LAND USE BYLAW NO. 215-19

October 2019

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SECTION 1 ENACTMENT

1.1 Title

1.1.1 This Bylaw may be cited as the “Village of Rycroft Land Use Bylaw”.

1.2 Purpose

1.2.1 The purpose of this Bylaw is to manage the use and development of land and buildings within the Municipality to achieve the orderly, economical and beneficial development of land.

1.3 Application

1.3.1 The provisions of this Bylaw apply to all land and buildings within the boundaries of the Municipality.

1.4 Conformity with Bylaw

1.4.1 No person shall commence or continue any development unless it is in accordance with this Bylaw and the terms and conditions of a Development Permit issued pursuant to this Bylaw, where such a permit is required.

1.5 Additional Requirements

1.5.1 In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to obtain other such permits, approvals or licenses that may be required by the Municipality or other government departments and agencies.

1.6 Transitional Provisions

1.6.1 An application for a development permit that is received in its complete and final form prior to the effective date of this Bylaw shall be processed in accordance with Bylaw No. 77-07 as amended.

1.7 Severability

1.7.1 In the event any portion of this Bylaw is found invalid or is overturned by a Court of Law, the validity of the remaining portions of this Bylaw shall not be affected.

1.8 Interpretation

1.8.1 The words “shall”, “will” and “must” require mandatory compliance except where a variance has been granted pursuant to the Act or this Bylaw.

1.8.2 In the event of a conflict between the text of this Bylaw and the Act, the Act shall take precedence.

1.8.3 In the case of a conflict between the text of this Bylaw and any maps or drawings used to illustrate any aspect of this Bylaw, the text shall take precedence.

1.8.4 In the case of a conflict between values expressed in metric units and in imperial units, the metric value shall take precedence.

1.8.5 In the case of a conflict between a land use district requirement and the General Regulations (Section 4) or Special Regulations (Section 5), the land use district requirement shall take precedence.

SECTION 2 DEVELOPMENT AUTHORITIES

2.1 Establishment of Development Authority

2.1.1 The office of Development Officer, as established by separate bylaw, and filled by a person or persons to be appointed by Council, is hereby authorized to act as a "Development Authority".

2.2 Duties and Powers of Development Authority

2.2.1 The Development Officer shall:
(a) be hereby appointed a "Designated Officer" for the purposes of entering and inspecting land;
(b) receive, process, and review all development permit and subdivision applications;
(c) keep and maintain for inspection by the public during office hours, a copy of this Bylaw and all amendments thereto;
(d) undertake all administrative functions as required by legislation and keep a register of all applications for development, including the decisions thereon and the reasons therefore for a minimum period of 7 years.

2.2.2 Notwithstanding 2.2.1(b), the Development Officer may:
(a) refer any development permit application to Council for advice; and
(b) refer development permit applications to Council for advice for those uses not listed either as Permitted Uses or Discretionary Uses in the subject land use district.

SECTION 3 LAND USE DISTRICTS

3.1 Establishment of Districts

3.1.1 For the purpose of this Bylaw, all lands within the Municipality are divided into the following Land Use Districts:

LAND USE DISTRICT	SYMBOL
Low Density Residential	R-1
General Residential	R-2
Manufactured Home Residential	MHR
Commercial	C-1
Limited Highway Commercial	C-2
Highway Development	HD
Industrial	M-1
Public Service	PS
Urban Reserve	UR

3.2 Land Use District Maps

3.2.1 The Land Use District Map, as may be amended or replaced from time to time, divide the Municipality into Land Use Districts, and is contained in Schedule A.

3.3 Land Use District Boundaries

3.3.1 Where uncertainty exists as to the boundaries of districts as delineated in the Land Use District Map, the following rules shall apply:

(a) Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.

(b) In circumstances not covered by (a), the location of the District boundary shall be determined:

(i) Where dimensions are set out on the Land Use Bylaw Map, by the dimensions so set; or

(ii) Where dimensions are not set out on the Land Use Bylaw Map with respect to such boundary, by measurement of and use of the scale shown on the Land Use Bylaw Map.

3.3.2 Council shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

3.3.3 Where land use districts have been established in accordance with a proposed subdivision of land, the districts shall be understood to conform to the Certificate of Title or the Plan of Survey when registered in a land title office. Prior or the registration, the district boundary shall be determined on the basis of the scale of the map.

3.3.4 The district standards of this Bylaw do not apply to highways, roads, or lanes.

3.4 Low Density Residential (R-1) District

3.4.1 Purpose

The purpose of this district is to provide for low density residential development in the form of single detached dwelling units, with provisions for other compatible uses.

