



Town Of Eckville

LAND USE BYLAW

No. 729/15



E Town of Eckville
Community of Choice



HOW TO USE THIS BYLAW

The Town of Eckville's Land Use Bylaw establishes the regulations which govern how land and buildings can be developed in our Town. The regulations vary depending on where the land is located and what kind of development is proposed.

If you are not sure you understand the regulations, or if you would like someone to guide you through the process, simply call or visit the Town Office and ask to speak to our Development Officer. Alternatively, you can visit the Town's website (www.eckville.com) and find FAQ's and application forms under Planning & Zoning. The telephone number is (403) 746-2171.

STEP 1

Locate the property in question on the Land Use Map attached as Schedule "A" of the Bylaw. You will find the attached at the back of this Bylaw.

The map divides the Town into Land Use Districts. Each District has a land use designation such as "R1" (Residential One-Low Density District), or "C1" (Central Commercial District). Note which Land Use District the property is located in.

STEP 2

Check the Table of Contents and find the District that you are interested in. In each District you will find a list of permitted and discretionary uses, development standards and other regulations.

STEP 3

Review the Table of Contents to see if there are any general or specific use regulations which may apply to your project. For example, in Schedule B: Supplementary Regulations, there are standards relating to such items as accessory buildings, driveways, parking and loading spaces, and landscaping. It also includes regulations for accessory suites, home occupations, bed and breakfasts, sea cans, and manufactured homes.

It is important to note that most signs require a Development Permit and there are standards relating to signage. The types of signs permitted in each District and their design standards can be found in Schedule D.

STEP 4

Discuss your project with the Planning & Development Department. They can assist you with your application and explain the process, whether you are applying for a Development Permit, subdivision, or Land Use Bylaw amendment.

We hope this "how to" guide has been useful. Again, if you need help, please ask!

*NOTE: This page is intended only to assist readers and does not form part of the Land Use Bylaw.

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SCHEDULE A: LAND USE DISTRICT MAP

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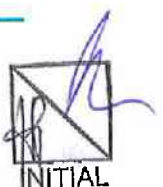


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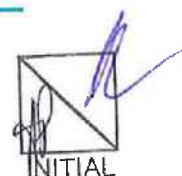


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BYLAW NO. 729/15

BEING A BYLAW TO REGULATE AND CONTROL THE USE AND DEVELOPMENT OF LAND AND BUILDINGS IN THE TOWN OF ECKVILLE.

WHEREAS the *Municipal Government Act*, and amendments thereto, authorize the Council of a municipality to enact a *Land Use Bylaw* to prohibit or regulate and control the use and development of land and buildings within the municipality.

NOW THEREFORE the Council of the Town of Eckville in the Province of Alberta, enacts as follows:

PART ONE

1.0 GENERAL

1.1 Short Title

This Bylaw may be cited as "The Town of Eckville Land Use Bylaw".

1.2 Purpose

The purpose of this Bylaw is to, amongst other things,

- (1) divide the municipality into Districts;
- (2) prescribe and regulate the use for each District;
- (3) establish the roles of the Development Authority;
- (4) establish a method of making decisions on applications for Development Permits including the issuing of Development Permits;
- (5) provide the manner in which notice of the issuance of a Development Permit is to be given; and
- (6) implement the statutory plans of the Town of Eckville.

1.3 Definitions

In this Land Use Bylaw,

"**accessory building**" means a detached subordinate building, the use of which is naturally or customarily incidental and directly related to the principal building, site or use and is situated on the same parcel;

"**accessory residential building**" means a detached subordinate accessory building to a residence located on the same parcel as the principal residential building, and includes a detached garage, carport, workshop, garden shed or greenhouse;

"**accessory suite**" means a separate and subordinate dwelling unit located within a detached dwelling, a duplex or an accessory residential building;

"**accessory use**" means a subordinate use naturally or customarily incidental and directly related to the principle use and is located on the same parcel of land with such principal use;

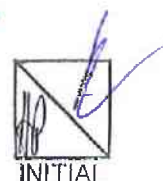
"**adjacent land**" means land that is contiguous to the parcel of land that is the subject of an application and includes land that would be contiguous if not for a highway, road, river or stream;

"**adult care residence**" means a building or portion of a building where two or more adult residents are living on a long-term basis who, because of their circumstances, cannot or do not wish to maintain their own households, are provided with meal services and may be provided with specialized care in the form of supervisory, personal care assistance, or homemaking services;

"**adult entertainment establishment**" means a use which provides activities, facilities, performances, exhibitions, viewing and encounters, the principal characteristic of which is the nudity or partial nudity of any person;

"**agricultural operation**" means an agricultural activity conducted on agricultural land for gain or reward or in the hope or expectation of gain or reward, and includes but is not limited to:

- (a) the cultivation of land;
- (b) the raising of poultry and livestock, including game production animals within the meaning of the *Livestock Industry Diversification Act*;
- (c) the raising of fur bearing animals, birds or fish;
- (d) the production of agricultural field crops;
- (e) the production of fruit, vegetables, sod, trees, shrubs and other special horticultural crops;
- (f) the production of eggs and milk;
- (g) the production of honey;



- (h) the operation of agricultural machinery and equipment, including irrigation pumps; and
- (i) the application of fertilizers, manure, insecticides, pesticides, fungicides and herbicides, including the application by ground and aerial spraying, for agricultural purposes.

"**apartment**" means a residential building consisting of at least three (3) dwelling units, but shall not include buildings containing units with separate exterior entranceway(s);

"**area redevelopment plan**" means a plan adopted by the Council as an area redevelopment plan pursuant to the *Municipal Government Act*;

"**area structure plan**" means a plan adopted by the Council as an area structure plan pursuant to the *Municipal Government Act*;

"**assisted living facility**" means a residential development that

- (a) that contains either dwelling units or individual rooms having a washroom, bedroom and sitting area, or a combination of dwelling units and individual rooms as described;
- (c) may provide limited health care services to residents from on-site health care providers;
- (d) may include a communal dining room and an accompanying kitchen to serve the dining room;
- (e) may provide communal, social or recreation activities and limited on-site health care facilities for the exclusive use of the residents; and
- (f) may include a manager's suite and administrative offices;

"**auction mart**" means a parcel and/or a building used for the temporary storage of goods, excluding animals, which are to be sold on the premises by public auction from time to time;

"**autobody repair**" means an establishment for the painting, customizing, or structural repair of vehicles, but does not include a salvage yard or the storage of derelict vehicles;

"**automotive repair**" means an establishment for the general repair, rebuilding, or installation or replacement of parts or accessories of engines and vehicles, and may include undercoating, rustproofing, upholstery, or detailing, but does not include autobody repair;

"**basement**" means a habitable portion of a building which is partly underground, but which has more than 50 percent of the distance, between the floor level and the underside of the ceiling joists, above adjacent ground elevation;

"**bed and breakfast establishment**" means an owner-occupied detached dwelling where temporary accommodation is provided in three or less guest rooms and meals are supplied on a daily basis to registered guests;

"better agricultural land" means land having a Canada Land Inventory Soil Capability for Agriculture rating of Class 1, 2, 3 or 4 or lands having a farmland assessment rating greater than 28 percent, or their equivalent as determined by government agencies or independent consultants, and at the discretion of the Municipal Planning Commission may include other cultivated or improved land or potentially irrigable land. Better agricultural land excludes:

- (a) cut-off parcels which are regarded by the local municipality as being of insufficient size to farm; and
- (b) land which the Municipal Planning Commission determines is so badly fragmented by existing use or ownership that the land has a low agricultural capability or cannot logically be used for agricultural purposes;

"boarding and rooming house" means a detached dwelling in which a proprietor supplies for a fee, accommodations, with or without meals, for at least three (3) but not more than six (6) persons, exclusive of the proprietor's family;

"boundary" means the registered property line of a site;

- (a) **front boundary** means the boundary of a site adjacent to the street. In the case of a corner site, the front boundary is deemed to be the shorter of the two boundaries that are common with the streets (see sketch in Section 5.7);
- (b) **rear boundary** means the boundary of the site lying opposite the front boundary;
- (c) **side boundary** means the boundaries of the site connecting the front and rear boundaries;

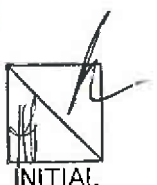
"building" includes anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge forming part of a highway or road;

"building demolition" means the pulling down, tearing down or razing of a building;

"building supply store" means a development that sells materials required for the construction or assembly of buildings by a specific trade including but not limited to lumber, millwork, plumbing and electrical supplies and that may include the incidental sales and rental of products and equipment related to the materials that are sold;

"bulk fuel station" means a facility for the storage and distribution of petroleum or propane products in bulk quantities, but not including retail sales or processing and may include tanker vehicle storage and key-lock pumps;

"bus depot" means a facility providing for the departure and arrival of passengers and freight carried by bus;



"**campground**" means a place intended to accommodate temporary camping, including the erection of tents or the parking of trailers, holiday trailers, or recreational vehicles;

"**car wash**" means a facility used for the purposes of washing motor vehicles;

"**carriageway**" means paved or unpaved portion of a street or lane including vehicle travel lanes and parking lanes;

"**cartage and freight terminal**" means a facility accommodating the storage and distribution of freight shipped by air, rail or highway transportation;

"**cellar**" means a portion of a structure which is mainly underground, and which has less than 50 percent of the distance, between the floor level and the underside of the ceiling joists, above adjacent ground elevation;

"**cemetery**" means a use of land or a building for interment of the deceased;

"**commercial recreation and entertainment facility**" means a facility or establishment which provides for recreation or entertainment for a gain or a profit. It does not include an adult entertainment or drinking establishment;

"**Commission**" means the Municipal Planning Commission (MPC), established by Council pursuant to the *Municipal Government Act*;

"**communications tower**" means a structure, either freestanding or attached to another building, the purpose of which is to support a telecommunications antenna. For the purposes of this bylaw 'communications tower' does not include a structure or use requiring approval by Industry Canada;

"**corner site**" means and includes any lot which is adjacent to the intersection of two streets, the intersection of two lanes, or the intersection of a street and a lane;

"**Council**" means the Council of the Town of Eckville;

"**dangerous goods occupancy**" means any occupancy where those products or substances which are regulated and defined by the *Dangerous Goods Transportation and Handling Act* and its Regulations, are unloaded, loaded, stored, processed, or otherwise handled in excess of the quantities identified under the Alberta Fire Code, with reference to Small Quantity Exemptions for Dangerous Goods, on a permanent or ongoing basis;

"**day care facility**" means a facility that provides care and supervision for seven (7) or more children for more than three (3) but less than twenty-four (24) consecutive hours in each day that the facility is operating, and is intended to be operated for at least twelve (12) consecutive weeks per year;

"deck" means an uncovered horizontal structure with a surface height greater than 0.6 m (2.0 ft) above grade at any point, and intended for the use as a private outdoor space;

"detached dwelling" means a residential building containing one dwelling unit, which is physically separate from any other residential building, and does not include a manufactured or modular home;

"development" means

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

"Development Authority" means the person or persons appointed by resolution of Council as Development Officer pursuant to the Land Use Bylaw, and/or the Municipal Planning Commission;

"Development Officer" means a person appointed as a Development Officer pursuant to this Land Use Bylaw;

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

"discretionary use" means a use of land, building or other structure which may be compatible with other uses in the District that may be permitted by the Development Authority after due consideration is given on the impact of that use upon neighbouring land and other land in the Town and includes accessory and similar uses approved by the Development Authority;

"District" means Land Use District established under this Bylaw as shown in Schedule A and described in Schedule C;

"district shopping centre" means a group of commercial establishments planned, owned, developed and managed as a unit with off-street parking established on the same site which serves the needs of the urban centre and surrounding municipalities;

"drinking establishment" means an establishment 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, music, the preparation and sale of food for consumption on the premises, take-out food services and the sale of alcoholic beverages for consumption away from the premises, but does not permit or include adult entertainment. This includes any premises in respect of which a "Class A" Liquor License has been issued and where minors are prohibited by the terms of the license;

"drive-in business" means an establishment with facilities for on-site service to customers who remain in their motor vehicles, but does not include a drive-in theatre;

"drive-in theatre" means a theatre in which customers view motion pictures from their motor vehicles;

"driveway" means a vehicle access route between the carriageway of a road and a use on a parcel;

"duplex" means a separate residential building consisting of two separate dwelling units only, each above grade and having exterior entrances;

"dwelling unit" means a complete building or self-contained portion of a building for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separate toilet facilities intended as a permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms;

"dwelling unit for the occupancy of the owner, operator or caretaker" means a dwelling unit which is accessory to other development on the parcel;

"eating establishment" means a building or part of a building where food is offered for sale or sold to the public for immediate consumption and without limiting the generality of the foregoing, may include such uses as a restaurant, café, cafeteria, "take-out" counter, ice-cream parlour, tea or lunch room, dairy bar, coffee shop, snack bar or refreshment room or stand;

"eaveline" means the horizontal line that marks the intersection of the roof and the wall of a building;

"existing residence and other related improvements" means a detached dwelling or manufactured home and buildings accessory to the use of the dwelling unit and the parcel upon which it is located, serviced by utilities and access to the satisfaction of the Development Authority;

"feed mills and grain elevators" means buildings in which animal feeds and grain are stored during shipment to or from farms and in which animal feeds may be prepared;

"financial services" means the provision of services related to financial matters, including the deposit or lending of money, the sale of financial investments and the provision of financial planning services;

"floodplain" means the land adjacent to a lake, river or stream inundated by a one in one hundred year return flood as determined by Alberta Environmental Protection;

"flood proofing" means the rendering safe from damage arising from a one in one hundred year return flood, as determined by Alberta Environmental Protection, through all or any of the following means:

- (a) the rising of the level of land to a minimum of 0.3 m (0.98 ft) above that flood level; or
- (b) the construction and use of buildings with the lowest water entry point 0.3 m (0.98 ft) above that flood level; or
- (c) any other such means as may be considered appropriate by the Development Authority in consultation with Alberta Environmental Protection;

"floor area" means

- (a) for residential buildings, the total area of all floors in a building measured from the outside of exterior walls including a basement, but excluding floor areas of cellars, attached garages, sheds, carports, or open porches in all residential building, or
- (b) for commercial buildings, the total floor area of all floors in a building measured from the outside of exterior walls including basements and cellars but excluding mall areas;

"fourplex" means a building containing four dwelling units, each unit comprising two floor levels and sharing a common party wall with two other units;

"funeral home" means a business establishment where the bodies of the dead are prepared for burial or cremation, and where funeral services can be held;

"garage" means an accessory building or a portion of a dwelling which is designed and used by the residents of the dwelling for the storage, parking or maintenance of personal vehicles;

"garden suite" means a temporary and re-locatable factory built detached dwelling limited to occupancy by the parent(s), grandparent(s), or dependant or partly dependant adult relative(s) of the registered owner(s) of a residential parcel and located on the same parcel as an existing single detached dwelling occupied by the registered owner(s);

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

"grade" means for the purpose of regulating the height of a building, the average finished ground elevation adjoining the front of the principal building or for residential buildings with walkout basements, the average finished ground elevation adjoining the front and rear of the principal building;

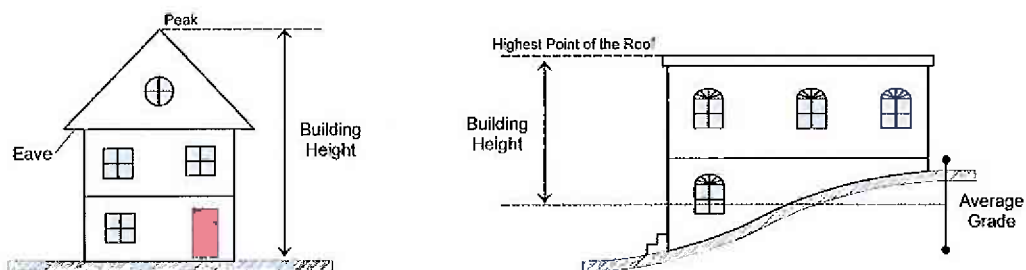
“greenhouse, commercial” means a building for the growing of flowers, plants, shrubs, trees, and similar vegetation which are sold directly from the parcel at retail or wholesale and may include the accessory sale of related supplies but does not include facilities for growing medical marijuana;

“hard surface pad” means a pad constructed out of concrete or asphalt or paving stones having due regard to the load carrying capacity of the intended driveway and may also mean two (2) full length strips of concrete or asphalt or paving stones for the wheel path area of a vehicle or trailer, the width of which shall be calculated as being measured from the outside edge of one strip to the outside edge of the other strip;

“health and medical services” means a use where human health services are provided through diagnostic, therapeutic, preventative, or rehabilitative treatment without overnight stays for patients. Without limiting the generality of the foregoing, this use includes the offices of physicians, dentists, physiotherapy, chiropractic, out-patient care facilities, blood banks, and oxygen and miscellaneous types of medical supplies and services. This does not include medical marijuana dispensaries and/or facilities;

“heavy manufacturing” 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;

“height” means the vertical distance measured from grade to the peak of a building’s roof. This does not include such features as mechanical penthouses, ventilation equipment or any other feature that the Development Authority determines is not essential to the enclosure of the building or load-bearing framework of the building;



“home occupation” means a secondary use conducted within a residential dwelling or accessory residential building by a resident of the dwelling unit, for gain or support, or in the hope or expectation of gain or support, and may include any occupation, trade, profession, or craft;

“hotel/motel” means a use where temporary accommodation is provided to visitors and travellers for remuneration on a year-round basis, and may include accessory eating and drinking establishments and general retail shops;

"indoor merchandise sales" means the indoor sale and storage of merchandise in quantities limited to the needs of the outlet, including the direct display and indoor storage of a limited range of large bulky goods requiring large floor areas. Without limiting the generality of the foregoing, may include department stores, furniture stores, major appliance stores, and home improvement centres;

"Intermunicipal Development Plan" means a plan adopted by Council and the Council of Lacombe County as an Intermunicipal Development Plan pursuant to the *Municipal Government Act*;

"internal road" means a road contained inside a subdivision;

"landscaped area" means an area made attractive by the use of grass, trees, shrubs, ornamental planting, fences, walls and associated earthworks, but does not include areas occupied by garbage containers, storage, parking lots or driveways;

- (a) hard landscaping means the use of non-vegetative materials, other than monolithic concrete, asphalt or gravel, as part of a landscaped area;
- (b) soft landscaping means the use of vegetative materials as part of a landscaped area;

"Land Use Bylaw" means Bylaw No. 729/15, and amendments thereto;

"Land Use District" means an area as described in Schedule C and shown in Schedule A of this Land Use Bylaw;

"land use policies" means policies established by the Lieutenant Governor in Council pursuant to the *Municipal Government Act*;

"lane" means a public thoroughfare which provides a secondary means of access to a parcel or parcels and which is registered in a land titles office;

"length of a driveway" shall be measured from the property line to the closest point of the building;

"light industrial use" means the use of land, buildings or structures for the making of finished products or parts, usually from already prepared materials, and includes the processing, reconditioning, fabrication, assembly, treatment, packaging, storage, sales and distribution of such products or parts, but excludes conventional industrial uses;

"livestock" means horses, cattle, sheep, swine, goats, poultry, bees, and also means fur-bearing animals, alpacas, llamas, ratites, elk, deer and bison raised in captivity;

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

"manufactured home park" means a parcel comprehensively designed, developed, operated and maintained to provide sites and facilities for the placement and occupancy of manufactured homes on a long-term basis;

"market" means a use where individual vendors operating from defined areas offer goods for sale directly to the public such as food products, produce, craft articles, second-hand goods and antiques;

"mechanized excavation, stripping and grading" means the use of motorized equipment to remove, relocate or stockpile soil or vegetation in excess of normal landscape maintenance requirements;

"minor small scale industrial uses" means the use of a parcel for industrial/business purposes which are incidental to a principal residential use of the parcel. For the purposes of this definition, this includes small scale industrial shops, minor equipment storage, the parking and maintenance of equipment and the storage of goods and materials related to the industry/business;

"modular home, house or housing" means a residential building containing one dwelling unit, built in a factory and transported to a site to be permanently installed on a foundation on which appears indistinguishable in design and finish from a stick-built house, and does not include "manufactured home" or "mobile home";

"multiple housing development" means two or more residential 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;

"municipality" means the Town of Eckville;

"Municipal Development Plan" means a plan adopted by Council as a municipal development plan pursuant to the *Municipal Government Act*;

"Municipal Government Act (MGA)" means the *Municipal Government Act*, S.A. 2000, c. M-26, as amended;

