



Town of Rimbey

Land Use By-Law

762/04

(With amendments up to and including Bylaw 835/09, January 2009)

Part 17 of the Municipal Government Act, Chapter M-26, R.S.A. 2000 and amendments thereto permit the Council of a municipality to enact a Land Use Bylaw to regulate and control the use and development of land and buildings within the municipality.

Town of Rimbey
Bylaw 762/04

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Town of Rimbey

A bylaw to regulate the development and use of land and buildings

(With amendments up to and including Bylaw 835/09, January 2009)

Pursuant to Part 17 of the Municipal Government Act, the Council of the Town of Rimbey, duly assembled, hereby enacts as follows:

1. TITLE

This bylaw may be cited as the Land Use Bylaw.

2. PURPOSE

The purpose of this bylaw is to regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and for that purpose, among other things,

to divide the municipality into districts;

to prescribe and regulate for each district the purposes for which land and buildings may be used;

to establish the office of Development Authority;

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

to prescribe a procedure to notify owners of land likely to be affected by the issue of a development permit; and

to establish a procedure for appeals against the decisions of the Development Authority.

3. DEFINITIONS

In this bylaw:

Abattior means a slaughterhouse, a building where animals are butchered, including a kill floor.

Abut or abutting means immediately contiguous to or physically touching, and when used in respect of a lot, means that the two abutting lots share a property line.

Accessory building means a building separate and subordinate to the main building, the use of which is incidental to that main building and is located on the same lot. A garage attached to a main building is deemed to be part of the main building.

Accessory use means a use customarily incidental and subordinate to the main use or building and located on the same lot with such main use or building.

Act means the Municipal Government Act and the regulations pursuant thereto.

Agriculture means all forms of farming except for intensive livestock facilities.

Apartment building means a building containing at least three separate dwellings which share a common entrance from outside the building.

Applicant means an owner, agent or any person, firm, or company required to obtain or having obtained a development permit.

Area Structure Plan means a plan adopted by Council as an Area Structure Plan pursuant to the Act.

Bed and breakfast establishment means a business operated in a private house in which up to three rooms are made available for rent to short-term paying guests.

Billboard means a freestanding sign attached permanently and securely to the ground, engineered and maintained to the satisfaction of the Development Authority.

Building permit means a permit authorizing construction issued under the Safety Codes Act.

Council means the Council of the Town of Rimbey.

Day care facility means a building and program for the provision of care, maintenance, and supervision for four or more children under the age of 15 years, by a person not related to the children by blood or marriage, for periods of less than 24 consecutive hours.

Demolition means the pulling down or destruction or removal of a structure.

Detached house means a building which contains one dwelling unit and which may also contain one suite.

Development permit means a document authorizing development issued under this bylaw.

Discretionary use means the use of land or a building provided for in this bylaw for which a development permit *may* be issued upon an application having been made.

Duplex means a building containing two dwelling units, sharing a common wall, with separate outside entrances for each dwelling unit.

Dwelling unit means a self-contained living premises with cooking, eating, living, sleeping, and sanitary facilities for domestic use of one or more individuals.

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

Fence includes wall.

Fire pit means an outdoor pit in which a small fire is lit for enjoyment, warmth, or cooking.

Floor area of a building means the aggregate area of all finished floors on all levels.

Foundation means grade beam, slab, pony-wall or basement [Bylaw 835/09].

Front means, in the case of a corner lot, the shorter side.

Front yard means that portion of the site extending across the full width of the lot from the front property boundary of the lot to the nearest portion of the exterior wall of the building, and shall be measured at right angles to the front property boundary. Where a lot fronts on two or more streets, the Development Authority may designate one or more streets as the front of the lot.

Grade of a lot means the average elevation of the lot corners.

Granny suite means a self-contained suite within a detached residence, intended for use by a dependent or servant of the owner or occupier of the detached residence, and not rented or leased.

Group care facility means a facility which provides residential services to seven or more individuals of whom one or more are unrelated and who require supervision because of their age, disability, or need for rehabilitation, and where qualified staff are present at all times.

Group home means group care facility which provides accommodation for less than 7 people, but does not include a foster home or a private day care or babysitting service where the occupant cares for no more than three children in addition to her own family.

Height (of a building) means the vertical distance from grade level to the highest point on the roof of the building, but excluding chimneys and aerials.

Home business means a business, trade, craft occupation, storage activity, or other commercial operation in a residential building on a scale greater than a home office.

Home office means an office in a dwelling which

is not visited by a significant number of clients,

does not change the external appearance or residential character of the dwelling, and

is carried on only by the residents of that dwelling,

and includes child care for up to three children who do not live at that place.

Lot means an individual lot or parcel (including a condominium lot) for which a title has been issued under the Land Titles Act, or, where two or more lots are "tied" for assessment purposes, or are included in a single title, the area encompassed by the two or more lots.

Main building means a building in which is conducted the main or principal use of the lot on which it is erected.

Manufactured home, house or housing means a new residential building containing one dwelling unit, built in a factory and transported in one or more sections to a suitable site, and does not include "mobile home" or "modular home". Manufactured homes have replaced mobile homes, which are no longer built in Alberta.

Meat Processing Plant means the processing and distributing of animal carcasses to retailers, **not** including kill floor.

Modular home, house, or housing means a new residential 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 include "manufactured home" or "mobile home".

Mobile home means a detached dwelling unit built in a factory in one or two sections and designed to be readily relocatable, and does not mean "manufactured home" or "modular home". Mobile homes, at one time commonly referred to as trailers, are no longer built in Alberta.

Municipal Development Plan means a plan adopted under section 632 of the Act.

Municipality means the Town of Rimbey.

Owner means, in addition to the meanings set out in the Act, a purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the Certificate of Title

of the land, and any assignee of the purchaser's interest that is the subject of a caveat registered against the Certificate of Title.

Parking stall means a hard-surfaced area at least 6 metres in length and 3 metres in width, reserved for the parking of motor vehicles.

Permitted use means the use of land or a building provided for in this bylaw, and for which, if it complies in every way with this bylaw, a development permit *shall* be issued with or without conditions as provided for in this bylaw.

Ready-to-Move Home [Bylaw 802/06] means a new stick built residential building, containing one dwelling unit, which is not factory built, but constructed on a site, and transported to another site to be permanently installed on a foundation. Ready-to-move home does not include modular, manufactured or mobile homes.

Rear yard means that portion of the site extending across the full width of the lot from the rear property boundary of the lot to the nearest portion of the exterior wall of the building, and shall be measured at right angles to the rear property line.

Rental suite means a self-contained suite within a detached house which may be rented to a person who is not related to or a servant of the occupant of the house.

Residence means any building or structure used exclusively or primarily for human habitation and includes multiple dwellings, apartments, lodging, and boarding houses, and (unless more closely defined for the purposes of one section of the bylaw) includes manufactured and modular homes.

Road means the entire width of the right-of-way of a road or lane shown on a township plan, road plan, or plan of subdivision, and not only the built travelling surface.

Row housing means a residential building containing at least 3 dwellings, each with direct outside access at grade.

Service station means a business selling motor fuels to the public, and includes freestanding service stations, gas bars, and the fuel sales component of any automobile supply or repair business, but does not include key lock or bulk fuel sales.

Setback means the distance between the closest part of the footings of a building and the front, side, or rear property line of the lot, measured at right angles to that property line.

Side yard means that portion of the site extending from the front yard to the rear yard and lying between the side property boundary of the lot and the nearest portion of the exterior wall of the footings of the building, and shall be measured at right angles to the side property boundary.

Sign means an object or device primarily intended to advertise or call attention to any person, matter, thing, or event.

Suite means an area within a residence which provides a self contained living area with its own cooking and washing facilities.

Use means a use of land or a building as determined by the Development Authority, or on appeal by the Subdivision and Development Appeal Board.

Utility building means a building in which the proprietor of a utility company maintains his office(s) and/or maintains or houses any equipment used in connection with the utility.

Yard means the open space between the outside wall of the main building on a lot and the boundaries of that lot.

All other words have the meanings assigned to them by sections 1 and 616 of the Act.

4. INTERPRETATION

- 4.1. Any doubt as to the meaning of a word, or the boundaries of a land use district shown on Schedule C, shall be settled by a resolution of Council.
- 4.2. In accordance with Alberta Land Titles practice, all areas and distances in this bylaw are in metric measure. Imperial equivalents are given as a convenience but may not be exact. In case of conflict, the metric measure shall govern.
- 4.3. Where a property boundary is adjusted by subdivision, or by the inclusion of land not previously assigned a land use class, the land use district boundary follows the new property boundary.
- 4.4. Where there is a reasonable doubt as to the boundary of a land use district, the decision of council, recorded as a resolution, shall govern.

5. DEVELOPMENT AUTHORITY

- 5.1. The office of Development Authority is hereby established and shall be filled by a person(s) appointed by resolution of Council.
- 5.2. The Development Authority shall:
 - 5.2.1 maintain a copy of this bylaw as amended, and make it available to any person on a cost recovery basis;
 - 5.2.2 maintain a register of all approved developments, and make it available to any person at no charge [835/09];
 - 5.2.3 review and process all applications for a development permit, and make and issue a decision in accordance with this bylaw;
 - 5.2.4 issue letters of compliance certifying whether or not a building or land use complies with this bylaw;
 - 5.2.5 enforce this bylaw in conformance with the Act; and
 - 5.2.6 carry out the other duties imposed on him by this bylaw and the Act.
- 5.3. For the purposes of section 542 of the Act, the Development Authority is an authorized person of the municipality.
- 5.4. In accordance with common usage, the Development Authority may also be referred to as the Development Officer.

6. SUBDIVISION AND DEVELOPMENT APPEAL BOARD

The Subdivision and Development Appeal Board established by Bylaw shall hear and decide upon appeals against the decision (or lack of decision) of the Development Authority.

7. DEVELOPMENT PERMIT REQUIRED

No development or demolition other than that listed in section 8 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

8. DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

The following development shall not require a development permit:

- 8.1. those uses of land or a building which are *exempt* under section 618 or 619 of the Act or under any other federal or provincial legislation,
- 8.2. the *completion and use* of a building which was lawfully under construction or for which a development permit had been issued and was still valid at the date of adoption of this bylaw,
- 8.3. the use of a building or property which was authorized under a *previous bylaw*;
- 8.4. the ***maintenance*** of or repair to any building, provided that such works do not include structural alterations or major works of renovation,
- 8.5. internal ***alterations*** to a building valued at less than \$5,000, provided these alterations do not result in an increase in the number of dwelling units in the building (but a permit under the Safety Codes Act may still be required),
- 8.6. the construction of ***gates, fences, walls***, or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than 1 metre in height in front yards and less than 1.9 [Bylaw 835/09] metres in side and rear yards, and subject to section 5 of Schedule A,
- 8.7. ***landscaping and paving***, provided that grades and overland water flows are not substantially altered,
- 8.8. the construction or maintenance of any utility, work, or improvement undertaken by the municipality or a utility in a *street or utility lot*;
- 8.9. a *temporary* building or sign, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this bylaw,
- 8.10. new single storey buildings, not on permanent foundation, under 15 square metres (160 sq ft) in size, which are ***accessory*** to a residential use. These buildings are bound by yard and setback rules,
- 8.11. the construction and upgrading of a *road or railway line* or associated improvements, except that *railway buildings* require a development permit,
- 8.12. the construction of a ***deck***, provided that the deck is uncovered, and the walking surface is less than 60cm (2 feet) above grade (covered decks and those with a higher walking surface require development and building permits), and
- 8.13. the construction or installation of a ***fire pit***, to a maximum of one per lot, provided that
 - o the combustion area is contained and screened,
 - o the outside diameter is no more than 1.5 metres (five feet),
 - o the pit is set back from buildings and fences in accordance with the Alberta Fire Code,
 - o only clean wood is burned, and
 - o the location and use does not reduce the quiet enjoyment of neighbouring property.

