

TOWN OF  
**VEGREVILLE**



## **Land Use Bylaw 11-2019**

Updated up to December 2021

## **IMPORTANT NOTICE MGA SECTION 63(2)**

This document is consolidated into a single publication for the convenience of users. The official Bylaw and all amendments thereto are available at the Town office and should be consulted in interpreting and applying this Bylaw.

In case of any dispute, the original Land Use Bylaw must be consulted. Where legal land description, spelling, punctuation, or type face was updated or corrected, the change was not noted in this document.

For easy reference, the amending Bylaw numbers are adjoining the Sections that were amended to identify that a change has occurred in a Section, Subsection, or Clause, subsequent to the adoption of the original Land Use Bylaw.

Following is a list of Bylaws adopted by Council subsequent to adoption of this Bylaw that amended the Land Use Bylaw:

**Bylaw 02-2020**

**REZONING** Block T, Plan 4078EO

From C3 – Highway Commercial District to C2 – General Commercial District.

**Bylaw 06-2021**

**REZONING:**

- Lots 4-10, Block 1, Plan 2483P from C2- General Commercial District to R2- Single Detached Compact Residential District and;
- Lots 11-17, Block 18, Plan 2483P and Lot 18A, Block 18, Plan 922-2101 from R2-Single Detached Compact Residential District to DC- Direct Control District

**Bylaw 06-2021**

**REZONING** Lot E, Block 2, Plan 1924KS

From I – Institutional District to R4 – High Density Residential District.

# TABLE OF CONTENTS

<b>PART ONE</b> .....	<b>- 1 -</b>
<b>SECTION 1 - GENERAL</b> .....	<b>- 1 -</b>
1.1 Title .....	- 1 -
1.2 Purpose.....	- 1 -
1.3 Interpretation.....	- 1 -
1.4 Definitions .....	- 1 -
1.5 Metric and Imperial Measurements .....	- 24 -
1.6 Date of Receipt .....	- 24 -
1.7 Establishment of Districts .....	- 24 -
1.8 Establishment of Land Use District Regulations .....	- 26 -
1.9 Establishment of Sign Regulations.....	- 26 -
1.10 Non-applicability of Bylaw .....	- 26 -
<b>SECTION 2 - AGENCIES</b> .....	<b>- 27 -</b>
2.1. Development Authority.....	- 27 -
2.2. Development Authority Officer .....	- 27 -
2.3. Council.....	- 27 -
2.4. Subdivision and Development Appeal Board.....	- 27 -
<b>SECTION 3</b> .....	<b>- 28 -</b>
<b>DEVELOPMENT PERMITS RULES AND PROCEDURES</b> .....	<b>- 28 -</b>
3.1. Control of Development .....	- 28 -
3.2. Restrictive Covenants.....	- 28 -
3.3. Development Not Requiring a Development Permit.....	- 28 -
3.4. Non-Conforming Buildings and Uses .....	- 30 -
3.5. Development Permit Applications.....	- 30 -
3.6. Variance to Regulations .....	- 32 -
3.7. Decision Process and Re-Application.....	- 33 -
3.8. Conditions of Development Permit Approval .....	- 35 -
3.9. Development Permit Validity and Notice .....	- 37 -
3.10. Developer's Responsibility.....	- 37 -
<b>SECTION 4 - APPEALS</b> .....	<b>- 39 -</b>
4.1. Appeal Procedure.....	- 39 -
4.2. Appeal Hearing.....	- 39 -
4.3. Decision .....	- 40 -
<b>SECTION 5 - ENFORCEMENT</b> .....	<b>- 42 -</b>
5.1 Contravention and Penalties .....	- 42 -
5.2 Stop Order .....	- 42 -
5.3 Violation Tickets.....	- 43 -
<b>SECTION 6 - ADMINISTRATION</b> .....	<b>- 44 -</b>

<b>SCHEDULE A .....</b>	<b>- 45 -</b>
<b>LAND USE DISTRICT MAP .....</b>	<b>- 45 -</b>
<b>SCHEDULE B.....</b>	<b>- 46 -</b>
<b>FLOOD HAZARD AREA MAP .....</b>	<b>- 46 -</b>
<b>PART TWO.....</b>	<b>- 47 -</b>
<b>LAND USE DISTRICT REGULATIONS .....</b>	<b>- 47 -</b>
<b>SECTION 1 - GENERAL PROVISIONS.....</b>	<b>- 47 -</b>
1.1 Subdivision of Land .....	- 47 -
1.2 Dwelling Units on a Lot.....	- 47 -
1.3 Substandard and Irregular Lots.....	- 47 -
1.4 Building Height .....	- 48 -
1.5 Fences.....	- 48 -
1.6 Landscaping .....	- 50 -
1.7 Shipping Containers (Sea Cans).....	- 51 -
1.8 Objects Prohibited or Restricted in Yards .....	- 52 -
1.9 Projection into Yards.....	- 52 -
1.10 Corner Sites and Double Fronting Sites.....	- 53 -
1.11 Sight Line Protection.....	- 53 -
1.12 Site Grading and Drainage .....	- 54 -
1.13 Land Subject to Flooding .....	- 54 -
1.14 Exterior Appearance .....	- 55 -
1.15 Lighting .....	- 56 -
1.16 Noise .....	- 56 -
1.17 Nuisance .....	- 56 -
1.18 Environmental Screening .....	- 56 -
1.19 Hazardous Materials .....	- 56 -
1.20 Utility Easements on Private Property .....	- 57 -
1.21 On-Site and Off-Site Services and Improvements .....	- 57 -
1.22 Development of a Project .....	- 57 -
1.23 Bare Land Condominium.....	- 59 -
1.24 Addressing of Properties .....	- 59 -
1.25 Topsoil Excavation.....	- 59 -
1.26 Non-Conformity through Metrication.....	- 59 -
<b>SECTION 2 - ACCESSORY USE AND STRUCTURE REGULATIONS.....</b>	<b>- 60 -</b>
2.1. General Regulations.....	- 60 -
2.2. Accessory and Temporary Structures (Garages, Sheds, Buildings, and Tent Structures) in Residential Districts .....	- 60 -
2.3. Accessory and Temporary Structures in Districts Other Than Residential Districts.....	- 62 -
2.4. Decks.....	- 62 -
2.5. Swimming Pools, Hot Tubs, and Inflatable Pools .....	- 62 -

2.6.	Home Occupations .....	- 63 -
2.7.	Outdoor Display .....	- 65 -
2.8.	Alternative Energy Technology .....	- 65 -
<b>SECTION 3 - PARKING AND LOADING PROVISIONS .....</b>		<b>- 67 -</b>
3.1.	Parking and Loading Areas.....	- 67 -
3.2.	Off-Street Loading Areas.....	- 71 -
<b>SECTION 4 - SPECIAL USE PROVISIONS .....</b>		<b>- 72 -</b>
4.1.	Bed and Breakfast Establishments .....	- 72 -
4.2.	Drive-In Businesses.....	- 72 -
4.3.	Intoxicant Sales .....	- 74 -
4.4.	Motels & Hotels .....	- 74 -
4.5.	Shopping Centres .....	- 75 -
4.6.	Animal Care and Related Uses .....	- 76 -
4.7.	Places of Worship.....	- 76 -
4.8.	Conversion of Single Detached Dwellings to Other Uses .....	- 76 -
4.9.	Show Homes .....	- 77 -
4.10.	Day Care Facilities.....	- 77 -
4.11.	Manufactured Homes.....	- 78 -
4.12.	Secondary Suites .....	- 80 -
4.13.	Garage and Garden Suites .....	- 80 -
4.14.	Satellite Dish Antennas .....	- 81 -
4.15.	Moved-In Buildings and Relocation of Buildings.....	- 81 -
4.16.	Food Preparation.....	- 82 -
<b>SECTION 5 - DISTRICT PROVISIONS .....</b>		<b>- 83 -</b>
5.1	Single Detached Residential District - (R1).....	- 83 -
5.2	Single Detached Compact Residential District - (R2) .....	- 84 -
5.3	Medium Density Residential District - (R3) .....	- 85 -
5.4	High Density Residential District - (R4) .....	- 86 -
5.5	Large Lot Residential District - (R5) .....	- 87 -
5.6	Residential Manufactured Home District - (RMH).....	- 88 -
5.7	Central Commercial District - (C1) .....	- 89 -
5.8	General Commercial District - (C2) .....	- 91 -
5.9	General Commercial District Highway - (C2-H).....	- 93 -
5.10	General Commercial – Rail District - (C2-R) .....	- 95 -
5.11	Highway Commercial District - (C3).....	- 97 -
5.12	Highway Commercial - Agriculture District - (C3-A) .....	- 99 -
5.13	Neighbourhood Commercial District - (C4) .....	- 101 -
5.14	Service Commercial District - (C5).....	- 102 -
5.15	Business Industrial District - (M1) .....	- 103 -
5.16	Heavy Industrial District - (M2) .....	- 105 -
5.17	Community District - (P) .....	- 107 -

5.18 Institutional District - (I) .....	- 108 -
5.19 Direct Control District - (DC) .....	- 109 -
5.20 Urban Reserve District - (UR) .....	- 110 -
5.21 Restricted Development District - (RD) .....	- 111 -
<b>PART THREE .....</b>	<b>- 112 -</b>
<b>SECTION 1 - GENERAL SIGN PROVISIONS .....</b>	<b>- 112 -</b>
1.1 Definitions .....	- 112 -
1.2 General Regulations .....	- 114 -
1.3 Exemptions from Sign Regulations .....	- 115 -
1.4 Details of Application .....	- 117 -
1.5 Care and Maintenance .....	- 117 -
1.6 Variances .....	- 118 -
1.7 Existing Signs .....	- 118 -
1.8 Signs on Municipal Lands .....	- 118 -
<b>SECTION 2 - TYPES OF SIGNS .....</b>	<b>- 119 -</b>
2.1. A-board Signs .....	- 119 -
2.2. Awning, Canopy, Roof, and Sky Signs .....	- 119 -
2.3. Billboard Signs.....	- 120 -
2.4. Fascia or Wall Signs .....	- 121 -
2.5. Free-standing Post or Pylon Signs.....	- 121 -
2.6. Free-standing Monument Signs .....	- 122 -
2.7. Free-Standing Portable Signs .....	- 123 -
2.8. Holographic Signs .....	- 124 -
2.9. Inflatable Signs .....	- 124 -
2.10. Projecting Signs.....	- 124 -
2.11. Projection Signs.....	- 126 -
<b>SECTION 3 - ENFORCEMENT OF SIGN REGULATIONS.....</b>	<b>- 127 -</b>
3.1. Enforcement .....	- 127 -

# PART ONE

## SECTION 1 - GENERAL

### 1.1 Title

This Bylaw may be cited as the “Town of Vegreville Land Use Bylaw”.

### 1.2 Purpose

- (1) The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and for that purpose amongst other things:
- (2) to divide the municipality into districts;
- (3) to prescribe and regulate for each district the purposes for which land and buildings may be used;
- (4) to establish the office of the Development Authority;
- (5) to establish a method of making decisions on applications for development permits including the issuing of development permits;
- (6) to allow for the establishment of direct control districts;
- (7) to provide the way notice of the issuance of a development permit is to be given; and
- (8) to establish the number of dwelling units permitted on a parcel of land;
- (9) to provide a means by which statutory plans may be implemented.

### 1.3 Interpretation

- (1) **Severability**  
If any statement, part, section, sub-section, or paragraph of this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of this Bylaw.
- (2) **Compliance**  
Compliance with this Bylaw does not provide exemption from compliance with all other applicable municipal, provincial, or federal laws and respecting any easements, covenants, agreements, and other contracts affecting the land or development.

### 1.4 Definitions

In this Bylaw:

- (1) **"abut" or "abutting"** means immediately contiguous or physically touching, and, when used with respect to a lot or site, means that the lot or site physically touches upon another lot or site, and shares a property line or boundary line with it;

- (2) **"accessory building or structure"** means a structure separate and subordinate to the principal building, the use of which is secondary to that of the principal building and located on the same parcel of land; this includes but is not limited to garages, sheds, decks, tent structures, patios, gazebos, verandas, and carports.
- (3) **"accessory use"** means a use customarily incidental and subordinate to the principal use or building and located in the same parcel of land with such principal use or building;
- (4) **"Act"** means the Municipal Government Act, R.S.A. 2000, as amended, and any Regulations made pursuant thereto;
- (5) **"addition"** means adding onto an existing building, provided that there are no structural changes to the existing building, no removal of the roof structure, and no removal of exterior walls, other than that required to provide an opening for access from, and integration of, the existing building to the portion added thereto and to the addition that includes a foundation, constructed to the minimum standards outlined in the Alberta Building Code, and a roof;
- (6) **"adjacent land"** means land that is contiguous to a parcel of land and includes land that would be contiguous if not for a road, river or stream;
- (7) **"agricultural industry"** means an industrial activity involving the processing, cleaning, packing or storage of agricultural products. Agricultural industry includes, but is not restricted to, seed cleaning and/or processing plants, and grain elevators, but does not include the manufacture of processed foods from agricultural products or abattoirs;
- (8) **"alternative energy technology"** means solar energy collectors, windmills, geothermal energy systems, waste heat recovery systems, biological digestive gas processes, and the necessary components including energy storage, power conditioning, control systems, transmission systems and structural support systems, to provide electricity or heat. Passive solar energy systems are included;
- (9) **"amenity area"** means an area that is developed for the active or passive recreation and enjoyment of the occupants of a dwelling or dwellings. Such area may be for either private or communal use and may be under either individual or common ownership;
- (10) **"amusement establishment, major"** means a development providing recreational facilities indoors either with three (3) or more table games or electronic games, played by patrons for entertainment. Major amusement establishments include billiard parlours and electronic games arcades with three (3) or more tables or games, and bowling alleys;
- (11) **"amusement establishment, minor"** means a development providing recreational facilities indoors with two (2) or fewer table games or electronic games, played by patrons for entertainment. Minor amusement establishments include billiard parlours, and electronic games arcades with two (2) or fewer tables or games;
- (12) **"amusement establishment, outdoor"** means a development providing recreational facilities outdoors played by patrons for entertainment. Outdoor amusement establishments include amusement parks, go-cart tracks, and miniature golf

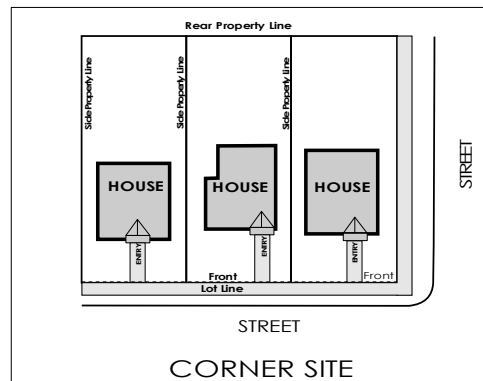


courses. However, outdoor amusement establishments do not include drive-in motion picture theatres, carnivals, or circuses;

- (13) **"apartment"** means a building containing three (3) or more dwelling units with a common exterior entrance, but does not include any other type of multiple dwelling unit as defined in this Bylaw;
- (14) **"auctioneering establishment"** means a development specifically intended for the auctioning of goods and equipment, including the temporary storage of such goods and equipment. Auctioneering establishments do not include flea markets;
- (15) **"automotive and equipment repair shop"** means a development where automobiles, motorcycles, small engines, snowmobiles and similar machines are serviced or mechanically repaired and where related accessories and parts are sold and/or installed. Automotive and equipment repair shops include facilities for the service and repair of transmissions, mufflers, tires, small engines, automotive glass, and vehicle bodies;
- (16) **"bachelor suite"** means a dwelling unit in which the sleeping and living areas are combined;
- (17) **"basement"** means the portion of a building which is wholly or partially below grade, having above grade no more than 1.8m (5.9 ft.) of its clear height which lies below the finished level of the floor directly above;
- (18) **"bed and breakfast establishment"** means a development within a dwelling where temporary sleeping accommodations, up to a maximum of four (4) bedrooms, with or without meals, are provided for remuneration to members of the public;
- (19) **"boarding and lodging house"** means a development, with or without a dwelling unit, where temporary sleeping accommodations of three (3) or more bedrooms, with or without meals, are provided for remuneration to members of the public. Boarding and lodging houses may include student co-operative housing, lodges for senior citizens, but not group homes;
- (20) **"boulevard"** means the portion of the street right-of-way that lies between the curb or edge of road surface and the adjacent property line;
- (21) **"building"** means anything constructed or placed on, in, over, or under land but does not include a road or a bridge forming part of a road;
- (22) **"building area"** means the greatest horizontal area of a building above grade within the glass line of exterior walls, or within the glass line of exterior walls and the centreline of fire walls;
- (23) **"building height"** means the vertical distance measured from the average grade immediately adjacent to the subject building to the highest point of the building, exclusive of any accessory roof construction such as a mechanical housing, an elevator housing, a ventilating fan, a skylight, a smokestack, a flagpole, a fire wall, a parapet wall, a chimney, a steeple, an antenna, or a similar device;
- (24) **"bulk fuel service"** means a development where bulk storage and the sale of oil and fuel products distributed on a site with or without key-lock or card-lock service and includes propane products;

- (25) **"business support services"** means a development providing support services to businesses. Business support services are characterized by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; or the sale, rental, repair or servicing of office equipment, furniture, and machines. Business support services include printing establishments, film processing establishments, janitorial firms, and office equipment sales and repair establishments;
- (26) **"canopy"** means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun;
- (27) **"carport"** means a roofed structure used for storing or parking not more than two (2) vehicles and which has not less than forty per cent (40%) of its total perimeter open and unobstructed;
- (28) **"cemetery"** means a development for the entombment of the deceased, which may include the following accessory developments: crematories, cineraria, columbaria, and mausoleums. Cemeteries may include memorial parks, burial grounds, gardens of remembrance, equipment storage, maintenance buildings, and offices required for the development;
- (29) **"chattel"** means a movable item of personal property;
- (30) **"commercial school"** means a development where training and instruction in a specific trade, skill or service is provided for financial gain. Commercial schools do not include schools operated by a School Division;
- (31) **"community use facility, major"** means a development with or without fixed seats and with an occupancy capacity of two hundred and fifty (250) or more persons, primarily intended for local community purposes, where recreational, social, or multi-purpose activities occur. Community use facilities include community halls, community centres, and community league buildings;
- (32) **"community use facility, minor"** means a development with or without fixed seats and an occupancy of less than two hundred and fifty (250) persons, primarily intended for local purposes, where recreational, social, or multi-purpose activities occur. Community use facilities include community halls, community centres and community league building;
- (33) **"consumable product processing and sales"** means a development for the preparation of products for consumption from raw or semi-processed materials with retail sales of the product available on site. This use includes commercial kitchens, bottling plants, breweries, cideries, distilleries, food preparation facilities, cannabis facilities, wineries, and the sales of accessory or associated products;
- (34) **"contractor services - general"** means a development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature that require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office, or technical support service areas shall be accessory to the principal use only;

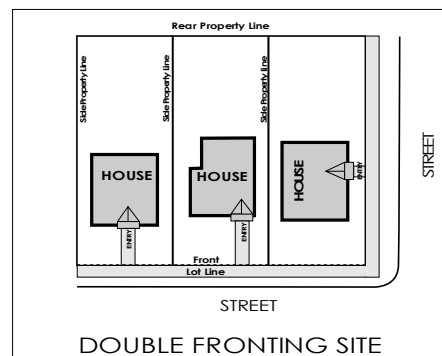
- (35) **"contractor services - limited"** means a development used for the provision of electrical, plumbing, heating, painting and similar contractor services, and where goods normally associated with the contractor service may be sold, where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than four (4) vehicles;
- (36) **"convenience retail store"** means a development where goods required by area residents or employees on a day-to-day basis are bought and sold. The gross leasable area of a convenience retail store shall not exceed 275m<sup>2</sup> (2,960 ft<sup>2</sup>). Convenience retail stores include small food stores, drug stores, and variety stores selling items such as: confectionary, tobacco, groceries, beverages, pharmaceutical, personal care items, or printed matter;
- (37) **"corner site"** means a site with boundary lines on two separate roads that intersect or a single road that curves. The development, building or dwelling faces the road that conforms to the abutting lots and requires the same setbacks of that district, except on the side yard that abuts to the road;



- (38) **"Council"** means the Council of the Town of Vegreville;
- (39) **"crematorium"** means a furnace or establishment for the incineration of human or animal remains;
- (40) **"curb cut"** means the lowering of a curb, sidewalk and/or boulevard to provide vehicular and/or pedestrian access to a site;
- (41) **"day care facility"** means a provincially licensed development providing daytime personal care, maintenance and supervision to seven (7) or more children under the age of eleven (11) years, by persons unrelated to the children by blood or marriage but does not include overnight accommodation. Day care facilities include day care centres, day nurseries, kindergartens, nursery school, and play schools and after school or baby-sitting programmes which satisfy this definition. Day care facilities shall not include a day home, a group care facility, or a school operated by a School Division;
- (42) **"day home"** means a provincially licensed childcare facility operated from a residence supplying supervision of a maximum of six (6) children under 13 years of age, including the provider's children, at any one time. A day home shall supply an outside play space that is both fenced and gated, and shall meet all fire regulations and health regulations;

- (43) **"deck"** means an open structure, that is paved, wooden or hard-surfaced area, adjoining or projecting from a building with a height above grade equal to or greater than 0.6m (2 ft.) and not having walls in excess of 1.25m (4.1 ft.);
- (44) **"density"** means a measure of the average number of persons or dwelling units per unit of area;
- (45) **"developer"** means an owner, agent or any person, firm or company required to obtain or having obtained a development permit;
- (46) **"development"** means:
- (a) an excavation or stockpile and the creation of either of them, or
  - (b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
  - (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
  - (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building;  
and includes:
    - (e) any increase in the number of households occupying and living in any building or on any site, and any construction or alterations or additions which would provide for an increase in the number of households which could occupy and live in any building or on any site, including any increase in the number of dwelling units in a building or on a site; or
    - (f) the placing of refuse or waste material on any land; or
    - (g) the resumption, after six (6) or more months have elapsed, of any use to which land or a building had been previously put; or
    - (h) the use of land for the storage or repair of motor vehicles or other machinery or equipment; or
    - (i) the continued use of land or of a building for any purpose for which it is being used unlawfully when this Bylaw comes into effect; or
    - (j) the demolition or removal of a building; or
    - (k) the placement of an already constructed or a partially constructed building on a parcel of land; or
    - (l) the use of land for the parking of trailers, bunk houses, portable dwellings, skid shacks, or any other type of portable building whatsoever, whether or not the same has been placed or affixed to the land in any way; or
    - (m) the removal of topsoil;
- (47) **"Development Authority"** means the Development Authority established and appointed by Council pursuant to the Act through the municipality's Development Authority Bylaw;

- (48) **"development permit"** means a document issued pursuant to this Bylaw authorizing a development;
- (49) **"direct sales consultant"** means a development as a home occupation where a resident of the home acts as a single level or multi-level marketer for the distribution of goods or products ordered by internet, telephone or catalogue, such products as, but not limited to, kitchen wares, cooking supplies, home decor, personal care products and other miscellaneous household wares;
- (50) **"discontinued"** means the time at which, in the opinion of the Development Authority, substantial construction activity or use, whether conforming or not conforming to this Bylaw, has ceased;
- (51) **"discretionary use"** means the use of land or a building provided for in this Bylaw for which a development permit may be issue at the discretion of the Development Authority;
- (52) **"district"** means a land use district;
- (53) **"double fronting site"** means a site with boundary lines on two separate roads, which intersect, or a single road that curves. In this case, the development, building, or dwelling faces the roadway away from the neighbouring or abutting building or dwelling, not conforming to the front facing but then has two front yards and must still conform to the abutting lots front setback;



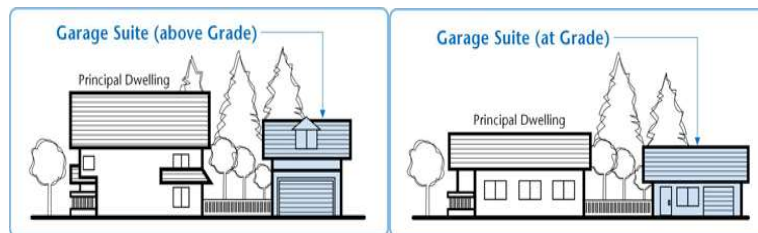
- (54) **"domestic animals"** means animals like cats, dogs, small birds, etc. that have been tamed and therefore made fit for living in a human environment and are domesticated for companionship;
- (55) **"drive-in business"** means a development that serves customers travelling in motor vehicles driven onto the site where such business is carried on, where normally the customer either remains in the vehicle for service or parks the vehicle for a short period for the purpose of doing business at the premises. Drive-in businesses include drive-through service facilities such as banks and pharmacies, and drive-through vehicle service establishments such as lubrication shops, automotive service shops, recycling depots, tire shops and car washes;
- (56) **"drive-in restaurant"** means an eating and drinking establishment that is designed as a drive-in business. Drive-in restaurants may have one or more of the following features: car attendant services, drive through food pickup services, or parking primarily intended to allow for the on-site consumption of food within a motor vehicle;

- (57) **"duplex"** means a building only containing two dwelling units, either sharing one common wall in the case of side-by-side units, or having the dwelling area of one located above the dwelling area of the other in the case of vertical units, each with a private entry;
- (58) **"dwelling"** means any building used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level. Dwellings include single detached dwellings, duplexes, ground-oriented multiple unit dwellings, apartments, and manufactured homes;
- (59) **"dwelling unit"** means a complete dwelling, a self-contained portion of a dwelling, or a set or suite of rooms which contains sleeping, cooking, living and sanitary facilities, and used or intended to be used permanently or semi-permanently as a residence. This does not include a recreation vehicle, or a room in a hotel or motel;
- (60) **"eating and drinking establishment, major"** means a development where food and/or beverages are prepared and offered for sale to the public, for consumption within the premises, at an accessory outdoor seating area on the site, or off the site, which contains one or more of the following features: the provision of theatre, dancing or cabaret entertainment; facilities primarily intended for the on premise catering of food to large groups; facilities primarily intended for the provision and consumption of alcoholic beverages and which have a seating capacity for one hundred (100) or more persons. Major eating and drinking establishments include beverage rooms, cocktail lounges, cabarets, nightclubs, theatre restaurants and banquet facilities, but not drive-in restaurants;
- (61) **"eating and drinking establishment, minor"** means a development where food and/or beverages are prepared and offered for sale to the public, for consumption within the premises, at an accessory outdoor seating area on the site, or off the site, which is not a major eating and drinking. Minor eating and drinking establishments include neighbourhood pubs, licensed restaurants, cafes, delicatessens, tea rooms, lunchrooms, refreshment stands and take-out restaurants;
- (62) **"electric vehicle charging facility"** means a development for the charging of electric motor vehicles for financial gain. Electric vehicle charging facilities do not include facilities for repair or maintenance;
- (63) **"encroachment"** means anything placed, erected below, on or above ground that extends beyond a property boundary;
- (64) **"encroachment agreement"** means an authorized agreement between the Town and a property owner which allows a development to encroach onto public lands;
- (65) **"environmental reserve"** means the land designated as environmental reserve per the *Municipal Government Act*;
- (66) **"equipment rental/repair establishment"** means a development where tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items are rented and serviced. Equipment rental/repair establishments do not include developments where motor vehicles or industrial equipment are rented or serviced;

