



Town of Blackfalds
Standing Committee of Council Meeting
Via Remote Videoconferencing Platform
June 14 at 7:00 p.m.
AGENDA

1. **Call to Order**
2. **Adoption of Agenda**
 - 2.1 Agenda for June 14, 2021
3. **Delegation**
 - 3.1 RCMP District Officer – C/Supt. Darcy Fleury
4. **Public Hearing**

None
5. **Business Arising from Minutes**

None
6. **Business**
 - 6.1 [Request for Direction, Office Hours Policy](#)
 - 6.2 [Request for Direction, Purchasing Policy](#)
 - 6.3 [Request for Direction, Land Use Bylaw Update](#)
7. **Action Correspondence**

None
8. **Information**
 - 8.1 [COVID-19 Stage 2 Implementation](#)
9. **Round Table Discussion**

None
10. **Adoption of Minutes**

None
11. **Notices of Motion**

None
12. **Business for the Good of Council**

None
13. **Confidential**

None
14. **Adjournment**

Future Meetings/Events:

- Regular Council Meeting – Tuesday, June 22, 2021
- Regular Council Meeting – Tuesday, July 13, 2021



**TOWN OF BLACKFALDS
STANDING COMMITTEE OF COUNCIL MEETING
REQUEST FOR DIRECTION**

MEETING DATE: June 14, 2021

PREPARED BY: Myron Thompson, CAO

SUBJECT: Office Hours Policy Update

BACKGROUND:

Administration is in the process of examining and bringing up to date its policies. The Office Hours Policy was last revised in 2011 and therefore there have been minor changes made to update it.

DISCUSSION:

The Office Hours Policy was created in order to be accountable to the public, by setting consistent hours (8:30 a.m. – 4:30 p.m.) in which the Civic Centre will operate and provide services. It also notes the exceptions such as weekends, statutory holidays, and additional holidays such as Easter Monday and Christmas Eve. The Policy outlines that changes to normal operating hours will only be given with permission of the CAO and should not be less than 24 hours.

ADMINISTRATIVE RECOMMENDATION:

1. That the Standing Committee of Council recommend that the Office Hours Policy 153.21 as presented be forwarded to the next Regular Council Meeting for formal approval.

ALTERNATIVES

- a) That Council refers this item back to Administration for further information.

Attachments:

- 153.21 Office Hours Policy
- 2011 Office Hours Policy

Approvals:



CAO Myron Thompson



Policy No.: 153.21 Policy Title: Office Hours Policy Department: Administration Effective Date: Revised: June 2021 June 8, 2011 Supersedes Policy/Bylaw: 2011 Office Hours Policy Review Date: June 2024	Council Approval: Resolution No. Date:
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Policy Statement

Municipal office hours at the Civic Centre are 8:30 a.m. to 4:30 p.m. for service to the public at large.

1. Reason for Policy

- 1.1 To be accountable to residents in setting and offering consistent hours by which the Civic Centre will operate and provide services.

2. Responsibilities

- 2.1 Municipal Council to:

2.1.1 Approve by resolution this policy, procedure and any amendments.

- 2.2 Chief Administrative Officer to:

2.2.1 Implement this policy and approve procedures.

2.2.2 Ensure policy and procedure reviews occur and verify the implementation of policies and procedures.

3. End of Policy



PROCEDURE

Policy No.: 153.21 Policy Title: Office Hours Policy Department: Administration	
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1. General Specifications

- 1.1 The front doors of the Civic Centre will be unlocked and reception services available at 8:30 a.m. weekday mornings and will close at 4:30 p.m.

2. Exceptions

- 2.1 The following are exceptions to the regular operating hours:
- 2.1.1 The Civic Centre will be open on weekdays as noted above with the exception of days deemed a statutory holiday.
- 2.1.2 On Easter Monday and Christmas Eve the Civic Centre will also be closed.

3. Changes to Operating Hours

- 3.1 Changes to operating hours may occur in special circumstances and will be subject to the following requirements:
- 3.1.1 Changes to the normal operational hours must be posted and advertised with as much advance notice as is possible and should not be less than 24 hours.
- 3.1.2 Changes to the normal operational hours must be authorized by the Chief Administrative Officer or their designate.

4. End of Procedure

Approval

Chief Administrative Officer

Date



Town of Blackfalds Municipal Policy Handbook

Policy Name: Office Hours

Date of Approval by Council: February 22, 1994

Resolution No.: 211/11

Last Review Date: June 28, 2011

Next Review Date: As Needed

Special Notes:

Policy Statement:

Municipal Office Hours are 8:30 a.m. to 4:30 p.m. for service to the public at large commencing April 1, 1994.

General Specifications:

The front doors of the municipal office will be unlocked and the reception services available at 8:30 am weekday mornings, excepting those days that are deemed a statutory holiday and will close at 4:30 pm.

Changes to the normal offices hours must be authorized by the Chief Administrative Officer or their designate.

Any changes to the normal operational hours must be posted and advertised with as much advance notice as is possible and should not be less than 24 hrs.

APPROVED BY:

Mayor Melodie Stol

Acting CAO Sean Barnes



**TOWN OF BLACKFALDS
STANDING COMMITTEE OF COUNCIL
REQUEST FOR DIRECTION**

MEETING DATE: June 14, 2021

PREPARED BY: Justin de Bresser, Director of Corporate Services

SUBJECT: Purchasing Policy Update

BACKGROUND:

The Purchasing Policy was last updated in 2011, and the current policy is due for a review. In an effort to streamline the purchasing abilities of authorized staff, Administration has made further amendments for Council's consideration including a new procedure.

DISCUSSION:

The purchasing policy is essentially the rules in order to procure goods and services within a defined range of conditions. This document enables authorized personnel to efficiently carry out their duties whilst maintaining a consistent approach.

The purchasing policy has undergone an extensive review in order to update the policy and procedure to current practices. The Finance Team initially reviewed the document and made the required changes and feedback from the managers group was also welcomed.

The new marked up document has been provided with any additions included in red, whereas any deletions from the old policy has been struck out.

Administration has expanded the section for Local Preference (Section 5) and added a new section speaking to the procurement of green products and services (Section 13). The green procurement section emphasizes the importance on goods and services that have a positive impact on the environment at all stages of the products life cycle. This section also speaks to the importance of the cost benefit of green procurement.

Administration is seeking feedback from Council on the revised policy with the recommendation that the updated Policy be formally approved at the next Council meeting.

ADMINISTRATIVE RECOMMENDATION:

1. That the Standing Committee of Council accept Administration's recommended changes to the Purchasing Policy as presented; and, that this item be forwarded to the next Regular Council Meeting for formal approval.

ALTERNATIVES

- a) That Council refers this item back to Administration for further discussion.



**TOWN OF BLACKFALDS
STANDING COMMITTEE OF COUNCIL
REQUEST FOR DIRECTION**

Attachments:

- 151.21 Purchasing Policy – Clean Copy
- 151.21 Purchasing Policy – Marked-up Copy
- 2011 Purchasing Policy

Approvals:



CAO Myron Thompson



Department Director/Author



Town of Blackfalds POLICY

Policy No.: 151.21 Policy Title: Purchasing Policy Department: Corporate Services Effective Date: Reviewed: June 2021 Revised: June 2021 July 2011 April 2007 Supersedes Policy/Bylaw: 2011 Purchasing Policy	Council Approval: Resolution No: Date:
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Policy Statement

The Town of Blackfalds delivery of services and acquisition of assets will be performed in a manner that might best achieve a high-quality product and/or service while maintaining an accountable, **transparent**, efficient and fair purchasing process. Investing in our community is done with an ever-present consideration of the financial impact on the taxpayers.

1. Reason for Policy

- 1.1 Acquire goods and services for the Town of Blackfalds using a method that provides best value for the dollars spent.
- 1.2 Restrict purchasing powers to only persons possessing such authority through the purchasing policy or bylaw of the Town of Blackfalds.
- 1.3 Ensure proper approval procedure.
- 1.4 Purchases made in accordance with this policy shall not require Council approval provided budget appropriation approved by the Town Council has not been exceeded.

2. Definitions

- 2.1 Purchase Order: A commercial electronic document and first official offer issued by a buyer to a seller, indicating types, quantities and agreed prices for products or services. Created in the financial system to approve a purchase prior to committing the expense with a vendor and reflect the financial commitment in the system against the cost GL code.



Town of Blackfalds POLICY

- 2.2 Request for Proposal (RFP): A solicitation often made through a bidding process, by an agency or company interested in procurement of a commodity, service or valuable asset, to potential suppliers to submit business proposals.
- 2.3 Tender: To make a formal written offer to carry out work, supply goods, or buy land, shares, or another asset for a stated fixed price and where all services, ~~shares~~, or another asset for a stated fixed price and where all services, work and outcomes are clearly defined. A mandatory evaluation criterion is set prior to the release of the invitation to tender and a criterion is applied to acceptance of a tender, including budgetary consideration. The option to not proceed with a project or purchase must be dealt with in a change order fashion and not negotiated at the time of awarding the contract.
- 2.4 Best Value: A combination of quality, timeline, cost, and efficiency is used to calculate the best value. The value of each criterion for purchases is determined at the time of acquisition of the product and/or service.
- 2.5 Emergency: An event that requires prompt coordination of actions or special regulations of persons or property to protect the safety, health or welfare of people or to limit damage to property.
- 2.6 Local Supplier: A person, firm, corporation or business which has a valid Town of Blackfalds business license and has a business address located within the corporate limits of the Town and/or within a 10 km radius.
- 2.7 Business Licence: A permit authorized and issued by the Town of Blackfalds to allow individuals or companies to conduct business within the Town of Blackfalds geographical jurisdiction.
- 2.8 Green Procurement: Purchasing products or services, which minimize, or provide favourable environmental impacts.
- 2.9 Single Source: Refers to a product or service that is proprietary and no alternate sources of supply/service exist.
- 2.10 Purchasing Authority: Refers to the authority granted to an employee to purchase and/or approve the purchase of goods and or services on behalf of the Town. This does not include the authority to sign or execute contracts.
- 2.11 Trade Agreements: The Canadian Free Trade Agreement, the New West Partnership Trade Agreement and any future trade agreements the Town may become subject to plus any amendments made to these Trade Agreements.



Town of Blackfalds POLICY

3. Responsibilities

3.1 Municipal Council to:

- 3.1.1 Approve by resolution this policy and any amendments;
- 3.1.2 Consider purchasing processes for successful implementation of this policy.

3.2 Chief Administrative Officer to:

- 3.2.1 Implement this policy and approve procedures;
- 3.2.2 Ensure policy and procedure reviews occur and verify the implementation of policies and procedures.

3.3 Director of the Department to:

- 3.3.1 Ensure implementation of this policy and procedure;
- 3.3.2 Ensure that this policy and procedure is reviewed every three years;
- 3.3.3 Make recommendations to the Chief Administrative Officer of necessary policy or procedure amendments.

3.4 Manager to:

- 3.4.1 Understand, and adhere to this policy and procedure;
- 3.4.2 Ensure employees are aware of this policy and procedure.

3.5 All Employees to:

- 3.5.1 Understand and adhere to this policy and procedure.

4. Appendix

- 4.1 None

5. End of Policy



Town of Blackfalds POLICY

PROCEDURE	Policy No.: 151.21 Policy Title: Purchasing Policy Department: Corporate Services
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1. Preamble

- 1.1 The purpose of the Purchasing Policy is to establish and delegate purchasing authority, ensure fairness and expediency in Town purchases, reflect a commitment to protect our local economy and ensure compliance with legislation and current trade agreements.

2. Authorization

- 2.1 The following employees of the Town of Blackfalds will have authorization to issue a purchase order for purchases in the listed ranges:

▪ Chief Administrative Officer	No Limit
▪ Director of Corporate Services	Up to \$10,000
▪ Director of Community Services	Up to \$10,000
▪ Director of Infrastructure & Property Services	Up to \$10,000
▪ Protective Services Manager (DEM)	Up to \$10,000
▪ Financial Services Manager	Up to \$5,000
▪ Information Technology Manager	Up to \$5,000
▪ Parks & Facilities Manager	Up to \$5,000
▪ FCSS Manager	Up to \$5,000
▪ Infrastructure Services Manager	Up to \$5,000
▪ Marketing & Communications Manager	Up to \$5,000
▪ Planning & Development Manager	Up to \$5,000
▪ Fire Chief	Up to \$5,000
▪ Economic Development Officer	Up to \$5,000
▪ Human Resources Officer	Up to \$5,000
▪ Utility Foreman	Up to \$2,500
▪ Parks Foreman	Up to \$2,500
▪ Transportation Foreman	Up to \$2,500
▪ Environmental Foreman	Up to \$2,500
▪ Recreation and Culture Programmer	Up to \$2,500
▪ Fitness and Aquatic Programmer	Up to \$2,500

- 2.1.1 Upon approval of the department Director and the Chief Administrative Officer, additional staff members may be authorized to issue purchase orders for purchases up to a maximum of \$2,500.00.

- 2.1.2 Authorized personnel will be responsible for expenditures in their department only. In the case of an order containing goods and services for two or more departments, each authorized signing authority is required to code and

Commented [JdB1]: @Managers Please ensure titles of positions are correct.



Town of Blackfalds POLICY

approve the invoice for payment, or sign a purchase order, whichever is required.

3. Vendor Relations

- 3.1 To maintain and practice the highest possible standards of business ethics, professional courtesy and competence in all dealings. At all times, applicable laws must be observed. In this regard the following should apply when dealing with suppliers and their representative:
 - 3.1.1 Offer prompt and courteous reception, as well as fair and equal treatment, to all suppliers and their representatives.
 - 3.1.2 Provide equal opportunity for all suppliers to respond to the Town's procurement requirements.
 - 3.1.3 Guarantee the confidentiality of all specifications and price quotations made by vendors responding to a Request for Proposal. Bottom line quotes will be made public in accordance with FOIP and the *Municipal Government Act*.
 - 3.1.4 If for any reason a supplier is permitted to re-quote, their competitors will be given the same opportunity.

4. Purchase

- 4.1 The direct purchasing process allows purchases of items under \$2,000 dollars to be left to the discretion of the authorized signing authority. There is no competitive pricing requirement, but the signing authority is expected to obtain the best possible value for the taxpayer's money.
- 4.2 That three ~~written price telephone and/or internet~~ estimates be obtained prior to the purchasing of budgeted items valued between \$2,001 dollars and \$5,000 dollars. Copies of the ~~written price telephone and/or internet~~ estimates shall be attached to the final invoice for payment.
- 4.3 A purchase order must be issued for any purchase of goods or services that do not have a contract or agreement in place and exceed \$5,000. Three written confirmations of price estimates must be received prior to the purchase of budgeted items valued at \$5,000 to \$10,000.
- 4.4 Purchase orders must be completed within the financial system and bear the appropriate authorization as per the Purchasing Policy prior to ordering the goods or services on behalf of the Town. The approving individual is responsible to ensure that the purchase is appropriate and within budgetary guidelines. A purchase order that does not correspond in value to an invoice must have a written explanation for any variance exceeding 5% or \$500.00.



Town of Blackfalds POLICY

- 4.5 ~~That three written confirmations of price estimates be received prior to the purchase of budgeted items valued at \$5,000.00 to \$10,000.00. Copies of the recorded telephone and/or internet estimates shall be attached to the final invoice for payment.~~ Moved this section to 4.3.
- 4.6 Procurement of goods and services between \$10,000 and \$75,000 shall be awarded on the basis of written Request for Proposal. If there are local suppliers, the request for written Proposals shall be advertised locally or the local suppliers shall be invited to respond. If verbal invitations are extended to local suppliers, the buyer shall ensure that the identical information is given to each of those suppliers. Requests for Proposal shall include all acceptable known local suppliers and may include out-of-town suppliers.
- 4.7 Procurement of goods and services over \$75,000 shall be awarded on the basis of:
- 4.7.1 Written tender submissions to be prepared by a designated engineer and used for projects and/or services that have enough detailed information to limit the number of change orders required and prevent project cost overruns.
- 4.7.2 Written Request for Proposals are to be prepared by department Directors and used for projects that have specified outcomes and are open to the methods of delivery.
- 4.7.3 Requests for Proposals/Tenders must not exceed thresholds of Trade Agreements.
- 4.8 Tenders and Request for Proposals for procurement of goods and services for capital works shall be advertised, and/or undertaken by invitation for known local and non-local suppliers.
- 4.9 The evaluation criteria in which Tenders/Proposals are ranked and chosen may be determined by the Director depending on the nature of the purchase and the expertise required.
- 4.10 Unless otherwise specified by Council, the Chief Administrative Officer is delegated the authority to accept any proposal, the value of which does not exceed \$100,000; as long as,
- 4.10.1 The goods or services are provided for in an approved budget;
- 4.10.2 Multi-year service contracts will be approved by Council;
- 4.10.3 The Tender or Proposal is to be awarded based on best value.

In the event of the following, the Tender or Proposal shall be submitted to Council for approval:

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Town of Blackfalds POLICY

- 4.10.4 The budget allocation is insufficient in the opinion of the Chief Administrative Officer;
- 4.10.5 The award is to be made to any firm with a proposal that does not demonstrate best value.
- 4.10.6 All Tenders or Proposals over \$100,000 shall be submitted to Council for approval.
- 4.11 The lowest estimate will not always be accepted, if consideration of warranty, special conditions and availability make the lowest bid less desirable.

5. Local Preference

- 5.1 Preference should be given to Town of Blackfalds based suppliers and contractors with the final decision based on an overall "best value" evaluation. **This is subject to ensuring the Town does not exceed the thresholds of Trade Agreements.**
 - 5.1.1 **Employees with purchasing authority are encouraged to make all direct purchases from local businesses, where possible.**
 - 5.1.2 **Employees with purchasing authority are encouraged to invite all qualified local businesses to submit a quotation for goods and services as part of the competitive pricing or quotation process.**
 - 5.1.3 **When hiring a firm or organization to act as a prime contractor, employees with purchasing authority may suggest and recommend local businesses to act as suppliers and subcontractors.**
 - 5.1.4 When evaluating different vendors on the price factor, ensure prices are directly comparable. When comparing prices; supplies for purchases below **\$75,000. Employees with purchasing authority may accept a local price preference of 5% to a maximum of \$2,000.**

6. Managing Capital Projects

- 6.1 All contracts for capital projects shall be awarded according to the Town's Purchasing Policy. Administration of all capital projects is the responsibility of the Chief Administrative Officer who may delegate such responsibility to the appropriate Director or another person. The Chief Administrative Officer or that delegated person shall approve all expenditures i.e., progress payments up to the approved contract price. Where administrative responsibility has been delegated, the person to whom the responsibility is delegated shall ensure:
 - 6.1.1 That the work, goods supplied or service supplied has met the standard specifications contracted for;



Town of Blackfalds POLICY

- 6.1.2 That the price charged is according to the contract and where a progress or similar payment is involved, that the portion of the contract being paid for is complete in all respects;
- 6.1.3 That all the terms and conditions specified by the Town have been met;
- 6.1.4 That funds are available within the capital project budget; and
- 6.1.5 That the expenditure is charged against the activity to which it is coded. The Chief Administrative Officer may revise terms and conditions of a contract providing that the revision does not substantially change the project, or cause the project to exceed the budget. Changes to contracts exceeding contingency amounts, will not be changed without Council's prior approval, except in an emergency as deemed necessary by the Chief Administrative Officer. ~~who will advise Council at their next scheduled meeting. This was moved down to 13.2.~~

7. Responsibility

- 7.1 Every authorized employee is responsible for ensuring that Purchase Orders are used within the specified guidelines and approval is obtained prior to making purchases.
- 7.2 It is the responsibility of all to obtain the best possible value for the taxpayer's dollar and to ensure that their purchasing authority is not abused.
- 7.3 Misuse or abuse of the purchasing authority may result in disciplinary action or termination.

8. Petty Cash

- 8.1 An employee may be reimbursed for purchases made for by the individual and authorized by the supervisor to an amount of ~~\$100.00~~. The reimbursed amount will be paid out of the Town's petty cash fund upon presentation of a paid receipt.
- 8.2 The Director of Corporate Services or designate is authorized to reimburse cash purchases.

9. Business Licences and Worker's Compensation

- 9.1 Those successful bidders, where applicable, shall be required to have a Town of Blackfalds Business Licence ~~as per the bylaw~~ prior to the start of work, and this requirement shall be included in the Tender or Request for Proposal document.
- 9.2 Where ~~required~~ applicable, Workers' Compensation Numbers shall be provided to the Town prior to the start of work and this requirement shall be included in the Tender or Request for Proposal document.



Town of Blackfalds POLICY

Note of explanation: "Where applicable, is defined as where required," for example:

a. If the Town is to bring in a contractor to complete a capital project for the Town, and that contractor is working in Town and will be here in Town, they will be required to have a Town of Blackfalds Business License. If the Town purchases supplies out of Town and has them delivered, that supplier will not require a Town of Blackfalds Business License.

b. Contractors performing work for the Town of Blackfalds requiring that the contractor be registered with the Workers' Compensation board shall be required to supply their Workers' Compensation Board number to the Town of Blackfalds buyer. This number will then accompany the purchase order.

Commented [JdB3]:

- 9.3 When a contractor is required to have WCB. Payment of invoice's will be held until WCB clearance is obtain, where the labour portion of the invoice is over \$1,000

10. Other Over-riding Factors

- 10.1 The Director of Corporate Services may approve the issuance of an open purchase order for local vendors as requested by a department Director. All receipts and applicable purchase orders must be submitted to the Accounts Payable Clerk immediately after the procurement of goods.
- 10.2 Any change will constitute a reissue of the Purchase Order.

11. Single Source

- 11.1 Single source is a product or service that is proprietary and no alternate sources of supply/service exist. Each single source purchase must have a clearly defined backup to demonstrate what makes it qualify for this type of purchase.
- 11.2 Repairs to equipment and/or facilities that require immediate attention may be obtained through a single source type of purchase. Single source Vendors should be known for their ability to deliver best value on a regular basis.

12. Exceptions

- 12.1 For emergencies or single source supplies, the requirements of competitive bidding in this policy may not be followed. For emergency purchases, approval must be obtained as soon as possible from the Director (for \$2,000 to \$10,000), Chief Administrative Officer (for amounts exceeding \$100,000), and Council will be advised at the next scheduled Regular Meeting of Council.
- 12.2 Notwithstanding anything in this Policy, the CAO may authorize any required expenditures in emergency situations where:



Town of Blackfalds POLICY

12.2.1 The health and safety of employees or the public is at risk

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12.2.2 The loss or failure of infrastructure is at risk;

12.2.3 Any delay in procuring goods and services could jeopardize the Town's ability to provide essential services; or,

12.2.4 Pursuant to an enactment such as the *Emergency Management Act*.

13. Green Procurement

- 13.1 Green Procurement means purchasing products or services, which minimize, or provide favourable environmental impacts. It takes into consideration the costs and environmental consequences of a product in all stages of its life cycle.
- 13.2 The Town will consider Green Procurement when making purchasing decisions when Goods and Services are available at competitive prices, and the environmental benefits provided do not negatively affect the intended end use. Sustainable criteria will be examined when purchasing products and services.
- 13.3 All purchases will be made with the effort to procure, when feasible, recycled products, reusable products, and products designed to be recycled as long as the price differential is reasonable.

14. End of Policy

Policy No.: 151.21 Policy Title: Purchasing Policy Department: Corporate Services Effective Date: Reviewed: June 2021 Revised: June 2021 July 2011 April 2007 Supersedes Policy/Bylaw: 2011 Purchasing Policy	Council Approval: Resolution No: Date:
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Policy Statement

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- 1.1 Acquire goods and services for the Town of Blackfalds using a method that provides best value for the dollars spent.
- 1.2 Restrict purchasing powers to only persons possessing such authority through the purchasing policy or bylaw of the Town of Blackfalds.
- 1.3 Ensure proper approval procedure.
- 1.4 Purchases made in accordance with this policy shall not require Council approval provided budget appropriation approved by the Town Council has not been exceeded.

2. Definitions

- 2.1 Purchase Order: A commercial electronic document and first official offer issued by a buyer to a seller, indicating types, quantities and agreed prices for products or services. Created in the financial system to approve a purchase prior to committing the expense with a vendor and reflect the financial commitment in the system against the cost GL code.

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3. Responsibilities

3.1 Municipal Council to:

- 3.1.1 Approve by resolution this policy and any amendments;
- 3.1.2 Consider purchasing processes for successful implementation of this policy.

3.2 Chief Administrative Officer to:

- 3.2.1 Implement this policy and approve procedures;
- 3.2.2 Ensure policy and procedure reviews occur and verify the implementation of policies and procedures.

3.3 Director of the Department to:

- 3.3.1 Ensure implementation of this policy and procedure;
- 3.3.2 Ensure that this policy and procedure is reviewed every three years;
- 3.3.3 Make recommendations to the Chief Administrative Officer of necessary policy or procedure amendments.

3.4 Manager to:

- 3.4.1 Understand, and adhere to this policy and procedure;
- 3.4.2 Ensure employees are aware of this policy and procedure.

3.5 All Employees to:

- 3.5.1 Understand and adhere to this policy and procedure.

4. Appendix

- 4.1 None

5. End of Policy

PROCEDURE	Policy No.: 151.21 Policy Title: Purchasing Policy Department: Corporate Services
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1. Preamble

- 1.1 The purpose of the Purchasing Policy is to establish and delegate purchasing authority, ensure fairness and expediency in Town purchases, reflect a commitment to protect our local economy and ensure compliance with legislation and current trade agreements.

2. Authorization

- 2.1 The following employees of the Town of Blackfalds will have authorization to issue a purchase order for purchases in the listed ranges:

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▪ Fire Chief	Up to \$5,000
▪ Economic Development Officer	Up to \$5,000
▪ Human Resources Officer	Up to \$5,000
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▪ Environmental Foreman	Up to \$2,500
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▪ Fitness and Aquatic Programmer	Up to \$2,500

- 2.1.1 Upon approval of the department Director ~~and the Chief Administrative Officer~~, additional staff members may be authorized to issue purchase orders for purchases up to a maximum of \$2,500.00.
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approve the invoice for payment, or sign a purchase order, whichever is required.

3. Vendor Relations

- 3.1 To maintain and practice the highest possible standards of business ethics, professional courtesy and competence in all dealings. At all times, applicable laws must be observed. In this regard the following should apply when dealing with suppliers and their representative:
 - 3.1.1 Offer prompt and courteous reception, as well as fair and equal treatment, to all suppliers and their representatives.
 - 3.1.2 Provide equal opportunity for all suppliers to respond to the Town's procurement requirements.
 - 3.1.3 Guarantee the confidentiality of all specifications and price quotations made by vendors responding to a Request for Proposal. Bottom line quotes will be made public in accordance with FOIP and the *Municipal Government Act*.
 - 3.1.4 If for any reason a supplier is permitted to re-quote, their competitors will be given the same opportunity.

4. Purchase

- 4.1 The direct purchasing process allows purchases of items under \$2,000 dollars to be left to the discretion of the authorized signing authority. There is no competitive pricing requirement, but the signing authority is expected to obtain the best possible value for the taxpayer's money.
- 4.2 That three written price estimates be obtained prior to the purchasing of budgeted items valued between \$2,001 dollars and \$5,000 dollars. Copies of written price estimates shall be attached to the final invoice for payment.
- 4.3 A purchase order must be issued for any purchase of goods or services that do not have a contract or agreement in place and exceed \$5,000. Three written confirmations of price estimates must be received prior to the purchase of budgeted items valued at \$5,000 to \$10,000.
- 4.4 Purchase orders must be completed within the financial system and bear the appropriate authorization as per the Purchasing Policy prior to ordering the goods or services on behalf of the Town. The approving individual is responsible to ensure that the purchase is appropriate and within budgetary guidelines. A purchase order that does not correspond in value to an invoice must have a written explanation for any variance exceeding 5% or \$500.00.

- 4.5 Procurement of goods and services between \$10,000 and \$75,000 shall be awarded on the basis of written Request for Proposal. If there are local suppliers, the request for written Proposals shall be advertised locally or the local suppliers shall be invited to respond. If verbal invitations are extended to local suppliers, the buyer shall ensure that the identical information is given to each of those suppliers. Requests for Proposal shall include all acceptable known local suppliers and may include out-of-town suppliers.
- 4.6 Procurement of goods and services over \$75,000 shall be awarded on the basis of:
- 4.6.1 Written tender submissions to be prepared by a designated engineer and used for projects and/or services that have enough detailed information to limit the number of change orders required and prevent project cost overruns.
 - 4.6.2 Written Request for Proposals are to be prepared by department Directors and used for projects that have specified outcomes and are open to the methods of delivery.
 - 4.6.3 Requests for Proposals/Tenders must not exceed thresholds of Trade Agreements.
- 4.7 Tenders and Request for Proposals for procurement of goods and services for capital works shall be advertised, and/or undertaken by invitation for known local and non-local suppliers.
- 4.8 The evaluation criteria in which Tenders/Proposals are ranked and chosen may be determined by the Director depending on the nature of the purchase and the expertise required.
- 4.9 Unless otherwise specified by Council, the Chief Administrative Officer is delegated the authority to accept any proposal, the value of which does not exceed \$100,000; as long as,
- 4.9.1 The goods or services are provided for in an approved budget;
 - 4.9.2 Multi-year service contracts will be approved by Council;
 - 4.9.3 The Tender or Proposal is to be awarded based on best value.
- In the event of the following, the Tender or Proposal shall be submitted to Council for approval:
- 4.9.4 The budget allocation is insufficient in the opinion of the Chief Administrative Officer;
 - 4.9.5 The award is to be made to any firm with a proposal that does not demonstrate best value.

4.9.6 All Tenders or Proposals over \$100,000 shall be submitted to Council for approval.

4.10 The lowest estimate will not always be accepted, if consideration of warranty, special conditions and availability make the lowest bid less desirable.

5. Local Preference

5.1 Preference should be given to Town of Blackfalds based suppliers and contractors with the final decision based on an overall “best value” evaluation. This is subject to ensuring the Town does not exceed the thresholds of Trade Agreements.

5.1.1 Employees with purchasing authority are encouraged to make all direct purchases from local businesses, where possible.

5.1.2 Employees with purchasing authority are encouraged to invite all qualified local businesses to submit a quotation for goods and services as part of the competitive pricing or quotation process.

5.1.3 When hiring a firm or organization to act as a prime contractor, employees with purchasing authority may suggest and recommend local businesses to act as suppliers and subcontractors.

5.1.4 When evaluating different vendors on the price factor, ensure prices are directly comparable. When comparing prices; supplies for purchases below \$75,000. Employees with purchasing authority may accept a local price preference of 5% to a maximum of \$2,000.

6. Managing Capital Projects

6.1 All contracts for capital projects shall be awarded according to the Town’s Purchasing Policy. Administration of all capital projects is the responsibility of the Chief Administrative Officer who may delegate such responsibility to the appropriate Director or another person. The Chief Administrative Officer or that delegated person shall approve all expenditures i.e., progress payments up to the approved contract price. Where administrative responsibility has been delegated, the person to whom the responsibility is delegated shall ensure:

6.1.1 That the work, goods supplied or service supplied has met the standard specifications contracted for;

6.1.2 That the price charged is according to the contract and where a progress or similar payment is involved, that the portion of the contract being paid for is complete in all respects;

6.1.3 That all the terms and conditions specified by the Town have been met;

- 6.1.4 That funds are available within the capital project budget; and
- 6.1.5 That the expenditure is charged against the activity to which it is coded. The Chief Administrative Officer may revise terms and conditions of a contract providing that the revision does not substantially change the project, or cause the project to exceed the budget. Changes to contracts exceeding contingency amounts, will not be changed without Council's prior approval, except in an emergency as deemed necessary by the Chief Administrative Officer.

7. Responsibility

- 7.1 Every authorized employee is responsible for ensuring that Purchase Orders are used within the specified guidelines and approval is obtained prior to making purchases.
- 7.2 It is the responsibility of all to obtain the best possible value for the taxpayer's dollar and to ensure that their purchasing authority is not abused.
- 7.3 Misuse or abuse of the purchasing authority may result in disciplinary action or termination.

8. Petty Cash

- 8.1 An employee may be reimbursed for purchases made for by the individual and authorized by the supervisor to an amount of \$100.00. The reimbursed amount will be paid out of the Town's petty cash fund upon presentation of a paid receipt.
- 8.2 The Director of Corporate Services or designate is authorized to reimburse cash purchases.

9. Business Licences and Worker's Compensation

- 9.1 Those successful bidders, where applicable, shall be required to have a Town of Blackfalds Business Licence as per the bylaw prior to the start of work, and this requirement shall be included in the Tender or Request for Proposal document.
- 9.2 Where required, Workers' Compensation Numbers shall be provided to the Town prior to the start of work and this requirement shall be included in the Tender or Request for Proposal document.
- 9.3 When a contractor is required to have WCB. Payment of invoice's will be held until WCB clearance is obtain, where the labour portion of the invoice is over \$1,000

10. Other Over-riding Factors

- 10.1 The Director of Corporate Services may approve the issuance of an open purchase order for local vendors as requested by a department Director. All receipts and applicable purchase orders must be submitted to the Accounts Payable Clerk immediately after the procurement of goods.
- 10.2 Any change will constitute a reissue of the Purchase Order.

11. Single Source

- 11.1 Single source is a product or service that is proprietary and no alternate sources of supply/service exist. Each single source purchase must have a clearly defined backup to demonstrate what makes it qualify for this type of purchase.
- 11.2 Repairs to equipment and/or facilities that require immediate attention may be obtained through a single source type of purchase. Single source Vendors should be known for their ability to deliver best value on a regular basis.

12. Exceptions

- 12.1 For emergencies or single source supplies, the requirements of competitive bidding in this policy may not be followed. For emergency purchases, approval must be obtained as soon as possible from the ~~Director (for \$2,000 to \$10,000), Chief Administrative Officer (for amounts exceeding \$100,000),~~ and Council will be advised at the next scheduled Regular Meeting of Council.
- 12.2 Notwithstanding anything in this Policy, the CAO may authorize any required expenditures in emergency situations where:
 - 12.2.1 The health and safety of employees or the public is at risk
 - 12.2.2 The loss or failure of infrastructure is at risk;
 - 12.2.3 Any delay in procuring goods and services could jeopardize the Town's ability to provide essential services; or,
 - 12.2.4 Pursuant to an enactment such as the *Emergency Management Act*.

13. Green Procurement

- 13.1 Green Procurement means purchasing products or services, which minimize, or provide favourable environmental impacts. It takes into consideration the costs and environmental consequences of a product in all stages of its life cycle.
- 13.2 The Town will consider Green Procurement when making purchasing decisions when Goods and Services are available at competitive prices, and the environmental

benefits provided do not negatively affect the intended end use. Sustainable criteria will be examined when purchasing products and services.

- 13.3 All purchases will be made with the effort to procure, when feasible, recycled products, reusable products, and products designed to be recycled as long as the price differential is reasonable.

14. End of Policy



Town of Blackfalds Municipal Policy Handbook

Policy Name: Town of Blackfalds Purchasing Policy

Date of Approval by Council: April 23, 2002

Resolution No. 232/11

Last Review Date: **July 12, 2011**
April 10, 2007

Next Review Date:

POLICY STATEMENT

The Town of Blackfalds delivery of services and acquisition of assets will be performed in a manner that might best achieve a high quality product and/or service while maintaining an accountable, efficient and fair purchasing process. Investing in our community is done with an ever present consideration of the financial impact on the tax payers.

1 General Purpose

- 1.1 Acquire goods and services for the Town of Blackfalds using a method that provides best value for the dollars spent.
- 1.2 Restrict purchasing powers to only persons possessing such authority through the purchasing policy or bylaw of the Town of Blackfalds.
- 1.3 Ensure proper approval procedure.
- 1.4 Purchase made in accordance with this policy shall not require Council approval provided budget appropriation approved by the Town Council has not been exceeded.

2 Definitions

- 2.1 Purchase Order: A commercial electronic document and first official offer issued by a buyer to a seller, indicating types, quantities and agreed prices for products or services. Created in the financial system to approve a purchase prior to committing the expense with a vendor and reflect the financial commitment in the system against the cost GL code.
- 2.2 Request for Proposal (RFP): A solicitation often made through a bidding process, by an agency or company interested in procurement of a commodity, service or valuable asset, to potential suppliers to submit business proposals.
- 2.3 Tender: To make a formal written offer to carry out work, supply goods, or buy land, shares, or another asset for a stated fixed price and where all services, shares, or another asset for a stated fixed price and where all services, work and outcomes are clearly defined. A mandatory evaluation criterion is set prior to the release of the invitation to tender and a criterion is applied to acceptance of a tender, including budgetary consideration. The option to not proceed with a project or purchase must be dealt with in a change order fashion and not negotiated at the time of awarding the contract.
- 2.4 Best Value: A combination of quality, timeline, cost, and efficiency is used to calculate the best value. The value of each criterion for purchases is determined at the time of acquisition of the product and/or service.

- 2.5 Emergency: An event that requires prompt coordination of actions or special regulations of persons or property to protect the safety, health or welfare of people or to limit damage to property.
- 2.6 Local Supplier: A person, firm, corporation or business which has a valid Town of Blackfalds business license and has a business address located within the corporate limits of the Town and/or within a 10 km radius.
- 2.7 Business Licence: A permit authorized and issued by the Town of Blackfalds to allow individuals or companies to conduct business within the Town of Blackfalds geographical jurisdiction.

3 Authorization

- 3.1 The following employees of the Town of Blackfalds will have authorization to issue a Purchase Order for purchases in the listed ranges:

▪ Chief Administrative Officer	All Amounts
▪ Director of Corporate Services	Up to \$10,000.00
▪ Director of Community Services	Up to \$10,000.00
▪ Director of Infrastructure & Property Services	Up to \$10,000.00
▪ Information Technology Manager	Up to \$5,000.00

Upon approval of the department Director and the Chief Administrative Officer, additional staff members may be authorized to issue Purchase Orders for purchases up to a maximum of \$2,500.00

Authorized personnel may only be responsible for expenditures in their department only. In the case of an order containing goods and services for two or more departments, each authorized signing authority is required to code and approve the invoice for payment, or sign a Purchase Order, whichever is required.

4 Vendor Relations

To maintain and practice the highest possible standards of business ethics, professional courtesy and competence in all dealings. At all times, applicable laws must be observed. In this regard the following should apply when dealing with suppliers and their representative:

- 4.1 Accord prompt and courteous reception, as well as fair and equal treatment, to all suppliers and their representatives.
- 4.2 Provide equal opportunity for all suppliers to respond to the Town's procurement requirements.
- 4.3 Guarantee the confidentiality of all specifications and price quotations made by vendors responding to a Request for Proposal. Bottom line quotes will be made public in accordance with FOIP and the *Municipal Government Act*.
- 4.4 If for any reason a supplier is permitted to re-quote, their competitors will be given the same opportunity.

5 Purchase

- 5.1 A Purchase Order must be issued for any purchase of goods or services that do not have a contract or agreement in place and exceed \$5,000.00.
- 5.2 Purchase orders must be completed within the financial system and bear the appropriate authorization as per the Purchasing Policy prior to ordering the goods or services on behalf of

the Town. The approving individual is responsible to ensure that the purchase is appropriate and within budgetary guidelines. A Purchase Order that does not correspond in value to an invoice must have a written explanation for any variance exceeding 5% or \$500.00.

- 5.3 Purchases of budgeted items under \$2,000.00 dollars will be left to the discretion of the authorized signing authority to obtain the best possible value for the taxpayer's money.
- 5.4 That three recorded telephone and/or internet estimates be obtained prior to the purchasing of budgeted items valued between \$2,001.00 dollars and \$5,000.00 dollars. Copies of the recorded telephone and/or internet estimates shall be attached to the final invoice for payment.
- 5.5 That three written confirmations of price estimates be received prior to the purchase of budgeted items valued at \$5,000.00 to \$10,000.00. Copies of the recorded telephone and/or internet estimates shall be attached to the final invoice for payment.
- 5.6 Procurement of goods and services between \$10,000 and \$75,000 shall be awarded on the basis of written Request for Proposal. If there are local suppliers, the request for written Proposals shall be advertised locally or the local suppliers shall be invited to respond. If verbal invitations are extended to local suppliers the buyer shall ensure that the identical information is given to each of those suppliers. Requests for Proposal shall include all acceptable known local suppliers and may include out-of-town suppliers.
- 5.7 Procurement of goods and services over \$75,000 shall be awarded on the basis of:
 - 5.7.1 Written tender submissions are to be prepared by a designated engineer and used for projects and/or services that have enough detailed information to limit the number of change orders required and prevent project cost overruns.
 - 5.7.2 Written Request for Proposals are to be prepared by department Directors and used for projects that have specified outcomes and are open to the methods of delivery.

Tenders and Request for Proposals for procurement of goods and services for capital works shall be advertised, and/or undertaken by invitation for known local and non-local suppliers.

Unless otherwise specified by Council, the Chief Administrative Officer is delegated the authority to accept any proposal, the value of which does not exceed \$100,000; as long as,

- 5.7.3 The goods or services are provided for in an approved budget;
- 5.7.4 Multi-year service contracts will be approved by Council;
- 5.7.5 The tender or proposal is to be awarded based on best value.

In the event of the following, the tender or proposal shall be submitted to Council for approval:

- 5.7.6 The budget allocation is insufficient in the opinion of the Chief Administrative Officer;
- 5.7.7 The award is to be made to any firm with a proposal that does not demonstrate best value.

All tenders or proposals over \$100,000.00 shall be submitted Council for approval.

- 5.8 The lowest estimate will not always be accepted, if consideration of warranty, special conditions and availability make the lowest bid less desirable.

- 5.8.1 Preference should be given to Town of Blackfalds based suppliers and contractors with the final decision based on an overall "best value" evaluation.
- 5.8.2 When evaluating different vendors on the price factor, ensure prices are directly comparable. When comparing prices; supplies for purchases below \$75,000, the Town may apply a local price preference of up to 10% price difference. Town Staff shall apply a local preference of 10% on price to a maximum of \$1,500.00 price difference.

6 Managing Capital Projects

6.1 All contracts for capital projects shall be awarded according to the Town's Purchasing Policy. Administration of all capital projects is the responsibility of the Chief Administrative Officer who may delegate such responsibility to the appropriate Director or another person. The Chief Administrative Officer or that delegated person shall approve all expenditures i.e., progress payments up to the approved contract price. Where administrative responsibility has been delegated, the person to whom the responsibility is delegated shall ensure:

- 6.1.1 That the work, goods supplied or service supplied has met the standard specifications contracted for;
- 6.1.2 That the price charged is according to the contract and where a progress or similar payment is involved, that the portion of the contract being paid for is complete in all respects;
- 6.1.3 That all the terms and conditions specified by the Town have been met;
- 6.1.4 That funds are available within the capital project budget; and
- 6.1.5 That the expenditure is charged against the activity to which it is coded. The Chief Administrative Officer may revise terms and conditions of a contract providing that the revision does not substantially change the project, or cause the project to exceed the budget. Changes to contracts exceeding contingency amounts, will not be changed without Council's prior approval, except in an emergency as deemed necessary by the Chief Administrative Officer, who will advise Council at their next scheduled meeting.

7 Responsibility

- 7.1 Every authorized employee is responsible for ensuring that Purchase Orders are used within the specified guidelines and approval is obtained prior to making purchases.
- 7.2 It is the responsibility of all to obtain the best possible value for the taxpayer's dollar and to ensure that their purchasing authority is not abused.
- 7.3 Misuse or abuse of the purchasing authority may result in disciplinary action or termination.

8 Petty Cash

- 8.1 An employee may be reimbursed for purchases made for by the individual and authorized by the supervisor to an amount of \$50.00. The reimbursed amount will be paid out of the Town's petty cash fund upon presentation of a paid receipt.
- 8.2 The Director of Corporate Services or designate is authorized to reimburse cash purchases.

9 Business Licences and Worker's Compensation

- 9.1 Those successful bidders, where applicable, shall be required to have a Town of Blackfalds Business Licence prior to the start of work, and this requirement shall be included in the Tender or Request for Proposal document.
- 9.2 Where applicable, Workers' Compensation Numbers shall be provided to the Town prior to the start of work and this requirement shall be included in the Tender or Request for Proposal document.

Note of explanation: "Where applicable, is defined as where required," for example:

- a. If the Town is to bring in a contractor to complete a capital project for the Town, and that contractor is working in Town and will be here in Town, they will be required to have a Town of Blackfalds Business License. If the Town purchases supplies out of Town and has them delivered, that supplier will not require a Town of Blackfalds Business License.
- b. Contractors performing work for the Town of Blackfalds requiring that the contractor be registered with the Workers' Compensation board shall be required to supply their Workers' Compensation Board number to the Town of Blackfalds buyer. This number will then accompany the purchase order.

10 Other Over-riding Factors

- 10.1 The Director of Corporate Services may approve the issuance of an open purchase order for local vendors as requested by a department Director. All receipts and applicable purchase orders must be submitted to the Accounts Payable Clerk immediately after the procurement of goods.
- 10.2 Any change will constitute a reissue of the Purchase Order.

11 Single Source

- 11.1 "Single Source" Refers to a product or service that is proprietary and no alternate sources of supply/service exist. Each single source purchase must have a clearly defined backup to demonstrate what makes it qualify for this type of purchase.
- 11.2 Repairs to equipment and/or facilities that require immediate attention may be obtained through a single source type of purchase. Single source Vendors should be known for their ability to deliver best value on a regular basis.
- 11.3 "Exceptions" For emergencies or single source supplies, the requirements of competitive bidding in this policy may not be followed. For emergency purchases, approval must be obtained as soon as possible from: Director (for \$2,000 to \$10,000), Chief Administrative Officer (for amounts exceeding \$100,000), and Council will be advised at the next scheduled Regular Meeting of Council.



**TOWN OF BLACKFALDS
STANDING COMMITTEE OF COUNCIL
REQUEST FOR DIRECTION**

MEETING DATE: June 14, 2021

PREPARED BY: Preston Weran, Director of Infrastructure & Property Services

SUBJECT: Land Use Bylaw and Fees and Fines Bylaw Update

BACKGROUND:

Under the Municipal Government Act, each municipality must enact a Land Use Bylaw (LUB) to regulate and control the use and development of land and buildings. The Town's current LUB was adopted in 2016. Since this time, there have been a number of development revisions and clarifications and there was a need to conduct a comprehensive review to ensure regulations were current and responded to changing development trends. Where possible, the final LUB focuses on being more stylistic, more user and developer friendly while implementing a variable, yet consistent approach to development within the Town.

At the March 15, 2021 Standing Committee meeting the Land Use Bylaw Review was presented by Manager Topolnitsky. He provided a summary of the overall changes to the new Land Use Bylaw draft and noted that the schedule for its review will need to be amended.

12/21

Councillor Olfert moved that the Standing Committee accept the draft Land Use Bylaw as information, that Administration is directed to proceed with notification of the draft Land Use Bylaw to MPC, and to external stakeholders, including posting on the website for further comments and concerns. All comments will be brought forward to Standing Committee in June, prior to first reading in July.

CARRIED UNANIMOUSLY

DISCUSSION:

Over the 2020 year, the Planning and Development team focused on a thorough update of the LUB. The LUB has undergone almost a complete re-write and the general public, developer and homebuilder virtual consultation process has concluded. Through the consultation process, the municipality was able to collect and respond to various stakeholder comments.

All the external stakeholder comments were reviewed and considered by the Planning and Development department and where appropriate, were included in the final LUB. Comments received from developers and builders regarding the restrictive provisions pertaining to information and subdivision signage were reviewed and were not incorporated into the final LUB. This decision was made by the Director in alignment with our past practices in order to reduce sign pollution in both neighbourhoods and in high traffic areas. Administration will continue to work with the Economic Development Officer



TOWN OF BLACKFALDS STANDING COMMITTEE OF COUNCIL REQUEST FOR DIRECTION

to help empower developers towards good, agreeable solutions to help bolster development in a responsible way.

Final reviews of the document have been undertaken to ensure consistency. With these reviews now completed, the legal review, Fees and Fines Bylaw and final formatting can now commence.

The following list outlines the major areas of focus within the final LUB:

- a) The delegation of additional powers to the Development Authority to allow for decision making around minor variances;
- b) The flexibility of provisions throughout the LUB which highlights the Town of Blackfalds' liberal and progressive approach to land use planning and development;
- c) To ensure all Town Facilities are consistent within the same land use designation (PF – Public Facility), the following re-districting is reflected within the LUB:
 - i. The additional Multi-plex parking lot from R-2 to PF; and,
 - ii. The Town Operations Centre from I2 to PF
- d) The re-districting of the 21 lots (located between Waghorn and Wilson Street) currently districted as R-1L to R2 as a response to the Town's goal of a revitalized downtown;
- e) The re-districting of the 5 lots (located along Park Street) currently districted as R-1L to C-1 as a response to the Town's goal of an extension and transitional zone to blend with the existing Commercial Central District.
- f) A separate section for Sign provision.
- g) Note that the Fees and Fines that were part of the LUB have been removed from this document and are being brought forward separately in conjunction with this LUB.

Below is an updated timeline of events relative to the final review and leading up to the first reading and ultimate adoption of the LUB for information. These dates are to be confirmed. As listed below, a separate Fines and Fees Bylaw is coming forward in tandem with the LUB formal process.

June 14, 2021	Standing Committee (June 14 th) -support received by Committee
June 15-July 20, 2021	<ul style="list-style-type: none">- Minor Formatting revisions to be completed, title page, acknowledgements, color coding, footers, additional figures, clickable tables, etc.- Referral to Legal for review
July 19, 2021	Fees and Fines Bylaw to Standing Committee -support received by Committee
July 27, 2021	Fees and Fines Bylaw to Council for 1 st reading (not contingent on LUB Bylaw timeframe)
July 27, 2021	LUB presented to Council for 1 st reading and setting of a public hearing date. Hearing to be advertised as per MGA.



**TOWN OF BLACKFALDS
STANDING COMMITTEE OF COUNCIL
REQUEST FOR DIRECTION**

August 24, 2021	Final comments by the public and stakeholders received and brought forward at the public hearing after first reading. -Bylaw moves forward to final reading
August 24 th , 2021	Fees and Fines Bylaw brought forward for second and final reading
September 2021	Upon approval of the LUB and the Fees and Fines Bylaw, a review of the Municipal Development Plan (MDP) would commence. Timeframe for this work TBD.

FINANCIAL IMPLICATIONS:

None, other than additional Administrative time to ensure document and process consistency is being maintained under this temporary staffing shortage.

ADMINISTRATIVE RECOMMENDATION:

That the Standing Committee support the final draft of Land Use Bylaw and work plan as presented and that Administration undertake the remaining processes to proceed with adoption of the Land Use Bylaw.

ALTERNATIVES:

A) Refer back to Administration for more information.

Attachments:

- Draft Land Use Bylaw markups from Standing Committee meeting
- Clean Version of the Draft Land Use Bylaw

Approvals:

CAO Myron Thompson

Department Director/Author



LAND USE BYLAW No. XXXX/XX

Adopted:

Updated:

Land Use Bylaw Amendments Log

Bylaw Number	Bylaw Name	Date Adopted	Changes

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PART 1.0 INTERPRETATION OF THIS BYLAW

1.1 Title

1. That this Bylaw shall be cited as the 'Land Use Bylaw' for the Town of Blackfalds.

1.2 Repeal of This Bylaw

1. Land Use Bylaw 1198/16 and the Land Use District Maps, and any amendments thereto, are hereby repealed and shall cease to have effect on the day that this Bylaw comes into force.
2. The effective date that this Bylaw shall come into force upon the date of its third reading.

1.3 Transitional Provision

1. An application for subdivision or Development Permit which is deemed complete on or after the effective date of the Bylaw shall be evaluated under the provisions of this Bylaw.
2. An application for the Subdivision or Development Permit which is deemed complete prior to the coming into force of this Bylaw shall be evaluated under the provision of the Town of Blackfalds Land Use Bylaw 1198/16 as amended; or under this Bylaw at the discretion of the applicant, the Development Authority, or the Subdivision Authority.
3. An application to amend the Land Use Bylaw that has not been given third reading by Council prior to the coming into force of this Bylaw shall be considered by Council pursuant to this Bylaw and any other relevant planning consideration.

a. Reference to Other Legislation and Documents

1. Any reference in this Bylaw to other legislation or documents shall be a reference to the Bylaw or legislation then in effect and shall include all amendments and any successor legislation.

b. Purpose

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

- a) to implement the policies of the Town's Municipal Development Plan and Statutory Plans;
- b) to divide the Town into land use districts;
- c) to prescribe and regulate for each district the purpose of which land and buildings may be used;
- d) to establish supplementary regulations and govern certain specific land uses;
- e) to establish a Development Authority:
 - i) establish a method of making decisions on applications for Development Permits including the issuing of Development Permits and dealing with appeals;
 - ii) to prescribe method to notify landowner who may be affected by the issuing of a Development Permit; and
 - iii) to prescribe a procedure for making amendments to this Bylaw.
 - iv) This Bylaw shall be applied in a manner that implements statutory plans which have been adopted by the Town and that are consistent with the *MGA*.

1.6 Compliance with Other Legislation

1. The requirements of this Land Use Bylaw does not exempt any person from compliance with:
 - a) obtaining a Development Permit as required by the Bylaw or obtain any other permit, licence or any authorization required by this or any other Bylaw;
 - b) Statutory Plan;
 - c) Town of Blackfalds Design Guidelines;
 - d) Town of Blackfalds Downtown Revitalization Plan;
 - e) compliance with any covenant, easement, agreement or contract affecting the lands or development;
 - f) any Federal, Provincial or Municipal legislation, regulation, code or statute.

1.7 Language and Interpretation

1. In this Bylaw:
 - a) words in singular include the plural and words in the plural include the singular, where the context requires;
 - b) words used in the present tense include the other tenses and derivative forms;
 - c) words using masculine gender include feminine gender and, words using feminine gender include masculine gender;

- d) words in either gender include corporations;
- e) 'shall', 'must' and 'required' are to be construed as a compulsory obligation; subject to the variance provisions of this Bylaw pursuant to the MGA;
- f) 'may' is to be interpreted as permissive and empowering;
- g) 'should' is an operative word which means that, in order to achieve municipal goals and objectives, it is strongly advised that the action be taken. Exceptions may be made only under extenuating circumstances;
- h) words, phrases, and terms not defined in this Part of the Bylaw may be given their definition in the *MGA* or Municipal Development Plan. Other words shall be given their usual and customary meaning;
- i) a 'person' includes an individual, partnership, association, corporation, firm, trustee, executor, administrator, and legal representative of a person; and
- j) an 'individual' does not include a corporate or other type of persons who are not human beings.

1.8 Illustrations and Measurements

1. Drawings and graphic illustrations are provided to assist in interpreting and understanding the Bylaw. Where a conflict or inconsistency exists between a drawing and the remainder of the Bylaw, the text shall prevail.
2. Measurements:
 - a) whenever metric measurements are presented in the Bylaw, metric values are used and shall take precedence. Imperial equivalents provided, in parenthesis, are approximate and intended for information only.
 - b) where a measurement or an amount is calculated based on a rate or ratio, the required measurement or amount may be rounded to the nearest whole number. Where a requirement states a specific measurement with a decimal place, the requirement found in this Bylaw stands and shall not be rounded.

1.9 Purpose Statements

1. The purpose statements in each land use district are included to describe the intent of the land use district. The use and development activity with each land use district should reflect its purpose.

1.10 Severability

1. If any portion of the Bylaw is held to be invalid by a decision of a court of the competent jurisdiction, that decision does not affect the validity of the remaining portions of this Bylaw.

1.11 Establishment of Forms

1. For the purpose of administering this Land Use Bylaw the Development Officer shall prepare such forms and notices as may be necessary.
2. Any such forms or notices are deemed to have the full force and effect of this Land Use Bylaw in the execution of the purpose for which they were designed, authorized, and issued.

1.12 Establishment of Supplementary Regulations

1. General Regulations as set forth in Part 3 hereto, are hereby adopted by reference to be part of this Land Use Bylaw, and to be amended in the same manner as any other part of this Land Use Bylaw.

1.13 Establishment of Land Use Districts

1. Land Use District Regulations as set forth in Part 6 hereto, are hereby adopted by reference to be part of this Land Use Bylaw, and to be amended in the same manner as any part of this Land Use Bylaw.
2. The boundaries of the Districts listed in subsection (1) are as delineated on the Land Use District Map being Part 8 hereto. All public roadways, watercourses and lakes are excluded from the Land Use Districts.
3. Where the location of District boundaries on the Land Use District Map is not clearly understood, the following rules shall apply:
 - a) a boundary shown as approximately following a parcel boundary shall be deemed to follow the parcel boundary;
 - b) a boundary which does not follow a parcel boundary shall be located by measurement of the Land Use District Map; and
 - c) a boundary location which cannot be satisfactorily resolved shall be referred to Council for an official interpretation.
4. For the purpose of this Land Use Bylaw the Town of Blackfalds is divided into the following Districts:
 - Residential Single Dwelling Large Lot District (R-1L)
 - Residential Single Dwelling Medium Lot District (R-1M)
 - Residential Single Dwelling Small Lot District (R-1S)

- Residential Manufactured Home Park District (R-MHP)
- Residential Multi Dwelling District (R-2)
- Residential Medium Density District (R-3)
- Residential High Density District (R-4)
- Residential Maximum Density Multi Unit District (R-5)
- Commercial Central District (C-1)
- Commercial Highway District (C-2)
- Commercial Local District (C-3)
- Business Park District (C-4)
- Commercial Mixed Use District (CMU)
- Direct Control District (DC)
- Direct Control District #2 (DC-1)
- Direct Control District #2 (DC-2)
- Direct Control District #3 (DC-3)
- Industrial Light District (I-1)
- Industrial Heavy District (I-2)
- Public Facility District (PF)
- Environmental Open Space District (EOS)
- Urban Reserve District (UR)
- Agricultural District (AG)

1.14 Definitions

1. Where a specific use applied for generally conforms to the wording of two (2) or more uses, the Development Officer shall determine the use that fits closest to the developments character and purpose.
2. For Direct Control Districts, included in Part 7 that were approved under the provisions of a previous Land Use Bylaw, as amended, terms shall be interpreted use the definitions and context of the Bylaw that was in force and effect at the time of passage of the Direct Control District.
3. Words, terms, and phrases specifically relating to signs are listed in Part 5 of this Bylaw.
4. The following words and terms and phrases, occurring in this Bylaw have the following meanings:

A

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

ACCESSORY BUILDING see **BUILDING, Accessory**

ACCESSORY SUITE means a development consisting of a dwelling located within, and accessory to, a structure in which the principal use is a detached dwelling. An Accessory suite has cooking facilities, food preparation, sleeping and sanitary facilities which are physically separate from those of the principal dwelling within the structure. An accessory suite also has an entrance separate from the entrance to the principal dwelling either from a common indoor landing or directly from the side or rear of the structure. This use includes the development or conversion of basement space or above grade space to a separate dwelling or the addition of new floor space for an accessory suite to an existing detached dwelling. The use does not include an apartment, semi-detached dwelling, group home, boarding or lodging house, multi attached housing or included within a multiple housing development.

ACCESSORY USE, See USE, Accessory

ADJACENT LAND means land that abuts a lot or site, and land that would abut a lot or site if not for a road, lane, walkway, watercourse, utility lot, pipeline right of way, power line, railway or similar feature.

ADULT ENTERTAINMENT means any premises or part thereof wherein live performances, motion pictures, electronic media, electronic or photographic reproductions, the principal feature of which is the nudity or partial nudity of any person, are performed or shown as a principal use or an accessory to some other business activity which is conducted on the premises.

AGRICULTURAL BUILDING means a structure associated with and generally essential to an agricultural operation. Such structures or facilities may include but are not limited to the following: machine sheds, storage sheds, grain bins, silos, animal housing and/or feeding facilities, corrals, pens, and other accessory farm structures.

AGRICULTURE means the raising crops or rearing of livestock, either separately or in conjunction with one another. This may include apiculture, aquaculture and vermiculture. An Agricultural Operation does not include, intensive or not, livestock operations as defined under Alberta Agricultural Operation Practices Act, Revised Statutes of Alberta 2000, Chapter A-7 or cultivation, growing, production and/or distribution of Cannabis.

AMENITY SPACE means a space designed for active or passive recreational use that is provided for the use of all occupants of a development.

ANIMAL BOARDING OR BREEDING FACILITY means a premises where domestic animals are kept for the grooming, overnight housing, exercising or training of domestic animals not generally owned by the occupant of the premises. Additional uses may also include a premises where domestic animals are kept, bred bought or sold. A boarding or breeding facility may also, as accessory use retail goods associated with pet care. An Animal Boarding or Breeding Facility does not include a Residential Kennel.

APARTMENT means a residential building with a shared outside entrance(s), consisting of at least 3 dwelling units. An apartment does not include multi attached, a semi-detached dwelling or stacked row housing.

ASSISTED LIVING FACILITY means a building, or a portion of a building operated for the purpose of providing live in accommodation for six or more persons with chronic or declining conditions requiring professional care or supervision or ongoing medical care, nursing, or homemaking services or for persons generally requiring specialized care.

AREA REDEVELOPMENT PLAN means a statutory plan adopted by Council to guide the redevelopment of existing developed areas, pursuant to the *MGA*.

AREA STRUCTURE PLAN means a statutory plan adopted by Council to provide long range land use planning for large areas of undeveloped land within the Town, pursuant to the *MGA*.

AUCTION FACILITY, No Livestock means the use of a parcel or building for the temporary storage of goods, which are to be sold on the premises by public auction from time to time.

AUCTION FACILITY, Livestock means an auction facility that stores and auctions livestock.

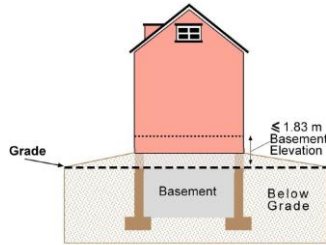
AUTOBODY REPAIR AND PAINT SHOP means a premise where automobiles, trucks and other light duty vehicles undergo body repair and painting.

AUTOMOBILE SALES AND RENTAL means a development used for the sale and rental of motor vehicles but does not include Recreational Vehicle Sales and Service or an Autobody Repair and Paint Shop.

AUTOMOTIVE SERVICE means a development for the service and maintenance of motor vehicles, where minor automotive repairs, the incidental replacement of parts, maintenance, lubricating oils and other automotive fluids are provided. Typical uses include but are not limited to, muffler shops, lubrication shops, brake repair shops, tire installation shops, vehicle detailing, undercoating or windshield replacement facilities. Not included Automobile Sales and Rental or an Autobody Repair and Paint Shop or Gas Bar and does not contain a Car Wash. This use may include an outdoor storage yard where Outdoor Storage Yard is listed as a use within the district.

B

BASEMENT means that portion of a building or structure which is wholly or partially below grade, the ceiling of which does not extend more than 1.8 m above finished grade.



BASEMENT WALKOUT means a story of a building located below the first storey and having at least one wall wholly or partially above grade.

BED & BREAKFAST means a secondary business that forms an accessory use in a single detached dwelling where short-term accommodation is provided with meals for overnight accommodation and is permanently occupied by the provider of the service. The maximum number of bedrooms permitted in a bed and breakfast is two (2). This use does not include a boarding or lodging facility, hotel or motel.

BOARDER means a non-family member who is a lodger, roomer, or person who pays for and takes regular lodging with or without meals within a household.

BOARDING OR LODGING HOUSE means a building, or portion of a building without individual suites operated for the purpose of providing live-in accommodation (either room for rent or room and board), not exceeding more than five (5) residents. This does not include hotels, motels or a bed and breakfast establishment.

BREW PUB means an establishment where food is served and where beer, wine or alcoholic spirits are produced on site for consumption within the premises and for retail sale. The facility is licensed by the Alberta Gaming and Liquor Commission (AGLC) where the small-scale production and production and packaging of alcoholic and non-alcoholic beverages takes place and includes distribution, retail, or wholesale, on or off the premises.

BUILDING means anything constructed or placed on, over or under land but does not include a highway or public street or bridge forming part of a highway or public street.

BUILDING, Accessory means a detached building naturally or normally incidental, subordinate to the principle building on the same lot or site. Accessory buildings are not intended to support any occupancy. Typical accessory buildings include, but are not limited to, detached garages, sheds, gazebos, and garden sheds or greenhouse minor. An accessory building does not include tarp or canvas covered structure.

BUILDING, Canvas Covered means a temporary building or structure which the roof and/or one or more of the walls is made of canvas, fabric or tarp covered membrane building. Such building does not have a foundation or footing. Applications may include warehouses, vehicle and equipment storage, manufactured facilities, barns, stables, arenas and event centres. A canvas

covered building is not permitted in residential districts.

BUILDING, Demolition means the pulling down, tearing down or razing of a building.

BUILDING, Face means that portion of any exterior elevation of a building exposed to public view extending from the grade to the eaves or the stop of the parapet wall and the entire length of the building elevation, includes all areas divided by firewalls.

BUILDING, Frontage means the length of a building that directly faces a road.

BUILDING, Height means the vertical distance measured from the finished grade to the highest point of the roof, for flat roofs, and to the top of the ridge on all other roofs. Building height does not include any accessory roof construction such as mechanical housing, elevator housing, roof stairway entrance, ventilating fan, skylight, chimney, steeple, or similar features.



BUILDING, Moved In means a building that has been assembled at and/or used on a site and previously utilized which is to be moved more or less whole to another site. This use does not include Moved in Dwelling.

BUILDING SUPPLY AND LUMBER OUTLET means a building or structure in which building, or construction and home improvement materials are offered or kept for retail sale and may include the fabrication of certain materials related to

home improvement. A Building Supply and Lumber Outlet may contain the outdoor display or storage of lumber products.

BULK FUELING DEPOT means lands, buildings and structures for the bulk storage and distribution of petroleum products and may include key lock or card lock wholesale and retail.

BUS DEPOT means a facility providing for the departure and arrival of passengers and freight carried by bus.

BUSINESS SERVICE, Industrial means a facility for supplying goods, materials, and/or services that support agricultural uses, whether retail, wholesale, or in bulk. This may include such goods and services as sale and storage of seeds, feeds, fertilizers, chemical products, fuels, lubricants, parts or the rental, sale, repair and servicing of farm machinery and equipment but does not include the buying or selling of farm produce or animals. Such a facility may include an administrative office, accessory structures, outdoor work areas, parking, and outdoor storage areas.

BUSINESS SUPPORT SERVICE means a development used to provide any of the following services: printing, duplicating, binding or photographic processing, office maintenance or custodial services; office maintenance services, administrative services, security services, sales, service or rental of business equipment, cellular phones and fax machines, and advertising.

C

C-CAN, see SHIPPING CONTAINER

CAMPGROUND means development of land which has been planned and improved for seasonal accommodation in tents or recreational vehicles. A campground includes related accessory buildings including, but not limited to, administrative offices, washrooms and shower facilities, playgrounds, laundry facilities, firewood storage, water supply, sewage disposal facilities, waste collection facilities, recycling facilities and may also include day use areas.

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

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

CANNABIS, Lounge means a development where the main use is the sale of cannabis to the public for immediate onsite consumption within the premises.

CANNABIS PRODUCTION AND DISTRIBUTION means a development where cannabis is produced, as defined in the *Cannabis Act* (Canada), for commercial purposes, and includes any storage or distribution of cannabis for commercial purposes.

CANOPY means an architectural feature or structure protective element affixed to the exterior wall of a building over a door, entrance, outdoor service area or similar type of entrance way.

CANTILEVER means the portion of a building which projects in order to provide additional livable interior space, and which has no foundation or supports below. This does not include a balcony.

CANVAS OR TENT STRUCTURE, see BUILDING, Canvas Covered

CAR WASH means a building or structure containing facilities for a self-service car wash or washing light duty motor vehicles by production line methods which may include a conveyor system or similar mechanical devices. This type of use is not intended for commercial vehicles, oilfield vehicles, cattle liners, farm equipment or other similar vehicles.

CARPORT means a roofed structure either free standing or attached to a building, which is not enclosed on the front and at least one side, to shelter parked vehicles.

CEMETERY means land that is set apart or land that is used for the burial or internment of human remains. This includes a memorial park, burial ground, columbarium, or mausoleum.

CHIEF ADMINISTRATIVE OFFICER means the Chief Administrative Officer of the Town of Blackfalds as appointed by Council.

COMMERCIAL SCHOOL means a privately funded premise for the training, instruction, and certification in a specific trade, skill, or service for the financial gain of the person owning the school. Uses may include hairstyling or beauty school, dance school or music school or training school. A Commercial School does not include a School or an Industrial Training Facility.

COMMERCIAL SERVICE FACILITY means a facility in which services are provided commercially to individuals, and without limiting the generality of the foregoing, may include:

- a) services related to the care and appearance of the body such as a massage business, beauty shop, barber shop, tanning salon or fitness centre,
- b) cleaning and repair of personal effects such as shoe repair, dry cleaning or laundering outlet,
- c) care of small animals such as pet grooming salon, or
- d) financial or insurance services outlet, real estate agency, travel agency, but does not include Office, Funeral Home, or Crematorium or Health Service

COMMERCIAL TRAILER means a trailer that is licensed and/or insured as a commercial trailer.

COMMUNICATION FACILITY or COMMUNICATION TOWERS means any tower used to provide a broad range of communication services through the transmitting, receiving or relaying of voice and data signals such as radio, cellular, broadcast and wireless data. Regulated through Industry Canada

COMMUNITY FACILITY means a development for use by the public or public/private groups for cultural or community activities. Typical uses include, but are not limited to, museums or libraries.

CONCRETE PLANT, Major means a permanent plant or facility that is used for the processing, manufacturing, recycling, and sale of concrete, and includes facilities for the administration or management of the building, the stockpile of bulk materials used in the production process or of finished products manufactured on-site and the storage and maintenance of required equipment.

CONCRETE PLANT, Minor means a portable unit that is used for the processing, manufacturing, recycling, and sale of concrete, and includes facilities for the administration or management of the building, limited stockpile of bulk materials used in the production process or of finished products manufactured on-site and the storage and maintenance of required equipment.

CONSERVATION means the planning, management, and implementation of an activity with the objective of protecting the essential physical, chemical and biological characteristics of the environment against degradation, as defined with in the Environmental Enhancement and Protection Act.

CONSERVATION BOARD means an agreement registered against the certificate of title whereby a landowner grants to the Town (or other government, government agency, or non-profit society with conservation objectives satisfactory to the Town) provisions for the protection, conservation and enhancement of the environment including the protection conversation and enhancement of biological diversity and natural scenic or aesthetic values. A Conservation Easement may provide for recreational use, agricultures, open space use, environmental education use and research and scientific studies of natural ecosystems.

CONTRACTOR OPERATION, Major means a premises used to commercial and industrial service support and construction. Typical uses include, but are not limited to, oilfield support services, laboratories, cleaning, and maintenance contractors, building construction, surveying, landscaping, concrete finishing, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, mobile equipment or vehicles normally associated with the contractor service. Any sales, display, office, or technical support service areas shall be accessory to the principal general contractor use. Such an operation may include an administrative office, accessory structures, outdoor work areas, parking, and outdoor storage areas.

CONTRACTOR OPERATION, Minor means a premises used for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four (4) vehicles. Such an operation may include an administrative office.

COUNCIL means the Council of the Town of Blackfalds.

D

DANGEROUS GOODS has the meaning in the Alberta Fire Code, as amended from time to time.

DAYCARE, MAJOR means a commercial use intended to provide care or supervision and may include learning services for more than 6 persons during the day or evening which is authorized by the Province of Alberta. This includes group day care centres, out-of-school care centres, nursery or play schools and drop-in centres. A daycare major excludes schools.

DAYCARE, MINOR means an accessory use intended to provide care or supervision and may include learning services for less than 6 persons during the day or evening. This includes day care, out-of-school care, nursery or play schools, and drop-in centres. A daycare minor excludes schools.

DECK means an unenclosed structure, or series of platforms without roof or walls (except railings) where the top of the floor is 0.6 m (2.0 ft) or greater in height above finished grade and which is designed and intended for use as a private outdoor amenity space.

DECK, Covered means a platform or series of platforms that may be attached to a Dwelling unit with a roof attached to and forming part of the same dwelling. A covered deck may be enclosed by glass or other screening.

DESIGNATED OFFICER means a Development Officer, Development Officer (Enforcement), or any other official appointed by the Chief Administrative Officer to enforce the provisions of the MGA and its regulations, the conditions of a Development Permit or subdivision approval, and this Bylaw.

DETACHED DWELLING means a residential building, self-contained living accommodation comprised of a kitchen, living, sleeping and sanitary facilities, intended as a permanent residence and having an independent entrance from the outside of the building

DEVELOPMENT: As per the MGA:

- a) an excavation or stockpile and the creation of either of them, or
- b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them, or
- c) change of use of land or change in intensity of use of land or an act done in relation to

land or a building that results in or is likely to result in a change in the use of the land or building, or

DEVELOPMENT AUTHORITY has the same meaning as listed within Part 17 of the MGA.

DEVELOPMENT OFFICER means a designated officer who is appointed by according to procedure authorized by Town Council and who exercises powers to and performs duties on behalf of the town.

DEVELOPMENT, Temporary means development for which a Development Permit has been issued for a limited time only.

DISCRETIONARY USE, see USE, Discretionary

DISTRIBUTION FACILITY means an enclosed building development where the main use is the receipt, temporary storage and redistribution of goods.

DISTRICT, see LAND USE DISTRICT

DOWNTOWN REVITALIZATION PLAN

Means a statutory plan adopted by Council to guide redevelopment of existing developed areas in accordance with the MGA.

a

DRINKING ESTABLISHMENT means an establishment where the primary purpose of which is the sale of alcoholic beverages for consumption on the premises and the secondary purposes of which may include entertainment, dancing, the preparation and sale of food for consumption on the premises, takeout food services and the sale of alcoholic beverages for consumption away from the premises. A drinking establishment includes any premises in respect of which a "Class A" liquor license, has been issued and where minors are prohibited at any time. This use does not include an Adult Entertainment Establishment.

DRIVEWAY means the connection from an on-site parking area to an access and does not include the area used as a walkway.

DRIVE-THROUGH BUSINESS means a development which services customers who remain in their vehicle while business is conducted. A drive-through business may be the primary use on a site or an accessory use. A Drive-Through excludes any Food Service uses.

DUPLEX means a building that contains two dwellings separated either by a common party wall extending from foundation to roof and/or by a common ceiling/floor assembly, with each dwelling having its own separate entrance to the exterior. A duplex dwelling does not include an Accessory Suite.

E

EASEMENT means the right to use public or private land owned by another, generally

for use by the public, a corporation or another person or entity.

ELECTRIC VEHICLE CHARGING STATION means is an element of an infrastructure that supplies energy for the recharging of plug-in electric vehicles. (see Part 3.19.1 (3))

ENVIRONMENTALLY SENSITIVE LANDS mean areas that:

- provide an important linking function and permit the movement of wildlife over considerable distances, including migration corridors and migratory stopover points;
- provide a vital environmental, ecological or hydrological function such as an aquifer recharge;
- contain rare or unique geological or physiographic features;
- contain significant, rare or endangered plant or animal species; are unique habitats with limited representation in the region or are a small remnant of once large habitats;
- contain an unusual diversity of plant or animal communities or both due to a variety of geomorphological features and microclimatic effects;
- contain large and relatively undisturbed habitats and provide sheltered habitat for species which are intolerant of human disturbance;
- are excellent representatives of one or more ecosystems or landscapes that characterize a natural region;

- have intrinsic appeal due to widespread community interest or the presence of highly valued features or species such as a game species or sport fish; or
- have lengthy histories of scientific research.

E

FARM EQUIPMENT SALES AND SERVICE OUTLET means a premise used for the sale, rental, service or repair of machinery and equipment typically used in agricultural operations. Such a facility may contain an office, accessory buildings and outdoor storage and display of machinery and equipment.

FARMER'S MARKET means the business of conducting a public open market at which various vendors or goods lease a stall or space from a holder of a provincial market approval through a non-profit organization and situated at the location approved by the Town of Blackfalds from time to time. A Farmer's Market does not include a Public Market.

FLANKING SIDE PROPERTY LINE, see PROPERTY LINE, Flanking Side

FLOOR AREA means the total area of all floors in a building, measured between the interior faces of the exterior walls of the building at each floor level.

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

FOOD PROCESSING & MANUFACTURING FACILITY means a commercial facility in which food or beverage products or both are manufactured, produced or otherwise prepared for human consumption but not consumed on the premises. This may include an office and retail component; however, this retail component shall be accessory to the principal use. Typical uses may include a bakery, pre-packaged foods, water bottling and catering facilities. This does not include food service or mobile catering. The impact of this use shall not extend beyond the boundaries of the building.

FOOD SERVICE, Mobile Catering means the delivery and sale of food to the public using a fleet of vehicles.

FOOD SERVICE, Restaurant means an establishment where the primary purpose of which is the preparation and sale of food for consumption on the premises, and the secondary purposes of which may include the sale of alcoholic or non-alcoholic beverages incidental to the meal, takeout food or drive-through services and catering. A restaurant does not include a drinking establishment but does include any premises in respect of which a "Class A" liquor License has been issued and where minors are not prohibited by the terms of the license and does not include a drinking establishment, cannabis consumption facility or a cannabis lounge.

FOOD SERVICE, Specialty means a premise where limited types of prepared foods and beverages are offered for sale to the public for consumption on or off the site. This use may contain a drive-through component. Typical uses are coffee, donut, bagel, sandwich, or dessert shops.

FRONT PROPERTY LINE, see PROPERTY LINE, Front

FRONT YARD, see YARD, Front

FUNERAL HOME, with Crematorium means a use which provides for the arrangement of funerals, the holding of funeral services, and the preparation of the dead for burial or cremation and includes a one or more cremation chambers used to reduce human bodies to ashes by heat.

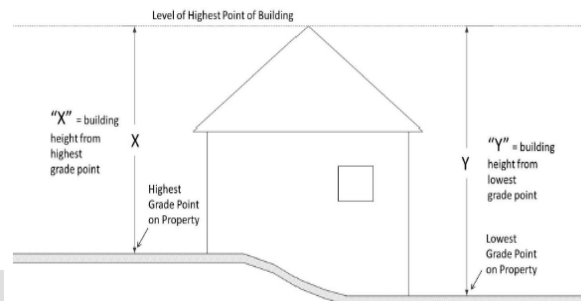
FUNERAL HOME, without Crematorium means a use which provides for the arrangement of funerals, the holding of funeral services, and the preparation of the dead for burial or cremation but does not include a Crematorium or cremation chamber.

G

GARDEN CENTRE, see LANDSCAPING SALES

GAS BAR means a site or portion thereof used for the sale of petroleum products incidental auto accessories which may include lubricating oils and other automotive fluids or motor vehicle accessories but does not include repairs.

GRADE means the ground elevation established for the purpose of regulating the number of storeys and the height of a



building or structure.

GRADE, Building means the average level of finished ground adjoining the main front wall of a building (not including an attached garage), except for areas such as vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.

GREENHOUSE, Major means a commercial use of the premise used primarily for the raising, storage and sale of produce, bedding, household, ornamental plants and related material such as tools, soil and fertilizers. The main part of the building must be plant-related, and any aggregate sales shall be a minor accessory component only. This does not include a Cannabis Production & Distribution facility

GREENHOUSE, Minor means a residential use of an accessory building used for the raising of produce, bedding, household or ornamental plants. A Greenhouse, Minor shall comply with Part 6.

GROUP HOME means a building or part of a building used for residents who have moderate and non-severe physical, cognitive, or behavioral health issues and who require daily or frequent professional care and supervision to perform daily living tasks, improve wellness, achieve stable and harmonious tenancy or in the case of an emergency event. The character of the use is that the occupants live together as a single housekeeping group and use a common kitchen. This does not include boarding or lodging houses.

H

HARD LANDSCAPING the use of non-vegetative material, other than monolithic concrete, asphalt, or gravel, as part of a landscaped area, as per approval of Development Authority.

HARD SURFACE means a durable ground surface constructed of cast-in-place concrete, brick, concrete unit pavers, stone, asphalt, or similar materials. This does not include gravel, clay, decorative rock, turf stone or recycled materials.

HEALTH SERVICE means a development whose principal use is for the provision of physical and mental health services on an outpatient basis. Services may be of a preventative, diagnostic, treatment therapeutic, rehabilitative, or counselling nature and may include medical and dental offices, health clinics, acupuncture clinics, physiotherapy and counselling services.

HEIGHT, see BUILDING, Height

HEAVY EQUIPMENT ASSEMBLY, SALES AND SERVICE means developments used for the service, cleaning or repair of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield and mining construction, manufacturing, assembling, and processing operations and agricultural production.

HEAVY MANUFACTURING AND PROCESSING means the manufacture of products, the process of which generates fumes, gases, smokes, vapours, vibrations, noise or glare, or similar nuisance factors which have a high probability of occurring and which may cause adverse effects to the users of adjacent land.

HEAVY VEHICLE AND EQUIPMENT WASH FACILITY means a commercial facility for cleaning the interior and exterior of commercial trucks. In the case of oilfield tanker trucks, washing the interior of the tank requires adherence to the Code of Practice for Tanker Truck Washing Facilities (EPEA). In the case of cattle transport trucks, washing facilities that deal with manure are regulated by the NRCB

Highway as defined in *The Public Highway Development Act* RSA Chapter P-38.

HOME BASED BUSINESS means the use of part of a dwelling unit or (where applicable, accessory building or site or combinations thereof) by at least one resident of the dwelling unit for a business activity that results in a product or service.

HOME BASED BUSINESS 1 means the secondary use of a principal dwelling unit by a permanent resident of the dwelling to conduct an occupation, profession or craft which shall not generate additional traffic and is not detectable from the outside of the dwelling. Typical uses include self-employed persons providing a profession or office service. A Home Based Business 1 shall not require any signage, a Home Based Business Vehicle or require a Non-Resident Employee.

HOME BASED BUSINESS 2 means the secondary use of a principal dwelling by a permanent resident of the dwelling to conduct an occupation, profession or craft which may have up to a maximum six (6) daily clients or customer associated visits per day, not employ a Non-Resident Employee. A Home Based Business 2 may require one (1) Home Based Business Vehicle.

HOME BASED BUSINESS 3 means the secondary use of a principle dwelling and an accessory building or site, or combinations thereof, by at least one permanent resident of the dwelling to conduct a business activity or occupation and may generate up to six (6) daily client or customer associated visits per day. A Home Based Business 3 may require a Home Based Business Vehicle Heavy and may employ a maximum of one (1) Non-Resident On-Site Employee.

HOME BASED BUSINESS VEHICLE means any vehicle less than 5,500 kg or trailer that is used in the operation of the home business that is normally maintained, parked, or stored on the lot of the home business. Items or equipment transported

to and from the site of the home based business in the box of a truck or on a trailer are not considered to be a home based business vehicle.

HOME BASED BUSINESS VEHICLE, Heavy means any vehicle 5,500 kg or heavier that is used in the operation of the home business that is normally maintained, parked, or stored on the lot of the home business. Items or equipment transported to and from the site of the home business in the box of a truck or on a trailer are not considered to be a heavy home based business vehicle.

HOTEL means the provision of rooms or suites in a commercial development for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities. This may include accessory food services, neighbourhood pubs, meeting rooms, and commercial service facilities.

INDUSTRIAL TRAINING SCHOOL means a privately funded premise for the training, instruction, and certification in a specific industrial trade. Uses may include electrical and instrumentation, plumbing or gas, welding, mechanical or driver training.

INFORMATION CENTRE means a building where the primary activity of the site involves informing the public about the services and programs provided by the centre and educating individuals or groups on the natural, historical, and cultural features of the area. It may include meeting rooms, office areas and staff rooms.

INTERMUNICIPAL DEVELOPMENT PLAN means a plan adopted by a Bylaw of the municipality and one or more other municipalities as an intermunicipal development plan pursuant to the MGA.

K

KITCHEN means facilities for the preparation or cooking of food, and includes any room containing counters, cabinets, plumbing, or wiring which, taken together, may be intended or used for the preparation or cooking of food.

L

LAND USE BYLAW means a Bylaw adopted by Council, as amended from time to time.

LAND USE DISTRICT means a Land Use District established under this Bylaw.

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

- a) soft landscaping elements (i.e. trees, shrubs, plants, lawns, ornamental plantings); and
- b) hard landscaping elements (i.e. bricks, pavers, shale, crushed rock).

This does not include monolithic concrete and asphalt (i.e. patios, walkways, and paths), and architectural elements (i.e. decorative fencing, walls, sculpture).

LANDSCAPING SALES means the use of lands, buildings or structures or part thereof, for the purpose of selling soft landscaping materials such as plants,

trees, and shrubs. Landscaping Sales may also include the indoor storage and sale of small tools and equipment as an accessory use.

LANDSCAPING SALES AND SERVICE

means the use of lands, buildings or structures, or part thereof, for the purpose of selling soft landscaping materials such as plants, trees and shrubs, as well as hard landscaping materials such as bricks, pavers, shale, crushed rock or other similar materials associated with landscaping. This does not include a greenhouse, or a business engaged in the sale of lawn and garden equipment.

LANE means a narrow road intended to give access to the rear of buildings and parcels of land. For the purposes of determining setbacks, a lane is not a road.

LIBRARY, see COMMUNITY FACILITY

LIGHT EQUIPMENT SALES, SERVICE AND RENTAL SHOP means an establishment where small industrial, commercial, and residential equipment is kept for rental to the general public and includes such things as lawn and garden tools, floor cleaning equipment, painting and decorating supplies, and masonry, plumbing, construction supplies and power tools. A Light Equipment Rental Shop does not require outdoor storage.

LIVE WORK UNIT means a building containing a dwelling unit in combination with a commercial unit which is utilized by the resident(s) and up to one non-resident employee. This may include separate

entrances for the commercial and residential portion of the building with an internal passage between. The dwelling unit shall be considered above, to the side or rear of a commercial component. The commercial use shall not detract from the residential character or appearance of the unit and shall not create a nuisance. This may include but is not limited to photography, art, pottery studios, commercial service facility office, incidental sale of items such as antiques or jewellery, or a studio providing instruction such as music or tutoring, to a maximum of four students at one time. This does not include health service, pawnshop, FOOD SERVICE, Restaurant, FOOD SERVICE, Speciality, or RETAIL, Cannabis. This use does not include a HOME BASED BUSINESS 1, a HOME BASED BUSINESS 2, or a HOME BASED BUSINESS 3.

LEGAL PARKING PAD shall include the area used as a driveway to an attached front drive garage and an area that will include the extension of the sidewalk to the front door to a maximum of 1.0 m (3.28 ft) from the wall of the garage adjacent to the walk leading to the front entrance and will also include the area from the edge of the driveway to the side property line on the opposite side of the sidewalk to the front door (Part 8, Schedule A4). This parking pad shall be a hard surfaced pad used for parking vehicles or recreational vehicles in the front yard area.

LOADING SPACE means an on-site parking space reserved for temporary parking for the purpose of loading or unloading goods and materials.

LOT means a:

- quarter section;
- settlement lot shown on an official plan, as defined in the Survey's Act, that is filed or lodged in a Land Titles Office;
- part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title other than by reference to a legal subdivision; or
- part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title by reference to a Plan of Subdivision.

LOT, Corner means a lot located at the intersection of two (2) roads, other than a lane.

LOT, Interior means a lot other than a corner lot.

LOT AREA means the total area within the lot lines.

LOT DEPTH means the horizontal distance between the midpoints of the front and rear lot lines.

LOT LINE means the legally defined boundary of any lot.

LOT LINE, Front means:

- in the case of an interior lot, a lot line separating the lot from the road;
- in the case of a corner lot, a lot line separating the narrowest road frontage of the lot from the road not including a corner rounding or corner cut;
- in the case of a double fronting lot, the front lot line shall be determined by the

Development Officer based on the location of permitted access and the orientation of other development in the block; or

- in the case of a lot abutting a watercourse, the front lot line is the lot line abutting the road.

LOT LINE, Rear means:

- the lot line opposite to, and most distant from, the front lot line; or
- where there is no such property line, the point of intersection of any property lines other than a front lot line which is furthest from and opposite the front lot line.

LOT LINE, Side means any lot boundary that is not a front or rear lot line.

LOT WIDTH means the distance between the midpoints of the side lot lines.

In the case of:

- an irregularly shaped lot such as a pie lot, the width shall be the distance between the side lot lines at 9.0 m from the front lot line; or

Where lot width cannot be reasonably calculated by these methods, the Development Officer shall determine the lot width having regard to the access, shape and buildable area of the lot, and adjacent lots.

M

MAIN USE means the principal purpose for which a building or parcel is used.

MANUFACTURED HOME, means a prefabricated dwelling unit that meets Canadian Standards Association (CSA)

standards and is transportable and may be towed in one or two sections to be joined into one dwelling unit on site. Where there is an undercarriage, it shall be skirted. A manufactured home does not include a modular home, moved in building or ready-to-move dwelling. A manufactured home cannot accommodate an accessory suite.

MANUFACTURED HOME PARK means a development for manufactured homes not having a registered plan of subdivision of individual lots for rent.

MANUFACTURED AND MODULAR HOME SALES AND SERVICE means a facility providing for the sale, rental, lease, or service of manufactured or modular homes.

MIXED USE DEVELOPMENT means a multi storey building designed for more than one type of land use on the same site. The composition of uses will typically be retail or office on the ground floor, with residential units above. In these developments, residential uses shall not be on the same floor as commercial uses and shall not be on the ground floor.

MODULAR HOME means finished section(s) of a complete and unoccupied dwelling unit building, built at an off-site manufacturing facility for transport to a lot for installation on a permanent foundation and which conforms to the Alberta Building Code. "Finished" means fully enclosed on the exterior and interior but may not include interior painting, taping, installation of cabinets, floor covering, fixture or heating system. A modular home has no chassis, running gear or wheels. This does

not include a manufactured home, moved in building or ready-to-move dwelling or recreational vehicle.

MOTEL means a building divided into self-contained sleeping or dwelling units, each with a separate exterior entrance and convenient access to on-site parking. Motels may include food services and commercial service facilities.

MOVED IN DWELLING means a previously existing, established, and occupied dwelling, which is removed from one site and then transported and re-established on another site. A moved in dwelling does not include a manufactured home, modular home, ready-to-move dwelling, motor home, travel trailer, recreation vehicle and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

MOVING STORAGE PODS means small storage pods designed to be placed on a residential property (driveway) on a *temporary basis* to assist new residents with bringing in their furniture and belongings or existing residents to store their furniture and belongings as they prepare to move or renovate.

MULTIPLE HOUSING DEVELOPMENT means two or more buildings containing dwelling units, located on a parcel of land, where all the buildings, recreation areas, vehicular areas, landscaping, and all other features have been planned as an integrated development. Multiple housing developments cannot accommodate accessory suites.

MULTIPLE HOUSING DEVELOPMENT WITH COMMERCIAL USE means two or more buildings containing dwelling units, one or more of which may include ground floor commercial/retail/restaurant uses, located on a parcel of land, where all the buildings, recreation areas, vehicular areas, landscaping, and all other features have been planned as an integrated development.

MGA means *The Municipal Government Act, RSA 2000, Chapter M-26, as amended* and its associated Regulations.

MUNICIPAL SHOP AND STORAGE FACILITY means the facility used by a municipality for the storage of materials used in fulfilling its various functions and the housing and repair of its equipment.

MUNICIPAL TAG means a form of ticket prescribed by the Town for a Bylaw offense providing a person with the opportunity to pay an amount to the Town in lieu of prosecution."

MUNICIPALITY means the Town of Blackfalds.

N

NATURAL AREA means natural, sensitive or scenic lands owned by the Town that are identified for conservation or nature appreciation or both.

NATURAL CONSERVATION means land areas set aside for conversation of natural features or areas of cultural or scenic value, which are intended to be kept in a natural state with limited development of

pathway and similar landscape elements that would not impact natural landscaping and drainage patterns.

NON-CONFORMING USE AND NON-CONFORMING BUILDING, as defined in the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26

NUISANCE means, for the purposes of this Bylaw, anything that in the opinion of the Development Authority may cause adverse effects to the amenities of the neighbourhood or interfere with the normal enjoyment of adjacent land or building. This could include that which creates or is liable to create noise, vibration, smoke, dust, odour, heat, electrical interference, glare, light, fumes, fire, explosion, or any other hazard to health or safety, and unsightly or unsafe storage of goods, salvage, junk, waste or other materials.

O

OFF HIGHWAY VEHICLE means, for the purposes of this Bylaw, any motorized mode of transportation built for cross country travel on land, water, snow, ice, marsh, or swamp land or on other natural terrain.

OFFICE means a premise primarily for the provision of professional, management, administrative, consulting, or financial services, in a non-residential setting. Typical uses include but are not limited to the offices of lawyers, accountants, travel agents, real estate and insurance firms, photographers, and clerical agencies.

OPEN SPACE means public lands that provide social and environmental benefit and may include outdoor infrastructure

that provides an identity or sense of place for the community. Open space may include, but is not limited to, landscaped areas, natural areas, active and passive recreational areas, and outdoor community gathering spaces.

OFF-STREET PARKING shall refer to any required parking that is required as per the rules and regulations of this Bylaw.

OPEN STORAGE YARD means the principle use of land that is used for the storage of products, goods, or equipment.

OUTDOOR FABRICATION UNIT means an accessory use that involves small structures, not on permanent foundations for use by mobile tradespersons for the assembly, manufacturing, or fabrication of equipment.

OWNER means the Crown or the registered owner(s) of an estate in fee simple, any other persona(s) having a legal interest in the lot or site, or an authorized agent designated in writing.

P

PARCEL BOUNDARY means in the case of an interior parcel, the boundary which abuts a street and in the case of a corner parcel or a parcel which abuts more than one street, means the shorter of the two boundaries which abuts a street.

PARCEL COVERAGE means the area covered by buildings including the principal/primary building and any addition to it and any accessory buildings on the property.

PARCEL OF LAND (parcel) means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered at a land titles office.

PARK means a use where public land is specifically designed or reserved for the public for active or passive recreation, or for educational, cultural, or aesthetic purposes, and includes all-natural areas and landscaped areas. This includes but is not limited to playing fields, playgrounds, picnic grounds, trails, amphitheaters, bike parks, skateboard parks, dog off-leash areas, natural areas, water features, and related accessory buildings.

PARKING FACILITY means the public use of land for the purposes of vehicular parking.

PARKS AND PLAYGROUNDS, see RECREATION, Community

PATIO means a structure less than 0.6 m in height above finished grade and without a roof or walls. A patio is designed and intended for use as an outdoor amenity area.

PAWNSHOP means a premise involved in the loaning of money on the security of personal property deposited. This notes not include RETAIL, General.

PERMANENT FOUNDATION means:

- a) an engineered approved wood foundation, or;

- b) a poured reinforced concrete basement, or;
- c) a concrete block basement, or
- d) a foundation meeting CSA Z240.10.1 standard.

PIPELINE as defined under the Alberta Pipeline Act, means a pipe used to convey a substance or combination of substances, including installations associated with the pipe.

PRINCIPAL BUILDING means a building which is considered the main or principal use of the parcel on which it is erected.

PRINCIPAL USE, see USE, Principal

PROJECTION means any portion of a building or structure as outlined in Part 3.23.2 which extends into a required setback.

PROPERTY LINE, Front means:

- in the case of an interior lot, a lot line separating the lot from the road;
- in the case of a corner lot, a lot line separating the narrowest road frontage of the lot from the road not including a corner rounding or corner cut;
- in the case of a double fronting lot, the front lot line shall be determined by the Development Officer based on the location of permitted access and the orientation of other development in the block.

PROPERTY LINE, Flanking Side means, in the case of a corner lot, the longest property line that abuts a street.

PROPERTY LINE, Rear means the property line opposite the front property line.

PROPERTY LINE, Side means the property line that connects the front property line and the rear property line.

PUBLIC MARKET, means a business, operating for profit, conducting a public open market at which various vendors lease and operate stalls. A public market does not include a Farmer's Market

PUBLIC UTILITY means a system or works used to provide water or steam, sewage disposal, public transportation operated by or on behalf of the municipality, irrigation, drainage, fuel, electric power, heat, waste management, telecommunications, and includes that is provided for public consumption, benefit, convenience or use.

R

REAR YARD, see YARD, Rear

RECREATION FACILITY, Commercial means a development intended to provide leisure services as part of a for profit business. Uses may include a theatre, bingo halls, pool tables, bowling alleys, rifle, and pistol ranges, athletic or health clubs, studios offering sports/fitness classes and may also provide an area for food service as an accessory use. This does not include a casino.

RECREATION FACILITY, Indoor means a development intended to provide sports or

recreational activities within an enclosed building and the related accessory buildings for the users of the facility. This does not include RECREATION FACILITY, Commercial. Typical uses are athletic or health clubs, studios, for sports/fitness classes, arenas, swimming pools and gymnasium facilities. RECREATION FACILITY, Indoor are uses that are publicly owned or operated.

RECREATION FACILITY, Outdoor means a development providing an area for sports or leisure activities, including the related accessory developments for the users of the facility. Typical uses include sports fields, playgrounds, skating rinks, tennis courts and spray parks. RECREATION FACILITY, Outdoor are uses that are publicly owned or operated.

RECREATIONAL VEHICLE means a vehicle or trailer that is designed, constructed and equipped, either temporarily or permanently, as a temporary accommodation for travel or vacation purposes or a vehicle used for recreation purposes and includes, but is not limited to a motor home, slide in campers, chassis mounted campers, travel trailers, tent trailers, boats, all-terrain vehicles, snowmobiles and the trailer used to transport any of the aforementioned.

RECREATION VEHICLE SALES, RENTAL AND SERVICE means a facility providing for the sale, rental, lease or service of recreation motor homes, travel trailers and similar portable units designed for travel.

RECREATION VEHICLE STORAGE means a principal or accessory use where

recreational vehicles are stored on a site when they are not in use. This does not include camping, the storage of equipment, shipping containers or abandoned vehicles, those uses identified under outdoor storage or a campground.

RECYCLE DEPOT means a development for collecting, sorting, and temporarily storing recyclable materials such as bottles, cans, paper, newspapers, boxes and small household goods for reuse where all storage is contained within an enclosed building.

REPAIR SERVICE, see AUTOMOTIVE SERVICE

RELIGIOUS ASSEMBLY means a building where people regularly assemble for worship and related religious, charitable, or social activities that is maintained and controlled for public worship. This includes churches, chapels, mosques, temples, synagogues, convents, and monasteries, as well as accessory manses or rectories.

RESIDENTIAL KENNEL means the owning or harbouring of a maximum of three (3) dogs over the age of 3 months and/or three (3) cats over the age of 3 months by the owner or occupier of a dwelling unit in a residential land use district. A RESIDENTIAL KENNEL does not exceed a total of five (5) dogs and/or cats.

RESIDENTIAL SALES CENTRE means a permanent or temporary building used for a limited period of time for the purpose of marketing residential land or buildings.

RESIDENTIAL SECURITY/OPERATOR UNIT means an accessory use to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker or operator of a non-residential establishment, or for the on-duty security personnel at a storage facility where listed in a land use district. No more than one residential security operator unit is permitted on a site. The Residential Security Operator Unit shall form part of the Development with which it is associated and be an accessory use on the site on which it is located.

RESTAURANT, see FOOD SERVICE, Restaurant

RETAIL, Adult means a premise for the offering for rent, use, viewing, or sale of an object (other than a contraceptive device), service, or entertainment which is designed or intended to be used in, or is a depiction of, a sexual act.

RETAIL, Cannabis means a retail store development licensed by the Province of Alberta where cannabis and cannabis accessories are sold to individuals who attend the premises.

RETAIL, Convenience means a premise used for the retail sale of goods from premises which do not exceed 235 m² (2530 ft²) in gross floor area. This includes but is not limited to a small food store, a drug store or variety stores selling confectionery tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter, or the rental of videos. This does not include RETAIL, Cannabis.

RETAIL, Shopping Centre means one or more buildings containing more than six retail stores and other businesses exceeding 2500 m² (26,910 ft²) of gross floor area, which share common services, parking and other facilities on one or more lots.

RETAIL, General means a development for the indoor retail sale of a wide range of consumer goods. Typical uses include grocery stores, plumbing and hardware stores, clothing stores, shoe stores, sporting goods stores, appliance and furniture stores, pharmaceutical and personal care items, and similar goods within a building and includes supplementary services such as postal service, and the repair of anything sold or rented by the retail store. This does not include warehouse sales, a pawnshop, a retail store requiring outdoor storage, RETAIL, Alcohol store or RETAIL Cannabis, RETAIL, Adult or RETAIL, Cannabis.

ROAD as defined in the *Municipal Government Act*, s616 (aa).

ROW HOUSING means a residential building containing three or more dwelling units separated by common walls and located either on a single lot or each unit is on its own individual lot, and each dwelling unit having a separate, direct entrance from the exterior. This definition applies to forms of housing that include, but is not limited to, townhouses, row houses, triplexes or fourplexes. A Multi- attached dwelling cannot accommodate an accessory suite.

SCHOOL means a school as defined in the *Education Act* but excluding home based schooling from the definition of school. A school does not include a COMMERCIAL SCHOOL or INDUSTRIAL TRAINING SCHOOL.

SEA-CAN, see SHIPPING CONTAINER

SELF STORAGE BUILDINGS, see WAREHOUSE AND STORAGE

SENIOR CITIZEN HOUSING means accommodations constructed and financed in accordance with provincial legislation.

SERVICE ROAD means a road for the purpose of providing and consolidating means of access to a controlled highway at a point where access is permitted by the Minister of Transportation.

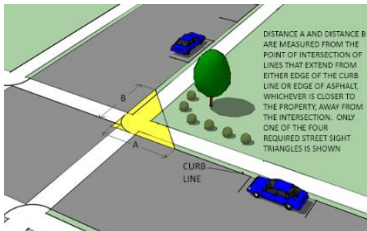
SETBACK means a distance additional to minimum yard requirements which may be required on parcels adjacent to the public roadways.

SHIPPING CONTAINER means any container that is or was used for transport of goods by means of rail, truck or by sea. These are generally referred to as a C-container, sea cargo container, sea can or cargo container. Such containers are typically rectangular in shape and are generally made of metal. For the purposes of this Bylaw, when such a container is used for any purpose other than transporting freight, it will be considered as a structure and an accessory use.

S

SIDE YARD, see **YARD**, Side

SIGHT TRIANGLE means an area at the intersection of roadways, lanes, or roadways and railways in which all buildings, fences, vegetation, and finished ground elevations shall be less than 1.0 m (3.28 ft) in height above the average elevation of the carriageways/rails, in order that vehicle operators may see approaching vehicles in time to avoid collision.



SITE GRADING means any work, operation or activity resulting in a disturbance of the earth. This includes the removal of topsoil or borrow pit, the stock piling, excavating, trenching, backfilling, filling, land levelling, re-contouring, and grading other than for the purpose of an approved development. This does not include the installation or removal of any landscaping required by this Bylaw.

SOCIAL CARE FACILITY means a place of care for persons who are aged or infirm or who require special care or a day care facility.

SOFT LANDSCAPING means the use of vegetative material as part of a landscaped area and may include grass, trees, shrubs, ornamental plantings, and associated earthworks and does not include areas occupied by garbage containers, storage, parking facilities or driveways.

SOLAR ENERGY INFRASTRUCTURE

means infrastructure designed to convert solar radiation into electrical or thermal energy. Where structures are required to support the infrastructure, the structures may require a permit.

SOLID WASTE TRANSFER STATION

means a facility for the collection and temporary holding of solid waste in a storage container.

SOUR GAS is a natural gas having an H₂S content of 10 miles per kilomole or greater, or such lesser great H₂S content that the AER may stipulate in a particular case.

STACKED ROW HOUSING means a

building containing three or more Dwellings arranged two deep, either vertically so that Dwellings are placed over others, or horizontally so that Dwellings are attached at the rear as well as at the side. Each Dwelling shall have separate and individual access, not necessarily directly to grade, provided that no more than two dwellings may share access to grade. This use does not include a duplex, multi attached, or an apartment.

STATUTORY PLAN means the Municipal

Development Plan, an Intermunicipal Development Plan, an Area Structure Plan, or an Area Redevelopment Plan adopted by Bylaw of the municipality, or any one or more of them.

STREET means any category of registered street or public roadway except a lane.

STRUCTURE means a development of any kind whether fixed to, supported by, or sunk into land or water including but not limited to towers, flag poles, swimming pools, signs, storage tanks and excludes areas of hard surfacing.

STRUCTURAL ALTERATION means any change or addition to the supporting members of a structure, including the foundations, bearing walls, rafters, columns, beams, and girders.

SUBDIVISION AND DEVELOPMENT REGULATION means the Subdivision and Development Regulation (AR 43/2002) as amended.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD means a Subdivision and Development Appeal Board established under Part 17, Division 3 of the *Municipal Government Act*.

T

TANDEM PARKING means two parking spaces, one behind the other, with a common or shared point of access to the maneuvering aisle.

TREE CLEARING means the cutting down and/or removal of trees other than for commercial logging. It does not include site grading, or the removal of any landscaping required by this Bylaw. In all land use districts, tree clearing shall be a discretionary use.

U

USE means the purposes for which land or a building is arranged or intended, or for which either land, a building, or a structure is, or may be occupied and maintained.

USE, Accessory means a use naturally or normally incidental, subordinate and exclusively devoted to the principal use and located on the same lot or site.

USE, Non-Conforming means a lawful specific use:

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

USE, Discretionary means those uses of land, buildings, or structures for which a Development Permit may be approved or refused at the discretion of the Development Authority.

USE, Permitted means those uses of land, buildings, or structures for which a development shall be approved by the Development Authority, if the development meets all applicable regulations of this Bylaw.

USE, Principal means a use that, in the opinion of the Development Authority:

- a) occupies the major or central portion of a lot or site; or
- b) is the chief or main building or use among one or more buildings or uses on a lot or site; or
- c) that constitutes, by reason of its use, the primary purpose for which the lot or site is used.
- d) There shall be no more than one principal use on each lot or site, except as where indicated in this Bylaw.

V

VARIANCE means the flexibility that may be exercised by the Development Authority to vary the regulations of this Bylaw.

VEHICLE SALE/RENTAL means the retail sale or rental of new or used automobiles, bicycles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles, together with incidental maintenance services, sales of parts and accessories. This includes automobile dealerships but does not include dealerships for the sale of trucks with a gross vehicle weight of more than 4,100 kg or the sale of motor homes with a gross vehicle weight rating of more than 5,500 kg or a length greater than 6.7 m (22 ft). This does not include truck and manufactured home sales/rentals.

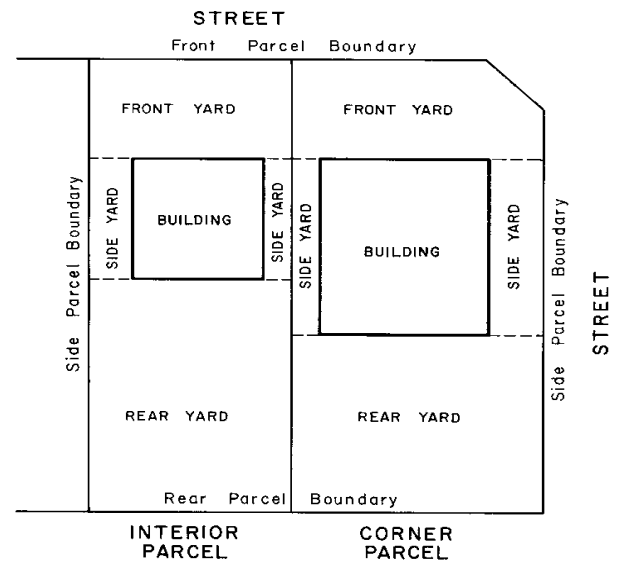
VETERINARY CLINIC means a facility for the medical care and treatment of animals and includes provision for their overnight accommodation but does not include

kennels, outdoor storage, or outdoor pens, runs or enclosures.

VETERINARY HOSPITAL means a facility for the medical care and treatment of animals and includes provision for their accommodation and confinement in outdoor pens, runs and enclosures.

W

WAREHOUSE SALES means a premise



used for the wholesale or retail sale of a limited range of bulk goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. This includes but is not limited to development where principal goods being sold are such bulky items as furniture, carpet, major appliances, and building materials.

WAREHOUSE AND STORAGE means the use of a building that may include outdoor accessory storage primarily for the

keeping of goods and merchandise. This does not include the storage of dangerous or hazardous materials, inoperable vehicles (or parts thereof), or any waste material. WAREHOUSE AND STORAGE may include the outdoor storage of recreational vehicles, boats and may contain an office for the administration of the facility and/or retail sales of moving supplies as an accessory use.

WRECKING AND SALVAGE YARD means any land or building used for the collection, demolition, dismantling, storage, salvage, recycling, or sale of waste materials including scrap metal, vehicles not in operable condition or used parts of motor vehicles, machinery, and other discarded materials.

Y

YARD, Side means that portion of a lot or site abutting a side lot line extending from the front yard to the rear yard. The side yard is situated between the side lot line and the nearest wall of the principal building, not including projections.

YARD, Flanking Side means a side yard abutting the street on a corner lot. The flanking side yard is determined by the horizontal dimension measured from a flanking side property line at a right angle to the nearest point of a wall or any building or structure on the lot.

YARD, Front means the portion of a lot or site abutting the front lot line extending across the full width of the lot or site, situated between the front lot line and the nearest wall of the principal building, not including projections.

YARD, Rear means the portion of a lot or site abutting the rear lot line extending across the full width of the lot or site, situated between the rear lot line and the nearest wall of the principal building, not including projections.

PART 2.0 OPERATIONS AND ADMINISTRATIVE PROCEDURES

2.1 DEVELOPMENT AUTHORITY

1. The Development Officer:
 - a) The Development Officer is hereby established and shall be appointed by resolution delegated by Council.
 - b) The Development Officer shall exercise the authority, duties, and responsibilities as specified in this Bylaw, the Act, and its Regulations, as amended from time to time and;
 - i) may meet with or provide written information and processing requirements or both to the public;
 - ii) within twenty (20) days after the receipt of an application for a Development Permit shall review all applications for a Development Permit to determine if they are complete and made for the appropriate use;
 - iii) maintain for public inspection, a register of all applications for development and their decisions;
 - iv) refer an application to any Town department, an adjacent municipality, or municipal, provincial, federal or inter-jurisdictional department or any other agency, body or person that, in the Development Officer's opinion, may provide relevant comments or advice respecting the application;
 - v) refer, to the Alberta Energy Regulator, all applications for a Development Permit which would result in permanent overnight accommodation, including dwellings, or public facilities on land that is within 1.5 km (0.93 miles) of a sour gas facility if, in the opinion of the Development Officer, the proposed development is not an infill development;
 - vi) shall consider and approve on those applications for a Development Permit where the proposed use is a permitted use within the district applicable to the application and no variances to the regulations of this Bylaw are required:
 - a. without conditions; or
 - b. with conditions necessary to ensure compliance.
 - vii) Subject to this Part, the Development Officer may grant a relaxation of up to 15% from a stated regulation regarding setbacks and parcel coverage only if:
 - a. the proposed development conforms with the uses prescribed for the lands in this Bylaw.
 - b. the property has an irregular shape or lot lines which makes it difficult to develop a structure and creates a situation within the required setbacks providing that granting the variance will not:
 - i. unduly interfere with the amenities of the neighbourhood;

- ii. materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land; or
 - iii. interfere with the safe passage of pedestrians or vehicles on adjoining sidewalks and roads.
- viii) Refer to the Municipal Planning Commission any application for a Development Permit proposing a variance to the regulations of this Bylaw for a Permitted Use and all applications for a Development Permit when the proposed use is a Discretionary Use within the district applicable to the application and that section requiring a relaxation of less than or equal to 15% subject to Part 2.16, Variances or Change in Use within a Direct Control District.
- ix) Refer with recommendations to the Municipal Planning Commission any application for a Development Permit that, in the Development Officer's opinion, should be decided by the Municipal Planning Commission.
- x) Refer all Development Permit applications with a Direct Control District to Council, except for those districts where the Development Authority has been delegated to the Municipal Planning Commission or those uses that have been delegated to the Development Officer.
- xi) Enforce the provisions of this Bylaw.
- xii) Sign and issue all valid Development Permits, Certificates of Compliance, Notices of Decision and other Notices as required.
- xiii) May approve the renewal of any Development Permit that was originally approved by the Municipal Planning Commission, provided there are no changes.
- xiv) Any relaxation granted by the Development Authority may be subject to an appeal in accordance with Part 2.17, appealing a decision of the Development Authority.
- c. The Development Officer may, after giving notice to the owner or occupant of a property in accordance with the MGA, enter a property to conduct an inspection to determine compliance with this Bylaw, the MGA, the Regulations, or any applicable Development Permit.
- d. The Development Officer may refer any other planning or development matter to the Municipal Planning Commission for its review, support and/or advice.

2. The Municipal Planning Commission:
 - a) the Municipal Planning Commission is authorized to act as the Development Authority in matters as prescribed in this Bylaw and as established In the Municipal Planning Commission Bylaw, as amended from time to time; and
 - b) shall consider and where required, state terms and conditions on any other planning or development matter referred by the Development Officer or Administration; and may direct the Development Authority Administration to review, research or make recommendation on any other planning and development matter; and
 - c) make recommendations on planning and development matters to Council and in respect of a Direct Control District, unless otherwise delegated by Council to either the Development Officer or the Municipal Planning Commission.

2.2 LAND USE AMENDMENT APPLICATIONS

1. An application to amend the text of this Bylaw or a Schedule may be made in writing to the Town by:
 - a) the owner of a parcel or site; or
 - b) the Town.
2. A person may make an application to the Development Officer for amendment to this Land Use Bylaw. The application shall include:
 - a) a certificate of title, searched and dated not more than thirty (30) days prior to the application date;
 - b) owner authorization and where applicable, an applicant signature;
 - c) the required application and applicable fees;
 - d) a statement of the specific amendment requested;
 - e) the purpose and reasons for the application;
 - f) if the application is for a change of District, the legal description of the lands, or a plan showing the location and dimensions of the lands;
 - g) any additional report, drawing or study that may be required in preparation or evaluate and make a recommendation on the amendment. This may include, but not be limited to, an analysis by a qualified professional of the potential effect on the land, traffic, the environment, underground and above ground utilities and other municipal services and facilities.

This information may be required to address the following:

- i) consistent with the Municipal Development Plan and any other statutory plan or policy adopted by the Town of Blackfalds.
- 3. If the amendment is for a re-designation of land, the Development Officer may require:
 - a) an Area Structure Plan, or amended Area Structure Plan, for the area to be re-designated, to the level of detail specified by the Development Officer; and
 - b) payment of a fee equal to the costs incurred by the Town to review the proposed re-designation and/or related Area Structure Plan or amended Area Structure Plan.
- 4. Upon receipt of an application for amendment to this Land Use Bylaw the Development Officer shall determine when the application will be placed before Council and shall issue not less than 5 days' notice to the applicant advising that he/she may appear before Council at that time and speak to the application. An application for amendment shall be placed before Council within 60 days of its receipt by the Development Officer.
- 5. Council, in considering an application for an amendment to this Land Use Bylaw, may at its sole discretion:
 - a) refuse the application; or
 - b) refer the application for further information; or
 - c) pass first reading to a Bylaw to amend this Land Use Bylaw, with or without conditions or amendments; or
 - d) defeat first reading of a Bylaw to amend this Land Use Bylaw;
 - e) pass first reading of an alternative amendment to this Land Use Bylaw.
- 6. Following first reading of an amending Bylaw, Council shall:
 - a) establish the date, time, and place for a public hearing on the proposed Bylaw; or
 - b) if a Bylaw to establish procedures for public hearings has not been passed:
 - i) outline the procedures to be followed by any person, group of persons or person representing them who wish to be heard at the public hearing, and
 - ii) outline the procedure for conducting the public hearing.
- 7. Following first reading to an amending Bylaw, the Development Officer must give notice of the public hearing by:
 - a) notice to publish at least once a week for two (2) consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed Bylaw relates.