9. NON-CONFORMING BUILDINGS AND USES

If a building or land use is not allowed in this bylaw, but was legally in existence at the date of passage of this bylaw, it may continue legally as a non-conforming use and be maintained, pursuant to section 643 of the Act, but it may not be enlarged or replaced except pursuant to section 13.6 of this bylaw.

10. APPLICATION FOR A DEVELOPMENT PERMIT

10.1 An application for a development permit shall be made to the Development Authority in writing on the appropriate form, signed by the owner or his authorized agent, and shall be accompanied by

10.1.1 a statement of the former, present, and proposed use of a lot and any buildings on it;

10.1.2 the legal description and municipal address;

10.1.3 a site plan drawn to scale and showing the boundaries of the lot, the locations of existing and proposed buildings, any front, rear, and side yards, any provision for off-street loading and vehicle parking, and access and egress points to the site;

10.1.4 all easements and utilities, and the proposed connections to utilities;

10.1.5 the proposed site grading and drainage;

10.1.6 the estimated commencement and completion dates of any construction;

10.1.7 the estimated cost of the project or contract price;

10.1.8 the appropriate fee, and

10.1.9 pay the required 'performance deposit' to ensure that any damages to municipal property are corrected, and requirements of the development permit are completed [Bylaw 835/09].

10.2. The Development Authority may also request

10.2.1 drawings of the proposed building with details of the finish of the building and the landscaping of the lot;

10.2.2 a real property report drawn by an Alberta Land Surveyor, if there is any doubt as to the boundaries of the lot;

10.2.3 engineering and other reports to prove the safety and suitability of the site for the purpose intended, including a declaration that the site is free from contamination;

10.2.4 a copy of the current title to the lot; and

10.2.5 any other information which he deems necessary to make an informed decision on the proposed development.

10.3 The Development Authority may refuse to accept an application for a development permit for an accessory building if no main building exists on the lot.

10.4 Pursuant to section 640(5) of the Act, when an application for a development permit or change of land use designation has been refused, the Development Authority may refuse to accept another application on the same property and for the same or similar use of the land by the same or any

other applicant for six months after the date of previous refusal, unless the circumstances have changed sufficiently to warrant otherwise.

11. DIRECT CONTROL DISTRICTS

- 11.1. If a proposed subdivision or development in a Direct Control district is consistent with the Municipal Development Plan and other written municipal policies, the Development Authority may approve the application, with or without conditions.
- 11.2. In all other cases, a proposed development in a Direct Control district shall be referred to Council for a decision.

12. PUBLIC CONSULTATION PRIOR TO DECISION

Before deciding on an application for a development permit for a discretionary use, or before relaxing or waiving or interpreting any part of the bylaw, the Development Authority may at his discretion consult the owners of nearby land by mail or by advertising in the local newspaper, and if the neighbouring landowners reply within 14 days, the Development Authority shall consider their comments and recommendations before issuing a development permit.

13. DECISION BY THE DEVELOPMENT AUTHORITY

- 13.1 Subject to section 11 of this bylaw, the Development Authority shall decide on all applications for a development permit.
- 13.2 The Development Authority shall decide upon an application for a development permit within 40 days of receiving a complete application.
- 13.3 An applicant for a development permit may authorize the Development Authority, in writing, to take a longer period of time to make a decision.
- 13.4 An application for a development permit may, at the option of the applicant, be deemed to be refused when a decision is not made on it by the Development Authority within 40 days after receipt of the application by the Development Authority, and the applicant may appeal as if the application had been refused.
- 13.5 In the case where a proposed specific use of land or a building is not provided for in any district in this bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that district in Schedule B, and approve it.
- 13.6 Consistent with section 640(6) of the Act, the Development Authority may approve an application for a development permit, notwithstanding that the proposed development does not comply with this bylaw, if, in his opinion,
- 13.6.1 the proposed development would not
 - 13.6.1.1 unduly interfere with the amenities of the neighbourhood, or
 - 13.6.1.2 materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land, and
 - 13.6.2 the proposed development conforms with the use prescribed for the land or building in this bylaw,
- and this power extends to non-conforming buildings pursuant to section 643(5)(c) of the Act.
- 13.7 The Development Authority may at his discretion relax any required setback by up to 50%, and any required lot size or building size by up to 20%.
- 13.7.1 If the amount of the relaxation is not more than 10%, the relaxed dimension or area is deemed to meet the requirements of this bylaw, and the relaxation need not be advertised.
 - 13.7.2 If the amount of the relaxation is more than 10%, the relaxation is deemed to be an exercise of discretion and must be advertised under section 17.
- 13.7. In making a decision, the Development Authority may approve the application unconditionally, or impose conditions considered appropriate, permanently, or for a limited period of time, or refuse the application.
- 13.8. When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.

14. CONDITIONS ATTACHED TO DEVELOPMENT PERMITS

The Development Authority may issue a development permit subject to the condition that the applicant:

- 14.1 amends the proposal to conform with this or other bylaws;
- 14.2 pays an off-site levy or redevelopment levy imposed by bylaw;
- 14.3 enters into an agreement pursuant to the Act concerning servicing of the site;
- 14.4 registers an easement to protect a utility line;
- 14.5 repairs any municipal improvements that may be damaged as a result of the development;
- 14.6 finishes a building, or landscapes or paves a lot;
- 14.7 grades a lot to the satisfaction of the municipality;
- 14.8 supplies parking to meet the requirements of the bylaw;
- 14.9 registers a restrictive covenant concerning architectural controls and landscaping;
- 14.10 deposits a letter of credit or performance bond guaranteeing that any of the above conditions are met; and/or
- 14.11 meets other requirements of this bylaw or Town policies.

15. ISSUANCE OF DEVELOPMENT PERMITS

- 15.1 A development permit does not come into effect until 14 days after the date of issue.
- 15.2 If a valid appeal is made pursuant to this bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.
- 15.3. A decision of the Development Authority on an application for a development permit shall be given in writing and a copy of it sent to the applicant and to any person who has expressed an interest in the matter.

16. SUSPENSION OR CANCELLATION OF A DEVELOPMENT PERMIT

- 16.1 If the development authorized by a permit is not commenced within 90 days from the date of issuance, or carried out with reasonable diligence, the permit is void, unless an extension has previously been granted by the Development Authority.
- 16.2 If a Development Permit was issued in error or was obtained through misrepresentation, the Development Authority may revoke it by sending a notice to the applicant by registered mail or by hand delivery.

17. NOTICE OF EXERCISE OF DISCRETION

When a permit has been granted for a discretionary use, or pursuant to sections 13.5, 13.6, or 13.7.2, the Development Authority

- 17.1 shall immediately mail a notice in writing to the registered owners of all land within 60 metres of the proposed development, and to any other person who may, in his opinion, be affected; and

17.2 may immediately publish in a newspaper circulating in the municipality a notice stating the location of the property for which the application has been made and the use approved; and

17.3 may post a notice of the decision conspicuously on the property for which the application has been made,

and the notice shall set out the rights of persons to appeal against the issuance of the Development Permit.

18. APPEAL PROCEDURE

18.1 An appeal against a decision of the Development Authority shall be launched by filing notice, with the appropriate fee, with the Secretary of the Subdivision and Development Appeal Board.

18.2 The procedure for hearing and determining appeals against a decision of the Development Authority is set out in sections 684 to 687 of the Act.

18.3 No appeal lies against a development permit for a permitted use unless the bylaw was relaxed, varied, or misinterpreted.

18.4 In making its decision, the Development Appeal Board *is bound* by the uses of land set out in this bylaw, and *shall have regard for* all other parts of this bylaw and all statutory plans.

19. JUDICIAL REVIEW

A decision of the Subdivision and Development Appeal Board is final and binding on all persons subject only to an appeal upon a question of jurisdiction or law pursuant to section 688 of the Act.

20. CONTRAVENTION

20.1 If the Development Authority finds that a development or use of land or buildings is not in accordance with:

20.1.1 the Act or Regulations, or

20.1.2 a development permit or subdivision approval, or

20.1.3 this bylaw,

he may proceed under sections 541 to 556 and/or sections 645 and 646 of the Act.

20.2 Contravention of this bylaw is an offence and is subject to a fine not more than \$500.00 under section 566 of the Act.

20.3 If a person, knowing that a development permit is required, starts construction before obtaining such a permit, the fee for the development permit shall be doubled.

21. AMENDMENT

21.1 A person may apply to have this bylaw amended, by applying in writing, giving reasons in support of the application, and paying the appropriate fee.

21.2 An application to change the district of any land may be initiated only by the owner of that land, or by Council.

21.3 An amendment to this bylaw must be consistent with the Act and Regulations, the Municipal Development Plan, and any area structure plan that has been adopted by bylaw.

21.4 A proposal to amend the bylaw must be advertised in the same way as a Notice of Decision as set out in section 17.

22. FORMS AND FEES

Forms and fees under the former bylaw continue to apply until new forms and fees are adopted by resolution of council.

23. CONTINUATION OF CONTROLS

A condition attached to a development permit issued under a former bylaw continues under this bylaw.

24. REQUIREMENTS OF OTHER AUTHORITIES

24.1 A development authorized under this bylaw is subject to provincial and federal law, other bylaws, statutory plans, inter-municipal agreements, and any easements, caveats, covenants, and other encumbrances on the title to the land in question, whether or not the development permit refers to these other requirements.

24.2 Nothing in this bylaw removes the obligation of a person to obtain other permits, licences, or approvals under other legislation.

25. LAND USE DISTRICTS AND REGULATIONS

25.1 In all districts, development is regulated as set out in Schedule A.

25.2 For the purposes of this bylaw the municipality is divided into districts set out in Appendix B.

25.3 Within individual districts, development is regulated as set out in Schedule B.

25.4 The boundaries of land use districts are as set out in Schedule C.

25.5 Schedules A, B, C, and D contained therein form part of and have full force in this bylaw.

25.6 Roads, lanes, and other land to which no title has been issued are not included in any land use district.

**SCHEDULE A
GENERAL REGULATIONS**

1. CONTAMINATED AND HAZARDOUS SITES

If it appears to the Development Authority that the site may be contaminated as a result of a former use, or if the site appears to be hazardous in any way, the Development Authority may require the applicant to supply evidence that the site is free of contamination and suitable for the proposed use, and lacking such evidence, the Development Authority may refuse the application.