"Municipal Planning Commission" means a commission established by the Municipal Planning Commission Bylaw 576/95, as amended;

"municipal shop and storage yard" 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;

"**natural environment preservation area**" means an area that is to be preserved because it is unsuitable in its natural state for development;

"**neighbourhood convenience store**" means a retail commercial establishment supplying groceries, sundries and other daily or occasional household necessities to the immediate surrounding area;

"**non-conforming building**" means a building

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

"**non-conforming use**" means a lawful specific use

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

"**office**" means a facility providing for the administration of business, or government, or the provision of professional services;

"**open storage yard**" means land that is used for the storage of products, goods or equipment;

"**outdoor boiler**" means any type of solid fuel burning unit located separate from the principal building or any accessory buildings or as a stand-alone building for the generation of space heating or water heating;

"**outdoor display area**" means an accessory use for the outdoor display of goods, products, materials or equipment intended and permitted to be sold or rented on a site;

"**outdoor storage area**" means an accessory use for the outdoor storage of equipment and materials associated with the day to day operations or sales of a business;

"**owner**" means the person who is registered under the *Lands Titles Act* as the owner in fee simple estate of the 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 in a land titles office;

"parcel coverage" means the area covered by buildings, accessory buildings, storage areas and display areas;

"park" means an area of public land that is developed for active and/or passive outdoor recreation use;

"parking facility/lot/area" means a structure or an area providing for the parking of motor vehicles;

"performance bond" means written obligation by an applicant for a Development Permit to pay a specified amount of money to the municipality, usually in the form of a letter of credit, in the event of a failure to comply with particular conditions under which the Development Permit is issued;

"permanent foundation" means:

- (a) a foundation meeting the current Alberta Building Code standard for permanent foundations; or
- (b) an engineer approved wood foundation; or
- (c) a poured concrete basement; or
- (d) a concrete block foundation;

"permitted use" means a use which is compatible with other uses in the District and for which a Development Permit shall be issued provided it otherwise conforms with this Land Use Bylaw;

"personal services" means the provision of a service to individuals on a commercial basis and without limiting the generality of the foregoing, may include, travel agents, beauty salons, pet care services, the cleaning or altering of personal wardrobes, massage therapy clinics, and fitness centers, and may include retail sales of related goods as an ancillary use;

"playgrounds" means an area developed for active play using fixed equipment;

"porch" means an unenclosed, covered structure forming an entry to a building;

"principal building" means a building which;

- (a) occupies the major or central portion of a site,
- (b) is the chief or main one amongst the buildings on a site, or;
- (c) constitutes, by reason of its own use, the primary purpose for which the site is used;

"principal use" means the principal purpose for which a building, other structure or parcel is designed, arranged, or intended, or for which it may be used, occupied or maintained under this Land Use Bylaw;



“public use” means the use of land or a building for purposes of public administration and service, and without limiting the generality of the foregoing, may include libraries, museums, auditoriums, kindergartens, schools, colleges, places of worship or assembly, hospitals, private clubs, and facilities for government, fire, police protection, justice, institutional housing, and related services;

“public utility” means a public utility as defined in Part 17 of the *Municipal Government Act*;

“public utility building” means a building in which the proprietor of a public utility

- (a) maintains its offices; or
- (b) maintains or houses equipment used in connection with the public utility;

“quasi-public use” means a facility or use which is essentially public (as in services rendered) such as emergency shelters or food banks although the facility may be under private ownership or control;

“railway uses” means a use of land or a building directly related to the building or operation of a railroad system;

“recreation facilities” means a public building and grounds for community entertainment, relaxation, social activity and other leisure needs;

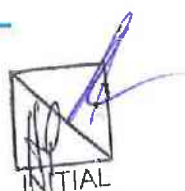
“recreational vehicle” means a portable structure designed to provide temporary living quarters that is either carried on or pulled by a vehicle, or a vehicle that is designed to provide temporary living quarters to be used for travel, recreation, leisure or vacation purposes, including, but not limited to, travel trailers, truck campers, fifth wheel trailers, motor homes, and tent trailers;

“recycle drop-off” means an area of land where the materials such as newsprint, cardboard or other paper products, household plastics including containers, metal cans and glass containers are deposited by the public into a container that is labelled for the purpose of recycling materials and where no attendants are located on the site except when the recycling containers are being serviced;

“repair services” means the restoration and maintenance of objects, which is compatible with other uses in the District;

“residential building” means a building which is designed or used exclusively for one or more dwelling units;

“retail commercial use” means a development for the retail sale of consumer goods on a daily basis in an enclosed building and, without limiting the generality of the foregoing, may include food stores, liquor stores, drug stores, second-hand stores, automotive parts and accessories stores, and convenience stores, and includes supplementary services such as postal service and film processing;



"road" means land:

- (a) shown as a road on a plan of survey that has been filed or registered in Land Titles Office, or
- (b) used as a public road; and
- (c) 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 group of three or more dwelling units, each unit separated by a common or party wall and having a separate front and rear access to the outside grade;

"sales, service, & rental outlet" means

- (a) **automotive sales, service, & rental** means a building, structure or premise where motor vehicles are stored or displayed for the purpose of sale or lease and where such vehicles may be picked up and dropped off, and may include the servicing, repair and ancillary sale of vehicle parts or accessories;
- (b) **farm and equipment sales, service, & rental** means a use where farm, light residential, construction, commercial, and light industrial equipment and vehicles are rented and/or sold to the public, and may include portable tools and machines for construction and trades, lawn and garden equipment, and other goods of similar size and function. The use includes maintenance activities and all activities associated with the use taking place within a building;
- (c) **heavy equipment sales, service, & rental** means a use where large construction or industrial equipment and vehicles are rented and/or sold to the public including terra forming vehicles such as excavators, backhoes, and bulldozers, and forestry equipment and other apparatus of similar size and function and includes maintenance activities;
- (d) **recreational vehicle sales, service, & rental** means a building, structure or premise where recreational vehicles such as a travel trailer, motorized camper or tent trailer, are stored or displayed for the purpose of sale or lease and where such vehicles may be picked up and dropped off, and may include the servicing, repair and ancillary sale of vehicle parts or accessories;
- (e) **seasonal vehicle sales, service, & rental** means a use where seasonal motor vehicles such as motorcycles, snowmobiles, ATVs or watercraft are sold or leased to the public and may include the servicing, repair and ancillary sale of vehicle parts or accessories;

"salvage yard/scrap metal dealer" means land and buildings that are used for the storage, wrecking, dismantling, refurbishing or handling of old or wrecked cars, trucks, farm vehicles, equipment, and other scrap metal for the purpose of recycling their components, including the retail sale of salvaged items and administrative functions associated with the use;

"screen" means a fence, berm, hedge, wall or building used to separate areas or functions which detract from the appearance of the street scene and the view from the surrounding areas;

“sea can” means a prefabricated metal shipping container, originally designed for use as an individual shipping container for the transportation of goods. Sea Cans are deemed to be temporary in nature and are considered an accessory building or use;

“secondary use” means a use other than a main or accessory use;

"seed cleaning plant" means a building for the storage and preparation of seed used in agriculture;

“self-service storage facility” means a building containing separate, individual self-storage units divided from floor to ceiling by a wall with an independent entrance from either the exterior or interior of the building, designed to be rented or leased for the storage of household items, personal goods, materials and equipment but does not include sea/land containers;

“service station” means an establishment where fuel, oils, antifreeze, tires, spark plugs, batteries, and other accessories for motor vehicles are for sale, or where motor vehicles may be oiled, tires inflated or batteries changed, or where only minor servicing or repairs essential to the actual operation of motor vehicles are executed or performed, but does not include autobody repair or automotive repair;

"sight triangle" means an area at the intersection of roads or roads 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;

"sign" means any word, letter, model, placard, board, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction and its supporting structure;

“soft sided building” means any temporary building that is faced or finished, on any portion of the building exterior with flexible sheeting capable of being rolled or folded;

“solar energy device” means structures and accessories designed to convert solar radiation into electrical or thermal energy;

"solid waste transfer station" means a facility for the collection and temporary holding of solid waste in a storage container;

“statutory plan” means a General Municipal Plan, Municipal Development Plan, Intermunicipal Development Plan, an area structure plan or an area redevelopment plan adopted by a bylaw of the municipality, or any one or more of them;

"street" means any category of road except a lane;

"structure" means anything constructed or erected, the use of which requires location on the ground or attachment to something located on the ground but does not include pavements, curbs, walks, or open air surfaced areas;

"structural alterations" means altering the main building components which support a building;

"Subdivision and Development Appeal Board" means a board established by the Subdivision and Development Appeal Board Bylaw 579/95, as amended;

"Subdivision and Development Regulation" means the *Subdivision and Development Regulation* (AR 43/2002), as amended;

"tarp/canvas covered structure" means a truss framed, canvas/fabric covered membrane building for permanent use. Applications may include warehouses, vehicle and equipment storage, manufacturing facilities, barns, stables, arenas and event centres;

"temporary building" means a non-permanent soft-sided or fabric covered structure without a foundation or footing that is used for motor vehicle or any other storage use;

"towing service" means a use where trucks are dispatched to transport disabled vehicles and includes the secure outdoor storage of towed vehicles;

"use" means a building or an area of land and the function and activities therein or thereon;

"utilities" means public utilities as defined in the *Municipal Government Act* with the exception of waste management;

"veranda" means a porch along the outside of a building which is sometimes partially enclosed;

"veterinary clinic" means a facility for the medical care and treatment of animals, and includes provision of their overnight accommodation but does not include kennels, outdoor pens, runs or enclosures;

"warehouse" means a facility for the indoor storage of goods and merchandise and may include offices related to the administration of the warehouse facility and/or the retail sale of goods stored in the warehouse as accessory uses;

"yard" means an open space on the same site as a building and which is unoccupied and unobstructed from the ground upward except as otherwise provided herein;

- (a) front yard means a yard extending across the full width of a parcel measured perpendicularly from the front boundary of a parcel to the front wall(s) of the principal building situated on the parcel;

- (b) rear yard means a yard extending across the full width of a parcel measured perpendicularly from the rear wall(s) of the principal building situated on the parcel to the rear property boundary of the parcel;
- (c) side yard means a yard extending from the front yard to the rear yard between the side boundary of the parcel and the wall of the principal building thereon.

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

1.4 Establishment of Development Officer

- (1) The office of the Development Officer is hereby established and such office shall be filled by a person or persons to be appointed by resolution of Council.

1.5 Authority and Responsibility of Development Officer

- (1) The Development Officer shall perform such duties that are specified in this Land Use Bylaw, including among other things:
 - (a) receive and process all applications for Development Permits;
 - (b) review each Development Permit application to ascertain whether it is complete and in accordance with the information requirements of this Bylaw;
 - (c) review each Development Permit application to determine its appropriate use definition and, if necessary, require the applicant to apply for a permit for a different use definition or make application to amend this Land Use Bylaw;
 - (d) issue decisions and if necessary state terms and conditions for Development Permit applications for those uses listed as Permitted Uses in the subject land use district;
 - (e) refer to the Municipal Planning Commission for its consideration any Development Permit application with respect to a Discretionary Use and such other matters as the Municipal Planning Commission may direct;
 - (f) provide notice of decisions on Development Permit applications in accordance with the notification requirements of this Land Use Bylaw;
 - (g) keep a register of all applications for development, including the decisions thereon and the reasons therefore; and
 - (h) keep and maintain for the inspection of the public during all reasonable hours, a copy of this Land Use Bylaw and all amendments thereto.

- (2) The Development Officer may
 - (a) refer any application to an adjacent municipality or any other agency or land owner which in the Development Officer's opinion may provide relevant comments or advice respecting the application;
 - (b) at their discretion, refer to the Municipal Planning Commission for its consideration any Development Permit application with respect to a permitted use; and
 - (c) refer any other planning or development matter to the Municipal Planning Commission for its review, support or direction.



1.6 Municipal Planning Commission

- (1) The Municipal Planning Commission of the Town of Eckville is established by Bylaw and is authorized to act as the Development Authority in those matters prescribed in this Land Use Bylaw.
- (2) The Municipal Planning Commission:
 - (a) shall consider and if necessary state terms and conditions on any other planning or development matter referred by the Development Officer or Administration;
 - (b) shall issue decisions and if necessary state the terms and conditions for Development Permit applications for those uses listed as Permitted Uses which the Development Officer refers to the Municipal Planning Commission;
 - (c) shall issue decisions, and if necessary, state the terms and conditions for Development Permit applications for those uses listed as Discretionary Uses; and
 - (d) may make recommendations to Council on planning and development matters.

1.7 Establishment of Forms

- (1) For purposes of administering this Land Use Bylaw, the Development Authority shall prepare such forms and notices as he or she may deem 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.

1.8 Establishment of Supplementary Regulations

- (1) Supplementary Regulations as set forth in Schedule B 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.

1.9 Establishment of Land Use District Regulations

- (1) Land Use District Regulations as set forth in Schedule C 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.

1.10 Establishment of Districts

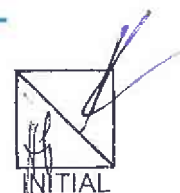
(1) For the purpose of this Land Use Bylaw, the Town of Eckville is divided into the following Districts:

Residential One-Low Density District	R1
Residential One-Narrow Lot District	R1-N
Mixed Residential District	R2
Multi-Family Residential District	R3
Manufactured Home Park District	R4
Manufactured Home Subdivision District	R4-A
Country Residential Minor Industrial District	CRMI
Residential-Light Industrial District	RL
Central Commercial District	C1
Highway Commercial District	C2
Light Industrial District	I1
Heavy Industrial District	I2
Public Recreation District	PR
Urban Reserve District	UR

(2) The boundaries of the Districts listed in subsection (1) are as delineated on the Land Use District Map being Schedule A hereto. All roads, water courses 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.



1.11 Rules of Interpretation

- (1) Words used in the present tense include the other tenses and derivative forms. Words used in the singular include the plural and vice versa. Words used in the masculine gender shall also mean the feminine gender and the neutral. Words have the same meaning whether they are capitalized or not.
- (2) Words, phrases and terms not defined in this Land Use Bylaw may be given their definition in the *Municipal Government Act, Subdivision and Development Regulation* or the *Alberta Building Code*. Other words shall be given their usual and customary meaning.
- (3) The words “shall” and “must” require mandatory compliance except where a variance has been granted pursuant to this Land Use Bylaw.
- (4) Where a specific use does not conform to the wording of any use definition or generally conforms to the wording of two or more use definitions, the Development Authority may, using discretion, deem that the use conforms to and is included in that use class considered to be the most appropriate in character and purpose provided that the specific use is substantially similar in nature, character and impact as the other uses listed in the use class. In such case, the use shall be considered a discretionary use, whether or not the use class is listed as permitted or discretionary within the District.
- (5) Imperial equivalents are provided beside every metric value in this Land Use Bylaw for convenience. Such equivalents are rounded to the nearest whole number. The metric value is the actual standard to be used.

1.12 Compliance with other Legislation

- (1) Compliance with the requirements of this Land Use Bylaw does not exempt any person from
 - (a) the requirements of any federal, provincial or municipal legislation; and
 - (b) complying with any easement, covenant, agreement or contract affecting the development.

1.13 Sections Found Invalid

- (1) If one or more provisions of this Land Use Bylaw are for any reason declared to be invalid, it is intended that all remaining provisions are to remain in full force and effect.

1.14 Amendment of the Land Use Bylaw

- (1) The Council on its own initiative may give first reading to a bylaw to amend this Land Use Bylaw.
- (2) A person may make application to the Development Officer for amendment to this Land Use Bylaw. The application shall include:
 - (a) a statement of the specific amendment requested;
 - (b) the purpose and reasons for the application;
 - (c) 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;
 - (d) a statement of the applicant's interest in the lands; and
 - (e) an application fee, the amount of which shall be determined from time to time by resolution of Council.
- (3) If the amendment is for redesignation of land, the Development Officer may require:
 - (a) an outline plan for the area to be redesignated, 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 redesignation and/or related outline plan, or if necessary to prepare an outline plan.
- (4) Upon receipt of an application for amendment to this Land Use Bylaw, the Development Authority shall initiate or undertake an investigation and analysis of the potential impacts of development resulting from or allowed as a result of the proposed amendment. The analysis shall be based on the full development potential of the proposed amendment and not on the merits of any particular development proposal. The analysis shall, among other things consider the following impact criteria:
 - (a) relationship to and compliance with approved statutory plans and Council policies;
 - (b) relationship to and compliance with statutory plans or outline plans in preparation;
 - (c) compatibility with surrounding development in terms of land use function and scale of development;
 - (d) traffic impacts;

- (e) relationship to, or impacts on, services such as water and sewage systems, and other public utilities and facilities such as recreation facilities and schools;
 - (f) relationship to municipal land, right-of-way or easement requirements;
 - (g) effect on stability, retention and rehabilitation of desirable existing uses, buildings, or both in the area;
 - (h) necessity and appropriateness of the proposed amendment in view of the stated intentions of the applicant; and
 - (i) relationship to the documented concerns and opinions of area residents regarding development implications.
- (5) Upon receipt of an application for amendment to this Land Use Bylaw, the Development Authority shall determine when the application will be placed before the Council and shall issue not less than five (5) days' notice to the applicant advising that he/she may appear before the Council at that time, and speak to the application. An application for amendment shall be placed before the Council within sixty (60) days of its receipt by the Development Authority.
- (6) Following first reading of an amending bylaw, the Council shall
- (a) establish the date, time and place for a public hearing on the proposed bylaw;
 - (b) outline the procedures to be followed by anyone wishing to be heard at the public hearing; and
 - (c) outline the procedure by which the public hearing will be conducted.
- (7) Following first reading of an amending bylaw, the Development Authority must give notice of the public hearing by:
- (a) publishing notice 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; and
 - (b) if the amending bylaw proposes to change the district designation of a parcel of land, mailing or delivering notice to every owner of adjacent land in and around the parcel or parcels to which the proposed bylaw relates.

- (8) A 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 document relating to it or the public hearing may be inspected; and
 - (c) the date, place and time where the public hearing will be held.
- (9) A notice of a public hearing must be advertised at least five (5) days before the public hearing occurs.
- (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 subsections 1.14(7) and 1.14(8),
- (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 1.14(10)(a) and subsection 1.14(8) 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 1.14(10)(a) and subsection 1.14(8) 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 subsection 1.14(10)(c) is in Lacombe County, 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 Lacombe County.
- (12) Notwithstanding subsection 1.14(5), 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 the Council; and



- (b) may hear any other person who wishes to make representations and whom the Council agrees to hear.
- (14) After considering the representations made to it about the proposed bylaw at the public hearing and after considering any other matter it considers appropriate, the Council may,
- (a) refer it for further information or comment;
 - (b) pass the bylaw;
 - (c) make any amendment to the bylaw it considers necessary and proceed to pass it without further advertisement or hearing; or
 - (d) defeat the bylaw.
- (15) Prior to third reading of the proposed bylaw, Council may require the applicant to apply for a Development Permit and negotiate a development agreement in respect of the proposal that initiated the application for amendment.
- (16) The Development Officer shall not accept an application of an amendment which is identical or similar to an application which was refused by the Council, for a period of six (6) months after the date of the refusal unless, in the opinion of the Development Officer, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.
- (17) After third reading of the proposed bylaw, the Development Authority shall send a copy of it to
- (a) the applicant;
 - (b) the registered owner of the land if not the applicant;
 - (c) an approved municipal planning services provider; and
 - (d) Lacombe County, if it received a copy of the proposed bylaw pursuant to subsection 1.14(12).
- (18) The Development Officer shall not accept an application for an amendment which is identical or similar to an application which was refused by the Council, for a period of three (3) months after the date of the refusal unless, in the opinion of the Development Officer, the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.

- (19) In this section,
- (a) **“adjacent land”** means land that is contiguous to the parcel of land that is being redesignated and includes
 - (i) land that would be contiguous if not for a highway, road, river or stream; and
 - (ii) any additional land identified by the Development Officer; and
 - (b) **“owner”** means the person shown as the owner of land on the assessment roll prepared pursuant to the *Municipal Government Act*.



PART TWO

2.0 DEVELOPMENT PERMITS, CONTRAVENTION & APPEAL

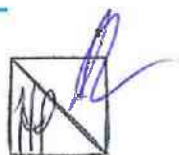
2.1 Purpose of Development Permits

- (1) Development permits are required to ensure that all development is achieved in an orderly manner.
- (2) No development other than that specified in Section 2.2 shall be undertaken within the Municipality unless the development conforms to this Bylaw and a Development Permit has been issued.