8. Public hearing advertising must be completed at least five (5) days before the public hearing occurs.
9. A public hearing notice must contain:
 - a) a statement of the general purpose of the proposed Bylaw and public hearing;
 - b) the address where a copy of the proposed Bylaw and any documents relating to it or the public hearing may be inspected; and
 - c) the date, place and time where the public hearing will be held.
10. In the case of an amendment to change the district designation of a parcel of land, the Development Officer must, in addition to the requirements of Part 2.2:
 - a) include in the notice:
 - i) the municipal address, if any, and the legal address of the parcel of land, and
 - ii) a map showing the location of the parcel of land.
 - b) Give written notice containing the information described in clause (a) and subsection (9) to the assessed owner of that parcel of land at the name and address shown in the assessment roll of the municipality; and
 - c) give written notice containing the information described in clause (a) and subsection (9) to each owner of adjacent land at the name and address shown for each owner on the assessment roll of the municipality.
11. If the land referred to in Part 2.2.10 (c) above is in an adjacent municipality, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of that municipality.
12. Notwithstanding Part 2.2.6, the Land Use Bylaw may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical, or typographical errors and does not materially affect the Land Use Bylaw in principle or substance.
13. In the public hearing, the Council:
 - a) must hear any person, group of persons, or person representing them, who claim to be affected by the proposed Bylaw and who has complied with the procedures outlined by Council; and
 - b) may hear any other person who wishes to make representations and whom the Council agrees to hear.

14. After considering the representation made to it about the proposed Bylaw at the public hearing and after considering any other matter it considers appropriate, Council may:
 - a) pass the Bylaw;
 - b) make any amendment to the Bylaw it considers necessary and proceed to pass it without further advertisement or hearing;
 - c) refer the Bylaw for further information or comment; or
 - d) defeat the Bylaw.
15. After third reading of the proposed Bylaw, the Development Officer shall send a copy of the Bylaw to:
 - a) the applicant;
 - b) the owner of land, if not the applicant; and
 - c) adjacent municipalities if it received a copy of the proposed Bylaw pursuant to Part 2.2.11.
16. In this Part, "owner" means the person shown as the owner of land on the assessment roll prepared pursuant to the *MGA*.
17. The Development Officer shall not accept an application for an amendment which is identical or similar to an application which was refused by Council, for a period of six (6) months after the date of the refusal unless Council directs that Development Officer accept the application and place the application before Council in accordance with this Part.
18. If the subdivision or development for which land was re-designated does not occur within one year of the date of final passage of the re-designation Bylaw, Council may initiate a Bylaw to re-designate the land back to its former district and may adopt the re-designation Bylaw.

2.3 AMENDMENT TO CREATE A DIRECT CONTROL DISTRICT

1. A Direct Control Zoning District shall only be used for the purpose of providing for developments that require specific regulation unavailable in other land use districts:
 - a) due to the unique characteristics or unusual site constraints of a proposed development; or
 - b) due to the scale, character, and complexity of a proposed development.
2. A Direct Control Zoning District shall not be used:
 - a) in substitution of any other land use district in this Bylaw that could be used to achieve the same result either with or without relaxation of this Bylaw; or

- b) to regulate matters that may be addressed by subdivision or Development Permit approval conditions.
- 3. In addition to the application information required in Part 2.2 of this Bylaw, an application to create a Direct Control District:
 - a) shall include a written statement indicating why, the opinion of the applicant, a Direct Control District is necessary;
 - b) a laid-out format outlining the purpose of the Direct Control District (i.e. residential, commercial, industrial, etc.);
 - c) the use(s) for the site; and
 - d) may require a site plan, landscape plan, and/or elevation plan.

2.4 DIRECT CONTROL BYLAWS

- 1. Direct Control Bylaws passed under previous Land Use Bylaws, in Part 7, are denoted on the land use district maps and are hereby incorporated into forming part of this Bylaw.
- 2. For those Direct Control Districts included in Part 7, that were approved under the provisions of a previous Land Use Bylaw, as amended; terms of the Bylaw shall be interpreted using the definitions and context of that Bylaw that was in force at the time the Bylaw was enacted.

2.5 CONDITIONS

- 1. In deciding on a permitted or discretionary use, the Development Authority may impose conditions it considers appropriate, either on a permanent basis or for a limited time period. In order to approve a Development Permit application the Development Authority may impose any conditions it considers appropriate, either on a permanent basis or for a limited time period, in order to approve a Development Permit application.
- 2. The Development Authority may impose any conditions it deems appropriate to ensure compatibility with the amenities of the neighbourhood and the use, enjoyment, and value of neighbouring parcels of land, including but not limited to the following:
 - a) limiting the time of operation including hours of the day, days of the week, and parts of the year;
 - b) limiting the number of patrons;
 - c) requiring attenuation or mitigation of noise, odour, or any other nuisances that may be generated by the proposed development;
 - d) regarding the size, location, character, and appearance of buildings or structures;
 - e) regarding site grading, landscaping, and natural vegetation; environmental contamination and reclamation;

- f) addressing safety concerns regarding traffic, pedestrians, or protection of the site from other developments or to protect other developments from the site;
 - g) regarding parking;
 - h) requiring consolidation of parcels;
 - i) establishing a time period for which a Development Permit is valid; and
 - j) the timing of the completion of any part of the proposed development.
3. The Development Authority may require the completion of a Traffic Impact Assessment by a qualified transportation engineer to provide an analysis summary of the projected impacts generated by proposed developments and to determine mitigation measures to ensure street and pedestrian safety.
4. Where this Bylaw requires a minimum standard, the Development Authority may impose a condition on a discretionary Development Permit requiring a higher standard where it is deemed appropriate.
5. The Development Authority may impose conditions necessary to ensure satisfactory arrangements for the supply of water, electric power, sanitary sewer, storm sewer, natural gas, cable, vehicular or pedestrian access and circulation, parking, loading, landscaping or drainage, or any of them, including payment of the costs of installation or construction of any such utility or facility by the applicant.
6. The Development Authority may impose a condition of Development Permit that requires an irrevocable letter of credit, up to a value equal to the estimated costs of the proposed landscaping, to ensure that the required landscaping is carried out with reasonable diligence. Landscaping securities shall be collected in accordance with Part 3.15.4.
7. As a condition of development approval, the Development Authority may require the developer to enter into a Development Agreement with the municipality to do any or all of the following:
- a) to construct or pay for the construction or upgrading of:
 - i) any roads required to give access to the development;
 - ii) a pedestrian walkway system to serve the development or to provide pedestrian access to adjacent developments, or both;
 - iii) off-street or other parking facilities; and
 - iv) loading and unloading facilities;
 - b) to install or pay for the installation of, any public utilities that are necessary to serve the development;
 - c) to pay an off-site levy or redevelopment levy;

- d) to provide an irrevocable letter of credit, or other form of security acceptable to the Development Authority, to ensure compliance with the terms of the agreement and the conditions of the Development Permit;
- e) to repair or reinstate, or to pay for the repair or reinstatement, any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged, destroyed, or otherwise harmed by development or building operations upon the site; and/or,
- f) to attend to all other matters the Development Authority considers appropriate.
- g) To ensure compliance with a development agreement; the Town may register a caveat pursuant to the provisions of the Land Titles Act and the *MGA* against the Certificate of Title for the property being developed. This caveat shall be discharged once the agreement has been complied with.
- h) The developer shall be responsible for all costs associated with the preparation of a development agreement, as well as the costs associated with registering the caveat at Land Titles and discharging the caveat when all conditions have been met.

2.6 DEVELOPMENT CONTROL

1. Land, buildings, structures or signs in the Town may only be developed or used in conformity with the uses in its land use district and all the regulations in this Bylaw except for legal non-conforming buildings, uses or as approved by the Development Authority or the Subdivision and Development Appeal Board.
2. No person shall commence, cause, or allow to be commenced, or carry on, or cause to allow to be carried on, any development unless a Development Permit has been issued under the provisions of this Bylaw.
3. No development or portion thereof shall be located on or over municipal lands, municipal road rights-of-way or municipal easements without the prior written consent of the Town, which consent the Town is not obligated to provide.
4. A person is responsible for complying with the requirements of other Town Bylaws, policies, easements, covenants, conservation agreements, development agreements, or provincial or federal statutes or regulations.

2.7 DECISION ON DEVELOPMENT PERMIT APPLICATION

1. For a permitted use in any District, the Development Officer:

- a) shall approve, with or without conditions, an application for a Development Permit where the proposed development conforms in every respect to this Land Use Bylaw, or
 - b) subject to the provision of Subsection (4) and Part 2.16, the Development Officer shall refuse an application for a Development Permit if the proposed development does not conform in every respect to this Land Use Bylaw,
 - c) may approve the application subject to conditions to ensure that the application conforms to the requirements of the Land Use Bylaw, the MGA and the Subdivision and Development Regulation and statutory plans.
2. For a discretionary use in any District:
- a) the Municipal Planning Commission may approve an application for a Development Permit:
 - i) with or without conditions;
 - ii) based on the merits of the proposed development including its relationship to any approved statutory plan or approved policy affecting the site;
 - iii) where the proposed development conforms in every respect to this Land Use Bylaw, or
 - b) the Municipal Planning Commission may refuse an application for a Development Permit based on the merits of the proposed development, even though it meets the requirements of this Land Use Bylaw, or
 - c) subject to the provisions of Subsection (4) and Part 2.16, the Municipal Planning Commission shall refuse an application for a Development Permit if the proposed development does not conform in every respect to this Land Use Bylaw.
3. In reviewing a development application for a discretionary use, the Development Authority shall have regard to:
- a) The circumstances and merits of the application, including but not limited to:
 - i) the impact on properties in the vicinity of such nuisance factors as smoke, airborne emissions, odours and noise;
 - ii) the design, character and appearance of the proposed development and whether it is compatible with complementary to the surrounding properties, and
 - iii) the servicing requirement for the proposed development.
 - b) The purpose and intent of any statutory plan adopted by the Town, and
 - c) The purpose and intent of any non-statutory plan and pertinent policy adopted by the Town.

4. The Development Authority, may approve an application for a Development Permit, may recommend approval of an application for subdivision approval, notwithstanding that the proposed development or subdivision does not comply with the Bylaw or is a non-conforming building, if in the opinion of the Development Officer or Municipal Planning Commission, as the case may be the proposed development or non-conforming building:
 - a) would not:
 - i) unduly interfere with the amenities of the neighbourhood, or
 - ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
 - b) conform with the use prescribed for that land or building in this Land Use Bylaw.
5. The Development Authority may require that, as a condition of issuing a Development Permit for a permitted use in a District, the use conform to any or all provisions of this Land Use Bylaw.
6. The Municipal Planning Commission may require that, as a condition of issuing a Development Permit for a discretionary use in any District:
 - a) the use conforms to any or all provisions of this Land Use Bylaw;
 - b) measures be taken, or the development used in a manner that ensures that:
 - i) the development is orderly;
 - ii) any impact upon adjacent uses is mitigated;
 - iii) the safety and free flow of pedestrians and vehicular traffic on adjacent public roadways is not prejudiced;
 - iv) the use is developed in an aesthetic and environmentally sound manner;
 - v) the use is developed in conformance with any applicable statutory plan policies;
 - vi) the use is developed in conformance with any applicable non statutory plan and pertinent policy adopted by the Town.
7. The Development Authority shall require that, as a condition of issuing a Development Permit for a permitted or discretionary use in a District, arrangements, satisfactory to the municipality, be made for the payment of all outstanding off-site levies as per the Town of Blackfalds Off-Site Levy Bylaw as amended from time to time.
8. A Development Permit may be issued on a temporary basis for a period specified by the Development Authority.

9. Notwithstanding any provisions or requirements of this Bylaw, the Development Authority may establish more restrictive regulations for a discretionary use when the Development Authority deems it necessary to do so.
10. In the case where an application for a Development Permit has been refused by the Development Authority or refused upon appeal to the Subdivision and Development Board, the submission of another application for a permit on the same parcel and for the same or similar use of land by the same or any other applicant may not be accepted by the Development Officer for at least six (6) months after the date of the final decision unless in the opinion of the Development Officer reasons or refusal have been adequately addressed for the circumstances of the application have changed significantly.
11. Part 2.7.10 shall not apply in the case of an Application for a Development Permit for a Permitted Use if the application complies with all the regulations of this Bylaw.
12. If upon review of any application for a Development Permit, the Development Officer determines that Part 2.7.10 applies, then the application shall be returned to the applicant, along with any fees that have been submitted. The application shall not be considered as having been refused but shall be deemed not to have been submitted.

2.8 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

1. The following developments are exempt from the requirement of obtaining a Development Permit provided that the proposed development complies with all other regulations of this Bylaw:
 - a) those uses or development exempted by provincial or federal legislation;
 - b) any development carried out by or on behalf of the Crown;
 - c) any development carried out by or on behalf of the municipality provided that such development complies with all applicable provisions of this Land Use Bylaw;
 - d) the completion of a building which was lawfully under construction at the date of the adoption of this Bylaw, provided the building is completed in accordance with the terms and conditions of any permit granted;
 - e) the carrying out of works of improvement, maintenance or renovation to any building, provided that such works do not include structural alterations or additions, a deck that is unenclosed and not higher than 0.6 m (2.0 ft.) from the approved grade level;
 - f) the use of any such development as is referred to in Subsection (2) for the purpose of which development was commenced;

- g) the erection or construction of gates, fences, walls or other means of enclosure less than 1.0 m (3.28 ft) in height in front yards and less than 2.0 m (6.56 ft) in side and/or rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure;
- h) the carrying out of any landscaping provided that the approved grade of the site is not altered;
- i) the maintenance and repair of existing utilities and the installation of utility system extensions which are necessary to serve developments that have been approved by the Development Authority;
- j) in a residential land use district, the construction of one accessory building used as a garden or tool shed, and may include play structures and pergolas provided such building does not to exceed 10.0 m² (108 sq²) in floor area and 2.5 m (8.2 ft) in height;
- k) development specified in Section 618 of the *MGA*;
- l) the temporary placement of campaign signs in connection with federal, provincial or municipal election or referendum, subject to their removal no later than forty-eight (48) hours after the election;
- m) the use of a building as a temporary polling station, an election candidate's campaign office or any other official temporary use in connection with a federal, provincial or municipal election or referendum;
- n) one satellite dish antennae less than 0.75 m (2.46 ft) in diameter subject to the provisions of Part 5.10;
- m) solar energy and geothermal energy infrastructure, provided it meets all requirements in Part 5.2, Alternative Energy Collection and Storing;
- n) demolition of a building less than 10.0m² (108 ft²).

2.9 NON-CONFORMING BUILDINGS AND USES

1. If a Development Permit has been issued on or before the day on which this Bylaw or a land use amendment bylaw comes into force in the Town and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the Development Permit continues in effect in spite of the coming into force of this Bylaw.
2. A non-conforming use of land or a non-conforming use of a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building shall conform with the provisions of this Bylaw.
3. A non-conforming use of part of a building may be extended throughout the building, but the building, whether or not it is a non-conforming building, shall not be enlarged or added to and no structural alterations shall be made to or in it.
4. A non-conforming use of part of a lot shall not be extended or transferred in whole, or in part to any other part of the lot and no additional buildings shall be erected on the lot while the non-conforming use continues.
5. A non-conforming building may continue to be used, but the building shall not be enlarged, added to, rebuilt, or structurally altered, except:
 - a) to make it a conforming building;
 - b) or the routine maintenance of the building if the Development Authority considers it necessary.
6. Despite Part 1.13.4, the Development Officer may consider a variance in any land use district, an enlargement, alteration, or addition to a legal non-conforming building if the non-conforming building complies with the uses listed for that land use district in this Bylaw and the proposed development would not, in the opinion of the Development Officer:
 - a) unduly interfere with the amenities of the neighbourhood; and
 - b) materially interfere with or affect the use, enjoyment, or value of neighbouring properties.
7. If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with this Bylaw.
8. The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

2.10 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

1. The Development Authority shall determine the number of paper or electronic copies or both for a complete submission for an application for Development Permit.
2. An application for a Development Permit shall be made on the prescribed application form and be completed to the satisfaction of the Development Authority and includes the following information to the Development Officer in writing and/or by electronic format when requested, on the prescribed form and shall be accompanied by:
 - a) signature of the owner or where applicable, the agent authorized by the owner;
 - b) a copy of the Certificate of Title for the subject lands dated from within thirty (30) days of the application date, copies of any caveats or restrictive covenants registered by the Town and any other documents satisfaction to the Development Officer verifying that the applicant has legal interest in the lands; and
 - c) applicable fee in accordance with the Development Fees and Fines Bylaw, as amended from time to time.
 - d) For a principal building, a detailed site plan prepared by an Alberta Land Surveyor, for an accessory building, a detailed site plan to an appropriate scale. A site plan shall include:
 - i) legal description of the subject property;
 - ii) identification of all abutting roads, highways and road rights-of- way, and any existing or future access to the proposed development;
 - iii) identification of all water bodies, water courses, drainage courses and flood hazard areas on or abutting the lot or site including arrows indicating the direction of water flow;
 - iv) identification and location of all easements and rights-of-way on-site or abutting the lot or site;
 - v) location and dimensions of existing and proposed development including front, rear and side setbacks;
 - vi) location of existing and proposed utilities;
 - vii) proposed on-site parking and loading facilities including location and dimensions of all aisles, the dimensions and number of all parking spaces, curbing and location of any lighting;

- viii) location of proposed landscaping;
 - ix) location and access to garbage enclosures;
 - x) location and material of sidewalks, patios, steps, porches, decks, playgrounds, amenity and open space areas, and other similar features;
 - xi) location of any abandoned, suspended or active oil or gas wells;
 - xii) north arrow, scale, and date of drawing; and
 - xiii) schedule showing the area of the lot or site, building area, density, number of units, parking and loading spaces, existing and proposed site grades, and a calculation of site coverage, height and number of storeys and floor area ratio.
 - xiv) a landscaping plan which shall include the following:
 - a. the location of all existing and proposed landscaping including trees, shrubs and grass;
 - b. any existing trees that are proposed to be removed;
 - c. the quantity, size and species and common names of all proposed trees and shrubs.
3. In the case of a manufactured home park or multiple unit residential project, a detailed plan showing the proposed unit locations and amenity areas within the overall development area.
 4. In the case of a development of a lot or site with multiple uses, a master site plan and preliminary engineering plan for the entire site to the satisfaction of the Development Officer.
 5. Scaled floor plans showing all occupancies and uses, cross section, foundation plan, elevations, perspective of the proposed development including a description of the exterior finishing materials.
 6. In the case of the development of an Apartment, a report, or plan or both demonstrating how the building design incorporates the Town's waste management practices.
 7. Information from the Alberta Energy Regulator indicating that an abandoned oil and gas well site search was conducted for any proposed dwelling or building greater than 47.0 m² (500.0 ft.²).
 8. Any additional information as may be required by the Development Authority to assess or evaluate the proposed development. The Development Authority may require any or all the following to be prepared by a qualified professional:

- a) geotechnical report;
 - b) parking assessment;
 - c) groundwater report;
 - d) flood hazard mapping study;
 - e) noise attenuation study;
 - f) reclamation plan;
 - g) wetland conservation plan;
 - h) tree preservation plan;
 - i) landscape plan;
 - j) topographical survey;
 - k) site grading or drainage plan;
 - l) site servicing plan;
 - m) risk assessment report;
 - n) erosion or sediment control plan;
 - o) any other report, study plan or information; and
 - p) a traffic impact analysis stamped by a professional engineer or a registered professional.
9. The Development Authority may require the submission of an impact statement as part of the Development Permit application for any proposed non-residential use that is in proximity, as determined by the Development Authority, to one or more residential districts. The impact statement shall outline the measures proposed to be taken to mitigate all confirmed or potential impacts (which may include noise, visual impacts, or other) so that the proposed use will not negatively affect the said residential district(s).
10. To ensure that confirmed or potential impacts on adjacent parcels are mitigated, the Development Authority may require additional measures be taken, including but not limited to additional requirements for landscaping, buffer zones, berming, fencing, building orientation and appearance, or any combination thereof.
11. The Development Authority shall require the following outdoor lighting information be included with a Development Permit application for a new commercial, multiple unit residential, industrial, or institutional use:
- a) including parking lot and walkway light poles;
 - b) the location of all other outdoor lighting not mounted on a pole, both proposed and existing, including walkway and building lighting;
 - c) descriptions of each style of lighting fixture that show that such fixture is either a full cut-off or directionally shielded lighting fixture. This may include, but not be limited to, catalogue cuts and illustrations by manufacturers (including sections where required), lamp types, photometric data showing angle of cut off of light emissions, wattages and initial lumen outputs; and

- d) the Development Authority may require an applicant to submit a site lighting plan, which details site lighting conditions at the property lines, measured in LUX.
12. An application for a Development Permit is complete if the application contains the documents and information required by Part 2.10 to the satisfaction of the Development Authority. Despite the forgoing, if an application does not contain all of the documents and information required by Part 2.10, the Development Authority may determine such application to be complete if in the opinion of the Development Authority that missing document or information is not necessary to review the application.
 13. Unless extended by an agreement in writing between the applicant and the Development Authority, within twenty (20) days after the receipt of an application for a Development Permit the Development Authority shall:
 - a) issue a written acknowledgement to the applicant advising that the application is complete; or
 - b) issue a written notice to the applicant advising that the application is incomplete, listing the outstanding documents and information, and setting a date by which the outstanding documents and information must be submitted in order for the application to be complete.
 14. If the outstanding documents and information are provided by the date set in the notice issued pursuant to Part 2.13 (b), the Development Authority shall issue a written acknowledgement to the applicant advising that the application is complete.
 15. If the outstanding documents and information are not provided by the date set in the notice issued pursuant to Part 2.13 (b), the Development Authority shall issue a written notice to the applicant that the application has been refused and the reason for the refusal.
 16. Despite that the Development Authority has issued a written acknowledgement pursuant to Part 2.13 (a) or Part 2.14, the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.
 17. Any written acknowledgment or notice issued pursuant to Part 2.13 may be sent by electronic mail or regular mail to the applicant or hand delivered to the applicant.

2.11 APPLICATIONS THE DEVELOPMENT AUTHORITY SHALL NOT ACCEPT

1. The Development Authority shall not accept a Development Permit application when the proposed development:

- a) is for a use that is neither a permitted use, nor a discretionary use in the applicable land use district, or as otherwise stated within this Bylaw; or
- b) does not conform to the fundamental use criteria of a land use district.

2.12 DEEMED REFUSAL OF A DEVELOPMENT PERMIT

1. If the Development Authority does not make a decision on an application for a Development Permit within forty (40) days after the receipt by the applicant of a written acknowledgement under Part 2.13 or within such extended time period as agreed to in writing between the applicant and the Development Authority, the application is, at the option of the applicant, deemed to be refused.

2.13 NOTIFICATION OF DEVELOPMENT PERMIT APPROVAL

1. Following a decision of the Development Authority on an application for a Development Permit, and within two (2) business days, the Development Authority shall:
 - a) send by regular mail to the applicant or hand deliver to the applicant a written notice stating the Development Authority's decision, the date of the decision, and if the Development Authority has refused an application for a Development Permit then the reasons for the refusal;
 - b) if the owner is not the applicant, send to the owner by regular mail a copy of the written notice given to the applicant; and
 - c) post a notice for public viewing in Town Civic Administration Building stating the Development Authority's decision and the date of the decision.
2. In addition to the requirements in Part 2.13.1, if the Development Authority issued a Development Permit for a discretionary use, the Development Authority shall post on the Town's website and send by regular mail to adjacent landowners as identified on the Town's assessment roll a written notice stating the Development Authority's decision, the right of appeal therefrom, the date of the decision, and the nature and location of the development.
3. In addition to the requirements in Part 2.13.1, if the Development Authority granted a variance and issued a Development Permit, the Development Authority shall send by regular mail to adjacent landowners as identified on the Town's assessment roll a written notice stating the Development Authority's decision, the right of appeal therefrom, the date of the decision and the nature and location of the development.
4. Where, in the opinion of the Development Authority, additional lots may be affected by a discretionary use or by granting a variance, additional landowners, individual or groups may be notified.

2.14 VALIDITY, EXPIRY, CANCELLATION AND RESUBMISSION OF DEVELOPMENT PERMITS

2.14.1 Validity of a Development Permit

1. When a Development Permit has been approved by the Development Authority it shall not be issued unless and until:
 - a) any conditions of approval, except those of a continuing nature, have been fulfilled; and
 - b) the time for filing a notice of appeal to the Subdivision and Development Appeal Board as specified in Part 2.17 of this Bylaw and the *MGA* has passed.
2. When a Development Permit has been approved by the Subdivision and Development Appeal Board, it shall not be valid until any conditions of approval, except those of a continuing nature, have been fulfilled.
3. The Development Officer shall suspend a Development Permit upon receipt of a filed notice of appeal to the Town of Blackfalds from the Subdivision and Development Appeal Board in accordance with the *MGA*, and Part 2.14.1 of this Bylaw. The Development Permit remains suspended until:
 - a) the Subdivision and Development Appeal Board renders a decision and the time for filing a leave to appeal application to the Court of Appeal has passed without a leave to appeal being filed;
 - b) the Alberta Court of Appeal denies leave to appeal and any appeal from that denial has been finally determined;
 - c) the Alberta Court of Appeal has granted leave to appeal, heard the appeal on the merits, made its decision, and any appeal to the Supreme Court of Canada from that determination of the Alberta Court of Appeal has been finally determined; or
 - d) the appeal is otherwise resolved.
4. Any Development Permit issued based on incorrect information contained in the application shall be invalid.

2.14.2 Expiry of a Development Permit

1. The date of approval of a Development Permit shall be:
 - a) the date upon which the Development Officer issues the Development Permit;
 - b) in case of an appeal to the Subdivision and Development Appeal Board, the date upon which the Subdivision and Development Appeal Board renders a written decision approving the Development Permit; or
 - c) in the case of an appeal or leave to appeal to the Court of Appeal, the date that the Alberta Court issues its decision and any appeal to the Supreme Court of Canada from the determination of the Alberta Court of Appeal has been finally determined.

2. Once a Development Permit has been issued, it remains in effect until:
 - a) it expires, in cases where the Development Permit was issued for a limited period of time;
 - b) it expires, because of failure to commence development in accordance with subsection 2.14.2; or
 - c) it is cancelled or suspended in accordance with subsection 2.14.3.
3. Where a Development Permit is for a change of use, or a change of intensity of use, and no significant construction or reconstruction is necessary:
 - a) development must commence within one calendar year of the date of approval of the Development Permit;
 - b) development commences when the use that was approved by the Development Permit is established or begins operation.
4. Where a Development Permit is for construction, construction combined with a change of use, or construction combined with a change of intensity of use:
 - a) development must commence within one calendar year of the date of approval.

2.14.3 Cancellation, Revocation or Suspension of a Development Permit

1. The Development Officer may cancel a Development Permit following its approval if:
 - a) any person undertakes development, or causes or allows any development to take place on a property contrary to the Development Permit;
 - b) the application for the Development Permit contained a material misrepresentation;
 - c) material facts were not disclosed during the application for the Development Permit;
 - d) the Development Permit was issued as a result of a material error; or
 - e) the landowner requests, by way of written notice to the Development Officer, the cancellation of the Development Permit.
2. Notwithstanding Part 2.14.3.1 (a) through (d), the Development Officer shall not cancel a Development Permit that has been appealed to the in accordance with Part 2.17, or until a decision is rendered or the appeal is otherwise resolved.
3. Notice of the Development Officer's decision to cancel the Development Permit shall be provided in writing by ordinary mail to the property owner, and to the applicant of the Development Permit. Such notice shall state the reasons for the cancellation of the Development Permit.

4. Any person who undertakes development or causes or allows any development after a Development Permit has been cancelled, shall discontinue such development forthwith and shall not resume such development until a new Development Permit has been approved by the Development Officer and is valid pursuant to Part 2.14 of this Bylaw.
5. All development continuing after the Development Permit has been cancelled shall be deemed to be development without a Development Permit.

2.14.4 Failure to Complete Development

1. Upon initiation in relation to an approved Development Permit, the permit remains valid until the work is completed. Should a development not be completed to a standard acceptable to the Development Officer within two (2) years from the date of issuance of the permit, or any extension thereof, the Development Officer may direct that the site be returned to its original condition or state acceptable to the Development Officer.

2.14.5 Resubmission Interval

1. A Development Permit Application for the same purpose within a use shall not be accepted by the Development Officer from the same or any other applicant for the same site:
 - a) within six (6) months of the date of a refusal by the Development Officer;
 - b) within six (6) months of the date of a written decision of the Subdivision and Development Appeal Board on a previous application, if the previous application was appealed to, and subsequently refused by, the Subdivision and Development Appeal Board;
 - c) within six (6) months of the date of a written decision of the Alberta Court of Appeal or the Supreme Court of Canada on the previous application, if the application has been appealed to the Alberta Court of Appeal or the Supreme Court of Canada; or
 - d) prior to the written decision of the Subdivision and Development Appeal Board, the Alberta Court of Appeal, or the Supreme Court of Canada, if the application has been appealed to the Subdivision and Development Appeal Board, the Alberta Court of Appeal, or the Supreme Court of Canada.
2. Part 2.14.5 shall not apply in the case of an application for a Development Permit for a permitted use or a use listed in a Direct Control Provision if the application complies with all the regulations of this Bylaw.
3. If upon review of any application for a Development Permit, the Development Officer determines that Part 2.11 applies, then the application shall be returned to the

applicant, along with any fees that have been submitted. The application shall not be considered as having been refused but shall be deemed to have not been submitted.

2.15 TEMPORARY APPROVALS

1. The Development Authority may consider any permitted use or discretionary use, within a land use district on a temporary basis.
2. Where the Development Authority has approved a development for a limited period, the use shall terminate, and removal of a temporary development shall occur at the expiration of the time period.
3. When a Development Permit for a temporary use expires, a new application shall be required. There shall be no obligation to approve a new application on the basis that a previous permit had been issued.
4. Where a development is approved for a limited period, the Development Authority shall require the cessation of use and removal of the temporary development at the expiration of the time period stated in the Development Permit.

2.16 VARIANCES

1. A variance shall be considered only in cases of unnecessary hardship or practical difficulties peculiar to the use, character or situation of land or a building which are not generally common to other land in the same land use district.
2. Subject to this Part, the Development Officer may grant a relaxation of up to a maximum of 15% from a regulation stated regarding setbacks and parcel coverage. Relaxation may be granted, only if, in the opinion of the Development Officer:
 - a) Irregular shaped lot or lot lines, result in a situation that makes it difficult to develop a structure within the required setbacks, providing the proposed relaxation does not result in a development that will:
 - i) unduly interfere with the amenities of the neighbourhood, or;
 - ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and
 - iii) interfere with site lines, the safe passage of pedestrian or vehicular movements on sidewalks, roads, lands or other public lands.
 - b) The proposed development is a permitted use and conforms with the prescribed use for that land.

3. Notwithstanding Parts 2.1; 2.16 (2), and Part 2.17 the Development Officer may grant a relaxation to the standards for a RESIDENTIAL KENNEL in the R-1L, R-1M, R-1S, R-MHC and R-2 Land Use Districts, not exceeding a total of any combination of dogs or cats, if in the opinion of the Development Officer, granting the relaxation will not:
 - a) unduly interfere with the amenities of the neighbourhood, or
 - b) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.
4. The Municipal Planning Commission or Council may consider a relaxation of any standards as prescribed in this Bylaw where the proposed development conforms with all other provisions of the Bylaw.
5. The Development Authority, upon the review of a variance request, shall:
 - a) take into consideration the purpose and intent of the district and the proposed development to other land and uses in the district;
 - b) not grant a relaxation if in doing so would result in a development that does not comply with the requirements of the *MGA*, Subdivision and Development Regulation or any applicable statutory plan or outline plan.
6. A relaxation granted by the Development Authority may be, in accordance with Part 2.17 and is subject to an appeal.

2.17 APPEALS

1. An appeal, to the Subdivision and Development Appeal Board, may be made if the Development Authority:
 - a) fails to make a decision within forty (40) days of a complete application or within any extension;
 - b) refuses to issue a Development Permit;
 - c) issues a Development Permit subject to conditions;
 - d) issues a Stop Order;

in accordance with the *MGA*, the person applying for the permit or affected by the Stop Order may appeal to the Subdivision and Development Appeal Board.

2. Any person claiming to be affected by a decision of the Development Authority or a Stop Order may appeal to the Subdivision and Development Appeal Board.

3. Notwithstanding Parts 2.17, no appeal lies in respect of the issuance of a Development Permit for a permitted use unless the provision of this Bylaw were relaxed, varied, or misinterpreted.
4. Filing an appeal by an applicant or a person affected by a stop order is commenced by filing a notice of appeal, containing reasons, with the Subdivision and Development Appeal Board:
 - a) with respect to an application for a Development Permit, within twenty-one (21) days of the date of the Development Authority's decision;
 - b) with respect to an application for a Development Permit, and if no decision is made by the Development Authority within the forty (40) day period, or within any extension of that period, within twenty-one (21) days after the date the period or extension expires; or
 - c) with respect to a stop order, within twenty-one (21) days after the date on which the stop order is made.
5. An appeal by any person affected by a stop order, decision, or Development Permit made or issued by the Development Authority is commenced by filing a notice of appeal, containing reasons, with the Subdivision and Development Appeal Board within twenty-one (21) days after the date on which the notice of the issuance of the Development Permit was given in accordance with this Bylaw.
6. Where a decision on a development application within a Direct Control District is rendered by Council, there is no appeal to the Subdivision and Development Appeal Board except where:
 - a) the Development Authority fails to follow the direction of Council.

If the Subdivision and Development Appeal Board finds that the Development Authority fails to follow the direction of Council, it may, in accordance with Council's direction, substitute its decision for the Development Authority's decision.
7. Pursuant to the *MGA*, the Subdivision and Development Appeal Board shall consider and make decision on an appeal.
8. If a completed appeal is filed pursuant to this Part, it must be accompanied by an appeal fee, as established by resolution of Council and amended from time to time.

2.18 CONTRAVENTION AND ENFORCEMENT

2.18.1 Contravention, Offences and Penalties

1. Pursuant to the *MGA* and the provisions of this Bylaw, Enforcement may be conducted by a Designated Officer through the issuance of a stop order, injunction or other such means authorized.

2. A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
3. A person who contravenes or does not comply with:
 - a) Part 17, s 545, 546, 551, 645 of the *MGA*;
 - b) the Subdivision and Development Regulation;
 - c) a Development Permit or subdivision approval, or a condition therein;
 - d) a decision of the Subdivision and Development Appeal Board, or;
 - e) the use of land in a manner contrary to the provisions of this Bylaw;
 - f) who obstructs or hinders any person in the exercise or performance of his powers or duties under this Land Use Bylaw is:

guilty of an offence and is liable on summary conviction to a fine.

4. It is an offence to:
 - a) construct a building or structure;
 - b) make an addition or alteration to a building or structure;
 - c) commence a use or change the intensity of a use of a parcel or building or structure on the parcel;
 - d) erect or place a sign on a parcel;

for which a Development Permit is required but for which no Development Permit has been issued or if issued, the Development Permit is not valid.

5. The Development Authority may, by written notice, order the owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them, to:
 - a) stop the development or use of the land or building in whole or in part as directed by the notice;
 - b) demolish, remove or replace the development, or
 - c) carry out other actions required by the notice so that the development or use of the land or building complies with this Bylaw, Part 17 of the Act, the Regulations, a Development Permit or subdivision approval;

within the time set out in the notice.

6. If a person fails to comply with the notice issued in accordance with Part 2.18 (5), the Municipality may take steps to enforce the notice in accordance with *MGA*.
7. A person who violates the provision of this Bylaw or permits a contravention of this Bylaw, is guilty of an offence and is liability to a fine for a first offence and for each subsequent offence as specified in the Development Fees and Fines Bylaw, as amended from time to time.
8. Where a Municipal Tag has been issued, the person to whom the Municipal Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Municipality the penalty specified on the Municipal Tag.
9. If a Municipal Tag has been issued and the penalty specified on the Municipal Tag has not been paid within the prescribed time, a Peace Officer may issue a Violation Ticket to the person to whom the Municipal Tag was issued.
10. Notwithstanding the above, a Peace Officer may immediately issue a Violation Ticket to any person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
11. A Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part 2 of the *Provincial Offences Procedure Act* to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
12. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
 - a) specify the fine amount established by this Bylaw for the offence; or
 - b) require the person to appear in court without the alternative of making a voluntary payment.
13. A person who commits an offence may, make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Tickets, the specified penalty set out on the Violation Ticket:
 - a) if a Violation Ticket is issued in respect of the offence; and
 - b) if the Violation Ticket specifies the fine amount established by this Bylaw for the offence.

2.18.2 Right of Entry

1. For the purposes of entering and inspection land or structures, pursuant to the *MGA*, the Development Officer and any other persons appointed by Council are hereby declared to be a Designated Officer.
2. A person shall not prevent or obstruct a Designated Officer from carrying out any official duty under this Bylaw. If consent is not given, the Town may apply to the Court of Queen's Bench for an authorizing order.

2.19 SUBDIVISION APPLICATIONS

1. Unless extended by an agreement in writing between the applicant and the Subdivision Authority, within 20 days after the receipt of an application for subdivision approval the Subdivision Authority shall:
 - a) issue a written acknowledgement to the applicant advising that the application is complete; or
 - b) issue a written notice to the applicant advising that the application is incomplete, listing the outstanding documents and information, and setting a date by which the outstanding documents and information must be submitted for the application to be complete.
2. If the outstanding documents and information are provided by the date set in the notice issued pursuant to Part 2.19.1 b), the Subdivision Authority shall issue a written acknowledgement to the applicant advising that the application is complete.
3. If the outstanding documents and information are not provided by the date set in the notice issued pursuant to Part 2.19.1 b) the Subdivision Authority shall issue a written notice to the applicant that the application has been refused and the reason for the refusal.
4. Despite that the Subdivision Authority has issued a written acknowledgement pursuant to Part 2.19.1 a) or Part 2.19.2, the Subdivision Authority may request additional information or documentation from the applicant that the Subdivision Authority considers necessary to review the application.
5. Any written acknowledgement or notice issued pursuant to Part 2.19 shall:
 - a) include:
 - i) the date of issuance of the notice of acknowledgement;
 - ii) contact information for the Subdivision Authority;
 - iii) the Subdivision Authority file number for the application; and

- iv) any other information at the discretion of the Subdivision Authority; and
- b) be sent by electronic mail or regular mail to the applicant, or hand delivered to the applicant.

All other words and expressions have the meaning respectively assigned to them in Part 17 of the *MGA* and the Subdivision and Development Regulation.

PART 3.0 GENERAL REGULATIONS

3.1 APPLICABILITY

1. The general regulations shall apply to all development within the Town. Where there appears to be a conflict between this Part and other Parts of the Bylaw, the regulations in other Parts prevail.

3.2 ACCESS REQUIREMENTS

1. The Development Authority shall not approve a Development Permit unless provision for access is included with the application for Development Permit.
2. All access shall be to the approval of the Development Authority with respect to location, design, and construction standards.
3. Where a site abuts two roads, either existing or proposed, access to the site shall be to the road of lesser traffic volume, unless otherwise approved by the Development Authority.
4. The Development Authority may impose a condition of the Development Permit, requiring the applicant to enter into a development agreement with the Town to construct or pay for the construction or upgrading of a road or walk necessary to serve the development.

3.3 AMENITY SPACE

1. Amenity space shall be a minimum of 3.5 m² (37.6 ft²) per dwelling unit for Apartments.
2. Amenity space shall consist of both common amenity space and private amenity space.
3. Common amenity space shall:
 - a) consist of a minimum of one contiguous area;
 - b) contain seating and may contain other amenities such as play structures, gazebos, barbeques, swimming pools, or basketball or tennis courts; and
 - c) if located outside, shall be provided in a general landscape area in accordance with Part 3.15, Landscaping.

- d) in a location accessible and highly visible from the principal building.
- 4. Private amenity space shall be a minimum of 1.5 m² (16 ft²) per dwelling unit for apartments.
- 5. Amenity space provided at ground level within 4.0 m (13 ft) of a road, lane, on-site parking area or adjacent parcel shall be screened to the satisfaction of the Development Officer. When considering the amount and type of screening required, the Development Officer shall consider the type of amenity provided (e.g., play area), and any safety issues and adverse effects arising from the amenity and its location.

3.4 BUILDINGS PER PARCEL

- 1. A Development Permit shall not be issued for more than one main building on an un-subdivided residential parcel, except where it is proposed to develop more than one (1) main building to form a single, unified group of buildings.

3.5 BUILDING ORIENTATION AND DESIGN

- 1. The design, character and appearance of any building, or series of buildings, structure or sign proposed to be erected or located in any District must be acceptable to the Development Authority having due regard to:
 - a) amenities such as daylight, sunlight and privacy;
 - b) the character of existing development in the District, and;
 - c) its affect on adjacent parcels.

3.6 COMPLIANCE AND FEES

- 1. The applicant for a Compliance Certificate shall provide to the Development Officer a Real Property Report for the site prepared by a registered Alberta Land Surveyor.
- 2. The applicant shall pay all costs associated with the preparation of the Real Property Report.
- 3. In determining whether a Compliance Certificate can be issued for a property, the Development Officer shall rely on the Real Property Report provided by the applicant. The Development Officer shall not undertake independent property inspections.
- 4. The Development Officer may issue a Compliance Certificate when, in their opinion, the buildings located on a property, and shown on the Real Property Report, are located on the property in accordance with the setback regulations of this Bylaw, and the setbacks specified in any Development Permit which may have been issued for the property. The Compliance Certificate shall only cover those buildings and structures, or parts thereof, subject to a Development Permit and as shown on the Real Property Report submitted by the applicant.

5. The Development Officer may refuse to issue a Compliance Certificate when, in their opinion, they do not have sufficient information from the applicant to determine if buildings located on a site are located in accordance with the setback regulations of this Bylaw, or the setbacks specified in any Development Permit which has been issued for the site.
6. The Development Officer shall not be liable for any damages arising from the use of a Compliance Certificate containing errors where the errors are the result of incorrect or incomplete information on the Real Property Report.
7. The fee for the provision of a Compliance Certificate shall be as determined by the Development Fees and Fines Bylaw, as amended from time to time.

3.7 DANGEROUS GOODS AND ASSESSMENT OF RISK

1. Prior to making any decision on a development application which involves dangerous goods or development on adjacent land or in close proximity to any dangerous goods, the Development Authority shall refer the development proposal to the appropriate regulatory authority for comments.
2. When a Development Permit Application is for an activity involving the use, manufacturing or storage of hazardous substances, the Development Officer may require the applicant to submit a risk assessment prepared by a qualified environmental professional such as an engineer, biologist, planner, geologist, or hydrogeologist. The Development Officer may impose any conditions necessary to mitigate the risks associated with the use, manufacturing or storage of hazardous substances identified in the assessment.
3. The risk assessment shall:
 - a) identify hazardous substances and their quantities;
 - b) estimate the expected frequency of the occurrence of a hazardous event;
 - c) assess the possible consequences of such an event;
 - d) determine annual individual risk;
 - e) identify and recommend risk-based separation distances and other measures to reduce risk;
 - f) demonstrate how the proposed facility and operations shall contribute to the following risk management objectives:
 - i) risk reduction at source (siting of facilities, modifications to processes, conformity to legislation e.g. The Safety Codes Act, the Dangerous Goods Act, monitoring, technical changes, training, etc.);
 - ii) risk reduction through land use planning around industrial sites, pipelines, and dangerous goods corridors;
 - iii) emergency preparedness;

- iv) emergency response; and
- v) risk communication and public participation.

3.8 DECKS

1. All decks that are enclosed and/or more than 0.60 m (2.0 ft) or greater in height from the approved grade require a Development Permit, unless they are indicated on the original site plan of the development;
2. All decks must comply with Part 3.23, Yards and Projections, of this Bylaw;
3. When a deck becomes covered or enclosed, it shall be considered an addition to and part of, the principle building and is required to meet all district requirements.

3.9 DESIGN STANDARDS

3.9.1 General Standards

1. For all development, the design and use of exterior finish materials shall be to the satisfaction of the Development Authority who shall ensure, as practical, that the materials be durable and the same as, better than development on the subject and adjacent properties.
2. Any side of a building visible from a road or other public space shall be architecturally designed and finished as a principle façade.
3. All development should discourage or impede criminal behaviour with reasonable concealment opportunities, having regard for natural surveillance, natural access control, territorial reinforcement, and ongoing maintenance through providing lighting to minimize dark spaces and encourage pedestrian safety, strategic planning in landscape design, placement of windows to maximum surveillance with clear identifying civic addressing.

3.9.2 Residential Standards, Commercial or Institutional Development

1. A residential site shall be designed having regard for sensitivity to all adjacent development to ensure new development is complementary.
2. A site shall be designed and consider the privacy of adjacent residential development.
3. Residential development shall have building facades and rooflines articulated and varied to minimize buildings mass and elongated or one-dimensional large buildings, avoiding blank walls.

4. All residential buildings, where possible shall be oriented and designed to:
 - a) take advantage of solar opportunities;
 - b) minimum noise affects from arterial and/or collector roads;
 - c) have regard to and minimize the impact on other buildings, such things as daylight, sunlight, visual privacy, views, and ventilation.
 - d) to reduce massing in relation to development, all buildings should provide a transition in building height.
5. Building entrances shall be designed to connect to direct and clearly marked pedestrian walks, aligned at a grade that meets safety and accessibility requirements.
6. All utility enclosures are to be located away from street facing facades and screened from public view.
7. Where covered parking is utilized, the character shall be consistent with the overall building design.
8. Where lighting is required to provide security and visual interest, it shall be complementary to the design, character of the building and satisfy Part 3.18.
9. The Development Authority, may require additional decorative light fixtures, foundation, sculptures, benches planters, retaining walks pedestrian and bicycle paths, bicycle parking structures, trash receptables or enclosures, and fences.

3.9.3 Industrial Standards Development

1. Any use or activity in an industrial district or a district of similar intent should have regard for the following appearance standards:
 - a) all loading, service, garbage facilities and accessory storage areas, and parking areas, where possible, shall be located to the rear or sides of the principal building, and be screened from view from any road other than a lane, and from adjacent sites, by building walls, landscape materials, berms, fences, or a combination of these, to the satisfaction of the Development Officer;
 - b) the Development Authority may require that exposed projections outside the building such as mechanical and electrical equipment, transformer ducts, cooling towers and materials handling equipment be screened from view from any road other than a lane, and from adjacent sites if such projections are inconsistent with the character and appearance of surrounding development or the intended visual qualities of the land use district;

- c) building construction and finish is to be with durable materials designed to maintain the initial appearance of the development throughout the life of the project. The Development Authority may require that the appearance of metal, or concrete block walls exposed to public view from beyond the site be improved where such walls are inconsistent with the finishing materials or appearance characteristic of adjacent development; and
- d) where allowed, outside display areas may be located to the side or front of the principal building, provided that such displays are limited to equipment or material related to the industry or business located on the site.

3.10 DEMOLITION

1. Notwithstanding Part 2.8 (18), a Development Permit for the demolition of a building shall be required.
2. An application to demolish a building shall not be approved without submitting a statement or plan to the satisfaction of the Development Authority, indicating:
 - a) how the operation will be carried out to create a minimum of dust and other nuisances;
 - b) a traffic control plan approved by the Director of Infrastructure and Property Services;
 - c) proof of disconnection of all utilities;
 - d) an environmental assessment of the building performed by a qualified consultant;
 - e) the destination of debris materials;
 - f) a work schedule of the demolition and site cleanup;
 - g) the final reclamation of the parcel.
 - h) A Letter of Credit may be required for the work being carried out.

3.11 DEVELOPMENT SETBACKS

3.11.1 Development in Proximity to Oil and Gas Wells

1. A subdivision application or a development application shall not be approved if it would result in a permanent additional overnight accommodation or public facility, as defined by Alberta Environment and Parks, being located within 100 metres (328 ft) of a gas or oil well or within a lesser distance approved in writing by the Alberta Environment and Parks.
2. For the purposes of this Part, distances are measured from the well head to the building or proposed building site.
3. In this Part, "gas or oil well" does not include an abandoned well.
4. An approval of the Alberta Energy Regulator under subsection (1) may refer to applications for subdivision or development generally or to a specific application.

3.11.2 Development Setbacks from Wastewater Treatment Plants

1. In this Part, “working area” means those areas of a parcel of land that are currently being used or will be used for the processing of wastewater.
2. Subject to Part 3.11.3, a subdivision authority shall not approve an application for subdivision for school, hospital, food establishment or residential use unless, each proposed lot includes a suitable building site for school, hospital, food establishment or residential use that is 300 metres or more from the working area of an operating wastewater treatment plant.
3. Subject to Part 3.11.3 a Development Authority shall not issue a Development Permit for a school, hospital, food establishment or residence within 300 metres (984 ft) of the working area of an operating wastewater treatment plant nor may a school, hospital, food establishment or residence be constructed if the building site is within 300 metres (984 ft) of the working area of an operating wastewater treatment plant.
4. Subject to Part 3.11.3, a subdivision authority shall not approve an application for subdivision for the purposes of developing a wastewater treatment plant and a Development Authority may not issue a permit for the purposes of developing a wastewater treatment plant unless the working area of the wastewater treatment plant is situated at least 300 metres from any school, hospital, food establishment or residence or building site for a proposed school, hospital, food establishment or residence.
5. The requirements contained in subsections (2) to (4) above may be varied by a subdivision authority or a Development Authority with the written consent of the Deputy Minister of Alberta Environment and Parks.
6. A consent under Part 3.11.3 may refer to applications for subdivision or development generally or to a specific application.

3.11.3 Development Setbacks from Landfills and Solid Waste Sites

1. In accordance with the Subdivision and Development Regulations:
 - a) a school, hospital, food establishment or residence must not be approved, and a residence must not be constructed if the building site is within the distances from a sanitary landfill, modified landfill, hazardous waste management facility, dry waste site, solid waste processing site, waste storage site, waste sorting station or waste transfer station specified in the Subdivision and Development Regulations; and

- b) a sanitary landfill, modified landfill, hazardous waste management facility, dry waste site, solid waste processing site, waste storage site, waste sorting station or waste transfer station must not be approved within the distances from the property boundary of a school, hospital, residence, or food establishment specified in the Subdivision and Development Regulations,

unless the development is approved in writing by the Deputy Minister of Alberta Environment and Parks.

3.11.4 Development Setback from Water Bodies and Slopes

1. No development may shall be permitted in the 1:100 year flood plain of a water body or area otherwise prone to flooding or subsidence.
2. A minimum building setback of 30 m (100 ft) is required from the high-water mark of a water body or as determined by the Development Authority.
3. Applications for Development Permits may be required to submit a slope stability assessment completed by a licensed Geotechnical Engineer or a person qualified to perform such work.
4. No trees or vegetations shall be cleared within 30 m (100 ft) of any water body, water course or the crest of a slope greater than 15% where the removal could have a negative impact on the water body, water course or slope stability.
5. Environmental reserve shall include a 15 m (50 ft) setback from the top of high watermark to the developable property. A trail system link may be required in this setback.

3.11.5 Development Setbacks from Easements or Rights-of-Ways

1. Notwithstanding Part 3.23.2, no building or part thereof shall encroach into a registered Easement, Right-of-Way or any existing or proposed servicing infrastructure, on any property.
2. No building or structure shall be closer than 0.5 m (1.6 ft) to a registered Easement or Right of Way on any property except:
 - a) where ATCO Gas requires an easement to the building foundation for multi-family units where a bank of meters is required to be placed adjacent to or near the building wall. A 0.5 m (1.6 ft) setback does not apply in this case.

3. To minimize risk for development adjacent to the railway rights-of-way all development shall follow the Guidelines for New Development in Proximity to Railway Operations.

3.12 ENVIRONMENTAL FEATURES

1. A minimum setback of 30.0 m is required from the top of high-water mark of any other water feature, watercourse, or water body, unless the Development Officer is provided with an environmental and geotechnical assessment prepared by a qualified professional that verifies that a lesser setback is warranted. The Development Officer shall require an increased setback where determined by the assessment.
2. The minimum geotechnical assessment referenced in Part 3.12.1 may be reduced or excluded where the Development Officer determines the proposed structure or building is required for the operation of a utility service and the Development Authority is satisfied that there will be no risk or adverse effect on development or the riparian area.
3. No trees shall be cleared or removed from lands which lies near a watercourse or water body unless the Development Authority receives written confirmation from a qualified professional stating that removal is necessary in order to provide access to the watercourse or water body.
4. Despite any other regulation in this Bylaw, the Development Authority may increase setbacks in any land use district where written confirmation from a qualified professional is received that a development may be detrimental to the conservation of sensitive lands or affect by being in a floodplain.
5. No permit shall be issued for the construction of any building within a floodway.

3.13 FENCES, WALLS, GATES AND PRIVACY SCREENING IN RESIDENTIAL DISTRICTS

3.13.1 Fences, Walls and Gates:

1. The regulations contained within this part apply to the height of a material utilized in fence construction of a wall or gate such as, but not limited to boards, panels, masonry, ornamental, metal, and chain link, plus any additional elements used for screening such as but not limited to lattice.
2. The regulations for fences, walls and gates contained within this Part do not apply to the height of the posts or other supporting material used to anchor the fence, wall, or gate.
3. The fence height, in all districts, is measured from approved grade level of the parcel to the top of the fence.

4. Any fence constructed on top of a retaining wall or berm shall be subject to approval by the Development Authority. As part of the approval of a Development Permit for a fence atop a retaining wall or berm, the Development Authority shall specify the height for the fence.
5. Gates, fences, walls and other means of enclosing a yard shall:
 - a) in all districts, be less than 1.0 m (3.3 ft) in height in front yards and less than 2.0 m (6.6 ft) in side or rear yards;
 - b) be compatible with and complementary to the surrounding area in terms of design, character and appearance;
 - c) in other districts, be in accordance with the requirements of the Development Authority.
6. Where construction of a vinyl fence is required, the fence shall be solid in nature to the satisfaction of the Development Authority.
7. Where the construction of chain link fence is permitted, the use of decorative corrugated plastic inserts shall not be added for screening or privacy showing landscape or any other decorative feature or visual aide unless approved by the Development Authority.
8. Notwithstanding Part 3.13.1 (7), decorative corrugated plastic inserts may be utilized for added screening or privacy, in the Industrial Light (I-1) and Industrial Heavy (I-2) land use districts except those properties abutting Queen Elizabeth II and Highway 597 and public roadways.
9. The use of barbed or razor wire on any fence shall require a development permit application:
 - d) Notwithstanding Part 3.13.1 (9), barbed wire fence, required in the AG – Agricultural District shall not require a development permit application.

3.13.2 Privacy Screening in Residential Districts

1. The regulations contained within this Part apply to the height of the material used in the construction of privacy screening such as, but not limited to lattice, wooden or masonry walls, parapet walls or translucent glass.
2. The regulations for fences, walls and gates contained within this Part do not apply to the height of the posts or other supporting material used to anchor the fence, wall, or gate.

3. Privacy screening, excluding vegetative screening, within a front yard at grade shall not exceed 1.0 m (3.3 ft) in height.
4. Privacy screening, excluding vegetative screening within a rear yard, at grade, shall not exceed 2.0 m (6.6 ft) in height.
5. The Development Officer may vary the height of a privacy screening to a maximum of 15% of the maximum height permitted, to prevent visual intrusion and provide additional screening from adjacent properties.

3.14 HEIGHT AND GRADE

1. To the extent practical, the proposed building grade shall retain the natural contour of the land and minimize the necessity to use retaining walls and ensure positive drainage to appropriate receiving drainage courses or watercourses.
2. Notwithstanding 3.14.1, a retaining wall greater than 0.6 m (2 ft) shall require a development permit.

3.15 LANDSCAPING GENERAL REQUIREMENTS

1. The general purpose of the Landscaping regulations is to have development contribute to a reasonable standard of livability and appearance, having regard for low impact design features and the use of drought tolerant species, to provide a positive overall image for the Town of Blackfalds through good environmental stewardship.

Land Use District	Landscaping Required	Areas to be Landscaped	Minimum Tree Ratio
Residential R-1S R-1M R-1L	25% of the site landscaping for all front yards visible from a public roadway.	See "All Districts" for REQUIREMENTS.	One (1) tree planted in front yards.
Residential R-2 R-3 R-4 R-5		See "All Districts" for REQUIREMENTS.	<ol style="list-style-type: none"> a) One (1) tree and two (2) shrubs are required for each 25.0 m² (269 ft²) of gross landscape area. b) The proportion of deciduous trees and coniferous trees shall be approximately 2:3. c) One (1) tree for each 20.0 m² (215 ft²) and one (1) shrub for each 10.0 m² (107 ft²) of parking area islands, with a minimum of one (1) tree per parking area island.
Residential M-MHC R-MHP		See "All Districts" for REQUIREMENTS.	<ol style="list-style-type: none"> a) One (1) tree and two (2) shrubs are required for each 25.0 m² (269 ft²) of gross landscape area. b) The proportion of deciduous trees and coniferous trees shall be approximately 2:3.
Commercial C-1	At the discretion of the Development Authority.	See "All Districts" or REQUIREMENTS.	

Land Use District	Landscaping Required	Areas to be Landscaped	Minimum Tree Ratio
Commercial C-2 C-3	Minimum 15% of gross site area with a minimum of 40% of the total landscaping required being placed within the front yard of the property.	<ul style="list-style-type: none"> a) Shall include a 3.0 m (10 ft) strip of landscaped area adjacent to a property line that abuts a road. b) See "All Districts" for REQUIREMENTS. 	<ul style="list-style-type: none"> a) One (1) tree and two (2) shrubs per 30.0 m² (323 ft²) of gross landscaped area. b) One (1) tree and two (2) shrubs for each 20.0 m² (215 ft²) of parking area islands, with a minimum of one (1) tree per parking area island. c) Shall ensure that off-street loading spaces in any commercial district adjoining or fronting onto any residential property in a residential district area screened on each side by a wall, fence, berm, or hedge not less than 1.8 m (6 ft) in height to the satisfaction of the Development Authority. d) Shall screen all outdoor storage areas from view of any adjacent arterial road through the use of fencing, landscaping masonry wall berm or combinations thereof, in addition to any other applicable regulations in this Part, to the satisfaction of the Development Authority.
Commercial C-4	Minimum 15% of gross site area with a minimum of 40% of the total landscaping required being placed within the front yard of the property.	<ul style="list-style-type: none"> a) Shall include a 3.0 m (10ft) strip of landscaped area adjacent to a property line that abuts a road. b) See "All Districts" for REQUIREMENTS 	<ul style="list-style-type: none"> a) One (1) tree and two (2) shrubs per 30.0 m² (323 ft²) of gross landscaped area. b) One (1) tree and two (2) shrubs for each 20.0 m² (215 ft²) of parking area islands, with a minimum of one tree per parking area island. c) Shall ensure that off-street loading spaces in any commercial district adjoining or fronting onto any residential property in a residential district area screened on each side by a wall, fence, berm or hedge not less than 1.8 m (6 ft) in height to the satisfaction of the Development Authority. d) Shall screen all outdoor storage areas from view of any adjacent arterial road through the use of fencing, landscaping masonry wall berm or combinations thereof, in addition to any other applicable regulations in this Part, to the satisfaction of the Development Authority.
Commercial CMU	Minimum 15% of gross site area with a minimum 40% of the total landscaping required being placed within the front yard of the property.	<ul style="list-style-type: none"> a) Shall include a 3.0 m (10 ft) strip of landscaped area adjacent to a property line that abuts a road. b) See "All Districts" or REQUIREMENTS. 	<ul style="list-style-type: none"> a) One (1) tree and two (2) shrubs per 30.0 m² 323 ft²) of gross landscaped area. b) One (1) tree and two (2) shrubs for each 20.0 m² (215 ft²) of parking area islands, with a minimum of one (1) tree per parking area island. c) Shall ensure that off-street loading spaces in any commercial district adjoining or fronting onto any residential property in a residential district area screened on each side by a wall, fence, berm or hedge not less than 1.8 m (6 ft) in height to the satisfaction of the Development Authority. d) Shall screen all outdoor storage areas from view of any adjacent arterial road through the use of fencing, landscaping masonry wall berm or combinations thereof, in addition to any other applicable regulations in this Part, to the satisfaction of the Development Authority.

Land Use District	Landscaping Required	Areas to be Landscaped	Minimum Tree Ratio
Industrial I-1 I-2	Minimum 15% of gross site area.	a) Minimum 5.0 m (16 ft) landscape buffer adjacent to the property line that abuts or is adjacent to a residential district or otherwise determined by the Development Authority. b) A minimum 5.0 m (16 ft) landscape buffer adjacent to the property line that abuts Broadway Avenue, South Street, Vista Trail, Queen Elizabeth II Highway, Highway 2A and Highway 597. c) A minimum 3.0 m (10 ft) landscape buffer adjacent to the property line that abuts any other Collector or Arterial Road. d) See "All Districts" for REQUIREMENTS.	a) One (1) tree and two (2) shrubs per 45.0 m ² (484 ft ²) of gross landscaped area. b) Shall screen all outdoor storage areas from view of any adjacent arterial road through the use of fencing, landscaping masonry wall berm or combinations thereof, in addition to any other applicable regulations in this Part, to the satisfaction of the Development Authority.
Lands included in the Downtown Revitalization Plan and all Other Districts Urban Reserve, Public Facility, Municipal Reserve, Agricultural	At the discretion of the Development Authority.	See "All Districts" or REQUIREMENTS.	

2. LANDSCAPING FOR ALL DISTRICTS

- a) A minimum of 300.0 mm (11.8 in) of topsoil to facilitate growth in the soft landscaped areas shall be required.
- b) The following features shall apply:
 - i) deciduous trees must be at least 50% of trees provided with a minimum 60.0 mm (2.4 in) caliper;
 - ii) deciduous shrubs shall be a minimum 2.0 gallon;
 - iii) coniferous trees shall be a minimum 2.5 m (8 ft) in height; and
 - iv) coniferous shrubs shall be a minimum 5.0 gallon.

- v) Ratio of deciduous/coniferous tree count shall represent between 25-75% of the required tree count as determined to be appropriate by the Development Authority.
 - vi) Shrubs may be substituted for any one (1) tree at the discretion of the Development Authority.
-
- c) All landscaped areas shall be designed to facilitate effective surface drainage consistent with a lot grading plan.
 - d) The developer is responsible for landscaping boulevards and roadway berms adjacent to the lot of a development site.
 - e) Landscaping shall be completed by the end of the first full growing season following completion of construction or commencement of the use.
 - f) Higher standard of landscaping is required where properties are adjacent to public roadways or Provincial highways.
 - g) Landscaping along the fence line should be positioned to the outside (roadside) when the fence line is adjacent to a public roadway or Provincial Highway.
 - h) Where practical, existing landscaping or natural vegetation should be conserved which shall include water conservation methods and/or strategies, in accordance with the landscape plan and used to meet the requirements of this Bylaw unless, in the opinion of the Development Officer, it is necessary to effectively accommodate the development. The retention of existing landscaping, or natural vegetation where approved, shall count toward the total requirement of landscaping required under this Part.
 - i) Landscaping shall be provided on all lots in all land use districts unless otherwise stated and may be required, if the opinion of the Development Authority, a property has been substantially enlarged to, an intensity of or change in use of the property has occurred.
 - j) Where planned phased development is proposed, an overall concept plan for landscaping shall be approved prior to the first phase approval. Landscaping of the undeveloped areas of the development may be required, if in the opinion of the Development Officer landscaping is required and shall be landscaped with an approved ground cover.
 - k) All soft landscaping shall be maintained to the minimum standards of the Bylaw on an ongoing basis. Any tree or shrub required to meet the minimum standards of this Bylaw that does not survive shall be replaced within one (1) year.

- l) Tree planting shall be in groupings or mulched beds to encourage improved growth, survivability and aesthetics.
- m) Parking or storing of vehicles is not permitted on landscaped areas unless approved as a display area on approved Development Permit drawings.
- n) Lot coverage shall not be so extensive in any district as to prohibit the minimum landscaping requirements of this Bylaw. Where existing site conditions may make it difficult to achieve full compliance as otherwise required by the Bylaw, the Development Authority may allow a variance.
- o) Despite Part (k), if the Development Authority allows a variance from the requirements set out in this Part, the Development Authority may impose, as a condition of development approval where feasible and practical, a landscaping alternative that focus on the enhancement of streetscape and environmental performance by the addition of landscaping between the building and the adjacent road, and in the parking areas adjacent to the road.
- p) The Development Authority may require other types of screening at the discretion of the Development Authority to reduce visual impact between residential and non-residential land use districts.
- q) Notwithstanding the landscaping requirements set forth in this Part, those lands in the C-1 and C-2 land use districts included within the Downtown Revitalization Plan, landscaping shall be determined by the Development Authority.
- r) When calculating the number of plantings required, the requirements shall be based on the amount of landscaped area required for the site. Where the calculation required results in a fractional number, the requirements shall be rounded up to the nearest whole number.
- s) Unless otherwise accepted by the Development Officer, trees or shrubs which are found at the time of an inspection that are identified as diseased or in a state of decline must be replaced within the next growing season.
- t) A xeriscaping plan, including drought tolerant and local plant species, prepared to the satisfaction of the Development Officer.
- u) To mitigate the impact of development on stormwater run-off the developer, where practical, shall implement a plan for the incorporation of bioretention and bioswales prepared by a qualified professional and to the satisfaction of the Development Officer.

3.15.2 Parking and Screening Landscape Requirements

1. All outdoor storage areas, parking facilities and loading areas must be appropriately screened from adjacent buildings and public roadways to the satisfaction of the Development Authority. All outdoor storage located along Queen Elizabeth II Highway, Highway 2A or Highway 597 must be screened by a 2.0 m (6.0 ft) solid white vinyl fence. Other forms of screening may include the use of a fence, berming, landscaping or a combination of all three.
2. Where off-street parking for twenty (20) more vehicles is required and is being provided at grade, dispersed landscaped areas may be required within the interior of the parking area(s) for the purpose of providing visual relief and to break up large areas of parking into smaller cells, to the satisfaction of the Development Authority.
 - a) Landscape islands and landscape peninsulas shall:
 - i) be dispersed evenly throughout the parking area after ten consecutive parking stalls in a row. This does not apply where a landscape strip has been provided between a row of parking stalls;
 - ii) be provided at the ends of each row to separate drive aisles from the end parking stall;
 - iii) contain any combination of trees provided the location of the trees in the landscape island or peninsula do not interfere with sight lines for pedestrian or vehicular traffic;
 - iv) be a minimum of 2.0 m (6.6 ft) on at least one side with a minimum 2.0 m (6.6 ft) island or peninsula width;
 - v) include a concrete curb utilizing low impact design techniques; and
 - vi) allow for water infiltration.
3. Where deemed appropriate and in any land use district, the Development Officer may require the planting of trees and shrubs, may require the construction of berms, the planting of a solid hedge, other vegetative screening, fencing or any combination of to adequately buffer an adjacent site from a nuisance or any adverse effect.
4. Any garbage collection area, open storage area, outdoor service area including any loading and vehicular service area, visible from an adjacent site in a residential land use district or from a public roadway other than a lane, shall be fenced or have a screen planting or both as approved by the Development Officer to a maximum ground height not exceeding 2.0 m (6.6 ft).
5. For uses including but not limited to auto wrecking, lumber yards, outdoor storage areas and such similar uses, where because of height of materials stored, a screen planting that would not be sufficient, a fence, earth berm or combination of both

creating a height to substantially block the view, shall be substituted for the requirements outlined in this Part.

6. Where conditions are not beneficial to horticultural practices, and a screen planting cannot survive, the Development Officer may require a wood fence, earth berm, masonry wall or combinations thereof, to be substituted to meet the requirements of this Part.

3.15.3 Review and Approval of Landscape Plans

1. The Development Officer shall review the landscape plan to verify its compliance with the provisions of this Bylaw. Provided that the purposes of this Part are achieved, written requests for alternative landscaping schemes may be submitted to the Development Officer and may be considered when the following conditions apply:
 - a) site conditions, topography or soil are such that full compliance is impossible or impractical;
 - b) safety considerations are involved, and no other alternative exists alternative exist to reduced potential hazards.
2. A landscape plan shall, to the satisfaction of the Development Officer, include the following:
 - a) name of the project and/or applicant;
 - b) name and/or endorsement stamp of the landscape professional;
 - c) north arrow, plan scale and legal and civic address;
 - d) implement a temporary erosion and sediment control plan that includes how erosion and sediment control measures will be utilized until landscaping is successfully vegetated;
 - e) a color rendering, as viewed from adjacent street at full maturity of plant life;
 - f) location of existing plant materials and indication as to whether they are to be removed or retained;
 - g) new plant materials shall be accurately scaled to mature size;
 - h) location of planting beds and identification of bedding material;
 - i) minimum number of trees and shrubs, in the required coniferous/deciduous ratio, required to be provided pursuant to the requirements of this Part;

- j) total number of trees and shrubs proposed to be provided, and the proposed coniferous/deciduous ratio;
 - k) a list of any proposed variances;
 - l) identification of proposed surfacing of parking and storage areas;
 - m) plant material list identifying the species/type of trees and shrubs and their planted size, as well as their typical mature size;
 - n) a table indicating the required quantities of plan material as required by this Bylaw;
 - o) if landscaping is being proposed within a utility right-of-way the plan must be endorsed by all utility companies that have access to the right-of-way, indicating their approval of the proposed landscaping;
 - p) all other physical features, existing or proposed; including berms, walls, fences, outdoor furniture, and decorative paving; and
 - q) a site plan indicating lot boundaries and lot dimensions and the location of proposed landscaping and features in relation to all existing and proposed buildings, signs, outdoor storage areas, parking areas, display areas, approaches, driveways, fences and utility rights-of-way.
3. The Development Officer may authorize minor changes to an approved landscape plan without requiring a separate Development Permit application.

3.15.4 Development Securities

- 1. The Development Authority may require, at the time of subdivision or as a condition of a Development Permit that the owner provide a letter of credit or other form of security to ensure that landscaping is provided; carried out with reasonable diligence and maintained for a period of one (1) year. The security shall be in a form acceptable to the Development Officer having the value equivalent to 100% of the established landscaping costs.
- 2. Landscaping securities collected in Part 3.15.4 (1) will be refunded to a maximum of 50% upon implementation of the landscaping plan as approved. The balance will be retained by the Town for maintenance period of one (1) year or one full growing season and will be returned where no deficiencies exist.
- 3. Where required, all landscaping plans shall be accompanied by a quote from a certified landscape professional indicating the cost to implement site paving. An irrevocable letter of credit or other form acceptable to the Development Authority, having the value

equivalent to 100% of the established costs will be retained until landscaping is complete. Return of 100% will be refunded upon implementation of the site paving plan where no deficiencies exist.

4. In circumstances where the Development Officer has identified that a development or characteristics have not been completed to the satisfaction of the Development Officer and the owner/applicant refuses to address any deficiencies identified to the satisfaction of the Development Officer, the Development Officer may:
 - a) draw on the securities collected, and the amount shall be paid to the Town for its use in completing the deficiencies as determined by the Development Officer;
 - b) notwithstanding the list identified in Part 3.15, the Development Officer may use securities to complete any identified deficiencies of the development relating to site functionality and safety issues and over all completion of the development;
 - c) in the event the owner/applicant does not complete the required conditions of the Development Permit and the proceeds from the securities collected are insufficient for the Town to complete the required work, the Town may take any enforcement action deemed appropriate under the *MGA*.
5. In accordance with Part 3.15 and at the request of the owner/applicant, securities collected shall be released by the Development Officer when the Development Officer is satisfied that the required landscaping has been implemented and maintained.

3.15.6 Drainage

1. All roof drainage from a building shall be directed onto the parcel upon which the building is located satisfactory to the Development Officer.
2. Any landscaping and/or recontouring shall be done so that the finished grade does not direct surface drainage or cause an accumulation of drainage onto the adjoining site unless otherwise approved by the Development Authority.
3. Maintenance and/or drainage and utility easement(s) may be required between abutting buildings and/or through private yards of one or more dwellings to ensure adequate access for property, drainage, and utility maintenance.
4. To improve urban environmental quality through the reduction of storm water, the Development Authority may consider the implementation of a low impact design measure for eco roof design prepared by a qualified professional and to the satisfaction of the Development Authority.

3.16 MANUFACTURED HOMES, READY TO MOVE AND MODULAR HOMES

1. For manufactured homes placed in a residential district other than in Residential Manufactured Home Park District (R-MHP), in addition to any other requirements in this Bylaw, the size, form and external appearance of a manufactured home shall be acceptable to the Development Authority having regard to compatibility with other buildings in the vicinity; and a manufactured home shall:
 - a) be of new construction, such that it is being transported directly from the factory or sales dealership to the residential site;
 - b) maintain a minimum roof pitch of 4:12;
 - c) possess a roof surface of asphalt shingles, clay or concrete tiles, slate or wood shakes;
 - d) have a minimum roof overhang or eaves of 0.40 m (1.33 ft) from each external wall;
 - e) maintain a minimum width of 6.1 m (20.0 ft);
 - f) maintain a maximum length to width ratio of 3:1;
 - g) be placed on a permanent foundation consisting of a basement, slab on grade;
 - h) ensure that all four sides of the building be skirted or have the undercarriage fully concealed with false walls;
 - i) a minimum floor area as required in the applicable land use district;
 - j) the manufactured home cannot be removed from the residential site unless approval and a Development Permit is granted by the Development Authority.

3.17 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

1. No owner, or person in lawful possession and control, of a parcel in a Residential District, shall allow:
 - a) any vehicles or equipment of any kind that is in a state of disrepair, partially dismantled, inoperable or dilapidated to remain on the parcel;
 - b) any temporary structures or canvas covered buildings on the parcel; Canvas or Tent Structures Fabric covered buildings, used for storage purposes, are prohibited in all districts or all residential districts.
 - i) Despite Part 3.17.1(b) temporary structures or canvas covered buildings may be considered in the I-1 Industrial Light District, I-2 Industrial District and PF – Public Facility District subject to the provisions of Part 4.1, Accessory Development.
 - c) Any excavation, storage or piling up of materials required during construction unless all necessary safety measures are taken, and they ensure that construction is completed as soon as practicable;

- d) a motor vehicle, boat, utility trailer/cargo trailer, off highway vehicle or recreation vehicle to be parking or to remain on any part of any landscaped area of any front yard of the parcel in a Residential District;
- e) a commercial vehicle, loaded or unloaded:
 - i) having a gross vehicle weight exceeding 7,500 kg; or,
 - ii) having more than one rear axle; or,
 - iii) being more that 6.65 m (21.82 ft) in length:

to be parked or to remain on any part of the parcel in a residential district, except when it is parked for the purpose of, and is in the process of, loading or unloading.

- f) A recreation vehicle (including a holiday trailer, camper, motor home,) is to be parked or to remain on the:
 - i) front yard of any parcel, unless it is on a legal parking pad (Part 8, Schedule A4) and perpendicular to the road in front and does not, within 0.25 m (0.8 ft), overhang the sidewalk or curb, lane or roadway, or in any manner that protrudes, poses a traffic or safety hazard, or is otherwise not entirely within the property boundaries of the parcel; or,
 - ii) side yard of any parcel when that side yard is adjacent to a paved public roadway unless it is on an approved parking pad.
- g) Notwithstanding Part 3.17 (f), a recreational vehicle, boat or utility trailer in any manner that reduces the number of available off-street parking stalls that are required for the uses of the parcel listed in Part 6 and in accordance with Part 3.19.
- h) In a residential district, no person shall allow or permit a recreation vehicle to be used for living or sleeping accommodations.
- i) In all other non-residential districts, a recreational vehicle may only be used for living and sleeping accommodation when parking in an approved campground.

3.18 OUTDOOR LIGHTING

1. With the exception of street lighting, outdoor lighting provided for security, display or attraction purposed for any development shall be arranged so that no direct rays of light are directed at any adjoining site or interfere with the effectiveness of adjacent traffic signals.
2. All development, including the repair and replacement of fixtures, shall incorporate 'dark sky friendly' lighting practices that minimize light pollution, glare, and adverse illumination on adjacent parcels, while maintaining nighttime, on-site safety and security while allowing for illumination of buildings, landscaping, and outdoor displays.

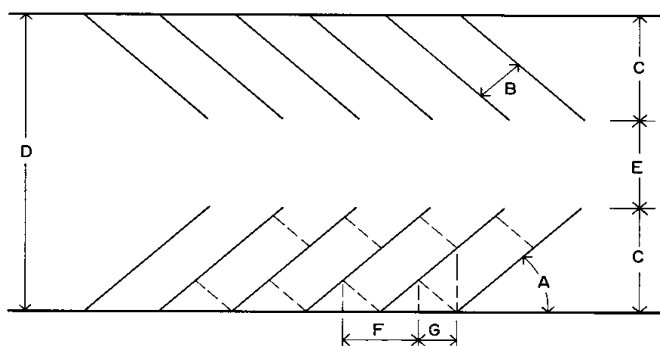
3. All outdoor lighting fixtures shall be located, aimed, and shielded in a manner that does not directly illuminate a road or an adjacent residential area.
4. As a condition of the Development Permit approval, the Development Authority may require a site lighting plan, prepared by a qualified professional.

3.19 PARKING AND LOADING STANDARDS

3.19.1 General Parking Provisions

1. The following minimum number of parking stalls shall be provided and maintained upon the use of a parcel or building in any District as described in Part 6 of this Land Use Bylaw.
2. Any calculation of the number of parking stalls which produces a requirement for part of a stall shall be rounded up to the next highest whole number.
3. Where electric vehicle charge sites are provided, the Development Authority shall determine what proportion of the electric vehicle charge station may contribute towards the minimum parking requirement.
4. For uses not listed in this Part, the number of stalls shall be determined by the Development Officer having regard to similar uses listed and the estimated traffic generation and attraction of the proposed use.
5. The Development Authority may refuse to grant a Development Permit to an applicant not fully complying with parking or loading requirements.
6. All off-street parking areas, where entered onto by a paved public roadway, shall be hard surfaced as defined in this Bylaw.
7. When a building is enlarged or the use of a parcel or building is changed or increased in intensity, the additional parking stalls to be provided shall be limited to the difference between the requirement of the original building or use and that of the enlarged building or changed to intensified use.
8. The parking stall requirement on a parcel which has or is proposed to have more than one use shall be the sum of the requirements for each of those uses.
9. Each parking stall shall have dimensions of not less than 2.75 m (9 ft) by 6.0 m (19.7 ft).

10. The dimensions of parking areas shall be as set out in the following diagram and table below:



A Parking Angle	B Stall Width	C Stall Depth	D Overall Depth	E Manoeuvring Space	F Curb Length	G Row End Length
0	2.75 m (9.02 ft)	2.75 m (9.02 ft)	9.0 m (29.53 ft)	3.5 m (11.48 ft)	6.7 m (21.98 ft)	0 m
30	2.75 m (9.02 ft)	5.0 m (16.4 ft)	13.5 m (44.29 ft)	3.5 m (11.48 ft)	5.45 m (17.89 ft)	0.85 m (2.79 ft)
45	2.75 m (9.02 ft)	5.7 m (18.7 ft)	15.4 m (50.52 ft)	4.0 m (13.12 ft)	3.85 m (12.63 ft)	2.05 m (6.75 ft)
60	2.75 m (9.02 ft)	6.0 m (19.69 ft)	17.5 m (57.41 ft)	5.5 m (18.04 ft)	3.2 m (10.49 ft)	2.0 m (6.72 ft)
90	2.75 m (9.02 ft)	6.0 m (19.69 ft)	18.0 m (59.06 ft)	7.0 m (22.97 ft)	2.75 m (9.02 ft)	0 m

11. The following minimum number of parking stalls shall be provided and maintained upon the use of a parcel or a building in any District as Part 6 of this Land Use Bylaw. Any calculation of the number of parking stalls which produces a requirement for part of a stall shall be rounded up to the next highest integer.

USE (COMMERCIAL)	MINIMUM PARKING REQUIREMENT
Any use not listed specially within this table, with a Gross Floor Area (GFA) of:	
1. Less than 4,500.0 m ²	2.5 per 100.0 m ² of GFA
2. 4,500 m ² to 9,000.0 m ²	3.0 per 100.0 m ² of GFA
3. 9,000 m ² to 28,000.0 m ²	3.5 per 100.0 m ² of GFA
4. Greater than 28,000.0 m ²	4.0 per 100.0 m ² of GFA
Animal boarding/breeding facility Veterinary Clinic, Hospital	2.0 per 100.0 m ² of GFA
Auctioneering establishment	1.0 / 3.5 seats or 3.1 / 100.0 m ² GFA, whichever is greater
Commercial School	1.0 / 8 Students or 22/100.0 m ² GFA, minimum 5
Commercial Storage	1.0 / 100.0 m ²
Daycare	1.0 / 50.0 m ² GFA + 1.0 stall / employee

USE (COMMERCIAL)	MINIMUM PARKING REQUIREMENT
Drinking Establishment	1.0 / 4 seats or 1.0 / 3.0 m ² of GFA whichever is greater
Drive-Through Vehicle Services	2.5 / 100.0 m ² , minimum 5
Gas Bar	2.5 stalls / 100.0 m ² GFA +1 per pump island
Funeral Homes	1.0 / 5 seats (Based on Occupancy)
Greenhouse	2.0 / 100.0 m ² GFA of Retail Sales + 1.0 / 100.0 m ² GFA of yard and/or warehouse
Health Services Office/Medical, Dental	5.0 / 100.0 m ²
Live Work Unit	1.0 additional parking stall / unit
Motels/Hotels	1.0 / guest room and 2.0 / 100.0 m ² office space
Office/Business Support Service	3.5 / 100.0 m ²
Personal Services	2.5 / 100.0 m ²
Recreation and Entertainment Facilities	1.0 / 4 seats
Repair Services	2.5 / 100.0 m ²
RETAIL, Adult, Alcohol, Cannabis,	2.0 stalls / 100.0 m ² GFA
RETAIL, Convenience, General	4.0 stalls / 100.0 m ² GFA
RETAIL, Shopping Centre	5.0 stalls / 100.0 m ² GFA
Food Service, Restaurant	3.2 stalls / 100.0 m ² of GFA, minimum 5
Food Service, Speciality	1.0 / 4 seats or 2.2 stalls / 100.0 m ² of GFA, whichever is greater. (The Development Authority may vary to accommodate more intensive uses)
Truck/Manufactured Home Sales/Rental	2.5 / 100.0 m ²
Vehicle Repair	2.0 / service bay
Vehicle Sales/Rental	2.5 / 100.0 m ² GFA
Warehouse Sales	5.0 / 100.0 m ² GFA

USE (INDUSTRIAL)	MINIMUM PARKING REQUIREMENT
Any industrial use not listed separately in this schedule	3.0 / establishment or 1.0 per 100.0 m ² GFA or as determined by the Development Authority, minimum 6.0 / tenant + 2.0 / 100.0 m ² GFA office
Autobody Repair, Paint	2.0 / service bay
Contractor, Minor	3.0 / establishment or 1.0 per 100.0 m ² GFA, whichever is greater
Contractor, Major	
Greenhouse	2.0 / 100.0 m ² GFA of retail sales structure plus 1 per 100.0 m ² GFA of yard and/or warehouse
Office for Industrial Uses Listed	2.0 / 100.0 m ²
Industrial, General	3.0 / establishment or 1.0 per 100.0 m ² GFA, whichever is greater (The Development Authority may vary this regulation to accommodate more labour-intensive uses)
Industrial, Heavy	
Industrial, Manufacturing	
Warehousing, Storage Buildings and Yards	1.0 / 100.0 m ² . Minimum 4 per tenant or business

USE (INSTITUTIONAL)	MINIMUM PARKING SPACE REQUIREMENT
Cemetery	10.0 / hectare
Education, private	1.0 / classroom or 1.0 / 10 students, whichever is greater 5.0 / classroom or 1.0 / 5 students, whichever is greater
Education, public	
1. Elementary or Junior High School	
2. Senior High School	
Emergency Services	2 / 100.0 m ² GFA, excluding parking garages
Government Service	2 / 100.0 m ² GFA not sure what this number is to be?
Library	3.5 / 100.0 m ² GFA
Religious assembly	1.0 / 3 fixed seating spaces; or 20.0 / 100.0 m ² of floor area used for assembly, recreation, or other accessory uses

USE (PUBLIC/RECREATIONAL)	MINIMUM PARKING REQUIREMENT
Campground	1.0 / camping space
Recreation, Community	11 / 100.0 m ² GFA plus an additional 10.0 / 100.0 m ² for area used for assembly to a maximum of 50% of which may be provided on an immediately abutting school site
Recreation, indoor parking is as follows for:	1.0 / 3.5 seats or 31.0 / 100.0 m ² GFA used by patrons
Bowling Alley	3.0 / lane
Curling Rink	3.0 / sheet
Health & Fitness centres	1.0 / 100.0 m ² GFA
Hockey rink and pools	1.0 / 3.5 seats or 1.0 / 5.0 m ² of playing/water surface
Racquet and other sport facilities	2.0 / court
Hospitals	1.0 / 4 beds and 1.0 / 2 employees
Public Assembly Buildings	1.0 / 4 seats
Recreation, outdoor	1.0 / 3.5 seats or 31.0 / 100.0 m ² GFA used by patrons.
All other uses	1.0 / 2 participants (at max capacity) 1.0 / 20.0 m ² GFA

USE (RESIDENTIAL)	MINIMUM PARKING REQUIREMENT
Assisted Living Facility	0.5 / unit to provide for residents; 1.0 / 7 units for visitor & day staff with a minimum of 3.0 stalls
Bed & Breakfast	1.0 / guest room
Boarding & Lodging House	1.0 stall / 2.0 persons being accommodated
Accessory Suite Apartment	1.0 / Suite 1.0 / 1 Bedroom Unit; 2.0 / 2 Bedroom Unit; 2.0 / 3 Bedroom Unit; Plus 1.5 / every 5 units as designated guest parking
Detached Dwelling Manufactured, Modular Moved In Duplex Row Housing Stacked Row Housing	2.0 / Dwelling
Multiple Housing Development	2.0 / Unit plus 1.0 stall for every 5.0 units for designated guest parking
Manufactured Home Park	2.0 / Dwelling Plus 1.0 per four dwellings as designated guest parking
Residential Sales Centre	2.0 / sales centre
Residential Security/Operator Unit	1.0 / unit
Social Care Residence	0.4 / unit to provide for residents; visitor & day staff, minimum of 3.0 stalls

12. For uses not listed above, the number of stalls shall be determined by the Development Authority having regard to similar uses listed above and the estimated traffic generation and attraction of the proposed use.
13. The Development Authority may refuse to grant a Development Permit to an applicant not fully complying with parking or loading requirements.

14. A minimum standard of 24.7 m² (265.9 ft²) per parking stall shall be used for general calculations for the areas of parking facilities or the number of parking spaces in a parking facility.
15. For development in Commercial Central District (C-1), where in the opinion of the Municipal Planning Commission, it is impractical because of lot shape, proposed building configuration, orientation of adjacent buildings, or economic viability to provide any or all of the required parking stalls, the Municipal Planning Commission may:
 - a) reduce the number of parking stalls required; or,
 - b) waive the provisions of any parking stalls.
16. Parking stalls shall be located on the same parcel as the use for which they are being provided.

3.19.2 Alternate, Shared and Tandem Parking

1. For non-residential uses, a minimum of 75% of the parking required by this Part shall be located on the same parcel as the use for which they are being provided unless otherwise determined by the Development Authority.
 - a) Notwithstanding Part 3.19.2 (1), the alternate parking spaces shall be located within 200.0 m (656 ft) of the proposed development;
 - b) A caveat, ensuring the use of the parcel for the required number of parking spaces is registered onto the Certificate of Title for that parcel.

3.19.3 Shared Parking

1. Shared use of the same on-site parking spaces to meet the requirements of two (2) or more developments may be permitted at the discretion of the Development Authority, provided:
 - a) The normal business hours of each development do not overlap.
 - b) The total quantity of spaces is at least equal to the required spaces for the development in operation at any given time.

3.19.4 Tandem Parking

1. Detached Dwelling, Duplex, Manufactured Home, two (2) parking stalls per dwelling may be in tandem and may include one (1) in a garage space. Where possible, tandem parking accessed by way of the rear lane shall be avoided.
2. Stacked Row Housing and Row Housing may provide for tandem parking for developments where individual driveways are provided.
3. Tandem parking, at the discretion of the Development Authority, may be considered for a Home Based Business 3.

3.19.5 Bicycle Parking Requirements

1. To encourage alternate forms of transportation, in addition to the required vehicular parking, bicycle parking shall be provided as follows:
 - a) A residential site of twenty (20) or more dwellings and all non-residential uses the Development Authority deems necessary shall provide bicycle parking equal to a minimum of 5% of the number of vehicular parking spaces required for the use.
 - b) Educational and recreational facilities shall provide a minimum of 10% of the required number of vehicular parking spaces; and
2. Required bicycle parking spaces shall be wholly provided on the same site as the building.
3. Required bicycle parking spaces shall be located on designated hard surfaced areas, not interfering with pedestrian traffic and shall be illuminated.

3.19.6 Driveways

1. Any building into which a vehicle may enter shall have a driveway on the parcel at least 6.0 m (19.7 ft) in length, except where a driveway enters from a lane where access shall maintain a minimum of 1.0 m (3.3 ft) from the property line.
2. Where no access by way of the lane is provided to a building, the driveway shall meet the minimum requirements for a parking stall as listed in Part 3.19.
3. Where the driveway services not more than four (4) dwelling units, all at street intersection driveways shall be setback a minimum of 6.0 m (19.7 ft) except
 - a) except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.

4. The minimum width of a driveway shall be 3.0 m (9.8 ft) and where possible shall be grouped together in pairs to maximize the space available for on street parking.
5. To ensure that the movement of traffic is both safe and efficient, the Development Authority will prohibit driveways onto arterial roads, Highway 2A, major collector roads and where a driveway would be liable to create a hazardous traffic situation.
6. Where access is gained directly from a paved road, driveways and parking areas shall be hard surfaced.

3.19.7 Loading Space Requirement

1. New development, change in use of existing development, or enlargement of existing development, on site loading space shall be provided and maintained in accordance with the requirements of this Bylaw.
2. Loading spaces shall be provided within the property boundaries of the development and is subject to all setbacks and yard requirements specified in this Bylaw.
3. Access to any loading space shall be provided, where possible, internally to the development or from a lane adjacent to the development.
4. Access arranged such that no backing or turning movement of vehicles to and from causes undue interference with traffic on adjoining or abutting roads or lanes.
5. Loading spaces shall be required for all non-residential development and apartments.
6. Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and manoeuvred entirely within the bounds of the parcel before moving onto a public roadway.
7. Loading spaces shall be located in rear and side yards only.
8. A loading space shall be at least 3.5 m x 8.0 m (11.5 ft X 26 ft), with an overhead clearance of at least 4.6 m (15 ft).
9. Hard surfacing of the loading space shall be required where a loading space enters a paved public roadway; otherwise, the Development Authority may permit all weather surfacing.

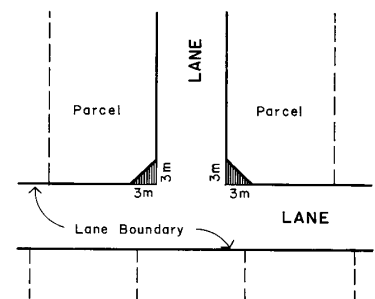
DEVELOPMENT TYPE	MINIMUM LOADING SPACE REQUIREMENT
Residential and residential related uses	n/a
Commercial and industrial uses, except those uses listed specifically	1.0 / 1,900.0 m ² (20,451 ft ²)
Hotel Motel Food Service, restaurant Drinking establishment	1.0 / 2,800.0 m ² (30,139 ft ²)
Institutional and service uses Community, recreational and cultural uses	1.0 / 2,800.0 m ² (30,139 ft ²)
School, senior high	1.5 / 100 students, minimum 5 plus minimum 5 bus loading spaces

3.19.8 Residential Parking Requirements

1. All parking areas required for Four Plex, Multiple Housing Development, Row Housing, Stacked Row Housing, Apartment, shall be hard surfaced.
2. All parking areas required for Detached Dwelling and a Duplex shall contain all weather surfaces (gravel) where access is via a laneway.

3.19.9 Sight Lines

1. No person shall erect, place, allow or permit any building, fence, vehicle or trailer, screening material or object, and no person shall plan or permit to grow any hedges, trees or vegetation which exceeded 0.9 m (3 ft) in height on a portion of a corner site.
 - a) In the front yard of a site in a residential district, no fence or hedge more than 0.9 m (3 ft) in height shall be permitted within 6.0 m (19.7 ft) of the intersection of a driveway or land and a road.
 - b) In the case of a site which is at the intersection of a lane, within a triangular area two sides of which shall be a minimum of 3.0 m (9.9 ft) long, measured from the corner of the corner site along the boundaries of the lot which meet at the said intersection, and the third side by drawing a line to connect points so determined on each such boundary (for illustrative purposes).



3.19.10 Vehicle Access Parking Space Standards

1. In locating a building for which vehicle access is intended:
 - a) any private garage shall not be erected or placed on the rear yard of a site closer to the side where the vehicle entrance to the garage or carport faces a lane, the building setback shall be either 6.0 m (19.7 ft) or 1.0 m (3.3 ft) from the lane, except in those cases where an easement has been placed along the rear property line, in which case the building setback shall be either 6.0 m (19.7 ft) or the width of the easement plus 0.50 m (1.6 ft) from the lane;
 - b) where the vehicle entrance door to a garage faces a side boundary of the site which abuts an adjacent lot, the building shall not be less than 6.0 m (19.7 ft) from that side boundary;
 - c) any other building into which a vehicle may enter shall be placed so that a 6.0 m (19.7 ft) minimum driveway exists between the property line, road or lane and the vehicle entrance door.
 - d) All accesses to any garage, carport or parking pad must be hard surfaced if entering from a hard-surfaced road or street.

3.19.11 Barrier Free Parking Stalls

1. Barrier free parking stalls shall be located as close as possible to ramps, walkways and building entrances. Barrier free stalls are not permitted in residential areas.
2. Parking shall be arranged in such a way that users are not required to pass behind parked cars.
3. For conditions requiring more than two (2) barrier free parking stalls, no more than two (2) stalls shall be placed adjacent to each other. If there are several accessible building entrances, a stall shall be located near each entrance.
4. Parking stalls shall conform with the requirements of the Alberta Building Code.
5. Each parking stall shall be clearly identified by painting the international symbol of accessibility. The symbol shall be in white on a blue background and have a minimum size of 0.9 m X 0.9 m (3 ft X 3 ft).
6. The international symbol of access shall be painted on the pavement of all off-street barrier free parking stalls with a nonslip paint and displayed with a vertically mounted sign conforming to the height requirement set forth in accordance with the Alberta Building Code.

7. The access aisle shall lead to a curb cut to the adjacent sidewalk connecting to a building entrance.
8. The number of parking stalls for vehicles used by physically disabled persons shall be as follows:

NUMBER OF STANDARD VEHICLE PARKING STALLS	NUMBER OF PHYSICALLY DISABLED PERSON VEHICLE PARKING STALLS
1 to 25	1
26 to 50	2
51 to 100	3
>100	3 plus 1 / 100

3.20 RELOCATION OF BUILDINGS

1. No person shall, unless a Development Permit has been issued by the Development Authority:
 - a) place on a parcel, a building which has been previously erected or placed on a different parcel, or
 - b) alter on a parcel, the location of a building which has already been constructed on that parcel;
2. A Development Permit is required when a building is moved to a new location, either within a site, or from one site to another. The relocated building must comply with the regulations of the district into which it is being relocated.
3. A Development Permit for the removal of a Building from a site requires proof of service disconnection for all applicable utilities.
4. Any building receiving approval to be relocated shall be brought up to all existing Federal, Provincial and Municipal standards, codes, regulations, and Bylaws.
5. In addition to the requirements of Part 2.10, the applicant must submit the following information:
 - a) recent colour photographs showing all sides of the building;
 - b) a statement on the age, size and condition of the building;
 - c) a statement prepared and signed by a qualified person on the structural condition of a building; and,
 - d) a statement of proposed improvements to the building.

6. The Development Authority may inspect the building, which is proposed to be relocated or, at the applicant's expense, may request an inspection by a professional who will provide a written certification of the buildings structural condition as well as any deficiencies relating to building codes or regulations.
7. Where a Development Permit has been granted for the relocation of a building either on the same parcel or from another parcel, the Development Authority shall require a letter of credit or form of securities satisfactory to the Development Authority, of not less than \$20,000, to ensure completion of any renovations set out as a condition of approval of a permit.
8. The Development Authority may issue a Development Permit for the proposed building with or without conditions or subject to such additional condition(s) as deemed necessary to ensure that the building is renovated to a satisfactory standard.
9. All structural and exterior renovations shall be completed within one (1) year of the issuance of a Development Permit, unless otherwise approved by the Development Authority.

3.21 SITE GRADING AND TREE CLEARING

3.21.1 Site Grading

1. For the purposes of this Part, site grading means any work, operation or activity resulting in a disturbance of the earth, adjusting the existing slope of an area, by the removal, clearing, grubbing, tree clearing, relocation or stockpiling of soil with the use of motorized equipment in excess of normal landscaping maintenance requirements.
2. A Development Permit shall be required for any site grading, excavations, stripping and/or grading of land with appropriate plans, including placement of any material, as required by the Development Authority prior to commencement.
3. A temporary fence shall be erected around all excavations which in the opinion of the Development Authority may be hazardous to the public.
4. Where finished ground elevations are established, all grading shall comply with approved plans.
5. All topsoil shall be retained on the parcel, except where it must be removed for building purposes.
6. A Letter of Credit and Development Agreement may be required if the site grading area is in excess of 1,000.0 m² (10,764 ft²) or as determined by the Development Authority.

7. Notwithstanding Part 3.21 (1) through (6) inclusive, a Development Permit is not required for manual ground disturbances subject to the preliminary identification of buried infrastructure affecting the parcel.

3.21.2 Tree Clearing

1. Subject to Part 3.12.3, a Development Permit application shall be required for tree clearing.
2. Where possible, the conservation of existing trees and shrubs shall be exercised to the maximum extent possible.
3. The Development Permit application shall require the following information:
 - a) purpose of proposed tree clearing;
 - b) detailed description of vegetation to be cleared;
 - c) proposed schedule for tree clearing;
 - d) proposed access and haul route(s); and
 - e) reclamation plan.
4. When considering a proposal for tree clearing, the Development Authority shall review:
 - a) any potential for the trees to be incorporated into future development to meet the landscaping provisions of Part 3.15.2;
 - b) the Municipal Development Plan and any other relevant statutory plans;
 - c) the protection of environmentally sensitive areas and watercourses;
 - d) possibility of any environmental reserve designation;
 - e) potential nuisance and safety effect on any adjacent lands;
 - f) habitat maintenance during wildlife nesting; and
 - g) the health and size of the native trees.

3.22 TWO OR MORE LAND USE DISTRICTS ON A LOT

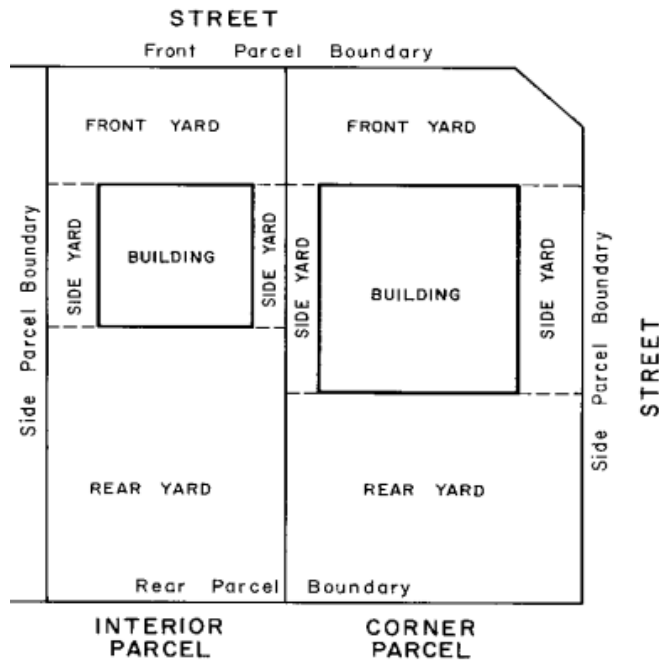
1. Where a parcel of land contains more than one land use district, each zoned area shall be treated as a separate entity for the purpose of determining compliance with the provisions of the district. Where land use districts do not follow a property line, the applicant shall provide the dimensions of each zoned area on a site plan.

3.23 YARDS AND PROJECTIONS

3.23.1 Front Yard

1. Where lands affected by a corner lot, the front yard shall be the narrower of the two frontages. If equal, the front yard shall be at the discretion of the Development Officer.

2. The Development Officer may require a corner site to provide a greater setback from the front lot line than is required within the Land Use District having regard for the orientation and access of the development and the adjacent properties.



3.23.2 Projections

1. The following features may project into a required setback as provided for below:
 - a) A cantilever which provides additional interior space may project up to 0.6 m (2 ft) into a required setback of 1.2 m (4 ft) or greater, but in all cases a minimum 1.2 m (4 ft) shall be maintained between the wall designed with the cantilever and the lot line.
 - b) Despite Part 3.23.2.1 (a), the following may project up to 0.6 m (2 ft) into a required setback of 1.2 m or greater:
 - i) architectural or ornamental features such as cornices, leaders, eaves, gutters, pilasters, sills, and awnings;
 - ii) fireplaces and chimneys, provided the horizontal length of each projection shall not exceed a total of 1.83 m (6 ft); or
 - iii) satellite dishes 1.22 m (4 ft) or less in diameter.
 - c) Where the cantilever in Part 3.23.2.1 (a) is within a setback from a side lot line, the total horizontal length of all projections shall not exceed 3.05 m (10 ft).

2. The following may project into a required setback as outlined below, provided there is no encroachment onto an easement or utility right-of-way:
 - a) patios up to a maximum of 2.0 m (7 ft) into a required setback from the front lot line and up to the lot line that abuts a side yard or rear yard;
 - b) decks up to a maximum of:
 - i) 0.6 m (2 ft) into a required setback less than 4.0 m (13 ft);
 - ii) 2.0 m (7 ft) into a required setback of 4.0 m (13 ft) to 7.4 m (24 ft);
 - iii) 3.5 m (11.5 ft) into a required setback of greater than 7.4 m (24 ft);
 - c) unenclosed steps, landings and stairs which are attached to or abutting a principal building and provide direct access from ground level to the principal building up to a maximum of 2.0 m (7 ft) into a front yard and rear yard and not less than 0.3 m (1 ft) from the lot line that abuts a side yard.
 - d) Balconies up to a maximum of:
 - i) 2.0 m (7 ft) into a front yard;
 - ii) 3.5 m (11.5 ft) into a rear yard;
 - iii) 0.6 m (2 ft) into a side yard.
 - e) Eaves and eavestrough up to a maximum of 0.5 m (1.6 ft) into a required setback for accessory buildings;
 - f) utilities, underground parking, and similar structures constructed entirely beneath the surface of the ground may encroach into required yards provided such underground encroachments do not result in a grade inconsistent with adjacent properties and the encroachments are covered by sufficient soil depth or surface treatment to foster landscaping.
3. Except as otherwise provided in this Part, projections to foundation walls and footings, or on piles, are deemed to be part of the building and shall not be considered a projection over a yard.
4. Those structures complying with the requirements of this Part shall be considered permitted uses.
5. No portion of a building other than eaves, signs or canopies shall project into a public or private right-of-way.

6. Notwithstanding Part 3.23.2, accessibility ramps may project without limits into a required setback provided:
 - a) the ramp provides access to the main floor or lower level of the building;
 - b) In a residential district:
 - i) the ramp is not located in a required 1.2 m (4 ft) side yard setback;
 - ii) the area of any landing is less than 3.6 m² (39 ft²); and
 - iii) the maximum ramp width is 1.2 m (4 ft).

3.24 OTHER USES

1. All uses which are not covered by specific regulations in this Bylaw shall, in accordance with the following guidelines, be:
 - a) separated from adjacent uses by such a distance as to ensure that there will be no adverse impact upon or by those adjacent uses;
 - b) at a density which is consistent with that prevailing in the area, unless otherwise provided for in a statutory plan;
 - c) set back from any parcel boundary abutting a road a sufficient distance to ensure that the development will not be visually intrusive, having regard to any possible changes in surrounding uses;
 - d) of a height which will be consistent with that prevailing in the area;
 - e) developed in such a manner that there will be no adverse impact upon or by traffic on adjacent roads; and
 - f) developed in conformance with any applicable statutory plan designed, constructed and the exterior finished to the satisfaction of the Development Authority, who shall ensure, as far as practical, that materials will be used which are appropriate and compatible with the standard of surrounding developments.

PART 4.0 SPECIFIC USE REGULATIONS

4.1 ACCESSORY DEVELOPMENT AND ACCESSORY BUILDINGS

4.1.1 Accessory Development

1. Any accessory building that exceeds 10.0 m² (108 ft²) shall require a Development Permit.
2. Subject to all other requirements of this Bylaw, an accessory building, structure, or use is permitted in any district when accessory to a principal use which is a permitted or discretionary use in that same district, and for which a Development Permit has been issued.
3. Notwithstanding Part 4.1.1 an accessory building, structure or use shall be considered a permitted use when accessory to a permitted use and discretionary use when accessory to a discretionary use.
4. No accessory building may be constructed, erected, or moved on to any site in any district prior to the time of construction of the principal building to which it is accessory to.
5. Unless otherwise provided in this Bylaw, all accessory buildings shall conform to the site regulations for the district in which they are located.
6. Where a building is attached to the principal building on a site by a roof, an open or enclosed structure, a floor, or a foundation, it is to be considered a part of the principal building and not as an accessory building.
7. An accessory building or structure shall not be constructed over an easement or right of way.
8. An accessory building, or any portion thereof, shall not be used as a dwelling.
9. No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel.
10. The size of an accessory building may not exceed the size of the principle building.
11. An accessory building shall consider the principle building appearance to ensure compatibility and incorporate similar exterior colours and materials.

4.1.2 Accessory Buildings in Residential Districts

1. For the purposes of this Part, sheds and detached garages are classified as accessory buildings.
2. There shall be no more than two (2) accessory buildings per residential lot.
3. An accessory building shall:
 - a) maintain a minimum of 2.0 m (6.6 ft) from the principle building;
 - b) an accessory building on an interior parcel shall be situated so that the exterior wall is a minimum of 1.0 m (3.3 ft) from the side and rear boundaries of the parcel, except buildings having vehicle access, which are regulated by Part 3.19
 - c) an accessory building on a corner parcel shall not be situated closer to the other side parcel boundary or the rear parcel boundary, and where sight triangles are required at the intersection of roadways, it shall comply with Part 3.19.9;
 - d) not be closer than 1.0 m (3.3 ft) to the side property line.
4. An accessory building shall not be more than 5.0 m (16 ft) in height and shall not exceed the height of the main building.
5. An accessory building that is a shared garage may be developed on the common lot line. The minimum side yard for the opposite side lot line shall be as required within the land use district provisions and,
 - a) a caveat, for any shared wall shall be registered onto the Certificate of Title for the affected parcels.
6. An accessory building or structure on a double fronting lot shall be sited as if a front yard is required on both lot lines abutting roads unless it is a residential lot with its access from one street consistent with lots on the same block.
7. The setback for an accessory building or structure shall not be less than the side yard required for the principal building on the side lot line abutting a flanking road.
8. An accessory building to which a vehicle may enter shall conform to Part 3.19.10.

4.1.3 Other Districts

1. For an accessory building or use visible from a highway and/or major road, the Development Authority shall also take into consideration the building appearance, orientation and design and may add any conditions necessary to ensure such building is suitable to the character of the existing development in the district as well as its effect on adjacent districts.

2. The Development Authority may require a higher level of landscaping and buffering to ensure that the building is appropriately screened.

4.2 ACCESSORY SUITES

1. An Accessory Suite is an accessory use to the residential use of the Detached Dwelling. Such accommodation shall be compatible with and not interfere with the use and enjoyment of the neighbourhood in residential areas. An accessory suite shall comply with the following provisions:
2. Shall be a discretionary use within a dwelling unit located in the R-1M Residential Single Dwelling Medium Lot District and the R-1L Residential Single Dwelling Large Lot District;
3. An accessory suite includes the development or conversion of basement space or above grade space to a separate dwelling or the addition of new floor space for an accessory suite to an existing detached dwelling, and
 - a) is a self-contained unit with separate cooking facilities, sleeping and sanitary facilities which are physically separate from those of the principal dwelling within the structure;
 - b) has an entrance separate from the entrance to the principal dwelling either from a common indoor landing or directly from the side or rear of the structure; and
 - c) shall contain a maximum of two (2) bedrooms.
4. The maximum number of accessory suites per Detached Dwelling is limited to one (1).
5. An accessory suite shall provide one additional off-street parking stall in addition to the minimum requirements of Part 3.19, Parking and Loading Standards. Tandem parking shall not be permitted as a method for meeting the parking requirements for an accessory suite.
6. The number of dwelling units allowed to have accessory suites within a neighbourhood area shall not exceed 10% of the total units in that subdivision, neighbourhood and the accessory suites are to have a distance of 10 dwellings and/or lots between accessory suites as per final approval by the Municipal Planning Commission.
7. A Home Based Business 2 and Home Based Business 3 shall not be permitted within an approved accessory suite.

4.3 ALTERNATIVE ENERGY COLLECTING AND STORING DEVICES

4.3.1 Solar Energy Devices

1. Solar energy devices and all components associated with the devices shall meet the setback and height coverage requirements of the district in which they are placed.
2. Solar energy devices attached to a principal or accessory building should be integrated with the roof or wall/structure. The mounted panel:
 - a) should not project more than 0.15 m (0.5 ft) from the surface of the building;
 - b) should not project vertically more than 1.0 m (3.3 ft) above the roof line in residential districts, and not more than 1.8 m (6 ft) above the roof line in all other districts, where located on buildings with flat roofs; and
 - c) should not extend beyond the outermost edge of the roof or wall to which it is mounted.
3. Solar energy devices not attached to a building shall:
 - a) be located in a side or rear yard only;
 - b) not exceed 2.5 m (8 ft) in height above the ground; and
 - c) be screened from adjacent properties with a fence, landscaping, or other means of screening, to the satisfaction of the Development Authority.

4.3.2 Geothermal Energy Devices

1. Geothermal Energy Devices shall ensure the underground components meet the required setbacks for accessory and accessory residential buildings in the district.
2. In the case of above ground components, the geothermal energy devices shall:
 - a) in a residential district, be subject to the district requirements for an accessory residential building on the parcel where the device is located;
 - b) in all other districts, be subject to the district requirements for a principal building on the parcel where the device is located.
3. Not require a Development Permit, subject to meeting the requirements of the district in which they are located.

4.4 BED AND BREAKFAST ESTABLISHMENTS

1. Bed and breakfast establishments are allowed in the Town if they are secondary to the residential use of the dwelling. Such accommodation shall be compatible with and not interfere with the use and enjoyment of the neighbourhood in residential areas. The planning, operation, and appearance of a bed and breakfast shall be compatible with and sensitive to the general residential character of its immediate surroundings, in terms of atmosphere, privacy, enjoyment, landscaping, architecture, scale, activity and retaining the appearance of a detached dwelling. In this regard, bed and breakfast establishments shall comply with the following standards:
 - a) alterations to the residence shall be limited so that a home can be easily converted back to a residence. Any alterations are to be approved by the Municipal Planning Commission;
 - b) there shall be a maximum of two (2) rooms available for guests at a bed and breakfast establishment;
 - c) the property owner host of the bed and breakfast shall occupy the subject detached dwelling as the primary residence.
 - d) the maximum length of stay for a guest at a bed and breakfast shall be fourteen (14) nights in any thirty (30) day period;
 - e) guest rooms shall not be self-contained dwelling units, and not contain any cooking facilities for the guest rooms for the use of guests to prepare meals;
 - f) one (1) sign only shall be permitted to identify, rather than advertise the establishment. The sign must not exceed 0.33 m x 0.45 m (1 ft X 1.5 ft) in size; and,
 - g) off-street parking shall be provided as follows:
 - i) two (2) parking spaces for the principle dwelling unit plus one (1) space per guest room;
 - ii) no other services or retail sales may be offered at or from the same premises other than the of a bed and breakfast; and
 - iii) no home occupation is permitted on the premises of a bed and breakfast.
 - h) Where a bed and breakfast is approved, there shall be no accessory suite on the premises of a Detached Dwelling.
2. A Development Permit issued for a bed and breakfast establishment does not exempt compliance with health regulations or any other permit requirements.
3. A Home Based Business 2 and Home Based Business 3 shall not be permitted within an approved Bed and Breakfast.

4.5 CANNABIS RETAIL SALES

1. Cannabis retail sales use shall not be located within 100.0 m (328 ft) from any other cannabis retail sales or a school, excluding those classified as a home school. For the purposes of this Part only:
 - a) The separation distance between a proposed cannabis retail sales use and an existing cannabis retail use and a school, shall be determined by measuring a straight line from the closest point on the lot line of the lot on which is a proposed or existing cannabis retail sales use to the closest point on the lot line of the lot on which the other specified use is located. (Figure to be included)
 - b) separation distance between a proposed cannabis retail sales use and a cannabis retail sales use or a school, shall be determined by measuring a straight line from the closest point on the lot line of the lot on which to proposed cannabis retail sales use is located to the closest point on the lot line of the lot on which the other specified use is located. The separation distance shall not be measured from the district boundaries or walls of the buildings; and
 - c) Notwithstanding Part 2.16, Variances, the Municipal Planning Commission may only reduce the 100.0 m (328 ft) separation distance by granting a maximum of 15% variance.
2. The Development Authority may require lighting, signage or screening measures that ensure the proposed development is compatible with adjacent or nearby residential, commercial, or industrial uses.
3. The Development Authority shall require evidence of Provincial approvals prior to final approval and issuance of a Development Permit for cannabis retail sales.
4. All approved uses shall comply with all Federal, Provincial and Municipal statutes, codes and regulations and Bylaws.

4.6 COMMUNICATION FACILITY

1. Notwithstanding any of the municipal requirements or obligations outlined within the Land Use Bylaw, all proponents for communication towers must comply with the following Federal legislation and/or regulations, where applicable:
2. Communication Facilities and in accordance with Part 2.10 and the Town of Blackfalds Communication Facility Protocol, shall require a Development Permit.
3. Communication facilities are encouraged to be located in specific areas of the town such as:

- a) agricultural;
 - b) industrial;
 - c) non-residential areas where tower height is unlikely to be an issue.
4. Where possible, visually unobtrusive antennas are encouraged to be located on existing infrastructure such as signs located on private property, light standards, water towers or other utility infrastructure.
5. Where appropriate, new facilities should be built to a standard to accommodate multiple devices. Any exclusivity agreement which limits access to other applications is strongly discouraged.
6. If co-location is determined to be unfeasible, the clustering of communication facilities is preferred.
7. The design or appearance of all communications facilities including antennas, antenna mounts, equipment shelters, and cable runs, should minimize the visibility of facilities through the use of colour, consistent architectural styles and aesthetic design.
8. The Town recommends that signs only be placed on a communication facility to:
- a) identify the facility;
 - b) identify the owner; or
 - c) warn of any safety issues.
9. Communication facility sites should be established with setbacks to both Alberta Infrastructure and Transportation and Town road network standards.
10. In addition to the regulations listed above, other regulations apply. These include the general development regulations of the applicable land use district.

4.7 HOME BASED BUSINESS

4.7.1 General Provisions

1. Home based businesses are intended to permit the incidental use of a dwelling for purposes related to the operation of a business, provided that the business use does not cause excessive vehicular or pedestrian traffic or otherwise interfere with or detract from the peace and quiet of a residential neighbourhood. In determining if a particular business can be carried on as a home based business the Development Authority may refuse to consider a particular business as a home based business or refuse to approve a proposed home based business if, in the opinion of the Development Authority, the proposed business use would be more appropriately located in a

commercial or industrial district having regard for the overall compatibility of the business use with the residential character of the area.