2. DECKS

For the purpose of establishing yards and setbacks,

- 2.1 a deck which is attached to a main building, and which has a walking surface 60 cm (2 feet) or more above ground, is deemed to be part of the main building and is subject to the setbacks from property lines required for a main building; and
- 2.2 a deck which has a walking surface less than 60 cm (2 feet) above ground is not bound by yard and setback requirements.

3. DESIGN, CONSTRUCTION, AND TREATMENT OF BUILDINGS

As a condition of issuing a development permit, the Development Authority may require changes to a proposed building if in his opinion the design, construction, or treatment is incompatible with the neighbouring buildings.

4. DRIVE IN BUSINESSES

- 4.1 *Location:* Despite their being listed as approved uses in a land use district, drive in businesses shall be permitted only where it can be demonstrated that passing traffic will not be impeded, and traffic entering the business will not endanger pedestrians.
- 4.2 *Curb cuts:* Curb cuts shall be situated at a location approved by the Development Authority, and no closer than 12 metres (40 feet) to the curb intersection of two streets.
- 4.3 *Hard surfacing:* All parts of the site to which vehicles have access shall be hard surfaced and drained to the satisfaction of the Development Authority.
- 4.3 *Parking and stacking:* The lot shall be large enough to accommodate all necessary parking, and provide room for vehicles awaiting service so that they do not back up into the adjacent street.
- 4.4 *Garbage control:* The site shall be provided with adequate garbage receptacles, and shall be fenced to the satisfaction of the Development Authority so garbage is prevented from blowing off-site.
- 4.5 *Screening:* If the site is adjacent to a residence, the Development Authority may require that the site be screened to his satisfaction.

5. FENCES

- 5.1 In residential districts, no fence shall be higher than 1.9 metres (6.2 feet) [Bylaw 835/09] in side and rear yards and no higher than 1 metres (3 feet) in front yards.
- 5.2 The height limits for fences in front yards apply to any side of a lot facing or flanking a street.

- 5.3 The maximum fence heights allowed in this section do not apply to swimming pools, which are governed by the Alberta Building Code.
- 5.4 Barbed wire may be used only
- 5.4.1 for fences surrounding land on which the grazing of livestock is a permitted or discretionary use, and
- 5.4.2 as the top strand of a fence in a commercial or industrial district, and provided the top strand is at least 1.75 metres (6 feet) above ground level.
- 5.5 No electric fence shall be constructed except as an internal cross-fence on land on which grazing of livestock is a permitted or discretionary use.
- 5.6 Fences shall be of material and design acceptable to the Development Authority.
- 5.7 Subject to the foregoing, and subject to section 8.6 of the bylaw, no development permit is required for fences or gates.

6. GRADING OF LOTS

- 6.1 No land shall be filled or raised, and no grading or drainage shall be undertaken, affecting adjacent property, unless a development permit has been issued for the work.
- 6.2 Despite subsection 6.1 above, the owner of a lot may re-grade the lot without obtaining a development permit if he has the written agreement of the owners of the immediately adjacent lots.
- 6.3 The Development Authority may require that a development permit application for a new building shall include a lot grading and drainage plan.

7. LANDSCAPING AND SCREENING

As a condition of issuing a development permit, the Development Authority may require that a lot be landscaped or screened.

8. LIVESTOCK [Bylaw 790/06]

- 8.1 Ordinary domestic pets may be kept on any parcel.
- 8.2 One horse per full acre may be kept on any Country Residential parcel of one hectare (2.5 acres) or larger.
- 8.3 Reasonable numbers of any species of livestock may be kept on any land in the UX district, on parcels over 10 hectares in any district and at auction marts, veterinary clinics, agricultural society grounds, and other businesses and organizations which normally work with animals.

9. LOADING

Where a business or a facility is likely to receive large quantities of goods, or frequent deliveries, the Development Authority may require that an off-street loading dock be provided, adequate to accommodate the expected traffic without disrupting the flow of vehicles on adjacent streets, as set out in Schedule D.

10. MOVED IN BUILDINGS

- 10.1 A person wishing to move an existing building on to a lot shall make an application for a development permit in the usual way and as part of the application shall also provide:

- 10.1.1 photographs showing all sides of the building,
 - 10.1.2 a statement of the type of construction, condition, and age of the building, and
 - 10.1.3 a statement of proposed improvements with an estimate of costs.
- 10.2 The Development Authority may inspect the building which is proposed to be moved in, or have another qualified person do so, and in either case the expenses of such inspection, including the inspector's time, shall be paid by the applicant before any development permit is issued.
- 10.3 The Development Authority shall consider whether the building is compatible with the character of the neighbourhood in which it is proposed to be set, and may refuse a development permit if, in his opinion, the building is unsuitable.
- 10.4 The Development Authority may issue a development permit subject to such conditions, as he believes necessary to bring the building up to a suitable standard within 12 months from the date of issuance of the development permit.
- 10.5 The Development Authority may require a performance bond or irrevocable letter of credit to guarantee completion of any work required under this section.
- 10.6 This section does not apply to new storage sheds, or to temporary buildings authorized under section 8.9 of the bylaw, or to new manufactured homes being moved in to a district where they are a permitted or discretionary use.

11. OVERHANGS AND ENCROACHMENTS WITHIN A LOT

- 11.1 Balconies and bay windows may encroach up to 1.5 metres (five feet) into front and rear yards but shall not encroach into the setbacks required in side yards.
- 11.2 Other features attached to a building such as chimneys, eaves, open steps, and sills may encroach into the yards required by Schedule B by the following distances:
- 11.2.1 60 cm (2 feet) into yards of 1.5 metres (5 feet) or more, and
 - 11.2.2 45 cm (18 inches) into yards of less than 1.5 metres (5 feet).

12. OVERHANGS AND ENCROACHMENTS INTO ROADS

- 12.1 No sign or building may encroach over or onto a road unless the person responsible for the encroaching object
- 12.1.1 has signed an encroachment agreement with the municipality, and
 - 12.1.2 maintains liability insurance of at least \$1 million naming the municipality as co-insured.
- 12.2 This section does not apply to fascia signs encroaching less than 30 cm over a road.

13. PROHIBITED OBJECTS IN YARDS

- 13.1 In a residential district, no person shall keep visible any wrecked or partially dismantled vehicle, or any object, which in the opinion of the Development Authority is unsightly or offensive.
- 13.2 Radio and TV antennas, aerials, and dishes larger than 1 metre in diameter, shall not be located in a front yard of a residential district.

14. SERVICE STATIONS

- 14.1 The lot containing a service station shall have a minimum area of 1,100 square metres (12,000 square feet) and shall have a frontage of at least 30 metres (100 feet).
- 14.2 Where a service station is not part of a larger commercial development such as a shopping centre, the buildings shall cover no more than 15% of the area of the lot.
- 14.3 Fuel pumps and above-ground fuel storage tanks shall be set back at least 9 metres (30 feet) from the front and side property lines.
- 14.4 A development permit for a service station does not allow auto body work, auto wrecking, or the sale of vehicles, unless this is specifically written in the development permit.
- 14.5 The requirements of section 4, Drive-in Businesses, also apply to service stations.

15. SIGNS

15.1 Exemptions

No permit is required for a sign which:

- o is not visible from a public road or park, or
- o is erected by a government [Bylaw 835/09], or
- o concerns an election, or
- o identifies the address or function of a building or parcel on which the sign stands, or
- o advertises a sale or event taking place that day, or
- o offers for sale or rent the parcel on which it stands, or
- o advertises a business or activity taking place on that parcel, or
- o advertises a product, service, or commodity offered for sale or rent on that parcel,

provided the size, style, number, and location of the sign meets the requirements of this bylaw.

- 15.2 A development permit is required for all signs other than those listed above.

15.3 Signs on Public Property

15.3.1 No sign shall be placed on public property with the exception of signs for community events, without a municipally issued permit [Bylaw 835/09].

15.3.2 No sign shall be placed on the right of way of a public property [bylaw 835/09] without the approval of the municipality.

15.3.3 Notwithstanding sections 15.2 and 15.3.1 and 15.3.2 [Bylaw 835/09] above,

15.3.3.1 temporary signs protected by section 2(b) of the Constitution Act, 1982 (Canada), and

15.3.3.2 signs advertising auctions and garage sales taking place that day,

do not require a development permit, and may be placed on a road provided that the signs

15.3.3.3 are not a danger to public safety, and

15.3.3.4 are removed promptly after the election or event, which is the subject of the sign,

and these signs do not require an encroachment agreement or insurance cover under section 12 of this schedule.

15.4 Signs Overhanging Roads

15.4.1 The Development Authority shall require that a sign overhanging municipal property be constructed and maintained to such a standard that it is not a hazard to people, traffic, or property.

Note: Signs encroaching over a road require an encroachment agreement and insurance under section 12 of this schedule.

15.5 Signs in Residential Districts

In residential districts:

15.5.1 Signs shall not exceed 1 square metre (10 square feet), or 3 square metres (32 square feet) on church or school [Bylaw 835/09] property, and shall not be illuminated, fluorescent, or moving.

15.5.2 Signs advertising a home occupation or home office shall be attached to the wall of the building in which the office or occupation is carried on.

15.5.3 Signs advertising garage and auction sales are permitted one day before and on the actual date of the sale.

15.5.4 Signs shall be in good taste and compatible with the character of the neighbourhood.

15.5.5 No more than one sign for each of the purposes listed in section 15.1 shall be erected on a residential parcel, except where the parcel abuts two or more roads, a sign may be erected facing each road.

15.5.6 Signs advertising commercial activities off site are not permitted.

15.6 Signs on Undeveloped Land Adjacent to Highways

15.6.1 No advertising other than

15.6.1.1 signs exempted by section 15.1, shall be placed within 200 metres of Highways 20 and 53 in the UX district [Bylaw 835/09], and

15.6.1.2 billboards as defined elsewhere in this bylaw shall be placed within 200 metres of Highways 20 and 53 in the UX district.

15.6.2 For the purposes of this bylaw, vehicles or trailers parked for more than seven days on a private parcel adjacent to a highway, and bearing advertising material, are deemed to be signs, not billboards.

15.7 Portable Signs

15.7.1 A portable sign is a sign which is not permanently or securely attached to the ground or to a building, or which is intended to be moved from place to place.

15.7.2 The Development Authority must not issue a development permit for a portable sign unless the sign is owned by

15.7.2.1 the owner or lessee of the land on which it stands, or

15.7.3 No more than one portable sign may be placed on a lot for each 100 metres of frontage.

15.7.4 Portable signs are not permitted in residential districts.

15.7.5 Council may by resolution set an annual fee to be paid in respect of every portable sign displayed in the municipality.

