

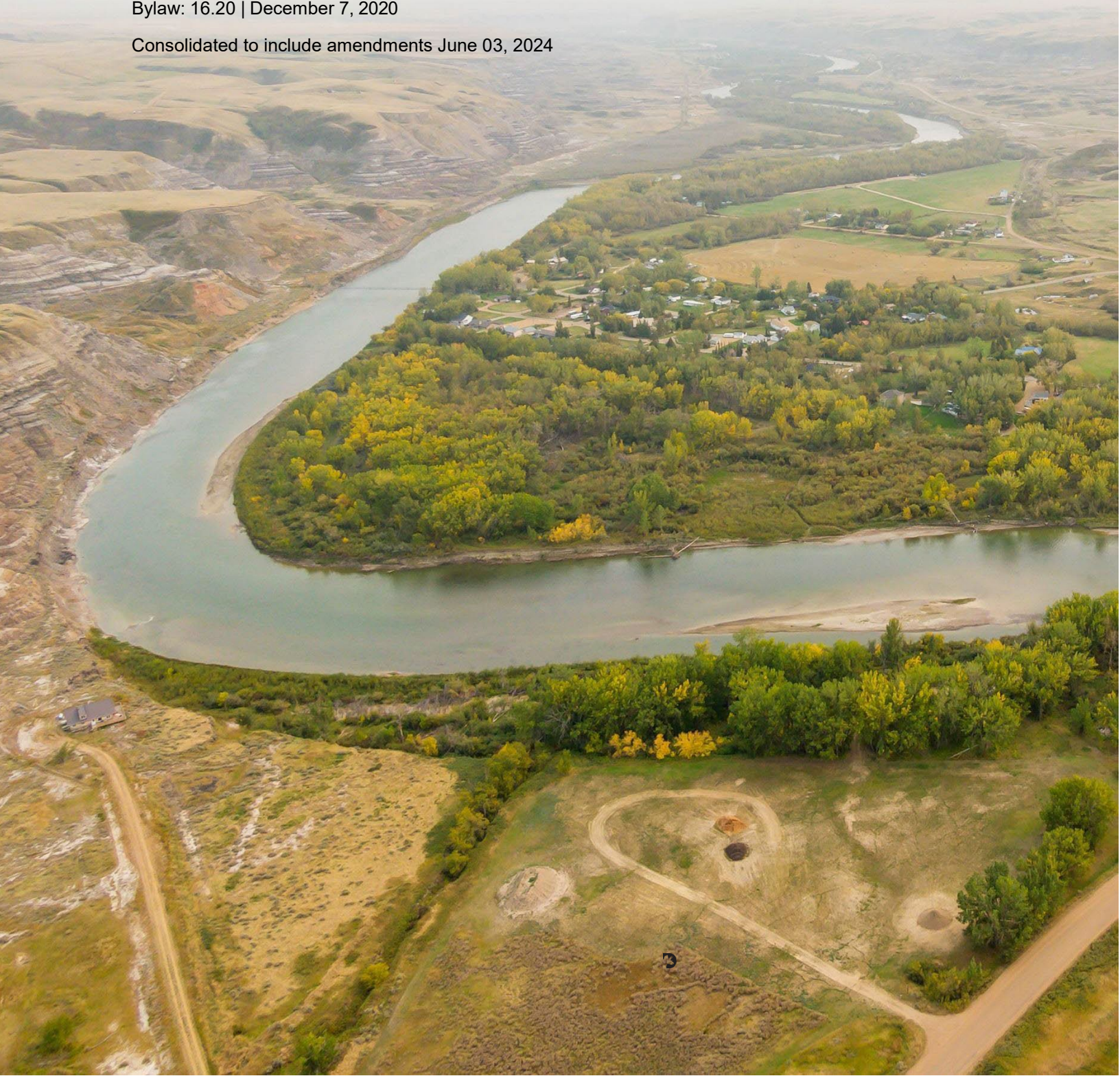


Town of Drumheller

Land Use Bylaw

Bylaw: 16.20 | December 7, 2020

Consolidated to include amendments June 03, 2024



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Amendments to Land Use Bylaw 16.20

Bylaw No.	Date	Description
14.21	July 28, 2021	Amends Land Use District Map for a portion of lands described as Lot 2, Block C, Plan 891 1337, Lot 1 Plan 761 0349 and SE 'ASec.29, TWP 28, RGE 19, W4M, in the Town of Drumheller, from Badlands District (BD), Rural Development District (RDD), and Neighborhood District (ND) to Employment District (ED).
18.21	September 13, 2021	Textual Amendments package – September 2021 Includes; addition to general requirements for Flood Hazard Overlay, additional categories for Signs requirements, additional uses and descriptions, and alterations to clerical errors.
16.22	March 6, 2023	Textual Amendments package Includes additional regulations for: <ul style="list-style-type: none"> - Dwelling Unit types - Murals - Industrial Uses within the Employment District - Manufactured Home Parks - Discretionary Uses Removal of mapping within Bylaw Complete rewriting of Flood Hazard Overlay to Flood Hazard Areas and make terminology consistent with Alberta Government Reclassification for all Dwelling Units to provide more clarity.
12.24	June 3, 2024	Amendments include the following changes: <ul style="list-style-type: none"> • General Clerical Changes • Multiple changes to the Flood Overlay section • Addition of “High Hazard Flood Fringe” provisions • Simplification of the Slope Stability Section • Removal of Tourist Dwelling • Changes to Solar Systems • Removal of Communications Structures • Changes to Variance Powers • Changed Secondary Suites to a Permitted Use in all Land Use Districts • Addition of Mixed-Use Development as a use

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1. Purpose and Authority

1.1 GENERAL PURPOSE

- 1.1.1 The purpose of this **Bylaw**, entitled the “Town of Drumheller Land Use Bylaw,” is to regulate the **use** and sustainable **development** of land and **buildings** in the Town of Drumheller, pursuant to Part 17 of the **Act**. All planning applications pursuant to this **Bylaw**, including land **use**, **subdivision**, and **development permit** applications will be evaluated using the principles of the **Municipal Development Plan**.

1.2 AUTHORITY

- 1.2.1 The authority of the **Town**, in the adoption of this **Bylaw**, is authorized under the **Act**.
- 1.2.2 No person shall commence any **development** within the **Town** except in compliance with this **Bylaw**.
- 1.2.3 This **Bylaw** is implemented to advance the vision, principles, and policies established in the **Municipal Development Plan** and any other Statutory Plan or non-Statutory Plan.

1.3 APPLICABILITY

- 1.3.1 The provisions of this **Bylaw** apply to all lands and **buildings** within the boundaries of the **Town**, pursuant to Part 17 of the **Act**.
- 1.3.2 Compliance with the requirements of this **Bylaw** does not exempt any person from the requirements of any Statutory Plan.
- 1.3.3 Nothing in this **Bylaw** exempts a person from obtaining a **development permit** as required by this or any other bylaw.
- 1.3.4 In addition to the requirements of this **Bylaw**, a person is required to comply with all federal, provincial, and other municipal legislation.
- 1.3.5 The provisions for this **Bylaw**, when in conflict, shall take precedence over those of other municipal bylaws.

1.4 TRANSITION

- 1.4.1 This **Bylaw** shall come into force and take effect on March 1, 2021. Land Use Bylaw 10-08, as amended, is hereby repealed.
- 1.4.2 Applications for **subdivision** or **development** which were submitted prior to adoption of this **Bylaw** shall be evaluated under the provisions of Land Use Bylaw 10-08, as amended.
- 1.4.3 Where a **use** designation in a previously approved **Area Structure Plan** or other Statutory Plan does not align with the **Land Use Districts** of this **Bylaw**, an application for **subdivision** or **development** shall be considered by the **Development Authority** and the most similar **Land Use District** considered.

2. Maps and Overlays

2.1 LAND USE MAPS

2.1.1 The **Town** is hereby divided into the following eight (8) **Land Use Districts**:

- (1) Badlands District;
- (2) Rural Development District;
- (3) Countryside District;
- (4) Neighbourhood District;
- (5) Neighbourhood Centre District;
- (6) Downtown District;
- (7) Tourism Corridor District; and,
- (8) Employment District.

2.1.2 The **Land Use Districts** listed in Section 2.1.1 are delineated on the Palliser Web GIS Portal, which shall be known as the “Land Use Map.” For the most current interactive view of the **Land Use Districts** scan the QR code below or enter the web address <https://gis.palliserwebmap.ca/> [Bylaw #16.22].



2.1.3 The Land Use Map may be amended or replaced by bylaw from time to time.

2.1.4 Where the location of a district boundary on the Land Use Map is not clearly understood, the following rules shall apply:

- (1) A **Land Use District** boundary shown as running through the centre of a **parcel**, shall be deemed to be following the nearest **parcel boundary**;
- (2) A **Land Use District** boundary shown as following a **road, lane**, railway, stream, or canal shall be deemed to follow the centre line thereof; and,
- (3) [Removed by Bylaw #12.24].
- (4) A **Land Use District** boundary location which cannot be resolved shall be referred to the **Development Authority** to decide on the boundary location.

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2.2 OVERLAYS OVERVIEW

2.2.1 Purpose:

- (1) The purpose of an **overlay** is to facilitate the implementation of specific goals and objectives contained in the **Municipal Development Plan**, including protecting **development** from environmental hazards and identifying opportunities for growth and **development**.
- (2) The regulations established within an **overlay** apply in addition to the regulations of the underlying **Land Use District**.
- (3) Only those regulations explicitly addressed in an **overlay** are impacted by the **overlay**. All remaining regulations from the underlying **Land Use District** remain in effect.
- (4) If there is a conflict between the regulations of an **overlay** and the underlying **Land Use District**, the **overlay** shall take precedence.
- (5) Lands subject to an **overlay** are delineated on the Land Use Map, in accordance with Section 2.1.2 of this **Bylaw**.

2.3 DEVELOPMENT OPPORTUNITY OVERLAY

2.3.1 General Intent:

- (1) To identify lands within the **Town** that are suitable for growth and **development**.

2.3.2 **Uses** and Regulations:

- (1) **Uses** lawfully existing at the date of adoption of this **Bylaw** are permitted to continue.
- (2) No **subdivision** or **development** is allowed without an approved **Area Structure Plan**.
- (3) Following the approval of an **Area Structure Plan** by the **Development Authority**, the **uses** and regulations of the underlying **Land Use District** shall apply.

2.4 WAYNE VALLEY NEIGHBOURHOOD OVERLAY

2.4.1 General Intent:

- (1) The following alternate regulations shall apply to all **parcels** located within the Wayne Valley Neighbourhood Overlay. The purpose of the Wayne Valley Neighbourhood Overlay is to retain the unique characteristics of the Wayne Valley.

2.4.2 **Parcel** Width Standards:

(1) Parcel Width	No minimum.
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2.4.3 **Setbacks for *Principal Buildings*:**

(1) Front Setback	Minimum 6.0 metres.
(2) Secondary Front Setback	Minimum 4.5 metres.
(3) Side Setback	Minimum 1.5 metres.
(4) Rear Setback	Minimum 7.5 metres.

2.4.4 **Setbacks for *Accessory Buildings*:**

(1) Front Setback	Minimum 6.0 metres.
(2) Secondary Front Setback	Minimum 4.5 metres.
(3) Side Setback	Minimum 1.0 metres.
(4) Rear Setback	Minimum 7.0 metres.

2.4.5 **Parcel Coverage Standards:**

(1) Parcel Coverage	No maximum.
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2.4.6 **Building Height Standards:**

(1) Parcel Coverage	Maximum 11 metres.
(2) Accessory Building	Maximum 7.5 metres.

2.5 FLOOD HAZARD AREAS

2.5.1 [Removed by Bylaw 12.24]

2.5.2 General Intent:

- (1) To identify **flood hazard areas** within the **Town** and to regulate the **use** and **development** of land within these areas.
- (2) For the purposes of this overlay, the **flood hazard areas** are:
 - (a) **Floodway**;
 - (b) **Flood fringe**;
 - (c) **Protected flood fringe**; and
 - (d) **High hazard flood fringe**.

2.5.3 General Regulation:

- (1) For **parcels** located in the **flood hazard areas**, the requirements of Section 2.5 apply and prevail when there is any conflict between the requirements of this Section and any other requirements of this **Bylaw**.
- (2) Each **development** and **subdivision** application shall be reviewed against the **Government of Alberta Flood Hazard Maps** for a **Design Flood** that results in a river flow rate of 1,850 m³/s, and against existing protection to confirm the suitability of the **site** for **development**.
- (3) The elevation of the **flood construction level** is variable along the length of the Valley and is determined by the **Development Officer** from the **Government of Alberta Flood Hazard Map** as the highest elevation on the subject **parcel**, typically found at the upstream boundary.
- (4) No new **cemeteries** shall be constructed within the **flood hazard areas**.
- (5) All electrical, heating, air conditioning, and other mechanical equipment shall be located at or above the specified elevation of the **flood construction level**.
- (6) Storage of chemicals, explosives, flammable liquids, and/or toxic or waste materials that cannot be readily removed in the event of a flood is prohibited.
- (7) All new **buildings** and **structures** within the **flood hazard areas** shall be **setback** by a minimum of 7.5 metres from the toe or base of a **flood mitigation structure**.
- (8) No **subdivision** of any **parcel** greater than 1.2 hectares shall be approved unless undertaken in conformity with an approved **Area Structure Plan**, or if the **development** is considered **infill**.
- (9) No **habitable area** within a **building** or **structure** shall be constructed, reconstructed, altered, moved, or extended below the specified elevation of the **flood construction level**.
- (10) The minimum **freeboard** height that will be added to a **flood mitigation structure** during a flood event will be 0.5 metres [Bylaw #12.24].

2.5.3.(1) **Floodway Use** and Regulations [Bylaw #16.22]:

- (1) For **parcels** located in the **floodway** on which a **building** exists and where the **use** of that **parcel** has been previously approved, the **use** may continue as a **permitted** or **discretionary use** provided that the **use** is listed in the **Land Use District** in which the **parcel** is located.
- (2) The following **uses** shall be allowed in the **floodway**, when listed as a **permitted use** or **discretionary use** in the underlying **Land Use District**:
 - (a) **Agriculture – general**;
 - (b) **Recreation – non-intensive**;
 - (c) Natural areas;
 - (d) Parks; and,
 - (e) **Public utilities**.

- (3) No **development** shall be allowed within the **floodway** that has the potential to increase the obstruction of floodwaters or potential for a detrimental effect on the hydrological system, water quality, or on existing **development**.
- (4) New **development** and structural alterations to existing **development** is not allowed except to:
 - (a) Accommodate **public utilities**, including **flood mitigation structures** and erosion control measures;
 - (b) Replace an existing **building** or **structure** on the same location and footprint, and for the same **use**, provided that the flood hazard can be overcome, as demonstrated by a member in good standing of the Association of Professional Engineers and Geoscientists of Alberta (APEGA), and in a manner that is acceptable to the **Town**, including meeting **flood construction level** requirements; and
 - (c) Renovate an existing **building** or **structure**, provided that:
 - i. there is no increase to the **floor area** below the **flood construction level**;
 - ii. the renovation does not create a new **dwelling unit**; and,
 - iii. the renovation may not construct **decks**, docks, fences, **patios**, walls, riprap or other obstructions unless being constructed by or on behalf of the **Town** for the purpose or erosion control where the primary purpose is to protect public infrastructure.

2.5.4 **Flood Fringe Use** and Regulations [Bylaw # 12.24]

- (1) For lands within the **flood fringe**, the **permitted uses** and **discretionary uses** listed in the underlying **Land Use District** shall apply.
- (2) All **buildings** in the **flood fringe** must be designed in the following manner:
 - (a) The first floor of all **buildings** must be constructed at or above the **flood construction level**;
 - (b) All electrical and mechanical equipment within a **building** shall be located at or above the **flood construction level**; and
 - (c) A sewer back-up valve must be installed in every **building**.
- (3) The rules regarding **building** design referenced in subsection (2) do not apply to:
 - (a) An addition that does not increase the gross **floor area** of the **building** by more than 20% of the gross **floor area** legally existing as of March 1, 2021; and,
 - (b) A fence, gate, **deck**, landing, **patio**, ramp, air conditioning unit, satellite dish, hot tub, and/or above or in-ground private swimming pool.
- (4) No **habitable area** within a **building** or **structure** shall be constructed, reconstructed, altered, moved, or extended below the specified elevation of the **flood construction level**.
- (5) **Building height** shall be measured from the specified elevation of the **flood construction level**.

- (6) An application for a **development permit** for a **parcel** located within the **flood fringe** must be accompanied by a report prepared by a member in good standing of the Association of Professional Engineers and Geoscientists of Alberta (APEGA), demonstrating how the regulations of the Flood Hazard and the **flood construction level** are met.
- (7) All **buildings** must be set back 6.0 metres from the edge of the **floodway**.
- (8) Only those goods that are easily moveable may be stored on a **parcel** in the **flood fringe**.

2.5.5 [Removed by Bylaw #12.24]

2.5.6 **Protected Flood Fringe Use** and Regulations [Bylaw #16.22]

- (1) For lands within the **protected flood fringe**, the **permitted uses** and **discretionary uses** listed in the underlying **Land Use Districts** shall apply.
- (2) [Removed by #Bylaw 12.24]
- (3) The first floor of all **buildings** shall be constructed with first floor to the 1:20 year flood, as determined by the **Government of Alberta Flood Hazard Maps**.
- (4) Notwithstanding Section 2.5.3(7), a new **building** constructed on the foundation of an original **building** must maintain the original **setback** to the **flood mitigation structure**.

2.5.7 **High Hazard Flood Fringe Use** and Regulations [Bylaw #12.24]

- (1) For **parcels** located within the **high hazard flood fringe** on which a **building** exists and where the **use** of that **parcel** has been previously approved, the **use** may continue as a **permitted** or **discretionary use** provided that the use is listed in the **Land Use District** in which the **parcel** is located.
- (2) The following **uses** shall be allowed in the **high hazard flood fringe**, when listed as a **permitted use** or **discretionary use** in the underlying **Land Use District**:
 - (a) **Agriculture – general**;
 - (b) **Recreation – non-intensive**;
 - (c) Natural areas;
 - (d) Parks; and,
 - (e) **Public utilities**.
- (3) No **development** shall be allowed within the **high hazard flood fringe** that has the potential to increase the obstruction of floodwaters or potential for a detrimental effect on the hydrological system, water quality, or on existing **development**.
- (4) New **development** and structural alterations to existing **development** is not allowed except to:
 - (a) Accommodate **public utilities**, including **flood mitigation structures** and erosion control measures;

- (b) Replace an existing **building** or **structure** on the same location and footprint, and for the same **use**, provided that the flood hazard can be overcome, as demonstrated by a member in good standing of the Association of Professional Engineers and Geoscientists of Alberta, and in a manner that is acceptable to the **Town**, including meeting **flood construction level** requirements; and,
- (c) Renovate an existing **building** or **structure**, provided that:
 - i. there is no increase to the **floor area** below the **flood construction level**;
 - ii. the renovation does not create a new **dwelling unit**; and,
 - iii. the renovation may not construct **decks**, docks, fences, **patios**, walls, riprap or other obstructions unless being constructed by or on behalf of the **Town** for the purpose or erosion control where the primary purpose is to protect public infrastructure.
- (5) Notwithstanding Sections and 2.5.7(3) and 2.5.7(4), the **Development Authority** may approve a proposed **development** if it is determined by a member in good standing of the Association of Professional Engineers and Geoscientists of Alberta (APEGA) that the flood hazard can be overcome in a manner that is acceptable to the **Town**.

2.6 MANUFACTURED HOME PARK STANDARDS [BYLAW #16.22]

2.6.1 General Intent:

- (1) Establish specific regulations for the placement of **dwelling units – manufactured** within an approved **manufactured home park**.

2.6.2 **Uses:**

Use Category	Permitted Uses	Discretionary Uses
(1) Residential	Dwelling Unit – Manufactured	
(2) Commercial	Home Occupation – Basic Home Occupation – Urban	Retail and Service – General
(3) Institutional	Recreation – Non-Intensive	
(4) Other Uses	Accessory Building or Structure	Accessory Building – Portable

2.6.3 **Parcel** Standards:

(1) Site Area	Maximum site area of 5.0 acres.
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(2) Density	Maximum of ten (10) units per acre.
(3) Lot Area	(f) 325 square metres for single wide dwelling units – manufactured . (g) 370 square metres for double wide dwelling units – manufactured .
(4) Building Height Standards	(a) 5.0 metres for dwelling units – manufactured . (b) 5.0 metres for accessory buildings . (c) Other uses at the discretion of the Development Authority .

2.6.4 **Setbacks for Manufactured Homes:**

(1) Front Setback	Minimum 3.0 metres from any internal road or common parking area.
(2) Secondary Front Setback	Minimum 3.0 metres from any internal road or common parking area.
(3) Side Setback	Minimum 1.2 metres.
(4) Rear Setback	Minimum 1.2 metres.
(5) Other Setbacks	(a) Minimum 4.5 metres between each dwelling unit – manufactured including any porch or addition. (b) Minimum 10.5 metres from a boundary of a manufactured home park abutting a public street or highway and 3.0 metres from other manufactured home park boundaries. (c) Setbacks shall be landscaped and or screened and protected from any further development .