2. No person shall operate or permit or allow the operation of a home based business without a Development Permit and a current business license.
3. A Development Permit for a home Based business shall only be valid for the address identified in the permit.
4. A maximum of one (1) home based business may be operated per dwelling unit unless otherwise approved by the Development Authority.
 - a) Notwithstanding Part 4.7.1 (4), one (1) additional Home Based Business 1, may be approved at the discretion of the Development Officer in recognition that there are no on-site visitors or additional parking stalls required for the proposed use.
5. Where any of the provisions of this Bylaw dealing with home based businesses are breached, the Development Authority, in addition to the power to cancel or suspend a Development Permit under Part 2.14, may take such action in accordance with this Bylaw.
6. A Home Based Business 2 and Home Based Business 3 shall not be operated within a Detached Dwelling with an approved Accessory Suite or Bed and Breakfast establishment.

4.7.2 Application for Home Based Business

1. An application for a Development Permit for a home based business shall be made to the Development Officer in writing on the form prescribed in accordance with Part 2.10 and shall describe:
 - a) the nature of the business;
 - b) the hours of operation;
 - c) the materials, equipment and/or vehicles that will be used and where they will be stored;
 - d) the number of resident and non-resident employees;
 - e) the number of business visits per day expected to the property; and,
 - f) the number of parking spaces on the property.
2. If the applicant is not the registered owner of the property, a letter from the owner is required granting the applicant permission to use the property for the proposed business.

4.7.3 Regulations for a Home Based Business 1

1. The Home Based Business 1 shall:
 - a) Be operated from within the dwelling and not use any accessory building or any outdoor part of the parcel.
 - b) Be no outside business activity, or storage of materials or equipment associated with the business allowed on the site.
 - c) Not use any dangerous goods which would not be used in association with the residential use of the dwelling.
 - d) Not employ any person on site other than a resident of the dwelling. Not more than one (1) adult residents of the home are permitted to work in the business. No off-site employees shall be permitted.
 - e) In addition to the parking spaces required pursuant to Part 3.19, no additional parking stalls are required.
 - f) Not use any vehicle in the operation of the home based business which would not reasonably be used in conjunction with the residential use of the dwelling.
 - g) Not create any site visits to the property.
 - h) Have no exterior signage, display or advertisement required for the home based business.
 - i) Not operate without a valid Development Permit and Business Licence issued by the Town.

4.7.4 Regulations for Home Based Business 2

1. The Home Based Business 2 shall:
 - a) Be operated from within the dwelling and not use any accessory building or any outdoor part of the parcel.
 - b) Be no outside business activity, or storage of materials or equipment associated with the business allowed on the site. Indoor storage shall only be permitted inside the dwelling.
 - c) No mechanical or electrical equipment shall be used which creates unreasonable noise, or visible and audible interference with home electronics equipment in adjacent dwellings. The operation of such business shall not create any

nuisance by way of noise, dust, odour or smoke or anything of an offensive or objectionable nature.

- d) Not use any dangerous goods which would not be used in association with the residential use of the dwelling.
- e) Not employ any person on site other than a resident of the dwelling. Not more than two (2) adult residents of the home are permitted to work in the business. No off-site employees shall be permitted.
- f) In addition to the parking spaces required pursuant to Part 3.19, one (1) additional off-street parking stall shall be provided.
- g) Tandem parking may be considered for a Home Based Business 2 home based business where appropriate.
- h) Not use any vehicle or trailer in the operation of the home based business which would not reasonably be used in conjunction with the residential use of the dwelling.
- i) Be limited to a maximum of six (6) daily visits to the dwelling.
- j) There shall be no exterior display or advertisement other than a business identification plaque or sign 0.33 m x 0.45 m (1 ft X 1.5 ft) in size located on or in the dwelling.
- k) The business shall not, in the opinion of the Municipal Planning Commission, generate pedestrian or vehicular traffic or parking in excess that would be detrimental to the amenities and safety of the residents in the vicinity of the parcel.
- l) There shall be no outside business activity, or outdoor storage of materials or equipment associated with the business on the site. Indoor storage related to the business activity will be allowed within the dwelling unit or an accessory building provided that such materials or equipment are not, in the opinion of the Municipal Planning Commission, likely to result in a hazard.
- m) No physical changes to the external appearance of the dwelling or any accessory building shall be allowed as a result of the establishment of the home based business.
- n) Not operate without a valid Development Permit or Business Licence issued by the Town.

- o) Shall not be operated within an approved Accessory Suite or Bed and Breakfast establishment.

4.7.5 Regulations for a Home Based Business 3

1. The Home Based Business 3 shall:
 - a) Be operated from within the dwelling or an accessory building.
 - b) Not employ more than one (1) non-resident of the dwelling and be permitted to work in the business.
 - c) Be limited to a maximum of six (6) daily visits to the dwelling.
 - d) There shall be no exterior display or advertisement other than a business identification plaque or sign 0.33 m x 0.45 m (1 ft X 1.5 ft) in size located on or in the dwelling.
 - e) Be no outside business activity, or storage of materials or equipment associated with the business allowed on the site. Indoor storage shall only be permitted inside the dwelling or accessory building.
 - f) No mechanical or electrical equipment shall be used which creates unreasonable noise, or visible and audible interference with home electronics equipment in adjacent dwellings. The operation of such business shall not create any nuisance by way of noise, dust, odour or smoke or anything of an offensive or objectionable nature.
 - g) Not use any dangerous goods which would not be used in association with the residential use of the dwelling.
 - h) No physical changes to the external appearance of the dwelling or any accessory building shall be allowed as a result of the establishment of the home based business.
 - i) Not operate without a valid Development Permit or Business Licence issued by the Town.
2. In addition to the parking spaces required pursuant to Part 3.19:
 - a) one (1) off-street parking stall for visitors;
 - b) one (1) off-street parking stall for the non-resident employee.
3. Pursuant to Part 3.19.4, tandem parking may be considered for a Home Based Business 3 where appropriate.

4. Vehicles associated with the Major Home Based Business 3 including a trailer or truck shall be parked in the rear yard where permissible.
 - a) Notwithstanding Part 4.7.5 (4), the maximum vehicle permitted in a Residential District, the commercial vehicle shall be restricted to a maximum gross vehicle weight of 7,500.0 kg.
5. The business shall not, in the opinion of the Municipal Planning Commission, generate pedestrian or vehicular traffic or parking in excess that would be detrimental to the amenities and safety of the residents in the vicinity of the parcel.
6. A Home Based Business 3 shall have a time limit of three (3) years. Upon expiration of the original permit, the Development Authority may consider granting an approval with no time limit if the home based business meets the regulations of this Bylaw.
7. Shall not be operated within an approved Accessory Suite or Bed and Breakfast establishment.

4.8 RECREATIONAL VEHICLE STORAGE

1. No more than one (1) recreational vehicle per lot in a residential land use district shall be permitted.
2. Access to the lot shall be hard surfaced to prevent mud and gravel tracking onto public roadways and be located and constructed in accordance with Town of Blackfalds standards and to the satisfaction of the Development Authority.

4.9 RESIDENTIAL SALES CENTRE

1. The Development Authority may issue a temporary Development Permit for a residential sales centre provided:
 - a) There are minimal effects, such as noise, lighting, traffic congestion on public roadways and adjacent residents.
 - b) There is sufficient on-site and off-site parking.
 - c) It complements the scale and character of the neighbourhood in which it is located, with regard to:
 - i) the size of the building; and
 - ii) the colour, material, and design of the exterior finish.

- d) Lighting shall be designed so it is not directed onto adjacent lots. All lighting (except motion activated security lights) shall be off when the residential sales centre is closed.
 - e) The number of other residential sales centres in the area, the proximity to arterial or collector public roadways, the effect on other dwellings, the length of time the centre will be operating, and the location and proximity of properties being marketed is to the satisfaction of the Development Officer.
2. Signage requirements shall comply with Part 5 of this Bylaw.

4.10 SATELLITE DISH AND AMATEUR RADIO ANTENNAE

1. A satellite dish and amateur radio antenna are accessory uses which require an approved Development Permit. An exception to this is if a satellite antenna has a dish diameter of less than 1.0 m (3.28 ft) and conforms to the requirements outlined in Part 2.8 (n).
2. In a Residential District, a satellite dish and amateur radio antenna shall only be located in a rear yard, or a side yard which does not abut a street.
3. On an interior parcel, a satellite dish and amateur radio antenna shall be situated so that no part of it is closer than 1.0 m from the side or rear boundaries of the parcel.
4. On a corner parcel, a satellite dish and amateur radio antenna shall be situated so that no part of it is closer to the street than the main building, or closer 1.0 m from the other side parcel boundary or the rear parcel boundary.
5. The location of satellite dish and amateur radio antennae in all other districts other than the Residential District shall be determined by the Municipal Planning Commission.
6. Where any part of a satellite dish antenna is more than 4.0 m (13 ft) above grade level, or when it is located other than described above, it shall be both screened and located to the satisfaction of the Development Authority.
7. The maximum height of an amateur radio antenna in a residential area shall be 12.5 m (41 ft) unless a greater height is required by the amateur radio license.
8. An application for a Development Permit for an amateur radio antenna must be accompanied by a valid amateur radio operator's license.
9. No advertising other than that manufacturer's name/logo shall be allowed on a satellite dish antenna and amateur radio antenna.
10. The illumination of satellite dish antenna and amateur radio antenna is prohibited unless required by Transport Canada regulations.

4.11 SHIPPING CONTAINERS

1. A shipping container, permitted under this Part, shall be:
 - a) used for storage purposes and are accessory to the principal use of the site; and
 - b) are temporary to a maximum of two (2) years.
2. Shipping containers are prohibited in all districts, with the exception of the following:
 - a) Industrial Light District (I-1);
 - b) Industrial Heavy District (I-2);
 - c) Agricultural (AG) District; and
 - d) Public Facility (PF) District.
3. Notwithstanding Part 4.11.2, a shipping container shall:
 - a) shall require a Development Permit;
 - b) be deemed discretionary uses within the AG and PF districts;
 - c) all shipping containers must be located in the rear yard of a parcel and must meet the minimum setbacks of Part 4.1.
4. A shipping container shall:
 - a) not exceed the following dimensions: 13.8 m (L) x 2.5 m (W) x 2.9 m (H) (45 ft (L) X 8 ft (W) X 9.5 ft (H);
 - b) be placed on the ground or on skids, and shall not be stacked upon one another or on any other structure;
 - c) be standalone so that they are not connected to one another or to any structures on the property (e.g. through the development of a roof structure, or other means); and
 - d) be unmarked (e.g. no brand names of the shipping container, business or third-party advertising shall be on the shipping container);
 - e) be screened when visible from a public road, using either solid fencing measuring 1.8 m (6 ft) in height, buildings on site or coniferous trees, planted at a minimum height of 2.5 m (8 ft) and spaced to provide a wall of fencing.
5. Where the rear or side yard is adjacent to a residential district, or a public street or highway, additional landscaping and screening exceeding that of the minimum requirements found in Part 3.15 shall be provided to screen the shipping containers, to the satisfaction of the Development Authority.
6. Notwithstanding Part 4.11.1, shipping containers may be temporarily placed on a site in any district:

- a) During active construction on a site when the shipping container is solely for the storage of supplies and equipment that are used for the site, provided that a valid building permit has been issued for the construction. The shipping container must be removed from the site upon completion of construction; or
- b) For the purposes of loading and unloading of items associated with the principal use for a period of not more than fourteen (14) days in any six-month period.
- c) A shipping container for the purposes of a moving storage pod shall have a maximum height of 3.0 m (9.8 ft) and a maximum length of 6.0 m (19.7 ft) and be placed on a driveway, for a period not exceeding fourteen (14) days and only for the purpose of loading and unloading during the process of moving or renovating.
- d) A container shall:
 - i) be located so as to not create a safety hazard;
 - ii) not be located within 1.2 m (3.9 ft) of a side yard property boundary; and
 - iii) be located in the rear yard where possible.

4.12 SWIMMING POOLS AND OUTDOOR HOT TUBS

- 1. All permanent in ground pools and in ground hot tubs shall require a development permit.
- 2. Every private swimming pool and/or hot tub shall be secured against entry according to the current Alberta Building Code.

4.13 TEMPORARY BUILDINGS

- 1. The construction of a temporary building is to allow them in circumstances where a permanent building is planned but not yet constructed or for special events requiring a short term or seasonal use.
- 2. No temporary building may be erected without the permission of the Development Authority and may, but not be limited to, the following:
 - a) In any district other than a residential district subject to the owner agreeing to remove the building in accordance with Development Permit conditions and shall include:
 - i) the size, height, and location of the building;
 - ii) appearance of the building;
 - iii) duration of time required for the building to a maximum of twelve (12) months.
 - b) Payment of a security deposit may be required and provided to the Town as a Letter of Credit or other form acceptable by the Town, in an amount equivalent to the cost of removing the building to ensure its removal within fourteen (14) days upon expiration of the Development Permit.

- c) The maximum number of temporary buildings per site shall not exceed one (1).
- d) A temporary buildings' footprint shall be included in the site coverage calculation.

PART 5.0 SIGNS

5.1 GENERAL PURPOSE

1. A sign is defined as:
 - a) A device, notice or medium, including its support system and other components, that is used or is intended or capable of being used, to attract attention for advertising, identification or for information purposes.
2. The general purpose of this Part is to regulate the number, size, type, form, appearance, and location of signs in order to:
 - a) balance the need for signs with safety and aesthetics;
 - b) provide adequate and flexible means of identification for commercial and industrial uses; and
 - c) minimize the potential adverse effect of signs on private and public property.
3. All images depicted in this Part are for illustrative purposes only.

5.2 SIGN DEFINITIONS

For the purposes of interpretation of Part 5, the following definitions are applied:

ABANDONMENT as it pertains to signs means a sign located on a property which becomes vacant and unoccupied or, any sign which pertains to a time, event, or purpose for which it no longer applies.

ADVERTISEMENT means any device or representation visible to the general public that is for the purpose of directly or indirectly promoting sales or drawing attention to the event.

A-FRAME means a sign with two (2) angled sides, to which copy can be applied, that meet at the top

to form the shape of a triangle, or an inverted "V", when resting directly on the ground.

AWNING means a light detachable system of fabric, sheet metal, or other similar material, which is entirely supported from a building by a fixed or retractable frame.

AWNING SIGN means a non-illuminated sign that is painted on or affixed flat to the exterior surface of an awning.

BANNER means a temporary sign made of lightweight, flexible fabric or material that is affixed to the exterior façade of a building to which copy is painted, stamped, stenciled, perforated, stitched, or otherwise applied directly onto its surface.

BEACON means any light with one (1) or more beams directed into the atmosphere or directed at one (1) or more points that may differ in location from the light source and, any light with one (1) or more beams that rotate or move.

BILLBOARD means a sign that is a large flat panel surface, with one (1) side or two (2), which may be animated, with changeable copy or video display, and are electronically controlled with colour changes or lights that depict action or give motion to the sign or a pasted, glued, painted or otherwise secure with a permanent foundation, fastened to permit its periodic replacement designed to provide for outdoor advertising, and that is typically located adjacent to high traffic areas or streets. Billboard signs may include third party advertising.

BUILDING means anything constructed or placed on, in, over or under land.

BUILDING FACE means that a portion of any exterior elevation of a building exposed to public view, extending from the grade to the eaves or the top of the parapet wall and the entire length of the building elevation, including all areas divided by firewalls.

CANOPY means an architectural feature or structural protective element affixed to the exterior wall of a building over a door, entrance, outdoor service area or similar type of entrance way.

CANOPY SIGN means a sign that is painted on or affixed to the exterior surface of a canopy.

CHANGEABLE COPY, Manual means copy on a sign that changes manually using attachable letters, numbers, or pictorial panels. A CHANGEABLE COPY, Manual sign does not include any electronic message features or third-party advertising.

CHANNEL LETTER SIGN means a fascia sign that is a single solid structure resembling a letter, number, or other symbols that when affixed horizontally parallel to the exterior façade of a building displays a message.

CLEARANCE means the unobstructed vertical distance between the ground or finished floor and the underside of a sign or structure.

COMMUNITY EVENT INFORMATION SIGN means a permanent sign of a standard design, of up to three sides that is used for advertising community events or notices.

CONSTRUCTION SIGN means a sign used to identify a construction project, the owner, general contractor, sub-trades, architect, engineers, and others associated with the design, planning and development of a project under construction.

CONTRACTOR as it pertains to signs, means a company or business that is contracted to complete a project related to the construction, renovation, or alteration of a structure, building or any other development.

COPY AREA means as a percentage of the maximum sign area, or a specified as numerical figure as noted within this Bylaw.

CORNER LOT for the purposes of this part, means that portion of any site abutting two (2) streets.

CUSTOM PRINTED INSERTS means personalized corrugated plastic inserts added to chain link

fence, utilized for screening or privacy showing landscape or as a visual aide in advertising or displaying the business logo, name or general information about the business.

DEVELOPED PARCEL as it pertains to signs, means a residential parcel containing a principal building, or a non-residential (including agriculture) parcel accommodating a principal building or non-residential use.

DIRECTIONAL SIGN means a sign that is located entirely on-site and provides information and directions necessary for persons entering, traveling through, or exiting a site.

ELECTRONIC MESSAGE FEATURE means that portion of a sign that is comprised of a device which displays text, scrolling text, or characters, through electronically controlled single colour changing lights or digital programming and is limited to date, time and temperature.

ELECTRONIC MESSAGE, Changeable Copy means an area on a sign that displays a programmable electronic, non-pictorial, full color text information in which each alphanumeric character, graphic or symbol is defined by a small number of matrix elements using different combinations of light-emitting diodes (LED), fibre optics, lightbulbs, or other illumination devices within the display area. An ELECTRONIC MESSAGE, Changeable Copy sign or portion thereof, does not include third party advertising.

ENTRANCE FEATURE SIGN means a permanent sign erected by a developer at the entrances to a subdivision indicating the name of a subdivision or community, subject to the developer entering into a Development Agreement with and approval of the Town.

FAÇADE means the exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

FASCIA SIGN means a sign that runs parallel to the face of a building on which it is displayed or attached but does not include a painted wall sign or window sign.

FLAG SIGN means a sign that is made of lightweight flexible fabric or material with one (1) or two (2) sides to which copy can be applied and, which is attached to a freestanding pole, placed in or on the ground.

FREESTANDING MONUMENT SIGN means a freestanding sign that is a single solid structure placed in or on the ground which is wholly independent of any other object for support and includes a copy area with one (1) or two (2) sides to which copy can be applied. This may include an ELECTRONIC MESSAGE, Changeable Copy. A freestanding monument sign does not include third party advertising.

FREESTANDING PYLON SIGN means a freestanding sign, that has independent supports consisting of a base of one or more upright posts, rods, poles, stakes, or similar support, placed in or on the ground, with a flat copy area, with one (1) or two (2) sides to which copy can be applied. This may include an ELECTRONIC MESSAGE, Changeable Copy or ELECTRONIC MESSAGE FEATURE. A FREESTANDING PYLON SIGN does not include third party advertising.

FREESTANDING SIGN means a sign that has independent supports placed in the ground and that is not part of a building, structure, or development.

FUTURE DEVELOPMENT SIGN means a temporary sign used to identify a future development area and the developers(s) or Builder(s) associated with the project. It may include information on the amenities, design, staging, and timing of the proposed development.

HEIGHT as it pertains to signs, means the maximum vertical distance between the average grade at the base of the sign and the highest point on the sign. Any earth berms and elevated foundations supporting the sign, signpost or other sign supports shall be included in the height of the sign.

HOME BUILDER means a company or business that constructs or renovates residential dwellings.

HOME BASED BUSINESS SIGN means a sign installed, erected, or displayed to identify a business located on a lot within a residential land use district and contains only the name of the business on site.

IDENTIFICATION SIGN means a sign that contains no advertising and identifies a business or use that is located on a parcel which is limited to the name, address, building number, institution, or person.

ILLUMINATED SIGN means a sign that is characterized by the use of artificial light reflecting off the surface of a sign (externally illuminated, projecting through the surface of a sign, (internally illuminated; or projecting from behind the surface of a sign (backlit).

INCIDENTAL SIGN means a sign, emblem, or decal designed to inform the public of facilities or services available on the premises and is generally internal to the site or not visible from public streets. Incidental signs may include but not limited to a sign designating restrooms, hours of operation,

acceptable credit cards, lottery sales, property ownership or management.

INFLATABLE SIGN means the temporary use of a three-dimensional sign, inflated with air or other gases or fluids, to which copy can be applied, used to attract attention, or advertise, and which is anchored or affixed to the ground or, to the roof of a building.

INTEGRATED ROOF SIGN means a sign erected or constructed as an integral or essential integral part of a normal roof structure of any design, and such that no part of the sign extends above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than 15.24 cm (6.0 in).

LASER PROJECTION ADVERTISING means any advertising, which projects video or static content through illumination onto any outdoor structure.

MAINTENANCE means the cleaning, painting, repair, or replacement of any defective parts of a sign in a manner that does not alter the basic design or structure of the sign and does not change the sign area.

MENU BOARD SIGN means a sign associated with a drive-through food services establishment and that is used to display food, beverages, and their associated prices.

MURAL means an artistic rendering or drawing that is painted or otherwise applied to the exterior wall or other integral parts of a building and that is intended for public display but that does not include any advertising. A mural is not considered a sign.

OPEN HOUSE SIGN means an A-frame sign advertising a public viewing of a dwelling or dwelling unit that is for sale or rent.

PAINTED WALL SIGN means a sign that is painted, inscribed or marked directly on any exterior wall or other integral part of a building but does not include a fascia sign or mural.

PERMANENT SIGN means a sign that cannot be readily relocated because of its attachment to the site. It does not include a banner sign, inflatable sign, or a flag sign, but includes signs painted on or, attached to a motor vehicle if the vehicle is parked on a regular basis so as to act as a sign.

PORTABLE SIGN means a sign that has independent supports and is easily moveable, with a flat copy area of one (1) or two (2) sides to which copy can be applied and, that is designed to allow for the message or advertising to be changed frequently and easily.

POST SIGN means a sign consisting of a base of one or more upright posts, rods, poles, stakes, or similar support, placed in or on the ground and that has a flat copy area, with one (1) or two (2) sides to which copy can be applied.

PRIMARY BUILDING FACE means one (1) side of a building that fronts onto a public road, internal road or an internal parking lot and, that is the main focus of external advertising. This side of the building generally includes the main public access into the building or business as well as the address of the building.

PROJECTING SIGN means a single solid structure affixed upright and perpendicular against the exterior façade of a building that supports a copy area with one (1) or two (2) sides to which copy can be applied. A projecting sign does not contain illumination.

PUBLIC NOTICE means a message of interest or warning to the public in general and that is required by, erected pursuant to, the provisions of federal,

provincial, or municipal government legislation, regulation, Bylaw, or policy.

REAL ESTATE SIGN means an A-frame or post sign that advertises property for sale, lease or rent.

ROTATING SIGN means a sign suspended on a building face or independently supported where all or a portion turns around on an axis point.

SECONDARY BUILDING FACE means any side of a building that is not intended to be the main focus of external advertising. This side of a building generally does not include public access.

SHOW HOME SIGN means a sign, either one (1) sided or two (2) sided, that advertises or directs attention to a residential sales centre, located on the property for which is being advertised. A show home sign may be an A-frame, banner, or window sign.

SIGN means a device, notice or medium, including its support system and other components that is used or is intended or capable of being used, to attract attention for advertising, identification or, for information purposes.

SIGN AREA means the areas of a sign that are available for copy (excluding the main support structure)

SPECIAL EVENT means an event, the duration of which is temporary in nature and, which is limited to a sporting event, community event, public market, an exhibition, a fair or carnival, a festival, recreational competition or other similar event or activity.

SPECIAL EVENT SIGN means a temporary sign erected for a specified period of time, announcing or advertising a special event.

TEMPORARY SIGN means a sign that is not a permanent sign and that is designed and intended

to be displayed for a short period of time and for a special, unique, limited activity or sale.

THIRD PARTY ADVERTISING means a sign that refers to goods, activities or services produced, offered for sale or free obtained neither at the premises nor on the parcel on which the sign is located or displayed.

UNDER CANOPY SIGN means a sign that is affixed to the exterior surface of a canopy and may contain one (1) or two (2) sides.

VIDEO DISPLAY SIGNS are those signs or portions thereof which change their message or

background in a manner or method of full color display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement or give the illusion of motion. Video display signs may be part of a billboard sign.

WINDOW SIGN means a sign, picture, symbol, or combination thereof that is painted, pasted, inscribed, or otherwise placed on a window for viewing from the outside of the building or premises and does not include merchandise located in a window for display purposes. Window signs are permanent.

5.3 APPLICABILITY

1. The requirements contained in this Part shall apply to all signs on lands within the Town except for:
 - a) Any sign located within a building or structure not intended to be displayed to the outside public.
 - b) Any sign required to be displayed under the provisions of federal, provincial and municipal legislation.
 - c) It shall be the responsibility of the owner and the occupier of the lands that are subject to this Bylaw, to ensure that signs conform to this Bylaw.
2. Notwithstanding the regulations of this Part, the land and buildings included within Plan Area of the Downtown Revitalization Plan are subject to the Downtown Architectural Guidelines.

5.4 ADMINISTRATION

5.4.1 Development Permit Requirements for Signs

1. Unless specifically exempted from the requirements to obtain a Development Permit, all signs, structures for signs, and any enlargement, relocation, erection, construction, or alteration including adding illumination to an existing sign, shall require a Development Permit.
2. A Development Permit for a sign shall be made in writing on the appropriate application form and submitted together with the appropriate fees as approved in the Planning and Development Fee Bylaw, as amended from time to time and shall include:

- a) the signature of the registered owner(s) of the land (or their representatives or agent);
 - b) the civic address of the building, structure or lot on which the sign is to be erected, altered or replaced;
 - c) drawings to scale, giving dimensions, materials, finishes, colour schemes, letter fonts and sizes, graphics, logos and type of illumination;
 - d) drawings illustrating the position of the sign and method of attachment;
 - e) a site plan showing the location of any existing or proposed signs, whether on a building or on a parcel of land;
 - f) proposed purpose or message on the sign;
 - g) sign value;
 - h) a drawing signed and sealed by a professional engineer illustrating the details of attachment and assembly, at the discretion of the Development Authority;
 - i) any additional information as the Development Authority deems necessary.
3. An application for a sign permit shall not be considered complete and final and received for processing by the Town until the Development Authority determines that all requirements of Part 5.4.1(2) have been completed.
4. A Development Permit shall not be required for the routine maintenance and repair, changing the copy or reduction of the copy area of a legal existing sign.
5. The Development Authority may consider the following when it reviews an application for a sign permit:
- a) The scale and design of the area;
 - b) Statutory Plan requirements,
 - c) Streetscape improvements;
 - d) Downtown Revitalization Plan;
 - e) Downtown Architectural Guidelines;
 - f) Scale, form and massing;
 - g) Infrastructure and safety; and
 - h) Proximity to a residential area.
6. The Development Officer shall issue a sign permit if the application complies with the provisions of this Bylaw; and
- a) refer any application for a permitted or discretionary use to the Municipal Planning Commission for its consideration.

5.4.2 Conditions of Development Approvals for Signs

1. In addition to Part 2.10 and in deciding on the issuing of a Development Permit for a Sign, the Development Authority may impose conditions it considers appropriate, either on a permanent basis or for a limited time period on a Development Permit application and may:
 - a) require the removal of existing sign(s) on a site;
 - b) restrict the location, number and type of new and existing signs on a site;
 - c) reduce light levels or hours of operation of illuminated signs;
 - d) other upgrades or changes to existing signs on site;
 - e) consider all safety and construction matters.

5.4.3 Variances

1. The Development Authority may vary the following:
 - a) sign height;
 - b) sign width;
 - c) permitted number of signs on a site, except for billboard signs and electronic message signs and a video display sign, which shall not be varied;
 - d) the minimum separation distance between a freestanding sign;
 - e) total sign area;
 - f) minimum clearance above grade for freestanding signs;
 - g) setbacks.
2. The Development Authority, in determining if a variance is justified, may consider:
 - a) any approval to be temporary;
 - b) the size and location of the site;
 - c) the design or construction of a building or a sign;
 - d) street context;
 - e) topography and configuration of the site;
 - f) all applicable policies, guidelines, and applicable statutory plans; and
 - g) whether the proposed variance would unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment, or value of neighbouring sites.
3. Any variance approved by the Development Authority may be temporarily approved and may be subject to conditions deemed appropriate.
4. The Development Authority may impose any conditions that reflect impacts on adjacent sites pursuant to s640 of the MGA.

5. Despite any other provision in this Bylaw, if necessary or for safety reasons, the Development Authority may require greater distance separations between signs or increased clearances of any sign.
6. Despite Part 2.16, Variances and 5.4.3, where an application for a sign permit does not comply with the standards established in this Bylaw, the following tolerances shall not exceed:
 - a) 10% as approved by the Development Officer;
 - b) 10.1% and not exceeding 15% as approved by the Municipal Planning Commission;
 - c) 15.01% and over are prohibited.

5.5 GENERAL REGULATIONS

1. Despite any other provision in this Bylaw, a permanent sign shall be considered accessory to an approved use within a Land Use District.
2. Where a Development Permit has been issued for a residential, commercial, or industrial development that includes more than one (1) parcel, signs may be erected or installed on the land as if the development were located on a single parcel.
3. Where permitted under this Bylaw, any sign adjacent to a Provincial Highway in undeveloped areas shall maintain a minimum of 300.0 m (984 ft) from the centreline of the highway, except under the following circumstances:
 - a) One (1) sign advertising the sale of the subject property; and
 - b) Signs for municipal purposes; and
 - c) Billboard signs or any sign containing any part thereof with an Electronic Message Feature or Video Display feature shall not be permitted.
4. Unless provided elsewhere within this Part, signs and their structures shall be located a minimum of:
 - a) 1.0 m (3.3 ft) back from an existing or future curb line;
 - b) 0.03 m (0.1 ft) from the inside edge of any sidewalk;
 - c) 3.0 m (9.8 ft) from any road access; and
 - d) 1.0 m (3.3 ft) from a property line, when located on private property.
5. Signs shall not be located within an intersection corner visibility triangle.
6. Signs shall not be placed in or on a required parking space or loading space and shall not be placed so as to reduce the number of required parking stalls or loading spaces, pursuant to this Bylaw or an approved Development Permit.

7. Trees and shrubs shall not be removed or damaged to construct a sign, to make a sign more visible, to maintain a sign, or to change copy on a sign.
8. A permanent sign shall not be constructed within, or encroach onto, a registered right of way within a parcel of land.
9. With the exception of Billboard signs or Freestanding signs used solely by community organizations or the municipality, the subject matter of all signs shall relate to the use of ownership of the property on which the sign is located.

5.5.1 Copy Area Sign Calculation

1. For a double-faced sign, the Development Officer shall only use one (1) face for the purposes of determining sign area and copy area.
2. Where this Bylaw has a provision for maximum allowable sign area that is a percentage of the area of building face within a multiple tenant development, the Development Authority shall determine the maximum sign area allowed by considering the height of the building and the width of the tenant's leased premises.
3. The Development Officer shall determine the maximum copy area of a sign:
 - a) as a percentage of the maximum sign area, as noted within this Bylaw; or
 - b) a specified numerical figure, as noted within this Bylaw.

5.5.2 Enforcement

1. The provisions of Part 2.18 of this Bylaw apply to signs. In addition, the following regulations apply to sign enforcement.
2. The Development Authority, may request or order the immediate removal of a sign where in their opinion, it is:
 - a) placed in contravention of a provision of this Bylaw;
 - b) in a state of disrepair or structurally inadequate; or
 - c) unsafe.
3. A sign is unsafe if it:
 - a) is in a condition that could be hazardous to the health or safety of any person or vehicle; or
 - b) causes visibility obstructions or hazards.

4. Where any portion of a sign is placed on public property and contravenes any provisions of this Bylaw, a Development Authority may remove the sign or request the sign be removed at the expense of the sign owner.
5. A sign that is removed pursuant to this Bylaw shall be stored by the Town for a maximum thirty (30) days, during which time the sign owner may claim and retrieve the sign upon payment to the Town of the impoundment and storage fee, in accordance with the Development Fees and Fines Bylaw, as amended from time to time.
6. If a sign is not claimed or retrieved by the sign owner after thirty (30) days of its removal, a Designated Officer is authorized to destroy or otherwise dispose of the any sign without any further notice or compensation to the sign owner.
7. Despite Part 5.5.2 (3) and 5.5.2 (4), where a sign constructed of poster board, foam core board, corrugated plastic or coroplast, illustration board or any other similar material is removed pursuant to this Bylaw, it may be disposed of within twenty-four (24) hours without any notice or consideration to the sign owner.
8. The costs incurred by the Town in removing the sign, restoring a site, or destroying stored sign, include the cost of any immediate measures taken to terminate an immediate danger are debts due to the Town that may be recovered in court action.
9. The owner of a sign or any person responsible for the placement of any sign or sign structure or both shall be liable and responsible for such sign or sign structure.
10. The Town shall not be liable for any damage to or loss of a sign that was erected in contravention of the provisions of this Bylaw and removed by a Designated Officer.
11. The Town shall not be liable for any loss of revenue resulting from the removal of a sign pursuant to the provisions of this Bylaw.

5.5.3 Illumination

1. Electrical power supply to a sign shall be located underground except when a sign is powered by solar energy. The solar power device may be located above ground provided it is attached to the sign and no wires, cords, or other components of the power supply device are located on the ground further than 0.3 m from the sign structure. All wiring and conduits shall be concealed from view.
2. A sign with illumination or an electronic message sign shall not be allowed in residential land use districts.

3. All signs that are illuminated shall have the capacity to be dimmed to the satisfaction of the Development Authority. Signs that are illuminated shall not:
 - a) shine or reflect light directly onto neighbouring properties, or, in the direction of oncoming traffic;
 - b) create a hazard for pedestrians or motorists; or
 - c) be on an intensity or brightness that would interfere with the general welfare of residential or occupants of adjacent property, or with vehicular traffic.
4. Externally illuminated signs shall:
 - a) use full cut-off or shielded and screened external light sources, and
 - b) be positioned in a manner that directs the light directly onto the sign and minimizes glare.
5. Where permitted, internally illuminated signs shall have the light source completely shielded from direct view.

5.5.4 Maintenance

1. Every owner shall maintain all signs in good repair, in safe condition and free of visible deterioration by:
 - a) ensuring all exposed signs and sign structure surfaces are covered with an all-weather protective finish;
 - b) repainting or refinishing as often as necessary to prevent peeling, flaking of paint, corrosion or fading from light exposure;
 - c) keeping signs intact and operative and preventing them from deteriorating, peeling, breaking, or cracking.
2. All sign copy shall be fastened securely to the sign structure. Where a portion of copy has been removed, it shall be replaced within a reasonable timeframe, either with a new copy or filled in with material consistent with the sign, as determined by the Development Authority.

5.5.5 Signs Exempt from a Development Permit

1. The following signs shall not require a Development Permit provided they comply with the regulations of this Bylaw and any other applicable policy or legislation:
 - a) a sign, notice, placard, or bullet required to be displayed:
 - i) by or on behalf of the federal, provincial or municipal government;
 - b) a sign related to the function or work of the Town or other public authority;
 - c) a sign displaying community event information;

- d) an advertisement that is an integral part of a transit system, bus shelter or bench or on garbage or recycling bins located on streets under an Agreement with the Town;
- e) signs located in or on taxi cabs and as authorized under Taxi Bylaw as amended from time to time;
- f) a flag, emblem or insignia that does not exceed 10.0 m (32.8 ft) in height or the maximum height of a principal building, whichever is less;
- g) an A-frame sign within all non-residential districts, provided the sign is located adjacent to the business that is being advertised;
- h) open house sign;
- i) garage sale sign;
- j) a real estate sign;
- k) a construction sign;
- l) election signs provided they are placed in accordance with the Elections Bylaw as amended from time to time;
- m) a CHANGEABLE COPY, Manual sign in which complies with the requirement and approval of a Special Event permit;
- n) a DIRECTIONAL SIGN as part of a commercial or industrial development that is noted within an approved Development Permit.
- o) a FASCIA SIGN within a sign area not greater than 0.2 m² (2.2 ft²) in a residential land use district or 0.5 m² (5.4 ft²) in a non-residential land use district;
- p) a SHOW HOME SIGN and a FLAG SIGN on a site with an approved RESIDENTIAL SALES CENTRE; and
- q) copy inserts being changed in existing signs. This applies to existing freestanding or fascia signage where no structural components are being modified or added, including illumination and the size and location of the sign remains the same.

5.5.6 Sign Prohibitions

1. For the purpose of this Bylaw, the following are prohibited within the Town of Blackfalds:
2. Unless otherwise listed in this Bylaw, third party advertising is not permitted.
3. The Development Authority shall not permit a sign or portion thereof that:
 - a) includes video display, laser light projection, motion picture or an audible component;
 - b) a Billboard sign;
 - c) is attached to, or makes up any portion of a fence, retaining wall, or other similar structure unless the sign is permitted in this Bylaw to identify a community or neighbourhood or is integrated into a structure or fence to identify a commercial site;
 - d) is attached to or constructed on or over a roof of a building extending above the parapet portion of the building, except for:

- i) an integrated roof sign;
 - ii) a sign on a mansard roof; or
 - iii) an inflatable sign located on a roof.
- e) is attached, affixed or displayed on any parked vehicle or trailer not normally used in the daily activity of the sign subject;
- f) is attached, affixed or displayed on a shipping container;
- g) any sign that moves or assumes any motion constituting a non-stationary or non-fixed condition, unless expressly permitted within this Bylaw;
- h) has one of the following objects attached to it:
 - i) balloons;
 - ii) flags;
 - iii) banners or streamers;
 - iv) ribbons;
 - v) spinners; or
 - vi) other similar devices.
- i) Obstructs the view of, or may be confused with, an official traffic control device;
- j) displays lights resembling flashing, intermittent, or scintillating motion usually associated with danger or those used by police, fire, ambulance, and other emergency vehicles; or
- k) uses chasing borders or movement of any kind;
- l) is unsafe or persons or property in the opinion of the Development Authority;
- m) is an overall state of dilapidation, disrepair or abandonment;
- n) identifies a business, development or service not authorized through the provisions of this Bylaw to operate within the Town.

5.5.7 Signs on Public Property

1. Unless specifically permitted by this Bylaw or by agreement with the Town, a sign shall not be placed:
 - a) on or over any curb, sidewalk, post, traffic control device, public utility pole, hydrant, boulevard, median, bridge, fence, tree or other surface;
 - b) across any road or public thoroughfare;
 - c) within any municipal owned or occupied facility, or on or within any site upon which a municipal owned facility is located; or
 - d) project across a property boundary into a road or public property.
2. The Development Authority may require as a condition of approval from the sign owner:
 - a) execution of an agreement provided by the Town to indemnify against, and to save harmless from any and all liability resulting from injury to a person or

- damage to a property, which may result from the presence, collapse or failure, of the sign; and
- b) a certified copy of a liability insurance policy (and subsequent renewals thereof), naming the Town as a co-insured, covering bodily injury and property damage for claims arising out of the ownership of such sign in an amount specified by the Town. An endorsement in a form satisfactory to the Town may form part of the insurance policy.
3. In the event that there is the failure to maintain the required insurance policies specified within Part 5.5.7 (2), the approval shall be revoked, and the sign owner shall be required to immediately remove the sign.
4. Temporary signs, where authorized under this Bylaw and placed within a municipal road right-of-way shall:
- a) not be placed on a sidewalk, a centre median of a road, any lane or, within a roundabout/traffic circle area;
 - b) not be located to obstruct or interfere with road maintenance, impede the use of utilities or bus stops, vehicular and pedestrian traffic, or otherwise create a hazard;
 - c) maintain the following minimum setbacks:
 - i) 1.0 m (3.3 ft) back from an existing or future curb line;
 - ii) 0.3 m (1ft) from the inside edge of any sidewalk, path or private property; and
 - iii) 10.0 m (33 ft) from the centreline of an intersection;
 - iv) 10.0 m (33 ft) from any crosswalk;
 - v) 5.0 m (16.4 ft) from a fire hydrant.
 - d) Not be located within a corner visibility triangle; and
 - e) not be illuminated.

5.6 BUILDING SIGN DEVELOPMENT STANDARDS

1. Building signs are a device, notice or medium including its support system and its components comprised of any material, composed of lettered, pictorial material which is located on the exterior of any building or window, and may include illumination and include the following types of signage, as defined within Part 5.2. A building sign does not include any component of an electronic message feature or video display.

2. The following permanent signs may be permitted on any building in the Commercial and Industrial land use districts:

- a) Awning Sign;
- b) Canopy Sign;
- c) Channel Letter Sign;
- d) Fascia Sign;
- e) Integrated Roof Sign;
- f) Painted Wall Sign;
- g) Projecting Sign;
- h) Under Canopy Sign; and
- i) Window Sign.

5.6.1 Awning, Canopy or Under Canopy Sign

1. Subject to Part 5.5.7 (2), an awning or canopy, that includes signage integrated into the design and construction of a canopy or awing structure, shall not extend:
 - a) more than 1.0 m (3.3 ft) from the building if it is attached to an awning structure; or
 - b) more than 2.4 m (7.9 ft) from the building if it is attached to a canopy structure.
2. A Canopy Sign or Awning Sign shall:
 - a) be considered part of the building face, and any copy attached to it shall contribute to the maximum cumulative copy area of the building face;
 - b) be a maximum of 1.5 m (4.9 ft) in height measured from the lowest point of the canopy or awning to the highest point of the canopy or awning;
 - c) have a maximum total copy area of 50% of the front face of the canopy or awning structure including under and above Canopy Sign or Awning Sign;
 - d) have a minimum separation distance of 2.0 m (6.7 ft) from another Canopy Sign or Awning Sign; and
 - e) be compatible with the building on which it is located in terms of materials, colors, size and location on the building.
3. An Under Canopy Sign or Awning Sign is attached to the top side of a canopy or awning structure and is fastened to the bottom of a canopy or awning structure and shall:
 - a) not extend horizontally beyond the canopy or awning structure on which it is located;
 - b) have a maximum height of 0.3 m (1 ft), measured from the lowest point of the Canopy Sign to the highest point of the Canopy Sign;
 - c) have a maximum sign area of 1.5 m² (16 ft²);

- d) be limited to one (1) sign per business or building;
- e) be spaced a minimum 4.5 m (14.8 ft) from another Under Canopy Sign;
- f) count towards the maximum allowable copy area for the canopy or awning on which it is attached; and
- g) have a minimum clearance of 2.4 m (7.9 ft).

5.6.2 Fascia Sign

1. A Fascia Sign shall be used to identify the name of the use, business or occupant of a building on which it is located.
2. A Fascia Sign may consist of individual letters, symbols or logos that are attached directly to the building.
3. The materials and colour schemes of fascia signs shall be chosen to compliment rather than conflict with the architecture and colour scheme of the building façade.
4. Fascia signs shall not obscure architectural elements of a building including but not limited to windows, doorways, sills, moldings, and cornices.
5. For the purposes of this part, fascia signs may be permitted in any commercial, industrial, and direct control land use districts and shall:
 - a) not exceed a maximum 25% of the total area of the primary building face; and 15% of a secondary face of a building, and at the rear entrance of a business be a maximum of 0.3 m²;
 - b) have a minimum clearance of 2.4 m (7.9 ft) when measured from grade to the bottom of the sign structure;
 - c) be separated a minimum of 1.0 m (3.3 ft) from adjacent fascia signs;
 - d) where located above any portion of a street or project over public property, not extend or project more than 0.3 m (1 ft) beyond the building face to which it is attached;
 - e) not extend above the roof line of a flat roofed building or, if there is a parapet or mansard roof, 0.5 m (1.6 ft) above the eave line but not higher than the upper edge of the parapet or mansard roof and the eave line in all other cases;
 - f) not contain any advertisement except to identify the name of a business or occupant of a tenant space, where such sign is located above the first floor of a building to which it is attached;
 - g) not be illuminated when directly abutting a residential parcel or, where it could have an adverse impact on a residential parcel;
 - h) shall not include third party advertising; and
 - i) does not include any Changeable Copy, Manual, Electronic Message Feature or Electronic Message, Changeable Copy or video display.

6. A Fascia Sign may contain Changeable Copy, Manual feature or Electronic Message feature provided that:
 - a) a maximum of 20% of the sign is used for Changeable Copy, Manual or Electronic Message Feature;
 - b) not more than one (1) sign per lot, site or parcel that contains Changeable Copy, Manual or Electronic Message Feature shall be permitted.
 - c) the messages on the Changeable Copy, Manual or Electronic Message Feature shall relate to:
 - i) the use, business, or occupant of the site where the Fascia Sign is located;
 - ii) the services of a use, business or occupant of the site where the Fascia Sign is located;
 - iii) information that may otherwise be included on a sign relating to the lease or sale of the property; or
 - iv) a special event for a non-profit organization; and
 - v) not contain third party advertising.
7. Despite Part 5.6.2, a Fascia Sign containing a Changeable Copy, Manual or Electronic Message Feature shall comply with Part 5.7.
8. A tenant occupying a premise within a building may place a Fascia Sign on a secondary building face, regardless of its physical location within the building itself.

5.6.3 Painted Wall Sign and Murals

1. A Painted Wall Sign is a sign that is painted, inscribed or marked directly on an exterior wall or other integral part of a building or structure;
2. Subject to the provisions of this Part, Painted Wall Signs are discretionary on all properties containing approved commercial and industrial land use districts.
3. The size and location of a Mural is subject to the approval of Council.
4. A Painted Wall Sign shall conform to the following guidelines:
 - a) any text, picture, illustration, or similar graphic that advertises the name of a business or, is a logo or symbol of a business that occupies the building or structure on which the painted wall sign is located may:
 - i) cover up to 30% of the front of the building;
 - ii) cover up to 60% of a secondary building façade;
 - iii) not include more than 70%, for any text that advertises the name of the business or, a logo associated with the business.

5. The Development Authority shall have regard to the content and imagery of the sign ensuring it enhances the area and is suitable for the location proposed.
6. The Development Authority may require that the Painted Wall Sign be periodically repainted.
7. The Development Authority may ensure the Painted Wall Sign be removed and the wall refinished, to be consistent with the rest of the building, if the business to which the sign relates ceases to be located in the building upon which the sign is located.
8. Despite Part 5.6.3 (5) a Mural that includes any copy that is considered by the Development Authority to be advertising shall be considered a Painted Wall Sign and are subject to the regulations of this Part.

5.6.4 Projecting Sign

1. Subject to Part 5.5.7 (2), a Projecting Sign shall:
 - a) only be located on the primary building face;
 - b) not have a separation of more than 0.6 m (2 ft) between the sign and the primary building face to which it is attached;
 - c) not project more than 2.0 m (6.7 ft) from the building face to which it is attached or, 0.3 m (1 ft) from the road edge of the sidewalk, whichever is less;
 - d) have a maximum copy area of 2.23 m² (24 ft²) per side;
 - e) have a minimum clearance of 2.5 m (8 ft) when measured from grade to the bottom of the sign's structure;
 - f) not project over public property unless written approval is provided by the Town; and
 - g) not project more than 0.3 m (1 ft) above the roof line or, the maximum allowable height of the building, whichever is less.

5.6.5 Window Sign

1. For the purposes of this Part, 'window area' includes all contiguous panels of glass, including panes of glass that would be contiguous if not separated by mullions.
2. Within a Residential land use district, a Window Sign shall only be allowed in conjunction with an approved home based business and shall comply with Part .4.7.4.1 (j) and 4.7.5.(d).
3. Within a commercial land use district, a Window Sign shall be limited to the first and second story of a building, and not exceed 50% of the window area of a primary building face and 25% of a secondary building face.

5.7 ELECTRONIC MESSAGE SIGN REGULATIONS

1. General development standards for electronic message signs may be permitted on a Freestanding Pylon Sign, a Freestanding Monument Sign and Fascia Sign and shall comply with Part 5.6 and 5.8.
2. A sign containing Changeable Copy, Manual or Electronic Message Feature shall not be permitted within any land use district adjacent to the Queen Elizabeth II (QEII) Highway or Highway 597.
3. A sign containing Changeable Copy, Manual or Electronic Message Feature shall not be permitted within any land use district south of the southern boundary of South Street and adjacent to Highway 2A; or
4. Unless otherwise provided for in this Part, an Electronic Message Feature sign shall not exceed 9.0 m² or 25% of the sign face, whichever is less; and
 - a) must relate to a use, business, or occupant of the site where the sign is located;
 - b) a special event where a Special Event Permit has been issued;
 - c) not include third-party advertising.
5. Any sign with an Electronic Message Feature shall:
 - a) maintain a minimum of 300.0 m (984 ft) from any other sign with an Electronic Message Feature;
 - b) display messages for a minimum time period of twenty (20) seconds;
 - c) ensure that message transitions are instantaneous;
 - d) must not include effects like motion, dissolving, blinking, flashing or intermittent lights, video or the illusion of such effects.
6. Must contain a default design that will freeze the sign panel message in one position if a malfunction occurs.
7. The sign panel shall be equipped with a control system that automatically adjusts light emission level to ambient light conditions so as not to cause glare or excessive brightness.
8. The Development Authority shall have the ongoing discretion to require the brightness, frequency, colors, or other qualities of the sign panel be adjusted in order to address safety concerns.

5.7.1 Electronic Message , Changeable Copy Sign

1. Subject to the provisions of this Part, an Electronic Message, Changeable Copy sign shall be considered a discretionary use.

5.7.2 Video Display Signs

1. Despite Part 5.7, a Video Display Sign shall not be permitted in any land use district.

5.8 FREESTANDING SIGN REGULATIONS

1. For the purposes of this Part, Freestanding Signs may be permitted in any Commercial, Industrial, DC-3 district or Public Land Use districts.
2. A Freestanding Sign may include the following types of signage, as defined within Part 5.2:
 - a) Community Event Information Sign;
 - b) Monument Sign;
 - c) Pylon Sign;
 - d) Neighbourhood Identification Sign;
 - e) Post Sign.
3. Despite Part 5.8.1:
 - a) freestanding signs within C-2 and I-1 land use districts, identified in the Downtown Revitalization Plan, are a discretionary use;
 - b) freestanding signs, monument signs, and pylon signs shall not be permitted within the C-1 district.
4. A freestanding sign with Changeable Copy, Manual or electronic message sign shall not be permitted within any land use district adjacent to the Queen Elizabeth II (QEII) Highway and Highway 597.
5. A Freestanding Monument Sign or Freestanding Pylon Sign shall be landscaped a minimum of 2.0 m (6.7 ft) extending around the centre base of the sign to the satisfaction of the Development Officer who shall consider access for maintenance. This Part shall not exempt any landscaping requirements within this Bylaw.

5.8.1 Monument or Pylon Sign

1. Unless otherwise specified within this Bylaw, a freestanding monument or freestanding pylon sign shall:
 - a) not have a copy area great than 85% of the sign area;
 - b) a maximum height of 9.0 m (30 ft);

- c) have a maximum sign area of 25.0 m² (270 ft²).
- 2. The maximum number of Freestanding Pylon Signs or Freestanding Monument Signs located on a parcel in a non-residential land use district shall:
 - a) one (1) sign per parcel on a site of 50.0 m (164 ft) frontage or less;
 - b) two (2) signs per parcel on a site of more than 50 m (164 ft) frontage but not greater than 100 m (329 ft); and
 - c) a maximum of two (2) signs per parcel on a site greater than 100.0 m (329 ft) in frontage.
- 3. Despite Part 5.8.1 (2) (c), where a parcel has frontage on more than one road, one (1) additional sign may be permitted, not exceeding 60% of the maximum height permitted, provided the distance between each Freestanding Pylon Sign or Freestanding Monument Sign is 50.0 m (164 ft).
- 4. The following setbacks shall apply for Freestanding Monument and Freestanding Pylon Signs:
 - a) be separated a minimum of 50.0 m (164 ft) from any other freestanding sign;
 - b) maintain a minimum 15 m (49 ft) from a property line shared with another site; and
 - c) maintain a minimum 1.0 m (3.3 ft) from a property line adjacent to a road.
- 5. A Freestanding Monument Sign and Freestanding Pylon Sign shall maintain a minimum clearance of 3.0 m (9.9 ft) when measured from the ground to the bottom of the sign structure, except where it is a Freestanding Monument Sign; and
 - a) does not interfere with traffic circulation or vehicle parking;
 - b) has electrical power supply supplied underground;
 - c) shall not be constructed within a parking area or such that it results in a reduction of the number of parking spaces.
- 6. A Freestanding Monument Sign or Freestanding Pylon Sign may:
 - a) be internally or externally illuminated; or
 - b) contain changeable copy provided the Changeable Copy, Manual, Electronic Message Feature or Electronic Message, Changeable Copy does not exceed more than 25% of the sign area.
- 7. Despite Part 5.8.1, a Freestanding Monument Sign or Freestanding Pylon Sign located on a parcel within the C-1, C-2, C-3 and I-1 land use districts included within the Downtown Revitalization Plan, where approved, shall:

- a) not exceed a maximum sign area of 5.0 m² (54 ft²);
 - b) not exceed a maximum height of 8.5 m (28 ft);
 - c) not have a rotating element ;
 - d) not have a changeable copy or an Electronic Message Feature; except:
 - i) where a gas bar has been approved, in which case the changeable copy or an Electronic Message Feature shall be limited to fuel price display;
 - e) be limited to one (1) sign per parcel;
 - f) maintain a minimum clearance of 2.44 m (8 ft) when measured from the ground to the bottom of the sign structure, except where it is a Freestanding Monument Sign.
8. Despite Part 5.8.1, a Freestanding Monument or Freestanding Pylon Sign located on a non-residential parcel adjacent to QEI or Highway 597 shall:
- a) not incorporate a rotating element;
 - b) shall be limited to one (1) Freestanding Monument Sign or one (1) Freestanding Pylon Sign per parcel where the sign area is over 22.0 m²
 - c) maintain a maximum height of 9.0 m;
 - d) not exceed a maximum height of 9.0 m;
 - e) may have a maximum sign area of 12.0 m² (237 ft²); and
 - f) not incorporate Changeable Copy, Manual component or Electronic Message Feature or video display feature.
9. Freestanding Monument Signs within the R-3, R-4, R-5, R-MHC and R-MHP land use districts, shall be used to identify the site and shall:
- a) be limited to one (1) sign per lot, site or parcel;
 - b) not contain any illumination;
 - c) have a maximum height of 3.0 m (9.9 ft);
 - d) have a maximum sign area of 5.0 m² (54 ft²);
 - e) not have a rotating element, Changeable Copy, Manual or an Electronic Message Feature; and
 - f) be limited to:
 - i) one (1) sign per parcel on a site of 30 m (98 ft) frontage or less;
 - ii) two (2) signs per parcel on a site of more than 30 m (98 ft) frontage but not greater than 60 m (197 ft); and
 - iii) a maximum of three (3) signs per parcel on a site of more than a frontage greater than 60 m (197 ft).

5.8.2 Neighbourhood Identification Sign

1. A neighbourhood entrance sign may be erected by a developer at the entrances to a subdivision and shall:
 - a) require a Development Agreement with, and approval of, the Town including provisions for perpetual maintenance and care of the sign;
 - b) be for neighbourhood identification purposes only and contain no advertising;
 - c) be constructed of maintenance free material wherever possible;
 - d) not be internally illuminated or contain any Electronic Message Feature or video display.
 - e) not encroach upon any utility right of way; or
 - f) affect traffic safety.

5.8.3 Post Sign

1. A Post Sign located on private property shall:
 - a) have a maximum height of 1.2 m (4 ft);
 - b) have a maximum sign area of 1.1 m² (11.8 ft²);
 - c) be separated a minimum of 5 m (16.4 ft) from all other signs;
 - d) not block any sidewalks or interfere with pedestrian or vehicular traffic; and
 - e) be separated a minimum of 5 m (16 ft) from other signs located on-site or off-site.
2. A Post Sign used as a Real Estate Sign shall have a maximum height of 1.8 m (6 ft) and maximum sign area of 1.5 m² (16 ft²) within all residential land use districts.
3. A Post Sign used as a Real Estate Sign shall have a maximum height of 4.0 m (13 ft) and a maximum sign area of 6.0 m² (65 ft²) within non-residential land use districts.

5.9 OTHER SIGN REGULATIONS

1. For the purposes of this Part, the following types of signage, as defined in Part 5.2 may be permitted in any Commercial, Industrial, Direct Control or Public Land Use districts.
 - a) A-Frame Sign;
 - b) Bed and Breakfast Sign;
 - c) Custom Printed Insert Sign;
 - d) Directional Sign;
 - e) Election Sign;
 - f) Flag Sign;
 - g) Home Based Business Sign; and
 - h) Menu Board Sign.

5.9.1 A-Frame Sign

1. An A-Frame Sign shall:
 - a) be limited to one sign per business;
 - b) have a maximum height of 0.9 m (3 ft);
 - c) have a maximum sign area of 0.55 m² (5.9 ft²);
 - d) not obstruct sidewalks or interfere with pedestrian or vehicular traffic;
 - e) be displayed only during the business operating hours;
 - f) be separated a minimum of 5.0 m (16 ft) from other signs located on or off-site;
 - g) be located on private property in front of the building or premises to which the sign pertains;
 - h) be of a painted finish, be neat and clean and be maintained at all times;
 - i) be constructed of materials that will collapse, cave in, give way upon impact (such as paper, cardboard or other light weight material); and
 - j) not use fluorescent, 'day-glow', luminous or reflective lettering or backgrounds.
2. For businesses with zero front setbacks, one sign may be placed on Town property adjacent to the front property boundary provided that the sign is:
 - a) located as close as possible to the front of the building; or
 - b) the sign is placed wholly within 1.0 m (3.3 ft) of the curb, placed as close as practical to any street tree, garbage receptacle, or other pieces of street furniture where available in front of the business in order to maintain a minimum 2.0 m (6.6 ft) width for pedestrian passage.
3. An A-Frame Sign used as an Open House Sign shall:
 - a) only include a directional arrow, the phrase 'open house' and the name and/or the logo of the real estate company hosting the open house;
 - b) not be located in a median of a road, on a sidewalk, or within a traffic circle area;
 - c) have a maximum height of 0.9 m (3 ft);
 - d) have a maximum sign area of 0.55 m² (5.9 ft²);
 - e) be separated a minimum of 5.0 m (16.4 ft) from other signs located on site or off-site; and
 - f) be erected or placed no more than three (3) hours prior to an open house and no later than three (3) hours after an open house, except on weekends. Signs erected on a weekend may not be placed before 6:00 p.m. Friday or after 6:00 am on a Monday, except when a Friday or Monday is a statutory holiday, the display dates shall adjust to be displayed during the statutory holiday.
4. An A-frame sign may not be located within a road right of way.

5.9.2 Bed and Breakfast Sign

1. Bed and Breakfast signs shall:
 - a) require a permit;
 - b) be located entirely on private property;
 - c) be limited to a maximum of (2) signs per approved Bed and Breakfast subject to the following:
 - i) permitted sign types include, post, projecting and window;
 - ii) no two (2) signs on a single site may be the same type;
 - iii) signs permitted shall conform to Parts 5.6.4; 5.6.5 and 5.8.3;
 - iv) not be internally lit;
 - v) not contain any Changeable Copy, Manual, or Electronic Message Feature.

5.9.3 Custom Printed Insert Sign

1. Custom Printed Inserts are personalized corrugated plastic inserts which contain advertising or the display of the business logo or name and added to chain link fencing.
2. Where chain link fencing is approved, custom printed inserts may be considered in Industrial districts only; except:
 - a) any portion of a fence sharing a common property boundary with and adjacent to, the Queen Elizabeth II Highway and Highway 597.
3. The maximum sign copy area containing advertising, the display of the business logo or name shall be limited to 25% per side of a perimeter chain link fence to a maximum of two (2) sides.

5.9.4 Directional Sign

1. A Directional Sign may contain a logo or name of business and may be illuminated.
2. A Directional Sign within R-3, R-5, and R-MHP land use districts shall:
 - a) have a maximum height of 0.9 m;
 - b) have a maximum sign area of 0.4 m²;
 - c) be limited to two (2) directional signs per site or parcel; and
 - d) the Development Authority may approve a greater number of directional signs where the need for the requested additional signage has been demonstrated by the applicant.

5.9.5 Election Signs

1. Elections signage refers to all temporary signs, either with a copy area of one (1) side or two (2), used for an election, by-election, referendum or plebiscite.
2. Election signs shall be restricted to one (1) sign per lot, site, or location.
3. Signs may not be erected more than forty-five (45) days in advance of a municipal or provincial election or to the voting of a referendum or plebiscite and more than thirty-six (36) days prior to a federal election.
4. Election signs may be permitted on private lands, with landowner approval; or municipal property, excluding parks, in areas as designated by the Town.
5. Despite Part 5.9.5.4, election signs located on private property shall not encroach onto municipal property unless it is at a designated location.
6. Election signs shall not be placed anywhere on the legal lot where any polling station is located, including a fence that may be located on or border the legal lot.
7. The maximum size of any sign required for an election, shall maintain:
 - a) a maximum sign face of 3.0 m² (32 ft²); and
 - b) a maximum of 3.6 m (12 ft) from grade to top of the sign.
8. All election signs shall maintain the following minimum setbacks:
 - a) 10.0 m (33 ft) of the centreline of an intersection;
 - b) 10.0 m (33 ft) from any crosswalk;
 - c) 5.0 m (16 ft) from a fire hydrant; and
 - d) 2.0 m (6.7 ft) from the curb line or edge of a street.
9. All election signs shall be removed following the closing of voting stations within forty-eight (48) hours; and
 - a) the site restored to its original state with all holes filled with a mixture of topsoil and grass seed.
10. Any election sign that becomes unsightly or are defaced shall be removed immediately by the owner.

11. Election signs with the following shall not be allowed:
 - a) signs that display intermittent flashing, rotating or moving light;
 - b) signs that imitate the wording of a standard or commonly used traffic sign, such as stop or yield.
12. Election signs will be removed by the Town at the candidates' expense for the following reasons:
 - a) they do not meet the sign specifications of this Part;
 - b) they pose a hazard to the public;
 - c) they are located on a sidewalk, pathway or trail;
 - d) they are attached to any traffic control device, traffic pole signal, a street light pole, a park bench, a fire hydrant, and electrical box or power pole;
 - e) they interfere with municipal employees on municipal property; and
 - f) they are not removed in accordance with any provision of this Part.
13. Where an election sign contravenes this Part, a Designated Officer, or any other appointed person may, without notice or compensation, remove the sign and may enter onto private land to do so.
14. Where a contravention to this Part or this Bylaw, the owner of the sign (candidate) shall be guilty of an offence under this Bylaw.

5.9.6 Flag Sign

1. A flag means a temporary sign that is made of lightweight flexible fabric or material with one (1) or two (2) sides to which copy can be applied and is attached to a freestanding pole, or to a structure, placed in or on the ground.
2. Flag Signs shall:
 1. be limited to one (1) sign per business;
 2. be limited to a maximum of three (3) signs per parcel;
 3. be considered in all Commercial and Industrial land use districts, except within the C-1 Commercial Central District and I-1 Industrial Light District as identified in the Downtown Revitalization Plan;
 4. not exceed a maximum height of 4.0 m (13 ft);
 5. not block sidewalks or interfere with pedestrian or vehicular traffic;
 6. be located within the property boundaries;
 7. be separated a minimum of 5.0 m (16 ft) from another flag banner sign and any other signs located on or off-site;
 8. be located in front of the building or premises to which the sign pertains; and

9. be displayed for a period of up to thirty (3) consecutive days to a maximum of three (2) times per calendar year.
3. The maximum number of flag signs placed on a site within a non-residential land use district shall be:
 - a) one (1) sign on a lot with a frontage of 30 m (98 ft) or less; and
 - b) a maximum of three (3) signs on a lot with a frontage greater than 30 m (98 ft).
4. A Flag Sign used with a residential sales centre shall be decorative in its design, be freestanding and not attached to any other sign or structure.

5.9.7 Home Based Business Sign

1. A Home Based Business Sign shall:
 - a) Not display any signage unless a valid Development Permit and Business License have been issued by the municipality.
 - b) Not display any sign other than one (1) un-illuminated window sign, not exceeding 25% of the area of the window.
 - c) Not display an A-frame sign no larger than 0.3 m² (3.3 ft²) advertising the home based business operating from the parcel and shall:
 - i) Be located entirely within the boundaries of the property.

5.9.8 Menu Board Sign

1. A Menu Board Sign shall be located on a parcel within a commercial land use district and shall:
 - a) have a maximum height of 3.0 m (9.8 ft);
 - b) have a maximum sign area of 3.0 m² (33 ft²);
 - c) be limited to a maximum of two (2) Menu Board Signs per business on a site; and
 - d) incorporate landscaping where required by the Development Authority; and
 - e) not create any off-site nuisance with regards to noise or illumination to the satisfaction of the Development Authority.

5.10 SPECIAL EVENT SIGN REGULATIONS

1. A Special Event Sign used for the purposes of advertising a special event or for providing public notices shall not require a Development Permit provided:
 - a) a sign shall not contain advertising copy other than information specific to the special event;
 - b) when located in a road right of way shall:

- i) be limited to an A-Frame Sign or a Post Sign;
 - ii) have a maximum sign area of 0.55 m² (5.9 ft²);
 - iii) have a maximum height of 0.9 m (3 ft);
 - iv) be located 5.0 m (16 ft) from all other signs within the right of way;
 - v) be placed no more than five (5) days prior to the event, if it is a singular occurring event;
 - vi) be placed no more than two (2) days prior to the event if it is a regularly scheduled event (i.e. public market);
 - vii) be allowed to remain within the right of way throughout the duration of the event; and
 - viii) be removed within twenty-four (24) hours following the conclusion of the event;
- c) shall not contain any illumination or use any flashing or electronic device;
 - d) not be attached to any light standard, pole or any other sign or structure; and
 - e) be anchored and stabilized at all times.
2. A Special Event Sign shall maintain the following setbacks:
- a) 1.5 m (4.9 ft) from the front property line;
 - b) 10.0 m (33 ft) from any intersection whether controlled or uncontrolled;
 - c) 5.0 m (16 ft) from a hydrant;
 - d) 10.0 m (33 ft) from the lot line that abuts another lot other than a residential lot;
 - e) 3.0 m (9.8 ft) from any access to or from a lot or site; and
 - f) 25 m (82 ft) from a Freestanding Sign.

5.11 TEMPORARY SIGN REGULATIONS

1. A Temporary Sign may include the following types of signage, as defined within Part 5.2:
- a) Banner sign;
 - b) Changeable Copy, Manual sign;
 - c) Construction Sign;
 - d) Flag banner (no definition of flag banner) sign;
 - e) Future Development Sign;
 - f) Inflatable Sign;
 - g) Portable Sign;
 - h) Show Home Sign; and
 - i) Open House and Real Estate Signs.

5.11.1 Banner Sign

1. A Banner sign shall:
 - a) have a maximum of one sign per building or individual commercial or industrial unit within a building or parcel;
 - b) only be located on a parcel within C-2, C-3, C-4, CMU, I-1, I-2, and Direct Control land use districts;
 - c) despite Part 5.11.1(b), a Banner sign shall not be permitted within the I-1 land use district identified in the Downtown Revitalization Plan;
 - d) have a maximum of 25% of the area of the wall of the premises to which it is attached; and
 - e) be displayed for a period of up to thirty (30) consecutive days to a maximum of ninety (90) days in a calendar year.

5.11.2 Changeable Copy Sign, Manual and Portable Signs

1. A Changeable Copy, Manual feature is the copy on a sign that changes manually through the use of attachable letters, numbers or pictorial panels and may be contained within, or form part of a, Freestanding Monument Sign, Freestanding Pylon Sign, a Fascia Sign or a Portable Sign and does not include third party advertising or any Electronic Message Feature.
2. A changeable copy sign feature contained within a Freestanding Monument Sign, a Freestanding Pylon Sign or a Fascia Sign shall comply with Part 5.8; and
 - a) may contain a maximum of 30% of the sign face.
3. A Changeable Copy, Manual feature on a Portable Sign is intended for temporary on-site advertising relating to the activities of the landowner or its occupants.
4. A Changeable Copy, Manual feature on a Portable Sign with manual feature as part of the overall sign, is permitted in all Commercial and Industrial land use districts with the exception of:
 - a) C-1 and C-3 land use districts; and may:
 - i) have a maximum height of 2.0 m (6.6 ft);
 - ii) have a maximum sign area of 3.0 m² (33 ft²);
 - iii) have a maximum width of 2.5 m (8 ft);
 - iv) be illuminated or non-illuminated; and
 - v) contain no audio feature.

5. A Changeable Copy, Manual on a Portable Sign shall maintain the following setbacks:
 - a) 30.0 m (98 ft) from any other Freestanding Sign;
 - b) 50.0 m (164 ft) from any other Portable Sign;
 - c) 6.0 m (19.7 ft) from any access; and
 - d) 15.0 m (48 ft) from any property line shared with another parcel or site;
 - e) 5.0 m (16 ft) from a hydrant;
 - f) 1.5 m (5 ft) from the front property line;
 - g) 10.0 m (33 ft) from any intersection whether controlled or uncontrolled;
 - h) 5.0 m (16 ft) from a hydrant; and
 - i) 10.0 (33 ft) m from the lot line that abuts another lot other than a residential lot.
6. A Changeable Copy, Manual, Portable Sign shall be limited to:
 - a) one (1) changeable copy sign per site where the total frontage is 50.0 m (164 ft) or less; or
 - b) a maximum of two (2) changeable copy signs per site where the total frontage is greater than 100.0 m (329 ft).
7. The maximum length of a permit for a portable sign shall:
 - a) be sixty (60) days with the maximum duration of display per business for each portable sign being sixty (60) days, three (3) times per year;
 - b) not remain at one (1) location for more than sixty (60) consecutive days at one time;
 - c) no permit may be applied for more than thirty (30) days in advance of the date of placement;
 - d) upon expiry, the Development Authority shall require a new application for the Portable Sign. There shall be no obligation for the Development Authority to approve a permit on the basis that a previous permit had been issued;
 - e) a Portable Sign located within a road right of way or any other public property shall be used only for public notice as required by municipal, provincial or federal legislation and shall:
 - i) comply with the requirements of this Bylaw;
 - ii) be placed no more than seven (7) days prior to an activity or event;
 - iii) be allowed to remain in the right of way throughout the duration of the event; and
 - iv) be removed within twenty-four (24) hours following the conclusion of the event or activity.
8. A Portable Sign shall not be permitted to be located on:
 - a) a vacant or undeveloped parcel; and

- b) a parcel that contains, and has been approved for, Changeable Copy, Manual or Electronic Message Features.
- 9. A portable sign or changeable copy sign shall not interfere with site lines, any traffic control device; or impede on traffic or pedestrian movements at any time.

5.11.3 Construction Sign

- 1. A Construction Sign may be placed on site no sooner than fourteen (14) days prior to commencement of construction.
- 2. A Construction Sign shall:
 - a) be limited to four (4) signs per parcel; and
 - b) be removed within seven (7) days following construction completion.
- 3. A Construction Sign for new construction, for a site with frontage of 30.0 m or less, shall:
 - a) have a maximum height of 3.0 m (9.8 ft); and
 - b) have a maximum area of 2.8 m² (30 ft²).
- 4. A construction sign for new construction, for a site with frontage greater than 30.0 m (98 ft), shall:
 - 1. have a maximum height of 4.0 m (13 ft); and
 - 2. have a maximum area of 6.0 m² (64.6 ft²).

5.11.4 Future Development Sign

- 1. A Future Development Sign is a temporary sign and may be placed on a site where a permit has been approved for development or where a Development Agreement has been signed by the Town.
- 2. A Future Development Sign relating to new construction shall:
 - c) for a site with a frontage of 30.0 m (98 ft) or less:
 - i) have a maximum height of 3.0 m (9.8 ft); and
 - ii) have a maximum sign area of 2.8 m² (30 ft²).
 - d) for a site with a frontage greater than 30.0 m, a maximum of two (2) signs shall be permitted; and
 - i) have a maximum height of 4.0 m; and
 - ii) have a maximum sign area of 6.0 m²

- e) maintain the following setbacks:
 - i) 6.0 m (19.7 ft) from any property line or intersection.
- 3. A Future Development Sign shall be located at the entrance to a lot or site and shall:
 - a) have a maximum height of 3.0 m (9.8 ft);
 - b) have a maximum sign area of 5.0 m² (54 ft²);
 - c) have a maximum width of 3.0 m (9.8 ft);
 - d) have a maximum copy area of 75%;
 - e) not include an Electronic Message Feature or changeable display feature;
 - f) be secured or anchored at all times;
 - g) not be located on a vacant or undeveloped lot or site;
 - h) incorporate landscaping where required by the Development Authority; and
 - i) not interfere with any traffic movements or sight lines.
- 4. A future development sign shall not exceed a maximum of:
 - a) two (2) signs per lot or site with a frontage of 90.0 m (295 ft) or less; and
 - b) three (3) signs per lot or site with a frontage greater than 90.0 m (295 ft).
- 5. Any permit issued for an entrance sign is valid for two (2) years from the date of approval.

5.11.5 Garage Sale Signs

- 1. A garage sale sign shall not require a sign permit but must comply with the regulations of this Bylaw; and
 - a) there be no more than three (3) signs per garage sale event;
 - b) all signs are self-supporting;
 - c) shall not be placed on municipal poles, mailboxes or any other freestanding structure;
 - d) sign size does not exceed 0.37 m² (3.98 ft²);
 - e) contain the address of where the sale is taking place and the dates of the sale only; and
 - f) signs are removed no later than twenty-four (24) hours following the garage sale event.

5.11.6 Inflatable Sign

- 1. An Inflatable Sign shall only be located on a parcel that is within the C-2, C-3, C-4, CMU, DC-3, I-1 and I-2 land use districts.
- 2. Despite Part 5.11.6.(1), an Inflatable Sign shall not be located on a parcel adjacent to Queen Elizabeth II and Highway 597; and

- a) maintain a minimum setback of 100 m (328 ft) measured from the base of the Inflatable Sign to the boundary of any parcel within residential land use districts.
 - b) maintain a minimum separation of 5.0 m (16.4 ft) from any other sign on-site;
 - c) not be located within any required parcel setback;
 - d) be securely attached or anchored and must touch the surface to which it is anchored;
 - e) not interfere or obstruct access or sight lines to or from a site;
 - f) not exceed the maximum height permitted within the land use district, to a maximum of 14.0 m (46 ft); and
 - g) be limited to a maximum of one (1) inflatable sign per site.
3. An Inflatable Sign may be placed on a site and shall follow these additional guidelines:
- a) placement shall be for sixty (60) days with the maximum duration of display per business for each inflatable sign being sixty (60) days three (3) times per year;
 - b) must not remain at one location for more than sixty (60) consecutive days at one time;
 - c) no permit may be applied for more than thirty (30) days in advance of the date of placement;
 - d) upon expiry, the Development Authority shall require a new application for the Inflatable Sign. There shall be no obligation for the Development Authority to approve a permit on the basis that a previous permit had been issued.

5.11.7 Open House Sign, Real Estate Sign and Show Home Sign

1. A Show Home Sign shall only be placed on a site with an approved residential sales centre:
- a) for the purposes of this Part, a residential sales centre, on the parcel, may be a self contained temporary portable building or a dwelling unit in a Residential land use district.
2. There shall be a maximum of:
- a) two (2) Show Home Signs on a parcel less than 0.25 ha; or
 - b) four (4) Show Home Signs on a parcel greater than 0.25 ha.
3. The maximum combined sign area for all how home signs shall be:
- a) 3.0 m² (32 ft²) for a site less than 0.25 ha; or
 - b) 12.0 m² (129 ft²) for a site greater than 0.25 ha but less than 1.0 ha; or
 - c) 24.0 m² (258 ft²) for a site greater than 1.0 ha, however the maximum sign area for one (1) sign shall not exceed 6.0 m² (65 ft²).

4. The minimum setback from a lot line for a Show Home Sign shall be:
 - a) 3.0 m (9.8 ft) for a site less than 0.25 ha; and
 - b) 6.0 m (19.7 ft) for a site greater than 0.25 ha.
 - c) a Show Home Sign required for a dwelling unit shall maintain a minimum of 1.0 m (3.3 ft) from any property line.
5. The maximum height for a Show Home Sign shall be:
 - a) 3.0 m (9.8 ft) for a site less than 0.25 ha; and
 - b) 6.0 m (19.7 ft) for a site greater than 0.25 ha.
6. A Show Home Sign shall be removed upon the earlier of:
 - a) the completion of the subdivision for which it is advertising;
 - b) the removal of a temporary sales office for which it is advertising;
 - c) the residential occupancy of the show home for which it is advertising; or
 - d) within two (2) years from the date of approval of the Development Permit for a residential sales centre.
7. Flag Signs used for show home purposes shall not be included in the maximum number of Show Home Signs permitted for a site but are subject to the regulations of Part 5.9.6.
8. Show Home Signs on public or roadway rights of way shall not be permitted.

PART 6.0 LAND USE DISTRICTS

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6.1 Residential Single Dwelling Large Lot District (R-1L)

6.1.1 Purpose

To provide an area to accommodate low density residential development on large lots, and uses herein listed which are compatible and are connected to municipal services.

6.1.2 Permitted and Discretionary Uses (R-1L)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Detached Dwelling• Home Based Business 1• Home Based Business 2• Park	<ul style="list-style-type: none">• Accessory Suite• Accessory Use• Assisted Living Facility• Bed and Breakfast• Boarding or Lodging House• Daycare, Minor• Group Home• Home Based Business 2• Home Based Business 3• Live Work Unit• Manufactured Home• Modular Home• Moved in Dwelling• Public Utility Building• Residential Kennel• Residential Sales Centre• Senior Citizen Housing• Signs• Social Care Facility• Solar Energy Infrastructure

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following District regulations shall apply to all Development in this District.

6.1.3 District Regulations (R-1L)

The following regulations apply:

Minimum Front Yard	6.0 m (19.7 ft) except adjacent to a Collector Road, where it shall be 7.5 m
Minimum Side Yard	1.5 m (4.9 ft) except: <ul style="list-style-type: none"> a) adjacent to a Collector Road, where it shall be 4.5 m (14.9 ft); b) adjacent to a road, but not including a lane, where it shall be 3.0 m (9.8 ft) or as required by Alberta Building Code, whichever is greater. c) In a laneless subdivision, Part 3.23 shall also apply, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	<ul style="list-style-type: none"> • 7.5 m (24.7 ft) with an attached garage • 10.0 m (33 ft) without an attached garage • 12.5 m (41 ft) where it abuts a major Collector
Minimum Parcel Area	<ul style="list-style-type: none"> • Interior Parcels – 550.0 m² (5920 ft²) • Corner Parcels – 600.0 m (6458 ft²)
Minimum Parcel Width	<ul style="list-style-type: none"> • Interior Parcels – 15.0 m (49 ft) • Corner Parcels – 16.5 m (54 ft)
Maximum Parcel Coverage	40% (excludes driveways and grade level open decks)
Maximum Building Height	Two (2) Storeys with a maximum overall height of 10.0 m (33 ft)
Laneless Parcels	Where no lane exists, one (1) side yard shall not be less than: <ul style="list-style-type: none"> a) 1.5 m (4.9 ft) in the case of a detached dwelling with an attached garage; b) 3.0 m (9.8 ft) in the case of a detached dwelling without an attached garage.

6.2 Residential Single Dwelling Medium Lot District (R-1M)

6.2.1 Purpose

To provide an area to accommodate low density residential development on medium lots and other uses herein listed, which are compatible and connected to municipal services.

6.2.2 Permitted and Discretionary Uses (R-1M)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Detached Dwelling• Home Based Business 1• Home Based Business 2• Park	<ul style="list-style-type: none">• Accessory Suite• Accessory Use• Assisted Living Facility• Bed and Breakfast• Boarding or Lodging House• Daycare, Minor• Group Home• Home Based Business 3• Manufactured Home• Modular Home• Moved in Dwelling• Parking Facility• Public Utility Buildings• Residential Kennel• Residential Sales Centre• Senior Citizen Housing• Signs• Social Care Facility• Solar Energy Infrastructure

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following District regulations shall apply to all Development in this District.

6.2.3 District Regulations (R-1M)

The following regulations apply:

Minimum Front Yard	6.0 m (19.7 ft) except adjacent to a Collector Road, where it shall be 7.5 m (24.6 ft)
Minimum Side Yard	1.5 m (5 ft) except: <ul style="list-style-type: none">a) adjacent to a Collector Road, where it shall be 4.5 m (14.8 ft);b) adjacent to a road, but not including a lane, where it shall be 3.0 m (9.8 ft) or as required by Alberta Building Code, whichever is greater.c) In a laneless subdivision, Part 3.23 shall also apply, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	<ul style="list-style-type: none">• 7.5 m (24.6 ft) with an attached garage• 10.0 m (33 ft) without an attached garage• 12.5 m (41 ft) where it abuts a major Collector Road
Minimum Parcel Area	<ul style="list-style-type: none">• Interior Parcels – 460.0 m² (4951 ft²)• Corner Parcels – 510.0 m (1673 ft)
Minimum Parcel Width	<ul style="list-style-type: none">• Interior Parcels – 12.5 m (41 ft)• Corner Parcels – 14.0 m (46 ft)
Maximum Parcel Coverage	40% (excludes driveways and grade level open decks)
Maximum Building Height	Two (2) Storeys with a maximum overall height of 10.0 m (33 ft)
Laneless Parcels	Where no lane exists, one (1) side yard shall not be less than: <ul style="list-style-type: none">c) 1.5 m (5 ft) in the case of a detached dwelling with an attached garage;d) 3.0 m (9.8 ft) in the case of a detached dwelling without an attached garage.

6.3 Residential Single Dwelling Small Lot District (R-1S)

6.3.1 Purpose

To provide an area to accommodate low density residential development on small lots and other uses herein listed which are compatible and all of which are connected to municipal services.

6.3.2 Permitted and Discretionary Uses (R-1S)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Detached Dwelling• Home Based Business 1• Home Based Business 2• Park	<ul style="list-style-type: none">• Accessory Suite• Accessory Use• Assisted Living Facility• Bed and Breakfast• Boarding or Lodging House• Daycare, Minor• Group Home• Home Based Business 2• Home Based Business 3• Live Work Unit• Public Utility Buildings• Manufactured Home• Modular Home• Moved in Dwelling• Recreation Facility, Indoor• Recreation Facility, Outdoor• Residential Kennel• Residential Sales Centre• Signs• Social Care Facility• Senior Citizen Housing• Solar Energy Infrastructure

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following District regulations shall apply to all Development in this District.

6.3.3 District Regulations (R-1S)

The following regulations apply:

Minimum Front Yard	6.0 m (19.7 ft) except adjacent to a Collector Road, where it shall be 7.5 m (24.6 ft)
Minimum Side Yard	1.5 m (5 ft) except: a) adjacent to a Collector Road, where it shall be 4.5 m (15 ft); b) adjacent to a road, but not including a lane, where it shall be 3.0 m (10 ft) or as required by Alberta Building Code, whichever is greater. c) In a laneless subdivision, Part 3.23 shall also apply, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	<ul style="list-style-type: none">• 7.5 m (24.6 ft) with an attached garage• 10.0 m (32.8 ft) without an attached garage• 12.5 m (41 ft) where it abuts a major Collector Road
Minimum Parcel Area	<ul style="list-style-type: none">• Interior Parcels – 360.0 m² (3875 ft²)• Corner Parcels – 410.0 m (1345 ft)
Minimum Parcel Width	<ul style="list-style-type: none">• Interior Parcels – 10.5 m (34.4 ft)• Corner Parcels – 11.5 m (37.7 ft)
Maximum Parcel Coverage	50% (excludes driveways and grade level open decks)
Maximum Building Height	Two (2) Storeys with a maximum overall height of 10.0 m (32.8 ft)
Laneless Parcels	Where no lane exists, one (1) side yard shall not be less than: a) 1.5 m (4.9 ft) in the case of a detached dwelling with an attached garage; b) 3.0 m (9.8 ft) in the case of a detached dwelling without an attached garage.

6.4 Residential Manufactured Home Park District (R-MHP)

6.4.1 Purpose

To provide an area for manufactured homes and other uses herein listed in a comprehensively designed park wherein sites are rented or owned as part of a registered condominium plan, connected to municipal services. The District will be applied in areas where there will be no negative impact in existing land uses and where there is access to a variety of community services and facilities.

6.4.2 Permitted and Discretionary Uses (R-MHP)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Manufactured Home• Home Based Business 1• Home Based Business 2• Park	<ul style="list-style-type: none">• Accessory Use• Parking Facility• Public Utility Building• Residential Kennel• Residential Sales Centre• Solar Energy Infrastructure• Signs

1. A Development Permit application shall be provided for each manufactured home or manufactured home addition within a manufactured home park.
2. Any additions or expansions to a manufactured home within a park shall have a foundation, structure, and appearance the same as, or consistent with the manufactured home.
3. For the purposes of this District, "Lot" means the total area of land reserved for the placement of a manufactured home and for the exclusive use of its occupants.
4. In addition to the Regulations contained in Part 3, General Regulations, Part 4, Specific Use Regulations and Part 5, Signs, the following regulations shall apply to all Development in this District:

6.4.3 District Regulations (R-MHP)

The following regulations apply:

Maximum Gross Density	17 Manufactured Homes/ha (7 ac)
Maximum Park Area	2.0 ha
Minimum Setback Requirements	<ol style="list-style-type: none"> The following setbacks shall be maintained: <ol style="list-style-type: none"> 4.5 m (14.8 ft) from park boundary; 3.0 m (9.8 ft) from internal access road or common parking area; 6.0 m (19.7 ft) from front lot line; 1.5 m (4.9 ft) from side lot line; 3.0 m (9.8 ft) from rear lot line. 4.88 m (16 ft) models shall provide one (1) side yard of a minimum of 4.5 m (14.8 ft). Models larger than 4.88 m (16 ft) shall provide a minimum rear yard of 6.0 m (19.7 ft). All attached structures shall maintain a minimum 1.5 m (4.9 ft) from any lot line.
Maximum Lot Area	As determined by the Development Authority meeting all requirements of this District.
Minimum Parcel Width	<ul style="list-style-type: none"> Interior Parcels – 10.5 m (34.4 ft) Corner Parcels – 11.5 m (37.7 ft)
Maximum Parcel Coverage	45% (excludes driveways and grade level open decks)
Maximum Building Height	5.5 m (18 ft)
Minimum Manufactured Home Width	3.5 m (11.5 ft)
Minimum Manufactured Home Floor Area	80 m ² (861.1 ft ²)

Building Design and Character:

Skirting or any attached structure shall be fabricated to complement the exterior finish of the manufactured home and be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home. Each manufactured home shall be levelled, blocked, and skirted, within (thirty) 30 days of being placed on a lot so that the entire undercarriage, hitch and support structures are concealed from view.

Amenity / Recreation Area:

For the enjoyment of all residents of the development, an amenity/recreation space shall be provided and designed in accordance with a recreation site plan and located in a suitable area approved by the Development Authority. This plan may include outdoor, indoor or a combination of both and shall be a minimum of 10% of the total area of a manufactured home park.

Landscaped Area:

Any area not developed or occupied by park roadways, walkways, driveways, buildings or other developed buildings or facilities shall be landscaped.

Perimeter landscaping of an area not less than 3.0 m (9.8 ft) in width between any manufactured home lot and park boundary line shall be required. Fencing or screening may be required at the discretion of the Development Authority within the 3.0 m (9.8 ft) perimeter. All height, materials and location shall be at the discretion of the Development Authority.

Walkways:

Internal walkways or paths shall be to the satisfaction of the Development Authority.

Access and Roadways:

Manufactured home parks greater than fifty (50) units shall have two (2) separate means of access within the development area. All internal roadways shall meet the minimum standards of the Town of Blackfalds.

Storage Areas:

All storage areas, separate from the manufactured home lot, shall be provided for storage of seasonal recreational equipment. Such storage areas shall be adequately screened with all storage areas having an area of not less than 20.0 m² (215.3 ft²) per manufactured home lot.

6.5 Residential Multi-Dwelling District (R-2)

6.5.1 Purpose

To provide an area to accommodate medium density residential development typically comprised of two (2) to four (4) attached dwellings and uses herein listed which are compatible and connected to municipal services.

6.5.2 Permitted and Discretionary Uses (R-2)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Duplex• Home Based Business 1• Row Housing	<ul style="list-style-type: none">• Accessory Use• Assisted Living Facility• Bed and Breakfast, in Detached Dwelling only• Daycare, Minor• Detached Dwelling• Group Home• Home Based Business 2• Home Based Business 3• Multiple Housing Development• Parks• Parking Facility• Public Utility Building• Residential Sales Centre• Senior Citizen Housing• Signs• Social Care Facility

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following regulations shall apply to all Development in this District.
2. In accordance with the Downtown Revitalization Plan, Mixed Use Development, as a discretionary use, may be considered by the Development Authority subject to all provisions of this Bylaw, affecting the following:
 - a) Lots 1 through 8 (inclusive), Block 6, Plan 5629HW and
 - b) Lots 25 through 40 (inclusive) Plan RN17A:

3. Notwithstanding 6.5.2 (2) the following shall apply:
- Development Plans illustrating the development of the site, the architectural treatment of all buildings, landscaping, lighting, parking and access shall be prepared to the satisfaction of the Development Authority.
 - Dwelling units shall be located only on a second floor and shall have a separate entrance from non-residential elements of the site/
 - All outside loading, unloading, and parking spaces shall be located at the side or rear of the building and be visually screened from view from any adjacent streets or adjacent residential areas to the satisfaction of the Development Authority.
 - The Development Authority may require satisfactory screening to reduce any impact a use in this District may have on adjacent properties. Screening may include fencing, building placement, landscaping, or a combination of these items.
 - Setbacks shall be consistent with the land use district.
 - Maximum height shall be determined by the Development Authority having regard for the site, appearance, and massing of adjacent residential properties.
 - Commercial uses shall be restricted to Commercial Services Facility; Food Service, Restaurant; Retail, General; and Office uses.

6.5.3 District Regulations (R-2)

The following regulations apply:

Minimum Front Yard	6.0 m (19.7 ft) except adjacent to a Collector Road, where it shall be 7.5 m (24.6 ft)
Minimum Side Yard	1.5 m (4.9 ft) except: <ol style="list-style-type: none"> adjacent to a Collector Road, where it shall be 4.5 m (14.8 ft); adjacent to a road, but not including a lane, where it shall be 3.0 m (9.8 ft) or as required by Alberta Building Code, whichever is greater. In a laneless subdivision, Part 3.23 shall also apply, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	7.5 m (24.6 ft) except when adjacent to a Collector Road, where it shall be 10.0 m (32.8 ft).
Minimum Parcel Area	<p><u>Duplex</u></p> <ul style="list-style-type: none"> Interior Parcels – 280.0 m² (3013.9ft²) Corner Parcels – 330.0 m² (3553 ft²) <p><u>Row Housing</u></p> <ul style="list-style-type: none"> Interior Parcels – 185.0 m² (1991.3 ft²) Corner Parcels – 220.0 m² (2368.1 ft²)

	<p><u>Row Housing (Fourplex)</u></p> <ul style="list-style-type: none"> • Interior Parcels – 200.0 m² (2152.8 ft²) • Corner Parcels – 275.0 m² (2960.1 ft²) <p><u>Social Care Facility</u></p> <ul style="list-style-type: none"> • Interior Parcels – 280.0 m² (3013.9 ft²) • Corner Parcels – 330.0 m² (3552.1 ft²)
Maximum Parcel Coverage	55% (excludes driveways and grade level open decks)
Maximum Building Height	<p>Row Housing and Multiple Housing Development</p> <p>Flat Roof: 10.0 m (33 ft)</p> <p>Sloped Roof: 12.5 m (41 ft)</p> <p>(Maximum three (3) Storeys above grade)</p>
Laneless Parcels	<p>Where no lane exists, and for Detached Dwelling, Duplex and Row Housing, both side yards shall not be less than:</p> <ul style="list-style-type: none"> c) 1.5 m (4.9 ft) in the case with an attached garage; d) 3.0 m (9.8 ft) in the case of without an attached garage.

6.6 Residential Medium Density District (R-3)

6.6.1 Purpose

To provide an area to accommodate medium density residential development with shared amenity spaces and other uses herein listed which are compatible and connected to municipal services.

6.6.2 Permitted and Discretionary Uses (R-3)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Apartment• Home Based Business 1• Multiple Housing Development	<ul style="list-style-type: none">• Accessory Use• Assisted Living Facility• Group Home• Home Based Business 2• Park• Parking Facility• Public Utility Building• Residential Sales Centre• Senior Citizen Housing• Signs• Social Care Facility• Solar Energy Infrastructure

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following District regulations shall apply to all Development in this District.

6.6.3 District Regulations (R-3)

The following regulations apply

Minimum Front Yard	<p><u>Social Care Facility / Senior Citizen Housing</u></p> <ul style="list-style-type: none"> 6.0 m (19.7 ft) except adjacent to a Collector Road, where it shall be 7.5 m (24.6 ft) <p><u>Apartment</u></p> <ul style="list-style-type: none"> 7.5 m (24.6 ft)
Minimum Side Yard	<p>3.0 m except:</p> <ol style="list-style-type: none"> adjacent to a Collector Road, where it shall be 4.5 m (14.8 ft); as required by Alberta Building Code, whichever is greater.
Minimum Rear Yard	<p>7.5 m (24.6 ft) except when adjacent to a Collector Road, where it shall be 10.0 m (32.8 ft).</p>
Minimum Parcel Area	<p>3,035.14 m² (0.30 ha)</p>
Maximum Parcel Area	<p>4.32 ac (1.75 ha)</p>
Dwelling Unit Density	<p>45 units / hectare or 18 units per acre</p>
Maximum Parcel Coverage	<p><u>Social Care Facility / Senior Citizen Housing</u></p> <ul style="list-style-type: none"> 55% (excludes driveways) <p><u>Apartment</u></p> <ul style="list-style-type: none"> 75% (excludes driveways)
Maximum Building Height	<p><u>Social Care Facility / Senior Citizen Housing</u></p> <ul style="list-style-type: none"> 10.0 m (32.8 ft) <p><u>Apartment</u></p> <ul style="list-style-type: none"> 12.0 m (39.4 ft)
Minimum Landscaped Area	<p>30% (Apartment, Multiple Housing Development, Assisted Living Facility, Senior Citizen Housing and Social Care Facility).</p>

<p>Amenity Area</p>	<p>Amenity areas may consist of a single area or be divided into multiple areas. The Amenity Area shall include outdoor open space that provides an area for unstructured passive or active recreation to the satisfaction of the Development Officer and includes two or more of the following:</p> <ul style="list-style-type: none"> • Playground equipment • Benches, picnic tables, or other form of seating • Gazebo or other shelter • Patio • Courtyards • Gardens • Other recreational or amenity uses that would satisfy the needs of the residents for the Development. <p>Each Apartment unit shall provide a private outdoor amenity space of not less than 4.5 m² (48.4 ft²) in area.</p>
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6.7 Residential High Density District (R-4)

6.7.1 Purpose

To provide an area for high density residential development with shared amenity spaces and other uses herein listed which are compatible and connected to municipal services.

6.7.2 Permitted and Discretionary Uses (R-4)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Apartment• Home Based Business 1• Multiple Housing Development• Row Housing• Stacked Row Housing	<ul style="list-style-type: none">• Assisted Living Facility• Boarding or Lodging House• Group Home• Home Based Business 2• Live Work Unit• Mixed Use Development• Multiple Housing Development with Commercial Use• Park• Public Facility• Public Utility Building• Residential Sales Centre• Senior Citizen Housing• Signs• Social Care Facility• Solar Energy Infrastructure

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following District regulations shall apply to all Development in this District.

6.7.3 District Regulations (R-4)

The following regulations also apply:

Minimum Front Yard	6.0 m (19.7 ft) except adjacent to a Collector Road, where it shall be 7.5 m (24.6 ft)
Minimum Side Yard	<u><i>Apartments</i></u> 3.0 m (9.8 ft) except where it abuts a road other than a lane, it shall be 3.5 m (11.5 ft) or as required in the Alberta Building Code, whichever is greater. <u><i>Row Housing; Multiple Housing Development (End Units)</i></u> 1.5 m (4.9 ft) except where it abuts a road other than a lane, it shall be 2.75 m (9 ft).
Minimum Rear Yard	7.5 m (24.6 ft) except when adjacent to a Collector Road, where it shall be 10.0 m (32.8 ft).
Minimum Parcel Area	0.50 ha
Landscaping Area	A minimum of 30% of the site shall be landscaped.
Dwelling Unit Density	80 units / ha
Maximum Parcel Coverage	75%
Maximum Building Height	The lessor of four (4) storeys or 17 m.

Amenity / Recreation Area:

An amenity area for the enjoyment of residents of the development including hard and soft landscaped areas and recreational areas in a suitable location shall be incorporated into the plans.

Building Design and Character:

Row Housing and Multiple Housing Developments may provide for front attached garages and unique front facades that are aesthetically appealing.

If in the opinion of the Development Authority, the construction of any building which will adversely affect the amenities of the surrounding area or buildings, the Development Authority may, subject to Part 2.17, refuse permission for development.

Parking Areas:

To mitigate the dominance of front parking areas, no part of a front yard of a site developed with a Row Housing or Multiple Housing Development shall be utilized for vehicle parking.

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6.8 Residential High Density District (R-5)

6.8.1 Purpose

To provide an area for multi-unit residential developments at a higher density and any other uses, herein listed, all of which are connected to municipal services.

6.8.2 Permitted and Discretionary Uses (R-5)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Apartment• Home Based Business 1• Park	<ul style="list-style-type: none">• Accessory Building• Accessory Use• Assisted Living Facility• Home Based Business 2• Mixed Use Development• Multiple Housing Development with Commercial Use• Parking Facility• Public Utility• Residential Sales Office• Signs• Social Care Residence• Solar Energy Infrastructure

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following regulations shall apply to all Development in this District.

Amenity / Recreation Area:

An amenity area for the enjoyment of residents of the development including hard and soft landscaped areas and recreational areas in a suitable location shall be incorporated into the plans.

Amenity areas may consist of a single area or be divided into multiple areas. The Amenity Area shall include outdoor open space that provides an area for unstructured passive or active recreation to the satisfaction of the Development Officer and includes two or more of the following:

- Playground equipment
- Benches, picnic tables, or other form of seating
- Gazebo or other shelter
- Patio
- Courtyards
- Gardens

Other recreational or amenity uses that would satisfy the needs of the residents for the Development.

Each Apartment unit shall provide a private outdoor amenity space of not less than 4.5 m² (48.4 ft²) in area.

Parking Areas:

To mitigate the dominance of front parking areas, no part of a front yard of a site developed with an Apartments, Row Housing or Multiple Housing Development shall be utilized for vehicle parking.

6.8.3 District Regulations (R-5)

The following regulations also apply:

Minimum Front Yard	6.0 m (19.7 ft) except adjacent to a Collector Road, where it shall be 7.5 m (24.6 ft)
Minimum Side Yard	3.0 m (9.8 ft) except where it abuts a road other than a lane it shall be 3.65 m (12 ft), or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	7.5 m (24.6 ft) except when adjacent to a Collector Road, where it shall be 10.0 m (32.8 ft).
Minimum Parcel Area	0.75 ha
Landscaping Area	Minimum 30%
Dwelling Unit Density	150 units/ha or 60 units/ac
Maximum Parcel Coverage	75%
Maximum Building Height	The lessor of four (4) storeys or 17.0 m.

6.9 Commercial Central District (C-1)

6.9.1 Purpose

To provide an area for a variety of smaller commercial opportunities, which will create an attractive pedestrian friendly environment while promote organized redevelopment of the area in alignment with the Downtown Revitalization Plan.

6.9.2 Permitted and Discretionary Uses (C-1)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Business Support Service• Commercial Service Facility• Daycare, Minor• Drinking Establishment• Farmers Market• Food Service, Restaurant• Health Services• Hotel• Light Equipment Sales, Service and Rental• Live Work Unit• Mixed Use Development• Motel• Office• Park• Patio• Pawnshop• Public Market• Retail, Convenience• Retail, General• Recreation Facility, Commercial	<ul style="list-style-type: none">• Accessory Use• Automotive Service• Brewpub• Building, Moved In• Bus Depot• Cannabis Lounge• Commercial School• Daycare, Major• Food Service, Specialty• Funeral Home with Crematorium• Greenhouse, Minor• Parking Facility, for Uses Listed• Recreational Facility, Commercial• Public Utility Building• Retail, Adult• Retail, Cannabis• Signs• Solar Energy Infrastructure

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following regulations shall apply to all Development in this District:
 - a) notwithstanding the provisions of Part 5, Signs, all signage in the district shall be in accordance with the Downtown Revitalization Plan.

2. Structural alterations and additions to existing buildings shall be developed in accordance with the Downtown Revitalization Plan where possible and this Bylaw to the satisfaction of the Development Authority.
3. Home Based Business uses shall be allowed as an interim use within buildings used for residential purposes until redevelopment takes place; and are subject to meeting the requirements as outlined in this Land Use Bylaw.
4. Automotive Service: The Development Authority shall limit this use to Lot 1, Block 1 Plan 802 1468, if in the opinion the proposed use will not negatively impact the Downton area and will not result in a negative impact on adjacent properties.
5. Screening: In this District, the Development Authority may require additional screening to reduce any impact a use may have on adjacent properties or from public roadways. Screening, in accordance with 3.15, may include, but not be limited to fencing, building placement, landscaping, or any combination thereof.
6. Shipping Containers: The Development Authority shall prohibit the use of shipping containers as Accessory Buildings or Accessory Uses in this District.

6.9.3 District Regulations (C-1)

The following regulations also apply:

Minimum Front Yard	nil
Minimum Side Yard	nil, or as required by the Alberta Building Code, whichever is greater.
Minimum Rear Yard	Shall provide for parking and loading spaces in accordance with Part 3.19.
Maximum Parcel Coverage	100%, provided that parking and loading spaces are provided as required in Part 3.19.
Maximum Building Height	17.0 m (55.8 ft)
Dwelling Unit Entrance	Dwelling units above the ground floor shall have an entrance separate from the entrance to any commercial component of the building.
Building Design	<ul style="list-style-type: none">• All mechanical equipment on a roof shall be screened from view of adjoining roads and residential districts.• First storey windows or doors abutting a sidewalk shall be covered by an awning or canopy which is at least 2.0 m (6.6 ft) above the sidewalk, where there are residential units above.
Laneless Parcels	On a laneless parcel in a Commercial district, one (1) side yard shall not be less than 6.0 m (19.7 ft). This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0 m (39.4 ft).

6.10 Commercial Highway District (C-2)

6.10.1 Purpose

To provide an area for commercial uses and other uses, herein listed, which are compatible with the area, adjacent to a major thoroughfare, which may require large open areas for parking by clientele, for display of merchandise, or both which will create an attractive environment primarily accessible to motor vehicles.

6.10.2 Permitted and Discretionary Uses (C-2)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Automotive Service• Automotive Sales and Rental• Business Support Service• Car Wash• Commercial Service Facility• Daycare, Minor• Daycare, Major• Drive-Through Business• Food Service, Restaurant• Food Service, Specialty• Gas Bar• Health Services• Hotel• Light Equipment Sales, Service and Rental Shop• Motel• Manufactured and Modular Homes Sales and Service• Office• Park• Retail, Convenience• Retail, General• Recreation Facility, Indoor• Recreation Vehicle Sales, Rental and Service\• Veterinary Clinic	<ul style="list-style-type: none">• Accessory Use• Adult Entertainment Establishment• Brewpub• Bus Depot• Building Supply and Lumber Outlet• Commercial School• Community Facility• Drinking Establishment• Funeral Home with or without Crematorium• Farm Equipment Sales and Service Outlet• Landscaping Sales• Mixed Use Development• Parking Facility for uses listed• Public Facility• Parking Utility• Public Market• Recreational Facility, Outdoor• Religious Assembly• Retail, Adult• Retail, Cannabis• Pawnshop• Signs

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following regulations shall apply to all Development in this District.

6.10.3 District Regulations (C-2)

The following regulations also apply:

Minimum Front Yard	9.0 m (29.5 ft)
Minimum Side Yard	3.0 m (9.8 ft) or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	6.0 m (19.7 ft)
Minimum Parcel Width	15.0 m (49 ft) adjacent to a service or local road.
Maximum Parcel Coverage	80%
Maximum Building Height	17.0 m (55.8 ft)
Building Design	All mechanical equipment on a roof shall be screened from view of a highway, arterial road and residential districts.
Laneless Parcels	On a laneless parcel in a Commercial district, one (1) side yard shall not be less than 6.0 m (19.7 ft). This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0 m (39.4 ft).

6.11 Commercial Local District (C-3)

6.11.1 Purpose

To facilitate the development of local convenience trade centres to serve adjacent to residential neighbourhoods or non-commercial areas only.

6.11.2 Permitted and Discretionary Uses (C-3)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Car Wash• Commercial Service Facility• Daycare, Minor• Food Service, Restaurant• Food Service, Specialty• Gas Bar• Retail, General• Retail, Convenience• Recreation Facility, Indoor• Office	<ul style="list-style-type: none">• Accessory Use• Daycare, Major• Live Work Unit• Recreation Facility, Indoor• Public Facility• Signs

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following regulations shall apply to all Development in this District.

6.11.3 District Regulations (C-3)

The following regulations also apply:

Minimum Front Yard	6.0 m (19.7 ft)
Minimum Side Yard	1.5 m (4.9 ft) except adjacent to a residential parcel, where it shall be 3.0 m (9.8 ft).
Minimum Rear Yard	3.0 m (9.8 ft)
Minimum Parcel Area	0.2 ha
Maximum Parcel Coverage	80%
Maximum Building Height	8.5 m (28 ft)
Building Design	All mechanical equipment on a roof shall be screened from view of a highway, arterial road and residential districts.
Laneless Parcels	On a laneless parcel in a Commercial district, one (1) side yard shall not be less than 6.0 m (19.7 ft). This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0 m (39.4 ft).

6.12 Business Park District (C-4)

6.12.1 Purpose

To provide a broad range of commercial uses in a business park that create a diverse and walkable business park, comprehensively designed on a single site that are complementary of each other.

6.12.2 Permitted and Discretionary Uses (C-4)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Business Support Service• Commercial School• Commercial Service Facility• Daycare, Minor• Food Service, Restaurant• Health Service• Office• Retail, Convenience• Retail, General• Veterinary Clinic• Veterinary Hospital	<ul style="list-style-type: none">• Accessory Use• Brewpub• Daycare, Major• Drinking Establishment• Food Service, Specialty• Park• Patio• Public Utility Building• Recreation Facility, Commercial• Retail, Adult• Retail, Cannabis• Signs• Solar Energy Infrastructure

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following regulations shall apply to all Development in this District.

6.12.3 District Regulations (C-4)

The following regulations also apply:

Minimum Front Yard	At the discretion of the Development Authority
Minimum Side Yard	At the discretion of the Development Authority
Minimum Rear Yard	At the discretion of the Development Authority
Minimum Parcel Width	15.0 m (49.2 ft)
Maximum Parcel Coverage	70%
Maximum Building Height	<u>Flat Roof Buildings</u> <ul style="list-style-type: none">• 9.5 m (31.2 ft) <u>Pitched Roof Buildings</u> <ul style="list-style-type: none">• 12.0 m (39.4 ft)
Building Design	All mechanical equipment on a roof shall be screened from view from any public roadway and adjacent land uses.
Laneless Parcels	On a laneless parcel in a Commercial district, one (1) side yard shall not be less than 6.0 m (19.7 ft). This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0 m 39.4 ft).
Landscaping	At the Discretion of the Development Authority
Outdoor Storage	None permitted

6.13 Commercial Mixed Use District (CMU)

6.13.1 Purpose

To provide a site that is comprehensively designed to encourage a mixture of commercial and residential and other uses herein listed that are complimentary of each other.

6.13.2 Permitted and Discretionary Uses (CMU)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Business Support Service• Commercial Service Facility• Home Based Business 1• Daycare, Minor• Food Service, Restaurant• Food Service, Specialty• Health Service• Mixed Use Development• Office• Recreation Facility, Indoor• Retail, Convenience• Retail, General• Park	<ul style="list-style-type: none">• Accessory Building• Accessory Use• Car Wash• Apartment• Daycare, Major• Gas Bar• Public Utility• Recreation Facility, Commercial• Signs

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following regulations shall apply to all Development in this District.

6.13.3 District Regulations (CMU)

The following regulations also apply:

Minimum Front Yard	nil or at the discretion of the Development Authority, taking into consideration the amenities of adjacent properties.
Minimum Side Yard	At the discretion of the Development Authority.
Minimum Rear Yard	At the discretion of the Development Authority.
Floor Area Ratio	At the discretion of the Development Authority.
Maximum Building Height	At the discretion of the Development Authority.
Density	For residential portion of the development the density shall not exceed 30 units/ha based on the total parcel area.
Outdoor Storage	none permitted
Laneless Parcels	On a laneless parcel in a Commercial district, one (1) side yard shall not be less than 6.0 m (19.7 ft). This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0 m (39.4 ft).

6.14 Industrial Light District (I-1)

6.14.1 Purpose

To provide an area for light industrial uses and other uses herein listed, compatible with the area which do not cause any objectionable or dangerous conditions beyond the parcel boundary.

6.14.2 Permitted and Discretionary Uses (I-1)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Automotive Service• Business Support Service• Car Wash• Contractor Operation, Minor• Commercial School• Office, for uses listed herein• Gas Bar• Light Equipment Sales, Service and Rental Shop• Manufactured and Modular Home Sales and Service• Greenhouse, Minor• Recreational Vehicle Sales, Rental and Service• Shipping Container• Recycle Depot• Retail, General (as Accessory Use)• Vehicle Sale/Rental• Veterinary Clinic• Veterinary Hospital• Warehouse Sales• Warehouse and Storage	<ul style="list-style-type: none">• Accessory Building• Animal Boarding or Breeding Facility• Auction Facility, No Livestock• Autobody Repair and Paint Shop• Automotive Sales and Rental• Brewpub• Building, Canvas Covered• Building, Moved In• Building Supply and Lumber Outlet• Bulk Fueling Depot• Business Service, Industrial• Cannabis Production and Distribution Facility• Communication Facility/Communication Tower• Contractor Operation, Major• Distribution Facility• Farm Equipment Sales and Service Outlet• Greenhouse, Major• Heavy Equipment Assembly, Sales and Service• Heavy Vehicle and Equipment Wash Facility• Industrial Training School• Landscaping Sales and Service• Municipal Shop and Storage Facility• Open Storage Yard• Outdoor Fabrication Units• Patio• Parking Facility for uses listed herein• Public Utility Building• Residential Security/Operator Unit• Signs• Solar Energy Infrastructure• Solid Waste Transfer Station

1. Any permitted use where, in the opinion of the Development Officer, there is a significant risk of interfering with the safety and amenity of adjacent and nearby parcels due to the nature of the site, materials or process that may create a significant nuisance, the use shall be considered a discretionary use.
2. In addition to the Regulations contained in Part 3, General Regulations, Part 4, Specific Use Regulations and Part 5, Signs, the following regulations shall apply to all Development in this District.

6.14.3 District Regulations (I-1)

The following regulations also apply:

Minimum Front Yard	9.0 m (29.5 ft)
Minimum Side Yard	3.0 m (9.8 ft)
Minimum Rear Yard	6.0 m (19.7 ft)
Minimum Parcel Width	15.0 m (49.2 ft)
Maximum Building Height	<p><u>Flat Roof Buildings</u></p> <ul style="list-style-type: none"> • 9.5 m (31.2 ft) <p><u>Pitched Roof Buildings</u></p> <ul style="list-style-type: none"> • 12.0 m (39.4 ft)
Density	For residential portion of the development the density shall not exceed thirty (30) units/ha based on the total parcel area.
Outdoor Storage	Shall be to a maximum of 30% if the site and shall be screened to the satisfaction of the Development Authority.
Laneless Parcels	On a laneless parcel in an Industrial district, one (1) side yard shall not be less than 6.0 m (19.7 ft). This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0 m (39.4 ft).

6.15 Industrial Heavy District (I-2)

6.15.1 Purpose

To provide an area for service, repair and manufacturing and processing and other heavy industrial uses, herein listed that are compatible with the area and which may cause objectionable conditions beyond the parcel boundary.

6.15.2 Permitted and Discretionary Uses (I-2)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Animal Boarding or Breeding Facility• Business Service, Industrial• Concrete Plant, Minor• Contractor Operation, Major• Farm Equipment, Sales & Service Outlet• Food Processing Facility• Industrial Training Facility• Greenhouse, Major• Heavy Equipment Assembly Sales and Service• Landscaping Sales and Service• Public Utility Building• Shipping Container	<ul style="list-style-type: none">• Accessory Building• Auction Facility, with Livestock• Building, Moved In• Building, Canvas Covered• Bulk Fuel Depot• Cannabis Production and Distribution• Communication Facility/Communication Tower• Concrete Plant, Major• Heavy Manufacturing and Processing Facility• Heavy Vehicle and Equipment Wash Facility• Industrial Training Facility• Municipal Shop and Storage Facility• Public Utility Building• Open Storage Yard• Outdoor Fabrication Units• Recycling Depot• Residential Security/Operator Unit• Signs• Solid Waste Transfer Station• Wrecking and Salvage Yard

1. Any permitted use where, in the opinion of the Development Officer, there is a significant risk of interfering with the safety and amenity of adjacent and nearby parcels due to the nature of the site, materials or process that may create a significant nuisance, the use shall be considered a discretionary use.

2. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following regulations shall apply to all Development in this District.

6.15.3 District Regulations (I-2)

The following regulations also apply:

Minimum Front Yard	9.0 m (29.5 ft)
Minimum Side Yard	3.0 m (9.8 ft)
Minimum Rear Yard	6.0 m (19.7 ft)
Minimum Parcel Width	15.0 m (49.2 ft)
Maximum Building Height	12.0 m (39.4 ft)
Maximum Parcel Coverage	80%, except adjacent to Highways 2 and 2A, Highway 597, or a Residential District, in which case it shall be 70%.
Outdoor Storage	Shall be screened by white vinyl fencing 1.83 m (6 ft) in height, and / or to the satisfaction of the Development Authority.
Laneless Parcels	On a laneless parcel in an Industrial district, one (1) side yard shall not be less than 6.0 m (19.7 ft). This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0 m (39.4 ft).

6.16 Public Facility District (PF)

6.16.1 Purpose

To provide an area for the development of public land for multi use facilities and other uses herein listed, for the benefit and enjoyment of the public.

6.16.2 Permitted and Discretionary Uses (PF)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Buildings• Accessory Uses• Campground• Cemetery• Community Facility• Information Centre• Daycare, Minor as Accessory Use• Information Centre• Public Market• Parks• Parking Facilities• Recreation Facility, Indoor• Recreation Facility, Outdoor• Religious Assembly• School	<ul style="list-style-type: none">• Community Facility• Daycare, Major as Accessory Use• Recycle Depot• Assisted Living Facility• Building, Moved In• Solid Waste Transfer Site• Farmers Market• Group Home• Signs• Municipal Shop and Storage Facility• Office as Accessory Use• Senior Citizen Housing• Social Care Facility• Solar Energy Infrastructure

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following regulations shall apply to all Development in this District.

6.16.3 Development Regulations (PF)

The following regulations also apply:

Minimum Front Yard	9.0 m (29.5 ft)
Minimum Side Yard	3.0 m (9.8 ft) or as required by the Alberta Building Code, whichever is greater.
Minimum Rear Yard	6.0 m (19.7 ft) except where a rear yard abuts a railway where no rear yard setback is required.
Minimum Parcel Width	15.0 m (49.2 ft)
Maximum Building Height	<u>Flat Roof Buildings</u> <ul style="list-style-type: none">• 11.5 m (37.8 ft) <u>Pitched Roof Buildings</u> <ul style="list-style-type: none">• 14.0 m (46 ft)
Maximum Parcel Coverage	70%
Outdoor Storage	Shall be screened by white vinyl fencing 1.83 m (6 ft) in height and / or to the satisfaction of the Development Authority.
Minimum Landscaping Requirement	As determined by the Development Authority

6.17 Environmental Open Space District (EOS)

6.17.1 Purpose

To provide an area for either the preservation of public land in its natural state, or for its development for benefit and enjoyment of the public.