Permitted Uses	Discretionary Uses
• Accessory Building or Use to a Permitted Use • Park • Single Detached Dwelling	• Accessory Building or Use to a Discretionary Use • Bed and Breakfast • Child Care Facility • Community Hall or Facility • Duplex • Group Home • Home Based Business, Major • Home Based Business, Minor • Public Building or Use • Public Utility • Religious Assembly • Secondary Suite • Solar Collector

3.4.2 Development Regulations

In addition to those regulations in Section 4, General Regulations, and Section 5, Special Regulations, the following regulations shall apply:

(a) Lot Area (Minimum)	• Single Detached Dwelling and Duplex (Up-Down) • Duplex (Side-Side) • All Other Uses	465 m^2 (5,000 ft^2) 372 m^2 (4,000 ft^2) per unit 558 m^2 (6,000 ft^2)
(b) Lot Width (Minimum)	• Duplex, Side-Side • All Other Uses	10.7 m (35 ft) per unit 15.2 m (50 ft)
(c) Front Yard (Minimum)		7.6 m (25 ft)
(d) Side Yard (Minimum)	• Exterior • Interior	4.6 m (15 ft) 1.5 m (5 ft). Zero for side-side duplex, and 3 m (10 ft) on one side if no rear lane.
(e) Rear Yard (Minimum)		7.6 m (25 ft)
(f) Building Height (Maximum)		10.6 m (35 ft)
(g) Lot Coverage (Maximum)		35%
(h) Single Detached Dwelling Size (Minimum)		6.5 m (21 ft) width 65 m^2 (700 ft^2) livable area on Main Street lots of 10 m (33 ft) in width or less 93 m^2 (1000 ft^2) livable area on all other lots

3.5 General Residential (R-2) District

3.5.1 Purpose

The purpose of this district is to provide for a diverse mix of residential development types with provision for higher density, multi-unit dwelling development.

Permitted Uses	Discretionary Uses
• Accessory Building or Use to a Permitted Use • Duplex • Park • Single Detached Dwelling	• Accessory Building or Use to a Discretionary Use • Bed and Breakfast • Boarding House • Child Care Facility • Group Home • Home Based Business, Major • Home Based Business, Minor • Multi-Unit Dwelling • Public Building or Use • Public Utility • Residential Care Facility • Secondary Suite • Solar Collector

3.5.2 Development Regulations

In addition to those regulations in Section 4, General Regulations, and Section 5, Special Regulations, the following regulations shall apply:

(a) Lot Area (Minimum)	• Multi-Unit Dwelling • Duplex (Side-Side) • All Other Uses • Corner Lot	558 m^2 (6,000 ft^2) 372 m^2 (4,000 ft^2) 465 m^2 (5,000 ft^2) Add 46 m^2 (500 ft^2)
(b) Lot Width (Minimum)	• Duplex (Side-Side) • All Other Uses • Corner Lot	10.7 m (35 ft) per unit 15.2 m (50 ft) Add 1.5 m (5 ft)
(c) Front Yard (Minimum)	• Multi-Unit Dwelling or Residential Care Centre • All Other Uses	9.2 m (30 ft) if 3 or more storeys 7.6 m (25 ft)
(d) Side Yard (Minimum)	• Multi-Unit Dwelling or Residential Care Centre • All Other Uses	7.6 m (25 ft) Interior; 10.6 m (35 ft) Exterior 1.5 m (5 ft) Interior; 4.6 m (15 ft) Exterior 3 m (10 ft) on one side if no rear lane.
(e) Rear Yard (Minimum)	• Multi-Unit Dwelling or Residential Care Centre • All Other Uses	10.6 m (35 ft) 7.6 m (25 ft)
(f) Building Height (Maximum)		10.6 m (35 ft)
(g) Lot Coverage (Maximum)	• Multi-Unit Dwelling • All Other Uses	40% 35%
(h) Single Detached Dwelling Size (Minimum)		6.5 m (21 ft) width 93 m^2 (1000 ft^2) livable area

3.5.3 Additional Requirements

(a) Density maximums shall be at the discretion of the Development Authority based upon building design, landscaping provisions, parking requirements and other development guidelines.

(b) Special Requirements for multi-unit dwellings
   (i) A minimum of 10% of the site shall be devoted to landscaped open space. A minimum of 50% of this landscaped open space shall be devoted to active play areas and should contain recreational and playground equipment.
   (ii) In addition, the development shall satisfy the Development Authority as to:
      1. provision for an access to garbage storage,
      2. access for firefighting purposes,
      3. light between buildings,
      4. privacy for dwelling units in and adjacent to the development,
      5. orientation of buildings and general appearance of project, and
      6. safe pedestrian access to and from the public sidewalk fronting the building.

(c) Areas surrounding off-street parking spaces shall be landscaped to the satisfaction of the Development Authority. The type of landscaping required shall have regard for visual screening and public safety.

(d) The Development Authority may decide on such other requirements as are necessary having regard to the nature of a proposed development and the intent of this district.

3.6 Manufactured Home Residential (MHR) District

3.6.1 Purpose

The purpose of this District is to provide for the development of manufactured home lots.