2.2 Development Not Requiring a Development Permit

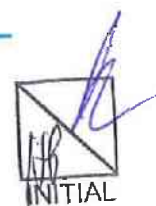
- (1) All development undertaken in the municipality requires an approved Development Permit prior to commencement, except:
 - (a) the carrying out of works of improvement, maintenance or renovation to any building provided that such works do not include structural alterations or additions;
 - (b) the completion of any development which has lawfully commenced before the passage of this Land Use Bylaw or any amendment thereof, provided that the development is completed in accordance with the terms of any permit granted in respect of it, and provided that it is completed within twelve (12) months of the date of commencement;
 - (c) the erection or construction of gates, fences, walls or other means of enclosure less than 1.0 m (3.3 ft) in height in front yards and less than 2.0 m (6.6 ft) in other yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure;
 - (d) a temporary use of a parcel not exceeding six (6) months for the sole purpose of mobile commercial sales (e.g. fish trucks, fruit trucks, etc.), providing a business license is obtained from the municipality and the location of the business is to the satisfaction of the Development Authority;
 - (e) the installation, maintenance and repair of utilities;
 - (f) any development carried out by or on behalf of the Crown but not including that carried out by or on behalf of a Crown Corporation;
 - (g) 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;

- (h) one accessory building used as a garden or tool shed on a residential parcel provided that the building does not exceed 11.5 m² (123.8 sq ft) in floor area and 2.5 m (8.2 ft) in height;
- (i) the demolition of a building less than 25.0 m² (269.1 sq ft);
- (j) development specified in the *Municipal Government Act*, which includes:
 - (i) a highway or road,
 - (ii) a well or battery within the meaning of the *Oil and Gas Conservation Act*,
 - (iii) a pipeline or an installation or structure incidental to the operation of a pipeline, or
 - (iv) any other action, person, or thing specified by the Lieutenant Governor in Council by regulation;
- (k) one satellite dish antenna, less than 1.0 m (3.3 ft) in diameter, per parcel provided it is suited to the satisfaction of the Development Authority;
- (l) a flag attached to a single upright flagpole; and
- (m) permitted uses in the following land use Districts:
 - (i) Residential One-Low Density District (R1);
 - (ii) Residential One-Narrow Lot District (R1-N);
 - (iii) Mixed Residential District (R2);
 - (iv) Multi-Family Residential District (R3);
 - (v) Manufactured Home Park District (R4);
 - (vi) Manufactured Home Subdivision District (R4-A);
 - (vii) Residential-Light Industrial District (RL) – Permitted Residential Uses only;
 - (viii) Country Residential Minor Industrial District (CRMI).



2.3 Development Permit Applications

- (1) An application for a Development Permit shall be made to the Development Officer in writing on the form prescribed by Council and shall be accompanied by:
 - (a) a scaled site plan in duplicate showing
 - (i) the treatment of landscaped areas if required;
 - (ii) the legal description and surveyed dimensions of the parcel, the front, rear, and side yards of existing and proposed buildings;
 - (iii) site parking layout, with dimensions, including existing and proposed onsite and off-site parking and loading;
 - (iv) access and egress points to the parcel, and abutting roads;
 - (v) location of all registered utility easements and right-of-ways;
 - (vi) proposed improvements to all portions of the site including loading facilities, parking, fences, retaining walls, storage areas, and garbage facilities;
 - (b) scaled floor plans, elevations and sections in duplicate;
 - (c) a statement of existing and proposed uses;
 - (d) a copy of the Certificate of Title to the land and, if the applicant is not the owner, a statement of the applicant's interest in the land together with the written consent of the owner to the application;
 - (e) the estimated commencement and completion dates;
 - (f) the estimated cost of the project or contract price;
 - (g) all sign locations and designs, if any. For sign application requirements refer to Schedule D; and
 - (h) such other plans and information as the Authority may consider necessary to properly evaluate the proposed development.
- (2) The Development Officer may refuse to accept an application for a Development Permit where the information required by subsection 2.3(1) has not been supplied or where, in the opinion of the Development Authority, the quality of the material supplied is inadequate to properly evaluate the application.
- (3) The Development Authority may deal with an application and make a decision without all of the information required by subsection 2.3(1), if it is the opinion of the Development Authority that a decision on the application can be properly made without such information.



- (4) Each application for a Development Permit shall be accompanied by a non-returnable processing fee, the amount of which shall be determined from time to time by resolution of Council.

2.4 Decision Process for Development Permits

- (1) In making a decision on a Development Permit application for a **Permitted Use**, the Development Authority:
 - (a) shall approve, with or without conditions, the application if the proposed development conforms with this Bylaw, the *Municipal Government Act*, and any statutory plans;
 - (b) shall refuse the application if the proposed development does not conform to this Bylaw, giving reasons for such refusal; or
 - (c) may approve the application subject to meeting the requirements of *Section 2.5 – Granting Variances* and subject to conditions.
- (2) In making a decision on a Development Permit application for a **Discretionary Use**, the Council:
 - (a) may approve the application, with or without conditions, if it meets the requirements of this Bylaw, the *Municipal Government Act*, and any statutory plans;
 - (b) may approve the application subject to meeting the requirements of *Section 2.5 – Granting Variances* and subject to conditions; or
 - (c) may, in its discretion, refuse an application for a discretionary use permit based on the merits of the proposed development, even though it meets the requirements of the Land Use Bylaw, giving reasons for its refusal.

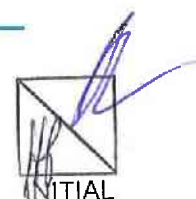
2.5 Granting Variances

- (1) The Development Authority may approve, with or without conditions, an application for development that does not comply with this Bylaw if, in the opinion of the Development Authority:
 - (a) the proposed development conforms with the use prescribed for that land or building in this Land Use Bylaw; and
 - (b) the proposed development would not
 - (i) unduly interfere with the amenities of the neighbourhood, or
 - (ii) materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land.

- (2) In approving an application for development pursuant to subsection 2.5(1) the Development Authority shall adhere to the following:
 - (a) except as otherwise provided in this Bylaw, there shall be no variance on density regulations;
 - (b) except as otherwise provided in this Bylaw, where the decision on an application is being made by the Development Officer a variance shall not be granted for less than ninety percent (90%) of any minimum regulation or more than one hundred and ten percent (110%) of any maximum regulation;
 - (c) except as otherwise provided in this Bylaw, where the decision on an application is being made by the Municipal Planning Commission a variance shall not be granted for less than eighty percent (80%) of any minimum regulation or more than one hundred and twenty percent (120%) of any maximum regulation;
 - (d) have regard to the purpose and intent of the District and the nature of developments on adjacent properties; and
 - (e) where the issuance of a Development Permit involves the exercise of any specified discretion of the Development Authority to vary a regulation of a District or any other regulation of this Bylaw, the Development Authority shall not permit any additional variance from that regulation.
- (3) In the event that a variance or relaxation is granted, the nature of the approved variance or relaxation shall be specifically described in the Development Permit approval.
- (4) Any variance or relaxation granted by the Development Authority may be subject to an appeal in accordance with *Section 2.11 - Development Permit Appeals*.

2.6 Attaching Conditions to a Development Permit

- (1) The Development Authority may issue a Development Permit with any condition deemed necessary to ensure that the development complies with the *Municipal Government Act, Subdivision and Development Regulation*, the Land Use Bylaw and any or all statutory plans.
- (2) The Development Authority may impose conditions necessary to ensure satisfactory arrangements for the supply of utilities including, but not limited to, water, electric power, sanitary sewer, storm sewer, natural gas, cable, or any one or more of them, including payment of the cost of installation or construction of any such utility or facility by the applicant;



- (3) The Development Authority may impose conditions necessary to ensure satisfactory arrangements for vehicular and pedestrian access from public roads and trails, on-site vehicular and pedestrian circulation, parking, loading, landscaping or drainage, or any one or more of these matters, including payment of the costs of installation or constructing any such facility by the applicant;

- (4) As a condition of development approval, the Development Authority may require that the applicant enters into a development agreement or an interim agreement, which shall form part of such Development Permit and may be required to be registered by caveat against title to the site at the Land Titles Office, to do any or all of the following:
 - (a) to construct or pay for the construction of a road required to give access to the development;
 - (b) to construct, or pay for the construction of pedestrian walkway systems;
 - (c) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development;
 - (d) to construct or pay for the construction of off-street or other parking facilities;
 - (e) to construct or pay for the construction of loading and unloading facilities;
 - (f) that the applicant pays an off-site levy or redevelopment levy imposed by a bylaw adopted pursuant to the *Municipal Government Act*;
 - (g) that the applicant provides security to ensure compliance with this Bylaw, a Development Permit, an agreement under this clause and/or a statutory plan, which security may include, but is not limited to, an irrevocable letter of credit or charge against the title to the site;
 - (h) 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;
 - (i) that the applicant provides and causes to be registered on the applicable titles any easements, right-of-way agreements, encroachment agreements or restrictive covenants which in the opinion of the Development Authority are required;
 - (j) that the applicant provide a real property report to the satisfaction of the Development Authority; and
 - (k) to attend to all other matters the Development Authority considers appropriate.

- (5) 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 or any other nuisances that may be generated by the proposed development;
 - (d) regarding the location, character and appearance of buildings;
 - (e) regarding the grading of the site or such other matters as are necessary to protect the site from other developments or to protect other developments from the site; and
 - (f) establishing the period of time for which a Development Permit is valid.
- (6) Where this Bylaw requires a minimum standard, the Council may impose a condition on a discretionary Development Permit requiring a higher standard where it is deemed appropriate.
- (7) Prior to imposing any condition upon the issue of a Development Permit, the Development Authority shall consult with the Council as may be required in the circumstances and shall specify the terms and content of the agreement in the conditions in the development permit.
- (8) The municipality may register a caveat pursuant to the provisions of the Land Titles Act and the Municipal Government Act; in respect of an agreement under this Section against the Certificate of Title for the land that is the subject of the development, which said caveat shall be discharged when the agreement has been complied with.

2.7 Notification of Decision

- (1) A Notice of Decision of the Development Authority on an application for a Development Permit shall be given in writing and a copy of it sent to the applicant.
- (2) The date of Notice of Decision is deemed to have been given on the date (whichever is the later) the Notice is issued in accordance with this section.
- (3) The Development Officer shall publicize the Notice of Decision of the issuance of all Development Permits in any or all of the forms described as follows:

- (a) mail a notice of the decision to all persons that the Development Officer considers may be affected; or
 - (b) post a notice of the decision conspicuously on the property for which the application has been made; or
 - (c) publish in a newspaper circulating in the municipality a notice of the decision;
 - (d) post a notice of the decision on the municipal website; or
 - (e) display a notice of the decision in a publicly accessible area of the Town Office.
- (4) The date of issue of a Development Permit for all discretionary uses or any permitted use for which a variance or relaxation was granted, shall be the date of the Notice of Decision in accordance with this section.
- (5) When the Development Authority refuses an application for a Development Permit, the Notice of Decision shall contain reasons for the refusal.

2.8 Effective Date of a Development Permit

- (1) An approved Development Permit, with or without conditions, for any **permitted use that conforms** in all respects to the requirements of this Land Use Bylaw comes into effect immediately upon approval by the Development Authority.
- (2) An approved Development Permit for all **discretionary uses** or any **permitted use for which a variance or relaxation was granted** does not come into effect until fourteen (14) days after the date on which the Notice of Decision of the Development Permit is given under subsection 2.7(3).
- (3) Any development proceeded with by the Applicant prior to the expiry of this period is done solely at the risk of the applicant.
- (4) Where an appeal is made pursuant to the *Municipal Government Act*, a Development Permit shall not become effective until the appeal has been heard and a decision rendered, whereby the original decision of the Development Authority may be modified or nullified.

2.9 Cancellation or Expiry of a Development Permit

- (1) If the development authorized by a Development Permit is not commenced within twelve (12) months from the date of its issue, or the date of the Notice of Decision of the Subdivision and Development Appeal Board upon appeal nor carried out with reasonable diligence as determined by the Development Authority, the Development Permit ceases to be effective, unless an extension to this period, being no longer than an additional twelve (12) months, has previously been granted by the Development Authority.
- (2) A development, once begun, shall not be abandoned, or left for an extended period of time in what the Development Officer considers to be an unsightly or unsafe condition.
- (3) The Development Authority may cancel a Development Permit if
 - (a) the Development Permit was issued in error;
 - (b) a contravention of the conditions of the development approval takes place; or
 - (c) the Development Permit was issued on the basis of incorrect information.

2.10 Resubmission Interval

- (1) In the case where an application for a Development Permit has been refused pursuant to this Part or ultimately after appeal to the Subdivision and Development Appeal Board the submission of another application for a Development 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 Authority for at least six (6) months after the date of the final decision unless in the opinion of the Development Authority the reasons for refusal have been adequately addressed or the circumstances of the application have changed significantly.

2.11 Development Permit Appeals

- (1) No appeal lies in respect of the issuance of a Development Permit for a Permitted Use unless the provisions of this Land Use Bylaw were relaxed, varied, or misinterpreted.
- (2) An appeal may be made to the Subdivision and Development Appeal Board
 - (a) By the applicant, where the Development Authority
 - (i) refuses or fails to issue a Development Permit; or
 - (ii) issues a Development Permit subject to conditions; or
 - (iii) issues an order under the Municipal Government Act; or

- (iv) fails to make a decision with respect to an application within forty (40) days of receipt of an application or within such longer period as the applicant may have approved in writing.
 - (b) Or by any person claiming to be affected by an order, decision or Development Permit made or issued by a Development Authority.
- (3) An appeal to the SDAB is commenced by filing a written notice of the appeal, containing reasons, with the SDAB within fourteen (14) consecutive days,
 - (a) in the case of an appeal made by a person referred to in subsection 2.11(2)(a) after
 - (i) the date on which the person receives notice of the order or decision or the issuance of the Development Permit; or
 - (ii) if no decision is made with respect to the application within the 40-day period or within any extension of this time limit referred to under subsection 2.11(2)(a)(iv), the date the period or extension expires; or
 - (b) in the case of an appeal made by a person referred to in subsection 2.11(2)(b), after the date on which the notice of the issuance of the Development Permit was received or posted.
- (4) The Subdivision and Development Appeal Board must hold an appeal hearing within thirty (30) days after receipt of a notice of appeal in accordance with the *Municipal Government Act*.

2.12 Professional Fees, Charges, Costs

- (1) All costs incurred by the Municipality for technical or external review or processing of a planning application (or proposed statutory plan or amendment, or land use bylaw amendment) and related matters shall be paid by the applicant/developer. Such costs shall include, but are not limited to, all legal, planning, and engineering costs for:
 - (a) public hearing/meeting attendance or preparation;
 - (b) inspections or material testing;
 - (c) preparation or review of drawings or plans (e.g. area structure, outline, concept, or engineering plans);
 - (d) preparation, implementation, or enforcement of development agreements;
 - (e) review of proposed amendments to the Municipality's municipal development plan, other statutory plans, or land use bylaw (including redistricting); and



- (f) review and processing of subdivision or development applications (including the registration of plans or documents with land titles),

all of which costs shall be the responsibility of the applicant/developer whether or not the agreement, application, or plans are ultimately used or executed.

- (2) Where Council has not established a particular fee or charge amount for such costs, administration shall develop and apply a method of calculation for the fees or charge based upon full cost recovery.
- (3) The costs described herein may be recovered under a development agreement entered into as a condition of a Development Permit or subdivision approval, or may be otherwise collected as incurred by the municipality.

2.13 Contravention and Enforcement

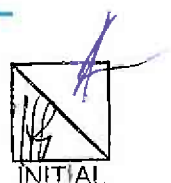
- (1) If the Development Authority finds that a development, land use or use of a building is not in conformity with
 - (a) the Land Use Bylaw, Part 17 of the *Municipal Government Act* or *Subdivision and Development Regulation*, or
 - (b) a Development Permit or subdivision approval,

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

- (c) stop the development or use of the land or building in whole or in part as directed by the notice;
- (d) demolish, remove or replace the development; or
- (e) carry out other actions required by the notice so that the development or use of the land or building complies with the Land Use Bylaw, Part 17 of the *Municipal Government Act* or *Subdivision and Development Regulation*, a Development Permit or subdivision approval;

and in such order establish a time for reasonable compliance with such order.

- (2) Any person who receives an order under subsection 2.13(1) may appeal to the Subdivision and Development Appeal Board pursuant to *Section 2.11 - Development Permit Appeals* of this Land Use Bylaw.



- (3) The Development Authority may register a caveat under the *Land Titles Act* in respect of an order referred to in subsection 2.13(1) against the certificate of title for the land that is the subject of the order. A caveat registered under this subsection must be discharged once the order has been complied with.
- (4) Where a person fails or refuses to comply with an order directed to him/her under subsection 2.13(1) or an order of the Subdivision and Development Appeal Board under the *Municipal Government Act* within the time specified, the Council may seek a court order from the Court of Queen's Bench for any or all of the following:
- (a) a declaration that the person who received an order is in breach of the Land Use Bylaw, an order issued under the Land Use Bylaw and/or the Subdivision and Development Appeal Board's decision relating to an appeal of an order,
 - (b) an injunction ordering the person who received an order referred to in subsection 2.13(1) to comply with the Land Use Bylaw within a certain period of time,
 - (c) an order providing that, if compliance has not been achieved within the period stated in the court order, that the Council or persons appointed by it has the right to enter upon the land and building and take steps necessary to achieve compliance with the Land Use Bylaw,
 - (d) an order that legal costs and the costs to achieve compliance incurred by the municipality can be added to the tax roll for the land that is the subject of the court order,
 - (e) a provision that the court order may be registered against the certificate of title for the land that is the subject of the court order and discharged only on full compliance with the court order.
- (5) Where a person fails or refuses to comply with an order directed to him/her under subsection 2.13(1) or an order of the Subdivision and Development Appeal Board under the *Municipal Government Act* within the time specified, the Council or persons appointed by it may, in accordance with the *Municipal Government Act*, enter upon the land or building and take such action as is necessary to carry out the order.
- (6) For the purpose of entering and inspecting land or buildings as described in the *Municipal Government Act*, the Development Officer and any other persons appointed by Council, are hereby declared to be a "Designated Officer".

2.14 Offences and Penalties

- (1) A person who contravenes or does not comply with
 - (a) the Land Use Bylaw,
 - (b) Part 17 of the *Municipal Government Act*,
 - (c) the *Subdivision and Development Regulation*,
 - (d) an order under subsection 2.13(1) of this Bylaw,
 - (e) a Development Permit or subdivision approval, or a condition therein,
 - (f) a decision of the Subdivision and Development Appeal Board, or
 - (g) 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.

- (2) A person who is guilty of an offence referred to in subsection 2.14(1) shall be liable to a fine of not less than \$250 and not more than \$10,000 or to imprisonment for not more than one year, or to both fine and imprisonment.
- (3) Where a contravention or offence is of a continuing nature, the Designated Officer may further issue a penalty of not less than \$500 and not more than \$2,500 for each day the offence continues.
- (4) Where a person is found guilty of an offence under this Land Use Bylaw, the court may in addition to any other penalty imposed, order the person to comply with the Land Use Bylaw, or a Development Permit or condition attached thereto.
- (5) The levying and payment of any penalty, or the imprisonment for any period as provided for in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs for which he is liable under the provisions of this Bylaw or the *Municipal Government Act*.

2.15 Repeal

- (1) Land Use Bylaw No. 610/98 and all amendments thereto are hereby repealed.
- (2) This Bylaw shall take effect on the date of the third and final reading.

Read a first time this 24th day of August A.D., 2015.

Read a second time this 24th day of August A.D., 2015.