2.6.5 **Parking, Roads and Walkways:**

(1) Vehicle Parking	(a) No on-street parking shall be permitted. (b) A minimum of one (1) parking stall shall be provided on each lot. (c) Visitor parking shall consist of one (1) off-street parking stall for every four (4) lots.
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	Visitor parking shall be dispersed throughout the park and shall be clearly identified.
(2) Roads and Walkways	<p>(a) All roads in the manufactured home park shall be paved and constructed to the specifications of the Town.</p> <p>(b) Internal pedestrian walkways shall be hard-surfaced and have a minimum width of 1.5 metres.</p> <p>(c) Each lot shall abut a park roadway and have an access way with a minimum width of 4.3 metres.</p> <p>(d) The removal of snow from all internal pedestrian walkways, roads and communal parking stalls, shall be the responsibility of the manufactured home park owner.</p>

2.6.6 **Landscaping** Standards:

(1) General Landscaping Standards	Each application for a manufactured home park shall be accompanied by a landscaping and site development plan.
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2.6.7 Additional Standards:

(1) General Additional Standards	<p>(a) No accessory building or use shall be located in the front yard of a lot.</p> <p>(b) A screened storage compound shall be provided for trucks, campers, travel trailers, snowmobiles, boats, and other large vehicles at a location and in a manner satisfactory to the Development Authority.</p> <p>(c) All public utility lines shall be placed underground.</p> <p>(d) A minimum of 10% of the total area of the manufactured home park shall be set aside for recreational uses.</p> <p>(e) Identification and directional signs shall be of a size, height and type satisfactory to the Development Authority.</p>
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3. Land Use Districts

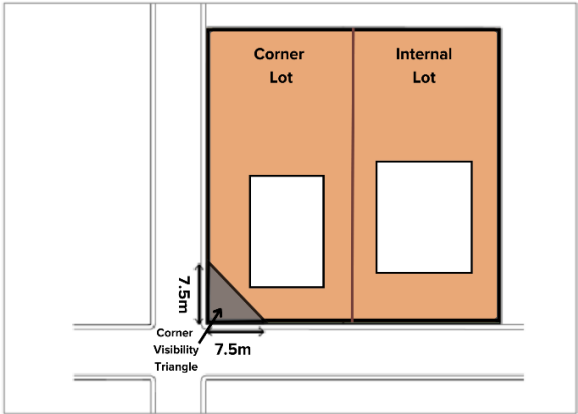
3.5 RULES THAT APPLY TO ALL LAND USE DISTRICTS

3.5.1 Specific *Use* Standards:

<p>(1) Accessory Buildings</p>	<p>(a) No accessory building shall be used as a dwelling unit unless the building meets the requirements of this Bylaw.</p> <p>(b) A structure which is attached to the principal building by a roof, floor, or a foundation is not an accessory building, it is considered part of the principal building and shall comply with all requirements applicable to the principal building.</p> <p>(c) No accessory buildings or uses shall be located in the front yard of a residential use; the Development Authority may permit the development of an accessory building and/or use in the front yard under special circumstances dictated by site conditions [Bylaw #16.22].</p> <p>(d) An accessory building shall be located at least 2.0 metres from any principal building [Bylaw #16.22].</p> <p>(e) In a Residential Land Use District, an existing principal building must be present on a parcel before an accessory building can be developed [Bylaw #12.24].</p>
<p>(2) Accessory Buildings – Portable [Bylaw #18.21]</p>	<p>(a) Shall meet the setback requirements for an accessory building in the appropriate Land Use District.</p> <p>(b) May only be erected between October and April unless otherwise approved by the Development Authority.</p> <p>(c) Floor area shall not exceed 18 square metres [Bylaw #16.22].</p>
<p>(3) Adult Entertainment</p>	<p>(a) The maximum use area shall be 550 square metres.</p> <p>(b) Shall not include any exterior display related to the use.</p>

<p>(4) Bed & Breakfast</p>	<p>(a) Shall only be developed in a dwelling unit.</p> <p>(b) One (1) sign is permitted, in accordance with Part 4 of this Bylaw.</p> <p>(c) Bed & Breakfast establishments shall conform to the following, or the Alberta Building Code, whichever is greater [Bylaw #16.22]:</p> <ul style="list-style-type: none"> i. no cooking facilities in guest rooms; ii. minimum room size of 7.0 square metres per single occupant and 4.0 square metres per person for multiple occupants; iii. window compulsory for guest room; iv. sanitation and potable water, as required by Health Unit; v. smoke alarms required for each level of the building; and, vi. portable fire extinguisher required for each level of the building.
<p>(5) Campground</p>	<p>(a) Where possible, existing topography and natural features such as tree stands shall be integrated in the site design.</p> <p>(b) The whole site perimeter shall be landscaped sufficiently at the discretion of the Development Authority.</p>

<p>(6) Drive Through Facility</p>	<p>(a) May have outdoor speakers provided they are:</p> <ul style="list-style-type: none"> i. not located within 20 metres of a parcel boundary of any parcel designated Neighbourhood District, Neighbourhood Centre District, or Countryside District; or ii. separated from a parcel boundary of any parcel designated Neighbourhood District, Neighbourhood Centre District, or Countryside District by a building; and, iii. appropriately screened and/or designed so that the noise from the speaker does not adversely affect adjacent parcels with residential uses at the discretion of the Development Authority [Bylaw #16.22]. <p>(b) Drive through aisles shall be appropriately screened from adjacent residential uses [Bylaw #16.22].</p> <p>(c) Shall not have any drive through aisles in a setback area.</p> <p>(d) Shall not have pedestrian access that crosses a drive through aisle.</p> <p>(e) Shall provide queuing space for five (5) vehicles on site per order board or order window at the discretion of the Development Authority [Bylaw #16.22].</p>
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<p>(7) Fences [Bylaw #16.22]</p>	<p>(a) No fence, wall, tree, hedge or other structure, object, or plant exceeding 1.2 metres in height shall be permitted within the corner visibility triangle.</p>  <p>(b) Materials used to construct fences can be wood, brick, stone, concrete, metal, vinyl, or other professionally finished materials at the discretion of the Development Authority.</p> <p>(c) Barbed wire and/or electric fences are prohibited in all Residential Land Use Districts; all other Land Use Districts shall be considered at the discretion of the Development Authority.</p> <p>(d) Fences shall not alter or disrupt the drainage pattern as established in an approved stormwater management plan.</p>
<p>(8) Home Occupation - Basic</p>	<p>(a) Shall not employ any person not residing in the dwelling unit.</p> <p>(b) No client or customer visits are permitted.</p> <p>(c) Shall be contained within the principal building.</p> <p>(d) Outdoor storage of materials, commodities, or finished products related to the use is prohibited.</p> <p>(e) No signs are permitted.</p>

<p>(9) Home Occupation - Rural</p>	<p>(a) Shall not employ more than ten (10) people not residing in the dwelling unit.</p> <p>(b) May include a day home.</p> <p>(c) Outdoor storage of materials, commodities, or finished products related to the use is permitted.</p> <p>(d) One (1) sign is permitted, in accordance with Part 4 of this Bylaw.</p> <p>(e) A development permit for a home occupation - rural may be revoked at any time if, in the opinion of the Development Authority, the operator of the home occupation - rural has violated any provisions of the Bylaw and/or the conditions of the development permit.</p> <p>(f) If the holder of any home occupation - rural development permit relocates within the Town, a new development permit is required for the new location [Bylaw #18.21].</p>
<p>(10) Home Occupation - Urban</p>	<p>(a) Shall not employ more than four (4) people not residing in the dwelling unit.</p> <p>(b) May include a day home.</p> <p>(c) Outdoor storage of materials, commodities, or finished products related to the use is prohibited.</p> <p>(d) One (1) sign is permitted, in accordance with Part 4 of this Bylaw.</p> <p>(e) A development permit for a home occupation - urban may be revoked at any time if, in the opinion of the Development Authority, the operator of the home occupation - urban has violated any provisions of the Bylaw and/or the conditions of the development permit.</p> <p>(f) If the holder of any home occupation - urban development permit relocates within the Town, a new development permit is required for the new location [Bylaw #18.21].</p>
<p>(11) Industrial Uses</p>	<p>(a) Industrial uses on parcels that do not have lane access must provide a minimum 4.5 metres side setback on one (1) side of the parcel.</p>

<p>(12) Kennel</p>	<p>(a) Must be a minimum of 150 metres from an approved dwelling unit at the time of approval of the kennel use unless the dwelling unit is located on the same parcel as the kennel [Bylaw #16.22].</p> <p>(b) A development permit for a kennel shall only be approved for a term not exceeding three (3) years.</p> <p>(c) Upon expiration of a development permit, a new application shall be evaluated with consideration of any prior complaints and/or nearby intensification of Residential Land Use Districts.</p> <p>(d) All animals shall be kept indoors during quiet hours in accordance with the Town of Drumheller Community Standards Bylaw 06.19 as amended from time to time, and its successor legislation [Bylaw #16.22].</p>
<p>(13) Recreation Vehicle Resort</p>	<p>(a) Where possible, existing topography and natural features such as tree stands shall be integrated in the site design.</p> <p>(b) The whole site perimeter shall be landscaped sufficiently at the discretion of the Development Authority.</p> <p>(c) No recreation vehicle shall be located elsewhere than on a designated recreation vehicle parcel.</p> <p>(d) Only one (1) recreation vehicle is permitted to be located on a designated recreation vehicle parcel.</p> <p>(e) A designated recreation vehicle parcel shall be a minimum 140 square metres in size.</p> <p>(f) A maximum of sixty-two (62) designated recreation vehicle parcels shall be permitted per gross developable hectare.</p>
<p>(14) Restricted Substance Retail [Bylaw #18.21]</p>	<p>(a) [Removed by Bylaw #12.24]</p> <p>(b) Restricted substance retail for the sale of liquor shall not be located closer than 150 metres to any school at the time of the development permit application as measured from the closest point of the subject parcel boundary to the closest point of proposed parcel boundary.</p> <p>(c) Restricted substance retail for the sale of</p>

	liquor shall not be located within 300 metres of any other liquor store, when measured from the closest point of an existing liquor store to the closest point of the proposed liquor store.
(15) Storage Structure [Bylaw #18.21]	<ul style="list-style-type: none"> (a) A storage structure shall meet the setback requirements for an accessory building in the appropriate Land Use District. (b) A storage structure shall not be permitted on parcels that contain a residential use. (c) A storage structure shall be screened from view and may require exterior finishing to be in general conformance with the principal building or surrounding development. (d) Shall not be used as a sign. (e) A storage structure may be approved on a temporary basis at the discretion of the Development Authority. (f) A storage structure shall be for cold storage only and shall not connect to public utilities [Bylaw #16.22].
(16) [Removed by Bylaw #12.24]	
(17) [Removed by Bylaw #12.24]	
(18) [Removed by Bylaw #12.24]	
(19) Wind Energy System	<ul style="list-style-type: none"> (a) Wind energy systems shall not exceed 25 metres in height unless otherwise approved by the Development Authority.
(20) Solar Energy System – Freestanding [Bylaw #12.24]	<ul style="list-style-type: none"> (a) Is considered an accessory building and must abide by the standards of Section 3.1.1 (1). (b) Shall not be located in the front yard, secondary front yard, or side yard of the parcel. (c) Shall not exceed a maximum height of 1.8 metres from the grade. (d) Shall be screened from adjacent parcels

	<p>with a fence or <i>landscaping</i>.</p> <p>(e) Shall be positioned in a manner to not direct glare onto an <i>adjacent parcel</i> or <i>right-of-way</i>.</p>
<p>(21) Solar Energy System – Rooftop [Bylaw #12.24]</p>	<p>(a) Shall not project more than 1.0 metres above the roof line in Residential Land Use Districts.</p> <p>(b) Shall not project more than 1.8 metres above the roof line in all other Land Use Districts.</p> <p>(c) The attachment of a solar energy device to a principal or accessory building shall not exceed the maximum building height of the applicable Land Use District.</p> <p>(d) Solar energy devices attached to a principal or accessory building should be integrated with the roof of the structure.</p>

3.5.1.(1) Specific Design Standards – **Dwelling Units:**

<p>(1) Dwelling Unit – Garden [Bylaw #16.22]</p>	<p>(a) Only one shall be permitted per parcel and must be detached from the principal building as a standalone structure, or as a dwelling unit (loft) above an accessory building. Dwelling units attached to an existing principal building in any manner shall be considered a dwelling unit - secondary suite.</p> <p>(b) [Removed by Bylaw #12.24].</p> <p>(c) The subdivision of the property to create two (2) parcels, one for the principal building and one (1) for the dwelling unit – garden is prohibited.</p> <p>(d) Shall be restricted to a single-storey dwelling unit with a maximum height of five (5) metres).</p> <p>(d.1) Notwithstanding subsection e), a dwelling unit - garden may be located in the loft of an accessory building, which may include an attached single car garage.</p> <p>(e) With all applications, Development Authority will take into consideration the potential effect of the development on the privacy of adjacent parcels in regard to such potential issues as window placement, landings for entrances, outdoor amenity space, and building height.</p> <p>(f) Shall be designed to complement the existing principal building on the site. The appearance and quality of the finishing materials of the dwelling unit – garden must reflect the fact that it is a dwelling unit.</p> <p>(g) Shall be separated from the principal building by a minimum of 4.0 metres and a minimum of 1.2 metres from all other accessory buildings.</p> <p>(h) Rear setbacks and side setbacks must meet requirements for accessory buildings.</p> <p>(i) Only one (1) servicing connection per public utility will be permitted (water, sewer) per parcel. The public utilities must be first connected to the principal building, and then fed to the dwelling unit – garden. Installation of all services and public utilities are at the cost of the developer.</p> <p>(j) Shall not be constructed within the front yard</p>
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	<p>of the principal building.</p> <p>(k) All parcels with a dwelling unit – garden shall have a driveway that provides access to the dwelling unit – garden from the side yard or rear yard.</p> <p>(l) Shall only be permitted to have one (1) civic address.</p> <p>(m) May take the form of a dwelling unit - manufactured, but must be designed to complement the existing principal building.</p>
<p>(2) Dwelling Unit – Manufactured [Bylaw #16.22]</p>	<p>(a) Will be a discretionary use unless established within a manufactured home park defined under this Bylaw.</p> <p>(b) [Removed by Bylaw #12.24]</p> <p>(c) In determining the suitability of a dwelling unit – manufactured for placement on a parcel, consideration shall be given to its condition and appearance in context with the adjacent parcels.</p> <p>(d) The undercarriage of a dwelling unit – manufactured shall be screened from view by the foundation or by skirting within thirty (30) days of placement of the dwelling unit – manufactured.</p> <p>(e) All accessory structures such as stairways and landings, patios, decks, and skirting shall be of complementary quality and design to the dwelling unit – manufactured.</p> <p>(f) All dwelling unit – manufactured shall be provided with stairways and landings to all entrances within forty-five (45) days of their placement.</p>
<p>(3) Dwelling Unit – Secondary Suite [Bylaw #16.22]</p>	<p>(a) A maximum of one (1) dwelling unit – secondary suite may be permitted per parcel where a dwelling unit – single detached exists.</p> <p>(b) A separate entrance door to a dwelling unit – secondary suite shall not be located on any front façade of a building facing a public street. Notwithstanding this, a single-entry door providing access to an enclosed, shared landing area from which both the principal dwelling unit and the dwelling unit - secondary suite gain access, may be located on any front of a building facing a</p>

	<p>public street.</p> <p>(c) A principal building containing a dwelling unit - secondary suite may not be converted into condominiums.</p> <p>(d) [Removed by Bylaw #12.24]</p> <p>(e) A dwelling unit - secondary suite shall have a maximum of two (2) bedrooms.</p> <p>(f) A dwelling unit - secondary suite shall not be permitted on the same parcel as a bed and breakfast establishment or home occupation.</p>
<p>(4) Relocation of Buildings</p>	<p>(a) A development permit shall be required for the relocation of any building to any parcel in the Town, except when exempted in accordance with Section 5.10.</p> <p>(b) A development permit for the relocation of a building may include the following conditions of approval:</p> <ul style="list-style-type: none"> i. the building and the proposed location of the building meets the requirements of the Land Use District in which the building is to be relocated to; ii. the building is compatible with the character of the neighbourhood in which the building is to be relocated to; and, iii. the building be renovated to a satisfactory condition within a specified time.

3.5.2 **Development** Near Steep Slopes:

<p>(1) General Provisions [Bylaw #12.24]</p>	<p>(a) A geotechnical slope assessment report prepared by a qualified Geotechnical Engineer is required for all proposed development adjacent to river valley, bench and coulee slopes; unless otherwise determined by the Development Authority.</p> <p>(b) The Development Authority may increase the setbacks established in the section 3.5.2(2) and 3.5.2(3) at their discretion based on the evidence submitted in a geotechnical slope assessment.</p>
<p>(2) Toe of Slope Setback [Bylaw #12.24]</p>	<p>(a) Unless otherwise determined by the Development Authority, the minimum setback from the toe of slopes shall be as follows:</p> <ul style="list-style-type: none"> i. 9.1 metres, when the height of the slope is greater than 3.2 metre; or, ii. one-third (1/3) the height of the slope, from the point where the slope begins to rise steeper than 33%, when a slope is steeper than 33% and higher than 27.4 metres.
<p>(3) Top of Slope Setback [Bylaw #12.24]</p>	<p>(a) Unless otherwise determined by the Development Authority, the minimum setback from the front edge top of slopes, shall be as follows:</p> <ul style="list-style-type: none"> i. 22.8 metres, when the average height of the slope is between 0.0 and 15.4 metres; ii. 45.7 metres, when the average depth of the valley is between 15.5 metres and 30.5 metres; and, iii. 61 metres, or the height of the slope, whichever is greater, when the average depth of the valley is more than 30.5 metres.

3.5.3 **Development** on Land Subject to Undermining or Subsidence Conditions:

- (1) Prior to issuing a **development permit**, approving an application to amend this **Bylaw**, approving an application for **subdivision**, or approving an application to amend a Statutory Plan for land which has potential undermining or subsidence conditions, the **Development Authority** may require a geotechnical study prepared by a member in good standing of the Association of Professional Engineers and Geoscientists of Alberta (APEGA).

3.5.4 **Development** on Land Containing or Potentially Containing Historic and/or Palaeontological Resources:

- (1) Prior to issuing a **development permit**, approving an application to amend this **Bylaw**, approving an application for **subdivision**, or approving an application to amend a Statutory Plan for land that contains or may contain **historic resources**, including palaeontological resources, the **Development Authority** shall ensure that appropriate provincial approval has been obtained as per the **Historical Resources Act**.
- (2) If a **historic resource**, such a palaeontological resource, is found during the course of **development** activities, all **development** activities must cease and the resource must be reported immediately to the Province as per the **Historical Resources Act**, even if the **Historical Resource Act** approval was already issued for the **development**.

3.5.5 Design, Character, and Appearance of **Buildings** and **Landscaping**:

- (1) The design, siting, external finish, architectural appearance, and **landscaping** of any **building** or **structure** requiring a **development permit** shall be to the satisfaction of the **Development Authority** having due regard to:
 - (a) The policies and objectives contained within the **Town's** Statutory Plans;
 - (b) The character of existing **development** in this **Land Use District**;
 - (c) The effect on **adjacent Land Use District(s)** and **parcels**;
 - (d) The effect on natural site features, views, streetscapes, mobility, and **historic resources**; and,
 - (e) Other factors such as sunlight and privacy.
- (2) The quality and extent of **landscaping** established on a **site**, as per an approved **development permit**, shall be the minimum standard to be maintained on the **site** for the life of the **development**. **Soft landscaping** shall be maintained in a healthy living condition, and any tree or shrub, required to meet the minimum standards of this **Bylaw**, that does not survive, or becomes diseased, shall be replaced in the next growing season.

3.5.6 Objects Prohibited or Restricted in Yards [Bylaw #16.22]:

- (1) No persons shall allow a vehicle for stock car races, a vehicle which has all or part of its superstructure removed, or a vehicle which is in a dilapidated or unsightly condition to remain or be parked on a **parcel** unless it is suitably housed or **screened** to the satisfaction of the **Development Authority**.

- (2) Not more than two (2) **recreational vehicles** shall be stored or parked on a **parcel** unless associated with an approved **retail and service – heavy development**. Where possible all **recreational vehicle** shall be stored to the rear of a **parcel**.
- (3) [Removed by Bylaw #12.24]
- (4) [Removed by Bylaw #12.24]
- (5) [Removed by Bylaw #12.24]
- (6) Industrial and commercial equipment including vehicles shall not be stored on within 50 metres of a **parcel** with a **residential use** unless **screened** to the satisfaction of the **Development Authority**.
- (7) No person shall keep or permit in any part of a **yard** in any **Residential Land Use District**:
 - (a) Any dilapidated vehicle for more than fourteen (14) days;
 - (b) No more than one (1) unregistered/uninsured vehicle shall be kept on a **parcel** that contains a **residential use** and it shall not be located within the **front yard**;
 - (c) Any object or chattel which, in the opinion of the **Development Authority**, is unsightly or tends to adversely affect the amenities of the **Land Use District**; and,
 - (d) Any excavation, storage or piling up of material required during the construction stage unless all safety measures are undertaken; 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.

3.5.7 Special Requirements [Bylaw #16.22]:

- (1) All private sewage systems shall comply with **setback** provisions of the **Alberta Private Sewage Systems Standard Practice**.
- (2) The **Development Authority** may prescribe **screening** and **landscaping** requirements for any **development**.
- (3) Garbage and waste material must be stored in weather and animal proof containers and **screened** from **adjacent sites** and public thoroughfares.
- (4) [Removed by Bylaw #12.24]

3.5.8 Architectural Controls and Guidelines [Bylaw #16.22]:

- (1) In addition to the rules for **permitted** and **discretionary uses** in the respective **Land Use District**, the **Town** may impose conditions on a **development permit**, as provided for in Architectural Guidelines, attached to the Certificate of Title by caveat.

3.6 BADLANDS DISTRICT

3.6.1 General Intent:

- (1) To protect, conserve, and enhance natural areas and their scenic or aesthetic values, and retain a healthy ecological function throughout the Valley. The Badlands District consists of lands that remain in or are reverting to a wilderness condition, including lands unsuitable for **development** due to topography, hydrology, or vegetation.

3.6.2 **Uses:**

Use Category	Permitted Uses	Discretionary Uses
(1) Agricultural		<i>Agriculture – Pasturage</i>
(2) Institutional	<i>Recreation – Non-intensive</i>	

3.6.3 [Removed by Bylaw #12.24]

3.7 RURAL DEVELOPMENT DISTRICT

3.7.1 General Intent:

- (1) To support agricultural activities throughout the Valley while also enabling low **density** residential and supportive commercial and institutional **uses**.

3.7.2 Uses:

Use Category	Permitted Uses	Discretionary Uses
(1) Residential [Bylaw #16.22]	<i>Dwelling Unit – Single Detached</i> <i>Dwelling Unit – Secondary Suite</i> <i>Dwelling Unit – Manufactured</i>	<i>Dwelling Unit – Garden</i> <i>Manufactured Home Park</i>
(2) Lodging	<i>Bed & Breakfast</i>	<i>Campground</i> <i>Recreation Vehicle Resort</i>
(3) Commercial	<i>Artist Studio</i> <i>Home Occupation – Rural</i> <i>Home Occupation – Basic</i>	<i>Restaurant/Café</i> <i>Kennel</i>
(4) Institutional	<i>Recreation – Non-Intensive</i>	<i>After Life Care</i> <i>Cemetery</i> <i>Culture</i> <i>Government</i> <i>Human Services</i> <i>Recreation – Intensive</i>
(5) Agricultural	<i>Agriculture – General</i>	<i>Agriculture – Intensive</i>
(6) Other Uses	<i>Accessory Building</i> <i>Accessory Building – Portable</i> <i>Solar Energy System – Freestanding</i> <i>Solar Energy System – Rooftop</i> <i>Storage Structure</i>	<i>Billboard Sign</i> <i>Freestanding Sign</i> <i>Projecting Sign</i> <i>Wind Energy System</i>

	<p>Fascia Signs are considered a permitted use when associated with an approved Lodging, Commercial, or Institutional development on the same parcel. [Bylaw #16.22]</p>	
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3.7.3 Specific **Use** Standards:

(1) Accessory Buildings	An accessory building shall be located a minimum of 4.5 metres from any principal building .
(2) [Removed by Bylaw #12.24]	
(3) Dwelling Unit – Manufactured [Bylaw #16.22]	<p>(a) The minimum width of a dwelling unit – manufactured shall be 7.3 metres.</p> <p>(b) Dwelling unit – manufactured constructed greater than ten (10) years from the time of development permit application may only be approved at the discretion of the Development Authority.</p> <p>(c) The massing, design and appearance of a dwelling unit – manufactured shall be consistent with adjacent development to the satisfaction of the Development Authority, and may be required to include enhanced design elements that add visual interest such as:</p> <ul style="list-style-type: none"> i. a porch or veranda on the front façade; ii. horizontal wall articulation on the front façade; iii. the use of thick columns or brackets on roof overhangs; iv. dormers, gables, cross gables or varied pitches for articulated roof lines; v. large or bay windows on the front façade, with strong window trim; vi. architectural features or other detailing over entrances; vii. changes in exterior siding materials, textures and colors to break up long

	wall expanses; and, viii. the use of trim and moldings that contrast the exterior siding.
(3.1) Solar Energy System – Rooftop [Bylaw #12.24]	Shall not project more than 1.8 metres above the roof line of any principal or accessory building .
(4) Additional Standards	No use shall cause or create any nuisance, by way of noise, vibration, smoke, dust, fumes, odors, heat, light, or traffic generation, at the discretion of the Development Authority .