Permitted Uses	Discretionary Uses
• Accessory Building or Use to a Permitted Use • Manufactured Home, Double Wide • Manufactured Home, Single Wide • Park	• Accessory Building or Use to a Discretionary Use • Child Care Facility • Home Based Business, Major • Home Based Business, Minor • Public Building or Use • Public Utility • Solar Collector

3.6.2 Development Regulations

In addition to those regulations in Section 4, General Regulations, and Section 5, Special Regulations, the following regulations shall apply:

(a) Lot Area (Minimum)		456 m^2 (5,000 ft^2) Add 56 m^2 (600 ft^2) for corner lot
(b) Lot Width (Minimum)		15.2 m (50 ft) Add 1.5 m (5 ft) for corner lot
(c) Front Yard (Minimum)		6.1 m (20 ft)
(d) Side Yard (Minimum)	• Exterior • Interior	4.6 m (15 ft) 1.5 m (5 ft)
(e) Rear Yard (Minimum)		4.6 m (15 ft)
(f) Building Height (Maximum)		10.6 m (35 ft)
(g) Lot Coverage (Maximum)		35%

3.6.3 Additional Requirements

(a) Age of Dwelling
A manufactured home that is introduced to, newly installed within, or relocated within or to, a lot, must have been manufactured within the most recent 10 years, unless the manufactured home complies with the following criteria:
(i) peaked asphalt roof;
(ii) drywall interior walls;
(iii) minimum width of 4.9 m (16 ft);
(iv) exterior design and materials are consistent with manufactured homes manufactured within the most recent 10 years, as evidenced to the satisfaction of the Development Authority.

For the purposes of this Section, the "most recent 10 years" shall be measured from the date that the manufactured home is, or is approved to be, introduced to, newly installed within, or relocated within or to, the a lot designated MRH District under this Bylaw.

3.7 Commercial (C-1) District

3.7.1 Purpose

The purpose of this district is to provide for office and retail commercial developments generally intended to locate in the central business area of the Village.

Permitted Uses	Discretionary Uses
• Accessory Building or Use to a Permitted Use • Financial Services • Personal Services • Professional Services • Public Building or Use • Retail Store	• Accessory Building or Use to a Discretionary Use • Accessory Dwelling • Amusement Facility • Building Supplies • Cannabis Retail • Commercial Entertainment Facility • Community Hall or Facility • Contractor, Limited • Dealership • Drinking Establishment • Emergency Services • Hotel • Motor Vehicle Dealership • Parking Lot • Public Utility • Religious Assembly • Restaurant • Sign • Solar Collector • Veterinary Clinic

3.7.2 Development Regulations

In addition to those regulations in Section 4, General Regulations, and Section 5, Special Regulations, the following regulations shall apply:

(a) Lot Width (Minimum)	4.6 m (15 ft)
(b) Front Yard (Minimum)	None Required
(c) Side Yard (Minimum)	3 m (10 ft). None required if a firewall is provided or if adjacent to a road.
(d) Rear Yard (Minimum)	Development Authority discretion
(e) Building Height (Maximum)	Development Authority discretion

3.7.3 Additional Requirements

(a) Outside storage areas and all apparatus on the roof of any building shall be screened to the satisfaction of the Development Authority.

(b) An accessory dwelling shall:
  (i) not be located below the second storey nor on the same floor as a non-residential use; and
  (ii) have direct access to the outside street level.

3.8 Limited Highway Commercial (C-2) District

3.8.1 Purpose

The purpose of this district is to provide for the establishment of a selected number of retail and service uses in the vicinity of a highway outside of the central business district.

Permitted Uses	Discretionary Uses
• Accessory Building or Use to a Permitted Use • Retail Store	• Accessory Building or Use to a Discretionary Use • Drinking Establishment • Gas Bar • Public Building or Use • Public Utility • Restaurant • Sign • Solar Collector

3.8.2 Development Regulations

In addition to those regulations in Section 4, General Regulations, and Section 5, Special Regulations, the following regulations shall apply:

(a) Lot Area (Minimum)	0.3 ha (0.8 ac)
(b) Front Yard (Minimum)	20.1 m (66 ft)
(c) Side Yard (Minimum)	3 m (10 ft) 15.2 m (50 ft) for side adjacent to residential district.
(d) Rear Yard (Minimum)	10 m (33 ft)
(e) Building Height (Maximum)	Development Authority discretion
(f) Lot Coverage (Maximum)	25%

3.8.3 Additional Requirements

(a) Buffers and Landscaping:
  (i) Where a commercial development is established adjacent to a residential district, screening and landscaped buffers shall be provided to the satisfaction of the Development Authority.
  (ii) A minimum landscaped buffer strip of 1 m (3 ft) in width shall be required to separate any parking area from the lot line of the site.
  (iii) A minimum of 10% of the site area shall be landscaped to the satisfaction of the Development Authority. The aforementioned buffer strip is to be included in this landscaping requirement.