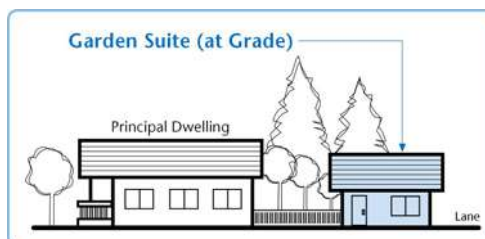


- (67) **"excavation"** means any breaking of ground, except common household gardening and ground care;
- (68) **"exhibition and convention facility"** means a development that provides permanent facilities for meetings, seminars and conventions; product and trade fairs; carnivals and other exhibitions. Exhibition and convention facilities include exhibition grounds and convention centres;
- (69) **"extended medical treatment facility"** means a development which provides room, board and surgical or other medical treatment for the sick, injured, or infirm, and which may include outpatient services and accessory staff residences. Extended medical treatment facilities include hospitals, sanatoriums, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres;
- (70) **"extensive agriculture"** means an agricultural operation which involves the raising of crops, but not livestock or any other animals of any kind;
- (71) **"exterior wall"** means the outermost point of a building projection, including, but not limited to, bay windows, oval windows, bow windows, chimneys and verandas, but not including roof overhangs less than 0.6m (2 ft.);
- (72) **"fence"** means a vertical physical barrier constructed to try to reduce sound or visual intrusion or to limit unauthorized access;
- (73) **"flanking front yard"** means the longest street side of a corner site which has two front yards abutting two streets;
- (74) **"fleet services"** means a development that administers two or more vehicles that deliver people, goods, or services, and where such vehicles are not available for sale or long-term lease. Fleet services may include the storage and servicing of administered vehicles. Fleet services may include all emergency services, taxi services, bus lines, messenger, and courier services, but do not include moving or cartage firms involving vehicles with a gross vehicle weight of more than 14,500 kg (31,967 lbs.);
- (75) **"flood fringe"** means the portion of the flood hazard area outside of the floodway. Flooding in the flood fringe is generally shallower and flows more slowly than in the floodway;
- (76) **"flood hazard area"** means the area affected by the design flood;
- (77) **"floodway"** means the area within the flood hazard area where the main channel or body of water has the potential to overflow with fast flowing water and be destructive to development;
- (78) **"floor area"** means the total area of all floors of a building above grade within the outside surface of exterior walls or within the glass line of exterior walls and the centreline of fire walls, but not including the floor area of basements, attached garages, sheds, open porches or breezeways, except that all dwelling units in an apartment shall be included in the calculation of floor area;
- (79) **"foundation"** means the lower portion of a building, usually concrete or masonry, and includes the footings, which transfer the weight of and loads of a building to the ground;

- (80) **"front line"** means the boundary line of a site lying adjacent to a road. In the case of a corner site, the shorter of the two boundary lines adjacent to the road shall be considered the front line. In the case of a double fronting site, both boundary lines adjacent to the roads shall be considered front lines;
- (81) **"front yard"** means a yard extending across the full width of a site from the front line to the nearest exterior wall of the principal building situated on the site, measured at right angles to the front line. In the case of a curved front line, the front yard will also form a curve;
- (82) **"frontage"** means the length of the front line. On double fronting sites, all front lines shall be considered frontage;
- (83) **"funeral services"** means a development where the deceased are prepared for burial or cremation and where funerals are held. Funeral services include funeral homes and undertaking establishments;
- (84) **"garage"** means an accessory building or that part of a principal building which is designed and/or used primarily for the storage of motor vehicles and includes a carport;
- (85) **"garage suite"** means a dwelling unit located above a detached garage (above grade); or a single storey dwelling unit attached to a detached garage A garage suite is accessory to is the single detached dwelling on the property. A garage suite has cooking facilities, food preparation, sleeping and sanitary facilities that are separate from those of the principal dwelling located on the site. A garage suite has an entrance separate from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the structure. This does not include secondary suites or garden suites;



- (86) **"garden suite"** means a single storey dwelling unit, located in a building separate from the principal single detached dwelling on the property. A garden suite has cooking facilities, food preparation, sleeping and sanitary facilities that are separate from those of the principal dwelling located on the site. This does not include secondary suites or garage suites;





- (87) **"gas bar"** means a development where gasoline, motor vehicle propane, lubricating oils, and other automotive fluids and automobile accessories are bought and sold. Gas bars may include facilities for recharging electric vehicles but not for the servicing or repairing of motor vehicles and do not include service stations;
- (88) **"general retail establishment"** means a development where groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, electronic equipment, recordings, office equipment, stationary, second hand goods, and similar goods are bought, rented, and sold from within a building. Minor public services, such as postal services and film processing depots may also be provided. This does not include convenience retail stores, warehouse sales, or developments where gasoline, new or used motor vehicles, alcohol, non-medicinal marijuana, agricultural equipment, or industrial equipment is available;
- (89) **"government services"** means a development where municipal, provincial, or federal government services are provided directly to the public. Government services do not include, major and minor utility services, and public education facilities. Government services may include government administration offices, courthouses, postal distribution offices, employment offices, school district offices, first nation administration offices, health authority offices, protective and emergency services, and social services offices;
- (90) **"grade"** means the ground level adjacent to the exterior walls of a building. If the ground is not entirely level, the grade shall be the average of the elevation of the ground around the perimeter of the building;
- (91) **"greenhouse and plant nursery"** means a development where bedding, commercial, household, and ornamental plants are raised indoors or intensively, stored and sold, with incidental accessories such as garden equipment, and fertilizers and garden care products;
- (92) **"gross leasable area"** means the floor area of a building, plus the horizontal area contained within the exterior of the basement walls, excluding the floor areas of mechanical and utility rooms, public washrooms, stairwells, and elevators;
- (93) **"ground floor area"** means the total area of the first floor of a building above grade within the outside surface of exterior walls or within the glass line of exterior walls and the centreline of firewalls, including covered porches and verandas, but excluding open decks, patios, and steps, cornices, eaves and similar projections. Site coverage shall include air wells, and all other space within a building except inner or outer courts;
- (94) **"ground-oriented multiple unit dwelling"** means a building containing at least three (3) dwelling units, with each unit having direct access at grade to the outside. This includes triplexes, fourplexes, town houses, row houses, carriage houses, and similar buildings, but does not include apartments;
- (95) **"group care facility"** means a development, which provides resident care services to individuals who may be handicapped, aged, or disabled, and undergoing rehabilitation, and are provided services to meet their needs. Group care facilities

include supervised uses such as group homes halfway houses, overnight staffed living facilities, resident schools, resident facilities, support homes, foster or boarding homes, and psychiatric care facilities, but not major institutional care facilities such as hospitals;

- (96) **"group home"** means a group care facility for less than seven (7) residents;
- (97) **"health service"** means a development where physical or mental health services are provided on an outpatient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Health services include medical, chiropractic, and dental offices, health clinics and counselling services;
- (98) **"highway"** refers to street, road, lane, bridge, viaduct, or any other way open to the public use for vehicular traffic;
- (99) **"highway commercial use"** means a development serving the travelling public which relies on a highly visible location in proximity to a major traffic thoroughfare;
- (100) **"home occupation - major"** means a discretionary use such as a business, occupation, trade, profession, or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the dwelling, and which does not change the character of the building in which it is located or have any exterior evidence of such secondary use other than a small sign as provided in Part 3 of this Bylaw. A home occupation- major may utilize an accessory building for the occupation and have up to one (1) employee, other than the resident in the dwelling unit. The distinction between home occupation- major and home occupation- minor is more fully described in Section 2.6 of Part 2 of this Bylaw;
- (101) **"home occupation - minor"** means a business, occupation, trade, profession, or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the dwelling, and which does not change the character of the building in which it is located or have any exterior evidence of such secondary use other than a small sign as provided in Part 3 of this Bylaw. A home occupation-minor will have no employees other than one resident of the dwelling unit nor are customers or clients allowed to attend the site. The distinction between home occupation- major and home occupation- minor are more fully described in Section 2.6 of Part 2 of this Bylaw;
- (102) **"hospital"** means an Institution operated for the care of diseased, injured, sick or mentally disordered people, as defined in the "Hospitals Act";
- (103) **"hotel"** means a development where members of the travelling public are lodged for brief periods, in rentable units, where access to the rentable units is from a common entranceway. A hotel may include minor and major eating and drinking establishments, meeting rooms, personal services shops, convenience retail stores, and minor intoxicant sales;
- (104) **"household"** means:
  - (a) a person, or
  - (b) two (2) or more persons related by blood, marriage, a common law relationship, adoption, or

- (c) a group of not more than five (5) persons who are not related by blood, marriage, or adoption,
- living as a single housekeeping group and using cooking facilities shared in common. A household may also include bona fide servants, up to two (2) boarders or lodgers, or up to four (4) foster children;
- (105) **"industrial support offices"** means a development that provides office or support services to industry. Typical uses include laboratories, oilfield services, construction trade or construction contractor offices;
- (106) **"industrial use - heavy"** means the manufacturing, processing, assembling, brewing, cleaning, distilling, repairing, servicing, testing, storage, warehousing, distribution or shipment of agricultural products, concrete, asphalt, gravel, cement, lime, brick, tar, rubber, metal, or petroleum products with effects of the activity (noise, visual nuisance, storage) not fully contained within buildings on the site but not extending beyond the land use district;
- (107) **"industrial use - light"** means a development used for manufacturing, service and warehousing, but excludes bulk oil and chemical storage and chemical processing, where any actual or potential nuisance factor generated by the development is contained within a building;
- (108) **"industrial use – medium"** means a development used for, assembling, brewing, cleaning, distilling, manufacturing, processing, repairing, servicing, testing, storage, warehousing, distribution or shipment of raw materials, finished goods, products or equipment, with nuisance contained within the site;
- (109) **"industrial vehicle and equipment service establishment"** means a development where new or used heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield, mining construction, manufacturing, assembling, processing operations and agricultural operations are sold, rented, repaired, and maintained, with incidental services and sale of parts. Industrial vehicle and equipment service establishments do not include vehicle and recreational vehicle sales;
- (110) **"institutional use"** means a development of governmental, religious, social, health care, or cultural facilities serving the municipality, area, or region;
- (111) **"internal site"** means a site which is bordered by only one (1) road;
- (112) **"intoxicant sales"** means a development used for the sale to the public of any and all types of intoxicants, including alcoholic beverages, non-medicinal marijuana, or other legal intoxicants. This does not include the use of intoxicants on site. Developments in this classification must maintain compliance with any Federal and/or Provincial regulations;
- (113) **"irregular lot"** means a lot that is inconsistent in shape with other lots in the neighbourhood, where the lot may resemble the shape of a pie or any shape other than a rectangle or square;
- (114) **"kennel"** means a small breeding and/ or boarding establishment where small domestic animals are bred, boarded, raised, cared for or trained for remuneration or for sale. These uses are not permitted within the Town;

- (115) **"landscaping"** means lawns, trees, shrubs, ornamental plantings, fences, walks, or other structures and materials used in modern landscape architecture;
- (116) **"lane"** means a right-of-way on which motorized vehicles are normally allowed to operate, which is 10.0m (32.8 ft.) or less, and 6.0m (19.7 ft.) or more in width, or an alley as defined in the Highway Traffic Act;
- (117) **"laydown yard"** means an area or parcel of land larger than 0.5 hectares used for storage of transmission or pipeline line construction materials, large construction or industrial equipment, or raw materials, and has a rotating inventory on a temporary basis. Screening may be required at the discretion of the Development Authority Officer;
- (118) **"libraries and cultural exhibits"** means a development where literary, artistic, municipal and/or similar reference materials in the form of books, manuscripts, recordings and films are stored, collected, and distributed for public use, viewing, or enjoyment; or a development where works or objects of historical, scientific or artistic value are collected, preserved and exhibited to the public. Libraries and cultural exhibits includes libraries, museums, and art galleries;
- (119) **"livestock"** means livestock as defined in the Agricultural Operation Practices Act;
- (120) **"loading zone"** means a parking spot designated for loading and unloading of passengers and material;
- (121) **"lot"** means:
- (a) a quarter section, or
  - (b) a part of a parcel of land described in a certificate of title if the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision, or
  - (c) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;
- (122) **"maintenance"** means the upkeep of the physical form of any building that does not require a permit pursuant to the Safety Codes Act. Maintenance includes painting, replacing flooring, replacing roofing materials, but not any activity that will increase the habitable floor area of any dwelling unit or the internal volume of any building;
- (123) **"manufactured home"** means any structure, whether ordinarily equipped with wheels or not, that is manufactured to meet or exceed the Canadian Standards Association standard CSA Z240. Manufactured homes include mobile homes, but does not include modular or RTM homes;
- (124) **"manufactured home park"** means any site on which two (2) or more occupied manufactured homes are harboured or are permitted to be harboured without regard to whether a fee or charge is paid or made, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment of such manufactured home park. Manufactured home parks do not include the sites of modular or RTM homes;

- (125) **“micro-cultivation facility”** means a development within a building of less than 200 sq. m (2,153 sq. ft.) growing area where plants are grown and processed on a commercial basis;
- (126) **"minor"** means, where added as a descriptor to a use, a use which, due to its nature or relatively small size will, as determined by the Development Authority, have a limited impact on surrounding uses, or which is intended to serve a small or local area, or which is a use located within a more substantial use which is not directly accessible from outside except through that more substantial use, such as an establishment for intoxicant sales within a hotel;
- (127) **“mobile home”** means a structure that is designed to be towed or carried from place to place and that is used as a residence, and meets Canadian Standards Association standard CSA Z240;
- (128) **“modular home”** means a home that is constructed from a number of pre-assembled units that are intended for delivery to and assembly at a residential site;
- (129) **"motel"** means a development where members of the travelling public are lodged for brief periods, in rentable units, and where access to each of the rentable units is individually available from grade, either directly or via stairways. A motel may include minor eating and drinking establishments and convenience retail stores, but does not include intoxicant sales;
- (130) **“moving and cartage facility”** means a development that uses vehicles for the delivery of goods, where such vehicles are not available for sale or long-term lease, and may include storage of the vehicles used in delivery, and storage of the goods to be delivered;
- (131) **"multi-family dwelling"** means a dwelling containing three (3) or more dwelling units, and includes apartments and ground-oriented multiple unit dwellings;
- (132) **“municipal and school reserve”** means the land designated as municipal and school reserve as per the *Municipal Government Act*;
- (133) **“municipal lands”** see “reserve lands”;
- (134) **“municipal reserve”** means the land designated as municipal reserve as per the *Municipal Government Act*;
- (135) **"municipality"** means the Town of Vegreville;
- (136) **"non-conforming building"** means a building:
- (a) that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or the land on which the building is situated becomes effective, and
  - (b) that on the date the land use bylaw becomes effective does not, or when constructed will not, comply with the land use bylaw;
- (137) **"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 the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw;
- (138) "**nuisance**" means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses;
- (139) "**off-site levy**" means an off-site levy established pursuant to the Act;
- (140) "**off-street parking lot**" means a parking area which is located on a parcel of land and not accessory to a particular use or development;
- (141) "**offensive**" means activity which by its nature or from the manner of carrying on the same, creates or is liable to create by reason of noise, vibration, smoke, dust or other particulate matter, odour, toxic or non-toxic matter, radiation, fire, or explosive hazard, heat, humidity, glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be hazardous or injurious to health or safety, which adversely affects the amenities of the neighbourhood, or interferes with the normal enjoyment of any land or building;
- (142) "**office use**" means a development where government, professional, management, administrative, consulting, and financial services may be provided. Office uses include the offices of lawyers, accountants, engineers, architects, realtors, surveyors, planners, insurance firms, clerical secretarial, employment services, telephone answering services, office support services, banks, credit unions, loan offices, financial institutions, governmental, public agencies and not for profit organizations;
- (143) "**outdoor display**" means the displaying of goods, merchandise or products outdoors such that the items are readily available for sale at retail on the same lot and in conjunction with the permitted use which is otherwise operated entirely within a permanent fully enclosed building;
- (144) "**outdoor storage**" means a development where goods, materials, or equipment are placed outside of a building on a more or less permanent or continuous basis; and may be required to provide screening at the discretion of the Development Authority;
- (145) "**owner**" means the person shown as the owner of land on the assessment roll prepared under the Act;
- (146) "**overnight staffed housing**" means a home that is staffed overnight where individuals reside in the home and share services. Staff are employees and are not considered part of the household. Individuals in overnight staffed living arrangements may receive services up to 24 hours a day;
- (147) "**parapet wall**" means either a wall erected at, or upon, a line separating two parcels of land, each of which is, or is capable of being, a separate legal parcel subdivided under the Municipal Government Act, or a wall separating two dwellings, each of



which is, or is capable of being, a separate legal parcel divided under the Condominium Property Act;

- (148) **"parcel of land"** 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;
- (149) **"parking area"** means the area set aside for the storage and/or parking of vehicles. Components of parking areas include parking spaces, loading spaces, aisles, entrances and exits to the parking area, and traffic islands where they are part of the parking area. A parking area may be within a building, and, if so, is commonly referred to as a parkade;
- (150) **"parking space"** means an area set aside for the parking of one (1) vehicle;
- (151) **"patio"** means any developed surface adjacent to a building on a site which is less than 0.6m (2.0 ft.) above ground level;
- (152) **"permitted use"** means the use of land or a building provided for in this Bylaw for which a development permit shall be issued, with or without conditions, upon an application having been made provided that the proposed development complies in all respects with this Bylaw;
- (153) **"personal service shop"** means a development where personal services related to the care and appearance of the body, or the cleaning and repair of personal effects are provided to persons. Personal service shops include barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaning establishments, tattoo parlours, massage studios, aestheticians, pedicurists, manicurists, and laundromats but not health services;
- (154) **"pet store"** means a development where small animals normally considered household pets and supplies for pets are sold. Pet stores do not include kennels or small animal breeding and boarding establishments;
- (155) **"place of worship"** means a development where worship and related religious, philanthropic, and social activities occur. Accessory developments include rectories, manses, classrooms, and dormitories. Places of worship include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries;
- (156) **"principal building"** means a building which:
  - (a) occupies the major or central portion of a site;
  - (b) is the chief or main building among one or more buildings on the site, or
  - (c) constitutes by reason of its use the primary purpose for which the site is used;
- (157) **"principal use"** means the primary purpose or purposes for which a building or site is used;
- (158) **"private club"** means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, with neither on-site dwellings nor hotel or motel units.

Private clubs may include minor eating and drinking establishments and rooms for assembly;

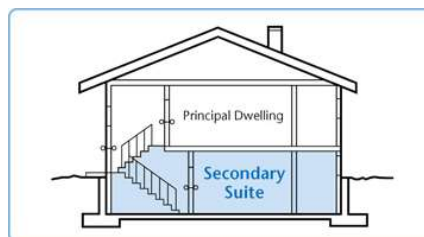
- (159) **"production animals"** are animals like cows, pigs, chickens, horses, sheep, etc. that are raised for breeding purposes and/or food production;
- (160) **"project"** means a development comprising one or more buildings;
- (161) **"protective and emergency services"** means a development where the administration of the protection of persons and property from injury, harm or damage takes place, and where the equipment necessary for such activities is stored, maintained, and supplied. Protective and emergency services include police stations, ambulatory's, detention centres, fire stations, and ancillary training facilities;
- (162) **"public education facility"** means a development where educational, training, or instruction occurs under the auspices of a School Division or under the auspices of an organization authorized by the Province to provide education similar to that, which would be provided by a School Division. Public education facilities include the administration offices, storage, and maintenance operations of the School Division. Public education facilities include public and separate schools, community colleges, universities, technical and vocational schools, private academies, or charter schools, and their administrative offices and maintenance facilities;
- (163) **"public lands"** means roads, lanes and boulevards owned by the Crown in right of Alberta;
- (164) **"public park"** means a development designed or reserved for active or passive recreational use, including all natural and man-made open space and landscaping, facilities, playing fields, and buildings that are consistent with the general purposes of recreation, whether or not such recreational facilities are public operated or operated by other organizations pursuant to arrangements with the public authority owning the public park. Public parks include tot lots, band shells, picnic grounds, trails, paths, landscaped buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches, outdoor ice rinks and similar outdoor sports fields;
- (165) **"public use"** means a development where public services are provided by the municipality, by any local board or agency of the municipality, by any department, commission or agency of the Government of Alberta or of Canada, or by any public utility. However, public uses shall not include office uses, protective and emergency services, and major and minor utility services;
- (166) **"public utility"** a system of works used to provide one or more of the following for public consumption, benefit, convenience or use:
  - (a) Water or steam;
  - (b) Sewage disposal;
  - (c) Public transportation operated by or on behalf of the municipality;
  - (d) Irrigation;
  - (e) Drainage;



- (f) Fuel;
  - (g) Electric power;
  - (h) Heat;
  - (i) Waste management;
  - (j) Telecommunications;
  - (k) And includes the thing that is provided for public consumption, benefit, convenience, or use;
- (167) **"public utility building"** means a building in which the proprietor of the public utility maintains its office or offices and/or maintains or houses any equipment used in conjunction with the public utility;
- (168) **"public utility lot"** means land required to be given as per the Municipal Government Act for public utilities;
- (169) **"rear line"** means the boundary line of a site lying opposite to the front line of the site and/or farthest from a road;
- (170) **"rear yard"** means a yard extending across the full width of a site from the rear line to the nearest exterior wall of the principal building situated on the site, measured at right angles to the rear line. In the case of a curved rear line, the rear yard will also form a curve;
- (171) **"recreational facility"** means a development for sports and active recreation within an enclosed building. Recreational facilities include bowling alleys, ice arenas, curling rinks, and swimming pools;
- (172) **"recycling depot"** means a development where bottles, cans, newspapers, and similar non-hazardous household goods are bought, sold, and temporarily stored for reuse and where all storage is contained within an enclosed building or an enclosed compound;
- (173) **"registered owner"** means;
- (a) In the case of land by Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or
  - (b) In the case of any other land,
    - (i) The purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title, or in the absence of a person described in clause (i), the person registered under the owner of the fee simple estate in the land;
- (174) **"renovation"** means an addition to, deletion from, or change to any building;
- (175) **"rentable unit"** means a separate unit of a hotel or motel used or intended to be used for the temporary accommodation of one or more persons;
- (176) **"research facility"** means a development for industrial, scientific, technological, health or agricultural research. Research facilities do not carry out any form of

manufacturing and do not create any impact on adjacent land uses due to appearance, noise, odour, emission of wastes, other nuisance, or potential health or safety hazards;

- (177) **“reserve land”** means environmental reserve, municipal reserve, community services reserve, school reserve or municipal and school reserve;
- (178) **“restrictive covenant”** means a condition or covenant under which land, or any specified portion of land, is not to be built on, or is to be or not to be used in a particular manner, or any other condition or covenant running with or capable of being legally annexed to land;
- (179) **“road”** means a right-of-way on which motorized vehicles are normally allowed to operate, or a road as defined in the Act and includes a highway, but does not include a lane;
- (180) **“row housing”** means a group of three or more dwelling units with each unit separated by a common wall at the side only with no dwelling unit placed above another in whole or in part and having a separate front and rear access to the outside grade;
- (181) **“RTM”** (Ready to Move Home) means a dwelling, which is manufactured off-site, is placed permanently upon a full-sized foundation, and does not include a mobile or manufactured home, a motor home or a tourist or camper trailer;
- (182) **“salvage establishment”** means development used for the collection, temporary storage, and disassembly of used materials and vehicles, out of doors, within a fenced compound;
- (183) **“school”** means a structured learning environment through which an education program is offered to a student by a board, an operator of a private school, an early childhood services program private operator, a parent giving a home education program, or the Minister, as defined in the “Schools Act”;
- (184) **“secondary suite”** means a development consisting of a dwelling located within a structure in which the principal use is single detached housing. A secondary suite has cooking facilities, food preparation; sleeping and sanitary facilities that are physically separate from those of the principal dwelling within the structure. A secondary suite has an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the side or rear of the structure. This includes the development or conversion of basement space or above-grade space to a separate dwelling, or the addition of new floor space for a secondary suite to an existing single detached dwelling. This does not include duplex housing, or apartment housing, where the structure was initially designed for two or more dwellings, and does not include garage suites, garden suites, or boarding and lodging houses;



- (185) **"self-service storage facility"** means a development where individual, compartmentalized, and controlled access lockers are provided within a fenced compound or within a building for the storage of a customer's goods or wares. Self-service storage facilities may include the outdoor storage of intact recreational vehicles, boats, all-terrain vehicles, and snow mobiles but do not include outdoor storage of uncontained material or partial vehicles;
- (186) **"separation space"** means a horizontal open space provided around a dwelling, and may be entirely outside the boundaries of the lot on which the dwelling is located;
- (187) **"service station"** means a development where gasoline, motor vehicle propane, lubricating oils, and other automotive fluids and accessories for motor vehicles are bought and sold. Service stations may also include facilities for recharging electric vehicles, the servicing or repairing of motor vehicles, and a towing service dispatch point, but not including body repair or paint shops;
- (188) **"shipping container"** means a container that is used as a storage vault and includes sea, land, and rail shipping containers, also referred to as "Sea-cans".
- (189) **"shopping centre"** means a development consisting of a building or a group of buildings, comprising general retail stores, personal service shops, office uses, and similar uses, with shared off-street parking facilities, and which may be managed as a single unit;
- (190) **"show home"** means a dwelling unit that is used temporarily for the purpose of illustrating to the public the type and character of dwelling units to be constructed in other parts of a neighbourhood or development in which the show home is located. Show homes may contain offices for the sale of other lots or dwelling units in the municipality and must be located within a dwelling which is either a permitted or a discretionary use in the District in which they are located;
- (191) **"side line"** means the boundary line of a site lying between a front line and a rear line of a site. In the case of a corner site, the longer of the two boundary lines adjacent to the road shall be considered a side line;
- (192) **"side yard"** means a yard extending from the side line to the nearest exterior wall of the principal building situated on the site, and lying between the front and rear yards on the site, measured at right angles to the side line. In the case of a curved sideline, the side yard will also form a curve;
- (193) **"sight line triangle"** means that triangle formed by a straight line between two points on the exterior boundaries of the said lot a specified distance from the point where they intersect;
- (194) **"sign"** means that which is indicated in Part Three of this Bylaw;
- (195) **"single detached dwelling"** means a residential building consisting of one (1) dwelling unit, and, if the provisions of this Bylaw allow, a secondary suite. A single detached dwelling may be constructed on site, in pieces off-site, or entirely off site, provided it has a roof pitch of 1:4 or steeper, eave depth not less than 0.45m, a width to depth ration or depth to width ration of not more than 3:1, and is supported on a foundation extending below grade;

- (196) **"site"** means a lot, a part of a lot, or a number of abutting lots or parts of lots which are considered for a single use or a mixture of uses, which is owned or managed as a single unit;
- (197) **"site area"** means the total area of a site;
- (198) **"site boundaries"** means the boundaries of a site which enclose the site at its perimeter;
- (199) **"site coverage"** means the combined area of all buildings or structures, including porches, non-permeable decks, but excluding eaves, cantilevers, cornices, and similar projections;
- (200) **"site depth"** means the average distance between the front and rear lines of a site measured either perpendicular to the front line, or perpendicular to the tangent on a curve from the midpoint of a curved front line;
- (201) **"site width"**, unless otherwise defined in this Bylaw, means the average horizontal distance between the side lines or, where the site width would be shorter, the distance between the side lines at either the minimum required front yard distance or the minimum required rear yard distance, whichever distance is the shorter, measured parallel to the front line or at right angles to the tangent on a curve from the midpoint of a curved front line;
- (202) **"small animal clinics"** means a development for the care and treatment of small domestic animals within an enclosed building, but does not include veterinary clinics and hospitals;
- (203) **"specialty store"** means a bookstore, florist, craft store, art shop, photographic shop, delicatessen, butcher shop, bakery, specialty food store, or a store which, in the opinion of the Development Authority, is similar in nature to those listed;
- (204) **"stall"** means an area of land upon which a manufactured home unit is to be located within a manufactured home park, and which is reserved for the exclusive use of the residents of that particular manufactured home unit;
- (205) **"storey"** means the space between one floor of a multi-storey building and the next floor above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement shall not be considered a storey;
- (206) **"structural alterations"** means the addition to, deletion from, or change to any building which requires a permit other than a plumbing permit, gas or propane permit or an electrical permit pursuant to the Safety Codes Act;
- (207) **"Subdivision and Development Appeal Board"** means the Subdivision and Development Appeal Board established pursuant to the Act through the municipality's Subdivision and Development Appeal Board Bylaw;
- (208) **"Subdivision Authority"** means the Subdivision Authority established pursuant to the Act through the municipality's Subdivision Authority Bylaw;
- (209) **"substandard lot"** means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the District in which the lot is located;

- (210) **“support Home”** means a home where an individual with a developmental disability shares with a roommate or family;
- (211) **“taxicab service”** means a development coordinating a vehicle used to convey persons for a fee. No person shall operate a public conveyance unless that person or company is in possession of a valid license under provincial and municipal regulations. Where “taxicab service” is discretionary use in a residential district, one (1) business related vehicle per household is permitted, unless staff accommodates one (1) business related vehicle at their own household, at the sole discretion of the Development Authority;
- (212) **“temporary”** means a limited period of time as determined by the Development Authority;
- (213) **“temporary building”** means a building that has been allowed to be located and/or used for a limited time only. Temporary buildings include construction shacks used for administrative and/or storage purposes during construction of a development;
- (214) **“temporary use”** means a use that has been allowed to be located and/or operate for a limited time only. Temporary uses include pipe, vehicle, or heavy equipment storage compounds, and special events such as circuses, carnivals, and rodeos;
- (215) **“tent structure”** means a non-permanent prefabricated structure usually constructed with a metal, wood or plastic frame and covered with a tarpaulin or similar type of fabric or plastic cover used for storage;
- (216) **“theatre”** means a facility within an enclosed building specifically for live theatrical, cultural, musical or dance performances as well as the showing of motion pictures. This includes auditoriums, cinemas, and playhouses. This does not include entertainment developments associated with eating and drinking establishments;
- (217) **“use”** means the purpose or activity for which a site, a parcel of land, or a lot and any buildings located on it are designed, arranged, developed, or intended, or for which it is occupied or maintained;
- (218) **“utility services, major”** means a development of a public utility or a public utility building or a government service function that, in the opinion of the Development Authority, is likely to have a major impact on the environment or on adjacent uses by virtue of its potential emissions or effects or its appearance. Major utility services include sanitary land fill sites, sewage treatment plants, sewage lagoons, sludge disposal beds, garbage transfer and compacting stations, power generating stations, cooling plants, incinerators, and waste recycling plants;
- (219) **“utility services, minor”** means a development of a public utility or a public utility building or a government service function that, in the opinion of the Development Authority, is not likely to have a major impact on the environment or on adjacent uses by virtue of potential emissions or effects or appearance. Minor utility services include vehicle, equipment and material storage yards for utilities and services, snow dumping sites, surface reservoirs or storm water management facilities, water towers, lift stations, water treatment plants, pump stations, power terminal and distributing substations, communication towers, and gate stations for natural gas distribution;

- (220) **“vehicle and recreational vehicle sales, major”** means a development where automobiles, agricultural machinery, trucks, recreational vehicles such as motorhomes, campers, and trailers, are sold, together with secondary services including maintenance, the sale of parts, repair, and rental of equipment;
- (221) **“vehicle and recreational vehicle sales, minor”** means a development where automobiles, trucks, recreational vehicles such as, snowmobiles, boats, motorcycles, quads, all-terrain vehicles, motorhomes and recreational trailers, with a maximum gross vehicle weight up to 14,500kg (31,967 lbs) are sold, together with secondary services including the sale of parts, maintenance, repair, and rental of equipment;
- (222) **“veterinary clinic and hospital”** means a development where animals, domestic and production, are cared for and treated. Veterinary clinics provide in and outpatient care and minor and major medical and surgical procedures. All animals shall be kept within an enclosed building. Veterinary clinics and hospital does not include small animal clinics;
- (223) **“warehouse, distribution and storage”** means the use of a building and site primarily for the keeping of goods, merchandise, or parts, including trucking terminals and inter-modal transfer areas;
- (224) **“warehouse sales establishment”** means a development where bulky goods are sold from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. Warehouse sales establishments include furniture stores, carpet stores, major appliance stores, and building materials stores;
- (225) **“welding and workshops”** means a development where minimal welding, machining, cabinetry, and/or minor fabricating may occur. This development shall provide a store front and offer services or goods to the general public;
- (226) **“work camp”** means a temporary camp facility to be used residentially by workers for short-term projects;
- (227) **“yard”** means a part of a site which is unoccupied and unobstructed by any building or portion of a building above the ground level, unless otherwise allowed by this Bylaw;

## **1.5 Metric and Imperial Measurements**

The standard measurement used within the bylaw is metric and any reference to imperial measurement is approximate and for convenience only.