3.7.4 **Parcel** Width Standards:

(1) Parcel Area	Minimum 2.0 acres.
(2) Additional Parcel Width Standards	There is no minimum parcel width for a recreation vehicle resort .

3.7.5 Residential **Density**:

(1) Residential Density	Maximum two (2) dwelling units per parcel .
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3.7.6 **Setbacks** for **Principal Buildings**:

(1) Front Setback	(a) Minimum 7.5 metres from a Municipal road . (b) Minimum 40 metres from a Provincial road .
(2) Secondary Front Setback	(a) Minimum 7.5 metres from a Municipal road . (b) Minimum 40 metres from a Provincial road .
(3) Side Setback	Minimum 5.0 metres.
(4) Rear Setback	Minimum 15 metres.
(5) Projections into Setbacks	(a) The following features may project into a setback : i. unenclosed steps and wheelchair ramps; ii. signs ; iii. fences;

	<ul style="list-style-type: none"> iv. eaves, chimneys, cantilevers, bay windows, or other similar architectural features may project up to 0.6 metres into a front setback or side setback and up to 1.5 metres into a rear setback; v. balconies may project up to 1.5 metres into a front setback or rear setback and may project into a side setback, but must maintain a minimum of 1.2 metres from the side parcel boundary; vi. an unenclosed deck, porch or other similar structure, below 0.6 metres in height may project up to 75% into a front setback or rear setback [Bylaw #12.24]; and, vii. an unenclosed deck, porch or other similar structure, above 0.6 metres in height may project up to 50% into a front setback or rear setback [Bylaw #12.24].
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3.7.7 **Setbacks for Accessory Buildings:**

(1) Front Setback	(a) Minimum 7.5 metres from a Municipal road . (b) Minimum 40 metres from a Provincial road .
(2) Secondary Front Setback	(a) Minimum 7.5 metres from a Municipal road . (b) Minimum 40 metres from a Provincial road .
(3) Side Setback	Minimum 4.5 metres.
(4) Rear Setback	Minimum 7.5 metres.

3.7.8 **Building Height Standards:**

(1) Principal Building	Maximum 14 metres.
(2) Accessory Building	Maximum 11 metres.
(3) Additional Building Height Standards	There is no maximum building height for uses listed in subsection 3.7.2(4).

Additional Standards

<p>(1) Subdivision</p>	<p>(a) A development requiring subdivision shall not be issued a development permit until approval of the subdivision application by the Subdivision Authority or, upon appeal, the Subdivision and Development Appeal Board.</p> <p>(b) A subdivision may require an approved Area Structure Plan and/or concept plan at the discretion of the Subdivision/Development Authority [Bylaw #18.21].</p>
<p>(2) Stormwater Management</p>	<p>(a) Unless otherwise determined by the Development Authority, the applicant shall be required to grade a parcel in such a way that all surface water will drain from the parcel to the rear lane, the street, and/or a stormwater management system.</p> <p>(b) A stormwater management plan shall be required for all subdivision and development applications for uses listed in subsection 3.7.2(3) and 3.7.2(4).</p>

3.8 COUNTRYSIDE DISTRICT

3.8.1 General Intent:

- (1) To provide opportunities for low **density** residential **development** and support commercial **uses** in locations that enable a transition from rural to urban. **Development** shall be rural in nature, with low **density development** on large **parcels**. **Dwelling unit – single detached uses** and **accessory buildings** are the predominant **building** form.

3.8.2 Uses:

Use Category	Permitted Uses	Discretionary Uses
(1) Residential [Bylaw #16.22]	Dwelling Unit – Single Detached Dwelling Unit – Manufactured Dwelling Unit – Secondary Suite	Dwelling Unit – Garden Manufactured Home Park
(2) Lodging	Bed & Breakfast	Campground Recreation Vehicle Resort
(3) Commercial	Artist Studio Home Occupation – Rural Home Occupation – Basic	Kennel Restricted Substance Retail Restaurant/Café Retail & Service – General
(4) Institutional	Culture Education Government Health Services Human Services Recreation – Intensive Recreation – Non-Intensive	Cemetery
(5) Agricultural	Agriculture – General	
(6) Other Uses	Accessory Building Accessory Building –	Freestanding Sign Projecting Sign

	<p>Portable</p> <p>Solar Energy System – Freestanding</p> <p>Solar Energy System – Rooftop</p> <p>Storage Structure</p> <p>Fascia Signs are considered a permitted use associated with an approved Lodging, Commercial, or Institutional development on the same parcel [Bylaw #16.22].</p>	
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3.8.3 Specific **Use** Standards:

(1)	[Removed by Bylaw #12.24]	
(2)	Restaurant/Café	<p>(a) The maximum use area for a restaurant/café is 300 square metres.</p> <p>(b) One (1) sign is permitted, in accordance with Part 4 of this Bylaw.</p>
(3)	Retail & Service	<p>(a) The maximum use area for retail & service is 300 square metres.</p> <p>(b) Permanent outdoor display, service, and/or storage is not permitted.</p> <p>(c) One (1) sign is permitted, in accordance with Part 4 of this Bylaw.</p>
(4)	Dwelling Unit – Manufactured [Bylaw #16.22]	<p>(a) The minimum width of a dwelling unit – manufactured shall be 7.3 metres.</p> <p>(b) A dwelling unit – manufactured constructed greater than ten (10) years from the time of development permit application may only be approved at the discretion of the Development Authority.</p> <p>(c) The massing, design and appearance of a dwelling unit – manufactured shall be consistent with adjacent development to the satisfaction of the Development Authority, and may be required to include enhanced design elements that add visual interest such as:</p> <p>i. a porch or veranda on the front</p>

	<ul style="list-style-type: none"> façade; ii. horizontal wall articulation on the front façade; iii. the use of thick columns or brackets on roof overhangs; iv. dormers, gables, cross gables or varied pitches for articulated roof lines; v. large or bay windows on the front façade, with strong window trim; vi. architectural features or other detailing over entrances; vii. changes in exterior siding materials, textures and colors to break up long wall expanses; and, viii. the use of trim and moldings that contrast the exterior siding.
(4.1) Solar Energy System – Rooftop [Bylaw #12.24]	Shall not project more than 1.0 metres above the roof line of any principal or accessory building .
(5) Additional Standards	No use shall cause or create any nuisance , by way of noise, vibration, smoke, dust, fumes, odors, heat, light, or traffic generation, at the discretion of the Development Authority .

3.8.4 **Parcel** Width Standards:

(1) Parcel Area	Minimum 0.5 acres.
(2) Additional Parcel Width Standards	There is no minimum parcel width for a recreation vehicle resort .

3.8.5 Residential **Density**:

(1) Residential Density	Maximum two (2) dwelling units per parcel .
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3.8.6 **Setbacks** for **Principal Buildings**:

(1) Front Setback	Minimum 10 metres.
(2) Secondary Front Setback	Minimum 7.5 metres.

(3) Side Setback	Minimum 3.0 metres.
(4) Rear Setback	Minimum 10 metres.
(5) Projections into Setbacks	<p>(a) The following features may project into a setback:</p> <ul style="list-style-type: none"> i. unenclosed steps and wheelchair ramps; ii. signs; iii. fences; iv. an unenclosed deck, porch or other similar structure, below 0.6 metres in height may project up to 75% into a front setback or rear setback; v. an unenclosed deck, porch or other similar structure, above 0.6 metres in height may project up to 50% into a front setback or rear setback; vi. eaves, chimneys, cantilevers, bay windows, or other similar architectural features may project up to 0.6 metres into a minimum front setback or side setback and up to 1.5 metres into a minimum rear setback; and, vii. balconies may project up to 1.5 metres in a front setback or rear setback and may project into a side setback, but must maintain a minimum of 1.2 metres from the side parcel boundary.

3.8.7 **Setbacks for Accessory Buildings:**

(1) Front Setback	Minimum 10 metres.
(2) Secondary Front Setback	Minimum 7.5 metres.
(3) Side Setback	Minimum 3.0 metres.
(4) Rear Setback	Minimum 10 metres.

3.8.8 **Parcel Coverage** Standards:

(1) Maximum Parcel Coverage	25%
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3.8.9 **Building Height** Standards:

(1) Principal Building	Maximum 14 metres.
(2) Accessory Building	Maximum 7.5 metres.
(3) Additional Building Height Standards	There is no maximum building height for uses listed in subsection 3.8.2(4).

3.8.10 Parking, Loading and Access Standards:

(1) Bicycle Parking	Where bicycle parking is provided for uses listed in subsection 3.8.2(3), bicycle parking shall be located close to the entrance of the principal building , but shall not impede pedestrian circulation or access to the building .
(2) Vehicle Parking	<p>(a) There is no minimum required number of parking stalls for any development in the Countryside District.</p> <p>(b) Surface parking areas shall not be allowed unless associated with a development.</p> <p>(c) Any parking area having four (4) or more parking stalls that are visible from an adjacent parcel or road shall provide and maintain landscaping along the perimeter of the parking area.</p>

3.8.11 **Landscaping** Standards:

(1) General Landscaping Standards	The front yard shall be landscaped with grass, trees, shrubs, and/or flower beds. Areas of shale, rock, or other hard landscaping may be acceptable but shall not exceed 25% of the landscaped area .
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3.8.12 **Screening** and Fences:

<p>(1) Screening</p>	<p>(a) Garbage and waste material must be stored in closed containers, and visually screened from public roads, excluding lanes.</p> <p>(b) Outside storage of commercial materials and equipment shall be visually screened from adjacent parcels and public roads.</p>
<p>(2) Fences [Bylaw #16.22]</p>	<p>(a) A fence located in a front yard shall be a maximum height of 1.2 metres.</p> <p>(b) All other fences shall be a maximum height of 1.8 metres.</p> <p>(c) No fence, wall, tree, hedge or other structure, object, or plant exceeding 1.2 metres in height shall be permitted within the corner visibility triangle.</p>

3.8.13 Additional Standards:

<p>(1) Subdivision</p>	<p>A development requiring subdivision shall not be issued a development permit until approval of the subdivision application by the Subdivision Authority or, upon appeal, the Subdivision and Development Appeal Board.</p>
<p>(2) Stormwater Management</p>	<p>(a) Unless otherwise determined by the Development Authority, the applicant shall be required to grade a parcel in such a way that all surface water will drain from the parcel to the rear lane, the street, and/or a stormwater management system.</p> <p>(b) A stormwater management plan shall be required for all subdivision and development applications for uses listed in 3.8.2(3) and 3.8.2(4).</p>

3.9 NEIGHBOURHOOD DISTRICT

3.9.1 General Intent:

- (1) To enable primarily ground-oriented residential **development** with an emphasis on diverse, walkable neighbourhoods with varying built forms and housing typologies. To achieve complete communities, as envisioned in the **Municipal Development Plan**, select non-residential **uses** such as small-scale **restaurants/café**s, **offices**, **home occupations**, **education**, and personal services are allowed.
- (2) **Development** shall be predominantly residential and may have a wide range of **building** types including single detached, duplex, rowhouses, and **dwelling unit – secondary suites**. All **development**, regardless of **use**, shall have a built form that is consistent with surrounding residential properties, with the exception of **uses** listed in subsection 3.9.2(4).

3.9.2 Uses:

Use Category	Permitted Uses	Discretionary Uses
(1) Residential [Bylaw #16.22]	Dwelling Unit – Duplex Dwelling Unit – Multi Unit (Apartment) Dwelling Unit – Multi Unit (Attached) Dwelling Unit – Single Detached Dwelling Unit – Secondary Suite	Dwelling Unit – Manufactured Dwelling Unit – Garden Manufactured Home Park
(2) Lodging	Bed & Breakfast	Campground
(3) Commercial	Artist Studio Home Occupation – Urban Home Occupation - Basic	Restricted Substance Retail Restaurant/Café Retail & Service – General Office

(4) Institutional	Culture Education Government Health Services Human Services Recreation – Non-Intensive	Recreation – Intensive [Bylaw #16.22]
(5) Other <i>Uses</i>	Accessory Building Solar Energy System – Freestanding Solar Energy System – Rooftop	Accessory Building – Portable Bench Sign [Bylaw #16.22] Fascia Sign Freestanding Sign Projecting Sign

3.9.3 Specific *Use* Standards:

(1) Restaurant/Café	(a) The maximum use area for a Restaurant/Cafés 300 square metres. (b) One (1) sign is permitted, in accordance with Part 4 of this Bylaw .
(2) Retail & Service	(a) The maximum use area for retail & service is 300 square metres. (b) Permanent outdoor display, service, and/or outdoor storage is not permitted. (c) One (1) sign is permitted, in accordance with Part 4 of this Bylaw .
(3) Dwelling Unit – Manufactured [Bylaw #16.22]	(a) The minimum width of a dwelling unit – manufactured shall be 7.3 metres. (b) Dwelling unit – manufactured constructed greater than ten (10) years from the time of development permit application may only be approved at the discretion of the Development Authority . (c) The massing, design and appearance of a dwelling unit – manufactured shall be consistent with adjacent development to the satisfaction of the Development Authority , and may be required to include enhanced design elements that add visual interest such as: <ul style="list-style-type: none"> i. a porch or veranda on the front

	<ul style="list-style-type: none"> façade; ii. horizontal wall articulation on the front façade; iii. the use of thick columns or brackets on roof overhangs; iv. dormers, gables, cross gables or varied pitches for articulated roof lines; v. large or bay windows on the front façade, with strong window trim; vi. architectural features or other detailing over entrances; vii. changes in exterior siding materials, textures and colors to break up long wall expanses; and, viii. the use of trim and moldings that contrast the exterior siding.
(3.1) Solar Energy System – Rooftop [Bylaw #12.24]	Shall not project more than 1.0 metres above the roof line of any principal or accessory building .
(4) Additional Standards	No use shall cause or create any nuisance , by way of noise, vibration, smoke, dust, fumes, odors, heat, light, or traffic generation, at the discretion of the Development Authority .

3.9.4 **Setbacks for Principal Building:**

(1) Front Setback	<ul style="list-style-type: none"> (a) Minimum 3.0 metres. (b) Maximum 6.0 metres.
(2) Secondary Front Setback	<ul style="list-style-type: none"> (a) Minimum 3.0 metres (b) Maximum 6.0 metres.
(3) Side Setback	Minimum 1.2 metres.
(4) Rear Setback	Minimum 6.0 metres.

<p>(5) Projections into Setbacks</p>	<p>(a) The following features may project into a setback:</p> <ul style="list-style-type: none"> i. unenclosed steps and wheelchair ramps; ii. signs; iii. fences; iv. an unenclosed deck, porch or other similar structure, below 0.6 metres in height may project up to 75% into a front setback or rear setback; v. an unenclosed deck, porch or other similar structure, above 0.6 metres in height may project up to 50% into a front setback or rear setback; vi. eaves, chimneys, cantilevers, bay windows, or other similar architectural features may project up to 0.6 metres into a front setback or side setback and up to 1.5 metres into a rear setback; and, vii. balconies may project up to 1.5 metres in a front setback or rear setback and may project into a side setback, but must maintain a minimum of 1.2 metres from the side parcel boundary.
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3.9.5 **Setbacks for Accessory Buildings:**

<p>(1) Front Setback</p>	<p>Principal building front setback plus 1.0 metre.</p>
<p>(2) Secondary Front Setback</p>	<p>Minimum 3.0 metres.</p>
<p>(3) Side Setback</p>	<p>Minimum 1.2 metres.</p>
<p>(4) Rear Setback</p>	<p>Minimum 1.2 metres.</p>

3.9.6 **Parcel Coverage Standards:**

<p>(1) Maximum Parcel Coverage</p>	<p>70%</p>
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(2) Accessory Building	Floor area of an accessory building must not exceed 80% floor area coverage of the principal building [Bylaw #16.22].
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3.9.7 **Building Height** Standards:

(1) Principal Building	Maximum 11 metres.
(2) Accessory Building [Bylaw #16.22]	<ul style="list-style-type: none"> (a) Must not exceed height of principal building. (b) Maximum of 7.5 metres, if associated with a dwelling unit – garden. (c) Maximum 5.0 metres if not associated with a dwelling unit – garden. (d) Must not have overhead doors greater than 3.0 metres in height.
(3) Additional Building Height Standards	There is no maximum building height for uses listed in subsection 3.9.2(4).

3.9.8 **Parking, Loading, and Access** Standards:

(1) Bicycle Parking	<ul style="list-style-type: none"> (a) Where bicycle parking is provided for uses listed in subsection 3.9.2(3), bicycle parking shall be located close to the entrance of the principal building, but shall not impede pedestrian circulation or access to the building. (b) Where bicycle parking is provided for uses listed in subsection 3.9.2(1), bicycle parking shall be located and secured within a principal building or accessory building.
(2) Vehicle Parking	<ul style="list-style-type: none"> (a) There is no minimum required number of parking stalls for any development in the Neighbourhood District. (b) Parking areas and/or structures shall be located to the side or rear of a building, or underground, wherever possible. (c) Surface parking areas and/or parking structures shall not be allowed unless located on the same parcel as a development. (d) Any parking area having four (4) or more parking stalls that are visible from an adjacent parcel or road shall provide and

	<p>maintain landscaping along the perimeter of the parking area.</p> <p>(e) Any parking area containing ten (10) or more parking stalls shall provide and maintain landscaping in the internal parking area and along the perimeter of the parking area.</p>
(3) Vehicle Access	<p>(a) Where a parcel shares a parcel boundary with a lane, all access to the parcel must be from the lane.</p> <p>(b) Where a corner parcel shares a parcel boundary with a lane, access may be either from the lane or the street.</p> <p>(c) In the absence of a lane, access should be from the secondary front yard. Where access from a secondary front yard is not possible, access may be located on the front yard.</p> <p>(d) Parcels shall have two (2) or more access points in order to provide adequate egress in the event of an emergency.</p>

3.9.9 **Landscaping** Standards:

(1) General Landscaping Standards	The front yard shall be landscaped with grass, trees, shrubs, and/or flower beds. Areas of shale, rock, or other hard landscaping may be acceptable but shall not exceed 25% of the landscaped area .
(2) Landscaped Area	All portions of a parcel not covered by structures , parking, or vehicular circulation areas shall be landscaped .
(3) Number of Trees	<p>(a) The minimum number of trees required for a residential development shall be one (1) tree per 45 square metres of landscaped area, or a minimum of two (2) trees per parcel, whichever is greater.</p> <p>(b) The minimum number of trees required for a mixed-use or commercial development shall be one (1) tree per 35 square metres of landscaped area.</p>
(4) Tree Size	Minimum height of 2.0 metres or 40 millimetres in caliper.
(5) Number of Shrubs	The minimum number of shrubs required for a

	development shall be one (1) shrub per 15 square metres of landscaped area .
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3.9.10 **Screening, Fences, and Hedges:**

(1) Screening	<p>(a) Garbage and waste material must be stored in closed containers, and visually screened from public roads, excluding lanes.</p> <p>(b) Outdoor storage of commercial materials and equipment shall be visually screened from adjacent parcels and public roads.</p>
(2) Fences and Hedges [Bylaw #16.22]	<p>(a) A fence or hedge located in a front yard or a secondary front yard shall be a maximum height of 1.2 metres.</p> <p>(b) All other fences or hedges shall be a maximum height of 1.8 metres.</p> <p>(c) [Removed by Bylaw #12.24]</p> <p>(d) [Removed by Bylaw #12.24]</p> <p>(e) No fence, wall, tree, hedge or other structure, object, or plant exceeding 1.2 metres in height shall be permitted within the corner visibility triangle.</p>

3.9.11 Additional Standards:

(1) Subdivision	A development requiring subdivision shall not be issued a development permit until approval of the subdivision application by the Subdivision Authority or, upon appeal, the Subdivision and Development Appeal Board .
(2) Stormwater Management	<p>(a) Unless otherwise determined by the Development Authority, the applicant shall be required to grade a parcel in such a way that all surface water will drain from the parcel to the rear, the street, and/or a stormwater management system.</p> <p>(b) A stormwater management plan shall be required for all subdivision and development applications for uses listed in the subsection 3.9.2(3) and 3.9.2(4).</p>

3.9.12 [Removed by Bylaw #12.24]

3.10 NEIGHBOURHOOD CENTRE DISTRICT

3.10.1 General Intent:

- (1) To provide opportunities for focused community activity that functions as the social and economic heart of a neighbourhood. **Development** supports a high-quality pedestrian experience and thriving small business environment. **Buildings** should be oriented towards the **street**, with the possibility of having **residential uses** located on upper floors and commercial **uses** at **grade**.

3.10.2 Uses:

Use Category	Permitted Uses	Discretionary Uses
(1) Residential [Bylaw #16.22]	<p>Dwelling Unit – Duplex</p> <p>Dwelling Unit – Multi Unit (Apartment)</p> <p>Dwelling Unit – Multi Unit (Attached)</p> <p>Dwelling Unit – Single Detached</p> <p>Dwelling Unit – Secondary Suite</p>	<p>Dwelling Unit – Manufactured</p> <p>Dwelling Unit – Garden</p> <p>Residential Mixed-Use Development</p>
(2) Lodging	<p>Bed & Breakfast</p> <p>Hotel/Motel</p>	
(3) Commercial	<p>Artist Studio</p> <p>Entertainment Facility</p> <p>Home Occupation – Urban</p> <p>Home Occupation – Basic</p> <p>Restaurant/Café</p> <p>Retail & Service – General Office</p>	<p>Car Wash</p> <p>Gas Station</p> <p>Restricted Substance Retail</p> <p>Drinking Establishment</p>
(4) Institutional	<p>Culture</p> <p>Education</p> <p>Government</p> <p>Health Services</p> <p>Human Services</p> <p>Recreation – Non-Intensive</p>	<p>Recreation – Intensive [Bylaw #16.22]</p>

(5) Other <i>Uses</i>	<p>Accessory Building</p> <p>Solar Energy System – Freestanding</p> <p>Solar Energy System – Rooftop</p> <p>The following signs are considered a permitted use when associated with an approved Lodging, Commercial, or Institutional development on the same parcel [Bylaw #16.22].</p> <p>A-Board Sign</p> <p>Fascia Sign</p> <p>Freestanding Sign</p> <p>Projecting Sign</p>	<p>Accessory Building – Portable</p> <p>Portable Sign</p> <p>Storage Structure</p>
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3.10.2.(1) Specific **Use** Standards:

(1) Car Wash	<p>(a) Minimum site area shall be 550 square metres and shall accommodate queuing space for two (2) vehicles prior to entering the washing area and queuing space for one (1) vehicle upon leaving the washing area.</p> <p>(b) Shall be limited to the washing of vehicles with a gross vehicle weight of 4,000 kilograms or less.</p>
(2) Gas Station	<p>(a) Shall only be located at the intersection of two (2) or more streets or highways, or within the parking lot of a Commercial Use, as listed in 3.10.2(3).</p> <p>(b) Pumps should be located to the side or rear of the parcel and provide additional front setback area and/or landscaping to better integrate the gas station with the public realm.</p> <p>(c) The pumps shall be located a minimum of 4.5 metres from the building.</p>
(3) Dwelling Unit – Manufactured [Bylaw #16.22]	<p>(a) The minimum width of a dwelling unit – manufactured shall be 7.3 metres.</p> <p>(b) Dwelling unit – manufactured constructed greater than ten (10) years from the time of</p>

	<p>development permit application may only be approved at the discretion of the Development Authority.</p> <p>(c) The massing, design and appearance of a dwelling unit – manufactured shall be consistent with adjacent development to the satisfaction of the Development Authority, and may be required to include enhanced design elements that add visual interest such as:</p> <ul style="list-style-type: none"> i. a porch or veranda on the front façade; ii. horizontal wall articulation on the front façade; iii. the use of thick columns or brackets on roof overhangs; iv. dormers, gables, cross gables or varied pitches for articulated roof lines; v. large or bay windows on the front façade, with strong window trim; vi. architectural features or other detailing over entrances; vii. changes in exterior siding materials, textures and colors to break up long wall expanses; and, viii. the use of trim and moldings that contrast the exterior siding.
(3.1) Solar Energy System – Rooftop [Bylaw #12.24]	Shall not project more than 1.0 metres above the roof line of any principal or accessory building .
(4) Additional Standards	No use shall cause or create any nuisance , by way of noise, vibration, smoke, dust, fumes, odors, heat, light, or traffic generation, at the discretion of the Development Authority .