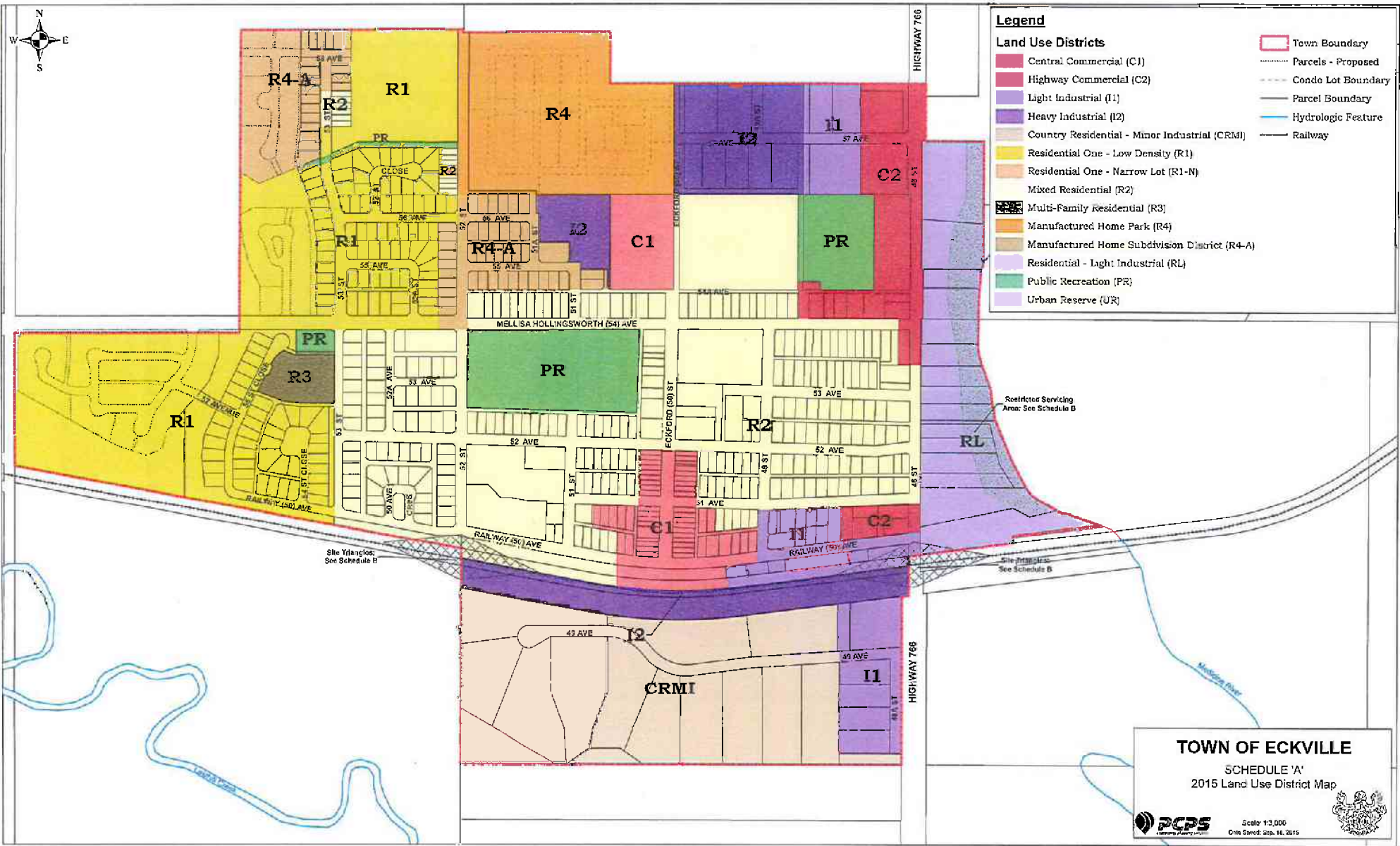
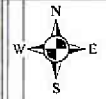
Read a third and final time this 14th day of December A.D., 2015.



Mayor, Helen Posti



CAO, Jack Ramsden



Legend

Land Use Districts

- Central Commercial (C1)
- Highway Commercial (C2)
- Light Industrial (I1)
- Heavy Industrial (I2)
- Country Residential - Minor Industrial (CRMI)
- Residential One - Low Density (R1)
- Residential One - Narrow Lot (R1-N)
- Mixed Residential (R2)
- Multi-Family Residential (R3)
- Manufactured Home Park (R4)
- Manufactured Home Subdivision District (R4-A)
- Residential - Light Industrial (RL)
- Public Recreation (PR)
- Urban Reserve (UR)

Other Features:

- Town Boundary
- Parcels - Proposed
- Condo Lot Boundary
- Parcel Boundary
- Hydrologic Feature
- Railway

Site Triangles:
See Schedule B

Service Area:
See Schedule B

Site Triangles:
See Schedule B

TOWN OF ECKVILLE
 SCHEDULE 'A'
 2015 Land Use District Map




Scale: 1:3,000
 Date: Council Sept. 16, 2015

SCHEDULE B: SUPPLEMENTARY REGULATIONS

1.0 BUILDINGS

1.1 Accessory Buildings

- (1) All Districts
 - (a) No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel.
 - (b) An accessory building shall be situated so that the exterior wall is at least 1.0 m (3.3 ft) from the side and rear boundaries of the parcel.
 - (c) Notwithstanding subsection 1.1(1)(b), an accessory building or any portion thereof may be erected or placed on the rear or side boundary common to two parcels provided the accessory building serves the two abutting parcels.
 - (d) An accessory building shall not be used for human habitation except where an accessory suite has been approved.

- (2) Residential Districts
 - (a) An accessory building shall not be more than 7.5 m (24.6 ft) in height, and shall not exceed the height of the principal building.
 - (b) The development of a second accessory building greater than 11.5 m² (123.78 sq ft) shall be considered a discretionary use.
 - (c) The maximum size of an accessory residential building shall not exceed 70 m² (753.5 sq ft).

1.2 Building Orientation and Design

- (1) The design, character and appearance of any building, or series of buildings, structure or sign proposed or 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;
 - (c) its effect on adjacent parcels; and
 - (d) all architectural controls in place for the area being developed.

1.3 Number of Buildings on a Parcel

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

- (2) The number of dwelling units permitted on a parcel shall be limited to one, except where
 - (a) in the opinion of the Development Authority, either
 - (i) the building is clearly designed to be divided into more than one dwelling, or
 - (ii) the development of the parcel is clearly designed to include more than one dwelling, and
 - (b) the use conforms to the uses prescribed in Schedule C for the District in which the parcel is located; and
 - (c) subject to *Section 2.5 - Granting Variances* of PART 2, the development complies with the provisions of this Bylaw, and
 - (d) a Development Permit is issued for the use.

1.4 Relocation of Buildings

- (1) No person shall
 - (a) place on a parcel a building which has previously been erected or placed on a different parcel, or
 - (b) alter the location of a building on a parcel which has already been constructed on that parcel;

unless a Development Permit has been issued by the Development Authority.

- (2) In addition to the requirements of *Section 2.3 - Development Permit Applications* of PART 2, the Development Authority may require that an application for a Development Permit be accompanied with
 - (a) recent colour photographs showing all sides of the building;
 - (b) a statement on the age, size and structural condition of the building; and
 - (c) a statement of the proposed improvements to the building.

SCHEDULE B
SUPPLEMENTARY REGULATIONS

- (3) An application for a Development Permit may be approved by the Development Authority if the proposal meets all of the regulations specified under the appropriate Land Use District in which it is proposed to be located.
- (4) 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 may require the applicant to provide a performance bond of such amount to ensure completion of any renovations set out as a condition of approval of a permit.
- (5) All structure and exterior renovations shall be completed within one year of the issuance of a Development Permit.

1.5 Building Demolition

- (1) No person shall commence or cause to be commenced the demolition of any building or structure other than that specified in *Section 2.2 - Development Not Requiring a Development Permit* of PART 2, unless a Building and/or Development Permit has been issued.
- (2) Satisfactory to the Development Authority, an application to demolish a building shall not be approved without a statement or plan which indicates,
 - (a) how the operation will be carried out so as to create a minimum of dust or other nuisance, and
 - (b) the final reclamation of the parcel.

1.6 Non-Conforming Buildings and Uses

- (1) A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform with the Land Use Bylaw then in effect.
- (2) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.
- (3) A non-conforming use of part of a parcel may not be extended or transferred in whole or in part to any other part of the parcel and no additional buildings may be constructed on the parcel while the non-conforming use continues.

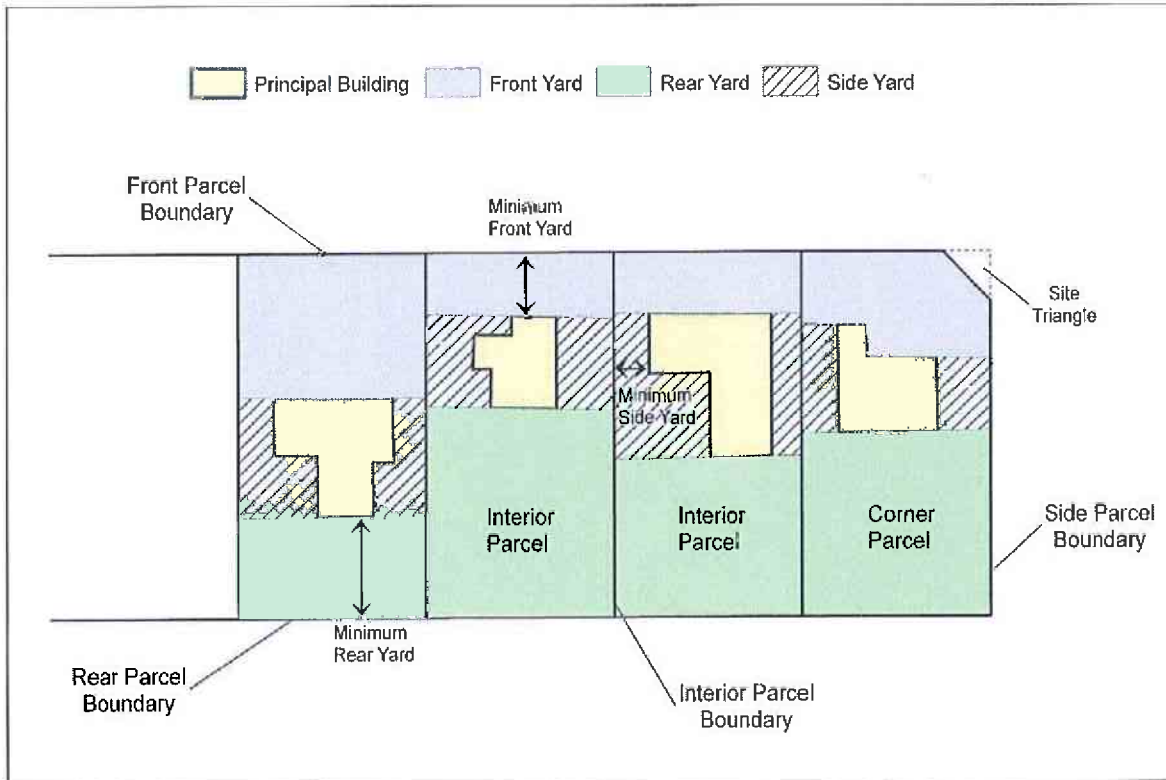
SCHEDULE B
SUPPLEMENTARY REGULATIONS

- (4) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
- (a) to make it a conforming building;
 - (b) for routine maintenance of the building, if the Development Authority considers it necessary; or
 - (c) in accordance with the provisions of *Section 2.5 - Granting Variances* of PART 2.
- (5) 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 may not be repaired or rebuilt except in accordance with this Land Use Bylaw.
- (6) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.



2.0 YARDS

2.1 Yard Definitions



2.2 Projections Over Yards

- (1) Projections on foundation walls and footings, or on piles are deemed to be part of the building, and shall not be considered as a projection over a yard.
- (2) No portion of a building other than eaves, signs or canopies shall extend or project into a public or private right-of-way.
- (3) In Residential Districts, the portion of and attachments to a principal or accessory building, including such structures as unenclosed steps, decks, porches, balconies, eaves, sills, cornices, bay or bow windows, may extend or project into the minimum yard provided that the projection does not exceed:
 - (a) one half of the minimum side yard required for the building, except in a laneless subdivision where subsection 2.5(1) of Schedule B shall apply;

**SCHEDULE B
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- (b) 1.5 m (4.9 ft) over or on the minimum front yard; and
 - (c) 3.0 m (9.84 ft) over the minimum rear yard.
- (4) In all other Districts, the portion of and attachments to a principle or accessory building may extend or project over a minimum yard are:
- (a) any projection not exceeding 1.5 m (4.9 ft) into a front or rear yard;
 - (b) any projection not exceeding 0.6 m (1.97 ft) into a side yard; and
 - (c) exterior fire escapes not exceeding 1.2 m (3.94 ft) in width.

2.3 Objects Prohibited or Restricted in Yards

- (1) No person shall allow a motor vehicle which is in a dilapidated or unsightly condition, a derelict vehicle which has all or part of its superstructure removed, to remain or be parked on a parcel in a Residential District, unless it is suitably housed or screened to the satisfaction of the Development Authority.
- (2) No person shall allow recreational vehicles, motor homes, campers, or large boats to be stored in any yard abutting a street in a Residential District, except in a rear yard on a corner parcel where it shall be stored no closer to the street than the principal building.
- (3) Recreational vehicles parked in a Residential District may be used for living and sleeping accommodation only by bona fide tourists for a maximum period of thirty (30) days per annum.
- (4) No person shall allow a vehicle of more than 2,730 kg (6,018.6 lbs) (Gross Vehicle Weight) and/or a length of 6.5 m (21.3 ft) to be parked or stored in a Residential District, except those vehicles described in subsection (2).
- (5) All types of outdoor boilers and propane tanks over 100 gallons are prohibited.

2.4 Zero Side Yard Developments

- (1) In a Central Commercial District (C1), the minimum side yard is zero (0) meters in accordance with Schedule C.
- (2) In other Districts, the Development Authority may allow one side yard of the main or accessory building to be zero (0) meters where

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- (a) the registered owner(s) of the adjoining parcel or parcels grant(s) a maintenance and eave and footing encroachment easement equivalent to two minimum yard requirements. The easements shall be to the satisfaction of the Development Authority and shall be registered against the title of the said parcel; and
- (b) all roof drainage from any building shall be directed onto the parcel upon which such building is situated by means of eaves troughs and downspouts or other suitable means.

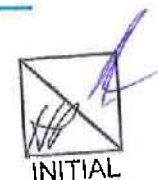
2.5 Laneless Subdivisions

- (1) In a laneless subdivision in a Residential District:
 - (a) detached dwellings with an attached garage shall have one (1) side yard of at least 1.5 m (4.9 ft);
 - (b) detached dwellings without an attached garage shall have one (1) side yard of at least 3.0 m (9.8 ft);
 - (c) duplexes with attached garages shall provide side yards of at least 1.5 m (4.9 ft); or
 - (d) duplexes without attached garages shall provide side yards of at least 3.0 m (9.8 ft).
- (2) In a laneless subdivision in a Commercial or Industrial District one side yard shall be not 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 separated therefrom by a minimum distance of 12.0 m (39.4 ft).

2.6 Setbacks on Future Major Roads

- (1) Where a parcel abuts a street for which a setback is established, the minimum yard requirement shall be increased by the amount of the applicable setback shown below.

Street	From	To	Existing Right-of-Way	Setback Required
48th Street	South Town Boundary	North Town Boundary	20.1 m (66 ft)	3.0 m (9.84 ft)



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3.0 VEHICLES

3.1 Parking

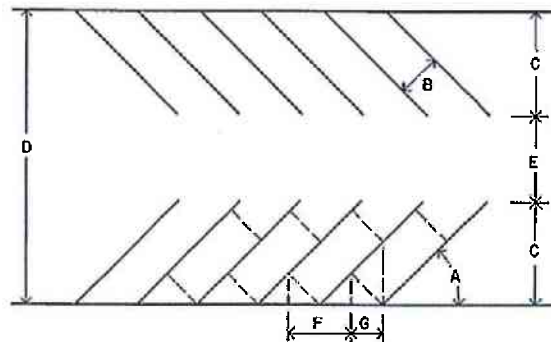
- (1) The following minimum number of parking spaces shall be provided and maintained upon the use of a parcel or a building in any District as described in Schedule C of this Land Use Bylaw. Any calculation of the number of parking spaces which produces a fractional number shall be rounded up to the next whole number.

Commercial Uses	Parking Spaces Required
Retail Stores	3.5/100 m ² (1,076.4 sq ft)
District Shopping Centre	5.0/100 m ² (1,076.4 sq ft)
Convenience Store	4.0/100 m ² (1,076.4 sq ft)
Offices, Clinics	2.5/100 m ² (1,076.4 sq ft)
Motels, Hotels	1.0/guest room
Personal services	2.5/100 m ² (1,076.4 sq ft)
Repair services	2.0/100 m ² (1,076.4 sq ft)
Eating/Drinking Establishments	1.0/4 seats
Child Care	1 visitor space plus, 1/employee
Industrial Uses	Parking Spaces Required
Manufacturing Industry	Min. 6.0 spaces
Office area	2.0/100 m ² (1,076.4 sq ft)
Other area	1.0/100 m ² (1,076.4 sq ft)
Warehousing and Storage	Min. 4.0 spaces
Office area	2.0/100 m ² (1,076.4 sq ft)
Storage area	0.7/100 m ² (1,076.4 sq ft)
Vehicle, Equipment Sales	2.0/100 m ² (1,076.4 sq ft)
Public Uses	Parking Spaces Required
Hospitals, Nursing Homes	1.0/4 beds & 1.0/2 workers
Places of Worship, Public Assembly Buildings	1.0/6 seats
Schools	
Elementary & Junior High	1.0/1 worker
Senior High	1.0/1 worker, 1.0/20 students
Residential Uses	Parking Spaces Required
Detached Dwelling/Duplexes	2.0/dwelling unit
Accessory Suite, Bed & Breakfast, Garden Suite	1.0/suite
Apartments, Fourplexes, Row Housing	1.0/bachelor/one bedroom unit, 1.5/two or more bedroom unit, plus 1.0/5 units for visitors
Assisted Living Facility	1.0/unit of accommodation
Adult Care Residence	1.0/5 beds & 1.0/worker/shift
All other	1.5/dwelling unit



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- (2) Uses not listed above 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.
- (3) Where employee parking is required, parking shall be factored on the basis of maximum persons employed at any one time.
- (4) When a building is enlarged or the use of a parcel or a building is changed or increased in intensity, the additional parking spaces 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 or intensified use.
- (5) The parking space 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.
- (6) Any loading space provided pursuant to section 3.3 of Schedule B may be used as parking space.
- (7) The dimensions of parking areas shall be as set out in the following diagram and table.



PARKING ANGLE	STALL WIDTH	STALL DEPTH	OVERALL DEPTH	MANEUVERING SPACE	CURB LENGTH	ROW END LENGTH
A	B	C	D	E	F	G
0°	2.75 m (9.02 ft)	2.75 m (9.02 ft)	9.00 m (29.53 ft)	3.50 m (11.48 ft)	6.70 m (21.98 ft)	0.0 m
30°	2.75 m (9.02 ft)	5.00 m (16.4 ft)	13.50 m (44.29 ft)	3.50 m (11.48 ft)	5.45 m (17.89 ft)	0.85 m (2.79 ft)
45°	2.75 m (9.02 ft)	5.70 m (18.07 ft)	15.40 m (50.52 ft)	4.00 m (13.12 ft)	3.85 m (12.63 ft)	2.05 m (6.72 ft)
60°	2.75 m (9.02 ft.)	6.00 m (19.69 ft.)	17.50 m (57.41 ft.)	5.50 m (18.04 ft)	3.20 m (10.49 ft)	2.00 m (6.56 ft)
90°	2.75 m (9.02 ft)	5.50 m (18.04 ft)	18.00 m (59.06 ft)	7.00 m (22.97 ft.)	2.75 m (9.02 ft.)	0.0 m

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- (8) In Commercial Districts, in lieu of providing parking spaces and subject to the approval of the Council, a payment may be made to the Town at a rate per space which the Council shall determine.
- (9) Parking spaces shall be located on the same parcel as the use for which they are being provided except that, subject to the approval of the Development Authority, the spaces may be located on another parcel within 50.0 m (164.0 ft) walking distance, provided that a restrictive covenant, ensuring the use of the parcel for the required number of parking spaces, is registered against the Certificate of Title of that parcel.
- (10) Hard surfacing of parking pads and parking areas used for vehicular storage shall be required, where any parking pads or parking areas used for vehicular storage enters a paved road, otherwise, the surfacing shall be all-weather.

3.2 Barrier Free Parking

- (1) In addition to the provisions contained in this section, barrier-free parking spaces must be provided in accordance with the Alberta Building Code and the current Barrier-Free Design Guide prepared by the Safety Codes Council.
- (2) Non-residential uses shall provide least one (1) barrier free parking space for every twenty-five (25) spaces provided.
- (3) All barrier free spaces shall:
 - (a) have a minimum width of 3.7 m (12.1 ft), but where possible it is recommended that a single stall be 4.0 m (13.1 ft) wide to better accommodate a wheelchair transfer on a roadway or in a parking lot, and length of 7.0 m (23.0 ft);
 - (b) be clearly marked as being for the use of persons with disabilities through the use of appropriate signage, identifiable in all seasons;
 - (c) be level-surfaced and located close to an entrance; and
 - (d) be included as part of, and not in addition to, the applicable minimum parking requirements as outlined in subsection 3.1(1).
- (4) A barrier-free path consistent with the principles of universal design must be provided and maintained between the main entrance to a building and a barrier-free parking space. New development or redevelopment must provide the barrier-free path with a minimum width of 1.1 m (3.6 ft) and ramps must comply with the Barrier-Free Design Guide.