(b) Notwithstanding the requirements of 4.12, parking shall be provided at a ratio of 1 parking space for every 37.2 m^2 (400 ft^2) of gross floor area.

(c) Signage
  (i) Two fascia signs denoting the nature of business conducted may be permitted for each retail or service outlet in this district.
  (ii) One free-standing lighted sign may be allowed on the approved site for the purpose of advertising the nature of the approved site for the purpose of advertising the nature of the retail and service outlets on the site.

3.9 Highway Development (HD) District

3.9.1 Purpose

The purpose of this district is to provide for those commercial uses that have extensive land and/or outside storage requirements and are located along heavily traveled roads.

Permitted Uses	Discretionary Uses
• Accessory Building or Use to a Permitted Use • Contractor, Limited • Dealership • Equipment Sales, Rental and Repair • Public Building or Use • Restaurant	• Accessory Building or Use to a Discretionary Use • Automotive Repair • Building Supplies • Bulk Fuel, Chemical or Cardlock • Bulk Retail • Cannabis Retail • Car Wash • Drinking Establishment • Drive-Through Business • Fleet Service • Gas Bar • Hotel • Mini Storage • Motel • Public Utility • Recreational Vehicle Storage • Service Station • Sign • Solar Collector • Storage Yard • Veterinary Clinic • Warehouse • Wind Energy Conversion System, Small Scale

3.9.2 Development Regulations

In addition to those regulations in Section 4, General Regulations, and Section 5, Special Regulations, the following regulations shall apply:

(a) Front Yard (Minimum)	9.1 m (30 ft)
(b) Side Yard (Minimum)	3 m (10 ft)
(c) Rear Yard (Minimum)	Development Authority discretion
(d) Building Height (Maximum)	Development Authority discretion

3.10 Industrial (M-1) District

3.10.1 Purpose

The purpose of this district is to provide for manufacturing, processing, assembly, distribution, service and repair uses.

Permitted Uses	Discretionary Uses
• Accessory Building or Use to a Permitted Use • Building Supplies • Contractor, Limited • Contractor, General • Dealership • Equipment Sales, Rental and Repair • General Industry • Pipe and Equipment Storage • Sign • Warehouse	• Accessory Building or Use to a Discretionary Use • Auto Body and Paint Shop • Automotive Repair • Building Supplies • Bulk Fuel, Chemical or Cardlock • Bulk Retail • Cannabis Production Facility • Cannabis Retail • Car Wash • Communication Tower and Antenna System • Fleet Service • Grain Elevator • Kennel • Mini Storage • Public Utility • Recreational Vehicle Storage • Restaurant • Salvage Yard • Security Suite • Solar Collector • Solar Energy Facility • Storage Yard • Trucking Operation • Wind Energy Conversion System, Small Scale • Veterinary Clinic

3.10.2 Development Regulations

In addition to those regulations in Section 4, General Regulations, and Section 5, Special Regulations, the following regulations shall apply:

(a) Lot Area (Minimum)	456 m^2 (5,000 ft^2)
(b) Front Yard (Minimum)	6.1 m (20 ft)
(c) Side Yard (Minimum)	4.6 m (15 ft)
(d) Rear Yard (Minimum)	3 m (10 ft). Increase to 4.6 m (15 ft) if no rear lane. None required if the rear lot line abuts a railway right-of-way.
(e) Building Height (Maximum)	Development Authority discretion
(f) Lot Coverage (Maximum)	60%

3.10.3 Additional Requirements

No use shall be established that is or will become obnoxious by way of noise, vibration, smoke, heat, humidity, glare or any other nuisance factors.

3.11 Public Service (PS) District

3.11.1 Purpose

The purpose of the district is to provide for publicly and privately owned facilities of an institutional, recreation and community service nature.

Permitted Uses	Discretionary Uses
• Accessory Building or Use to a Permitted Use • Child Care Facility • Community Hall or Facility • Library • Public Building or Use • Public Utility • Park • Recreation, Indoor • Religious Assembly • School	• Accessory Building or Use to a Discretionary Use • Cemetery • Communication Tower and Antenna System • Emergency Services • Hospital • Parking Lot • Recreation, Extensive • Solar Collector • Wind Energy Conversion System, Small Scale

3.11.2 Development Regulations

In addition to those regulations in Section 4, General Regulations, and Section 5, Special Regulations, the following regulations shall apply:

(a) Front Yard (Minimum)	7.6 m (25 ft)
(b) Side Yard (Minimum)	4.6 m (15 ft)
(c) Rear Yard (Minimum)	Development Authority discretion
(d) Building Height (Maximum)	Development Authority discretion

3.11.3 Additional Requirements

The design, architectural appearance, height and landscaping of any building or structure and all signs must meet with the satisfaction of the Development Officer.