6.17.2 Permitted and Discretionary Uses (EOS)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Campground• Cemetery• Community Facility• Farmers Market• Food Service, Mobile Catering• Information Centre• Park• Public Market• Public Utility Building• Recreation Facility, Outdoor	<ul style="list-style-type: none">• Accessory Use• Patio• Signs

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following regulations shall apply to all Development in this District.

6.17.3 Development Regulations (EOS)

The following regulations also apply:

Minimum Front Yard	9.0 m (29.5 ft)
Minimum Side Yard	3.0 m (9.8 ft) or as required by the Alberta Building Code, whichever is greater.
Minimum Rear Yard	6.0 m (19.7 ft) except where a rear yard abuts a railway where no rear yard setback is required.
Minimum Parcel Width	15.0 m (49.2 ft)
Maximum Building Height	<u>Flat Roof Buildings</u> <ul style="list-style-type: none">• 9.5 m (31.2 ft) <u>Pitched Roof Buildings</u> <ul style="list-style-type: none">• 12.0 m (39.4 ft)
Maximum Parcel Coverage	70%
Outdoor Storage	Shall be screened by white vinyl fencing 1.83 m (6 ft) in height and / or to the satisfaction of the Development Authority.
Minimum Landscaping Requirement	As determined by the Development Authority

6.18 Urban Reserve District (UR)

6.18.1 Purpose

To allow existing uses to continue until such time as the land is required for urban development.

6.18.2 Permitted and Discretionary Uses (UR)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">Existing uses	<ul style="list-style-type: none">Accessory Buildings to support existing usesAccessory Uses to support existing usesSigns

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following regulations shall apply to all Development in this District.

6.18.3 Development Regulations (UR)

The following regulations also apply:

Minimum Parcel Area	All the land contained in the existing Certificate of Title, unless otherwise approved by the Municipal Planning Commission, having regard to future use of the parcel and the form of future subdivision and development.
Outdoor Storage	Shall be screened with solid fencing, 1.83 m in height to the satisfaction of the Development Authority.

6.19 Agricultural District (AG)

6.19.1 Purpose

To allow existing uses to continue and to provide a guideline supporting a variety of agricultural operations and reserve land for future subdivision and development. Uses should not negatively impact or impede future urban subdivision and/or development.

6.19.2 Permitted and Discretionary Uses (AG)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Agricultural Building• Agriculture Uses• Detached Dwelling• Greenhouse, Minor• Home Based Business 1• Home Based Business 2• Manufactured Home	<ul style="list-style-type: none">• Accessory Use• Accessory Suite• Animal Boarding or Breeding Facility• Auction Facility, Livestock• Building, Canvas Covered• Building, Moved In• Business Service, Industrial• Bed & Breakfast• Campground• Communication Facility / Communication Tower• Farmer's Market• Food Processing & Manufacturing Facility• Food Service, Mobile Catering• Greenhouse, Major• Home Based Business 3• Landscape Sales• Moved in Dwelling• Public Utility• Public Utility Building• Residential Kennel• Signs• Solar Energy Infrastructure

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, the following regulations shall apply to all Development in this District.

6.19.3 Development Regulations (AG)

The following regulations also apply:

Minimum Parcel Area	All the land contained in the existing Certificate of Title area, unless otherwise approved by the Development Authority.
Floor Area	The minimum floor area for a dwelling until shall be not less than 83.61 m ² (899.97 ft ²).

Setbacks:

- a) Setbacks from right-of-ways shall be in accordance with this Bylaw.
- b) The setback from any property line adjoining a lot located in any other District in this Bylaw shall be a minimum of 22.86 m (75 ft).
- c) The setback from the property boundary in the Agricultural District shall be 7.62 m (25 ft).
- d) Where a lot adjoins a lake or river, no building shall be placed in the area outside the lot property lines as shown on the registered plan of subdivision or the original land survey, or on lands claimed by the Crown.

Objects Prohibited or Restricted in Yards

- a) No person shall keep in their yards:
 - i) any unlicensed, dismantled, wrecked or dilapidated vehicle, unless it is suitably housed or screened from view to the satisfaction of the Development Officer;
 - ii) any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the area;
 - iii) more than two (2) recreational vehicles on a regular basis, unless otherwise approved by the Development Authority, and/or
 - iv) a recreational vehicle that is used as permanent residence. However, a recreational vehicle may be used for living and sleeping accommodation by visitors on a temporary, short-term basis, no longer than two (2) weeks, or as temporary accommodation by the landowner(s) or their building contractor for a period not exceeding one (1) year following the issue of a Development Permit for the construction of a dwelling on the property and where arrangements, satisfactory to the Development Officer, have been made for the disposal of wastewater effluent.

PART 7.0 DIRECT CONTROL DISTRICTS

7.1 Purpose

This district will be for specific uses and regulations as decided by Council to accommodate specific designs for specific parcels of lands as approved by Council where control by other land use districts would be inadequate. In the creation of a Direct Control District, regard to the surrounding development, existing or future, and to the interest of the applicant and public are to be considered.

7.2 Application

1. The following conditions shall apply, if in the opinion of Council that:
 - a) the proposed development, having regard for the policies and objectives of the Municipal Development Plan and other applicable statutory the proposed development, is considered appropriate for the site;
 - b) using any other land use district of the Bylaw would result in a conflict with the character and scale of existing or future surrounding development when the full development potential of such a district would be utilized; or
 - c) the complexity, scale and character would require comprehensive planning and implementation; is unique or not contemplated or regulated reasonably by any other land use district.
2. In addition to the requirements of Part 2.3, the applicant shall provide supporting rationale explaining why a Direct Control District is appropriate for the site having regard for the conditions of application set out in Part 7.2.1; and
3. Any additional information that may be required by Council.

7.3 Uses

Where a Direct Control District is applied, all relevant uses in the Direct Control District shall be specified by Council.

7.4 Regulations

1. All development regulations shall be prescribed in the Bylaw applying the Direct Control District to the site.
2. Regulations of this Bylaw, as amended from time to time, shall apply to all development within Direct Control sites, unless such regulations are specifically excluded or revised by the Direct Control District.

7.5 Interpretation

1. Direct Control Districts shall be included in Schedule “A” of this Bylaw.
2. For approved Direct Control Districts in Part 7 not approved under this Land Use Bylaw, as amended, the terms are to be interpreted under the definitions and context of that Bylaw in which it was approved.

SCHEDULE “A”

Schedule	Direct Control District	Affected Lands	Referencing Bylaw
Part 8 A1	DC-1	Blocks 1 - 24 (Inclusive), Plan 092 3733 (Formerly Lot 97, Block 14, Plan 072 4357)	Bylaw 1072/08
Part 8 A2	DC-2	Lot 1A, Block 1, Plan 162 2461	Bylaw 1070/08
Part 8 A3	DC-3	Lot 2, Block 1, Plan 122 4194	Bylaw 1177/14

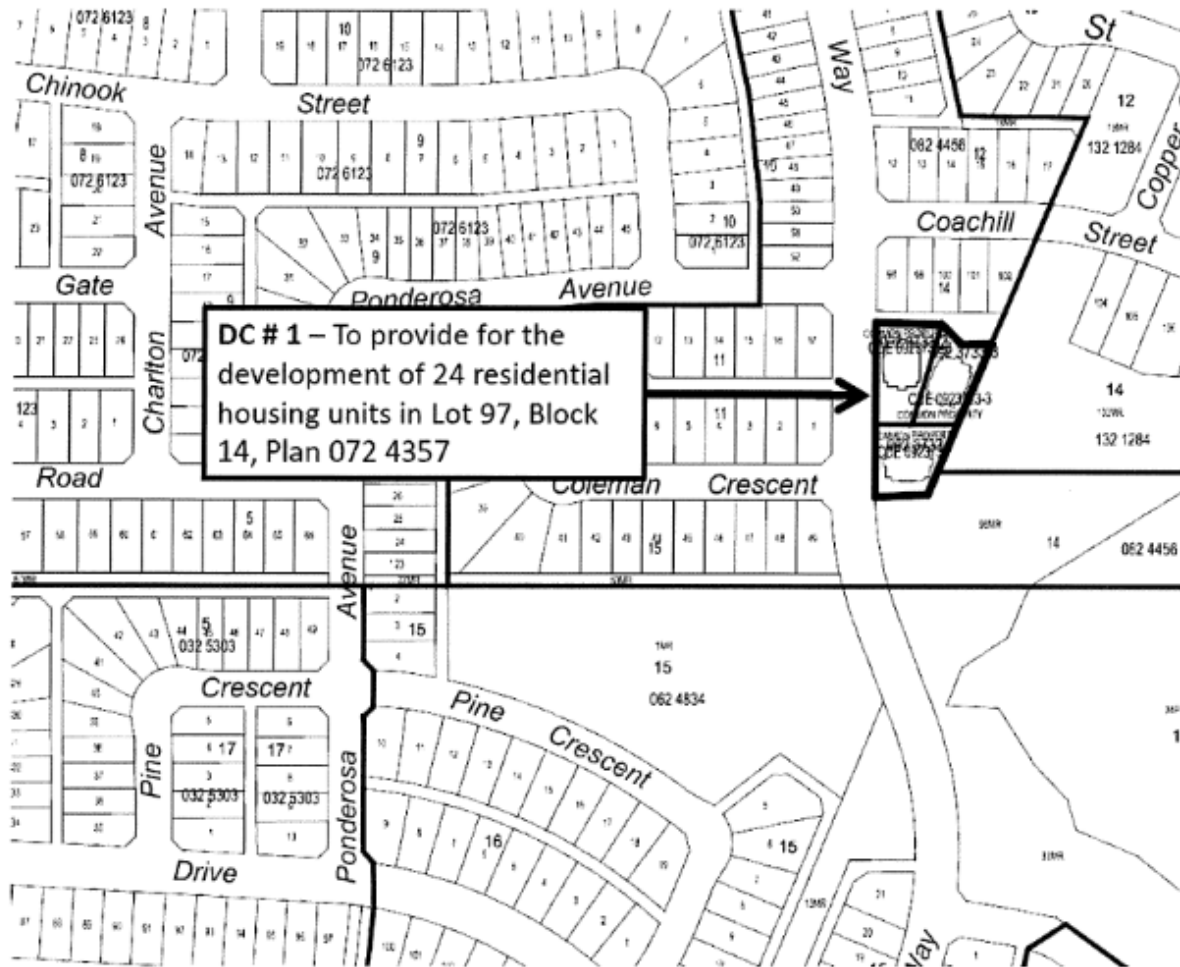
Direct Control District #3 (DC-3)

- c) All signs to be applied for under separate development applications and Council hereby authorizes the Development Officer as the approving authority for the signs.
- d) All construction to be in accordance with all provincial regulations including but not limited to the Safety Codes of Alberta.
- e) In accordance with Part 3.15 of the Land Use Bylaw that a Letter of Credit be submitted to cover 100% of the cost of landscaping and paving until such time as the work is completed.
- f) That the storm water, sewer, water, and grading plan be followed as per approvals given by the Director of Infrastructure and Property Services.

PART 8.0 SCHEDULES

SCHEDULE "A1"

DIRECT CONTROL DISTRICT #1 (DC-1) MAP



SCHEDULE "A2"

Direct Control District #2 (DC-2)

To provide for the development of a 35-unit apartment building on a lot known as *Lot 1A, Block 1, Plan 162 2461* located east of the Parkwood Road and west of the Highway 2A Storm Pond.

1. Permitted Uses:

- Accessory Uses
- Apartment
- Public and Quasi Public Uses
- Public Utility Buildings
- Any use that, in the opinion of Council, is similar or complementary to the use listed above.

2. Development Criteria:

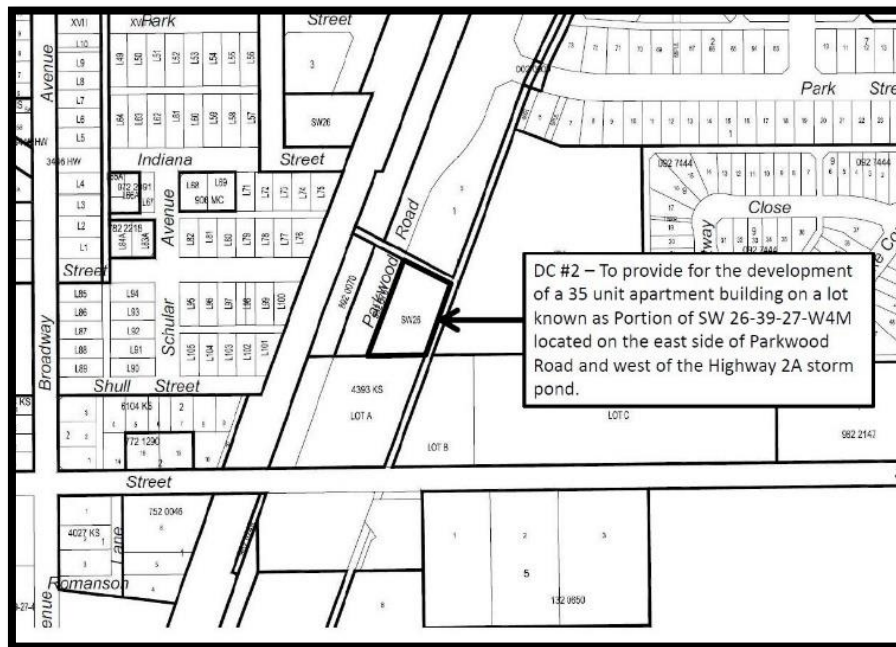
The land and buildings in this District shall be developed to the satisfaction of Council and shall be developed in a manner that is sensitive to the surrounding neighbourhood taking into account the potential impacts on the neighbourhood, including visual impact, sight lines, sunlight, parking and privacy.

3. Development Standards:

Yard fronting Parkwood Road shall be a minimum of 3.0 m (9.84 ft) landscaped area with parking after.

4. All yards shall be landscaped except for the walkways, driveways, and parking areas.

5. Density shall be 35 units for the project. Parking shall be 1.5 stalls per unit or 53 stalls and additionally a minimum of 7 stalls for visitor parking be provided and that the building shall not exceed four (4) storeys in height.



SCHEDULE "A3"

Direct Control District #3 (DC-3)

To provide for the development of a commercial building on a lot known as *Lot 2, Block 1, Plan 122 4194* located south of Womacks Road and west of Leung Road – South of the Abbey Centre north of the Iron Ridge Junior Campus.

1. Permitted Uses:

- Accessory Uses
- Convenience Stores (RETAIL, Convenience)
- Offices
- Personal Service Uses
- Public and Quasi Public Uses
- Retail Stores (RETAIL, General)
- Restaurants (including pick up and dine in styles) (FOOD SERVICE, Restaurant)
- Signs
- Any use that, in the opinion of the Development Officer (as authorized by Council) is similar or complementary to the use listed above.

2. Development Criteria:

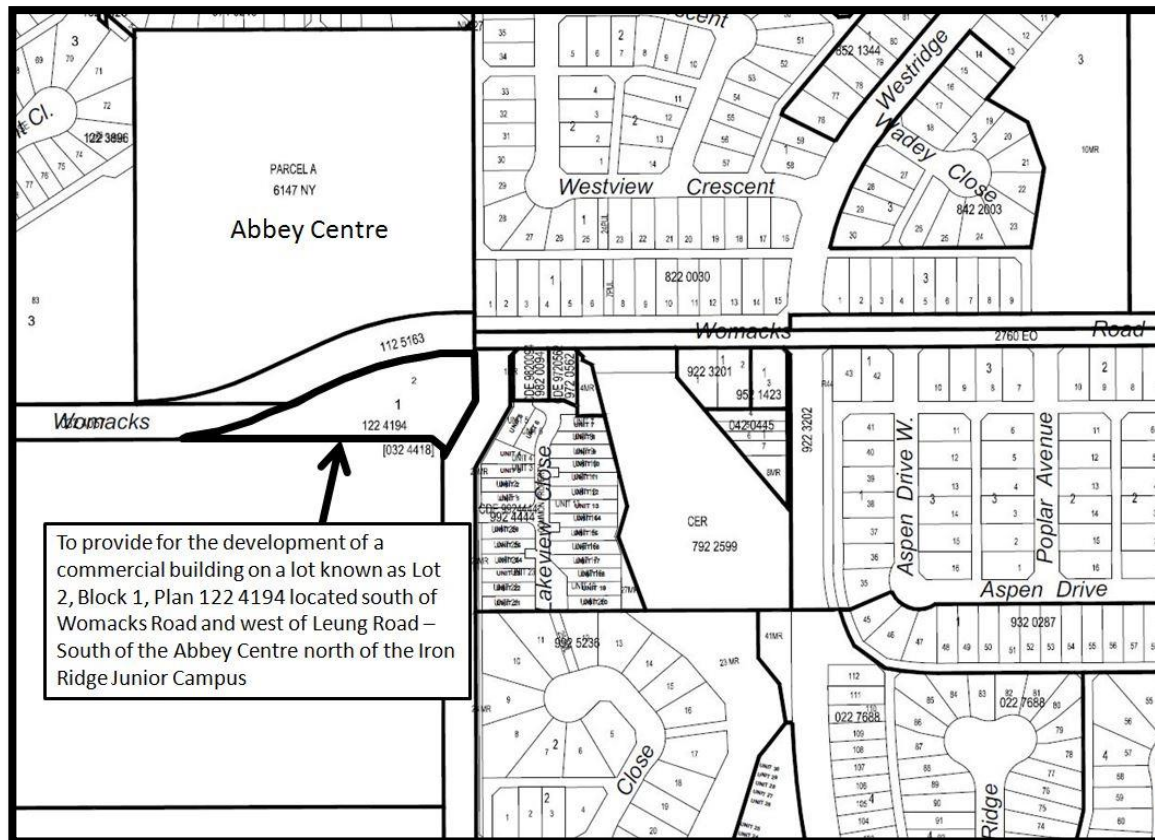
The land and buildings within this District shall be developed in accordance with the plans attached forming part of this Direct Control District.

3. Development Standards:

All landscaping to be as per the plans submitted.

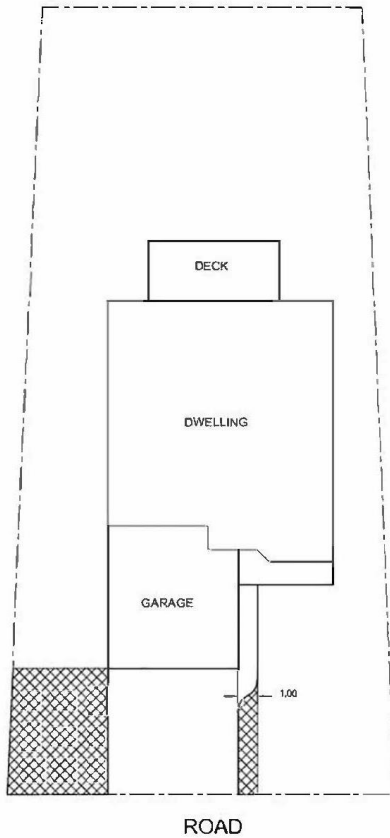
4. No access is to be allowed off Leung Road.

Future development area for Phase 2 is to be landscaped until such time as it is constructed.



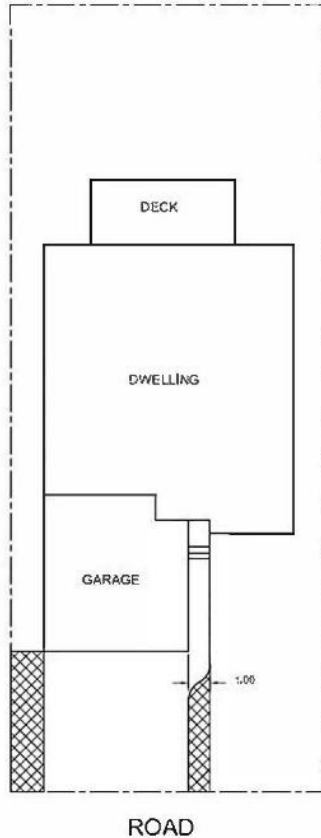
SCHEDULE "A4"

Legal Parking Pads



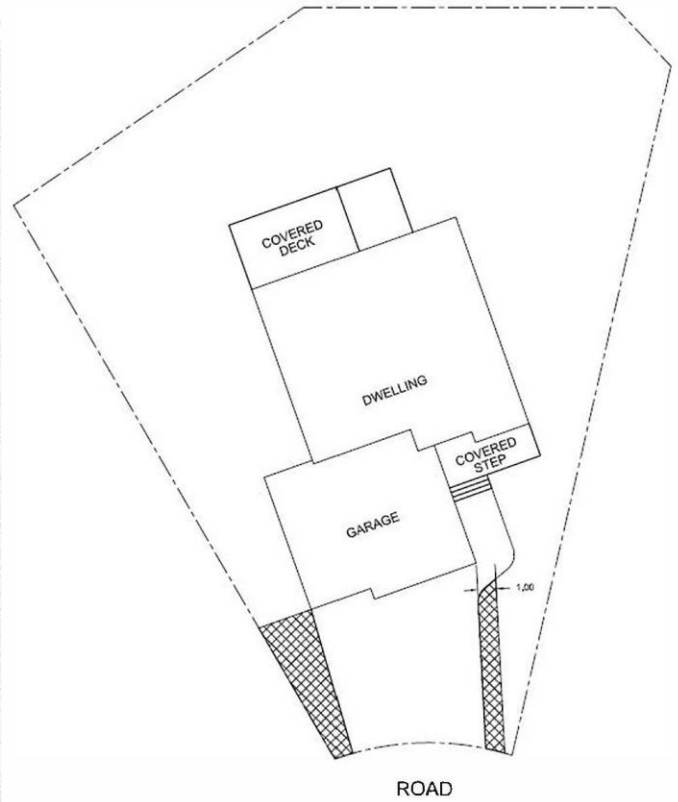
 ALLOWABLE LEGAL PARKING PAD AREA

ALLOWABLE LEGAL PARKING PAD
EXAMPLE DRAWING 1



 ALLOWABLE LEGAL PARKING PAD AREA

ALLOWABLE LEGAL PARKING PAD
EXAMPLE DRAWING 2



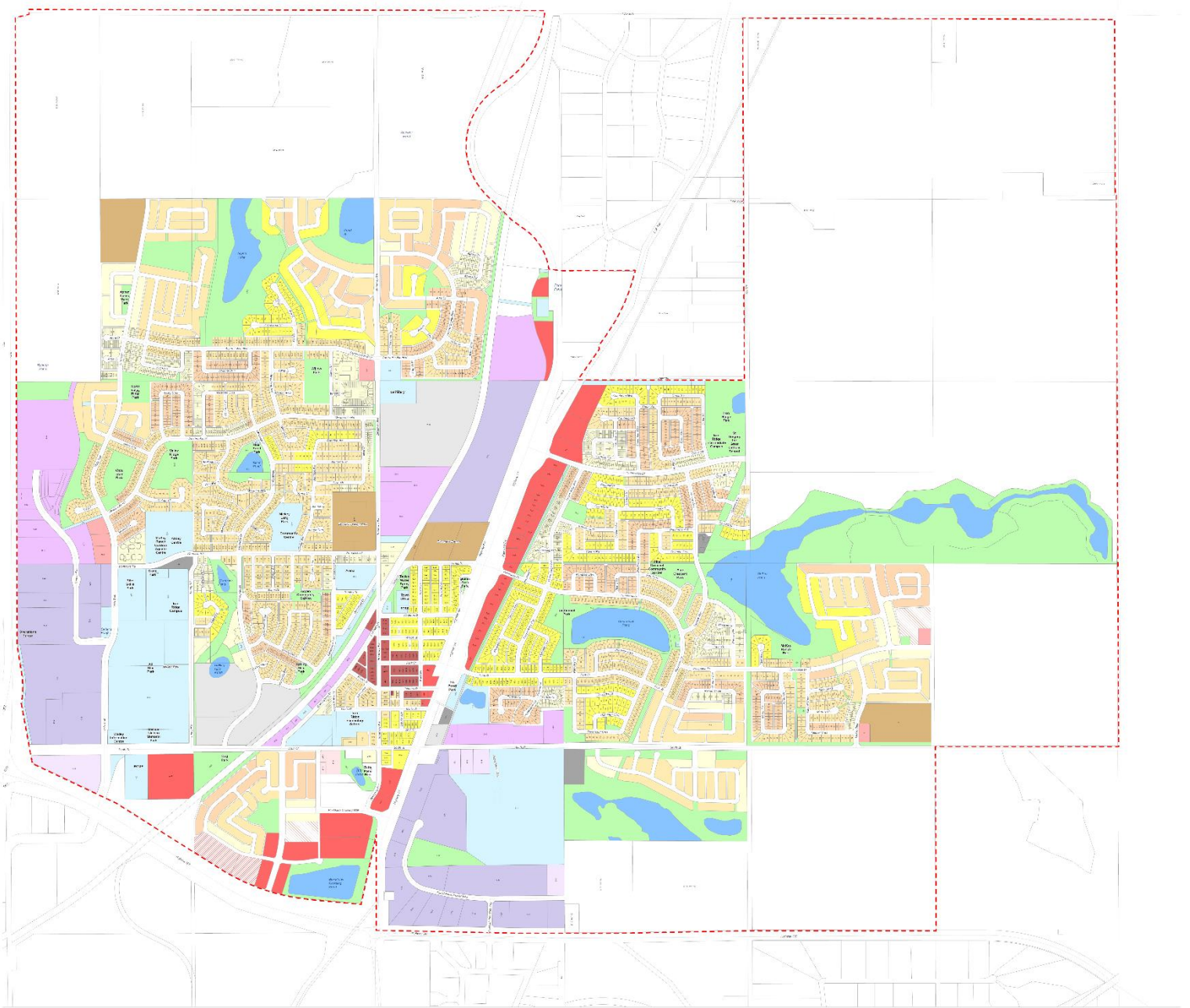
 ALLOWABLE LEGAL PARKING PAD AREA

ALLOWABLE LEGAL PARKING PAD
EXAMPLE DRAWING 3



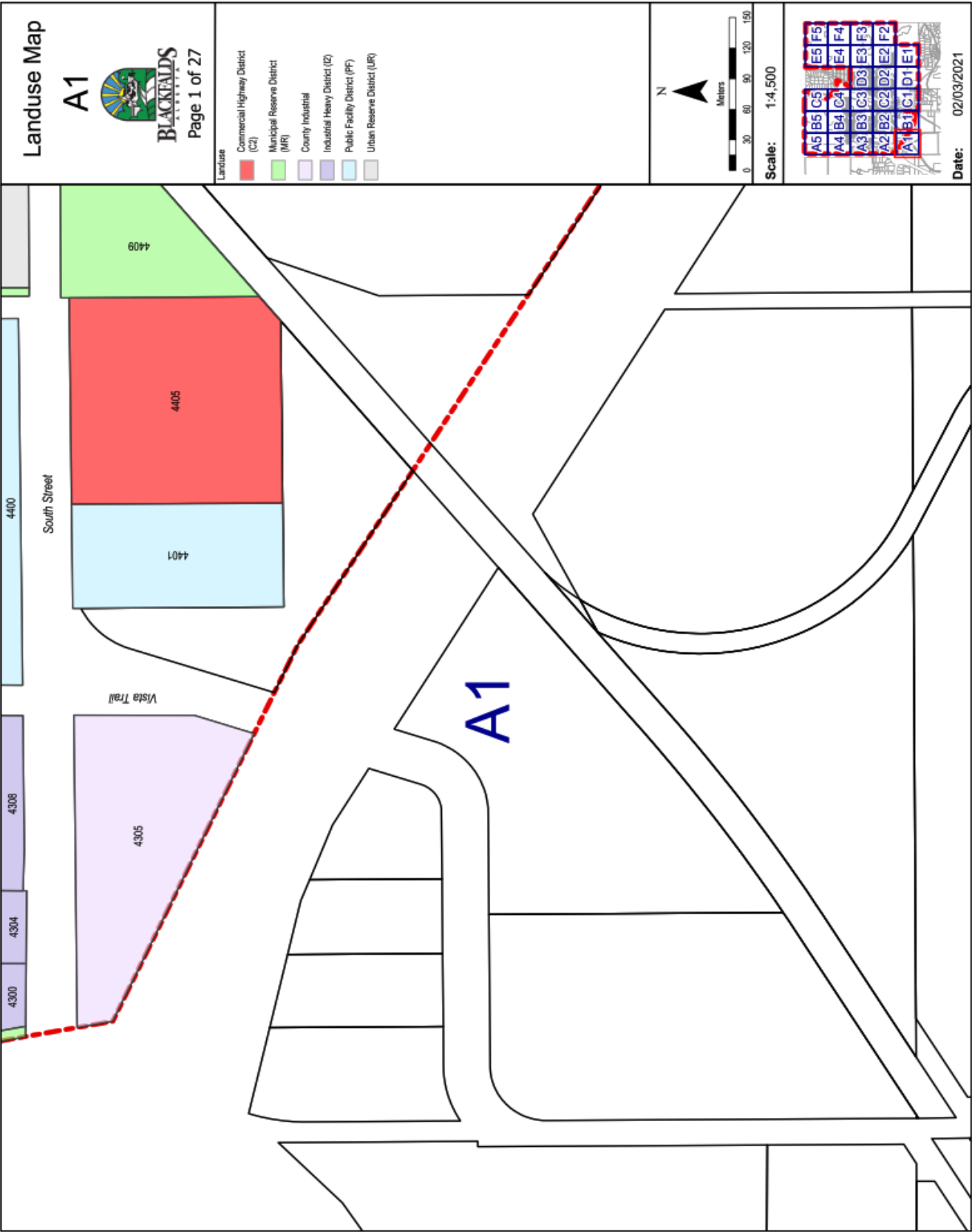
SCHEDULE "A5"

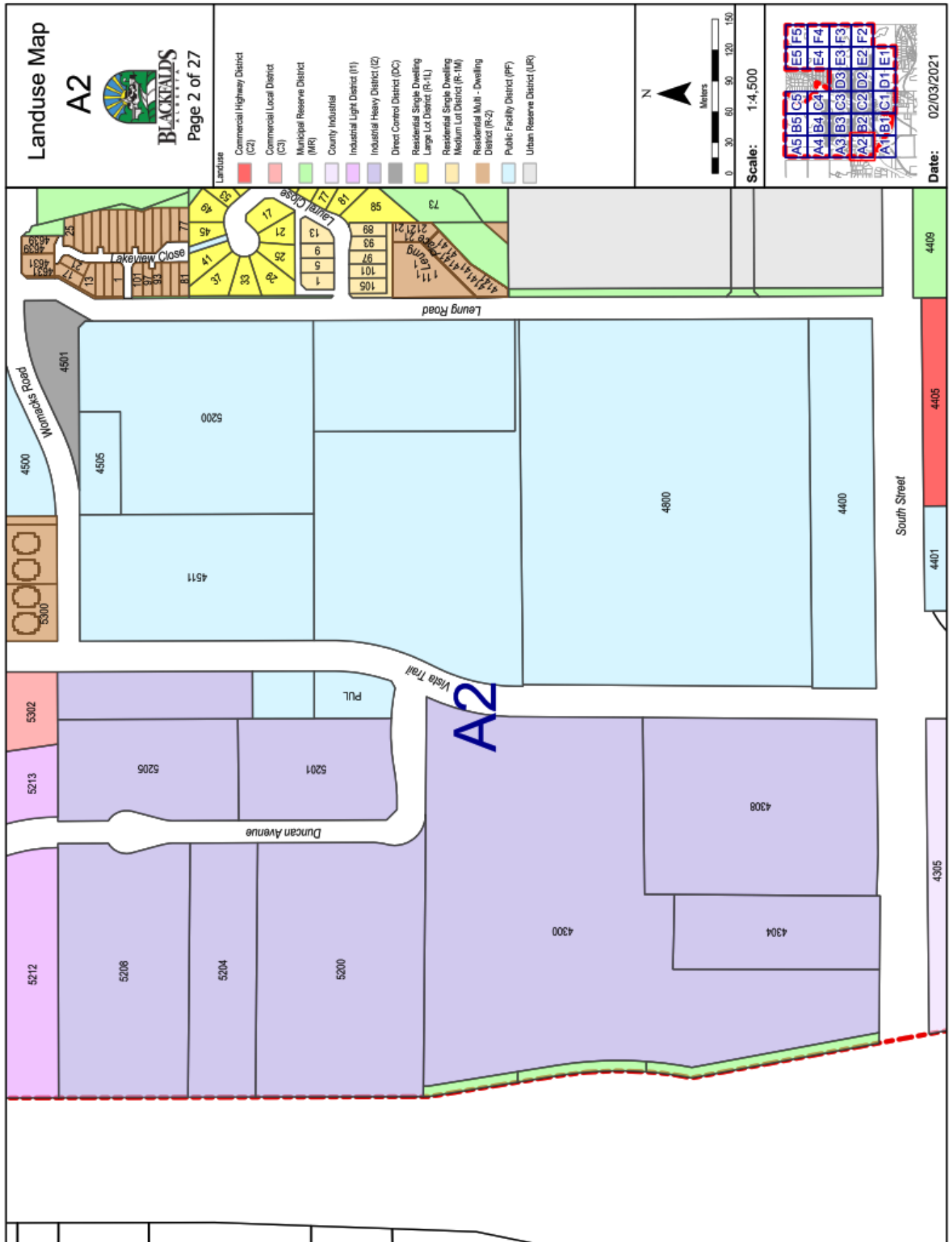
Town of Blackfalds: Land Use District Map

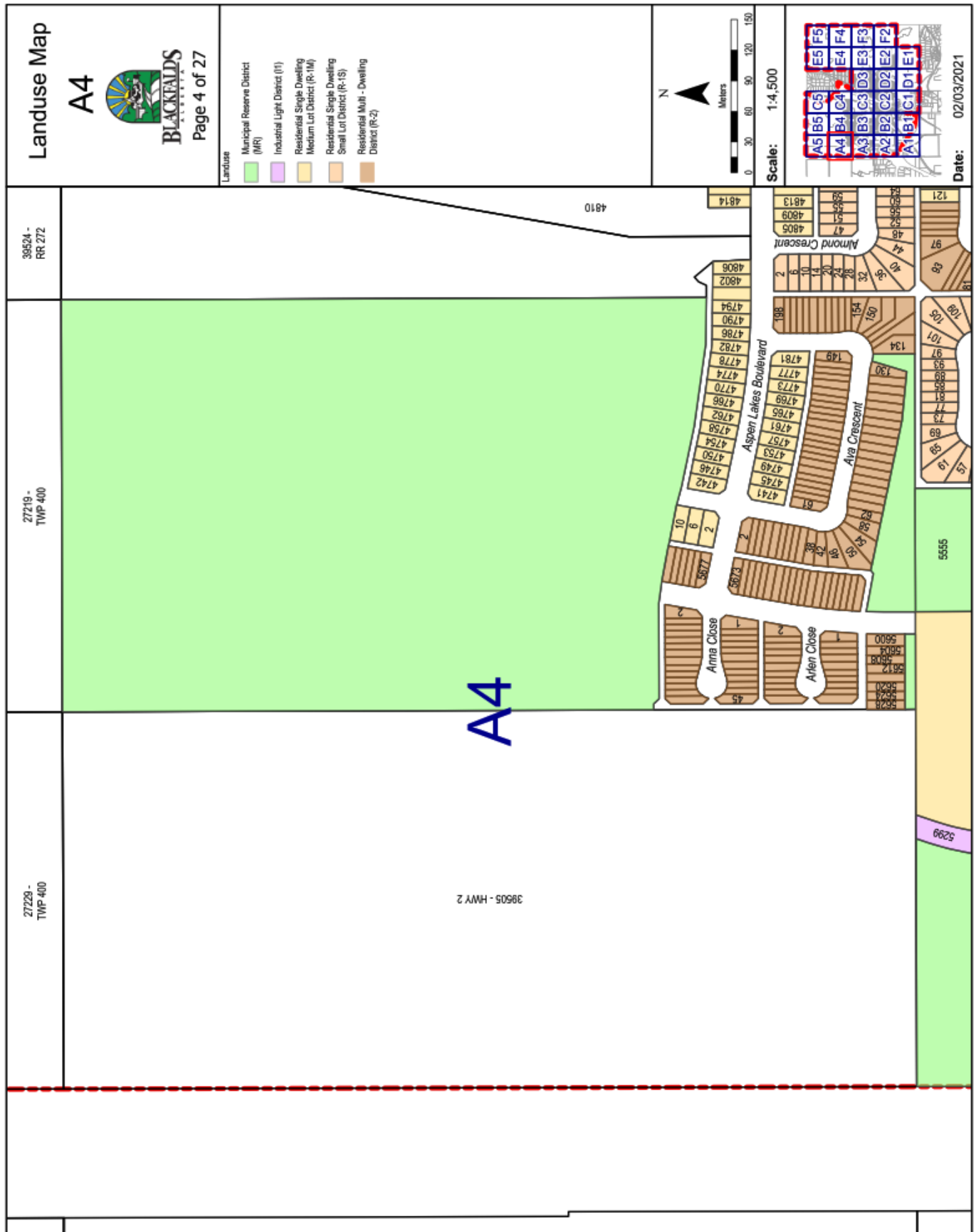


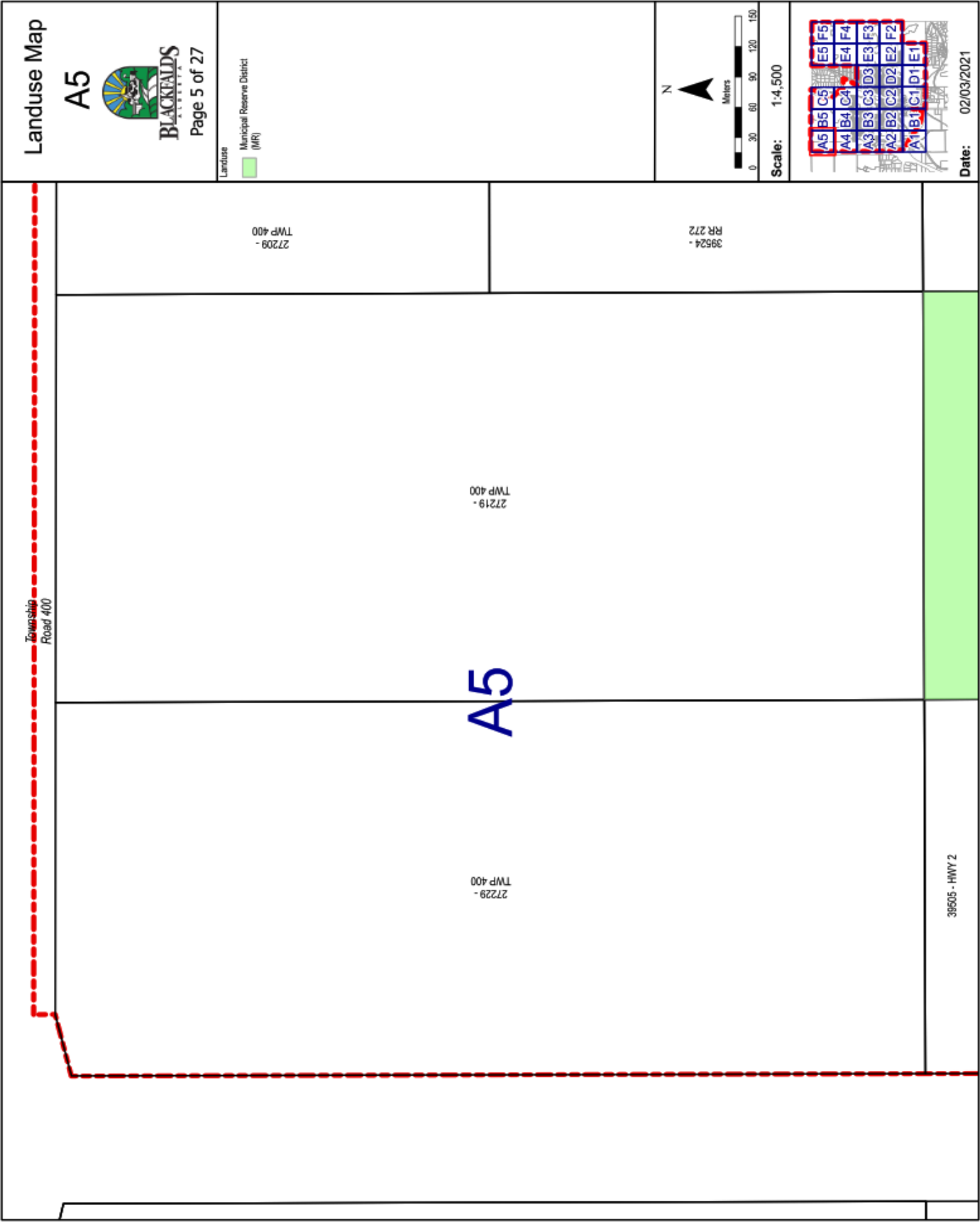
- | | | |
|---------------------------------------|----------------------------------------------------------|-------------------------------------------------------|
| ■ Commercial Central District (C1) | ■ County Industrial | ■ Residential Manufactured Home Park District (R-MHP) |
| ■ Commercial Highway District (C2) | ■ Industrial Light District (I1) | ■ Residential Multi - Dwelling District (R-2) |
| ■ Commercial Local District (C3) | ■ Industrial Heavy District (I2) | ■ Residential High Density District (R5) |
| ■ Commercial Mixed Use District (CMU) | ■ Direct Control District (DC) | ■ Public Facility District (PF) |
| ■ Storm Pond | ■ Residential Single Dwelling Large Lot District (R-1L) | ■ Urban Reserve District (UR) |
| ■ Agricultural District | ■ Residential Single Dwelling Medium Lot District (R-1M) | ■ Town Boundary |
| ■ Municipal Reserve District (MR) | ■ Residential Single Dwelling Small Lot District (R-1S) | |

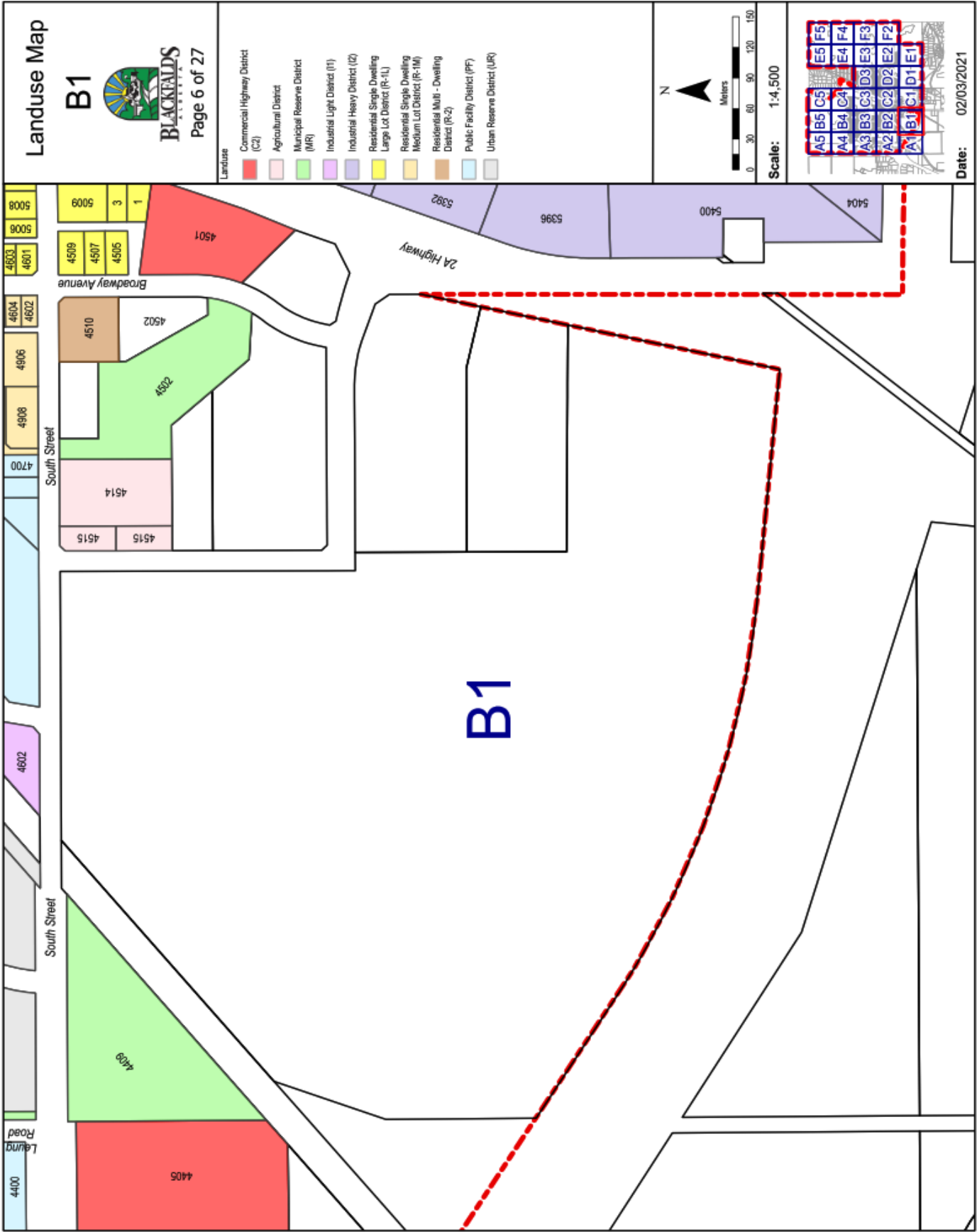

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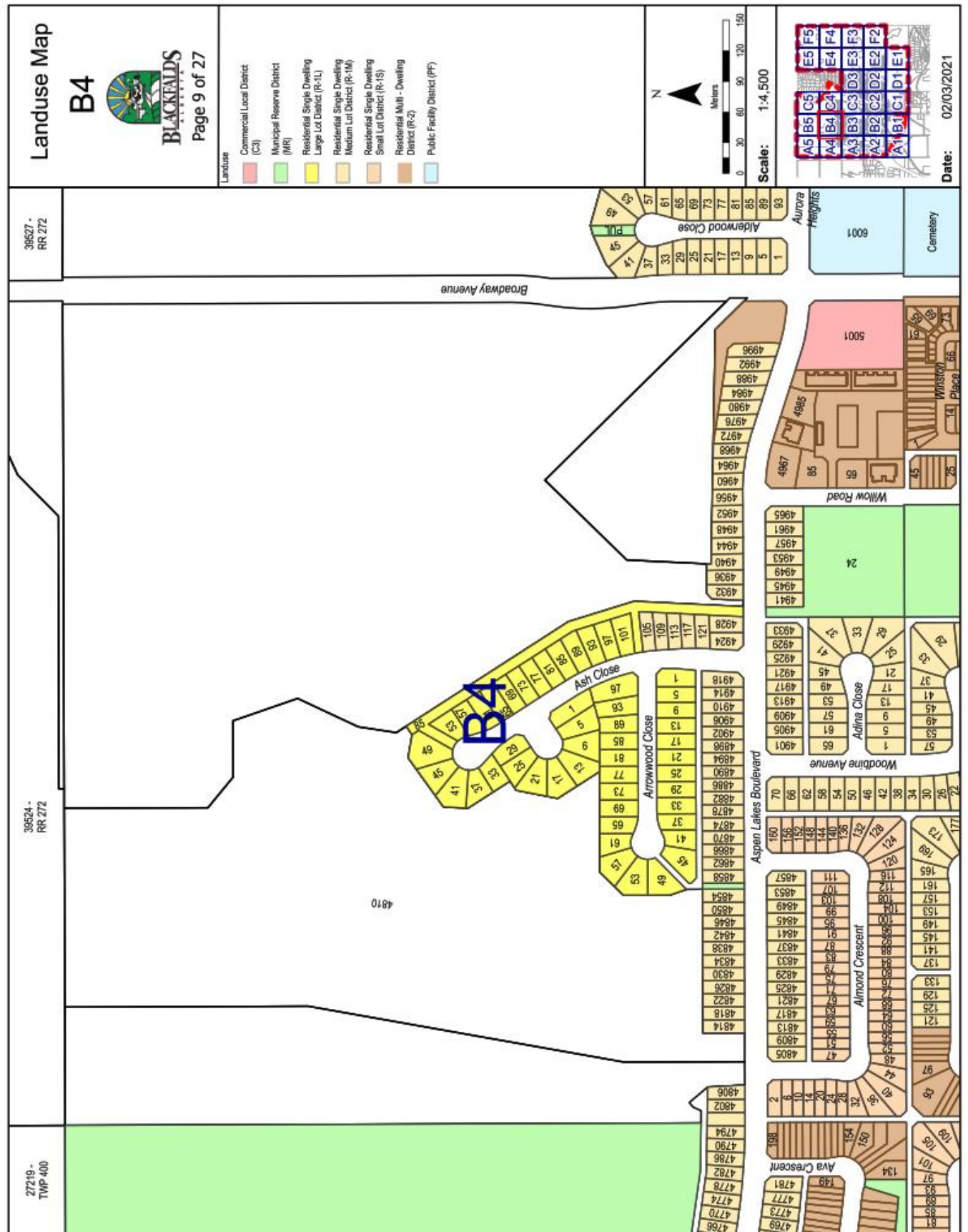


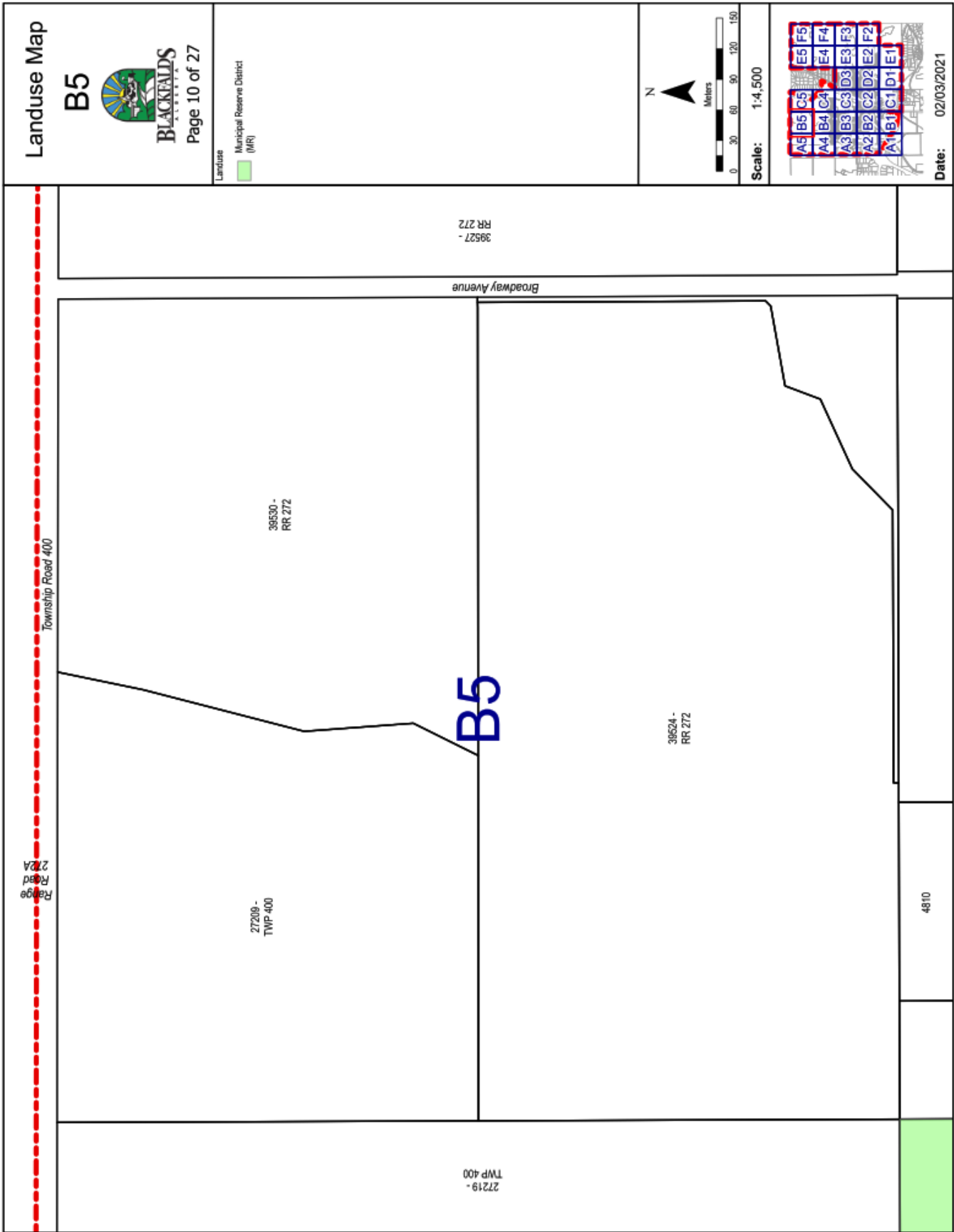


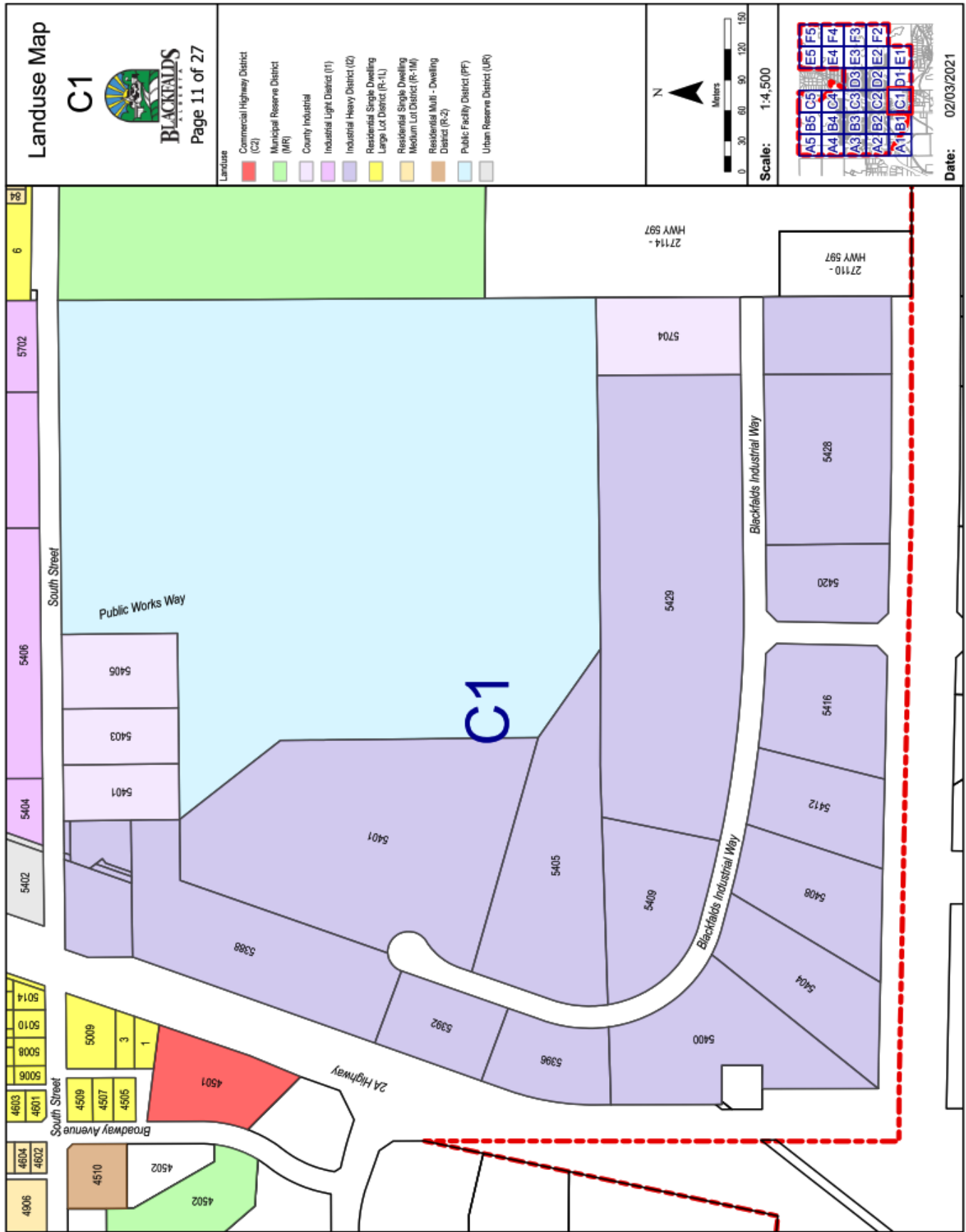


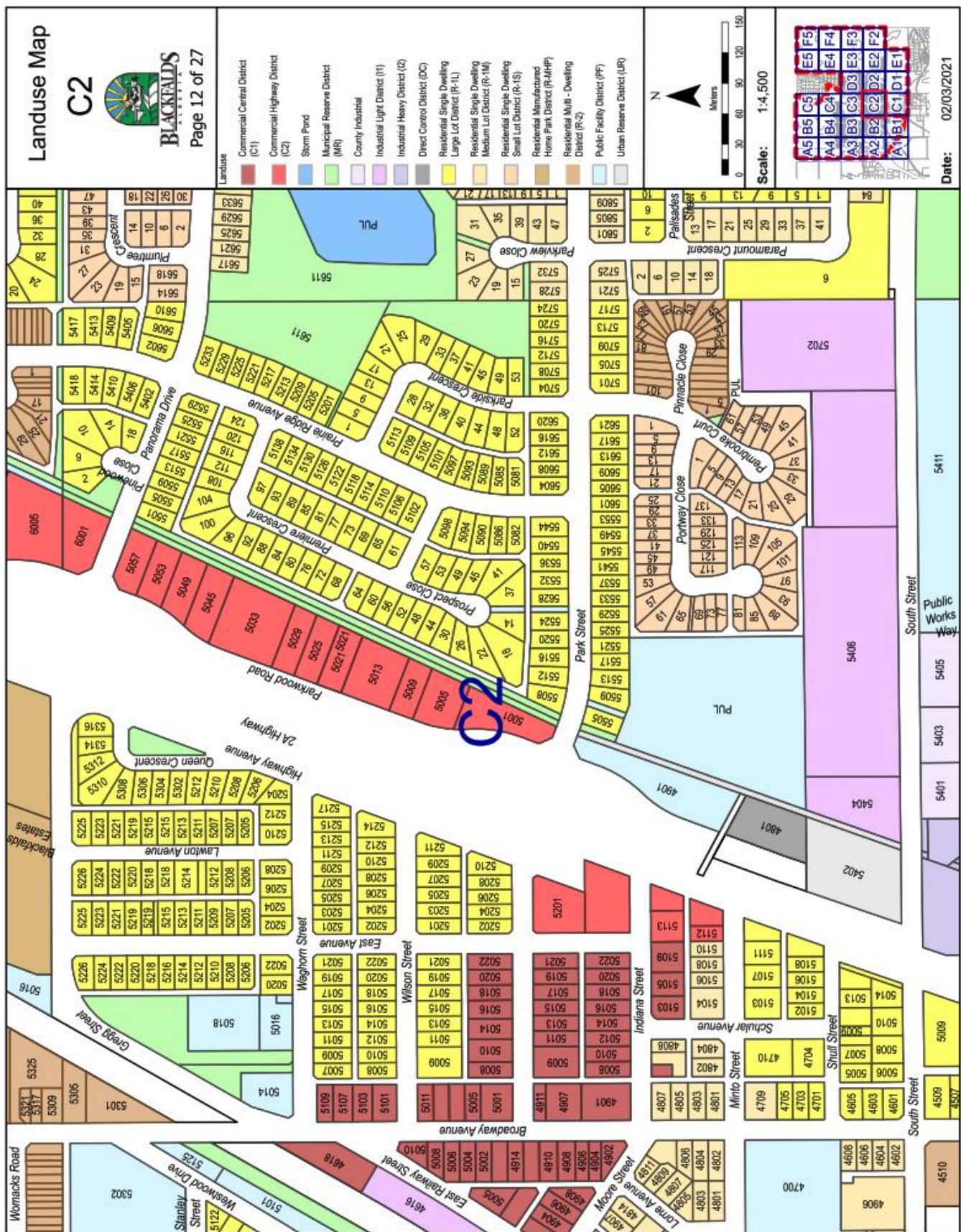


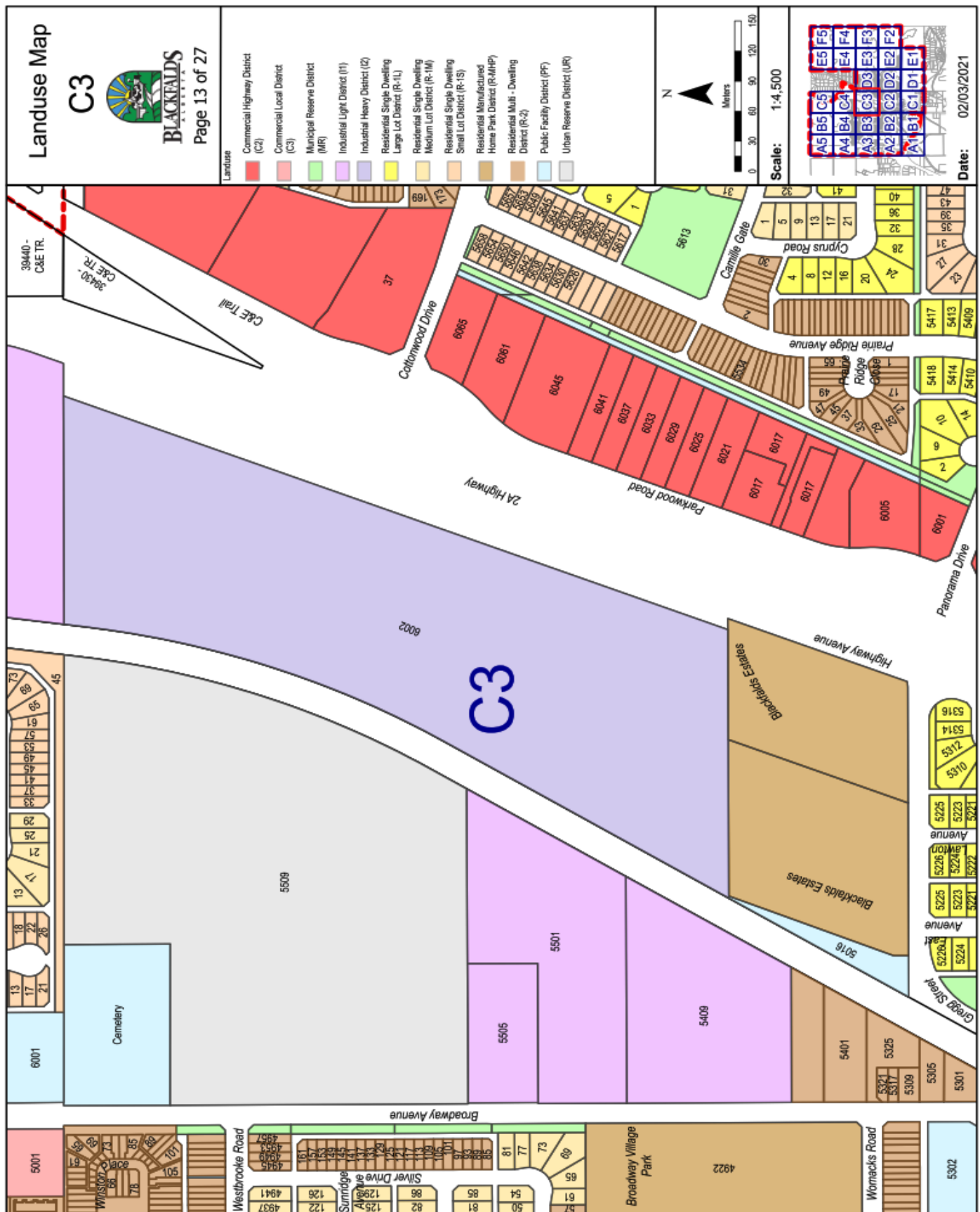


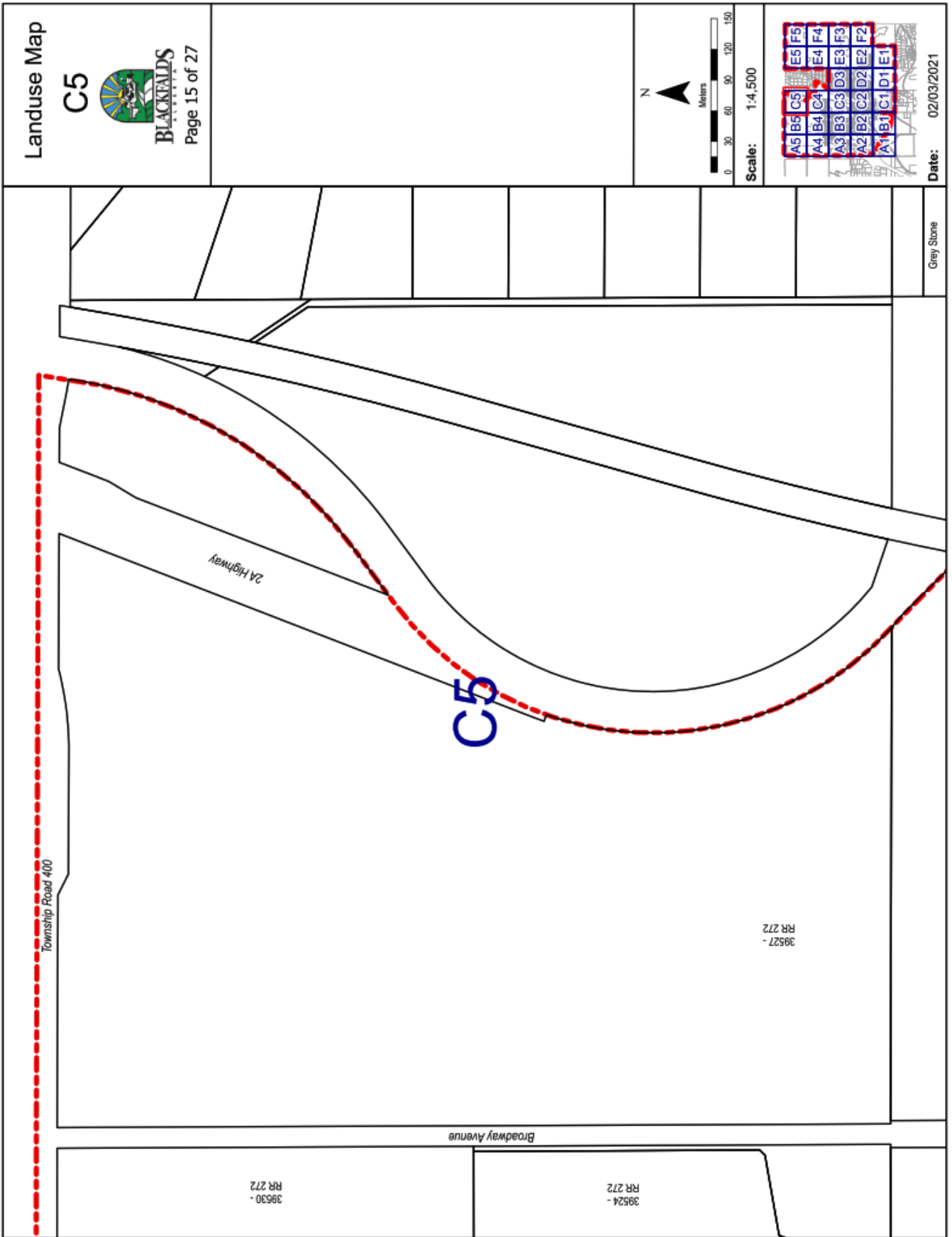


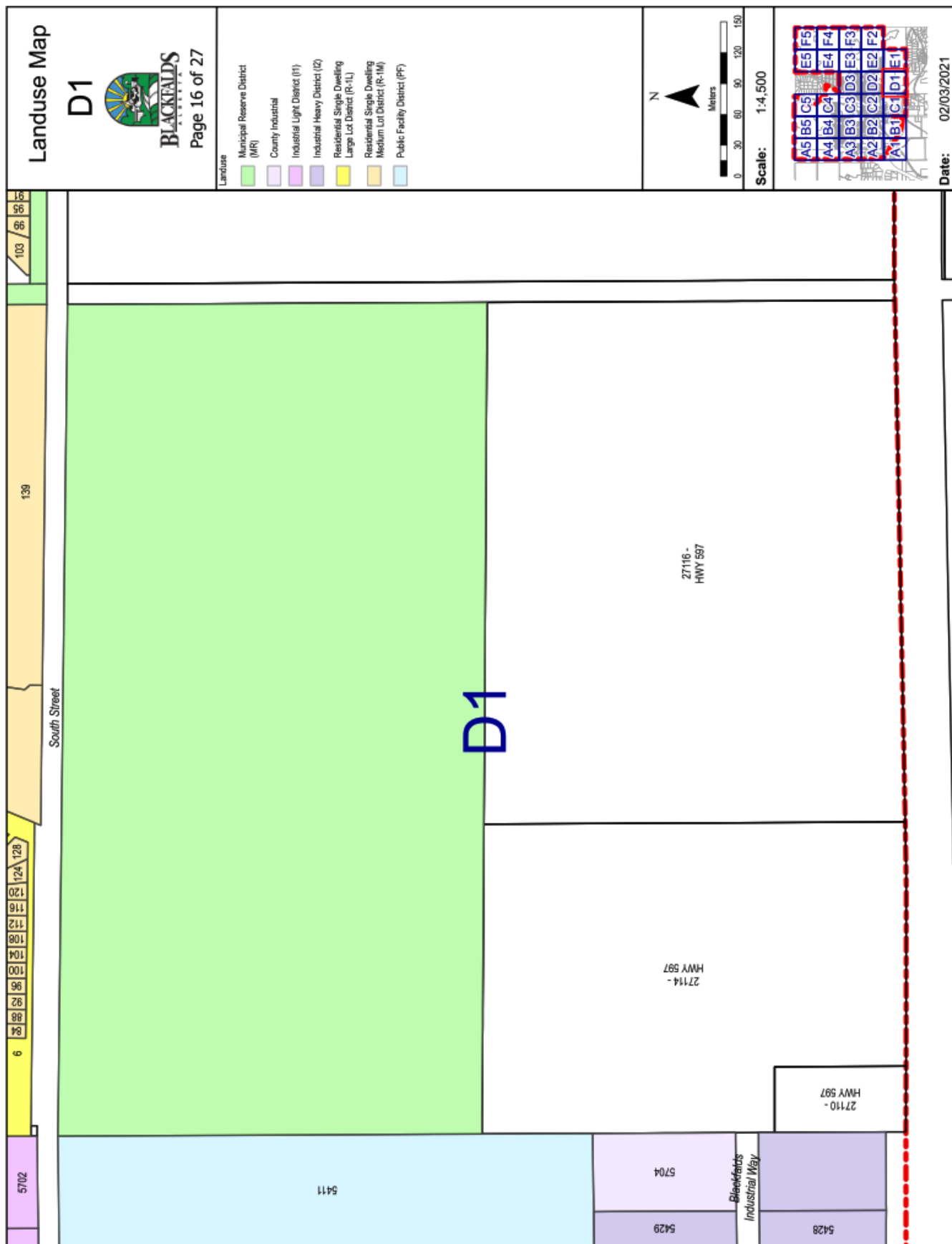


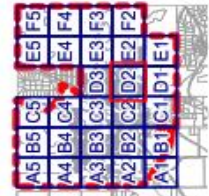
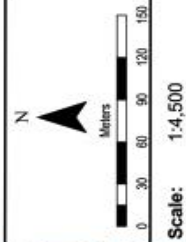




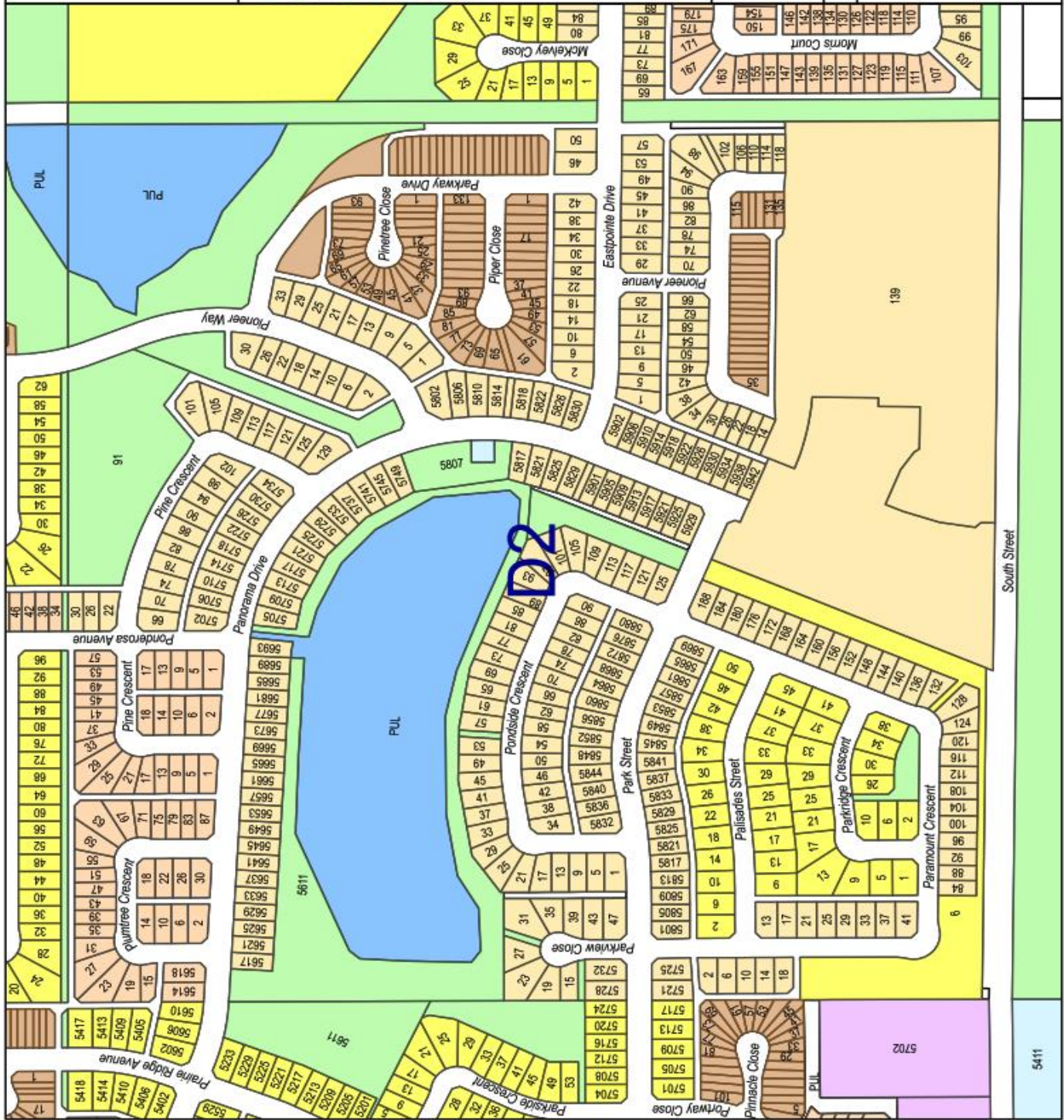


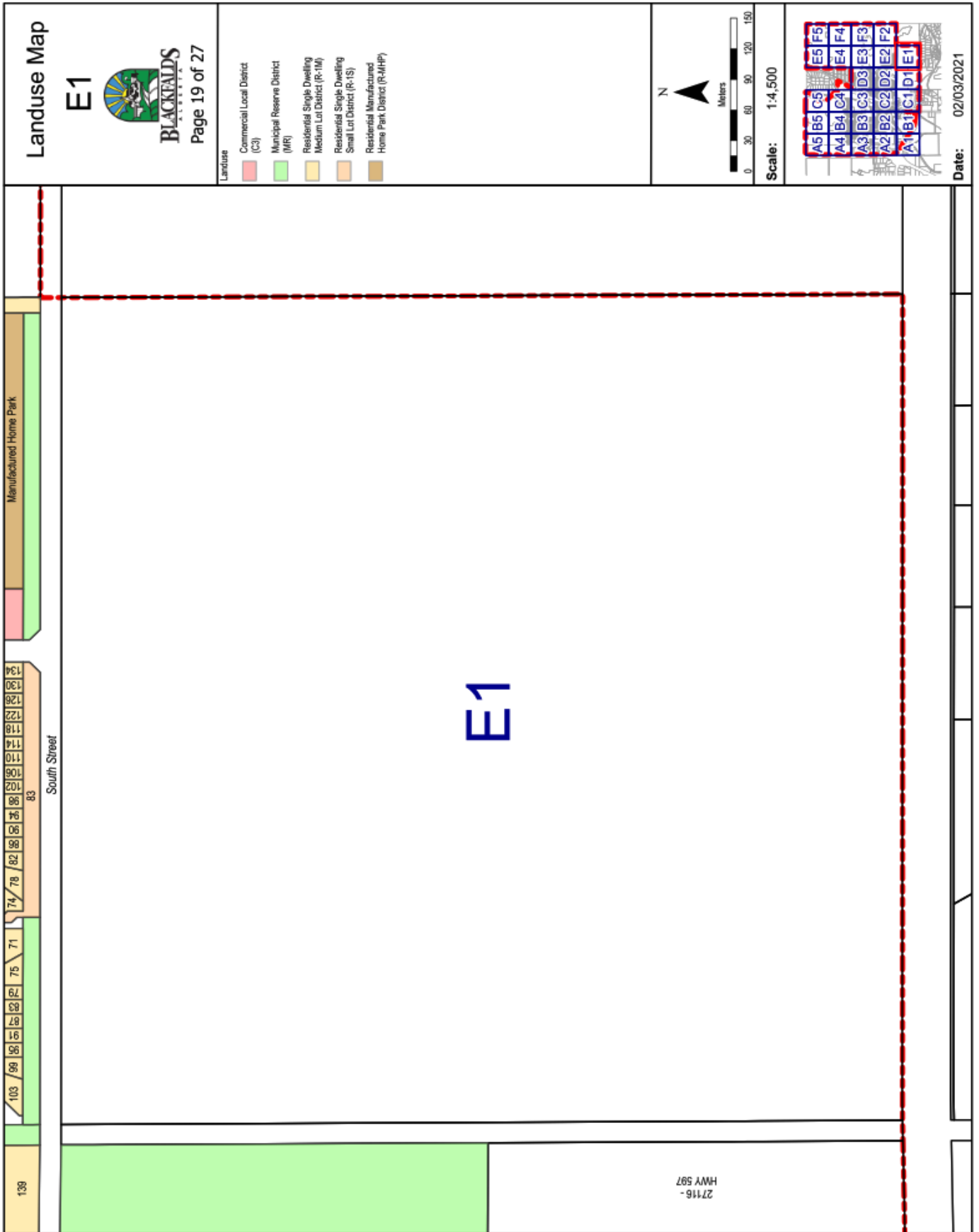


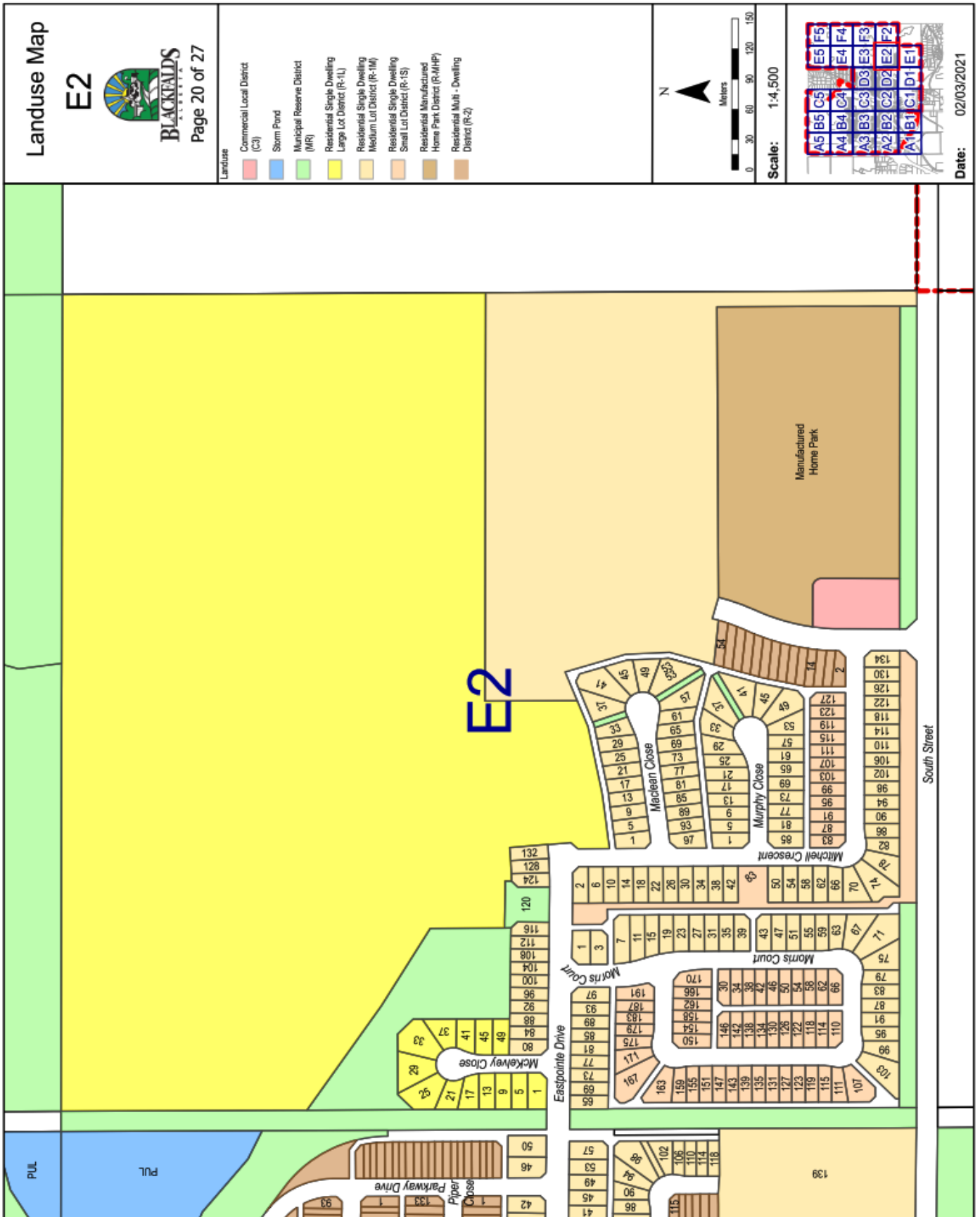


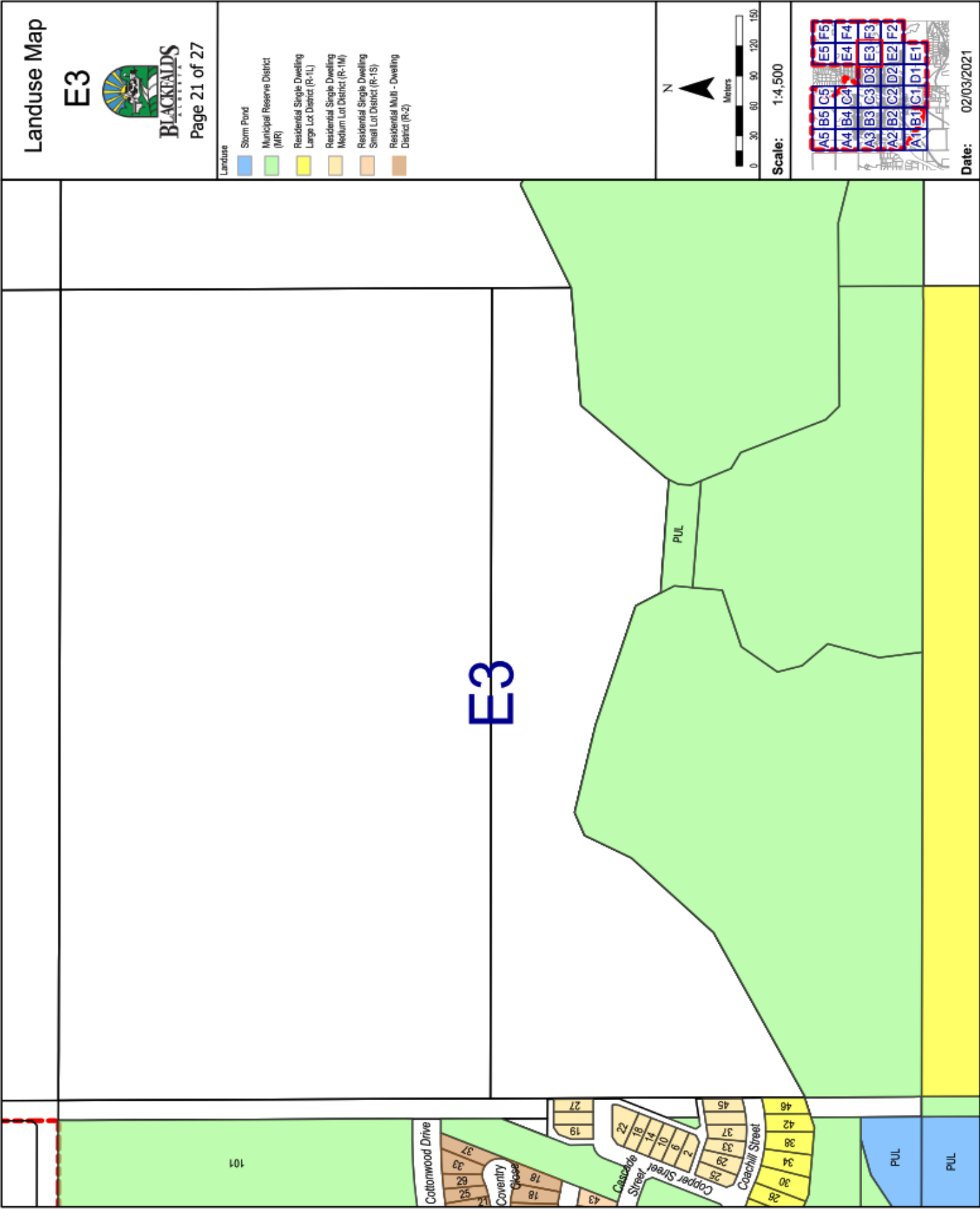


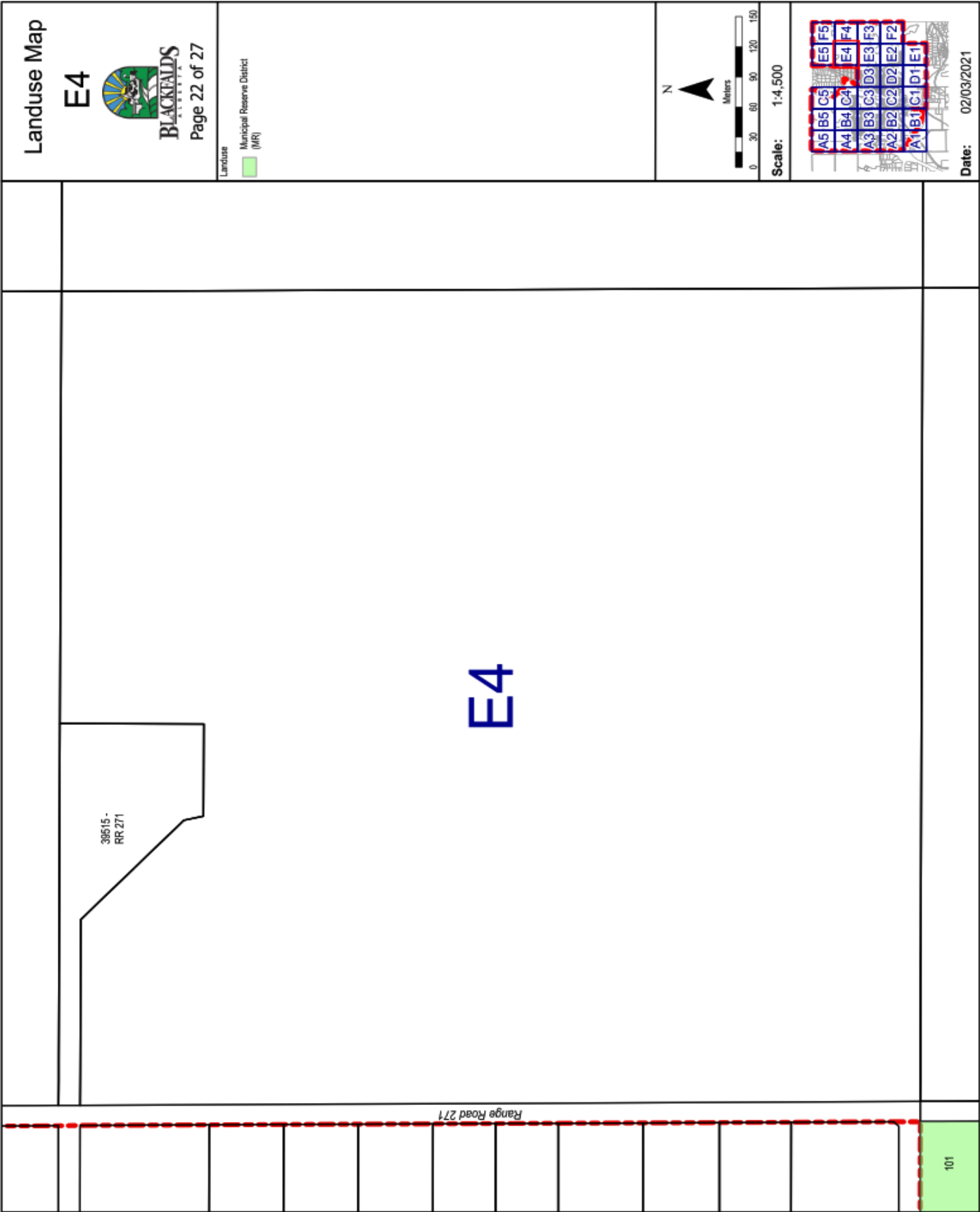
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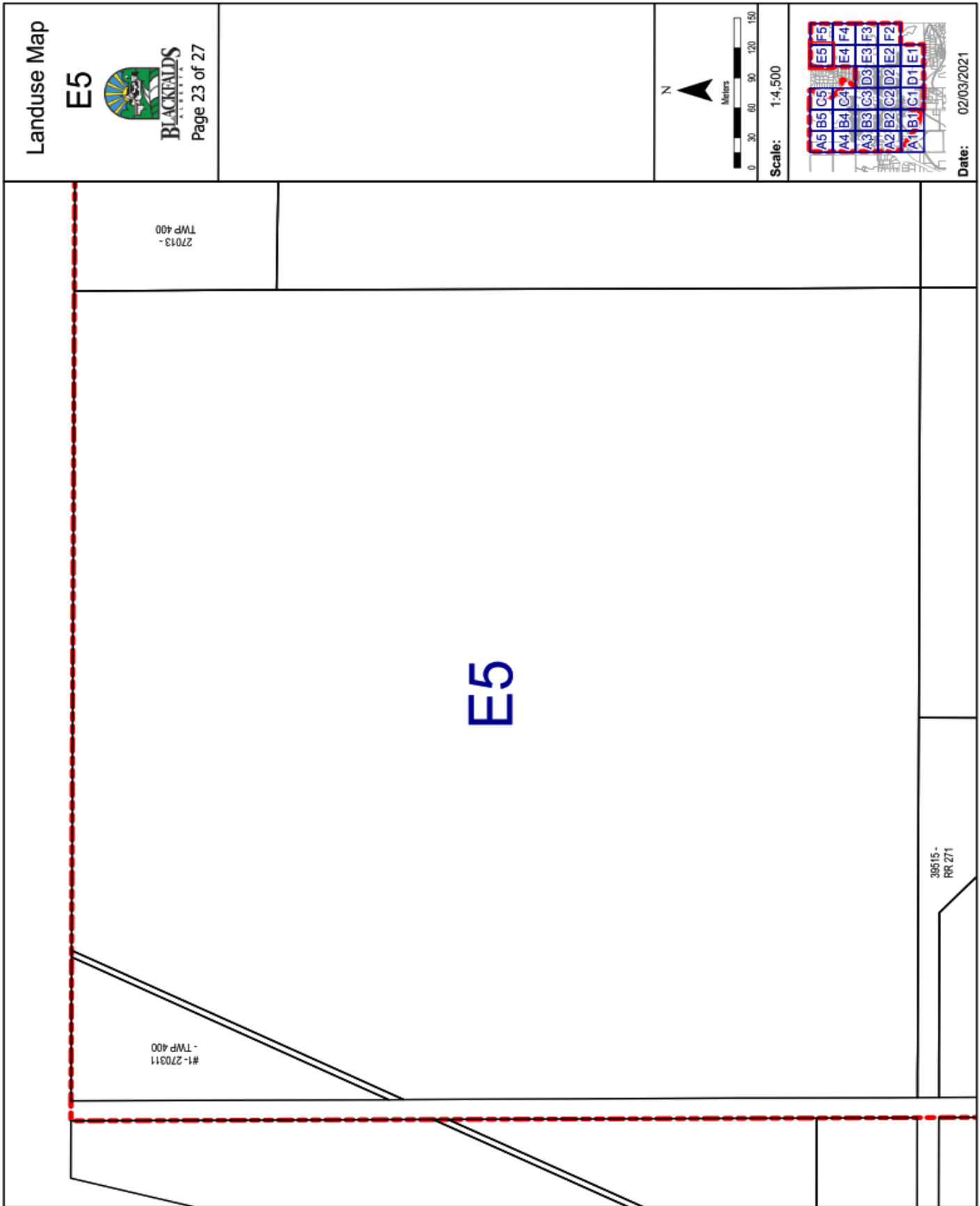


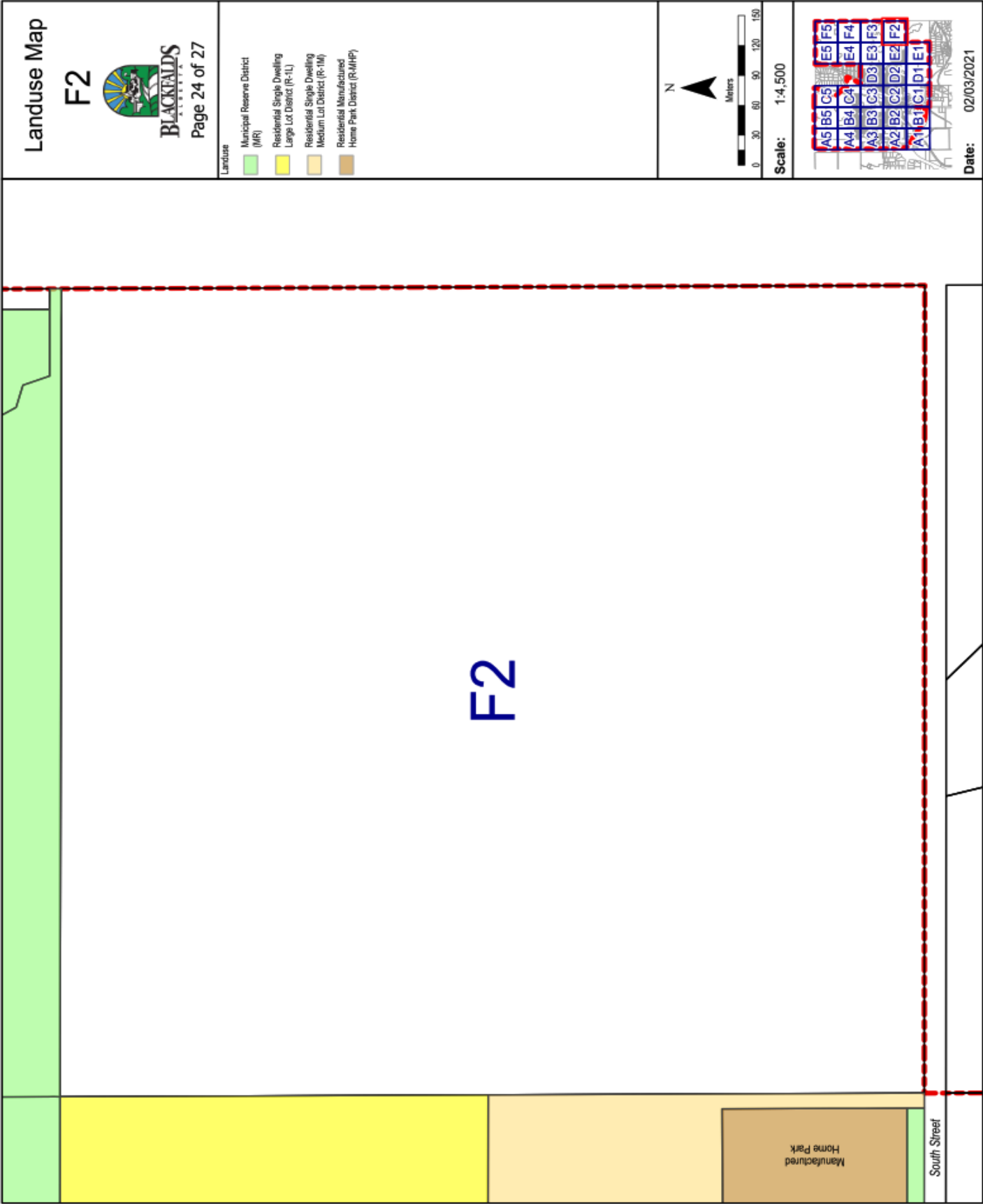


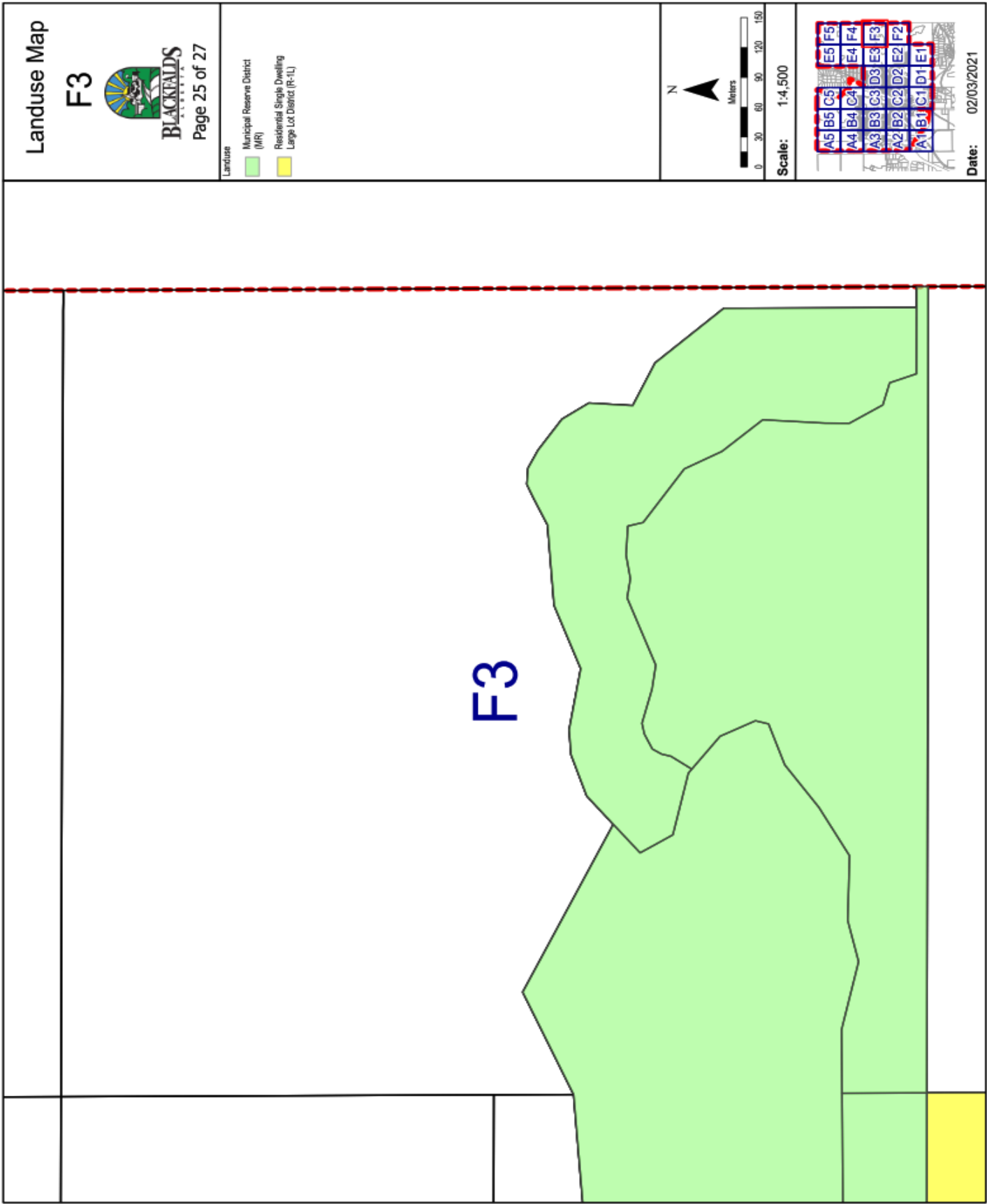


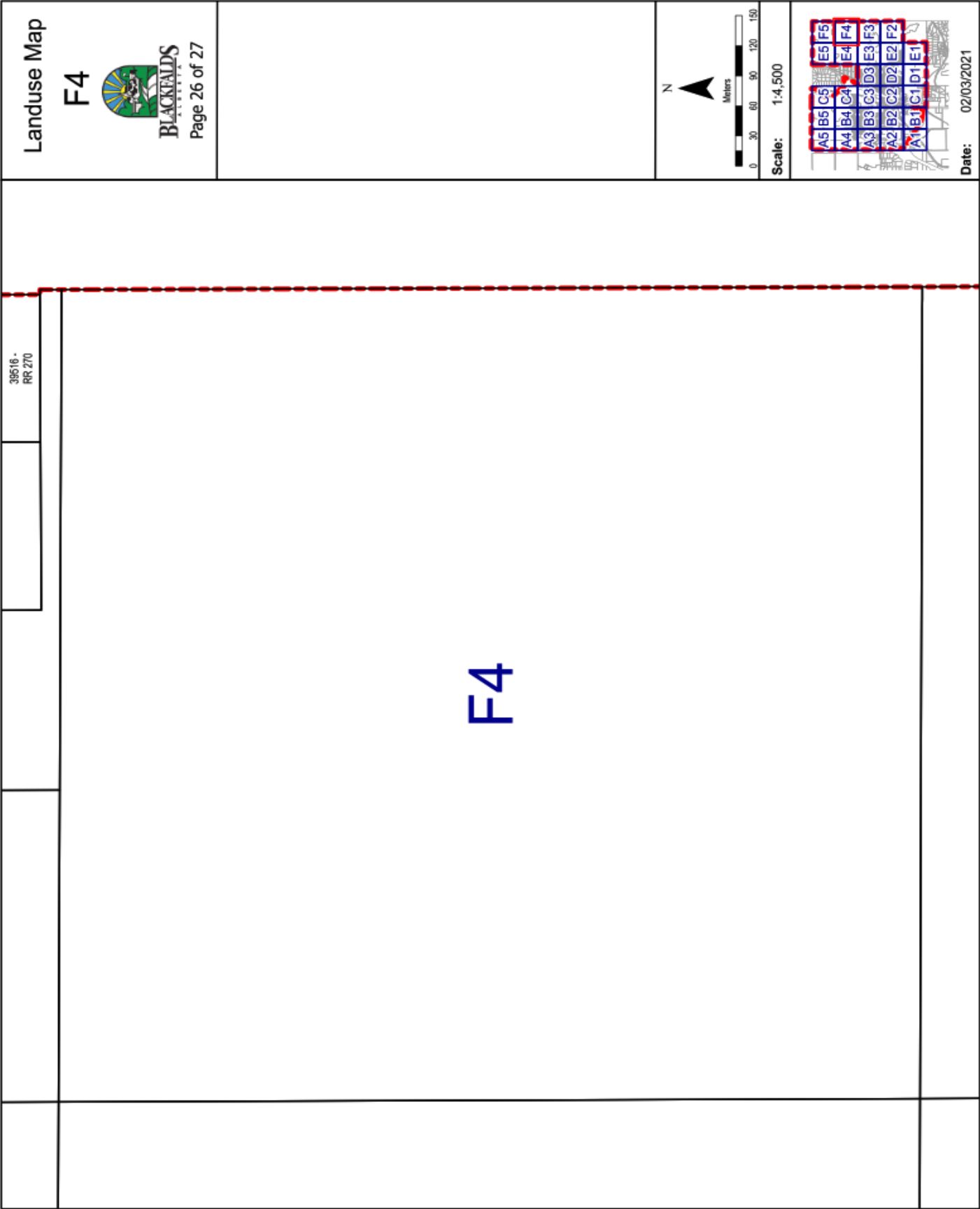


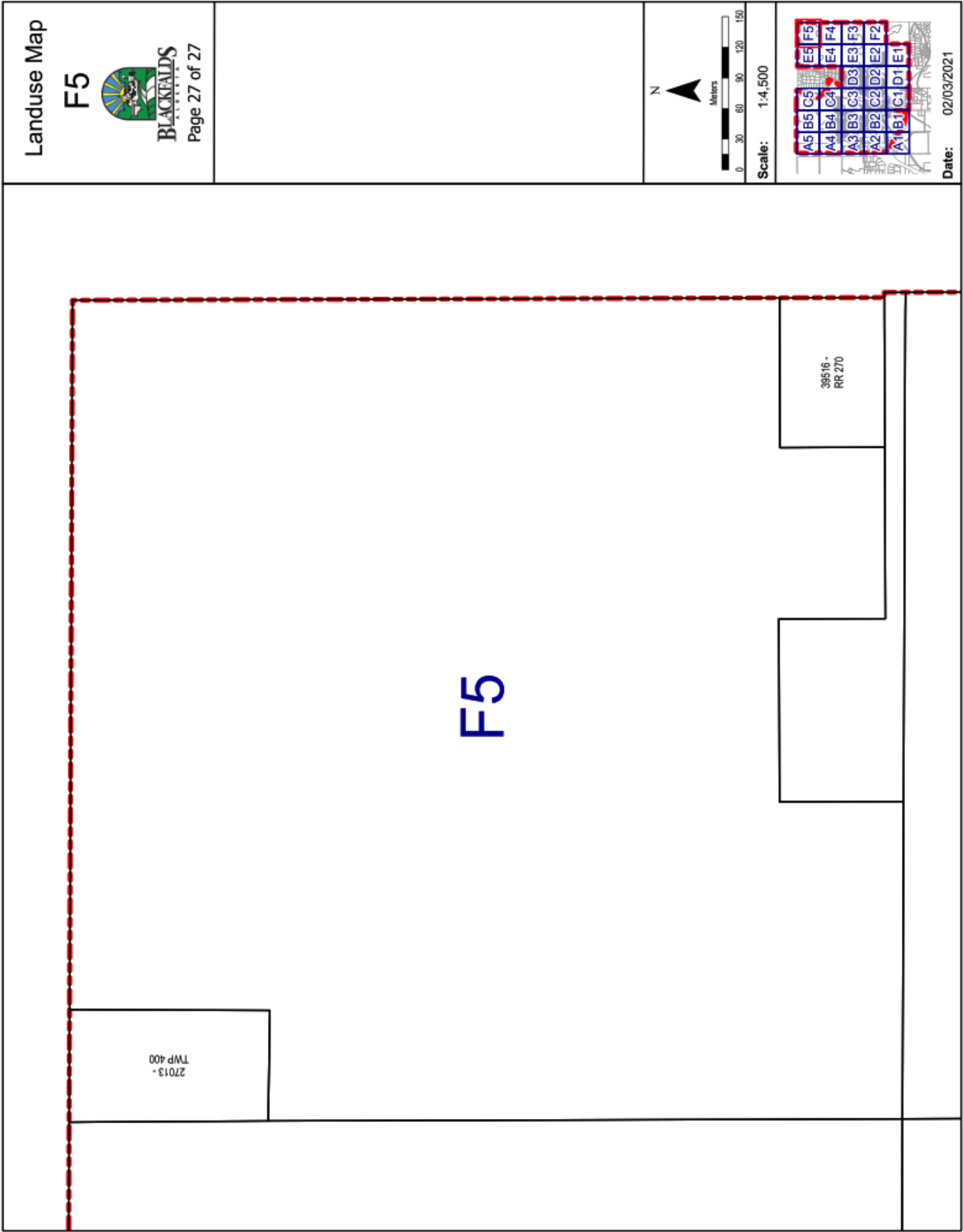














BLACKFALDS
A L B E R T A



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Land Use Bylaw Amendments Log

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TOWN OF BLACKFALDS
LAND USE BYLAW NO. XXXX.XX

BEING A BYLAW IN THE PROVINCE OF ALBERTA TO DIVIDE THE TOWN INTO DISTRICTS AND TO REGULATE AND CONTROL THE USE AND DEVELOPMENT OF LAND AND BUILDINGS WITHIN THE TOWN.

A Bylaw of the Town of Blackfalds, in the Province of Alberta, pursuant to the *Municipal Government Act*, being Chapter M-26 of the Revised Statutes of Alberta, 2000 and amendments thereto, the purposes of controlling, regulating and licensing of businesses within the Town of Blackfalds.

WHEREAS, pursuant to Section 639 of the *Municipal Government Act*, being chapter M-26 of the Revised Statutes of Alberta, 2000, as amended, requires that every Municipality must pass a Land Use Bylaw.

WHEREAS the purpose of the Bylaw shall be to divide the Town into districts and to regulate and control the use and development of the land and buildings within the Town.

NOW THEREFORE the Municipal Council of the Town of Blackfalds, duly assembled hereby enacts:

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- 4.12 ~~Shipping Containers~~
- 4.13 ~~Swimming Pools and Outdoor Hot Tubs~~

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Part 8.0 ~~SCHEDULES AND MAPS~~ ~~APPENDIX~~

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PART 1.0 INTERPRETATION OF THIS BYLAW

1.1 Title

- 1. That this Bylaw shall be cited as the 'Land Use Bylaw' for the Town of Blackfalds.

1.2 Repeal of This Bylaw

- 1. Land Use Bylaw 1198/16 and the Land Use District Maps, and any amendments thereto, are hereby repealed and shall cease to have effect on the day that this Bylaw comes into force.
- 2. The effective date that this Bylaw shall come into force upon the date of its third reading.

1.3 Transitional Provision

- 1. An application for subdivision or Development Permit which is deemed complete on or after the effective date of the Bylaw shall be evaluated under the provisions of this Bylaw.
- 2. An application for the Subdivision or Development Permit which is deemed complete prior to the coming into force of this Bylaw shall be evaluated under the provision of the Town of Blackfalds Land Use Bylaw 1198/16 as amended; or under this Bylaw at the discretion of the applicant, the Development Authority, or the Subdivision Authority.
- 3. An application to amend the Land Use Bylaw that has not been given third reading by Council prior to the coming into force of this Bylaw shall be considered by Council pursuant to this Bylaw and any other relevant planning consideration.

a. Reference to Other Legislation and Documents

- 1. Any reference in this Bylaw to other legislation or documents shall be a reference to the Bylaw or legislation then in effect and shall include all amendments and any successor legislation.

b. Purpose

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

a) to implement the policies of the Town's Municipal Development Plan and Statutory Plans;

a)

b) to divide the Town into land use districts;

e) to prescribe and regulate for each district the purpose of which land and buildings may be used;

c)

d) to establish supplementary regulations and govern certain specific land uses;

d)

e) to establish a Development Authority:

i) establish a method of making decisions on applications for Development Permits including the issuing of Development Permits and dealing with appeals;

i)

ii) to prescribe method to notify landowner who may be affected by the issuing of a Development Permit; and

ii)

iii) to prescribe a procedure for making amendments to this Bylaw.

iii)

iv) This Bylaw shall be applied in a manner that implements statutory plans which have been adopted by the Town and that are consistent with the Municipal Government Act MGA.

1.6 Compliance with Other Legislation

1. The requirements of this Land Use Bylaw does not exempt any person from compliance with:

a) obtaining a Development Permit as required by the Bylaw or obtain any other permit, licence or any authorization required by this or any other Bylaw;

a)

b) Statutory Plan;

b)

c) Town of Blackfalds Design Guidelines;

c)

d) Town of Blackfalds Downtown Revitalization Plan;

d)

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- d) _____
- e) compliance with any covenant, easement, agreement or contract affecting the lands or development;
- e) _____
- f) any Federal, Provincial or Municipal legislation, regulation, code or statute.

1.7 Language and Interpretation

1. In this Bylaw:

- a) words in singular include the plural and words in the plural include the singular where the context requires;
- a) _____
- b) words used in the present tense include the other tenses and derivative forms;
- b) _____
- c) words using masculine gender include feminine gender and, words using feminine gender include masculine gender;
- c) _____
- d) words in either gender include corporations;
- d) _____
- e) 'shall', 'must' and 'required' are to be construed as a compulsory obligation subject to the variance provisions of this Bylaw pursuant to the ~~Municipal Government Act~~ MGA;
- e) _____
- f) 'may' is to be interpreted as permissive and empowering;
- f) _____
- g) 'should' is an operative word which means that, in order to achieve municipal goals and objectives, it is strongly advised that the action be taken. Exceptions may be made only under extenuating circumstances;
- g) _____
- h) words, ~~phrases~~ phrases, and terms not defined in this Part of the Bylaw may be given their definition in the ~~Municipal Government Act~~ MGA or Municipal Development Plan. Other words shall be given their usual and customary meaning;
- h) _____
- i) a 'person' includes an individual, partnership, association, corporation, firm, trustee, executor, ~~administrator~~ administrator, and legal representative of a person; and
- i) _____
- j) an 'individual' does not include a corporate or other type of persons who are not human beings.

1.8 Illustrations and Measurements

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1. Drawings and graphic illustrations are provided to assist in interpreting and understanding the Bylaw. Where a conflict or inconsistency exists between a drawing and the remainder of the Bylaw, the text shall prevail.

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2. Measurements:

a) ~~unless otherwise specified, all measurements are in metric; whenever metric measurements are presented in the Bylaw, metric values are used and shall take precedence. Imperial equivalents provided, in parenthesis, are approximate and intended for information only.~~

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a)
b) where a measurement or an amount is calculated based on a rate or ratio, the required measurement or amount may be rounded to the nearest whole number. Where a requirement states a specific measurement with a decimal place, the requirement found in this Bylaw stands and shall not be rounded.

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1.9 Purpose Statements

1. The purpose statements in each land use district are included to describe the intent of the land use district. The use and development activity with each land use district should reflect its purpose.

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1.10 Severability

1. If any portion of the Bylaw is held to be invalid by a decision of a court of the competent jurisdiction, that decision does not affect the validity of the remaining portions of this Bylaw.

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1.11 Establishment of Forms

- For the purpose of administering this Land Use Bylaw the Development Officer shall prepare such forms and notices as may be necessary.
- Any such forms or notices are deemed to have the full force and effect of this Land Use Bylaw in the execution of the purpose for which they were designed, authorized, and issued.

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1.12 Establishment of Supplementary Regulations

1. General Regulations as set forth in Part 3 hereto, are hereby adopted by reference to be part of this Land Use Bylaw, and to be amended in the same manner as any other part of this Land Use Bylaw.