15.8 Aesthetics

Signs shall be designed, constructed, and maintained so they are compatible with the quality of the neighbourhood, and at the discretion of the Development Authority.

15.9 Public Safety

15.9.1 A sign which is not attached to a building shall be set back from a road or lane the same distance as if it were a building, unless the Development Authority is satisfied that it will not interfere with sight lines for drivers.

15.9.2 Notwithstanding any other part of this bylaw, the Development Authority may refuse to issue a development permit for any sign which in his opinion would be a danger to traffic, property, or public safety.

15.9.3 If in the opinion of the Development Authority a sign is a danger to traffic, property, or public safety, he may demand the immediate removal of the sign, and if he is unable to identify the person responsible for the sign, he may enter under section 542(3) of the Act, and remove the sign.

15.10 Situations Not Covered by This Bylaw

Where this bylaw provides no regulations governing the size, style, number, purpose, content, or location of a sign, a permit may be issued by the Development Authority, but the use shall be deemed a discretionary use, and shall be advertised in the usual manner, and may be appealed to the Subdivision and Development Appeal Board, which may confirm, amend, or revoke the permit.

16. UTILITY BUILDINGS AND EQUIPMENT

The Development Authority may waive or relax siting and yard regulations where this is necessary for the efficient operation of a public utility system.

17. YARDS

17.1. Where a lot abuts two or more roads, the Development Authority may require that front yard setbacks be observed from more than one road.

17.2. Where land is likely to be re-subdivided in future, the Development Authority may require that any new building be located as if the subdivision was already in effect.

SCHEDULE B
REGULATIONS FOR LAND USE DISTRICTS

1. LOW DENSITY RESIDENTIAL (R1) DISTRICT

1.1. Purpose

The purpose of the R1 district is to provide land for detached residences on individual, fully serviced lots.

1.2. Permitted Uses

The following uses are permitted:

- o new detached residences
- o New Ready-to-Move or modular homes (subject to development authority approval) [Bylaw 802/06]
- o rental suites in detached homes [Bylaw 835/09]
- o granny suites
- o home offices
- o public parks and recreation areas
- o buildings and uses accessory to the above.

1.3. Discretionary Uses

The following uses may be allowed at the discretion of the Development Authority:

- o moved-in residences and modular homes, but excluding manufactured and mobile homes
- o churches
- o group homes
- o home businesses
- o utility installations
- o buildings and uses accessory to the above.

1.4. Number of Dwellings on a Lot

Only one dwelling shall be constructed on a lot, but this shall not prevent the construction and use of one self-contained suite within a main building.

1.5. Lot Size Requirements

Lot area: All residential lots shall have an area of at least 557 m² (6,000 square feet).

Lots for other uses shall have an area satisfactory to the Development Authority.

Lot width: Residential lots which do not have lane or road access to the rear yard shall have a mean width of at least 18.3 metres (60 feet).

Residential lots which have lane or road access to the rear yard shall have a mean width of at least 15.25 metres (50 feet).

Residential corner lots shall have a width of at least 18.3 metres (60 feet).

All residential lots shall have a front width of at least 10 metres (33 feet).

Where oversized lots are being re-subdivided, the required lot widths may be relaxed to accommodate existing buildings.

Lots for other uses shall have a width satisfactory to the Development Authority.

1.6. Building Sizes

1.6.1. A dwelling shall not exceed two storeys above grade.

1.6.2. No accessory building shall have a wall height exceeding 3 metres (10 feet).

1.7. Site Coverage

Buildings shall cover no more than 30% of the area of a residential lot.

1.8. Yards and Setbacks: Main Buildings

Front yard: Buildings shall be set back at least 6 metres (20 feet) from the front property line.

Rear Yard: Buildings shall be set back at least 6 metres (20 feet) from the rear property line.

Side yard: Buildings shall be set back at least

- o 3 metres (10 feet) from the side property line of a flanking street [Bylaw 792/04],
- o 3 metres (10 feet) on one side of the lot where there is no road or lane access to the rear yard, and
- o 1.5 metres (5 feet) in all other cases, but this shall be increased by 0.3 metres for each 1 metre of building height above 7.5 metres.

1.9. Yards and Setbacks: Accessory Buildings

Front yard: No accessory building shall be located in a front yard.

Side yard: Accessory buildings shall be set back at least 1 metre from side property lines.

No accessory building shall be located between a main building and a flanking street or lane.

Rear yard Accessory buildings shall be set back at least 1 metre (3 feet) from the rear property line.

Despite the above, garages may be located 1 metre (3 feet) or at least 6 metres (20 feet), but not *between* 1 metre and 6 metres, from a rear property line.

A garage gaining direct access from a flanking street shall be located at least 6 metres from the flanking street.

1.10 Distances Between Buildings

All buildings shall be separated by 3 metres (10 feet) from all other buildings whether on the same or a different lot or such greater distance as may be required by the Alberta Building Code.

1.11 Other Controls

The requirements of Schedules A and D apply in this district.

2. LOW DENSITY NARROW LOT RESIDENTIAL (R1A) DISTRICT

2.1. Purpose

The purpose of the R1A district is to provide land for detached housing made more affordable by reducing lot sizes while maintaining all other standards of a low density residential area.

2.2. Permitted Uses

The following uses are permitted:

- o new detached residences
- o New Ready-to-Move or modular homes (subject to development authority approval) [Bylaw 802/06]
- o modular homes, but excluding manufactured and mobile homes
- o granny suites
- o home offices
- o public parks and recreation areas
- o buildings and uses accessory to the above.

2.3. Discretionary Uses

The following uses may be allowed at the discretion of the Development Authority:

- o moved-in residences, but excluding manufactured and mobile homes
- o churches
- o group homes
- o home businesses
- o rental suites
- o utility installations
- o buildings and uses accessory to the above.

2.4. Number of Dwellings on a Lot

Only one dwelling shall be constructed on a lot, but this shall not prevent the construction and use of one self-contained suite within a main building.

2.5. Lot Size Requirements

Lot width: All lots shall have a width sufficient to accommodate the buildings plus the yards, setbacks, site coverage maximum, parking, and landscaping required by this bylaw.

A lot which is not served by a lane shall be at least 50 feet wide.

2.6. Building Sizes

2.6.1. A dwelling shall have a finished floor area of at least 93 m² (1,000 square feet).

2.6.2. No dwelling shall exceed two storeys above grade.

2.6.3. No accessory building shall have a wall height exceeding 3 metres (10 feet).

2.7. Site Coverage

Buildings shall cover no more than 40% of the area of a residential lot.

2.8. Yards and Setbacks: Main Buildings

Front yard: Buildings shall be set back at least 6 metres (20 feet) from the front property line.

Rear yard: Buildings shall be set back at least 6 metres (20 feet) from the rear property line.

Side yard: Buildings shall be set back at least

- o 3 metres (10 feet) from the side property line of a flanking street [Bylaw 792/06],
- o 3 metres (10 feet) on one side of the lot where there is no road or lane access to the rear yard, and
- o 1.5 metres in all other cases.

2.9. Yards and Setbacks: Accessory Buildings

Front yard: No accessory building shall be located in a front yard.

Side yard: Accessory buildings shall be set back at least 1 metre from side property lines.

No accessory building shall be located between a main building and a flanking street or lane.

Rear yard Accessory buildings shall be set back at least 1 metres (3 feet) from the rear property line.

Despite the above, garages may be located 1 metre (3 feet) or at least 6 metres (20 feet), but not *between* 1 metre and 6 metres, from a rear property line.

A garage gaining direct access from a flanking street shall be located at least 6 metres from the flanking street.

2.10 Distances Between Buildings

All buildings shall be separated by 3 metres (10 feet) from all other buildings whether on the same or a different lot or such greater distance as may be required by the Alberta Building Code.

2.11 Other Controls

The requirements of Schedules A and D apply in this district.

3. LOW DENSITY GENERAL RESIDENTIAL (R2) DISTRICT

3.1 Purpose

The purpose of the R2 district is to provide land for smaller detached houses and side-by-side duplexes.

3.2 Permitted Uses

The following uses are permitted:

- o new detached residences
- o New Ready-to-Move or modular homes (subject to development authority approval) [Bylaw 802/06]
- o rental suites in detached homes [Bylaw 835/09]
- o modular homes, but excluding manufactured and mobile homes
- o duplex dwellings
- o granny suites in detached houses
- o home offices
- o public parks and recreation areas
- o buildings and uses accessory to the above.

3.3 Discretionary Uses

The following uses may be allowed at the discretion of the Development Authority:

- o moved-in residences, including new manufactured homes
- o churches
- o group homes
- o home businesses
- o utility installations
- o buildings and uses accessory to the above.

3.4 Number of Dwellings on a Lot

Only one dwelling shall be constructed on a lot, except that

- 3.4.1 a duplex may be built on a lot which is large enough to be re-subdivided, and
- 3.4.2 one self-contained suite may be constructed and used within a detached house.

3.5 Lot Size Requirements

Detached houses: A lot for a detached house shall have an area of at least 500 square metres (5,400 square feet), a mean width of at least 15.25 metres (50 feet), and a street frontage of at least 7.5 metres (25 feet).

Duplexes: A subdivided lot for one side of a duplex shall have an area of at least 250 square metres (2,690 square feet), a mean width of 7.5 metres (25 feet), and a street frontage of at least 5 metres (16.5 feet).

Non-residential uses: Lots for non-residential uses shall have an area and width satisfactory to the Development Authority.

3.6 Site Coverage

Buildings shall cover no more than 40% of the area of a residential lot.

3.7 Yards and Setbacks: Main Buildings

Front yard: Buildings shall be set back at least 6 metres (20 feet) from the front property line.

Rear yard: Buildings shall be set back at least 6 metres (20 feet) from the rear property line.

Side yard: Buildings shall be set back at least

- o 3 metres (10 feet) from the side property line of a flanking street [Bylaw 792/06],
- o 3 metres (10 feet) on one side of the lot where there is no road or lane access to the rear yard, and
- o 1.5 metres in all other cases, except that a duplex may be built straddling the side property line.

3.8 Yards and Setbacks: Accessory Buildings

Front yard: No accessory building shall be located in a front yard.

Side yard: Accessory buildings other than garages shall be set back at least 1 metre from side property lines.

No accessory building shall be located between a main building and a flanking street or lane.

A shared garage serving two attached duplexes may be constructed straddling the property line provided that there is a fireproof dividing wall at the property line.

Rear yard Accessory buildings shall be set back at least 1 metres (3 feet) from the rear property line.

Despite the above, garages may be located 1 metre (3 feet) or at least 6 metres (20 feet), but not *between* 1 metre and 6 metres, from a rear property line.

A garage gaining direct access from a flanking street shall be located at least 6 metres from the flanking street.

3.9 Building sizes

A building shall not exceed two storeys above grade.

An accessory building shall not have a wall height exceeding 3 metres (10 feet)

3.10 Subdivision design

A new subdivision intended to be classified R2 shall contain lanes serving every residential lot.