3.10.3 **Setbacks for Principal Buildings:**

(1) Front Setback	Maximum 3.0 metres.
(2) Secondary Front Setback	Maximum 3.0 metres.
(3) Side Setback	Minimum 1.2 metres.
(4) Rear Setback	Minimum 3.0 metres.

<p>(5) Additional Setback Standards [Bylaw #16.22]</p>	<p>(a) There is no maximum front setback, secondary front setback, side setback, or rear setback for car washes and gas stations.</p> <p>(b) The minimum front setback, secondary front setback, side setback, or rear setback is 3.0 metres for car washes and gas stations.</p>
<p>(6) Projections into Setbacks [Bylaw #16.22]</p>	<p>(a) The following features may project into a setback:</p> <ul style="list-style-type: none"> i. unenclosed steps and wheelchair ramps; ii. signs; iii. fences; iv. an unenclosed deck, porch or other similar structure, may project up to 50% into a front setback or rear setback; v. eaves, chimneys, cantilevers, bay windows, or other similar architectural features may project up to 0.6 metres into a front setback or side setback and up to 1.5 metres into a rear setback; and, vi. balconies may project up to 1.5 metres into a front setback or rear setback and may project into a side setback, but must maintain a minimum of 1.2 metres from <i>the side parcel boundary</i>.

3.10.4 **Setbacks for Accessory Buildings:**

<p>(1) Front Setback</p>	<p>Principal building front setback plus 1.0 metre.</p>
<p>(2) Secondary Front Setback</p>	<p>Minimum 3.0 metres.</p>
<p>(3) Side Setback</p>	<p>Minimum 1.2 metres.</p>
<p>(4) Rear Setback</p>	<p>Minimum 1.2 metres.</p>

3.10.5 **Parcel Coverage Standards:**

(1) Maximum Parcel Coverage	80%
(2) Accessory Building	Floor area of accessory building must not exceed 80% coverage of the principal building [Bylaw #16.22].

3.10.6 **Building Height** Standards:

(1) Principal Building	Maximum 14 metres.
(2) Accessory Building [Bylaw #16.22]	<ul style="list-style-type: none"> (a) Must not exceed height of the principal building. (b) Maximum height of 7.5 metres, if associated with a dwelling unit – garden. (c) Maximum height of 5.0 metres, if not associated with a dwelling unit – garden. (d) Must not have overhead doors greater than 3.0 metres in height.
(3) Additional Building Height Standards	(a) There is no maximum building height for uses listed in subsection 3.10.2(4).

3.10.7 Parking, Loading, and Access Standards:

(1) Bicycle Parking	<ul style="list-style-type: none"> (a) Where bicycle parking is provided for uses listed in subsection 3.10.2(3), bicycle parking shall be located close to the entrance of the principal building, but shall not impede pedestrian circulation or access to the building. (b) Where bicycle parking is provided for uses listed in subsection 3.10.2(1), bicycle parking shall be located and secured within the principal building or accessory building.
(2) Vehicle Parking	<ul style="list-style-type: none"> (a) There is no minimum required number of parking stalls for any development in the Neighbourhood Centre District. (b) Parking areas and/or structures shall be located to the side or rear of a building, or underground, wherever possible. (c) Surface parking areas and/or parking structures shall not be allowed unless associated with a development. (d) Any parking area having four (4) or more

	<p>parking stalls that are visible from an adjacent parcel or road shall provide and maintain landscaping along the perimeter of the parking area.</p> <p>(e) Any parking area containing ten (10) or more parking stalls shall provide and maintain landscaping in the internal parking area and along the perimeter of the parking area.</p>
(3) Vehicle Access	<p>(a) The following regulations apply only to the uses listed in subsection 3.10.2(1):</p> <ul style="list-style-type: none"> i. where a parcel shares a parcel boundary with a lane, all access to the parcel must be from the lane; ii. where a corner parcel shares a parcel boundary with a lane, access may be either from the lane or the street; iii. in the absence of a lane, access should be from the secondary front yard. Where access from a secondary front yard is not possible, access may be located on the primary front yard; iv. access to parking areas and/or structures shall be no wider than 6.0 metres adjacent to the front parcel boundary; and, v. parcels shall have two (2) or more access points in order to provide adequate egress in the event of an emergency.

3.10.8 **Landscaping** Standards:

(1) General Landscaping Standards	For uses listed in subsection 3.10.2(1) the front yard shall be landscaped with grass, trees, shrubs, and/or flower beds. Areas of shale, rock, or other hard landscaping may be acceptable but shall not exceed 25% of the landscaped area .
(2) Landscaped Area	All portions of a site not covered by structures , parking, or vehicular circulation areas shall be landscaped .

(3) Number of Trees	<p>(a) The minimum number of trees required for a residential use shall be one (1) tree per 45 square metres of landscaped area, or a minimum of two (2) trees per parcel, whichever is greater.</p> <p>(b) The minimum number of trees required for a mixed-use or commercial development shall be one (1) tree per 35 square metres of landscaped area.</p>
(4) Tree Size	Minimum height of 2.0 metres or 40 millimetres in caliper.
(5) Number of Shrubs	The minimum number of shrubs required for a residential, mixed-use, or commercial development shall be one (1) shrub per 15 square metres of landscaped area .

3.10.9 **Screening, Fences, and Hedges:**

(1) Screening	<p>(a) Garbage and waste material must be stored in closed containers, and visually screened from public roads, excluding lanes.</p> <p>(b) Outside storage of commercial materials and equipment shall be visually screened from adjacent parcels and public roads.</p>
(2) Fences and Hedges [Bylaw #16.22]	<p>(a) A fence or hedge located in a front yard shall be a maximum height of 1.2 metres.</p> <p>(b) All other fences or hedges shall be a maximum height of 1.8 metres.</p> <p>(c) No fence, wall, tree, hedge or other structure, object, or plant exceeding 1.2 metres in height shall be permitted within the corner visibility triangle at the discretion of the Development Authority.</p>

3.10.10 Additional Standards:

(1) Subdivision	(a) A development requiring subdivision shall not be issued a development permit until approval of the subdivision application by the Subdivision Authority or, upon appeal, the Subdivision and Development Appeal Board .
(2) Stormwater Management	(a) Unless otherwise determined by the

	<p>Development Authority, the applicant shall be required to grade a parcel in such a way that all surface water will drain from the parcel to the rear lane, the street, and/or a stormwater management system.</p> <p>(b) A stormwater management plan shall be required for all subdivision and development applications for the uses listed in subsection 3.10.2(3) and 3.10.2(4).</p>
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3.11 DOWNTOWN DISTRICT

3.11.1 General Intent:

- (1) To support an active, thriving, mixed-use downtown with high quality public spaces, successful businesses, pedestrian connectivity, and street-level activity. **Development** is characterized by a larger scale of mixed-use **buildings** than is possible elsewhere in the Valley. New **development** enables a diverse streetscape with a strong relationship between **buildings** and the **street**. Residential **development** consists primarily of **buildings** with multiple **dwelling units**, and in many cases, ground floor commercial **uses**.

3.11.2 Uses:

Use Category	Permitted Uses	Discretionary Uses
(1) Residential [Bylaw #16.22]	<i>Dwelling Unit – Duplex</i> <i>Dwelling Unit – Multi Unit (Apartment)</i> <i>Dwelling Unit – Multi Unit (Attached)</i> <i>Dwelling Unit – Secondary Suite</i> <i>Residential Mixed-Use Development</i>	<i>Dwelling Unit – Single Detached</i>
(2) Lodging	<i>Bed & Breakfast</i> <i>Hotel/Motel</i>	
(3) Commercial	<i>Artist Studio</i> <i>Drinking Establishment</i> <i>Entertainment Facility</i> <i>Home Occupation – Urban</i> <i>Home Occupation – Basic</i> <i>Restaurant/Café</i> <i>Retail & Service – General Office</i>	<i>Adult Entertainment</i> <i>Restricted Substance Retail</i> <i>Brewery/Distillery</i>
(4) Institutional	<i>Culture</i> <i>Education</i> <i>Government</i> <i>Health Services</i> <i>Human Services</i>	<i>After Life Care</i>

	<i>Recreation – Intensive</i> <i>Recreation – Non-Intensive</i>	
(5) Other <i>Uses</i>	<p>Accessory Building</p> <p>Solar Energy System — Freestanding</p> <p>Solar Energy System — Rooftop</p> <p>The following signs are considered a permitted use when associated with an approved Lodging, Commercial, Industrial development on the same parcel [Bylaw #16.22].</p> <p>A-Board Sign</p> <p>Fascia Sign</p> <p>Freestanding Sign</p> <p>Projecting Sign</p>	<p>Portable Sign</p> <p>Mural [Bylaw #16.22]</p> <p>Storage Structure</p>

3.11.3 Specific **Use** Standards:

(1) [Removed by Bylaw #12.24]	
(2) Hotel/Motel	Vehicle access and parking areas, including any structures , shall not be located between a street and a façade of the building .
(2.1) Solar Energy System – Rooftop [Bylaw #12.24]	Shall not project more than 1.0 metres above the roof line of any principal or accessory building .
(3) Additional Standards	No use shall cause or create any nuisance , by way of noise, vibration, smoke, dust, fumes, odors, heat, light, or traffic generation, at the discretion of the Development Authority .

3.11.4 **Setbacks** for **Principal Buildings**:

(1) Front Setback	Maximum 3.0 metres.
(2) Secondary Front Setback	Maximum 3.0 metres.
(3) Side Setback	0.0 metres where a fire wall is provided otherwise a

	minimum of 1.2 metres.
(4) Rear Setback	0.0 metres where a fire wall is provided otherwise a minimum of 1.2 metres.
(5) Projections into Setbacks	<p>(a) The following features may project into a setback:</p> <ul style="list-style-type: none"> i. unenclosed steps and wheelchair ramps; ii. signs; iii. fences; iv. an unenclosed deck, porch or other similar structure may project up to 50% into a front setback or rear setback [Bylaw #16.22]; v. [Removed by Bylaw #12.24] vi. eaves, chimneys, cantilevers, bay windows, or other similar architectural features may project up to 0.6 metres into a front setback or side setback and up to 1.5 metres into a rear setback; and, vii. balconies may project up to 1.5 metres in a front setback or rear setback and may project into a side setback, but must maintain a minimum of 1.2 metres from the side parcel boundary.

3.11.5 **Setbacks for Accessory Buildings:**

(1) Front Setback	Principal building front setback plus 1.0 metre.
(2) Secondary Front Setback	Principal building secondary front setback plus 1.0 metre.
(3) Side Setback	0.0 metres.
(4) Rear Setback	0.0 metres.

3.11.6 **Building Height Standards:**

(1) Principal Building	(a) Minimum 6.0 metres. (b) Maximum 20 metres.
(2) Accessory Building	Maximum 7.5 metres.

3.11.7 Parking, Loading, and **Access** Standards:

(1) Bicycle Parking	<p>(a) Where bicycle parking is provided for uses listed in subsection 3.11.2(3) and 3.11.2(4), bicycle parking shall be located close to the entrance of the principal building, but shall not impede pedestrian circulation or access to the building.</p> <p>(b) Where bicycle parking is provided for uses listed in subsection 3.11.2(1), bicycle parking shall be located and secured within a principal building or accessory building.</p>
(2) Vehicle Parking	<p>(a) There is no minimum required number of parking stalls for any development in the Downtown District.</p> <p>(b) Off-site vehicle parking (i.e. street parking) may be considered as a portion of the parking strategy for a development, at the discretion of the Development Authority.</p> <p>(c) Parking areas and/or structures shall be located to the side or rear of a building, or underground, wherever possible.</p> <p>(d) Surface parking areas and/or parking structures shall not be allowed unless associated with a development.</p> <p>(e) Any parking area having four (4) or more parking stalls that are visible from an adjacent parcel or road shall provide and maintain landscaping along the perimeter of the parking area.</p> <p>(f) Any parking area containing ten (10) or more parking stalls shall provide and maintain landscaping in the internal parking area and along the perimeter of the parking area.</p>

<p>(3) Vehicle Access</p>	<p>(a) Where a parcel shares a parcel boundary with a lane, all access to the parcel must be from the lane.</p> <p>(b) Where a corner parcel shares a parcel boundary with a lane, access may be either from the lane or the street.</p> <p>(c) In the absence of a lane, access should be from the secondary front yard. Where access from a secondary front yard is not possible, access may be located on the primary front yard.</p> <p>(d) Access to parking areas and/or structures shall be no wider than 6.0 metres adjacent to the front parcel boundary.</p> <p>(e) Parcels shall have two (2) or more access points in order to provide adequate egress in the event of an emergency.</p>
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3.11.8 **Landscaping** Standards:

<p>(1) General Landscaping Standards</p>	<p>The front yard shall be landscaped with grass, trees, shrubs, and/or flower beds. Areas of shale, rock, or other hard landscaping may be acceptable but shall not exceed 25% of the landscaped area.</p>
<p>(2) Landscaped Area</p>	<p>All portions of a site not covered by structures, parking, or vehicular circulation areas shall be landscaped.</p>
<p>(3) Number of Trees</p>	<p>(a) The minimum number of trees required for a residential use shall be one (1) tree per 45 square metres of landscaped area, or a minimum of two (2) trees per parcel, whichever is greater.</p> <p>(b) The minimum number of trees required for a mixed-use or commercial development shall be one (1) tree per 35 square metres of landscaped area.</p>
<p>(4) Tree Size</p>	<p>Minimum height of 2.0 metres or 40 millimetres in caliper.</p>
<p>(5) Number of Shrubs</p>	<p>The minimum number of shrubs required for a residential, mixed-use, or commercial development shall be one (1) shrub per 15 square metres of landscaped area.</p>

3.11.9 **Screening**, Fences, and Hedges:

<p>(1) Screening</p>	<p>(a) Garbage and waste material must be stored in closed containers, and visually screened from public roads, excluding lanes.</p> <p>(b) Outside storage of commercial materials and equipment shall be visually screened from adjacent parcels and public roads.</p>
<p>(2) Fences and Hedges</p>	<p>(a) Notwithstanding subsection (b), a fence or hedge located in a front yard shall be a maximum height of 1.2 metres.</p> <p>(b) With the exception of home occupation – urban and home occupation – basic, uses listed in subsection 3.11.2(3) shall not have fences or hedges in a front yard.</p> <p>(c) All other fences or hedges shall be a maximum height of 1.8 metres.</p>

3.11.10 Additional Standards:

<p>(1) Subdivision</p>	<p>A development requiring subdivision shall not be issued a development permit until approval of the subdivision application by the Subdivision Authority or, upon appeal, the Subdivision and Development Appeal Board.</p>
<p>(2) Stormwater Management</p>	<p>(a) Unless otherwise determined by the Development Authority, the applicant shall be required to grade a parcel in such a way that all surface water will drain from the parcel to the rear lane, the street, and/or a stormwater management system.</p> <p>(b) A stormwater management plan shall be required for all subdivision and development applications for the uses listed in subsection 3.11.2(3) and 3.11.2(4).</p>
<p>(3) Character, Design and Appearance of Buildings [Bylaw #16.22]</p>	<p>(a) Exterior finish shall be wood, metal or similar siding, brick or stucco and shall be to the satisfaction of the Development Authority. The finish of buildings should complement other structures in the vicinity and natural site features.</p> <p>(b) Roller shutters must be located on the inside of windows and screened from the outside if provided.</p>

3.12 TOURISM CORRIDOR DISTRICT

3.12.1 General Intent:

- (1) To support large scale commercial **development** with a regional draw. **Development** will be primarily low-**density** commercial **uses** on a variety of **parcel** sizes and configurations to accommodate a diverse range of economic development opportunities.

3.12.2 **Uses:**

Use Category	Permitted Uses	Discretionary Uses
(1) Lodging		<i>Hotel/Motel</i>
(2) Commercial	<i>Artist Studio</i> <i>Drinking Establishment</i> <i>Entertainment Facility</i> <i>Restaurant/Café</i> <i>Retail & Service – General</i> <i>Retail & Service – Heavy</i> <i>Office</i>	<i>Adult Entertainment</i> <i>Car Wash</i> <i>Drive Through Facility</i> <i>Gas Station</i> <i>Restricted Substance</i> <i>Retail</i>
(3) Institutional	<i>After Life Care</i> <i>Culture</i> <i>Education</i> <i>Government</i> <i>Health Services</i> <i>Recreation – Intensive</i> <i>Recreation – Non-Intensive</i>	
(4) Other Uses	<i>Accessory Building</i> <i>Solar Energy System — Freestanding</i> <i>Solar Energy System — Rooftop</i> The following signs are considered permitted when associated with an approved Lodging, Commercial, Industrial development on the same parcel [Bylaw #16.22].	<i>Billboard Sign</i> <i>Freestanding Sign</i> <i>Portable Sign</i> <i>Projecting Sign</i> <i>Rooftop Sign</i> <i>Storage Structure</i>

	A-Board Sign Fascia Sign	
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3.12.3 Specific **Use** Standards:

(1)	[Removed by Bylaw #12.24]	
(2)	Car Wash	<p>(a) Minimum site area shall be 550 square metres and shall accommodate queuing space for two (2) vehicles prior to entering the washing area and queuing space for one (1) vehicle upon leaving the washing area.</p> <p>(b) Shall be limited to the washing of vehicles with a gross vehicle weight of 4,000 kilograms or less.</p>
(3)	Gas Station	<p>(a) Pumps should be located to the side or rear of the parcel and provide additional front setback area and/or landscaping to better integrate the gas station with the public realm.</p> <p>(b) The pumps shall be located a minimum of 4.5 metres from the building.</p>
(3.1)	Solar Energy System – Rooftop [Bylaw #12.24]	Shall not project more than 1.8 metres above the roof line of any principal or accessory building .
(4)	Additional Standards	All uses shall mitigate any potential nuisance , such as noise, vibration, smoke, dust, fumes, odors, heat, light, or traffic generation, to the satisfaction of the Development Authority .

3.12.4 **Setbacks** for **Principal Buildings**:

(1)	Front Setback	Minimum 3.0 metres.
(2)	Secondary Front Setback	Minimum 3.0 metres.
(3)	Side Setback	<p>(a) Minimum 3.0 metres.</p> <p>(b) Minimum 6.0 metres where the parcel is adjacent to a residential use.</p>
(4)	Rear Setback	Minimum 6.0 metres.

(5) Projections into Setbacks	(a) The following features may project into a setback : <ul style="list-style-type: none"> i. unenclosed steps and wheelchair ramps; and, ii. signs.
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3.12.5 **Setbacks for Accessory Buildings:**

(1) Front Setback	Minimum 3.0 metres.
(2) Secondary Front Setback	Minimum 3.0 metres.
(3) Side Setback	(a) Minimum 3.0 metres. (b) Minimum 6.0 metres where the parcel is adjacent to a residential use .
(4) Rear Setback	Minimum 6.0 metres.

3.12.6 **Building Height** Standards:

(1) Principal Building	Maximum 14 metres.
(2) Accessory Building	Maximum 7.5 metres.
(3) Additional Building Height Standards	There is no maximum building height for uses listed in subsection 3.12.2(4).

3.12.7 **Parking, Loading, and Access** Standards:

(1) Bicycle Parking	Where bicycle parking is provided, bicycle parking shall be located close to the entrance of the principal building , but shall not impede pedestrian circulation or access to the building .
(2) Vehicle Parking	(a) There is no minimum required number of parking stalls for any development in the Tourism Corridor District. (b) Off-site vehicle parking (i.e. street parking) may be considered as a portion of the parking strategy for a development , at the discretion of the Development Authority . (c) Parking areas and/or structures shall be located to the side or rear of a building , or

	<p>underground, wherever possible.</p> <p>(d) Surface parking areas and/or parking structures shall not be allowed unless associated with a development.</p> <p>(e) Any parking area having four (4) or more parking stalls that are visible from an adjacent parcel or road shall provide and maintain landscaping along the perimeter of the parking area.</p> <p>(f) Any parking area containing ten (10) or more parking stalls shall provide and maintain landscaping in the internal parking area and along the perimeter of the parking area.</p>
(3) Vehicle Access	<p>(a) In the absence of a lane, access should be from the secondary front yard. Where access from a secondary front yard is not possible, access may be located on the front yard.</p> <p>(b) Vehicle access to parking areas and/or structures shall be no wider than 6.0 metres adjacent to the front parcel boundary.</p> <p>(c) Parcels shall have two (2) or more access points if required for emergency access.</p>
(4) Additional Parking, Loading, and Access Standards	<p>(a) All the uses listed in subsection 3.12.2(3) and 3.12.2(4) shall provide sufficient space and access for loading vehicles to the satisfaction of the Development Authority.</p> <p>(b) All loading areas shall be a minimum of 2.5 metres wide.</p> <p>(c) All loading areas shall provide no less than 3.6 metres overhead clearance.</p> <p>(d) All loading areas shall be hard surfaced if the access is from a street or land which is hard surfaced.</p> <p>(e) Access to all loading areas shall be from a public road, a lane, or a clearly defined traffic aisle, and shall not interfere with traffic on the adjoining or abutting streets or lanes.</p>

3.12.8 **Landscaping** Standards:

(1) Landscaped Area	All portions of a site not covered by structures , parking, or vehicular circulation areas shall be landscaped .
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(2) Number of Trees	The minimum number of trees required for a mixed-use or commercial development shall be one (1) tree per 35 square metres of landscaped area .
(3) Tree Size	Minimum height of 2.0 metres or 40 millimetres in caliper.
(4) Number of Shrubs	The minimum number of shrubs required for a mixed-use or commercial development shall be one (1) shrub per 15 square metres of landscaped area .

3.12.9 **Screening, Fences, and Hedges:**

(1) Screening	<p>(a) Garbage and waste material must be stored in closed containers, and visually screened from public roads, excluding lanes.</p> <p>(b) Outside storage of commercial materials and equipment shall be visually screened from adjacent parcels and public roads.</p>
(2) Fences and Hedges [Bylaw #16.22]	<p>(a) A fence located in a front yard shall be a maximum height of 1.2 metres. Fences within front yards with a height of over 1.2 metres shall be setback from the road at a distance at the discretion of the Development Authority.</p> <p>(b) All other fences or hedges shall be a maximum height of 1.8 metres.</p> <p>(c) All sites which abut a residential use shall provide visual screening of at least 1.5 metres.</p>

3.12.10 Additional Standards:

(1) Subdivision	A development requiring subdivision shall not be issued a development permit until approval of the subdivision application by the Subdivision Authority or, upon appeal, the Subdivision and Development Appeal Board .
(2) Stormwater Management	(a) Unless otherwise determined by the Development Authority , the applicant shall be required to grade a parcel in such a way that all surface water will drain from the parcel to the rear lane , the street , and/or a stormwater management system.