1.13 Establishment of Land Use Districts

1. Land Use District Regulations as set forth in Part 6 hereto, are hereby adopted by reference to be part of this Land Use Bylaw, and to be amended in the same manner as any part of this Land Use Bylaw.
2. The boundaries of the Districts listed in subsection (1) are as delineated on the Land Use District Map being Part 89 hereto. All public roadways, watercourses and lakes are excluded from the Land Use Districts.
3. Where the location of District boundaries on the Land Use District Map is not clearly understood, the following rules shall apply:
 - a) a boundary shown as approximately following a parcel boundary shall be deemed to follow the parcel boundary;
 - b) a boundary which does not follow a parcel boundary shall be located by measurement of the Land Use District Map; and
 - c) a boundary location which cannot be satisfactorily resolved shall be referred to Council for an official interpretation.
4. For the purpose of this Land Use Bylaw the Town of Blackfalds is divided into the following Districts:
 - Residential Single Dwelling Large Lot District (R-1L)
 - Residential Single Dwelling Medium Lot District (R-1M)
 - Residential Single Dwelling Small Lot District (R-1S)
 - Residential Manufactured Home Park District (R-MHP)
 - Residential Multi Dwelling District (R-2)
 - Residential Medium Density District (R-3)
 - Residential High Density District (R-4)
 - Residential Maximum Density Multi Unit District (R-5)
 - Commercial Central District (C-1)
 - Commercial Highway District (C-2)
 - Commercial Local District (C-3)
 - Business Park District (C-4)
 - Commercial Mixed Use District (CMU)

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- Direct Control District (DC)
- Direct Control District #2 (DC-1)
- Direct Control District #2 (DC-2)
- Direct Control District #3 (DC-3)
- Industrial Light District (I-1)
- Industrial Heavy District (I-2)
- Public Facility District (PF)
- Environmental Open Space District (EOS)
- Urban Reserve District (UR)
- Agricultural District (AG)

1.14 Definitions

1. Where a specific use applied for generally conforms to the wording of two (2) or more uses, the Development Officer shall determine the use that fits closest to the developments character and purpose.
2. For Direct Control Districts, included in Part 7 that were approved under the provisions of a previous Land Use Bylaw, as amended, terms shall be interpreted use the definitions and context of the Bylaw that was in force and effect at the time of passage of the Direct Control District.
3. Words, terms, and phrases specifically relating to signs are listed in Part 5 of this Bylaw.
4. The following words and terms and phrases, occurring in this Bylaw have the following meanings:

Commented [PU8]: Has any thought been given to changing this to a district intended to allow for existing uses of the land, agricultural, temporary type uses and limited 'rural land uses that will not impede on future development? i.e. a 'reserve' district?? A "holding" type district?

Commented [HA9R8]: Already have an Urban Reserve district; consider modifying that district instead

Commented [SS10R8]: Where is there land zoned AG in Blackfalds? Looked at LUB map and it was hard to see. If the intent is to hold land in the longer term for future expansion would be better as Urban Reserve District. Most of non-developed land on LUB Map is in Urban Reserve. If the Agricultural District is limited to a few small parcels the LUB could specify that this district is only for those parcels.

Commented [HA11]: Update to ensure consistency with document contents

Commented [PU12R11]: Re-organized in new Order

Commented [PU13R11]:

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A

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

ACCESSORY BUILDING see **BUILDING, Accessory**

ACCESSORY SUITE means a development consisting of a dwelling located within, and accessory to, a structure in which the principal use is a detached dwelling. An Accessory suite has cooking facilities, food preparation, sleeping and sanitary facilities which are physically separate from those of the principal dwelling within the structure. An accessory suite also has an entrance separate from the entrance to the principal dwelling either from a common indoor landing or directly from the side or rear of the structure. This use includes the development or conversion of basement space or above grade space to a separate dwelling or the addition of new floor space for an accessory suite to an existing detached dwelling. The use does not include an apartment, semi-detached dwelling, group home, boarding or lodging house, multi attached housing or included within a multiple housing development.

ACCESSORY USE, See **USE, Accessory**

ADJACENT LAND means land that abuts a lot or site, and land that would abut a lot or site if not for a road, lane, walkway, watercourse, utility lot, pipeline right of way, power line, railway or similar feature.

ADULT ENTERTAINMENT means any premises or part thereof wherein live performances, motion pictures, electronic media, electronic or photographic reproductions, the principal feature of which is the nudity or partial nudity of any person, are performed or shown as a principal use or an accessory to some other business activity which is conducted on the premises.

AGRICULTURAL BUILDING means a structure associated with and generally essential to an agricultural operation. Such structures or facilities may include but are not limited to the following: machine sheds, storage sheds, grain bins, silos, animal housing and/or feeding facilities, corrals, pens, and other accessory farm structures.

AGRICULTURE means the raising crops or rearing of livestock, either separately or in conjunction with one another. This may include apiculture, aquaculture and vermiculture. An Agricultural Operation does not include, intensive or not, livestock operations as defined under Alberta Agricultural Operation Practices Act, Revised Statutes of Alberta 2000, Chapter A-7 or cultivation, growing, production and/or distribution of Cannabis.

AMENITY SPACE means a space designed for active or passive recreational use that is provided for the use of all occupants of a development.

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Commented [PU18]: Not listed in any district

Commented [HA19R18]: No issue, keep.

Commented [SS20R18]: Agree

Commented [PU21]: Setbacks from residential districts, schools, public or private, places of worship, parks, natural areas, playground Like 460 m??

Commented [HA22R21]: Yes if this is not anticipated within a specific zone, and instead it's being called out for regulatory purposes -- you should include a setback from other specific uses: residential, schools, place of worship, park maybe, any use with a playground.

Commented [SS23R21]: On the Town of Three Hills LUB that Amanda and I worked we drafted the wording below. This wording was put in its own special regulations but could be added to this definition.

•An adult entertainment facility shall not be located closer than 150 m (492 ft) to a parcel in a residential district, af ...

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Commented [SS14]: May want to move this to building ...

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Commented [HA15]: This definition limits the style of ...

Commented [PU16R15]: We are not considering a ...

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ANIMAL BOARDING OR BREEDING FACILITY means a premises where domestic animals are kept for the grooming, overnight housing, exercising or training of domestic animals not generally owned by the occupant of the premises. Additional uses may also include a premises where domestic animals are kept, bred bought or sold. A boarding or breeding facility may also, as accessory use retail goods associated with pet care. An Animal Boarding or Breeding Facility does not include a Residential Kennel.

APARTMENT; ~~means~~ **DWELLING.**
Apartment means a residential building with a shared outside entrance(s), consisting of at least 3 dwelling units. An apartment does not include multi attached, a semi-detached dwelling or stacked row housing.
~~See DWELLING, Apartment~~

ASSISTED LIVING FACILITY means a building, or a portion of a building operated for the purpose of providing live in accommodation for six or more persons with chronic or declining conditions requiring professional care or supervision or ongoing medical care, nursing, or homemaking services or for persons generally requiring specialized care.

AREA REDEVELOPMENT PLAN means a statutory plan adopted by Council to guide the redevelopment of existing developed areas, pursuant to the ~~Municipal Government Act~~ **MGA**.

AREA STRUCTURE PLAN means a statutory plan adopted by Council to provide long range land use planning for

large areas of undeveloped land within the Town, pursuant to the ~~Municipal Government Act~~ **MGA**.

AUCTION FACILITY, No Livestock means the use of a parcel or building for the temporary storage of goods, which are to be sold on the premises by public auction from time to time.

AUCTION FACILITY, Livestock means an auction facility that stores and auctions livestock.

AUTOBODY REPAIR AND PAINT SHOP means a premise where automobiles, trucks and other light duty vehicles undergo body repair and painting.

AUTOMOBILE SALES AND RENTAL means a development used for the sale and rental of motor vehicles but does not include Recreational Vehicle Sales and Service or an Autobody Repair and Paint Shop.

AUTOMOTIVE SERVICE means a development for the service and maintenance of motor vehicles, where minor automotive repairs, the incidental replacement of parts, maintenance, lubricating oils and other automotive fluids are provided. Typical uses include but are not limited to, muffler shops, lubrication shops, brake repair shops, tire installation shops, vehicle detailing, undercoating or windshield replacement facilities. Not included Automobile Sales and Rental or an Autobody Repair and Paint Shop or Gas Bar and does not contain a Car Wash. This use may include an outdoor storage yard where Outdoor Storage Yard is listed as a use within the district.

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Commented [HA24]: Consider the difference between this and a Kennel

Commented [SS25R24]: This doesn't allow for breeding as the Animal Breeding Facility and Kennel does. Agree with Amanda's comment that these four use should be grouped together and streamlined

Commented [HA26R24]: Should keep all of these types of uses consolidated with a similar name instead of having 2 kennels and 2 of these –makes it very confusions and allows opportunities for conflict or oversight

Commented [PU27R24]: Combined the uses.

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Commented [PU28]: Caution with this definition. It is a listed use in the downtown C-1. Do we want some of these uses down there?

Commented [HA29R28]: Guessing this was listed in C-1 to accommodate the Centex downtown (Indiana St & Broadway); could remove this use from that district and instead add the specific lot where the autoshop is into an exceptions list

@Summers, Sylvia Please provide recommendation/ context to have to incorporate an exclusion or exception for a specific lot

Commented [SS30R28]: Beside the use in the permitted and discretionary uses section of the district state "on land ...

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pays for and takes regular lodging with or without meals within a household.

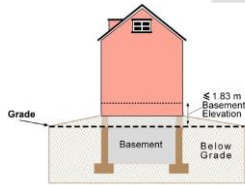
BOARDING OR LODGING HOUSE means a building, or portion of a building without individual suites operated for the purpose of providing live-in accommodation (either room for rent or

room and board), not exceeding more than five (5) residents. This does not include hotels, motels or a bed and breakfast establishment.

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BASEMENT means that portion of a building or structure which is wholly or partially below grade, the ceiling of which does not extend more than 1.8 m above finished grade.



BREW PUB means an establishment where food is served and where beer, wine or alcoholic spirits are produced on site for consumption within the premises and for retail sale. The facility is licensed by the Alberta Gaming and Liquor Commission (AGLC) where the small-scale production and production and packaging of alcoholic and non-alcoholic beverages takes place and includes distribution, retail, or wholesale, on or off the premises.

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BASEMENT WALKOUT means a story of a building located below the first storey and having at least one wall wholly or partially above grade.

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BED & BREAKFAST means a secondary business that forms an accessory use in a single detached dwelling where ~~short term~~ **short-term** accommodation is provided with meals for overnight accommodation and is permanently occupied by the provider of the service. The maximum number of bedrooms permitted in a bed and breakfast is two (2). This use does not include a boarding or lodging facility, hotel or motel.

BUILDING means anything constructed or placed on, over or under land but does not include a highway or public street or bridge forming part of a highway or public street.

BUILDING, Accessory means a detached building naturally or normally incidental, subordinate to the principle building on the same lot or site. Accessory buildings are not intended to support any occupancy. Typical accessory buildings include, but are not limited to, detached garages, sheds, gazebos, and garden sheds or greenhouse minor. An accessory building

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does not include tarp or canvas covered structure.

BUILDING, Canvas Covered means a temporary building or structure which the roof and/or one or more of the walls is made of canvas, fabric or tarp covered membrane building. Such building does not have a foundation or footing. Applications may include warehouses, vehicle and equipment storage, manufactured facilities, barns, stables, arenas and event centres. A canvas covered building is not permitted in residential districts.

BUILDING, Demolition means the pulling down, tearing down or razing of a building.

BUILDING, Face means that portion of any exterior elevation of a building exposed to public view extending from the grade to the eaves or the top of the parapet wall and the entire length of the building elevation, includes all areas divided by firewalls.

BUILDING, Frontage means the length of a building that directly faces a road.

BUILDING, Height means the vertical distance measured from the finished grade to the highest point of the roof, for flat roofs, and to the top of the ridge on all other roofs. Building height does not include any accessory roof construction such as mechanical housing, elevator housing, roof stairway entrance, ventilating fan, skylight, chimney, steeple, or similar features.



BUILDING, Moved In means a building that has been assembled at and/or used on a site and previously utilized which is to be moved more or less whole to another site. This use does not include Moved in Dwelling**DWELLING, Moved in.**

BUILDING SUPPLY AND LUMBER OUTLET means a building or structure in which building, or construction and home improvement materials are offered or kept for retail sale and may include the fabrication of certain materials related to home improvement. A Building Supply and Lumber Outlet may contain the outdoor display or storage of lumber products.

BULK FUELING DEPOT means lands, buildings and structures for the bulk storage and distribution of petroleum products and may include key lock or card lock wholesale and retail.

BUS DEPOT means a facility providing for the departure and arrival of passengers and freight carried by bus.

BUSINESS SERVICE, Industrial means a facility for supplying goods, materials, and/or services that support agricultural uses, whether retail, wholesale, or in bulk. This may include such goods and services as sale and storage of seeds, feeds, fertilizers, chemical products, fuels, lubricants, parts or the rental, sale, repair and servicing of farm machinery and equipment but does not include the buying

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Commented [PU31]: Do we want permanent?

Commented [SS32R31]: Is Blackfalds intending to only issue a temporary permit for these for a specified number of months or years? If so is the intent to inspect the structure for condition before renewal? If this isn't the case you may want to take out the word temporary. If permanent may want to consider if foundation is necessary.

May want to note not permitted in residential districts.

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Commented [PU33]: New – UFA farm centres, machinery dealerships, seed cleaning/fertilizer farm chemicals, etc, any conflicts with any other definition? Need for this? Districts??

Commented [PU34R33]: Primarily targeted for AG districts

Commented [HA35R33]: Would recommend a 'business service industrial' type of district that combines retail sales with outdoor storage and even fuel sales. Would be similar to a standard Home Hardware, Co-Op Hardware, Superstore, Costco, etc. Consider C2 or I1

Commented [SS36R33]: Agree.

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or selling of farm produce or animals. Such a facility may include an administrative office, accessory structures, outdoor work areas, parking, and outdoor storage areas.

BUSINESS SUPPORT SERVICE means a development used to provide any of the following services: printing, duplicating, binding or photographic processing, office maintenance or custodial services; office maintenance services, administrative services, security services, sales, service or rental of business equipment, cellular phones and fax machines, and advertising.

C

C-CAN, see SHIPPING CONTAINER

CAMPGROUND means development of land which has been planned and improved for seasonal accommodation in tents or recreational vehicles. A campground includes related accessory buildings including, but not limited to, administrative offices, washrooms and shower facilities, playgrounds, laundry facilities, firewood storage, water supply, sewage disposal facilities, waste collection facilities, recycling facilities and may also include day use areas.

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

CANNABIS, Accessory means cannabis accessory as defined in the *Cannabis Act*

(Canada) and its regulations, as amended from time to time.

CANNABIS, Lounge means a development where the main use is the sale of cannabis to the public for immediate onsite consumption within the premises.

CANNABIS PRODUCTION AND DISTRIBUTION means a development where cannabis is produced, as defined in the *Cannabis Act* (Canada), for commercial purposes, and includes any storage or distribution of cannabis for commercial purposes.

CANOPY means an architectural feature or structure protective element affixed to the exterior wall of a building over a door, entrance, outdoor service area or similar type of entrance way.

CANTILEVER means the portion of a building which projects in order to provide additional livable interior space, and which has no foundation or supports below. This does not include a balcony.

CANVAS OR TENT STRUCTURE, see BUILDING, Canvas Covered

CAR WASH means a building or structure containing facilities for a self-service car wash or washing light duty motor vehicles by production line methods which may include a conveyor system or similar mechanical devices. This type of use is not intended for commercial vehicles, oilfield

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Commented [PU38]: See also Automotive Service. One is specific, one is broad uses.

Commented [SS39R38]: This more refined use is good to have as it may be appropriate to have a car wash in a location where full Automotive Service is not appropriate.

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vehicles, cattle liners, farm equipment or other similar vehicles.

CARPORT means a roofed structure either free standing or attached to a building, which is not enclosed on the front and at least one side, to shelter parked vehicles.

CEMETERY means land that is set apart or land that is used for the burial or interment of human remains. This includes a memorial park, burial ground, columbarium, or mausoleum.

CHIEF ADMINISTRATIVE OFFICER means the Chief Administrative Officer of the Town of Blackfalds as appointed by Council.

COMMERCIAL SCHOOL means a privately funded premise for the training, instruction, and certification in a specific trade, skill, or service for the financial gain of the person owning the school. Uses may include hairstyling or beauty school, dance school or music school or training school. A Commercial School does not include a School or an Industrial Training Facility.

COMMERCIAL SERVICE FACILITY means a facility in which services are provided commercially to individuals, and without limiting the generality of the foregoing, may include:

- a) services related to the care and appearance of the body such as a massage business, beauty shop, barber shop, tanning salon or fitness centre,
- b) cleaning and repair of personal effects such as shoe repair, dry cleaning or laundering outlet,

- c) care of small animals such as pet grooming salon, or
- d) financial or insurance services outlet, real estate agency, travel agency, but does not include Office, Funeral Home, or Crematorium or Health Service

COMMERCIAL TRAILER means a trailer that is licensed and/or insured as a commercial trailer.

COMMUNICATION FACILITY or **COMMUNICATION TOWERS** means any tower used to provide a broad range of communication services through the transmitting, receiving or relaying of voice and data signals such as radio, cellular, broadcast and wireless data. Regulated through Industry Canada

COMMUNITY FACILITY means a development for use by the public or public/private groups for cultural or community activities. Typical uses include, but are not limited to, museums or libraries.

CONCRETE PLANT, Major means a permanent plant or facility that is used for the processing, manufacturing, recycling, and sale of concrete, and includes facilities for the administration or management of the building, the stockpile of bulk materials used in the production process or of finished products manufactured on-site and the storage and maintenance of required equipment.

CONCRETE PLANT, Minor means a portable unit that is used for the processing, manufacturing, recycling, and

Commented [PU44]: Do we want to include dry cleaners and laundromats?

Commented [SS45R44]: Yes, I would suggest keeping in unless there is some nuisance concern with the uses.

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Commented [PU40]: c-2 c-3 C-4 CMU Do not include in light industrial. Have experienced conflicts with these uses in that district.

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Commented [CH41]: What kind of school should this refer to?

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Commented [PU42]: Do we want to combine this with business support service.

Commented [SS43R42]: •These uses are often seen together under Personal Service Uses in other municipalities. I would recommend keeping as a separate use. I would recommend leaving dry cleaners and laundromats in.

•Dry cleaning and laundromats are mentioned in both c) and d)

•Fitness clubs are usually of a bigger size and you may want to consider them in the Recreation Facility – Commercial Use instead of here.

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Commented [HA46]: If alphabetical, should come after

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sale of concrete, and includes facilities for the administration or management of the building, limited stockpile of bulk materials used in the production process or of finished products manufactured on-site and the storage and maintenance of required equipment.

CONSERVATION means the planning, management, and implementation of an activity with the objective of protecting the essential physical, chemical and biological characteristics of the environment against degradation, as defined with in the Environmental Enhancement and Protection Act.

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CONSERVATION BOARD means an agreement registered against the certificate of title whereby a landowner grants to the Town (or other government, government agency, or non-profit society with conservation objectives satisfactory to the Town) provisions for the protection, conservation and enhancement of the environment including the protection conversation and enhancement of biological diversity and natural scenic or aesthetic values. A Conservation Easement may provide for recreational use, agricultures, open space use, environmental education use and research and scientific studies of natural ecosystems.

CONTRACTOR OPERATION, Major means a premises used to commercial and industrial service support and construction. Typical uses include, but are not limited to, oilfield support services, laboratories, cleaning, and maintenance contractors, building construction, surveying, landscaping, concrete finishing, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, mobile equipment or vehicles normally associated with the contractor service. Any sales, display, office, or technical support service areas shall be accessory to the principal general contractor use. Such an operation may include an administrative office, accessory structures, outdoor work areas, parking, and outdoor storage areas.

CONTRACTOR OPERATION, Minor means a premises used for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four (4) vehicles. Such an operation may include an administrative office.

COUNCIL means the Council of the Town of Blackfalds.

D

DANGEROUS GOODS has the meaning in the Alberta Fire Code, as amended from time to time.

DAYCARE, MAJOR means a commercial use intended to provide care or supervision and may include learning services for more than ~~620~~ persons during the day or evening which is authorized by the Province of Alberta. This includes group day care centres, out-of-school care centres, nursery or play schools and drop-in centres. A daycare major excludes schools.

DAYCARE, MINOR means an accessory use intended to provide care or supervision and may include learning services for less than ~~67~~ persons during the day or evening. This includes day care, out-of-school care, nursery or play schools, and drop-in centres. A daycare minor excludes schools.

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Commented [CH48]: Should this say “for” and not “to”?

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DECK means an unenclosed structure, or series of platforms without roof or walls (except railings) where the top of the floor is 0.6 m (2.0 ft) or greater in height above finished grade and which is designed and intended for use as a private outdoor amenity space.

DECK, Covered means a platform or series of platforms that may be attached to a Dwelling unit with a roof attached to and forming part of the same dwelling. A covered deck may be enclosed by glass or other screening.

DESIGNATED OFFICER means a Development Officer, Development Officer (Enforcement), or any other official appointed by the Chief Administrative Officer to enforce the provisions of the ~~Municipal Government Act~~MGA and its regulations, the conditions of a ~~Development Permit~~ or subdivision approval, and this Bylaw.

DETACHED DWELLING means a residential building, self-contained living accommodation comprised of a kitchen, living, sleeping and sanitary facilities, intended as a permanent residence and having an independent entrance from the outside of the building

DEVELOPMENT: As per the ~~Municipal Government Act~~MGA:

- a) an excavation or stockpile and the creation of either of them, or
- b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them, or

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

DEVELOPMENT AUTHORITY has the same meaning as listed within Part 17 of the ~~Municipal Government Act~~MGA.

DEVELOPMENT OFFICER means a designated officer who is appointed by according to procedure authorized by Town Council and who exercises powers to and performs duties on behalf of the town.

DEVELOPMENT, Temporary means development for which a ~~Development Permit~~ has been issued for a limited time only.

DISCRETIONARY USE, see USE, Discretionary

DISTRIBUTION FACILITY means an enclosed building development where the main use is the receipt, temporary storage and redistribution of goods. Bylaw 1231/20

DISTRICT, see LAND USE DISTRICT

DOWNTOWN REVITALIZATION PLAN
Means a statutory plan adopted by Council to guide redevelopment of existing developed areas in accordance with the ~~Municipal Government Act~~MGA.

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DRINKING ESTABLISHMENT means an establishment where the primary purpose of which is the sale of alcoholic beverages for consumption on the premises and the secondary purposes of which may include entertainment, dancing, the preparation and sale of food for consumption on the premises, takeout food services and the sale of alcoholic beverages for consumption away from the premises. A drinking establishment includes any premises in respect of which a "Class A" liquor license, has been issued and where minors are prohibited at any time. ~~as per the terms of the license.~~ This use does not include an Adult Entertainment Establishment.

DRIVEWAY means the connection from an on-site parking area to an access and does not include the area used as a walkway.

DRIVE-THROUGH BUSINESS means a development which services customers who remain in their vehicle while business is conducted. A drive-through business may be the primary use on a site or an accessory use. ~~—~~ A Drive-Through excludes any Food Service uses.

DWELLING, Accessory Suite, see ACCESSORY SUITE

DWELLING, Apartment means a residential building with a shared outside entrance(s), consisting of at least 2 dwelling units. An apartment does not include multi-attached, a semi-detached dwelling or stacked row housing.

DWELLING, Detached means a residential building, ~~self-contained living accommodation comprised of a kitchen, living, sleeping and sanitary facilities, intended as a permanent residence and having an independent entrance from the outside of the building.~~

DWELLING, Manufactured Home means a prefabricated dwelling unit that meets ~~Canadian Standards Association (CSA) standards and is transportable and may be towed in one or two sections to be joined into one dwelling unit on site. Where there is an undercarriage, it shall be skirted. A manufactured home does not include a modular home, moved in building or ready to move dwelling. A manufactured home cannot accommodate an accessory suite.~~

DWELLING, Modular Home means finished section(s) of a complete and unoccupied dwelling unit building, built at an off-site manufacturing facility for transport to a lot for installation on a permanent foundation and which conforms to the Alberta Building Code. "Finished" means fully enclosed on the exterior and interior but may not include interior painting, taping, installation of cabinets, floor covering, fixture or heating system in. A modular home has no chassis, running gear or wheels. This does not include a manufactured home, moved in building or ready to move dwelling or recreational vehicle.

DWELLING, Moved In means a previously existing, established, and occupied dwelling, which is removed from one site and then transported and re-established on another site. A moved in dwelling does not include a manufactured home, modular

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Commented [HA51]: Consider renaming for "Food Service,

Drive Through Only" so that all food service categories are grouped together

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Commented [PU52]: Any other provisions required? Must be located on a lot with a dwelling? Clearly state that one additional parking stall is to be provided in addition to the two for the primary dwelling. maximum floor area? Do you allow tandem parking for the third parking requirement? Can a dwelling unit with a suite each have a home based business, etc.

Commented [HA53R52]: Should have its own section

Commented [SS54R52]: If there are a number of regulations that the municipality wants added to this use, I would suggest these should be addressed in Section 5.1.4 Accessory Suites in the General Regulations. Otherwise the definition becomes too large. You may want to consider having Accessory Suites be their own Section in the Special Regulations Section. Has Blackfalds considered Garage Suites as well?

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~~home, ready-to-move dwelling, motor home, travel trailer, recreation vehicle and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.~~

~~**DWELLING, Multi-Attached** means a residential building containing three or more dwelling units separated by common walls and located either on a single lot or each unit is on its own individual lot, and each dwelling unit having a separate, direct entrance from the exterior. This definition applies to forms of housing that include, but is not limited to, townhouses, row houses, triplexes or fourplexes. A Multi attached dwelling does cannot accommodate an accessory suite.~~

~~**DUPLEX** means a building that contains two dwellings separated either by a common party wall extending from foundation to roof and/or by a common ceiling/floor assembly, with each dwelling having its own separate entrance to the exterior. A duplex dwelling does not include an Accessory Suite.~~

~~**DWELLING, Multiple Housing Development** means two or more buildings containing dwelling units, located on a parcel of land, where all the buildings, recreation areas, vehicular areas, landscaping, and all other features have been planned as an integrated development. Multiple housing developments cannot accommodate accessory suites.~~

~~**DWELLING, Ready-To-Move** means a previously unoccupied dwelling constructed at a place other than its permanent location (off site) which is building to current Alberta Safety Codes Standards and is transported complete with paint, cabinets, floor covering, lighting and plumbing fixtures, to a site and placed on a permanent basement foundation. A Ready to Move dwelling does not include a manufactured home, modular home, or moved-in dwelling.~~

~~**DWELLING, Semi-Detached** means a building that contains two dwellings separated either by a common party wall extending from foundation to roof and/or by a common ceiling/floor assembly, with each dwelling having its own separate entrance to the exterior. A duplex dwelling does not include an Accessory Suite.~~

~~**DWELLING, Stacked Row Housing** means a building containing three or more Dwellings arranged two deep, either vertically so that Dwellings are placed over others, or horizontally so that Dwellings are attached at the rear as well as at the side. Each Dwelling shall have separate and individual access, not necessarily directly to grade, provided that no more than two dwellings may share access to grade. This use does not include a duplex, multi attached, or an apartment.~~

E

EASEMENT means the right to use public or private land owned by another, generally for use by the public, a corporation or another person or entity.

Commented [HA55]: Does this piece of the definition cause confusion with the Modular Home definition?

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ELECTRIC VEHICLE CHARGING STATION means is an element of an infrastructure that supplies energy for the recharging of plug-in electric vehicles. (see Part 3.19.1 (3))

ENVIRONMENTALLY SENSITIVE LANDS mean areas that:

- provide an important linking function and permit the movement of wildlife over considerable distances, including migration corridors and migratory stopover points;
- provide a vital environmental, ecological or hydrological function such as an aquifer recharge;
- contain rare or unique geological or physiographic features;
- contain significant, rare or endangered plant or animal species; are unique habitats with limited representation in the region or are a small remnant of once large habitats;
- contain an unusual diversity of plant or animal communities or both due to a variety of geomorphological features and microclimatic effects;
- contain large and relatively undisturbed habitats and provide sheltered habitat for species which are intolerant of human disturbance;
- are excellent representatives of one or more ecosystems or landscapes that characterize a natural region;
- have intrinsic appeal due to widespread community interest or the presence of highly valued features or species such as a game species or sport fish; or
- have lengthy histories of scientific research.

E

FARM EQUIPMENT SALES AND SERVICE OUTLET means a premise used for the sale, rental, service or repair of machinery and equipment typically used in agricultural operations. Such a facility may contain an office, accessory buildings and outdoor storage and display of machinery and equipment.

FARMER'S MARKET means the business of conducting a public open market at which various vendors or goods lease a stall or space from a holder of a provincial market approval through a non-profit organization and situated at the location approved by the Town of Blackfalds from time to time. A Farmer's Market does not include a Public Market.

FLANKING SIDE PROPERTY LINE, see PROPERTY LINE, Flanking Side

FLOOR AREA means the total area of all floors in a building, measured between the interior faces of the exterior walls of the building at each floor level.

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

FOOD PROCESSING & MANUFACTURING FACILITY means a commercial facility in which food or beverage products or both are manufactured, produced or otherwise prepared for human consumption but not consumed on the premises. This may include an office and retail component; however, this retail component shall be accessory to the principal use. Typical

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uses may include a bakery, pre-packaged foods, water bottling and catering facilities. This does not include food service or mobile catering. The impact of this use shall not extend beyond the boundaries of the building.

FOOD SERVICE, Mobile Catering means the delivery and sale of food to the public using a fleet of vehicles.

FOOD SERVICE, Restaurant means an establishment where the primary purpose of which is the preparation and sale of food for consumption on the premises, and the secondary purposes of which may include the sale of alcoholic or non-alcoholic beverages incidental to the meal, takeout food or drive-through services and catering. A restaurant does not include a drinking establishment but does include any premises in respect of which a "Class A" liquor License has been issued and where minors are not prohibited by the terms of the license and does not include a drinking establishment, cannabis consumption facility or a cannabis lounge.

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FOOD SERVICE, Specialty means a premise where limited types of prepared foods and beverages are offered for sale to the public for consumption on or off the site. This use may contain a drive-through component. Typical uses are coffee, donut, bagel, sandwich, or dessert shops.

FRONT PROPERTY LINE, see **PROPERTY LINE**, Front

FRONT YARD, see **YARD**, Front

FUNERAL HOME, with Crematorium means a use which provides for the arrangement of funerals, the holding of funeral services, and the preparation of the dead for burial or cremation and includes a one or more cremation chambers used to reduce human bodies to ashes by heat.

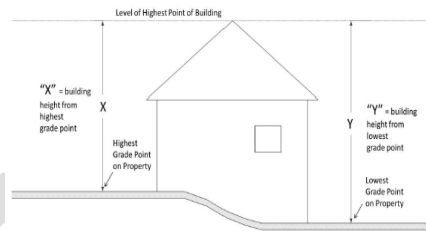
FUNERAL HOME, without Crematorium means a use which provides for the arrangement of funerals, the holding of funeral services, and the preparation of the dead for burial or cremation but does not include a Crematorium or cremation chamber.

G

GARDEN CENTRE, see **LANDSCAPING SALES**

GAS BAR means a site or portion thereof used for the sale of petroleum products incidental auto accessories which may include lubricating oils and other automotive fluids or motor vehicle accessories but does not include repairs.

GRADE means the ground elevation established for the purpose of regulating the number of storeys and the height of



a building or structure.

GRADE, Building means the average level of finished ground adjoining the main front wall of a building (not including an attached garage), except for areas such as vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.

GREENHOUSE, Major means a commercial use of the premise used primarily for the raising, storage and sale of produce, bedding, household, ornamental plants and related material such as tools, soil and fertilizers. The main part of the building must be plant-related, and any aggregate sales shall be a minor accessory component only. This does not include a Cannabis Production & Distribution facility

GREENHOUSE, Minor means a residential use of an accessory building used for the raising of produce, bedding, household or ornamental plants. A Greenhouse, Minor shall comply with Part 6.

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Commented [PU56]: Would these require additional parking requirements. (i.e. Tim Hortons, Starbucks?)

Commented [HA57R56]: Should have this use say contain a drive-through rather than may require... and ...

Commented [SS58R56]: If the municipality is concerne ...

Commented [HA59]: Consider renaming "Food Service, ...

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Commented [PU60]: What Districts?

Commented [PU61R60]: Industrial and Discretionary in ...

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Commented [HA62R60]: Would not recommend this u ...

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Commented [PU64]: New - currently listed in industrial ...

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Commented [PU65]: Or add in definition of accessory ...

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nature and may include medical and dental offices, health clinics, acupuncture clinics, physiotherapy and counselling services.

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Commented [SS67]: Is there any need for multiple definitions to differentiate the number of individuals in the home (e.g. group home limited 6 or less)?

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GROUP HOME means a building or part of a building used for residents who have moderate and non-severe physical, cognitive, or behavioral health issues and who require daily or frequent professional care and supervision to perform daily living tasks, improve wellness, achieve stable and harmonious tenancy or ~~in it, exit safety~~ the case in case of an emergency event. The character of the use is that the occupants live together as a single housekeeping group and use a common kitchen. This does not include boarding or lodging houses.

HEIGHT, see BUILDING, Height

HEAVY EQUIPMENT ASSEMBLY, SALES AND SERVICE means developments used for the service, cleaning or repair of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield and mining construction, manufacturing, assembling, and processing operations and agricultural production.

HEAVY MANUFACTURING AND PROCESSING means the manufacture of products, the process of which generates fumes, gases, smokes, vapours, vibrations, noise or glare, or similar nuisance factors which have a high probability of occurring and which may cause adverse effects to the users of adjacent land.

HEAVY VEHICLE AND EQUIPMENT WASH FACILITY means a commercial facility for cleaning the interior and exterior of commercial trucks. In the case of oilfield tanker trucks, washing the interior of the tank requires adherence to the Code of Practice for Tanker Truck Washing Facilities (EPEA). In the case of cattle transport trucks, washing facilities that deal with manure are regulated by the NRCB

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Commented [HA68]: Would recommend adding a new, separate definition for Health Service – Public or similar to capture buildings that are owned by Alberta Health Services, and then adding it to the Public Facility district

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Commented [PU70]: Defined : as lands used or surveyed for use as a public highway or road, and includes a bridge forming part of a public highway or road and any structure incidental to the public highway or road or bridge.

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H

HARD LANDSCAPING the use of non-vegetative material, other than monolithic concrete, asphalt, or gravel, as part of a landscaped area, as per approval of Development Authority.

HARD SURFACE means a durable ground surface constructed of cast-in-place concrete, brick, concrete unit pavers, stone, asphalt, or similar materials. This does not include gravel, clay, decorative rock, turf stone or recycled materials.

HEALTH SERVICE means a development whose principal use is for the provision of physical and mental health services on an outpatient basis. Services may be of a preventative, diagnostic, treatment therapeutic, rehabilitative, or counselling

~~Highway or Road~~ as defined in *The Public Highway Development Act* RSA Chapter P-38.

HOME BASED BUSINESS means the use of part of a dwelling unit or (where applicable, accessory building or site or combinations thereof) by at least one resident of the dwelling unit for a business activity that results in a product or service.

HOME BASED BUSINESS 1 means the secondary use of a principal dwelling unit by a permanent resident of the dwelling to conduct an occupation, profession or craft which shall not generate additional traffic and is not detectable from the outside of the dwelling. Typical uses include self-employed persons providing a profession or office service. A Home Based Business 1 shall not require any signage, a Home-Based Business Vehicle or require a Non-Resident Employee.

HOME BASED BUSINESS 2 means the secondary use of a principal dwelling by a permanent resident of the dwelling to conduct an occupation, profession or craft which may have up to a maximum six (6) daily clients or customer associated visits per day, not employ a Non-Resident Employee. A Home Based Business 2 may require one (1) Home Based Business Vehicle.

HOME BASED BUSINESS 3 means the secondary use of a principle dwelling and an accessory building or site, or combinations thereof, by at least one permanent resident of the dwelling to conduct a business activity or occupation and may generate up to six (6) daily client or customer associated visits per day. A Home-Based Business 3 may require a Home-Based Business Vehicle Heavy and may employ a maximum of one (1) Non-Resident On-Site Employee.

HOME BASED BUSINESS VEHICLE means any vehicle less than 5,500 kg or trailer that is used in the operation of the home business that is normally maintained, parked, or stored on the lot of the home business. Items or equipment transported to and from the site of the home based business in the box of a truck or on a trailer are not considered to be a home based business vehicle.

HOME BASED BUSINESS VEHICLE, Heavy means any vehicle 5,500 kg or heavier that is used in the operation of the home business that is normally maintained, parked, or stored on the lot of the home business. Items or equipment transported to and from the site of the home business in the box of a truck or on a trailer are not considered to be a heavy home-based business vehicle.

HOTEL means the provision of rooms or suites in a commercial development for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities. This may include accessory food services, neighbourhood pubs, meeting rooms, and commercial service facilities.

INDUSTRIAL TRAINING SCHOOL means a privately funded premise for the training, instruction, and certification in a specific industrial trade. Uses may include, electrical and instrumentation, plumbing or gas, welding, mechanical or driver training.

INFORMATION CENTRE means a building where the primary activity of the site involves informing the public about the

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Commented [PU72]: Include in supplementary provisions for Home Based Businesses

Commented [SS73R72]: Agree if there are specific regulations such as number of vehicles and weight, etc. these should be addressed in specific regulations.

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services and programs provided by the centre and educating individuals or groups on the natural, historical, and cultural features of the area. It may include meeting rooms, office areas and staff rooms.

INTERMUNICIPAL DEVELOPMENT PLAN

means a plan adopted by a Bylaw of the municipality and one or more other municipalities as an intermunicipal development plan pursuant to the ~~Municipal Government Act~~ MGA.

K

KITCHEN means facilities for the preparation or cooking of food, and includes any room containing counters, cabinets, plumbing, or wiring which, taken together, may be intended, or used for the preparation or cooking of food.

L

LAND USE BYLAW means a Bylaw adopted by Council, as amended from time to time.

LAND USE DISTRICT means a Land Use District established under this Bylaw.

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

- a) soft landscaping elements (i.e. trees, shrubs, plants, lawns, ornamental plantings); and
- b) hard landscaping elements (i.e. bricks, pavers, shale, crushed rock).

This does not include monolithic concrete and asphalt (i.e. patios, walkways, and

paths), and architectural elements (i.e. decorative fencing, walls, sculpture).

LANDSCAPING SALES means the use of lands, buildings or structures or part thereof, for the purpose of selling soft landscaping materials such as plants,

trees, and shrubs. Landscaping Sales may also include the indoor storage and sale of small tools and equipment as an accessory use.

LANDSCAPING SALES AND SERVICE means the use of lands, buildings or structures, or part thereof, for the purpose of selling soft landscaping materials such as plants, trees and shrubs, as well as hard landscaping materials such as bricks, pavers, shale, crushed rock or other similar materials associated with landscaping. This does not include a greenhouse, or a business engaged in the sale of lawn and garden equipment.

LANE means a narrow road intended to give access to the rear of buildings and parcels of land. For the purposes of determining setbacks, a lane is not a road.

LIBRARY, see **COMMUNITY FACILITY**

LIGHT EQUIPMENT SALES, SERVICE AND RENTAL SHOP means an establishment where small industrial, commercial, and residential equipment is kept for rental to the general public and includes such things as lawn and garden tools, floor cleaning equipment, painting and decorating supplies, and masonry, plumbing, construction supplies and power tools. A

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Commented [PU77]: Conflict with greenhouse?

Commented [HA78R77]: This use is more industrial in nature because hard landscaping materials make a lot of noise/ dust when they are being moved

Commented [SS79R77]: I don't believe it conflicts as greenhouses are a specific built form whereas this definition does not require a greenhouse building.

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Light Equipment Rental Shop does not require outdoor storage.

LIVE WORK UNIT means a building containing a dwelling unit in combination with a commercial unit which is utilized by the resident(s) and up to one non-resident employee. This may include separate entrances for the commercial and residential portion of the building with an internal passage between. The dwelling unit shall be considered above, to the side or rear of a commercial component. The commercial use shall not detract from the residential character or appearance of the unit and shall not create a nuisance. This may include but is not limited to photography, art, pottery studios, commercial service facility office, incidental sale of items such as antiques or jewellery, or a studio providing instruction such as music or tutoring, to a maximum of four students at one time. This does not include health service, pawnshop, FOOD SERVICE, ~~Restaurant~~, ~~Restaurant~~, FOOD SERVICE, Speciality, or RETAIL, Cannabis. This use does not include a HOME BASED BUSINESS 1, a HOME BASED BUSINESS 2, or a HOME BASED BUSINESS 3.

LEGAL PARKING PAD shall include the area used as a driveway to an attached front drive garage and an area that will include the extension of the sidewalk to the front door to a maximum of 1.0 m (3.28 ft) from the wall of the garage adjacent to the walk leading to the front entrance and will also include the area from the edge of the driveway to the side property line on the opposite side of the sidewalk to the front door (Part 8, Schedule A4). "Legal parking

~~pad, sample drawings at the end of Section 1."~~ This parking pad shall be a hard surfaced pad used for parking vehicles or recreational vehicles in the front yard area.

LOADING SPACE means an on-site parking space reserved for temporary parking for the purpose of loading or unloading goods and materials.

LOT means a:

- quarter section;
- settlement lot shown on an official plan, as defined in the Survey's Act, that is filed or lodged in a Land Titles Office;
- part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title other than by reference to a legal subdivision; or
- part of a parcel of land described in a Certificate of Title if the boundaries of the part are described in the Certificate of Title by reference to a Plan of Subdivision.

LOT, Corner means a lot located at the intersection of two (2) roads, other than a lane.

LOT, Interior means a lot other than a corner lot.

LOT AREA means the total area within the lot lines.

LOT DEPTH means the horizontal distance between the midpoints of the front and rear lot lines.

LOT LINE means the legally defined boundary of any lot.

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Commented [PU80]: Allows for transition of older residences in downtown core. C-1 District Only

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LOT LINE, Front means:

- in the case of an interior lot, a lot line separating the lot from the road;
- in the case of a corner lot, a lot line separating the narrowest road frontage of the lot from the road not including a corner rounding or corner cut;
- in the case of a double fronting lot, the front lot line shall be determined by the Development Officer based on the location of permitted access and the orientation of other development in the block; or
- in the case of a lot abutting a watercourse, the front lot line is the lot line abutting the road.

LOT LINE, Rear means:

- the lot line opposite to, and most distant from, the front lot line; or
- where there is no such property line, the point of intersection of any property lines other than a front lot line which is furthest from and opposite the front lot line.

LOT LINE, Side means any lot boundary that is not a front or rear lot line.

LOT WIDTH means the distance between the midpoints of the side lot lines.

In the case of:

- an irregularly shaped lot such as a pie lot, the width shall be the distance between the side lot lines at 9.0 m from the front lot line; or

Where lot width cannot be reasonably calculated by these methods, the Development Officer shall determine the

lot width having regard to the access, shape and buildable area of the lot, and adjacent lots.

M

MAIN USE means the principal purpose for which a building or parcel is used.

MANUFACTURED HOME, Manufactured Home means a prefabricated dwelling unit that meets Canadian Standards Association (CSA) standards and is transportable and may be towed in one or two sections to be joined into one dwelling unit on site. Where there is an undercarriage, it shall be skirted. A manufactured home does not include a modular home, moved in building or ready-to-move dwelling. A manufactured home cannot accommodate an accessory suite. **see DWELLING, Manufactured Home**

MANUFACTURED HOME PARK ~~means~~ means a development for manufactured homes not having a registered plan of subdivision of individual lots for rent.

MANUFACTURED AND MODULAR HOME SALES AND SERVICE means a facility providing for the sale, rental, lease, or service of manufactured or modular homes.

MIXED USE DEVELOPMENT means a multi storey building designed for more than one type of land use on the same site. The composition of uses will typically be retail or office on the ground floor, with residential units above. In these

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developments, residential uses shall not be on the same floor as commercial uses and shall not be on the ground floor.

MODULAR HOME means finished section(s) of a complete and unoccupied dwelling unit building, built at an off-site manufacturing facility for transport to a lot for installation on a permanent foundation and which conforms to the Alberta Building Code. "Finished" means fully enclosed on the exterior and interior but may not include interior painting, taping, installation of cabinets, floor covering, fixture or heating system. A modular home has no chassis, running gear or wheels. This does not include a manufactured home, moved in building or ready-to-move dwelling or recreational vehicle.
,see DWELLING, Modular Home

MOTEL means a building divided into self-contained sleeping or dwelling units, each with a separate exterior entrance and convenient access to on-site parking. Motels may include food services and commercial service facilities.

MOVED IN DWELLING means a previously existing, established, and occupied dwelling, which is removed from one site and then transported and re-established on another site. A moved in dwelling does not include a manufactured home, modular home, ready-to-move dwelling, motor home, travel trailer, recreation vehicle and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

MOVING STORAGE PODS means small storage pods designed to be placed on a residential property (driveway) on a temporary basis to assist new residents with bringing in their furniture and belongings or existing residents to store their furniture and belongings as they prepare to move or renovate.

MULTIPLE HOUSING DEVELOPMENT means two or more buildings containing dwelling units, located on a parcel of land, where all the buildings, recreation areas, vehicular areas, landscaping, and all other features have been planned as an integrated development. Multiple housing developments cannot accommodate accessory suites.

MULTIPLE HOUSING DEVELOPMENT WITH COMMERCIAL USE means two or more buildings containing dwelling units, one or more of which may include ground floor commercial/retail/restaurant uses, located on a parcel of land, where all the buildings, recreation areas, vehicular areas, landscaping, and all other features have been planned as an integrated development.

~~**MUNICIPAL GOVERNMENT ACT/MGA**~~ means The ~~Municipal Government Act~~ *Municipal Government Act*, RSA 2000, Chapter M-26, as amended and its associated Regulations.

MUNICIPAL SHOP AND STORAGE FACILITY means the facility used by a municipality for the storage of materials used in fulfilling its various functions and the housing and repair of its equipment.

Commented [PU81]: Should these be considered under a Temporary Permit Requirement? How are these regulated. No other reference to these in Bylaw. Where are they allowed?

Commented [PU82]: Consider adding as not requiring a development permit but with a time stipulation

Commented [HA83R82]: Should trigger a time limit, likely not a permit b/c most people wont think to get one

Commented [SS84R82]: These can be regulated under temporary shipping containers with development permit. Add specific regulations to address this in the Shipping Containers Section. We did this for the Town of Three Hills LUB.

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Commented [PU85]: New – Permitted use within the CMU Commercial Mixed Use District

Commented [PU86]: Mixed use development contains one building. This use is two or more.

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MUNICIPAL TAG means a form of ticket prescribed by the Town for a Bylaw offense providing a person with the opportunity to pay an amount to the Town in lieu of prosecution.”

MUNICIPALITY means the Town of Blackfalds.

N

NATURAL AREA means natural, sensitive or scenic lands owned by the Town that are identified for conservation or nature appreciation or both.

NATURAL CONSERVATION means land areas set aside for conversation of natural features or areas of cultural or scenic value, which are intended to be kept in a natural state with limited development of pathway and similar landscape elements that would not impact natural landscaping and drainage patterns.

NON-CONFORMING USE AND NON-CONFORMING BUILDING, as defined in the ~~Municipal Government Act~~Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26

NUISANCE means, for the purposes of this Bylaw, anything that in the opinion of the Development Authority may cause adverse effects to the amenities of the neighbourhood or interfere with the normal enjoyment of adjacent land or building. This could include that which creates or is liable to create noise, vibration, smoke, dust, odour, heat, electrical interference, glare, light, fumes, fire, explosion, or any

other hazard to health or safety, and unsightly or unsafe storage of goods, salvage, junk, waste or other materials.

O

OFF HIGHWAY VEHICLE means, for the purposes of this Bylaw, any motorized mode of transportation built for cross country travel on land, water, snow, ice, marsh, or swamp land or on other natural terrain.

OFFICE means a premise primarily for the provision of professional, management, administrative, consulting, or financial services, in a non-residential setting. Typical uses include but are not limited to the offices of lawyers, accountants, travel agents, real estate and insurance firms, photographers, and clerical agencies.

OPEN SPACE means public lands that provide social and environmental benefit and may include outdoor infrastructure that provides an identity or sense of place for the community. Open space may include, but is not limited to, landscaped areas, natural areas, active and passive recreational areas, and outdoor community gathering spaces.

OFF-STREET PARKING shall refer to any required parking that is required as per the rules and regulations of this Bylaw.

OPEN STORAGE YARD means the principle use of land that is used for the storage of products, goods, or equipment.

OUTDOOR FABRICATION UNIT ~~S~~ means an accessory use ~~that involves that involves small small~~ structures, ~~not on~~

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Commented [PU87]: Where are these listed. What if there was a vacant industrial parcel and landowner wanted to store heavy equipment.

Commented [SS88R87]: This is similar to Outdoor Storage definition. I would suggest if the intent is to allow stand alone outdoor storage then only one definition is needed. In other uses where outdoor storage is secondary to a principal use just note that outdoor storage is permitted with that use.

Also assume this would be a discretionary use that you may apply to your C2 or industrial districts

Commented [PU89R87]: I Agree with this explanation.. Outdoor Storage Use to be removed.

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~~permanent foundations, not on permanent foundations~~ for use by mobile tradespersons for the assembly, manufacturing, or fabrication of equipment.

OWNER means the Crown or the registered owner(s) of an estate in fee simple, any other persona(s) having a legal interest in the lot or site, or an authorized agent designated in writing.

P

PARCEL BOUNDARY means in the case of an interior parcel, the boundary which abuts a street and in the case of a corner parcel or a parcel which abuts more than one street, means the shorter of the two boundaries which abut ~~out~~ a street.

PARCEL COVERAGE means the area covered by buildings including the principal/primary building and any addition to it and any accessory buildings on the property.

PARCEL OF LAND (parcel) means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered at a land titles office.

PARK means a use where public land is specifically designed or reserved for the public for active or passive recreation, or for educational, cultural, or aesthetic purposes, and includes all-natural areas and landscaped areas. This includes but is not limited to playing fields, playgrounds,

picnic grounds, trails, amphitheaters, bike parks, skateboard parks, dog off-leash areas, natural areas, water features, and related accessory buildings.

PARKING FACILITY means the public use of land for the purposes of vehicular parking.

PARKS AND PLAYGROUNDS, see RECREATION, Community

PATIO means a structure less than 0.6 m in height above finished grade and without a roof or walls. A patio is designed and intended for use as an outdoor amenity area.

PAWNSHOP means a premise involved in the loaning of money on the security of personal property deposited. This notes not include RETAIL, General ~~or~~ **RETAIL, Second-hand**.

PERMANENT FOUNDATION means:

- an engineered approved wood foundation, or;
- a poured reinforced concrete basement, or;
- a concrete block basement, or
- a foundation meeting CSA Z240.10.1 standard.

PIPELINE as defined under the Alberta Pipeline Act, means a pipe used to convey a substance or combination of substances, including installations associated with the pipe.

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PRINCIPAL BUILDING means a building which is considered the main or principal use of the parcel on which it is erected.

PRINCIPAL USE, see **USE, Principal**

PROJECTION means any portion of a building or structure as outlined in Part 3.23.2 ~~21~~ which extends into a required setback.

PROPERTY LINE, Front means:

- in the case of an interior lot, a lot line separating the lot from the road;
- in the case of a corner lot, a lot line separating the narrowest road frontage of the lot from the road not including a corner rounding or corner cut;
- in the case of a double fronting lot, the front lot line shall be determined by the Development Officer based on the location of permitted access and the orientation of other development in the block.

PROPERTY LINE, Flanking Side means, in the case of a corner lot, the longest property line that abuts a street.

PROPERTY LINE, Rear means the property line opposite the front property line.

PROPERTY LINE, Side means the property line that connects the front property line and the rear property line.

PUBLIC MARKET, means a business, operating for profit, conducting a public

open market at which various vendors lease and operate stalls. A public market does not include a Farmer's Market

PUBLIC UTILITY means a system or works used to provide water or steam, sewage disposal, public transportation operated by or on behalf of the municipality, irrigation, drainage, fuel, electric power, heat, waste management, telecommunications, and includes that is provided for public consumption, benefit, convenience or use.

R

REAR YARD, see **YARD, Rear**

RECREATION FACILITY, Commercial means a development intended to provide leisure services as part of a for profit business. Uses may include a theatre, bingo halls, pool tables, bowling alleys, rifle, and pistol ranges, athletic or health clubs, studios offering sports/fitness classes and may also provide an area for food service as an accessory use. This does not include a casino.

RECREATION FACILITY, Indoor means a development intended to provide sports or recreational activities within an enclosed building and the related accessory buildings for the users of the facility. This does not include **RECREATION FACILITY, Commercial**. Typical uses are athletic or health clubs, studios, for sports/fitness classes, arenas, swimming pools and gymnasium facilities. **RECREATION FACILITY, Indoor** are uses that are publicly owned or operated.

RECREATION FACILITY, Outdoor means a development providing an area for sports

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or leisure activities, including the related accessory developments for the users of the facility. Typical uses include sports fields, playgrounds, skating rinks, tennis courts and spray parks. RECREATION FACILITY, Outdoor are uses that are publicly owned or operated.

RECREATIONAL VEHICLE means a vehicle or trailer that is designed, constructed and equipped, either temporarily or permanently, as a temporary accommodation for travel or vacation purposes or a vehicle used for recreation purposes and includes, but is not limited to a motor home, slide in campers, chassis mounted campers, travel trailers, tent trailers, boats, all-terrain vehicles, snowmobiles and the trailer used to transport any of the aforementioned.

RECREATION VEHICLE SALES, RENTAL AND SERVICE means a facility providing for the sale, rental, lease or service of recreation motor homes, travel trailers and similar portable units designed for travel.

RECREATION VEHICLE STORAGE means a principal or accessory use where recreational vehicles are stored on a site when they are not in use. This does not include camping, the storage of equipment, shipping containers or abandoned vehicles, those uses identified under outdoor storage or a campground.

RECYCLE DEPOT means a development for collecting, sorting, and temporarily storing recyclable materials such as bottles, cans, paper, newspapers, boxes and small household goods for reuse

where all storage is contained within an enclosed building.

REPAIR SERVICE, see AUTOMOTIVE SERVICE

RELIGIOUS ASSEMBLY means a building where people regularly assemble for worship and related religious, charitable, or social activities that is maintained and controlled for public worship. This includes churches, chapels, mosques, temples, synagogues, convents, and monasteries, as well as accessory manses or rectories.

RESIDENTIAL KENNEL means the owning or harbouring of a maximum of three (3) dogs over the age of 3 months and/or three (3) cats over the age of 3 months by the owner or occupier of a dwelling unit in a residential land use district. A RESIDENTIAL KENNEL does not exceed a total of five (5) dogs and/or cats.

RESIDENTIAL SALES CENTRE means a permanent or temporary building used for a limited period of time for the purpose of marketing residential land or buildings.

RESIDENTIAL SECURITY/OPERATOR UNIT means: ~~an~~ accessory use, to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker or operator of a non-residential establishment, or for the on-duty security personnel at a storage facility where listed in a land use district. No more than one residential security operator unit is permitted on a site. ~~—~~ The

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Commented [HA92]: Rename for consistency: Recreation Vehicle Storage

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~~Residential Security Operator Unit~~
~~RESIDENTIAL SECURITY/OPERATOR~~
~~UNIT~~ shall form part of the Development with which it is associated and be an accessory use on the site on which it is located.

RESTAURANT, see **FOOD SERVICE, Restaurant**

RETAIL, Adult means a premise for the offering for rent, use, viewing, or sale of an object (other than a contraceptive device), service, or entertainment which is designed or intended to be used in, or is a depiction of, a sexual act.

RETAIL, Cannabis means a retail store development licensed by the Province of Alberta where cannabis and cannabis accessories are sold to individuals who attend the premises.

RETAIL, Convenience means a premise used for the retail sale of goods from premises which do not exceed 235 m² (2530 ft²) in gross floor area. This includes but is not limited to a small food store, a drug store or variety stores selling confectionery tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter, or the rental of videos. This does not include RETAIL, Cannabis.

RETAIL, Shopping Centre means one or more buildings containing more than six retail stores and other businesses exceeding 2500 m² (26,910 ft²) of gross floor area, which share common services, parking and other facilities on one or more lots.

RETAIL, General means a development for the indoor retail sale of a wide range of consumer goods. Typical uses include grocery stores, plumbing and hardware stores, clothing stores, shoe stores, sporting goods stores, appliance and furniture stores, pharmaceutical and personal care items, and similar goods within a building and includes supplementary services such as postal service, and the repair of anything sold or rented by the retail store. This does not include warehouse sales, a pawnshop, a retail store requiring outdoor storage, RETAIL, Alcohol store or RETAIL Cannabis, RETAIL, Adult or RETAIL, Cannabis.

ROAD as defined in the Municipal Government Act, s616 (aa) means land:

- ~~a) shown as a road on a plan of survey that has been filed or registered in a Land Titles office, or;~~
- ~~b) used as a public road and includes a bridge forming part of a public road and any structure incidental to a public road but does not include a highway.~~

ROW HOUSING means a residential building containing three or more dwelling units separated by common walls and located either on a single lot or each unit is on its own individual lot, and each dwelling unit having a separate, direct entrance from the exterior. This definition applies to forms of housing that include, but is not limited to, townhouses, row houses, triplexes or fourplexes. A Multi- attached dwelling cannot does cannot accommodate an accessory suite. see **DWELLING, Multi Attached**

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used for any purpose other than transporting freight, it will be considered as a structure and an accessory use.

SIDE YARD, *see* YARD, Side

SIGHT TRIANGLE means an area at the intersection of roadways, lanes, or roadways and railways in which all buildings, fences, vegetation, and finished ground elevations shall be less than 1.0 m (3.28 ft) in height above the average elevation of the carriageways/rails, in order that vehicle operators may see approaching vehicles in time to avoid collision.

Diagram illustrating the determination of the 'Curb Line' for a driveway. The diagram shows a driveway, a main road, and a curb line. A yellow triangle is drawn from the point of intersection of the driveway and the main road, extending to the curb line. The diagram is labeled 'CURB LINE' and includes a text box explaining the process.

ENTRANCE AND DISTANCE ARE MEASURED FROM THE POINT OF INTERSECTION OF LINES THAT EXTEND FROM EITHER EDGE OF THE CURB LINE ON EDGE OF ASPHALT. WHICHEVER IS CLOSER TO THE PROPERTY AWAY FROM THE INTERSECTION, ONLY ONE OF THE FOUR REQUIRED STREET SIGHT TRIANGLES IS SHOWN

approaching vehicles in time to avoid collision.

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SOCIAL CARE FACILITY means a place of care for persons who are aged or infirm or who require special care or a day care facility.

SOFT LANDSCAPING means the use of vegetative material as part of a landscaped area and may include grass, trees, shrubs,

ornamental plantings, and associated earthworks and does not include areas occupied by garbage containers, storage, parking facilities or driveways.

SOLAR ENERGY INFRASTRUCTURE means infrastructure designed to convert solar radiation into electrical or thermal energy. Where structures are required to support the infrastructure, the structures may require a permit.

SOLID WASTE TRANSFER STATION means a facility for the collection and temporary holding of solid waste in a storage container.

SOUR GAS is a natural gas having an H₂S content of 10 miles per kilomole or greater, or such lesser great H₂S content that the AER may stipulate in a particular case.

STACKED ROW HOUSING DWELLING, Stacked Row Housing means a building containing three or more Dwellings arranged two deep, either vertically so that Dwellings are placed over others, or horizontally so that Dwellings are attached at the rear as well as at the side. Each Dwelling shall have separate and individual access, not necessarily directly to grade, provided that no more than two dwellings may share access to grade. This use does not include a duplex, multi attached, or an apartment.

STATUTORY PLAN means the Municipal Development Plan, an Intermunicipal Development Plan, an Area Structure Plan, or an Area Redevelopment Plan adopted by

Bylaw of the municipality, or any one or more of them.

STREET means any category of registered street or public roadway except a lane.

STRUCTURE means a development of any kind whether fixed to, supported by, or sunk into land or water including but not limited to towers, flag poles, swimming pools, signs, storage tanks and excludes areas of hard surfacing.

STRUCTURAL ALTERATION means any change or addition to the supporting members of a structure, including the foundations, bearing walls, rafters, columns, beams, and girders.

SUBDIVISION AND DEVELOPMENT REGULATION means the Subdivision and Development Regulation (AR 43/2002) as amended.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD means a Subdivision and Development Appeal Board established under Part 17, Division 3 of the Municipal Government Act.

TANDEM PARKING means two parking spaces, one behind the other, with a common or shared point of access to the maneuvering aisle.

TREE CLEARING means the cutting down and/or removal of trees other than for commercial logging. It does not include site grading, or the removal of any landscaping required by this Bylaw. In all

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land use districts, tree clearing shall be a discretionary use.

meets all applicable regulations of this Bylaw.

U

USE means the purposes for which land or a building is arranged or intended, or for which either land, a building, or a structure is, or may be occupied and maintained.

USE, Accessory means a use naturally or normally incidental, subordinate and exclusively devoted to the principal use and located on the same lot or site.

USE, Non-Conforming means a lawful specific use:

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

USE, Discretionary means those uses of land, buildings, or structures for which a [Development Permit](#) may be approved or refused at the discretion of the Development Authority.

USE, Permitted means those uses of land, buildings, or structures for which a development shall be approved by the Development Authority, if the development

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USE, Principal means a use that, in the opinion of the Development Authority:

- occupies the major or central portion of a lot or site; or
- is the chief or main building or use among one or more buildings or uses on a lot or site; or
- that constitutes, by reason of its use, the primary purpose for which the lot or site is used.
- There shall be no more than one principal use on each lot or site, except as where indicated in this Bylaw.

V

VARIANCE means the flexibility that may be exercised by the Development Authority to vary the regulations of this Bylaw.

VEHICLE SALE/RENTAL means the retail sale or rental of new or used automobiles, bicycles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles, together with incidental maintenance services, sales of parts and accessories. This includes automobile dealerships but does not include dealerships for the sale of trucks with a gross vehicle weight of more than 4,100 kg or the sale of motor homes with a gross vehicle weight rating of more than 5,500 kg or a length greater than 6.7 m (22 ft). This does not include truck and manufactured home sales/rentals.

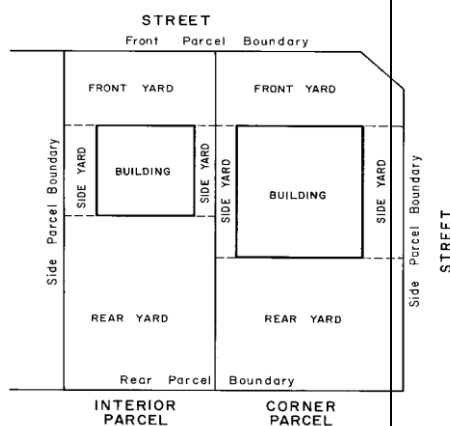
VETERINARY CLINIC means a facility for the medical care and treatment of animals and includes provision for their overnight accommodation but does not include

kennels, outdoor storage, or outdoor pens, runs or enclosures.

VETERINARY HOSPITAL means a facility for the medical care and treatment of animals and includes provision for their accommodation and confinement in outdoor pens, runs and enclosures.

W

WAREHOUSE SALES means a premise



used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. This includes but is not limited to development where principal goods being sold are such bulky items as furniture, carpet, major appliances, and building materials.

WAREHOUSE AND STORAGE means the use of a building that may include outdoor

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accessory storage primarily for the keeping of goods and merchandise. This does not include the storage of dangerous or hazardous materials, inoperable vehicles (or parts thereof), or any waste material. WAREHOUSE AND STORAGE may include the outdoor storage of recreational vehicles, boats and may contain an office for the administration of the facility and/or retail sales of moving supplies as an accessory use.

WRECKING AND SALVAGE YARD means any land or building used for the collection, demolition, dismantling, storage, salvage, recycling, or sale of waste materials including scrap metal, vehicles not in operable condition or used parts of motor vehicles, machinery, and other discarded materials.

YARD, Side means that portion of a lot or site abutting a side lot line extending from the front yard to the rear yard. The side yard is situated between the side lot line and the nearest wall of the principal building, not including projections.

~~**YARD, Side** means that portion of a lot or site abutting a side lot line extending from the front yard to the rear yard. The side yard is situated between the side lot line~~

Y

YARD, Flanking Side means a side yard abutting the street on a corner lot. The flanking side yard is determined by the horizontal dimension measured from a flanking side property line at a right angle to the nearest point of a wall or any building or structure on the lot.

YARD, Front means the portion of a lot or site abutting the front lot line extending across the full width of the lot or site, situated between the front lot line and the nearest wall of the principal building, not including projections.

YARD, Rear means the portion of a lot or site abutting the rear lot line extending across the full width of the lot or site, situated between the rear lot line and the nearest wall of the principal building, not including projections.

~~and the nearest wall of principal building, not including projections.~~

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PART 2.0 OPERATIONS AND ADMINISTRATIVE PROCEDURES

2.1 DEVELOPMENT AUTHORITY

1. 2.1.1 The Development Officer;

1-a) The Development Officer is hereby established and shall be appointed by resolution delegated by Council.

b) The Development Officer shall exercise the authority, duties, and responsibilities as specified in this Bylaw, the Act, and its Regulations, as amended from time to time and:

- i) may meet with or provide written information and processing requirements of both to the public;
- ii) within twenty (20) days after the receipt of an application for a Development Permit shall review all applications for a Development Permit to determine if they are complete and made for the appropriate use;
- iii) maintain for public inspection, a register of all applications for development and their decisions;
- iv) refer an application to any Town department, an adjacent municipality, or municipal, provincial, federal or inter-jurisdictional department or any other agency, body or person that, in the Development Officer's opinion, may provide relevant comments or advice respecting the application;
- v) refer, to the Alberta Energy Regulator, all applications for a Development Permit which would result in permanent overnight accommodation, including dwellings, or public facilities on land that is within 1.5 km (0.93 miles) of a sour gas facility if, in the opinion of the Development Officer, the proposed development is not an infill development;
- vi) shall consider and approve on those applications for a Development Permit where the proposed use is a permitted use within the district applicable to the application and no variances to the regulations of this Bylaw are required:

1-a) without conditions; or

b) with conditions necessary to ensure compliance.

vii) Subject to this Part, the Development Officer may grant a relaxation of up to 15% from a stated regulation regarding setbacks and parcel coverage only if:

a. 1-i) the proposed development conforms with the uses prescribed for the lands in this Bylaw;

b. 1-i) the property has an irregular shape or lot lines which makes it difficult to develop a structure and creates a situation within the required setbacks providing that granting the variance will not:

1-i) unduly interfere with the amenities of the neighbourhood;

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iii)

- ii) materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land; or
- iii) interfere with the safe passage of pedestrians or vehicles on adjoining sidewalks and roads.

viii) Refer to the Municipal Planning Commission any application for a Development Permit proposing a variance to the regulations of this Bylaw for a Permitted Use and all applications for a Development Permit when the proposed Use is a Discretionary Use within the District applicable to the application and discretionary use not listed in Part 5, that section requiring a relaxation of less than or equal to 15% subject to Part 2.165, Variances or Change in Use within a Direct Control District.

ix) Refer with recommendations to the Municipal Planning Commission any application for a Development Permit that, in the Development Officer's opinion, should be decided by the Municipal Planning Commission.

x) Refer all Development Permit applications with a Direct Control District to Council, except for those districts where the Development Authority has been delegated to the Municipal Planning Commission or those uses that have been delegated to the Development Officer.

xi) Enforce the provisions of this Bylaw.

xii) Sign and issue all valid Development Permits, Certificates of Compliance, Notices of Decision and other Notices as required.

xiii) May approve the renewal of any Development Permit that was originally approved by the Municipal Planning Commission, provided there are no changes.

xiv) Any relaxation granted by the Development Authority may be subject to an appeal in accordance with Part 2.17, appealing a decision of the Development Authority.

3-C. The Development Officer may, after giving notice to the owner or occupant of a property in accordance with the MGA Act, enter a property to conduct an inspection to determine compliance with this Bylaw, the MGA Act, the Regulations, or any applicable Development Permit.

d. The Development Officer may refer any other planning or development matter to the Municipal Planning Commission for its review, support and/or advice.

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2. ~~2.1.2~~ The Municipal Planning Commission:

- a) ~~the~~ Municipal Planning Commission is authorized to act as the Development Authority in matters as prescribed in this ~~By~~law and as established In the Municipal Planning Commission Bylaw, as amended from time to time; and
- b) shall consider and where required, state terms and conditions on any other planning or development matter referred by the Development Officer or Administration; and may direct the Development Authority Administration to review, research or make recommendation on any other planning and development matter; ~~and~~
- c) make recommendations on planning and development matters to Council and in respect of a Direct Control District, unless otherwise delegated by Council to either the Development Officer or the Municipal Planning Commission.

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2.2 LAND USE AMENDMENT APPLICATIONS

1. An application to amend the text of this Bylaw or a Schedule may be made in writing to the Town by:

~~4.~~

- ~~b) a) The owner of a parcel or site; or~~
- ~~c) b) The Town.~~

2. A person may make ~~an~~ application to the Development Officer for amendment to this Land Use Bylaw. The application shall include:

~~2.~~

- a) ~~a~~A certificate of title, searched and dated not more than thirty (30) days prior to the application date;
- b) ~~o~~Owner authorization and where applicable, an applicant signature;
- c) ~~t~~The required application and applicable fees;
- d) a statement of the specific amendment ~~being~~ requested;
- e) the purpose and reasons for the application;
- f) if the application is for a change of District, the legal description of the lands, or a plan showing the location and dimensions of the lands;
- g) any additional report, drawing or study that may be required in preparation or evaluate and make a recommendation on the amendment. This may include, but not be limited to, an analysis by a qualified professional of the potential effect on the land, traffic, the environment, underground and above ground utilities and other municipal services and facilities.

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g)

3. If the amendment is for a re-designation of land, the Development Officer may require:

4. Upon receipt of an application for amendment to this Land Use Bylaw the Development Officer shall determine when the application will be placed before Council and shall issue not less than 5 days' notice to the applicant advising that he/she may appear before Council at that time and speak to the application. An application for amendment shall be placed before Council within 60 days of its receipt by the Development Officer.

5.

6. Following first reading of an amending Bylaw, Council shall:

- b)

7. Following first reading to an amending Bylaw, the Development Officer must give notice of the public hearing by:

- Page | 44

8. Public hearing advertising must be completed at least five (5) days before the public hearing occurs;

9. A public hearing notice must contain:

- a) a statement of the general purpose of the proposed Bylaw and public hearing;
- b) the address where a copy of the proposed Bylaw and any documents relating to it or the public hearing may be inspected; and
- c) the date, place and time where the public hearing will be held;

10. In the case of an amendment to change the district designation of a parcel of land, the Development Officer must, in addition to the requirements of Part 2.2:

10.

a) include in the notice:

- i) the municipal address, if any, and the legal address of the parcel of land, and
- ii) a map showing the location of the parcel of land;

b) give written notice containing the information described in clause (a) and subsection (9) to the assessed owner of that parcel of land at the name and address shown in the assessment roll of the municipality; and

c) give written notice containing the information described in clause (a) and subsection (9) to each owner of adjacent land at the name and address shown for each owner on the assessment roll of the municipality.

11. If the land referred to in Part 2.2.10 (c) above is in an adjacent municipality, the written notice must be given to that municipality and to each owner of adjacent land at the name and address shown for each owner on the tax roll of that municipality.

12. Notwithstanding Part 2.2.6, the Land Use Bylaw may be amended without giving notice or holding a public hearing if the amendment corrects clerical, technical, grammatical, or typographical errors and does not materially affect the Land Use Bylaw in principle or substance.

13. In the public hearing, the Council:

- a) must hear any person, group of persons, or person representing them, who claims to be affected by the proposed Bylaw and who has complied with the procedures outlined by Council; and
- b) may hear any other person who wishes to make representations and whom the Council agrees to hear.

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14. After considering the representation made to it about the proposed Bylaw at the public hearing and after considering any other matter it considers appropriate, Council may:

- a) pass the Bylaw;
- b) make any amendment to the Bylaw it considers necessary and proceed to pass it without further advertisement or hearing;
- c) refer the Bylaw for further information or comment; or
- d) defeat the Bylaw.

15. After third reading of the proposed Bylaw, the Development Officer shall send a copy of the Bylaw to:

- a) the applicant;
- b) the owner of land, if not the applicant; and
- c) adjacent municipalities if it received a copy of the proposed Bylaw pursuant to Part 2.2.11.

16. In this Part, "owner" means the person shown as the owner of land on the assessment roll prepared pursuant to the ~~Municipal Government Act~~ MGA.

17. The Development Officer shall not accept an application for an amendment which is identical or similar to an application which was refused by Council, for a period of six (6) months after the date of the refusal unless Council directs that Development Officer accept the application and place the application before Council in accordance with this Part.

18. If the subdivision or development for which land was re-designated does not occur within one year of the date of final passage of the re-designation Bylaw, Council may initiate a Bylaw to re-designate the land back to its former district and may adopt the re-designation Bylaw.

2.3 ~~Amendment to Create a Direct Control District~~ AMENDMENT TO CREATE A DIRECT CONTROL DISTRICT

1. A Direct Control Zoning District shall only be used for the purpose of providing for developments that require specific regulation unavailable in other land use districts:

- a) due to the unique characteristics or unusual site constraints of a proposed development; or
- b) due to the scale, character, and complexity of a proposed development.

2. A Direct Control Zoning District shall not be used:

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- a) ~~a)~~ in substitution of any other land use district in this Bylaw that could be used to achieve the same result either with or without relaxation of this Bylaw; or
- b) ~~b)~~ to regulate matters that may be addressed by subdivision or ~~D~~evelopment ~~P~~ermit approval conditions.

3. In addition to the application information required in Part 2.2 of this Bylaw, an application to create a Direct Control District:

- a) shall include a written statement indicating why, the opinion of the applicant, a Direct Control District is necessary;
- b) a laid-out format outlining the purpose of the Direct Control District (i.e. residential, commercial, industrial, etc.);
- c) the use(s) for the site; and
- d) may require a site plan, landscape plan, and/or elevation plan.

2.4 ~~Direct Control Bylaws~~DIRECT CONTROL BYLAWS

2.4

1. Direct Control Bylaws passed under previous Land Use Bylaws, in Part 7, are denoted on the land use district maps and are hereby incorporated into forming part of this Bylaw.
2. ~~For those Direct Control Districts included in Part 7,~~ that were approved under the provisions of a previous Land Use Bylaw, as amended; terms of the Bylaw shall be interpreted using the definitions and context of that Bylaw that was in force at the time the Bylaw was enacted.

2.5 ~~Conditions~~CONDITIONS

2.5

1. In deciding on a permitted or discretionary use, the Development Authority may impose conditions it considers appropriate, either on a permanent basis or for a limited time period. In order to approve a ~~D~~evelopment ~~P~~ermit application the Development Authority may impose any conditions it considers appropriate, either on a permanent basis or for a limited time period, in order to approve a ~~D~~evelopment ~~P~~ermit application.
2. The Development Authority may impose any conditions it deems appropriate to ensure compatibility with the amenities of the neighbourhood and the use, ~~enjoyment~~enjoyment, and value of neighbouring parcels of land, including but not limited to the following:
 - a) limiting the time of operation including hours of the day, days of the week, and parts of the year;
 - b) limiting the number of patrons;
 - c) requiring attenuation or mitigation of noise, odour, or any other nuisances that may be generated by the proposed development;

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- d) regarding the size, location, character, and appearance of buildings or structures;
 - e) regarding site grading, landscaping, and natural vegetation; environmental contamination and reclamation;
 - f) addressing safety concerns regarding traffic, pedestrians, or protection of the site from other developments or to protect other developments from the site;
 - g) regarding parking;
 - h) requiring consolidation of parcels;
 - i) establishing a time period for which a Development Permit is valid; and
 - j) the timing of the completion of any part of the proposed development.
3. The Development Authority may require the completion of a Traffic Impact Assessment by a qualified transportation engineer to provide an analysis summary of the projected impacts generated by proposed developments and to determine mitigation measures to ensure street and pedestrian safety.
4. Where this Bylaw requires a minimum standard, the Development Authority may impose a condition on a discretionary Development Permit requiring a higher standard where it is deemed appropriate.
5. The Development Authority may impose conditions necessary to ensure satisfactory arrangements for the supply of water, electric power, sanitary sewer, storm sewer, natural gas, cable, vehicular or pedestrian access and circulation, parking, loading, landscaping or drainage, or any of them, including payment of the costs of installation or construction of any such utility or facility by the applicant.
6. The Development Authority may impose a condition of Development Permit that requires an irrevocable letter of credit, up to a value equal to the estimated costs of the proposed landscaping, to ensure that the required landscaping is carried out with reasonable diligence. Landscaping securities shall be collected in accordance with Part 3.15.45.
7. As a condition of development approval, the Development Authority may require the developer to enter into a Development Agreement with the municipality to do any or all of the following:
- a) to construct or pay for the construction or upgrading of:
 - i) any roads required to give access to the development;
 - ii) a pedestrian walkway system to serve the development or to provide pedestrian access to adjacent developments, or both;
 - iii) off-street or other parking facilities; and
 - iv) loading and unloading facilities;
 - b) to install or pay for the installation of, any public utilities that are necessary to serve the development;

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- b) c) to pay an off-site levy or redevelopment levy;
- d) to provide an irrevocable letter of credit, or other form of security acceptable to the Development Authority, to ensure compliance with the terms of the agreement and the conditions of the ~~D~~evelopment ~~P~~ermit;
- e) to repair or reinstate, or to pay for the repair or reinstatement, any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged, destroyed, or otherwise harmed by development or building operations upon the site; and/or,
- f) to attend to all other matters the Development Authority considers appropriate.
- g) ~~T~~o ensure compliance with a development ~~agreement~~, ~~agreement~~; the Town may register a caveat pursuant to the provisions of the Land Titles Act and the ~~Municipal Government Act~~ ~~MGA~~ against the Certificate of Title for the property being developed. This caveat shall be discharged once the agreement has been complied with.
- h) The developer shall be responsible for all costs associated with the preparation of a development agreement, as well as the costs associated with registering the caveat at Land Titles and discharging the caveat when all conditions have been met.

2.6 ~~Development Control~~ DEVELOPMENT CONTROL

- Land, buildings, structures or signs in the Town may only be developed or used in conformity with the uses in its land use district and all the regulations in this Bylaw except for legal non-conforming buildings, uses or as approved by the Development Authority or the Subdivision and Development Appeal Board.
- No person shall commence, ~~cause~~, ~~cause~~, or allow to be commenced, or carry on, or cause to allow to be carried on, any development unless a ~~D~~evelopment ~~P~~ermit has been issued under the provisions of this Bylaw.
- No development or portion thereof shall be located on or over municipal lands, municipal road rights-of-way or municipal easements without the prior written consent of the Town, which consent the Town is not obligated to provide.
- A person is responsible for complying with the requirements of other Town ~~By~~laws, policies, easements, covenants, conservation agreements, development agreements, or provincial or federal statutes or regulations.

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2.7 ~~Decision on Development Permit Application~~DECISION ON DEVELOPMENT PERMIT APPLICATION

1. For a permitted use in any District, the Development Officer:
 - a) shall approve, with or without conditions, an application for a ~~D~~evelopment ~~P~~ermit where the proposed development conforms in every respect to this Land Use Bylaw, or;
 - b) subject to the provision of Subsection (4) and Part 2.16, the Development Officer shall refuse an application for a ~~D~~evelopment ~~P~~ermit if the proposed development does not conform in every respect to this Land Use Bylaw.;
 - c) ~~m~~ay approve the application subject to conditions to ensure that the application conforms to the requirements of the Land Use Bylaw, the ~~Municipal Government Act~~~~MGA~~ and the Subdivision and Development Regulation and statutory plans.
2. For a discretionary use in any District:
 - ~~a)~~ the Municipal Planning Commission may approve an application for a ~~D~~evelopment ~~P~~ermit:
 - ~~a)~~
 - ~~(i)~~ with or without conditions;
 - ~~(ii)~~ based on the merits of the proposed development including its relationship to any approved statutory plan or approved policy affecting the site;
 - ~~(iii)~~ where the proposed development conforms in every respect to this Land Use Bylaw, or;
 - ~~b)~~ the Municipal Planning Commission may refuse an application for a ~~D~~evelopment ~~P~~ermit based on the merits of the proposed development, even though it meets the requirements of this Land Use Bylaw, or;
 - ~~b)~~ subject to the provisions of Subsection (4) and Part 2.16, the Municipal Planning Commission shall refuse an application for a ~~D~~evelopment ~~P~~ermit if the proposed development does not conform in every respect to this Land Use Bylaw.
3. In reviewing a development application for a discretionary use, the Development Authority shall have regard to:
 - ~~a)~~ The circumstances and merits of the application, including but not limited to:
 - ~~(i)~~ the impact on properties in the vicinity of such nuisance factors as smoke, airborne emissions, odours and noise;
 - ~~(ii)~~ the design, character and appearance of the proposed development and whether it is compatible with complementary to the surrounding properties, and;
 - ~~(iii)~~ the servicing requirement for the proposed development.

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- b) The purpose and intent of any statutory plan adopted by the Town, and;
- c) The purpose and intent of any non-statutory plan and pertinent policy adopted by the Town.
4. The Development Authority, may approve an application for a Development Permit, may recommend approval of an application for subdivision approval, notwithstanding that the proposed development or subdivision does not comply with the Bylaw or is a non-conforming building, if in the opinion of the Development Officer or Municipal Planning Commission, as the case may be, the proposed development or non-conforming building:
- a) would not:
- i) unduly interfere with the amenities of the neighbourhood, or;
- ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and;
- b) conform with the use prescribed for that land or building in this Land Use Bylaw.
5. The Development Authority may require that, as a condition of issuing a Development Permit for a permitted use in a District, the use conform to any or all provisions of this Land Use Bylaw.
6. The Municipal Planning Commission may require that, as a condition of issuing a Development Permit for a discretionary use in any District;
- a) the use conforms to any or all provisions of this Land Use Bylaw;
- b) measures be taken, or the development used in a manner that ensures that:
- i) the development is orderly;
- ii) any impact upon adjacent uses is mitigated;
- iii) the safety and free flow of pedestrians and vehicular traffic on adjacent public roadways is not prejudiced;
- iv) the use is developed in an aesthetic and environmentally sound manner;
- v) the use is developed in conformance with any applicable statutory plan policies;
- vi) the use is developed in conformance with any applicable non statutory plan and pertinent policy adopted by the Town.
7. The Development Authority shall require that, as a condition of issuing a Development Permit for a permitted or discretionary use in a District, arrangements, satisfactory to the

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municipality, be made for the payment of all outstanding off-site levies as per the Town of Blackfalds Off-Site Levy Bylaw as amended from time to time.

8. A ~~D~~development ~~P~~permit may be issued on a temporary basis for a period specified by the Development Authority.
9. Notwithstanding any provisions or requirements of this Bylaw, the Development Authority may establish more restrictive regulations for a discretionary use when the Development Authority deems it necessary to do so.
10. In the case where an application for a ~~D~~development ~~P~~permit has been refused by the Development Authority or refused upon appeal to the Subdivision and Development Board, the submission of another application for a permit on the same parcel and for the same or similar use of land by the same or any other applicant may not be accepted by the Development Officer for at least six (6) months after the date of the final decision unless in the opinion of the Development Officer reasons or refusal have been adequately addressed for the circumstances of the application have changed significantly.
11. ~~Part 2.7.10 Subsection 3.5.10~~ shall not apply in the case of an Application for a Development Permit for a Permitted Use if the application complies with all the regulations of this Bylaw.
12. If upon review of any application for a Development Permit, the Development Officer determines that ~~Part Subsection 2.7.10~~ applies, then the application shall be returned to the applicant, along with any fees that have been submitted. The application shall not be considered as having been refused but shall be deemed not to have been submitted.

2.8 ~~Development Not Requiring a Development Permit~~ DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

1. ~~2.8.1~~ The following developments are exempt from the requirement of obtaining a ~~D~~development ~~P~~permit provided that the proposed development complies with all other regulations of this Bylaw:

~~1-a)~~ those uses or development exempted by provincial or federal legislation;

~~2-b)~~ any development carried out by or on behalf of the Crown;

~~3-c)~~ any development carried out by or on behalf of the municipality provided that such development complies with all applicable provisions of this Land Use Bylaw;

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~~4-d)~~ the completion of a building which was lawfully under construction at the date of the adoption of this Bylaw, provided the building is completed in accordance with the terms and conditions of any permit granted;

~~5-e)~~ the carrying out of works of improvement, maintenance or renovation to any building, provided that such works do not include structural alterations or additions, a deck that is unenclosed and not higher than 0.6 ~~m~~ (2 ~~0~~ ~~ft.~~) from the approved grade level;

~~6-f)~~ the use of any such development as is referred to in Subsection (2) for the purpose of which development was commenced;

~~7-g)~~ the erection or construction of gates, fences, walls or other means of enclosure less than 1.0 ~~m~~ (3.28 ~~ft.~~) in height in front yards and less than 2.0 ~~m~~ (6.56 ~~ft.~~) in side and/or rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure;

~~8-h)~~ the carrying out of any landscaping provided that the approved grade of the site is not altered;

~~9.~~ a temporary use of a parcel not exceeding seven (7) days for the sole purpose of mobile commercial sales providing a business license is obtained from the municipality and the location of the business is to the satisfaction of the Development Officer;

~~10.~~ the maintenance and repair of existing utilities and the installation of utility system extensions which are necessary to serve developments that have been approved by the Development Authority;

~~i)~~

~~11-i)~~ in a residential land use district, the construction of one accessory building used as a garden or tool shed, and may include play structures and pergolas provided such building does not to exceed 10.0 ~~m²sq. m²~~ (108.00 ~~sq. ft.~~) in floor area and 2.5 ~~m~~ (8.2 ~~ft.~~) in height;

~~12-k)~~ development specified in Section 618 of the ~~Municipal Government Act~~ MGA;

~~13.~~ any sign which does not require a development permit as listed in Part 5.5.5, Signs Exempt from a Development Permit.

~~14-l)~~ the temporary placement of campaign signs in connection with federal, provincial or municipal election or referendum, subject to their removal no later than ~~forty-eight~~ (48) 24 hours after the election;

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~~45.m)~~ the use of a building as a temporary polling station, an election candidate's campaign office or any other official temporary use in connection with a federal, provincial or municipal election or referendum;

~~46.n)~~ one satellite dish antennae less than 0.75 m (2.46 ft) in diameter subject to the provisions of Part 5.10;

~~47.m)~~ solar energy and geothermal energy infrastructure, provided it meets all requirements in Part 5.2, Alternative Energy Collection and Storing;

~~demolition of a building less than 10.0 m² (108 ft²), 0 sq ft)~~

~~Demolition of a building less than 10 m² (108 ft²)~~

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2.9 Non-Conforming Uses and BuildingsNON-CONFORMING BUILDINGS AND USES

1. If a ~~De~~velopment ~~P~~ermit has been issued on or before the day on which this Bylaw or a land use amendment bylaw comes into force in the Town and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the ~~De~~velopment ~~P~~ermit continues in effect in spite of the coming into force of this Bylaw.
2. A non-conforming use of land or a non-conforming use of a building may be continued, but if that use ~~isd~~ discontinued for a period of six (6) consecutive months or more, any future use of the land or building shall conform with the provisions of this Bylaw.
3. A non-conforming use of part of a building may be extended throughout the building, but the building, whether or not it is a non-conforming building, shall not be enlarged or added to and no structural alterations shall be made to or in it.
4. A non-conforming use of part of a lot shall not be extended or transferred in whole, or in part to any other part of the lot and no additional buildings shall be erected on the lot while the non-conforming use continues.
5. A non-conforming building may continue to be used, but the building shall not be enlarged, added to, ~~rebuilt~~~~rebuilt~~, or structurally altered, except:
 - a) ~~a~~) to make it a conforming building;
 - b) ~~b~~) for the routine maintenance of the building if the Development Authority considers it necessary.
6. Despite Part 1.13.4, the Development Officer may consider a variance in any land use district, an enlargement, alteration, or addition to a legal non-conforming building if the non-conforming building complies with the uses listed for that land use district in this Bylaw and the proposed development would not, in the opinion of the Development Officer:
 - a) unduly interfere with the amenities of the neighbourhood; and
 - b) materially interfere with or affect the use, ~~enjoyment~~~~enjoyment~~, or value of neighbouring properties.
7. If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with this Bylaw.
8. The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

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2.10 ~~Development Permit Application Requirements~~ DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

1. The Development Authority shall determine the number of paper or electronic copies or both for a complete submission for an application for ~~Development Permit~~.
2. An application for a ~~Development Permit~~ shall be made on the prescribed application form and be completed to the satisfaction of the Development Authority and includes the following information to the Development Officer in writing and/or by electronic format when requested, on the prescribed form and shall be accompanied by:
 - a) signature of the owner or where applicable, the agent authorized by the owner;
 - b) a copy of the Certificate of Title for the subject lands dated from ~~within thirty~~ thirty (30) days of the application date, copies of any caveats or restrictive covenants registered by the Town and any other documents satisfaction to the Development Officer verifying that the applicant has legal interest in the lands; ~~and~~.
 - c) applicable fee in accordance with ~~the Development Fees and Fines Bylaw, as amended from time to time, Town schedules,~~
 - d) ~~F~~for a principal building, a detailed site plan prepared by an Alberta Land ~~Surveyor~~ Surveyor, for an accessory building, a detailed site plan to an appropriate scale. A site plan shall include:
 - i) legal description of the subject property;
 - ii) identification of all abutting roads, highways and road rights-of- way, and any existing or future access to the proposed development;
 - iii) identification of all water bodies, water courses, drainage courses and flood hazard areas on or abutting the lot or site including arrows indicating the direction of water flow;
 - iv) identification and location of all easements and rights-of-way on-site or abutting the lot or site;
 - v) location and dimensions of existing and proposed development including front, rear and side setbacks;

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vi) location of existing and proposed utilities;

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vii) proposed on-site parking and loading facilities including location and dimensions of all aisles, the dimensions and number of all parking spaces, curbing and location of any lighting;

viii-

viii) location of proposed landscaping;

ix-

ix) location and access to garbage enclosures;

x-

x) location and material of sidewalks, patios, steps, porches, decks, playgrounds, amenity and open space areas, and other similar features;

xi-

xi) location of any abandoned, suspended or active oil or gas wells;

xii-

xii) north arrow, ~~scale~~ and date of drawing; and

xiii-

xiii) schedule showing the area of the lot or site, building area, density, number of units, parking and loading spaces, existing and proposed site grades, and a calculation of site coverage, height and number of ~~storey~~ series and floor area ratio.

xiv-

xiv) a landscaping plan which shall include the following:

a) ~~a~~ the location of all existing and proposed landscaping including trees, shrubs and grass;

b) ~~b~~ any existing trees that are proposed to be removed;

c) ~~c~~ the quantity, size and species and common names of all proposed trees and shrubs.

3. In the case of a manufactured home park or multiple unit residential project, a detailed plan showing the proposed unit locations and amenity areas within the overall development area;

3-

4. In the case of a development of a lot or site with multiple uses, a master site plan and preliminary engineering plan for the entire site to the satisfaction of the Development Officer;

4-

5. Scaled floor plans showing all occupancies and uses, cross section, foundation plan, elevations, perspective of the proposed development including a description of the exterior finishing materials;

5-

6. In the case of the development of a ~~dwelling~~ DWELLING, Apartment, a ~~report~~ report, or plan or both demonstrating how the building design incorporates the Town's waste management practices;

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7. Information from the Alberta Energy Regulator indicating that an abandoned oil and gas well site search was conducted for any proposed dwelling or building greater than 47,0-m² (500 0-ft.²);

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8. Any additional information as may be required by the Development Authority to assess or evaluate the proposed development. The Development Authority may require any or all the following to be prepared by a qualified professional:

- a) geotechnical report;
- b) parking assessment;
- c) groundwater report;
- d) flood hazard mapping study;
- e) noise attenuation study;
- f) reclamation plan;
- g) wetland conservation plan;
- h) tree preservation plan;
- i) landscape plan;
- j) topographical survey;
- k) site grading or drainage plan;
- l) site servicing plan;
- m) risk assessment report;
- n) erosion or sediment control plan; and
- o) any other report, study plan or information; and
- p) a traffic impact analysis stamped by a professional engineer or a registered professional.

9. The Development Authority may require the submission of an impact statement as part of the Development Permit application for any proposed non-residential use that is in close proximity, as determined by the Development Authority, to one or more residential districts. The impact statement shall outline the measures proposed to be taken to mitigate all confirmed or potential impacts (which may include noise, visual impacts, or other) so that the proposed use will not negatively affect the said residential district(s).

10. To ensure that confirmed or potential impacts on adjacent parcels are mitigated, the Development Authority may require additional measures be taken, including but not limited to additional requirements for landscaping, buffer zones, berming, fencing, building orientation and appearance, or any combination thereof.

11. The Development Authority shall require the following outdoor lighting information be included with a Development Permit application for a new commercial, multiple unit residential, industrial or institutional use:

- a) including parking lot and walkway light poles;

- b) the location of all other outdoor lighting not mounted on a pole, both proposed and existing, including walkway and building lighting;
- c) descriptions of each style of lighting fixture that show that such fixture is either a full cut-off or directionally shielded lighting fixture. This may include, but not be limited to, catalogue cuts and illustrations by manufacturers (including sections where required), lamp types, photometric data showing angle of cut off of light emissions, wattages and initial lumen outputs; and
- d) The Development Authority may require an applicant to submit a site lighting plan, which details site lighting conditions at the property lines, measured in LUX.
12. An application for a Development Permit is complete if the application contains the documents and information required by Part 2.10 to the satisfaction of the Development Authority. Despite the forgoing, if an application does not contain all of the documents and information required by Part 2.10, the Development Authority may determine such application to be complete if in the opinion of the Development Authority that missing document or information is not necessary to review the application.
13. Unless extended by an agreement in writing between the applicant and the Development Authority, within twenty (20) days after the receipt of an application for a Development Permit the Development Authority shall:
- a) issue a written acknowledgement to the applicant advising that the application is complete; or
- b) issue a written notice to the applicant advising that the application is incomplete, listing the outstanding documents and information, and setting a date by which the outstanding documents and information must be submitted in order for the application to be complete.
14. If the outstanding documents and information are provided by the date set in the notice issued pursuant to Part 2.13 (b), the Development Authority shall issue a written acknowledgement to the applicant advising that the application is complete.
15. If the outstanding documents and information are not provided by the date set in the notice issued pursuant to Part 2.13 (b), the Development Authority shall issue a written notice to the applicant that the application has been refused and the reason for the refusal.
16. Despite that the Development Authority has issued a written acknowledgement pursuant to Part 2.13 (a) or Part 2.14, the Development Authority may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.
17. Any written acknowledgment or notice issued pursuant to Part 2.13 may be sent by electronic mail or regular mail to the applicant or hand delivered to the applicant.

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2.11 ~~Applications the Development Authority Shall Not Accept~~ APPLICATIONS THE DEVELOPMENT AUTHORITY SHALL NOT ACCEPT

1. The Development Authority shall not accept a ~~D~~evelopment ~~P~~ermit application when the proposed development:

- a) is for a use that is neither a permitted use, nor a discretionary use in the applicable land use district, or as otherwise stated within this Bylaw; or
- b) does not conform to the fundamental use criteria of a land use district.

2.12 ~~DEEMED REFUSAL OF A DEVELOPMENT PERMIT~~ Deemed Refusal of a Development Permit

1. If the Development Authority does not make a decision on an application for a ~~D~~evelopment ~~P~~ermit within ~~forty (40)~~ days after the receipt by the applicant of a written acknowledgement under Part 2.13 or within such extended time period as agreed to in writing between the applicant and the Development Authority, the application is, at the option of the applicant, deemed to be refused.

2.13 ~~NOTIFICATION OF DEVELOPMENT PERMIT APPROVAL~~ Notification of Development Permit Approval

1. ~~Following a decision of the Development Authority on an application for a~~ ~~D~~evelopment ~~P~~ermit, ~~and within two (2) business days,~~ the Development Authority shall:
 - a) send by regular mail to the applicant or hand deliver to the applicant a written notice stating the Development Authority's decision, the date of the decision, and if the Development Authority has refused an application for a ~~D~~evelopment ~~P~~ermit then the reasons for the refusal;
 - b) if the owner is not the applicant, send to the owner by regular mail a copy of the written notice given to the applicant; and
 - c) post a notice for public viewing in Town Civic Administration Building stating the Development Authority's decision and the date of the decision.
2. In addition to the requirements in Part 2.13.1, if the Development Authority issued a ~~D~~evelopment ~~P~~ermit for a discretionary use, the Development Authority shall post on the Town's website and send by regular mail to adjacent landowners as identified on the Town's assessment roll a written notice stating the Development Authority's decision, the right of appeal therefrom, the date of the decision, and the nature and location of the development.
3. In addition to the requirements in Part 2.13.1, if the Development Authority granted a variance and issued a ~~D~~evelopment ~~P~~ermit, the Development Authority shall send by regular mail

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to adjacent landowners as identified on the Town's assessment roll a written notice stating the Development Authority's decision, the right of appeal therefrom, the date of the decision and the nature and location of the development.

4. Where, in the opinion of the Development Authority, additional lots may be affected by a discretionary use or by granting a variance, additional landowners, individual or groups may be notified.

2.14 VALIDITY, EXPIRY, CANCELLATION ~~(this says Revocation in the table of contents)~~ AND RESUBMISSION OF DEVELOPMENT PERMITS ~~Validity, Expiry, Cancellation and Resubmission of Development Permits~~

2.14.1 Validity of a Development Permit

1. When a Development Permit has been approved by the Development Authority it shall not be issued unless and until:
 - a) any conditions of approval, except those of a continuing nature, have been fulfilled; and
 - b) the time for filing a notice of appeal to the Subdivision and Development Appeal Board as specified in Part 2.17 of this Bylaw and the ~~Municipal Government Act~~ MGA has passed.
2. When a Development Permit has been approved by the Subdivision and Development Appeal Board, it shall not be valid until any conditions of approval, except those of a continuing nature, have been fulfilled.
3. The Development Officer shall suspend a Development Permit upon receipt of a filed notice of appeal to the Town of Blackfalds from the Subdivision and Development Appeal Board in accordance with the ~~Municipal Government Act~~ MGA, and Part 2.14.1 of this Bylaw. The Development Permit remains suspended until:
 - a) the Subdivision and Development Appeal Board renders a decision and the time for filing a leave to appeal application to the Court of Appeal has passed without a leave to appeal being filed;
 - b) the Alberta Court of Appeal denies leave to appeal and any appeal from that denial has been finally determined;
 - c) the Alberta Court of Appeal has granted leave to appeal, heard the appeal on the merits, made its decision, and any appeal to the Supreme Court of Canada from that determination of the Alberta Court of Appeal has been finally determined; or
 - d) the appeal is otherwise resolved.
4. Any Development Permit issued ~~on the basis of~~ based on incorrect information contained in the application shall be invalid.

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2.14.2 Expiry of a Development Permit

1. The date of approval of a Development Permit shall be:
 - a) the date upon which the Development Officer issues the Development Permit;
 - b) in case of an appeal to the Subdivision and Development Appeal Board, the date upon which the Subdivision and Development Appeal Board renders a written decision approving the Development Permit; or
 - c) in the case of an appeal or leave to appeal to the Court of Appeal, the date that the Alberta Court issues its decision and any appeal to the Supreme Court of Canada from the determination of the Alberta Court of Appeal has been finally determined.
2. Once a Development Permit has been issued, it remains in effect until:
 - a) it expires, in cases where the Development Permit was issued for a limited period of time;
 - b) it expires, because of failure to commence development in accordance with subsection 2.14.23.3 and subsection 2.13.4; or
 - c) it is cancelled or suspended, in accordance with subsection 2.14.32.3 or is suspended in accordance with subsection 2.13.3.
3. Where a Development Permit is for a change of use, or a change of intensity of use, and no significant construction or reconstruction is necessary:
 - a) development must commence within one calendar year of the date of approval of the Development Permit;
 - b) for the purposes of subsection 2.13.3, development commences when the use that was approved by the Development Permit is established or begins operation.

4. Where a Development Permit is for construction, construction combined with a change of use, or construction combined with a change of intensity of use:

- a) development must commence within one calendar year of the date of approval.
- a)

2.14.3 Cancellation, Revocation or Suspension of a Development Permit

1. The Development Officer may cancel a Development Permit following its approval if:

- a) any person undertakes development, or causes or allows any development to take place on a property contrary to the Development Permit;
- b) the application for the Development Permit contained a material misrepresentation;
- c) material facts were not disclosed during the application for the Development Permit;
- d) the Development Permit was issued as a result of a material error; or
- e) the landowner requests, by way of written notice to the Development Officer, the cancellation of the Development Permit.

2. Notwithstanding ~~Part subsection 2.14.3.1(1)~~ (a) through (d), the Development Officer shall not cancel a Development Permit that has been appealed to the in accordance with Part 2.17, or until a decision is rendered or the appeal is otherwise resolved.

3. Notice of the Development Officer's decision to cancel the Development Permit shall be provided in writing by ordinary mail to the property owner, and to the applicant of the Development Permit. Such notice shall state the reasons for the cancellation of the Development Permit.

4. Any person who undertakes ~~development, or development or~~ causes or allows any development after a Development Permit has been cancelled, shall discontinue such development forthwith and shall not resume such development until a new Development Permit has been approved by the Development Officer and is valid pursuant to ~~Part 2.14.3~~ of this Bylaw.

5. All development continuing after the Development Permit has been cancelled shall be deemed to be development without a Development Permit.

~~2.1.42.14.4~~ Failure to Complete Development

1. Upon initiation in relation to an approved ~~Development Permit~~, the permit remains valid until the work is completed. Should a development not be completed to a standard acceptable to the Development Officer within two (2) years from the date of issuance of the permit, or any extension thereof, the Development Officer may direct that the site be returned to its original condition or state acceptable to the Development Officer.

~~2.1.52.14.5~~ Resubmission Interval

1. A Development Permit Application for the same purpose within a ~~use use~~ shall not be accepted by the Development Officer from the same or any other applicant for the same site;

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- ~~a-a)~~ within six (6) months of the date of a refusal by the Development Officer;
- ~~b-b)~~ within six (6) months of the date of a written decision of the Subdivision and Development Appeal Board on a previous application, if the previous application was appealed to, and subsequently refused by, the Subdivision and Development Appeal Board;
- ~~c)~~ within six (6) months of the date of a written decision of the Alberta Court of Appeal or the Supreme Court of Canada on the previous application, if the application has been appealed to the Alberta Court of Appeal or the Supreme Court of Canada; or

~~e-~~
~~d-d)~~ prior to the written decision of the Subdivision and Development Appeal Board, the Alberta Court of Appeal, or the Supreme Court of Canada, if the application has been appealed to the Subdivision and Development Appeal Board, the Alberta Court of Appeal, or the Supreme Court of Canada.

2. ~~2-~~ Part 2.14~~3, 55 (+)~~ shall not apply in the case of an application for a Development Permit for a ~~p~~Permitted ~~Use-use~~ or a ~~Use-use~~ listed in a Direct Control ~~Provision-~~
~~if~~Provision if the application complies with all the regulations of this Bylaw.

3. If upon review of any application for a Development Permit, the Development Officer determines that Part 2.11 applies, then the application shall be returned to the applicant, along with any fees that have been submitted. The application shall not be considered as having been refused but shall be deemed to have not been submitted.

2.15 TEMPORARY APPROVALS

1. The Development Authority may consider any permitted ~~use-use~~ or discretionary ~~useuse-~~ within a land use district on a temporary basis.

2. Where the Development Authority has approved a development for a limited period, the use shall terminate, and removal of a temporary development shall occur at the expiration of the time period.

3. When a ~~D~~evelopment ~~P~~ermit for a temporary use expires, a new application shall be required. There shall be no obligation to approve a new application on the basis that a previous permit had been issued.

4. Where a development is approved for a limited period, the Development Authority shall require the cessation of use and removal of the temporary development at the expiration of the time period stated in the ~~D~~evelopment ~~P~~ermit.

2.16 -VARIANCES

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1. A variance shall be considered only in cases of unnecessary hardship or practical difficulties peculiar to the use, character or situation of land or a building which are not generally common to other land in the same land use district.

2. Subject to this Part, the Development Officer may grant a relaxation of up to a maximum of 15% from a regulation stated regarding setbacks and parcel coverage. Relaxation may be granted, only if, in the opinion of the Development Officer:

a) Irregular shaped lot or lot lines, result in a situation that makes it difficult to develop a structure within the required setbacks, providing the proposed relaxation does not result in a development that will:

- a) i) unduly interfere with the amenities of the neighbourhood, or;
- ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and;
- iii) interfere with site lines, the safe passage of pedestrian or vehicular movements on sidewalks, roads, lands or other public lands.

b) The proposed development is a permitted use and conforms with the prescribed use for that land.

3. Notwithstanding Parts 2.1; 2.16 (2), and Part 2.17 the Development Officer may grant a relaxation to the standards for a ~~Residential Kennel~~ RESIDENTIAL KENNEL in the R-1L, R-1M, R-1S, R-MHC and R-2 Land Use Districts, not exceeding a total of any combination of dogs or cats, if in the opinion of the Development Officer, granting the relaxation will not:

- a) unduly interfere with the amenities of the neighbourhood, or;
- b) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

4. The Municipal Planning Commission or Council may consider a relaxation of any standards as prescribed in this Bylaw where the proposed development conforms with all other provisions of the Bylaw.

5. The Development Authority, upon the review of a variance request, shall:

- a) take into consideration the purpose and intent of the district and the proposed development to other land and uses in the district;
- b) grant the relaxation only if practical or difficult specific to the use, character or situation of the land or building and which is not generally common to other land in the district.

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~~e)b)~~ not grant a relaxation if in doing so would result in a development that does not comply with the requirements of the ~~Municipal Government Act~~MGA, Subdivision and Development Regulation or any applicable statutory plan or outline plan.

6. A relaxation granted by the Development Authority may be, in accordance with Part 2.17 and is subject to an ~~a~~Appeal.

2.17 APPEALS

1. An appeal, to the Subdivision and Development Appeal Board, may be made if the Development Authority:
 - a) fails to make a decision within forty (40) days of a complete application or within any extension;
 - b) refuses to issue a ~~D~~evelopment ~~P~~ermit;
 - c) issues a ~~D~~evelopment ~~P~~ermit subject to conditions;
 - ~~a)~~ issues a Stop Order;
 - ~~d)~~

in accordance with the ~~Municipal Government Act~~MGA, the person applying for the permit or affected by the Stop Order may appeal to the Subdivision and Development Appeal Board.

2. Any person claiming to be affected by a decision of the Development Authority or a Stop Order may appeal to the Subdivision and Development Appeal Board.
3. Notwithstanding Parts 2.17 ~~(1) and (2)~~, no appeal lies in respect of the issuance of a ~~D~~evelopment ~~P~~ermit for a permitted use unless the provision of this Bylaw were relaxed, ~~varied~~varied, or misinterpreted.
4. Filing an appeal by an applicant or a person affected by a stop order is commenced by filing a notice of appeal, containing reasons, with the Subdivision and Development Appeal Board:
 - a) with respect to an application for a ~~D~~evelopment ~~P~~ermit, within twenty-one (21) days of the date of the Development Authority's decision;
 - b) with respect to an application for a ~~D~~evelopment ~~P~~ermit, and if no decision is made by the Development Authority within the forty (40) day period, or within any extension of that period, within twenty-one (21) days after the date the period or extension expires; or
 - c) with respect to a stop order, within twenty-one (21) days after the date on which the stop order is made.

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5. An appeal by any person affected by a stop order, ~~decision~~ or ~~Development Permit~~ made or issued by the Development Authority is commenced by filing a notice of appeal, containing reasons, with the Subdivision and Development Appeal Board within twenty-one (21) days after the date on which the notice of the issuance of the ~~Development Permit~~ was given in accordance with this Bylaw.
6. Where a decision on a development application within a Direct Control District is rendered by Council, there is no appeal to the Subdivision and Development Appeal Board except where:
 - a) the Development Authority fails to follow the direction of Council.
 - b) If the Subdivision and Development Appeal Board finds that the Development Authority fails to follow the direction of Council, it may, in accordance with Council's direction, substitute its decision for the Development Authority's decision.
7. Pursuant to the ~~Municipal Government Act~~ MGA, the Subdivision and Development Appeal Board shall consider and make decision on an appeal.
8. If a completed appeal is filed pursuant to this Part, it must be accompanied by an appeal fee, as established by resolution of ~~Council~~ Council, and ~~Council and~~ amended from time to time.

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2.18 –CONTRAVENTION AND ENFORCEMENT

2.18.1 Contravention, Offences and PenaltiesCONTRAVENTION, OFFENCES AND PENALTIES

1. Pursuant to the ~~Municipal Government Act~~ MGA and the provisions of this Bylaw, Enforcement may be conducted by a Designated Officer through the issuance of a stop order, injunction or other such means authorized.
2. A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
3. A person who contravenes or does not comply with:
 - a) Part 17, s 545, 546, 551, 645 of the ~~Municipal Government Act~~ MGA;
 - b) the Subdivision and Development Regulation;
 - c) a ~~Development Permit~~ or subdivision approval, or a condition therein;
 - d) a decision of the Subdivision and Development Appeal Board, or;
 - e) the use of land in a manner contrary to the provisions of this Bylaw;
 - f) who obstructs or hinders any person in the exercise or performance of his powers or duties under this Land Use Bylaw is:

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_____ is guilty of an offence and is liable on summary conviction to a fine.

4. It is an offence to:

4.

- a) construct a building or structure;
- b) make an addition or alteration to a building or structure;
- c) commence a use or change the intensity of a use of a parcel or building or structure on the parcel;
- d) erect or place a sign on a parcel;

e) _____

d) erect or place a sign on a parcel;

for which a Development Permit is required but for which no Development Permit has been issued or if issued, the Development Permit is not valid.

5. The Development Authority may, by written notice, order the owner, the person in possession of the land or building, or the person responsible for the contravention, or any or all of them, to:

- a) stop the development or use of the land or building in whole or in part as directed by the notice;
- b) demolish, remove or replace the development, or;
- c) carry out other actions required by the notice so that the development or use of the land or building complies with this Bylaw, Part 17 of the Act, the Regulations, a Development Permit or subdivision approval;

within the time set out in the notice.

6. If a person fails to comply with the notice issued in accordance with Part 2.18 (5), the Municipality may take steps to enforce the notice in accordance with ~~Municipal Government Act/MGA~~.

7. A person who violates the provision of this Bylaw or permits a contravention of this Bylaw, is guilty of an offence and is liability to a fine for a first offence and for each subsequent offence as specified in ~~the Development Fees and Fines Bylaw, as amended from time to time. Part 2.18 Fines and Penalties.~~

8. Where a Municipal Tag has been issued, the person to whom the Municipal Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Municipality the penalty specified on the Municipal Tag.

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9. If a Municipal Tag has been issued and the penalty specified on the Municipal Tag has not been paid within the prescribed time, a Peace Officer may issue a Violation Ticket to the person to whom the Municipal Tag was issued.

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10. Notwithstanding the above, a Peace Officer may immediately issue a Violation Ticket to any person whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

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11. A Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part 2 of the *Provincial Offences Procedure Act* to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

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~~12.~~ 12. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

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- a) specify the fine amount established by this Bylaw for the offence; or
- b) require the person to appear in court without the alternative of making a voluntary payment.

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13. A person who commits an offence may make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Tickets, the specified penalty set out on the Violation Ticket:

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~~13.~~

- a) if a Violation Ticket is issued in respect of the offence; and
- b) if the Violation Ticket specifies the fine amount established by this Bylaw for the offence.

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b) ~~these don't seem to make sense here – maybe need to be worded differently~~

2.18.2 RIGHT OF ENTRY Right of Entry

14.1 For the purposes of entering and inspection land or structures, pursuant to the ~~Municipal Government Act~~ MGA, the Development Officer and any other persons appointed by Council are hereby declared to be a Designated Officer.

15. A person shall not prevent or obstruct a Designated Officer from carrying out any official duty under this Bylaw. If consent is not given, the Town may apply to the Court of Queen's Bench for an authorizing order.

2.

2.19 FINES AND PENALTIES

SCHEDULE "X"

1. Failure to park a motor vehicle in a front or side yard in a residential district on a driveway or on an approved parking pad – Do we want this?

Offences and Penalties						
			Fines			
Part		Part	Offence	First	Second	Third and Subsequent
2	OPERATIONAL	2.6.(2)	Commencement of any development without a Ddevelopment Ppermit	Two times the Ddevelopment Ppermit application fee		
2		2.13.(4)	Continuation of development with expired permit	Two times the Ddevelopment Ppermit application fee		
2		2.8.(8)	Operate a Mobile Commercial Sales Unit for longer than seven (7) days on one parcel	\$250	\$500	\$1,000
2		2.8.(15)	Failure to remove campaign sign	\$50	\$100	\$200
3	GENERAL REGULATIONS	3.10.(1)	Commencing Demolition without a Ddevelopment Ppermit	\$1,000	\$2,000	\$4,000
3		3.17.1(a)	Allowing unrepared, dismantled, inoperable, dilapidated vehicles or equipment on parcel	\$250	\$500	\$1,000
3		3.17.1(b)	Temporary structure, canvas or fabric covered building on parcel without a Ddevelopment Ppermit	\$100	\$200	\$400
3		3.17.1(c)	Allow excavation, storage or piling up of construction materials on parcel	\$250	\$500	\$1,000
3		3.17.1(d)	Allow motor vehicle, boats, utility/cargo trailer, off highway or recreational vehicle	\$100	\$200	\$400

			to be parked on grass in front yard or on a vacant lot			
3		3.17.1(e)	Allow commercial vehicle to be parked on a parcel in a residential district when not loading/unloading	\$250	\$500	\$1,000
3		3.17.1(f)(i)	Allow recreation vehicle to be parked on front yard off parking pad or overhanging sidewalk/curb	\$100	\$200	\$400
3		3.17.1(f)(ii)	Allow recreation vehicle to be parked on side yard off parking pad adjacent to a paved public roadway	\$100	\$200	\$400
3		3.17.1(g)	Parking a recreational vehicle or utility trailer in a manner that reduces the number of available off-street parking stalls.	\$100	\$200	\$400
3		3.17.1(h)	Use of recreation vehicle parked in residential district for living/sleeping accommodations or tourist use recreation vehicle for living/sleeping accommodations for more than seven (7) days	\$100	\$200	\$400
3		3.20.1(1)	Excavation, stripping or grading without a development permit	\$500	\$1,000	\$2,000
5	SPECIFIC USE REGULATIONS	5.10.1	Placement of a shipping container in a residential district in a manner not provided for in this Bylaw.	\$100.00	\$200.00	\$400.00
8	SIGNS	8.4.1(1)	Contravention or failure to comply with any provision relating to signs in this Bylaw	250.00	500.00	\$1,000.00
8		8.5.16	Sign Impound Fees – Temporary and Portable Signs (per sign)	\$100.00	\$200.00	\$400.00
8		8.11.5(f)	Failure to remove garage sale sign	\$250	\$500	\$1,000
8		8.9.5	Failure to remove election signs	\$100.00	\$200.00	\$400.00
	Old LUB provision – do we want this?		Outdoor storage in front yard of materials, products, equipment or machinery not required as part of sale, promotion or display of merchandise in commercial or industrial district	\$100	\$200	\$400

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Did LUB provision -- do we want this?	Outdoor storage in rear yard and/or side yard of materials, products, equipment or machinery in any district without approved screening	\$100	\$200	\$400
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2.202.19 SUB

DIVISION APPLICATIONS

1. Unless extended by an agreement in writing between the applicant and the Subdivision Authority, within 20 days after the receipt of an application for subdivision approval the Subdivision Authority shall:
 - a) issue a written acknowledgement to the applicant advising that the application is complete; or
 - b) issue a written notice to the applicant advising that the application is incomplete, listing the outstanding documents and information, and setting a date by which the outstanding documents and information must be submitted in order for the application to be complete.
2. If the outstanding documents and information are provided by the date set in the notice issued pursuant to Part 2.1920.1 b), the Subdivision Authority shall issue a written acknowledgement to the applicant advising that the application is complete.
3. If the outstanding documents and information are not provided by the date set in the notice issued pursuant to Part 2.1920.1 b) the Subdivision Authority shall issue a written notice to the applicant that the application has been refused and the reason for the refusal.
4. Despite that the Subdivision Authority has issued a written acknowledgement pursuant to Part 2.1920.1 a) or Part 2.1920.2, the Subdivision Authority may request additional information or documentation from the applicant that the Subdivision Authority considers necessary to review the application.
5. Any written acknowledgement or notice issued pursuant to Part 2.1920 shall:
 - a) include:
 - i) the date of issuance of the notice of acknowledgement;
 - ii) contact information for the Subdivision Authority;
 - iii) the Subdivision Authority file number for the application; and
 - iv) any other information at the discretion of the Subdivision Authority; and
 - b) be sent by electronic mail or regular mail to the applicant, or hand delivered to the applicant.