3.11 Distances Between Buildings

All buildings shall be separated by 3 metres (10 feet) from all other buildings whether on the same or a different lot or such greater distance as may be required by the Alberta Building Code.

3.12 Other Controls

The requirements of Schedules A and D apply in this district.

4. MEDIUM DENSITY RESIDENTIAL (R3) DISTRICT

4.1. Purpose

The purpose of the R3 district is to provide land for medium density housing in the form of town housing, row housing, and fourplexes. Duplexes and detached houses are also allowed. This district does not allow apartments or any type of housing with more than two floors above grade.

4.2 Permitted Uses

The following uses are permitted [Bylaw 835/09]:

- o duplex, triplex, and fourplex dwellings not forming part of a condominium
- o row housing
- o multiple unit housing registered as a condominium
- o granny suites in detached houses
- o home offices
- o public parks and recreation areas
- o buildings and uses accessory to the above.

4.3 Discretionary Uses

The following uses may be allowed at the discretion of the Development Authority [Bylaw 835/09]:

- o churches
- o group homes
- o home businesses
- o rental suites
- o utility installations
- o buildings and uses accessory to the above.

4.4 Number of Dwellings on a Lot

The number of allowable dwelling units on a lot shall be determined by lot size, site coverage maximum, setbacks, parking and landscaping requirements [Bylaw 835/09].

4.5 Lot Size Requirements

Lot width: All lots shall have a width sufficient to accommodate the buildings plus the yards, setbacks, site coverage maximum, parking, and landscaping required by this bylaw.

A lot which is not served by a lane shall be at least 15m (50 feet) wide.

4.6 Site Coverage

Buildings shall cover no more than 40% of the area of a residential lot.

4.7 Yards and Setbacks: Main Buildings

Front yard: Buildings shall be set back at least 6 metres (20 feet) from the front property line.

Rear yard: Buildings shall be set back at least 6 metres (20 feet) from the rear property line.

-
- Side yard:* Buildings shall be set back at least
- o 3 metres (10 feet) from the side property line of a flanking street or lane [Bylaw 792/06],
 - o 3 metres (10 feet) on one side of the lot where there is no road or lane access to the rear yard, and
 - o 1.5 metres in all other cases, except that a duplex may be built straddling the side property line.

4.8 Yards and Setbacks: Accessory Buildings

Front yard: No accessory building shall be located in a front yard.

Side yard: Accessory buildings other than garages shall be set back at least 1 metre from side property lines.

No accessory building shall be located between a main building and a flanking street or lane.

A shared garage serving two attached duplexes may be constructed straddling the property line provided that there is a fireproof dividing wall at the property line.

Rear yard Accessory buildings shall be set back at least 1 metres (3 feet) from the rear property line.

Despite the above, garages may be located 1 metre (3 feet) or at least 6 metres (20 feet), but not *between* 1 metre and 6 metres, from a rear property line.

A garage gaining direct access from a flanking street shall be located at least 6 metres from the flanking street.

4.9 Distances Between Buildings

All buildings shall be separated by 3 metres (10 feet) from all other buildings whether on the same or a different lot or such greater distance as may be required by the Alberta Building Code.

4.10 Building sizes

A building shall not exceed two storeys above grade.

An accessory building shall not have a wall height exceeding 3 metres (10 feet)

4.11 Subdivision design

A new subdivision intended to be classified R3 shall contain lanes serving every residential lot.

4.12 Condominiums

4.12.1 The internal circulation routes within a condominium must be at least 7.5 metres (25 feet) wide and able to accommodate emergency vehicles.

4.12.2 Where the units in a condominium have direct outside access, they must each have at least 13.5 m² (140 square feet) of private outdoor space.

4.12.3 At least 40% of the area of the common property shall be landscaped.

4.13 Other Controls

The requirements of Schedules A and D apply in this district.

5. HIGH DENSITY RESIDENTIAL (R4) DISTRICT

5.1 Purpose

The purpose of the R4 district is to provide land for higher density housing including apartments. The district may also be used for lower density housing.

5.2 Permitted Uses

The following uses are permitted [Bylaw 835/09]:

- o triplex, and fourplex dwellings not forming part of a condominium
- o row housing
- o apartment buildings
- o multiple unit housing registered as a condominium
- o home offices
- o public parks and recreation areas
- o buildings and uses accessory to the above.

5.3 Discretionary Uses

The following uses may be allowed at the discretion of the Development Authority [Bylaw 835/09]:

- o churches
- o group homes
- o home businesses
- o granny suites
- o rental suites
- o utility installations
- o buildings and uses accessory to the above.

5.4 Number of Dwellings on a Lot

The number of allowable dwelling units on a lot shall be determined by lot size, site coverage maximum, setbacks, parking and landscaping requirements [Bylaw 835/09].

5.5 Lot Size Requirements

Lot width: All lots shall have a width sufficient to accommodate the buildings plus the yards, setbacks, site coverage maximum, parking, and landscaping required by this bylaw.

A lot which is not served by a lane shall be at least 15 metres (50 feet) wide.

5.6 Site Coverage

Buildings shall cover no more than 50% of the area of a residential lot.

5.7 Yards and Setbacks

Front yard: Buildings shall be set back at least 6 metres (20 feet) from the front property line.

Rear yard: Buildings shall be set back at least 6 metres (20 feet) from the rear property line, but see also section 5.10.

Side yard: Buildings shall be set back at least

- o 3 metres (10 feet) from the side property line of a flanking street [Bylaw 792/06],
- o 3 metres (10 feet) on one side of the lot where there is no road or lane access to the rear yard,
- o 25% of the overall height of the building, and
- o 1.5 metres (5 feet) in all other cases.

but see also section 5.10.

Despite the foregoing, a duplex, row house, or fourplex may be built straddling the side property line.

5.8 Yards and Setbacks: Accessory Buildings

Front yard: No accessory building shall be located in a front yard.

Side yard: Accessory buildings shall be set back at least 1 metre from side property lines, but see below regarding garages accessing flanking streets.

No accessory building shall be located between a main building and a flanking street.

Rear yard: Accessory buildings shall be set back at least 1 metres (3 feet) from the rear property line.

Despite the above, garages may be located 1 metre (3 feet) or at least 6 metres (20 feet), but not *between* 1 metre and 6 metres, from a rear property line.

A garage gaining direct access from a flanking street shall be located at least 6 metres from the flanking street.

A shared garage serving two attached dwellings may be constructed straddling the property line provided that there is a fireproof dividing wall at the property line.

5.9 Distances Between Buildings

All buildings shall be separated by 3 metres (10 feet) from all other buildings whether on the same or a different lot, or such greater distance as may be required by the Alberta Building Code.

5.10 Emergency Vehicle Access

5.10.1 Along the sides of an apartment building exceeding two storeys above grade, emergency vehicle access must conform to the side and rear yard setbacks as per the Alberta Building Code requirements. There shall be a firm, level "fire access area", accessible from the road by emergency response equipment. This requirement may increase the setbacks required by section 5.7 above.

5.10.2 No buildings, vehicles, or other obstructions shall be placed or allowed in a fire access area.

5.11 Height of buildings

5.11.1 No accessory building shall have a wall height exceeding 3 metres (10 feet).

5.11.2 No building shall have a height exceeding 10 metres (33 feet) above grade, measured to the roof peak, except that

5.11.3 a main building may exceed 10 metres in height if

(a) the main building is set back from the property line by a greater distance than required by section 5.7, or

(b) the main building is built at a grade lower than that of nearby residences,

so that the apparent height of the building, measured by the angular distance from the eye of the observer on any nearby residential lot, is no greater than it would be if the building were constructed at the minimum setback, as shown of the attached Figure 1.

5.12 Condominiums

5.12.1 The internal circulation routes within a condominium must be at least 7.5 metres (25 feet) wide and able to accommodate emergency vehicles.

5.12.2 Where the units in a condominium have direct outside access, they must each have at least 13.5 m² (140 square feet) of private outdoor space.

5.12.3 At least 40% of the area of the common property shall be landscaped.

5.11 Other Controls

The requirements of Schedules A and D apply in this district.

6. MANUFACTURED HOUSING SUBDIVISION (MHS) DISTRICT

6.1 Purpose

The purpose of the MHS district is to provide land where manufactured homes may be placed on titled lots, which are dimensioned to fit the unique size and shape of this style of housing.

6.2 Permitted Uses

- o manufactured homes less than ten years old when moved to the site
- o new conventionally built detached residences
- o modular homes
- o rental suites in detached homes [Bylaw 835/09]
- o home offices
- o public parks and recreation areas
- o buildings and uses accessory to the above.

6.3 Discretionary Uses

The following uses may be allowed at the discretion of the Development Authority:

- o manufactured homes more than ten years old when moved to the site,
but not mobile homes
- o moved-in conventionally built residences
- o churches
- o group homes
- o home businesses
- o utility installations
- o buildings and uses accessory to the above.

6.4 Number of Dwellings on a Lot

Only one dwelling shall be constructed on a lot, but this shall not prevent the construction and use of one self-contained suite within a detached house.

6.5 Height of Buildings

No building shall have a height exceeding 10 metres (33 feet) above grade, measured to the roof peak.

6.6 Lot Size Requirements

Lot width: All lots shall have a width sufficient to accommodate the buildings plus the yards, setbacks, site coverage maximum, parking, and landscaping required by this bylaw.

If a residential lot is not serviced by a lane it shall be at least 15 metres (50 feet) wide.

6.7 Lot Coverage

Buildings shall cover no more than 40% of the area of a residential lot.

6.8 Yards and Setbacks: Main Buildings

Front yard: Buildings shall be set back at least 5 metres (17 feet) from the front property line.

<i>Rear yard:</i>	Buildings shall be set back at least 5 metres (17 feet) from the rear property line.
<i>Side yard:</i>	Buildings shall be set back at least
	o 3 metres (10 feet) from the side property line of a flanking street,
	o 3 metres (10 feet) on one side of the lot where there is no road or lane access to the rear yard, and
	o 1.5 metres in all other cases.

6.9 Yards and Setbacks: Accessory Buildings

<i>Front yard:</i>	No accessory building shall be located in a front yard.
<i>Side yard:</i>	Accessory buildings shall be set back at least 1 metre from side property lines. No accessory building shall be located between a main building and a flanking street.
<i>Rear yard</i>	Accessory buildings shall be set back at least 1 metres (3 feet) from the rear property line. Despite the above, garages may be located 1 metre (3 feet) or at least 6 metres (20 feet), but not <i>between</i> 1 metre and 6 metres, from a rear property line. A garage gaining direct access from a flanking street shall be located at least 6 metres from the flanking street.

6.10 Distances Between Buildings

All buildings shall be separated by 3 metres (10 feet) from all other buildings whether on the same or a different lot, or such greater distance as may be required by the Alberta Building Code.

6.11 Lanes

Where lanes are not provided, lot width must be sufficient to provide a wide side yard as required by section 6.7.