## **1.6 Date of Receipt**

Where any permit or notice issued pursuant to this bylaw is sent by mail it shall be presumed to be received seven (7) days from the date of mailing.

## **1.7 Establishment of Districts**

- (1) For the purpose of this Bylaw, the Town of Vegreville is divided into the following Districts:



<b>District Name</b>	<b>Symbol</b>
Single Detached Residential District	R1
Single Detached Compact Residential District	R2
Medium Density Residential District	R3
High Density Residential District	R4
Large Lot Residential District	R5
Residential Manufactured Home District	RMH
Central Commercial District	C1
General Commercial District	C2
General Commercial – Highway District	C2-H
General Commercial – Rail District	C2-R
Highway Commercial District	C3
Highway Commercial – Agriculture District	C3-A
Neighbourhood Commercial District	C4
Service Commercial District	C5
Light Industrial District	M1
Heavy Industrial District	M2
Community District	P
Institutional District	I
Direct Control District	DC
Urban Reserve District	UR
Restricted Development District	RD

- (2) For the purposes of this Bylaw, the R1, R2, R3, R4, R5, and RMH Districts shall be considered Residential Districts.
- (3) The boundaries of the districts listed in subsection (1) are as delineated on the Land Use District Map, being Schedule A hereto.
- (4) Where uncertainty exists as to the boundaries of Districts as shown on the Land Use District Map, the following rules shall apply:
- (a) Where District boundaries are shown to approximate the following, they shall be deemed to be:
    - (i) the lot boundaries;
    - (ii) the municipal boundaries;
    - (iii) the centre lines of railway rights-of-way; or
    - (iv) the centre lines of the right-of-way of a road or lane.
  - (b) In circumstances not covered by Subsection (a), the location of the boundary shall be determined:
    - (i) where dimensions are set out on the Land Use District Map, by the dimensions so set; or

- (ii) where no dimensions are set out on the Land Use District Map with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map.
- (5) Where Districts have been established in accordance with a proposed subdivision of land, the boundaries of the district shall be understood to conform to the boundaries of the certificate of title or as shown on the Plan of Survey or Descriptive Plan when it is registered in a Land Titles Office. Prior to the registration, the district boundaries shall be determined based on the dimensions stated in the proposed plan of subdivision or on the scale of the Land Use District Map where dimensions are not provided.
- (6) Where the application of the above rules does not determine the exact location of the boundary of a District, the Council either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.
- (7) After the Council has fixed a district boundary pursuant to the provisions of subsection (4), the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this Bylaw.
- (8) The Development Authority shall maintain a list of Council's decisions with respect to boundaries or portions thereof fixed by Council.
- (9) Subsections (3) to (8) above also apply to the overlay regulatory areas and their boundaries shown on the Land Use District Map.

## **1.8 Establishment of Land Use District Regulations**

Land Use District regulations shall be as set forth in the Section of Land Use District Regulations, being Part Two, Section 5 hereto.

## **1.9 Establishment of Sign Regulations**

Sign regulations shall be as set forth in the Section of Sign Regulations, being Part Three, Section 1 hereto.

## **1.10 Non-applicability of Bylaw**

This Bylaw does not apply to roads or lanes.



# SECTION 2 - AGENCIES

## 2.1. Development Authority

For the purposes of this Bylaw, the Development Authority shall be:

- (1) the Development Authority Officer; and
- (2) within the DC District, the Council, with their duties and responsibilities as described in this Bylaw.

## 2.2. Development Authority Officer

- (1) The Development Authority Officer shall perform such duties that are specified in Subsections (2) and (3) hereof and elsewhere in this Bylaw.
- (2) The Development Authority Officer shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto, and keep a register of all applications for development, including the decisions thereon.
- (3) For the purposes of Section 542 of the Act, both the Development Authority Officer and the Town's Bylaw Enforcement Officer are hereby declared to be the designated officers.

## 2.3. Council

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

## 2.4. Subdivision and Development Appeal Board

The Subdivision and Development Appeal Board shall perform such duties as are specified in Part One, Section 4 of this Bylaw.

# SECTION 3

## DEVELOPMENT PERMITS RULES AND PROCEDURES

### 3.1. Control of Development

- (1) No development other than that indicated in Section 3.3 shall be undertaken until a development permit has been issued.
- (2) No person shall perform any work differing from or enlarging any of the work for which a development permit has been issued.
- (3) If during the process of the work the applicant desires to deviate in any way from the terms of the approved development permit, he shall submit amended drawings, and if deemed necessary by the Development Authority Officer make application for approval of the plan as amended.
- (4) In addition to the requirements of this Bylaw, an application must comply with any and all federal, provincial, and municipal legislation including the requirements of a Development Permit or a Development Agreement. The applicant/landowner must also comply with the conditions of any easement, right-of-way or covenant that affects the development or subdivision; except where provisions of this Bylaw are not met, this Bylaw shall take precedence.
- (5) No person(s) shall be allowed to develop, construct, fence, park or store goods on any road allowances or undeveloped road allowances, berms, or any other public lands, unless specifically approved by the Town.

### 3.2. Restrictive Covenants

A restrictive covenant is not a planning document, nor is it required to be reviewed, approved, or enforced by the municipality. A restrictive covenant shall not authorize, or grant variances to this bylaw or any other provincial legislation and municipal bylaws.

A landowner may register a restrictive covenant to protect and maintain the characteristics of a subdivision or development area or a portion of lands based on exterior building materials, landscaping, building floor area, other cosmetic characteristics, and uses.

### 3.3. Development Not Requiring a Development Permit

The following development does not require a development permit:

- (1) The maintenance, repair, or renovation to any building, provided that such works do not include structural alterations or any development that would compromise safety codes or cause safety concerns;
- (2) The completion of a building which was lawfully under construction at the date of approval of this Bylaw, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted, and provided also that the building, whether

- or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the said date of approval;
- (3) The use of any buildings referred to in subsection (2) for the purpose for which construction was commenced;
  - (4) The construction, completion, alteration, maintenance, or repair of public works, public services, and public utilities carried out by or on behalf of federal, provincial, municipal, or municipally authorized entities on land which is publicly owned or controlled;
  - (5) The construction, completion, alteration, maintenance or repair of a road, lane or utility, undertaken upon a road right-of-way, utility easement or other lands or undertaken to connect the same with any lawful use of buildings or land;
  - (6) The erection or placement of a temporary building or sign, the sole purpose of which is incidental to the erection or alteration of a building for which a development permit has been issued, provided the temporary building or sign is removed within thirty (30) days of substantial completion or as determined by the Development Authority;
  - (7) The placement or erection of signs that comply with Section 1.3 of Part Three of this Bylaw;
  - (8) Hard-surfacing of any yard area in a Residential District for the purpose of providing vehicular access from a road to an on-site parking space, provided that such hard-surfacing does not exceed 8.0m (26 ft.) in width. All hard surfacing shall have proper drainage slopes to the satisfaction of the Development Authority;
  - (9) Accessory buildings that are accessory to a dwelling which are less than 10.0m<sup>2</sup> (107.6 ft<sup>2</sup>) in size, unless the accessory building does not meet the minimum distance requirements outlined in Section 2 of Part Two of this Bylaw;
  - (10) A patio in a Residential District that meets the minimum required yard requirements outlined in Section 2 of Part Two of this Bylaw;
  - (11) Development within a basement of a dwelling which does not change or add to the uses within the dwelling, excluding the development of a bedroom;
  - (12) Boarding and foster care within a dwelling unit, provided the use, in the opinion of the Development Authority, is not a boarding and lodging house, a day home, a day care facility, a group home, or a group care facility;
  - (13) The erection of satellite dishes with a diameter of 0.80m (2.62 ft.) or less;
  - (14) Extensive agriculture on lots 8 Hectares (20 acres) or more in area in an Urban Reserve (UR) District;
  - (15) Landscaping where the proposed grades will not adversely affect the subject or adjacent properties, except where landscaping forms part of a development which requires a development permit; and
  - (16) The demolition or removal of any building or structure if its erection or placement would not have required a development permit.

### **3.4. Non-Conforming Buildings and Uses**

- (1) If a development permit has been issued on or before the day on which this Land Use Bylaw or an amendment thereto comes into effect, and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the Bylaw or the amendment.
- (2) A non-conforming use of land or a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform to this Bylaw.
- (3) A non-conforming use of part of a building may be extended throughout the building but the building, may not be enlarged or added to, and no structural alterations may be made.
- (4) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected upon the lot while the non-conforming use continues.
- (5) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt, or structurally altered except:
  - (a) to make it a conforming building,
  - (b) for the routine maintenance of the building, if the Development Authority considers it necessary, or
  - (c) in accordance with minor variances by the Development Authority in accordance with the Act.
- (6) If a non-conforming building is damaged or destroyed to the extent of more than 75% per cent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- (7) The land use or the use of a building is not affected by a change of ownership or tenancy, of the land or building.
- (8) Any building which encroaches into the front, rear, or side yard, or any or all of them, to a maximum of 10% of the setbacks required by this or any previous Bylaw, or 0.5m, whichever is the lesser distance, shall be deemed to conform to the setback requirements of this or any previous Bylaw if the building:
  - (a) Conforms to any site plan or development permit approved by the Development Authority; and
  - (b) Does not encroach into the abutting lands

### **3.5. Development Permit Applications**

- (1) An application for a development permit shall be made on the form required by the Development Authority, and shall be accompanied by:
  - (a) a site plan in duplicate showing:
    - (i) north arrow and scale indicated

- (ii) Legal description and street address;
  - (iii) the boundaries of the site including any lots that may make up the site;
  - (iv) all the existing and proposed buildings on the site;
  - (v) the front, rear, and side yards, if any;
  - (vi) any provision for off-street loading, vehicle standing, and parking areas; and
  - (vii) access and egress points to the site;
- (b) a statement of proposed uses;
  - (c) a statement noting ownership of the land and the interest of the applicant therein.
  - (d) floor plans and elevations;
  - (e) a map confirming the absence of abandoned wells affecting the site.
- (2) Each application for a development permit shall be accompanied by a fee as established in the Planning and Development Departments Fees and Charges Bylaw passed by Council.
- (3) The Development Authority may also require additional information in order to assess the conformity of a proposed development with this Bylaw before consideration of the development permit application. Such information may include:
- (a) the location of existing and proposed municipal and private storm and sanitary sewage collection and disposal, water supply and distribution utilities, landscaped areas and buffering and screening;
  - (b) the height and horizontal dimensions of all existing and proposed buildings;
  - (c) outlines of roof overhangs on all buildings;
  - (d) existing and proposed grades on the site, adjacent sites, roads, and lanes;
  - (e) landscaping plans, including the location of existing and proposed trees, shrubs, grassed areas, fences, screenings, and outdoor furniture on the site and on adjacent boulevards within road rights-of-way;
  - (f) drainage and grading plans;
  - (g) in a Residential District, the suggested location for a future driveway and garage or carport, if the application itself does not include such buildings as part of the proposal;
  - (h) future development plans for a site which is to be partially developed under the current application;
  - (i) in the case of a home occupation, information concerning the number of employees, the location of any goods to be kept or stored, and an estimate of the number of client visits to be expected to the site each week;
  - (j) in the case of the placement of an already constructed or partially constructed building on a site, information relating to the age and condition

- of the building and its compatibility with the district in which it is to be located, including photographs of the building;
- (k) a statutory declaration indicating that the information supplied is accurate; and
  - (l) other pertinent information or tests required by the Development Authority and produced by a qualified registered professional that may include:
    - (i) a geotechnical report to determine potential hazardous or unstable areas;
    - (ii) a biophysical assessment to determine impacts on sensitive or important ecosystems;
    - (iii) a hydrogeological report to determine impacts on watersheds and aquifers;
    - (iv) an environmental site assessment to determine potential contamination and mitigation;
    - (v) an environmental impact assessment to determine potential environmental effects;
    - (vi) a storm water management plan;
    - (vii) a flood management plan;
    - (viii) a traffic impact assessment (TIA); and
    - (ix) an Area Structure Plan; or
  - (m) any other information deemed necessary by the Development Authority to adequately assess the proposal.
- (4) The Development Authority Officer shall advise the applicant in person, or by electronic means whether an application is complete or incomplete within 20 days of an application having been submitted, and, if incomplete, shall advise the applicant of what further information is required to be submitted and by what date it must be submitted.
- (5) Notwithstanding any other provisions of this Bylaw, the Development Authority may make a decision on a development permit application without all the information required where the information is deemed sufficient to properly evaluate the application.

### **3.6. Variance to Regulations**

Variances to regulations and standards shall be considered by the Development Authority Officer according to the merits of the individual application, who may approve, with or without conditions, a development application that does not comply with this Bylaw where:

- (1) there are exceptional circumstances or conditions applicable to a particular property to the extent that practical difficulties, or results inconsistent with the general purposes of these regulations may result from their strict and literal interpretation and enforcement; and

- (2) the proposed development would, in the Development Authority Officer's opinion, conform with the use prescribed for that land or building in this Bylaw; and
- (3) the development, enlargement, alteration, or addition to a legal non-conforming building if the non-conforming building complies with the uses prescribed for that land in this Bylaw would not, in Development Authority Officer's opinion:
  - (a) unduly interfere with the amenities of the neighbourhood; or
  - (b) materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

### **3.7. Decision Process and Re-Application**

- (1) The Development Authority Officer shall:
  - (a) receive and review all applications for a Development Permit;
  - (b) refer to Council for its consideration and decision all applications for a Development Permit in the Direct Control (DC) District, unless otherwise provided for in this Bylaw;
  - (c) consider and decide on all other applications for a Development Permit.
- (2) In making a decision, the Development Authority Officer may;
  - (a) approve the application unconditionally,
  - (b) approve the application subject to those conditions that are considered appropriate,
  - (c) approve the application permanently or for a limited period of time, or
  - (d) refuse the application.
- (3) In making a decision within a Direct Control (DC) District, Council may
  - (a) approve the application unconditionally,
  - (b) approve the application subject to those conditions Council considers appropriate,
  - (c) approve the application permanently or for a limited period of time,
  - (d) refuse the application, or
  - (e) return the application to the Development Authority Officer for decision, in which case the Development Authority Officer shall act in accordance with Council's directions.
- (4) Development may be prohibited where it would otherwise be allowed under this Bylaw when, in the opinion of the Development Authority, satisfactory arrangements have not been made for the supply of required transportation and utility improvements, including payment of the costs of installing or constructing any such facilities by the applicant.
- (5) In the case where a proposed specific use of land or a building is not provided for in the Bylaw, the Development Authority Officer may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for a particular District in Part Two.



- (6) An application for a Development Permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made by the Development Authority within forty (40) calendar days after receipt of the application unless the applicant has entered into a written agreement to extend the decision period. The applicant may appeal in writing as provided for in Section 4 Part One of this Bylaw as though he has received a refusal at the end of the forty (40) day period or any agreed-to extension.
- (7) In the case where an application for a Development Permit has been refused pursuant to this section or after appeal, the Development Authority may or may not accept another application for a Development Permit on the same parcel of land and for the same or similar use by the same or any other applicant for six (6) months after the date of the refusal.
- (8) If the Development Authority discovers that a decision made on a Development Permit application was either:
  - (a) incorrect, that is, not in compliance with the provisions and requirements of this Bylaw; or
  - (b) based on information which was subsequently determined to be incorrect or misunderstood by the Development Authority.

The Development Authority may rescind the Development Permit. In such a circumstance, the appeal period begins from the date the applicant is advised that the Development Permit approval has been rescinded.

- (9) If the development authorized by a permit is not commenced within six (6) months from the date of the issue and completed within twelve (12) months of the date of the issue of the permit or such date as provided by the Development Authority, the permit is deemed to be void, unless an extension to this period is granted in writing by the Development Authority.
- (10) Where an application for a Development Permit is submitted where the development would occur in stages over a time period exceeding twelve (12) months, the Development Authority may:
  - (a) issue a permit for the entire development upon submission of satisfactory information as to the proposed staging and corresponding time frame of each stage; or
  - (b) extend the permit up to a maximum period of five (5) years from the original date the permit is approved, provided that:
    - (i) no change in the original development permit application as approved is proposed; and
    - (ii) no significant change in the Land Use Bylaw affecting the development is deemed, in the sole opinion of the Development Authority, to have occurred.



### 3.8. Conditions of Development Permit Approval

The Development Authority may apply 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:

- (1) The Development Authority may require that as a condition of issuing a development permit, the applicant enter into an agreement with the municipality to:
  - (a) construct or pay for the construction of a road required to give access to the development;
  - (b) construct or pay for the construction of:
    - (i) a pedestrian walkway system to serve the development;
    - (ii) pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development;
    - (iii) or both.
  - (c) install or pay for the installation of public utilities, works, deep and shallow services, and street lighting, that are necessary to serve the development;
  - (d) to construct or pay for the construction of:
    - (i) off-street or other parking facilities; and
    - (ii) loading and unloading facilities;
  - (e) to pay an off-site levy; and/or
  - (f) to provide security to ensure that the terms of the agreement are carried out.
- (2) the applicant shall comply with all provisions of this Bylaw and all other municipal, provincial, and federal regulations;
- (3) the applicant shall obtain a building permit;
- (4) the development shall be constructed and located in accordance with the approved plan;
- (5) the applicant shall undertake construction in accordance with the site plans, landscaping plans, drainage plans, and grading plans submitted, and undertake any remedial measures recommended or required by any engineering or environmental screening reports provided to the Development Authority during the development permit application process;
- (6) the applicant is responsible ensuring that all development is outside utility rights-of-way or obtaining approval from the right of way holder;
- (7) all primary and secondary utility locates are the responsibility of the applicant, who shall make arrangements for services and/or necessary easements;

- (8) the applicant shall ensure a minimum of 2 weeks prior to construction or excavation that the invert of the main sewer line is confirmed by the contractor/ excavator and utilized in the design process;
- (9) installation and/ or removal of all services is the responsibility of the applicant, including location, depth, elevation, and existence of any and all deep services;
- (10) the applicant shall contact the Town of Vegreville Public Works Department for a utility inspection prior to backfill of water and sanitary sewer service lines. Advance notification a minimum of 24 hours, followed by 1-hour notice for the actual inspection is required;
- (11) the applicant shall provide confirmation of Alberta Environment and Parks approval;
- (12) the applicant shall provide confirmation of Alberta Transportation approval for any development influencing/ effecting traffic along Highway 16-A or Secondary 857;
- (13) the applicant shall repair any damages to sidewalks, curbs, and all public property if any are damaged during project development;
- (14) the applicant shall remove any debris scattered on streets, public, or private property within 12 hours;
- (15) the applicant shall ensure final grading is adequate to direct surface water to drain to public or municipal lands;
- (16) the applicant shall ensure and provide verification that final grading is adequate to allow for surface water to drain to public or municipal lands and comply with the provisions outlined in this Bylaw;
- (17) the applicant shall provide a Real Property Report showing the location and geodetic elevation of the foundation prior to construction progressing beyond the sub floor stage;
- (18) the applicant shall submit a Lot Grading Certificate from a certified land surveyor, professional engineer, or registered architect for rough and final grade within 1 year of occupancy;
- (19) the applicant shall submit a Traffic Plan to be approved two (2) business days prior to any traffic disturbance.
- (20) The applicant is responsible to locate property pins to ensure a fence to be constructed is on or inside property lines. Please note if you locate your own property pins this is at your own risk.
- (21) It is the applicants/property owner's responsibility to have the water and sewer services located prior to construction. Applicable fees may apply.
- (22) Acceptance of materials at the Vegreville Sanitary Landfill: Contact the Vegreville Sanitary Landfill for waste material information, sorting requirements and regulations, and tipping fees.

### **3.9. Development Permit Validity and Notice**

- (1) A Development permit granted pursuant to this Section does not come into effect until twenty-one (21) days after the date notification of the decision is given. Any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.
- (2) Where an appeal is made, a Development Permit shall not come into effect until the appeal has been determined and the permit has been confirmed or modified.
- (3) The decision of the Development Authority shall be given in writing and a copy of it sent to the applicant.
- (4) When a Development Permit has been issued for a discretionary use or with a variance to the Bylaw, the Development Authority Officer shall:
  - (a) post a notice of the decision conspicuously on the property for which the application has been made; and/or
  - (b) mail a notice of the decision to all owners of land within 60m (197 ft.) of the subject site, and to those other owners of land who, in the sole opinion of the Development Authority Officer, may be affected; and/or
  - (c) publish a notice of the decision in a newspaper circulating in the municipality.
- (5) The notice provided in Subsection (4) shall include:
  - (a) the legal description and the street address of the site of the proposed development;
  - (b) the uses proposed for the subject development;
  - (c) any discretion that was granted in the approval of the development, and any variation or relaxation of regulations;
  - (d) the date the Development Permit was issued; and
  - (e) how an appeal might be made to the Subdivision and Development Appeal Board and the deadline for such appeal.
- (6) When approval of a permit for a permitted use where no variances to the bylaw have been provided or discretion of the Development Authority Officer exercised, notification is not required, but may at the discretion of the Development Authority Officer.
- (7) When the Development Authority refuses an application for a Development Permit, the decision shall contain reasons for the refusal.

### **3.10. Developer's Responsibility**

- (1) A person to whom a Development Permit has been issued shall obtain from the appropriate authority where applicable, authorization relating to safety codes, grades, sewers, water mains, electricity, gas, and highways, and all other permits required in connection with the proposed development.

- (2) The applicant shall be financially responsible during construction for any damage by the applicant, their servants, suppliers, agents, or contractors to any public or private property.
- (3) The applicant shall prevent soil or debris from being spilled on public roads, lanes, and sidewalks, and shall not place soil or any other materials on adjacent lots without permission in writing from adjacent property owners.
- (4) No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the applicant, proposed user or proposed occupant of the building or use demonstrates that substantial completion has been undertaken.
- (5) A person in receipt of a final inspection report issued pursuant to the Alberta Safety Codes Act is not absolved from complying with or satisfying any conditions or requirements of a Development Permit or Development Agreement pursuant to this Bylaw.
- (6) A person in receipt of a Development Permit issued pursuant to this Bylaw requires the necessary permits issued pursuant to the Alberta Safety Codes Act, some of the regulations/provisions of which may not be consistent with the regulations/provisions of this Bylaw.
- (7) A Development Permit issued pursuant to this Bylaw does not exempt compliance with health regulations or any other municipal/provincial/federal acts or regulations.
- (8) A Development Permit is not transferable without the prior consent of the Development Authority.

# SECTION 4 - APPEALS

## 4.1. Appeal Procedure

- (1) If the Development Authority Officer:
  - (a) fails or refuses to issue a Development Permit;
  - (b) issues a Development Permit subject to conditions; or
  - (c) issues an Order under section 645 of the Act;the person applying for the permit or affected by the Order may appeal to the Subdivision and Development Appeal board.
- (2) In addition to an applicant under subsection (1), any person affected by an Order, decision or Development Permit made or issued by a Development Authority may appeal to the Subdivision and Development Appeal Board.
- (3) Despite subsections (1) and (2), no appeal lies in respect of the issuance of a Development Permit for a permitted use unless the provisions of the Land Use Bylaw were relaxed, varied, or misinterpreted.
- (4) If a Development Permit is issued directly by Council, there shall be no appeal to the Subdivision and Development Appeal Board.
- (5) An appeal shall be made by serving a written notice of appeal to the Secretary of the Subdivision and Development Appeal Board:
  - (a) in the case of an appeal made by the applicant or the person subject to an order, within twenty-one (21) days after:
    - (i) the date on which the person is notified 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, the date the period or extension expires, or
  - (b) in the case of an appeal made by a person affected by an Order, decision, or Development Permit, within twenty-one (21) days after the date on which the notice of the issuance of the permit was given.
- (6) Each Notice of Appeal shall be accompanied by a fee established by the Fees and Charges Bylaw passed by Council.

## 4.2. Appeal Hearing

- (1) Within thirty (30) days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold an appeal hearing.
- (2) The Subdivision and Development Appeal Board shall give at least five (5) days notice in writing of the appeal hearing to:
  - (a) the appellant;

- (b) the Development Authority Officer from whose Order, decision or development permit the appeal is made;
  - (c) those landowners who were notified and any other person that the Subdivision and Development Appeal Board considers to be affected by the Order, decision, or Development Permit; and
- (3) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the hearing relevant documents and materials respecting the appeal including:
- (a) the application for the Development Permit, the decision, and the Notice of Appeal, or
  - (b) the order of the Development Authority.
- (4) At the appeal hearing referred to in Subsection (1), the Subdivision and Development Appeal Board shall hear:
- (a) the appellant or any other person acting on his behalf;
  - (b) the Development Authority Officer from whose Order, decision or Development Permit the appeal is made, or if a person is designated to act on behalf of the Development Authority, that person;
  - (c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf; and
  - (d) any other person who claims to be affected by the Order, decision, or Development Permit and that the Subdivision and Development Appeal Board agrees to hear or a person acting on his behalf.

### **4.3. Decision**

- (1) In determining an appeal, the Subdivision and Development Appeal Board:
- (a) must comply with the provincial Land Use Policies and statutory plans;
  - (b) must have regard for but is not bound by the Subdivision and Development Regulation;
  - (c) may confirm revoke, or vary the Order, decision, or Development Permit or any condition attached to it or may make or substitute an Order, decision, or Development Permit of its own; and
  - (d) may make an Order or decision or issue or confirm the issuance of a Development Permit even though the proposed development does not comply with this Bylaw if, in its opinion;
    - (i) the proposed development would not unduly nor materially interfere with or affect the use, enjoyment, or value of neighbouring properties; and
- (2) the proposed development conforms with the prescribed use for the land or building as defined in this Bylaw.