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- (5) A pedestrian walkway consistent with the principles of universal design is required to connect the main entrance of a development or building to a public sidewalk or a trail if the building or development requires a barrier-free parking space. The Development Authority may require that a pedestrian connection be provided between the entrance to a building and a public sidewalk or trail if the development does not require a barrier-free parking space.

3.3 Loading Spaces

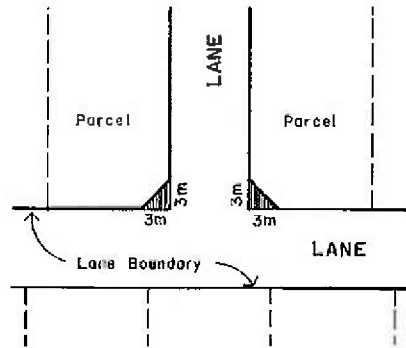
- (1) Loading spaces shall be required for all non-residential development and apartments.
- (2) Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and maneuvered entirely within the bounds of the parcel before moving onto a road.
- (3) Loading spaces shall be located in rear and side yards only.
- (4) A loading space shall be at least 3.5 m x 8.0 m (11.5 ft x 26.3 ft) with an overhead clearance of at least 4.6 m (15.1 ft).
- (5) Hard surfacing of the loading space shall be required where a loading space enters a paved road otherwise, the surfacing shall be all-weather.

3.4 Sight Lines at Intersections of Roads

- (1) At the intersection of lanes, a 3.0 m (9.8 ft) sight triangle shall be provided (see diagram below).
- (2) At the intersection of other roads, the Development Authority may require the calculation of sight triangles where:
- (a) one or more rights-of-way is less than 15.0 m (49.2 ft); or
 - (b) regulated vehicle speed exceeds 50 km/h; or
 - (c) one of the carriageways is not centred in its right-of-way; or
 - (d) an intersection leg is curved or skewed; or
 - (e) an intersection leg is sloped at 2% or greater.

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- (3) Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roads.



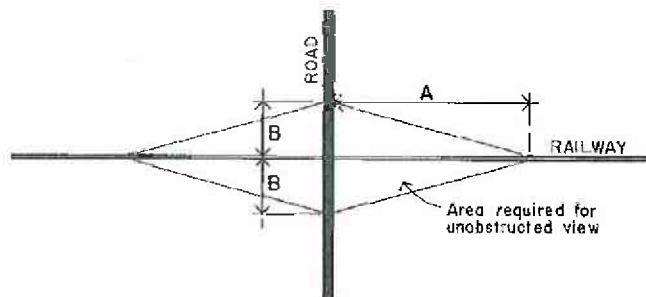
3.5 Sight Triangles at Road and Rail Intersections

- (1) At the intersections of roads and railways which are unprotected by automatic warning signals, sight triangles shall be determined using the diagram and table.

Maximum Train Speed		Sight Distance A From Crossing		Maximum Vehicle Speed		Sight Distance B From Crossing			
km/h	(mph)	m	(ft)	km/h	(mph)	m*	(ft)*	m**	(ft)**
32.2	(20)	91.4	(300)	32.2	(20)	32.0	(105)	18.3	(60)
48.3	(30)	137.2	(450)	48.3	(30)	53.3	(175)	29.0	(95)
64.4	(40)	182.9	(600)	64.4	(40)	79.3	(260)	44.2	(145)
80.5	(50)	228.6	(750)	80.5	(50)	112.8	(370)	64.0	(210)
96.6	(60)	274.3	(900)	96.6	(60)	150.9	(495)	85.3	(280)
112.6	(70)	320.0	(1,050)	112.7	(70)	192.0	(630)	111.3	(365)
128.7	(80)	365.8	(1,200)						
144.8	(90)	411.5	(1,350)						
160.9	(100)	457.2	(1,500)						

* distances based on level approach grade and good traction

** panic stop distances



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- (2) At the intersections of roads and railways, which are protected by automatic warning signals, the Development Authority may require the calculation of sight triangles where:
- (a) One (1) or more of the rights-of-way is less than 15.0 m (49.2 ft); or
 - (b) regulated vehicle speed exceeds 50 km/h; or
 - (c) either the carriage way or the railway is not centred in its right-of-way; or
 - (d) an intersection leg is curved or skewed; or
 - (e) an intersection leg is sloped at 2% or greater.
- (3) Sight triangle calculations shall be in accordance with the recommended methods of the Roads and Transportation Association of Canada regarding crossing sight distances for roadways, with the provision that distance between the nearest rail and the front of the stopped motor vehicle be between 5.0 m (16.4 ft) and 15.0 m (49.2 ft) as required by the *Highway Traffic Act*.

3.6 Driveways

- (1) At street intersections, driveways shall be set back from the parcel boundaries which form the intersection not less than
- (a) 6.0 m (19.7 ft) where the driveways serves not more than four dwelling units; or
 - (b) 15.0 m (49.2 ft) for all other uses;

except where existing or planned traffic volumes indicate that a greater distance is required to improve or maintain traffic safety and efficiency.

- (2) The maximum width of a driveway shall be 10.0 m (32.3 ft).
- (3) The minimum distance between driveways shall be:
- (a) nil, where the driveways provide access to single dwelling units; or
 - (b) 6.0 m (19.7 ft) where the driveways provide access to any other use;

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 angle for a driveway to a use that generates high traffic volumes shall be 70°.

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3.7 Vehicle Access to Buildings

- (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 the driveway enters a lane, where it shall be either 1.0 m (3.3 ft) or at least 6.0 m (19.7 ft).

3.8 Drive-in Businesses

- (1) Drive-in businesses, including gas bars and carwashes, shall be located only where the Development Authority is satisfied that the development and resulting vehicle circulation patterns will not adversely affect the functioning of public roadways, internal roadways or internal vehicle circulation routes.
- (2) Queuing space will be provided on the same site as the development as follows:
- (a) A minimum of five (5) inbound queuing spaces must be provided for vehicles approaching the service window or automated machine. One (1) outbound queuing space must be provided on the exit side of the service window or automated machine.
 - (b) Each queuing space shall be a minimum of 5.5 m (18.0 ft) long and 3.05 m (10.0 ft) wide.
 - (c) Queuing lanes must provide sufficient space for turning and manoeuvring.

4.0 LANDSCAPING

4.1 Mechanized Excavation Stripping and Grading of Land

- (1) A temporary fence shall be erected around all excavations which in the opinion of the Development Authority may be hazardous to the public.
- (2) Where finished ground elevations are established, all grading shall comply therewith.
- (3) All parcels shall be graded to ensure that storm water is directed to a road without crossing adjacent land, except as permitted by the Development Authority.
- (4) All topsoil shall be retained on the parcel, except where it must be removed for building purposes.

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4.2 Landscaping, Environmental Conservation and Development

- (1) Unless otherwise specified in Schedule C, the following standard of landscaping shall be required for all areas of a parcel not covered by buildings, driveways, storage and display areas:
- (a) the conservation of existing trees and shrubs to the maximum extent possible;
 - (b) the retention, in their natural state, of
 - (i) swamps, gullies and natural drainage courses;
 - (ii) unstable land;
 - (iii) land subject to flooding by a 1:100 year flood;
 - (iv) land with a natural gradient of 15% or greater; and
 - (v) a strip of land not less than 15.0 m (49.2 ft) in width along any river, stream, creek or lake with such distance to be measured from the top of the bank;
 - (c) the appropriate screening of outside storage areas, parking facilities and loading areas from adjacent buildings and roads;
 - (d) the planting of additional trees and shrubs to provide
 - (i) a minimum overall density of one tree per 35.0 m² (376.7 sq ft) of landscaped area;
 - (ii) a minimum of 33% coniferous trees; and
 - (iii) a minimum height of 1.5 m (4.9 ft) for deciduous trees and 1.0 m (3.3 ft) for coniferous trees; or
 - (iv) as required by the Development Authority;
 - (e) a sufficient depth of topsoil to facilitate growth in the soft-landscape areas, with areas not planted to trees and shrubs being seeded to grass, sodded or left with its natural grass cover; and
 - (f) completion of the landscaping by the end of the first full growing season following completion of construction or the commencement of the use.
- (2) The owner of a property, or their successor or assignees, shall be responsible for landscaping and proper maintenance.

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4.3 Surface and Sub-Surface Drainage

- (1) All roof drainage from a building shall be directed onto the parcel upon which the building is situated by means satisfactory to the Development Authority.
- (2) Any landscaping and/or re-contouring shall be done so that the finished grade does not direct surface drainage or cause the impounding of drainage onto an adjoining site unless otherwise approved by the Development Authority.

4.4 Lighting

- (1) On-site exterior lighting for Commercial or Industrial uses shall not spill over into or create excessive glare or light pollution for adjacent residential areas.

4.5 Garbage Storage

- (1) Commercial garbage bins shall be provided as part of commercial, industrial, institutional, and multi-unit residential development (fourplexes, apartments, and row housing).
- (2) To the satisfaction of the Development Authority, commercial garbage bins shall be placed in a screened enclosure in the side or rear yard at a location accessible to garbage collectors.
- (3) Bins for recycling and oil collection will be located and screened similar to garbage bins.

4.6 Outdoor Display Areas

- (1) Where permitted, all outdoor display areas shall be appropriately designed and landscaped to compliment the character of the development and surrounding parcels, to the satisfaction of the Development Authority.
- (2) All merchandise being displayed shall be maintained in good condition and shall be kept in a neat and orderly manner.
- (3) Outdoor display areas shall be maintained as such and shall not be used for the purpose of outdoor storage.

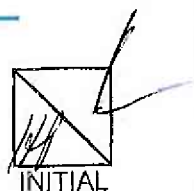
**SCHEDULE B
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4.7 Outdoor Storage

- (1) No outdoor storage shall be permitted within the front yard of any non-residential district.
- (2) All outdoor storage of goods, products, materials or equipment shall be kept in a neat and orderly condition at all times and shall be screened from adjacent sites and thoroughfares, consistent with the fencing and screening provisions of this Bylaw, to the satisfaction of the Development Authority.

4.8 Yards Abutting a Residential District

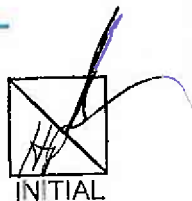
- (1) Where a Commercial or Industrial use abuts a Residential District or a lane which abuts a Residential District,
 - (a) the required side or rear yard setbacks that abut a residential district shall be landscaped;
 - (b) no open storage shall be permitted in the abutting yard(s);
 - (c) outdoor display areas shall be screened from residential districts;
 - (d) no parking space shall be allowed in such yard(s) within 6.0 m (20.0 ft) of a lot line; and
 - (e) no outdoor eating or drinking area shall be located within 15.2 m (50.0 ft) of an adjacent residential property.
- (2) The Development Authority may require the applicant for a Development Permit for a proposed Commercial or Industrial use that is in close proximity (as determined by the Development Authority) to one or more Residential Districts to take measures, determined by the Development Authority, to ensure that noise, visual and other confirmed or potential impacts will be addressed so that the proposed use will not negatively affect the said Residential District(s). These measures may include vegetation planting, berming, fencing or masonry walls, street furniture, building orientation or a combination of any or all of these or any additional measures that are appropriate in the discretion of the Development Authority.



5.0 SPECIFIC USE REGULATIONS

5.1 Accessory Suites

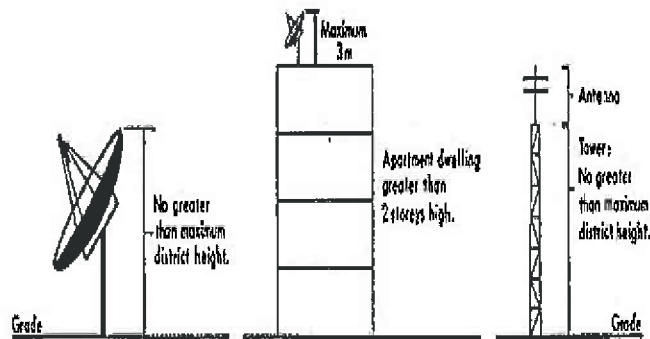
- (1) A maximum of one (1) accessory suite may be permitted per parcel where a detached dwelling, duplex, or accessory residential building exists.
- (2) An accessory suite developed on a second floor integral to a detached garage is a discretionary use in the R2 District only.
- (3) An accessory suite developed on a second floor integral to a detached garage shall be situated so the exterior walls are at least:
 - (a) 1.5 m (5.0 ft) from the side parcel boundaries and on a corner parcel no closer to the street or avenue than the principal dwelling;
 - (b) 1.5 m (4.9 ft) from the rear parcel boundary when there is a blank wall facing the boundary;
 - (c) 3.0 m (9.8 ft) from the rear parcel boundary when there is a window or doorway opening in the wall facing that boundary; and
 - (d) 2.5 m (8 ft) from the principal building and any accessory buildings on the parcel where the secondary suite is not located in the principal building.
- (4) The appearance and design of an accessory suite developed as a separate building or addition to the principal building shall be compatible with the appearance and design of the principal building to the satisfaction of the Development Authority.
- (5) One (1) off-street parking stall shall be provided for the accessory suite, in addition to the required number of parking stalls for the principal building.
- (6) An accessory suite located in a principal dwelling must have a separate entrance from the principal dwelling, either from a common indoor landing or directly from the exterior of the building.
- (7) Accessory suites must be completely self-contained.
- (8) Accessory suites must meet Alberta Building Code standards.



5.2 Bed and Breakfast Establishments

- (1) The residential nature of the dwelling and the neighbourhood shall be preserved as much as is reasonably possible.
- (2) A dwelling that is being used for a bed and breakfast establishment shall not be used as a boarding and rooming house at the same time.
- (3) There shall be no exterior display or advertising other than signage placed in accordance with the applicable standards contained within Schedule D.
- (4) Off-street parking shall be in accordance with the parking standards contained within section 3.1 of Schedule B.
- (5) The granting of a Development Permit for a bed and breakfast establishment does not exempt the applicant from compliance with any federal or provincial regulation, or any municipal bylaw or regulation.

5.3 Communications Towers



- (1) Communications towers are a discretionary accessory use.
- (2) Communications towers / antennas shall be located only in rear or side yards. On corner lots they shall be no closer to the side street than the principal building.
- (3) The maximum allowable height of the tower structure shall be the maximum height limit of the respective district. An antenna may be allowed above that limit (see sketch).
- (4) The appearance and siting of communications towers/antennas shall be to the satisfaction of the Development Authority.

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- (5) When a tower/antenna is proposed in or adjacent to a residential area, the Development Authority may notify and solicit written comments from area residents and/or landowners concerning the proposed development.

5.4 Dangerous Goods

- (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) Any on-site manufacture, storage and handling of dangerous goods in excess of the quantities listed in Schedule E – Small Quantity Exemptions for Dangerous Goods is not permitted on a parcel the boundary of which is within 50 m (164 ft) of the boundary of any parcel located in a Residential District.

5.5 Garden Suites

- (1) Where permitted, a garden suite shall
- (a) only be situated in the rear yard of a parcel;
 - (b) not exceed one storey in height;
 - (c) be sited so that it is at least:
 - (i) 1.5 m (5.0 ft) from the side property boundary except that on a corner parcel, the garden suite shall be no closer to the street than the primary dwelling;
 - (ii) 1.5 m (5.0 ft) from the rear property boundary when the garden suite has a blank wall facing that boundary;
 - (iii) 3.0 m (10.0 ft) from the rear property boundary when the garden suite has a window opening in the wall facing that boundary; and
 - (iv) 2.5 m (8.0 ft) from the primary dwelling and all other buildings on the parcel;
 - (d) be placed on prepared cribbing or piers and shall be skirted within thirty (30) days of its placement on the parcel;
 - (e) be connected to the utilities servicing the primary dwelling;
 - (f) be of a design and appearance that is acceptable to the Development Authority;

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- (g) be removed within sixty (60) days, when no longer in use for the purpose intended or the sale or rental of the primary dwelling; and
 - (h) require a bi-annual renewal of the Development Permit.
- (2) A garden suite shall not, in combination with the primary residence, result in site coverage in excess of 40% of the area of the parcel.

5.6 Home Occupations

- (1) A home occupation will require a Development Permit. A permit may be revoked at any time if, in the opinion of the Development Authority, the home occupation has become detrimental to the residential nature and amenity of the neighbourhood or otherwise does not meet the criteria or intent of a home occupation.
- (2) A home occupation license does not exempt the applicant from compliance with any federal or provincial regulation, or any municipal bylaw or regulation.
- (3) Home occupations shall comply with the following:
- (a) a home occupation shall not include any use or operation (including storage) which detracts from the amenities of a residential neighbourhood by way of creating a dangerous or objectionable conditions, and does not cause excessive vehicular or pedestrian traffic or otherwise interfere with or detract from the peace and quiet of a residential neighbourhood;
 - (b) a home occupation shall be incidental and subordinate to both the principal residential use and the accessory residential building;
 - (c) there shall be no outdoor display or advertising other than signage placed in accordance with the applicable standards contained within Schedule D;
 - (d) there shall be no outside storage of materials, commodities, or finished products;
 - (e) no commodity other than the project or service of the home occupation shall be sold on the premises;
 - (f) a home occupation shall not involve the onsite use and/or storage of hazardous or dangerous goods;
 - (g) a home occupation shall not be staffed on-site by any person other than a resident of the dwelling;
 - (h) not more than one (1) business vehicle used in conjunction with the home occupation may be parked on the site or any street adjacent thereto; and

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- (i) off-street parking be in accordance with the parking standards contained within *Section 3.1 - Parking* of Schedule B.

5.7 Manufactured and Modular Home Design

- (1) In the R-2, R4-A, and CRMI Districts, the external appearance of manufactured and modular homes must be acceptable to the Development Authority having regard to compatibility with other buildings in the vicinity and must have:
 - (a) a minimum roof pitch of 4:12;
 - (b) a roof surface of wood or asphalt shingles, clay or concrete tiles, slates or wood shakes;
 - (c) a minimum roof overhang or eaves of 0.4 m (16 inches) from each external wall;
 - (d) a maximum length to width ratio of 3:1;
 - (e) a minimum width of 6.7 m (22.0 ft); and
 - (f) a permanent foundation.
- (2) In the case of a new subdivision, manufactured and modular homes shall be newly constructed as of the date of submission of a completed Development Permit application for their placement.
- (3) In the case of infill development of an existing subdivision, manufactured and modular homes shall be no older than five (5) years as of the date of a completed Development Permit application for their placement and shall be similar and consistent with the character of the area.

5.8 Sea Cans

- (1) Where permitted in Commercial and Industrial Districts and the CMRI and RL Districts, sea cans shall,
 - (a) be allowed as an accessory building to the principal building for storage only;
 - (b) have an exterior finish to match or compliment the exterior finish of the principal building; and
 - (c) where it abuts a Residential District, be situated so that the exterior wall is at least 6.1 m (20.0 ft) from the side and rear boundaries of the parcel and subject to *Section - 4.8 Yards Abutting a Residential District* of Schedule B.

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- (2) In Industrial Districts sea cans will be allowed in the side or rear yard.
- (3) Where permitted, in Commercial Districts sea cans shall,
 - (a) not be stacked one upon the other; and
 - (b) be allowed in the rear yard only.
- (4) In Residential Districts sea cans shall,
 - (a) be allowed temporarily only for the purposes of construction (e.g. storage of construction tools/materials required during proposed new construction or renovations on the property site);
 - (b) be allowed for a maximum period of ninety (90) days at the discretion of the Development Authority;
 - (c) shall be limited to one (1) time extension, to be granted by Council; and
 - (d) be allowed within the side or rear yard only.

5.9 Tarp/Canvas Covered Structures

- (1) Where permitted, tarp/canvas covered structures, shall
 - (a) meet the Alberta Building Code;
 - (b) have a permanent foundation;
 - (c) be included in the total parcel coverage calculation; and
 - (d) comply with the general regulations of Schedule B and the regulations of the applicable Land Use District.
- (2) Tarp/canvas covered structures are prohibited in all residential districts except in the Residential-Light Industrial (RL) District where it meets all other sections of the Land Use Bylaw.