	<p>(b) A stormwater management plan shall be required for all subdivision and development applications for the uses listed in subsection 3.12.2(2) and 3.12.2(3).</p>
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3.13 EMPLOYMENT DISTRICT

3.13.1 General Intent:

- (1) To support a wide range of employment opportunities in areas that integrate industrial, institutional, commercial, and recreational **uses** that require larger **parcels**.

3.13.2 **Uses:**

Use Category	Permitted Uses	Discretionary Uses
(1) Lodging		Hotel/Motel Work Camp [Bylaw #16.22]
(2) Commercial	Artist Studio Drinking Establishment Entertainment Facility Kennel Restaurant/Café Retail & Service – General Retail & Service – Heavy Office	Adult Entertainment Car Wash [Bylaw #16.22] Drive Through Facility Gas Station Restricted Substance Retail Brewery/Distillery
(3) Industrial	Industrial – Light	Industrial – Heavy Industrial – Cannabis Production [Bylaw #16.22]
(4) Institutional	Culture Education Government Health Services Recreation – Intensive Recreation – Non-Intensive	After Life Care
(5) Agricultural	Agriculture – Intensive	

(6) Other <i>Uses</i>	<p>Accessory Building</p> <p>Solar Energy System – Freestanding</p> <p>Solar Energy System – Rooftop</p> <p>The following signs are considered a permitted use when associated with an approved Lodging, Commercial, Industrial development on the same parcel [Bylaw #16.22].</p> <p>Fascia Sign</p> <p>Freestanding Sign</p>	<p>Portable Sign</p> <p>Projecting Sign</p>
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3.13.3 Specific *Use* Standards:

(1) Car Wash	<p>Minimum site area shall be 550 square metres and shall accommodate queuing space for two (2) vehicles prior to entering the washing area and queuing space for one (1) vehicle upon leaving the washing area.</p>
(2) Gas Station	<p>(a) Pumps should be located to the side or rear of the parcel and provide additional front setback area and/or landscaping to better integrate the gas station with the public realm.</p> <p>(b) The pumps shall be located a minimum of 4.5 metres from the building.</p>
(3) Industrial <i>Uses</i>	<p>Industrial uses on parcels that do not have lane access must provide a minimum 4.5 metre side setback on one (1) side of the parcel.</p>
(4) Work Camp [Bylaw #16.22]	<p>(a) An application for a development permit for a work camp must provide the following information:</p> <ul style="list-style-type: none"> i. the location, type, and purpose of the work camp; ii. the method of supplying water, sewage and waste disposal to the camp. If a private sewage system is proposed, the proposed method of sewage disposal must comply with the current Alberta Private Sewage

	<p>Systems Standard Practice and be to the satisfaction of the health authority; the number of persons proposed to reside in the work camp;</p> <ul style="list-style-type: none"> iii. demonstrated approval from Alberta Environment if the work camp is located on Crown land; iv. the start date of the development, date of occupancy, and removal date of the work camp; and v. reclamation measures once the work camp is no longer needed. <p>(b) A development permit for a work camp shall not be approved unless:</p> <ul style="list-style-type: none"> i. it is directly associated with a development or business situated within the area; ii. it is deemed compatible with surrounding development and uses by the Development Authority; iii. sufficient screening is provided from surrounding uses as determined by the Development Authority; iv. it shall be for a temporary period of time in accordance with the timelines of a work project as specified by the Development Authority; v. all required access provisions are provided to the satisfaction of the Development Authority at the sole cost of the developer; and, vi. the developer provides undertakings and guarantees acceptable to the Development Authority, that the work camp will be removed, and the subject site returned to its original condition upon completion as it was before the work camp was developed.
<p>(5) Industrial – Cannabis Production Facility [Bylaw #16.22]</p>	<p>(a) [Removed by bylaw #12.24]</p> <p>(b) As a condition of development and prior to the operation of the facility, the owner must</p>

	<p>provide a copy of the current license for all activities associated with cannabis production as issued by Health Canada.</p> <p>(c) The owner or applicant must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable Federal, Provincial or other Municipal legislation.</p> <p>(d) The development must be done in such a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, garbage containers and waste material.</p> <p>(e) The development shall not include an outdoor area for the storage of goods, materials or supplies.</p> <p>(f) The development shall not operate in conjunction with another approved use.</p> <p>(g) The development must include equipment designed and intended to remove odors from the air where it is discharged from the building as part of a ventilation system.</p> <p>(h) The development Authority may require as a condition of a development permit, a waste management plan completed by a qualified professional, which includes but is not limited to, details on:</p> <ol style="list-style-type: none"> i. the quantity and characteristics of liquid and waste material discharged by the facility; and, ii. the method and location of collection and disposal of liquid and waste material discharged by the facility; and, iii. the disposal of waste products and mitigation of airborne emissions, including smell.
<p>(6) Natural Resource Extraction [Bylaw #16.22]</p>	<p>(a) Any application must include plans of the proposed site showing:</p> <ol style="list-style-type: none"> i. the area to be excavated; ii. the roads and access points to the site; iii. the phasing of the development and

	<p>estimated operation time frame;</p> <p>iv. reclamation proposals; and,</p> <p>v. any other information considered necessary by the Development Authority.</p> <p>(b) Must be a minimum of 300 metres from an approved dwelling unit at the time of approval.</p> <p>(c) In a commercial soil stripping operation, the area stripped shall be seeded to a grass or legume mixture at the discretion of the Development Authority.</p> <p>(d) Applications within the flood hazard overlay may be referred to the Ministry of Environment and Protected Areas, in order to assist in determining whether river channel integrity or fisheries will be jeopardized by the proposal.</p> <p>(e) The Development Authority may require a letter of credit from a financial institution to guarantee that these requirements are carried out.</p>
(6.1) Solar Energy System – Rooftop [Bylaw #12.24]	Shall not project more than 1.8 metres above the roof line of any principal or accessory building .
(7) Additional Standards [Bylaw #16.22]	<p>(a) No use shall cause or create any nuisance, by way of noise, vibration, smoke, dust, fumes, odors, heat, light, or traffic generation, at the discretion of the Development Authority.</p> <p>(b) Storage piles of natural resources less than 4.0 metres in height must be at least 6.0 metres from any right-of-way.</p> <p>(c) Storage piles of natural resources over 4 metres in height must be at least 30 metres from any right-of-way.</p>

3.13.4 **Setbacks for Principal Buildings**

(1) Front Setback	Minimum 6.0 metres.
(2) Secondary Front Setback	Minimum 6.0 metres.
(3) Side Setback	No requirement unless the parcel shares a side

	parcel boundary with the Neighbourhood District or the Countryside District, where the side setback shall be a minimum of 6.0 metres.
(4) Rear Setback	No requirement unless the parcel shares a rear parcel boundary with the Neighbourhood District or the Countryside District, where the rear setback shall be a minimum of 6.0 metres.
(5) Projections into Setbacks	(a) The following features may project into a setback : <ul style="list-style-type: none"> i. unenclosed steps and wheelchair ramps; and, ii. signs.

3.13.5 **Setbacks for Accessory Buildings**

(1) Front Setback	Minimum 6.0 metres.
(2) Secondary Front Setback	Minimum 6.0 metres.
(3) Side Setback	No requirement unless the parcel shares a side parcel boundary with a residential use , in which case the side setback shall be a minimum of 6.0 metres.
(4) Rear Setback	No requirement unless the parcel shares a rear parcel boundary with a residential use , in which case the rear setback shall be a minimum of 6.0 metres.

3.13.6 **Building Height** Standards

(1) Principal Building	Maximum 14 metres.
(2) Accessory Building	Maximum 11 metres.
(3) Additional Building Height Standards	There is no maximum building height for uses listed in subsection 3.13.2(4).

3.13.7 Parking, Loading, and **Access** Standards

(1) Bicycle Parking	Where bicycle parking is provided, bicycle parking shall be located close to the entrance of the principal building , but shall not impede pedestrian circulation or access to the building .
(2) Vehicle Parking	<p>(a) There is no minimum required number of parking stalls for any development in the Employment District.</p> <p>(b) Off-site vehicle parking (i.e. street parking) may be considered as a portion of the parking strategy for a development, at the discretion of the Development Authority.</p> <p>(c) Parking areas and/or structures shall be located to the side or rear of a building, or underground, wherever possible.</p> <p>(d) Surface parking areas and/or parking structures shall not be allowed unless associated with a development.</p> <p>(e) Any parking area having four (4) or more parking stalls that are visible from an adjacent parcel or road shall provide and maintain landscaping along the perimeter of the parking area.</p> <p>(f) Any parking area containing ten (10) or more parking stalls shall provide and maintain landscaping in the internal parking area and along the perimeter of the parking area.</p>
(3) Vehicle Access	<p>(a) Where a corner parcel shares a parcel boundary with a lane, access may be either from the lane or the street.</p> <p>(b) Parcels shall have two (2) or more access points in order to provide adequate egress in the event of an emergency, or shall be at the discretion of the Development Authority.</p>

<p>(4) Additional Parking, Loading, and Access Standards</p>	<p>(a) All the uses listed in subsection 3.13.2(3) and 3.13.2(4) shall provide sufficient space and access for loading vehicles to the satisfaction of the Development Authority.</p> <p>(b) All loading areas shall be a minimum of 2.5 metres wide.</p> <p>(c) All loading areas shall provide no less than 3.6 metres overhead clearance.</p> <p>(d) All loading areas shall be hard surfaced if the access is from a street or land which is hard surfaced.</p> <p>(e) Access to all loading areas shall be from a public road, a lane, or a clearly defined traffic aisle, and shall not interfere with traffic on the adjoining or abutting streets or lanes.</p>
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3.13.8 **Landscaping** Standards

<p>(1) Landscaped Area</p>	<p>All portions of a site not covered by structures, parking, or vehicular circulation areas shall be landscaped.</p>
<p>(2) Number of Trees</p>	<p>The minimum number of trees required for an industrial or commercial development shall be one (1) tree per 35 square metres of landscaped area.</p>
<p>(3) Tree Size</p>	<p>Minimum height of 2.0 metres or 40 millimetres in caliper.</p>
<p>(4) Number of Shrubs</p>	<p>The minimum number of shrubs required for a residential, mixed-use, or commercial development shall be one (1) shrub per 15 square metres of landscaped area.</p>

3.13.9 **Screening**, Fences, and Hedges

<p>(1) Screening</p>	<p>(a) Garbage and waste material must be stored in closed containers, and visually screened from public roads, excluding lanes.</p> <p>(b) Outside storage of commercial materials and equipment shall be visually screened from adjacent parcels and public roads.</p>
<p>(2) Fences and Hedges [Bylaw #16.22]</p>	<p>(a) A fence or hedge located in a front yard shall be a maximum height of 1.2 metres. Fences within front yards with a height of</p>

	<p>over 1.2 metres may be required to be setback from the road at a distance at the discretion of the Development Authority [Bylaw #16.22].</p> <p>(b) All other fences or hedges shall be a maximum height of 1.8 metres.</p>
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3.13.10 Additional Standards

<p>(1) Subdivision</p>	<p>A development requiring subdivision shall not be issued a development permit until approval of the subdivision application by the Subdivision Authority or, upon appeal, the Subdivision and Development Appeal Board.</p>
<p>(2) Stormwater Management</p>	<p>(a) Unless otherwise determined by the Development Authority, the applicant shall be required to grade a parcel in such a way that all surface water will drain from the parcel to the rear lane, the street, and/or a stormwater management system.</p> <p>(b) A stormwater management plan shall be required for all subdivision and development applications for the uses listed in subsection 3.13.2(2), 3.13.2(3) and 3.13.2(4).</p>

4. Signs

4.1 GENERAL REQUIREMENTS FOR SIGNS

- 4.1.1 A **sign** shall not conflict with or dominate, or detract from the general character of the surrounding streetscape or the architecture of any **building** on the **parcel** on which it is located or in the vicinity of or be liable to create a cluttered appearance to the streetscape.
- 4.1.2 The exterior finish and construction of all **signs** shall be of professional quality and appearance. Consideration should be made for orientation, climate, and environmental factors that may affect the appearance, condition, or degradation of the **sign** over time.
- 4.1.3 The **Development Authority** may revoke a **development permit** for a **sign** at any time if the **sign** has become detrimental to the public realm.
- 4.1.4 The **Development Authority** may require that any **sign** not in conformance with this **Bylaw** shall be renovated, repaired, or removed.
- 4.1.5 The **Development Authority** may approve a **sign** on a temporary basis, whether or not it conforms to the rules established in this **Bylaw**, if the **sign** is used to advertise a special event held at a public facility.
- 4.1.6 No **sign** shall be erected on or affixed to municipal property or a municipal **road right-of-way** without the approval of the **Town**.
- 4.1.7 No **sign** shall be erected on or affixed to provincial property or a provincial **road right-of-way** without the approval of Alberta Transportation and Economic Corridors.
- 4.1.8 The **development** of a **sign** on municipal property or a municipal **road right-of-way** shall require an agreement with the **Town** registered on title or kept on record at the **Town** office.
- 4.1.9 A permitted **sign** installed on municipal property shall be at the **applicant** or developer's risk and the **town** may, at any time, require the **applicant** or developer to remove the **sign** and incur all costs associated with the removal of the **sign**.
- 4.1.10 Where a **sign** projects over a public sidewalk or other municipal property, the owner of the **sign** shall:
- (1) indemnify and hold harmless the **Town** for any claim related to the construction and maintenance of the **sign**; and,
 - (2) furnish a public liability insurance policy of such an amount satisfactory to the **Development Authority** naming the **Town** as co-insured.
- 4.1.11 A **sign** shall not obstruct the view of, or be liable to be confused with, an official traffic **sign**, signal, or device, or otherwise pose a potential hazard to traffic.
- 4.1.12 All **signs** must be erected on or directly in front of the **site** to which they relate, except for **billboard signs** and **bench signs** [Bylaw #18.21].
- 4.1.13 The All **signs** shall be removed within thirty (30) days of the use to which they relate ceasing to operate. The **Development Authority** may order the removal of the **sign** and the lawful owner of the **sign** or where applicable, the registered property owner, shall upon order:

- (1) [Removed by Bylaw #12.24]
- (2) [Removed by Bylaw #12.24]
- (3) [Removed by Bylaw #12.24]
- (4) remove the **sign** copy, while leaving the related structural components, within thirty (30) days from the date of receipt of such notice;
- (5) replace the **sign** copy with a blank, white, non-illuminated face; and,
- (6) bear all the costs related to such removal and restoration.

4.1.14 A **sign** shall comply with the requirements set out in the Canadian Code of Advertising Standards and shall not be offensive or promote intolerance, hatred, or ridicule of any race, religion, or other segment of society.

4.1.15 No **signs** shall be permitted within the **Town's** boundaries that are attached to or mounted on permanently fixed or stationary transport trailers, vehicles, or shipping containers, unless the unit is occupied by an active business [Bylaw #18.21].

4.1.16 **Signs** may be illuminated by a constant source of dimmable light, but shall not be lit by flashing, electronic, animated, intermittent or rotating lights. The design and installation of the lighting shall ensure no element of the light connection is visible to a pedestrian [Bylaw #18.21].

4.1.17 No digital **sign** shall be permitted in any location within 30 metres of any **parcel boundary** that contains a **residential use**. Notification shall be sent of any illuminated or digital **sign** application to residential properties within a 100-metre radius of the proposed location of the **sign** placement [Bylaw #16.22].

4.2 FREESTANDING SIGNS

4.2.1 No **freestanding sign** shall extend beyond 6.0 metres above **grade** or be larger than 3.0 square metres, except in the:

- (1) Tourism Corridor District and the Employment District where the maximum height shall be 9.0 metres and the maximum area shall be 23 square metres.

4.2.2 Only one (1) **freestanding sign** may be erected along each of a **site's parcel boundaries** shared with a **street**.

4.2.3 No **freestanding sign** shall be erected in such proximity to the Badlands District that it would detract from the natural aesthetics and intent of the Badlands District

4.2.4 **Freestanding signs** shall be separated from each other by a minimum distance of 15 metres.

4.2.5 **Freestanding signs** shall only be erected on or **adjacent** to **sites** to which they relate, except in the case of:

- (1) Advance directional and informational signs which may be approved by the **Development Authority** in locations where it considers that the free and safe flow of traffic may be enhanced; or,

- (2) **Signs** used solely by community organizations.

4.3 FASCIA SIGNS

- 4.3.1 No **fascia sign** shall project more than 0.4 metres over a **street** or public property.
- 4.3.2 No **fascia sign** shall project more than 1.0 metre above the roof of the **building** to which the **fascia sign** is attached.
- 4.3.3 No **fascia sign** shall be lower than 2.5 metres above **grade**, except in the case of **signs** intended solely for the information of pedestrians, where the height shall be determined by the **Development Authority** having regard, amongst other things, to clarity and safety.
- 4.3.4 No **fascia sign** shall exceed 25% of the façade to which the **fascia sign** is attached.

4.4 PROJECTING SIGNS

- 4.4.1 No **projecting sign** shall exceed 2.0 square metres in size.
- 4.4.2 No **projecting sign** shall project more than 1.0 metre above the roof of the **building** to which the **projecting sign** is attached.
- 4.4.3 No **projecting sign** shall be lower than 2.5 metres above **grade**.
- 4.4.4 The maximum space between the **projecting sign** and its supporting **structure** shall be 0.6 metres.
- 4.4.5 No **projecting sign** shall project within 0.6 metres from the curb.
- 4.4.6 Only one (1) **projecting sign** may be erected on each **street** facing façade of the use to which the **sign** relates.

4.5 ROOFTOP SIGNS

- 4.5.1 No **rooftop sign** shall exceed 9.0 square metres in size.
- 4.5.2 No **rooftop sign** shall project more than 3.0 metres vertically above the roof line.
- 4.5.3 No **rooftop sign** shall project horizontally beyond the roof line.
- 4.5.4 Structural support elements shall be designed or concealed such that they are not visible.

4.6 PORTABLE SIGNS

- 4.6.1 Only one (1) **portable sign** may be on a **parcel**.
- 4.6.2 No **portable sign** shall be located within 2.0 metres of any **parcel boundary**.
- 4.6.3 No **portable sign** shall be higher than 2.0 metres above **grade**.
- 4.6.4 No **portable sign** shall exceed 3.0 square metres in size.
- 4.6.5 No **portable sign** shall be located on a **residential use parcel**.

- 4.6.6 No **portable sign** shall be located within 100 metres of another **portable sign** [Bylaw #16.22].
- 4.6.7 **Portable signs** shall have a maximum display period of sixty (60) days per **development permit** and only permitted twice (2) per calendar year per **parcel** [Bylaw #16.22].
- 4.6.8 [Removed by Bylaw #16.22]
- 4.6.9 **Portable signs** shall only be erected on **sites** to which it relates unless otherwise approved by the **Development Authority**.
- 4.6.10 **Portable signs** shall be properly secured so that they will not move or pose a hazard.

4.7 A-BOARD SIGNS

- 4.7.1 No **a-board sign** shall disrupt pedestrian traffic on the sidewalk.
- 4.7.2 No **a-board sign** shall exceed 0.6 metres in width or 0.9 metres in height.
- 4.7.3 **A-board signs** shall only be allowed on sidewalks during hours when the business to which the **a-board sign** relates is open to the public.
- 4.7.4 **A-board signs** shall be limited to one (1) per business and placed directly in front of the **building** in which the business is located.
- 4.7.5 **A-board signs** shall not be placed on centre medians with **road right-of-ways**.
- 4.7.6 **A-board signs** must be constructed of a material such that a rigid frame is provided.

4.8 BILLBOARD SIGNS

- 4.8.1 **Billboard signs** may be permitted within the Tourism Corridor or Rural Development District provided that:
 - (1) Only one (1) **billboard sign** may be erected along each of a **site's parcel boundaries** shared with a **street**.
 - (2) The maximum height shall be 9.0 metres and the maximum area shall be 23 square metres.
 - (3) The minimum vertical clearance beneath a **billboard sign** shall be 3.0 metres.
 - (4) **Billboard signs** shall be separated from each other by a minimum distance of:
 - (a) 300 metres where the posted speed is 100 km/h;
 - (b) 150 metres where the posted speed is 70 km/hr; and,
 - (c) 50 metres where the posted speed is 50 km/hr.
 - (5) **Billboard signs** may be illuminated by a constant source of dimmable light, but shall not be lit by flashing electronic, animated, intermittent or rotating lights.
 - (6) **Billboard signs** may be erected on a **site** that is not associated with the **development**, with landowner consent.

- (7) No **billboard sign** shall be placed in such proximity to the Badlands District that it would detract from the natural aesthetics and intent of the Badlands District.
- (8) No **billboard sign** larger than 1.2 metres by 2.4 metres shall be placed within 200 metres of any **parcel** within the Neighborhood District.

4.9 BENCH SIGNS [BYLAW #18.21]

- 4.9.1 All **bench signs** shall be placed at least 100 metres from any existing **bench sign**, unless otherwise outlined in a Statutory Plan.
- 4.9.2 No **bench sign** shall be erected on municipal **right-of-way**.
- 4.9.3 Only one (1) **bench sign** may be erected along each of a **site's parcel boundaries** shared with a **street**.
- 4.9.4 **Bench signs** shall be located **adjacent** to a **building**, a public sidewalk or pedestrian trail and in an area where pedestrian foot traffic is expected, though not impede **access** to any **building**, a public sidewalk or pedestrian trails.
- 4.9.5 Orientation of **bench signs** along a public **street** shall be parallel to the **street**.
- 4.9.6 **Bench sign** design should emphasize; comfort, ease of maintenance, durable finish and resistance to vandalism.

4.10 MURALS [BYLAW #16.22]

- 4.10.1 No more than one (1) **mural** shall be permitted per **building** unless otherwise specifically authorized by the **Development Authority**.
- 4.10.2 The location, content, construction materials and size associated with the **mural** shall be to the satisfaction of the **Development Authority**.
- 4.10.3 No **mural** shall be applied to a **building** in a manner that has a negative effect on historically significant elements of a **building** or key architectural feature that define the overall appearance or character of a **building**.
- 4.10.4 **The mural** must be a painting or other decorative work (artistic rendering/scene) and no **mural** shall be created to solely display a commercial message or depiction.
- 4.10.5 Placement of **murals** shall be encouraged on existing blank walls.
- 4.10.6 The **Development Authority** may require that the **mural** content be reflective of the **Town's** history or heritage.
- 4.10.7 Display of text, including a business name or commercial message, within a **mural** shall:
 - (1) be incorporated into the design; and,
 - (2) not exceed 10% of the **mural** surface area.
- 4.10.8 **Murals** must have a linkage to:
 - (1) Historical events or periods that impacted the community; or,

- (2) Representative **landscapes** and physical environments; or,
- (3) Local culture.