3.12 Urban Reserve (UR) District

3.12.1 Purpose

The purpose of this district is to provide for the continuation of rural pursuits that are consistent with the future expansion of urban development.

Permitted Uses	Discretionary Uses
• Accessory Building or Use to a Permitted Use • Agriculture, Extensive • Recreation, Extensive	• Accessory Building or Use to a Discretionary Use • Communication Tower and Antenna System • Green House • Manufactured Home, Double Wide • Manufactured Home, Single Wide • Market Garden • Public Utility • Recreational Vehicle Storage • Single Detached Dwelling • Solar Collector • Tree Nursery • Wind Energy Conversion System, Small Scale

3.12.2 Development Regulations

In addition to those regulations in Section 4, General Regulations, and Section 5, Special Regulations, the following regulations shall apply:

(a) Lot Area (Minimum)	8 ha (20 ac)
(b) Front Yard (Minimum)	7.6 m (25 ft)
(c) Side Yard (Minimum)	4.6 m (15 ft)
(d) Rear Yard (Minimum)	4.6 m (15 ft)

SECTION 4 GENERAL REGULATIONS

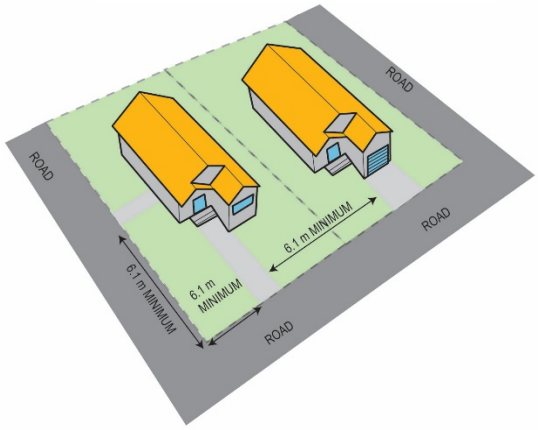
4.1 Approaches and Driveways

4.1.1 All development shall have legal and physical road access to the satisfaction of the Municipality.

4.1.2 Where a proposed development or subdivision requires access to a highway, the applicant shall acquire all necessary approvals and permits from Alberta Transportation.

4.1.3 An approach on a corner lot shall be set back a minimum distance of 6.1 m (20 ft) from the intersection of the front and side lot lines (Figure 4.1).

Figure 4.1: Approach Distances



4.1.4 The maximum width of an approach to a driveway shall not exceed 10.5 m (35 ft).

4.1.5 The sides of driveway approaches crossing sidewalks or boulevards may be constructed on an angle with the curb line, but the angle extended between the curb and the edge of the driveway shall in no case be less than 45 degrees.

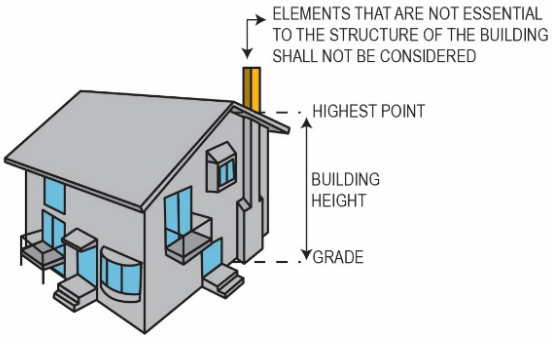
4.1.6 The minimum distance between driveway approaches on the same side of a lot shall be 6.1 m (20 ft), measured at the lot line. The Development Authority may vary minimum clear distance in any cases where such variance is necessary for reasons of lot configuration, location of infrastructure, public safety or convenience.

4.2 Building Height

4.2.1 In determining the highest point of a building or structure (Figure 4.2), elements that are not essential to the structure of the building or structure shall not be considered, including but not limited to the following:

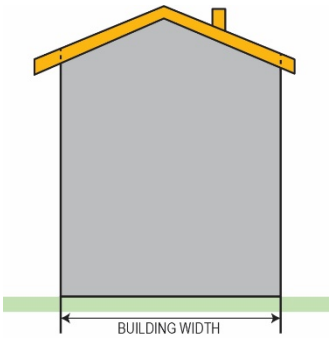
(a) elevator housing;
(b) mechanical housing;
(c) roof entrances;
(d) ventilation fans;
(e) skylights;
(f) solar collectors;
(g) wind energy systems;
(h) steeples;
(i) antennas;
(j) smokestacks or chimneys;
(k) fire walls;
(l) parapet walls; and
(m) flagpoles.

Figure 4.2: Building Height



4.3 Building Width

Figure 4.3: Building Width



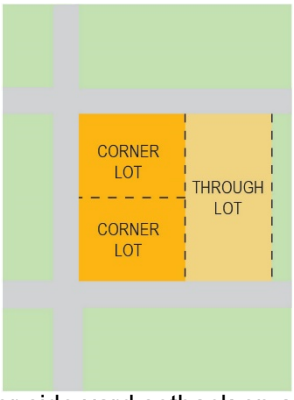
4.3.1 The width of a building or structure (Figure 4.3) shall be the distance between the outer surface of the exterior walls, measured at grade.