5.10 Temporary Buildings

- (1) Temporary buildings shall be considered an accessory residential building and are subject to the provisions of *Section 1.1 - Accessory Buildings* of Schedule B.
- (2) A Development Permit is required for the construction, installation, or erection of a temporary building.

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- (3) There shall be no more than one (1) temporary building per parcel.
- (4) Temporary buildings shall be removed once they become unsightly or wind damaged.
- (5) The Development Authority may issue a Development Permit for a temporary building and may include conditions concerning:
 - (a) the size, height, and location of the building; and
 - (b) the appearance of the building.

5.11 Solar Energy Devices

- (1) Solar energy devices shall be considered an accessory use.
- (2) Solar energy devices attached to a principal or accessory building:
 - (a) shall be mounted to the roof or wall structure of a building and shall be integrated to the greatest extent that is reasonable;
 - (b) shall not project beyond the outermost edge of the roof or wall to which it is mounted; and
 - (c) mounted panels shall 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 (6.0 ft) above the roof line in all other districts.
- (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 (8.2 ft) in height above the ground; and
 - (c) be screened from adjacent properties with a fence or landscaping, to the satisfaction of the Development Authority.

5.12 Swimming Pools

- (1) Every private swimming pool shall be secured against entry of the public other than owners, tenants, or their guests.

6.0 DEVELOPMENT GUIDELINES AND POLICIES

6.1 Development in Proximity to Oil and Gas Wells

- (1) In accordance with the *Subdivision and Development Regulation*, no building shall be constructed within 100 m (328 ft) of the well head of a gas or oil well, unless, in the opinion of the Development Authority, it may be considered an infill development or is otherwise approved in writing by the Alberta Energy Regulator.

6.2 Development Setbacks from Landfills and Waste Sites

- (1) In accordance with the *Subdivision and Development Regulation*,
- (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 sanitary landfill, hazardous waste management facility, dry waste site, waste processing site, waste storage site, waste sorting station or waste transfer station specified in the *Subdivision and Development Regulation*, and
 - (b) a sanitary landfill, modified sanitary landfill, dry waste site, hazardous waste management facility, 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, food establishment or residence specified in the *Subdivision and Development Regulation*,

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

6.3 Land Use Development Setback from Wastewater Treatment Plants

- (1) In accordance with the *Subdivision and Development Regulation*,
- (a) a school, hospital, food establishment, or residential building must not be approved and a residential building must not be constructed within 300 m (984 ft) of the working area of an operating wastewater treatment plant, and
 - (b) a wastewater treatment plant must not be approved unless the working area of the plant is at least 300 m (984 ft) from any existing or proposed school, hospital, food establishment or residential building,

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

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6.4 Land Use Policies

- (1) Every action undertaken by the Municipality and the Development Authority must be consistent with any land use policies established pursuant to the *Municipal Government Act*.

6.5 Municipal Historic Area

- (1) A bylaw designating a part of the municipality as a Municipal Historic Area under the *Historical Resources Act* is deemed to form part of this Land Use Bylaw.

6.6 Restricted Servicing Area

- (1) Notwithstanding the regulations and provisions of any District in this Land Use Bylaw, no building or structure requiring sanitary sewer services shall be constructed or placed on land lying generally between the Town of Eckville's East sewer outfall line and the Medicine River (shaded area on the Land Use District map, being Schedule A of this Land Use Bylaw).

6.7 Impact of Incompatible Uses on Residential Districts

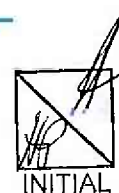
- (1) The Development Authority may require the applicant for a Development Permit for a proposed Commercial or Industrial use that is in close proximity (as determined by the Development Authority) to one or more Residential Districts to submit an impact statement as part of the Development Permit application, indicating the measure to be taken to ensure that noise, visual and other confirmed or potential impacts will be addressed so that the proposed use will not negatively affect the said Residential District(s).

6.8 Guidelines for Other Land Uses

- (1) All uses which are not covered by specific regulations in a land use District 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;

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- (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 policies.



SCHEDULE C: LAND USE DISTRICT REGULATIONS

1.0 RESIDENTIAL ONE-LOW DENSITY DISTRICT (R1)

General Purpose

To provide an area for low density residential development in the form of stick-built detached dwellings and compatible uses, herein listed, which are connected to the municipal sewer and water systems.

Permitted Uses: Detached Dwellings
Accessory Residential Buildings

Discretionary Uses: Accessory Uses
Adult Care Residence
Garden Suites
Home Occupations
Parks
Playgrounds
Public Uses
Public Utility Buildings
Quasi-Public Uses
Temporary Buildings

Development Standards

The Supplementary Regulations contained in Schedule B shall apply to every development in this District. The following standards relate to residential buildings.

Minimum Front Yard:	6.0 m (19.7 ft)
Minimum Side Yard:	1.5 m (4.9 ft) except: a) 3.0 m (9.8 ft) where it abuts a street, or b) In a laneless subdivision, section 2.5 of Schedule B shall also apply.
Minimum Rear Yard:	7.5 m (24.6 ft)
Minimum Parcel Area:	Interior Parcels 550 m ² (5920 sq ft) Corner Parcels 610 m ² (6566 sq ft)
Minimum Parcel Width:	Interior Parcels 15.5 m (50.9 ft) Corner Parcels 16.5 m (54.1 ft)



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Maximum Parcel Coverage: 55%

Maximum Building Height: 10.0 m (32.8 ft)

Minimum Floor Area: 87.0 m² (936 sq ft)

Supplementary Regulations All uses must comply with the regulations in Schedule B and Schedule D.

2.0 RESIDENTIAL ONE-NARROW LOT DISTRICT (R1-N)

General Purpose

To provide an area for low density residential development in the form of detached dwellings and compatible uses on narrow urban lots in new neighborhoods, which are connected to the municipal sewer and water systems.

Permitted Uses: Detached Dwellings
Accessory Residential Buildings

Discretionary Uses: Accessory Uses
Adult Care Residence
Bed and Breakfast Establishments
Home Occupations
Manufactured Homes
Modular Homes
Parks
Playgrounds
Public Uses
Public Utility Buildings
Quasi-Public Uses
Temporary Buildings

Development Standards

The Supplementary Regulations contained in Schedule B shall apply to every development in this District. The following standards relate to residential buildings.

Minimum Front Yard:	6.0 m (19.7 ft)	
Minimum Side Yard:	1.5 m (4.9 ft) except:	
	a) 3.0 m (9.8 ft) where it abuts a street, or	
	b) In a laneless subdivision, section 2.5 of Schedule B shall also apply.	
Minimum Rear Yard:	7.5 m (24.6 ft)	
Minimum Parcel Area:	Interior Parcels	400 m ² (4306 sq ft)
	Corner Parcels	450 m ² (4844 sq ft)
Minimum Parcel Width:	Interior Parcels	12.0 m (39.4 ft)

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	Corner Parcels	13.5 m (44.3 ft)
Maximum Parcel Coverage:	55%	
Maximum Building Height:	10.0 m (32.8 ft)	
Minimum Floor Area:	87.0 m ² (936 sq ft)	
Supplementary Regulations	All uses must comply with the regulations in Schedule B and Schedule D.	

3.0 MIXED RESIDENTIAL DISTRICT (R2)

General Purpose

To provide an area for medium density residential development with a mixture of dwelling types and compatible uses, all of which are connected to the municipal sewer and water systems.

Permitted Uses:

Detached Dwellings
Duplexes
Modular Homes
Accessory Residential Buildings

Discretionary Uses:

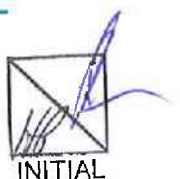
Accessory Suites
Accessory Uses
Adult Care Residence
Assisted Living Facility
Bed and Breakfast Establishments
Day Care Facilities
Fourplexes
Garden Suites
Home Occupations
Manufactured Homes
Neighborhood Convenience Store
Parking Facilities for uses in this District
Parks
Playgrounds
Public Uses
Public Utility Buildings
Quasi-Public Uses
Row Housing
Temporary Buildings

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LAND USE DISTRICT REGULATIONS

Development Standards

The Supplementary Regulations contained in Schedule B shall apply to every development in this District. The following standards relate to residential buildings.

Minimum Front Yard:	6.0 m (19.7 ft)
Minimum Side Yard:	1.5 m (4.9 ft) except: a) 3.0 m (9.8 ft) where it abuts a street, or b) In a laneless subdivision, section 2.5 of Schedule B shall also apply.
Minimum Rear Yard:	Detached dwelling, duplexes, manufactured/modular homes 7.5 m (24.6 ft) Fourplexes, row houses 10.0 m (32.8 ft)
Minimum Parcel Area:	Detached dwelling, manufactured/modular homes Interior Parcels 465 m ² (5005 sq ft) Corner Parcels 512 m ² (5511 sq ft) Duplexes Interior Parcels 280 m ² (3014 sq ft) / unit Corner Parcels 330 m ² (3552 sq ft) / unit Fourplexes Interior Parcels 200 m ² (2153 sq ft) / unit Corner Parcels 220 m ² (2368 sq ft) / unit Row houses Interior Parcels 185 m ² (1991 sq ft) / unit Corner Parcels 280 m ² (3014 sq ft) / unit
Minimum Parcel Width:	Detached dwellings, manufactured/modular homes Interior Parcels 15.5 m (51 ft) Corner Parcels 16.5 m (54 ft)



**SCHEDULE C
LAND USE DISTRICT REGULATIONS**

Minimum Parcel Width:	Duplexes	
	Interior Parcels	7.5 m (24.6 ft) / unit
	Corner Parcels	9.0 m (29.5 ft) / unit
	Fourplexes	
	Interior Parcels	15.3 m (50.2 ft)
	Row houses	
	Interior Parcels	6.0 m (19.7 ft) / unit
	Corner Parcels	9.0 m (29.5 ft) / unit
	Maximum Parcel Coverage:	55%
Maximum Building Height:	10.0 m (32.8 ft)	
Minimum Floor Area:	Detached dwellings, manufactured/modular homes, duplexes 84.0 m ² (904 sq ft)	
Supplementary Regulations	All uses must comply with the regulations in Schedule B and Schedule D.	

3.1 Other Regulations

- (1) Landscaped areas for duplexes, fourplexes, and row houses:
 - (a) An area 6.0 m (19.7 ft) in perpendicular depth, and
 - (b) 1.0 m (3.3 ft) on either side from all windows of living rooms, dining rooms and bedrooms (on first floors and in basements) shall be landscaped, in addition to any landscaping required elsewhere on the parcel, in accordance with Schedule B.

4.0 MULTI-FAMILY RESIDENTIAL DISTRICT (R3)

General Purpose

The purpose of this district is to provide areas to accommodate and control higher density residential development in the form of multi-family residential dwellings and complementary uses.

Permitted Uses: Fourplexes
Row Housing
Apartments
Accessory Residential Buildings

Discretionary Uses: Accessory Uses
Adult Care Residence
Assisted Living Facility
Day Care Facilities
Duplexes
Home Occupations
Multiple Housing Development
Neighborhood Convenience Store
Parking Facilities for uses in this District
Parks
Playgrounds
Public Uses
Public Utility Buildings
Quasi-Public Uses

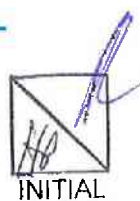
Development Standards

The Supplementary Regulations contained in Schedule B shall apply to every development in this District. The following standards relate to residential buildings and multiple housing developments:

Minimum Front Yard: **Duplexes, fourplexes, row houses - 6.0 m (19.7 ft)**

 Apartments - 8.0 m (26.2 ft)

 Multiple housing development
 As determined by the Development Authority



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Minimum Side Yard: **Duplexes, fourplexes, row houses**
1.5 m (4.9 ft) except:
a) 3.0 m (9.8 ft) where it abuts a street or the end units of row housing, or
b) In a laneless subdivision, section 2.5 of Schedule B shall also apply.

Apartments
3.0 m (9.8 ft) except:
a) 6.0 m (19.7 ft) where it abuts a street, or
b) as required in the Alberta Building Code.

Multiple housing development
Sufficient separation or screening must exist to maintain privacy within each dwelling under normal conditions, or as required in the Alberta Building code, whichever is greater.

Minimum Rear Yard: **Duplexes - 7.5 m (24.6 ft)**

Fourplexes, row houses, apartments - 10.0 m (32.8 ft)

Multiple housing development
As determined by the Development Authority

Minimum Parcel Area: **Duplexes**
Interior Parcels 280 m² (3014 sq ft) / unit
Corner Parcels 330 m² (3552 sq ft) / unit

Minimum Parcel Area: **Fourplexes**
Interior Parcels 200 m² (2153 sq ft) / unit
Corner Parcels 220 m² (2368 sq ft) / unit

Row houses
Interior Parcels 185 m² (1991 sq ft) / unit
Corner Parcels 280 m² (3014 sq ft) / unit

Apartments
1.3 times the building's total floor area



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	<p>Multiple housing development - <i>Minimum Amenity Area</i> bachelor unit - 15 m² (162 sq ft) / unit one bedroom unit - 20 m² (215 sq ft) / unit two bedroom unit - 55 m² (592 sq ft) / unit three bedroom unit - 90 m² (969 sq ft) / unit four bedroom unit - 110 m² (1184 sq ft) / unit</p>
Minimum Parcel Width:	<p>Duplexes Interior Parcels 7.5 m (24.6 ft) / unit Corner Parcels 9.0 m (29.5 ft) / unit</p> <p>Fourplexes Interior Parcels 15.3 m (50.2 ft)</p> <p>Row houses Interior Parcels 6.0 m (19.7 ft) / unit Corner Parcels 9.0 m (29.5 ft) / unit</p> <p>Apartments, multiple housing development As determined by the Development Authority</p>
Maximum Parcel Coverage	<p>Duplexes, fourplexes, row houses - 55%</p> <p>Apartments - 75%</p> <p>Multiple housing development Determined by subtracting the minimum amenity area from the parcel area</p>
Maximum Building Height	<p>Duplexes, fourplexes, row houses - 10.0 m (32.8 ft)</p> <p>Apartments - 12.0 m (39.4 ft)</p> <p>Multiple housing development As required for the various housing types described above.</p>
Supplementary Regulations Schedule D.	All uses must comply with the regulations in Schedule B and Schedule D.

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4.1 Other Regulations

- (1) Landscaped areas for duplexes, fourplexes, and row houses:
 - (a) An area 6.0 m (19.7 ft) in perpendicular depth, and
 - (b) 1.0 m (3.3 ft) on either side from all windows of living rooms, dining rooms and bedrooms (on first floors and in basements) shall be landscaped, in addition to any landscaping required elsewhere on the parcel, in accordance with Schedule B.

- (2) For Multiple Housing Developments, the ground area of non-recreational buildings, of the parking facilities and driveways and the minimum amenity area shall be totaled. The minimum amenity area includes hard and soft-landscaped areas, balconies, recreational facilities and communal lounges.



5.0 MANUFACTURED HOME PARK DISTRICT (R4)

General Purpose

To provide an area for and to regulate the development and use of land for manufactured homes, and other uses which are compatible with a residential area, in **comprehensively designed parks** wherein sites are rented or owned as part of a bareland condominium. The area is to be connected to municipal sewer and water systems.

Permitted Uses: Manufactured Homes
 Manufactured Home Park
 Accessory Residential Buildings

Discretionary Uses: Day Care Facilities
 Home Occupations
 Parks
 Playgrounds
 Public Uses
 Public Utility Buildings
 Quasi-Public Uses
 Temporary Buildings

5.1 Manufactured Home Standards

The following standards relate to **Manufactured Homes** in a comprehensively designed park:

Minimum Floor Area: 65.0 m² (700 sq ft)

Minimum Manufactured:
Home Width: 6.1m (19.8 ft)

Maximum Height: 5.0 m (16.4 ft)

Building Design: In the case of infill development of an existing subdivision, manufactured homes shall be no older than five (5) years as of the date of a completed Development Permit application for their placement and shall be similar and consistent with the character of the area.

5.2 Manufactured Home Park Design Standards

In this District:

“**lot**” means the total area of land reserved for the placement of a manufactured home and for the exclusive use of its occupant(s).

“**structure**” means a subordinate building which is an addition to or supplements the facilities provided by a manufactured home, such as awnings, storage structures, carports, porches or skirting.

The following standards relate to a comprehensively designed park for Manufactured Homes:

- Maximum Gross Density:** 17 manufactured homes per hectare (7 per acre)
- Minimum Park Area:** 2 hectares (4.9 acres)
- Minimum Parcel Area:** 325 m² (3498 sq ft)
- Maximum Parcel Coverage:** 45%
- Minimum Yard: Requirements** Manufactured homes and attached structures shall be at least:
- a) 6.0 m (19.7 ft) from the front parcel boundary,
 - b) 1.5 m (4.9 ft) from any side parcel boundary,
 - c) 3.0 m (9.8 ft) from any side yard abutting a street, and
 - d) 3.0 m (9.8 ft) from the rear parcel boundary.
- Comprehensive Siting Plan:** A comprehensive siting plan satisfactory to the Development Authority is required for all manufactured home parks. The plan shall identify and provide detail regarding dimensions and treatments for the following:
- a) Entire site and individual lots
 - b) Roads
 - c) Walkways
 - d) Recreation Areas
 - e) Storage areas
 - f) Parking areas
 - g) Perimeter landscape area

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- Recreation Area:** A minimum of 5% of the total area of a manufactured home park shall be set aside in a suitable location as a recreation area.
- Playground apparatus or other recreation facilities shall be provided in accordance with a recreation site plan approved by the Development Authority.
- Walkways:** Internal pedestrian walkways, where provided, shall be a minimum of 1.5 m (4.9 ft) in width.
- Landscaped Area:** All areas of a manufactured home park not developed or occupied by park roads, walkway, driveways, parking aprons, buildings or other developed facilities, including paved playgrounds, shall be landscaped.
- A manufactured home park shall have on its perimeter a landscaped area not less than 3.0 m (9.8 ft) in width between any manufactured home lot and a boundary line of the development. This buffer shall not comprise part of the 5% recreation area requirement.
- The Development Authority may require the provision of a screening fence or wall within the 3.0 m (9.8 ft) perimeter. The height, material, style, finish and siting of the fence/wall shall be to the satisfaction of the Development Authority.
- Roadways:** All manufactured home park roadways shall have at least a 12.0 m (39.4 ft) right-of-way and a carriageway not less than 8.0 m (26.3 ft) in width.
- Storage Areas:** Common storage areas, separate from the manufactured home lot, shall be provided for storage of seasonal recreational equipment not capable of storage on the manufactured home lot. Such storage areas shall be screened.
- Such storage areas shall have an area of not less than 20.0 m² (215.3 sq ft) per manufactured home lot.

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Fences and Lot Lines: Fences and hedges shall be allowed only if a uniform standard is used throughout the manufactured home park and erected and maintained by the manufactured home park operator.

All lot lines shall be clearly defined on the ground by permanent flush stakes, or markers, and with lot number or other address system.

Utilities: All utility services and all utility wires and conduits shall be installed.

Supplementary Regulations All uses must comply with the regulations in Schedule B and Schedule D.

5.3 Other Regulations

- (1) All manufactured homes in a Manufactured Home Park require a Development Permit.
- (2) Manufactured homes and any attached structures shall be perimetered with a rapid wall skirting system, which is constructed and designed to provide a concrete like foundation appearance.
- (3) Each manufactured home shall be levelled, blocked and anchored, and skirted within thirty (30) days of being placed on a lot.

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Minimum Yard: Manufactured homes and attached structures shall be at least:
Requirements

- a) 6.0 m (19.7 ft) from the front parcel boundary,
- b) 1.5 m (4.9 ft) from any side parcel boundary,
- c) 3.0 m (9.8 ft) from any side yard abutting a street, and
- d) 3.0 m (9.8 ft) from the rear parcel boundary.

Minimum Floor Area: 84.0 m² (904 sq ft)

Supplementary Regulations All uses must comply with the regulations in Schedule B and Schedule D.

6.2 Other Regulations

- (1) All manufactured and modular homes in in this District require a Development Permit.
- (2) Manufactured and Modular Home Design standards established in Schedule B shall apply to this District.

7.0 COUNTRY RESIDENTIAL MINOR INDUSTRIAL DISTRICT (CRMI)

General Purpose

To provide for privately serviced residential acreages to be developed on land which cannot be economically connected to the municipal sanitary sewerage and water distribution systems with associated minor small scale industrial uses.