6.12 Aesthetics

- 6.12.1 All accessory structures, such as patios or decks, porches, additions and skirtings, shall be:
- factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured homes, and
 - considered as part of the main building, and
 - erected only after obtaining a development permit.
- 6.12.2 A manufactured home unit shall be skirted from the floor level to the ground level. The skirting shall match the existing external finish of the manufactured home.
- 6.12.3 The floor area of porches and additions shall not exceed 20% of the floor area of the manufactured home unit and this relationship shall be determined by the Development Authority. (The 20% limitation will not be applied to automobile garages and carports, but all structures will form part of the site coverage.)

6.12.4 Any furniture, domestic equipment, or seasonally used equipment shall be stored in adequate covered storage or screened area, either individually on the lot or communally, which shall conform to the Building, Fire, Electrical and Plumbing Codes.

6.12.5 The following regulations also apply to manufactured homes located in all subdivisions:

- a) The hitch and wheels are to be removed from the manufactured home.
- b) All manufactured homes shall be placed on a foundation or base. The manufactured home is to be attached by means of bolting or otherwise to the foundation or base.
- c) The property is to be grassed and landscaped within one year from the date of issue of the development permit.
- d) Minimum lot area and width may be less in the case of existing registered substandard lots, with the approval of the Development Authority and/or the Municipal Planning Commission.

6.13 Other Controls

The requirements of Schedules A and D apply in this district.

7. MANUFACTURED HOUSING PARK (MHP) DISTRICT

7.1 Purpose

The purpose of the MHP district is to provide land where manufactured homes can be set on rented sites. Regulations for the MHS district apply in this district. Additionally, the following regulations apply.

7.2 Interpretation

Where the word “lot” is used in the regulations for this district, it is to be interpreted as meaning an unsubdivided space, stall, pad, or site rented to the occupant of a manufactured home for his exclusive use.

7.3 Site-built houses not permitted

Houses built on site are not permitted in the MHP district.

7.4 Site development plan required

7.4.1 No land shall be developed for a manufactured housing park unless that land is the subject of a site development plan accepted by council.

7.4.2 If Council does not adopt its own guidelines, the “Land Use Planning Recommendations for Manufactured Housing in Alberta,” prepared by the Manufactured Housing Association of Alberta and Saskatchewan, may be used, but where that document conflicts with this bylaw, the bylaw shall govern.

7.4.3 The site development plan shall specify the standards for servicing the site and whether these are the responsibility of the developer or the municipality, and these items shall be included in a formal agreement under section 560 of the Act prior to the issuance of a development permit.

7.4.4 The requirement for a site development plan does not apply to manufactured housing parks which existed at the date of adoption of this bylaw.

7.5 Parking

The developer or operator of a manufactured home park may provide common parking lots in place of one of the two parking stalls required by each residence.

7.6 Age limits [Bylaw 800/06]

There is no age limit on manufactured homes being moved into Manufactured Housing Parks established prior to this amendment, subject to the following requirements:

7.6.1 Development Authority Approval.

7.6.2 Applications for approval from the Development Authority are to be accompanied by a photo of the home, owner name and address, year, size, make model and serial number of the unit.

7.6.3 Compliance with all Safety Standards for the unit and placement of the unit is the responsibility of the owner of the Manufactured Home.

7.7 Other Controls

The requirements of Schedule A apply in this district.

7.8 Guidelines

The following development standards are intended to guide the Development Authority in exercising his discretion, but may be varied by the Development Authority if in his opinion the alternative proposed by the developer will result in an acceptable level of design and performance.

- 7.8.1 Stalls shall be located at least 3 m (9.84 ft.) from any lot line. This 3 m strip shall be landscaped and/or fenced to the satisfaction of the Development Authority.
- 7.8.2 All private access roads shall be hard surfaced, well drained, and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 9 m (29.52 ft.)
- 7.8.3 Safe, convenient, all-season pedestrian access of at least 1 m (3.28 ft.) in width shall be provided for use between individual manufactured homes, the park roads, and all community facilities provided for park residents.
- 7.8.4 Visitor parking space shall be provided at a ratio of at least one space for every two manufactured home units, shall be located at convenient locations throughout the park, and shall not be used for the storage of boats, trailers, etc.
- 7.8.5 The design of the park shall be to the satisfaction of the Development Authority.
- 7.8.6 All municipal utilities shall be provided underground to stalls.
- 7.8.7 Recreational space shall be provided at the ratio of at least 28 m² (301.40 ft²) per manufactured home stall. This recreation space shall be placed in locations convenient to all park residents, free from traffic hazards, shall not be included in areas designated as buffer strips, and shall be clearly defined.
- 7.8.8 All areas not occupied by manufactured homes and their additions, internal roads, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around laundry yards, refuse collection points and playgrounds.
- 7.8.9 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.
- 7.8.10 Facilities shall be arranged to create a homelike atmosphere. This objective is achieved by variations in street pattern, block shapes and location of manufactured home stalls.
- 7.8.11 Each manufactured home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs, or hedges.
- 7.8.12 Street lighting shall be to the same standard as that in a conventional residential neighbourhood.
- 7.8.13 a) Only one main, free-standing, identification sign of residential character and appearance shall be erected at the entrance to a park unless the Municipal Planning Commission is of the opinion that a further and similar sign may be allowed under exceptional circumstances involving 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.

- b) Directional signs within the park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.
- 7.8.14 Manufactured homes shall be separated from each other by at least 4 m (13.12 ft.) side-to-side and 3 m (9.84 ft.) from either front or rear stall line, provided further that any porch or addition to the manufactured home is regarded as part of the manufactured home for the purpose of spacing. Notwithstanding the above, the minimum side yard requirement on a manufactured home stall shall be 1.5 m (5 ft).
- 7.8.15 Manufactured home parks shall comply with Central Mortgage and Housing Corporation standards.
- 7.8.16 The minimum site area shall be 2 ha (4.94 ac.).
- 7.8.17 The maximum permissible density shall be 18 manufactured home spaces per gross developable hectare (7.28 per ac.) of the area actually being developed at each stage of the development.
- 7.8.18 The minimum size for a manufactured home stall shall be 370 m² (3982.78 ft²).
- 7.8.19 A development permit is required for the placement or erection of a manufactured home within a manufactured home park, whether or not the park itself has a development permit.

8. RESIDENTIAL ESTATE (RE) DISTRICT

8.1 Purpose

The purpose of the RE district is to allow high quality residential development on large lots which may not be able to be served by municipal sewer because of topographic constraints.

8.2 Overall Plan Required

No land shall be subdivided or developed for RE purposes unless that land is the subject of an overall plan for the entire property, which has been approved by council.

8.3 Permitted Uses

The following uses are permitted:

- o new detached residences
- o granny suites
- o home offices
- o public parks and recreation areas
- o buildings and uses accessory to the above, but not larger than 233 m² (2500 square feet) and walls not exceeding 16 feet [Bylaw 835/09].

8.4 Discretionary Uses

The following uses may be allowed at the discretion of the Development Authority:

- o moved-in residences, but excluding manufactured and mobile homes
- o modular homes, but excluding manufactured and mobile homes
- o group homes
- o home businesses
- o utility installations
- o buildings and uses accessory to the above, larger than 233 m² (2500 square feet) [Bylaw 835/09].

8.5 Number of Dwellings on a Lot

Only one dwelling shall be constructed on a lot, but this shall not prevent the construction and use of one self-contained suite within a main building.

8.6 Lot Size Requirements

Lot area: All residential lots shall have an area of at least 1,800 m² (0.5 acres).

Lots for other purposes shall have an area satisfactory to the Development Authority.

Lot width: All residential lots shall have a mean width of at least 30 metres (100 feet) and a front width of at least 15 metres (50 feet).

Lots for other purposes shall have a width satisfactory to the Development Authority.

8.7 Yards and Setbacks

8.7.1 All buildings shall be located at least 10 metres from any road, 20 metres from the rear property line, 5 metres from any other property line, and 5 metres from any other building.

8.7.2 Accessory buildings shall be located behind the front wall of the main building.

8.8 Development Agreement to be Registered

If at the time of subdivision a residential lot is not served by a paved road, and/or is not connected to all municipal services, a development agreement shall be registered on the title to the lot, and under the terms of this agreement the owner and his successors shall accept financial responsibility for installing or upgrading services or paving, and shall release the municipality from any financial responsibility for such installation or upgrading.

8.9 Development Standards

8.9.1 All residential lots shall be connected to the municipal water system.

8.9.2 All other development standards shall be negotiated between the developer and the municipality and specified in the overall plan governing the subdivision, and shall be suitable for a high quality residential development.

8.10 Sewage Treatment

If residential lots are not to be served by a piped gravity municipal sewer system, the method of sewage treatment must be acceptable to Alberta Environmental Protection, the Regional Health Authority, and the municipality.

8.11 Building Quality

In order to ensure a high standard of building and design, architectural controls must be registered on the title of each lot at the time of subdivision.

8.12 Maximum height of buildings

A building shall not exceed two storeys above grade unless it is set back at least 10 metres from the side property line, in which case it may have three storeys above grade.

8.13 Other Controls

The requirements of Schedules A and D apply in this district.

9. COUNTRY RESIDENTIAL (CR) DISTRICT

9.1 Purpose

The purpose of the CR district is to allow high quality residential development on large lots, which do not have municipal water and sewer service.

9.2 Overall Plan Required

No land shall be subdivided or developed for CR purposes unless that land is the subject of an overall plan for the entire property, which has been approved by council.

9.3 Permitted Uses

The following uses are permitted:

- o new detached residences
- o modular homes, but excluding manufactured and mobile homes
- o granny suites
- o home offices
- o public parks and recreation areas
- o buildings and uses accessory to the above, but not larger than 233 m² (2500 square feet) and walls not exceeding 16 feet [Bylaw 835/09].

9.4 Discretionary Uses

The following uses may be allowed at the discretion of the Development Authority:

- o moved-in residences, but excluding manufactured and mobile homes
- o group homes
- o home businesses
- o utility installations
- o buildings and uses accessory to the above larger than 233 m² (2500 square feet) [Bylaw 835/09].

9.5 Number of Dwellings on a Lot

Only one dwelling shall be constructed on a lot, but this shall not prevent the construction and use of one self-contained suite within a main building.

9.6 Height of Buildings

No building shall have a height exceeding 10 metres (33 feet) above grade, measured to the roof peak.

9.7 Lot Size Requirements

9.7.1 All residential lots shall have an area of at least 1.0 ha (2.5 acres).

9.7.2 Lots for other purposes shall have an area satisfactory to the Development Authority.

9.8 Yards and Setbacks [Bylaw 790-06]

9.8.1 All buildings shall be located at least

- o 10 metres from the right-of-way of any road or lane, and
- o 10 metres from the rear property lines, and
- o 5 metres from a side property line, and
- o 5 metres from any other building.

9.8.2 Accessory buildings shall be located behind the front wall of the main building.

9.9 Development Agreement to be Registered

If at the time of subdivision a residential lot is not served by a paved road, and/or is not connected to all municipal services, a development agreement shall be registered on the title to the lot, and under the terms of this agreement the owner and his successors shall accept financial responsibility for installing or upgrading services or paving, and shall release the municipality from any financial responsibility for such installation or upgrading.