4.10.9 **Murals** shall not contain or portray the following:

- (1) Obscene or offensive language, symbols or messages;
- (2) Hateful language, symbols or messages;
- (3) Racist or exclusionary imagery or messages;
- (4) Political viewpoints;
- (5) Religious viewpoints; or,
- (6) Any content that is or has the potential to cause divisiveness in the community.

4.10.10 The owner(s) of a **building** with a **mural** shall be responsible for maintaining the **mural** in a proper state of repair and shall:

- (1) Keep it properly painted at all times;
- (2) Ensure that all structural elements needed to support the **mural** are properly attached and meet applicable safety standards;
- (3) Clean all **mural** surfaces as it becomes necessary; and,
- (4) Ensure any damage is repaired within seven (7) days of notification.

4.10.11 After placement, all **murals** shall be reviewed at the discretion of the **Development Authority**. The **Development Authority** may require that any **sign** not in conformance with this section shall be renovated, repaired or removed at the expense of the property owner.

4.11 SIGNS NOT REQUIRING A DEVELOPMENT PERMIT

4.11.1 The following **signs** do not require a **development permit** if they comply with this **Bylaw**. **Signs** that do not comply with these **development** standards require a **development permit** with a variance [Bylaw #16.22]:

- (1) Two (2) temporary on-site **signs**, not exceeding 1.0 square metre in size nor 1.2 metres in height, so long as the **sign** is intended for one (1) of the following purposes:
 - (a) Advertising the sale or lease of property;
 - (b) Identifying a construction or demolition project; or,
 - (c) A political **sign** thirty (30) days prior to a federal, provincial, municipal election, by-election or referendum.
- (2) One (1) **a-board sign** in accordance with Section 4.7.

- (3) Any **window sign** or graphic painted on, attached to or installed on a window provided that no more than 50% of the subject window area is covered [Bylaw #16.22].
- (4) The alteration of an existing **sign**, which only includes routine maintenance, painting, or change in face, content or lettering and does not include modification to the **sign structure** or **projection** style [Bylaw #16.22].

5. Administration

5.1 DEVELOPMENT AUTHORITY

- 5.1.1 The position of the **Development Authority** is established by **Bylaw** pursuant to the **Act**.
- 5.1.2 Subject to Section 624 of the **Act**, the **Development Authority** may include one (1) or more of the following:
- (1) The **Development Officer(s)**;
 - (2) The **Municipal Planning Commission**; or,
 - (3) **Council** acting as the **Development Authority** in a **Direct Control District**.
- 5.1.3 The **Development Authority** shall:
- (1) Exercise powers and duties on behalf of the **Town**;
 - (2) Perform duties as established by **Council** to enforce this **Bylaw** in accordance with the **Act**; and,
 - (3) Receive, consider, and make decisions on applications for **development permits** and letters of compliance.

5.2 DEVELOPMENT OFFICER

- 5.2.1 The office of the **Development Officer** is hereby established.
- 5.2.2 The person or persons to fill the office of the **Development Officer** shall be appointed by the **CAO**.
- 5.2.3 The **Development Officer** shall:
- (1) Enforce this **Bylaw** and decisions of the **Development Authority**;
 - (2) Receive, process, and facilitate all applications for **development permits**;
 - (3) Review each **development permit** application to determine whether it is complete in accordance with the information requirements of this **Bylaw** and provide guidance to **applicants** on any additional information required for completeness;
 - (4) Review each **development permit** application to determine its appropriate **use** definition and, if necessary, require the **applicant** to apply for a permit for a different **use** definition;
 - (5) Keep and maintain for inspection by the public, during **office** hours, a copy of this **Bylaw** and all amendments and ensure that copies are available to the public;
 - (6) Maintain an up-to-date version of this **Bylaw** on the **Town's** website;
 - (7) Respond to questions and inquiries pertaining to regulations contained within this **Bylaw** and their interpretation;

- (8) Keep a register of all **development permit** applications including the decisions rendered and the reasons for the decisions;
- (9) Consider and decide on applications for **development permits** within forty (40) days of the receipt of the application in its complete and final form or within such time as agreed to, in writing, by the **applicant**;
- (10) Issue decisions for **permitted uses** in the relevant **Land Use District** and outline the terms and conditions required for the **development permit** application;
- (11) Issue decisions for **discretionary uses** in the relevant **Land Use District**, determine whether the proposed **development** meets the standards of this **Bylaw** and is compatible with surrounding uses, and outline the terms and conditions required for the **development permit** application; and,
- (12) Provide notice of decisions on **development permit** applications in accordance with the notification requirements of this **Bylaw** and the **Act**.

5.2.4 The **Development Officer**

- (1) Shall refer, with comments and recommendations, all applications for **discretionary uses** to the **Municipal Planning Commission**; and,
- (2) May refer any other planning or **development** matter to the **Municipal Planning Commission** for its review, comment, or advice.

5.3 SUBDIVISION AUTHORITY

- 5.3.1 **Council** is the **Subdivision Authority** and is authorized to exercise **subdivision** powers and duties on behalf of the **Town** in accordance with this **Bylaw**.
- 5.3.2 **Council** may delegate any or all of their **Subdivision Authority** powers and duties to the **CAO**, the **Development Officer**, an external agency or other employee(s) of the **Town**.
- 5.3.3 The **Subdivision Authority** shall perform duties that are specified in the **Act** and the **Subdivision and Development Regulation**.

5.4 MUNICIPAL PLANNING COMMISSION

- 5.4.1 The **Municipal Planning Commission** is hereby established and shall perform duties that are specified in the **Act** and the **Subdivision and Development Regulations**.
- 5.4.2 The **Municipal Planning Commission** shall:
 - (1) Issue decisions and, if necessary, state terms and conditions for **development permit** applications referred by the **Development Officer**;
 - (2) Consider and, if necessary, state terms and conditions on any other planning or **development** matters referred by the **Development Officer**;
 - (3) Direct the **Development Officer** to review, research, or make recommendations on any other planning and **development** matter; and,
 - (4) Make recommendations to **Council** on planning and **development** matters.

5.4.3 [Removed by Bylaw #12.24]

5.5 VARIANCE POWERS

5.5.1 The **Development Officer** may grant a variance to a **permitted use development** that does not comply with this **Bylaw** if, in the **Development Officers** opinion the proposed **development** would not:

- (1) Unduly interfere with the amenities of the neighbourhood; or
- (2) Materially interfere with or affect the use, enjoyment, or value of neighbouring properties; and,
- (3) [Removed by Bylaw #12.24]
- (4) Involve a variance of any **setback**, **building height**, and **site coverage** by less than 20%.

5.5.2 If a variance is granted pursuant to this section, the **Development Authority** or **Subdivision Authority** shall specify its nature in the **development permit** or **subdivision** approval.

5.5.3 The **Development Officer** shall refer all applications that require a variance over 20% to the **Municipal Planning Commission**.

5.5.4 The **Municipal Planning Commission** may grant a variance for **setbacks**, **building** heights, and **site** coverage up to 50%.

5.5.5 The **Subdivision Authority** may approve at their discretion, with or without conditions, an application for a **development** that does comply with this **Bylaw** where the proposed **development**, with variance would not:

- (1) Unduly interfere with the amenities of the neighbourhood; or,
- (2) Materially interfere with or affect the use, enjoyment, or value of neighbouring properties.

5.6 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

5.6.1 The **Subdivision and Development Appeal Board** shall perform the duties specified in the **Act**, this **Bylaw**, and **the Intermunicipal Subdivision and Development Appeal Board Bylaw**, as amended.

5.7 AMENDMENTS TO THIS BYLAW

5.7.1 **Council** may amend this **Bylaw**, pursuant to the **Act**.

5.7.2 Prior to granting second reading to a proposed bylaw that amends or repeals this **Bylaw**, **Council** shall hold a public hearing in accordance with the **Act**.

5.7.3 A person may make an application to the **Development Authority** to amend this **Bylaw**. The application shall include:

- (1) The prescribed application form, properly completed and signed;

- (2) A statement of the specific amendment requested;
- (3) The purpose and reasons for the application;
- (4) A statement of the **applicant's** interest in the lands; and,
- (5) An application fee, as established by **Council**.

5.7.4 If the amendment is for re-designation of land, the **Development Authority** may require:

- (1) Plan(s) showing the lands which are subject to the amendment;
- (2) Written authorization from the registered owner of the subject lands;
- (3) A current copy of the Certificate of Title for the subject lands;
- (4) A **concept plan** for the area to be re-designated, to the level of detail specified by the **Development Authority**; and,
- (5) Payment of a fee to the **Town** equal to the costs incurred by the **Town** to review the proposed re-designation and related **concept plan**, or if necessary, the cost to prepare a **concept plan**.

5.7.5 The analysis of the **Development Authority** shall be based on the full land **use** potential of the proposed amendment and not on the merits of any particular **development** proposal. The analysis shall, consider the following impact criteria:

- (1) Relationship and compliance with approved Statutory Plans and **Council** policies;
- (2) Relationship and compliance with Statutory Plans and **concept plans** in preparation;
- (3) Compatibility with surrounding **development** in terms of land **use** function and scale of **development**;
- (4) Traffic impacts;
- (5) Relationship and impact on, services such as water and sewage systems, and other **public utilities** and facilities such as recreation facilities and schools;
- (6) Relationship to municipal land, **right-of-way**, or easement requirements;
- (7) Effect on stability, retention, and rehabilitation of desirable **uses, buildings**, or both in the area;
- (8) Necessity and validity of the proposed amendment in view of the stated intentions of the **applicant**; and,
- (9) Relationship to the documented concerns and opinions of area residents regarding **development** implications.

5.7.6 If an application to amend this **Bylaw** is refused, the **Development Authority** may refuse to accept another application until six (6) months has lapsed from the date of the refusal.

5.8 SUBDIVISION APPLICATIONS

5.8.1 An application for **subdivision** shall be made to the **Subdivision Authority** using the prescribed form, properly completed, signed by all owners and agents, and accompanied by:

- (1) Copies of either a sketch or plan drawn to scale in metric dimensions showing the following:
 - (a) The location, dimensions, and boundaries of the **parcel** to be subdivided;
 - (b) The proposed **parcel(s)** to be registered in a land titles office;
 - (c) The location, dimensions, and boundaries of each new **parcel** to be created and any **reserve land**;
 - (d) Existing **rights-of-way** of each **public utility** or other **rights-of-way**;
 - (e) The location, **use**, and dimensions of **buildings** on the **parcel** that is the subject of the application and specifying those **buildings** that are proposed to be demolished or moved;
 - (f) The location and boundaries of the bed and shore of any river, stream, watercourse, lake, or other body of water that is contained within or bounds the proposed **parcel** of land;
 - (g) The location of any existing or proposed wells, any private sewage disposal systems, and the distance from these to existing or proposed **buildings** and existing or proposed **parcel boundaries**; and,
 - (h) Existing and proposed **access** to the proposed **parcel(s)** and the remainder of the **parcel**.
- (2) Current title searches or photocopies of the existing registered Certificates of Title in a land titles office showing all ownership interests and easements within the **parcel** to be subdivided;
- (3) Statistics showing calculations of the gross **floor area** of land in the plan area and the allocation of the land to **streets, lanes, parcels**, and **reserve lands**, as per the **Act**; and,
- (4) Number of **dwelling units**.

5.8.2 In addition to the information required under Section 5.8.1, the following information may be required by the **Subdivision Authority** depending on the scale, type, and location of the proposed **development**:

- (1) Ground water information and information regarding the supply of potable water if the intended **uses** are not served by a piped municipal system;
- (2) A geotechnical assessment, prepared by a qualified Geotechnical Engineer under seal and permit to practice stamp registered in the Province of Alberta, describing the **site's** suitability to:
 - (a) Sustain sewage disposal systems if the intended use is not served by a piped municipal wastewater system; and/or
 - (b) Support **building** foundations and withstand slumping or subsidence on lands;

- (3) Shadow plans to demonstrate the integration of the proposed **subdivision** on **adjacent parcels** and/or land to be developed in the future;
 - (4) A plan showing resources, such as trees, ravines, views, and other similar natural features which are influential to the **subdivision** of the area;
 - (5) An appraisal of the market value of the land when money in place of land dedication for municipal reserve is proposed. The appraisal must be prepared in accordance with the **Act**; and,
 - (6) An Historical Resources Impact Assessment on lands that have been identified or suspected as containing a registered **historical resource** or within 60 metres of public lands set aside for use as historical **sites**.
- 5.8.3 If an application for **subdivision** is refused, the **Subdivision Authority** may refuse to accept another application until six (6) months has lapsed from the date of the refusal.
- 5.8.4 Approval of an application for **subdivision** is not an approval to develop, construct, or build on the land. **Site grading**, earthwork, or any other construction shall not commence nor proceed until a **development agreement** has been signed or, where applicable, a **development permit** has been issued.
- 5.8.5 When an application for **subdivision** is approved, with or without conditions, or refused, the notice of decision shall be sent by ordinary mail to the **applicant** and those persons and authorities that are required to be given a copy of the application under the **Subdivision and Development Regulation**.
- 5.8.6 For purposes of this **Bylaw**, the date of the notice of decision of the **Subdivision Authority** on an application for **subdivision** is the date the decision was transmitted to the **applicant** and those persons required to be notified under the **Subdivision and Development Regulation**.
- 5.8.7 An application for **subdivision** shall, at the option of the **applicant**, be deemed to be refused when decision is not made by the **Subdivision Authority** within sixty (60) days of the application being deemed complete unless the **applicant** has entered into an agreement with the **Subdivision Authority** to extend the sixty (60) day period. The **applicant** may appeal in writing, as per the **Act**, as though they had received a decision of refusal.

5.9 SUBDIVISION AGREEMENTS

- 5.9.1 The **Subdivision Authority** may approve a **subdivision** application subject to conditions.
- 5.9.2 If a **subdivision agreement** is required it shall be entered into between the **Town** and the owner and/or **applicant**, as per Section 655 of the **Act**. The **subdivision agreement** may be registered on Certificate(s) of Title to the satisfaction of the **Town**.
- 5.9.3 A **subdivision agreement** may contain provisions requiring a letter(s) of credit or other security in an amount and in a form to be determined by the **Town** to guarantee the execution of the items listed in the **subdivision agreement**.

5.10 WHEN A DEVELOPMENT PERMIT IS NOT REQUIRED

- 5.10.1 All municipal works, **public utilities**, public parks, and municipal facilities are permitted in all **Land Use Districts** and shall be exempt from the regulations and **development permit**

conditions of this **Bylaw**.

5.10.2 Provided a **development** complies with all other requirements of this **Bylaw**, a **development permit** is not required for:

- (1) **Uses** and **development** exempted under Section 618 of the **Act**;
- (2) Works of maintenance, repair, or alteration to any **building** or **structure** provided that the work:
 - (a) Does not include structural alterations;
 - (b) Does not result in an increase in the number of **dwelling units**;
 - (c) Does not change the intensity or **use** of the **building** or **structure**; and,
 - (d) Is performed in accordance with relevant legislation and other government regulations.
- (3) The completion of a **building**, which was lawfully under construction at the date this **Bylaw** or amendments to this **Bylaw** comes into full force and effect, for which the **Development Authority** has issued a **development permit**, provided that:
 - (a) The **building** is completed in accordance with the terms of any permit granted by the **Development Authority**, subject to the conditions of that permit, including timeframe for completion; and,
 - (b) The **use** of the **development** is consistent with the original **development permit** issued by the **Development Authority**.
- (4) [Removed by Bylaw #12.24]
- (5) The erection, construction, maintenance, improvement or any other alterations of gates, fences, walls, or other means of enclosure shall conform to heights outlined within the **screening**, fences and hedges within the applicable **Land Use District(s)** [Bylaw #18.21].
- (6) Retaining walls less than 1.0 metre in height;
- (7) A temporary **building** associated with construction and not to be used for **residential uses** such as a construction trailer, where the sole purpose of the **building** is incidental to the erection or **structural alteration** of a permanent **building** for which a **development permit** has been issued under this **Bylaw**. The temporary **building** shall be removed within thirty (30) days of substantial completion of **development**. This does not include a sales office, show home, or similar facility;
- (8) Any **development** carried by or on behalf of the Crown but not including that carried out by or on behalf of a Crown Corporation;
- (9) The **use** of a **building** or part thereof as a temporary polling station for a federal, provincial, or municipal election or referendum;
- (10) The temporary placement of campaign **signs** in connection with a federal, provincial, or municipal election or referendum;
- (11) **Town** sanctioned special events;

- (12) An **accessory building** or **structure** not greater than 10 square metres and with a maximum height of 3.0 metres, with no **public utility** connections, no permanent foundation, and is not to be used as a **dwelling unit**;
- (13) **Signs** not requiring a **development permit** as per Part 4 of this **Bylaw**;
- (14) The erection or maintenance by the **Town**, on **Town** property, of a traffic **sign**, informational **sign**, directional **sign**, or third-party **sign**;
- (15) The erection of a flag pole or other poles provided that such poles do not exceed 6.0 metres in height;
- (16) A satellite dish antenna less than 1.0 metre in diameter;
- (17) A **home occupation - basic**; and,
- (18) The construction of a **deck** or **patio** with a surface height 0.6 metres or less above **grade** [Bylaw #18.21].

5.11 DEVELOPMENT PERMIT APPLICATIONS

5.11.1 An application for a **development permit** shall be made to the **Development Authority** using the prescribed form, properly completed, signed by all owners and agents, and accompanied by:

- (1) The required fees as established by **Council**;
- (2) Written authorization from the registered owner of the subject lands;
- (3) A current copy of the Certificate of Title for the subject lands; and,
- (4) One (1) hard copy and one (1) digital copy of the **site**, floor, elevation, and **landscaping** plans, drawn to scale, in metric dimensions which show the following:
 - (a) Legal description of the **site** with north arrow;
 - (b) Area and dimensions of the land to be developed including **parcel coverage**, thoroughfares, and **setbacks**;
 - (c) Exterior finishing materials, architectural design features, and all locations and dimensions of frontage elements including transparency, entrances, and **landscaping**;
 - (d) The height, dimensions, and relationship to **parcel boundaries** of all existing and proposed **buildings** and **structures** including retaining walls, trees, **landscaping**, and other physical features;
 - (e) The removal of trees if applicable;
 - (f) Existing and proposed **access** to and from the **site**;
 - (g) **Site** drainage, **finished grades**, and the **grades** of the **roads**, **streets**, and utilities servicing the **site**;
 - (h) Locations and distances of on-site existing or proposed water, wastewater, and storm water connections, septic tanks, disposal fields, water wells, culverts, and crossings;

- (i) Location and dimensions of all registered easements and **rights-of-way**;
- (j) Information on the method to be used for the supply of potable water and disposal of waste along with supporting documentation; and,
- (k) Estimated construction value of the proposed work.

5.11.2 In addition to the information required under Section 5.11.1, the following information may be required by the **Development Authority** depending on the scale, type, and location of the proposed **development**:

- (1) The number of **dwelling units**;
- (2) A statement of the proposed **use** or **uses**;
- (3) Loading and parking provisions, including electric charging stations and bicycle parking;
- (4) The Location of any fire hydrants;
- (5) Garbage and storage areas and the fencing and **screening** proposed for garbage and storage areas;
- (6) **Landscaping** plan prepared by a **landscape** architect registered with the Alberta Association of Landscape Architects, identifying location, dimensions, and design of all existing and proposed **soft landscaping** and **hard landscaping**, including health, identification, and planting methods;
- (7) Lighting plan;
- (8) Pedestrian circulation plan;
- (9) Crime Prevention Through Environmental Design (CPTED) assessment prepared by a **qualified professional**;
- (10) A statement clearly describing how the positive and/or negative potential impacts of the proposed **development** on **adjacent** lands will be dealt with and how the proposed **development** has been designed to address those impacts;
- (11) Information describing any noxious, toxic, radioactive, flammable, or explosive materials that may be included in the proposed **development**;
- (12) In relation to a special event or temporary **use**, the duration and time periods for the operation of the **development**, facility, or event;
- (13) Methods to control traffic, dust, and noise; and,
- (14) Any other information required by the **Development Authority**, at their sole discretion, with respect to the **site** or **adjacent** lands, including but not limited to, an environmental **screening** of the **site**, geotechnical study, and/or traffic impact analysis prepared by **qualified professionals**.

5.11.3 Notwithstanding Section 5.11.1 and Section 5.11.2 an application for a **development permit** for a **sign** or **mural** shall be accompanied by the following [Bylaw #16.22]:

- (1) the name and address of the **applicant**;
 - (2) the name and address of the lawful owner of the property and/or **building** on which the **sign** or **mural** is proposed to be affixed (if different from **applicant**);
 - (3) location of the **sign** or **mural**, including legal description and civic address;
 - (4) elevation drawing showing placement of the **sign** or **mural** on the **building** including dimensions for height, width and area of the **sign** or **mural**;
 - (5) **site** plan of the property showing the **sign** or **mural** location relative to the property lines;
 - (6) detailed illustration of the **sign** or **mural** indicating;
 - (a) Content and design of the **mural** including colours and materials;
 - (b) If the **sign** or **mural** will be illuminated, and the proposed manner of illuminating;
 - (c) Means to affix the **sign** or **mural** to the **building**; and,
 - (d) A written artists statement that described the concept, message and interpretation of the **mural**.
 - (7) any such additional information the **Development Authority** deems necessary.
- 5.11.4 Unless extended by an agreement in writing between the **applicant** and the **Development Authority**, the **Development Authority** shall within twenty (20) days after receipt of an application for a **development permit**:
- (1) Issue a written acknowledgement to the **applicant** advising that the application is complete; or,
 - (2) Issue a written notice to the **applicant** advising that the application is incomplete, listing the documentation and information that is still required and setting a date by which the required documentation and information must be submitted.
- 5.11.5 If the **applicant** fails to submit any requested outstanding documents or information by the date set out, the application shall be deemed refused and the **Development Authority** shall inform the **applicant** in writing that the application has been refused and the reason for the refusal.
- 5.11.6 Upon receipt of the required documentation and information listed in the notice issued pursuant to subsection 5.11.4, the **Development Authority** shall issue a written acknowledgment to the **applicant** advising that the application is complete.
- 5.11.7 The approval of an application or drawing, or the issuing of a **development permit** shall not prevent the **Development Authority** from thereafter requiring the correction of errors and omissions, nor from prohibiting the **development** being carried out when the **development** is in violation of this **Bylaw**.
- 5.11.8 Where an application for a **development permit** is determined to contain incorrect information, the **Development Authority** is not required to make a decision until such information is corrected by the **applicant**.

- 5.11.9 Any **development permit** issued on the basis of incorrect information contained in the application shall be revoked or suspended by the **Development Authority**.
- 5.11.10 If a **development permit** application is refused, the **Development Authority** shall not accept another application for the same or similar **use** on the same **parcel** for twelve (12) months after the refusal [Bylaw #16.22].

5.12 DISCRETIONARY USES

- 5.12.1 When deciding on a **development permit** application for a **discretionary use**, the **Development Authority** shall consider:
- (1) Any plans and policies affecting the **parcel**;
 - (2) The general intent in the applicable **Land Use District**;
 - (3) The appropriateness of the location and **parcel** for the proposed **development**;
 - (4) The compatibility and impact of the proposed **development** with respect to **adjacent development** and the public realm;
 - (5) The merits of the proposed **development**;
 - (6) Servicing requirements;
 - (7) **Access** and transportation requirements;
 - (8) Vehicle and pedestrian circulation within the **parcel**; and,
 - (9) Sound planning principles.
- 5.12.2 The **Development Authority** may:
- (1) Approve the application unconditionally; or,
 - (2) Approve the application permanently or for a limited period of time and impose conditions considered appropriate; or,
 - (3) Refuse the application, stating reasons for the refusal.
- 5.12.3 Where a proposed specific **use** of land or a **building** is not provided for in a **Land Use District**, the **Development Authority** may determine that the **use** is similar in character and purpose to another **use** of land or **building** that is included in the list of **permitted** or **discretionary uses** prescribed for that **Land Use District**.