4.4 Corner and Through Lots

4.4.1 A through lot (Figure 4.4) shall have a front yard on each parallel road in accordance with the front yard requirements of the applicable land use district.

4.4.2 The front lot line of a corner lot shall be the narrower of the lot lines abutting a road, excluding a lane, except where the lot lines of a corner lot are equal, in which case the Development Authority shall determine the location of the front lot line.

Figure 4.4: Corner and Through Lots

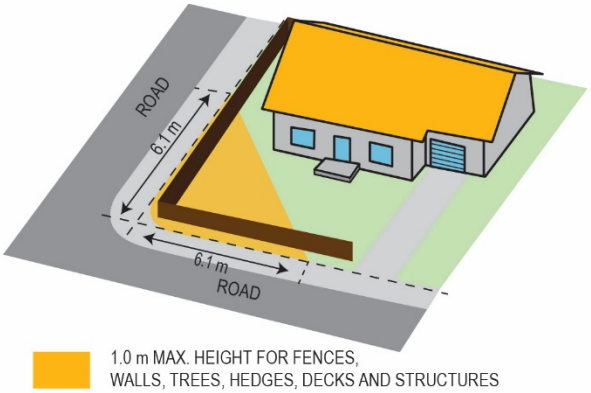


4.4.3 No finished grade within the area defined as a sight triangle on a corner lot shall exceed the general elevation of the road by more than 0.6 m (2 ft) (Figure 4.5).

4.4.4 Notwithstanding any other provision contained in this Bylaw, no person shall place or maintain any object, structure, fence, hedge, shrub, or tree within a sight triangle if, in the opinion of the Development Officer, such objects or structures interfere with traffic safety.

4.4.5 Notwithstanding any other provision of this Bylaw, the minimum exterior side yard setback on a corner lot in a residential district that has a minimum width of 1.2. m (40 ft) or less may be reduced to 1.5 m (5 ft) provided the sight triangle is maintained.

Figure 4.5: Sight Triangle



4.5 Design, Character and Appearance of Buildings

4.5.1 The quality of exterior treatment and design of all buildings shall be to the satisfaction of the Development Authority.

4.5.2 Pursuant to 4.5.1, the Development Authority may consider the following when reviewing development proposals in all Land Use Districts:

(a) The design, character and appearance of all buildings with respect to their compatibility with any other buildings existing in the vicinity;
(b) The design of the building must be consistent with the purpose of the Land Use District in which it is located.

4.6 Dwelling Units on a Lot

4.6.1 No person shall construct or cause to be constructed more than 1 dwelling unit per lot.

4.6.2 Section 4.6.1 does not apply to:

(a) a secondary suite in accordance with 5.13;
(b) duplex dwellings;
(c) multi-unit dwellings;
(d) manufactured homes within an approved manufactured home park.

4.7 Exterior Storage

4.7.1 Exterior storage associated with an approved development permit shall be kept in a clean and orderly manner at all times and shall be screened from roads and adjacent residential uses to the satisfaction of the Development Authority.

4.7.2 Exterior display of goods and materials shall normally be temporary and shall be arranged and maintained in a clean and orderly manner. The location of an exterior display shall be to the satisfaction of the Development Authority.

4.7.3 Any exterior storage or display shall not unduly interfere with the amenities of the neighbourhood or materially interfere with the use, enjoyment or value of neighbouring lots.

4.7.4 Any exterior storage or display shall not interfere with pedestrian or vehicular circulation or occupy any required parking stalls.

4.8 Fencing and Screening

4.8.1 The Development Authority may require screening to be provided in order to visually separate areas that detract from the surrounding properties. Special attention shall be given to developments that are visible from roads. The construction and materials of the screen and landscaping shall be of a quality to the satisfaction of the Development Authority.

4.8.2 No fence shall be constructed that is:
(a) greater than 1.8 m (6 ft) in height in a side or rear yard, or
(b) greater than 1 m (3 ft) in height in a front yard, or
(c) in the case of a corner lot, more than 1 m (3 ft) high within the sight triangle of the site, regardless of whether or not a corner cut-off has been taken.

4.8.3 A solid fence of 1.8 m (6 ft) in height shall be provided on commercial or industrial lots that abut residential sites.

4.8.4 Notwithstanding 4.7.3, the maximum height of a fence in the M-1 or UR district shall be at the discretion of the Development Authority.

4.8.5 Where a fence has been permitted to be higher than 1.8 m (6 ft) in the M-1 or UR district, no barbed wire shall be permitted below a height of 1.8 m (6 ft). This requirement may be varied by the Development Authority in an area where residences would not be in close proximity to the proposed fence.