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All other words and expressions have the meaning respectively assigned to them in Part 17 of the ~~Municipal Government Act~~MGA and the Subdivision and Development Regulation.

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PART 3.0 GENERAL REGULATIONS

PART 3 GENERAL REGULATIONS

3.1 APPLICABILITY

1. The general regulations shall apply to all development within the Town. Where there appears to be a conflict between this Part and other Parts of the Bylaw, the regulations in other Parts prevail.

3.2 ACCESS REQUIREMENTS

1. The Development Authority shall not approve a Development Permit unless provision for access is included with the application for Development Permit.
2. All access shall be to the approval of the Development Authority with respect to location, design, and construction standards.
3. Where a site abuts two roads, either existing or proposed, access to the site shall be to the road of lesser traffic volume, unless otherwise approved by the Development Authority.
4. The Development Authority may impose a condition of the Development Permit, requiring the applicant to enter into a development agreement with the Town to construct or pay for the construction or upgrading of a road or walk necessary to serve the development.

3.3 AMENITY SPACE

1. Amenity space shall be a minimum of 3.5 -m² (37.6 ft²) per dwelling unit for townhouses, multiple dwelling Apartments and apartment dwellings.
2. Amenity space shall consist of both common amenity space and private amenity space.
3. Common amenity space shall:
 - a) consist of a minimum of one contiguous area;
 - b) contain seating and may contain other amenities such as play structures, gazebos, barbeques, swimming pools, or basketball or tennis courts; and
 - c) if located outside, shall be provided in a general landscape area in accordance with Part 3.15, Landscaping.

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d) in a location accessible and highly visible from the principal building.

4. Private amenity space shall be a minimum of 1.5-m² (16 ft²) per dwelling unit for ~~apartmentstownhouses, multiple dwellings, and apartment dwellings.~~

4. Amenity space provided at ground level within 4.0-m (13 ft) of a road, lane, on-site parking area or adjacent parcel shall be screened to the satisfaction of the Development Officer. When considering the amount and type of screening required, the Development Officer shall consider the type of amenity provided (e.g., play area), and any safety issues and adverse effects arising from the amenity and its location.

3.4 BUILDINGS PER PARCEL

1. A Development Permit shall not be issued for more than one main building on an un-subdivided residential parcel, except where it is proposed to develop more than one (1) main building to form a single, unified group of buildings.

3.5 BUILDING ORIENTATION AND DESIGN

1. The design, character and appearance of any building, or series of buildings, structure or sign proposed to be erected or located in any District must be acceptable to the Development Authority having due regard to:

- a) amenities such as daylight, sunlight and privacy;
- b) the character of existing development in the District, and;
- c) its affect on adjacent parcels.

2. ~~The Development Authority may establish architectural controls in order to guide the development and appearance of any building, including but not restricted to shape, scale and mass; appearance including colour and the type of facade materials; roof lines and projections; signs; and lighting.~~

3. ~~The Development Authority may approve an application for a development permit for an accessory building that is faced or finished with flexible sheeting capable of being rolled or folded if only:~~

- a) ~~the building is located in the Industrial Light District (I-1), Industrial Heavy District (I-2) or, the Commercial Highway District (C-2), and;~~
- b) ~~the building is an accessory on the building on the parcel and is not erected or placed within the front yard of a parcel, unless otherwise approved by the Development Authority.~~

4. ~~In the Commercial Highway District (C-2), a building that is faced or finished with flexible sheeting capable of being rolled or folded may be erected or placed on a parcel and must be removed after a maximum period of 30 consecutive days from the date of its erection or~~

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placement except in the instance of a garden centre which will be allowed for a maximum one hundred and 120 consecutive days from the date of its erection or placement.

3.6 COMPLIANCE CERTIFICATE AND FEES

~~3.6~~ (should this just say Compliance and Fees as we don't always issue a "certificate" with the approval of the RPR)

1. The applicant for a Compliance Certificate shall provide to the Development Officer a Real Property Report for the site prepared by a registered Alberta Land Surveyor.

~~4.~~

2. The applicant shall pay all costs associated with the preparation of the Real Property Report.

~~2.~~

3. In determining whether a Compliance Certificate can be issued for a property, the Development Officer shall rely on the Real Property Report provided by the applicant. The Development Officer shall not undertake independent property inspections.

~~3.~~

4. The Development Officer may issue a Compliance Certificate when, in their opinion, the buildings located on a property, and shown on the Real Property Report, are located on the property in accordance with the setback regulations of this Bylaw, and the setbacks specified in any Development Permit which may have been issued for the property. The Compliance Certificate shall only cover those buildings and structures, or parts thereof, subject to a Development Permit and as shown on the Real Property Report submitted by the applicant.

~~4.~~

5. The Development Officer may refuse to issue a Compliance Certificate when, in their opinion, they do not have sufficient information from the applicant to determine if buildings located on a site are located in accordance with the setback regulations of this Bylaw, or the setbacks specified in any Development Permit which has been issued for the site.

~~5.~~

6. The Development Officer shall not be liable for any damages arising from the use of a Compliance Certificate containing errors where the errors are the result of incorrect or incomplete information on the Real Property Report.

~~6.~~

7. The fee for the provision of a Compliance Certificate shall be as determined by the Development Fees and Fines Bylaw, the Council as amended from time to time.

3.7 DANGEROUS GOODS AND ASSESSMENT OF RISK

1. Prior to making any decision on a development application which involves dangerous goods or development on adjacent land or in close proximity to any dangerous goods, the Development Authority shall refer the development proposal to the appropriate regulatory authority for comments.

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2. When a Development Permit Application is for an activity involving the use, manufacturing or storage of hazardous substances, the Development Officer may require the applicant to submit a risk assessment prepared by a qualified environmental professional such as an engineer, biologist, planner, ~~geologist~~geologist, or hydrogeologist. The Development Officer may impose any conditions necessary to mitigate the risks associated with the use, manufacturing or storage of hazardous substances identified in the assessment.

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3. The risk assessment shall:

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- a) identify hazardous substances and their quantities;
- b) estimate the expected frequency of the occurrence of a hazardous event;
- c) assess the possible consequences of such an event;
- d) determine annual individual risk;
- e) identify and recommend risk-based separation distances and other measures to reduce risk;
- f) demonstrate how the proposed facility and operations shall contribute to the following risk management objectives:

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- i) risk reduction at source (siting of facilities, modifications to processes, conformity to legislation e.g. The Safety Codes Act, the Dangerous Goods Act, monitoring, technical changes, training, etc.);
- ii) risk reduction through land use planning around industrial ~~s~~Sites, ~~pipelines~~pipelines, and dangerous goods corridors;
- iii) emergency preparedness;
- iv) emergency response; and
- v) risk communication and public participation.

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3.8 DECKS

1. All decks that are enclosed and/or more than 0.60 -m (2.02 ft.) or greater in height from the approved grade require a ~~D~~evelopment ~~P~~ermit, unless they are indicated on the original site plan of the development;
2. All decks must comply with Part 3.23, Yards and Projections, of this Bylaw;
3. When a deck becomes covered or enclosed, it shall be considered an addition to and part of the principle building and is required to meet all district requirements.

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3.9 DESIGN STANDARDS

3.9.1 General Standards

1. For all development, the design and use of exterior finish materials shall be to the satisfaction of the Development Authority who shall ensure, as practical, that the

materials be durable and the same as, better than development on the subject and adjacent properties.

- 4.
2. Any side of a building visible from a road or other public space shall be architecturally designed and finished as a principle façade.
- 2.
3. All development should discourage or impede criminal behaviour with reasonable concealment opportunities, having regard for natural surveillance, natural access control, territorial ~~reinforcement~~reinforcement, and ongoing maintenance through providing lighting to minimize dark spaces and encourage pedestrian safety, strategic planning in landscape design, placement of windows to maximum surveillance with clear identifying civic addressing.

3.9.2 Residential Standards, Commercial or Institutional Development

1. A residential site shall be designed having regard for sensitivity to all adjacent development to ensure new development is complementary.
- 4.
- 2.
2. A site shall be designed and consider the privacy of adjacent residential development.
- 2.
3. Residential development shall have building facades and rooflines articulated and varied to minimize buildings mass and elongated or one-dimensional large buildings, avoiding blank walls.
- 3.
4. All residential buildings, where possible shall be oriented and designed to:
 - a) take advantage of solar opportunities;
 - b) minimum noise affects from arterial and/or collector roads;
 - c) have regard to and minimize the impact on other buildings, such things as daylight, sunlight, visual privacy, ~~views~~views, and ventilation.
 - d) to reduce massing in relation to development, all buildings should provide a transition in building height.
- 4.
5. Building entrances shall be designed to connect to direct and clearly marked pedestrian walks, aligned at a grade that meets safety and accessibility requirements.
- 5.
6. All utility enclosures are to be located away from street facing facades and screened from public view.
- 6.
7. Where covered parking is utilized, the character shall be consistent with the overall building design.
- 7.

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8. Where lighting is required to provide security and visual interest, it shall be complementary to the design, character of the building and satisfy Part 3.18. ~~Suitable lighting shall be utilized to provide security and to add a visual interest. All lighting designs shall be complimentary to the design, character of the building and satisfy Part 3.18.~~

9. ~~The At the discretion of the DD~~ Development Authority, may require additional decorative light fixtures, foundation, sculptures, benches planters, retaining walks pedestrian and bicycle paths, bicycle parking structures, trash receptables or enclosures, and fences

3.9.3 Industrial Standards Development

1. Any use or activity in an industrial district or a district of similar intent should have regard for the following appearance standards:

a) all loading, service, garbage facilities and accessory storage areas, and parking areas, where possible, shall be located to the rear or sides of the principal building, and be screened from view from any road other than a lane, and from adjacent sites, by building walls, landscape materials, berms, ~~fences~~ fences, or a combination of these, to the satisfaction of the Development Officer;

b) the Development Authority may require that exposed projections outside the building such as mechanical and electrical equipment, transformer ducts, cooling towers and materials handling equipment be screened from view from any road other than a lane, and from adjacent sites if such projections are inconsistent with the character and appearance of surrounding development or the intended visual qualities of the land use district;

c) building construction and finish is to be with durable materials designed to maintain the initial appearance of the development throughout the life of the project. The Development Authority may require that the appearance of metal, or concrete block walls exposed to public view from beyond the site be improved where such walls are inconsistent with the finishing materials or appearance characteristic of adjacent development; and

d) where allowed, outside display areas may be located to the side or front of the principal building, provided that such displays are limited to equipment or material related to the industry or business located on the site.

d)

e)

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3.10 DEMOLITION

1. Notwithstanding Part 2.8 (18), ~~Development Not Requiring a Development Permit~~, a development permit for the demolition of a building shall be required.
2. An application to demolish a building shall not be approved without submitting a statement or plan to the satisfaction of the Development Authority, indicating:
 - a) how the operation will be carried out to create a minimum of dust and other nuisances;
 - b) a traffic control plan approved by the Director of Infrastructure and Property Services;
 - c) proof of disconnection of all utilities;
 - d) an environmental assessment of the building performed by a qualified consultant;
 - e) the destination of debris materials;
 - f) a work schedule of the demolition and site cleanup;
 - g) the final reclamation of the parcel;
 - h) ~~AA~~ Letter of Credit may be required for the work being carried out.

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3.11 DEVELOPMENT SETBACKS

~~3.11 FROM OIL & GAS WELLS, WASTEWATER TREATMENT PLANTS, LANDFILLS, WATERBODIES AND SLOPES, EASEMENTS AND RIGHTS OF WAY - in the table of contents this is just DEVELOPMENT SETBACKS~~

3.11.1 Development in Proximity to Oil and Gas Wells

1. A subdivision application or a development application shall not be approved if it would result in a permanent additional overnight accommodation or public facility, as defined by Alberta Environment and Parks, being located within 100 metres (328 ft) of a gas or oil well or within a lesser distance approved in writing by the Alberta Environment and Parks.
2. For the purposes of this Part, distances are measured from the well head to the building or proposed building site.
3. In this Part, "gas or oil well" does not include an abandoned well.
4. An approval of the Alberta Energy Regulator under subsection (1) may refer to applications for subdivision or development generally or to a specific application.

3.11.2 Development Setbacks from Wastewater Treatment Plants

1. In this Part, "working area" means those areas of a parcel of land that are currently being used or will be used for the processing of wastewater.

2. Subject to Part 3.11.3, a subdivision authority shall not approve an application for subdivision for school, hospital, food establishment or residential use unless, each proposed lot includes a suitable building site for school, hospital, food establishment or residential use that is 300-metres or more from the working area of an operating wastewater treatment plant.

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3. Subject to Part 3.11.3 a Development Authority shall not issue a Development Permit for a school, hospital, food establishment or residence within 300-metres (984 ft) of the working area of an operating wastewater treatment plant nor may a school, hospital, food establishment or residence be constructed if the building site is within 300-metres (984 ft) of the working area of an operating wastewater treatment plant.

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4. Subject to Part 3.11.3, a subdivision authority shall not approve an application for subdivision for the purposes of developing a wastewater treatment plant and a Development Authority may not issue a permit for the purposes of developing a wastewater treatment plant unless the working area of the wastewater treatment plant is situated at least 300-metres from any school, hospital, food establishment or residence or building site for a proposed school, hospital, food establishment or residence.

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5. The requirements contained in subsections (2) to (4) above may be varied by a subdivision authority or a Development Authority with the written consent of the Deputy Minister of Alberta Environment and Parks.

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6. A consent under Part 3.11.3 may refer to applications for subdivision or development generally or to a specific application.

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3.11.3 Development Setbacks from Landfills and Solid Waste Sites

1. In accordance with the Subdivision and Development Regulations:

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unless the development is approved in writing by the Deputy Minister of Alberta Environment and Parks.

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3.11.4 Development Setback from Water Bodies and Slopes

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1. No development may shall be permitted in the 1:100-year flood plain of a water body or area otherwise prone to flooding or subsidence.
2. A minimum building setback of 30.0-m (100.0-ft) is required from the high-water mark of a water body or as determined by the Development Authority.
3. Applications for Ddevelopment Ppermits may be required to submit a slope stability assessment completed by a licensed Geotechnical Engineer or a person qualified to perform such work.
4. No trees or vegetations shall be cleared within 300.0-m (100.0-ft) of any water body, water course or the crest of a slope greater than 15% where the removal could have a negative impact on the water body, water course or slope stability.
5. Environmental reserve shall include a 15.0-m (50.0-ft) setback from the top of high watermark to the developable property. A trail system link may be required in this setback.

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3.11.5 Development Setbacks from Easements or Rights-of-Ways

1. ~~Notwithstanding Part 3.23.2, no building or part thereof shall encroach into a registered Easement, Right-of-Way or any existing or proposed servicing infrastructure, on any property.~~
2. ~~No building or structure shall be closer than 0.5 m (1.6 ft) to a registered Easement or Right of Way on any property except:~~
 - ~~a) where ATCO Gas requires an easement to the building foundation for multi-family units where a bank of meters is required to be placed adjacent to or near the building wall. A 0.5 m (1.6 ft) setback does not apply in this case.~~
4. ~~Notwithstanding Part 3.23.2 (7), Yards and Projections, no building or part thereof shall encroach into a registered Easement, Right-of-Way or any existing or proposed servicing infrastructure, on any property except:~~
 - ~~a) where ATCO Gas requires an easement to the building foundation for multi-family units where a bank of meters is required to be placed adjacent to or near the building wall. A 0.5 m setback does not apply in this case.~~

~~2.3.~~ To minimize risk for development adjacent to the railway rights-of-way all development shall follow the Guidelines for New Development in Proximity to Railway Operations.

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3.12 ENVIRONMENTAL FEATURES

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1. A minimum setback of 30.0 m is required from the top of high-water mark of any other water feature, ~~watercourse~~ ~~watercourse~~ or water body, unless the Development Officer is provided with an environmental and geotechnical assessment prepared by a qualified professional that verifies that a lesser setback is warranted. The Development Officer shall require an increased setback where determined by the assessment.

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~~4.~~
2. The minimum geotechnical assessment referenced in Part 3.12.1 may be reduced or ~~eliminated~~ ~~excluded~~ where the Development Officer determines the proposed structure or building is ~~required for~~ ~~incident~~ the operation of a utility service and the Development Authority is satisfied that there will be no risk or adverse effect on development or the riparian area.

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3. No trees shall be cleared or removed from lands which lies near a watercourse or water body unless the Development Authority receives written confirmation from a qualified professional stating that removal is necessary in order to provide access to the watercourse or water body.

4. Despite any other regulation in this Bylaw, the Development Authority may increase setbacks in any land use district where written confirmation from a qualified professional is received that a development may be detrimental to the conversation of sensitive lands or affect by being in a floodplain.

5. No permit shall be issued for the construction of any building within a floodway.

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3.13 FENCES, WALLS, GATES AND PRIVACY SCREENING IN RESIDENTIAL DISTRICTS

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3.13.1 Fences, Walls and Gates:

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1. The regulations contained within this part apply to the height of a material utilized in fence construction of a wall or gate such as, but not limited to boards, panels, masonry, ornamental, ~~iron~~ ~~metal~~, and chain link, plus any additional elements used for screening such as but not limited to lattice.

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2. The regulations for fences, walls and gates contained within this Part do not apply to the height of the posts or other supporting material used to anchor the fence, ~~wall~~ ~~wall~~, or gate.

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3. The fence height, in all districts, is measured from approved grade level of the parcel to the top of the fence.
4. Any fence constructed ~~on top of~~ a retaining wall or berm shall be subject to approval by the Development Authority. As part of the approval of a ~~D~~evelopment ~~P~~ermit for a fence atop a retaining wall or berm, the Development Authority shall specify the height for the fence.
5. Gates, fences, walls and other means of enclosing a yard shall:
 - a) in all districts, be less than 1.0-m (3.3 ft) in height in front yards and less than 2.0 m (6.6 ft) in side or rear yards;
 - b) be compatible with and complementary to the surrounding area in terms of design, character and appearance;
 - c) in other districts, be in accordance with the requirements of the Development Authority;
6. Where construction of a vinyl fence is required, the fence shall be solid in nature to the satisfaction of the Development Authority.
7. Where the construction of chain link fence is permitted, the use of decorative corrugated plastic inserts shall not be added for screening or privacy showing landscape or any other decorative feature or visual aide unless approved by the Development Authority.
8. Notwithstanding ~~Part 3.13.1 (7)~~, decorative corrugated plastic inserts may be utilized for added screening or privacy, in the Industrial Light (I-1) and Industrial Heavy (I-2) land use districts except those properties abutting Queen Elizabeth II and Highway 597 and public roadways.
9. The use of barbed or razor wire on any fence shall require a development permit application:
 - d) Notwithstanding Part 3.13.1 (9), barbed wire fence, required in the AG Agricultural District shall not require a development permit application.

~~3.13.2~~ ~~3.13.2~~ Privacy Screening in Residential Districts

- ~~13.1.~~ The regulations contained within this Part apply to the height of the material used in the construction of privacy screening such as, but not limited to lattice, wooden or masonry walks, parapet walls or translucent glass.

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~~14.2.~~ The regulations for fences, walls and gates contained within this Part do not apply to the height of the posts or other supporting material used to anchor the fence, ~~wall~~ or gate.

~~15.3.~~ Privacy screening, excluding vegetative screening, within a front yard at grade shall not exceed 1.0 m (~~3.3 ft~~) in height.

~~16.4.~~ Privacy screening, excluding vegetative screening within a rear yard, at grade, shall not exceed 2.0 m (~~6.6 ft~~) in height.

~~17.5.~~ The Development Officer may vary the height of a privacy screening to a maximum of 15% of the maximum height permitted, to prevent visual intrusion and provide additional screening from adjacent properties.

3.14 HEIGHT AND GRADE

~~1.~~ To the extent practical, the proposed building grade shall retain the natural contour of the land and minimize the necessity to use retaining walls and ensure positive drainage to appropriate receiving drainage courses or watercourses.

~~4.2.~~ Notwithstanding 3.14.1, a retaining wall greater than 0.6 m (2 ~~shall~~ft) shall require a development permit.

3.15 LANDSCAPING GENERAL REQUIREMENTS

~~3.15.1.~~ The general purpose of the Landscaping regulations is to have development contribute to a reasonable standard of livability and appearance, having regard for low impact design features and the use of drought tolerant species, to provide a positive overall image for the Town of Blackfalds through good environmental stewardship.

Land Use District	Landscaping Required	Areas to be Landscaped	Minimum Tree Ratio
Residential R-1S, R-1M, R-1L	a) 25% of the site landscaping for all front yards visible from a public roadway.	See "All Districts" for REQUIREMENTS.	One (1) tree planted in front yards.
Residential R-2, R-3 R-4 R-5		See "All Districts" for REQUIREMENTS.	a) One (1) tree and two (2) shrubs are required for each 25.0 -m ² (269 ft²) of gross landscape area. b) The proportion of deciduous trees and coniferous trees shall be approximately 2:3. c) One (1) tree for each 20.0 -m ² (215 ft²) and one (1) shrub for each 10.0 -m ² (107 ft²) of parking area islands, with a minimum of one (1) tree per parking area island.
Residential M-MHC		See "All Districts" for REQUIREMENTS.	a) One (1) tree and two (2) shrubs are required for each 25.0 -m ² (269 ft²) of gross landscape area.

Land Use District	Landscaping Required	Areas to be Landscaped	Minimum Tree Ratio
R-MHP			b) The proportion of deciduous trees and coniferous trees shall be approximately 2:3.
Commercial C-1	At the discretion of the Development Authority.	See "All Districts" or REQUIREMENTS.	
Commercial C-2, C-3	Minimum 15% of gross site area with a minimum of 40% of the total landscaping required being placed within the front yard of the property.	<p>a) Shall include a 3.0 m (10 ft) strip of landscaped area adjacent to a property line that abuts a road.</p> <p>a) See "All Districts" for REQUIREMENTS.</p>	<p>a) One (1) tree and two (2) shrubs per 30.0 m² (323 ft²) of gross landscaped area.</p> <p>b) One (1) tree and two (2) shrubs for each 20.0 m² (215 ft²) of parking area islands, with a minimum of one (1) tree per parking area island.</p> <p>c) Shall ensure that off-street loading spaces in any commercial district adjoining or fronting onto any residential property in a residential district area screened on each side by a wall, fence, berm, or hedge not less than 1.8 m (6 ft) in height to the satisfaction of the Development Authority.</p> <p>d) Shall screen all outdoor storage areas from view of any adjacent arterial road through the use of fencing, landscaping masonry wall berm or combinations thereof, in addition to any other applicable regulations in this Part, to the satisfaction of the Development Authority.</p>
Commercial C-4	Minimum 15% of gross site area with a minimum of 40% of the total landscaping required being placed within the front yard of the property.	<p>a) Shall include a 3.0 m (10 ft) strip of landscaped area adjacent to a property line that abuts a road.</p> <p>a) See "All Districts" for REQUIREMENTS.</p>	<p>a) One (1) tree and two (2) shrubs per 30.0 m² (323 ft²) of gross landscaped area.</p> <p>b) One (1) tree and two (2) shrubs for each 20.0 m² (215 ft²) of parking area islands, with a minimum of one tree per parking area island.</p> <p>c) Shall ensure that off-street loading spaces in any commercial district adjoining or fronting onto any residential property in a residential district area screened on each side by a wall, fence, berm or hedge not less than 1.8 m (6 ft) in height to the satisfaction of the Development Authority.</p> <p>d) Shall screen all outdoor storage areas from view of any adjacent arterial road through the use of fencing, landscaping masonry wall berm or combinations thereof, in addition to any other applicable regulations in this Part, to the satisfaction of the Development Authority.</p>
Commercial CMU	Minimum 15% of gross site area with a minimum 40% of the total landscaping required being placed within the front yard of the property.	<p>a) Shall include a 3.0 m (10 ft) strip of landscaped area adjacent to a property line that abuts a road.</p> <p>b) See "All Districts" or REQUIREMENTS.</p>	<p>a) One (1) tree and two (2) shrubs per 30.0 m² (323 ft²) of gross landscaped area.</p> <p>b) One (1) tree and two (2) shrubs for each 20.0 m² (215 ft²) of parking area islands, with a minimum of one (1) tree per parking area island.</p> <p>c) Shall ensure that off-street loading spaces in any commercial district adjoining or fronting onto any residential property in a residential district area screened on each side by a wall, fence, berm or hedge not less than 1.8 m (6</p>

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Land Use District	Landscaping Required	Areas to be Landscaped	Minimum Tree Ratio
			<p>ft) in height to the satisfaction of the Development Authority.</p> <p>d) Shall screen all outdoor storage areas from view of any adjacent arterial road through the use of fencing, landscaping masonry wall berm or combinations thereof, in addition to any other applicable regulations in this Part, to the satisfaction of the Development Authority.</p>
Industrial I-1 I-2	Minimum 15% of gross site area.	<p>a) Minimum 5.0-m (16 ft) landscape buffer adjacent to the property line that abuts or is adjacent to a residential district or otherwise determined by the Development Authority.</p> <p>b) A minimum 5.0-m (16 ft) landscape buffer adjacent to the property line that abuts Broadway Avenue, South Street, Vista Trail, Queen Elizabeth II Highway, Highway 2A and Highway 597.</p> <p>c) A minimum 3.0-m (10 ft) landscape buffer adjacent to the property line that abuts any other Collector or Arterial Road.</p> <p>d) See "All Districts" for REQUIREMENTS.</p>	<p>a) One (1) tree and two (2) shrubs per 45.0 m² (484 ft²) of gross landscaped area.</p> <p>b) Shall screen all outdoor storage areas from view of any adjacent arterial road through the use of fencing, landscaping masonry wall berm or combinations thereof, in addition to any other applicable regulations in this Part, to the satisfaction of the Development Authority.</p>
Lands included in the Downtown Revitalization Plan and all Other Districts Urban Reserve, Public Facility, Municipal Reserve, Agricultural	At the discretion of the Development Authority.	See "All Districts" or REQUIREMENTS. See All Districts	

2. LANDSCAPING FOR ALL DISTRICTS

- a) A minimum of 300.0 mm (11.8 in) of topsoil to facilitate growth in the soft landscaped areas shall be required.
- b) The following features shall apply:

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- i) deciduous trees must be at least 50% of trees provided with a minimum 60.0 mm (2.4 in) caliper;
- ii) deciduous shrubs shall be a minimum 2.0 gallon;
- iii) coniferous trees shall be a minimum 2.5 m (8 ft) in height; and
- iv) coniferous shrubs shall be a minimum 5.0 gallon.
- v) Ratio of deciduous/coniferous tree count shall represent between 25-75% of the required tree count as determined to be appropriate by the Development Authority.
- vi) Shrubs may be substituted for any one (1) tree at the discretion of the Development Authority.

c) All landscaped areas shall be designed to facilitate effective surface drainage consistent with a lot grading plan.

d) The developer is responsible for landscaping boulevards and roadway berms adjacent to the lot of a development site.

e) Landscaping shall be completed by the end of the first full growing season following completion of construction or commencement of the use.

f) Higher standard of landscaping is required where properties are adjacent to public roadways or Provincial highways.

g) Landscaping along the fence line should be positioned to the outside (roadside) when the fence line is adjacent to a public roadway or Provincial Highway.

h) Where practical, existing landscaping or natural vegetation should be conserved which shall include water conservation methods and/or strategies, in accordance with the landscape plan and used to meet the requirements of this Bylaw unless, in the opinion of the Development Officer, it is necessary to effectively accommodate the development. The retention of existing landscaping, or natural vegetation where approved, shall count toward the total requirement of landscaping required under this Part.

j) Landscaping shall be provided on all lots in all land use districts unless otherwise stated and may be required, if the opinion of the Development Authority, a property has been substantially enlarged to, an intensity of or change in use of the property has occurred.*

j) Where planned phased development is proposed, an overall concept plan for landscaping shall be approved prior to the first phase approval. Landscaping of the undeveloped areas of the development may be required, if in the opinion of the Development Officer landscaping is required and shall be landscaped with an approved ground cover.

- k) All soft landscaping shall be maintained to the minimum standards of the Bylaw on an ongoing basis. Any tree or shrub required to meet the minimum standards of this Bylaw that does not survive shall be replaced within one (1) year.
- l) Tree planting shall be in groupings or mulched beds to encourage improved growth, survivability and aesthetics.
- m) Parking or storing of vehicles is not permitted on landscaped areas unless approved as a display area on approved Development Permit drawings.
- n) Lot coverage shall not be so extensive in any district as to prohibit the minimum landscaping requirements of this Bylaw. Where existing site conditions may make it difficult to achieve full compliance as otherwise required by the Bylaw, the Development Authority may allow a variance.
- o) Despite Part (k), if the Development Authority allows a variance from the requirements set out in this Part, the Development Authority may impose, as a condition of development approval where feasible and practical, a landscaping alternative that focus on the enhancement of streetscape and environmental performance by the addition of landscaping between the building and the adjacent road, and in the parking areas adjacent to the road.
- p) The Development Authority may require other types of screening at the discretion of the Development Authority to reduce visual impact between residential and non-residential land use districts.
- q) Notwithstanding the landscaping requirements set forth in this Part, those lands in the C-1 and C-2 land use districts included within the Downtown Revitalization Plan, landscaping shall be determined by the Development Authority.
- r) When calculating the number of plantings required, the requirements shall be based on the amount of landscaped area required for the site. Where the calculation required results in a fractional number, the requirements shall be rounded up to the nearest whole number.
- s) Unless otherwise accepted by the Development Officer, trees or shrubs which are found at the time of an inspection that are identified as diseased or in a state of decline must be replaced within the next growing season.
- t) A xeriscaping plan, including drought tolerant and local plant species, prepared to the satisfaction of the Development Officer.

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u) To mitigate the impact of development on stormwater run-off the developer, where practical, shall implement a plan for the incorporation of bioretention and bioswales prepared by a qualified professional and to the satisfaction of the Development Officer.

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Landscaping for ALL DISTRICTS

- a) A minimum of 300mm of topsoil to facilitate growth in the soft landscaped areas shall be required.
- b) The following features shall apply:
 - i) Deciduous Tree must be at least 50% of trees provided with a minimum 60mm caliper
 - ii) Deciduous shrubs shall be a minimum 2 gallon;
 - iii) Coniferous trees shall be a minimum 2.5 m in height;
 - iv) Coniferous shrubs shall be a minimum 5 gallon;
 - v) Ratio of deciduous/coniferous tree count shall represent between 25-75% of the required tree count as determined to be appropriate by the Development Authority.
 - vi) Shrubs may be substituted for any one (1) tree at the discretion of the Development Authority
- c) all landscaped areas shall be designed to facilitate effective surface drainage consistent with a lot grading plan.
- d) the developer is responsible for landscaping boulevards and roadway berms adjacent to the lot of a development site.
- e) landscaping shall be completed by the end of the first full growing season following completion of construction or commencement of the use.
- f) higher standard of landscaping is required where properties are adjacent to public roadways or Provincial highways.
- g) landscaping along the fence line should be positioned to the outside (roadside) when the fence line is adjacent to a public roadway or Provincial Highway.
- h) Where practical, existing landscaping or natural vegetation should be conserved which shall include water conversation methods and/or strategies, in accordance with the landscape plan and used to meet the requirements of this Bylaw unless, in the opinion of the Development Officer, it is necessary to effectively accommodate the development. The retention of existing landscaping, or natural vegetation where approved, shall count toward the total requirement of landscaping required under this Part.
- i) Landscaping shall be provided on all lots in all land use districts unless otherwise stated and may be required, if the opinion of the Development Authority, a property has been substantially enlarged to, an intensity of or change in use of the property has occurred.
- j) Where planned phased development is proposed, an overall concept plan for landscaping shall be approved prior to the first phase approval. Landscaping of the undeveloped areas of the development may be required, if in the opinion of the Development Officer landscaping is required and shall be landscaped with an approved ground cover.
- k) All soft landscaping shall be maintained to the minimum standards of the Bylaw on an ongoing basis. Any tree or shrub required to meet the minimum standards of this Bylaw that does not survive shall be replaced within one (1) year.
- l) Tree planting shall be in groupings or mulched beds to encourage improved growth, survivability and aesthetics.
- m) Parking or storing of vehicles is not permitted on landscaped areas unless approved as a display area on approved Development Permit drawings.
- n) lot coverage shall not be so extensive in any district as to prohibit the minimum landscaping requirements of this Bylaw. Where existing site conditions may make it difficult to achieve full compliance as otherwise required by the Bylaw, the Development Authority may allow a variance.
- o) Despite Part (k), if the Development Authority allows a variance from the requirements set out in this Part, the Development Authority may impose, as a condition of development approval where feasible and practical, a landscaping alternative that focus on the enhancement of streetscape and environmental performance by the addition of landscaping between the building and the adjacent road, and in the parking areas adjacent to the road.
- p) The Development Authority may require other types of screening at the discretion of the Development Authority to reduce visual impact between residential and non-residential land use districts.
- q) Notwithstanding the landscaping requirements set forth in this Part, those lands in the C-1 and C-2 land use districts included within the Downtown Revitalization Plan, landscaping shall be determined by the Development Authority.

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- r) When calculating the number of plantings required, the requirements shall be based on the amount of landscaped area required for the site. Where the calculation required results in a fractional number, the requirements shall be rounded up to the nearest whole number.
- s) Unless otherwise accepted by the Development Officer, trees or shrubs which are found at the time of an inspection that are identified as diseased or in a state of decline must be replaced within the next growing season.
- t) A xeriscaping plan, including drought tolerant and local plant species, prepared to the satisfaction of the Development Officer.
- u) To mitigate the impact of development on stormwater run off the developer, where practical, shall implement a plan for the incorporation of bioretention and bioswales prepared by a qualified professional and to the satisfaction of the Development Officer.

Parking and Screening Landscape Requirements

3.15.2 PARKING AND SCREENING LANDSCAPE REQUIREMENTS

1. All outdoor storage areas, parking facilities and loading areas must be appropriately screened from adjacent buildings and public roadways to the satisfaction of the Development Authority. All outdoor storage located along Queen Elizabeth II Highway, Highway 2A or Highway 597 must be screened by a 2.0-m (6.0-ft) solid white vinyl fence. Other forms of screening may include the use of a fence, berming, landscaping or a combination of all three.
2. Where off-street parking for twenty (20) more vehicles is required and is being provided at grade, dispersed landscaped areas may be required within the interior of the parking area(s) for the purpose of providing visual relief and to break up large areas of parking into smaller cells, to the satisfaction of the Development Authority.
 - a) Landscape islands and landscape peninsulas shall:
 - i) be dispersed evenly throughout the parking area after ten consecutive parking stalls in a row. This does not apply where a landscape strip has been provided between a row of parking stalls;
 - ii) be provided at the ends of each row to separate drive aisles from the end parking stall;
 - iii) contain any combination of trees provided the location of the trees in the landscape island or peninsula do not interfere with sight lines for pedestrian or vehicular traffic;
 - iv) be a minimum of 2.0-m (6.6 ft) on at least one side with a minimum 2.0-m (6.6 ft) island or peninsula width;
 - v) include a concrete curb utilizing low impact design techniques; and
 - vi) allow for water infiltration.
3. Where deemed appropriate and in any land use district, the Development Officer may require the planting of trees and shrubs, may require the construction of berms, the planting of a solid hedge, other vegetative screening, fencing or any combination of to adequately buffer an adjacent site from a nuisance or any adverse effect.

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4. Any garbage collection area, open storage area, outdoor service area including any loading and vehicular service area, visible from an adjacent site in a residential land use district or from a public roadway other than a lane, shall be fenced or have a screen planting or both as approved by the Development Officer to a maximum ground height not exceeding 2.0 m (6.6 ft).

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5. For uses including but not limited to auto wrecking, lumber yards, outdoor storage areas and such similar uses, where because of height of materials stored, a screen planting that would not be sufficient, a fence, earth berm or combination of both creating a height to substantially block the view, shall be substituted for the requirements outlined in this Part.

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6. Where conditions are not beneficial to horticultural practices, and a screen planting cannot survive, the Development Officer may require a wood fence, earth berm, masonry wall or combinations thereof, to be substituted to meet the requirements of this Part.

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3.15.3 Review and Approval of Landscape Plans — REVIEW AND APPROVAL OF LANDSCAPE PLANS

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1. The Development Officer shall review the landscape plan to verify its compliance with the provisions of this Bylaw. Provided that the purposes of this Part are achieved, written requests for alternative landscaping schemes may be submitted to the Development Officer and may be considered when the following conditions apply:

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- a) site conditions, topography or soil are such that full compliance is impossible or impractical;
- b) safety considerations are involved, and no other alternative exists alternative exist to reduced potential hazards.

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2. A landscape plan shall, to the satisfaction of the Development Officer, include the following:

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a) name of the project and/or applicant;

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b) name and/or endorsement stamp of the landscape professional;

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c) north arrow, plan scale and legal and civic address;

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d) implement a temporary erosion and sediment control plan that includes how erosion and sediment control measures will be utilized until landscaping is successfully vegetated;

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e) a color rendering, as viewed from adjacent street at full maturity of plant life;

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- e) location of existing plant materials and indication as to whether they are to be removed or retained;
- f) new plant materials shall be accurately scaled to mature size;
- g) location of planting beds and identification of bedding material;
- h) minimum number of trees and shrubs, in the required coniferous/deciduous ratio, required to be provided pursuant to the requirements of this Part;
- i) total number of trees and shrubs proposed to be provided, and the proposed coniferous/deciduous ratio;
- j) a list of any proposed variances;
- k) identification of proposed surfacing of parking and storage areas;
- l) plant material list identifying the species/type of trees and shrubs and their planted size, as well as their typical mature size;
- m) a table indicating the required quantities of plan material as required by this Bylaw;
- n) if landscaping is being proposed within a utility right-of-way the plan must be endorsed by all utility companies that have access to the right-of-way, indicating their approval of the proposed landscaping;
- o) all other physical features, existing or proposed; including berms, walls, fences, outdoor furniture, and decorative paving; and;
- p) a site plan indicating lot boundaries and lot dimensions and the location of proposed landscaping and features in relation to all existing and proposed buildings, signs, outdoor storage areas, parking areas, display areas, approaches, driveways, fences and utility rights-of-way.

3.15.45. The Development Officer may authorize minor changes to an approved landscape plan without requiring a separate Development Permit application.

3.15.45. DEVELOPMENT SECURITIES

1. The Development Authority may require, at the time of subdivision or as a condition of a Development Permit that the owner provide a letter of credit or other form of security to ensure that landscaping is provided; carried out with reasonable diligence

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and maintained for a period of one (1) year. The security shall be in a form acceptable to the Development Officer having the value equivalent to 100% of the established landscaping costs.

2. Landscaping securities collected in Part 3.15.4.5(1) will be refunded to a maximum of 50% upon implementation of the landscaping plan as approved. The balance will be retained by the Town for maintenance period of one (1) year or one full growing season and will be returned where no deficiencies exist.
3. Where required, all landscaping plans shall be accompanied by a quote from a certified landscape professional indicating the cost to implement site paving. An irrevocable letter of credit or other form acceptable to the Development Authority, having the value equivalent to 100% of the established costs will be retained until landscaping is complete. Return of 100% will be refunded upon implementation of the site paving plan where no deficiencies exist.
4. In circumstances where the Development Officer has identified that a development of characteristics have not been completed to the satisfaction of the Development Officer and the owner/applicant refuses to address any deficiencies identified to the satisfaction of the Development Officer, the Development Officer may:
 - a) draw on the securities collected, and the amount shall be paid to the Town for its use in completing the deficiencies as determined by the Development Officer;
 - b) notwithstanding the list identified in Part 3.15 Table 4, the Development Officer may use securities to complete any identified deficiencies of the development relating to site functionality and safety issues and over all completion of the development;
 - c) in the event the owner/applicant does not complete the required conditions of the Development Permit and the proceeds from the securities collected are insufficient for the Town to complete the required work, the Town may take any enforcement action deemed appropriate under the ~~Municipal Government Act~~ MGA.
5. In accordance with Part 3.15.5(2) and at the request of the owner/applicant, securities collected shall be released by the Development Officer when the Development Officer is satisfied that the required landscaping has been implemented and maintained.

3.15.6 DrainageRAINAGE

1. All roof drainage from a building shall be directed onto the parcel upon which the building is located satisfactory to the Development Officer.

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2. Any landscaping and/or recontouring shall be done so that the finished grade does not direct surface drainage or cause an accumulation of drainage onto the adjoining site unless otherwise approved by the Development Authority.
3. Maintenance and/or drainage and utility easement(s) may be required between abutting buildings and/or through private yards of one or more [dw](#)ellings to ensure adequate access for property, drainage, and utility maintenance.
4. To improve urban environmental quality through the reduction of storm water, the Development Authority may consider the implementation of a low impact design measure for eco roof design prepared by a qualified professional and to the satisfaction of the Development Authority.

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3.16 MANUFACTURED HOMES, READY TO MOVE AND MODULAR HOMES

~~3.16.41~~ For manufactured homes placed in a residential district ~~other than or in the Residential Manufactured Home Community District (R-MHC) or~~ Residential Manufactured Home Park District (R-MHP), in addition to any other requirements in this Bylaw, the size, form and external appearance of a manufactured home shall be acceptable to the Development Authority having regard to compatibility with other buildings in the vicinity; and a manufactured home ~~shall must~~:

- a) be of new construction, such that it is being transported directly from the factory or sales dealership to the residential site;
- b) ~~maintain a have a~~ minimum roof pitch of 4:12;
- c) ~~possess a have a~~ roof surface of ~~wood or~~ asphalt shingles, clay or concrete tiles, slate or wood shakes;
- d) have a minimum roof overhang or eaves of 0.40-m (1.33-ft) from each external wall;
- e) ~~maintain a have a~~ minimum ~~box~~ width of 6.1-m (20.0-ft);
- f) ~~maintain a have a~~ maximum length to width ratio of 3:1;
- g) be placed on a permanent foundation ~~consisting of a basement, slab on grade~~;
- h) ~~ensure that all four sides of the building be skirted or have the undercarriage fully concealed with false walls-walls~~;
- ~~g)i) a minimum floor area as required in the applicable land use district;~~
- h) the manufactured home cannot be removed from the residential site unless approval and a ~~D~~evelopment ~~P~~ermit is granted by the Development Authority.
- i)

3.17 OBJECTS PROHIBITED OR RESTRICTED IN YARDS

1. No owner, or person in lawful possession and control, of a parcel in a Residential District, shall allow:

- ~~4.~~
- a) any vehicles or equipment of any kind that is in a state of disrepair, partially dismantled, inoperable or dilapidated to remain on the parcel;
- b) any temporary structures or canvas covered buildings on the parcel; Canvas or Tent Structures Fabric covered buildings, used for storage purposes, are prohibited in all districts or all residential districts.

b)

- i) ~~D~~espite ~~Part 3.17.1(b) t~~emporary structures or canvas covered buildings may be considered in the I-1 Industrial Light District, I-2 Industrial District and PF – Public Facility District subject ~~–~~ to the provisions of Part 4.1, Accessory Development.

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c) ~~A~~^{h)} any excavation, storage or piling up of materials required during construction unless all necessary safety measures are taken, and they ensure that construction is completed as soon as practicable;

d) ~~a~~^{h)} motor vehicle, boat, utility trailer/cargo trailer, off highway vehicle or recreation vehicle to be parking or to remain on any part of any landscaped area of any front yard of the parcel in a Residential District;

e) ~~a~~^{h)} commercial vehicle, loaded or unloaded:

- i) having a gross vehicle weight exceeding 7,500 kg; or;
- ii) having more than one rear ~~axle, or axle;~~ or;
- iii) being more that 6.65 ~~m~~ (21.8~~2~~² ft) in length;

to be parked or to remain on any part of the parcel in a residential district, except when it is parked for the purpose of, and is in the process of, loading or unloading;

f) ~~A~~^{h)} recreation vehicle (including a holiday trailer, camper, motor home,) ~~is~~ to be parked or to remain on the:

i) ~~front~~^{h)} yard of any parcel, unless it is on a legal parking pad (~~Part 8, Schedule A4~~) and perpendicular to the road in front and does not, within 0.25 ~~m~~ (0.8 ft) overhang the sidewalk or curb, lane or roadway, or in any manner that protrudes, poses a traffic or safety hazard, or is otherwise not entirely within the property boundaries of the parcel; or;

ii) ~~side~~^{h)} yard of any parcel when that side yard is adjacent to a paved public roadway unless it is on an approved parking pad.

g) ~~Notwithstanding Part 3.17 (f), a recreational vehicle, boat or utility trailer in any manner that reduces the number of available off-street parking stalls that are required for the uses of the parcel listed in Part 6 and in accordance with Part 3.19.4.~~

~~h) In a residential district, no person shall allow or permit a recreation vehicle to be used for living or sleeping accommodations. Additionally, only one recreation vehicle is allowed to be occupied on a site at any time and no rent or fees shall be paid for the use of the site or facilities.~~

~~g)h)~~

~~h)i)~~ In all other non-residential districts, a recreational vehicle may only be used for living and sleeping accommodation when parking in an approved campground.

3.18 OUTDOOR LIGHTING

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1. With the exception of street lighting, outdoor lighting provided for security, display or attraction purposed for any development shall be arranged so that no direct rays of light are directed at any adjoining site or interfere with the effectiveness of adjacent traffic signals.
2. All development, including the repair and replacement of fixtures, shall incorporate 'dark sky friendly' lighting practices that minimize light pollution, glare, and adverse illumination on adjacent parcels, while maintaining nighttime, on-site safety and security while allowing for illumination of buildings, landscaping, and outdoor displays.
3. All outdoor lighting fixtures shall be located, aimed, and shielded in a manner that does not directly illuminate a road or an adjacent residential area.
4. As a condition of the Development Permit approval, the Development Authority may require a site lighting plan, prepared by a qualified professional.

3.19 PARKING AND LOADING STANDARDS

3.19.1 General Parking Provisions

- a-1. The following minimum number of parking stalls shall be provided and maintained upon the use of a parcel or building in any District as described in Part 6 of this Land Use Bylaw.
- b-2. Any calculation of the number of parking stalls which produces a requirement for part of a stall shall be rounded up to the next highest whole number.
3. Where electric vehicle charge sites are provided, the Development Authority shall determine what proportion of the electric vehicle charge station may contribute towards the minimum parking requirement.
- e-4. For uses not listed in this Part, the number of stalls shall be determined by the Development Officer having regard to similar uses listed and the estimated traffic generation and attraction of the proposed use.
- e-5. The Development Authority may refuse to grant a Development Permit to an applicant not fully complying with parking or loading requirements.
- e-6. All off-street parking areas, where entered onto by a paved public roadway, shall be hard surfaced as defined in this Bylaw.
- f-7. When a building is enlarged or the use of a parcel or building is changed or increased in intensity, the additional parking stalls to be provided shall be limited to the difference

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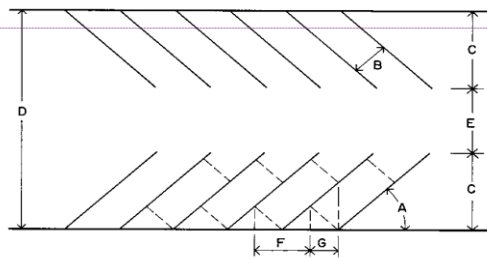
between the requirement of the original building or use and that of the enlarged building or changed to intensified use.

g.8. The parking stall requirement on a parcel which has or is proposed to have more than one use shall be the sum of the requirements for each of those uses.

h.9. Each parking stall shall have dimensions of not less than 2.75-m (9 ft) by 6.0-m (19.7 ft).

i. Where accessed directly via a paved street, all parking areas shall be hard surfaced.

j.10. The dimensions of parking areas shall be as set out in the following diagram and table below:



A Parking Angle	B Stall Width	C Stall Depth	D Overall Depth	E Manoeuvring Space	F Curb Length	G Row End Length
0	2.75 m (9.02 ft)	2.75 m (9.02 ft)	9.0 m (29.53 ft)	3.5 m (11.48 ft)	6.7 m (21.98 ft)	0 m
30	2.75 m (9.02 ft)	5.0 m (16.4 ft)	13.5 m (44.29 ft)	3.5 m (11.48 ft)	5.45 m (17.89 ft)	0.85 m (2.79 ft)
45	2.75 m (9.02 ft)	5.7 m (18.7 ft)	15.4 m (50.52 ft)	4.0 m (13.12 ft)	3.85 m (12.63 ft)	2.05 m (6.75 ft)
60	2.75 m (9.02 ft)	6.0 m (19.69 ft)	17.5 m (57.41 ft)	5.5 m (18.04 ft)	3.2 m (10.49 ft)	2.0 m (6.72 ft)
90	2.75 m (9.02 ft)	6.0 m (19.69 ft)	18.0 m (59.06 ft)	7.0 m (22.97 ft)	2.75 m (9.02 ft)	0 m

A Parking	B	C Stall	D Overall	E Manoeuvring	F Curb	G Row End
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Angle	Stall Width	Depth	Depth	Space	Length	Length
0	2.75_m (9.02_ft)	2.75_m (9.02_ft)	9.0_m (29.53_ft)	3.5_m (11.48_ft)	6.7_m (21.98_ft)	0_m
30	2.75_m (9.02_ft)	5.0_m (16.4_ft)	13.5_m (44.29_ft)	3.5_m (11.48_ft)	5.45_m (17.89_ft)	0.85_m (2.79_ft)
45	2.75_m (9.02_ft)	5.7_m (18.7_ft)	15.4_m (50.52_ft)	4.0_m (13.12_ft)	3.85_m (12.63_ft)	2.05_m (6.75_ft)
60	2.75_m (9.02_ft)	6.0_m (19.69_ft)	17.5_m (57.41_ft)	5.5_m (18.04_ft)	3.2_m (10.49_ft)	2.0_m (6.72_ft)
90	2.75_m (9.02_ft)	6.0_m (19.69_ft)	18.0_m (59.06_ft)	7.0_m (22.97_ft)	2.75_m (9.02_ft)	0_m

The following minimum number of parking stalls shall be provided and maintained upon the use of a parcel or a building in any District as Part 6 of this Land Use Bylaw. Any calculation of the number of parking stalls which produces a requirement for part of a stall shall be rounded up to the next highest integer.

k.11.

USE (COMMERCIAL)	MINIMUM PARKING REQUIREMENT
Any use not listed specially within this table, with a Gross Floor Area (GFA) of:	
1. Less than 4,500.0 -m ²	2.5 per 100.0 -m ² of GFA
2. 4,500 -m ² to 9,000.0 -m ²	3.0 per 100.0 -m ² of GFA
3. 9,000 -m ² to 28,000.0 -m ²	3.5 per 100.0 -m ² of GFA
4. Greater than 28,000.0 -m ²	4.0 per 100.0 -m ² of GFA
Animal boarding/breeding facility	2.0 per 100.0 -m ² of GFA
Veterinary Clinic, Hospital	
Auctioneering establishment	1.0 / 3.5 seats or 3.1 / per 100.0 -m ² GFA, whichever is greater
Commercial School	1.0 / 8 Students or 22/100.0 m ² GFA, mMinimum 522
Commercial Storage	1.0 /per 100.0 -m ²
Daycare	1.0 /per 50.0 -m ² GFA + 1.0 stall /per employee
Drinking Establishment	1.0 /per 4 seats or 1.0 /per 3.0 -m ² of GFA whichever is greater
Drive-Through Vehicle Services	2.5 /per 100.0 -m ² , minimum 5
Gas Bar	2.5 stalls / per 100.0 -m ² GFA +1 per pump island
Funeral Homes	1.0 /per 5 seats (Based on Occupancy)
Greenhouse	2.0 / per 100.0 m ² GFA of Retail Sales + 1.0 /per 100.0 -m ² GFA of yard and/or warehouse
Health Services Office/Medical, Dental	5.0 / 100.0 -m ²
Live Work Unit	1.0 additional parking stall /per unit
Motels/Hotels	1.0 /per guest room and 2.0 / 100.0 -m ² office space
Office/Business Support Service	3.5 / 100.0 -m ²
Personal Services	2.5 / 100.0 -m ²
Recreation and Entertainment Facilities	1.0 / 4 seats
Repair Services	2.5 / 100.0 -m ²

USE (PUBLIC/RECREATIONAL)	MINIMUM PARKING REQUIREMENT
Campground	1.0 /per camping space
Recreation, Community	11.0 /per 100.0 -m ² GFA plus an additional 10.0 /per 100.0 m ² for area used for assembly to a maximum of 50% of which may be provided on an immediately abutting school site
Recreation, indoor parking is as follows for:	1.0 /per 3.5 seats or 31.0 /per 100.0 -m ² GFA used by patrons
Bowling Alley	3.0 /per lane
Curling Rink	3.0 /per sheet
Health & Fitness centres	1.0 /per 100.0 -m ² GFA
Hockey rink and pools	1.0 /per 3.5 seats or 1.0 /per 5.0 -m ² of playing/water surface
Racquet and other sport facilities	2.0 /per court
Hospitals	1.0 / 4 beds and 1.0 / 2 employees
Public Assembly Buildings	1.0 / 4 seats
Recreation, outdoor	1.0 /per 3.5 seats or 31.0 /per 100.0 -m ² GFA used by patrons
All other uses	1.0 /per 2.0 participants (at max capacity) 1.0 /per 20.0 -m ² GFA

USE (RESIDENTIAL)	MINIMUM PARKING REQUIREMENT
Assisted Living Facility	0.5 /per unit to provide for residents; 1.0 / 7 units for visitor & day staff with a minimum of 3.0 stalls
Bed & Breakfast	1.0 /per 2.0 guest rooms
Boarding & Lodging House	1.0 stall /per 2.0 persons being accommodated
DWELLING, Accessory Suite	1.0 / Suite
DWELLING, Apartment	1.0 / 1 Bedroom Unit; 2.0 / 2 Bedroom Unit; 2.0 / 3 Bedroom Unit; Plus 1.5 / every 5 units as designated guest parking
Detached DwellingDWELLING, Detached, -Manufactured, Modular-or -Moved In	2.0 / Dwelling
DuplexDWELLING, Multi-Attached	
Row Housing Stacked Row Housing	2.0 / Unit plus 1.0 stall for every 5.0 units for designated guest parking
DWELLING, Multiple Housing Development	
DWELLING, Semi-Detached DWELLING, Stacked Row Housing	
Manufactured Home Park	2.0 / Dwelling Plus 1.0 per four dwellings as designated guest parking
Residential Sales Centre	2.0 / sales centre
Residential Security/Operator Unit	1.0 /per unit
Social Care Residence	0.4 /per unit to provide for residents; visitor & day staff, minimum of 3.0 stalls

12. For uses not listed above, the number of stalls shall be determined by the Development Authority having regard to similar uses listed above and the estimated traffic generation and attraction of the proposed use.

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~~m.13.~~ The Development Authority may refuse to grant a ~~D~~evelopment ~~P~~ermit to an applicant not fully complying with parking or loading requirements.

~~n.~~ All off-street parking areas that enter onto a paved public roadway must be hard-surfaced as defined in this Bylaw.

~~o.~~ When a building is enlarged or the use of a parcel or a building is changed or increased in intensity, the additional parking stalls to be provided shall be limited to the difference between the requirement of the original building or use and that of the enlarged building or changed to intensified use.

~~p.~~ The parking stall requirement on a parcel which has or is proposed to have more than one use shall be the sum of the requirements for each of those uses.

~~q.~~ Each parking stall shall have dimensions of not less than 2.75 m by 6.0 m.

~~r.14.~~ A minimum standard of 24.7 ~~5~~-m² (265 ~~9~~ ft²) per parking stall shall be used for general calculations for the areas of parking facilities or the number of parking spaces in a parking facility.

15. For development in Commercial Central District (C-1), where in the opinion of the Municipal Planning Commission, it is impractical because of lot shape, proposed building configuration, orientation of adjacent buildings, or economic viability to provide any or all of the required parking stalls, the Municipal Planning Commission may:

- a) reduce the number of parking stalls required; or
- b) waive the provisions of any parking stalls.

~~t.16.~~ Parking stalls shall be located on the same parcel as the use for which they are being provided.

2-3.19.2 Alternate, Shared and Tandem Parking

~~a.1.~~ For non-residential uses, a minimum of 75% of the parking required by this Part shall be located on the same parcel as the use for which they are being provided unless otherwise determined by the Development Authority.

- a) Notwithstanding Part 3.19.2 (1a), the alternate parking spaces shall be located within 200.0 m (656 ft) of the proposed development;
- b) A caveat, ensuring the use of the parcel for the required number of parking spaces is registered onto the Certificate of Title for that parcel.

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3.3.19.3 Shared Parking

a.1. Shared use of the same on-site parking spaces to meet the requirements of two (2) or more developments may be permitted at the discretion of the Development Authority, provided:

- a) The normal business hours of each development do not overlap.
- b) The total quantity of spaces is at least equal to the required spaces for the development in operation at any given time.

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4.3.19.4 Tandem Parking

1. ~~Detached Dwelling, Duplex Dwelling, Single Family (Detached?), duplex, Semi-Detached?, Manufactured Homes, two (2)~~ parking stalls per dwelling may be in tandem and may include one ~~may in tandem~~ and may include one (1) in a garage space. Where possible, tandem parking accessed by way of the rear lane shall be avoided.
2. ~~Dwelling, (Stacked?), Row Housing and Row Housing, Multi-Attached?~~ may provide for tandem parking for developments where individual driveways are provided.
- 2-3. Tandem parking, at the discretion of the Development Authority, may be considered for a Home Based Business 3.

5.3.19.5 Bicycle Parking Requirements

1. To encourage alternate forms of transportation, in addition to the required vehicular parking, bicycle parking shall be provided as follows:
 - 4-
 - a) A residential site of ~~twenty (2)~~ 0 or more dwellings and all non-residential uses the Development Authority deems necessary, shall provide bicycle parking equal to a minimum of 5% of the number of vehicular parking spaces required for the use.;
 - b) Educational and recreational facilities shall provide a minimum of 10% of the required number of vehicular parking spaces; and
 - c) A residential site of 20 or more dwellings and all non-residential uses within the Downtown area Be specific shall provide bicycle parking equal to a minimum of 10% of the number of vehicular parking spaces required. Bicycle parking shall be provided as cash in lieu in these districts, at a rate established by Council, at the time of the development agreement.
2. Required bicycle parking spaces shall be wholly provided on the same site as the building.
- 2-
 3. Required bicycle parking spaces shall be located on designated hard surfaced areas, not interfering with pedestrian traffic and traffic and shall be illuminated.

6.3.19.6 Driveways

1. Any building into which a vehicle may enter shall have a driveway on the parcel at least 6.0 -m (19.7 ft) in length, except where a driveway enters from a lane where access shall maintain a minimum of 1.0 -m (3.3 ft) from the property line.

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2. Where no access by way of the lane is provided to a building, the driveway shall meet the minimum requirements for a parking stall as listed in Part 3.19.
3. ~~Where the driveway services not more than four (4) dwelling units, all aAt street intersection driveways shall be setback from the parcel boundaries which form the intersection not less than a minimum of~~
~~6.0 m (19.69-7 ft) except where the driveway serves not more than four (4) dwelling units; and,~~
~~3.~~
a) 15.0 m (49.21 ft) for all other uses;
a) except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.
4. The minimum width of a driveway shall be 3.0 m (9.8 ft), and where possible shall be grouped together in pairs to maximize the space available for on street parking.
5. To ensure that the movement of traffic is both safe and efficient, the Development Authority will prohibit driveways onto arterial roads, Highway 2A, major collector roads and where a driveway would be liable to create a hazardous traffic situation.
6. Where access is gained directly from a paved road, driveways and parking areas shall be hard surfaced.

7.3.19.7 Loading Space Requirement

1. New development, change in use of existing development, or enlargement of existing development, on site loading space shall be provided and maintained in accordance with the requirements of this Bylaw.
1. Loading spaces shall be provided within the property boundaries of the development and is subject to all setbacks and yard requirements specified in this Bylaw.
2. Access to any loading space shall be provided, where possible, internally to the development or from a lane adjacent to the development.
3. Access arranged such that no backing or turning movement of vehicles to and from causes undue interference with traffic on adjoining or abutting roads or lanes.
4. Loading spaces shall be required for all non-residential development and apartments.
- 5.

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6. Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and manoeuvred entirely within the bounds of the parcel before moving onto a public roadway.

7. Loading spaces shall be located in rear and side yards only.

8. A loading space shall be at least 3.5-m x 8.0-m (11.5 ft X 26 ft), with an overhead clearance of at least 4.6-m (15 ft).

9. Hard surfacing of the loading space shall be required where a loading space enters a paved public roadway; otherwise, the Development Authority may permit all weather surfacing.

DEVELOPMENT TYPE	MINIMUM LOADING SPACE REQUIREMENT
Residential and residential related uses	n/a
Commercial and industrial uses, except those uses listed specifically	1.0 per / 1,900.0-m ² (20,451 ft ²)
Hotel	1.0 per / 2,800.0-m ² (30,139 ft ²)
Motel	
Food Service, restaurant	
Drinking establishment	
Institutional and service uses	1.0 per / 2,800.0-m ² (30,139 ft ²)
Community, recreational and cultural uses	
School, senior high	1.5 per / 100 students, minimum 5 plus minimum 5 bus loading spaces

3.19.8 Residential Parking Requirements

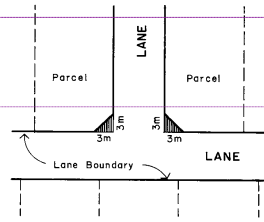
- All parking areas required for commercial, Dwelling, Four Plex, (Multiple Housing Development), Dwelling, Row Housing, (Stacked Row Housing), Dwelling, Stacked Row Housing (duplicate), Dwelling, Apartment, Dwelling, Multiple Housing Developments (duplicate) shall be hard surfaced.
- All parking areas required for Detached Dwelling and a Dwelling, Single Family (Detached), Duplex Dwelling, Duplex (Semi-Detached), shall contain all weather surfaces (gravel) where access is via a laneway.

3.19.9 Sight Lines

1. No person shall erect, place, allow or permit any building, fence, vehicle or trailer, screening material or object, and no person shall plan or permit to grow any hedges, trees or vegetation which exceeded 0.9-m (3 ft) in height on a portion of a corner site.

a) In the front yard of a site in a residential district, no fence or hedge more than 0.9-m (3 ft) in height shall be permitted within 6.0-m (19.7 ft) of the intersection of a driveway or land and a road.

b) In the case of a site which is at the intersection of a lane, within a triangular area two sides of which shall be a minimum of 3.0-m (9.9 ft) long, measured from the corner of the corner site along the boundaries of the lot which meet at the said intersection, and the third side by drawing a line to connect points so determined on each such boundary (for illustrative purposes).



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40.3.19.10 Vehicle Access Parking Space Standards

a) 1. In locating a building for which vehicle access is intended:

a) any private garage shall not be erected or placed on the rear yard of a site closer to the side where the vehicle entrance to the garage or carport faces a lane, the building setback shall be either 6.0 m (19.7 ft) (19.69 ft) or 1.0 m (3.3 ft) (3.28 ft) from the lane, except in those cases where an easement has been placed along the rear property line, in which case the building setback shall be either 6.0 m (19.7 ft) (19.69 ft) or the width of the easement plus 0.50 m (1.6 ft) from the lane;

a)

b) where the vehicle entrance door to a garage faces a side boundary of the site which abuts an adjacent lot, the building shall not be less than 6.0 m (19.7 ft) (19.69 ft) from that side boundary;

b)

c) any other building into which a vehicle may enter shall be placed so that a 6.0 m (19.7 ft) (19.69 ft) minimum driveway exists between the property line, road or lane and the vehicle entrance door.

e)

d) All accesses to any garage, carport or parking pad must be hard surfaced if entering from a hard surfaced hard-surfaced road or street.

d)

4.11 General Parking

41.3.19.11 Barrier Free Parking Stalls

1. Barrier free parking stalls shall be located as close as possible to ramps, walkways and building entrances. Barrier free stalls are not permitted in residential areas.
2. Parking shall be arranged in such a way that users are not required to pass behind parked cars.
3. For conditions requiring more than two (2) barrier free parking stalls, no more than two (2) stalls shall be placed adjacent to each other. If there are several accessible building entrances, a stall shall be located near each entrance.
4. Parking stalls shall conform with the requirements of the Alberta Building Code.
5. Each parking stall shall be clearly identified by painting the international symbol of accessibility. The symbol shall be in white on a blue background and have a minimum size of 0.9 m (3.0 ft) X by 0.9 m (3 ft X 3 ft) (3.0 ft).

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6. The international symbol of access shall be painted on the pavement of all off-street barrier free parking stalls with a nonslip paint and displayed with a vertically mounted sign conforming to the height requirement set forth in accordance with the Alberta Building Code.

7. The access aisle shall lead to a curb cut to the adjacent sidewalk connecting to a building entrance.

8. The number of parking stalls for vehicles used by physically disabled persons shall be as follows:

8.

NUMBER OF STANDARD VEHICLE PARKING STALLS	NUMBER OF PHYSICALLY DISABLED PERSON VEHICLE PARKING STALLS
1 to 25	1
26 to 50	2
51 to 100	3
>100	3 plus 1 / 100

3.20 RELOCATION OF BUILDINGS

1. No person shall, ~~unless a Development Permit has been issued by the Development Authority:~~

- Place on a parcel, a building which has been previously erected or placed on a different parcel, or
- Alter on a parcel, the location of a building which has already been constructed on that parcel;

~~Unless a Development Permit has been issued by the Development Authority.~~

2. A Development Permit is required when a building is moved to a new location, either within a site, or from one site to another. The relocated building must comply with the regulations of the district into which it is being relocated.

3. A Development Permit for the removal of a Building from a site requires proof of service disconnection for all applicable utilities.

4. Any building receiving approval to be relocated shall be brought up to all existing Federal, Provincial and Municipal standards, codes, ~~regulations~~ regulations, and Bylaws.

5. In addition to the requirements of Part 2, ~~10-9~~, the applicant must submit the following information:

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- a) recent colour photographs showing all sides of the buildings;
- b) a statement on the age, size and condition of the building;
- c) a statement prepared and signed by a qualified person on the structural condition of a building; and;
- d) a statement of proposed improvements to the building.

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6. The Development Authority may inspect the ~~building~~building, which is proposed to be relocated or, at the applicant's expense, may request an inspection by a professional who will provide a written certification of the buildings structural condition as well as any deficiencies relating to building codes; or regulations.

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7. Where a ~~D~~development ~~P~~permit has been granted for the relocation of a building either on the same parcel or from another parcel, the Development Authority shall require a letter of credit or form of securities satisfactory to the Development Authority, of not less than \$20,000, to ensure completion of any renovations set out as a condition of approval of a permit.

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8. The Development Authority may issue a Development Permit for the proposed building with or without conditions; or subject to such additional condition(s) as deemed necessary to ensure that the building is renovated to a satisfactory standard.

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9. All structural and exterior renovations shall be completed within one (1) year of the issuance of a ~~D~~development ~~P~~permit, ~~unless otherwise approved by the Development Authority.~~

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3.21 SITE GRADING AND TREE CLEARING

3.21.1 Site Grading

1. For the purposes of this Part, site grading means any work, operation or activity resulting in a disturbance of the earth, adjusting the existing slope of an area, by the removal, clearing, grubbing, tree clearing, relocation or stockpiling of soil with the use of motorized equipment in excess of normal landscaping maintenance requirements.

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2. A ~~D~~development ~~P~~permit shall be required for any site grading, excavations, stripping and/or grading of land with appropriate plans, including placement of any material, as required by the Development Authority prior to commencement.

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3. A temporary fence shall be erected around all excavations which in the opinion of the Development Authority may be hazardous to the public.

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4. Where finished ground elevations are established, all grading shall comply with approved plans.

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5. All topsoil shall be retained on the parcel, except where it must be removed for building purposes.

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6. A Letter of Credit and Development Agreement may be required if the site grading area is in excess of 1,000 ~~0~~-m² (10,764 ~~ft~~²) or, as determined by the Development Authority.

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7. Notwithstanding [Part 3.21](#) (1) through (6) inclusive, a [Development Permit](#) is not required for manual ground disturbances subject to the preliminary identification of buried infrastructure affecting the parcel.

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3.21.2 Tree Clearing

1. Subject to [Part 3.12.3 and Part 3.21.1](#), a [Development Permit](#) application shall be required for tree clearing.
2. Where possible, the conservation of existing trees and shrubs shall be exercised to the maximum extent possible.

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3. The [Development Permit](#) application shall require the following information:

3.

- a) purpose of proposed tree clearing;
- b) detailed description of vegetation to be cleared;
- c) proposed schedule for tree clearing;
- d) proposed access and haul route(s); and
- e) reclamation plan.

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4. When considering a proposal for tree clearing, the Development Authority shall review:

- a) any potential for the trees to be incorporated into future development to meet the landscaping provisions of [Part 3.15.2](#);
- b) the Municipal Development Plan and any other relevant statutory plans;
- c) the protection of environmentally sensitive areas and watercourses;
- d) possibility of any environmental reserve designation;
- e) potential nuisance and safety effect on any adjacent lands;
- f) habitat maintenance during wildlife nesting; and
- g) the health and size of the native trees.

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3.22 TWO OR MORE LAND USE DISTRICTS ON A LOT

1. Where a parcel of land contains more than one land use district, each zoned area shall be treated as a separate entity for the purpose of determining compliance with the provisions of the district. Where land use districts do not follow a property line, the applicant shall provide the dimensions of each zoned area on a site plan.

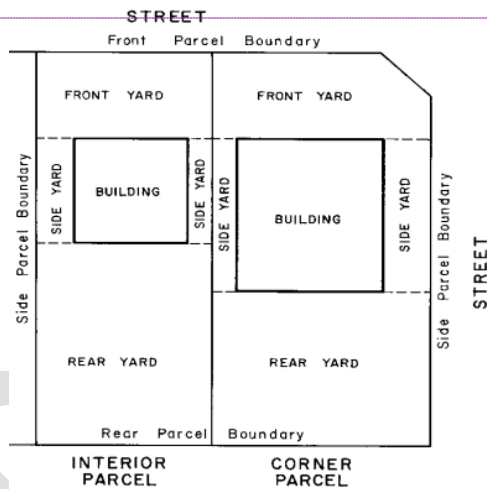
3.23 YARDS AND PROJECTIONS

3.23.1 Front Yard

1. Where lands affected by a corner lot, the front yard shall be the narrower _____ of the two frontages. - If equal, the front yard shall be at the discretion of the Development Officer.

2. The Development Officer may require a corner site to provide a greater _____ setback from the front lot line than is required within the Land Use District _____ having regard for the orientation and access of the development and the _____ adjacent properties.

2.



3.23.2 Projections

1. The following features may project into a required setback as provided for below:

2-a) A cantilever which provides additional interior space may project up to 0.6-m (2 ft) into a required setback of 1.2-m (4 ft) or greater, but in all cases a minimum 1.2-m (4 ft) shall be maintained between the wall designed with the cantilever and the lot line.

b) Despite Part 3.23.1 2.12 (a) (1), the following may project up to 0.6-m (2 ft) into a required setback of 1.2-m or greater:

- architectural or ornamental features such as cornices, leaders, eaves, gutters, pilasters, sills, and awnings;
- fireplaces and chimneys, provided the horizontal length of each projection shall not exceed a total of 1.83-m (6 ft); or
- satellite dishes 1.22-m (4 ft) or less in diameter.

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4-c) Where the cantilever in Part 3.23.2.1 (a)1.2 (1) is within a setback from a side lot line, the total horizontal length of all projections shall not exceed 3.05 m (10 ft).

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2. The following may project into a required setback as outlined below, provided there is no encroachment onto an easement or utility right-of-way:

5.

a) patios up to a maximum of 2.0-m (7 ft) into a required setback from the front lot line and up to the lot line that abuts a side yard or rear yard;

a)

b) decks up to a maximum of:

i) 0.6-m (2 ft) into a required setback less than 4.0-m (13 ft);

ii) 2.0-m (7 ft) into a required setback of 4.0-m (13 ft) to 7.4-m (24 ft);

iii) 3.5-m (11.5 ft) into a required setback of greater than 7.4-m (24 ft);

c) unenclosed steps, landings and stairs which are attached to or abutting a principal building and provide direct access from ground level to the principal building up to a maximum of 2.0-m (7 ft) into a front yard and rear yard and not less than 0.3-m (1 ft) from the lot line that abuts a side yard;

e)

d) balconies up to a maximum of:

i) 2.0-m (7 ft) into a front yard;

ii) 3.5-m (11.5 ft) into a rear yard;

iii) 0.6-m (2 ft) into a side yard;

e) Eaves and eavestrough up to a maximum of 0.5-m (1.6 ft) into a required setback for accessory buildings;

f) Utilities, underground parking, and similar structures constructed entirely beneath the surface of the ground may encroach into required yards provided such underground encroachments do not result in a grade inconsistent with adjacent properties and the encroachments are covered by sufficient soil depth or surface treatment to foster landscaping.

6.3. Except as otherwise provided in this Part, projections to foundation walls and footings or on piles, are deemed to be part of the building and shall not be considered a projection over a yard.

7.4. Those structures complying with the requirements of this Part shall be considered permitted uses.

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~~8-5~~ No portion of a building other than eaves, signs or canopies shall project into a public or private right-of-way.

6. Notwithstanding Part 3.23~~4~~, ~~24(e)~~, accessibility ramps may project without limits into a required setback provided:

- a) the ramp provides access to the main floor or lower level of the building;
- b) In a residential district:
 - i) the ramp is not located in a required 1.2-m (4 ft) side yard setback;
 - ii) the area of any landing is less than 3.6 -m² (39 ft²); and;
 - iii) the maximum ramp width is 1.2-m (4 ft).

3.24 OTHER USES

1. All uses which are not covered by specific regulations in this Bylaw shall, in accordance with the following guidelines, be:

- a) separated from adjacent uses by such a distance as to ensure that there will be no adverse impact upon or by those adjacent uses;
- b) at a density which is consistent with that prevailing in the area, unless otherwise provided for in a statutory plan;
- c) set back from any parcel boundary abutting a road a sufficient distance to ensure that the development will not be visually intrusive, having regard to any possible changes in surrounding uses;
- d) of a height which will be consistent with that prevailing in the area;
- e) developed in such a manner that there will be no adverse impact upon or by traffic on adjacent roads; and
- f) developed in conformance with any applicable statutory plan designed, constructed and the exterior finished to the satisfaction of the Development Authority, who shall ensure, as far as practical, that materials will be used which are appropriate and compatible with the standard of surrounding developments.

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PART 4.0 SPECIFIC USE REGULATIONS

PART 4 SPECIFIC USE REGULATIONS

4.1 ACCESSORY DEVELOPMENT AND ACCESSORY BUILDINGS

4.1.1 Accessory Development

1. Any accessory building that exceeds 10.0 ~~m²~~ (108 ft²) shall require a ~~De~~velopment Permit.
2. Subject to all other requirements of this Bylaw, an accessory building ~~structure~~ or use is permitted in any district when accessory to a principal use which is a permitted or discretionary use in that same district, and for which a Development Permit has been issued.
3. Notwithstanding ~~Part 4.1.1 (b)~~ an accessory building, structure or use shall be considered a permitted use when accessory to a permitted use and discretionary use when accessory to a discretionary use.
4. No accessory building may be constructed, ~~erected~~erected, or moved on to any site in any district prior to the time of construction of the principal building to which it is accessory to.
5. Unless otherwise provided in this Bylaw, all accessory buildings shall conform to the site regulations for the district in which they are located.
6. Where a building is attached to the principal building on a site by a roof, an open or enclosed structure, a ~~floor~~floor, or a foundation, it is to be considered a part of the principal building and not as an accessory building.
7. An accessory building or structure shall not be constructed over an easement or right of way.
8. An accessory building, or any portion thereof, shall not be used as a dwelling.
9. No ~~a~~Accessory building or any portion thereof shall be erected or placed within the front yard of a parcel.
10. The size of an accessory building may not exceed the size of the principle building.
11. An accessory building shall consider the principle building appearance to ensure compatibility and incorporate similar exterior colours and materials.

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4.1.2 Accessory Buildings in Residential Districts

1. For the purposes of this Part, sheds and detached garages are classified as accessory buildings.

2. There shall be no more than two (2) accessory buildings per residential lot.

3. An accessory building shall:

- maintain a minimum of 2.0-m (6.6 ft) from the principle building;
- an accessory building on an interior parcel shall be situated so that the exterior wall is a minimum of 1.0-m (3.3 ft) from the side and rear boundaries of the parcel, except buildings having vehicle access, which are regulated by Part 3.19.4.12, Parking and Loading Standards, Vehicular Access, Parking Space Standards;
- an accessory building on a corner parcel shall not be situated closer to the other side parcel boundary or the rear parcel boundary, and where sight triangles are required at the intersection of roadways, it shall comply with Part 3.19.9.4.9;
- Not be closer than 1.0-m (3.3 ft) to the side property line.

4. An accessory building shall not be more than 5.0-m (16 ft) in height and shall not exceed the height of the main building.

5. An accessory building that is a shared garage may be developed on the common lot line. The minimum side yard for the opposite side lot line shall be as required within the land use district provisions and:

- a caveat, for any shared wall shall be registered onto the Certificate of Title for the affected parcels.

6. An accessory building or structure on a double fronting lot shall be sited as if a front yard is required on both lot lines abutting roads unless it is a residential lot with its access from one street consistent with lots on the same block.

7. The setback for an accessory building or structure shall not be less than the side yard required for the principal building on the side lot line abutting a flanking road.

8. An accessory building to which a vehicle may enter shall conform to Part 3.19.10.

4.1.3 Other Districts

a-1. For an accessory building or use visible from a highway and/or major road, the Development Authority shall also take into consideration the building appearance, orientation and design and may add any conditions necessary to ensure such building

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is suitable to the character of the existing development in the district as well as its effect on adjacent districts.

b-2. The Development Authority may require a higher level of landscaping and buffering to ensure that the building is appropriately screened.

4.2 ACCESSORY SUITES

a-1. An Accessory Suite is an accessory use to the residential use of the ~~Detached Dwelling~~ DWELLING, ~~dDetached dwelling~~. Such accommodation shall be compatible with and not interfere with the use and enjoyment of the neighbourhood in residential areas. An accessory suite shall comply with the following provisions:-

b-2. ~~SS~~ shall be a discretionary use within a dwelling unit located in the R-1M Residential Single Dwelling Medium Lot District and the R-1L Residential Single Dwelling Large Lot District.

3. An accessory suite includes the development or conversion of basement space or above grade space to a separate dwelling or the addition of new floor space for an accessory suite to an existing detached dwelling, and

- a) is a ~~self-contained~~ self-contained unit with separate cooking facilities, sleeping and sanitary facilities which are physically separate from those of the principal dwelling within the structure;
- b) has an entrance separate from the entrance to the principal dwelling either from a common indoor landing or directly from the side or rear of the structure; and
- c) ~~SS~~ shall contain a maximum of two (2) bedrooms.

4. The maximum number of accessory suites per ~~Detached Dwelling~~ DWELLING, ~~dDetached dwelling~~ is limited to one (1).

~~d.~~
~~e.~~ ~~There shall be a maximum of two (2) bedrooms per accessory suite.~~

f-5. An accessory suite shall provide one additional off-street parking stall in addition to the minimum requirements of Part 3.19, Parking and Loading Standards. Tandem parking shall not be permitted as a method for meeting the parking requirements for an accessory suite.

g-6. ~~The~~ number of dwelling units allowed to have accessory suites within a neighbourhood area shall not exceed 10% of the total units in that ~~subdivision~~ neighbourhood and the accessory suites are to have a distance of 10 dwellings and/or lots between accessory suites as per final approval by the Municipal Planning Commission.

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City of Red Deer states: each neighborhood is only allowed 15 per cent of the total number of detached dwelling units to have secondary suites. (How to define what a neighbourhood is? Attach schedule showing neighbourhoods perhaps.

2.7. A Home Based Business 2 and Home Based Business 3 shall not be permitted within an approved accessory suite.

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4.3 ALTERNATIVE ENERGY COLLECTING AND STORING DEVICES

4.3.1 Solar Energy Devices

1. Solar energy devices and all components associated with the devices shall meet the setback and height coverage requirements of the district in which they are placed.
2. Solar energy devices attached to a principal or accessory building should be integrated with the roof or wall/structure. The mounted panel:
 - a) should not project more than 0.15 m (0.5 ft) from the surface of the building;
 - b) should not project vertically more than 1.0 m (3.3 ft) above the roof line in residential districts, and not more than 1.8 m (6 ft) above the roof line in all other districts, where located on buildings with flat roofs; and
 - c) should not extend beyond the outermost edge of the roof or wall to which it is mounted.
3. Solar energy devices not attached to a building shall:
 - a) be located in a side or rear yard only;
 - b) not exceed 2.5 m (8 ft) in height above the ground; and
 - c) be screened from adjacent properties with a fence, landscaping, or other means of screening, to the satisfaction of the Development Authority.

4.3.2 Geothermal Energy Devices

1. Geothermal Energy Devices shall ensure the underground components meet the required setbacks for accessory and accessory residential buildings in the district.
2. In the case of above ground components, the geothermal energy devices shall:
 - a) in a residential district, be subject to the district requirements for an accessory residential building on the parcel where the device is located;
 - b) in all other districts, be subject to the district requirements for a principal building on the parcel where the device is located.
3. Not require a Development Permit, subject to meeting the requirements of the district in which they are located.

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4.4 BED AND BREAKFAST ESTABLISHMENTS

1. Bed and breakfast establishments are allowed in the Town if they are secondary to the residential use of the dwelling. Such accommodation shall be compatible with and not interfere with the use and enjoyment of the neighbourhood in residential areas. The planning, operation, and appearance of a bed and breakfast shall be compatible with and sensitive to the general residential character of its immediate surroundings, in terms of atmosphere, privacy, enjoyment, landscaping, architecture, scale, activity and retaining the appearance of a detached dwelling. In this regard, bed and breakfast establishments shall comply with the following standards:
 - a) alterations to the residence shall be limited so that a home can be easily converted back to a residence. Any alterations are to be approved by the Municipal Planning Commission;
 - b) there shall be a maximum of two (2) rooms available for guests at a bed and breakfast establishment;
 - c) the property owner host of the bed and breakfast shall occupy the subject ~~detached~~ dwelling as the primary residence.
 - d) the maximum length of stay for a guest at a bed and breakfast shall be ~~fourteen~~ (14) nights in any ~~thirty~~ (30)-day period;
 - e) guest rooms shall not be self-contained dwelling units, and not contain any cooking facilities for the guest rooms for the use of guests to prepare meals;
 - f) one (1) sign only shall be permitted to identify, rather than advertise the establishment. The sign must not exceed 0.33 m x 0.45 m (1 ft X 1.5 ft) in size; and;
 - g) off-street parking shall be provided as follows:
 - i) two (2) parking spaces for the ~~principle~~ dwelling unit plus one (1) space per guest room;
 - ii) no other services or retail sales may be offered at or from the same premises other than the of a bed and breakfast; and;
 - iii) no home occupation is permitted on the premises of a bed and breakfast.
 - h) ~~Where~~ where a bed and breakfast is approved, there shall be no accessory suite on the premises of a ~~Detached Dwelling-detached DWELLING_dwelling.Detached~~.
2. A ~~Development~~ ~~P~~ermit issued for a bed and breakfast establishment does not exempt compliance with health regulations or any other permit requirements.
3. A ~~Home Based~~ ~~Home Based~~ Business 2 and Home Based Business 3 shall not be permitted within an approved Bed and Breakfast.

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4.5 CANNABIS RETAIL SALES

1. Cannabis retail sales use shall not be located within 100.0-m (328 ft) from any other cannabis retail sales or a school, excluding those classified as a home school. For the purposes of this Part only:
 - a) The separation distance between a proposed cannabis retail sales use and an existing cannabis retail use and a school, shall be determined by measuring a straight line from the closest point on the lot line of the lot on which is a proposed or existing cannabis retail sales use to the closest point on the lot line of the lot on which the other specified use is located. (Figure to be included)
 - b) separation distance between a proposed cannabis retail sales use and a cannabis retail sales use or a school, shall be determined by measuring a straight line from the closest point on the lot line of the lot on which to proposed cannabis retail sales use is located to the closest point on the lot line of the lot on which the other specified use is located. The separation distance shall not be measured from the district boundaries or walls of the buildings; and
 - c) Notwithstanding Part 2.16, Variances, the Municipal Planning Commission may only reduce the 100.0-m (328 ft) separation distance by granting a maximum of 15% variance.
2. The Development Authority may require lighting, signage or screening measures that ensure the proposed development is compatible with adjacent or nearby residential, commercial, or industrial uses.
3. The Development Authority shall require evidence of Provincial approvals prior to final approval and issuance of a Development Permit for Cannabis Retail Sales.
4. All approved uses shall comply with all Federal, Provincial and Municipal statutes, codes and regulations and Bylaws.

4.6 COMMUNICATION FACILITY

1. Notwithstanding any of the municipal requirements or obligations outlined within the Land Use Bylaw, all proponents for communication towers must comply with the following Federal legislation and/or regulations, where applicable:
2. Communication Facilities and in accordance with Part 2.108, Development Permit Application Requirements and the Town of Blackfalds Communication Facility Protocol, shall require a Development Permit.

Commented [LG157]: Consider adding 'A cannabis retail sales development shall comply with all federal, provincial and municipal regulations.'

Commented [SS158R157]: May also want to consider requiring that provincial licence is required prior to commencement. May also want to note that setback for schools doesn't apply to home schools.

- Prior to the commencement of development, the applicant shall obtain the required provincial licence and shall maintain the licence in good standing thereafter.
- At all times a cannabis retail sales use shall comply with all municipal, provincial and federal regulations and legislation that apply to the development.

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3. Communication facilities are encouraged to be located in specific areas of the town such as:

- a) agricultural;
- b) industrial;
- c) non-residential areas where tower height is unlikely to be an issue.

4. Where possible, visually unobtrusive antennas are encouraged to be located on existing infrastructure such as signs located on private property, light standards, water towers or other utility infrastructure.

5. Where appropriate, new facilities should be built to a standard to accommodate multiple devices. Any exclusivity agreement which limits access to other applications is strongly discouraged.

6. If co-location is determined to be unfeasible, the clustering of communication facilities is preferred.

7. The design or appearance of all communications facilities including antennas, antenna mounts, equipment shelters, and cable runs, should minimize the visibility of facilities through the use of colour, consistent architectural styles and aesthetic design.

8. The Town recommends that signs only be placed on a communication facility to:

- a) identify the facility;
- b) identify the owner; or
- c) warn of any safety issues.

9. Communication facility sites should be established with setbacks to both Alberta Infrastructure and Transportation and Town road network standards.

10. In addition to the regulations listed above, other regulations apply. These include the general development regulations of the applicable land use district.

4.7 HOME BASED BUSINESS

4.7.1 General Provisions

1. Home based businesses are intended to permit the incidental use of a dwelling for purposes related to the operation of a business, provided that the business use does not cause excessive vehicular or pedestrian traffic or otherwise interfere with or detract from the peace and quiet of a residential neighbourhood. In determining if a particular business can be carried on as a home-based business the Development Authority may refuse to consider a particular business as a home based business or refuse to approve a proposed home based business if, in the opinion of the Development

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Authority, the proposed business use would be more appropriately located in a commercial or industrial district having regard for the overall compatibility of the business use with the residential character of the area.

2. No person shall operate or permit or allow the operation of a home based business without a Development Permit and a current business license.
3. A Development Permit for a home ~~-b~~Based business shall only be valid for the address identified in the permit.
4. A maximum of one (1) home ~~-b~~based business may be operated per dwelling unit unless otherwise approved by the Development Authority.
 - a) Notwithstanding Part 4.7.1 (4), one (1) additional ~~to a maximum of two (2)~~ Home Based Business ~~1 Minor B&B~~ may be approved at the discretion of the Development Officer in recognition that there are no on-site visitors or additional parking stalls required for the proposed use.
5. Where any of the provisions of this Bylaw dealing with home based businesses are breached, the Development Authority, in addition to the power to cancel or suspend a Development Permit under Part 2.14, may take such action in accordance with this Bylaw.
6. A ~~Home Based~~Home Based Business 2 and Home Based Business 3 shall not be operated within a ~~detached dwelling~~Detached Dwelling~~DWELLING, Detached~~ with an approved Accessory Suite or Bed and Breakfast establishment.

4.7.2 Application for Home Based Business

1. An application for a Development Permit for a ~~home based~~home based business shall be made to the Development Officer in writing on the form prescribed in accordance with Part ~~2.10.2.9~~ and shall describe:
 - a) the nature of the business;
 - b) the hours of operation;
 - c) the materials, equipment and/or vehicles that will be used and where they will be stored;
 - d) the number of resident and non~~-~~resident employees;
 - e) the number of business visits per day expected to the property~~;~~ and~~;~~
 - f) the number of parking spaces on the property.
2. If the applicant is not the registered owner of the property, a letter from the owner is required granting the applicant permission to use the property for the proposed business.

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4.7.3 Regulations for a Home Based Business 1

1. The Home Based Business 1 shall:

- ~~1.~~
 - a) ~~Be~~ operated from within the dwelling and not use any accessory building or any outdoor part of the parcel.
 - ~~a)~~
 - b) ~~Be~~ There shall be no outside business activity, or storage of materials or equipment associated with the business allowed on the site.
 - ~~b)~~
 - c) ~~Not~~ use any dangerous goods which would not be used in association with the residential use of the dwelling.
 - ~~c)~~
 - d) ~~Not~~ employ any person on site other than a resident of the dwelling. Not more than one (1) adult residents of the home are permitted to work in the business. No ~~offsite~~ off-site employees shall be permitted.
 - ~~d)~~
 - e) In addition to the parking spaces required pursuant to Part 3.194, ~~Parking and Loading Standards~~, no additional parking stalls are required.
 - ~~e)~~
 - f) Not use any vehicle in the operation of the home based business which would not reasonably be used in conjunction with the residential use of the dwelling.
 - ~~f)~~
 - g) ~~Not~~ create any site visits to the property.
 - ~~g)~~
 - h) ~~Have~~ be no exterior signage, display or advertisement required for the home based business.
 - ~~h)~~
 - i) ~~Not~~ operate without a valid ~~Development~~ ~~P~~ermit ~~or and~~ Business Licence issued by the Town.
 - ~~i)~~

4.7.4 Regulations for Home-Based Business 2

~~18.1.~~ The Home Based Business 2 shall:

- ~~a)~~
 - ~~Be~~ operated from within the dwelling and not use any accessory building or any outdoor part of the parcel.
 - a)
 - ~~Be~~ no outside business activity, or storage of materials or equipment associated with the business allowed on the site. Indoor storage shall only be permitted inside the dwelling.
 - b)

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b) No mechanical or electrical equipment shall be used which creates unreasonable noise, or visible and audible interference with home electronics equipment in adjacent dwellings. The operation of such business shall not create any nuisance by way of noise, dust, odour or smoke or anything of an offensive or objectionable nature.

c)

e) Not use any dangerous goods which would not be used in association with the residential use of the dwelling.

d)

d) Not employ any person on site other than a resident of the dwelling. Not more than two (2) adult residents of the home are permitted to work in the business. No off-site employees shall be permitted.

e)

e)f) In addition to the parking spaces required pursuant to Part 3.19 [Schedule B](#), one (1) additional off-street parking stall shall be provided.

g) Tandem parking may be considered for a Home Based Business 2 home based business where appropriate.

g)h) Not use any vehicle or trailer in the operation of the home based business which would not reasonably be used in conjunction with the residential use of the dwelling.

h)i) Be limited to a maximum of six (6) daily visits to the dwelling.

i)j) There shall be no exterior display or advertisement other than a business identification plaque or sign 0.33-m x 0.45-m (1 ft X 1.5 ft) in size located on or in the dwelling.

j)k) The business shall not, in the opinion of the Municipal Planning Commission, generate pedestrian or vehicular traffic or parking in excess that would be detrimental to the amenities and safety of the residents in the vicinity of the parcel.

k)l) There shall be no outside business activity, or outdoor storage of materials or equipment associated with the business on the site. Indoor storage related to the business activity will be allowed within the dwelling unit or an accessory building provided that such materials or equipment are not, in the opinion of the Municipal Planning Commission, likely to result in a hazard.

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~~h)m)~~ No physical changes to the external appearance of the dwelling or any accessory building shall be allowed as a result of the establishment of the home based business.

~~m)n)~~ ~~N~~ot operate without a valid ~~D~~evelopment ~~P~~ermit or Business Licence issued by the Town.

~~a)~~ Shall not be operated within an approved Accessory Suite or Bed and Breakfast establishment.

~~o)~~

4.7.5 Regulations for a Home Based Business 3

1. The Home Based Business 3 shall:

~~a)~~ ~~B~~be operated from within the dwelling or an accessory building.

~~a)~~

~~b)~~ ~~N~~ot employ more than one (1) non-~~r~~esident of the dwelling and be permitted to work in the business.

~~c)~~ ~~B~~be limited to a maximum of six (6) daily visits to the dwelling.

~~d)~~ ~~T~~here shall be no exterior display or advertisement other than a business identification plaque or sign 0.33 m x 0.45 m (1 ft X 1.5 ft) in size located on or in the dwelling.

~~e)~~ ~~B~~be no outside business activity, or storage of materials or equipment associated with the business allowed on the site. Indoor storage shall only be permitted inside the dwelling or accessory building.

~~f)~~ No mechanical or electrical equipment shall be used which creates unreasonable noise, or visible and audible interference with home electronics equipment in adjacent dwellings. The operation of such business shall not create any nuisance by way of noise, dust, odour or smoke or anything of an offensive or objectionable nature.

~~g)~~ ~~N~~ot use any dangerous goods which would not be used in association with the residential use of the dwelling.

~~h)~~ ~~N~~o physical changes to the external appearance of the dwelling or any accessory building shall be allowed as a result of the establishment of the home based business.

~~i)~~ ~~N~~ot operate without a valid ~~D~~evelopment ~~P~~ermit or Business Licence issued by the Town.

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2. In addition to the parking spaces required pursuant to Part 3.19, ~~Parking and Loading Standards:~~

~~2-~~

- a) one (1) off-street parking stall for visitors;
- b) one (1) off-street parking stall for the ~~non-resident~~non-resident employee.

3. Pursuant to ~~Part 3.19, 4XX 5.9.5 (1)~~, tandem parking may be considered for a Home Based Business 3 where appropriate.

4. Vehicles associated with the Major Home Based Business 3 including ~~a trailers or truck and trucks~~ shall be parked in the rear yard where permissible.

a) Notwithstanding ~~Part 4.7.55.9.5 (49)~~, the maximum vehicle permitted in a Residential District, the commercial vehicle shall be restricted to a maximum gross vehicle weight of ~~7,500.0~~-kg.

~~a)~~

5. The business shall not, in the opinion of the Municipal Planning Commission, generate pedestrian or vehicular traffic or parking in excess that would be detrimental to the amenities and safety of the residents in the vicinity of the parcel.

6. ~~A Major~~ Home Based Business 3 shall have a time limit of three (3) years. Upon expiration of the original permit, the Development Authority may consider granting an approval with no time limit if the ~~home based~~home based business meets the regulations of this Bylaw.

7. Shall not be operated within an approved Accessory Suite or Bed and Breakfast establishment.

4.8 ~~Recreational Vehicle Storage~~RECREATIONAL VEHICLE STORAGE ~~-(Table of Contents shows Moved in Buildings for this Part)~~

1. No more than one (1) recreational vehicle per lot in a residential land use district shall be permitted.

2. Access to the lot shall be hard surfaced to prevent mud and gravel tracking onto public roadways and be located and constructed in accordance with Town of Blackfalds standards and to the satisfaction of the Development Authority.

2.

4.9 ~~Residential Sales Centre~~RESIDENTIAL SALES CENTRE

1. The Development Authority may issue a temporary ~~De~~velopment ~~P~~ermit for a residential sales centre provided:

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4. ~~There~~ are minimal effects, such as noise, lighting, traffic congestion on public roadways and adjacent residents.
- b) ~~There~~ is sufficient on-site and off-site parking.
- c) ~~It~~ complements the scale and character of the neighbourhood in which it is located, with regard to:
- i) ~~the~~ size of the building; and
- ii) ~~the~~ colour, ~~material~~material, and design of the exterior finish.
- d) ~~Lighting~~ shall be designed so it is not directed onto adjacent lots. ~~All~~ lighting (except motion activated security lights) shall be off when the residential sales centre is closed, ~~and~~
- e) ~~The~~ number of other residential sales centres in the area, the proximity to arterial or collector public roadways, the effect on other dwellings, the length of time the centre will be operating, and the location and proximity of properties being marketed is to the satisfaction of the Development Officer.
2. ~~Signage requirements~~ shall comply with Part 5 of this Bylaw.

4.10 SATELLITE DISH AND AMATEUR RADIO ANTENNAE

- A satellite dish and amateur radio antenna are accessory uses which require an approved ~~Development Permit~~. An exception to this is if a satellite antenna has a dish diameter of less than 1.0-m (3.28-ft) and conforms to the requirements outlined in Part ~~2.8 (n)~~2-8-19.
- In a Residential District, a satellite dish and amateur radio antenna shall only be located in a rear yard, or a side yard which does not abut a street.
- On an interior parcel, a satellite dish and amateur radio antenna shall be situated so that no part of it is closer than 1.0-m (~~3.28-ft~~) from the side or rear boundaries of the parcel.
- On a corner parcel, a satellite dish and amateur radio antenna shall be situated so that no part of it is closer to the street than the main building, or closer 1.0-m (~~3.28-ft~~) from the other side parcel boundary or the rear parcel boundary.
- The location of satellite dish and amateur radio antennae in all other districts other than the Residential District shall be determined by the Municipal Planning Commission.
- Where any part of a satellite dish antenna is more than 4.0-m (~~13 ft~~) (~~13.12-ft~~) above grade level, or when it is located other than described above, it shall be both screened and located to the satisfaction of the Development Authority.

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7. The maximum height of an amateur radio antenna in a residential area shall be 12.5 m ~~(41 ft)~~ ~~(41.0 ft)~~, unless a greater height is required by the amateur radio license.
8. An application for a Development Permit for an amateur radio antenna must be accompanied by a valid amateur radio operator's license.
9. No advertising other than that manufacturer's name/logo shall be allowed on a satellite dish antenna and amateur radio antenna.
10. The illumination of satellite dish antenna and amateur radio antenna is prohibited unless required by Transport Canada regulations.

4.11 SHIPPING CONTAINERS

1. A shipping container, permitted under ~~this Part~~ ~~this Part~~, shall be:
 - a) used for storage purposes and are accessory to the principal use of the site; and
 - b) are temporary to a maximum of two ~~(2)~~ years.
2. Shipping containers are prohibited in all districts, with the exception of the following:
 - ~~a-a)~~ Industrial Light District (I-1);
 - ~~b-b)~~ Industrial Heavy District (I-2);
 - ~~c-c)~~ Agricultural (AG) District; and
 - ~~d-d)~~ Public Facility (PF) District.
3. Notwithstanding ~~Part 4.11~~ ~~24~~, a shipping container shall:
 - a) shall require a ~~D~~development ~~P~~permit;
 - b) be deemed discretionary uses within the AG and PF districts;
 - c) all shipping containers ~~must be located~~ ~~shall be allowed~~ in the rear yard of a parcel and must meet the minimum setbacks of Part 4.1 ~~(Accessory Buildings)~~.
4. A shipping container shall:
 - a) not exceed the following dimensions: 13.8 m (L) x 2.5 m (W) x 2.9 m (H)
 - ~~a-~~ ~~(45 ft (L) X 8 ft (W) X 9.5 ft (H))~~;
 - ~~b-b)~~ be placed on the ground or on skids, and shall not be stacked upon one another or on any other structure;
 - ~~c-c)~~ be standalone so that they are not connected to one another or to any structures on the property (e.g. through the development of a roof structure, or other means); and
 - ~~d-d)~~ be unmarked (e.g. no brand names of the shipping container, business or third-party advertising shall be on the shipping container);

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~~e-e)~~ be screened when visible from a public road, using either solid fencing measuring 1.8 m (6 ft) in height, buildings on site or coniferous trees, planted at a minimum height of 2.5 m (8 ft) and spaced to provide a wall of fencing.

5. Where the rear or side yard is adjacent to a residential district, or a public street or highway, additional landscaping and screening exceeding that of the minimum requirements found in Part 3.1.5.3 shall be provided to screen the shipping containers, to the satisfaction of the Development Authority.

~~5.~~

6. Notwithstanding Part 4.11.1 ~~(4)~~, shipping containers may be temporarily placed on a site in any district:

6.

a) During active construction on a site when the shipping container is solely for the storage of supplies and equipment that are used for the site, provided that a valid building permit has been issued for the construction. The shipping container must be removed from the site upon completion of construction; or

b) For the purposes of loading and unloading of items associated with the principal use for a period of not more than fourteen (14) days in any ~~six months~~ six-month period.

c) A shipping container for the purposes of a moving storage pod shall have a maximum height of 3.0 m (9.8 ft) and a maximum length of 6.0 m (19.7 ft) and be placed on a driveway, for a period not exceeding fourteen (14) days and only for the purpose of loading and unloading during the process of moving or renovating.

~~e)d)~~ A container shall:
1. be located entirely within the property; and

d) not create any site line obstruction;

e) When placed on a site a shipping container shall:

- i) be located so as to not create a safety hazard;
- ii) not be located within 1.2 m (3.9 ~~eff~~) of a side yard property boundary; and
- iii) be located in the rear yard where possible.

4.12 SWIMMING POOLS AND OUTDOOR HOT TUBS

— All permanent in ground pools and in ground hot tubs ~~(in ground?) hot tubs~~ shall require a development permit. ~~(above ground pools and hot tubs don't require a DP so should we add the words in ground before hot tubs?)~~

- 1.
2. Every private swimming pool and/or hot tub shall be secured against entry according to the current Alberta Building Code.

4.13 TEMPORARY BUILDINGS

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4.13.11 The construction of a temporary building is to allow them in circumstances where a permanent building is planned but not yet constructed or for special events requiring a short term or seasonal use.

4.13.22 No temporary building may be erected without the permission of the Development Authority and may, but not be limited to, the following:

a) In any district other than a residential district subject to the owner agreeing to remove the building in accordance with Development Permit conditions and shall include:

- a) i) the size, height, and location of the building;
- ii) appearance of the building;
- iii) duration of time required for the building to a maximum of twelve (12) months.

b) Payment of a security deposit may be required and provided to the Town as a Letter of Credit or other form acceptable by the Town, in an amount equivalent to the cost of removing the building to ensure its removal within fourteen (14) days upon expiration of the Development Permit.

c) The maximum number of temporary buildings per site shall not exceed one (1).

d) A temporary buildings' footprint shall be included in the site coverage calculation.

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PART 5 SIGNS

PART 5.0 SIGNS

7-15.1 General Purpose GENERAL PURPOSE

1. A sign is defined as:
 - a) A device, notice or medium, including its support system and other components, that is used or is intended or capable of being used, to attract attention for advertising, identification or for information purposes.
2. The general purpose of this Part is to regulate the number, size, type, form, appearance, and location of signs in order to:
 - a) balance the need for signs with safety and aesthetics;
 - b) provide adequate and flexible means of identification for commercial and industrial uses; and
 - c) minimize the potential adverse effect of signs on private and public property.
3. All images depicted in this Part are for illustrative purposes only.

7-25.2 Sign Definitions SIGN DEFINITIONS

For the purposes of interpretation of Part 5, the following definitions are applied:

ABANDONMENT as it pertains to signs means a sign located on a property which becomes vacant and unoccupied or, any sign which pertains to a time, event, or purpose for which it no longer applies.

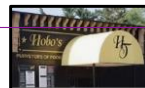
ADVERTISEMENT means any device or representation visible to the general public that is for the purpose of directly or indirectly promoting sales or drawing attention to the event.

A-FRAME means a sign with two, angled sides, to which copy can be applied, that meet at the top to form the shape of a triangle, or an inverted "V", when resting directly on the ground.



AWNING means a light detachable system of fabric, sheet metal, or other similar material, which is entirely supported from a building by a fixed or retractable frame.

AWNING SIGN means a non-illuminated sign that is painted on or affixed flat to the exterior surface of an awning.



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BEACON means any light with one (1) or more beams directed into the atmosphere or directed at one (1) or more points that may differ in location from the light source and, any light with one (1) or more beams that rotate or move.

BILLBOARD means a sign that is a large flat panel surface, with one (1) side or two (2), which may be animated, with changeable copy or video display, and are electronically controlled with— colour changes or lights that depict action or give motion to the sign or a pasted, glued, painted or otherwise secure with a permanent foundation, fastened to permit its periodic replacement designed to provide for outdoor advertising, and that is typically located adjacent to high traffic areas or streets. Billboard signs may include third party advertising.

BUILDING means anything constructed or placed on, in, over or under land.

BUILDING FACE means that a portion of any exterior elevation of a building exposed to public view, extending from the grade to the eaves or the top of the parapet wall and the entire length of the building elevation, including all areas divided by firewalls.

CANOPY means an architectural feature or structural protective element affixed to the exterior wall of a building over a door, entrance, outdoor service area or similar type of entrance way.

CANOPY SIGN means a sign that is painted on or affixed to the exterior surface of a canopy.

CHANGEABLE COPY — Manual

means copy on a sign that changes manually using attachable letters, numbers, or pictorial panels.

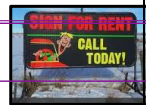
CHANGEABLE COPY — Manual

sign does not include any electronic message features or third-party advertising.

CHANNEL LETTER SIGN means a fascia sign that is a single solid structure resembling a letter, number, or other symbols that when affixed horizontally parallel to the exterior façade of a building displays a message.

CHARITABLE ORGANIZATION means a voluntary organization that is registered with the Canada Revenue Agency and primarily carries on its own charitable activities. It can be incorporated, or it can be established by a constitution or a trust document. A charitable organization does not use its income to benefit its members. It receives its funding from a variety of arm's length sources and provides a tangible benefit to the public.

CLEARANCE means the unobstructed vertical distance between the ground or finished floor and the underside of a sign or structure.



FAÇADE means the exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

FASCIA SIGN means a sign that runs parallel to the face of a building on which it is displayed or attached but does not include a painted wall sign or window sign.



FLAG SIGN means a sign that is made of lightweight flexible fabric or material with one, (1) or two, (2), sides to which copy can be applied and, which is attached to a freestanding pole, placed in or on the ground.

FREESTANDING MONUMENT SIGN means a freestanding sign that is a single solid structure placed in or on the ground which is wholly independent of any other object for support and includes a copy area with one, (1) or two, (2) sides to which copy can be applied. This may include an ~~electronic message~~ **ELECTRONIC MESSAGE**, ~~changeable copy~~ **Changeable Copy**. A freestanding monument sign does not include third-party advertising.



FREESTANDING PYLON SIGN means a freestanding sign, that has independent supports consisting of a base of one or more upright posts, rods, poles, ~~stakes~~ **stakes**, or similar support, placed in or on the ground, with a flat copy area, with one, (1) or two, (2) sides to which copy can be applied. This may include an ~~electronic message~~ **ELECTRONIC MESSAGE**, ~~Changeable Copy~~ or ~~electronic message feature~~ **ELECTRONIC MESSAGE FEATURE**. A ~~freestanding pylon~~



~~sign~~ **FREESTANDING PYLON SIGN** does not include third party advertising.

FREESTANDING SIGN means a sign that has independent supports placed in the ground and that is not part of a building, ~~structure~~ **structure**, or development.



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FUTURE DEVELOPMENT SIGN means a temporary sign used to identify a future development area and the developers(s) or Builder(s) associated with the project. It may include information on the amenities, design, staging, and timing of the proposed development.

limited to a sign designating restrooms, hours of operation,

acceptable credit cards, lottery sales, property ownership or management.

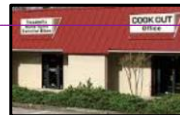


HEIGHT as it pertains to signs, means the maximum vertical distance between the average grade at the base of the sign and the highest point on the sign. Any earth berms and elevated foundations supporting the sign, signpost or other sign supports shall be included in the height of the sign.

INFLATABLE SIGN means the temporary use of a three-dimensional sign, inflated with air or other gases or fluids, to which copy can be applied, used to attract attention, or advertise, and which is anchored or affixed to the ground or, to the roof of a building.

HOME BUILDER means a company or business that constructs or renovates residential dwellings.

INTEGRATED ROOF SIGN means a sign erected or constructed as an integral or essential integral part of a normal roof structure of any design, and such that no part of the sign extends above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than 15.24 cm (6.0 in-).



HOME BASED BUSINESS SIGN means a sign installed, erected, or displayed to identify a business located on a lot within a residential land use district and contains only the name of the business on site.

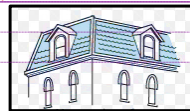
IDENTIFICATION SIGN means a sign that contains no advertising and identifies a business or use that is located on a parcel which is limited to the name, address, building number, institution, or person.

LASER PROJECTION ADVERTISING means any advertising, which projects video or static content through illumination onto any outdoor structure.

ILLUMINATED SIGN means a sign that is characterized by the use of artificial light reflecting off the surface of a sign (externally illuminated, projecting through the surface of a sign, (internally illuminated; or projecting from behind the surface of a sign (backlit).

MAINTENANCE means the cleaning, painting, repair, or replacement of any defective parts of a sign in a manner that does not alter the basic design or structure of the sign and does not change the sign area.

MANSARD ROOF means a sloped roof or roof like façade — architecturally comparable to a building wall. For the purposes of these regulations the area of the mansard shall be determined by multiplying the



INCIDENTAL SIGN means a sign, emblem, or decal designed to inform the public of facilities or services available on the premises and is generally internal to the site or not visible from public streets. Incidental signs may include but not

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width and the total vertical height, ignoring any slope.

MENU BOARD SIGN means a sign associated with a drive-through food services establishment and that is used to display food, beverages, and their associated prices.

MURAL means an artistic rendering or drawing that is painted or otherwise applied to the exterior wall or other integral parts of a building and that is intended for public display but that does not include any advertising. A mural is not considered a sign.

OPEN HOUSE SIGN means an A-frame sign advertising a public viewing of a dwelling or dwelling unit that is for sale or rent.

PAINTED WALL SIGN means a sign that is painted, inscribed, or marked directly on any exterior wall or other integral part of a building but does not include a fascia sign or mural.

PERMANENT SIGN means a sign that cannot be readily relocated because of its attachment to the site. It does not include a banner sign, inflatable sign, or a flag sign, but includes signs painted on or attached to a motor vehicle if the vehicle is parked on a regular basis so as to act as a sign.

PORTABLE SIGN means a sign that has independent supports and is easily moveable, with a flat copy area of one (1) or two (2) sides to which copy can be applied and, that is designed to allow for the message or advertising to be changed frequently and easily.

POST SIGN means a sign consisting of a base of one or more upright posts, rods, poles, stakes, or similar support, placed in or on the ground and that has a flat copy area, with one (1) or two (2) sides to which copy can be applied.

PRIMARY BUILDING FACE means one (1) side of a building that fronts onto a public road, internal road or an internal parking lot and, that is the main focus of external advertising. This side of the building generally includes the main public access into the building or business as well as the address of the building.

PROJECTING SIGN means a single solid structure affixed upright and perpendicular against the exterior façade of a building that supports a copy area with one (1) or two (2) sides to which copy can be applied. A projecting sign does not contain illumination.

PUBLIC NOTICE means a message of interest or warning to the public in general and that is required by, erected pursuant to, the provisions of federal, provincial, or municipal government legislation, regulation, bylaw, or policy.

REAL ESTATE SIGN means an A-frame or post sign that advertises property for sale, lease or rent.

ROTATING SIGN means a sign suspended on a building face or independently supported where all or a portion turns around on an axis point.

SECONDARY BUILDING FACE means any side of a building that is not intended to be the main focus of external advertising. This side of a building generally does not include public access.

SHOW HOME SIGN means a sign, either one, (1) sided or two, (2) sided, that advertises or directs attention to a residential sales centre, located on the property for which is being advertised. A show home sign may be an A-frame, banner, banner, or window sign.



SIGN means a device, notice or medium, including its support system and other components that is used or is intended or capable of being used, to attract attention for advertising, identification or, for information purposes.

SIGN AREA means the areas of a sign that are available for copy (excluding the main support structure)

SPECIAL EVENT means an event, the duration of which is temporary in nature and, which is limited to a sporting event, community event, public market, an exhibition, a fair or carnival, a festival, recreational competition or other similar event or activity.

SPECIAL EVENT SIGN means a temporary sign erected for a specified period of time, announcing or advertising a special event.

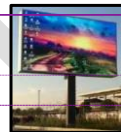
TEMPORARY SIGN means a sign that is not a permanent sign and that is designed and intended to be displayed for a short period of time and for a special, unique, limited activity or sale.

THIRD PARTY ADVERTISING means a sign that refers to goods, activities or services produced, offered for sale or free obtained neither at the premises nor on the parcel on which the sign is located or displayed.

UNDER CANOPY SIGN means a sign that is affixed to the exterior surface of a canopy and may contain one, (1) or two, (2) sides.



VIDEO DISPLAY SIGNS are those signs or portions thereof which change their message or background in a manner or method of full color display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement or give the illusion of motion. Video display signs may be part of a billboard sign.



WINDOW SIGN means a sign, picture, symbol, symbol, or combination thereof that is painted, pasted, inscribed, inscribed, or otherwise placed on a window for viewing from the outside of the building or premises and does not include merchandise located in a window for display purposes. Window signs are permanent.



7.35.3 APPLICABILITY

1. The requirements contained in this Part shall apply to all signs on lands within the Town except for:

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3. An application for a sign permit shall not be considered complete and final and received for processing by the Town until the Development Authority determines that all requirements of Part 5.4.1(2) have been completed.

4. A Development Permit shall not be required for the routine maintenance and repair, changing the copy or reduction of the copy area of a legal existing sign.

5. The Development Authority may consider the following when it reviews an application for a sign permit:

- a) The scale and design of the area;
- b) Statutory Plan requirements;
- c) Streetscape improvements (should this be separated?);
- d) Downtown Revitalization Plan;
- e) Downtown Architectural Guidelines;
- f) Scale, form and massing;
- g) Infrastructure and safety; and
- h) Proximity to a residential area.

6. The Development Officer shall issue a sign permit if the application complies with the provisions of this Bylaw; and

- a) refer any application for a permitted or discretionary use to the Municipal Planning Commission for its consideration.

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7.4.25.4.2 Conditions of Development Approvals for Signs

1. In addition to Part 2, ~~109, Development Permit Application Requirements~~ and in deciding on the issuing of a Development Permit for a Sign, the Development Authority may impose conditions it considers appropriate, either on a permanent basis or for a limited time period on a ~~De~~development ~~P~~ermit application and may:

1. a) require the removal of existing sign(s) on a site;
- b) ~~place restrictions, the location on location,~~ number and type of new and existing signs on a site;
- c) ~~reduce place controls on~~ light levels or hours of operation of illuminated signs;
- d) other upgrades or changes to existing signs on site;
- e) consider all safety and construction matters.

7.4.35.4.3 Variances

1. The Development Authority may vary the following:

1. a) sign height;
- b) sign width;
- c) permitted number of signs on a site, except for billboard signs and electronic message signs and a video display sign, which shall not be varied;
- d) the minimum separation distance between a freestanding sign;
- e) total sign area;
- f) minimum clearance above grade for freestanding signs;
- g) setbacks.

2. The Development Authority, in determining if a variance is justified, may consider:

2. a) any approval to be temporary;
- b) the size and location of the site;
- c) the design or construction of a building or a sign;
- d) street context;
- e) topography and configuration of the site;
- f) all applicable policies, ~~guidelines~~guidelines, and applicable statutory plans; and
- g) whether the proposed variance would unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, ~~enjoyment~~enjoyment, or value of neighbouring sites.

3. Any variance approved by the Development Authority may be temporarily approved and may be subject to conditions deemed appropriate.

4. The Development Authority may impose any conditions that reflect impacts on adjacent sites pursuant to s640 of the ~~Municipal Government Act~~MGA.

5. Despite any other provision in this Bylaw, if necessary or for safety reasons, the Development Authority may require greater distance separations between signs or increased clearances of any sign.