9.10 Development Standards

All development standards shall be negotiated between the developer and the municipality and specified in the overall plan governing the subdivision, and shall be suitable for a high quality residential development.

9.11 Sewage Treatment

The method of sewage treatment must be acceptable to Alberta Environmental Protection, the Regional Health Authority, and the municipality.

9.12 Minimum House Size

All houses shall contain a finished floor area of at least 150 square metres (1,614 square feet) excluding garages and basements.

9.13 Other Controls

The requirements of Schedule A apply in this district.

10. PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

10.1 Purpose

The purpose of the PUD district is to provide land for large scale innovative developments which cannot be accommodated under any other district.

10.2 Overall plan required

10.2.1 No land shall be developed as a PUD unless that land is the subject of an overall plan acceptable to council.

10.2.2 The overall plan may over-ride the standards set out in this bylaw provided this is noted in the overall plan.

10.3 Development agreement required

A comprehensive development agreement covering the entire PUD must be in place before any site development is commenced.

11. CENTRAL COMMERCIAL (C1) DISTRICT

11.1 Purpose

The C1 district provides land for pedestrian-oriented commercial land uses in the core of the municipality.

11.2 Permitted Uses

The following uses are permitted:

- o retail businesses, except those listed as discretionary
- o motels and hotels
- o professional, financial, and service businesses, except those listed as discretionary
- o clubs, associations, churches, and lodges, except those listed as discretionary
- o government, police, and emergency services operations
- o public parks and recreation areas
- o residences above the main floor
- o buildings and uses accessory to the above, with conditions, see 11.5 [Bylaw 835/09]

11.3 Discretionary Uses

The following uses may be allowed at the discretion of the Development Authority:

- o Trade workshops
- o Establishments selling or dispensing alcohol for consumption on the premises
- o Establishments providing "adult" entertainment or products
- o Establishments where gambling is conducted
- o Pawn shops
- o Amusement arcades
- o Businesses selling lumber or other flammable products
- o Drive-in businesses
- o Businesses selling or servicing motor vehicles
- o Group care facilities
- o Residences at street level
- o Buildings and uses accessory to the above uses, with conditions, see 11.5 [Bylaw 835/09]

11.4 Yards and Setbacks

11.4.1 All buildings shall be set back at least 6 metres (20 feet) from a rear lane, unless space is provided elsewhere for parking, loading, and garbage containers.

11.4.2 No front or side yard setbacks are required.

11.5 Accessory Buildings

- o Must be located in the rear yard, unless approved by the Development Authority, and sighting may be determined by building and fire code regulations.
- o Only one accessory building per lot, unless approved by the Development Authority.
- o Size of an accessory building shall be determined by lot size, site coverage maximum, setbacks, parking and landscaping requirements.
- o Height of an accessory building shall be no higher than the main building.
- o Outside finish shall be of a material and color consistent with surrounding buildings, and must not be galvanized metal.

11.6 Architectural Guidelines – Main Buildings [Bylaw 835/09]

- o All visually exposed outside walls of a main building shall be 25 % rock or brick finish, with the remainder being stucco or other finish approved by the Development Authority, not including window area.
- o Other architectural requirements as approved by the Development Authority.

11.7 Height of Buildings

No building shall have a height exceeding 10 metres (33 feet) above grade, measured to the roof peak.

11.8 Other Controls

The requirements of Schedules A and D apply in this district.

12. HIGHWAY COMMERCIAL (C2) DISTRICT

12.1 Purpose

The purpose of the C2 district is to provide land for services to the travelling public, for businesses, which generate or benefit from exposure to large volumes of vehicle traffic, and for retail and service businesses which need larger lots than can reasonably be provided in the C1 area.

12.2 Permitted Uses

The following uses are permitted:

- o all uses listed as permitted in the C1 district
- o gasoline and other fuel sales
- o trade workshops
- o churches
- o automobile, recreation vehicle, boat, manufactured housing, and farm equipment sales, leasing, service, and repair businesses, but excluding body shops, paint shops, and bulk and unattended gasoline sales
- o meat processing plants [Bylaw 835/09]
- o auto body and paint shops [Bylaw 835/09]
- o buildings and uses accessory to the above (with conditions, see 12.5) [Bylaw 835/09]
- o sea-cans as accessory buildings (with conditions, see 12.5) [Bylaw 835/09]

12.3 Discretionary Uses

The following uses may be allowed at the discretion of the Development Authority:

- o all uses listed as discretionary in the C1 district
- o automotive body shops and paint shops
- o travel trailer campsites
- o bulk and unattended fuel sales, provided that the tanks and loading areas are at least 50 metres from any residence
- o warehousing and storage
- o buildings and uses accessory to the above (with conditions, see 12.5) [Bylaw 835/09]

12.4 Highway Access

The Development Authority shall not approve a direct access from a lot to Highway 20 or Highway 53 without the approval of Alberta Transportation.

12.5 Accessory Buildings [Bylaw 835/09]

- o Must be located in the rear yard, or hidden from public view.
- o Sighting may be determined by building and fire code regulations.
- o Size of an accessory building shall be determined by lot size, site coverage maximum, setbacks, parking and landscaping requirements.
- o Height of an accessory building shall be no higher than the main building.
- o Outside finish shall be of a material and color consistent with surrounding buildings, and must not be galvanized metal.
- o Sea cans are allowable as accessory buildings, but only if they are hidden from public view, and the color is consistent with surrounding buildings.

12.6 Lot Size Requirements

12.6.1 Lots for commercial operations shall have an area of at least 1,000 square metres (10,750 square feet) and a mean width of at least 30 metres (100 feet).

12.6.2 The size of lots for other uses shall be as required by the Development Authority.

12.7 Yards and Setbacks

All buildings shall be set back at least

- o 8 metres (26 feet) from any road or, if used as part of a service station or a drive in business, 12 metres from any road,
- o 5 metres (16 feet) from the rear property line, and
- o 3 metres (10 feet) from the side property line, but no less than half the height of the building from a side property line which abuts a residential area.

12.8 Architectural Guidelines – Main Buildings [Bylaw 835/09]

- o All visually exposed outside walls of a main building shall be 25 % rock or brick finish, with the remainder being stucco or other finish approved by the Development Authority, not including window area.
- o The remainder of visually exposed outside wall finish of a main building shall be colored metal or other materials approved by the Development Authority.
- o Other architectural requirements as approved by the Development Authority.

12.9 Height of Buildings [Bylaw 835/09]

No building shall have a height exceeding 10 metres (33 feet) above grade, measured to the roof peak.

12.10 Other Controls

The requirements of Schedules A and D apply in this district.

13. INDUSTRIAL (M) DISTRICT

13.1 Purpose

The purpose of the Industrial district is to provide land for industrial and commercial uses which will not damage or interfere with adjacent land uses by reason of noise, dust, odour, vibration, heavy traffic, or other objectionable conditions.

13.2 Permitted Uses

The following uses are permitted:

- o manufacturing, processing, and fabrication
- o services and sales to agriculture
- o warehousing and storage
- o railway operations
- o automobile, truck, and farm equipment sales and service
- o car and truck washing establishments
- o transportation, communications, and utilities industries
- o veterinary clinics
- o abattoir (with conditions, see 13.4) [Bylaw 835/09]
- o meat processing plants[Bylaw 835/09]
- o auction markets, but excluding animal sales
- o wholesale distributors
- o retail businesses, except those listed as discretionary
- o service businesses, except those listed as discretionary
- o auto body and paint shops[bylaw 835/09]
- o clubs, associations, and lodges, except those listed as discretionary
- o government, police, and emergency services operations
- o buildings and uses accessory to the above (with conditions, see 13.6) [Bylaw 835/09]
- o sea-cans as accessory buildings (with conditions, see 13.6) [Bylaw 835/09]

provided that these uses comply with the purpose of this district and do not interfere with adjacent land uses for the reasons referred to as "objectionable conditions" in section 13.1.

13.3 Discretionary Uses

The following uses may be allowed at the discretion of the Development Authority:

- o auto body and paint shops
- o bulk fuel and fertilizer storage and sales
- o slaughterhouses and meat processing plants
- o hatcheries
- o recycling industries including auto wreckers
- o livestock auction markets
- o liquor stores
- o restaurants, clubs, and other establishments serving alcoholic drinks
- o amusement arcades

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- o casinos and bingo halls
 - o residences to a maximum of one per lot
 - o advertising signs not exempted by Schedule A
 - o buildings and uses accessory to the above (with conditions, see 13.6) [bylaw 835/09]

When approving a discretionary use, the Development Authority may require that appropriate measures are taken to mitigate any objectionable conditions listed in section 13.1.

13.4 Abattoir [Bylaw 835/09]

- o An abattoir shall be setback from a residential area in accordance with Federal and Provincial legislation, but a minimum of 200 metres from a residential area.
- o The unloading facility and holding pens shall be fully enclosed within the facility.
- o Storage of animal waste and blood shall be in specially designed containers to avoid flies and smell.
- o All animal waste and blood shall be disposed of off-site.

13.5 Highway Access

The Development Authority shall not approve a direct access from a lot to Highway 20 or Highway 53 without the agreement of Alberta Transportation.

13.6 Accessory Buildings [Bylaw 835/09]

- o Must be located in the rear yard, or hidden from public view.
- o Sighting may be determined by building and fire code regulations.
- o Size of an accessory building shall be determined by lot size, site coverage maximum, setbacks, parking and landscaping requirements.
- o Height of an accessory building shall be no higher than the main building.
- o Outside finish shall be of a material and color consistent with surrounding buildings, and must not be galvanized metal.
- o Sea cans are allowable as accessory buildings, but only if they are hidden from public view, and the color is consistent with surrounding buildings.

13.7 Yards and Setbacks

All buildings shall be set back at least

- o 8 metres (26 feet) from any road or, if used as part of a service station or a drive in business, 12 metres (40 feet) from any road,
- o 6 metres (20 feet) from the rear property line, and
- o 3 metres (10 feet) from the side property line.

13.8 Screening

The Development Authority may require that areas used for open storage of unsightly material are screened from public view by means of suitable fencing or landscaping.

13.9 Architectural Guidelines – Main Buildings [Bylaw 835/09]

- All visually exposed outside walls of a main building shall be 25 % rock or brick finish, with the remainder being stucco or other finish approved by the Development Authority, not including window area.
- The remainder of visually exposed outside wall finish of a main building shall be colored metal or other materials approved by the Development Authority.
- Other architectural requirements as approved by the Development Authority.

13.10 Height of Buildings [Bylaw 835/09]

No building shall have a height exceeding 10 metres (33 feet) above grade, measured to the roof peak.

13.11 Other Controls

The requirements of Schedules A and D apply in this district.

14. INSTITUTIONAL AND PUBLIC USES (IPU) DISTRICT

14.1 Purpose

The purpose of the IPU district is to provide land for parks, schools, hospitals, and other community service facilities, both publicly and privately owned.