- (3) The Subdivision and Development Appeal Board shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the hearing.
- (4) A decision made under this part of the Bylaw is final and binding on all parties and all person's subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to the Court of Appeal shall be made:
  - (a) to a judge of the Court of Appeal; and
  - (b) within thirty (30) days after the issuance of the Order, decision, Development Permit, or approval sought to be appealed.



# SECTION 5 - ENFORCEMENT

## 5.1 Contravention and Penalties

- (1) No person shall contravene or permit a contravention of this Bylaw.
- (2) No person shall undertake a development or use that is not permitted in this Bylaw.
- (3) A person found guilty of an offence is liable upon conviction to:
  - (a) A fine of \$250.00 for a first offence;
  - (b) A fine of \$500.00 for a second offence;
  - (c) A fine of \$1,000.00 for a third or subsequent offence;
  - (d) imprisonment for not more than one (1) year; or
  - (e) both fine and imprisonment, pursuant to Section 566 of the Act.

Each day that a breach of the Bylaw has occurred is considered a separate offence.

## 5.2 Stop Order

If a development authority finds that a development, land use or use of a building is not in accordance with the Land Use Bylaw, or a Development Permit, the Development Authority Officer 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

- (1) stop the development or use of the land or building in whole or in part as directed by the notice,
- (2) demolish, remove, or replace the development, or
- (3) carry out any other actions required by the notice so that the development or use of the land or building complies with the land use bylaw or development permit,

within the time set out in the notice.

- (1) A person who receives a notice may appeal to the Subdivision and Development Appeal board.
- (2) Where a person fails or refuses to comply with an Order within the time specified, the Development Authority may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order.
- (3) A Municipality may register a caveat under the Land Titles Act in respect of an Order against the certificate of title for the land that is the subject of the Order.
- (4) Where the Development Authority carries out an Order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.

## 5.3 Violation Tickets

In addition to the process and penalties described above, the Development Authority Officer, Community Peace Officer, or any other person identified as a designated officer for the purposes of this Section, shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.

- (1) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable to a fine for a first offence and each subsequent offence as specified by Council up to a maximum of \$10,000 for each fine.
- (2) The violation ticket will include the nature of the violation, corrective measures that must be taken, and the deadline for the completion of the corrective measures. The violation ticket shall require payment, within twenty-one (21) days from the date of issue of the violation ticket, of a fine to the Town.
- (3) The violation ticket shall be served upon the alleged offender personally or by mail where receipt can be confirmed.
- (4) If payment, and corrective measures are made within the time limit, then payment and correction of the contravention shall be accepted in lieu of prosecution for the offence.
- (5) If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.
- (6) If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be more than \$10,000, plus court costs.

# SECTION 6 - ADMINISTRATION

## 6.1 Application to Amend Bylaw

- (1) A person may apply to have this Bylaw amended by applying in writing to the Town, in care of the Development Authority, furnishing reasons in support of the application and paying the applicable fee;
- (2) Council may at any time initiate an amendment to this Bylaw by directing the Development Authority Officer to initiate the process.

## 6.2 Form of Application

- (1) All applications for amendment to this Bylaw shall be made on the form as determined by the Development Authority, and shall be accompanied by:
  - (a) the specifics of the proposed amendment; and
  - (b) the application fee as established by Council.
- (2) Where the amendment is to change the district applicable to a site, the applicant shall provide:
  - (a) a recent title search of the land affected or other documents showing the applicant's interest in the said land; and
  - (b) drawings showing the subject site, the proposed District and the proposed use and development to be proposed on the site, if applicable; and
  - (c) where the applicant is an agent acting for the owner, a letter from the owner(s) authorizing the agent to make the application; and
  - (d) an environmental screening of the site, at the discretion of the Development Authority Officer.

## 6.3 Amending Bylaws

All amendments shall be made by Council by bylaw and in conformity with the Act.

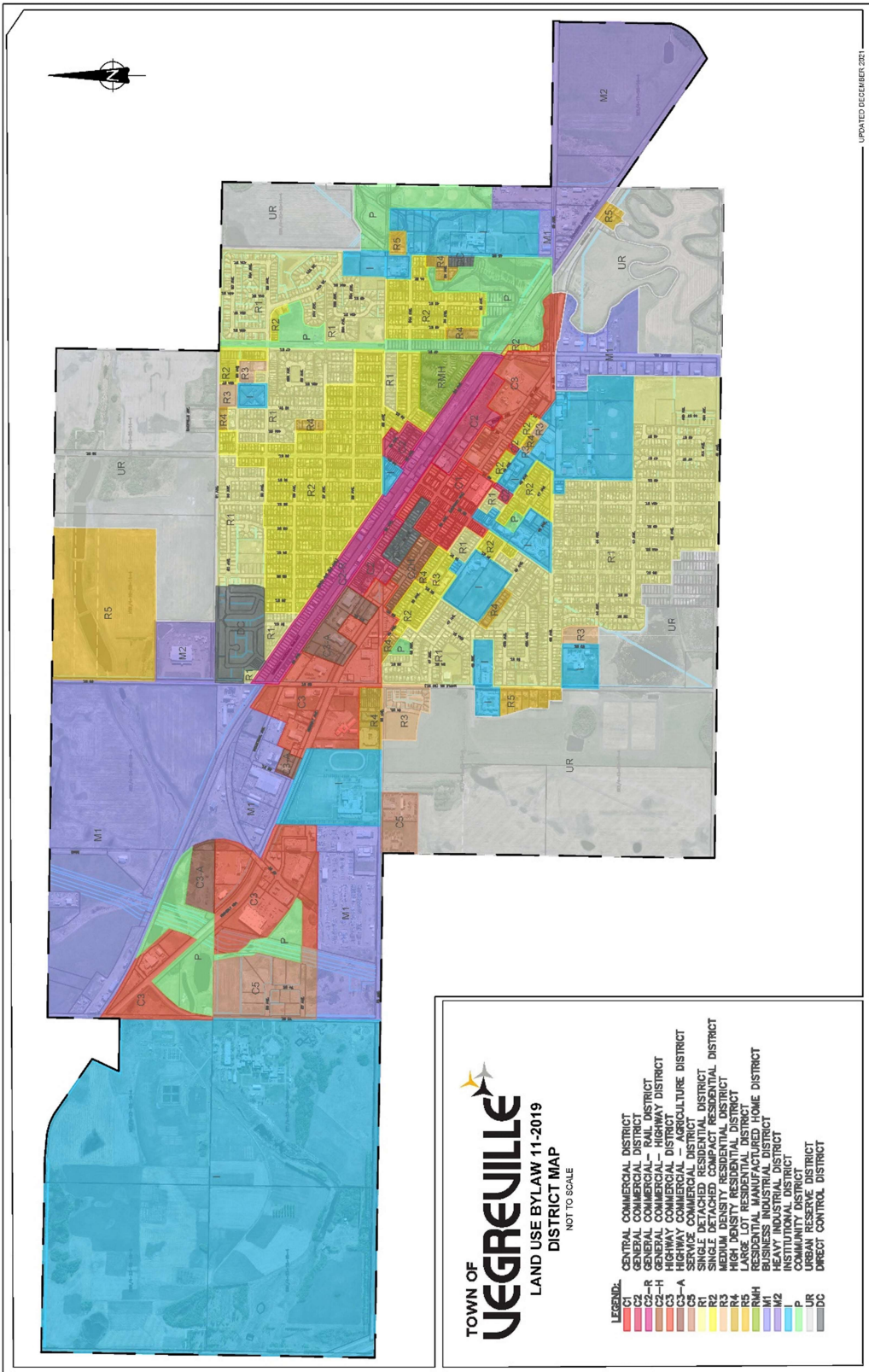
## 6.4 Schedules

Schedule A and Schedule B are adopted as part of this Bylaw and may be amended in the same manner as any other part of this Bylaw.

## 6.5 Repealing Existing Controls

Bylaw No. 15-2017 and all amendments are hereby repealed.

# SCHEDULE A LAND USE DISTRICT MAP

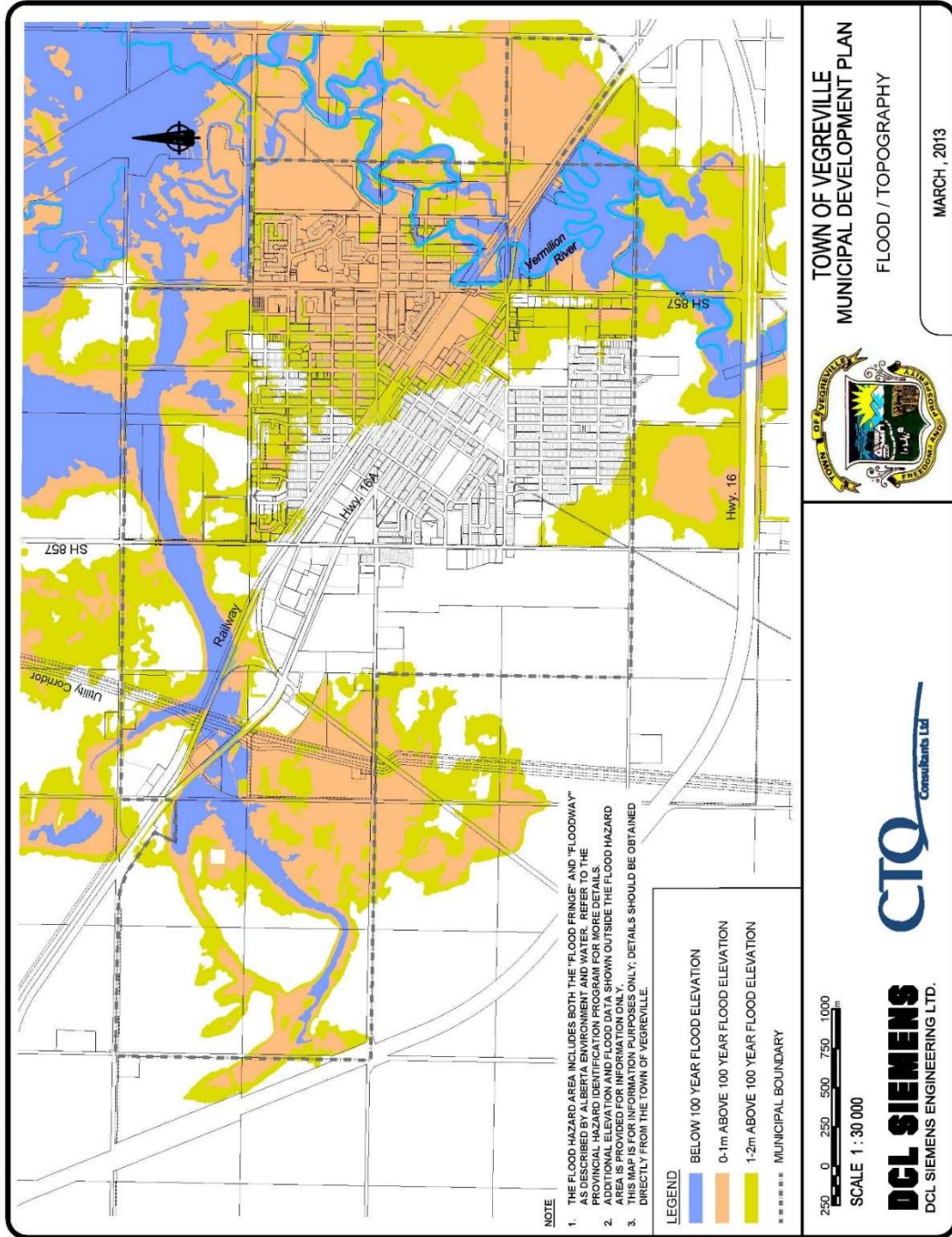


UPDATED DECEMBER 2021



# SCHEDULE B

## FLOOD HAZARD AREA MAP



# PART TWO

## LAND USE DISTRICT REGULATIONS

### SECTION 1 - GENERAL PROVISIONS

Notwithstanding the District Regulations in effect on a site, the following regulations shall also apply:

#### 1.1 Subdivision of Land

- (1) Where the development of land involves a subdivision of land, no Development Permit shall be issued until the subdivision has been registered at the Land Titles Office.
- (2) Subject to subsection (3) below, any application to subdivide land in the Municipality shall conform to the Act, regulations made pursuant to the Act, and this Bylaw.
- (3) The Subdivision Authority may approve an application for subdivision or a bare land condominium plan even though the proposed subdivision or bare land condominium plan does not comply with the regulations of this Bylaw if, in the opinion of the Subdivision Authority:
  - (a) the proposed subdivision or bare land condominium plan would not:
    - (i) unduly interfere with the amenities of the neighbourhood; or
    - (ii) materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land; and
  - (b) the proposed subdivision or bare land condominium plan conforms to the use prescribed for that land or building in this Bylaw.

#### 1.2 Dwelling Units on a Lot

The number of dwelling units on a lot shall be as identified within the District Regulations.

#### 1.3 Substandard and Irregular Lots

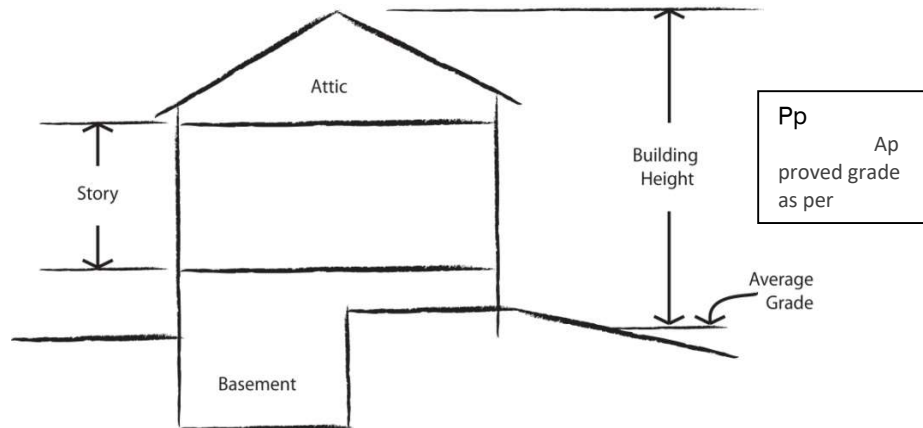
- (1) Irregular lots are existing lots where the minimum site area, site depth, and site width may be less than the minimum dimensions in the District Regulations.
- (2) Substandard lots are those where exceptional circumstances or conditions to a particular shape or location of a property is inconsistent with the general regulations of its district.
- (3) All applications for development on substandard and irregular lots shall be considered by the Development Authority Officer according to the merits of each individual application.

- (4) On an irregular lot where:
  - (a) the lot size is a minimum of 371m<sup>2</sup> (4004 ft<sup>2</sup>);
  - (b) the maximum lot coverage is 35%;
  - (c) the development does not adversely affect the existing adjacent properties;

at the discretion of the Development Authority Officer, the minimum required rear yard shall be reduced to 2.7m (9.0 ft.)

## 1.4 Building Height

- (1) The base from which to measure the height of a building or structure shall be from any point on the finished ground elevation adjoining all exterior walls. On sloping ground, building height shall be considered as the average of the highest and lowest grades.
- (2) The height of a building shall not exceed the maximum height for the prescribed land use district.
- (3) Notwithstanding section 1.4 (2), in determining the highest point of a building, the following structures shall not be considered to be part of the building: elevator housing, mechanical housing, roof stairway entrance, ventilation fans, a skylight, a steeple, a smokestack, a parapet wall, or a flag.



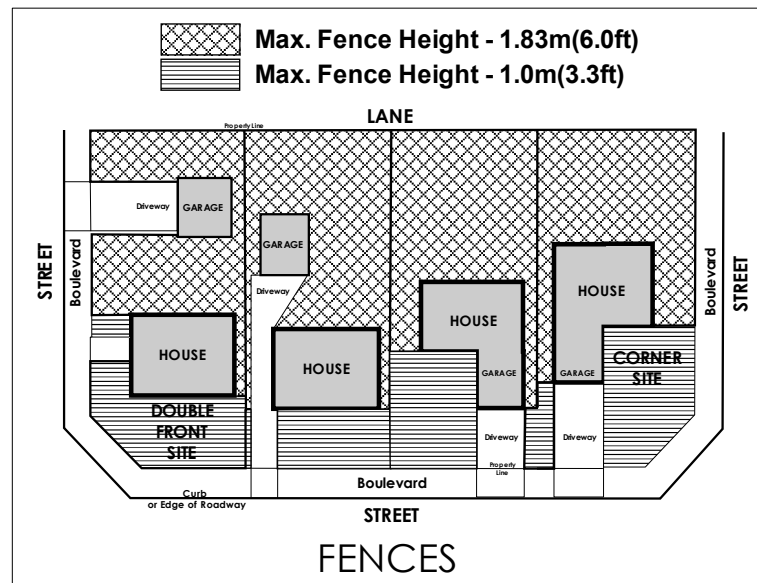
- (4) The Developer must consider the slope of the adjacent properties, and may require a lot grading certificate, at the Discretion of the Development Authority Officer to ensure proper drainage.

## 1.5 Fences

- (1) Notwithstanding any regulation respecting required minimum yard to the contrary in this Bylaw, a fence or hedge may be constructed along a boundary line of a site.
- (2) Unless otherwise provided in this Bylaw, no fence, wall, or hedge in a Residential District shall be:
  - (a) higher than 1.83m (6.0 ft.) above grade in side yards and rear yards; or



- (b) higher than 1.0m (3.3 ft.) above grade in front yards; or
  - (c) higher than 1.0m (3.3 ft.) above grade within the sight triangles provided in Section 1.11.
- (3) All apartment or ground-oriented multiple unit dwelling developments shall provide, a wall, hedge, or wooden fence of not less than 1.22m (4.0 ft.) nor more than 2.13m (7.0 ft.) in height, along any side lines adjacent to any Residential District.
- (4) Fences, walls, and hedges in Residential District shall conform to the drawing below:



- (5) In the case of corner sites in Residential and Non-residential districts, the Development Authority Officer may further restrict fencing of a corner cut or corner if the boulevard is not sufficient for vehicle sight lines and for the passage of service vehicles, such as but not limited to refuse trucks or graders.
- (6) Unless otherwise provided in this Bylaw, no fence, wall, or hedge in a C1, C2, C2-H, C2-R, C3, C3-A, C4, C5, M1, M2, or I District shall be:
- (a) higher than 2.75m (9.0 ft.) above grade in side yards and rear yards; or
  - (b) higher than 1.83m (6.0 ft.) above grade in front yards; or
  - (c) higher than 1.83m (6.0 ft.) above grade within 6.1m (20.0 ft.) of the intersection of lanes, roads, or any combination of them.
- (7) No fences comprised of barbed wire shall be allowed, except, at the discretion of the Development Authority Officer, in the M2 District and in the UR District. If barbed wire is allowed, it shall not be allowed below a height of 1.83m (6.0 ft.) unless the Development Authority Officer, at his sole discretion, allows barbed wire at a lower height where, in his opinion, dwellings would not be in proximity to the fence proposed.
- (8) No electrification of fences shall be allowed.

- (9) The Development Authority Officer may require that a fence or other screen be provided to a height of at least 1.53m (5.0 ft.) surrounding the following where they would be visible from a road or from an adjacent dwelling:
  - (a) outdoor storage areas;
  - (b) garbage collection areas;
  - (c) loading or vehicle service areas; and
  - (d) industrial or manufacturing areas.
- (10) All commercial or industrial uses adjacent or within visible proximity to any Residential District shall provide, to the satisfaction of the Development Authority Officer, a solid fence of not less than 1.83m (6.0 ft.) in height for screening.
- (11) All drive-in businesses shall provide a solid fence of not less than 1.53m (5.0 ft.) nor more than 2.13m (7.0 ft.) in height along any side lines or lanes adjacent to any Residential District.

## 1.6 Landscaping

- (1) Landscaping in all developments shall be to the satisfaction of the Development Authority and in accordance with the municipality's landscaping standards. Where a landscaping plan is required with an application for a development permit, no landscaping shall commence prior to the plan being approved by the Development Authority.
- (2) The areas to be landscaped shall include all entrances, boulevards, buffer strips, drainage easements, retention and detention ponds, walkways, and playgrounds.
- (3) Landscaping plans shall include the following information and adhere to the included standards:
  - (a) the final grading of the area and the placing and spreading of topsoil. In particular:
    - (i) all areas to be landscaped shall be graded to drain to the road, into catch basins, or into adjacent drainage easements. Under no circumstances shall an area be designed, built, or landscaped to drain from public property onto private property, or from private property onto adjacent private property without appropriate easements.
    - (ii) the cross slope across boulevards shall be a minimum of two per cent (2%);
  - (b) all physical features, both existing and proposed, including shrubs and trees identified by their common name, their botanical name, and their size, grassed areas, flower beds, berms showing contours, walls, fences, outdoor furniture, surface utilities, water features, and decorative paving; and
  - (c) playground equipment and public seating areas if the area forms part of a communal amenity area.

- (4) When no lane separates commercial or industrial development from residential development, a landscaped buffer between the uses shall be required. A landscaped buffer may be required where a lane separates such uses. The planting and width of the buffer shall be as required by the Development Authority.
- (5) The owner of the site or his successors or assignees shall be responsible for proper maintenance of the landscaping. If plant material does not survive a two (2) year maintenance period, commencing when the Development Authority determines that the landscaping has been completed in accordance with approved plans, it must be replaced with plant material of similar type and size.

## **1.7 Shipping Containers (Sea Cans)**

Placement of a Shipping Container requires a Development Permit.

- (1) All shipping containers shall comply with the following regulations and site requirements:
  - (a) notwithstanding subsection (3) shipping containers are not permitted in Residential districts;
  - (b) notwithstanding subsection (3) shipping containers are not permitted in the C1 Central Commercial District;
  - (c) within the C2, C2-H, C2-R, C3, C5, I, and P districts, shipping containers may be used as accessory structures, subject to the requirements for accessory structures and the land use districts.
    - (i) shipping containers shall be kept clean and well maintained, and placed in an orderly manner;
    - (ii) shipping containers are prohibited for storage of junk, trash, or other forms of refuse;
    - (iii) shipping containers shall not block or obstruct any exits, windows, required off-street parking spaces, driveways, or access to public utilities and/or right of ways;
    - (iv) shipping containers shall not be placed for the sole purpose of screening or fencing or to be used as an advertising structure; and
    - (v) shipping containers shall comply with any other regulation of the Land Use Bylaw and / or other bylaw, policy, or statute as required including but not limited to the Alberta Building and Fire Codes.
- (2) Shipping containers as a principal use, building or structure are permitted in C2-R and M Districts only and shall comply with the regulations of that district and any other bylaw, or statute as required.
- (3) Temporary use of shipping containers shall comply with the following regulations and site requirements:
  - (a) The shipping container(s) may be placed temporarily on a site in any district:
    - (i) during construction on a site when the shipping container is utilized solely for the storage of supplies and equipment that are used for

the site, provided that a valid Development and Building permit has been issued for construction on the site; or

- (ii) for the purpose of loading and unloading of items associated with the principal use, and for a period of not more than ten (10) days; the Development Authority Officer may grant one (1) extension of up to ten (10) days for large-scale projects.

The shipping container(s) must not be placed within 1.2m (3.9 ft.) the back of curb of the front yard and/or flanking front yard, or within 1.2m of the side or rear property lines.

- (b) The shipping container(s) shall be removed from the site:
  - (i) upon completion of the construction;
  - (ii) upon expiration of the Development permit;
  - (iii) on expiration of the allowed time period; or
  - (iv) no later than seven (7) days after notice of removal is issued by the Development Authority Officer.

## **1.8 Objects Prohibited or Restricted in Yards**

- (1) No person shall keep or permit in any part of any yard in any district any excavation, storage or piling up of materials required during construction unless all necessary safety measures are taken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.
- (2) No person shall keep or permit in any part of any yard in a Residential District:
  - (a) any dismantled or wrecked vehicle for more than fourteen (14) successive days;
  - (b) any object or chattel which, in the opinion of the Development Authority, is unsightly or tends to adversely affect the amenities of the district in which it is located;
  - (c) any vehicle, loaded or unloaded, of a gross vehicle weight in excess of 4018kg (9000 lbs.) for longer than is reasonably necessary to load or unload the vehicle; or
  - (d) any animals, other than domestic pets.

## **1.9 Projection into Yards**

- (1) Except as provided in this Section and fences, no portion of a building shall be located or project into a required minimum yard.
- (2) Front Yards

The following features may project into a required minimum required yard:

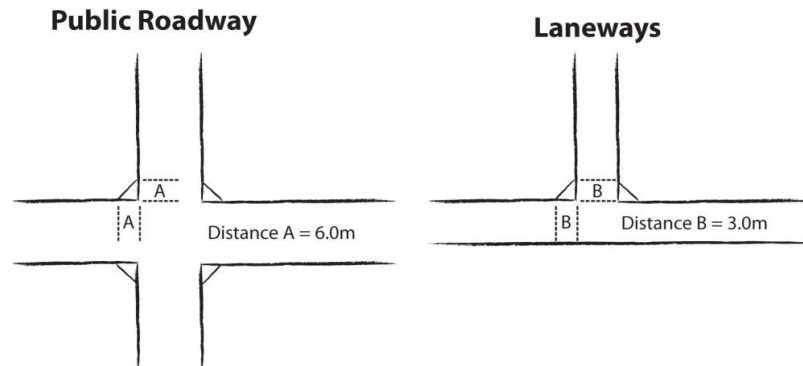
- (a) steps, eaves, gutters, sills, and chimneys, or other similar projections, with the amount of the projection to be as allowed by the Development Authority Officer;
- (b) canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1.0m (3.3 ft.);
- (c) exterior balconies on apartments provided that:
  - (i) they are cantilevered, not enclosed, and designed as an integral part of the building, and
  - (ii) they do not project more than 2.0m (6.6 ft.) into the required minimum front yard.

## **1.10 Corner Sites and Double Fronting Sites**

- (1) In all land use districts, a lot abutting onto two public roads or more shall have a front yard setback on each public road in accordance with the front yard requirements of this Bylaw. For the purposes of determining the setback requirements, the short front yard shall be referred to as the front yard, and the long front yard shall be referred to as the flanking front yard.
- (2) Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority Officer may require that a development on a corner site or on a double fronting site provide two minimum required front yards, after having regard to the orientation of adjacent lots and to the location of accesses to the development.
- (3) A corner or double fronting lot may be required to provide sight line protection at the sole discretion of the Development Authority Officer, if the municipal boulevard is not sufficient for vehicle visibility or service and maintenance vehicles to manoeuvre in the lane.

## **1.11 Sight Line Protection**

- (1) On corner sites, no fence, wall, tree, bush, structure or thing more than 1.0m (3.3 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road right-of-way lines (or their projections) and a straight-line joining points on the road right-of-way lines 6.0m (19.7 ft.) from their intersection.
- (2) At the intersection of roads and lanes, and at intersections of driveways and roads, no fence, wall, tree, bush, structure or thing more than 1.0m (3.3 ft.) in height shall be erected, placed or maintained within the triangular area formed by the intersecting road or lane right-of-way lines or the edge of the driveway and a straight-line joining points on the road or lane right-of-way lines or the edge of the driveway 3.0m (9.8 ft.) from their intersection.
- (3) Notwithstanding any other provision of this Bylaw to the contrary, no sign shall be located within the areas defined in Subsections (1) and (2) such that any part of the sign is between the heights of 1.0m (3.3 ft.) and 4.0m (13.1 ft.) above grade.



## 1.12 Site Grading and Drainage

- (1) In all cases, site grades shall be established to not allow one site to drain onto an adjacent site except where drainage conforms to an acceptable local or subdivision drainage plan and is approved by the Development Authority. In addition:
  - (a) there shall be no amount of pooling water within a development area or portion of the developed area and nor shall the surface water drain to pool water in adjacent lots;
  - (b) all development sites shall be graded to drain surface water onto municipal lands;
  - (c) a downspout from an eaves trough must have an elbow and an extension or concrete splash pad to convey and direct surface water away from foundation walls towards drainage swales and onto municipal lands;
    - (i) the minimum distance of the discharge point of downspouts and splash pads from a property line 15cm (6 inches) from any adjacent private property or 30cm (11.8 inches) from an adjacent municipal property;
    - (ii) vacant or undeveloped lands shall be graded so that all surface water will flow towards municipal land.
  - (d) the Development Authority Officer may require the developer to submit a Lot Grading Certificate from a certified land surveyor, professional engineer, or a registered architect for rough and final grade within 1 year of occupancy.