6. Despite Part 2.1, 6.5, Variances and 5.4.3, where an application for a sign permit does not comply with the standards established in this Bylaw, the following tolerances shall not exceed:

- a) 10% as approved by the Development Officer;
- b) 10.1% and not exceeding 15% as approved by the Municipal Planning Commission;
- c) 15.01% and over are prohibited.

7.5.5 GENERAL REGULATIONS

1. Despite any other provision in this Bylaw, a permanent sign shall be considered accessory to an approved use within a Land Use District.

2. Where a Development Permit has been issued for a residential, commercial, or industrial development that includes more than one (1) parcel, signs may be erected or installed on the land as if the development were located on a single parcel.

3. Where permitted under this Bylaw, any sign adjacent to a Provincial Highway in undeveloped areas shall maintain a minimum of 300.0 m (984 ft) from the centreline of the highway, except under the following circumstances:

- a) One (1) sign advertising the sale of the subject property; and
- b) Signs for municipal purposes; and
- c) Billboards, signs or any sign containing any part thereof, of or with an electronic message feature, Electronic Message Feature or video display, Video Display or IDEO-DISPLAY feature shall not be permitted.

4. Unless provided elsewhere within this Part, signs and their structures shall be located a minimum of:

- a) 1.0 m (3.3 backft) back from an existing or future curb line;
- b) 0.03 m (0.1 fromft) from the inside edge of any sidewalk;
- c) 3.0 m (9.8 ft) from any road access; and
- d) 1.0 m (3.3 ft) from a property line, when located on private property.

5. Signs shall not be located within an intersection corner visibility triangle.

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- a) a. is in a condition that could be hazardous to the health or safety of any person or vehicle; or
- b) b. causes visibility obstructions or hazards.

4. Where any portion of a sign is placed on pubicpublic property and contravenes any provisions of this Bylaw, a Development Authority may remove the sign or request the sign be removed at the expense of the sign owner.

5. A sign that is removed pursuant to this Bylaw shall be stored by the Town for a maximum thirty (30) days, during which time the sign owner may claim and retrieve the sign upon payment to the Town of the impoundment and storage fee, in accordance with the the Development Fees and Fines Bylaw, as amended from time to time, Part 5.17 of this Bylaw.

6. If a sign is not claimed or retrieved by the sign owner after thirty (30) days of its removal, a Designated Officer is authorized to destroy or otherwise dispose of the any sign without any further notice or compensation to the sign owner.

7. Despite Part 5.5.2 (3) and 5.5.2 (4), where a sign constructed of poster board, foam core board, corrugated plastic or coroplast, illustration board or any other similar material is removed pursuant to this Bylaw, it may be disposed of within twenty-four (24) hours without any notice or consideration to the sign owner.

8. The costs incurred by the Town in removing the sign, restoring a sitesite, or destroying stored sign, include the cost of any immediate measures taken to terminate an immediate danger are debts due to the Town that may be recovered in court action.

9. The owner of a sign or any person responsible for the placement of any sign or sign structure or both shall be liable and responsible for such sign or sign structure.

10. The Town shall not be liable for any damage to or loss of a sign that was erected in contravention of the provisions of this Bylaw and removed by a Designated Officer.

11. The Town shall not be liable for any loss of revenue resulting from the removal of a sign pursuant to the provisions of this Bylaw.

5.5.3 Illumination

1. Electrical power supply to a sign shall be located underground except when a sign is powered by solar energy. The solar power device may be located above ground provided it is attached to the sign and no wires, cords, or other components of the power supply device are located on the ground further than 0.3-m from the sign structure. All wiring and conduits shall be concealed from view.

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2. A sign with illumination or an electronic message sign shall not be allowed in residential land use districts.

3. All signs that are illuminated shall have the capacity to be dimmed to the satisfaction of the Development Authority. Signs that are illuminated shall not:

- a) shine or reflect light directly onto neighbouring properties, or, in the direction of oncoming traffic;
- b) create a hazard for pedestrians or motorists; or
- c) be on an intensity or brightness that would interfere with the general welfare of residential or occupants of adjacent property, or with vehicular traffic.

4. Externally illuminated signs shall:

- a) use full cut-off or shielded and screened external light sources, and
- b) be positioned in a manner that directs the light directly onto the sign and minimizes glare.

5. Where permitted, internally illuminated signs shall have the light source completely shielded from direct view.

5.5.4 Maintenance

1. Every owner shall maintain all signs in good repair, in safe condition and free of visible deterioration by:

- a) ensuring all exposed signs and sign structure surfaces are covered with an all-weather protective finish;
- b) repainting or refinishing as often as necessary to prevent peeling, flaking of paint, corrosion or fading from light exposure;
- c) keeping signs intact and operative and preventing them from deteriorating, peeling, breaking, or cracking.

2. All sign copy shall be fastened securely to the sign structure. Where a portion of copy has been removed, it shall be replaced within a reasonable timeframe, either with a new copy or filled in with material consistent with the sign, as determined by the Development Authority.

5.5.5 Signs Exempt From a Development Permit

1. The following signs shall not require a Development Permit provided they comply with the regulations of this Bylaw and any other applicable policy or legislation:

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- a) a sign, notice, placard, or bulletin required to be displayed:
 - i.) _____ by or on behalf of the federal, provincial or municipal government;
- b) a sign related to the function or work of the Town or other public authority;
- c) a sign displaying community event information;
- d) an advertisement that is an integral part of a transit system, bus shelter or bench or on garbage or recycling bins located on streets under an Agreement with the Town;
- e) signs located in or on taxi cabs and as authorized under Taxi Bylaw as amended from time to time;
- f) a flag, emblem or insignia that does not exceed 10.0 m (32.8 ft) in height or the maximum height of a principal building, whichever is less;
- g) an A-frame sign within all non-residential districts, provided the sign:
 - i) is located adjacent to the business that is being advertised;
 - ii) is located adjacent to the business that is being advertised; and
 - iii) complies with Part 8.9.1;
- h) open house sign;
- i) garage sale sign;
- j) a real estate sign;
- k) a construction sign;
- l) election signs provided they are placed in accordance with the Elections Bylaw as amended from time to time;
- m) a changeable copy CHANGEABLE COPY, a Manual sign in which complies with the requirement and approval of a Special Event permit;
- n) a directional sign DIRECTIONAL SIGN as part of a commercial or industrial development that is noted within an approved Development Permit.
- o) a fascia sign FASCIA SIGN within a sign area not greater than 0.2 m² (2.2 ft²) in a residential land use district or 0.5 m² (5.4 ft²) in a non-residential land use district;
- p) a show home sign SHOW HOME SIGN and a flag sign FLAG SIGN on a site with an approved residential sales centre RESIDENTIAL SALES CENTRE; and
- q) copy inserts being changed in existing signs. This applies to existing freestanding or fascia signage where no structural components are being modified or added, including illumination and the size and location of the sign remains the same.

5.5.6 Sign Prohibitions

1. For the purpose of this Bylaw, the following are prohibited within the Town of Blackfalds:
2. Other Unless otherwise listed in this Bylaw, third party advertising is not permitted.
3. The Development Authority shall not permit a sign or portion thereof that:

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7.6 GENERAL REGULATIONS GOVERNING SIGNS ON BUILDINGS

1. Building signs are a device, notice or medium including its support system and its components comprised of any material, composed of lettered, pictorial material which is located on the exterior of any building or window, and may include illumination and include the following types of signage, as defined within Part 5.28.2. A building sign does not include any component of an electronic message feature or video display.

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2. The following permanent signs may be permitted on any building in the ~~C~~commercial and ~~I~~industrial land use districts:

- a) ~~Awning sign~~Awning Sign;
- b) ~~Canopy sign~~Canopy Sign;
- c) ~~Channel letter sign~~Channel Letter Sign;
- d) ~~Fascia sign~~Fascia Sign;
- e) ~~Integrated roof sign~~Integrated Roof Sign;
- f) ~~Painted wall sign~~Painted Wall Sign;
- g) ~~Projecting sign~~Projecting Sign;
- h) ~~Under canopy sign~~Under Canopy Sign; and
- i) ~~Window sign~~Window Sign.

5.6.1 Awning, Canopy or Under Canopy Sign

1. Subject to Part 5.5.7 (2), an awning or canopy, that includes signage integrated into the design and construction of a canopy or awing structure, ~~shall not extend~~ing:

- a) more than 1.0 m (3.3 ft) from the building if it is attached to an awning structure; or
- b) more than 2.4 m (7.9 ft) from the building if it is attached to a canopy structure.

2. A ~~canopy sign~~Canopy Sign or ~~awning sign~~Awning Sign shall:

- a) be considered part of the building face, and any copy attached to it shall contribute to the maximum cumulative copy area of the building face;
- b) be a maximum of 1.5 m (4.9 ft) in height measured from the lowest point of the canopy or awning to the highest point of the canopy or awning;
- c) have a maximum total copy area of 50% of the front face of the canopy or awning structure including under and above ~~canopy sign~~Canopy Sign or ~~awning sign~~Awning Signs;
- d) have a minimum separation distance of 2.0 m (6.7 ft) from another ~~canopy sign~~Canopy Sign or ~~awning sign~~Awning Sign; and
- e) be compatible with the building on which it is located in terms of materials, colors, size and location on the building.



~~An above canopy sign~~Canopy Sign ~~no definition for this – ABOVE CANOPY SIGN~~ or ~~awning sign~~Awning Sign ~~is attached to the top side of a canopy or awning structure and shall:~~

- a) ~~not project outward/perpendicular beyond the canopy or awning structure;~~

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- b) ~~not extend more than 0.5 m above the canopy or awning structure; and~~
- e) ~~count towards the maximum total copy area for the canopy or awning on which it is attached.~~

3. An ~~under~~Under Canopy Sign ~~canopy sign~~ or ~~awning sign~~Awning Sign is attached to the top side of a canopy or awning structure ~~and is fastened~~to the bottom of a canopy or awning structure and shall:

- 4.
 - a) not extend ~~it~~ horizontally beyond the canopy or awning structure on which it is located;
 - b) have a maximum height of 0.3 m ~~(1 ft)~~, measured from the lowest point of the ~~canopy sign~~Canopy Sign to the highest point of the ~~canopy sign~~Canopy Sign;
 - c) have a maximum sign area of 1.5 m² ~~(16 ft²)~~;
 - d) be limited to one ~~(1)~~ sign per business or building;
 - e) be spaced a minimum 4.5 m ~~(14.8 ft)~~ from another ~~under~~Under Canopy Sign ~~canopy sign~~;
 - f) count towards the maximum allowable copy area for the canopy or awning on which it is attached; and
 - g) have a minimum clearance of 2.4 m ~~(7.9 ft)~~.

5.6.2 Fascia Sign

1. A ~~fascia sign~~Fascia Sign shall be used to identify the name of the use, business or occupant of a building on which it is located.
 2. A ~~fascia sign~~Fascia Sign may consist of individual letters, symbols or logos that are attached directly to the building.
 3. The materials and colour schemes of fascia signs shall be chosen to compliment rather than conflict with the architecture and colour scheme of the building façade.
 4. ~~Fascia signs~~Fascia signs shall not obscure architectural elements of a building including but not limited to windows, doorways, sills, ~~moldings~~moldings, and cornices.
 5. For the purposes of this part, fascia signs may be permitted in any commercial, ~~industrial~~industrial, and direct control land use districts, ~~and shall~~:
- a) not exceed a maximum 25% of the total area of the primary building face; and 15% of a secondary face of a building, and at the rear entrance of a business be a maximum of 0.3 m²;



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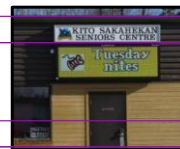
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- b) have a minimum clearance of 2.4 ~~m (7.9 ft)~~ when measured from grade to the bottom of the sign structure;
- c) be separated a minimum of 1.0 ~~m (3.3 ft)~~ from adjacent fascia signs;
- d) where located above any portion of a street or project over public property,
- d) not extend or project more than 0.3 ~~m (1 ft)~~ beyond the building face to which it is attached;
- e) not extend above the roof ~~line of a flat-roofed building or, if there is a parapet or mansard roof, 0.5 m (1.6 ft) above the eave line but not higher than the upper edge of the parapet or mansard roof and the eave line in all other cases;~~
- f) not contain any advertisement except to identify the name of a business or occupant of a tenant space, where such sign is located above the first floor of a building to which it is attached;
- g) not be illuminated when directly abutting a residential parcel or, where it could have an adverse impact on a residential parcel;
- h) shall not include third party advertising; and
- i) does not include any ~~changeable copy~~ ~~Changeable Copy~~, ~~Manual~~ ~~Manual~~, ~~electronic message features~~ ~~Electronic Message Feature~~ or ~~electronic message~~ ~~Electronic Message~~, ~~Changeable Copy~~ or video display.



6. A ~~F~~fascia ~~S~~sign may contain ~~C~~changeable ~~C~~copy, ~~M~~manual feature or ~~E~~electronic ~~M~~message feature provided that:

- a) a maximum of 20% of the sign is used for ~~C~~changeable ~~C~~copy, ~~M~~manual or ~~E~~electronic ~~M~~message ~~F~~feature;
- b) not more than one (1) sign per lot, site or parcel that contains ~~C~~changeable ~~C~~copy, ~~M~~manual or ~~E~~electronic ~~M~~message ~~F~~feature shall be permitted.
- c) the messages on the ~~changeable copy~~ ~~Changeable Copy~~, ~~M~~manual or ~~E~~electronic ~~Message display~~ ~~(should this be the word Message not display?)~~ ~~F~~feature shall relate to:
 - i) the use, ~~business~~ ~~business~~, or occupant of the site where the ~~F~~fascia ~~S~~sign is located;
 - ii) the services of a use, business or occupant of the site where the ~~F~~fascia ~~S~~sign is located;
 - iii) information that may otherwise be included on a sign relating to the lease or sale of the property; or
 - iv) a special event for a non-profit organization; ~~and~~
 - v) ~~not~~ contain third party advertising.



7. Despite ~~Part 5.6.2 (4)~~ a ~~F~~fascia ~~S~~sign containing a ~~changeable copy~~ ~~Changeable Copy~~, ~~M~~manual or ~~E~~electronic ~~M~~message ~~F~~feature shall comply with Part 5.7.

8. A tenant occupying a premise within a building may place a ~~F~~fascia ~~S~~sign on a secondary building face, regardless of its physical location within the building itself.

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5.6.3 Painted Wall Sign and Murals

1. A ~~Painted wall sign~~ **Painted Wall Sign** is a sign that is painted, inscribed or marked directly on an exterior wall or other integral part of a building or structure;
2. Subject to the provisions of this Part, ~~Painted Wall Signs~~ are discretionary on all properties containing approved commercial and industrial land use districts.
3. The size and location of a ~~mural~~ **Mural** is subject to the approval of Council.



4. A ~~Painted wall sign~~ **Painted Wall Sign** shall conform to the following guidelines:

a) any text, picture, ~~illustration~~ **illustration**, or similar graphic that advertises the name of a business or, is a logo or symbol of a business that occupies the building or structure on which the painted wall sign is located may:

- i) cover up to 30% of the front of the building;
- ii) cover up to 60% of a secondary building façade;
- iii) not include more than 70%, for any text that advertises the name of the business or, a logo associated with the business.

5. The Development Authority shall have regard to the content and imagery of the sign ensuring it enhances the area and is suitable for the location proposed.
6. The Development Authority may require that the ~~Painted wall sign~~ **Painted Wall Sign** be periodically repainted.
7. The Development Authority may ensure the ~~Painted wall sign~~ **Painted Wall Sign** be removed and the wall refinished, to be consistent with the rest of the building, if the business to which the sign relates ceases to be located in the building upon which the sign is located.
8. Despite ~~Part 5.9.6.3 (5)~~ a ~~Mural~~ that includes any copy that is considered by the Development Authority to be advertising shall be considered a ~~Painted Wall Sign~~ and are subject to the regulations of this Part.

5.6.4 Projecting Sign

1. Subject to Part 5.5.7 (2), a ~~Projecting sign~~ **Projecting Sign** shall:

- a) only be located on the primary building face;



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- b) not have a separation of more than 0.6 -m (2 ft) between the sign and the primary building face to which it is attached;
- c) not project more than 2.0 -m (6.7 ft) from the building face to which it is attached or, 0.3 -m (1 ft) from the road edge of the sidewalk, whichever is less;
- d) have a maximum copy area of 2.23 -m² (24 ft²) per side;
- e) have a minimum clearance of 2.5 -m (8 ft) when measured from grade to the bottom of the sign's structure;
- f) ~~n~~Not project over public property unless written approval is provided by the Town; and
- g) ~~n~~Not project more than 0.3 -m (1 ft) above the roof line or, the maximum allowable height of the building, whichever is less.
- q) _____

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5.6.5 Window Sign

1. For the purposes of this Part, 'window area' includes all contiguous panels of glass, including panes of glass that would be contiguous if not separated by mullions;
2. Within a Residential land use district, a ~~window sign~~Window Sign shall only be allowed in conjunction with an approved home-based business and shall comply with Part ~~8.4.7.4.1 (j) and 4.7.5-9.6 (de)~~.
3. Within a commercial land use district, a ~~window sign~~Window Sign shall be limited to the first and second story of a building, and not exceed 50% of the window area of a primary building face and 25% of a secondary building face.



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7.5.7 ELECTRONIC MESSAGE SIGN REGULATIONS

1. General development standards for electronic message signs may be permitted on a ~~freestanding pylon sign~~ Freestanding Pylon Sign, a ~~freestanding monument sign~~ Freestanding Monument Sign, and ~~fascia sign~~ Fascia Sign, and shall comply with Part ~~5.68.6~~ and ~~5.88.8~~.
2. A sign containing ~~changeable copy~~ Changeable Copy, Manual or ~~electronic message feature~~ Electronic Message Feature, shall not be permitted within any land use district adjacent to the Queen Elizabeth II (QEII) Highway or Highway 597.
3. A sign containing ~~changeable copy~~ Changeable Copy, Manual or ~~Electronic Message Feature~~ Electronic Message Feature shall not be permitted within any land use district south of the southern boundary of South Street and adjacent to Highway 2A; ~~or OR~~.
4. Unless otherwise provided for in this Part, an ~~Electronic Message Feature~~ sign shall not exceed 9.0 m² or 25% of the sign face, whichever is less; and:
 - a) must relate to a use, ~~business~~ business, or occupant of the site where the sign is located;
 - b) a special event where a Special Event Permit has been issued;
 - c) not include third-party advertising.
5. Any sign with an ~~Electronic Message Feature~~ shall:
 - a) maintain a minimum of 300.0 m (984 ft) from any other sign with an ~~Electronic Message Feature~~;
 - b) display messages for a minimum time period of ~~twenty~~ (20) seconds;
 - c) ensure that message transitions are instantaneous;
 - d) must not include effects like motion, dissolving, blinking, flashing or intermittent lights, video or the illusion of such effects.
6. Must contain a default design that will freeze the sign panel message in one position if a malfunction occurs.
7. The sign panel shall be equipped with a control system that automatically adjusts light emission level to ambient light conditions so as not to cause glare or excessive brightness.
8. The Development Authority shall have the ongoing discretion to require the brightness, frequency, ~~colors~~ colors, or other qualities of the sign panel be adjusted in order to address safety concerns.



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5.7.1 Electronic Message Sign, — Changeable Copy Sign

1. Subject to the provisions of this Part, an Electronic Message, Changeable Copy sign shall be considered a discretionary use.

5.7.2 Video Display Signs

1. Despite Part 5.7, a video display sign Video Display Sign shall not be permitted in any land use district.



7.8.5.8 FREESTANDING SIGN REGULATIONS

1. For the purposes of this Part, Freestanding Signs may be permitted in any Commercial, Industrial, DC-3 district or Public Land Use districts.

2. A Freestanding Sign may include the following types of signage, as defined within Part 5.8.2:

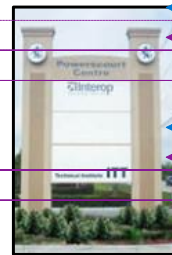
- a) Community Event Information Sign;
- b) Monument Sign;
- c) Pylon Sign;
- d) Neighbourhood Identification Sign;
- e) Post Sign.

3. Despite Part 5.8.18.8.1:

a) freestanding signs within the C-1, C-2, and I-1 land use districts, identified in the Downtown Revitalization Plan, are a discretionary use;

3.b) freestanding signs, monument signs, and pylon signs shall not be permitted within the C-1 district.

4. A freestanding sign with Changeable Copy, Manual or electronic message sign shall not be permitted within any land use district adjacent to the Queen Elizabeth II (QEII) Highway and Highway 597.



5. A Freestanding Monument Sign or Freestanding Pylon Sign shall be landscaped a minimum of 2.0 m (6.7 ft) extending around the centre base of the sign to the satisfaction of the Development Officer who shall consider access for maintenance. This Part shall not exempt any landscaping requirements within this Bylaw.

7.8.15.8.1 Monument or Pylon Sign

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7. Despite Part 5.8.1, a Freestanding Monument Sign or Freestanding Pylon Sign located on a parcel within the C-1, C-2, C-3 and I-1 land use districts included within the Downtown Revitalization Plan, where approved, shall:

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- a) not exceed a maximum sign area of 5.0-m² (54 ft²);
- b) not exceed a maximum height of 8.5-m (28 ft);
- c) not have a rotating element ~~(do we have a description of rotating?)~~;
- d) not have a changeable copy or an Electronic Message Feature; except:
 - i) where a gas bar has been approved, in which case the changeable copy or an Electronic Message Feature shall be limited to fuel price display;
 - ii)
- e) be limited to one (1) sign per parcel;
- f) maintain a minimum clearance of 2.44-m (8 ft) when measured from the ground to the bottom of the sign structure, except where it is a Free-standing Monument Sign.

8. Despite Part 5.8.18-8.1, a Freestanding Monument or Freestanding Pylon Sign located on a non-residential parcel adjacent to QEII or Highway 597 shall:

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- a) not incorporate a rotating element; ~~and~~
- b) shall be limited to one (1) Freestanding Monument Sign or one (1) Freestanding Pylon Sign per parcel where the sign area is over 22.0-m²; ~~and~~
- c) maintain a maximum height of 9.0-m;
- d) not exceed a maximum height of 9.0-m;
- e) may have a maximum sign area of 12.0-m² (237 ft²); and
- f) not incorporate Changeable Copy, Manual component or Electronic Message Feature or video display feature.

9. Freestanding Monument Signs within the R-3, R-4, R-5, R-MHC and R-MHP land use districts, shall be used to identify the site and shall:

9.

- a) be limited to one (1) sign per lot, site or parcel;
- b) ~~n~~ot contain any illumination;
- c) have a maximum height of 3.0-m (9.9 ft);
- d) have a maximum sign area of 5.0-m² (54 ft²);
- e) not have a rotating element, Changeable Copy, Manual or an Electronic Message Feature; and
- f) be limited to:
 - i) one (1) sign per parcel on a site of 30.0-m (98 ft) frontage or less;
 - ii) two (2) signs per parcel on a site of more than 30.0-m (98 ft) frontage but not greater than 60.0-m (197 ft); and
 - iii) a maximum of three (3) signs per parcel on a site of more than a frontage greater than 60.0-m (197 ft).

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7.8.25.8.2 Neighbourhood Identification Sign

1. A neighbourhood entrance sign may be erected by a developer at the entrances to a subdivision and shall:



4. a) require a Development Agreement with, and approval of, the Town including provisions for perpetual maintenance and care of the sign;
- b) be for neighbourhood identification purposes only and contain no advertising;
- c) be constructed of maintenance free material wherever possible;
- d) not be internally illuminated or contain any Electronic Message Feature or video display.
- e) not encroach upon any utility right of way; or
- f) affect traffic safety.

7.8.35.8.3 Post Sign

1. A Post Sign located on private property shall:



4. a) have a maximum height of 1.2 m (4 ft);
- b) have a maximum sign area of 1.1 m² (11.8 ft²);
- c) be separated a minimum of 5 m (16.4 ft) from all other signs;
- d) not block any sidewalks or interfere with pedestrian or vehicular traffic; and
- a)e) be separated a minimum of 5 m (16 ft) from other signs located on-site or off-site.
- a) have a maximum sign area of 1.1 m²;
- b) be separated a minimum of 5.0 m from all other signs; and
- c) not block any sidewalks or interfere with pedestrian or vehicular traffic; and
- d) be separated a minimum of 5.0 m from other signs located on-site or off-site.
2. A Post Sign used as a Real Estate Sign shall have a maximum height of 1.8 m (6 ft) and maximum sign area of 1.5 m² (16 ft²) within all residential land use districts.
3. A Post Sign used as a Real Estate Sign shall have a maximum height of 4.0 m (13 ft) and a maximum sign area of 6.0 m² (65 ft²) within non-residential land use districts.

7.9.5.9 OTHER SIGN REGULATIONS

1. For the purposes of this Part, the following types of signage, as defined in Part 5.2 may be permitted in any Commercial, Industrial, Direct Control or Public Land Use districts.

4.

- a) A-Frame Sign:
- b) Bed and Breakfast Sign: (we don't have a definition)
- c) Custom Printed Insert Sign:
- d) Directional Sign:
- e) Election Sign: (we don't have a definition)
- f) Flag Sign:
- g) Home Based Business Sign: and
- h) Menu Board Sign:

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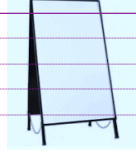
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7.9.15.9.1 A-Frame Sign



1. An A-Frame Sign shall:

- a) be limited to one sign per business;
- b) have a maximum height of 0.9-m (3 ft);
- c) have a maximum sign area of 0.55-m² (5.9 ft²);
- d) not obstruct sidewalks or interfere with pedestrian or vehicular traffic;
- e) be displayed only during the business operating hours;
- f) be separated a minimum of 5.0-m (16 ft) from other signs located on or off-site;
- g) be located on private property in front of the building or premises to which the sign pertains;
- h) be of a painted finish, be neat and clean and be maintained at all times;
- i) be constructed of materials that will collapse, cave-in, give-way upon impact (such as paper, cardboard or other light weight material); and
- j) not use fluorescent, 'day-glo-day-glow', luminous or reflective lettering or backgrounds.

2. For businesses with zero front setbacks, one sign may be placed on Town property adjacent to the front property boundary provided that the sign is:

- a) located as close as possible to the front of the building; or
- b) the sign is placed wholly within 1.0-m (3.3 ft) of the curb, placed as close as practical to any street tree, garbage receptacle, or other pieces of street furniture where available in front of the business in order to maintain a minimum 2.0-m (6.6 ft) width for pedestrian passage.

3. An A-Frame Sign used as an Open House Sign shall:

- a) only include a directional arrow, the phrase 'open house' and the name and/or the logo of the real estate company hosting the open house;
- b) not be located in a median of a road, on a sidewalk, or within a traffic circle area;
- c) have a maximum height of 0.9-m (3 ft);
- d) have a maximum sign area of 0.55-m² (5.9 ft²);
- e) be separated a minimum of 5.0-m (16.4 ft) from other signs located on site or off-site; and
- f) be erected or placed no more than three (3) hours prior to an open house and no later than three (3) hours after an open house, except on weekends. Signs erected on a weekend may not be placed before 6:00-p.m. Friday or after 6:00-am on a Monday, except when a Friday or Monday is a statutory holiday, the display dates shall adjust to be displayed during the statutory holiday.

4. In addition to Parts 8.9.2 and 8.9.3, an A-frame sign may not be located within a road right of way.

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7.9.25.9.2 Bed and Breakfast Sign

1. Bed and Breakfast signs shall:

4.

- a) require a permit;
- b) be located entirely on private property;
- c) be limited to a maximum of (2) signs per approved Bed and Breakfast subject to the following:
 - e) permitted sign types include, post, projecting and window;
 - ii) no two (2) signs on a single site may be the same type;
 - iii) signs permitted shall confirm to Parts 58.6.4; 58.6.5 and 58.8.3;
 - iv) not be internally lit;
 - v) not contain any Changeable Copy, Manual, or Electronic Message Feature.



7.9.35.9.3 Custom Printed Insert Sign

1. Custom Printed Inserts are personalized corrugated plastic inserts which contain advertising or the display of the business logo or name and added to chain link fencing.

4.

2. Where chain link fencing is approved, custom printed inserts may be considered in industrial districts only; except:

2.

- a) any portion of a fence sharing a common property boundary with and adjacent to the Queen Elizabeth II Highway and Highway 597.

a)

3. The maximum sign copy area containing advertising, the display of the business logo or name shall be limited to 25% per side of a perimeter chain link fence to a maximum of two (2) sides.



7.9.45.9.4 Directional Sign

1. A Directional Sign may contain a logo or name of business and may be illuminated

2. A Directional Sign within R-3, R-5, R-MHC and R-MHP land use districts shall:

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- a) have a maximum height of 0.9-m;
- b) have a maximum sign area of 0.4-m² and
- c) be limited to two (2) directional signs per site or parcel; and
- d) ~~Despite Part 5.16.2~~ the Development Authority may approve a greater number of directional signs where the need for the ~~requested~~ requested additional signage has been demonstrated by the applicant.



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7.9.55.9.5 Election Signs ~~(no definition for this?)~~

1. Elections signage refers to all temporary signs, either with a copy area of one ~~(1)~~ side or two ~~(2)~~, used for an election, by-election, referendum or plebiscite.
2. Election signs shall be restricted to one (1) sign per lot, ~~site~~ site, or location.
3. Signs may not be erected more than ~~forty-five thirty~~ (45/30) days in advance of a municipal or provincial election or to the voting of a referendum or plebiscite and more than thirty-six (36) days prior to a federal election.
4. Election signs may be permitted on private lands, with landowner approval; or municipal property, excluding parks, in areas as designated by the Town.
5. Despite ~~Part 5.9.5.4 8.4~~ election signs located on private property shall not encroach ~~over~~ onto municipal property unless it is at a designated location.
6. Election signs shall not be placed anywhere on the legal lot where any polling station is located, including a fence that may be located on or border the legal lot.
7. The maximum size of any sign required for an election, shall maintain:
 - a) a maximum sign face of 3.0 ~~m~~ (32 ft²); and
 - b) a maximum of 3.6 ~~m~~ (12 ft) from grade to top of the sign.
8. All election signs shall maintain the following minimum setbacks:
 - a) 10.0 ~~m~~ (33 ft) of the centreline of an intersection;
 - b) 10.0 ~~m~~ (33 ft) from any crosswalk;
 - c) -5.0 ~~m~~ (16 ft) from a fire hydrant; and
 - d) -2.0 ~~m~~ (6.7 ft) from the curb line or edge of a street.
9. All election signs shall be removed following the closing of voting stations within ~~forty~~ eight (48) hours; and:
 - a) the site restored to its original state with all holes filled with a mixture of topsoil and grass seed.
10. Any election sign that becomes ~~unsightly~~ or are defaced shall be removed immediately by the owner.

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11. Election signs with the following shall not be allowed;

- a) signs that display intermittent flashing, rotating or moving light;
- b) signs that imitate the wording of a standard or commonly used traffic sign, such as stop or yield;

12. Election signs will be removed by the Town at the candidates' expense for the following reasons;

12.

- a) they do not meet the sign specifications of this Part;
- b) they pose a hazard to the public;
- c) they are located on a sidewalk, pathway or trail;
- d) they are attached to any traffic control device, traffic pole signal, a street light pole, a park bench, a fire hydrant, and electrical box or power pole;
- e) there interfere with municipal employees on municipal property; and
- f) they are not removed in accordance with any provision of this Part.

13. Where an election sign contravenes this Part, a Designated Officer, or any other appointed person may, without notice or compensation, remove the sign and may enter onto private land to do so.

14. Where a contravention to this Part or this Bylaw, the owner of the sign (candidate) shall be guilty of an offence under this Bylaw.

7.9.65.9.6 Flag Sign

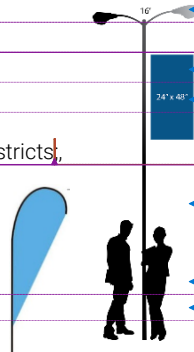
1. A flag means a temporary sign that is made of lightweight flexible fabric or material with one (1) or two (2) sides to which copy can be applied and is attached to a freestanding pole, or to a structure, placed in or on the ground.

4.

2. Flag Signs shall be;

2.

1. be limited to one (1) sign per business;
2. be limited to a maximum of three (3) signs per parcel;
3. be considered in all Commercial and Industrial land use districts, except within the C-1 Commercial Central District and I-1 Industrial Light District as identified in the Downtown Revitalization Plan;
4. not exceed a maximum height of 4.0-m (13 ft);
5. not block sidewalks or interfere with pedestrian or vehicular traffic;



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6. be located within the property boundaries;
7. be separated a minimum of 5.0 m (16 ft) from another flag banner sign and any other signs located on or off-site;
8. be located in front of the building or premises to which the sign pertains; and
- 6-9. be displayed for a period of up to thirty (3) consecutive days to a maximum of three (2) times per calendar year.
7. be separated a minimum of 5.0 m from another flag banner sign and any other signs located on or off-site;
8. be located in front of the building or premises to which the sign pertains; and
9. be displayed for a period of up to thirty (30) consecutive days a maximum of three (3) times per calendar year.

3. The maximum number of flag signs placed on a site within a non-residential land use district shall be:

- a) one (1) sign on a lot with a frontage of 30.0 m (98 ft) or less; and
- b) a maximum of three (3) signs on a lot with a frontage greater than 30.0 m (98 ft).

4. A flag sign used with a residential sales centre shall be decorative in its design, be freestanding and not attached to any other sign or structure.

7.9.75.9.7 Home Based Business Sign

1. A Home home-bBased Business sign shall:

- a) Not display any signage unless a valid Development Permit and Business License have been issued by the municipality.
- b) Not display any sign other than one (1) un-illuminated window sign, not exceeding 25% of the area of the window;
- c) Not display an A-frame sign no larger than 0.3 m² (3.3 ft²) advertising the home-based business operating from the parcel and shall:

i) Be located entirely within the boundaries of the property.

- e)
- i) be located entirely within the boundaries of the property.

5.9.8 Menu Board Sign

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- e) 3.0-m (9.8 ft) from any access to or from a lot or site; and
- f) 25-m (82 ft) from a Freestanding Sign.

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7.44.5.11 TEMPORARY SIGN REGULATIONS

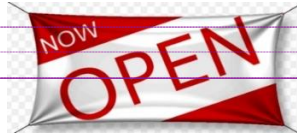
1. A Temporary Sign may include the following types of signage, as defined within Part 58.2

- a) Banner Sign;
- b) Changeable Copy Manual sign;
- c) Construction Sign;
- d) Flag banner (no definition of flag banner) sign;
- e) Future Development Sign;
- f) Inflatable Sign;
- g) Portable Sign;
- h) Show Home Sign; and
- i) Open House and Real Estate Signs.

7.11.15.11.1 Banner Sign

1. A Banner sign shall:

- a) have a maximum of one sign per building or individual commercial or industrial unit within a building or parcel;
- b) only be located on a parcel within C-2, C-3, C-4, CMU, I-1, I-2, and Direct Control land use districts;
- c) Despite Part 5.11.9.1(b), a Banner sign shall not be permitted within the I-1 land use district identified in the Downtown Revitalization Plan;
- d) Have a maximum of 25% of the area of the wall of the premises to which it is attached; and
- e) Be displayed for a period of up to thirty (30) consecutive days to a maximum of ninety (90) days in a calendar year.



7.11.25.11.2 Changeable Copy Sign, Manual and Portable Signs

1. A Changeable Copy, Manual feature is the copy on a sign that changes manually through the use of attachable letters, numbers or pictorial panels and may be contained within, or form part of, a Freestanding Monument Sign, Freestanding Pylon Sign, a Fascia Sign or a Portable Sign and does not include third party advertising or any Electronic Message Feature.



2. A changeable copy sign feature contained within a Freestanding Monument Sign, a Freestanding Pylon Sign or a Fascia Sign shall comply with Part 5.8.6.2 and 5.8; and

a) may contain a maximum of 30% of the sign face.

3. A Changeable Copy, Manual feature on a Portable Sign is intended for temporary on-site advertising relating to the activities of the landowner or its occupants; and

4. A Changeable Copy, Manual feature on a Portable Sign with manual feature as part of the overall sign, is permitted in all Commercial and Industrial land use districts with the exception of:

a) C-1 and C-3 land use districts; and may:

- i) have a maximum height of 2.0 m (6.6 ft);
- ii) have a maximum sign area of 3.0 m² (33 ft²);
- iii) have a maximum width of 2.5 m (8 ft);
- iv) be illuminated or non-illuminated; and
- v) contain no audio feature.

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- 8.
- a) a vacant or undeveloped parcel; and
 - b) a parcel that contains, and has been approved for, changeable copy, manual or electronic message features.

9. A portable sign or changeable copy portable sign shall not interfere with site lines, any traffic control device; or impede on traffic or pedestrian movements at any time.

7.11.35.11.3 Construction Sign

1. A construction sign may be placed on site no sooner than fourteen (14) days prior to commencement of construction.

2. A construction sign shall:

- a) be limited to four (4) signs per parcel; and
- b) be removed within seven (7) days following construction completion.



3. A construction sign for new construction, for a site with frontage of 30.0 m or less, shall:

- a) have a maximum height of 3.0 m (9.8 ft); and
- b) have a maximum area of 2.8 m² (30 ft²).

4. A construction sign for new construction, for a site with frontage greater than 30.0 m (98 ft), shall:

- 1. have a maximum height of 4.0 m (13 ft); and
- 2. have a maximum area of 6.0 m² (64.6 ft²).

7.11.45.11.4 Future Development Sign

1. A future development sign is a temporary sign and may be placed on a site where a permit has been approved for development or where a development agreement has been signed by the Town.

2. A future development sign relating to new construction shall:

- c) for a site with a frontage of 30.0 m (98 ft), or less:
 - i) have a maximum height of 3.0 m (9.8 ft); and
 - ii) have a maximum sign area of 2.8 m² (30 ft²).
- d) for a site with a frontage greater than 30.0 m, a maximum of two (2) signs shall be permitted; and



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- b:
- i) have a maximum height of 4.0 m; and
 - ii) have a maximum sign area of 6.0 m²

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ii) have a maximum sign area of 6.0 m²;

e) maintain the following setbacks;

e-

i) 6.0 m (19.7 ft) from any property line or intersection.

3. A Future Development Sign shall be located at the entrance to a lot or site and shall:

3-

- a) have a maximum height of 3.0 m (9.8 ft);
- b) have a maximum sign area of 5.0 m² (54 ft²);
- c) have a maximum width of 3.0 m (9.8 ft);
- d) have a maximum copy area of 75%;
- e) not include an Electronic Message Feature or changeable display feature;
- f) be secured or anchored at all times;
- g) not be located on a vacant or undeveloped lot or site;
- h) incorporate landscaping where required by the Development Authority; and
- i) not interfere with any traffic movements or sight lines.

4. A future development sign shall not exceed a maximum of:

4-

- a) two (2) signs per lot or site with a frontage of 90.0 m (295 ft) or less; and
- b) three (3) signs per lot or site with a frontage of over greater than 90.0 m (295 ft).

5. Any permit issued for an entrance sign is valid for two (2) years from the _____ date of approval.

7.11.55.11.5 Garage Sale Signs ~~no definition for this~~

1. A garage sale sign shall not require a sign permit but must comply with the regulations of this Bylaw; and

1-

- a) there be no more than three (3) signs per garage sale event;
- b) all signs are self-supporting;
- c) shall not be placed on municipal poles, mailboxes or any other freestanding structure;
- d) sign size does not exceed 0.37 m² (3.98 ft²);
- e) contain the address of where the sale is taking place and the dates of the sale only; and
- f) signs are removed no later than twenty-four (24) hours following the garage sale event.

f)

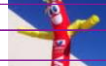


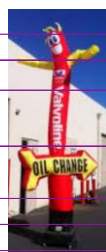
7.11.65.11.6

- Inflatable Sign

1. An inflatable Sign shall only be located on a parcel that is within the C-2, C-3, C-4, CMU, DC-3, I-1 and I-2 land use districts.
2. Despite Part 5.11.6(1) 8.11.6.1, an inflatable Sign shall not be located on a parcel adjacent to Queen Elizabeth II and Highway 597; and
 - a) maintain a minimum setback of 100 m (328 ft) measured from the base of the inflatable Sign to the boundary of any parcel within residential land use districts;
 - b) maintain a minimum separation of 5.0 m (16.4 ft) from any other sign on-site;
 - c) not be located within any required parcel setback;
 - d) be securely attached or anchored and must touch the surface to which it is anchored;
 - e) not interfere or obstruct access or sight lines to or from a site;
 - f) not exceed the maximum height permitted within the land use district, to a maximum of 14.0 m (46 ft); and
 - g) be limited to a maximum of one (1) inflatable sign per site.



3. An Inflatable Sign may be placed on a site and shall follow these additional guidelines:
- a) placement shall be for be sixty (60) days with the maximum duration of display per business for each inflatable sign being sixty (60) days three (3) times per year;
 - b) must not remain at one location for more than sixty (60) consecutive days at one time;
 - c) no permit may be applied for more than thirty (30) days in advance of the date of placement;
 - d) upon expiry, the Development Authority shall require a new application for the Inflatable Sign. There shall be no obligation for the Development Authority to approve a permit on the basis that a previous permit had been issued.
- 



7.11.75.11.7

Open House S

1. A Show Home Sign shall only be placed on a site with an approved residential sales centre.

- a) for the purposes of this Part, a residential sales centre, on the parcel, may be a self contained temporary portable building or a dwelling unit in a Residential land use district.



2. -There shall be a maximum of:

2. a) two (2) ~~See how Home Signs~~ on a parcel less than 0.25 ha; or
b) four (4) ~~See how Home Signs~~ on a parcel greater than 0.25 ha.

3. The maximum combined sign area for all how home signs shall be:

3. a) ~~3.0~~ m² (~~32~~ ft²) for a site less than 0.25 ha; or
b) ~~12.0~~ m² (~~129~~ ft²) for a site greater than 0.25 ha but less than 1.0 ha; or
c) ~~24.0~~ m² (~~258~~ ft²) for a site greater than 1.0 ha, however the maximum sign area for one (1) sign shall not exceed 6.0 m² (65 ft²).

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4. The minimum setback from a lot line for a ~~Se~~how ~~H~~ome ~~S~~ign shall be;

- ~~4.~~
- a) ~~3.0 -m (9.8 ft)~~ for a site less than 0.25 -ha; ~~and~~
 - b) ~~6.0 -m (19.7 ft)~~ for a site greater than 0.25 -ha.
 - c) ~~Despite Part 8.17.15~~ a ~~Se~~how ~~H~~ome ~~S~~ign required for a dwelling unit shall maintain a minimum of 1.0 -m (3.3 ft) from any property line.



5. The maximum height for a ~~Se~~how ~~H~~ome ~~S~~ign shall be;

- ~~5.~~
- a) ~~3.0 -m (9.8 ft)~~ for a site less than 0.25 -ha; and
 - b) ~~6.0 -m (19.7 ft)~~ for a site greater than 0.25 -ha.

6. A ~~Se~~how ~~H~~ome ~~S~~ign shall be removed upon the earlier of:

- ~~6.~~
- ~~a.)~~ the completion of the subdivision for which it is advertising;
 - ~~b.)~~ the removal of a temporary sales office for which it is advertising;
 - ~~c.)~~ the residential occupancy of the show home for which it is advertising; or
 - ~~d.)~~ within two (2) years from the date of approval of the ~~De~~velopment ~~P~~ermit for a residential sales centre.

7. Flag Signs used for show home purposes shall not be included in the maximum number of ~~Se~~how ~~H~~omes ~~S~~igns permitted for a site but are subject to the regulations of ~~Part 58.9.6~~.

8. Show ~~H~~ome ~~S~~igns on public or road-way rights of way shall not be permitted.

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PART 6 — Land Use Districts

PART 6.0 LAND USE DISTRICTS

LAND USE DISTRICT	SYMBOL	PAGE
Residential Single Dwelling Large Lot District	R-1L	149
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6.1 Residential Single Dwelling Large Lot District (R-1L)

6.1.1

Purpose

To provide an area to accommodate low density residential development on large lots, and uses herein listed which are compatible and are connected to the municipal services.

6.1.2

Permitted and Discretionary Uses (R-1L)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">Accessory BuildingDetached DwellingHome Based Business 1Home Based Business 2Park	<ul style="list-style-type: none">Accessory SuiteAccessory UseAssisted Living FacilityBed and BreakfastBoarding or Lodging HouseDaycare, MinorDwelling, Modular HomeDwelling, Moved InDwelling, Ready to MoveGroup HomeHome Based Business 2, being the 2nd or subsequent home based business on the parcelHome Based Business 3Live Work UnitManufactured HomeModular HomeMoved in DwellingPublic Utility BuildingResidential KennelResidential Sales CentreSenior Citizen HousingSignsSocial Care FacilitySolar Energy Infrastructure

Permitted Uses

Discretionary Uses

Accessory Suite

Accessory Building

	Dwelling, Detached
Accessory Use	
Home Based Business 1	Assisted Living Facility
Home Based Business 2	Bed and Breakfast
	Park
	Boarding or Lodging House
	Daycare, Minor
Dwelling, Modular Home	
Dwelling, Moved In	
Dwelling, Ready to Move	
Group Home	
Home Based Business 2, being the 2 nd or subsequent home based business on the parcel	
Home Based Business 3	
Live Work Unit	
Public Utility Building	
Residential Kennel	
Residential Sales Centre	
Senior Citizen Housing	
Signs	
Social Care Facility	
Solar Energy Infrastructure	

1. In addition to the Regulations contained in Part 3, General Regulations, Part 4, Specific Use Regulations and Part 5, Signs, and the following District regulations shall apply to all Development in this District.

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6.1.3__District Regulations [\(R-1L\)](#)

—The following regulations apply:

<u>Minimum Front Yard</u>	<p>6.0 m (19.7 ft) except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5 m</p>
<u>Minimum Side Yard</u>	<p>1.5 m (4.9 ft) except:</p> <ul style="list-style-type: none"> a) adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5 m (14.9 ft); b) adjacent to a road, but not including a lane, where it shall be 3.0 m (9.8 ft) or as required by Alberta Building Code, whichever is greater. c) In a laneless subdivision, Part 3.2.31 shall also apply, or as required in the Alberta Building Code, whichever is greater.
<u>Minimum Rear Yard</u>	<ul style="list-style-type: none"> • 7.5 m (24.7 ft) with an attached garage • 10.0 m (33 ft) without an attached garage <p>— 12.5 m (41 ft) where it abuts a major Collector Road as designated in the Municipal Development Plan</p>
<u>Minimum Parcel Area</u>	<ul style="list-style-type: none"> • Interior Parcels – 550.0 m² (5920 ft²) • Corner Parcels – 600.0 m (6458 ft²)
<u>Minimum Parcel Width</u>	<ul style="list-style-type: none"> • Interior Parcels – 15.0 m (49 ft) • Corner Parcels – 16.5 m (54 ft)
<u>Maximum Parcel Coverage</u>	40% (excludes driveways and grade level open decks)
<u>Maximum Building Height</u>	Two (2) Storeys with a maximum overall height of 10.0 m (33 ft) 10.0 m
<u>Laneless Parcels</u>	<p>Where no lane exists, one (1) side yard shall not be less than:</p> <ul style="list-style-type: none"> a) 1.5 m (4.9 ft) in the case of a detached dwelling with an attached garage;

DRAFT

	b) 3.0 m (9.8 ft) in the case of a detached dwelling without an attached garage.
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Minimum Front Yard 6.0 m except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5 m.

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Minimum Side Yard 1.5 m except:

- a) Adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5 m;
- b) Adjacent to a road, but not including a lane, where it shall be 3.0 m or as required by Alberta Building Code, whichever is greater;
- c) In a laneless subdivision, Part 3.21 shall also apply, or as required in the Alberta Building Code, whichever is greater.

Minimum Rear Yard 7.5 m with an attached garage
10.0 m without an attached garage
12.5 m where it abuts a major Collector Road as designated in the Municipal Development Plan

Minimum Parcel Area Interior Parcels = 550.0 m²
Corner Parcels = 600.0 m²

Minimum Parcel Width Interior Parcels = 15.0 m
Corner Parcels = 16.5 m

Maximum Parcel Coverage 40% (excludes driveways and grade level open decks)

Maximum Building Height 10.0 m

Laneless Parcels Where no lane exists, one side yard shall not be less than:
a. 1.5 m in the case of a detached dwelling with attached garage;
b. 3.0 m in the case of a detached dwelling without an attached garage.

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6.2 Residential Single Dwelling Medium Lot District (R-1M)

6.2.1 Purpose

6.2 Residential Single Dwelling Medium Lot District (R-1M)

6.2.1 Purpose

To provide an area ~~detached dwellings and other uses~~ to accommodate low density residential development on medium lots and other uses herein listed, which are compatible and connected to municipal services.

6.2.2 Permitted and Discretionary Uses (R-1M)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Detached Dwelling Detached• Home Based Business 1• Home Based Business 2• Park	<ul style="list-style-type: none">• Accessory Suite• Accessory Use• Assisted Living Facility• Bed and Breakfast• Boarding or Lodging House• Daycare, Minor• Dwelling, Modular Home• Dwelling, Moved In• Dwelling, Ready to Move• Group Home• Home Based Business 2, being the 2nd or subsequent home based business on the parcel• Home Based Business 3• Manufactured Home• Modular Home• Moved in Dwelling• Parking Facility (should this be Live Work Unit??)• Public Utility Buildings• Residential Kennel• Residential Sales Centre• Senior Citizen Housing• Signs• Social Care Facility• Solar Energy Infrastructure

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Permitted	Uses
Discretionary Uses	
Accessory Building	Accessory Suite
Dwelling, Detached	Accessory Use
Home Based Business 1	
Assisted Living Facility	
Home Based Business 2	
Bed and Breakfast	
Park	
Boarding or Lodging House	
Daycare, Minor	
Dwelling, Modular Home	
Dwelling, Moved In	
Dwelling, Ready to Move	
Group Home	
Home Based Business 2, being the 2 nd or subsequent home-based business on the parcel	
Home Based Business 3	
Parking Facility	
Public Utility Buildings	
Residential Kennel	
Residential Sales Centre	
Senior Citizen Housing	
Signs	
Social Care Facility	
Solar Energy Infrastructure	

1. In addition to the Regulations contained in Part 3 | General Regulations, Part 4 | Specific Use Regulations and Part 5 | Signs, and the following District regulations shall apply to all Development in this District.

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Boarding or Lodging House
Daycare, Minor
Dwelling, Accessory Suite
"Dwelling, Modular Home"
Dwelling, Moved In
Dwelling, Ready-to-Move
"Residential Sales Centre"
Senior Citizen Housing
Solar Energy Infrastructure

Consider removing (recommended location):
Dwelling, Manufactured
Recreation Facility – Indoor
Recreation Facility – Outdoor

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- a) In addition to the Regulations contained in Part 3, General Regulations, Part 4 Specific Use Regulations and Part 5, Signs and the following District regulations shall apply to all Development in this District

6.22.13

-District Regulations (R-1M)

The following regulations apply:

<u>Minimum Front Yard</u>	6.0 m (19.7 ft) except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5 m (24.6 ft).
<u>Minimum Side Yard</u>	1.5 m (5 ft) except: a) adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5 m (14.8 ft); b) adjacent to a road, but not including a lane, where it shall be 3.0 m (9.8 ft) or as required by Alberta Building Code, whichever is greater. c) In a laneless subdivision, Part 3.231, shall also apply, or as required in the Alberta Building Code, whichever is greater.
<u>Minimum Rear Yard</u>	<ul style="list-style-type: none"> 7.5 m (24.6 ft) with an attached garage 10.0 m (33 ft) without an attached garage 12.5 m (41 ft) where it abuts a major Collector Road as designated in the Municipal Development Plan
<u>Minimum Parcel Area</u>	<ul style="list-style-type: none"> Interior Parcels – 460.0 m² (4951 ft²) Corner Parcels – 510.0 m (1673 ft)
<u>Minimum Parcel Width</u>	<ul style="list-style-type: none"> Interior Parcels – 12.5 m (41 ft) Corner Parcels – 14.0 m (46 ft)
<u>Maximum Parcel Coverage</u>	40% (excludes driveways and grade level open decks)
<u>Maximum Building Height</u>	10.0 m Two (2) Storeys with a maximum overall height of 10.0 m (33 ft)
<u>Laneless Parcels</u>	Where no lane exists, one (1) side yard shall not be less than:

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	<p>c) 1.5 m (5 ft) in the case of a detached dwelling with an attached garage;</p> <p>d) 3.0 m (9.8 ft) in the case of a detached dwelling without an attached garage.</p>
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a) The following regulations apply: to be listed without table

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Minimum Front Yard

Minimum Side Yard

Minimum Rear Yard

Minimum Parcel Area

Minimum Parcel Width

Maximum Parcel Coverage

Maximum Building Height

Laneless Parcels

Minimum Front Yard	6.0 m except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5 m.
Minimum Side Yard	1.5 m except: 1. Adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5 m; 2. Adjacent to a road, but not including a lane, where it shall be 3.0 m or as required by Alberta Building Code, whichever is greater; 3. In a laneless subdivision, Part 3.21 shall also apply, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	7.5 m with an attached garage 10.0 m without an attached garage 12.5 m where it abuts a major Collector Road as designated in the Municipal Development Plan
Minimum Parcel Area	Interior Parcels = 460.0 m ² Corner Parcels = 510.0 m ²
Minimum Parcel Width	Interior Parcels = 12.5 m Corner Parcels = 14.0 m
Maximum Parcel Coverage	40% - excluding driveways and grade level open decks
Maximum Building Height	10.0 m
Laneless Parcels	Where no lane exists, one side yard shall not be less than: a) 1.5 m in the case of a detached dwelling with attached garage; b) 3.0 m in the case of a detached dwelling without an attached garage.

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6.3 Residential Single Dwelling Small Lot District (R-1S)

6.3 Residential Single Dwelling Small Lot District (R-1S)

6.3.1

Purpose

To provide an area for detached dwellings to accommodate low density residential development on small lots and other uses herein listed which are compatible and all of which are connected to municipal services.

6.3.2

Permitted and Discretionary Uses (R-1S)

6.3.2 Permitted and Discretionary Uses

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">Accessory BuildingDetached Dwelling, DetachedHome Based Business 1Home Based Business 2Park	<ul style="list-style-type: none">Accessory SuiteAccessory UseAssisted Living FacilityBed and BreakfastBoarding or Lodging HouseDaycare, MinorDwelling, Modular HomeDwelling, Moved InDwelling, Ready to MoveGroup HomeHome Based Business 2, being the 2nd or subsequent home based home based business on the parcelHome Based Business 3Live Work UnitPublic Utility BuildingsManufactured HomeModular HomeMoved in DwellingRecreation Facility, IndoorRecreation Facility, OutdoorResidential KennelResidential Sales CentreSignsSocial Care FacilitySenior Citizen HousingSolar Energy Infrastructure

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Permitted Uses	Discretionary Uses
Accessory Building	Accessory Suite
	Accessory Use
Dwelling, Detached	Assisted Living Facility
Home Based Business, 1	Bed and Breakfast
Home Based Business, 2	Boarding or Lodging House
Park	Daycare, Minor
	Dwelling, Modular
	Dwelling, Moved-In
	Dwelling, Ready to Move
	Group Home
	Home Based Business, 2, being the second or subsequent Home-based Business on the parcel
	Home Based Business, 3
	Live Work Unit
	Public Utility Buildings
	Recreation Facility, Indoor
	Recreation Facility, Outdoor
	Residential Kennel
	Residential Sales Centre
	Signs
	Social Care Facility
	Senior Citizen Housing
	Solar Energy Infrastructure

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Bed and Breakfast
Boarding or Lodging House
Daycare, Minor
Dwelling, Accessory Suite
“Dwelling, Modular Home”
Dwelling, Moved-In
Dwelling, Ready-to-Move
Live Work Unit
Senior Citizen Housing
Solar Energy Infrastructure

Consider removing (recommended location):
Dwelling, Manufactured Home
Parking Facility

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1. In addition to the Regulations contained in Part 3 [General Regulations](#), Part 4 [Specific Use Regulations](#) and Part 5 [Signs](#), ~~and the following District regulations shall apply to all Development in this District.~~

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a. In addition to the Regulations contained in Part 3, General Regulations, Part 4 Specific Use Regulations and Part 5, Signs and the following District regulations shall apply to all Development in this District.

6.3.3 District Regulations (R-1S)

The following regulations apply:

Minimum Front Yard	6.0 m (19.7 ft), except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5 m (24.6 ft).
Minimum Side Yard	1.5 m (5 ft), except: a) adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5 m (15 ft); b) adjacent to a road, but not including a lane, where it shall be 3.0 m (10 ft) or as required by Alberta Building Code, whichever is greater. c) In a laneless subdivision, Part 3, 2321 shall also apply, or as required in the Alberta Building Code, whichever is greater. (this was crossed out do I need to remove it as it's in the LUB 1198/16 for an R-1S right now)
Minimum Rear Yard	<ul style="list-style-type: none">7.5 m (24.6 ft) with an attached garage10.0 m (32.8 ft) without an attached garage12.5-12.5 m (41 ft) where it abuts a major Collector Road as designated in the Municipal Development Plan
Minimum Parcel Area	<ul style="list-style-type: none">Interior Parcels – 360.0 m² (3875 ft²)Corner Parcels – 410.0 m (1345 ft)
Minimum Parcel Width	<ul style="list-style-type: none">Interior Parcels – 10.5 m (34.4 ft)Corner Parcels – 11.5 m (37.7 ft)
Maximum Parcel Coverage	50% (excludes driveways and grade level open decks)
Maximum Building Height	

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	Two (2) Storeys with a maximum overall height of 10.0 m (32.8 ft) <small>is this for R-1M and R-1L as it wasn't in the text for those but we can add it in.</small>
Laneless Parcels	Where no lane exists, one (1) side yard shall not be less than: <ol style="list-style-type: none"> 1.5 m (4.9 ft) in the case of a detached dwelling with an attached garage; 3.0 m (9.8 ft) in the case of a detached dwelling without an attached garage.

The following regulations apply:

Minimum Front Yard 6.0 m except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5 m.

Minimum Side Yard 1.5 m except:

- Adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5 m (14.75 ft);
- Adjacent to a road, but not including a lane, where it shall be 3.0 m or as required by Alberta Building Code, whichever is greater
- In a laneless subdivision, Part 3.21 shall also apply, or as required in the Alberta Building Code, whichever is greater.

Minimum Rear Yard 12.5 m where it abuts a major collector Road as designated in the Municipal Development Plan

7.5 m with an attached garage

10.0 m without an attached garage

Minimum Parcel Area Interior Parcels - 360 m²

Corner Parcels - 410.0 m²

Minimum Parcel Width Interior Parcels - 10.5 m

Corner Parcels - 11.5 m

Minimum Parcel Depth

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Maximum Parcel Coverage 50% excluding driveways and grade level open decks.

Maximum Building Height Two Storeys with a maximum overall height of 10 m

Laneless Parcels

Where no lane exists, one side yard shall not be less than:

- a) 1.5 m in the case of a detached dwelling with attached garage
- b) 3.0 m in the case of a detached dwelling without an attached garage.

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Minimum Front Yard	
Minimum Side Yard	1.5 m except: 1. Adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5 m (14.75 ft); 2. Adjacent to a road, but not including a lane, where it shall be 3.0 m or as required by Alberta Building Code, whichever is greater; 3. In a laneless subdivision, Part 3.21 shall also apply, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	
Minimum Parcel Area	Interior Parcels – 360.0 m ² Corner Parcels – 410.0 m ²
Minimum Parcel Width	
Maximum Parcel Coverage	
Maximum Building Height	
Laneless Parcels	a. _____.

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6.4 Residential Manufactured Home Park District (R-MHP)

6.4 Residential Manufactured Home Park District (R-MHP)

6.4.1

Purpose

To provide an area for manufactured homes and other uses herein listed in a comprehensively designed park wherein sites are rented or owned as part of a registered condominium plan, connected to municipal services. The District will be applied in areas where there will be no negative impact in existing land uses and where there is access to a variety of community services and facilities.

6.4.1 Purpose

To provide an area for manufactured homes and other uses herein listed in a comprehensively designed park wherein sites are rented or owned as part of a registered condominium plan, connected to municipal services. The District will be applied in areas where there will be no negative impact in existing land uses and where there is access to a variety of community services and facilities.

6.4.2

Permitted and Discretionary Uses (R-MHP)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">Accessory BuildingDwelling, Manufactured HomeHome Based Business 1Home Based Business 2Park	<ul style="list-style-type: none">Accessory UseParking FacilityPublic Utility BuildingResidential KennelResidential Sales CentreSolar Energy InfrastructureSigns

Permitted Uses	Discretionary Uses
Accessory Building	Accessory Use
Dwelling, Manufactured Home	Home Based Business 2
Home Based Business 1	Parking Facility
Park	Public Utility Building
	Residential Kennel
	Residential Sales Centre
	Solar Energy Infrastructure
	Signs

1. A Development Permit application shall be provided for each manufactured home or manufactured home addition within a manufactured home park.

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- b)2. Any additions or expansions to a manufactured home within a park shall have a foundation, ~~structure~~structure, and appearance the same as, or consistent with the manufactured home.
- c)3. For the purposes of this District, "Lot" means the total area of land reserved for the placement of a manufactured home and for the exclusive use of its occupants.
- d)4. In addition to the Regulations contained in Part 3, General Regulations, Part 4, Specific Use Regulations and Part 5, Signs, the following regulations shall apply to all Development in this District:

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6.4.3 District Regulations (R-MHP)

The following regulations apply:

6.4.3 District Regulations

Maximum Gross Density	17 Manufactured Homes/ha (7 ac)
Maximum Park Area	2.0 ha
Minimum Setback Requirements	<ol style="list-style-type: none">The following setbacks shall be maintained:<ol style="list-style-type: none">4.5 m (14.8 ft) from park boundary;3.0 m (9.8 ft) from internal access road or common parking area;6.0 m (19.7 ft) from front lot line;1.5 m (4.9 ft) from side lot line;3.0 m (9.8 ft) from rear lot line.4.88 m (16 ft) models shall provide one (1) side yard of a minimum of 4.5 m (14.8 ft).Models larger than 4.88 m (16 ft) models shall provide a minimum rear yard of 6.0 m (19.7 ft).All attached structures shall maintain a minimum 1.5 m (4.9 ft) from any lot line.
Maximum Lot Area	As determined by the Development Authority meeting all requirements of this District.
Minimum Parcel Width	<ul style="list-style-type: none">Interior Parcels – 10.5 m (34.4 ft)Corner Parcels – 11.5 m (37.7 ft)
Maximum Parcel Coverage	45% (excludes driveways and) and grade level open decks = should we add this part about the decks?
Maximum Building Height	5.5 m (18 ft)
Minimum Manufactured Home WidthAge	3.5 m (11.5 ft) 1992 is this the oldest that we will accept? should we clarify with year built or something like that in brackets?

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Minimum Manufactured Home Floor Area	80 m² (861.1 ft²)
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Maximum Gross Density — 17 Manufactured Homes/ha (7 ac.)

Maximum Park Area — 2.0 ha

Minimum Setback Requirements: —

a) — The following setbacks shall be maintained:

- i. — 4.5 m from park boundary
- ii. — 3.0 m from internal access road or common parking area
- iii. — 6.0 m from front lot line
- iv. — 1.5 m from side lot line
- v. — 3.0 m from rear lot line

b) — 4.88 m (16 ft) Models shall provide one side yard of a minimum of 4.5 m

e) — Larger than 4.88 m (16 ft.) models shall provide a minimum rear yard of 6.0 m.

d) — All attached structures shall maintain a minimum 1.5m from any lot line.

Minimum Lot Area — As determined by the Development Authority meeting all requirements of this District.

Minimum Parcel Width — Interior Parcels — 10.5 m

Corner Parcels — 11.5 m

Maximum Building Height — 5.5 m

Maximum Parcel Coverage — 45% excluding driveways —

Minimum Floor Area — 113.0 m²

Minimum Manufactured Home Age 1992

Building Design and Character ~~(and character):~~

Skirting or any attached structure shall be fabricated to complement the exterior finish of the manufactured home and be of durable all-weather construction and designed in a manner that will enhance the appearance of the manufactured home. —Each manufactured home shall be levelled, ~~blocked~~blocked, and skirted, within ~~(thirty)~~ 30 days of being placed on a lot so that the entire undercarriage, hitch and support structures are concealed from view.

Amenity / Recreation Area: —

For the enjoyment of all residents of the development, an amenity/recreation space shall be provided and designed in accordance with a recreation site plan and located in a suitable area approved by the Development Authority. This plan may include outdoor, indoor or a combination of both and shall be a minimum of 10% of the total area of a manufactured home park.

Landscaped Area: —

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Any area not developed or occupied by park roadways, walkways, driveways, buildings or other developed buildings or facilities shall be landscaped.

Perimeter landscaping of an area not less than 3.0-m (9.8 ft) in width between any manufactured home lot and park boundary line shall be required. Fencing or screening may be required at the discretion of the Development Authority within the 3.0-m (9.8 ft) perimeter. All height, materials and location shall be at the discretion of the Development Authority.

Walkways:

Internal walkways or paths shall be to the satisfaction of the Development Authority.

Access and Roadways:

Manufactured home parks greater than fifty (50) units shall have two (2) separate means of access within the development area. All internal roadways shall meet the minimum standards of the Town of Blackfalds.

Storage Areas:

All storage areas, separate from the manufactured home lot, shall be provided for storage of seasonal recreational equipment. Such storage areas shall be adequately screened with all storage areas having an area of not less than 20.0-m² (215.3 ft²) per manufactured home lot.

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6.5 Residential Multi-Dwelling District (R-2)

6.5 Residential Multi-Dwelling District (R-2)

6.5.1

Purpose

6.5.1 Purpose

To provide an area to accommodate medium density residential development typically comprised of two (2) to four (4) attached dwellings and uses herein listed which are compatible and connected to municipal services.

and control medium residential development for which separate, at-grade entry is available, and other uses which are compatible with a residential area, all of which are connected to the municipal water and sewer systems.

6.5.2

Permitted and Discretionary Uses (R-2)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Duplex Dwelling, Semi-Detached Dwelling, Multi Attached• Home Based Business 1• Row Housing• Park	<ul style="list-style-type: none">• Accessory Use• Assisted Living Facility• Bed and Breakfast, in Detached Dwelling, Detached only• Daycare, Minor• Detached Dwelling, Detached• Dwelling, Multiple Housing Development• Group Home• Home Based Business 2• Home Based Business 2, being the 2nd or subsequent home based business on the parcel• Home Based Business 3• Multiple Housing Development• Parks• Parking Facility• Public Utility Building• Residential Sales Centre• Senior Citizen Housing• Signs• Social Care Facility

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Permitted Uses	Discretionary Uses
Accessory Building	Accessory Use
Dwelling, Semi-Detached	Assisted Living Facility
Dwelling, Multi-Attached	Bed and Breakfast, in Dwelling, Detached only
Home Based Business 1	Daycare, Minor
	Dwelling, Detached
	Dwelling, Multiple Housing Development
Park	Home Based Business 2
	Group Home
	Home Based Business 2, being the second or subsequent home-based business on the parcel
	Home Based Business 3
	Parking Facility
	Public Utility Building
	Residential Sales Centre
	Senior Citizen Housing
	Signs
	Social Care Facility

1. In addition to the Regulations contained in Part 3 General Regulations, Part 4 Specific Use Regulations and Part 5 Signs, the following regulations shall apply to all Development in this District.

2. In accordance with the Downtown Revitalization Plan, Mixed Use Development, as a discretionary use, may be considered by the Development Authority subject to all provisions of this Bylaw affecting the following:

- Lots 1 through 8 (inclusive), Block 6, Plan 5629HW and
- Lots 25 through 40 (inclusive) Plan RN17A

Commented [HA233]: Consider adding and/or "renaming":
Daycare, Minor
"Dwelling, Detached"
Dwelling, Multiple Housing Development
Senior Citizen Housing

Consider removing:
"Kennel, Residential"
"Recreation Facility – Indoor"
"Recreation Facility – Outdoor"

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Bed and Breakfast, in a Dwelling, Detached only

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3. Notwithstanding 6.5.2 (2) the following shall apply:

- a) Development Plans illustrating the development of the site, the architectural treatment of all buildings, landscaping, lighting, parking and access shall be prepared to the satisfaction of the Development Authority.
- 4-b) Dwelling units shall be located only on a second floor and shall have a separate and separate entrance from non-residential elements of the site/
- c) All outside loading, unloading, and parking spaces shall be located at the side or rear of the building and be visually screened from view from any adjacent streets or adjacent residential areas to the satisfaction of the Development Authority.
- d) The Development Authority may require satisfactory screening to reduce any impact a use in this District may have on adjacent properties. Screening may include fencing, building placement, landscaping, or a combination of these items.

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- e) Setbacks shall be consistent with the land use district.
- f) Maximum height shall be determined by the Development Authority having regard for the siting, appearance, and massing of adjacent residential properties.
- g) Commercial uses shall be restricted to Commercial Services Facility, Food Service, Restaurant, Retail, General, and Office uses.

6.5.3

-District Regulations (R-2)

The following regulations apply:

Minimum Front Yard	6.0 m (19.7 ft) except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5 m (24.6 ft).
Minimum Side Yard	1.5 m (4.9 ft) except: a) adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5 m (14.8 ft); b) adjacent to a road, but not including a lane, where it shall be 3.0 m (9.8 ft) or as required by Alberta Building Code, whichever is greater; c) In a laneless subdivision, Part 3.231 shall also apply, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	7.5 m (24.6 ft) except when adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 10.0 m (32.8 ft).
Minimum Parcel Area	<p>Duplex Dwelling, Semi Detached (Duplex)</p> <ul style="list-style-type: none">Interior Parcels – 280.0 m² (3013.9 ft²)Corner Parcels – 330.0 m² (3553 ft²) <p>Row Housing Dwelling, Multi Attached (Row Housing)</p> <ul style="list-style-type: none">Interior Parcels – 185.0 m² (1991.3 ft²)Corner Parcels – 220.0 m² (2368.1 ft²) <p>Row Housing Dwelling, Multi Attached (Fourplex)</p> <ul style="list-style-type: none">Interior Parcels – 200.0 m² (2152.8 ft²)Corner Parcels – 275.0 m² (2960.1 ft²) <p>Social Care Facility</p> <ul style="list-style-type: none">Interior Parcels – 280.0 m² (3013.9 ft²)Corner Parcels – 330.0 m² (3352.1 ft²)
Maximum Parcel Coverage	55% (excludes driveways and) (and grade level open decks) – should we add this about decks as well?

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Maximum Building Height	<p>Row Housing and Multiple Housing Development</p> <p>Flat Roof: 10.0 m (33 ft)</p> <p>Sloped Roof: 12.5 m (41 ft)</p> <p>(Maximum three (3) Storeys above grade) No height for this district?</p>
Laneless Parcels	<p>Where no lane exists, and for Detached Dwelling, Detached, Duplex; Dwelling, Semi Detached; and Row Housing Dwelling, Multi Attached, both side yards shall not be less than:</p> <p>c) 1.5 m (4.9 ft) in the case with an attached garage;</p> <p>d) 3.0 m (9.8 ft) in the case of without an attached garage.</p>

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6.6 Residential Medium Density District (R-3)

The following regulations apply:

Minimum Front Yard
Minimum Side Yard
Minimum Rear Yard
Minimum Parcel Area
Maximum Parcel Coverage
Laneless Parcels

Minimum Front Yard	6.0 m except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5 m.
Minimum Side Yard	1.5 m (4.92 ft) except: 1. Adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5 m; 2. Adjacent to a road, but not including a lane, where it shall be 3.0 m or as required by Alberta Building Code, whichever is greater; 3. In a laneless subdivision, Part 3.21 shall also apply, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	7.5 m except when adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 10.0 m
Minimum Parcel Area	<i>Dwelling – Semi-Detached (Duplex)</i> Interior Parcels – 280.0 m ² Corner Parcels – 330.0 m ² <i>Dwelling – Multi-Attached (Row Housing)</i> Interior Parcels – 185.0 m ² Corner Parcels – 275.0 m ² <i>Dwelling – Multi-Attached (Fourplex)</i> Interior Parcels – 200.0 m ² Corner Parcels – 220.0 m ² <i>Social Care Facility</i> Interior Parcels – 280.0 m ² Corner Parcels – 330.0 m ²
Maximum Parcel Coverage	55% - excluding driveways
Laneless Parcels	Where no lane exists, and for Dwelling, Detached, Dwelling, Semi-Detached and Dwelling, Multi-Attached both side yards shall not be less than: 2. 1.5 m in the case with an attached garage; 3. 3.0 m in the case without an attached garage.
Laneless Parcels	Where no lane exists and for Dwelling, Detached, one side yard shall not be less than: a) 1.5 m in the case of a Dwelling, Detached with an attached garage; b) 3.0 m in the case of a Dwelling, Detached without an attached garage.

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6.6 Residential Medium Density District (R-3)

6.6.1 Purpose

To provide an area to accommodate medium density residential development with shared amenity spaces and other uses herein listed which are compatible and connected to municipal services.

and control higher residential development for which entry to individual dwellings is gained from a common hallway or foyer, and other uses which are compatible with a residential area, all of which are connected to the municipal water and sewer systems.

6.6.2 Permitted and Discretionary Uses (R-3)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Dwelling, Apartment• Dwelling, Multiple Housing Development• Home Based Business 1• Multiple Housing Development	<ul style="list-style-type: none">• Accessory Use• Assisted Living Facility• Group Home• Home Based Business 2• Park• Parking Facility• Public Utility Building• Residential Sales Centre• Senior Citizen Housing• Signs• Social Care Facility• Solar Energy Infrastructure

Permitted Uses

Accessory Building

Dwelling, Apartment

Dwelling, Multiple Housing Development

Home Based Business 1

Discretionary Uses

Accessory Uses

Assisted Living Facility

Group Home

Home Based Business 2

Park

Parking Facility

Public Utility Building

Residential Sales Office

Senior Citizen Housing

Signs

Social Care Facility

Solar Energy Infrastructure

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1. In addition to the Regulations contained in Part 3. General Regulations, Part 4. Specific Use Regulations and Part 5. Signs, and the following District regulations shall apply to all Development in this District.

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6.6.32 –District Regulations (R-3)

The following regulations apply: ~~(no amenity area, should there be a section for this?)~~

<u>Minimum Front Yard</u>	<u>Social Care Facility / Senior Citizen Housing</u> <ul style="list-style-type: none">6.0 m (19.7 ft) except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5 m (24.6 ft)
	<u>Dwelling, Apartment</u> <ul style="list-style-type: none">7.5 m (24.6 ft)
<u>Minimum Side Yard</u>	3.0 m except: <ul style="list-style-type: none">a) adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5 m (14.8 ft);b) as required by Alberta Building Code, whichever is greater.
<u>Minimum Rear Yard</u>	7.5 m (24.6 ft) except when adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 10.0 m (32.8 ft)
<u>Minimum Parcel Area</u>	3,035.14 m ² (0.30 ha)
<u>Maximum Parcel Area</u>	4.32 ac (1.75 ha)
<u>Dwelling Unit Density</u>	45 units / hectare or 18 units per acre
<u>Maximum Parcel Coverage</u>	<u>Social Care Facility / Senior Citizen Housing</u> <ul style="list-style-type: none">55% (excludes driveways) <u>Dwelling, Apartment</u> <ul style="list-style-type: none">75% (excludes driveways)
<u>Maximum Building Height</u>	<u>Social Care Facility / Senior Citizen Housing</u> <ul style="list-style-type: none">10.0 m (32.8 ft) <u>Dwelling, Apartment</u> <ul style="list-style-type: none">12.0 m (39.4 ft)
<u>Minimum Landscaped Area</u>	30% (Apartment, Multiple Housing Development, Assisted Living Facility, Senior Citizen Housing and Social Care Facility)

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Amenity Area	Amenity areas may consist of a single area or be divided into multiple areas. The Amenity Area shall include outdoor open space that provides an area for unstructured passive or active recreation to the satisfaction of the Development Officer and includes two or more of the following: <ul style="list-style-type: none"> Playground equipment Benches, picnic tables, or other form of seating Gazebo or other shelter
	<ul style="list-style-type: none"> Patio Courtyards Gardens Other recreational or amenity uses that would satisfy the needs of the residents for the Development. Each Apartment unit shall provide a private outdoor amenity space of not less than 4.5 m ² (48.4 ft ²) in area.
	Each Apartment unit shall provide a private outdoor amenity space of not less than 4.5 m ² in area.

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The following regulations apply: [to be listed without table]

Minimum Front Yard
Minimum Side Yard
Minimum Rear Yard
Minimum Parcel Area
Maximum Parcel Area
Dwelling Unit Density
Maximum Parcel Coverage
Maximum Building Height

Minimum Front Yard	Social Care Facility/Senior Citizen Housing 6.0 m except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5 m Dwelling, Apartment 7.5 m
Minimum Side Yard	3.0 m except: <ul style="list-style-type: none"> adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5 m; as required by Alberta Building Code, whichever is greater.
Minimum Rear Yard	7.5 m except when adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 10.0 m
Minimum Parcel Area	3,035.14 m ² (0.30 ha)
Maximum Parcel Area	4.32 ac (1.75 ha)
Dwelling Unit Density	45 units/hectare or 18 units per acre

Maximum Parcel Coverage	Social Care Facility/Senior Citizen Housing 55%~excluding driveways 75%~Dwelling, Apartments
Maximum Building Height	Social Care Facility/Senior Citizen Housing 10.0 m Dwelling, Apartments 12.0 m

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6.7 Residential High Density District (R-4)

6.7 Residential High-Density District (R-4)

6.7.1

-Purpose

To provide an area for high density residential development with shared amenity spaces and other uses herein listed which are compatible and connected to municipal services.

a variety of multi-family dwelling types at a higher density and other uses, herein listed, which are compatible with a residential area, all of which are connected to the municipal sewer and water systems.

6.7.2 -Permitted and Discretionary Uses (R-4)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">Accessory BuildingDwelling, ApartmentDwelling, Multi AttachedDwelling, Multiple Housing DevelopmentDwelling, Stacked Row HousingHome Based Business 1Multiple Housing DevelopmentRow HousingStacked Row Housing	<ul style="list-style-type: none">Assisted Living FacilityBoarding or Lodging HouseGroup HomeHome Based Business 2Live Work UnitMixed Use DevelopmentMultiple Housing Development with Commercial UseParkPublic FacilityPublic Utility BuildingResidential Sales CentreSenior Citizen HousingSignsSocial Care FacilitySolar Energy Infrastructure

Permitted Uses

Discretionary Uses

Accessory Buildings	Assisted Living Facility
Dwelling, Apartment	Boarding or Lodging House
Dwelling, Multi Attached	Group Home
Dwelling Multiple Housing Dev.	Home Based Business 2
Dwelling, Stacked Row Housing	Live Work Unit
Home Based Business 1	Mixed Use Development
	Multiple Housing Development with Commercial Use

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Commented [HA241]: Question: There is already a Residential High-Density District (R5) – is the idea that this is a renaming of that district to be R4 rather than R5?

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- Park
- Public Facility
- Public Utility Building
- Residential Sales Centre
- Senior Citizen Housing
- Signs
- Social Care Facility
- Solar Energy Infrastructure

1. In addition to the Regulations contained in Part 3, General Regulations, Part 4, Specific Use Regulations and Part 5, Signs, and the following District regulations shall apply to all Development in this District.

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Yard 6.0 m except adjacent to a Collector Road As designated in the Municipal Development Plan, where it shall be 7.5 m

Yard ~~Dwelling, Apartments~~ 3.0 m, except where it abuts a road other than a lane, it shall be 3.5 m or as required in the Alberta Building Code, whichever is greater.

~~Dwelling, Multi Attached; Dwelling, Multiple Housing Development (End Units)~~

1.5 m except where it abuts a road other than a lane, it shall be 2.75m

Yard 7.5m except when adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 10.0 m.

Lot Area 0.50 ha

Area A minimum of 30% of the site shall be landscaped.

Density 80 units/ha

Lot Coverage 75%

Building Height The lessor of six (6) storeys or XXX m

g An amenity area for the enjoyment of residents of the development including hard and soft landscaped areas and recreational areas, in a suitable location shall be incorporated into the plans.

Building Design and Character Multi Attached and Multiple Housing Developments shall be constructed in blocks not exceeding 5 units in a row.

Row Housing ~~Dwelling, Multi Attached a~~ and ~~Dwelling, Multiple Housing Developments~~ ~~may~~shall provide for front attached garages and unique front facades that are aesthetically appealing.

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If in the opinion of the Development Authority, the construction of any building which will adversely affect the amenities of the surrounding area or buildings, the Development Authority may, subject to Part 2.17, refuse permission for development.

Parking Areas:

To mitigate the dominance of front parking areas, no part of a front yard of a site developed with a Row Housing Dwelling, Multi Attached or Dwelling, Multiple Housing Development shall be utilized for vehicle parking.

Minimum Front Yard	
Minimum Side Yard	<u>Dwelling - Apartments</u> 3.0 m, except where it abuts a road other than a lane it shall be 3.5 m, or as required in the Alberta Building Code, whichever is greater <u>Dwelling - Multi Attached (end units)</u> 1.5 m, except where it abuts a road other than a lane it shall be 2.75 m

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Commented [PU248R247]: Checking on Code to see what setbacks are for a 4 storey and 6 storey apartment.

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6.8 Residential High Density District (R-5)

Residential High Density District (R-5) should this be Maximum Density Multi Unit Residential as it is in the table of contents?

6.8 Residential High Density District (R-5)

6.8.1 Purpose

To provide and area for multi-unit residential developments at a higher density and any other uses, herein listed, all of which are connected to the municipal services sewer and water systems.

6.8.2 Permitted and Discretionary Uses (R-5)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">Dwelling, ApartmentHome Based Business 1Park	<ul style="list-style-type: none">Accessory BuildingAccessory UseAssisted Living FacilityHome Based Business 2Mixed Use DevelopmentMultiple Housing Development with Commercial UseParking FacilityPublic UtilityResidential Sales OfficeSignsSocial Care ResidenceSolar Energy Infrastructure

Permitted Uses	Discretionary Uses
	Accessory Building
	Accessory Use
Dwelling, Apartment	Assisted Living Facility
Home Based Business 1	Home Based Business 2
Park	Mixed Use Development
	Multiple Housing
Development with Commercial Use	
	Parking Facility
	Public Utility
	Residential Sales Office
	Senior Citizen Housing

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Commented [HA250]: Recommend renaming for consistency:
Residential -description-

Would highly recommend to not use the term 'maximum' because that suggests this is a forever decision that this district will always represent the highest density... and no one can predict the future; plus the regulations therein are not very high density anyway.

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Signs

Social Care Residence

Solar Energy Infrastructure

1. In addition to the Regulations contained in Part 3 General Regulations, Part 4 Specific Use Regulations and Part 5 Signs, the following regulations shall apply to all Development in this District.

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Amenity / Recreation Area:

An amenity area for the enjoyment of residents of the development including hard and soft landscaped areas and recreational areas in a suitable location shall be incorporated into the plans.

Amenity areas may consist of a single area or be divided into multiple areas. The Amenity Area shall include outdoor open space that provides an area for unstructured passive or active recreation to the satisfaction of the Development Officer and includes two or more of the following:

- Playground equipment
- Benches, picnic tables, or other form of seating
- Gazebo or other shelter
- Patio
- Courtyards
- Gardens

Other recreational or amenity uses that would satisfy the needs of the residents for the Development.

Each Apartment unit shall provide a private outdoor amenity space of not less than 4.5 m^{2.2} (48.4 ft²) in area.

Parking Areas:

To mitigate the dominance of front parking areas, no part of a front yard of a site developed with Apartments, Row Housing or Multiple Housing Development shall be utilized for vehicle parking.

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6.8.3 District Regulations (R-5)

The following regulations also apply:

Minimum Front Yard	6.0 m (19.7 ft) except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5 m (24.6 ft).
Minimum Side Yard	3.0 m (9.8 ft) except where it abuts a road other than a lane it shall be 3.65 m (12 ft) or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	7.5 m (24.6 ft) except when adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 10.0 m (32.8 ft).
Minimum Parcel Area	0.75 ha
Landscaping Area	Minimum 30% ²²
Dwelling Unit Density	150 units/ha or 60 units/ac
Maximum Parcel Coverage	75%
Maximum Building Height	The lesser of four six (46) storeys or 17.0 m.

Building Design and Character: nothing for this heading?

Minimum Front Yard	6.0 m except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5 m
Minimum Side Yard	3.0 m, except where it abuts a road other than a lane it shall be 3.65 m, or as required in the Alberta Building Code, whichever is greater
Minimum Rear Yard	7.5 m except when adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 10.0 m
Minimum Parcel Area	0.75 ha
Dwelling Unit Density	150 units/ha or 60 units/ac
Maximum Parcel Coverage	75%
Maximum Building Height	The lesser of four (4) six (6) storeys or 17.0 m 18m

Amenity Space/Recreation Area	
Landscaping	
Building Design	

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6.8 New Residential Manufactured Home Community District (R-MHC)

6.8.1 Purpose

To provide an area for an to regulate the development and use of land for manufactured homes and other uses herein listed, which are compatible with a residential area, on separately registered parcels. The area is to be connected to municipal sewer and water systems.

6.8.2 Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Accessory Building	Accessory Use
Dwelling, Manufactured Home	Daycare, Minor
Home Based Business 1	Home Based Business 2
Park	Home Based Business 3
	Parking Facility
	Public Utility
	Residential Sales Office
	Signs

- a. In addition to the Regulations contained in Part 3, General Regulations, Part 4 Specific Use Regulations and Part 5, Signs, the following regulations shall apply to all Development in this District.

Minimum Front Yard	6.0 m except adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 7.5 m
Minimum Side Yard	1.5 m except: 1. Adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 4.5 m; 2. Adjacent to a road, but not including a lane, where it shall be 3.0 m or as required by Alberta Building Code, whichever is greater; 3. In a laneless subdivision, 3.21 shall also apply, or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	7.5 m except when adjacent to a Collector Road, as designated in the Municipal Development Plan, where it shall be 10.0 m
Minimum Parcel Area	Interior Parcels – 460.0 m ² Corner Parcels – 510.0 m ²
Minimum Parcel Width	Interior Parcels – 10.5 m Corner Parcels – 11.5 m
Dwelling Gross Density	17 Manufactured Homes/ha (7/ac)
Maximum Parcel Coverage	50% – excluding driveways
Minimum Floor Area	80.0 m ²
Minimum Manufactured Home Width	4.8 m
Maximum Building Height	8.5 m
Minimum Manufactured Home Age	1992

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Home Based Business 2

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6.9 Commercial Central District (C-1)6.9 Commercial Central District (C-1)

6.9.1

-Purpose

To provide an area for a variety of smaller commercial opportunities, which will create an attractive pedestrian friendly environment while promote organized redevelopment of the area in alignment with the Downtown Revitalization Plan.

6.9.2

-Permitted and Discretionary Uses (C-1)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">Accessory BuildingBusiness Support ServiceCommercial Service FacilityDaycare, MinorDrinking EstablishmentFarmers MarketFood Service, RestaurantHealth ServicesHotelLight Equipment Sales, Service and RentalLive Work UnitMixed Use DevelopmentMotelOfficeParkPatioPawnshopPublic MarketRetail, ConvenienceRetail, GeneralRecreation Facility, Commercial	<ul style="list-style-type: none">Accessory UseAutomotive ServiceBrewpubBuilding, Moved InBus DepotCannabis LoungeCommercial SchoolDaycare, MajorFood Service, SpecialtyFuneral Home with CrematoriumGreenhouse, MinorParking Facility, for Uses ListedRecreational Facility, CommercialPublic Utility BuildingRetail, AdultRetail, CannabisSignsSolar Energy Infrastructure

Permitted Uses

Discretionary Uses

Accessory Building	Accessory Use
Business Support Service	Automotive Service
Commercial Service Facility	Brewpub
Day Care, Minor	Building, Moved In
Drinking Establishment	Bus Depot

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There shouldn't be a need for this because there are no dwelling units permitted in this area except for Live Work Units. I understand they are intended to apply to existing residences that do not have separate entrances to their commercial component; however, I would recommend using an exception to cover those instead.

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Drinking Establishment

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Farmers Market	Cannabis Lounge
Food Service, Restaurant	Commercial School
Health Services	
Hotel	Daycare, Major
Light Equipment Sales, Service and Rental	Food Service, Speciality
Live Work Unit	Funeral Home with Crematorium
Mixed Use Development	Greenhouse, Minor
Motel	
Office	
Park	Parking Facility, for Uses Listed
Patio	
Pawnshop	Recreational Facility, Commercial
Public Market	Public Utility Building
Retail, Convenience	Retail, Adult
Retail, General	Retail, Cannabis
Recreation Facility, Commercial	Signs
	Solar Energy Infrastructure

1. In addition to the Regulations contained in Part 3. General Regulations, Part 4. Specific Use Regulations and Part 5. Signs, the following regulations shall apply to all Development in this District:

2.

a) Notwithstanding the provisions of Part 5, Signs, all signage in the district shall be in accordance with the Downtown Revitalization Plan.

4)

2. Structural alterations and additions to existing buildings shall be developed in accordance with the Downtown Revitalization Plan where possible and this Bylaw to the satisfaction of the Development Authority.

3.

3. Home Based Businesses uses shall be allowed as an interim use within buildings used for residential purposes until redevelopment takes place; and are subject to meeting the requirements as outlined in this Land Use Bylaw.

4. Automotive Service: The Development Authority shall limit this use to Lot 1, Block 1 Plan 802 1468, if in the opinion the proposed use will not negatively impact the Downton area and will not result in a negative impact on adjacent properties.

5. Screening: In this District, the Development Authority may require additional screening to reduce any impact a use may have on adjacent properties or from public roadways. Screening, in accordance with 3.15, may include, but not be limited to fencing, building placement, landscaping, or any combination thereof.

4.6. Shipping Containers: The Development Authority shall prohibit the use of shipping containers as Accessory Buildings or Accessory Uses in this District.

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6.9.3 District Regulations (C-1)

The following regulations also apply:

Minimum Front Yard	nil
Minimum Side Yard	nil, or as required by the Alberta Building Code, whichever is greater.
Minimum Rear Yard	Shall provide for parking and loading spaces in accordance with Part 3.194.
Maximum Parcel Coverage	100%, provided that parking and loading spaces are provided as required in Part 3.194.
Maximum Building Height	17.0 m (55.8 ft)
Dwelling Unit Entrance	Dwelling units above the ground floor shall have an entrance separate from the entrance to any commercial component of the building.
Building Design	<ul style="list-style-type: none">All mechanical equipment on a roof shall be screened from view of adjoining roads and residential districts.First storey windows or doors abutting a sidewalk shall be covered by an awning or canopy which is at least 2.0 m (6.6 ft) above the sidewalk, where there are residential units above.
Laneless Parcels	On a laneless parcel in a Commercial district, one (1) side yard shall not be less than 6.0 m (19.7 ft). This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0 m (39.4 ft).

The following regulations relate to all permitted uses and discretionary uses listed above. Standards for all other uses shall be determined by the Development Authority and in accordance with the Land Use Bylaw Schedule B.

Minimum Front Yard	nil
Minimum Side Yard	nil, or as required by the Alberta Building Code, whichever is greater.
Minimum Rear Yard	Shall provide for parking and loading spaces in accordance with Part 4
Maximum Parcel Coverage	100% - provided that parking and loading spaces are provided as required in Part 4
Maximum Building Height	17.0 m

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Building Design	All mechanical equipment on a roof shall be screened from view of adjoining roads and residential districts. First storey windows or doors abutting a sidewalk shall be covered by an awning or canopy which is at least 2.0 m above the sidewalk, where there are residential units above.
Dwelling Unit Entrance	Dwelling units above the ground floor shall have an entrance separate from the entrance to any commercial component of the building.
Laneless Parcels	On a laneless parcel in a Commercial District, one side yard shall not be less than 6.0 m. This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0m.

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6.10 Commercial Highway District (C-2)

6.10 Commercial Highway District (C-2)

6.10.1

-Purpose

To provide an area for commercial uses and other uses, herein listed, which are compatible with the area, adjacent to a major thoroughfare, which may require large open areas for parking by clientele, for display of merchandise, or both which will create an attractive environment primarily accessible to motor vehicles.

6.10.2

-Permitted and Discretionary Uses (C-2)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Automotive Service• Automotive Sales and Rental• Business Support Service• Car Wash• Commercial Service Facility• Daycare, Minor• Daycare, Major• Drive-Through Business• Food Service, Restaurant• Food Service, Specialty• Gas Bar• Health Services• Hotel• Light Equipment Sales, Service and Rental Shop (as it is worded in definitions)• Motel• Manufactured and Modular Homes Sales and Service (as it is worded in definitions)• Office• Park• Retail, Convenience• Retail, General• Recreation Facility, Indoor• Recreation Vehicle Sales, Rental and Service\• Veterinary Clinic	<ul style="list-style-type: none">• Accessory Use• Adult Entertainment Establishment• Brewpub• Bus Depot• Building Supply and Lumber Outlet• Commercial School• Community Facility• Drinking Establishment• Funeral Home with or without Crematorium• Farm Equipment Sales and Service Outlet (as it is worded in definitions)• Landscaping Sales• Mixed Use Development• Parking Facility for uses listed• Public Facility• Parking Utility• Public Market• Recreational Facility, Outdoor• Religious Assembly• Retail, Adult• Retail, Cannabis• Pawnshop• Signs

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Permitted Uses

Accessory Building
Automotive Service
Automotive Sales and Rental
Business Support Service
Car Wash
Commercial service Facility
Day Care Minor
Day Care Major
Drive Through Business
Food Service, Restaurant
Food Service, Speciality
Gas Bar
Health Services
Hotel
Light Equipment Sales & Rental
Motel
Manufactured/Modular Home Sales & Service
Office
Park
Retail, Convenience
Retail, General
Retail, Shopping Centre
Recreation Facility, Indoor
Recreation Vehicle Sales, Rental & Service
Veterinary Clinic

Discretionary Uses

Accessory Use
Adult Entertainment Establishment
Brew Pub
Bus Depot
Building Supply & Lumber Outlet
Commercial School
Community Facility
Drinking Establishment
Funeral Home with/without Crematorium
Farm Equipment Sales & Service
Landscaping Sales
Mixed Use Development
Parking Facility for uses listed
Public Facility
Parking Utility
Public Market
Recreational Facility, Outdoor
Religious Assembly
Retail, Adult
Retail, Cannabis
Pawnshop
Signs

In addition to the Regulations contained in Part 3 General Regulations, Part 4 Specific Use Regulations and Part 5 Signs, the following regulations shall apply to all Development in this District.

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Brewpub
Drinking Establishment
Funeral Home, with Crematorium
Funeral Home, without Crematorium
Greenhouse, Minor
Recreation Facility – Commercial
Veterinary Hospital

Consider removing (recommended location):

Automobile Sales and Rental (discretionary)
Daycare, Minor
Manufactured/ Modular Home Sales & Service (discretionary)
Recreation Facility – Indoor
Recreation Vehicle Sales, Rental and Service (discretionary)

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"Adult Entertainment"
Automobile Sales and Rental
Building, Moved In
Cannabis, Lounge
Communication Facility/ Communication Tower
Contractor Operation, Major
Contractor Operation, Minor
Farmers Market
Landscaping Sales
Manufactured and Modular Home Sales and Service
"Parking Facility"
Shipping Container
Solar Energy Infrastructure
Vehicle Sale/ Rental

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6.10.3 District Regulations (C-2)

The following regulations also apply:

Minimum Front Yard	9.0 m (29.5 ft)
Minimum Side Yard	3.0 m (9.8 ft) or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	6.0 m (19.7 ft)
Minimum Parcel Width	15.0 m (49 ft) adjacent to a service or local road.
Maximum Parcel Coverage	80%
Maximum Building Height	17.0 m (55.8 ft)
Building Design	All mechanical equipment on a roof shall be screened from view of a highway, arterial road and residential districts.
Laneless Parcels	On a laneless parcel in a Commercial district, one (1) side yard shall not be less than 6.0 m (19.7 ft). This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0 m (39.4 ft).

The following regulations relate to permitted uses; standards for all other uses shall be determined by the Development Authority.

Minimum Front Yard	9.0 m
Minimum Side Yard	3.0 m or as required in the Alberta Building Code, whichever is greater.
Minimum Rear Yard	6.0 m
Minimum Parcel Width	15.0 m adjacent to a service or local road
Maximum Parcel Coverage	80%
Maximum Building Height	17.0 m
Building Design	All mechanical equipment on a roof shall be screened from view of a highway, arterial and residential districts.
Laneless Parcels	On a laneless parcel in a Commercial District, one side yard shall not be less than 6.0 m. This does not apply to an accessory building where such building

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	is located to the rear of the main building and maintains a minimum distance of 12.0m.
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6.11

Commercial Local District (C-3)

6.11.1 Purpose

6.11 Commercial Local District (C-3)

6.11.1 PURPOSE

To facilitate the development of local convenience **trade centres** to serve adjacent to residential neighbourhoods or non-commercial areas only.

6.11.2

Permitted and Discretionary Uses (C-3)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">Accessory BuildingCar WashCommercial Service FacilityDaycare, MinorFood Service, RestaurantFood Service, SpecialtyGas BarRetail, GeneralRetail, ConvenienceRecreation Facility, IndoorOffice	<ul style="list-style-type: none">Accessory UseDaycare, MajorLive Work UnitRecreation Facility, IndoorPublic FacilitySigns

Permitted Uses

Discretionary Uses

Accessory Building	Accessory Use
Car Wash	Day Care Major
Commercial Service Facility	Live, Work Unit
Day Care Minor	Recreation Facility, Indoor
Food Service, Restaurant	Public Facility
Food Service, Speciality	Signs
Gas Bar	
Retail, General	
Retail, Convenience	
Office	

1. In addition to the Regulations contained in Part 3 **General Regulations**, Part 4 **Specific Use Regulations** and Part 5 **Signs**, the following regulations shall apply to all Development in this District.

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Minimum Front Yard	6.0 m
Minimum Side Yard	1.5 m except adjacent to a residential parcel, where it shall be 3.0 m
Minimum Rear Yard	3.0 m
Minimum Parcel Area	0.2 ha
Maximum Parcel Coverage	80%
Maximum Building Height	8.5 m
Building Design	All mechanical equipment on a roof shall be screened from view of a highway, arterial and residential districts.
Screening	All outdoor storage areas shall be screened to the satisfaction of the Development Authority.
Laneless Parcels	On a laneless parcel in a Commercial District, one side yard shall not be less than 6.0 m. This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0m.

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6.11.3 District Regulations (C-3)

The following regulations also apply:

Minimum Front Yard	6.0 m (19.7 ft)
Minimum Side Yard	1.5 m (4.9 ft) except adjacent to a residential parcel, where it shall be 3.0 m (9.8 ft)
Minimum Rear Yard	3.0 m (9.8 ft)
Minimum Parcel Area	0.2 ha
Maximum Parcel Coverage	80%
Maximum Building Height	8.5 m (28 ft)
Building Design	All mechanical equipment on a roof shall be screened from view of a highway, arterial road and residential districts.
Laneless Parcels	On a laneless parcel in a Commercial district, one (1) side yard shall not be less than 6.0 m (19.7 ft). This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0 m (39.4 ft).

Commented [PU284]: No lands currently designated R4. Why not combine the R4 and R5 to create one district. One parcel zoned R5 which is in Blackfalds Crossing??

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6.12 Business Park District (C-4)

6.12.1 Purpose

6.12 Business Park District (C-4)

6.12.1 PURPOSE

To provide a broad range of commercial uses in a business park that create a diverse and walkable business park, comprehensively designed on a single site that are complementary of each other.

6.12.2 Permitted and Discretionary Uses (C-4)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">Accessory BuildingBusiness Support ServiceCommercial SchoolCommercial Service FacilityDaycare, MinorFood Service, RestaurantHealth ServiceOfficeRetail, ConvenienceRetail, GeneralVeterinary ClinicVeterinary Hospital	<ul style="list-style-type: none">Accessory UseBrewpubDaycare, MajorDrinking EstablishmentFood Service, SpecialtyParkPatioPublic Utility BuildingRecreation Facility, CommercialRetail, AdultRetail, CannabisSignsSolar Energy Infrastructure

Permitted Uses

Accessory Building
Business Support Service
Commercial School
Commercial Service Facility
Daycare, Minor
Food Service, Restaurant
Health Service
Office
Retail, Convenience
Retail, General
Veterinary Clinic
Veterinary Hospital

Discretionary Uses

Accessory Uses
Brewpub
Daycare, Major
Drinking Establishment
Food Service, Specialty
Park
Patio
Public Utility Building
Recreation Facility, Commercial
Retail, Adult
Retail, Cannabis
Signs

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Commented [HA286]: Consider rewording to illustrate that this is a single site with multiple different commercial businesses which complement each other and create a diverse and walkable business park

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Commercial School
Patio
Veterinary Hospital

Consider removing (recommended location):

Carwash

Drive Through Business

Food Service, Specialty (discretionary)

Gas Bar

Public Utility (discretionary)

Recreation Facility, Commercial (discretionary)

Commented [HA288]: Consider adding/ "renaming":
Brewpub

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Solar Energy Infrastructure

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6.12.3 District Regulations (C-4)

The following regulations also apply:

Minimum Front Yard	9.0 m Should we consider all setbacks discretionary here? Allows for unique developments? "At the discretion of the Development Authority" ²
Minimum Side Yard	At the discretion of the Development Authority 3.0 m or as required by the Alberta Building Code, whichever is greater.
Minimum Rear Yard	6.0 m "At the discretion of the Development Authority" ²
Minimum Parcel Width	15.0 m (49.2 ft)
Maximum Parcel Coverage	70%
Maximum Building Height	<u>Flat Roof Buildings</u> <ul style="list-style-type: none">9.5 m (31.2 ft) <u>Pitched Roof Buildings</u> <ul style="list-style-type: none">12.0 m (39.4 ft)
Building Design	All mechanical equipment on a roof shall be screened from view from any public roadway and adjacent land uses.
Laneless Parcels	On a laneless parcel in a Commercial district, one (1) side yard shall not be less than 6.0 m (19.7 ft). This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0 m 39.4 ft.
Landscaping	At the Discretion of the Development Authority
Outdoor Storage	None permitted
b.	
Minimum Front Yard	9.0 m Should we consider all setbacks discretionary here? Allows for unique developments? "At the discretion of the Development Authority" ²
Minimum Side Yard	3.0 m or as required by the Alberta Building Code, whichever is greater
Minimum Rear Yard	6.0 m "At the discretion of the Development Authority" ²
Minimum Parcel Width	15.0 m
Maximum Parcel Coverage	70%
Maximum Building Height	Flat Roof Buildings — 9.5 m Pitched Roof Buildings — 12.0 m

Commented [PU289]: No lands currently designated R4

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Building Design	All mechanical equipment on a roof shall be screened from view from any public roadway and adjacent land uses.
Screening	All outdoor storage areas shall be adequately screened to the satisfaction of the Development Authority.
Laneless Parcels	On a laneless parcel in a Commercial District, one side yard shall not be less than 6.0 m. This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0m.

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6.13 Commercial Mixed Use District (CMU)

6.13.1 Purpose

6.13 Commercial Mixed Use District (CMU)

6.13.1 PURPOSE

To provide a site that is comprehensively designed to encourage a mixture of commercial and residential and other uses herein listed that are complimentary of each other.

6.13.2 –Permitted and Discretionary Uses (CMU)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">Business Support ServiceCommercial Service FacilityHome Based Business 1Daycare, MinorFood Service, RestaurantFood Service, SpecialtyHealth ServiceMixed Use DevelopmentOfficeRecreation Facility, IndoorRetail, ConvenienceRetail, GeneralPark	<ul style="list-style-type: none">Accessory BuildingAccessory UseCar WashDwelling, ApartmentDaycare, MajorGas BarPublic UtilityRecreation Facility, CommercialSigns

Permitted Uses	Discretionary Uses
Business Support Service	Accessory Buildings & Uses
Commercial Service Facility	Car Wash
Home Based Business 1	Dwelling, Apartment
Day Care Minor	Day Care Major
Food Service, Restaurant	Gas Bar
Food Service, Speciality	Public Utility
Health Service	Recreation Facility, Commercial
Mixed Use Development	Signs
Office	
Recreation Facility, Indoor	
Retail, Convenience	
Retail General	

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Commented [HA291]: Recommend rewording to clarify that this is a single site that is comprehensively-designed to encourage a mixture of commercial and residential uses that are complementary of each other.

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Commented [HA294]: I would recommend copying the Business Park uses, and then adding in the higher density residential and associated uses where you see fit:

Dwelling, Apartment
Dwelling, Multi-Attached
Dwelling- Multiple Housing Development
Dwelling: Stacked Row Housing
Mixed Use Development

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_____Park

1. _____ In addition to the Regulations contained in Part 3. _____ General Regulations, Part 4. _____ Specific Use Regulations and Part 5. _____ Signs, the following regulations shall apply to all Development in this District. _____

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6.13.3 District Regulations (CMU)

The following regulations also apply:

Minimum Front Yard	nil or at the discretion of the Development Authority, taking into consideration the amenities of adjacent properties.
Minimum Side Yard	At the discretion of the Development Authority.
Minimum Rear Yard	At the discretion of the Development Authority.
Floor Area Ratio	At the discretion of the Development Authority.
Maximum Building Height	At the discretion of the Development Authority.
Density	For residential portion of the development the density shall not exceed 30 units/ha based on the total parcel area.
Outdoor Storage	none permitted
Laneless Parcels	On a laneless parcel in a Commercial district, one (1) side yard shall not be less than 6.0 m (19.7 ft). This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0 m (39.4 ft).

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Minimum Front Yard	nil or at the discretion of the Development Authority taking into consideration the amenities of adjacent properties
Minimum Side Yard	At the discretion of the Development Authority
Minimum Rear Yard	At the discretion of the Development Authority
Floor Area Ratio	At the discretion of the Development Authority
Maximum Building Height	At the discretion of the Development Authority
Density	For residential portion of the development the density shall not exceed 30 units/ha based on the total parcel area
Outdoor Storage	None permitted
Laneless Parcels	On a laneless parcel in a Commercial District, one side yard shall not be less than 6.0 m. This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0m.

Commented [PU295]: No lands currently designated R4. Why not combine the R4 and R5 to create one district. One parcel zoned R5 which is in Blackfalds Crossing??

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6.14 Industrial Light District (I-1)

6.14.1 Purpose

6.14 Industrial Light District (I-1)

6.14.1 Purpose

To provide an area for light industrial uses and other uses herein listed, compatible with the area which do not cause any objectionable or dangerous conditions beyond the parcel boundary.

6.14.2 Permitted and Discretionary Uses (I-1)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Automotive Service sales and Service (only says Service in definitions)• Business Support Service• Car Wash• Contractor Operation, Minor• Commercial School• Office, for uses listed herein• Gas Bar• Light Equipment Sales, Service and Rental Shop• Manufactured and Modular Home Sales and Service• Greenhouse, Minor• Recreational Vehicle Sales, Rental and Service• Shipping Container• Recycle Depot• Retail, General (as Accessory Use)• Vehicle Sale/Rental• Veterinary Clinic• Veterinary Hospital• Warehouse Sales• Warehouse and Storage	<ul style="list-style-type: none">• Accessory Building• Animal Boarding or Breeding Facility• Auction Facility, No Livestock• Autobody Repair and Paint Shop• Automotive Sales and Rental• Automotive Service in permitted column?• Brewpub• Building, Canvas Covered• Building, Moved In• Building Supply and Lumber Outlet• Bulk Fueling Depot• Business Service, Industrial• Cannabis Production and Distribution Facility• Communication Facility/Communication Tower• Contractor Operation, Major• Distribution Facility• Farm Equipment Sales and Service Outlet• Greenhouse, Major• Heavy Equipment Assembly, Sales and Service• Heavy Vehicle and Equipment Wash Facility• Industrial Training School• Landscaping Sales and Service• Municipal Shop and Storage Facility• Open Storage Yard• Outdoor Fabrication Units• Patio• Parking Facility for uses listed herein• Public Utility Building• Residential Security/Operator Unit

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	<ul style="list-style-type: none"> • Signs • Solar Energy Infrastructure • Solid Waste Transfer Station
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Permitted Uses

Discretionary Uses

Automotive Sales and Service	Accessory Building
Business Support Service	Animal Boarding or Breeding Facility
Car Wash	Auction Facility, No Livestock
Contractor Operation, Minor	Autobody Repair and Paint Shop
Commercial School	Automotive Sales and Rental
	Automotive Service
Office, For Uses Herein Listed	Brewpub
Food Service, Mobile Catering	Building, Canvas Covered
Gas Bar	Building, Moved In
Light Equipment Sales, Service & Rental Shop	Building Supply and Lumber Outlet
Manufactured & Modular Home Sales & Service	Bulk Fueling Depot
Greenhouse, Minor	Business Service, Industrial
	Cannabis Production & Distribution Facility
Recreational Vehicle Sales, Rental & Service	Communication Facility & Communication Tower
Shipping Container	Contractor Operation, Major
Recycle Depot	
Retail, General as Accessory Use)	Distribution Facility
Vehicle Sales & Rental	Farm Equipment Sales & Service Outlet
Veterinary Clinic	
Veterinary Hospital	
Warehouse Sales	Greenhouse, Major
Warehouse & Storage	
	Heavy Equipment Assembly, Sales & Service
	Heavy Vehicle and Equipment Wash Facility
	Industrial Training School
	Landscaping Sales and Service
	Municipal Shop and Storage Facility
	Open Storage Yard
	Outdoor Fabrication Units
	Patio
	Parking Facility for uses herein listed
	Public Utility Building
	Residential Security/Operator Unit
	Signs
	Solar Energy Infrastructure
	Solid Waste Transfer Station

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Commented [HA297]: Consider adding/ "renaming":
 "Accessory Building"
 "Accessory Use"
 Gas Bar
 Landscape Sales
 "Light Equipment Sales, Service, and Rental Shop"
 "Warehouse and Storage"

Consider removing (recommended location):
 Animal Boarding Facility (discretionary)
 Animal Breeding Facility –don't understand this as a non-residential use
 Autobody Repair and Paint Shop (discretionary)
 Automobile Sales and Service
 "Building Supply and Lumber Outlet" (discretionary)
 Commercial School
 Landscape Sales and Service (discretionary)
 "Municipal Shop and Storage Facility" (discretionary)
 Recreational Vehicle Sales, Rental, and Service
 Recycling Depot
 Warehouse Sales

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Commented [HA298]: Consider adding/ "renaming":
 Animal Boarding Facility
 Autobody Repair and Paint Shop
 Automotive Service
 Building, Moved In
 Building Supply and Lumber Outlet
 "Cannabis Production & Distribution"
 "Communication Facility/ Communication Tower"

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6.14.3 District Regulations (I-1)

<u>Minimum Front Yard</u>	<u>9.0 m (29.5 ft)</u>
<u>Minimum Side Yard</u>	<u>3.0 m (9.8 ft)</u>
<u>Minimum Rear Yard</u>	<u>6.0 m (19.7 ft)</u>
<u>Minimum Parcel Width</u>	<u>15.0 m (49.2 ft)</u>
<u>Maximum Building Height</u>	<u>Flat Roof Buildings</u> <ul style="list-style-type: none"> <u>9.5 m (31.2 ft)</u> <u>Pitched Roof Buildings</u> <ul style="list-style-type: none"> <u>12.0 m (39.4 ft)</u>
<u>Density</u>	<u>For residential portion of the development the density shall not exceed thirty (30) units/ha based on the total parcel area.</u>
<u>Outdoor Storage</u>	<u>Shall be to a maximum of 30% if the site and shall be screened to the satisfaction of the Development Authority.</u>
<u>Laneless Parcels</u>	<u>On a laneless parcel in an Industrial Industrial district, one (1) side yard shall not be less than 6.0 m (19.7 ft). This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0 m (39.4 ft).</u>

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In addition to the Regulations contained in Part 3, General Regulations, Part 4 Specific Use Regulations and Part 5, Signs, the following regulations shall apply to all Development in this District.

Minimum Front Yard	9.0 m
Minimum Side Yard	3.0 m
Minimum Rear Yard	6.0 m
Minimum Parcel Width	15.0 m
Maximum Building Height	Flat Roof Buildings – 9.5 m (31.17 ft) Pitched Roof Buildings – 12.0 m
Outdoor Storage	Shall be to a maximum of 30% of the site and shall be screened to the satisfaction of the Development Authority
Laneless Parcels	On a laneless parcel in an Industrial District, one side yard shall not be less than 6.0 m. This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0m.

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6.15 Industrial Heavy District (I-2)

6.15.1 Purpose

6.15 Industrial Heavy District (I-2)

6.15.1 Purpose

To provide an area for service, repair and manufacturing and processing and other heavy industrial uses, herein listed that are compatible with the area and which may cause objectionable conditions beyond the parcel boundary area.

6.15.2 Permitted and Discretionary Uses (I-2)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">Animal Boarding or Breeding FacilityBusiness Service, IndustrialConcrete Plant, MinorContractor Operation, MajorFarm Equipment, Sales & Service OutletIndustrial Machinery Sales Rental and Service (Definition says Farm Equipment Sales and Service Outlet)Food Processing FacilityIndustrial Training FacilityGreenhouse, MajorHeavy Equipment Assembly Sales and ServiceLandscaping Sales and ServicePublic Utility BuildingShipping Container	<ul style="list-style-type: none">Accessory BuildingAuction Facility, with LivestockBuilding, Moved InBuilding, Canvas CoveredBulk Fuel DepotCannabis Production and DistributionCommunication Facility/Communication TowerConcrete Plant, MajorHeavy Manufacturing and Processing FacilityHeavy Vehicle and Equipment Wash FacilityIndustrial Training FacilityMunicipal Shop and Storage FacilityPublic Utility BuildingOpen Storage YardOutdoor Fabrication UnitsRecycling DepotResidential Security/Operator UnitSignsSolid Waste Transfer StationWrecking and Salvage Yard

Permitted Uses

All Permitted Uses listed in the I-1 District
Business Service, Industrial

Discretionary Uses

Accessory Building

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	Auction Facility, With Livestock Minor & Major
	Cannabis Production & Distribution
Concrete Plant, Minor	Building, Canvas Covered
Contractor Operation, Major Facility	Communication Tower/Communication
Farm Industrial Machinery Sales, Rental & Svc	Concrete Plant, Major
Food Processing Facility	Heavy Vehicle & Equipment Wash Facility
Industrial Training Facility	Public Utility Building
Greenhouse, Major	Building, Moved In
Heavy Equipment Assembly, Sales & Service	Industrial Training Facility
Animal Boarding or Breeding Facility	Bulk Fuel Depot
Landscape Sales and Service	Open Storage Yard
Public Utility Building	Outdoor Fabrication Units
Shipping Container	Solid Waste Transfer Station
	Wrecking & Salvage Yard
	Residential Security/Operator Unit
	Heavy Manufacturing & Processing Facility
	Signs
	Municipal Shop and Storage Facility
	Recycling Depot

1. Any permitted use where, in the opinion of the Development Officer, there is a significant risk of interfering with the safety and amenity of adjacent and nearby parcels due to the nature of the site, materials or process that may create a significant nuisance, the use shall be considered a discretionary use.

4-2. In addition to the Regulations contained in Part 3 General Regulations, Part 4 Specific Use Regulations and Part 5 Signs, the following regulations shall apply to all Development in this District.

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"Auction Facility, No Livestock"
"Auction Facility, Livestock"

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6.15.3 Development Regulations (I-2)

6.15.3 The following regulations also apply:

In addition to the Regulations contained in Part 3, General Regulations, Part 4 Specific Use Regulations and Part 5, Signs, the following regulations shall apply to all Development in this District.