4.8.6 The electrification of fences is not permitted.

4.8.7 Fence materials shall be limited to chain-link, wood, composite wood, or preformed plastic product. Barbed wire fences are not permitted in residential or the C1, C2, or HD districts.

4.9 Landscaping

4.9.1 Any portion of a site area not occupied by buildings, parking, storage, or required for vehicle circulation shall be landscaped or maintained in its natural state. Landscaping may consist of hard landscaping, soft landscaping, or some combination of them. The provision of landscaping may be a condition of the issuance of a development permit for any new development.

4.9.2 Where landscaping is required, the applicant may be required to provide a landscape plan for the subject site.

4.9.3 If the proposed development is abutting a residential district, a landscaped buffer of a minimum 3

m (10 ft) in width shall be provided consisting of:
(a) a mix of deciduous and coniferous trees with at least 60% of these trees being coniferous;
(b) trees that are at least 6.1 m (20 ft) high at maturity; and
(c) shrubs that are at least 1.8 m (6 ft) high at maturity, if in the Development Officer's opinion, additional screening is required.

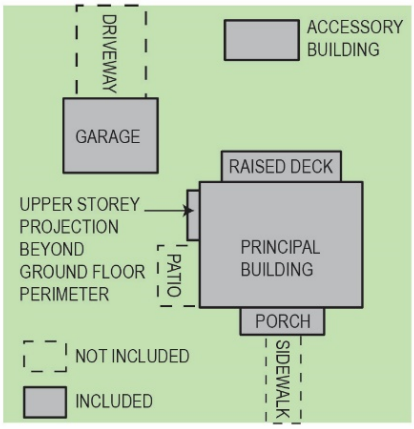
4.9.4 All landscaping and planting required must be carried out to the satisfaction of the Development Authority within 1 year (weather permitting) of occupancy or commencement of operation of the proposed development.

4.10 Lighting

4.10.1 Any lighting proposed to illuminate areas in any district shall be located and arranged so that all direct rays of light are directed upon the area to be illuminated and not on any adjoining properties or roads.

4.11 Lot Coverage

Figure 4.6: Lot Coverage



4.11.1 Lot coverage shall be calculated as a percentage by dividing the total amount of building footprint on a lot by the total lot area.

4.11.2 For the purposes of calculating lot coverage (Figure 4.6), the building footprint shall not include hard surfaced areas such as patios and driveways.

4.11.3 For the purposes of calculating lot coverage, the building footprint shall include:
(a) the principal building;
(b) accessory buildings or carports;
(c) porches or verandas;
(d) any portion of an upper storey that projects beyond the perimeter of the main floor area; and
(e) raised decks.

4.12 Objects Prohibited or Restricted in Yards

4.12.1 No person shall keep in any part of a lot in a residential district:
(a) any dismantled or derelict vehicle, unless the vehicle is stored within a lawfully permitted covered structure and the stored vehicle is not visible from any location beyond the property upon which it is stored; or
(b) subject to the requirements of the *Traffic Control Bylaw*, as amended any commercial vehicle, loaded or unloaded with a gross vehicle weight (GVW) rating in excess of 5,500 kg (12,125 lb), excepting commercial delivery vehicles during the time reasonably necessary to load or unload the vehicle;
(c) more than 2 cords of firewood on a residential lot, unless stored in a fully enclosed accessory building or temporary building that meets the requirements of this Bylaw.

4.12.2 No excavation, equipment, or construction material shall be maintained on a lot for any period longer than is reasonably necessary to complete construction, except where authorized in a development permit.

4.12.3 Recreational Vehicles
(a) No person shall occupy a recreational vehicle as a dwelling or sleeping place at any time while it is parked on a highway.
(b) No person shall occupy a recreational vehicle as a dwelling or sleeping place for a period

exceeding 4 weeks on any property other than in a campground or recreational vehicle park, unless required for a short-term special event such as a wedding or family reunion.

4.12.4 No more than 2 recreational vehicles shall be stored or parked on a lot, except where approved by the Development Authority.

4.13 Parking and Loading

4.13.1 On-site parking shall be provided in accordance with Table 4.1 and in accordance with any special accessibility requirements provided under the *Safety Codes Act.*