## 1.13 Land Subject to Flooding

Where lands are subject to flooding, either within the floodway or flood fringe, the following applies:

- (1) No new buildings or other new structures shall be allowed within the floodway as indicated in Schedule B of this Bylaw;
- (2) The Development Authority may refer to Alberta Environment and Parks, for procedures and recommendations, on any development permit application within the flood hazard area;

- (3) The feasibility of permitting development and thereby removing any land from the flood hazard area (flood way or flood fringe) shall be determined through a comprehensive planning process including an engineering report;
- (4) Before a development permit is issued for the construction of any development within the flood fringe, the Development Authority may require that the applicant submit appropriate engineered flood protection measures from a professional engineer, verifying that the following factors have been addressed in the development proposal:
  - (a) the flood proofing of habitable rooms, electrical panels and heating units, and open able windows;
  - (b) basement drainage and site drainage; and
  - (c) information on grade elevation in relation to the flood fringe and floodway elevation.
- (5) the Development Authority Officer shall not issue a development permit for any development within 20.0m (65.6 ft.) of any river, body of water including the top-of-bank of any water body, until it is satisfied that adequate flood mitigation will be provided; The Development Authority Officer may require a greater setback if a professional engineer so requires; and
- (6) the Development Authority Officer may require that the development of a building or site be designed by a professional engineer; and
- (7) the Development Authority Officer shall permit minor renovations or repairs to an existing building, not including structural repairs, within the flood fringe area, without requiring or maintaining the flood proofing, and shall adhere to all provisions of the Canada-Alberta Flood Damage Reduction Program.

## **1.14 Exterior Appearance**

- (1) The exterior finish on all buildings and structures (fences, walls, signs, etc.) in all districts shall be of a permanent material and be of a character and quality satisfactory to the Development Authority.
- (2) The design, character, and appearance of all buildings and structures shall:
  - (a) be compatible with other buildings and structures in the vicinity unless it is setting a new standard for the district in which it is located;
  - (b) be suited to the purpose of the district in which it is located; and
  - (c) be reviewed from time to time by the Development Authority Officer for the external appearance and finish for any neglect, damage, fading of paint to at least 50% of the building, and any unsightliness that is unsatisfactory to the Development Authority Officer or Council;
  - (d) comply with the provision of any statutory plan applicable to the design, character, or appearance of the building.



## **1.15 Lighting**

Outdoor lighting for any development in all districts shall be located and arranged so that no direct rays of light are directed at any adjacent properties or interfere with the effectiveness of any traffic control devices or pose a potential hazard to vehicles or pedestrian traffic.

## **1.16 Noise**

No use or operation shall create noise levels which exceed those measures prescribed in municipal bylaws.

## **1.17 Nuisance**

- (1) No activity may be undertaken which, in the opinion of the Development Authority Officer, constitutes a nuisance by reason of the generation of vibration, heat, humidity, glare, smoke, dust, other particulate matter, or odour.
- (2) Solid waste shall be placed in weather-proof and animal-proof containers and screened from adjacent sites, and roads, and shall be in a location easily accessible for pick-up in Town provided containers according to the solid waste management storage practises.
- (3) Construction and renovation solid waste, if needed, shall be placed in a commercially rented solid waste management receptacle. These containers can remain for the duration of the building permit.

## **1.18 Environmental Screening**

Where the potential for prior contamination of a site exists, the Development Authority may require that a Phase 1 Environmental Site Assessment be conducted according to the guidelines of Alberta Environment and Parks, prior to a development permit being issued. Any follow-up assessment or remedies that may be required may be incorporated into conditions for the approval of the development permit.

## **1.19 Hazardous Materials**

- (1) The location of any anhydrous ammonia (AAG) or liquefied petroleum gas (LPG) storage tank with a water capacity exceeding 9080 l (2000 gal.) shall be in accordance with the requirements of the Development Authority Officer, but in no case be less than a minimum distance of 125.0m (410 ft.) from assembly, institutional, commercial, or residential buildings.
- (2) AAG or LPG containers with a water capacity of less than 9080 l (2000 gal.) shall be located in accordance with regulations under the Safety Codes Act.
- (3) All developments which store manufacture or utilize materials or products which may be hazardous due to their flammable or explosive characteristics shall comply with Provincial and Federal legislation and regulations.
- (4) No development shall emit air or water contaminants in excess of the standards prescribed by Provincial and Federal legislation and regulations.

- (5) All commercial or industrial developments involving the following hazardous materials shall submit a written description of the materials and operations being undertaken on the site at the time of development permit application or at the time the operation begins using the materials:
  - (a) poisonous and infections agents;
  - (b) pesticides;
  - (c) corrosives and explosives;
  - (d) flammable and combustible liquids;
  - (e) manures; and
  - (f) radiation
- (6) No development shall create or discharge toxic materials in amounts or quantities that exceed the levels prescribed by Provincial and Federal legislation and regulations.
- (7) No development shall discharge toxic or noxious materials:
  - (a) across the boundaries of a site;
  - (b) through infiltration into the soil;
  - (c) into the municipal sewage disposal system, except as otherwise directed by the municipality; or
  - (d) into a water body, any surface water channel, or any below surface water course.

## **1.20 Utility Easements on Private Property**

No development other than landscaping or a fence approved by a development permit and with prior consent of the easement holder shall be constructed or placed on a utility easement on private property, and the development shall not restrict access to the utility easement for the purpose of installation and maintenance of the utility.

## **1.21 On-Site and Off-Site Services and Improvements**

- (1) Where any on-site services or improvements, or any off-site local improvements are required to service a proposed development, a developer shall not commence the development until the Development Authority Officer is satisfied that such services or improvements will be undertaken.
- (2) No development permit shall be issued for a development to be serviced by private sewer and water systems.
- (3) On-site and off-site improvements are the sole responsibility of the developer unless alternative arrangements are negotiated with the Development Authority.

## **1.22 Development of a Project**

- (1) All uses in a project including multiple uses shall be either permitted or discretionary in the district in which the project is located.

- (2) The site area, lot sizes and lot coverage within a project shall adhere to the regulations of the district in which the project is located, unless a variance is granted.
- (3) No building within a project shall be located closer to a front, side, or rear line than specified within the district in which the project is located, unless granted a variance.
- (4) Internal separation space between principal buildings within a project shall be to the satisfaction of the Development Authority, based on site design considerations and the need for access between buildings. In no case shall such separation space be less than 2.5m (8.2 ft.) where building height is 2 storeys or less and 4.25m (13.9 ft.) where building height exceeds 2 storeys.
- (5) Prior to the granting of approval of a subdivision application or a development permit for a project, as the case may be, the developer shall provide the municipality with a proposed site development and landscaping plan and enter into an agreement with the municipality specifying the respecting obligations of the developer and the municipality regarding all of the following as may be applicable:
  - (a) the establishment, operation, and maintenance of facilities for:
    - (i) storm water management;
    - (ii) sanitary sewage collection and disposal;
    - (iii) water, power, and gas supply;
    - (iv) access via roads, sidewalks, walkways, and curbs;
    - (v) snow removal;
    - (vi) garbage collection, including garbage collection areas and buffering of same;
    - (vii) fire protection;
    - (viii) parks, playgrounds, buffers, and other amenity areas;
    - (ix) landscaping and fencing; and
    - (x) any other facility deemed necessary by the Development Authority.
  - (b) the standards of construction for same and the provision of security to ensure completion of any or all of them;
  - (c) the manner in which costs of same are to be met or recovered; the period of time agreed upon for completion of construction or installation of the facilities;
  - (d) the provision to the municipality of as-built site and utility plans showing the boundaries of all lots and the location of all buildings and services; and
  - (e) such other matters as may be deemed necessary by the Development Authority.

## **1.23 Bare Land Condominium**

- (1) A bare land condominium unit must comply with:
  - (a) all the general regulations of this Bylaw and with the regulations applicable to the district within which the bare land condominium unit is located as if the unit were a lot or site;
  - (b) with the exception of common property lines on duplex or attached units, no building on a bare land condominium development may encroach on any property line, utility easement or right-of-way;
  - (c) a bare land condominium plan shall be treated in all respects as though it were a plan of subdivision and shall comply with all requirements for a subdivision, including, but not limited to:
    - (i) adequate pedestrian and vehicle access;
    - (ii) provision of supply of water, electrical power, gas, sanitary sewer and Storm drainage; and
    - (iii) sequencing and timing of construction for all buildings and servicing.

## **1.24 Addressing of Properties**

- (1) The Development Authority shall assign the civic address for each building, dwelling, unit, or units;
- (2) The Development Authority shall notify the postal service of the assigned addressing;
- (3) Every building shall have its address number clearly displayed near the front door entrance. The numbers shall be easily visible from the street and shall be a minimum of 100 millimetres tall;
- (4) No owner or developer shall assign addressing for a development.

## **1.25 Topsoil Excavation**

No person shall commence or continue the removal of topsoil without first obtaining a development permit. There shall be provided upon the occupancy of the development, minimum topsoil coverage of 0.15m (6 inches) and the affected area shall be landscaped to the satisfaction of the Development Authority.

## **1.26 Non-Conformity through Metrication**

No existing building, structure or lot shall be deemed a non-conforming building because of non-compliance with a metric measurement used in this Bylaw where it conformed to the imperial measurement used in previous Land Use Bylaws.

# SECTION 2 - ACCESSORY USE AND STRUCTURE REGULATIONS

Notwithstanding the District Regulations in effect on a site, the following regulations shall also apply:

## 2.1. General Regulations

- (1) Accessory buildings, structures, and uses shall comply with all relevant provisions of this Bylaw.
- (2) A Development Permit and Building Permit are required if the accessory building is 10.0m<sup>2</sup> (107.6 ft<sup>2</sup>) or more and must be obtained prior to any construction.
- (3) No person shall use or permit an accessory building to be used as a dwelling unit.
- (4) Accessory buildings shall be constructed either simultaneously with, or after, the construction of the principal building on a site or the commencement of the principal use on a site, and not before the principal building is constructed or the principal use commences.
- (5) Where a building is attached to a principal building by a breezeway, and or an open or enclosed roofed passage above grade, it is to be considered a part of the principal building and not an accessory building, and all the minimum yard requirements of the principal building shall apply.
- (6) No person shall construct or permit the construction of an accessory building, or group of accessory buildings, such that, individually or collectively, the gross floor area of the accessory building or buildings would:
  - (a) along with the principal building, exceed the maximum site coverage allowed on the site;
  - (b) exceed the floor area of the principal building on the site; or
  - (c) exceed twelve per cent (12%) of the site area.
- (7) Accessory buildings shall not be located in a front yard.
- (8) Accessory buildings shall not be located on an easement or a utility right-of-way.
- (9) Accessory structures must comply with all safety code requirements.

## 2.2. Accessory and Temporary Structures (Garages, Sheds, Buildings, and Tent Structures) in Residential Districts

- (1) Accessory and temporary structures in Residential Districts shall:
  - (a) not be closer to the front property line than the principal building, except in the case of double fronting or corner site where, in the opinion of the Development Authority Officer, any adjacent developments would not be adversely affected, the minimum front setback of an accessory structure is 6.1m (20.0 ft.);

- (b) not be closer to a rear property line than 1.0m (3.3 ft.), except that where the vehicle doors of a garage face a lane abutting the site, the garage shall be no closer than 6.1m (20.0 ft.) from the lane;
  - (c) not be closer than 1.0m (3.3 ft.) from the side line, excepting where a fire wall is constructed along the boundary line between two garages located within one building;
  - (d) be located such that no roof overhang is located within 0.3m (1.0 ft.) of a side or rear line;
  - (e) not exceed one storey or 5.5m (18 ft.) in height;
  - (f) not be closer than 1.5m (5 ft.) to the principal building on the property.
- (2) In addition to the requirements noted in (1) above, temporary structures in Residential Districts shall meet the following:
- (a) no temporary structure shall have a floor area exceeding 22.0m<sup>2</sup> (236.ft<sup>2</sup>);
  - (b) the owner shall enter into an agreement to remove the temporary structure in accordance with the terms and conditions stipulated by the Development Authority Officer;
  - (c) there shall be no more than one temporary structure per site;
  - (d) in the case of a pre-manufactured temporary structure, the elevations shall be subject to the approval of the Development Authority Officer;
  - (e) the temporary structure shall be completed in accordance with terms stipulated by the Development Authority Officer, provided that the temporary permit shall expire at the end of twenty-four (24) months, unless renewed by the Development Authority Officer for a further term, and that such structure complies with this Bylaw;
  - (f) if an owner fails to comply with the terms and conditions of a temporary permit, the Development Authority Officer may remove or cause to be removed such structures as the case maybe, the costs of which shall be charged against the lands upon which the temporary structure is situated and shall be payable by the owner to the Town upon demand.
- (3) In addition to the requirements noted in (1) and (2) above, tent structures within residential districts shall be subject to the following conditions:
- (a) tent structures are temporary structures with the term of placement at the discretion of the Development Authority Officer, with extension or renewal of the term requiring a Development Permit;
  - (b) tent structures shall be prefabricated and shall consist of a metal, plastic, or wood frame covered with a flame-resistant fabric or film; tent structures shall be securely anchored to the ground;
  - (c) tent structures shall not restrict in any manner any required exit from the residential building;
  - (d) tent structures shall be used solely for the storage of non-combustible objects;

- (e) tent structures shall be constructed and oriented in such a manner that snow, and ice is to fall, and remain, on the owner's property;
- (f) tent structures shall be maintained in a good state of repair;
- (g) the maximum area for a tent structure shall not exceed 22.0m<sup>2</sup> (236 ft<sup>2</sup>).
- (h) the number of tent structures on a residential property is as follows:
  - (i) R1 – shall not exceed one (1) tent structure.
  - (ii) R2 – Shall not exceed one (1) tent structure.
  - (iii) R3 – No tent structures permitted. Where there are existing structures, only one may be grandfathered until the title changes or if it becomes unsightly, then the structures must comply with this Bylaw.
  - (iv) R4 – No tent structures permitted. Where there are existing structures, only one may be grandfathered until the title changes or if it becomes unsightly, then the structures must comply with this Bylaw.
  - (v) R5 – Shall not exceed two (2) tent structures.
  - (vi) RMH – Shall not exceed one (1) tent structure per stall.

## **2.3. Accessory and Temporary Structures in Districts Other Than Residential Districts**

- (1) In Districts other than Residential Districts, requirements governing the development of accessory and temporary structures shall be at the discretion of the Development Authority Officer, unless otherwise indicated in this Bylaw.

## **2.4. Decks**

- (1) Uncovered and open decks in Residential Districts shall have a minimum rear setback of 2.7m (9.0 ft.) from any rear property line, and minimum side yard setback of 1.2m (4.0 ft.) from any side yard property lines.
- (2) Covered decks and decks screened by netting or mesh, including patios and verandas, may project a maximum of 1.5m (5.0 ft.) into minimum required front or rear yards, but shall not be enclosed nor extend into required side yards of the principal building.

## **2.5. Swimming Pools, Hot Tubs, and Inflatable Pools**

- (1) Notwithstanding any other provision of this Bylaw to the contrary, a development permit is required prior to the commencement of the installation or construction of any in ground structures.
- (2) Swimming pools, hot tubs or inflatable pools shall not be located within any front yard.
- (3) Every hot tub, or swimming pool shall be secured against entry. A lockable lid shall be considered appropriate security for a hot tub.



- (4) No swimming pool may be constructed except within an enclosed building unless it is entirely fenced. A wall of a building may be considered to replace any part of the required fence provided that the wall is a minimum of 1.83m (6.0 ft.) in height for the length that it replaces the fence.
- (5) Every fence enclosing a swimming pool constructed outside of an enclosed building shall be 1.83m (6.0 ft.) in height or, at the discretion of the Development Authority Officer, higher, and shall be of appropriate design to limit the ability of persons to use the fence parts to climb the fence or to crawl through or under the fence. Gates shall be equipped with a self-latching device and a lock mechanism located on the inside of the gate.
- (6) No barbed wire or electrification of any part of a fence or gate enclosing a swimming pool or hot tub shall be allowed.

## **2.6. Home Occupations**

- (1) Home Occupations require a Development Permit, which may be issued with or without conditions.
- (2) Home occupations shall only be allowed on a site where a dwelling unit is located, with the home occupation as a secondary use of the dwelling unit;
- (3) A Development Permit shall be revocable at any time by the Development Authority Officer, if, in their opinion, the home occupation is or has become detrimental to the amenities of the neighbourhood in which it is located or if there is any change or intensification of the home occupation as originally approved.
- (4) The Development Authority Officer may place time limits on the period for which a Development Permit for a home occupation is valid.
- (5) All home occupations, including direct sales consultants shall comply with the following requirements:
  - (a) if the applicant is not the owner of the premises, written permission from the owner must be submitted with the Development Permit application;
  - (b) no home occupation shall change the principal character or external appearance of the dwelling or of any accessory buildings;
  - (c) a business license shall be obtained and maintained;
  - (d) no more than 20% or 30m<sup>2</sup> (323 ft<sup>2</sup>), whichever is less, of the dwelling unit shall be occupied by the home occupation;
  - (e) there shall be no outdoor business activity, or outdoor storage of material or equipment associated with the home occupation, nor shall there be any storage of hazardous material allowed on the site, excluding normal household materials;
  - (f) the dwelling in which a home occupation is located may have one fascia sign placed on the dwelling, providing that the sign does not exceed 1.0m<sup>2</sup> (10.8 ft<sup>2</sup>) in area or a free-standing sign that does not exceed 0.28m<sup>2</sup> (3.0 ft<sup>2</sup>) with the approval of the Development Authority Officer;

- (g) the home occupation shall not create any nuisance by way of noise, dust, odour, or smoke, or anything of an offensive or objectionable nature that may interfere with or affect the use, enjoyment or value of a neighbouring property;
  - (h) there shall be no mechanical or electrical equipment used which creates external noise, or visible or audible interference with home electronics or computer equipment in adjacent dwellings;
  - (i) a Development Permit for a home occupation shall be terminated should the applicant vacate the property for which the permit has been issued;
  - (j) pedestrian or vehicular traffic, shall not, in the opinion of the Development Authority Officer, be generated in excess of that which is characteristic of the district in which the home occupation is located;
  - (k) only two (2) business related vehicles may be parked on the street at one time;
  - (l) only one (1) commercial vehicle of a capacity not exceeding 1.0 tonne (2200 lbs.), shall be used in conjunction with the home occupation, or parked or maintained on the site or on the road in proximity to the site. Truck trailers or vehicle accessories or equipment shall not be allowed; and
  - (m) the home occupation shall not be allowed if, in the opinion of the Development Authority Officer, such use would be more appropriately located in a Commercial or an Industrial District, having regard for the overall compatibility of the use with the residential character of the area.
- (6) In addition to the requirements included in (1) through (5) above, Home Occupations – Minor and Direct Sales Consultants shall comply with the following regulations:
- (a) there shall not be any clients or customers on-site of the home occupation minor.
  - (b) the home occupation shall be operated by a permanent resident only and may not employ any other person;
  - (c) the home occupation shall not exceed 10m<sup>2</sup> (100 ft<sup>2</sup>) in floor area for display of goods within the interior of the dwelling, excluding the purpose of using the products for their everyday living or their own home decoration.
- (7) In addition to the requirements included in (1) through (5) above, Home Occupations - Major shall comply with the following regulations:
- (a) the home occupation may utilize accessory buildings, with no outdoor storage, while still maintaining the residential use as the primary use on the site;
  - (b) the home occupation may employ up to one (1) other person that does not reside on the site or within the primary residence;
  - (c) there shall be no more than fifteen (15) client or customer visits to a home occupation-major per week, excluding deliveries of stock or goods;

- (d) the number of clients or customers on-site shall not exceed 6 at any time, with the exception of a sales party, whereby for a period of four (4) hours a maximum number of clients on-site shall not exceed fifteen (15) at any given time during the sales party;

## **2.7. Outdoor Display**

- (1) Outdoor displays require a Development Permit, which may be issued with or without conditions.
- (2) Outdoor displays shall be discretionary as an accessory use on the same lot as the primary use, and shall not be operated as a separate business;
- (3) All outdoor display areas must be maintained and displayed in a neat, orderly, and safe manner;
- (4) The goods, merchandise or products offered for sale in an outdoor display area must be of such nature that they are not typically located within the primary building or structure, such as vehicles, trailers, farm equipment, building and landscaping supplies;
- (5) Outdoor displays shall not be located on any public or private right-of-way;
- (6) No outdoor display shall be located within 15 metres (50 ft.) of any residential district;
- (7) Where outdoor storage is located on lawn areas an unobstructed portion of a walkway measuring not less than 1.2 metres (4 ft.) shall be continuously maintained for pedestrian access and no point of access or egress from any building or any individual unit within any building shall be blocked at any time;
- (8) Outdoor display areas may be located in front of, on the side of or behind the principal building, but shall have a minimum 1.5 metres (5 ft.) setback from the front property line;
- (9) No outdoor display shall obstruct visibility at the intersection roadways and/or driveways.

## **2.8. Alternative Energy Technology**

- (1) Alternative Energy Technology installations require a Development Permit, which may be issued with or without conditions.
- (2) Alternative Energy Technology shall be discretionary as an accessory use on the same lot as the primary use, and shall not be operated as a separate business;
- (3) All Alternative Energy Technology must be maintained and displayed in a neat, orderly, and safe manner;
- (4) Alternative Energy Technology shall not be located on any public or private right-of-way;
- (5) Where Alternative Energy Technology is located on a roof it shall not exceed the height allowed for the buildings within the district.

- (6) Alternative Energy Technology may be located to the side or rear of the principal development, but shall be a minimum 1.5 metre from any property line;
- (7) Alternative Energy Technology installations shall conform to the aesthetic standards of the neighbourhood.

# SECTION 3 - PARKING AND LOADING PROVISIONS

Notwithstanding the District Regulations in effect on a site, the following regulations shall also apply:

## 3.1. Parking and Loading Areas

- (1) Unless otherwise approved by the Development Authority Officer, each development shall provide on its site a parking area containing, at a minimum, the number of parking spaces as calculated from the following Table 1.

Table 1 Parking & Loading Regulations		
Building Use	Parking	Loading
<b>Residential Uses</b>		
Multiple Family Dwellings		
Bachelor suites	1 per dwelling unit	1 per 10 dwelling units
1 bedroom units	1.25 per dwelling unit	1 per 10 dwelling units
2 bedroom units	1.5 per dwelling unit	1 per 10 dwelling units
3 or more bedroom units	2 per dwelling unit	1 per 10 dwelling units
Seniors Apartments		
	1 per dwelling unit, or as required by the Development Authority Officer.	1 per 10 dwelling units
Senior citizen homes		
	2 per 3 dwelling units	1 per 10 dwelling units
Boarding and lodging houses		
	1 per sleeping unit	1 per 10 dwelling units
Secondary suites		
	1 per dwelling unit	
Manufactured home parks		
	1.5 per manufactured home unit plus 1 visitor space per 4 manufactured home units.	
All other dwellings		
	1.5 per dwelling unit	As required by the Development Authority Officer
Bed and breakfast establishments		
	1 per sleeping unit	
Home Occupations		
	1 in addition to the requirements for the residential use.	

<b>Commercial Uses</b>		
Eating and drinking establishments (except as noted below)	1 per 5 seating spaces	
Drive-in Restaurant	2 per drive-in window	
Eating and drinking establishments (all food taken offsite)	1 per 50m <sup>2</sup> (540 ft <sup>2</sup> ) of gross leasable area	
Other Drive-in Business	2 per bay or service window.	
Hotels and Motels	2 plus 1 per rentable unit	
All other commercial uses	1 per 50 sq. m (540sq. ft.) of gross leasable area	
<b>Places of Public Assembly</b>		
Auditoriums, places of worship, halls, clubs, theatres, and other recreation places	1 per 5 seating spaces	1 per 3000m <sup>2</sup> (32,293 ft <sup>2</sup> ) of gross floor area <sup>1</sup>
<b>Schools</b>		
Elementary and junior high schools	3 per classroom plus 5	1 per 500m <sup>2</sup> (5400 ft <sup>2</sup> ) of gross floor area <sup>1</sup>
High Schools**	5 per classroom	1 per 1000m <sup>2</sup> (10,800 ft <sup>2</sup> ) of gross floor area <sup>1</sup>
Commercial Schools**	4 per classroom	1 per 3000m <sup>2</sup> (32,293 ft <sup>2</sup> ) of gross floor area <sup>1</sup>
<b>Industrial Uses</b>		
All Industrial Uses	as determined by the Development Authority Officer. Development Authority Officer	as determined by the Development Authority Officer.
<b>Hospitals &amp; Similar Uses</b>		
Hospitals, sanatoriums, convalescent homes, senior citizen lodges, nursing homes, group care facilities, etc.	1 per 100m <sup>2</sup> (1076 ft <sup>2</sup> ) of gross area or 1 per 4 beds, whichever is greater	1 per 3000m <sup>2</sup> (32,293 ft <sup>2</sup> ) of gross floor area <sup>1</sup>

- (a) In the case of a use not specifically mentioned, the required number of on-site parking spaces shall be the same as for a similar use as determined by the Development Authority Officer.

- (b) Where a development contains more than one use as listed, the required number of parking spaces shall be the sum of the requirements for each of the uses listed.
  - (c) Where a fractional number of parking or loading spaces are required, the next highest number of spaces shall be provided except where cash-in-lieu is approved for parking, at the sole discretion of the Development Authority Officer.
  - (d) All parking stall and loading spaces are required by this Bylaw to be located on the same site as the development except where provisions within a land use district allow for cash-in-lieu of parking or off-site parking, at the sole discretion of the Development Authority Officer. Such off-site parking shall be used exclusively as a parking area and shall be secured by written agreement for a time period equal to that of the approved use.
  - (e) Developments may provide their required parking spaces within one or more adjacent parking areas and may collectively fulfil the requirements of this Bylaw at the discretion of the Development Authority Officer.
- (2) Notwithstanding Subsection (1) above, in the C1 – Central Commercial District, the following provisions shall apply:
- (a) in the case of major renovations and architectural modifications to an existing building, no parking spaces in addition to those existing prior to undertaking the renovations or modifications shall be required;
  - (b) in the case of expansion to the floor area of an existing building, additional parking spaces shall be required based on the size and use of the expansion only; and
  - (c) in the case of a change in the use of an existing building, no parking spaces in addition to those existing prior to the change in use shall be required provided that no alteration to the floor area of the building occurs.
- (3) Accessible parking shall be provided in accordance with the Alberta Building Code, without variance. These spaces shall be a minimum width of 3.7 m (12.0 ft.) wide, located near an accessible building entrance, and clearly identified with signage.
- (4) At the discretion of the Development Authority Officer, a developer may pay money to the municipality in lieu of providing parking spaces in the C1, C2, and C2-R Districts. The amount of money will be determined by the Council.
- (5) Surfacing, Drainage, and Road Access
- (a) All parking areas shall be clearly marked, hard surfaced, landscaped, adequately lit with lighting directed away from adjacent sites, adequately graded, and drained to dispose of all storm water run-off, and include necessary curb cuts.
  - (b) Notwithstanding Paragraph (a) above, where the access to or egress from a parking area is from a gravelled road, or where the development involves the expansion of an existing building on a site where the existing parking area is not hard surfaced, the parking area may, at the option of the



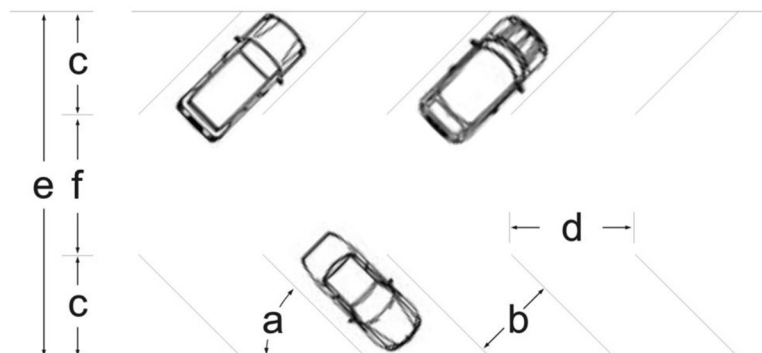
developer, be gravelled at the discretion of the Development Authority Officer.