5.13 APPLICATION NOTIFICATION REQUIREMENTS

- 5.13.1 Prior to approving an application for a **development permit** for a **discretionary use**, or for a **permitted use** requiring a variance, the **Development Authority** may require the **applicant** to post a notice on the property in a location and format that determined by the **Town** describing the proposed **development** and advising any interested parties where further information regarding the application may be obtained. Such notice shall be posted for a minimum of ten (10) days prior to the issuance of a notice of decision.

- 5.13.2 Notifications shall contain information on the proposed **development**, the time and date that a decision will be rendered on the application, a final date to submit comments, and contact information for the **Town**.

5.14 DEVELOPMENT AGREEMENT FOR DEVELOPMENT PERMITS

- 5.14.1 The **Development Authority** may conditionally approve any **development permit**, subject to a **development agreement**.
- 5.14.2 If a **development agreement** is required, it must be entered into between the **Town** and the **applicant** as per Section 650 of the **Act**.
- 5.14.3 The **Town** may register a caveat against the Certificate of Title with respect to a **development agreement** for a property that is the subject of a **development permit**. This caveat shall be discharged when the **development agreement** has been complied with, at the request of the owner or owner's agent.
- 5.14.4 A **development agreement** may contain provisions requiring a letter(s) of credit or other security in an amount and form to be determined by the **Town** to guarantee the execution of the items listed in the **development agreement**.

5.15 CONDITIONS OF DEVELOPMENT PERMIT

- 5.15.1 The **Development Authority** may impose such conditions on the approval of an application as, in their opinion, are necessary to:
- (1) Uphold the intent and objectives of the **Municipal Development Plan**;
 - (2) Uphold the intent and objectives of any other Statutory Plan or non-Statutory Plan under preparation or as adopted, that is applicable to the **site**;
 - (3) Meet the applicable requirements of this **Bylaw**; and,
 - (4) Ensure the orderly and economic **development** of land within the **Town**.
- 5.15.2 The **Development Authority** may, as a condition of issuing a **development permit**, require that the **applicant** pay an off-site levy or other levy imposed by a **bylaw** or, that the **applicant** enter into a **development agreement** with the **Town** to pay any such levy and/or to construct or pay for the construction of any or all of the following:
- (1) A public **road** required to give **access** or egress to the **development**;
 - (2) A pedestrian walkway system to serve the **development**;
 - (3) Pedestrian walkways that will connect the pedestrian walkway system that serves or is proposed to serve an **adjacent development**;
 - (4) Off-street parking or other parking facilities;
 - (5) **Public utilities** that are necessary to serve the **development**; or,
 - (6) New or expanded community recreation facilities, fire hall facilities, police station facilities, or libraries.

- 5.15.3 In addition to the application of conditions on a **development permit**, the **Development Authority** may also include general requirements as an addendum to the notice of decision [Bylaw #18.21].

5.16 NOTICE OF DECISION

- 5.16.1 The decision of the **Development Authority** on an application shall be given to the **applicant** on the same day the decision is made in the form prescribed by the **Town**, which may include correspondence by electronic means pursuant to Section 608 of the **Act**.
- 5.16.2 If the **Development Authority** refuses an application for a **development permit**, the notice of decision shall contain the reasons for the refusal.
- 5.16.3 When an application for a **development permit** is approved, the **Development Authority** shall send notice of the decision that will include a description of the proposed **development**, state of the decision, advise of the right of appeal, and will be sent to:
- (1) The **applicant**;
 - (2) The owner of the **parcel(s)**; and,
 - (3) Each owner of **adjacent** land at the name and address shown for that owner; or,
 - (4) Each owner at such additional distance and direction from the boundaries of the proposed **development** as, in the opinion of the **Development Authority**, may be materially impacted by the **development**.
- 5.16.4 A **development permit** issued pursuant to this **Bylaw** comes into effect:
- (1) Only after the time for an appeal to the **Subdivision and Development Appeal Board** has expired, pursuant to the **Act**; or,
 - (2) If an appeal has been filed, once a decision has been made by the **Subdivision and Development Appeal Board** in favour of the issuance of the **development permit** subject to any variance or other change to conditions of approval directed by the **Subdivision and Development Appeal Board**.
- 5.16.5 Where an appeal is made pursuant to Section 5.17 of this **Bylaw**, a **development permit** which has been granted shall not come into effect until the appeal has been determined and the **development permit** may be modified or nullified based on the results of the appeal.

5.17 PERMIT VALIDITY

- 5.17.1 A **development permit** issued pursuant to this **Bylaw** is not a **building permit** and, notwithstanding that plans and specifications for **buildings** may have been submitted as part of an application for a **development permit**, work or construction shall neither commence nor proceed until a **building permit** has been issued, pursuant to applicable bylaws and regulations.
- 5.17.2 A **development permit** is valid for twelve (12) months from its date of issuance, unless **development** has been substantially started in a manner satisfactory to the **Development Authority**.
- 5.17.3 The **Development Authority** may grant an extension of the time the **development permit**

remains in effect for up to an additional twelve (12) months. The **Development Authority** shall only grant one (1) extension.

- 5.17.4 When a **development permit** that has previously been issued for a **site** is in effect, the **Development Authority**, in their consideration of an application for another **development permit** for the same **site(s)**, may revoke the previous **development permit** and issue a new **development permit**.

5.18 APPEALS

- 5.18.1 The applicant for a **development permit** may appeal to the **Subdivision and Development Appeal Board** if the **Development Authority**:

- (1) Refuses a **development permit** application;
- (2) Fails to make a decision on a **development permit** within forty (40) days of receipt of a completed application or the end of the extension period; or,
- (3) Issues a **development permit** subject to conditions.

- 5.18.2 In addition to the **applicant**, any person affected by the **development permit** or the decision on the **development permit**, may appeal to the **Subdivision and Development Appeal Board**.

- 5.18.3 An appeal must be commenced:

- (1) In the case of an **applicant**, within twenty-one (21) days of the notification of the decision, or, if no decision is made on the **development permit** application within forty (40) days of receipt of the completed application, the date the period of any extension expires; or,
- (2) In the case of a person affected, within twenty-one (21) days of the **Town** distributing notice of the **development permit** decision, as per Section 5.15 of this **Bylaw**.

5.19 FORMS, NOTICES, OR ACKNOWLEDGMENTS

- 5.19.1 Any form, notice, or acknowledgement issued by the **Town** shall include:

- (1) The date of issuance of the notice or acknowledgement;
- (2) Contact information for the **Town**;
- (3) The municipal address of the property subject to the application;
- (4) The municipal file number for the application; and,
- (5) Any other information at the discretion of the **Town**.

- 5.19.2 Any form, notice, or acknowledgement may be sent by electronic means pursuant to Section 608 of the **Act**.

5.20 NON-CONFORMING USES AND BUILDINGS

- 5.20.1 A **non-conforming use** of land or a **building** may be continued, but if that **use** is

discontinued for a period of six (6) consecutive months or more, any future use of the land or **building** shall conform to this **Bylaw**.

- 5.20.2 A **non-conforming use** of part of a **building** may be extended throughout the **building**, but the **building**, whether or not it is a **non-conforming building**, may not be enlarged or added to and no **structural alterations** may be made to the **building** or in the **building**.
- 5.20.3 A **non-conforming use** of part of a **parcel** or **site** shall not be extended or transferred in whole or in part to any other part of the **parcel** or **site** and no additional **buildings** may be constructed on the **parcel** or **site** while the **non-conforming use** continues.
- 5.20.4 A **non-conforming building** may continue to be used, but the **building** may not be enlarged, added to, rebuilt, or structurally altered except:
- (1) To make it a conforming **building**; or,
 - (2) For the routine maintenance of the **building**, if the **Development Authority** considers it necessary.
- 5.20.5 If a **non-conforming building** is damaged or destroyed to the extent of more than 75% of the value of the **building** above its foundation, the **building** may not be repaired or rebuilt except in accordance with this **Bylaw**.
- 5.20.6 The land **use** or the **use** of a **building** is not affected by a change of ownership or tenancy of the land or **building**.

5.21 CONTRAVENTION

- 5.21.1 No person shall contravene this **Bylaw** by commencing or undertaking a **development, use, or sign** that is not permitted under the **Bylaw**.
- 5.21.2 No person shall authorize or do any **development** that is contrary to the description, specifications, or plans that were the basis for issuing a **development permit** under this **Bylaw**.
- 5.21.3 No person shall contravene a condition of a **development permit** issued under this **Bylaw**.
- 5.21.4 The **Development Authority** may enforce the provisions of this **Bylaw**, the **Act**, and the conditions of a **development permit** or **subdivision** approval.

5.22 RIGHT OF ENTRY

- 5.22.1 For the purposes of Section 5.10 to 5.20 inclusive, "Officer" is the **Development Authority, Subdivision Authority, Bylaw Officer**, or other person designated by the **Town**.
- 5.22.2 Pursuant to the **Act**, an Officer may enter land or a **building** if:
- (1) Reasonable notice has been given to the owner or occupier; or
 - (2) The entry is authorized by and Order of the Court of King's Bench; and then only for the purpose of ensuring compliance with the **Act** or this **Bylaw**.

5.23 VIOLATION TAGS

- 5.23.1 In accordance with the **Provincial Offences Procedures Act**, an Officer may issue a violation tag to a person where there are reasonable and probable grounds to believe there is a contravention of this **Bylaw**.
- 5.23.2 A violation tag may be issued to a person either personally or by registered mail.
- 5.23.3 The violation tag shall be in a form approved by the **town** and shall include the name of the person thought to have created the contravention the offence, the penalty for the offence, a requirement that the penalty be paid within thirty (30) days of issuance of the violation tag, the method by which the violation tag may be paid, and other information required by the **Town**.
- 5.23.4 Where a contravention is of a continuing nature, further violation tags may be issued.
- 5.23.5 The person to whom the violation tag is issued may, in lieu of being prosecuted, sign the plea of guilty on the violation tag and pay the specified fine to the location identified on the violation tag.
- 5.23.6 If payment is not made within the time specified on the tag, an Officer may issue a violation ticket requiring the person to whom the violation ticket is issued to appear in court on the date specified in the summons portion of the ticket.
- 5.23.7 Nothing in this **Bylaw** shall prevent an Officer from immediately issuing a violation ticket for the mandatory court appearance of any person who contravenes any provision of this **Bylaw**.

5.24 FINES

- 5.24.1 The fines for an offence against this **Bylaw**, pursuant to the **Act**, are:
- (1) First Offence, \$250;
 - (2) Second Offence, \$500; and,
 - (3) Third and additional offences, \$1,000.
- 5.24.2 If the **Development Authority** issues a fine, notice of the fine shall be mailed or delivered by hand to the owner or the person in possession of the land or **building** and the notice shall state:
- (1) The amount of the fine;
 - (2) Whether it is a first, second, or third offence; and,
 - (3) The date and time by which the property must be brought into conformity with the **Bylaw**.
- 5.24.3 The **Development Authority** is authorized and directed to take whatever action is required to collect fines levied for offences of this **Bylaw**.

5.25 STOP ORDERS

- 5.25.1 Where the **Development Authority** finds that a **development, use** of land, or **use** of a **building** is not in accordance with:

- (1) Any municipal, provincial, and/or federal legislation;
- (2) The **Act**;
- (3) This **Bylaw**; or,
- (4) An approved **development permit**, a **subdivision** approval, or a condition of the **development permit** or approval.

2.5.3.(1) The **Development Authority** may issue a **stop order** in writing, pursuant to Section 645 of the **Act**, to the owner, the person in possession of the land or **building**, and/or other person responsible for the contravention, to require that all or any of them, on the date the **stop order** is issued:

- (1) Stop the **development** or use of the land or **building** in whole or in part as directed by the **stop order**;
- (2) Demolish, remove, or replace the **development**; or,
- (3) Carry out any other actions required by the **stop order** so that the **development** or use of the land or **building** complies with the **Act**, the **Subdivision and Development Regulation**, this **Bylaw**, a **development permit** or **subdivision** approval, within the time set out in the **stop order**.

5.25.2 A person may appeal a stop order to the **Subdivision and Development Appeal Board**.

5.25.3 If a person fails or refuses to comply with a **stop order**, the **Town** may, in accordance with the **Act**:

- (1) Obtain an injunction from an Alberta Court to enforce this **Bylaw**;
- (2) Register a caveat under the **Land Titles Act** in respect of the **stop order**;
- (3) Enter upon the land or **building** and take such action as is necessary to carry out the **stop order**; and,
- (4) Charge the owner and collect in like manner as taxes owing against a property, the cost of the action or measure.

5.26 VACANCY

5.26.1 Any proposed change of **use** for a **building** that is not the same **use** previously operating requires a **development permit** regardless of the length the **building** has been vacant [Bylaw #12.24].

5.26.2 Any **building** that has been vacant for more than six (6) months requires a **development permit** for a change in occupancy regardless of the previous **use** [Bylaw #12.24].

5.26.3 Notwithstanding Section 5.26.2, if a **building** has been vacant less than six (6) months and the proposed **use** is similar to the previous **use** a **development permit** is not required.

6. Interpretation and Definitions

6.1 RULES OF INTERPRETATION

- 6.1.1 Provisions of this **Bylaw** are activated by “shall” or “must” when required, “should” when recommended, and “may” when optional. Section 6.1.2 words and terms used in this **Bylaw** shall have the same meaning as given to them in the **Act** unless otherwise defined by Section 6.2.
- 6.1.2 Words used in the present tense include the other tenses and derivative forms. Words used in the singular include the plural and vice versa. Words used in the masculine gender shall also mean the feminine gender and the neuter. Words have the same meaning whether or not they are capitalized.
- 6.1.3 Where a regulation involves two (2) or more conditions or provisions connected by a conjunction, the following shall apply:
- (1) “and” means all the connected items shall apply in combination;
 - (2) “or” indicates that the connected items may apply singly; and
 - (3) “and/or” indicates the connected items shall apply singly or in combination.

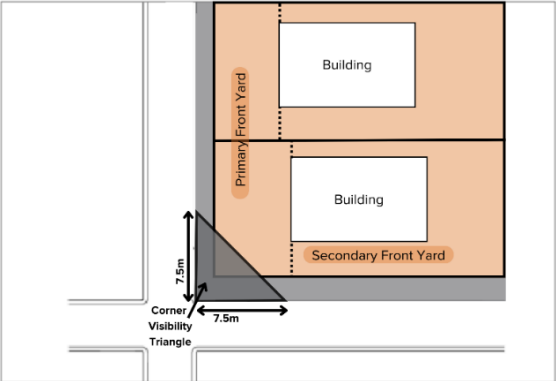
6.2 DEFINITIONS

A	
A-Board Sign	means a self-supporting sign , designed for temporary use during the operating hours of the related business, with no more than two faces joined at the top of the sign that can be manually placed and moved without the need for mechanical assistance.
Access	means the area and method by which persons and/or vehicles shall have sufficient ingress and egress to a parcel or dwelling unit .
Accessory Building	means a building separate and subordinate to the principal building , the use of which is incidental to that principal building and is located on the same parcel .
Accessory Building – Portable [Bylaw #18.21]	means a temporary accessory building that is designed by virtue of easy assembly and dismantling, commercially constructed of metal or synthetic tube and fabric, plastic or similar materials, and covered with waterproof sheeting, synthetic sheeting or plastic film, which shall meet all the requirements of the Safety Codes Act .
Act	means the <i>Municipal Government Act</i> , RSA 2000 c. M-26 as amended from time to time, and its successor legislation.
Adaptive Fill [Bylaw #16.22]	means a temporary fill material placed by the Town during a flood emergency to close gaps in existing berms and bring them to the flood construction level plus freeboard .
Adjacent	means land that is contiguous or would be contiguous if not for a public road , railway, reserve land , utility right-of-way , river, or stream.
Adult Entertainment	means any premises or part thereof wherein live performances, motion pictures, video tapes, video disks, slides, electronic or photographic reproductions, the main feature of which is the nudity or partial nudity of any person, are performed or shown.

After Life Care	means a development where the deceased are prepared for burial display and/or rituals before burial or cremation. This may include chapels, crematoriums, and showrooms for the display and sale of caskets, vaults, urns, and other items related to burial services. This use does not include a cemetery .
Agriculture – General	means a development for the rural production of farm or agricultural products and includes the cultivation of land, breeding and raising of livestock, and horticultural growing operations. This does not include confined feeding operations .
Agriculture – Intensive	means a development for the growing of crops primarily within a building and/or structure for the purpose of commercial food production. This does not include confined feeding operations .
Agriculture – Pasturage	means a use limited to the limited to the grazing and keeping of livestock.
Alberta Private Sewage Disposal System Standard of Practice [Bylaw #12.24]	means the design standards, installation standards, and material requirements for on-site private sewage systems handling less than 25 cubic metres of sewage volume per day.
Applicant	means the owner, or an agent, person, firm, or company acting on behalf of the owner, who submits an application under the provisions of this Bylaw .
Area Redevelopment Plan	means a Statutory Plan adopted by bylaw as an Area Redevelopment Plan pursuant to the Act .
Area Structure Plan	means a Statutory Plan adopted by bylaw as an Area Structure Plan pursuant to the Act .
Artist Studio	means small-scale, on-site production of goods by hand manufacturing. Typical uses include, but are not limited to, pottery, ceramics, jewelry, toy manufacturing, and sculpture and art studios. Minor retail sale of products on-site is allowed.
B	
Balcony	means a horizontal platform that is attached to a building above the first-storey level and is intended for use as an outdoor amenity space.

Bed & Breakfast	means a dwelling unit that is occupied by the property owner or manager and provides overnight accommodation for a fee in rooms with no in-room cooking facilities.
Bench	means an intermediary plateau or area which occurs between the toe of a slope (valley bottom lands) and an escarpment or valley wall top (or rim). Bench lands typically have a slope of between 1% and 15% and a valley edge may have more than one bench at different elevations.
Bench Sign [Bylaw #18.21]	means a sign which is placed or erected on an immobile seat. That advertises goods, products, services or facilities which directs persons to a different location from the site where the bench sign is located.
Billboard Sign [Bylaw #18.21]	means a sign placed adjacent to, though not within, the right-of-way that is intended to advertise goods, products or services directing persons to a different location from the site where the sign is located. This does not include a freestanding sign .
Brewery/Distillery [Bylaw #18.21]	means a facility licensed by the Alberta Gaming and Liquor Commission (AGLC) where beer, spirits and other alcoholic beverages are manufactured and may include the retail sale of products made on the premises for consumption off the premises. A brewery/distillery may include an area where products made on the premises are sold or provided to the public for consumption on the premises but are not considered a drinking establishment .
Building	means anything constructed or placed on, in, over, or under land, but does not include a highway or road or a bridge forming part of a highway or road .
Building Height	means the vertical distance measured from the finished grade to the highest point of a building . Building height does not include any accessory roof structure such as mechanical housing, elevator housing, roof stairway entrance, ventilating fan, skylight, parapet wall, chimney, steeple, communication structure, or similar feature not structurally essential to the building .
Building Permit	means a permit authorizing construction in accordance with the Safety Codes Act .

Bylaw	means the Town of Drumheller Land Use Bylaw 16.20 as amended from time to time.
Bylaw Officer	means a person appointed by the Town to enforce the provisions of this Bylaw , and includes a member of the Royal Canadian Mounted Police (RCMP) and a Community Peace Officer.
C	
Campground	means a development for the purpose of providing <u>temporary</u> accommodation for recreational vehicles or tents.
Cannabis [Bylaw #16.22]	means cannabis plant, fresh cannabis, dried cannabis , cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the <i>Cannabis Act</i> , S.C. 2018, c.16 and its regulations, as amended from time to time and includes cannabis products that are ingested or applied as a topical.
CAO	means the Chief Administrative Officer of the Town as appointed by Council .
Car Wash	means an establishment for the washing of vehicles, which may employ production-line methods, mechanical devices, staffed hand wash facilities, or unstaffed self-wash facilities.
Cemetery	means land or a building for the burial or interment of dead human bodies or human remains and registered as a cemetery in accordance with the <i>Cemeteries Act</i> , R.S.A. 2000, Chapter C-3 as amended from time to time, and its successor legislation.
m³/s	cubic metres per second (river flow rate).
[Removed by Bylaw #12.24]	
Concept Plan	means a non-Statutory Plan, subordinate to an Area Structure Plan , adopted by bylaw or resolution, that provides detailed land use direction, subdivision design, and development guidance to Council , administration, and the public. Concept plans are meant to be developed within the framework of an Area Structure Plan .

<p>Confined Feeding Operation</p>	<p>means a land use that is fenced or enclosed or within buildings where livestock is confined for the purpose of growing, sustaining, finishing or breeding by means other than grazing and requires registration or approval under the conditions set forth in the <i>Agricultural Operations Practices Act</i> RSA 2000 Chapter A-7) through the Natural Resources Conservation Board (NRCB).</p>
<p>Corner Parcel</p>	<p>means a parcel at the intersection of two (2) roads, excluding lanes.</p>
<p>Corner Visibility Triangle [Bylaw #16.22]</p>	<p>means a triangular area formed on the corner parcel by the two (2) street property lines and a straight line which intersects them at 7.5 metres from the corner where they meet.</p> 
<p>Council</p>	<p>means the Council of the Town of Drumheller.</p>
<p>Culture</p>	<p>means a development used by one or more organizations for arts, religion, community and/or cultural activities, but does not include an entertainment facility.</p>
<p>D</p>	
<p>Day Home</p>	<p>means a childcare facility operated from a private residence for a maximum of six (6) children up to 12 years of age and complies with the Alberta Family Day Home Standards Manual but does not include a “child care program” as defined by the <i>Early Learning and Child Care Act</i>, RSA 2007 Chapter E-0.1.</p>
<p>Deck [Bylaw #18.21]</p>	<p>means an uncovered horizontal structure at or below the main floor level of a building that is intended for</p>

	use as an outdoor amenity space, but does not include a balcony .
Density	means the number dwelling units allows for each parcel .
[Removed by Bylaw #12.24]	
Design Flood	means a flood event that results in a river flow rate of 1,850 m ³ /s.
[Removed by Bylaw #12.24]	
Development	means: <ul style="list-style-type: none"> (a) An excavation or stockpile and the creation of either of them; (b) A building or an addition to, or replacement or repair of a building, and the construction or placing of any of them on, in, over, or under land; (c) A change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or (d) A change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.
Development Agreement	means a legal agreement between the applicant for a development permit and the Town committing to the provision of any matter required by a condition of the development permit .
Development Authority	means the person or persons appointed pursuant to the Act that has been authorized to exercise development powers on behalf of the Town .
Development Officer	means the position established pursuant to Section 5.2 of this Bylaw .
Development Permit	means a permit that is issued in accordance with Part 5 of this Bylaw and authorizes a development .