Permitted Uses: Detached Dwellings
Accessory Residential Buildings

Discretionary Uses: Accessory Uses and Buildings
Barns and Shelters up to 95 m² (1023 sq ft)
Home Occupations
Manufactured Homes
Minor Small Scale Industrial Uses
Modular Homes
Parks
Playgrounds
Public Uses
Public Utility Buildings
Quasi-Public Uses
Sea Cans
Tarp/Canvas Covered Structure
Temporary Buildings
Any use that is similar, in the opinion of the Municipal Planning Commission to the permitted and discretionary uses described above

Development Standards

The Supplementary Regulations contained in Schedule B shall apply to every development in this District. In addition, the following standards shall apply to uses in this District.

Minimum Parcel Area: 1.25 ha (3.1 acres)

Maximum Parcel Area: 2.0 ha (4.9 acres)

Minimum Front Yard: 15.0 m (49.2 ft)

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Minimum Side Yard:	7.5 m (24.6 ft)
Minimum Rear Yard:	15.0 m (49.2 ft)
Maximum Parcel Coverage:	10%
Maximum Building Height:	10.0 m (32.8 ft)
Minimum Residential: Floor Area	87.0 m ² (936 sq ft)
Maximum Industrial: Floor Area	225.0 m ² (2422 sq ft)

Supplementary Regulations All uses must comply with the regulations in Schedule B and Schedule D.

7.1 Other Regulations

(1) **Minor Small Scale Industrial Uses:**

- (a) Applications for Development Permits for minor small scale industrial uses will consider such factors as: impacts on adjacent land uses, effects on local and internal road system, the scale and intensity of the proposed development, potential land use conflicts, the physical capability of the site to support the proposed use.
- (b) Must comply with Home Occupations provisions established in Schedule B.
- (c) A minor small scale industrial use shall be subject to the following conditions: outdoor storage of materials, products, equipment or machinery shall not be permitted.

(2) The following animals and livestock may be kept on a parcel:

- (a) domestic pets that are typically housed in the dwelling; and
- (b) horses, cattle, donkeys, mules, sheep, goats subject to the total number of animals not exceeding two (2).

(3) No animals or livestock may be kept on a commercial basis.

8.0 RESIDENTIAL LIGHT INDUSTRIAL DISTRICT (RL)

General Purpose

To provide for large residential lots on which a light industrial use may be developed in association with the detached home on the same parcel. The light industrial use may be of the nature whereby no objectionable conditions occur beyond the confines of the building in which it is located. Outside storage is limited and must be screened from the front road and adjoining residential parcels.

Permitted Uses:

Accessory Residential Buildings
Building Trade or Contractor
Greenhouse, Commercial
Light Industrial Use
Repair services
Retail Sales as an accessory use
Workshop
Detached Dwelling used to accommodate a person or persons who own or operate the light industrial use

Discretionary Uses:

Accessory Uses and Buildings
Home Occupations
Parking Facilities for uses in this District
Parks
Playgrounds
Public Uses
Public Utility Buildings
Quasi-Public Uses
Sea Cans
Tarp/Canvas Covered Structure
Temporary Buildings
Truck and Equipment Parking and Storage
Veterinary Clinic (small animals only)
Any use that is similar, in the opinion of the Municipal Planning Commission to the permitted and discretionary uses described above

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LAND USE DISTRICT REGULATIONS

Development Standards

The Supplementary Regulations contained in Schedule B shall apply to every development in this District. In addition, the following standards shall apply to uses in this District.

- Minimum Parcel Area: 2319 m² (0.57 acres)
- Maximum Parcel Width: 25.0 m (82.0 ft) except,
Curve/Cul-de-sac - 18.0 m (59.1 ft), minimum parcel width front building line shall be 22.0 m (72.2 ft)
- Minimum Front Yard: 12.0 m (39.4 ft)
- Minimum Side Yard: **Residential & Accessory Buildings**
a) 1.5 m (4.9 ft) on one side
b) 5.0 m (16.4 ft) on the other side
Industrial Buildings
5.0 m (16.4 ft) on both sides
- Minimum Rear Yard: 7.0 m (23.0 ft)
- Maximum Parcel Coverage: a) The minimum area of the residential component, including the detached dwelling, front and side yard setbacks, accessory residential buildings, driveway, landscaping and amenities related to the residence shall be 30% of the parcel size.

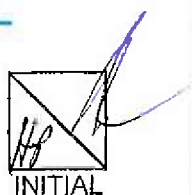
b) The maximum area for the light industrial component, including all buildings, driveway, parking, outside storage, rear and side yard setbacks, setback from the detached dwelling, landscaping, screening and other related amenities, shall not exceed 70% of the parcel size.

c) The Development Officer may require up to 5% of the parcel size to be for additional landscaping, screening and buffering.
- Maximum Building Height: 10.0 m (32.8 ft), for principle buildings only
- Supplementary Regulations** All uses must comply with the regulations in Schedule B.

SCHEDULE C
LAND USE DISTRICT REGULATIONS

8.1 Other Regulations

- (1) A light industrial use cannot be approved or exist on its own.
- (2) The detached dwelling shall be placed in the front portion of the lot and the light industrial use in the rear portion of the lot.
- (3) Business signage may be placed within the front yard setback and is subject to the applicable standards contained within Schedule D of this Land Use Bylaw.
- (4) A minimum separation of 10.0 m (32.8 ft) is required between any industrial structure and the detached dwelling. Should the Alberta Building Code require a greater setback, the greater setback will be required.
- (5) The light industrial use shall be sufficiently screened from the detached dwelling on the same parcel and on adjacent parcels, such screening to be determined by the Development Officer.



9.0 CENTRAL COMMERCIAL DISTRICT (C1)

General Purpose

To provide an area for intensive commercial use, offering a wide variety of goods and services, and other uses, herein listed, which are compatible with the area, which will create an attractive environment for pedestrians, but which will be accessible to motor vehicles.

Permitted Uses: Dwelling Units, subject to section 9.1 of Schedule C
Eating Establishments
Financial Services
Health and Medical Services
Offices
Personal Services
Retail Commercial Uses

Discretionary Uses: Accessory Buildings and Uses
Bus Depots
Commercial Recreation and Entertainment Facilities
Day Care Facilities
Drinking Establishments (Adult Entertainment Prohibited)
Funeral Homes
Gas Bar
Hotel/Motel
Parking Facilities for uses in this District
Public Uses
Public Utility Buildings
Quasi-Public Uses
Repair Services

Development Standards

The following standards shall apply to every development in this District.

Minimum Front Yard: NIL

Minimum Side Yard: NIL, unless otherwise required by Schedule B or the Alberta Building Code

Minimum Rear Yard: Shall be in accordance with applicable sections of Schedule B

Maximum Parcel Coverage: 100%, includes Parking Facilities

SCHEDULE C
LAND USE DISTRICT REGULATIONS

Maximum Building Height: 10.0 m (32.8 ft)

Supplementary Regulations All uses must comply with the regulations in Schedule B and Schedule D.

Restrictions of Outdoor Storage and Display Areas: No outdoor storage or outdoor display shall be permitted.

9.1 Dwelling Units

- (1) Where a dwelling unit is part of the Commercial building, dwelling units shall:
- (a) be secondary and subordinate to the principal commercial uses;
 - (b) have an entrance that is separate and distinct from the entrance of any commercial component of the building;
 - (c) not be located in front of building on the ground floor level; and
 - (d) not be located on the same floor as a non-residential use unless there is a physical separation of uses or entrances to the satisfaction of the Development Authority.

10.0 HIGHWAY COMMERCIAL DISTRICT (C2)

General 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 requires large open areas for parking by clientele, for display of merchandise, or both, which will create an attractive environment, primarily accessible to motor vehicles.

Permitted Uses:

Drive-in Businesses
Eating Establishments
Financial Services
Gas Bar
Hotel/Motel
Indoor Merchandise Sales
Sales, Service, & Rental Outlet - Automotive,
Recreational Vehicle, Seasonal Vehicle
Sea Cans
Service Stations

Discretionary Uses:

Accessory Buildings and Uses
Auction Marts
Bulk Fuel Station
Car Wash
Commercial Recreation and Entertainment Facilities
Day Care Facilities
District Shopping Centers
Drinking Establishments (Adult Entertainment
Prohibited)
Drive-in Theatres
Dwelling Units, for occupancy of the owner, manager,
or caretaker, subject to section 10.1 of Schedule C
Funeral Homes
Greenhouses, Commercial
Parking Facilities for uses in this District
Public Uses
Public Utility Buildings
Quasi-Public Uses
Repair Services
Sales, Service, & Rental Outlet - Farm and Equipment
Self-Service Storage Facilities
Tarp/Canvas Covered Structures

SCHEDULE C
LAND USE DISTRICT REGULATIONS

Development Standards

The following standards shall apply to every development in this District:

Minimum Front Yard:	9.0 m (29.5 ft) adjacent to a service or local road
Minimum Side Yard:	3.0 m (9.8 ft) and in accordance with applicable sections of Schedule B, or as required by the Alberta Building Code
Minimum Rear Yard:	6.0 m (19.7 ft) and in accordance with applicable sections of Schedule B
Minimum Parcel Frontage:	15.0 m (49.2 ft) adjacent to a service or local road 46.0 m (150.9 ft) without a service road
Maximum Parcel Coverage:	80%, includes Parking Facilities
Maximum Building Height:	10.0 m (32.8 ft)

Supplementary Regulations All uses must comply with the regulations in Schedule B.

Signage All signage shall be placed in accordance with the applicable standards contained within Schedule D of this Land Use Bylaw.

10.1 Dwelling Units

- (1) Where a dwelling unit is part of the Commercial building, dwelling units shall:
- (a) be secondary and subordinate to the principal commercial uses;
 - (b) have an entrance that is separate and distinct from the entrance of any commercial component of the building;
 - (c) not be located in front of building on the ground floor level; and
 - (d) not be located on the same floor as a non-residential use unless there is a physical separation of uses or entrances to the satisfaction of the Development Authority.

11.0 LIGHT INDUSTRIAL DISTRICT (I1)

General Purpose:

To provide an area for light industrial uses, and other uses herein listed, which are compatible to the area which is located in an attractive environment; to accommodate uses which do not cause any external objectionable or dangerous conditions beyond the parcel boundary.

Permitted Uses:

Accessory Buildings and Uses
Automotive Repair
Building Supply Store
Light Industrial Use
Offices
Recycle Drop-off
Sales, Service, & Rental Outlet - Automotive, Farm and
Equipment, Heavy Equipment, Recreational Vehicle,
Seasonal Vehicle
Sea Cans
Self-Service Storage Facilities
Service Stations
Veterinary Clinics
Warehousing

Discretionary Uses:

Auction Marts
Bulk Fuel Station
Car Wash
Dwelling Units, for occupancy of the owner, manager,
or caretaker, subject to section 11.1 of Schedule C
Greenhouses, Commercial
Parking facilities for uses in this District
Public Uses
Public Utility Buildings
Quasi-Public Uses
Railway Uses
Repair Services
Tarp/Canvas Covered Structures
Towing Services

SCHEDULE C
LAND USE DISTRICT REGULATIONS

Development Standards

The following standards shall apply to every development in this District:

Minimum Front Yard:	9.0 m (29.53 ft)
Minimum Side Yard:	3.0 m (9.8 ft) and in accordance with applicable sections of Schedule B, or as required by the Alberta Building Code
Minimum Rear Yard:	6.0 m (19.7 ft) and in accordance with applicable sections of Schedule B
Minimum Parcel Frontage:	15.0 m (49.21 ft) except, where abutting a highway without a service road, in which case 30.0 m (98.4 ft) shall be required
Maximum Parcel Coverage:	80%, includes Parking Facilities
Supplementary Regulations	All uses must comply with the regulations in Schedule B.
Signage	All signage shall be placed in accordance with the applicable standards contained within Schedule D of this Land Use Bylaw.

11.1 Dwelling Units

- (1) Where a dwelling unit is part of the Commercial building, dwelling units shall:
- (a) be secondary and subordinate to the principal commercial uses;
 - (b) have an entrance that is separate and distinct from the entrance of any commercial component of the building;
 - (c) not be located in front of building on the ground floor level; and
 - (d) not be located on the same floor as a non-residential use unless there is a physical separation of uses or entrances to the satisfaction of the Development Authority.

12.0 HEAVY INDUSTRIAL DISTRICT (I2)

General Purpose:

To provide an area for light industrial uses, and other uses, herein listed, which are compatible with the area with heavy industry permitted in approved locations at the discretion of the Municipal Planning Commission.

Permitted Uses:

Accessory Buildings and Uses
Automotive Repair
Light Industrial Use
Municipal Shop and Storage Yard
Sales, Service, & Rental Outlet - Farm and Equipment,
Heavy Equipment
Sea Cans
Tarp/Canvas Covered Structures
Veterinary Clinics
Warehousing

Discretionary Uses:

Auction Marts
Autobody Repair
Bulk Fuel Station
Cartage and Freight Terminals
Dangerous Goods Occupancy
Feed Mills and Grain Elevator
Heavy Manufacturing
Open Storage Yard
Parking Facilities for uses in this District
Public Utility Buildings
Railway Uses
Repair Services
Towing Services
Utility Uses

Development Standards

The following standards shall apply to every development in this District:

Minimum Front Yard: 9.0 m (29.53 ft)

Minimum Side Yard: 3.0 m (9.8 ft) and in accordance with applicable sections of Schedule B, or as required by the Alberta Building Code

SCHEDULE C
LAND USE DISTRICT REGULATIONS

Minimum Rear Yard:	6.0 m (19.7 ft) and in accordance with applicable sections of Schedule B
Minimum Parcel Frontage:	15.0 m (49.21 ft) except, where abutting a highway without a service road, in which case 30.0 m (98.4 ft) shall be required
Maximum Parcel Coverage:	80%, includes Parking Facilities
Supplementary Regulations	All uses must comply with the regulations in Schedule B.
Signage	All signage shall be placed in accordance with the applicable standards contained within Schedule D of this Land Use Bylaw.

13.0 PUBLIC RECREATION DISTRICT (PR)

General Purpose:

To provide an area for the development of public land for major multi-use recreational facilities, and other uses as listed herein, which are compatible with the area.

Permitted Uses:

Market
Parks
Playgrounds
Recreation Facilities

Discretionary Uses:

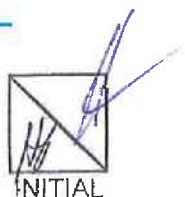
Accessory Building and Uses
Cemeteries
Parking Facilities for uses in this District
Public Uses
Public Utility Buildings
Quasi-Public Uses
Tarp/Canvas Covered Structures
Temporary Buildings
Any use that is similar, in the opinion of the Municipal Planning Commission, to the permitted or discretionary uses described above.

Development Standards

In addition to the Supplementary Regulations contained in Schedule B, the following standards shall apply to permitted uses and public and quasi-public uses in this District:

- | | |
|--------------------------|--|
| Minimum Front Yard: | 9.0 m (29.53 ft) |
| Minimum Side Yard: | 3.0 m (9.8 ft) and in accordance with applicable sections of Schedule B, or as required by the Alberta Building Code |
| Minimum Rear Yard: | 6.0 m (19.7 ft) and in accordance with applicable sections of Schedule B |
| Maximum Parcel Coverage: | 80%, includes Parking Facilities |
| Maximum Building Height: | 12.0 m (39.4 ft) |

Supplementary Regulations All uses must comply with the regulations in Schedule B.



SCHEDULE C
LAND USE DISTRICT REGULATIONS

Signage All signage shall be placed in accordance with the applicable standards contained within Schedule D of this Land Use Bylaw.

Restrictions of Outdoor Display Areas: No outdoor display shall be permitted.

14.0 URBAN RESERVE DISTRICT (UR)

General Purpose:

To reserve land for future subdivision and development until an overall plan is prepared for and approved by Council.

Permitted Uses:

Agricultural Operations, excluding feedlots

Discretionary Uses:

Accessory Uses
Existing residence and other related improvements
Parking Facilities for uses in this District
Public Utility Buildings
Temporary Buildings
Uses that will not, in the opinion of the Municipal Planning Commission,
a) materially alter the uses of the land from that existing on the date the land was designated to this Land Use District, or
b) conflict with future urban expansion, or
c) that is similar to the discretionary uses described above.

Development Standards

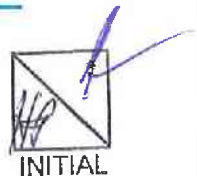
The following standards shall apply to every development in this District:

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.

Supplementary Regulations
Schedule D.

All uses must comply with the regulations in Schedule B and



SCHEDULE D: SIGN REGULATIONS

1.0 SIGN REGULATIONS

1.1 General Purpose

- (1) The purpose of this section is to:
- (a) provide sign regulations that can be equitably applied to various uses and enforced;
 - (b) ensure signs do not disrupt the orderly and safe flow of vehicular and pedestrian traffic;
 - (c) minimize the adverse effect of signs on neighbouring properties and residential areas;
 - (d) encourage and improve the quality of sign design to compliment the streetscape; and
 - (e) provide an adequate and flexible means of identification, communication, and advertising.

1.2 Definitions

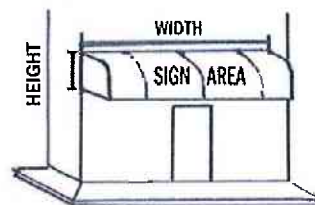
In this Land Use Bylaw,

“A-Board Sign” means a self-supporting A-shaped sign or sandwich board, which is set upon the ground and has no external supporting structure.



Sign for illustrative purposes

“Awning Sign” means a local advertising sign inscribed on or affixed flat upon the covering material of an awning.



Sign for illustrative purposes

SCHEDULE D SIGN REGULATIONS

“**Banner Sign**” means a temporary sign that is constructed of a flexible, non-ridged material that is intended to be hung or suspended which displays characters, letters or illustrations advertising a business, event or matter.

“**Bench Sign**” means a sign is painted on or affixed flat to a bench.

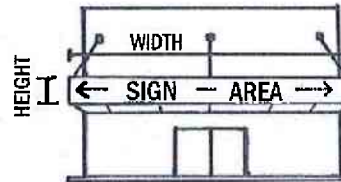
“**Billboard Sign**” means a sign to which advertising copy is pasted, glued, painted or otherwise fastened to permit its periodic replacement and includes poster panels and painted surfaces.



Sign for illustrative purposes

“**Canopy**” means a permanently fixed structure other than an awning which extends from a wall of a building for the purpose of affording shelter or protection from the weather.

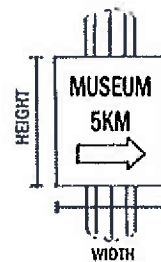
“**Canopy Sign**” means a local advertising sign attached to, forming part of, or on a face of a canopy. Awnings and marquees have a corresponding meaning.



Sign for illustrative purposes

“**Construction Sign**” means a temporary sign located on a site where construction is planned or is currently in progress, and contains general information about the intended construction.

“**Directional Sign**” means a sign which indicates the distance and/or direction to a place of business or other premises indicated on the sign.



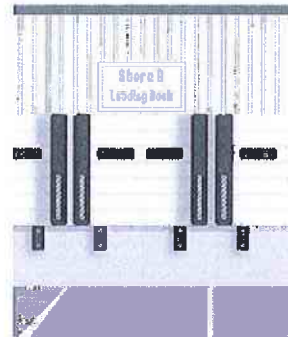
Sign for illustrative purposes

SCHEDULE D SIGN REGULATIONS

“**Eaveline**” means the horizontal line that marks the intersection of the roof and the wall of a building.

“**Electronic Message Copy**” 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.

“**Entrance Identification Sign**” means a sign that identifies an entrance or service area (examples include ‘service entrance’, ‘sales entrance’ or ‘loading dock’) that are located over a doorway or building entrance and which may include the logo or name of the business to which the entrance provides access.



Sign for illustrative purposes

“**Facia Sign**” means a local advertising sign attached to, marked or inscribed on and parallel to the face of a building wall, but does not include a billboard, wall or board sign.



Sign for illustrative purposes

“**Freestanding Sign**” means any sign or display supported independently of a building wall or structure by a freestanding column, but does not include a portable sign or a billboard sign.



Sign for illustrative purposes

“**Hold Time**” means the length of time a sign message is fixed in place before changing to a different sign message.

“**Identification Sign**” means a sign which contains no advertising, but is limited to the name, address and number on a building, institution or person.

SCHEDULE D SIGN REGULATIONS

“**Illumination**” means the act of lighting up a sign by way of an artificial light source located within, or external to, the sign and does not include flashing or intermittent lighting.

“**Inflatable Sign**” means a temporary sign that is designed to be inflated with air or lighter-than-air gas and to be anchored or affixed to a building or to the ground.