Minimum Front Yard	9.0 m (29.5 ft)
Minimum Side Yard	3.0 m (9.8 ft)
Minimum Rear Yard	6.0 m (19.7 ft)
Minimum Parcel Width	15.0 m (49.2 ft)
Maximum Building Height	12.0 m (39.4 ft)
Maximum Parcel Coverage	80%, except adjacent to Highways 2 and 2A, Highway 597, or a Residential District, in which case it shall be 70%.
Outdoor Storage	Shall be screened by white vinyl fencing 1.83 m (6 ft) in height, and / or to the satisfaction of the Development Authority.
Laneless Parcels	On a laneless parcel in an Industrial Industrial district, one (1) side yard shall not be less than 6.0 m (19.7 ft). This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0 m (39.4 ft).

Minimum Front Yard	9.0 m
Minimum Side Yard	3.0 m or as required by the Alberta Building Code, whichever is greater
Minimum Rear Yard	6.0 m, except where a rear yard abuts a railway, no rear yard is required
Minimum Parcel Width	15.0 m
Maximum Parcel Coverage	80%, except adjacent to Highways 2 and 2A, Highway 597, or a Residential District, in which case it shall be 70%
Maximum Building Height	12.0 m
Outdoor Storage	Shall be screened by white vinyl fencing 1.83 m high, and/or to the satisfaction of the Development Authority
Laneless Parcels	On a laneless parcel in an Industrial District, one side yard shall not be less than 6.0 m. This does not apply to an accessory building where such building is located to the rear of the main building and maintains a minimum distance of 12.0m.

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6.16 Public Facility District (PF)

6.16.1 Purpose

6.16 Public Facility District (PF)

6.16.1 Purpose

To provide an area for the development of public land for multi use facilities and other uses herein listed, for the benefit and enjoyment of the public.

public facilities, and other uses, herein listed, which are compatible with the area and which are necessary for the community.

6.16.2 Permitted and Discretionary Uses (PF)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Buildings• Accessory Uses• Campground• Cemetery• Community Facility• Information Centre• Daycare, Minor as Accessory Use• Information Centre• Public Market• Parks• Parking Facilities• Recreation Facility, Indoor• Recreation Facility, Outdoor• Religious Assembly• School	<ul style="list-style-type: none">• Community Facility• Daycare, Major as Accessory Use• Recycle Depot• Assisted Living Facility• Building, Moved In• Solid Waste Transfer Site• Farmers Market• Group Home• Signs• Municipal Shop and Storage Facility• Office as Accessory Use• Public Market (this is in the permitted use as well)• Senior Citizen Housing• Social Care Facility• Solar Energy Infrastructure

1. In addition to the Regulations contained in Part 3 - General Regulations, Part 4 - Specific Use Regulations and Part 5 - Signs, the following regulations shall apply to all Development in this District.

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Permitted Uses Discretionary Uses

Accessory Buildings and Uses Community Facility

Campground Daycare Major, As Accessory Use

Cemetery Recycle Depot

Community Facility Assisted Living Facility

Information Centre Building, Moved In

Daycare Minor As Accessory Use Solid Waste Transfer Site

Food Service, Restaurant as Accessory Use Farmers Market

Information Centre Group Home

Public Market Signs

Parks Municipal Shop and Storage Yard

Parking Facilities Office, As Accessory Use

Recreation Facility Indoor Public Market

Recreation Facility Outdoor Senior Citizen Housing

Religious Assembly Social Care Facility

School Solar Energy Infrastructure

6.16.3 Development Regulations (PF)

The following regulations also apply:

In addition to the Regulations contained in Part 3, General Regulations, Part 4 Specific Use Regulations and Part 5, Signs, the following regulations shall apply to all Development in this District.

Minimum Front Yard	9.0 m (29.5 ft)
Minimum Side Yard	3.0 m (9.8 ft) or as required by the Alberta Building Code, whichever is greater.
Minimum Rear Yard	6.0 m (19.7 ft) except where a rear yard abuts a railway where no rear yard setback is required.

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"Cemetery"

Community Facility

"Information Centre"

"Park"

"Recreation Facility – Indoor"

"Recreation Facility – Outdoor"

Religious Assembly

School

Consider removing:

Municipal Shop and Storage Yard (discretionary)

Public Utility

Commented [HA310]: Consider adding/ "renaming":

Assisted Living Facility

Building, Moved In

Farmer's Market

Group Home

Municipal Shop and Storage Yard

Office, As Accessory Use

Public Market

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Minimum Parcel Width	15.0 m (49.2 ft)
Maximum Building Height	<i>Flat Roof Buildings</i> <ul style="list-style-type: none"> 11.5 m (37.8 ft) <i>Pitched Roof Buildings</i> <ul style="list-style-type: none"> 14.0 m (46 ft)
Maximum Parcel Coverage	70%
Outdoor Storage	Shall be screened by white vinyl fencing 1.83 m (6 ft) in height and / or to the satisfaction of the Development Authority.
Minimum Landscaping Requirement	As determined by the Development Authority ²²

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6.17 Environmental Open Space District (EOS)

6.17.1 Purpose

6.17 Environmental Open Space District (EOS)

6.17.1 Purpose

To provide an area for either the preservation of public land in its natural state, or for its development for benefit and enjoyment of the public.

6.17.2 Permitted and Discretionary Uses (EOS)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Campground• Cemetery• Community Facility• Farmers Market• Food Service, Mobile Catering• Information Centre• Park• Public Market• Public Utility Building• Recreation Facility, Outdoor	<ul style="list-style-type: none">• Accessory Use• Patio• Signs

Permitted Uses

[Campground](#)
[Cemetery](#)
[Farmers Market](#)
[Food Service, Mobile Catering](#)
[Information Centre](#)
[Park](#)
[Public Market](#)
[Public Utility Building](#)
[Recreation Facility – Outdoor](#)

Discretionary Uses

[Accessory Uses](#)
[Patio](#)
[Signs](#)

1. In addition to the Regulations contained in Part 3, General Regulations, Part 4, Specific Use Regulations and Part 5, Signs, the following regulations shall apply to all Development in this District.

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Campground
Cemetery
Farmer's Market
Food Service, Mobile Catering
Information Centre
Patio

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6.17.3 Development Regulations (EOS)

The following regulations also apply:

Minimum Front Yard	9.0 m (29.5 ft)
Minimum Side Yard	3.0 m (9.8 ft) or as required by the Alberta Building Code, whichever is greater.
Minimum Rear Yard	6.0 m (19.7 ft) except where a rear yard abuts a railway where no rear yard setback is required.
Minimum Parcel Width	15.0 m (49.2 ft)
Maximum Building Height	Flat Roof Buildings • 9.5 m (31.2 ft) Pitched Roof Buildings • 12.0 m (39.4 ft)
Maximum Parcel Coverage	70%
Outdoor Storage	Shall be screened by white vinyl fencing 1.83 m (6 ft) in height and / or to the satisfaction of the Development Authority.
Minimum Landscaping Requirement	As determined by the Development Authority ²²

Minimum Front Yard	9.0 m
Minimum Side Yard	3.0 m or as required by the Alberta Building Code, whichever is greater
Minimum Rear Yard	6.0 m except where a rear yard abuts a railway, no rear yard is required
Minimum Parcel Width	15.0 m
Maximum Parcel Coverage	70%
Maximum Building Height	Flat Roof Buildings – 9.5 m Pitched Roof Buildings – 12.0 m
Outdoor Storage	Shall be screened by white vinyl fencing 1.83 m (6.0 ft) high, and/or to the satisfaction of the Development Authority

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6.18 Urban Reserve District (UR)

6.18.1 Purpose

6.18 Urban Reserve District (UR)

6.18.1 Purpose

To allow existing uses to continue until such time as the land is required for urban development.

6.18.2 Permitted and Discretionary Uses (UR)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">Existing uses	<ul style="list-style-type: none">Accessory Buildings to support existing usesAccessory Uses to support existing usesSigns

1. In addition to the Regulations contained in Part 3 - General Regulations, Part 4 - Specific Use Regulations and Part 5 - Signs, the following regulations shall apply to all Development in this District.

6.18.3 Development Regulations (UR)

The following regulations also apply:

Minimum Parcel Area	All the land contained in the existing Certificate of Title, unless otherwise approved by the Municipal Planning Commission, having regard to future use of the parcel and the form of future subdivision and development.
Outdoor Storage	Shall be screened with solid fencing, 1.83 m in height to the satisfaction of the Development Authority.

Permitted

Existing Uses

Discretionary Uses

Accessory Buildings and Uses to support existing uses

Signs

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In addition to the Regulations contained in Part 3, General Regulations, Part 4 Specific Use Regulations and Part 5, Signs, the following regulations shall apply to all Development in this District

In addition to the Regulations contained in Part 3, General Regulations, Part 4 Specific Use Regulations and Part 5, Signs, the following regulations shall apply to all Development in this District

Minimum Parcel Area	All the land contained in the existing Certificate of Title, unless otherwise approved by the Municipal Planning Commission, having regard to future use of the parcel and the form of future subdivision and development
Outdoor Storage	Shall be screened with solid fencing, 1.83 m high to the satisfaction of the Development Authority

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6.19 Agricultural District (AG)

6.19.1 Purpose

6.19 Agricultural District (AG)

6.19.1 Purpose

To allow existing uses to continue and to provide a guideline supporting a variety of agricultural operations and reserve land for future subdivision and development. Uses should not negatively impact or impede future urban subdivision and/or development.

for the annexation land base to support a variety of agricultural operations and reserve land for future subdivision and development. Other uses would be considered in this District based upon their compatibility with surrounding agricultural operations. Definitions covered under the current Lacombe County Land Use Bylaw. Uses should not negatively impact or impede future urban subdivision and/or development.

Commented [HA317]: The combination of having this district, but using it as a partial catch-all for the Lacombe County definitions and regulations is confusing. References to quantity/ timing of development on the parcel is not relevant as this district would be applied just like others are; wherein you typically only allow one detached dwelling per parcel, etc

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6.19.2 Permitted and Discretionary Uses (AG)

PERMITTED USES	DISCRETIONARY USES
<ul style="list-style-type: none">• Accessory Building• Agricultural Building• Agriculture Uses• Detached Dwelling, Detached• Dwelling, Manufactured Home• Dwelling, Ready to Move• Greenhouse, Minor• Home Based Business 1• Home Based Business 2• Manufactured Home	<ul style="list-style-type: none">• Accessory Use• Accessory Suite• Animal Boarding or Breeding Facility• Auction Facility, Livestock• Building, Canvas Covered• Building, Moved In• Business Service, Industrial• Bed & Breakfast• Campground• Communication Facility / Communication Tower• Dwelling, Moved In• Farmer's Market• Food Processing & Manufacturing Facility• Food Service, Mobile Catering• Greenhouse, Major• Home Based Business 3• Landscape Sales• Moved in Dwelling• Public Utility• Public Utility Building• Residential Kennel

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	<ul style="list-style-type: none">• Signs• Solar Energy Infrastructure
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"Dwelling, Detached"
"Dwelling, Manufactured Home"
Dwelling, Modular Home
"Dwelling, Ready to Move"
Greenhouse, Minor

Consider removing:

Commented [HA320]: Consider adding/ "renaming":
Agricultural Support Service
Animal Boarding Facility
Animal Breeding Facility
Auction Facility, Livestock
"Bed and Breakfast"
Building, Canvas Covered
Building, Moved In
"Communication Facility/ Communication Tower"
Dwelling, Accessory Suite
"Dwelling, Moved In"
Farmer's Market
Food Processing and Manufacturing Facility
Food Service, Mobile Catering
Kennel, Residential

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6.19.2 Permitted and Discretionary Uses

Permitted

Accessory Building
Agriculture Building
Agriculture Uses
Dwelling, Detached
Dwelling, Manufactured Home
Dwelling, Manufactured Home
Dwelling, Ready to Move
Greenhouse, Minor
Home-Based Business 1
Home-Based Business 2

Food Processing and Manufacturing Facility
Food Service, Mobile Catering
Landscaping Sales
Public Utility Building
Residential Kennel
Solar Energy Infrastructure

Discretionary Uses

Accessory Use
Business Service, Industrial
Bed & Breakfast
Campground
Communication Facility & Communications Tower
Dwelling, Moved In
Greenhouse, Major
Accessory Suite
Home-Based Business 3
Animal Boarding or Breeding Facility
Public Utility
Signs
Animal Boarding or Breeding Facility
Animal Breeding Facility
Auction Facility, Livestock
Building, Canvas Covered
Building, Moved In
Farmers Market

1. In addition to the Regulations contained in Part 3, General Regulations, Part 4, Specific Use Regulations and Part 5, Signs, the following regulations shall apply to all Development in this District.

6.19.3

Development Regulations (AG)

The following regulations also apply:

Minimum Parcel Area	All the land contained in the existing Certificate of Title area, unless otherwise approved by the Development Authority.
Floor Area	The minimum floor area for a dwelling unit shall be not less than 83.61 m ² (899.97 ft ²).

Setbacks

- Setbacks from right-of-ways shall be in accordance with this Bylaw.
- The setback from any property line adjoining a lot located in any other District in this Bylaw shall be a minimum of 22.86 m (75 ft).
- The setback from the property boundary in the Agricultural District shall be 7.62 m (25 ft).
- Where a lot adjoins a lake or river, no building shall be placed in the area outside the lot property lines as shown on the registered plan of subdivision or the original land survey, or on lands claimed by the Crown.

Objects Prohibited or Restricted in Yards

- No person shall keep in their yards:
 - any unlicensed, dismantled, wrecked or dilapidated vehicle, unless it is suitably housed or screened from view to the satisfaction of the Development Officer;
 - any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the area;
 - more than two (2) recreational vehicles on a regular basis, unless otherwise approved by the Development Authority, and/or or (should this be and/or or);
 - a recreational vehicle that is used as permanent residence. However, a recreational vehicle may be used for living and sleeping accommodation by visitors on a temporary, short-term basis, no longer than two (2) weeks, or as temporary accommodation by the landowner(s) or their building contractor for a period not exceeding one (1) year following the issue of a Development Permit for the construction of a dwelling on the property and where arrangements, satisfactory to the Development Officer, have been made for the disposal of wastewater effluent.

Minimum Parcel Area — All of the land contained in the existing titled area, unless otherwise approved by the Development Authority

Floor Area — The minimum floor area for a dwelling unit shall be not less than 83.61 m²

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PART 7.0 DIRECT CONTROL DISTRICTS

7.1 Purpose

PART 7 – DIRECT CONTROL DISTRICTS

7.1 Purpose

This district will be for specific uses and regulations as decided by Council to accommodate specific designs for specific parcels of lands as approved by Council where control by other land use districts would be inadequate. In the creation of a Direct Control District, regard to the surrounding development, existing or future, and to the interest of the applicant and public are to be considered.

7.2 Application

1. ~~7.2.1~~ The following conditions shall apply, if in the opinion of Council that:

- a) the proposed development, having regard for the policies and objectives of the Municipal Development Plan and other applicable statutory the proposed development, is considered appropriate for the site;
- b) using any other land use district of the Bylaw would result in a conflict with the character and scale of existing or future surrounding development when the full development potential of such a district would be utilized; or
- c) the complexity, scale and character would require comprehensive planning and implementation; is unique or not contemplated or regulated reasonably by any other land use district.

2. ~~7.2.2~~ In addition to the requirements of Part 2, ~~32~~, the applicant shall provide supporting rationale explaining why a Direct Control District is appropriate for the site having regard for the conditions of application set out in Part ~~78~~, 2.1; and

3. ~~7.2.3~~ Any additional information that may be required by Council.

7.3 Uses

Where a Direct Control District is applied, all relevant uses in the Direct Control District shall be specified by Council.

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7.4 Regulations

- 7.4.1 All development regulations shall be prescribed in the Bylaw applying the Direct Control District to the site.
- 7.4.2 Regulations of this Bylaw, as amended from time to time, shall apply to all development within Direct Control Districts, unless such regulations are specifically excluded or revised by the Direct Control District.

7.5 Interpretation

- 7.5.1 Direct Control Districts shall be included in Schedule "A" of this Bylaw.
- 7.5.2 For approved Direct Control Districts in Part 7 Schedule "A" not approved under this Land Use Bylaw, as amended, the terms are to be interpreted under Part 7 Schedule "A" (should this say under 7.5.2) the definitions and context of that Bylaw in which it was approved.

SCHEDULE "A"

SCHEDULESchedule	Direct Control District	Affected Lands	Referencing Bylaw
<u>Part 8 A1</u>	DC-1	<u>Lot 97, Block 14, Plan 072 4357 Blocks 1 - 24 (Inclusive), Plan 092 3733 (Formerly Lot 97, Block 14, Plan 072 4357)</u>	Bylaw 1072/08
<u>Part 8 A2</u>	DC-2	Lot 1A, Block 1, Plan 162 2461	Bylaw 1070/08
<u>Part 8 A3</u>	DC-3	Lot 2, Block 1, Plan <u>122 4194</u>	Bylaw 1177/14

Direct Control District #3 (DC-3)

- All signs to be applied for under separate development applications and Council hereby authorizes the Development Officer as the approving authority for the signs.

c)

2. All construction to be in accordance with all provincial regulations including but not limited to the Safety Codes of Alberta.

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3. In accordance with Part 3.15 of the Land Use Bylaw that a Letter of Credit be submitted to cover 100% of the cost of landscaping and paving until such time as the work is completed.

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4.f) That the storm water, sewer, waterwater, and grading plan be followed as per approvals given by the Director of Infrastructure and Property Services.

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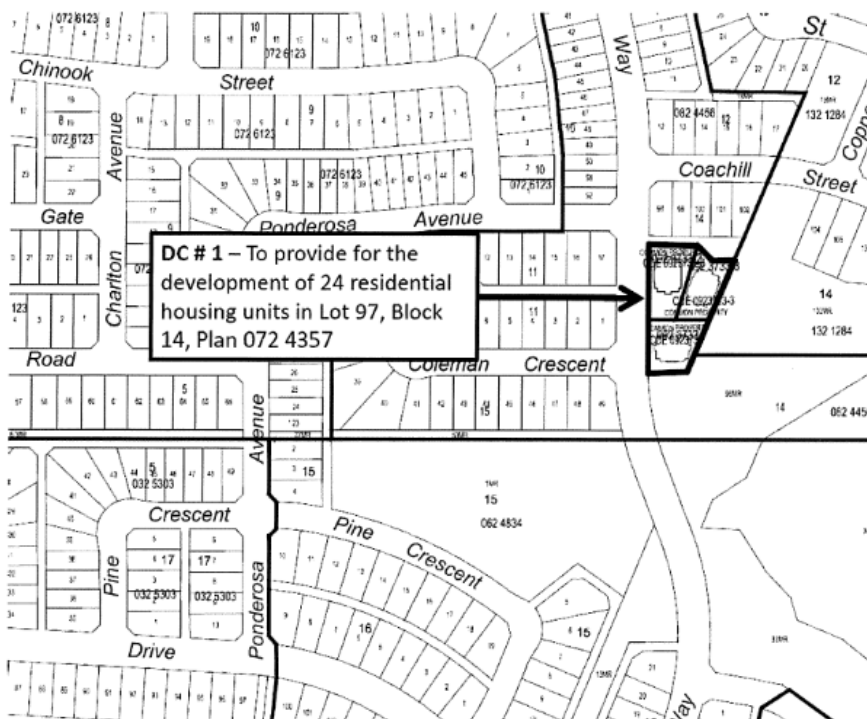
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Part 89 – SCHEDULES

PART 8.0 SCHEDULES

SCHEDULE "A1"

DIRECT CONTROL DISTRICT #1 (DC-1) MAP



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Schedule A – Land Use District Map – OBTAIN MOST RECENT DOWNLOAD

Schedule B

Schedule C

Schedule D

Schedule A

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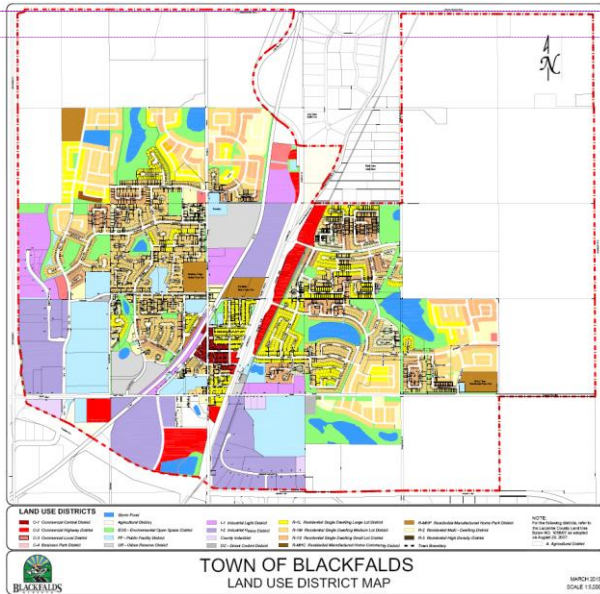
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SCHEDULE "A2"

Schedule A2

Direct Control District #2 (DC-2)

4. To provide for the development of a 35-unit apartment building on a lot known as Lot 1A, Block 1, Plan 162-2461, located east of the Parkwood Road and west of the Highway 2A Storm Pond.

2.1. Permitted Uses:

- Accessory Uses
- Dwelling Apartment
- Public and Quasi-Public Uses no definition
- Public Utility Buildings
- Any use that, in the opinion of Council, is similar or complementary to the use listed above.

2. Development Criteria:

3. The land and buildings in this District shall be developed to the satisfaction of Council and shall be developed in a manner that is sensitive to the surrounding neighbourhood taking into account the potential impacts on the neighbourhood, including visual impact, sight lines, sunlight, parking and privacy.

3. Development Standards:

4. Yard fronting Parkwood Road shall be a minimum of 3.0-m (9.84-ft) landscaped area with parking after.

5.4. All yards shall be landscaped except for the walkways, driveways and parking areas.

6.5. Density shall be 35-units for the project. Parking shall be 1.5-stalls per unit or 53-stalls and additionally a minimum of 7-stalls for visitor parking be provided and that the building shall not exceed four (4) storeyies in height.

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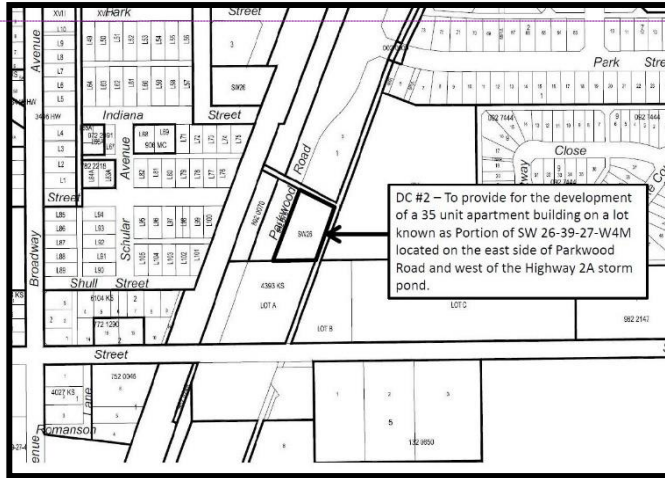
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SCHEDULE "A3"

Direct Control District #3 (DC-3)

Schedule A3

Direct Control 3 (DC-3)

To provide for the development of a commercial building on a lot known as Lot -2, Block -1, Plan -122, -4194 located south of ~~Womaeks~~Womacks Road and west of Leung Road – South of –the Abbey Centre north of the Iron Ridge Junior Campus.

1.

1. Permitted Uses:

2. Uses

- Accessory Uses
- Convenience Stores (RETAIL, Convenience)
- Offices
- Personal Service Uses (no definition)
- Public and Quasi-Public Uses (no definition)
- Retail Stores (RETAIL, General)
- Restaurants (including pick up and dine in styles) (FOOD SERVICE, Restaurant)
- Signs
- Any use that, in the opinion of the Development Officer (as authorized by _____ Council) is similar or complementary to the use listed above.

2. Development Criteria:

3. The land and buildings within this District shall be developed in accordance with the plans attached forming part of this Direct Control District.

3. Development Standards:

4. All landscaping to be as per the plans submitted.

4. No access is to be allowed off Leung Road.

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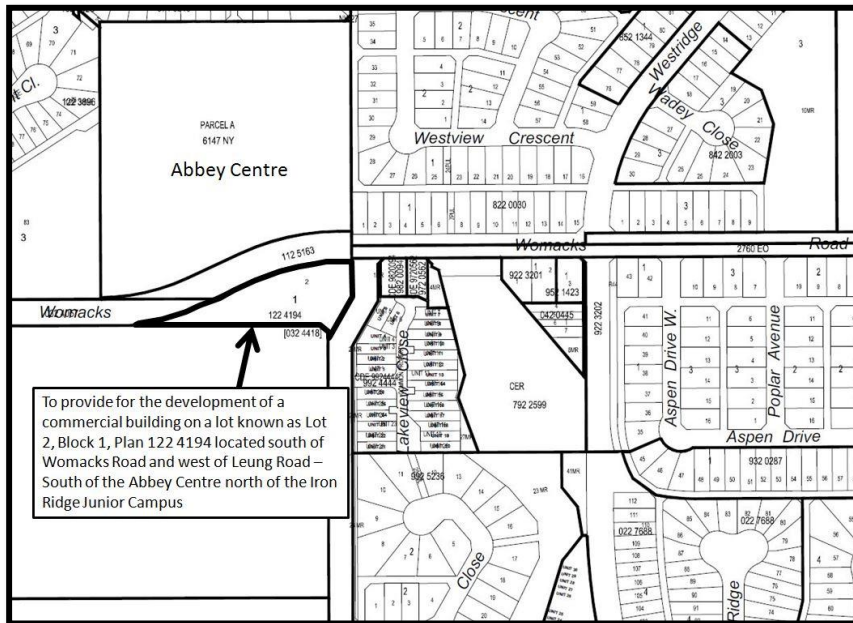
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Future development area for Phase 2 is to be landscaped until such time as it is constructed.



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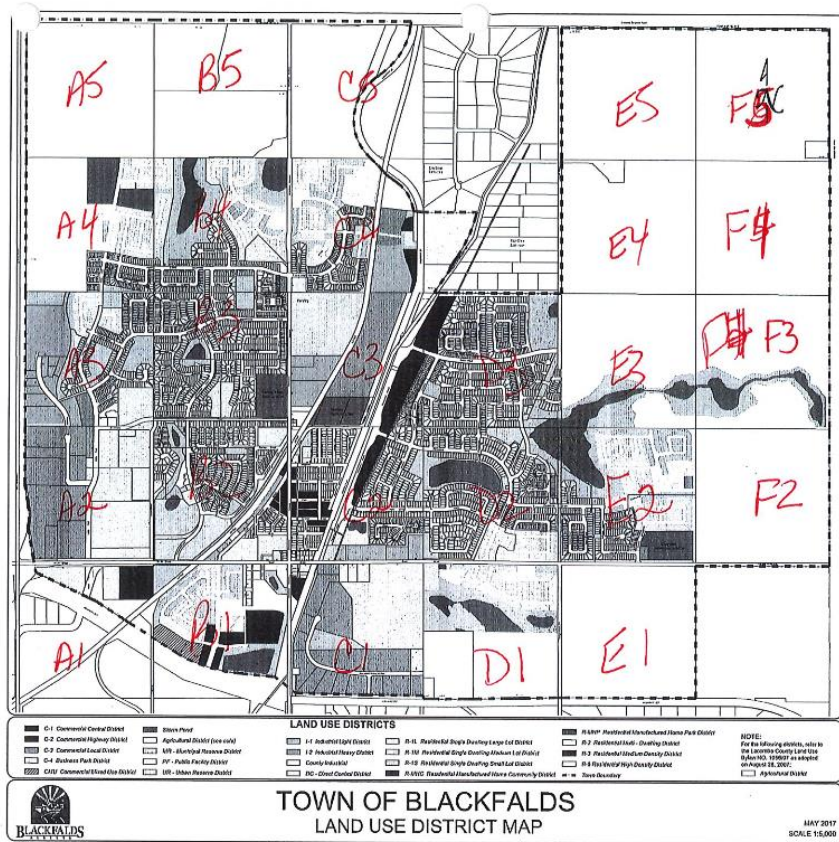
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Schedule A4



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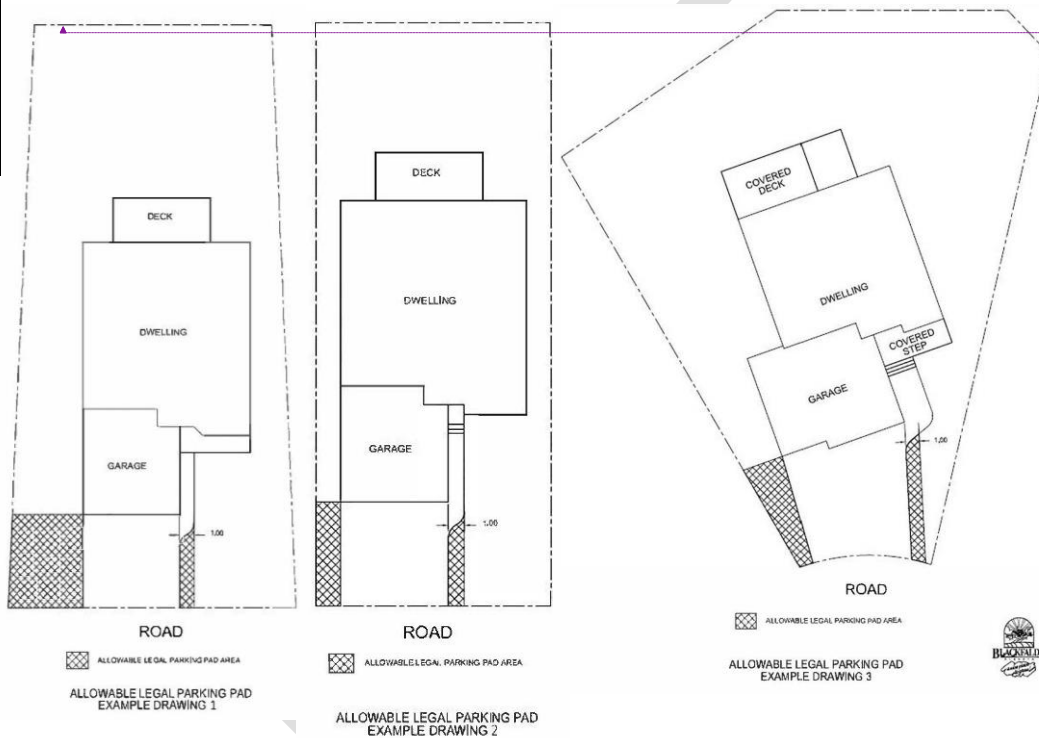
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PART 10 APPENDIX

Illustration Related to Part 4

Legal Parking Pads



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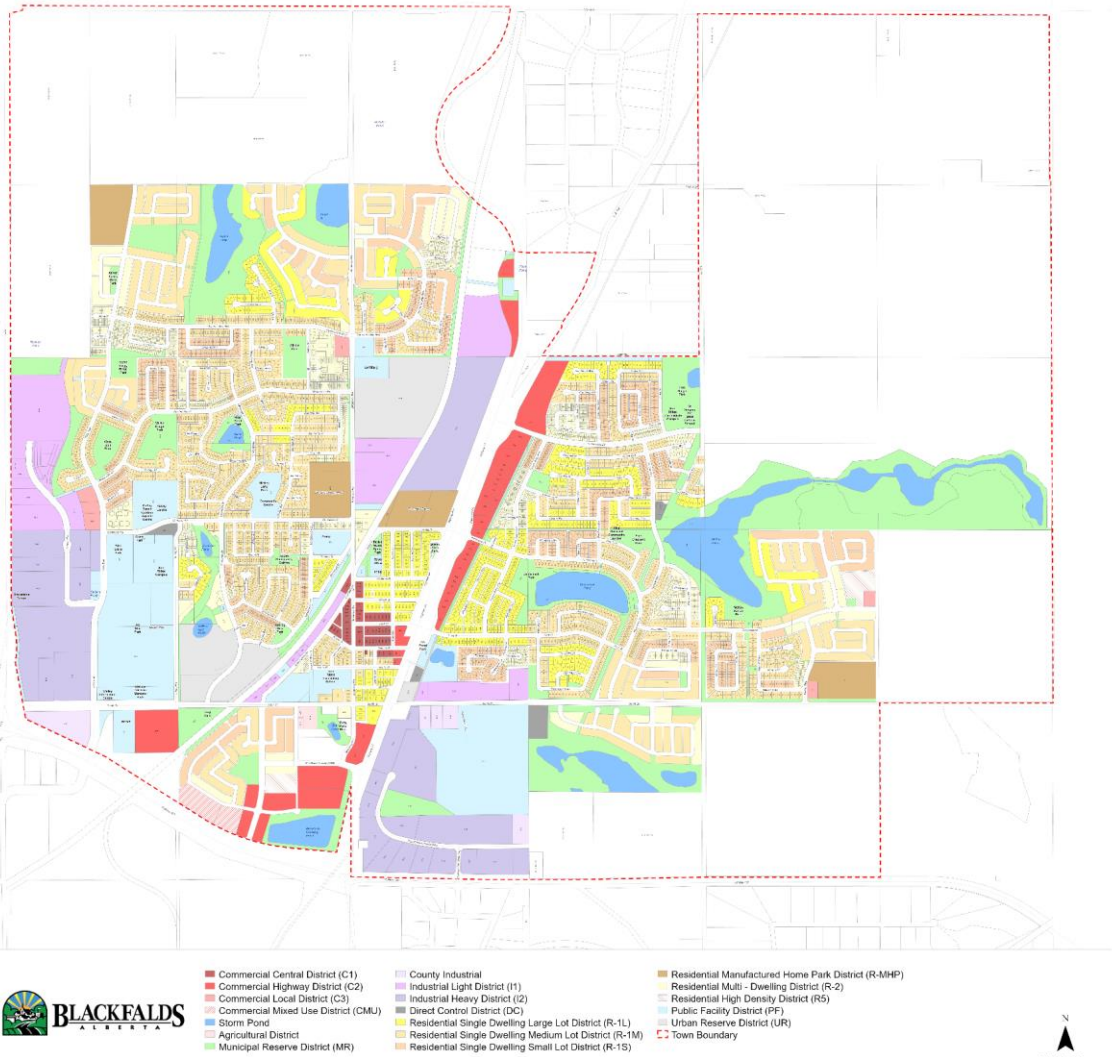
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SCHEDULE "A5"

Town of Blackfalds: Land Use District Map



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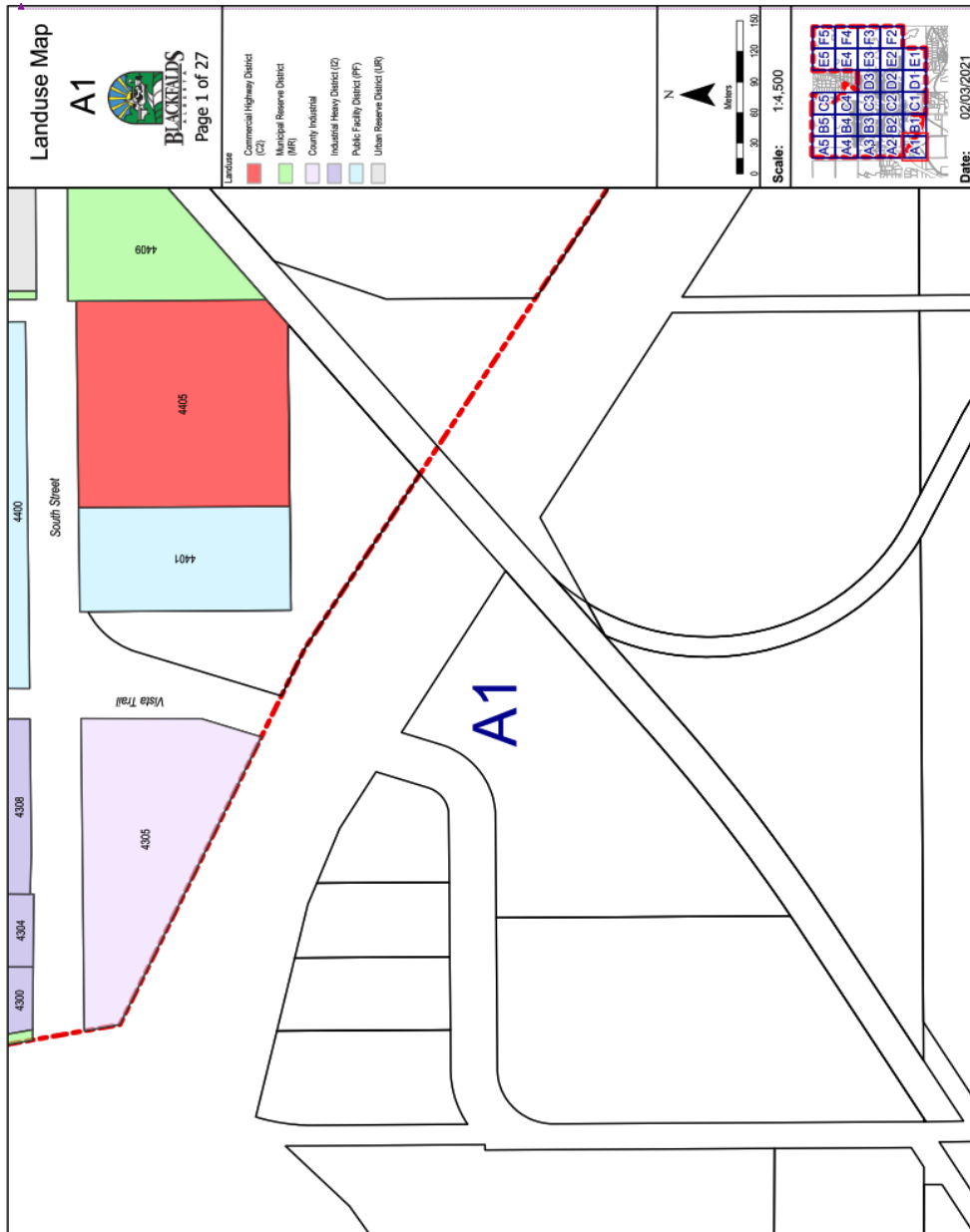
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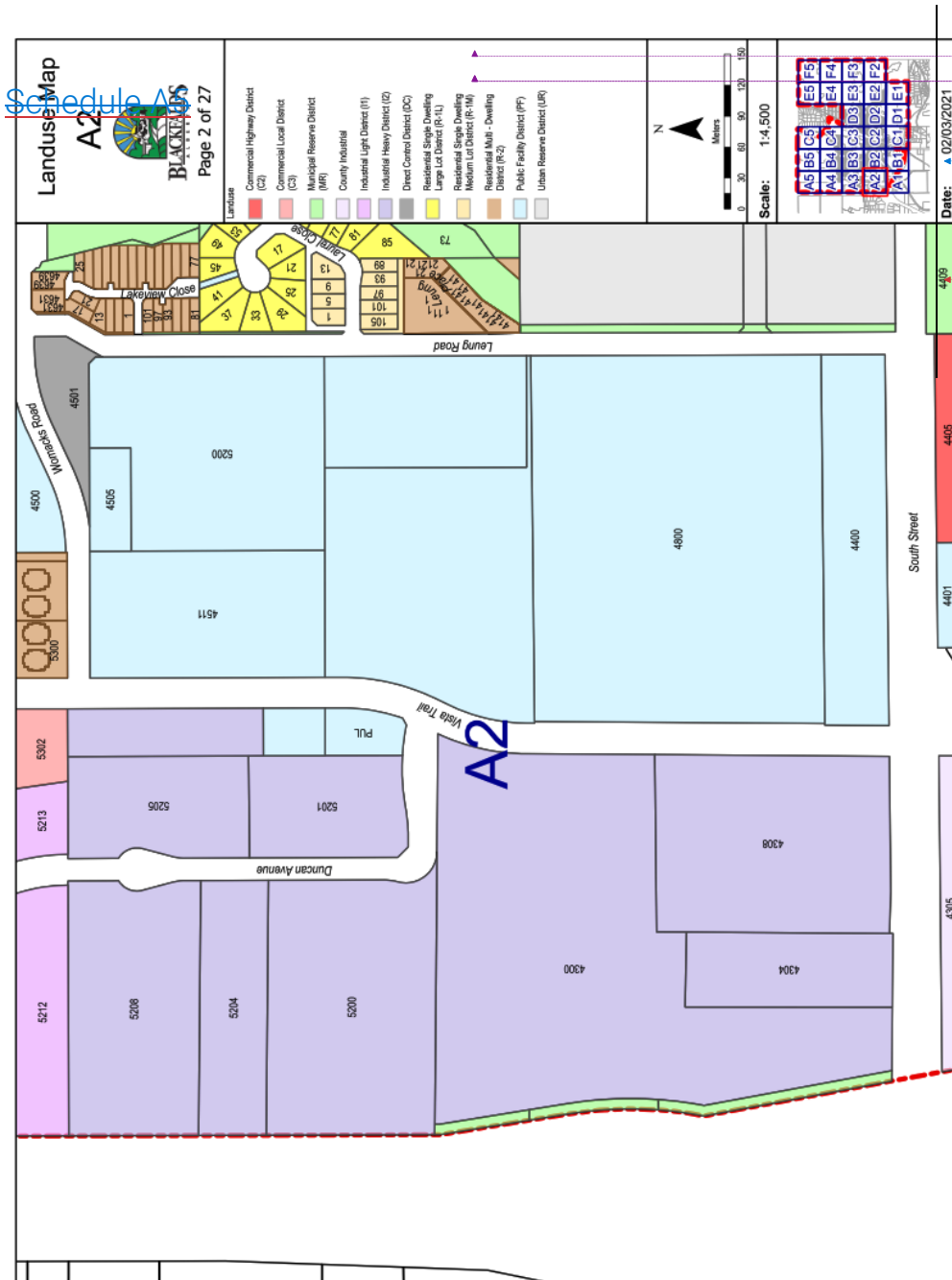
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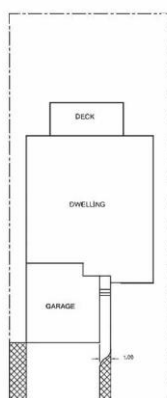
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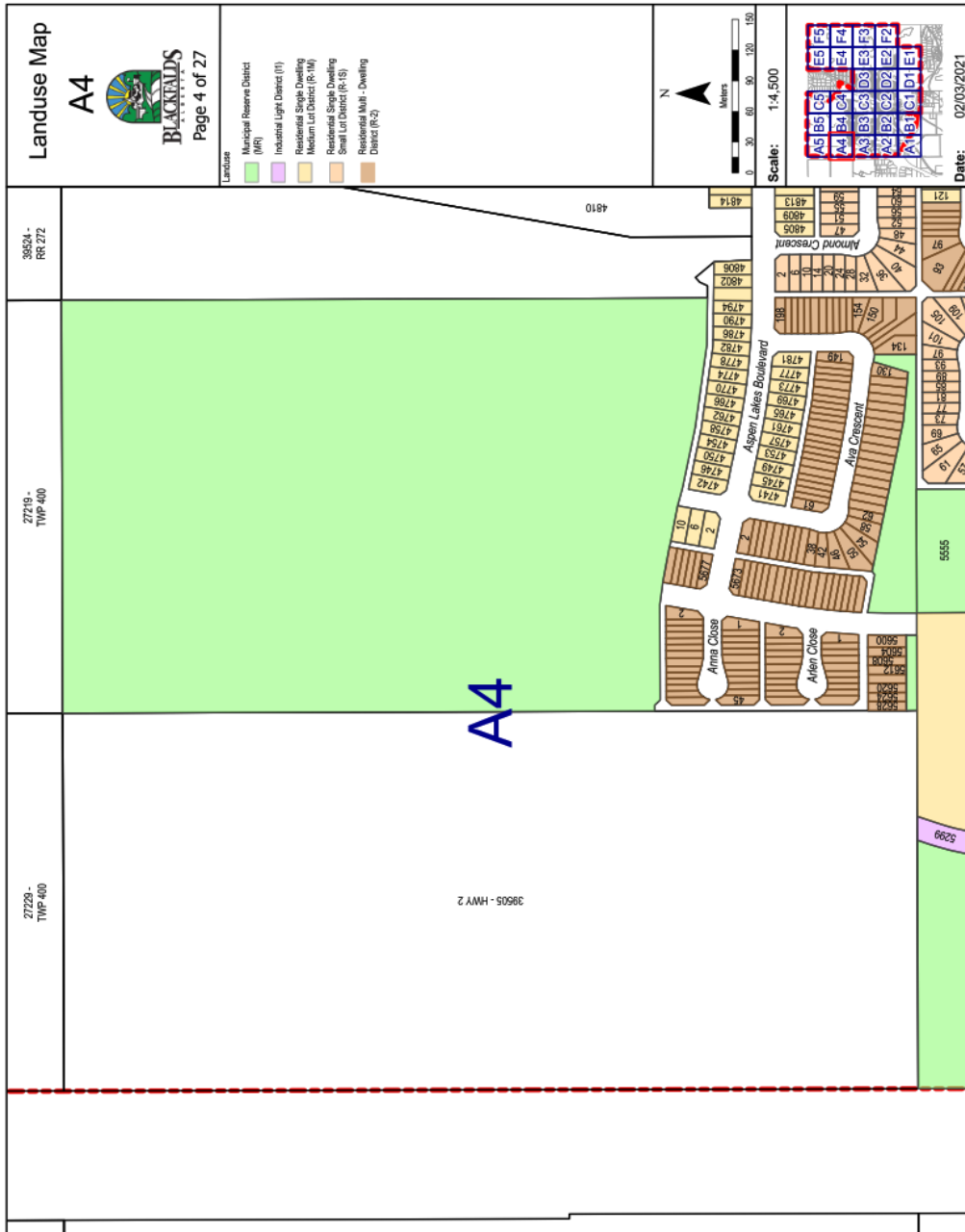
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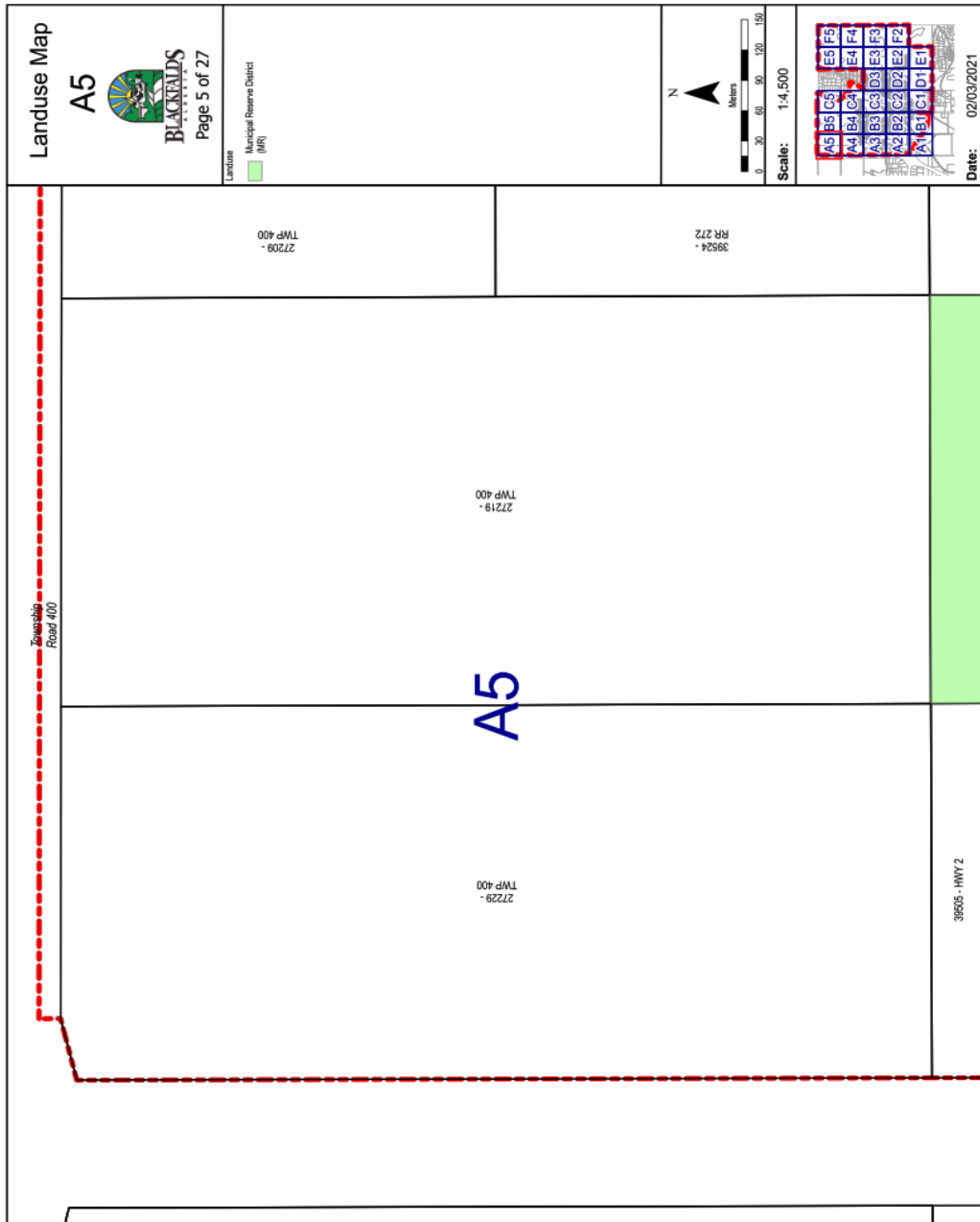


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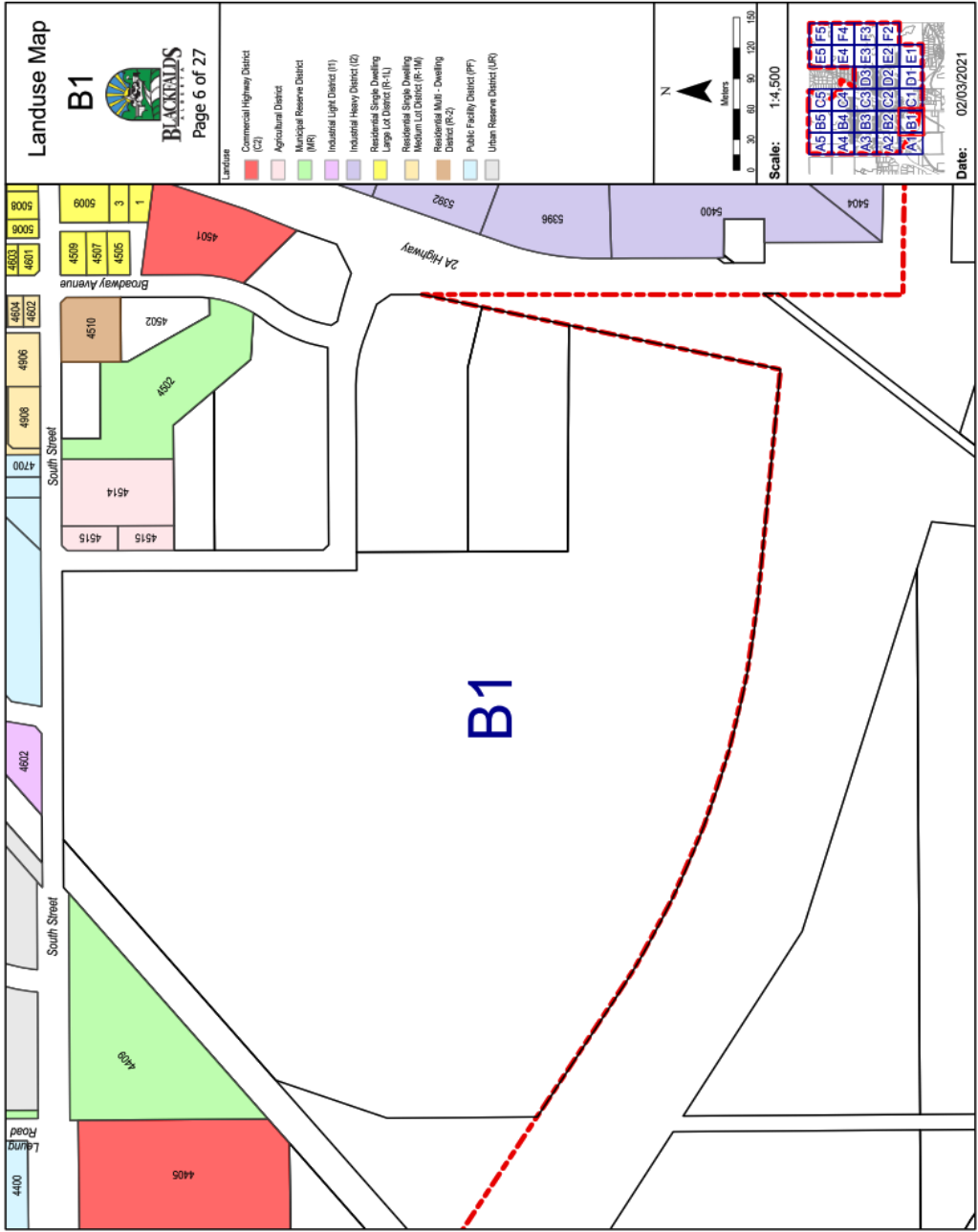
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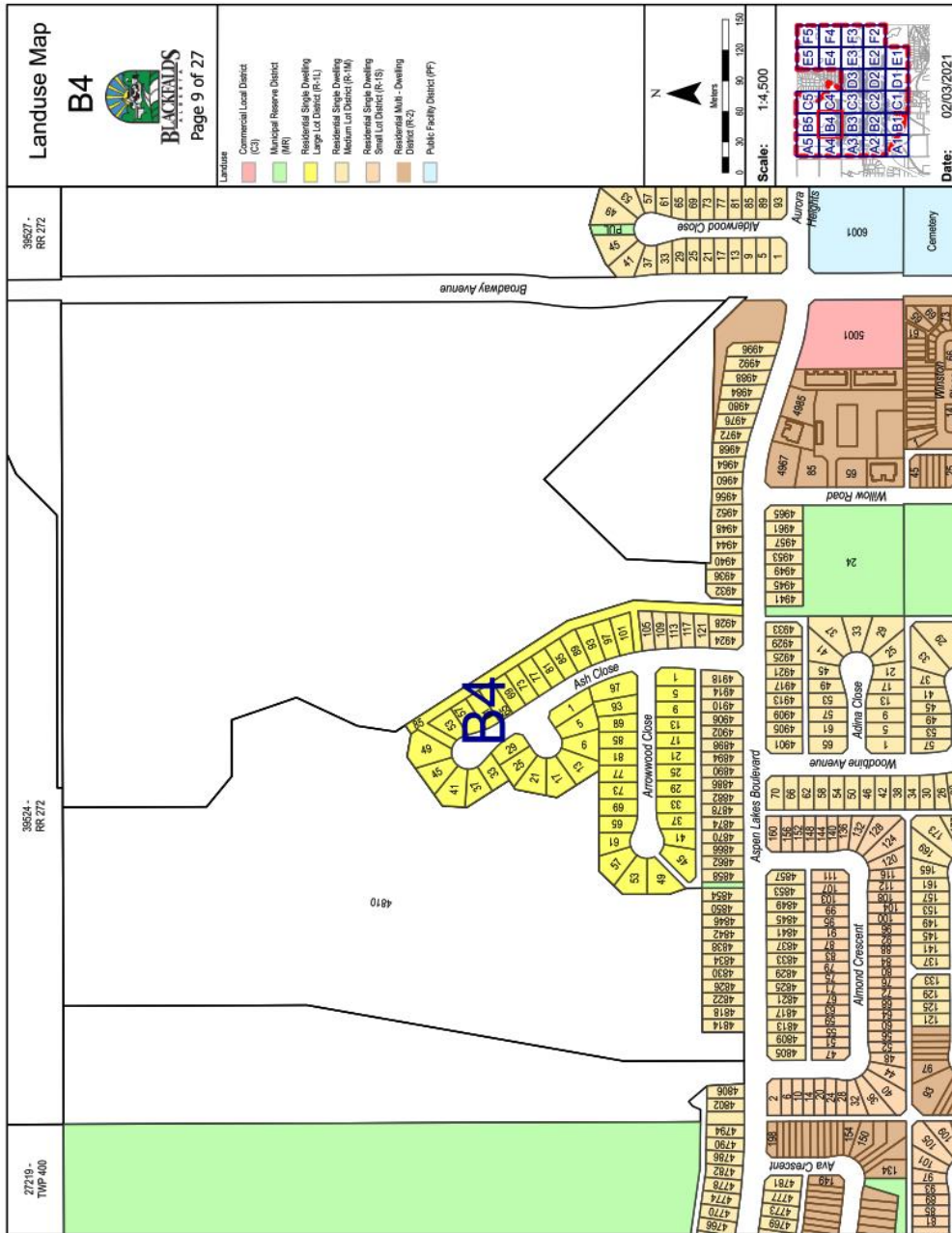
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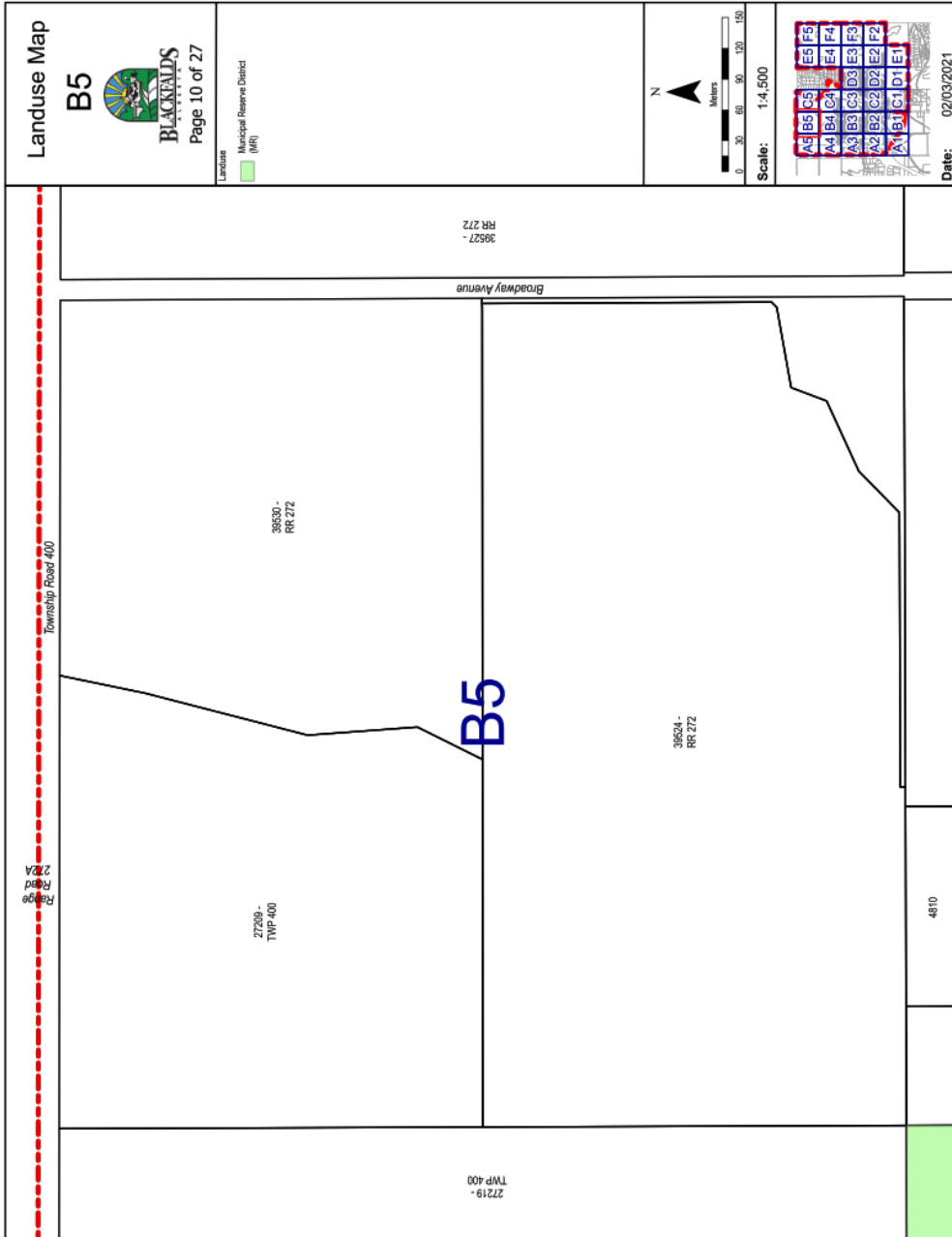
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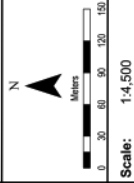
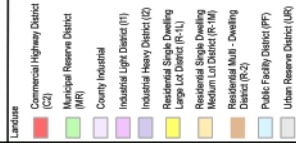
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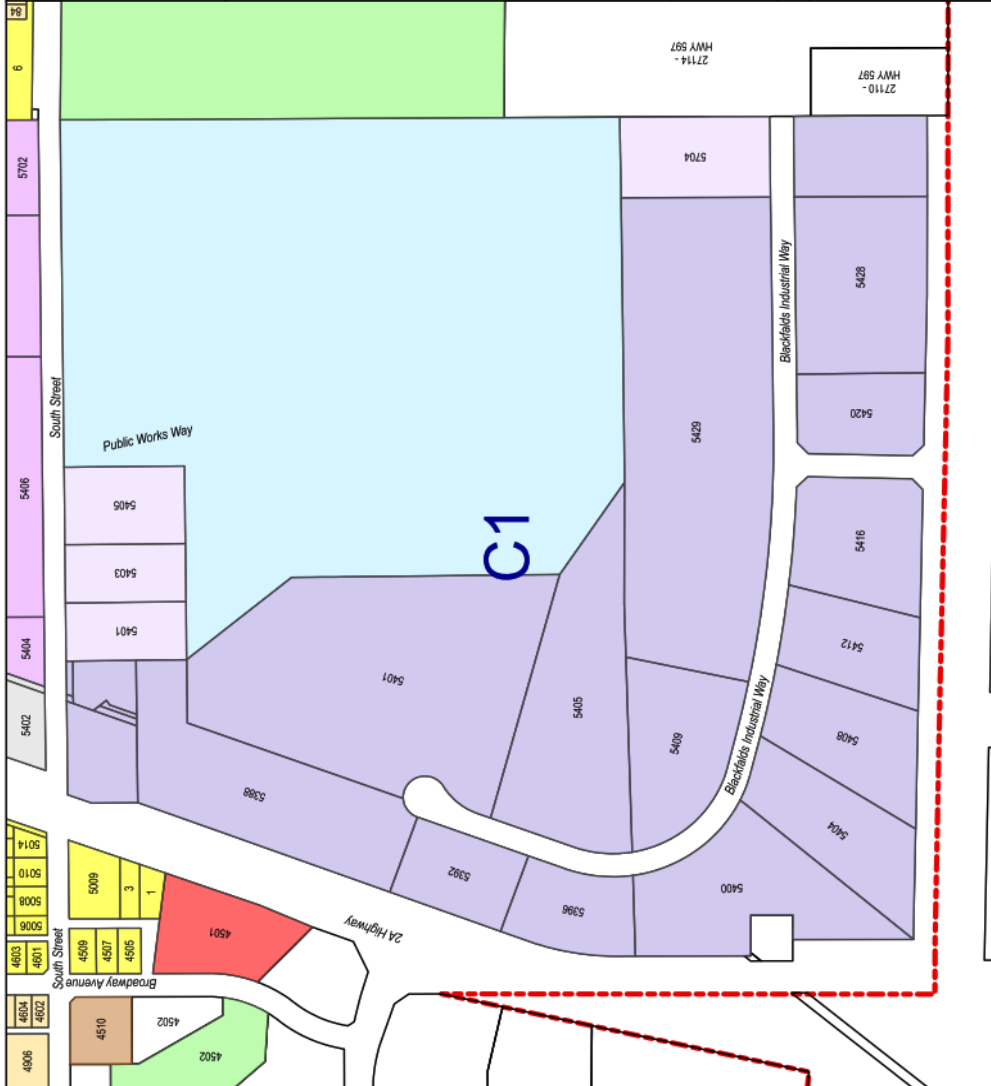
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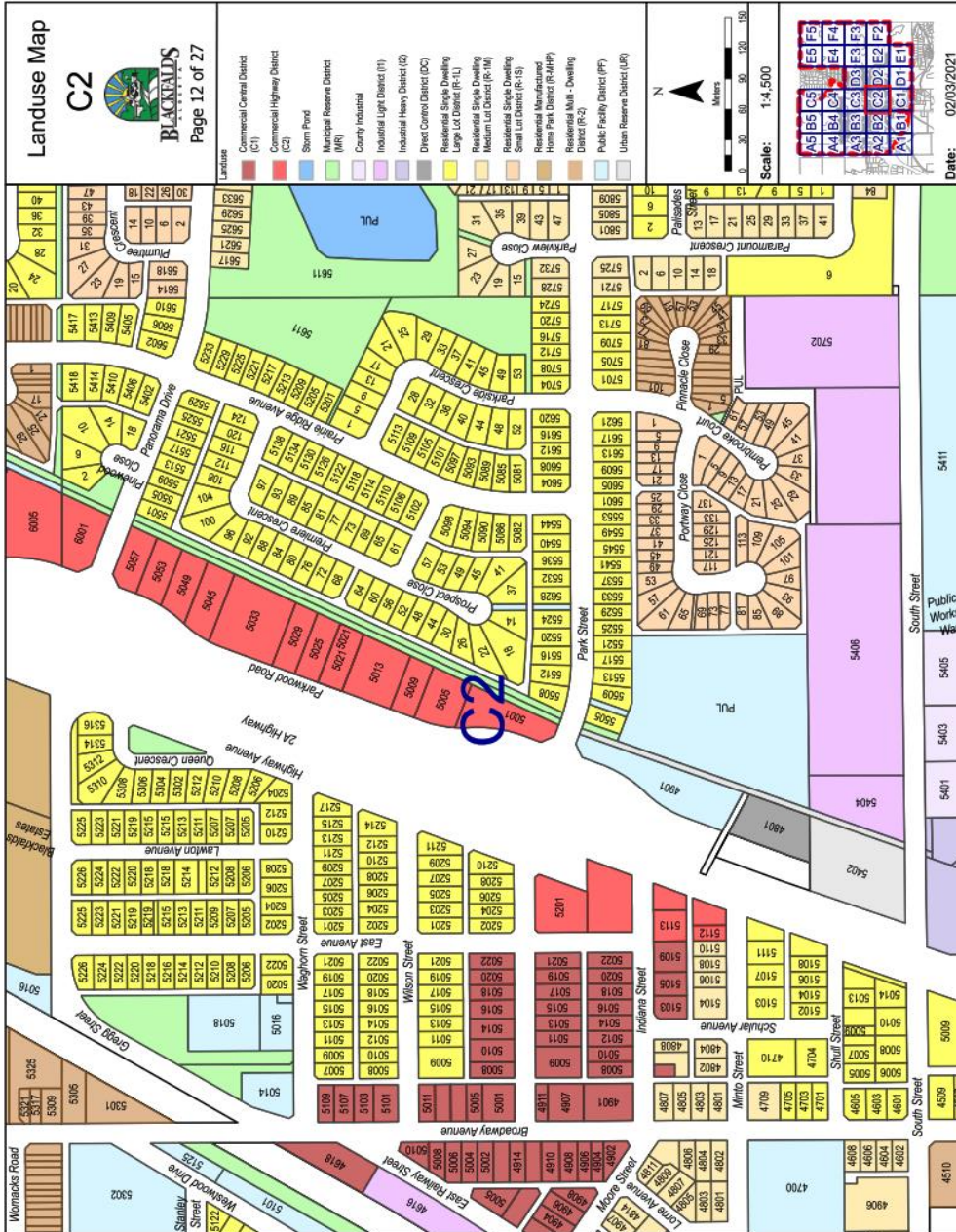
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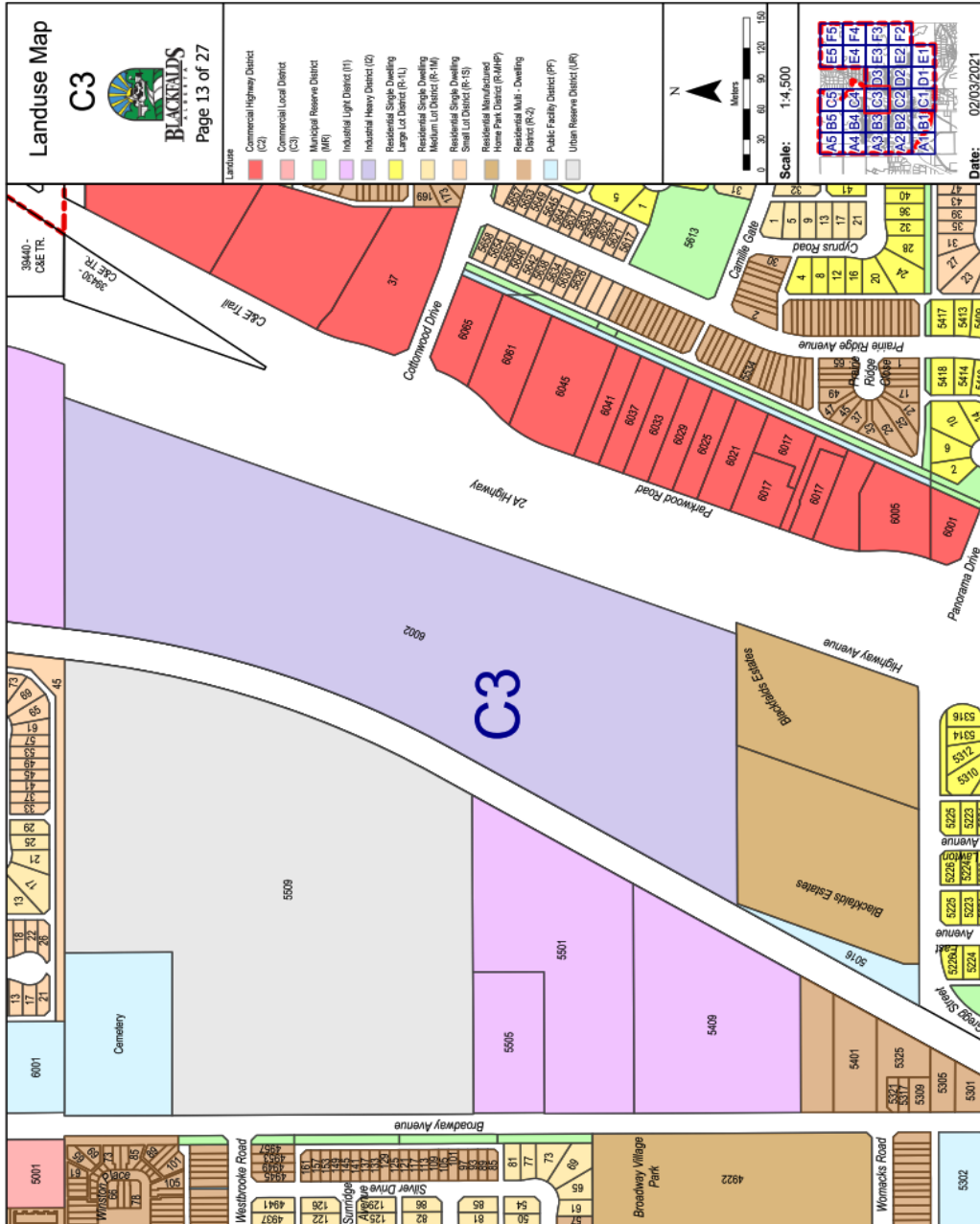
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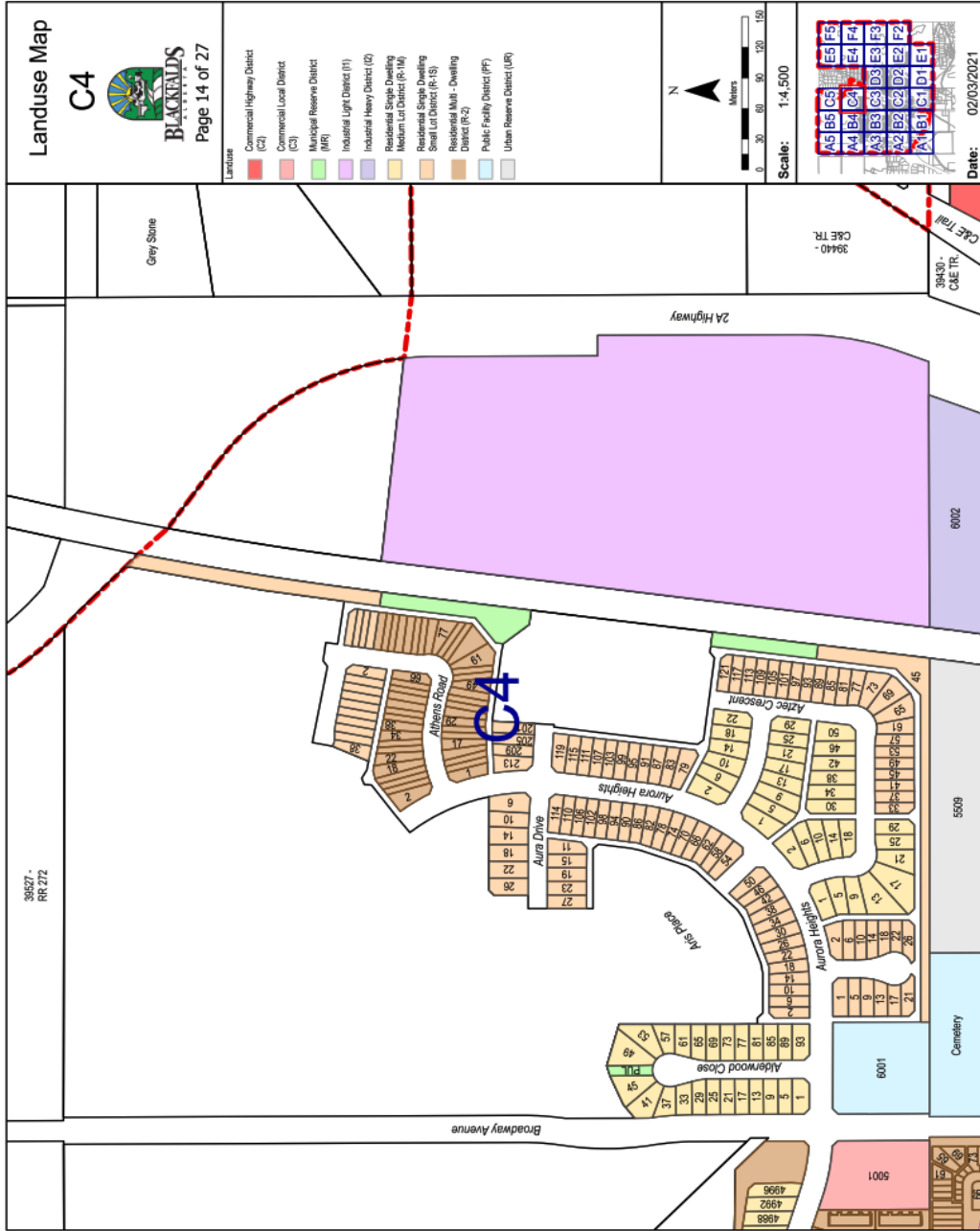
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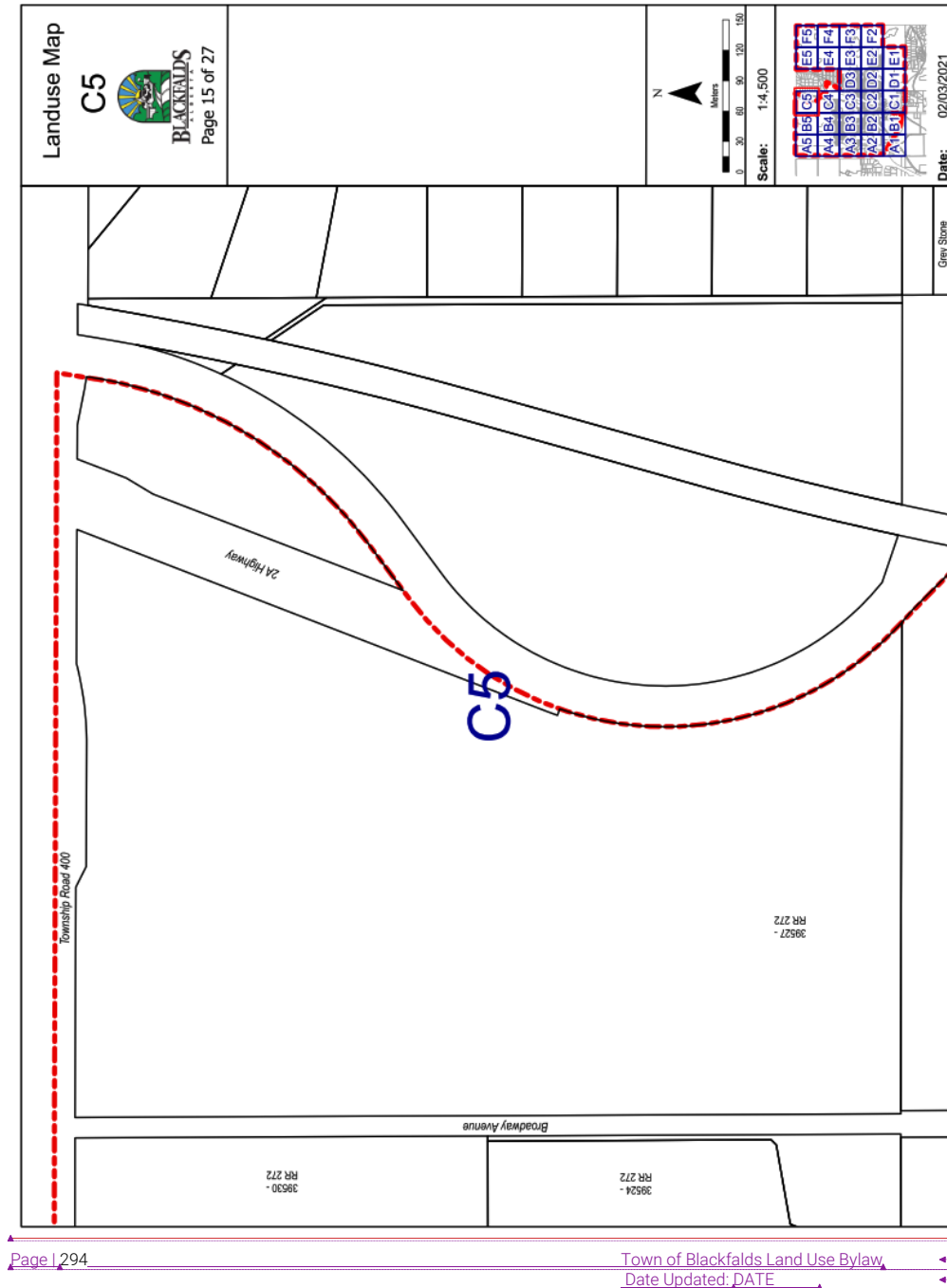
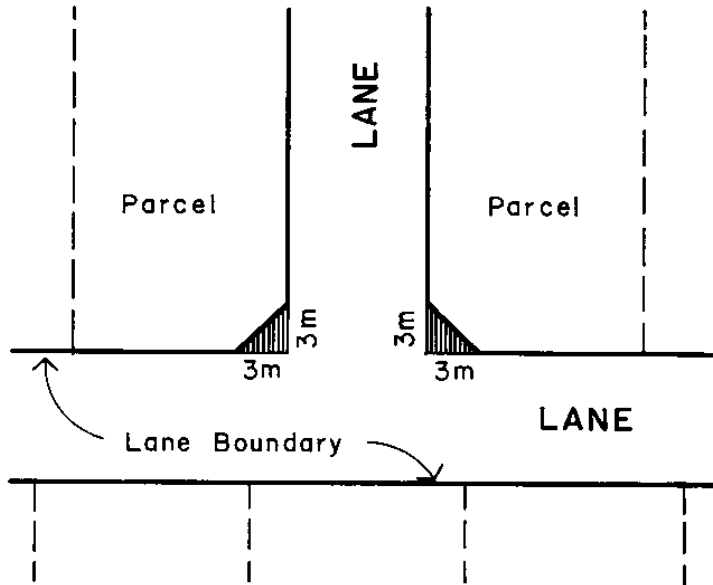


Illustration Related to Part 4.10

— Sight Lines



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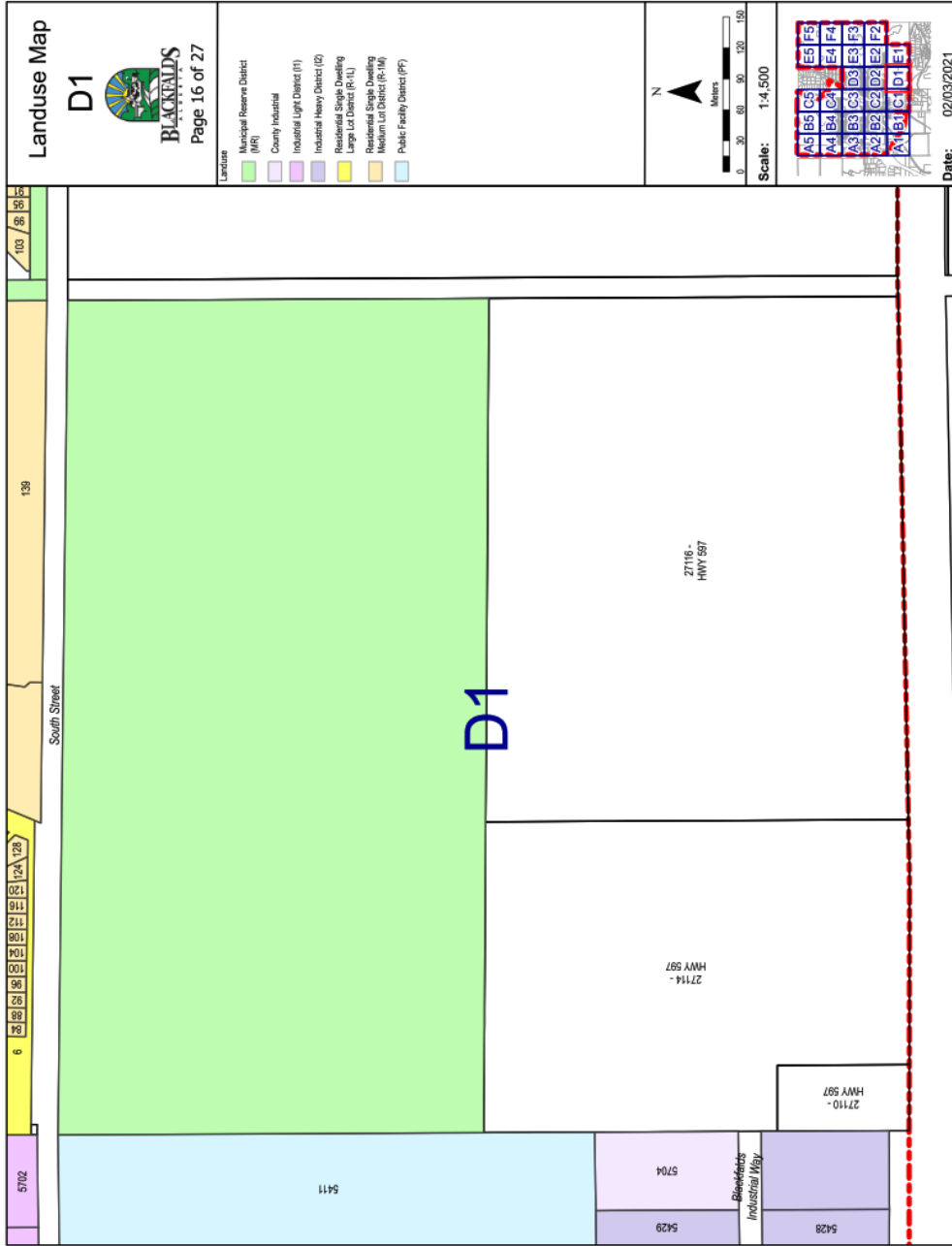
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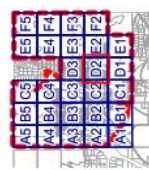
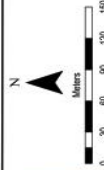
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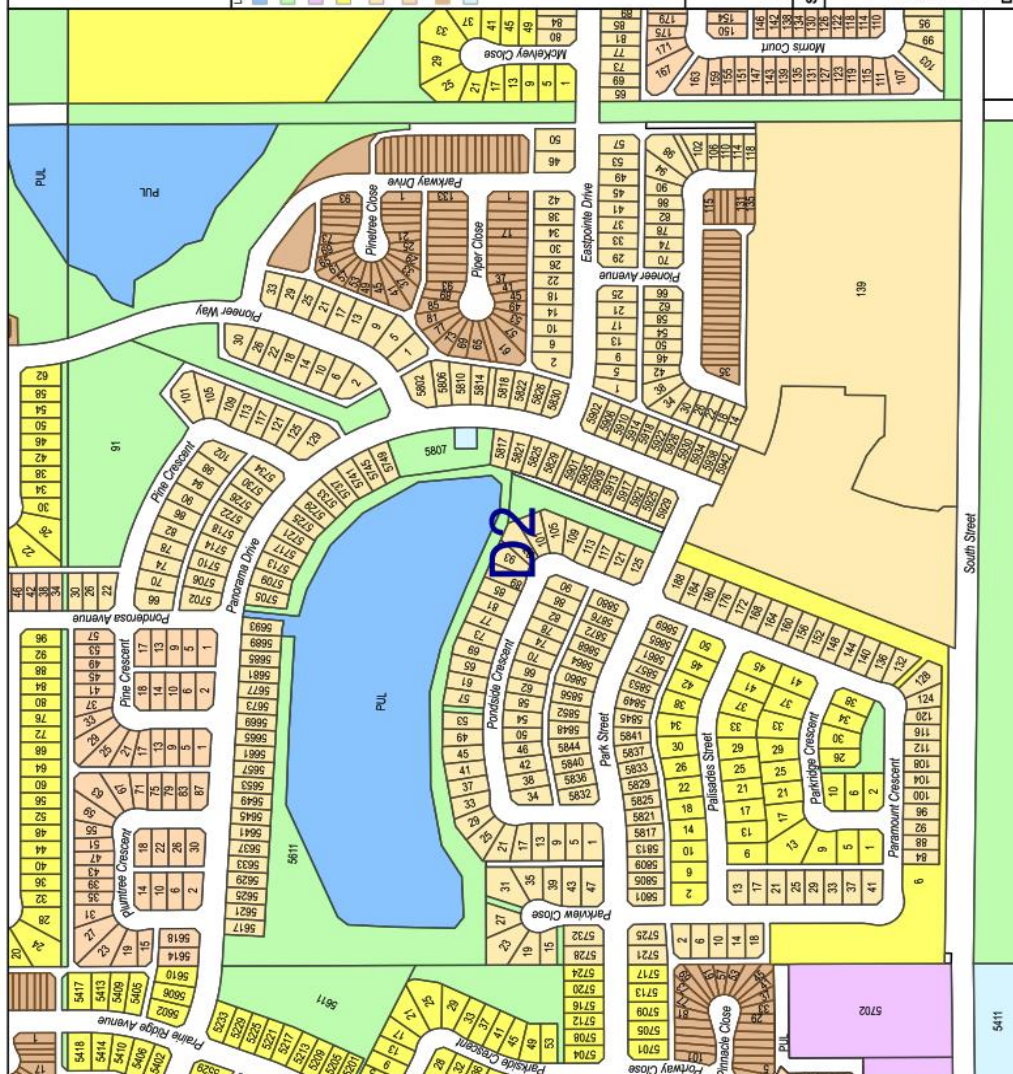
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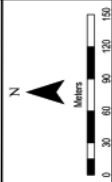
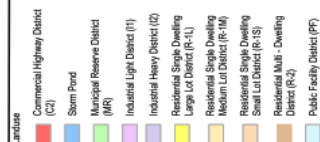


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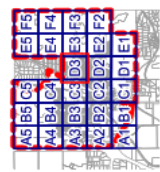
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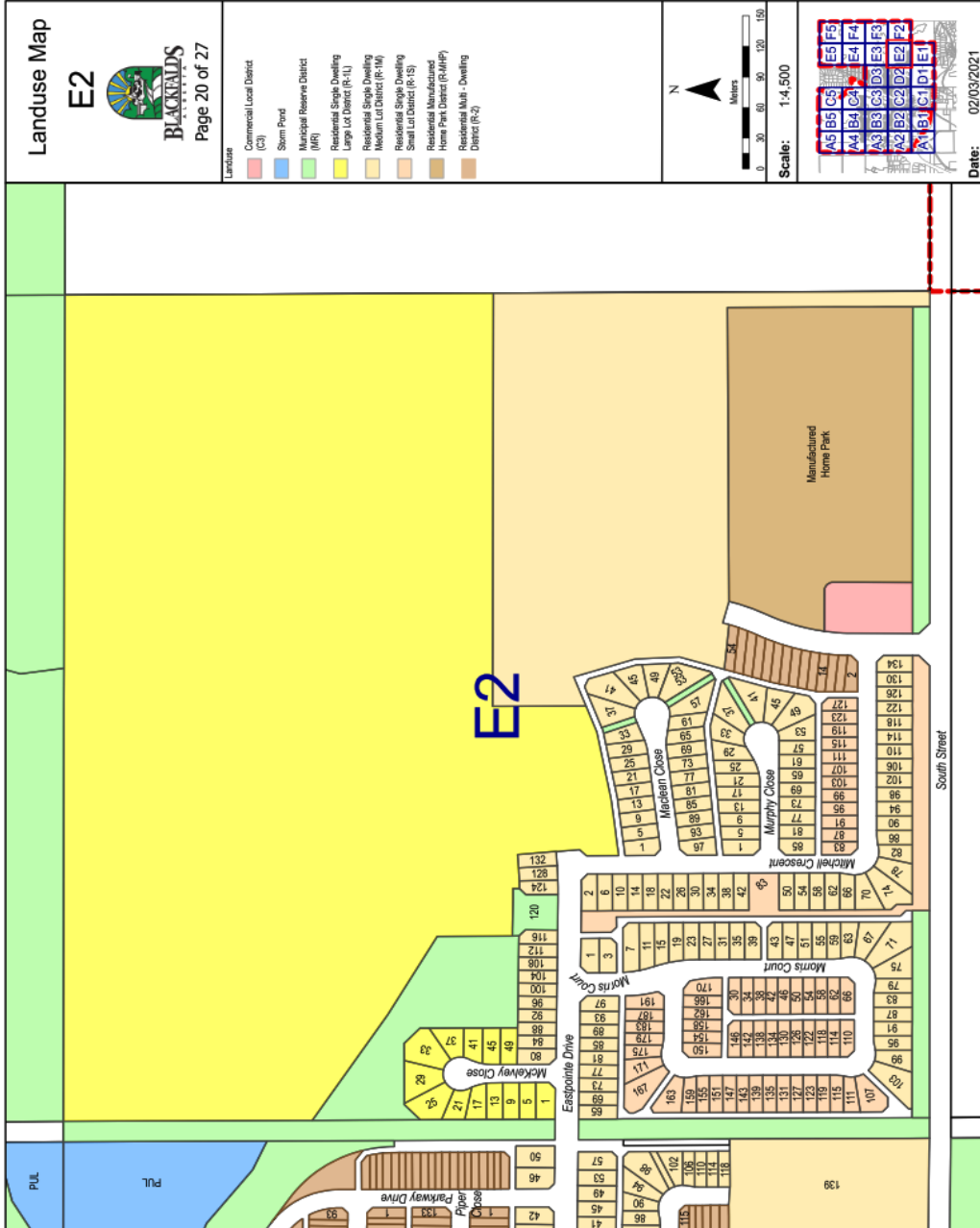
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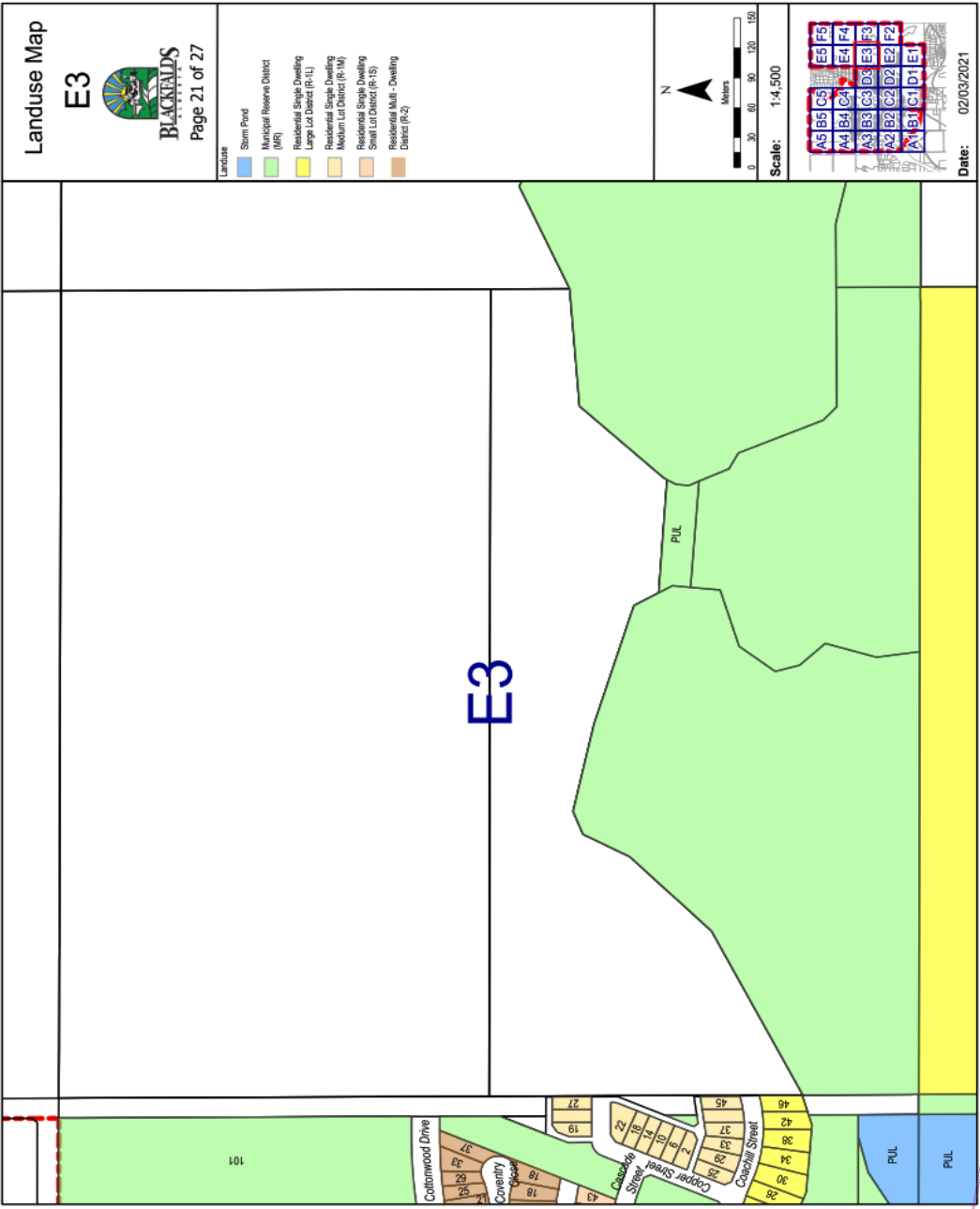
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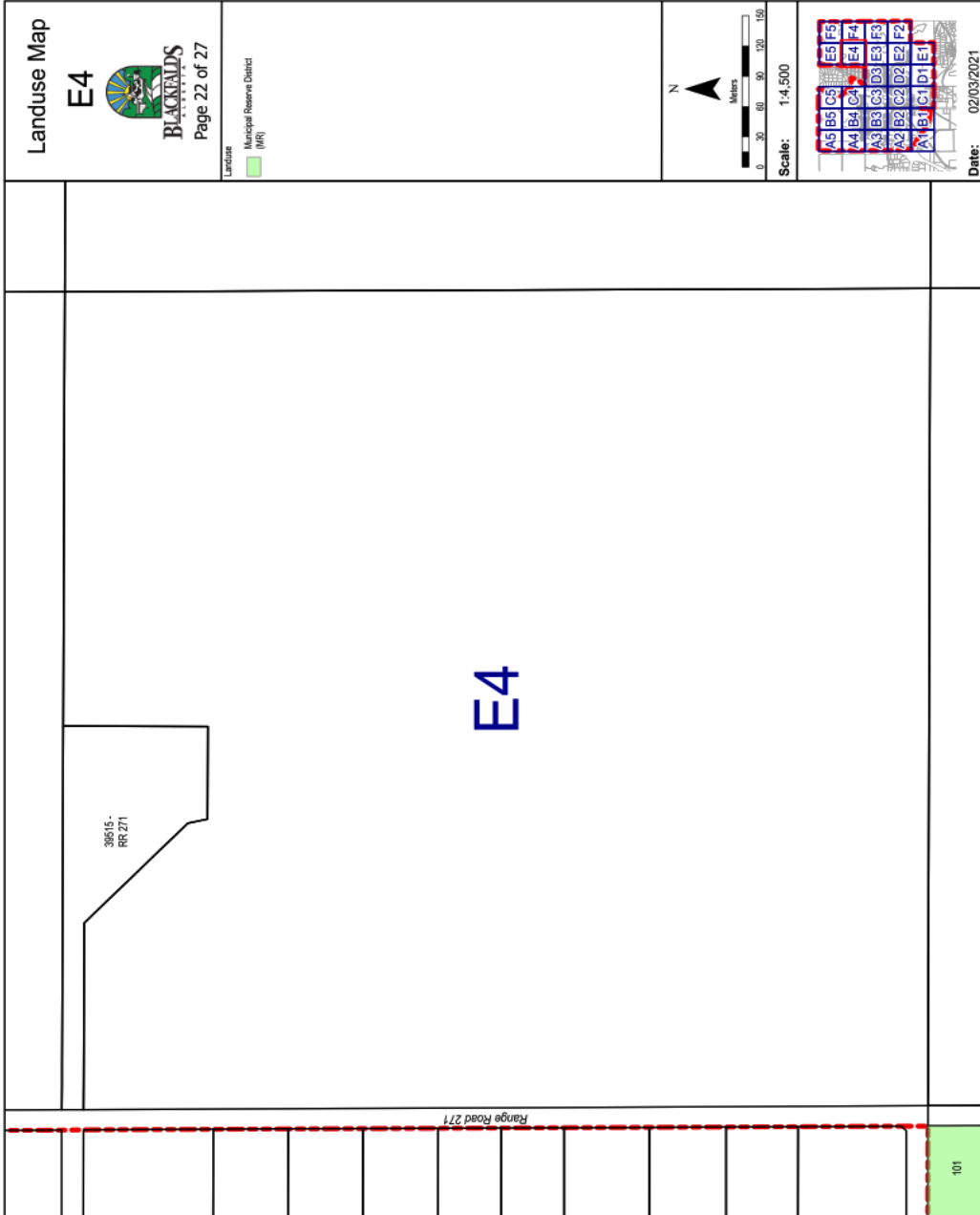
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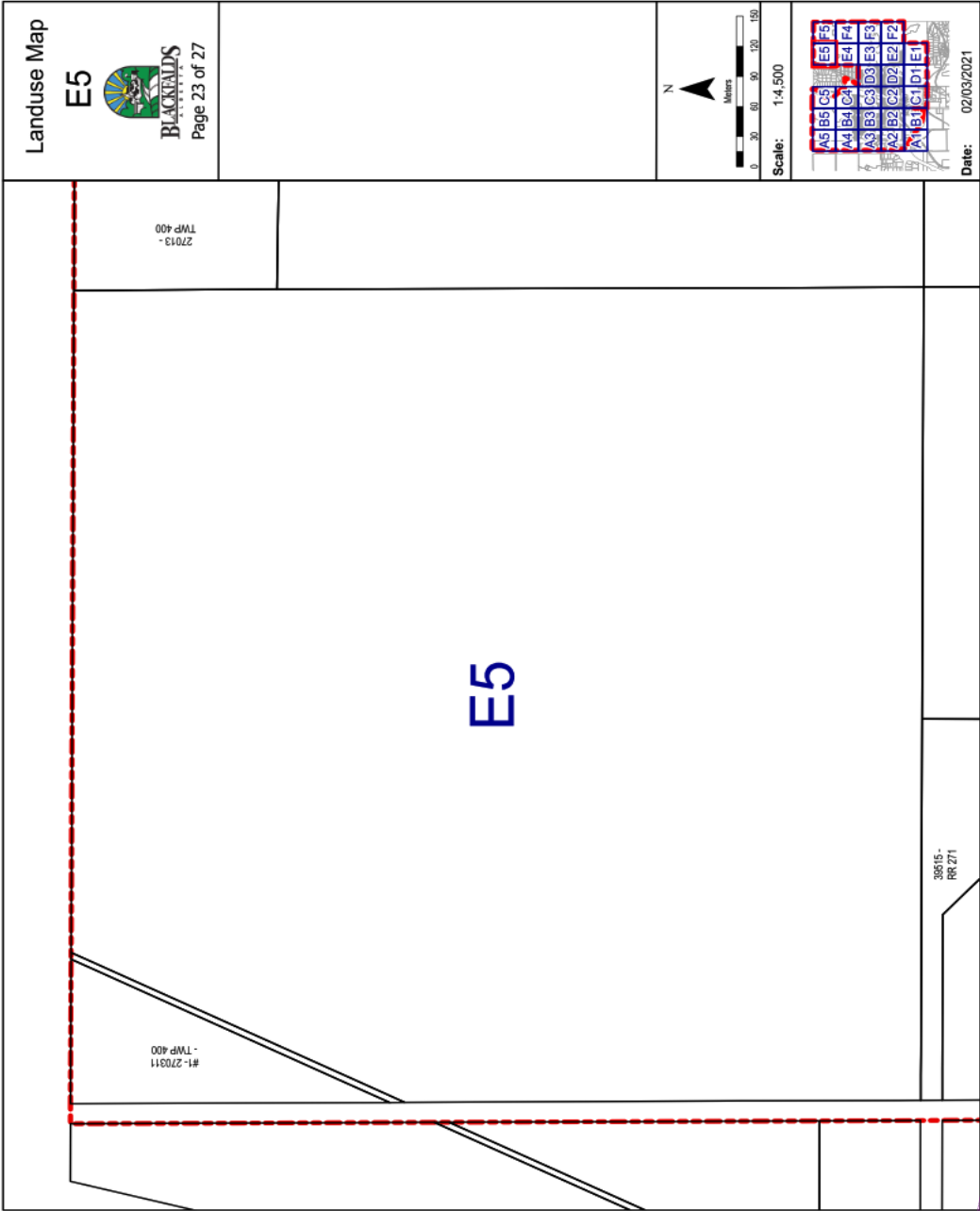
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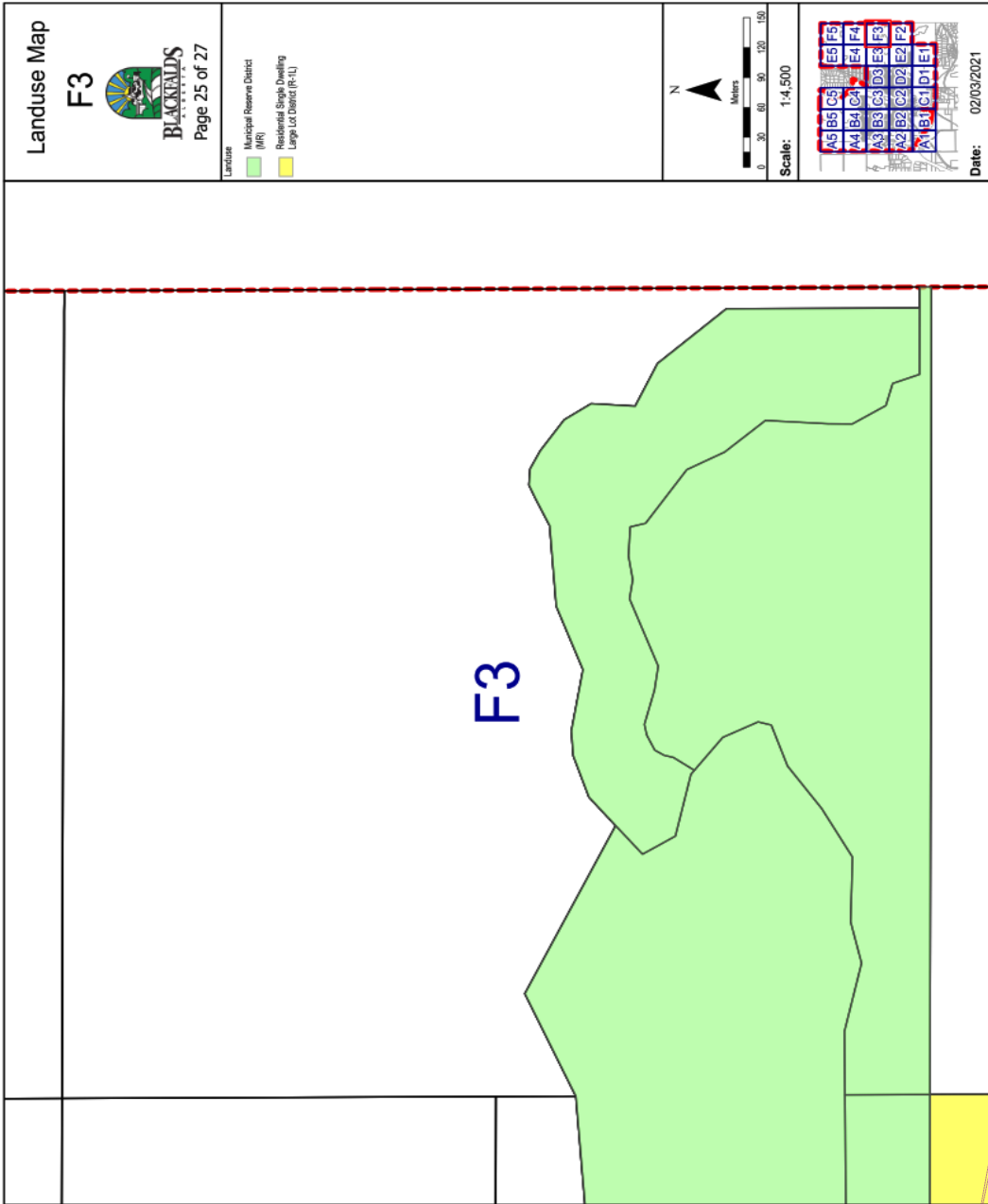
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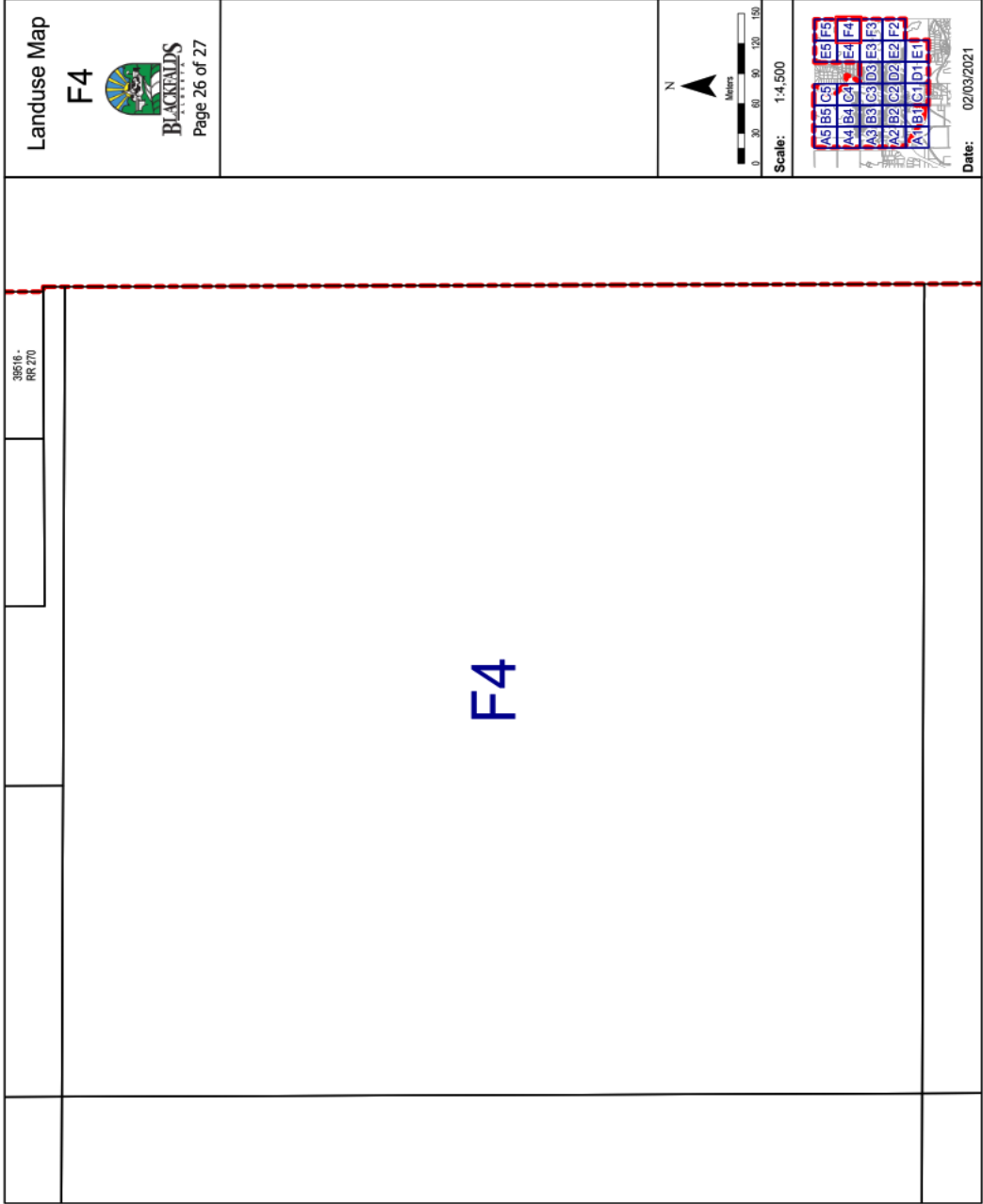
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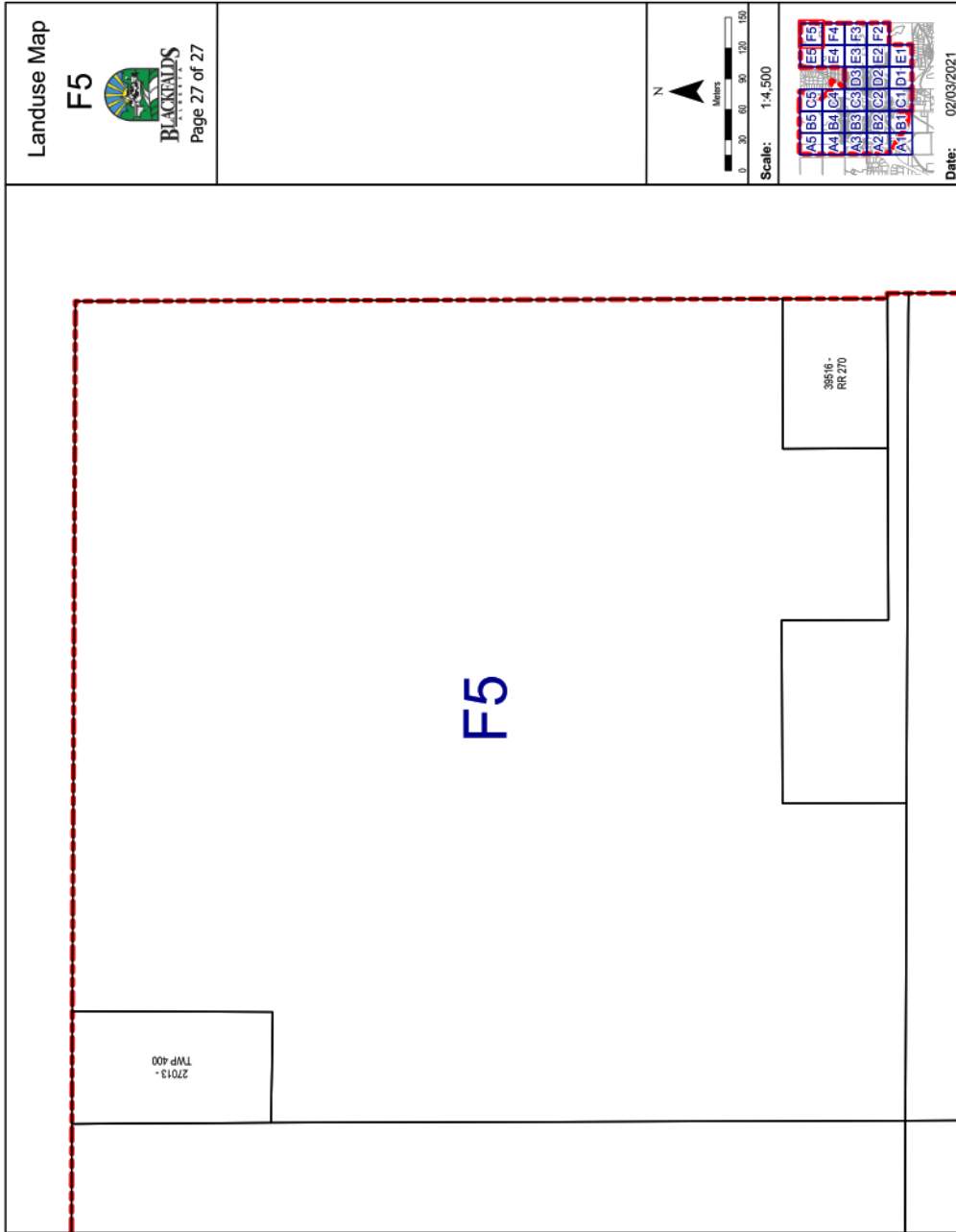
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BLACKFALDS
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**TOWN OF BLACKFALDS
STANDING COMMITTEE OF COUNCIL
COMMITTEE REPORT**

MEETING DATE: June 14, 2021

PREPARED BY: Myron Thompson, Chief Administrative Officer

SUBJECT: COVID-19 Stage 2 Implementation

BACKGROUND:

The province recently announced that COVID-19 active cases, new daily cases, and hospitalization numbers have decreased to a level allowing the implementation of Stage 2 recovery. This is good news for our community, the region, and the province. The Town of Blackfalds will quickly adjust our operations to provide the services allowable to our public while doing so in a safe and effective manner.

DISCUSSION:

A summary of measures relaxed through the implementation of Stage 2 in addition to intended timelines impacting our local government operations is as follows:

Civic Centre Facility

- Commencing June 10th, the public were provided access to main reception areas on the main floor (Municipal Administration) and in the lower level (Planning & Development) with appropriate PPE and social distancing requirements maintained.
- Municipal Library resumed service to the public at 1/3 of fire code capacity.

Abbey Centre

- Commencing June 10th, the Abbey Centre opened to 1/3 capacity in the Fitness Centre, Fieldhouse, and the Indoor Playground.
- The aquatics area opening is anticipated and ready at the Stage 3 implementation.

Community Centre and other Town owned facilities

- Other facilities where the public have access and/or utilization were provided meeting the requirements of 1/3 of fire code capacity.

Indoor Recreation

- All indoor recreation activities resumed at 1/3 of building code capacity.

Youth & Adult Outdoor Sports

- Resumption of sports including ball, soccer, and utilization of skatepark and bike skills park with no restrictions



**TOWN OF BLACKFALDS
STANDING COMMITTEE OF COUNCIL
COMMITTEE REPORT**

Events

- Events including outdoor gatherings (concerts, festivals, etc) resumed or can resume with up to 150 people capacity.

All other changes in restrictions can be found on the provincial website www.alberta.ca/covid19/opensummer.

Administration also recommends that Council resume in person meetings for Council meetings, Standing Committee of Council meetings as well as Municipal Board and Committee Meetings commencing at the start of July.

The wearing of PPE, social distancing and enhanced cleaning and disinfection will continue within the organization. The public entering and utilizing Town owned facilities will be required to abide by the safety measures as well.

Approvals:



CAO Myron Thompson