Direct Control District [Bylaw #12.24]	means a land use designation for parcels that, because of unique characteristics or innovative design, requires specific regulations unavailable in other land use districts .
Discretionary Use [Bylaw #18.21]	means a use of land, buildings , or structures for which a development permit may be issued with or without conditions, at the discretion of the Development Authority .
Driveway	means a vehicle access route between a road and a use on a parcel .
Drinking Establishment [Bylaw #16.22]	means a use where liquor is sold on the premises and where a license for the sale of liquor is issued by the Alberta Gaming and Liquor Commission (AGLC). May include off sales though not considered restricted substance retail and may include the preparation of food for the consumption on the premises.
Dwelling Unit [Bylaw #12.24]	means a: (a) Dwelling unit – duplex; (b) Dwelling unit – manufactured; (c) Dwelling unit – multiple unit (apartment); (d) Dwelling unit – multiple unit (attached housing); (e) Dwelling unit – single-detached; (f) Dwelling unit – secondary suite; and, (g) Dwelling unit – garden.
Dwelling Unit – Duplex	means a single building containing two dwelling units divided either vertically or horizontally, each of which is totally separated from the other by appropriate construction standards and may contain a common stairwell external to both dwellings.
Dwelling Unit – Manufactured [Bylaw #16.22]	means a transportable, single or multiple section prefabricated building containing a dwelling unit , designed for long term occupancy when placed on a permanent foundation, and conforming to the requirements of the Canadian Standards Association (CSA) at the time of construction.
[Removed by Bylaw #12.24]	
Dwelling Unit – Multiple Unit	means a residential building comprising three (3) or

(Apartment) [Bylaw #16.22]	more dwellings with shared entrances and other essential facilities and services.
Dwelling Unit – Multiple Unit (Attached Housing) [Bylaw #16.22]	means a building designed and built to contain three (3) or more dwellings separated from each other by a fire rated wall with each unit having separate entrances from grade .
Dwelling Unit – Single Detached [Bylaw #16.22]	means a building designed and built to only contain one dwelling.
Dwelling Unit – Secondary Suite [Bylaw #16.22]	means an accessory dwelling that is located on the same parcel , and attached to or contained within, another dwelling unit which meets the requirements of this Bylaw and meets the requirements of the Safety Codes Act .
Dwelling Unit – Garden [Bylaw #16.22]	means a self-contained, secondary dwelling unit , installed in the rear yard or side yard of a parcel with an existing, permanent, single-family dwelling, usually containing cooking, eating, living, sleeping, and sanitary facilities.
E	
Education	means a development providing places of public or private learning for any age. This includes licensed childcare facilities.
Entertainment Facility [Bylaw #18.21]	means a facility where entertainment is provided to the public, either exclusively or in combination with other activities and may, without restricting the generality of the foregoing, include a live theatre, dance club, cinema but does not include adult entertainment .
F	
Fascia Sign [Bylaw #18.21]	means a sign attached to, marked, or inscribed on and parallel to the face of a building wall but does not include a billboard sign .
Finished Grade	means the ground elevation determined by averaging the finished level of the ground adjacent to the foundation of the principal building .

Flood Construction Level	means the required elevation of the underside of a wooden floor system or top of a concrete slab for habitable buildings that is calculated from the specified elevation of the design flood of a flow rate of 1,850 m³/s .
Flood Mitigation Structure	means structural measures that reduce the risk of flooding and potential damage that could result from a flood.
Floor Area	means the total area of all floors in a building .
Freeboard [Bylaw #16.22]	means additional height added to a flood mitigation structure to account for level of accuracy of the flood model, debris jams, sediment deposition and super elevation of the river during a flood event.
Freestanding Sign [Bylaw #18.21]	means a sign that is supported independently of a building wall or structure , but does not include a billboard sign .
Front Parcel Boundary	means, in the case of an interior parcel , the parcel boundary opposite of the rear parcel boundary . In the case of a corner parcel , means the shorter of two (2) parcel boundaries which abut a road .
Front Setback	means the distance between a building façade and the front parcel boundary . A front setback is not a front yard .
Front Yard	means a yard extending across the full width of a parcel from the front parcel boundary to the front façade of the principal building .
Flood Hazard Area [Bylaw #16.22]	means the flood hazard area is the area of land flooded during the 1-in-100-year return period regulated flood event, as defined by the Province of Alberta. The flood hazard area is comprised of the floodway, flood fringe, high hazard flood fringe and protected flood fringe areas.
Floodway [Bylaw #16.22]	means the river channel and adjoining lands indicated on the flood hazard area maps that would provide the pathway for flood waters during the 1-in-100-year return period regulated flood event, as defined by the Province of Alberta. The floodway is the portion of the flood hazard area where the flows are deepest, fastest and most destructive.

Flood Fringe [Bylaw #16.22]	means those lands abutting the floodway , the boundaries of which are indicated on the flood hazard area maps that would be inundated by floodwaters during the 1-in-100-year return period regulated flood event, as defined by the Province of Alberta. River flows in the flood fringe are typically shallower and slower flowing than the floodway .
G	
Gas Station	means a business engaged in the sale of vehicle fuel and ancillary products.
[Removed by Bylaw #12.24]	
Government	means a development providing municipal, provincial, or federal government services and includes but is not limited to a government office, tourism office, postal service outlet, social service centre, and courthouse, but does not include education facilities.
Government of Alberta Flood Hazard Maps [Bylaw #12.24]	means the maps demonstrating the risk of flooding within the Town . The maps can be accessed at floods.alberta.ca .
Grade	means the ground elevation established for the purpose of regulating building height . Grade shall be the finished ground elevation adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level the grade shall be the finished ground elevation adjacent to the wall of the building at the lowest finished elevation of the property.
H	
Habitable Area	means any space or room, that can be used for dwelling purposes, business, or the storage of goods susceptible to damage by flood.
Hard Landscaping	means the use of non-vegetative material, including but not limited to concrete, paving stone, asphalt, or gravel, as part of a landscaped area .
Hard Surface	means asphalt, concrete, paving stone, or similar

	material satisfactory to the Development Authority that is used in the construction of a driveway or parking area.
Health Services	means a development providing medical and health care services on both an inpatient and an outpatient basis, or provincially licensed extended medical care, but does not include restricted substance retail .
High Hazard Flood Fringe [Bylaw #16.22]	those lands within the flood fringe with deeper (typically > 1m) or faster moving water than the rest of the flood fringe .
Historic Resource	means any work of nature or of humans that is primarily of value for its palaeontological, archaeological, prehistoric, historic, cultural, natural, scientific, or esthetic interest including, but not limited to, a palaeontological, archaeological, prehistoric, historic or natural site, structure , or object, as set out by the Historical Resources Act .
Historical Resources Act [Bylaw #12.24]	means the <i>Historical Resources Act</i> , RSA 2000, c H-9, as amended from time to time, and its successor legislation.
Home Occupation [Bylaw #12.24]	means an accessory use by a resident of a dwelling unit for small-scale business activities that do not adversely affect the residential character of the property.
Home Occupation - Basic	means a home occupation that does not employ persons living outside of the dwelling unit , does not have client or customer visits, and does not have external signs .
Home Occupation - Rural	means a home occupation located in the Countryside District or Rural Development District that may employ persons living outside of the dwelling unit , may have client or customer visits, and may have external signs .
Home Occupation - Urban	means a home occupation located in the Neighbourhood District, Neighbourhood Centre District or Downtown District that may employ persons living outside of the dwelling unit , may have client or customer visits, and may have external signs .
Hotel/Motel	means a facility that offers lodging that is not within a

	dwelling unit.
Human Services	means a development providing services to persons in need of assistance due to age, physical or mental disability, addiction, illness, or injury. Uses may include, but are not limited, assisted living facilities, treatment centres, and community support services.
I	
Infill [Bylaw #18.21]	means the insertion of new development into an existing subdivision or neighbourhood that does not represent an extension or expansion to the developed area of the community, and generally does not require the extension of municipal services or the construction of a new road to reach the site .
Industrial – Cannabis Production [Bylaw #16.22]	means the use of land or structures for the purpose of growing, processing, infusing, packaging, testing, destroying, storing and/or shipping of cannabis used for the purposes as authorized by a license issued in accordance with the <i>Cannabis Act</i> , S.C. 2018, c.16.
Industrial – Heavy [Bylaw #16.22]	means the processing, manufacturing, or compounding of materials, products, or any industrial activities which because of their scale or method of operation regularly produce noise, heat, glare, dust, smoke, fumes, odours, vibration, or other external impacts detectable beyond the parcel boundaries of the property. This use may include natural resource extraction .
Industrial – Light [Bylaw #16.22]	means the manufacturing, fabrication, assembly, distribution, disposal, warehousing or bulk storage, trucking and equipment facilities, or any industrial activities primarily within a building and does not produce noise, heat, glare, dust, smoke, fumes, odours, vibration, or other external impacts. This use may include food production.
Intermunicipal Subdivision and Development Appeal Board Bylaw [Bylaw #12.24]	means the Intermunicipal Subdivision and Development Appeal Board Bylaw 17.21, as amended from time to time, and its successor legislation.
K	

<i>Kennel</i>	means any premises where three (3) or more dogs and/or five (5) or more cats are cared for, maintained, boarded, bred, or trained in exchange for compensation.
L	
<i>Land Titles Act</i> [Bylaw #12.24]	means the <i>Land Title Act</i> , RSA 2000, c L-4, as amended from time to time, and its successor legislation.
<i>Landscaped</i>	means the enhancement of a <i>parcel</i> by the addition of topsoil, trees, shrubs, turf, grass, other vegetative material, or non-vegetative material.
<i>Landscaped Area</i>	means an area of land planted or to be planted with trees, grass, shrubs, or other vegetation including the soil or bedding material areas associated with plantings. A landscaped area does not include the footprint of a <i>building, decks, patio</i> , sidewalk, <i>driveway</i> , parking area, or similar <i>hard landscaping</i> .
<i>Land Use District</i> [Bylaw #12.24]	means the areas within the jurisdiction of the <i>Town</i> that have been delineated in Section 2 of this <i>Bylaw</i> , and in accordance with the <i>Act</i> .
<i>Lane</i>	means a secondary <i>access</i> located to the side or rear of a <i>parcel</i> and provides <i>access</i> to service areas, parking, <i>accessory buildings</i> , and may contain <i>public utility</i> easements.
<i>Loading Area</i>	means an area on the same <i>parcel</i> as a commercial <i>building</i> for the temporary parking of a commercial vehicle while goods and materials are being loaded or unloaded.
M	
<i>Manufactured Home Park</i> [Bylaw #16.22]	means a <i>parcel</i> of land under one Certificate of Title which has been planned, divided into manufactured home lots and improved for placement of manufactured homes for permanent <i>residential use</i> and may include accessory uses, including: convenience stores, parking facilities and other services.

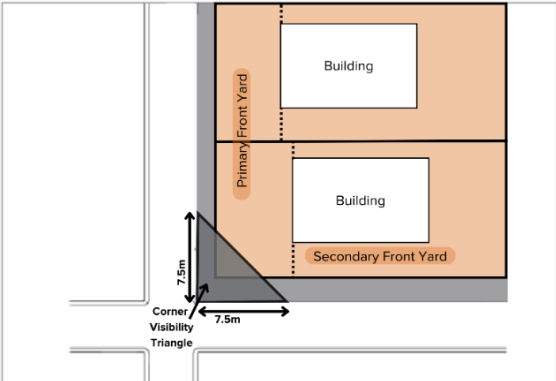
Municipal Planning Commission	means the Town's Municipal Planning Commission established pursuant to the Act and Bylaw #32.08, as amended from time to time, and its successor legislation.
Mural [Bylaw #16.22]	means an artistic rendering applied to or affixed to any exterior permanent surface with minimal means of advertising. This definition does not include religious symbols affixed to worship facilities. A mural shall be approved by the Town in accordance with Town policies.
N	
Natural Resource Extraction [Bylaw #16.22]	means the extraction of natural resources such as clay, sand, gravel, limestone, coal, petroleum and other minerals, and may include primary treatment into a raw, marketable form.
Non-Conforming Building	means a building : (a) That is lawfully constructed or lawfully under construction at the date this Bylaw becomes effective; and, (b) That on the date this Bylaw becomes effective does not, or when constructed will not, comply with this Bylaw .
Non-Conforming Use	means a lawful specific use : (a) Being made of land or a building or intended to be made of land or a building lawfully under construction at the date this Bylaw becomes effective; and, (b) That on the date this Bylaw becomes effective does not, or in the case of a building under construction, will not, comply with this Bylaw .
Nuisance	means an activity or effect that is offensive to the sense, including smoke, airborne emissions, vapours, odours, noise, earthborn vibrations, glare, flashing light, heat, dust, unsightly or unsafe storage of materials, excessive traffic, or any other impact that may become hazardous to health and safety, or which adversely affects the amenities of the neighbourhood or interferes with the normal enjoyment of any land or building , whether public or private.

O	
Office	means a development that includes premises available for the transaction of general business.
Outdoor Storage	means the keeping of materials, goods, or vehicles on-site for a timeframe exceeding twenty-four (24) hours.
Overlay	means a special zoning district placed over an existing Land Use District , establishing additional or alternative standards for development , in addition to those of the underlying Land Use District .
P	
Parcel	means an area of land described on a Certificate of Title or described in a Certificate of Title by reference to a plan filed or registered in a land titles office.
Parcel Boundary	means the boundary that legally and geometrically demarcates a parcel , also known as a property line.
Parcel Coverage	means the cumulative coverage of all covered buildings on a parcel .
Patio [Bylaw #18.21]	means an uncovered horizontal structure with a surface height, at any point, no greater than 0.60 metres above grade and is intended as an outdoor amenity space.
Permitted Use [Bylaw #18.21]	means a use of land, building , or structures for which a development permit shall be issued, with or without conditions, by the Development Authority .
Porch	means an unenclosed covered structure forming an entry to a building .
Portable Sign	means a sign which is not in a permanently installed or affixed position, but does not include an a-board sign .
Principal Building or Principal Use	means the use or building on a parcel that occupies the major or central portion of a parcel and constitutes the principal purpose for which the parcel

	is used. Principal uses may be located within a building , or portion of a building that is separated structurally from other uses within the same building . One or more principal uses may occur on a parcel .
Projecting Sign	means sign which projects from a structure or a building face.
Projection	means any structural or architectural element, building feature, or other object that juts out, overhangs, or protrudes into the prescribed setback .
Protected Flood Fringe [Bylaw #16.22]	means those lands within the floodway or flood fringe protected by flood mitigation structures in the form of a flood berm and temporary barriers in accordance with the Town's Emergency Response Plan. These lands may be flooded if dedicated flood berms fail or do not work as designed during the 1-in-100-year return period regulated flood event, as defined by the Province of Alberta, even if they are not overtopped and areas in protected flood fringe are still susceptible to groundwater and pluvial flooding.
Provincial Offences Procedures Act [Bylaw #12.24]	means the <i>Provincial Offences Procedures Act</i> RSA, c P-34, as amended from time to time, and its successor legislation.
Public Utilities	means systems and facilities associated with water, sewage, power, heating and cooling, energy, waste, transportation, telecommunications, and any municipal flood mitigation structure .
Q	
Qualified professional [Bylaw #18.21]	means a person who by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training and experience, has successfully demonstrated the ability to solve or resolve problems relating to the subject matter, the work or the project, and assumes responsibility for the results of the work. Without limiting the generality of the foregoing, this shall include land surveyors, professional planners, architects, and engineers.
R	

Rear Parcel Boundary	means the parcel boundary of a parcel which is opposite the front parcel boundary .
Rear Setback	means the distance between any development, building, or structure and the rear parcel boundary . A rear setback is not a rear yard .
Rear Yard	means a yard extending across the full width of a parcel from the rear parcel boundary to the rear facade of the principal building .
Recreation – Intensive	means a development for leisure activities requiring indoor and/or outdoor facilities, including but not limited to, parks, swimming pools, gyms, arenas.
Recreation – Non-Intensive	means leisure activities that require little to no alteration or formal development of a parcel for public or private enjoyment. This use includes amenities such as public pathways and trails, sports fields, boat launches and river access infrastructure, and associated parking areas, washrooms, signage, public art, and interpretive elements.
Recreation Vehicle	means a vehicle that provides temporary accommodation for recreational or travel purposes and includes, but is not limited to motor homes, travel trailers, fifth wheel travel trailers, campers, tent trailers, boats, and a trailer used to transport any of the above.
Recreation Vehicle Resort	means a parcel designed, developed, maintained, and capable of providing accommodation on a temporary, seasonal, or permanent basis, for recreation vehicles .
Reserve Land [Bylaw #12.24]	means any parcel designated as municipal reserve, environmental reserve, municipal and school reserve, school reserve, conservation reserve, or community services reserve, as defined in the Act or noted as community reserve on a Certificate of Title.
Residential Land Use District [Bylaw #12.24]	means: (a) Neighbourhood District; (b) Neighbourhood Centre District; and, (c) Downtown District.

Residential Mixed-Use Development [Bylaw #12.24]	means a development that has both a residential and commercial use within a shared building , with the commercial use located on the ground floor. A Residential Mixed-Use Development may contain any of the commercial uses listed as permitted or discretionary for the respective land use district where the Residential Mixed-Use Development is located.
Residential Use [Bylaw #12.24]	means a particular usage that falls under the residential use category designated for each specific Land Use District .
Responsible Pet Ownership Bylaw [Bylaw #12.24]	means the Responsible Pet Ownership Bylaw #06.13, as amended from time to time, and its successor legislation.
Restaurant/Café	means a development where prepared food and beverages are offered for sale to the public for consumption on-premises or off-premises.
Restricted Substance Retail	means a retail establishment licensed under the Alberta Gaming and Liquor Commission for the sale of liquor or cannabis for consumption off-premises.
Retail & Service – General	means a development that provides goods or services directly to the consumer, and where such goods or services are available for immediate purchase on the premises by the purchaser.
Retail & Service – Heavy [Bylaw #16.22]	means a development with permanent outdoor display, service, and/or storage areas. Including, but not limited to storage and warehousing facilities, vendors of lumber and building supplies, landscaping supplies and equipment, industrial equipment, vehicles, watercraft, and/or outdoor structures such as prefabricated sheds, decks and patios, swimming pools, and play equipment.
Right-of-Way	means the total width of any land reserved or dedicated as a thoroughfare, lane , pedestrian way, or utility line.
Road	means land shown as a road on a plan of survey that has been filed or registered in a land titles office, or land used as a public road (see street), and includes a bridge forming part of a public road and any structure incidental to a public road.

Rooftop Sign	means a sign affixed to or placed on a building and extending in whole or in part above the vertical walls or parapet of the building ; or the top of a canopy, awning, or other similar appurtenance of the building .
S	
Safety Codes Act [Bylaw #12.24]	means the <i>Safety Codes Act</i> , RSA 2000, C. S-1 as amended from time to time, and its successor legislation.
Screening	means some combination of structural and/or landscaping features used to separate areas or functions which detract from the appearance of the streetscape and the view from the surrounding areas.
Secondary Front Parcel Boundary	means a side parcel boundary that forms the boundary of a parcel and a road right-of-way .
Secondary Front Setback	means the distance between any development , building , or structure and the secondary front parcel boundary .
Secondary Front Yard [Bylaw #16.22]	<p>means a yard extending across the full width of a parcel from the secondary front parcel boundary of the parcel to the wall of the principal building.</p> 
Setback	means the minimum distance required between a development and a parcel boundary or any other features specified by this Bylaw .
Setback Area	means the area of a parcel between the parcel boundaries and the walls of the building or structure , as required by the applicable Land Use

	District in this Bylaw .
[Removed by Bylaw #12.24]	
Side Setback	means the distance between any part of a development, building, or structure and the side parcel boundary . A side setback is not a side yard .
Side Parcel Boundary	means the boundary of a parcel which connects the front parcel boundary with the rear parcel boundary .
Side Yard	means a yard extending from the front yard to the rear yard situated between the side parcel boundary of the parcel and the wall of the principal building , not including projections .
Sign	means a visual medium used to convey information by way of words, pictures, images, graphics, emblems, or symbols, or any device used for the purpose of providing direction, identification, advertisement, business promotion, or the promotion of a person, product, activity, service, event, or idea and includes a-board signs, billboard signs, fascia signs, portable signs, and projection signs .
[Removed by Bylaw #12.24]	
Site	means an area of land on which a building or use exists or for which an application for a development permit is made and can comprise more than one parcel .
Soft Landscaping	means the use of vegetative material as part of a landscaped area .
[Removed by Bylaw #12.24]	
Solar Energy System – Freestanding [Bylaw #12.24]	means a device and accessories designed to convert solar radiation into electrical or thermal energy which is placed on the ground.
Solar Energy System – Rooftop [Bylaw #12.24]	means a device and accessories designed to convert solar radiation into electrical or thermal energy mounted to the roof of a building or structure .
Stop Order	means an order issued by the Development

	Authority pursuant section 5.25 of this Bylaw and Section 645 of the Act .
Storage Structure [Bylaw #18.21]	means a structure in the form of a shipping container, trailer or other structure .
Stormwater Management	means the use of structural or non-structural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources, and the environment.
Stormwater Management Plan	means a plan that indicates pre- and post- development drainage systems including any required stormwater management features.
Street	means any public road , including the boulevards, sidewalks and improvements, but excluding a lane , bridge or walkway.
Structural Alteration	means altering the main building components that support a building , including but not limited to the roof, foundation, or exterior walls of a structure , that results in the expansion of the useable floor area of a structure or reduces existing setback areas .
Structure	means anything constructed or erected on the ground, or attached to something located on the ground, not including pavement, curbs, sidewalks, open air surfaces, or movable vehicles.
Subdivision	means the division of a parcel into one or more smaller parcels by a plan of a subdivision or other instrument.
Subdivision Agreement	means a legal agreement between the applicant for a subdivision and the Town committing to the provision of any matter required by a condition of the subdivision approval.
Subdivision and Development Regulations [Bylaw #12.24]	means the <i>Subdivision and Development Regulation, A/R 84/2022</i> , as amended from time to time, and its successor legislation.
Subdivision Authority	means the persons appointed pursuant to the Act that have been authorized to exercise subdivision powers on behalf of the Town .
Subdivision and Development Appeal Board	means the body established by Council pursuant to the act to act as the appeal body for appeals against

	development permit decisions, subdivision decisions, and stop orders .
T	
Temporary Barriers [Bylaw #12.24]	means adaptive fill or any other structure temporarily installed during a flooding event in accordance with the Town's Emergency Response Plan.
[Removed by Bylaw #12.24]	
Town	means the Town of Drumheller, a municipal corporation in the Province of Alberta, and includes the area contained within the corporate boundaries of the Town of Drumheller, as the context may require.
U	
Use	means the purpose or activity for which a parcel or a building is designed, arranged, developed, or intended, or for which is occupied or maintained.
Use Area	means the entire floor area of a building or a portion of a building that is occupied by a specific use .
W	
Wind Energy System	means a structure designed to convert wind energy into mechanical or electrical energy.
Work Camp [Bylaw #16.22]	means a temporary residential complex used to house employees on a temporary basis to provide accommodations for large scale projects in the immediate area. Without restricting the generality of the above, the camp is usually made up of a number of mobile units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities.
Window Sign [Bylaw #16.22]	means a sign painted on, attached to or installed on a window intended to be viewed from outside the premises.

Y	
Yard	means an open space on the same site as a building and which is unoccupied and unobstructed from the ground upward except as otherwise provided for in this Bylaw .