Sign for illustrative purposes

“**Manual Changeable Copy**” means sign copy which displays alphanumeric characters and which is changed manually.

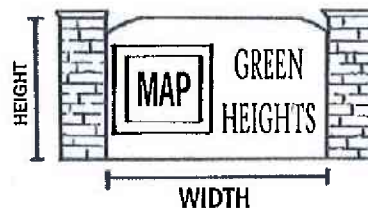


Sign for illustrative purposes

“**Menu Board Sign**” means advertising that is not visible from a public right-of-way and is intended to advertise goods available for sale on-site such as a drive-thru menu.

“**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.

“**Neighbourhood Identification Sign**” means a sign which forms the entrance display for the identification of a residential neighbourhood or subdivision.



Sign for illustrative purposes

“**Open House Sign**” means a temporary sign advertising an open house for a property for sale, and may include an A-board sign.

SCHEDULE D SIGN REGULATIONS

“**Owner**” means a person, or the authorized agent of such person, in lawful possession or control of a sign.

“**Portable Sign**” means any sign or advertising device that can be carried or transported from one site to another, but does not include an A-board sign.



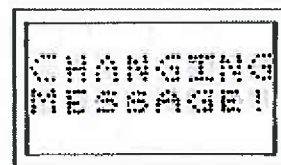
Sign for illustrative purposes

“**Projecting Sign**” means a sign which projects from a structure or building face, but does not include a canopy or awning sign.



Sign for illustrative purposes

“**Reader Board**” means a portion of a sign whose informational content can be changed or altered through the uses of manual changeable copy or an electronic message copy, and may include time and temperature displays or non-moving images but may not display animated copy or video.



Sign for illustrative purposes

“**Real Estate Sign**” means a temporary sign erected on a site by the owner or agent of the owner of the site, advertising the site for sale or lease, but does not include an inflatable sign.

SCHEDULE D SIGN REGULATIONS

“**Sign**” means a device or structure erected or placed for the purpose of providing advertisement, announcement, direction or information on such things as a development, business, product, service, location, event or person.

“**Sign Area**” means the combined sign face area on which advertising is intended to be placed.

“**Sign Copy**” means any colour, graphic, logo, symbol, word, numeral, text, image, message, picture, or combination thereof displayed on a sign face, and includes manual changeable copy or an electronic message copy.

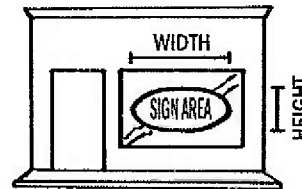
“**Sign Face Area**” means the area, per side, upon which the sign copy is located.

“**Sign Height**” means the total height of the sign from finished grade to the uppermost portion of the sign, including any support structure.

“**Sign Structure**” means a structure designed to support a sign and may consist of materials used to conceal or improve the visual appearance of the structural parts.

“**Temporary Sign**” means a sign, not permanently installed, intended to be featured for a short period of time, and for a special, unique, limited activity or sale, but does not include an A-board or portable sign.

“**Window Sign**” means a sign which is painted on, attached to, or applied to the inside surface of a window and intended to be viewed from the outside.



Sign for illustrative purposes

SCHEDULE D SIGN REGULATIONS

1.3 Development Permit Required

- (1) No person shall erect, display, alter or relocate a sign and no person being the owner of the sign or the owner of the property lot shall permit, suffer or allow the construction, erection, display, alteration or relocation of a sign on such lot without a Development Permit first having been obtained in accordance with the provisions of this Bylaw.
- (2) Temporary signs may be permitted at the discretion of the Development Authority, subject to the sign regulations of this Bylaw.

1.4 Signs Not Requiring a Permit

- (1) The following signs do not require a Development Permit provided that each sign complies with the regulations of this Bylaw:
 - (a) window signs, provided they are not for the purpose of advertising a home occupation or home office;
 - (b) signs identifying hazardous or dangerous areas or machinery;
 - (c) election signs provided all such signs are removed within fourteen (14) days of the completion of the relevant election or plebiscite;
 - (d) real estate signs, provided that such signage is removed within thirty (30) days after the sale or lease of the premises upon which the sign is located;
 - (e) signs advertising garage and auction sales are permitted one (1) day before and on the actual day of the sale;
 - (f) directional signs provided that:
 - (i) the sign is a freestanding sign and is appropriately located adjacent to the entrance, exit or drive-thru;
 - (ii) the sign face area does not exceed 0.5 m² and that the sign height does not exceed 1.5 m (4.9 ft); and
 - (iii) the sign is set back a minimum of 2.0 m (6.6 ft) from front and side property lines and 1.0 m (3.3 ft) from the edge of pavement for any driveway access to the site;
 - (g) entrance identification signs (examples include 'service entrance', 'sales entrance' or 'loading dock') that are located over a doorway or building entrance;
 - (h) menu board signs not visible from a public right-of-way, such as *drive-thru* menus and *car wash* menus;

SCHEDULE D SIGN REGULATIONS

- (i) the placement of one (1) unilluminated sign of the following type and size on a building or parcel, provided such sign does not resemble or conflict with traffic signs:
 - (i) a sign for the purpose of identification or warning not exceeding 0.2 m² (2.2 sq ft);
 - (ii) a sign relating to a person, partnership or company carrying on a profession, business or trade not exceeding 0.3 m² (3.2 sq ft);
 - (iii) a sign relating to religious, educational, cultural, recreation or similar institution or an apartment or multi-residential building not exceeding 1.0 m² (10.8 sq ft);
 - (iv) a portable or temporary sign or notice relating to the sale or lease of land, buildings, sale of goods or livestock by auction, or carrying out of construction, limited in display to the period of completion of the sale, lease, or construction.
 - (v) an A-board, portable or temporary sign or notice relating to a special event for initiatives or a special promotion by a community or non-profit organization, limited in display to a maximum of seven (7) days; and
 - (vi) an A-board, portable or temporary sign or notice relating to the announcement of any local event of a religious, educational, cultural, political or governmental nature, limited in display to the period of completion of the event.

1.5 Applying for a Permit

- (1) If the Development Authority deems a Development Permit application for a sign is necessary, notwithstanding subsection 2.3(1) and 2.3(2) of PART 2, the application for the sign shall be accompanied by the following:
 - (a) name and address of the applicant;
 - (b) name and address of the lawful owner of the sign (if different from the applicant);
 - (c) all dimensions of the sign structure, including height, projection of the sign attached to the building;
 - (d) site plan showing location of the sign, distances from existing signs, approaches or driveway locations, property boundaries and buildings;
 - (e) design of copy face(s), including height of lettering and colours;
 - (f) sign content;
 - (g) method of support, type of construction and finish;

SCHEDULE D SIGN REGULATIONS

- (h) details of sign illumination;
 - (i) height of freestanding sign, showing the sign's foundation in detail;
 - (j) amount of projection from the face of the building or above the building roof or parapet wall, if applicable;
 - (k) additional information as the Development Authority deems necessary; and
 - (l) application fee.
- (2) An application for a Development Permit for sign shall not be considered complete and final and received for processing until the Development Authority determines that all the information needed to assess the application has been provided by the applicant.

1.6 Sign Removal

- (1) Where a sign no longer fulfils its function under the terms of the approved Development Permit, the Municipal Planning Commission may recommend that the Council resolve to order the removal of such a sign, and the lawful owner of the sign or where applicable, the registered property owner, shall, upon such a resolution:
- (a) remove such sign and all related structural components within thirty (30) days from the date of receipt of such a removal notice;
 - (b) restore the immediate area around the sign to the satisfaction of the Municipal Planning Commission; and
 - (c) bear all the cost related to such removal and restoration.

1.7 General Provisions For Signs

- (1) No sign shall be erected, operated, used or maintained and no Development Permit shall be issued for a sign that:
- (a) conflicts with the general character of the surrounding streetscape or the architecture of nearby buildings or be liable to create a cluttered appearance to the street;
 - (b) project higher than the roofline of the building to which it is attached;
 - (c) obstructs the use of a fire escape, fire exit, door, flue, air intake, exhaust, window, or interferes with any electrical or telephone wires or associated supports, but shall not include a window sign permitted by this Bylaw. Notwithstanding, signs shall not be located such that they interfere with any opening required for ventilation or natural light;

SCHEDULE D SIGN REGULATIONS

- (d) due to its position, shape, colour, format or illumination obstructs the view of, or may be confused with, an official traffic sign, signal or device, or may create a hazard to the safe and efficient movement of vehicular or pedestrian traffic, as determined by the Development Officer;
 - (e) displays lights resembling the flashing, intermittent or scintillating motion of lights customarily associated with danger or those used by police, fire, ambulance or other emergency vehicles;
 - (f) rests on the right-of-way of a road on any municipal property without the approval of the municipality; or
 - (g) projects closer than 0.75 m (2.5 ft) to the existing or future curb line;
- (2) Where a sign projects over a street or other public property, a minimum clearance of 2.5 m (8.2 ft) above grade shall be maintained.
- (3) Notwithstanding subsection (2), where a sign is located in or projects into or over a driveway or other area of vehicle movement, a minimum clearance of 4.6 m (15.1 ft) above grade level shall be maintained.
- (4) No billboard or freestanding sign shall be erected in such proximity to a Public Recreation District that it would detract from the natural aesthetics of that District.
- (5) The owner of the sign shall be responsible for maintaining their sign in a proper state of repair and shall:
- (a) keep the sign properly maintained, including well painted and ensuring the letters, numbers and characters used on the sign are kept in good condition at all times;
 - (b) insure that the sign is and its structure is attached safely to the building to proper standards; and
 - (c) ensure the sign surface is kept clean as it becomes necessary.

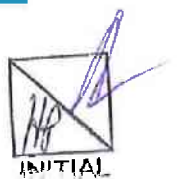
SCHEDULE D SIGN REGULATIONS

1.8 Signs in Residential Districts

- (1) Approved businesses located in Residential Districts are excluded from this Section and are subject to the applicable signage provisions of this Schedule.
- (2) Signs shall not exceed 0.6 m x 0.45 m (24" x 18").
- (3) Signs advertising a home occupation or home office shall be located within a window or, at the discretion of the Development Authority, located on the building or other suitable location on the site in which the office or occupation is carried on.
- (4) Signs shall not be illuminated, florescent, or moving and shall not employ back-lit construction.
- (5) Signs shall be in good taste and compatible with the character of the neighbourhood.
- (6) Signs advertising commercial activities off-site are not permitted.

1.9 A-Board Signs

- (1) Subject to the provisions of this part, A-Board signs shall be permitted in Commercial and Industrial Districts.
- (2) A-Board signs shall:
 - (a) be constructed of a painted wooden or metal material such that a rigid frame is provided and be neat and clean in appearance;
 - (b) be a maximum of 0.61 m (2.0 ft) wide and 0.91 m (3.0 ft) high;
 - (c) not impede the view of pedestrians or street traffic;
 - (d) be limited to one (1) sign per business to be placed directly in front of the building to which the business is located; and
- (3) For businesses with zero front setbacks, A-Board signs shall:
 - (a) be placed against the building on the sidewalk in a location that allows at least 1.2 m (3.9 ft) minimum width for pedestrian traffic; and
 - (b) only be allowed on sidewalks during hours when the business to which the sign relates is open to the public.



SCHEDULE D
SIGN REGULATIONS

1.10 Awning and Canopy Signs

- (1) Subject to the provisions of this part, Awning and Canopy signs shall be permitted on all properties containing approved Commercial, Industrial, Public or Quasi-public uses with the exception of home occupations.
- (2) Awning and Canopy signs shall:
 - (a) be constructed of durable, color-fast material and relate to the architectural design of the building to which they are attached; and
 - (b) be tightly stretched over a rigid frame in order to minimize the accumulation of dirt through sagging, and also to improve their neat appearance.
- (3) Awning, Canopy, and Under-canopy signs shall have a minimum clearance of 2.5 m (8.2 ft) above grade level.
- (4) Under-canopy signs shall not exceed the height of 0.3 m (1.0 ft) and shall not project beyond the outer edge of the canopy.

1.11 Billboard Signs

- (1) Billboard signs are a permitted use in the Highway Commercial (C2) District and Industrial Districts.
- (2) Billboard signs shall:
 - (a) have a maximum sign area of 20 m² (215.3 sq ft);
 - (b) have a maximum height above grade of 7.0 m (22.9 ft), except for district shopping centres which shall have a maximum height above grade of 8.5 m (27.9 ft);
 - (c) not project beyond the boundary of a parcel upon which the billboard is located;
 - (d) be located a minimum of 3.0 m (9.8 ft) from all property lines adjoining a highway; and
 - (e) be separated by a minimum distance of 30.0 m (98.4 ft) from other large self-supporting freestanding type signs.
- (3) Illumination of billboards shall be restricted to gooseneck type lighting that directs light downward towards the sign.

SCHEDULE D
SIGN REGULATIONS

- (4) Only one (1) billboard sign may be erected on each parcel's boundaries with a street.
- (5) Billboards shall only be erected on sites to which their display relates except in the case of signs used solely by community organizations.

1.12 Fascia Signs

- (1) Fascia signs are a permitted use in all Districts.
- (2) Fascia signs shall:
 - (a) be affixed wholly upon the building to which the sign refers;
 - (b) not project more than 0.4 m (1.3 ft) over a street or public property;
 - (c) not be higher than the eave line on a single-storey building;
 - (d) not be higher than the sill level of the second floor windows or the equivalent height in the case of attachment to a blank wall on a building two or more storeys in height; and
 - (e) not be lower than 2.5 m (8.2 ft) above grade, except in the case of signs intended solely for the information of pedestrians in which case the height shall be determined by the Development Authority having regard, amongst other things, to clarity and public safety.
- (3) Fascia signs shall not be illuminated when directly abutting a residential parcel or where it could have an adverse impact on a residential parcel.

1.13 Freestanding Signs

- (1) Subject to the provisions of this part, Freestanding signs shall be permitted on all properties containing approved Commercial, Industrial, Public or Quasi-public uses with the exception of home occupations.
- (2) A freestanding sign shall have a maximum height above grade of 6.0 m (19.7 ft) and a maximum sign face area of 4.5 m² (48.4 sq ft), except in a Highway Commercial District where:
 - (a) the height above grade shall not exceed 7.0 m (23.0 ft); and
 - (b) the sign area shall not exceed 9.5 m² (102.6 sq ft).

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SIGN REGULATIONS

- (3) Only one (1) freestanding sign may be erected on each parcel's boundaries with a street and in no case shall any portion of the sign project over a property line.
- (4) Freestanding signs shall be separated by a minimum distance of 30.0 m (98.4 ft) from other large self-supporting freestanding type signs.
- (5) Freestanding signs shall be situated wholly upon the site of the building or land use to which the sign refers, except for:
 - (a) advance directional signs which may be approved by the Municipal Planning Commission in locations where it considers the free and safe flow of traffic may be enhanced, or
 - (b) signs used solely by community or non-profit organizations.

1.14 Neighbourhood Identification Signs

- (1) Neighbourhood identification signs are a permitted use in Residential Districts.
- (2) A neighbourhood identification sign must:
 - (a) be a self-supported sign;
 - (b) not exceed 6.0 m² (64.6 sq ft) in sign area;
 - (c) not exceed 3.0 m (9.8 ft) in height;
 - (d) be setback a minimum 1.0 m (3.3 ft) from front and side property lines for the entire perimeter of the sign and in no case shall any portion of the sign project over a property line;
 - (e) incorporate the neighbourhood or subdivision name specified by the relevant plans or bylaw;
 - (f) be located on a private lot at the entrance to a neighbourhood or subdivision;
 - (g) not employ back-lit construction; and
 - (h) be designed so as to compliment the architecture and theme of the neighbourhood or subdivision the sign is identifying and be constructed of maintenance-free material including one or more of the following: brick, stone, architectural reinforced concrete, stucco, col-our coated metal, ceramic or glazed tile, or colour coated block.

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1.15 Portable Signs

- (1) Subject to the provisions of this part, Portable signs shall be permitted on all properties containing approved Commercial, Industrial, Public or Quasi-public uses with the exception of home occupations.
- (2) Portable signs may only contain local advertising and are intended for temporary on-site advertisement relating to the approved uses therein.
- (3) A portable sign shall not exceed 3.0 m (9.8 ft) in height or have a sign face area larger than 4.0 m² (43.1 sq ft).
- (4) A portable sign shall be stabilized, but shall not use unsightly or potentially hazardous methods.
- (5) A portable sign in use shall at all times be maintained in good condition, and specifically, shall contain lettering and signage which is secure and complete.
- (6) Only one portable sign shall be permitted on a parcel at any one time.
- (7) All off-premise portable signs are subject to a thirty (30) day display period.
- (8) No portable sign relating to a commercial enterprise may be placed on any public property.
- (9) A portable sign shall not interfere with pedestrian and/or vehicular traffic.
- (10) Any portable sign deemed by the Development Authority to be in contravention of this section may be subject to immediate removal of the sign by the Town of Eckville or its designates with no notice given to the owner of the sign.

1.16 Projecting Signs

- (1) Subject to the provisions of this part, Projecting signs shall be permitted on all properties containing approved Commercial, Industrial, Public or Quasi-public uses with the exception of home occupations.
- (2) Projecting signs shall:
 - (a) be located at or below the level of the second floor windows;



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- (b) be located at a right angle to the building façade;
 - (c) have a minimum clearance of 2.5 m (8.2 ft) above grade level; and
 - (d) have a maximum sign area of 1.0 m² (10.8 sq ft).
- (3) Only one projecting sign may be erected on each street frontage of a building.
- (4) On corner sites, projecting signs shall be placed at equal angles to the walls that form the corner.

1.17 Reader Board

- (1) A Reader Board may form part of a permitted sign located on all properties containing approved Commercial, Industrial, Public or Quasi-public uses with the exception of home occupations.
- (2) A reader board sign may display digital text and images but no text or image shall scroll or flash.
- (3) The minimum hold time at which text and images shall be refreshed or change shall be no less than 6 seconds.

1.18 Other Signs

The Municipal Planning Commission may approve other signs subject to the general sign provisions of this Schedule.

SCHEDULE E

SMALL QUANTITY EXEMPTIONS FOR DANGEROUS GOODS REGULATIONS

SCHEDULE E: SMALL QUANTITY EXEMPTIONS FOR DANGEROUS GOODS REGULATIONS

The existence of the following quantities of dangerous goods on a site will not be considered to constitute dangerous goods occupancy. Any quantities in excess of this amount will constitute dangerous goods occupancy and must be approved by the Regional Fire Chief.

Class	Dangerous Goods	Maximum Exempt Amount
1	Explosives	0
2	Gases	
	Div.1 Flammable	25 kg
	Div.2 Non-flammable	150 kg
	Div.3 Poisonous	0
	Div.4 Corrosive	0
3	Flammable Liquids and Combustible Liquids⁽¹⁾	0
4	Flammable Solids	
	Div.1 Flammable Solids	100 kg ⁽²⁾
	Div.2 Subject to Spontaneous Ignition	50 kg
	Div.3 Reactive with Water	50 kg
5	Oxidizing Substances	
	Div.1 Oxidizers	250 kg or 250 l
	Div.2 Organic Peroxides	100 kg or 100 l
6	Poisonous and Infectious Substances	
	Div.1 Poisonous Substances	
	Packing Group 1 ⁽³⁾	0
	Packing Group II	100 kg or 100 l
	Packing Group III	1000 kg or 1000 l
	Div. 2 Infectious Substances	0
7	Radioactive Materials	0

SCHEDULE E

SMALL QUANTITY EXEMPTIONS FOR DANGEROUS GOODS REGULATIONS

Class	Dangerous Goods	Maximum Exempt Amount
8	Corrosives ⁽⁴⁾ Packing Group I Packing Group II Packing Group III	500 kg or 500 l 1000 kg or 1000 l 2000 kg or 2000 l
9	Miscellaneous: Div. 1 Miscellaneous Div. 2 Environmental Div. 3 Specific Wastes	0 0 0

NOTES TO TABLE:

- (1) The Transportation of Dangerous Goods Regulations defines “flammable liquids” as liquids having a flash point of 61° C or below. The National Fire Code (NFC) defines “combustible liquids” as liquids having a flash point between 37.5° C and 93.3° C.
- (2) See Article 5.3.1.2 Alberta Fire Code.
- (3) The Transportation of Dangerous Goods Act defines “packing group” as “a level of hazard inherent to dangerous goods”. Packing Group I products are more hazardous than Packing Group III products.
- (4) The Transportation of Dangerous Goods uses the expression “corrosives” rather than corrosive substances.