- (c) Drainage shall only be allowed to cross sidewalks if approved by the Development Authority Officer.
  - (d) All work must comply with all federal, provincial, and municipal regulations which may include, but is not limited to, oil and grit separators, catch basins or any other spectacles required.
  - (e) No vehicle access to a public road shall be allowed from any commercial, industrial, institutional, or multi-family residential site, unless turning space is provided on the site such that vehicles entering upon the site may turn before re-entering the street.
  - (f) Access to highways shall be limited to arterial roads, collector, and service roads, and where no service roads are provided access shall be limited to those access points approved by Alberta Transportation.
- (6) Except as required in Subsection (3) above, all parking spaces shall conform to the requirements shown in Table 2

Table 2 Minimum Parking Standards					
a	b	c	d	e	f
Parking Angle in degrees	Stall Width m (ft.)	Stall Depth Perpendicular to aisle m (ft.)	Stall Width Parallel to Aisle m (ft.)	Parking Unit depth m (ft.)	Width of Manoeuvring Aisle m (ft.)
0 (parallel)	3.0 (9.8)	N/A	2.7 (9)N/A	8.9 (29)	One Way 3.5 (11.5)
45	3.0 (9.8)	6.0 (19.5)	N/A	16.0 (52.5)	One Way 4.0 (13.1)
60	3.0 (9.8)	6.5 (21.3)	N/A	18.5 (60.7)	One Way 5.5 (18.0)
90	3.0 (9.8)	6.0 (19.5)	N/A	19.0 (62.3)	One or Two Way 7.0 (23.0)

- (7) No person(s) shall be allowed to park any semi-trucks, tandem trucks, grain trucks or any other vehicle over 10,000kg in a residential district, except for deliveries and the dropping off or picking up of any other passengers for a time limit no longer than fifteen (15) minutes.

(See following figure for definitions of column headings)



## 3.2. Off-Street Loading Areas

- (1) Where a proposed development will, in the opinion of the Development Authority Officer, require pick-up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the site.
- (2) When required by the Development Authority Officer, loading spaces shall:
  - (a) have dimensions of not less than 3.05m (10 ft.) in width, 7.6m (25 ft.) in length, and clearance 4.3m (14.0 ft.) in height above grade;
  - (b) have vehicular ingress to, and egress from, a road or lane either directly or by a clearly defined traffic aisle;
  - (c) be sited at an elevation or elevations convenient to a major floor level in building or to a utility elevator serving each major floor level;
  - (d) be so graded and drained as to dispose of all storm water runoff. Drainage shall only be allowed to cross sidewalks if approved by the Development Authority Officer;
  - (e) be paved or hard surfaced where a parking area is required to be paved or hard surfaced;
  - (f) have adequate lighting to the satisfaction of the Development Authority Officer; and
  - (g) be screened on any side adjoining any Residential District by a wall, fence, earth berm or hedge of not less than 1.53m (5.0 ft.) and not more than 2.0m (6.6 ft.) in height.

# SECTION 4 - SPECIAL USE PROVISIONS

Notwithstanding the District Regulations in effect on a site, the following regulations shall also apply:

## 4.1. Bed and Breakfast Establishments

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

- (1) a bed and breakfast establishment shall have a maximum of four (4) bedrooms for rent and not change the principal character or external appearance of the dwelling;
- (2) cooking facilities shall not be located within the sleeping units;
- (3) a bed and breakfast establishment shall comply with all of the requirements for a home occupation, major, as described in this Bylaw;

## 4.2. Drive-In Businesses

- (1) Location
  - (a) A drive-in business may be located only where it can be shown, to the satisfaction of the Development Authority Officer, that the development would not:
    - (i) impede safe traffic movement entering and exiting the site;
    - (ii) interfere with the functioning of surrounding roads or the enjoyment of any neighbouring uses; and
    - (iii) create unsafe traffic circulation on the site.
  - (b) A drive-in business may be located in a shopping centre or other multiple use development at the discretion of the Development Authority Officer.
- (2) Site Area and Coverage
  - (a) Except as provided in Paragraph (b) hereof or Table 3, the minimum site area shall be 600m<sup>2</sup> (6458 ft<sup>2</sup>), the minimum frontage shall be 30m (98.4 ft.).

Table 3 – Minimum Site Area	
Type of Business	Site Area (Minimum)
Drive-in Restaurant	600m <sup>2</sup> (6458 ft <sup>2</sup> )
Gas Bars (not associated with other developments)	60m <sup>2</sup> (646 ft <sup>2</sup> ) for each fuel pump not including the area covered by buildings
Service Stations	740m <sup>2</sup> (7965 ft <sup>2</sup> )
Car Washes	550m <sup>2</sup> (5920 ft <sup>2</sup> )
Service Station & Car Wash together	1114m <sup>2</sup> (11,991 ft <sup>2</sup> )

- (b) Where a drive-in business not mentioned above forms part of a shopping centre of multiple use development, the minimum site area, maximum site coverage, and maximum building floor area may be established by the Development Authority Officer.
- (3) The minimum required distances between site boundary lines and any building shall be:
- (a) 6.0m (20 ft.) from the property line to that part of the principal building used as a drive-through building or as part of a drive-through;
  - (b) 6.0m (20 ft.) from any property line or parking areas to all pump islands;
  - (c) 3.0m (9.8 ft.) from any property line to canopies over pump islands or drive-through aisles; and
  - (d) for a drive-through development adjacent to a Residential District:
    - (i) 10.0m (32.8 ft.); or
    - (ii) such greater distance that the Development Authority Officer deems necessary in order to buffer the residential District from noise, traffic or other impacts of the drive-through development.
- (4) Queuing Space
- Queuing space and traffic circulation shall be provided in accordance with the following:
- (a) a drive-through development with a drive-up service window shall provide a minimum of 3 in-bound and 1 outbound queuing spaces per service window.
  - (b) a drive-through vehicle service establishment shall provide a minimum of 4 in-bound and 1 out-bound queuing spaces per service bay;
  - (c) a full-service car wash shall provide 4 in-bound and 2 out-bound queuing spaces, or such other number as required by the Development Authority Officer taking into consideration the number of wash bays;
  - (d) queuing spaces must be a minimum of 6.0m (19.7 ft.) long and 3.0m (9.8 ft.) wide;
  - (e) queuing spaces must allow for vehicle turning and manoeuvring, and
  - (f) pump islands must be located to allow a through traffic lane with a minimum width of 6.0m (19.7 ft.);
  - (g) with the exception of a drive-through restaurant, a queuing space does not include any space occupied by a motor vehicle during the provision of service.
- (5) Site and Building Requirements
- (a) All parts of the site to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Authority Officer.

- (b) The site and all improvements thereon shall be maintained in clean and tidy condition, free from rubbish and debris.
- (c) Receptacles for the purpose of disposing of rubbish and debris shall be provided as required by the Development Authority Officer.
- (d) A minimum of ten per cent (10%) of the site area of a drive-in business shall be landscaped to the satisfaction of the Development Authority Officer.
- (e) In addition to the fencing, landscaping, and environmental protection requirements indicated in Part Two, Section 1.5, a berm and/ or fence shall be erected and maintained by the developer of a drive-in business along any property lines abutting or across a lane or walkway from a Residential District.
- (f) If a car wash is located on a site which abuts a Residential District, noise attenuation shall be provided to the satisfaction of the Development Authority Officer.

### **4.3. Intoxicant Sales**

- (1) For the purposes of sections 640(7), 642(5) and 687(3) of the *Municipal Government Act*, a premise described in a cannabis license may not have any part of an exterior wall that is located within 100 metres of
  - (a) a provincial health care facility or a boundary of the parcel of land on which the facility is located,
  - (b) a building containing a school or a boundary of a parcel of land on which the building is located, or
  - (c) a boundary of a parcel of land that is designated as school reserve or municipal and school reserve under the *Municipal Government Act*.”

However, where development includes cannabis retail sales specifically, the distance from Schools, and provincial health-care facilities, as defined in the “Hospitals Act” shall be 50 metres in the C1 District.

- (2) The Development Authority Officer may require lighting, signage and screening measures, including landscaping, in addition to the other requirements of this Bylaw that, in the opinion of, will make a development compatible with existing uses which are either adjacent or nearby.

### **4.4. Motels & Hotels**

- (1) The owner, tenant, operator, or person in charge of a motel or hotel shall at all times:
  - (a) maintain the site and buildings, structures, and improvements thereon in a clean, tidy, and attractive condition and keeping the same free from all rubbish and debris;
  - (b) maintain garbage facilities to the satisfaction of the Development Authority Officer; and

- (2) Entrances and Exits
  - (a) Not more than one (1) motor vehicle entrance and one (1) motor vehicle exit to a street, each of a minimum width of 7.5m (24.5 ft.), provided that one (1) combined motor vehicle entrance and exit shall be permitted, not less than 10.0m (32.8 ft.) in width.
  - (b) All access and curb crossings shall require the approval of the Development Authority Officer.
- (3) Notwithstanding any provisions of this Bylaw to the contrary, a minimum of 10% of the site area of a motel or hotel development shall be landscaped in accordance with the following:
  - (a) grade level parking areas accommodating fifteen (15) or more parking spaces shall incorporate landscaped areas at a minimum of 2.0sq. m (22 sq. ft.) each for parking space;
  - (b) parking areas may not contain more than twenty-five (25) contiguous parking areas without incorporating landscaping islands;
  - (c) landscaped buffers between parking, loading or other hard surfaced areas must be a minimum of 3.0m (9.8 ft.) in width. Landscaped buffers between parking, loading, or other hard surfaced areas and adjacent residential properties must be a minimum of 6.0m (19.7 ft.) in width, or to the satisfaction of the Development Authority Officer;
  - (d) the Development Authority Officer may require other types of screening (i.e. masonry wall, earth berm, or a combination thereof).

## **4.5. Shopping Centres**

- (1) The maximum building height shall be 15.0m (49 ft.) or two (2.5) storeys, whichever is greater.
- (2) All shopping centres shall satisfy the Development Authority Officer as to:
  - (a) the orientation, exterior design, and architectural appearance of buildings;
  - (b) the location of development in relation to adjacent land uses;
  - (c) vehicular traffic flow patterns within and access to and from the site;
  - (d) safe pedestrian access and egress within the site and from any pedestrian way; and
  - (e) the location of exterior signs.
- (3) A shopping centre shall only contain those uses listed as permitted or discretionary uses within the district in which the shopping centre is located.
- (4) The Development Authority Officer may apply conditions as required, having regard to the nature of the proposed shopping centre development and adjacent land uses.

## **4.6. Animal Care and Related Uses**

These regulations shall apply to all animal care and related uses, including animal hospitals and shelters, small animal breeding and boarding establishments, small animal clinics, veterinary clinics and hospitals, and pet stores and pet grooming establishments;

- (1) The Development Authority Officer shall require that development of these uses pay particular attention to Section 1 of Part Two, specifically noise and odour which may cause nuisance or negative external impact. Pens, rooms, and runs shall be adequately soundproofed;
- (2) Facilities which house animals overnight shall be equipped with an adequate exercise space relative to the maximum number of animals that can be housed;
- (3) A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other developments;
- (4) Any establishment for animal care shall have the regard to the need for securing the animals at all times to prevent escape for the safety of the animals and general public;
- (5) All fur, hair and/ or disposal material incidental to animal care facilities shall be bagged and disposed of in a neat and orderly manner;
- (6) Kennels are not permitted within the Town of Vegreville.

## **4.7. Places of Worship**

- (1) The site on which a place of worship is situated shall have:
  - (a) a frontage of not less than 30.0m (98.4 ft.);
  - (b) an area of not less than 900m<sup>2</sup> (9688 ft<sup>2</sup>), except in the case where a building for a clergyman's residence is to be erected on the same site, where the total area of the site shall not be less than 1390m<sup>2</sup> (14,962 ft<sup>2</sup>).
- (2) Minimum front, side and rear yards shall be those required within the district in which the place of worship is located.
- (3) Notwithstanding any other provision of this Bylaw to the contrary, a portion of the required minimum number of parking spaces may be located on a site other than that of the subject place of worship if it is demonstrated to the satisfaction of the Development Authority Officer that such off-site parking spaces are available for the use of the patrons of the place of worship.

## **4.8. Conversion of Single Detached Dwellings to Other Uses**

In considering any application for the conversion of a single detached dwelling into another use, the Development Authority Officer shall ensure that the development complies with the following requirements:

- (1) the use shall be listed as a permitted or a discretionary use in the district in which the single detached dwelling is located;



- (2) parking shall be provided in accordance with this Bylaw, except that on-street parking may be considered, and a number of on-street parking stalls subtracted from the number of off-street parking stalls required at the discretion of the Development Authority Officer;
- (3) off-street parking shall be located at the rear of the principal building and accessible from the lane only, except in the case of a corner site where parking may be allowed between the side of the principal building and the road, if the parking is screened from adjacent roads to the satisfaction of the Development Authority Officer;
- (4) where the conversion involves exterior renovation, such renovation shall be of a nature which maintains a height, exterior finish, design, and coverage that reflects the original residential use and conforms to the character of the surrounding neighbourhood and is to the satisfaction of the Development Authority Officer;
- (5) existing healthy vegetation should be retained whenever possible and to the satisfaction of the Development Authority Officer; and

#### **4.9. Show Homes**

- (1) In addition to the requirements of Section 3.4, Part One of this Bylaw, a development permit application for a show home shall be accompanied by information indicating proposed parking, exterior lighting, and signs.
- (2) Development permits shall be issued for a maximum of one (1) year only, and if the operator wishes to continue the use, must be renewed on an annual basis.
- (3) The appearance of the building shall, in the opinion of the Development Authority Officer, be compatible with the character of other buildings in the vicinity.

#### **4.10. Day Care Facilities**

- (1) All Day Care facilities shall conform to regulations under the Safety Codes Act, as amended, and any other relevant Provincial legislation and regulations, as amended.
- (2) In considering a development permit application, the Development Authority Officer shall consider, among other matters, if the development would be suitable for the proposed location, taking into account, among other matters, potential traffic, proximity to park and recreation areas, isolation of the site from dwellings, buffering or other techniques limiting interference with other uses and the peaceful enjoyment of nearby dwellings, and consistency in term of intensity of use with other development in the area.
- (3) The Development Authority Officer shall establish the maximum number of children for which care may be provided, having regard for the nature of the facility, the density of the district in which the Day Care is located, and potential impacts, including traffic, on the other uses in the vicinity of the development.

## 4.11. Manufactured Homes

- (1) **Units** - The following regulations apply to all manufactured home units:
  - (a) Each manufactured home unit must have Canadian Standard Association and Alberta Labour Certification.
  - (b) All accessory structures, such as decks, porches, additions, and skirting's, shall be:
    - (i) factory-prefabricated units or the equivalent thereof, and so designed and erected as to harmonize with the manufactured home units;
    - (ii) considered as part of the principal building; and
    - (iii) erected only after obtaining a Development Permit.
  - (c) A manufactured home unit shall be skirted from the floor level to the ground level. The skirting shall match the external finish of the manufactured home unit.
  - (d) The maximum permitted floor area of porches and additions shall be proportionate to the floor area of the manufactured home unit, and this relationship shall be determined by the Development Authority Officer.
  - (e) No accessory building or use, other than parking spaces, shall be located in the front yard of a manufactured home unit.
  - (f) Furniture, domestic equipment, or seasonally used equipment shall be stored in adequate covered storage or screened area, either individually on the stall or lot or communally.
  - (g) The hitch and wheels are to be removed from the manufactured home unit at the time of placement;
  - (h) Manufactured home units shall be placed on a foundation or base, and by of bolting or otherwise to the foundation or base.
  - (i) the lot or stall is to be fully landscaped within one (1) year from the date of issuance of the development permit for the manufactured home unit.
- (2) **Parks** - The following regulations also apply to manufactured home parks:
  - (a) Stalls shall be located at least 3.0m (9.8 ft.) from a property boundary line. This 3.0m (9.8 ft.) wide strip shall be landscaped and/or fenced to the satisfaction of the Development Authority Officer;
  - (b) All roadways shall be constructed and maintained to the satisfaction of the Development Authority Officer. Minimum right-of-way width shall be 9.0m (29.52 ft.), minimum surfaced width shall be 6.0m (20 ft.);
  - (c) A safe, convenient, all season pedestrian walkway of at least 1.0m (3.28 ft.) in width shall be provided for access between individual manufactured home units, the park roadways, and all community facilities provided for park residents;
  - (d) Visitor parking shall be located at convenient locations throughout the manufactured home park and shall not be used for the storage of boats,

trailers, etc.; Visitor parking may be accommodated on roadways where the surfaced roadway is 9.0m (29.5 ft.) or wider and driveways are not affected.

- (e) the design of manufactured home parks shall be to the satisfaction of the Development Authority Officer;
- (f) All utilities shall be provided underground to stalls;
- (g) A minimum of 10% of the gross site area shall be devoted to recreational use;
- (h) All areas not occupied by manufactured home units and their additions, roadways, footpaths, driveways, permanent buildings and any other developed facilities shall be landscaped to the satisfaction of the Development Authority Officer. Screen fences or walls shall be erected where deemed necessary by the Development Authority Officer around maintenance yards, refuse collection points and playgrounds;
- (i) Manufactured home park facilities shall be arranged to create a homelike atmosphere. This objective may be achieved by variations in street pattern, block shapes, and the location of manufactured home unit stalls;
- (j) Each stall shall be clearly marked off by means of stakes and countersunk steel posts;
- (k) Street lighting shall be to the same standard as that in a conventional residential neighbourhood;
- (l) Only one main, free-standing, identification sign of residential character and appearance may be erected at the entrance to a manufactured home park, unless the Development Authority Officer is of the opinion that a second and similar sign shall be allowed under exceptional circumstances relating to the layout, location, and size of the park in relation to surrounding areas. The sign or signs shall be of a size, type and construction acceptable to the Development Authority Officer;
- (m) Directional signs within the manufactured home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material;
- (n) Manufactured home units shall be separated from each other by at least 3.6m. Any porch or addition to the manufactured home unit shall be regarded as part of the manufactured home unit for the purpose of this separation;
- (o) The minimum distance between a manufactured home unit and the front, side, or rear lines of its stall shall be as listed in the district regulations;
- (p) The minimum lot area of the manufactured home park shall be 2.0 hectares (5.0 acres);
- (q) The maximum density for a manufactured home park shall be 16 units per gross developable hectare (6.5 per acre) of the lot being developed at each stage of development; and
- (r) the minimum area for a manufactured home stall shall be 372.0m<sup>2</sup> (4004 ft<sup>2</sup>).

## 4.12. Secondary Suites

- (1) A secondary suite shall:
  - (a) be developed only in a detached dwelling and only in those land use districts where it is listed as a use;
  - (b) be limited to one secondary suite per principal dwelling;
  - (c) have a separate entrance from the principal dwelling;
  - (d) have a maximum floor area as follows:
    - (i) in the case of a secondary suite located completely below the first storey of the principal dwelling, shall not exceed the floor area of the first storey; and
    - (ii) in the case of a secondary suite developed completely or partially above grade, the floor area shall not exceed 40% of the total above grade floor area of the building containing the associated principal dwelling nor 70.0m<sup>2</sup> (753 ft<sup>2</sup>) whichever is lesser.
  - (e) have a minimum floor area not less than 38.0m<sup>2</sup> (400 ft<sup>2</sup>);
  - (f) be developed in such a manner that the exterior of the principal building containing the secondary suite appears as a single dwelling;
  - (g) have a maximum of two (2) bedrooms; and
  - (h) comply with all Safety Codes.
- (2) A secondary suite shall not be developed within a dwelling containing a group home.
- (3) The secondary suite shall not be eligible for separation from the principal dwelling through condominium conversion or subdivision.
- (4) One on-site parking stall shall be provided for the secondary suite, in addition to the required number of parking stalls for the principal dwelling. Tandem parking shall not be accepted as a method for meeting this requirement.

## 4.13. Garage and Garden Suites

- (1) A Garage Suite or Garden Suite shall not be allowed on the same site, lot or parcel of land containing a Secondary Suite, Group Care Facility, Group Home, Boarding or a Lodging House.
- (2) Where Garage or Gardens Suites are Discretionary, the Development Authority Officer shall exercise discretion in considering a Garage or Garden Suite having regard to:
  - (a) compatibility of the use with the siting, grade elevations, height of the primary residence, building type and materials, character of the surrounding neighbourhood; and
  - (b) the effect on the privacy of adjacent sites.
- (3) A Garage or Garden Suite can only be developed if there is an existing primary

residence, or it is being constructed simultaneously and is finished to match the principal building.

- (4) A Garage or Garden Suite must have an entrance separate from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the structure.
- (5) The maximum height of a Garage Suite shall be 6.5m (21.3 ft.) or the height of the principal dwelling, whichever is the lesser.
- (6) The maximum height for a Garden Suite shall be 4.5m (14.8 ft.).
- (7) The maximum floor area of a Garage Suite or Garden Suite shall be 60.0m<sup>2</sup> (645.8 ft<sup>2</sup>).
- (8) The minimum floor area for a Garage Suite or Garden Suite shall be 38m<sup>2</sup> (400 ft<sup>2</sup>).
- (9) The minimum side yard setback shall be 1.2m (4.0 ft.), except for corner sites where the suite shall meet the setbacks of a corner or double fronting site.

#### **4.14. Satellite Dish Antennas**

- (1) A satellite dish antenna greater than 0.80m (2.62 ft.) in diameter is an accessory use which requires a development permit.
- (2) A satellite dish antenna greater than 0.80m (2.62 ft.) in diameter shall only be located in the rear yard, or side yard that does not abut a street.
- (3) Satellite dish antennas may be erected or placed on a site as an accessory to a residential use in a Residential District, or to a commercial use or business in a Commercial or an Industrial District.
- (4) A satellite dish antenna greater than 0.80m (2.62 ft.) in diameter shall be sited only at ground level. The antenna height shall not exceed 3.35m (12.0 ft.) measured from the ground level to its highest point unless otherwise approved by the Development Authority Officer.
- (5) A satellite dish antenna shall be situated so that no part of it is closer than 1.0m (3.28 ft.) from the side or rear boundaries of the parcel. On a corner parcel, no part of the antenna shall be located closer to the street than the principal building.

#### **4.15. Moved-In Buildings and Relocation of Buildings**

In making a decision on a development permit application to relocate an already constructed or partially constructed building other than a new prefabricated accessory building, new manufactured home, or new factory-built building, the Development Authority shall consider whether the building is compatible with the character of the neighbourhood in which it is proposed to be located and may refuse a development permit if the building is or will be incompatible with the neighbourhood.

- (1) The Developer shall provide to the municipality the following:
  - (a) plans showing dimensions of the building and the proposed location of the building on a lot or site;

- (b) current photographs of the exterior and interior of the building;
  - (c) an inspection report for the building by a certified safety codes officer, structural engineer, or architect on the structural integrity of the building, electrical, plumbing and gas components.
  - (d) a performance bond (or letter of credit) of not less than \$20,000.00, or as required by the Development Authority Officer; and
  - (e) written confirmation of improvements that will be made to the building or upon relocation, including:
    - (i) external finish and a site plan;
    - (ii) landscaping including site grading and drainage;
    - (iii) intended use and time frame for completion of relocation and upgrades.
- (2) The developer may be required to enter into and abide by the terms of a development agreement with the municipality.
- (3) The building must be in character with the neighbourhood.
- (4) All structural and exterior renovations to a relocated building are to be completed within one (1) year of the issuance of a Development Permit.

## **4.16. Food Preparation**

Any developments which involve the preparation of food, such as restaurants, shall ensure, to the satisfaction of the Development Authority Officer, that commercial grease traps are provided and maintained to the specifications of the manufacturer of the grease trap.

# SECTION 5 - DISTRICT PROVISIONS

## 5.1 Single Detached Residential District - (R1)

### (1) Purpose

The purpose of this District is to provide for residential development in the form of low density single detached housing, with associated uses being allowed at the discretion of the Development Authority Officer.

### (2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Day homes	Bed and breakfast establishments
Home occupations- minor	Day care facilities
Single detached dwellings	Group care facilities
Public parks	Group home
	Home Occupations – Major
	Places of worship
	Secondary suites
	Show homes
	Taxicab service
	Buildings and uses accessory to the primary use on the same site

### (3) Site Standards

Regulation	Standard
Site Area (Minimum)	The product of the minimum Site Depth and the minimum Site Width.
Site Width (Minimum)	15.0m (50 ft.) internal lot, 17.0m (56 ft.) corner lot
Site Depth (Minimum)	38.0m (125 ft.)
Front Yard (Minimum)	6.1m (20 ft.)
Side Yard (Minimum)	1.2m (4 ft.) or 10% of site width discretionary
Side Yard in laneless subdivision without attached garage (Minimum)	3.0m (10 ft.)
Side yard to flanking Front Yard (Minimum)	6.1m (20 ft.) or 4.6m (15 ft.) discretionary
Rear Yard (Minimum)	7.6m (25 ft.)
Site Coverage (Maximum)	35%
Building Height (Maximum)	10.0m (33 ft.) or 2.5 storeys



## 5.2 Single Detached Compact Residential District - (R2)

### (1) Purpose

The purpose of this District is to provide for residential development in the form of primarily smaller single-family dwellings, with associated uses being allowed at the discretion of the Development Authority Officer.

### (2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Day homes	Bed and breakfast establishments
Home occupations - minor	Community use facility – Minor
Single detached dwellings	Day care facilities
Public parks	Duplexes
	Group care facilities
	Ground-oriented multiple unit dwellings
	Group home
	Home Occupations – Major
	Places of worship
	Secondary suites
	Show homes
	Taxicab service
	Buildings and uses accessory to the primary use on the same site

### (3) Site Standards

Regulation	Standard
Site Area (Minimum)	The product of the minimum Site Depth and the minimum Site Width.
Site Width (Minimum)	15.0m (50 ft.) internal lot, 17.0m (56 ft.) corner lot
Site Depth (Minimum)	38.0m (125 ft.)
Front Yard (Minimum)	7.6m or 6.1m (20 ft.) discretionary
Side Yard (Minimum)	1.2m (4ft.) or 10% of site width discretionary
Side Yard in laneless subdivision without attached garage (Minimum)	3.0m (10 ft.)
Side yard to flanking Front Yard (Minimum)	6.1m (20 ft.) or 4.6m (15 ft.) discretionary
Rear Yard (Minimum)	7.6m (25 ft.)
Site Coverage (Maximum)	35%
Building Height (Maximum)	10.0m (33 ft.) or 2.5 storeys

## 5.3 Medium Density Residential District - (R3)

### (1) Purpose

The purpose of this District is to allow development primarily in the form of medium density dwellings with each unit having direct access at grade and, at the discretion of the Development Authority Officer, accessory uses.

### (2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Day homes	Community use facility – Minor
Duplexes	Day care facilities
Ground oriented multiple unit dwellings	Group care facilities
Home occupations- minor	Group home
Public parks	Home Occupations – Major
	Places of worship
	Show homes
	Single detached dwellings
	Taxicab service
	Buildings and uses accessory to the primary use on the same site

### (3) Site Standards

Regulation	Standard
Site Area (Minimum)	250m <sup>2</sup> (2700 ft <sup>2</sup> ) per dwelling unit
Site Width (Minimum)	20.0m (66 ft.) internal lot, 25.0m (82 ft.) corner lot
Site Depth (Minimum)	38.0m (125 ft.)
Front Yard (Minimum)	7.6m or 6.1m (20 ft.) discretionary
Side Yard (Minimum)	1.2m (4 ft.) or 10% of site width discretionary
Side Yard in laneless subdivision without attached garage (Minimum)	3.0m (10 ft.)
Side yard to flanking Front Yard (Minimum)	6.1m (20 ft.) or 4.6m (15 ft.) discretionary
Rear Yard (Minimum)	7.6m (25 ft.)
Site Coverage (Maximum)	35%
Building Height (Maximum)	10.0m (33 ft.) or 2.5 storeys discretionary
Building Density (Maximum)	Maximum 40 Dwelling units/Ha (16.2/acre)
Landscaping (minimum)	30% of total site area

## 5.4 High Density Residential District - (R4)

### (1) Purpose

The purpose of this District is to allow development primarily in the form of high-density dwellings and, at the discretion of the Development Authority Officer, accessory uses.

