc.	00194-0007	16-Aug-2024	Telus - Beatty - Aug 10/24	2,130.45
Waste Management	00194-0008	16-Aug-2024	Waste Management - July 2024	5,450.12
Workers' Compensation Board - Alberta	00194-0009	16-Aug-2024	WCB - issue date: Aug.06/24	3,511.36
BENEFITS BY DESIGN (BBD)	00195-0001	21-Aug-2024	BBD - Sept. 2024 inv	11,702.18
MYHSA	00195-0002	21-Aug-2024	myHSA - Aug.21/24	487.82
Total:				416,414.84

Town Council
REQUEST FOR DECISION



Meeting: August 26, 2024
Submitted By: Craig Douglas, Chief Administrative Officer
Subject: Boards/Committee Reports
Item For: Public Information -or- Closed Session

BACKGROUND:

Various Community Groups supply Minutes of their board meetings to council for their information.

RECOMMENDATION:

Motion by Council to accept the board / committee reports, as information.

ATTACHMENTS:

- [Tagish Engineering Project Status Updates August 1, 2024](#)
- [Tagish Engineering Project Status Updates August 15, 2024](#)

PREPARED BY: Craig Douglas, Chief Administrative Officer

August 22, 2024
Date

ENDORSED BY:

A handwritten signature in blue ink that reads "Craig Douglas".

Craig Douglas, Chief Administrative Officer

August 22, 2024
Date

Date	Project Manager	Status Update
Town of Rimbey		
RBYM0000.24 RB00 - 2024 General Engineering		
June 20, 2024	Smith, Greg	We have been assisting with development questions on a as required basis.
July 4, 2024	Smith, Greg	We have been assisting with development questions on a as required basis.
July 18, 2024	Smith, Greg	No change
July 31, 2024	Smith, Greg	Duncan has identified the well 10 fix, as well as asphalt patching that can be completed alongside the Drader Cres contract.
RBYM00149.00 RB149 - 2024 Rimbey Mapbook		
July 4, 2024	Smith, Greg	No change
July 18, 2024	Smith, Greg	No change
July 31, 2024	Smith, Greg	No change
RBYM00150.00 RB150 - 2024 Street & Utility Impro		
June 20, 2024	Smith, Greg	Contracts have been sent to Border Paving for their endorsement. We will then send them to the Town for signing.
July 4, 2024	Smith, Greg	Contracts have been completed we will schedule a pre-construction meeting closer to construction startup.
July 18, 2024	Smith, Greg	They are hoping to start working in mid August. We will schedule a pre-con meeting in early August.
July 31, 2024	Smith, Greg	Border has advised they are planning to start the third week of August. We will setup a meeting for the second week of August.

Date	Project Manager	Status Update
Town of Rimbey		
RBYM0000.24 RB00 - 2024 General Engineering		
July 4, 2024	Smith, Greg	We have been assisting with development questions on a as required basis.
July 18, 2024	Smith, Greg	No change
July 31, 2024	Smith, Greg	Duncan has identified the well 10 fix, as well as asphalt patching that can be completed alongside the Drader Cres contract.
August 15, 2024	Smith, Greg	We discussed the well 10r and patches with contractors at our pre-con meeting. They will take the work on. We will assist the Town with project management on these.
RBYM00149.00 RB149 - 2024 Rimbey Mapbook		
July 4, 2024	Smith, Greg	No change
July 18, 2024	Smith, Greg	No change
July 31, 2024	Smith, Greg	No change
August 15, 2024	Smith, Greg	No change
RBYM00150.00 RB150 - 2024 Street & Utility Impro		
July 4, 2024	Smith, Greg	Contracts have been completed we will schedule a pre-construction meeting closer to construction startup.
July 18, 2024	Smith, Greg	They are hoping to start working in mid August. We will schedule a pre-con meeting in early August.
July 31, 2024	Smith, Greg	Border has advised they are planning to start the third week of August. We will setup a meeting for the second week of August.
August 15, 2024	Smith, Greg	Pre-con meeting was held on Tuesday. Grayson is hoping to start underground work late next week.