14.2 Permitted Uses

The following uses are permitted:

- o schools and libraries
- o halls and auditoriums
- o churches
- o group homes
- o group care facilities
- o hospitals, hospices, nursing homes, and long term care facilities
- o cemeteries and crematoriums
- o public parks, playgrounds, and buffer strips
- o golf courses
- o municipally owned athletic and sporting facilities
- o storm water detention areas
- o buildings and uses accessory to the above

14.3 Discretionary Uses

The following uses may be allowed at the discretion of the Development Authority:

- o campgrounds
- o privately owned athletic and sporting facilities
- o residences for staff of a permitted use
- o buildings and uses accessory to the above

14.4 Yards and Setbacks

Residences in the IPU district require the same yards and setbacks as in the adjacent residential district or, if there is no adjacent residential district, the same yards and setbacks as in the R1 district.

Yards and setbacks for other land uses shall be as required by the Development Authority.

14.5 Other Controls

The requirements of Schedule A and D apply in this district.

15. URBAN EXPANSION (UX) DISTRICT

15.1 Purpose

The purpose of the UX district is to identify land which in future will probably be converted to urban use, but which can be used for agriculture as long as the owner elects to do so. An outline plan acceptable to council must be prepared before the land will be considered for reclassification to another use.

15.2 Permitted Uses

The following uses are permitted:

- o agriculture, but excluding intensive livestock operations or the spreading of manure
- o buildings and uses accessory to the above

15.3 Discretionary Uses

The following uses may be allowed at the discretion of the Development Authority:

- o uses which are compatible with the long term plans for the land as set out in the Municipal Development Plan and any area structure plan or outline plan affecting the land

15.4 Number of Dwellings on a Lot

No more than one dwelling shall be established on a lot.

15.5 Yards and Setbacks

Buildings, utility connections, and other improvements shall be established in locations compatible with the long term plans for the land as set out in the Municipal Development Plan and any area structure plan or outline plan affecting the land.

15.6 Other Controls

The requirements of Schedule A apply in this district.

16. DIRECT CONTROL (DC) DISTRICT

16.1 Control by Council

Pursuant to section 11 of this bylaw and section 641 of the Act, and subject to any statutory plan, Council may directly regulate and control the use or development of land and buildings in a DC district in any manner it considers necessary.

SCHEDULE D: PARKING

Type of development	Number of stalls
<i>Residential</i>	
Detached residence	2
plus per granny or rental suite	1
Duplex, triplex, fourplex, or row housing	2 per dwelling
Condo with units having individual at-grade entrance	1.5 per unit
Apartment	1.5 per suite
Manufactured house on subdivided lot	2
Manufactured house in unsubdivided park	2 per unit, but one of these units may be in a central parking lot

A stall for residential use may be inside a garage, or outside the building but entirely on the lot, and may include a driveway.

Non-residential

The following shall have sufficient on-site parking for all employees plus client / customer parking at the following rates

Retail stores	1 per 100 m ² GLA (but see note)
Offices and financial institutions	1 per 100 m ² GLA (but see note)
Hotels and motels	1 per room, plus stalls required for the entertainment component of the business at the bar rate
Restaurants, bars, and clubs	1 per 10 seats
Churches, halls, and theatres	1 per 10 seats
Industrial plants	1 per employee at maximum shift
Schools	1 per 10 students aged 16 or older
Hospitals	1 per 4 beds
Other	Sufficient that client parking does not congest nearby streets

Note: Where a business is likely to attract a high volume of traffic with high turnover, the Development Authority may require more parking.

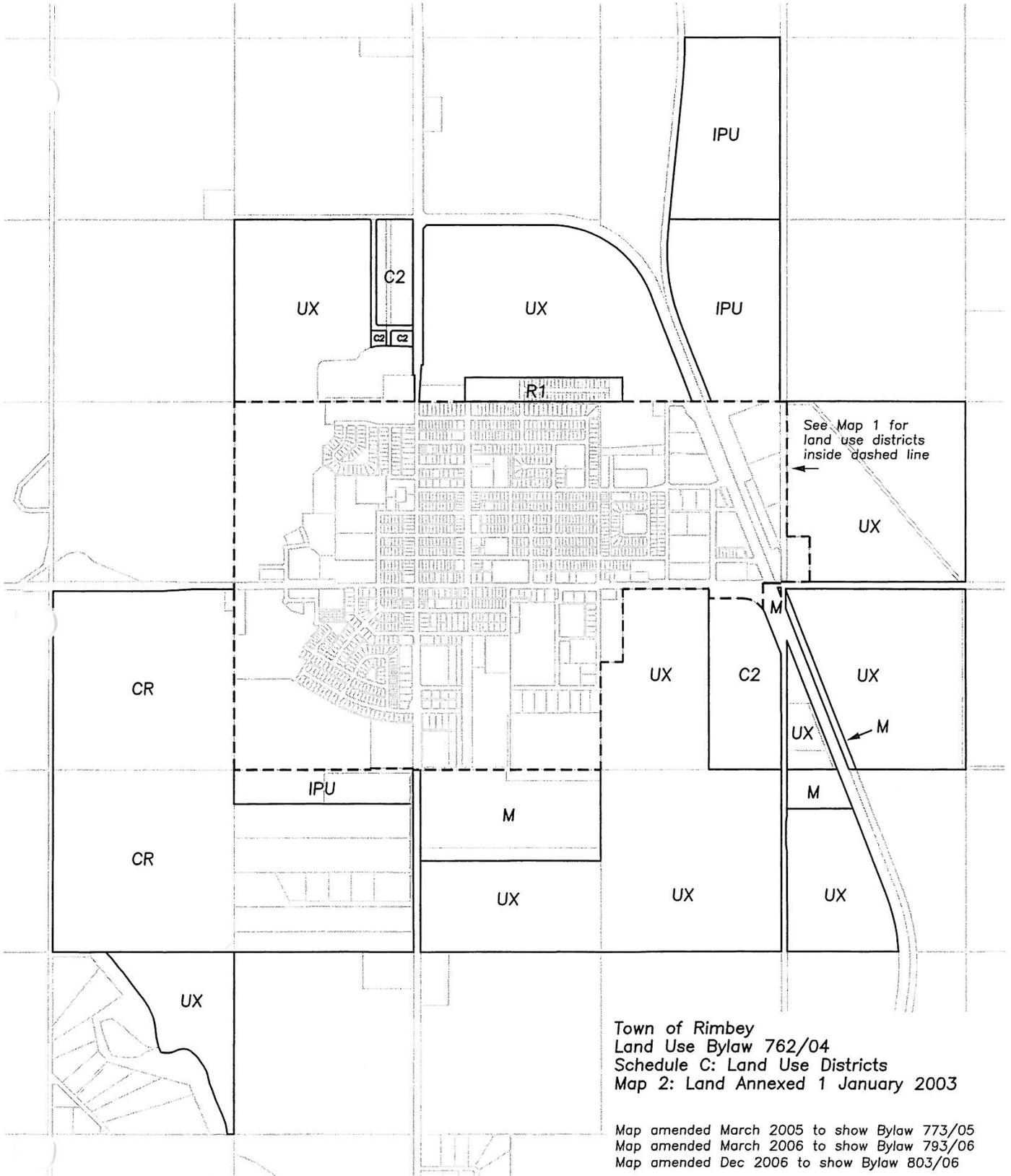
On-site parking requirements for non-residential uses may be relaxed where in the opinion of the Development Authority

- (a) sufficient on-street parking is available without causing congestion, or
- (b) sufficient parking is available in public parking lots, or
- (c) private parking can be shared because peak use times are different.

LOADING

Every non-residential building shall have an off-street loading space of sufficient size that vehicles loading or unloading need not park on a street or lane.

This requirement may be waived by the Development Authority if in his opinion loading from the street or lane will not unreasonably disrupt traffic flow.

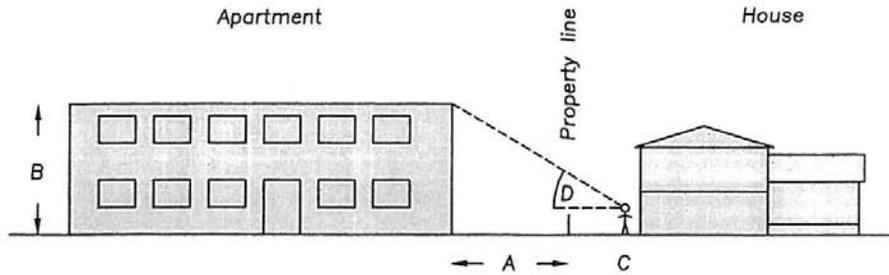


Town of Rimby
 Land Use Bylaw 762/04
 Schedule C: Land Use Districts
 Map 2: Land Annexed 1 January 2003

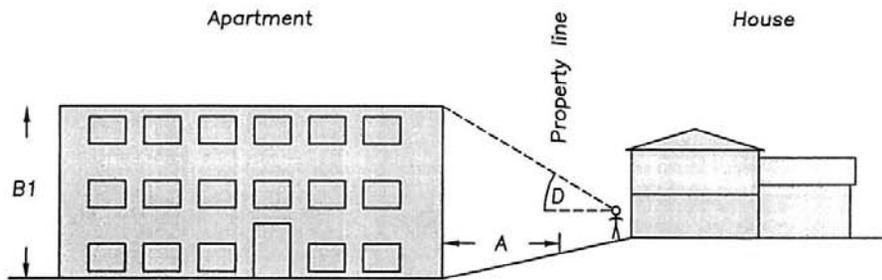
Map amended March 2005 to show Bylaw 773/05
 Map amended March 2006 to show Bylaw 793/06
 Map amended Dec 2006 to show Bylaw 803/06

**Town of Rimbey
Bylaw 762/04
Figure 1**

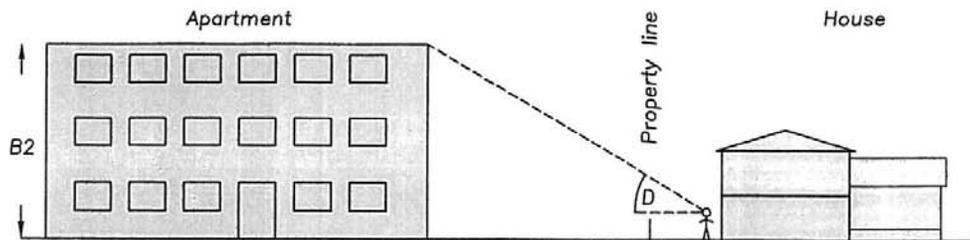
Illustrating section 5.11 of Schedule B
Height limits on apartment buildings



- A Minimum setback required by bylaw
- B Maximum height allowed by bylaw
- C Observer on adjacent property
- D Apparent height of apartment from neighbour's point of view



Apartment is built on lower ground, so height B1 can be greater without increasing angle D



Apartment is built further away from the property line, so height B2 can be greater without increasing angle D