### (2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Apartments	Community use facility–Minor
Day homes	Day care facilities
Home occupations- minor	Group care facilities
Public parks	Home Occupations – Major
	Places of worship
	Show homes
	Taxicab service
	Buildings and uses accessory to the primary use on the same site

### (3) Site Standards

Regulation	Standard
Site Area (Minimum)	800m <sup>2</sup> (8600 ft <sup>2</sup> )
Site Width (Minimum)	20.0m (66 ft.) internal lot, 25.0m (82 ft.) corner lot
Site Depth (Minimum)	38.0m (125 ft.)
Front Yard (Minimum)	9.0m (30 ft.)
Side Yard (Minimum)	3.0m (10 ft.)
Side Yard for buildings 10m or higher (Minimum)	4.0m (13 ft.)
Rear Yard (Minimum)	9.0m (30 ft.)
Site Coverage (Maximum)	40%
Building Height Flat Roof (Maximum)	15.0m (50 ft.)
Building Height Sloped Roof (Maximum)	18.75m (61.5 ft.) or 4 storeys discretionary
Building Density (Maximum)	Maximum 125 Dwelling units/Ha
Landscaping (minimum)	30% of total site area

## 5.5 Large Lot Residential District - (R5)

(1) Purpose

To establish a district in which large lots are used for low density residential developments.

(2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Day homes	Bed and breakfast establishments
Home occupations- minor	Boarding and lodging houses
Secondary suite	Day care facilities
Single detached dwellings	Garage suites
Public parks	Garden suites
	Group care facilities
	Home Occupations – Major
	Modular Homes
	Places of worship
	Public buildings required to serve the immediate area
	Public utilities that have no office or workshop
	Show homes
	Taxicab service
	Buildings and uses accessory to the primary use on the same site

(3) Site Standards

Regulation	Standard
Site Area (Minimum)	0.4 ha (1 acre) 0.2 ha (0.5 acres) discretionary
Site Area (Maximum)	0.4 ha (1 acre) or at discretion of Development Authority
Site Width (Minimum)	30.0m (100 ft.) internal lot, 40.0m (130 ft.) corner lot
Site Depth (Minimum)	38.0m (125 ft.)
Front Yard (Minimum)	7.6m (25 ft.) or 6.1m (20 ft.) discretionary
Side Yard (Minimum)	3.0m (10 ft.) or 15% of site width discretionary
Rear Yard (Minimum)	7.6m (25 ft.)
Site Coverage (Maximum)	30%
Building Height (Maximum)	10.0m (33 ft.) or 2.5 storeys

- (a) Development Regulations for other uses will be at the discretion of the Development Authority Officer
- (b) At the discretion of the Development Authority Officer Accessory, accessory buildings up to a maximum height of two storeys or 9.0m (29.6 ft.) in height may be approved.

## 5.6 Residential Manufactured Home District - (RMH)

### (1) Purpose

The purpose of this District is to provide for residential development in the form of manufactured homes, manufactured home parks or manufactured home subdivisions, with the possibility of incorporating minor convenience retail to serve the occupants of the development and the immediate neighbourhood.

### (2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Home occupations- minor	Day homes
Manufactured homes	Convenience retail store
Mobile Homes	Home Occupations – Major
Manufactured home parks	Modular homes
Public parks	Show homes
	Taxicab service
	Buildings and uses accessory to the primary use on the same site

### (3) Site Standards

Regulation	Standard
Site Area per Unit (Minimum)	372m <sup>2</sup> (4000 ft <sup>2</sup> )
Site Area per Park (Minimum)	2.0 ha (5 acres)
Site Area per Unit (Maximum)	696m <sup>2</sup> (7500 ft <sup>2</sup> )
Site Area per Park (Maximum)	5.0 ha (12 acres)
Site Width (Minimum)	10.0m (33 ft.) internal lot, 12.0m (40 ft.) corner lot
Site Depth (Minimum)	30.0m (100 ft.)
Front Yard (Minimum)	5.0m (16 ft.)
Side Yard (Minimum)	1.8m (6 ft.) or 1.2m (4 ft.) discretionary
Rear Yard (Minimum)	5.0m (16 ft.)
Site Coverage (Maximum)	35%
Building Height (Maximum)	4.5m (15 ft.)
Floor Area (Minimum)	46m <sup>2</sup> (500 ft <sup>2</sup> )
Building Density (Maximum)	Maximum 16 Dwelling units/Ha
Landscaping (minimum)	30% of total site area

- (a) Development Regulations and site standards for other uses will be at the discretion of the Development Authority Officer

## 5.7 Central Commercial District - (C1)

### (1) Purpose

The purpose of this District is to provide for a variety of retail and office commercial as well as public and private service uses in storefront developments at a high density within the downtown core.

### (2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Amusement establishments - Minor	Amusement establishments - Major
Business support services	Apartments
Eating and drinking establishments -minor	Commercial schools
General retail establishments	Convenience retail stores
Government services	Day care facility
Health services	Dwelling units above ground level commercial uses
Libraries and cultural exhibits	Eating and drinking establishments - Major
Office uses	Hotels
Personal service shops	Intoxicant Sales
Specialty stores	Minor repair shops
Theatres	Motels
	Pet stores
	Private clubs
	Public Park
	Off-street parking lot
	Recreational facilities
	Shopping centres
	Buildings and uses accessory to the primary use on the same site

### (3) Site Standards

Regulation	Standard
Site Area (Minimum)	280m <sup>2</sup> (3000ft <sup>2</sup> )
Site Width (Minimum)	5.0m (16 ft.)
Front Yard (Minimum)	0.0m
Side Yard (Minimum)	0.0m (see (a) below)
Rear Yard (Minimum)	0.0m
Site Coverage (Maximum)	100% (see (c) below)
Building Height (Maximum)	15.0m (50 ft.)

- (a) Minimum Required Side Yard – None if the subject site abuts on both sides by a Commercial District. If the subject site abuts a Residential District, the minimum required side yard shall be 1.5m (5 ft.).

- (b) Special Considerations
  - (i) Where shopping centres or groups of commercial uses are to be built on a single site or grouping of sites or lots, regulations shall be determined by the Development Authority Officer, who shall deal with the overall scheme for the site, considering buildings, access, parking, and specific commercial uses.
  - (ii) Where development includes cannabis retail sales specifically, the distance from Schools and provincial health-care facilities, as defined in the “Hospitals Act” shall be 50 metres in the C1 District.
- (c) Parking Alternatives
  - (i) The Development Authority Officer may, at its discretion approve cash-in-lieu of parking for the difference between the total number of required parking stalls and the number of parking stalls provided within the development
  - (ii) The Development Authority Officer may allow a portion of the parking required by a development to be provided in an off-site location within the C1 District only.
- (d) No use shall be established that is or will become obnoxious by way of noise, odour, dust, or fumes for dwelling units.
- (e) Dwelling Units and Apartments

The following regulations shall apply to dwelling units within the C1 District:

  - (i) Dwelling units shall not be located in the basement or on the ground floor/level;
  - (ii) Dwelling units shall have a ground floor/level access that may be shared with other dwelling units, but is separate from any commercial use or access;
  - (iii) Site standards for dwelling units and apartments shall all be at the sole discretion of the Development Authority Officer.



## 5.8 General Commercial District - (C2)

(1) Purpose

The purpose of this District is to provide for a variety of retail and office commercial as well as public and private service uses at a medium to high density outside the downtown core.

(2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Amusement establishments - Minor	Amusement establishments - Major
Business support services	Apartments
Drive-in restaurants	Automotive and equipment repair shop
Eating and drinking establishments -minor	Commercial schools
Equipment rental/repair establishments	Consumable product processing and sales
General retail establishments	Contractor services-limited
Government services	Convenience retail stores
Health services	Day care facility
Office uses	Dwelling unit above ground floor commercial use
Personal service shops	Eating and drinking establishments - Major
Specialty stores	Fleet services
Theatres	Funeral services
Vehicle and recreational vehicle sales-minor	Gas bars
	Hotels
	Intoxicant Sales
	Micro-Cultivation facility
	Motels
	Off street parking lot
	Outdoor storage
	Pet stores
	Private clubs
	Public Park
	Public uses
	Public utilities that have no office or workshop
	Recreational facilities
	Recycling depot
	Shopping centres
	Service stations
	Small Animal Clinic
	Utility services- minor
	Buildings and uses accessory to the primary use on the same site

### (3) Site Standards

Regulation	Standard
Site Area (Minimum)	350m <sup>2</sup> (3767ft <sup>2</sup> )
Site Width (Minimum)	10.0m (33 ft.)
Front Yard (Minimum)	0.0
Side Yard (Minimum)	0.0 (see (a) below)
Rear Yard (Minimum)	7.6m (25 ft.)
Site Coverage (Maximum)	80%
Building Height (Maximum)	15.0m (50 ft.)

- (a) Minimum Required Side Yard – None if the subject site abuts on both sides by a Commercial District. If the subject site abuts a Residential District, the minimum required side yard shall be 1.5m (5 ft.).
- (b) Special Considerations
  - (i) Where shopping centres or groups of commercial uses are to be built on a single site or grouping of sites or lots, regulations shall be determined by the Development Authority Officer, who shall deal with the overall scheme for the site, considering buildings, access, parking, and specific commercial uses.
- (c) No use shall be established that is or will become obnoxious by way of noise, odour, dust, or fumes
- (d) Dwelling Units and Apartments

The following regulations shall apply to dwelling units within the C2 District:

  - (i) Dwelling units shall not be located in the basement or on the ground floor/level;
  - (ii) Dwelling units shall have a ground floor/level access that may be shared with other dwelling units, but is separate from any commercial use or access;
  - (iii) Site standards for dwelling units and apartments shall all be at the sole discretion of the Development Authority Officer.

## 5.9 General Commercial District Highway - (C2-H)

### (1) Purpose

The purpose of this District is to provide for a variety of retail and office commercial as well as public and private service uses at a medium to high density outside the downtown core adjacent to Highway 16A.

### (2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Amusement establishments - Minor	Amusement establishments - Major
Business support services	Automotive and equipment repair shop
Drive in businesses	Consumable product processing and sales
Drive-in restaurants	Contractor services-limited
Eating and drinking establishments - minor	Convenience retail stores
General retail establishments	Dwelling unit above ground floor commercial use
Government services	Eating and drinking establishments - Major
Health services	Gas bars
Hotels	Intoxicant Sales
Motels	Office uses
Personal service shops	Off-street parking lot
Service Stations	Pet stores
Taxicab Services	Public Park
Vehicle and recreational vehicle sales-minor	Specialty stores
	Small animal clinics
	Theatres
	Buildings and uses accessory to the primary use on the same site

### (3) Site Standards

Regulation	Standard
Site Area (Minimum)	325m <sup>2</sup> (3500 ft <sup>2</sup> )
Site Width (Minimum)	10.0m (33 ft.)
Front Yard (Minimum)	3.0m (10 ft.)
Side Yard (Minimum)	0.0m
Rear Yard (Minimum)	3.0m (10 ft.)
Site Coverage (Maximum)	80%
Building Height (Maximum)	15.0m (50 ft.)

- (a) Where groups of commercial uses are to be built on a single site or grouping of sites or lots, regulations shall be determined by the Development Authority Officer, who shall deal with the overall scheme for the site, considering buildings, access, parking, and specific commercial uses.

- (b) No use shall be established that is or will become obnoxious by way of noise, odour, dust, or fumes
- (c) A development permit from Alberta Transportation may also be required when an application is adjacent to a controlled highway.

(d) Dwelling Units

The following regulations shall apply to dwelling units within the C2-H District:

- (i) Dwelling units shall be located on the second floor or above and allowed only in buildings where at least the first storey is used for commercial purposes.
- (ii) Dwelling units shall have access at grade, which is separate from any access for any commercial use.
- (iii) Dwelling units shall meet the requirements for apartments in the R4 District, except for minimum site area, minimum required yards, and maximum site coverage, which shall all be at the sole discretion of the Development Authority Officer.

## 5.10 General Commercial – Rail District - (C2-R)

- (1) The purpose of this District is to provide for a variety of retail and office commercial as well as public and private service uses at a medium to high density specifically for lots abutting the CN Rail right of way.
- (2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Amusement establishments - Minor	Amusement establishments - Major
Business support services	Automotive and equipment repair shop
Drive-in restaurants	Commercial schools
Eating and drinking establishments -minor	Contractor services-limited
Equipment rental/repair establishments	Consumable product processing and sales
General retail establishments	Convenience retail stores
Government services	Eating and drinking establishments - Major
Health services	Fleet services
Libraries and cultural services	Funeral services
Office uses	Gas bars
Personal service shops	Intoxicant Sales
Public buildings/uses required to serve the immediate area	Micro-Cultivation facility
Specialty stores	Off street parking lot
Theatres	Outdoor storage
	Pet stores
	Private clubs
	Public parks
	Public uses
	Public utilities that have no office or workshop
	Recreational facilities
	Recycling depot
	Shopping centres
	Service stations
	Small animal clinics
	Self-service storage facilities
	Welding and work shops
	Utility Services- Minor
	Buildings and uses accessory to the primary use on the same site

(3) Site Standards

Regulation	Standard
Site Area (Minimum)	325m <sup>2</sup> (3500 ft <sup>2</sup> )
Site Width (Minimum)	10.0m (33 ft.)
Front Yard (Minimum)	0.0
Side Yard (Minimum)	One at 5.0 m (16 ft.)
Rear Yard (Minimum)	3.0m (10 ft.)
Site Coverage (Maximum)	80%
Building Height (Maximum):	15.0m (50 ft.)

- (a) Minimum Required Side Yard – For properties that do not have lane access, one side yard shall be a minimum of 5.0m. If the subject site abuts a Residential District, that minimum required side yard shall be 1.5m (5 ft.), or 5.0m (16 ft.) if a side yard is not provided on the other side.
- (b) No use shall be established that is or will become obnoxious by way of noise, odour, dust, or fumes.
- (c) Dwelling Units and Apartments

The following regulations shall apply to dwelling units within the C2-R District:

- (i) Dwelling units shall not be located in the basement or on the ground floor/level;
- (ii) Dwelling units shall have a ground floor/level access that may be shared with other dwelling units, but is separate from any commercial use or access;
- (iii) Site standards for dwelling units and apartments shall all be at the sole discretion of the Development Authority Officer.

## 5.11 Highway Commercial District - (C3)

### (1) Purpose

The purpose of this District is to accommodate highway commercial uses which will serve the travelling public without adversely affecting the safety of highways or conflicting with other land uses.

### (2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Drive in businesses	Amusement establishments - Major
Drive-in restaurants	Amusement establishments - Minor
Eating and drinking establishments - minor	Automotive and equipment repair shop
Fleet Services	Bulk fuel sales
General retail establishments	Campgrounds
Government services	Consumable product processing and sales
Health services	Contractor services- limited
Hotels	Convenience retail stores
Motels	Dwelling unit above ground floor commercial use
Personal service shops	Eating and drinking establishments - Major
Service Stations	Gas bars
Taxicab Services	Intoxicant Sales
Vehicle and recreational vehicle sales- minor	Office uses
	Pet stores
	Specialty stores
	Small animal clinics
	Theatres
	Public Park
	Buildings and uses accessory to the primary use on the same site

### (3) Site Standards

Regulation	Standard
Site Area (Minimum)	As required
Site Width (Minimum)	10.0m (33 ft.) or existing lot frontage, whichever is less
Front Yard (Minimum)	6.1m (20 ft.) 20/30m (66 ft./99 ft.) discretionary
Side Yard (Minimum)	3.0m (10 ft.)
Rear Yard (Minimum)	7.6m (25 ft.)
Site Coverage (Maximum)	80%
Building Height (Maximum):	15.0m (50 ft.)

### (a) Special Considerations

Where groups of commercial uses are to be built on a single site or grouping of sites or lots, regulations shall be determined by the



Development Authority Officer, who shall deal with the overall scheme for the site, considering buildings, access, parking, and specific commercial uses.

- (b) No use shall be established that is or will become obnoxious by way of noise, odour, dust, or fumes.
- (c) Consumable Product Processing and sales Developments shall have a minimum of 15% of the development area dedicated to retail sales, display, or consumption of products.
- (d) A development permit from Alberta Transportation may also be required when an application is adjacent to a controlled highway.
- (e) Dwelling Units and Apartments

The following regulations shall apply to dwelling units within the C3 District:

- (i) Dwelling units shall not be located in the basement or on the ground floor/level;
- (ii) Dwelling units shall have a ground floor/level access that may be shared with other dwelling units, but is separate from any commercial use or access;
- (iii) Site standards for dwelling units and apartments shall all be at the sole discretion of the Development Authority Officer.

## 5.12 Highway Commercial - Agriculture District - (C3-A)

### (1) Purpose

The purpose of this District is to accommodate businesses, which will serve the travelling public and agriculture dealerships without adversely affecting the safety of highways or conflicting with other land uses.

### (2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Drive in businesses	Amusement establishments - Major
Drive-in restaurants	Amusement establishments - Minor
Eating and drinking establishments - minor	Automotive and equipment repair shop
Fleet Services	Bulk fuel sales
General retail establishments	Campgrounds
Government services	Consumable product processing and sales
Health services	Contractor services-limited
Hotels	Convenience retail stores
Motels	Eating and drinking establishments - Major
Personal service shops	Gas bars
Service Stations	Intoxicant Sales
Taxicab Services	Office uses
Vehicle and recreational vehicle sales- Minor	Pet stores
	Specialty stores
	Small animal clinics
	Theatres
	Public Park
	Vehicle and recreational vehicle sales- Major
	Buildings and uses accessory to the primary use on the same site

### (3) Site Standards

Regulation	Standard
Site Area (Minimum)	As required
Site Width (Minimum)	10.0m (33 ft.)
Front Yard (Minimum)	10.0m (33 ft.) 20.0/30.0m (65.6/98.4 discretionary)
Side Yard (Minimum)	3.0m (10 ft.)
Rear Yard (Minimum)	7.6m (25 ft.)
Site Coverage (Maximum)	80%
Building Height (Maximum)	10.0m (33 ft.)

(a) Special Considerations

Where groups of commercial uses are to be built on a single site or grouping of sites or lots, regulations shall be determined by the Development Authority Officer, who shall deal with the overall scheme for the site, considering buildings, access, parking, and specific commercial uses.

(b) No use shall be established that is or will become obnoxious by way of noise, odour, dust, or fumes.

(c) Notwithstanding the above required front, side and rear setbacks, the Development Authority Officer may require a greater setback for a use that may interfere with the safety and amenities of adjacent sites and for the safety of pedestrians and public traffic.

(d) A development permit from Alberta Transportation may also be required when an application is adjacent to a controlled highway.

## 5.13 Neighbourhood Commercial District - (C4)

(1) Purpose

The purpose of this District is to accommodate neighbourhood scale commercial retail facilities

(2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Convenience retail stores	Apartments
Personal service shops	Day care facilities
	Eating and drinking establishments- Minor
	Gas bar
	Service station
	Public buildings or uses required to serve the immediate area
	Public utilities that have no office or workshop
	Public parks
	Buildings and uses accessory to the primary use on the same site

(3) Site Standards

Regulation	Standard
Site Area (Minimum)	NA
Site Width (Minimum)	15.0m (50 ft.)
Front Yard (Minimum)	6.1m (20 ft.)
Side Yard (Minimum)	1.5m (5 ft.)
Rear Yard (Minimum)	7.6m (25 ft.)
Site Coverage (Maximum)	80%
Building Height (Maximum)	10.0m (33 ft.) or 2.5 storeys

- (a) Minimum Required Side Yard – Where a site abuts a Residential District, the minimum required side yard shall be 1.5 m (5 ft.). A 0.0m side yard setback may be permitted, at the discretion of the Development Authority Officer, where the subject site abuts a Commercial District on both sides.
- (b) A minimum of 20% of the site area shall be landscaped in accordance with Part Two, Section 1.6 of this bylaw.
- (c) No use shall be established that is or will become obnoxious by way of noise odour, dust, or fumes.
- (d) Apartments
  - The following regulations shall apply to apartments within the C4 District:
  - (i) Site standards for apartments shall all be at the sole discretion of the Development Authority Officer.
  - (ii) A landscaped or otherwise developed amenity area of 18.0sq. m per dwelling unit shall be provided.

## 5.14 Service Commercial District - (C5)

### (1) Purpose

The purpose of this District is to accommodate and regulate a mix of commercial uses and services on large lots that are not accommodated in shopping centres or core commercial developments.

### (2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Auctioneering establishment	Amusement Establishment Outdoor
Automotive and equipment repair shop	Consumable product processing and sales
Bulk fuel sales	Contractor service – general
Drive in businesses	Fleet service
Gas bar	Funeral service
General retail establishments	Service Stations
Office uses	Small animal clinics
Service station	Taxicab Services
Vehicle and recreational vehicle sales- minor	Warehouse sales establishments
Vehicle and recreational vehicle sales- major	Work camps
Veterinary clinics and hospitals	Buildings and uses accessory to the primary use on the same site

### (3) Site Standards

Regulation	Standard
Site Area (Minimum)	350m <sup>2</sup> (3761 ft <sup>2</sup> )
Site Width (Minimum)	15.0m (50 ft.)
Front Yard (Minimum)	10.0m (33ft.) 20.0/30.0m (65.6/98.4 discretionary)
Side Yard (Minimum)	3.0m (10 ft.)
Rear Yard (Minimum)	7.6m (25 ft.)
Site Coverage (Maximum)	80%
Building Height (Maximum)	15.0m (50 ft.)

- (a) No use shall be established that is or will become obnoxious by way of noise, odour, dust, or fumes.
- (b) A development permit from Alberta Transportation may also be required when an application is adjacent to a controlled highway.
- (c) Consumable Product Processing and sales Developments shall have a minimum of 15% of the development area dedicated to retail sales, display, or consumption of products.

## 5.15 Business Industrial District - (M1)

### (1) Purpose

This district is generally intended to establish an area of light industrial uses, and those commercial uses, which provide service to industrial uses, where the uses do not cause any objectionable or dangerous conditions beyond the confines of the building and the site, upon which they are located. Storage areas must be screened from the view of the general public beyond the boundary of the site.

### (2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Agricultural industry	Auctioneering establishments
Business support services	Automotive and equipment repair shop
Bulk fuel sales	Commercial schools
Consumable product processing and sales	Crematorium
Contractor services- general	Eating and drinking establishments - Major
Contractor services- limited	Eating and drinking establishments - Minor
Equipment rental/repair establishments	Government services
Fleet services	Greenhouse and plant nursery
Industrial support offices	Industrial uses –Medium
Industrial uses –light	Intoxicant sales
Industrial vehicle sales and equipment service establishments	Laydown yard
Moving and cartage facilities	Outdoor storage
Public buildings /uses required to serve the immediate area	Off-street parking lot
Recycling depot	Public Park
Research facility	Public utilities that have no office or workshop
Self-service storage facilities	Recreational facilities
Service stations	Utility services- Major
Utility services- minor	Veterinary clinics and hospitals
Warehouse, distribution, and storage	Vehicle and recreational vehicle sales- Major
Welding and workshops	Vehicle and recreational vehicle sales- Minor
	Work camps
	Buildings and uses accessory to the primary use on the same site

(3) Site Standards

Regulation	Standard
Site Area (Minimum)	N/A
Site Width (Minimum)	15.0m (50 ft.)
Front Yard (Minimum)	7.6m (25 ft.)
Side Yard (Minimum)	3.0m (10 ft.)
Rear Yard (Minimum)	9.0m (30 ft.)
Site Coverage (Maximum)	80%
Building Height (Maximum)	15.0m (50 ft.)

- (a) Minimum site area shall be sufficient, in the opinion of the Development Authority, to accommodate the proposed use.
  - (b) Notwithstanding the above required front, side and rear setbacks, the Development Authority Officer may require a greater setback for a use that may interfere with the safety and amenities of adjacent sites.
  - (c) A minimum of 10% of the site area shall be landscaped in accordance with Part Two Section 1.6 of this bylaw. Side yards abutting residential districts shall be landscaped.
- (4) Outdoor Storage and Display
- (a) There shall be no outdoor storage of goods, products, materials, or equipment permitted in the Front Yard setback of this District.
  - (b) Outside storage of goods, products, materials, or equipment shall be screened from public thoroughfares to the satisfaction of the Development Authority Officer.



## 5.16 Heavy Industrial District - (M2)

(1) Purpose

The purpose of this District is to provide for an area for manufacturing and processing service and repair, and other heavy industrial uses herein, which are compatible with the area.

(2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Agricultural industry	Auctioneering establishments
Business support services	Automotive and equipment repair shop
Electric vehicle charging facility	Bulk fuel sales
Industrial uses –heavy	Consumable product processing and sales
Industrial uses –medium	Contractor services- general
Industrial vehicle sales and equipment service establishments	Contractor services- limited
Outdoor storage	Equipment rental/repair establishments
Public buildings /uses required to serve the immediate area	Greenhouse and plant nursery
Public uses	Fleet services
Recycling depot	Government services
Research facility	Industrial use - light
Salvage establishment	Intoxicant sales
Utility service - minor	Laydown yard
	Moving and cartage facilities
	Off-street parking lot
	Public Park
	Public utilities that have no office or workshop
	Recreational facilities
	Service stations
	Utility services- major
	Warehouse, distribution, and storage
	Work camps
	Buildings and uses accessory to the primary use on the same site

(3) Site Standards

Regulation	Standard
Site Area (Minimum)	NA
Site Width (Minimum)	15.0m (50 ft.)
Front Yard (Minimum)	7.6m (25 ft.)
Side Yard (Minimum)	3.0m (10 ft.)
Rear Yard (Minimum)	9.0m (30 ft.)
Site Coverage (Maximum)	80%
Building Height (Maximum)	23.0m (75 ft.)

- (a) Minimum site area and depth shall be sufficient, in the opinion of the Subdivision Authority, to accommodate the proposed use. Notwithstanding the above required front, side and rear setbacks, the Development Authority Officer may require a greater setback for a use that may interfere with the safety and amenities of adjacent sites.
  - (b) A minimum of 10% of the site area shall be landscaped in accordance with Part Two, Section 1.6 of this bylaw. Side yards abutting residential districts shall be landscaped.
- (4) Outdoor Storage and Display
- (a) There shall be no outdoor storage of goods, products, materials, or equipment permitted in the Front Yard setback of this District.
  - (b) Outside storage of goods, products, materials, or equipment shall be screened from public thoroughfares to the satisfaction of the Development Authority Officer.

## 5.17 Community District - (P)

(1) Purpose

The purpose of this District is to provide for development of a public service, social service, heritage, cultural, natural or park spaces, or other uses which are supportive to such uses, whether operated for profit or not-for-profit, which do not have substantial buildings.

(2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Campground	Amusement establishments – outdoor
Public parks	Cemeteries
Recreational facilities	Institutional uses
	Buildings and uses accessory to the primary use on the same site

(3) Site Standards

- (a) Minimum site dimensions shall be sufficient, in the opinion of the Subdivision Authority, to accommodate the proposed use.
- (b) All site regulations shall be at the discretion of the Development Authority Officer.
- (c) The Development Authority Officer shall require that the design, siting, landscaping, screening, and buffering of any development minimize and compensate, in his sole opinion, for any objectionable aspects or potential incompatibility with development in abutting Districts.
- (d) In considering whether or not to approve a development application for a discretionary use, the Development Authority Officer shall evaluate the proposal in terms of its scale and the extent to which it is, in his sole opinion, consistent with, and not prejudicial to, the overall purpose of this District.

## 5.18 Institutional District - (I)

### (1) Purpose

The purpose of this District is to provide for development of a public service, social service, heritage, cultural, or other uses, which are supportive to such uses, whether operated for profit or not-for-profit, which may have substantial buildings.

### (2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Community use facility, minor	Cemeteries
Extended medical treatment facilities	Community use facility, Major
Government services	Day care facilities
Group care facilities	Eating and drinking establishments - Major
Health services	Eating and drinking establishments - Minor
Institutional uses	Exhibition and convention facilities
Libraries and cultural exhibits	Office uses
Places of worship	Private clubs
Protective and emergency services	Public uses
Public education facilities	Public Park
Research facilities	Recreational facilities
	Specialty store
	Theatres
	Buildings and uses accessory to the primary use on the same site

### (3) Site Standards

- (a) Minimum site dimensions shall be sufficient, in the opinion of the Development Authority, to accommodate the proposed use. All site regulations shall be at the discretion of the Development Authority Officer.
- (b) The Development Authority Officer shall require that the design, siting, landscaping, screening, and buffering of any development minimize and compensate, in his sole opinion, for any objectionable aspects or potential incompatibility with development in abutting Districts.
- (c) In considering whether or not to approve a development application for a discretionary use, the Development Authority Officer shall evaluate the proposal in terms of its scale and the extent to which it is, in his sole opinion, consistent with, and not prejudicial to, the overall purpose of this District.

## 5.19 Direct Control District - (DC)

(1) Purpose

The purpose of this District is to identify those areas of the Town within which Council considers it desirable to exercise particular control regarding the use and development of land or buildings.

(2) Permitted and Discretionary Uses

(a) Uses approved by Council, based on the merits of each individual application, and having due regard to:

- (i) conformity with the Municipal Development Plan;
- (ii) conformity with any other statutory plan, as adopted; and
- (iii) the existing and proposed use of neighbouring lands.

(3) Development Regulations

(a) Council may regulate, control, and apply conditions of approval to the use or development of land or buildings in any manner it considers necessary.

## 5.20 Urban Reserve District - (UR)

### (1) Purpose

The purpose of this District is to reserve those lands on the periphery of the municipality, which, by their relationship to existing land uses, the main road system, and the established utility systems, will in time become suitable for general urban uses.

### (2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Extensive agriculture	Home occupation - major
Home occupation – minor	Outdoor storage
Existing single-family dwellings	Public utilities
	Public Park
	Temporary uses which, in the sole opinion of the Development Authority Officer, will not prejudice the possibility of conveniently and economically subdividing or developing the site in the future
	Utility services- minor
	Work camp
	Buildings and uses accessory to the primary use on the same site

### (3) Site Standards

Regulation	Standard
Building Height (Maximum)	23.0m (75 ft.)

- (a) All other site standards shall be at the discretion of the Development Authority Officer.  
Maximum building height is as noted above except in the case of buildings, which are or part of an accessory to extensive agricultural production.
- (b) No subdivision or development shall take place within this District until an overall plan for the area has been resolved, and the Council has reclassified the land to a different Land Use District.
- (c) The Development Authority Officer may specify the length of time any use is approved in this District, having regard to the servicing and future development of the subject area.
- (d) No livestock shall be permitted to be kept within the UR District.

## 5.21 Restricted Development District - (RD)

(1) Purpose

The purpose of this District is to provide for the safe and efficient use of lands within the defined floodway and flood fringe for the Vermillion River. New development is to be discouraged in the floodway and restricted within the flood fringe.

(2) Permitted and Discretionary Uses

Permitted Uses	Discretionary Uses
Existing single-family dwellings	Home occupation - major
Public Park	Home occupation - minor
Public utilities	Laydown yard
	Single detached dwellings
	Utility services- minor
	Buildings and uses accessory to the primary use on the same site

(3) Site Standards

Regulation	Standard
Building Height (Maximum)	23.0m (75 ft.)

- (a) All other site standards shall be at the discretion of the Development Authority Officer.
- (b) Maximum building height is as noted above except in the case of buildings which are or part of an accessory to extensive agricultural production.
- (c) No subdivision shall take place within this District until an overall plan for the area has been resolved, and the Council has reclassified the land to a different Land Use District.
- (d) The Development Authority Officer may specify the length of time any use is approved in this District, having regard to the servicing and future development of the subject area.
- (e) No livestock shall be permitted to be kept within the Restricted Development District.



# PART THREE

In addition to the other regulations of this Bylaw, the following additional regulations shall apply to signs:

## SECTION 1 - GENERAL SIGN PROVISIONS

### 1.1 Definitions

In this Bylaw:

- (1) **"sign"** means any word, letter, model, picture, symbol, device, or representation used as, or which is in the nature of, wholly or in part, an advertisement, announcement, or direction. Any structure or portion thereof, which is used primarily to carry, hold, maintain, support, or sustain a sign, is construed as being part of the sign and, except as hereinafter provided, is subject to all regulations governing signs. Without restricting the generality of the foregoing, a sign includes posters, notices, panels, boarding's, and banners;
- (2) **"A-board sign"** means a sign composed of two boards hinged at one end which is set upon the ground and has no external support structure;
- (3) **"area of sign"** means the total area within the outer perimeter of the sign, and, in the case of a sign comprised of individual letters or symbols shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in the computation of the area of a sign. All faces displaying information shall be included in calculating the area of a sign;
- (4) **"attached sign"** means any sign attached to, supported by, or displayed on a building, including wall, fascia, awning, canopy, projecting, projection, roof, or sky signs;
- (5) **"awning or canopy sign"** means a sign attached to a marquee, canopy or awning projecting outward from the face of a building;
- (6) **"billboard"** means a structure or board, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located;
- (7) **"business frontage"** means
  - (a) any side of a lot or building which abuts a road, or
  - (b) in the case of individual businesses or tenants within a building, any business which has windows fronting a road and direct at grade exterior access to a road, sidewalk, or parking lot;
- (8) **"electronic messaging sign"** means a sign or part of a sign on which the advertising is programmable or changeable by electrical or electronic means;

- (9) **“event directional sign”** means a temporary sign providing direction to a non-reoccurring event of less than three days in length, such as community, recreational, religious, educational, cultural, public, or quasi-public events, auction sales or other special presentations;
- (10) **“fascia or wall sign”** means a sign placed flat and parallel to the face of the building;
- (11) **“free-standing sign”** means a sign that is structurally self-supporting and is not connected in any way to a building or other structure, and includes post, pylon, monument, and portable signs;
- (12) **“free-standing post or pylon sign”** means a sign on a standard or column permanently attached to the ground;
- (13) **“free-standing monument sign”** means a sign having a support structure that is a solid-appearing base constructed of a permanent material permanently attached to the ground;
- (14) **“free-standing portable sign”** means a sign fixed to its own self-contained base and capable of being moved manually;
- (15) **“general advertising”** means advertising which relates to goods or services other than those produced, offered for sale, or obtainable at the lot on which the sign is displayed;
- (16) **“holographic sign”** means a sign which is displayed through the projection of light as a holographical image;
- (17) **“inflatable sign”** means a sign designed to be inflated and anchored or affixed to the ground or a building;
- (18) **“point-of-sale advertising”** means advertising which relates to the name of the occupier or firm, the nature of the business conducted, the goods produced, the main products and services sold or obtainable on the site on which the advertising is displayed;
- (19) **“projecting sign”** means a sign which is attached to a building or structure so that part of the sign projects more than 0.33m (1.0 ft.) from the face of the building or structure;
- (20) **“projection sign”** means a sign which is displayed through the projection of light on surface;
- (21) **“roof”** means the top of any enclosure, above or within the vertical walls of a building;
- (22) **“roof sign”** means any sign placed on or over a roof;
- (23) **“sky sign”** means a roof sign comprising individual letters or symbols on an open framework.

## 1.2 General Regulations

- (1) The placement, installation, enlargement, relocation, construction, or alteration of any sign requires a Development Permit, unless provided an exemption in Section 1.3 of Part Three of this bylaw.
- (2) No sign requiring a Development Permit shall be placed, installed, enlarged, relocated, constructed, or altered unless an application for this purpose has been approved and a Development Permit issued.
- (3) No sign shall be permitted to be placed in or attached to a fence, pole, tree or any object in a road right-of-way or a publicly owned place.
- (4) Notwithstanding 1.2 (3) above, event directional signs may, upon Development Authority Officer approval, be displayed on public right of ways, provided that:
  - (a) that they do not interfere with vehicular or pedestrian traffic;
  - (b) each notice shall not exceed 3m<sup>2</sup> (32.3 ft<sup>2</sup>) in area;
  - (c) there shall be a limit of one (1) notice for each side of the land or buildings on a different road;
  - (d) signs shall be placed not more than seventy-two (72) hours before the event and are removed within seventy-two (72) hours of the event's completion.
- (5) Notwithstanding 1.2 (3) above, signs authorized by a resolution of Council may be displayed on public road right of ways or publicly owned places under control of the Town of Vegreville.
- (6) No sign shall be erected that will obstruct the sight triangle or cause any obstruction to free and clear vision of vehicular traffic or at any location where it may interfere with, or be confused with, any authorized traffic sign, signal, or device, to the satisfaction of the Development Authority Officer.
- (7) A sign proposed to be located on lands within 300m (984 ft.) of the right-of-way of Highway 16A or Highway 857 or within 800m (2,624 ft.) of the intersection of these highways may require written approval from Alberta Transportation.
- (8) No signs or advertising structures shall be erected on or affixed to private property without the prior consent of the property owner.
- (9) No signs or advertising structures other than those specified below shall be permitted in a Residential District:
  - (a) signs associated with home occupations;
  - (b) signs for the purpose of identification, direction and warning or relating to a person, partnership or company carrying on a profession, business, or trade;
  - (c) signs relating to an institution of a religious, educational, cultural, recreational, or similar character;
  - (d) signs identifying an apartment block, club, or similar institution.
- (10) All signs shall be securely built, constructed, and erected to conform to the

standards set forth in this Bylaw and the current Alberta Safety Codes as applicable. Signs shall be constructed with a base sufficient to prevent overturning of the sign. At the sole discretion of the Development Authority Officer, a design or plan prepared by an engineer may be required.

- (11) The total area of attached and free-standing (not including A Board) signs on a site shall not exceed 25% of the area of the building face on the business frontage.
- (12) Where illuminated, electronically animated, or electronic messaging signs are installed, illumination shall:
  - (a) not project onto any surrounding residential premises;
  - (b) not use lights resembling the flashing lights usually associated with danger or those used by emergency vehicles;
  - (c) not use spot or reflector lights directed at on-coming traffic or display travelling or flashing messages that create a hazard to traffic on a public roadway from which the sign is visible;
  - (d) not compete with or dull the contrast of a traffic control device;
  - (e) not exceed 1100 lumens and shall use automatic light level controls to adjust light levels at night, under cloudy and other darkened conditions to automatically adjust the brightness level based on ambient light conditions to ensure levels do not exceed 0.3 foot-candles above ambient light condition between sunset and sunrise.
- (13) Where photovoltaic cells are used to power a signs illumination, movement, or electronic messaging, required equipment is not included in the sign area may extend above the maximum sign height to the satisfaction of the Development Officer, provided it has been demonstrated to the Development Authority Officer that the additional height is required to achieve sufficient solar exposure to provide electrical power to the sign.

## **1.3 Exemptions from Sign Regulations**

- (1) The following shall be exempted from the provisions of these sign regulations and may be placed or erected without a Development Permit:
  - (a) statutory and official notices and functional advertisements of the Town of Vegreville;
  - (b) traffic and directional signs;
  - (c) notices of identification in respect to the land or buildings on which they are displayed, and professional business and trade name plates relating to the occupants of the land or buildings on which they are displayed, provided that:
    - (i) each notice or name plate shall not exceed 0.20m<sup>2</sup> (2.15 ft.<sup>2</sup>) in area, and

- (ii) there shall be only one notice for each occupant, or each firm or company represented within the building, at each entrance on each different road.
- (d) signs and notices relating to the sale, lease or rental of the building or land to which they are displayed provided that the signs or notices:
  - (i) are not illuminated;
  - (ii) do not exceed 0.6m<sup>2</sup> (6.5 ft<sup>2</sup>) in area;
  - (iii) are limited to one (1) sign or notice for each side of the land or buildings on a different road;
  - (iv) are placed within the property and no closer than 3.0m (9.8 ft.) from the edge of the pavement of a road or 1.5m (5 ft.) of a public sidewalk;
  - (v) are removed be within fourteen (14) days after the sale or rental agreement has been entered into.
- (e) signs relating to construction work in progress on the land on which signs are erected, provided that:
  - (i) such signs shall be removed within fourteen (14) days of occupancy; and
  - (ii) such signs shall be limited in size to a maximum of 3m<sup>2</sup> (32.3 ft<sup>2</sup>), and in number to one (1) sign for each boundary of the property under construction which fronts onto a road.
- (f) signs not readily visible to the public from any public roads, sidewalks or walking trails;
- (g) signs displayed within a building;
- (h) signs displayed in or on an operational vehicle;
- (i) signs displayed on door plates, door boards, or kick plates;
- (j) temporary signs referring to promotions which are displayed upon the premises upon or within which such promotions will be or are being conducted, provided that:
  - (i) the signs shall not be illuminated and shall be constructed of paper, canvas, cardboard, or other light materials or painted on glass and intended to be displayed for a short period of time only; and
  - (ii) such signs shall not be erected more than seven (7) days before the commencement of the promotion to which they refer and shall be removed within seven (7) days of the completion of the promotion.

## 1.4 Details of Application

- (1) Application for a Development Permit shall be made to the Development Authority Officer. The application shall:
  - (a) be made on the official form provided by the Development Authority;
  - (b) be accompanied by a letter of consent from the property owner;
  - (c) include a set of drawings drawn to scale which indicate:
    - (i) the location of the sign by elevation drawing or site plan;
    - (ii) the overall dimensions of the sign,
    - (iii) the size of the letters or letter;
    - (iv) the amount of projection from the face of the building;
    - (v) the amount of projection over municipal property;
    - (vi) the height of the sign above the road, sidewalk or ground level;
    - (vii) the manner of illuminating the sign and any form of animated or intermittent lights that may be embodied in the construction;  
and
    - (viii) the distance that the sign will be erected from any device for the control of traffic.
- (2) No person shall perform any work of erection or of placing or enlarging a sign differing from the work for which a development permit has been issued. If, during the progress of the work, the applicant desires to deviate in any way from the terms of the approved Development Permit, he shall notify the Development Authority Officer and submit amended drawings and, if the Development Authority Officer deems it necessary, shall make application for approval of the sign as amended.
- (3) A Development Permit is not required to clean, repair, or repaint any sign for which a Development Permit has been previously approved.

## 1.5 Care and Maintenance

- (1) All signs shall be maintained in good and safe structural condition and shall be periodically refurbished.
- (2) Where the Development Authority Officer determines that a sign is abandoned or in an overall state of disrepair, the owner of the land on which the sign is located or the owner or operator of the sign, by notice in writing, may be ordered to alter, refurbish, repair, or remove the sign and all related structure components within thirty (30) days.
- (3) Failure to remove the sign or to comply with the measures specified in the notice described in Subsection (2) above may result in the issuance of a violation ticket as described in Part One Section 5 of this bylaw.

- (4) The notice described in Subsection (2) hereof may, at the sole discretion of the Development Authority Officer, be considered a Stop Order for the purposes of this Bylaw.

## **1.6 Variances**

Where there are exceptional circumstances or conditions applicable to a particular property to the extent that practical difficulties or results inconsistent with the general purposes of these regulations may result from their strict and literal interpretation and enforcement, variances shall be considered by the Development Authority Officer according to the merits of the individual application.

## **1.7 Existing Signs**

These sign regulations shall not be applied to signs legally in existence at the date of the adoption of this Bylaw.

## **1.8 Signs on Municipal Lands**

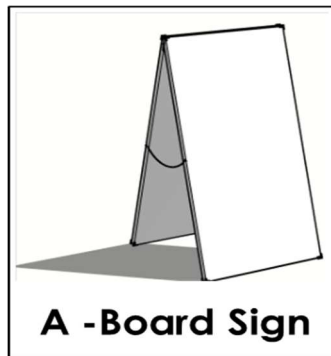
Signs are not permitted on municipal property unless specifically permitted by resolutions of Council.



## SECTION 2 - TYPES OF SIGNS

### 2.1. A-board Signs

- (1) A Board signs are permitted in all non-residential districts, and:
  - (a) in C1 and C2 Districts may be placed on Town property (boulevard or sidewalk) in front of the business being advertised, within 1.0m (3.3 ft.) of the face of the curb;
  - (b) in other districts shall be located within the property of the business being advertised.
- (2) One A Board sign may be placed for each business frontage
- (3) A Board signs shall not be placed less than 7.0m (23.0 ft.) from any other A Board or Free-standing sign.
- (4) A Board signs shall:
  - (a) be of a painted finish, be neat and clean, and be maintained in such a condition;
  - (b) not exceed 0.6m (2.0 ft.) wide by 0.9m (3.0 ft.) high and be not less than 0.3m (1.0 ft.) wide by 0.6m (2.0 ft.) high.



### 2.2. Awning, Canopy, Roof, and Sky Signs

- (1) Awning and canopy signs are permitted in all non-residential land use districts.
- (2) Awning and canopy signs shall be erected such that:
  - (a) they are imprinted on or attached to the front edge of the canopy;
  - (b) they are located on a business frontage;
  - (c) no additional supporting wires or stays shall be attached to the canopy or wall;
  - (d) no portion of the sign shall project below the bottom edge, or more than 0.5m (1.6 ft.) above the top edge of the canopy; and
  - (e) an additional sign not exceeding 0.3m (1.0 ft.) by 1.22m (4.0 ft.) in outside dimensions may be suspended below a marquee or canopy provided no part of the sign shall be closer than 2.5m (8.2 ft.) to the ground or sidewalk.

- (3) Roof and sky signs shall be considered only in non-residential districts and at the discretion of the Development Authority Officer on the merits of each individual application, and shall:
- (a) not exceed an area of 15m<sup>2</sup> (160 ft<sup>2</sup>);
  - (b) not overhang the edges of a building be more than 5.0m above roof level;
  - (c) be limited to one sign per building;
  - (d) not have flashing nor animated lighting, be electronically animated, or include electronic messaging;
  - (e) not have any visible supporting structures visible to the public unless finished in an aesthetically pleasing manner to the discretion of the Development Authority Officer.



Awning or Canopy Sign

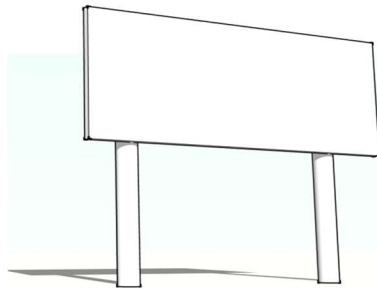


Roof Sign

## 2.3. Billboard Signs

- (1) Billboards shall only be located adjacent to Highway 16A or Highway 857. Adjacent to Highway 16A, billboards shall only be located east of 47 Street or west of 67 Street. Adjacent to Highway 857, billboards shall only be located north of 60<sup>th</sup> Avenue or south of 49<sup>th</sup> Avenue.
- (2) Billboards shall be located such that they are:
  - (a) a minimum of 100.0m (330.0 ft.) from any other billboard on the same side of the road;
  - (b) not closer than 30.0m (100.0 ft.) to the intersection of any roadway;
  - (c) not within 6.0m (20.0 ft.) of any property line.
- (3) Each sign face may have a billboard sign provided that each sign is a minimum of 100m (330ft) from another billboard on the same side of a road;
- (4) Billboard signs, including their structure, shall:
  - (a) be a minimum of 2.4m (8.0 ft.) in height and 6.0m (20.0 ft.) in length and shall not exceed 5.0m (16.0 ft.) in height and 12.2m (40.0 ft.) in length;
  - (b) have the rear side completed as a sign or finished to the satisfaction of the Development Authority Officer;
  - (c) not have vertical posts or other structure projecting above the upper edge of the sign;
  - (d) contain all bracing within the front and rear faces of the vertical posts;

- (e) not have flashing nor animated lighting, be electronically animated, or include electronic messaging.



Billboard Sign

## 2.4. Fascia or Wall Signs

- (1) Fascia or wall signs are permitted on buildings in all land use districts and shall only contain advertising or information relating to the approved activity within the building to which the sign is attached.
- (2) Fascia or wall signs shall be erected so that they:
  - (a) do not project more than 0.5m (1.6 ft.) above the top of the vertical face of the wall to which they are attached;
  - (b) do not project more than 0.33m (1.0 ft.) from the building face to which they are attached;
  - (c) do not exceed in area the equivalent of 25% of the superficial area of the wall comprising the business frontage or, in residential districts, exceed 1.0m<sup>2</sup> (10.8 ft<sup>2</sup>).
  - (d) are located on a business frontage.
- (3) Fascia or wall signs on a flank which is not a business frontage shall be considered by the Development Authority Officer according to the merits of the individual application.



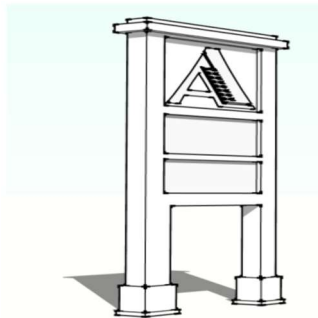
Wall or Fascia Sign

## 2.5. Free-standing Post or Pylon Signs

- (1) Free-standing post or pylon signs are permitted in all land use districts and shall

only contain advertising or information relating to the approved activity within the site on which the sign is located.

- (2) Free-standing post or pylon signs shall be erected so that:
  - (a) in non-residential districts, the area of the sign shall not exceed 1.0m<sup>2</sup> (10.76 ft<sup>2</sup>) for each 5 linear meters of business frontage to a maximum sign area of 10.0m<sup>2</sup> (107.6 ft<sup>2</sup>);
  - (b) in residential districts, the area of the sign shall not exceed 0.3m<sup>2</sup> (3.23 ft.<sup>2</sup>);
  - (c) if located within 6.0 m. (19.7 ft.) of a front property line, no part of the sign excluding support structure that is free of advertising, shall be less than 3.0m (9.8 ft.) above ground or sidewalk grade;
  - (d) no part of the sign exceeds 10.5m (34.5 ft.) above ground or sidewalk grade;
  - (e) no part of the sign shall project beyond the lot line;
  - (f) there shall not be more than one (1) free-standing sign for each business frontage;
  - (g) they are a minimum of 7.0m (23.0 ft.) from other freestanding signs on the same or adjacent property; and
  - (h) the portion used for support is painted and/or finished to the satisfaction of the Development Authority Officer.



Freestanding Post or Pylon Sign

## 2.6. Free-standing Monument Signs

- (1) Free-standing monument signs are permitted in all land use districts and shall only contain advertising or information relating to the approved activity within the site on which the sign is located.
- (2) Free-standing monument signs shall be erected so that:
  - (a) the area of the sign shall not exceed 1.0m<sup>2</sup> (10.76 ft. 2) for each 5 linear meters (16.4 ft.) of lot or business frontage to a maximum sign area of 5.0m<sup>2</sup> (53.82 ft.<sup>2</sup>);
  - (b) no part of the sign or associated structure exceeds 2.0 m. (6.56 ft.) above ground;
  - (c) no part of the sign shall project within 1.5m (5.0 ft.) of a property lot line;
  - (d) there shall not be more than one free-standing monument sign for each

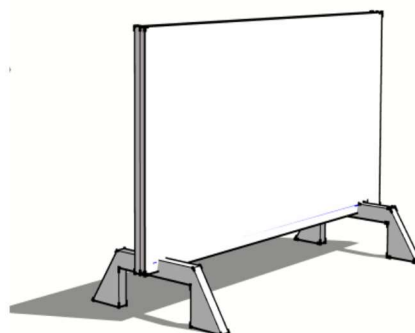
business frontage;

- (e) they are a minimum of 7.0m (23.0 ft.) from other freestanding signs on the same or adjacent property; and
- (f) an area equal to or greater than twice the footprint of the sign structure is landscaped to the satisfaction of the Development Authority Officer for signs more than 1.0m (3.3 ft.) in height.



## 2.7. Free-Standing Portable Signs

- (1) With the exception of the exemptions provided for in Section 1.2 of this Part, free-standing portable signs shall only be permitted in C, M, P, I and DC Districts. Free-standing portable signs shall be erected so that:
  - (a) the area of the sign shall not exceed 6m<sup>2</sup> (64.6 ft<sup>2</sup>);
  - (b) there shall not be more than one (1) free-standing portable sign for each business frontage.
- (2) Free-standing portable signs shall not:
  - (a) be closer than 7.0m (23 ft.) to another free-standing sign;
  - (b) be closer than 1.5m (5 ft.) to any property line;
  - (c) be within 3.0m (9.8 ft.) of any access or 10.0m (32.8 ft.) from any intersection;
  - (d) interfere with pedestrian or traffic safety.
- (3) Free-standing portable signs may be placed on a site for a maximum of twenty-four (24) months at a time, unless otherwise specified in the Development Permit.
- (4) Free-standing portable signs shall be removed on or before the date that the Development Permit expires. Upon expiry of the permit, the sign site must be vacant for fourteen (14) days before a new sign can be placed.



Free-Standing Portable Sign

## 2.8. Holographic Signs

- (1) Holographic signs are only allowed in Commercial Land Use Districts. They shall be considered by the Development Authority Officer according to the merits of each individual application, provided that:
  - (a) the Development Authority Officer shall be satisfied that the purpose of the sign cannot be achieved by another type of sign;
  - (b) the sign shall be displayed entirely with the property;
  - (c) no part of the display, shall be more than 25m (82.0 ft.) above the level of the site; and
  - (d) the sign must refer to the principal use of the property on which it displayed.

## 2.9. Inflatable Signs

- (1) At the sole discretion of the Development Authority Officer, an inflatable sign may be placed on a site twice within a calendar year for a maximum of 30 days at a time. One inflatable sign shall be permitted for each business or use at any one time, per location.
- (2) The sign owner's name, current business address and phone number shall be permanently affixed to the sign in a readily identifiable location.
- (3) Inflatable signs shall have a minimum front yard setback of 15.0m (49.2 ft.) and minimum 4.0m side and rear yard setbacks.
- (4) An inflatable sign shall have a maximum height of 4.5m (14.8 ft.) when erected on a lot having an area of 0.4 hectares (1.0 acre) or less. The height of an inflatable sign shall not be restricted when the sign is erected on a lot having an area of more than 0.4 hectares (1.0 acre).
- (5) Inflatable signs shall not be placed within 10.0m (32.8 ft.) of any traffic light, or above ground utility, or within a corner site line triangle area or driveway visibility triangle.
- (6) Inflatable signs shall not be placed within 10.0m (32.8 ft.) of a ground supported sign, a portable sign, or another inflatable sign on an abutting lot.

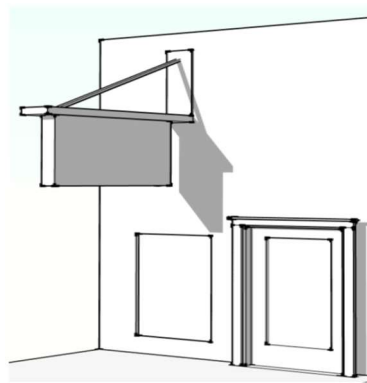
## 2.10. Projecting Signs

- (1) Projecting signs are permitted in all non-residential districts. Projecting signs shall be erected so that:
  - (a) no part of the sign, excluding that portion which is used for support, and which is free of advertising, shall be less than 2.5m (8.2 ft.) above the ground or sidewalk grade;
  - (b) no part of the sign shall project more than 0.5m (1.6 ft.) above the top of the vertical face of the wall to which it is attached;

- (c) no part of the sign may project more than 2.0m (6.0 ft.) from the building face to which it is attached;
- (d) the space between the sign and supporting structure shall not be more than 0.5m (1.6 ft.);
- (e) there shall be only one projecting sign for each business frontage, provided that, if a business frontage exceeds 15.0m (49.2 ft.) an additional projecting sign(s) shall be permitted for each additional 15.0m (49.2 ft.) or portion thereof;
- (f) the maximum area of the sign shall be related to the amount of projection from the face of the building, as follows:

Table 4 Permitted Sign Area Based on Projection				
Amount of Projection	2.0m (6.0 ft.)	1.5m (5.0 ft.)	1.0m	<1.0m
Maximum Area of Sign	3.5m <sup>2</sup>	4.5m <sup>2</sup>	5.5m <sup>2</sup>	7.0m <sup>2</sup>

- (g) any encroachment on a road or lane right-of-way does not project over that part of the road or lane one which vehicles may travel, and that the Town has agreed to such encroachment.



Projecting Sign



## 2.11. Projection Signs

- (1) Projection signs are permitted on buildings in all non-residential land use districts and shall only contain advertising or information relating to the approved activity within the building to which the sign is attached.
- (2) Projection signs shall be installed so that their display:
  - (a) is located on a business frontage;
  - (b) does not exceed in area the equivalent of 25% of the superficial area of the wall comprising the business frontage.
- (3) Projection signs on a flank, which is not a business frontage, shall be considered by the Development Authority Officer according to the merits of the individual application.

# SECTION 3 – ENFORCEMENT OF SIGN REGULATIONS

## 3.1. Enforcement

In addition to Part One, Section 5 of this Bylaw:

- (1) in addition to any other remedy referenced under this schedule, the Development Authority Officer, a Peace Officer or Bylaw Officer may immediately remove and/or impound any sign:
  - (a) placed in contravention of a provision of this Bylaw;
  - (b) where the sign is in a state of extensive disrepair;
  - (c) where safety concerns or emergency conditions may justify such removal.
- (2) A removed sign shall be delivered to a storage facility where it will remain impounded until claimed by an individual, business or organization referenced on the sign.
- (3) If an impounded sign is not reclaimed within thirty (30) days of the sign's removal, the municipality may dispose of the sign in any manner it deems appropriate.