Table 4.1: Parking Requirements

Land Use		Minimum Requirement
Residential	Single Detached Dwelling, Accessory Dwelling	2 stalls
	Duplex	2 stalls per unit
	Multi-Unit Dwelling Studio Unit 1 Bedroom Unit 2 Bedroom Unit 3+ Bedroom Unit Visitor Parking	 1 stall per unit 1 stalls per unit 1.5 stalls per unit 2 stalls per unit 1 stall per 10 units
	Secondary Suite	1 stall in addition to principal dwelling requirement
	Boarding House	1 stall per 2 beds
	Group Home	1 stall per 3 beds plus 1 stall for staff
	Manufactured Home Park	2 stalls per site plus 1 stall for visitor parking per 4 sites
Commercial	Professional Services, Personal Services, Dealership, Equipment Sales/Rental/Repair	1 stall per 500 ft^2 of GFA
	Financial Services, Child Care Facility, Cannabis Retail, Retail Store	1.5 stalls per 500 ft^2 of GFA
	Restaurant, Commercial Entertainment Facility	1 stall per 4 seats
	Drinking Establishment	1 stall per 3 seats
	Service Station, Gas Bar	0.75 stall per fueling position or 1.5 stalls per 500 ft^2 of GFA, whichever is greater
	Car and Truck Wash	0.75 stall per employee on a maximum working shift
	Recreation (Indoor)	2 stalls per 500 ft^2 of GFA
	Mini Storage	1 stall per 750 ft^2 of GFA
	Hotel, Motel	0.9 stall per unit Where a hotel and/or restaurant and/or drinking establishment are grouped in any combination on a site, the required number of parking spaces may be reduced to the discretion of the Development Authority to 75% of the combined total of all specific uses.

Land Use		Minimum Requirement
Public Uses	Community Hall	1 stall per 3.5 seats or 1 stall per 35 ft^2 of GFA, whichever is greater
	Religious Assembly	1 stall per 5 seating spaces
	Residential Care Facility	1 staff per employee plus 1 visitor stall per 3 units
	School Elementary Junior/Senior High	1 stall per classroom 2 stalls per classroom
	Hospital	To be determined by parking demand study
Industrial	General Industrial, Manufacturing, Warehouse, Contractor, Storage Yard, Greenhouse, Nursery, Public Utility, Trucking Operation	0.75 stall per employee on a maximum working shift
All Other Uses		1 stall per 400 ft^2 of GFA

4.13.2 Where multiple businesses are located within walking distance and part of a single development permit, the Development Authority may allow a maximum reduction of 20% to the parking requirement to account for multiple uses sharing parking.

4.13.3 When a building is altered or changed in use, in such a manner as to cause an intensification of the use, provision shall be made for the additional parking stalls required. The required parking shall be based only on the number of additional parking spaces required due to the enlargement, change in use, or intensification of the use of the building.

4.13.4 Parking stalls shall be located on the same site as the building or the use in respect of which it is required and shall be designed, located and constructed so that it is accessible and properly maintained.

4.13.5 Notwithstanding 4.12.4, the Development Authority may allow for the required number of parking spaces to be fulfilled by:

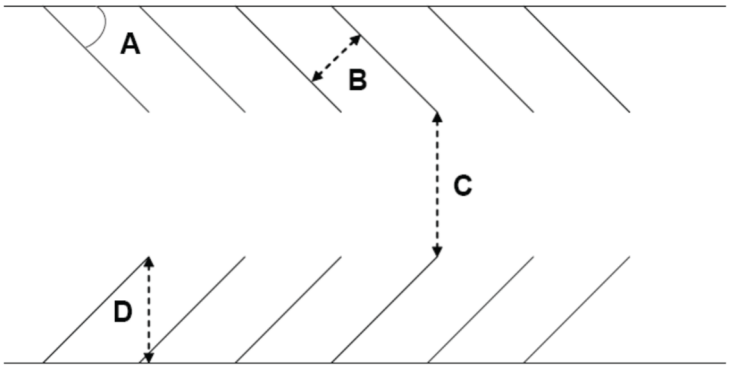
(a) accepting payment in lieu on the number of deficient spaces that would be applied to the construction of an off-site parking lot. The payment shall be based on the amount of money Council by resolution considers reasonable in return for the equivalent parking space to be provided in the area, or
(b) providing credit equivalent to the number of on-street stalls available on the street frontage abutting the development site, or
(c) a combination of (a) and (b).

4.13.6 A parking space shall meet the minimum requirements outline in Table 4.2 and Figure 4.7.

Table 4.2: Parking Stall Dimensions

Angle of Parking **A**	Width of Stall **B**	Width of Aisle **C**	Depth of Stall Perpendicular to Aisle **D**
30	2.5 m for residential use, 2.7 m for other uses	3.5 m	5.1 m
45		3.7 m	6.0 m
60		5.5 m	6.4 m
90		7.0 m	6.0 m
Parallel		3.5 m	7.0 m stall length

Figure 4.7: Parking Stall Dimensions



4.13.7 Any loading space shall be a minimum of:
(a) 28 m^2 (301 ft^2) in area,
(b) 3.5 m (11.5 ft) in width, and
(c) 4 m (13 ft) of overhead clearance.

4.13.8 Any parking stall or loading space provided shall be developed and surfaced to the satisfaction of the Development Authority.

4.13.9 Every on-site parking stall provided or required in any commercial district and the access thereto, including the whole area contained within the municipal land to which the curb crossing applies, shall be hard surfaced if the access thereto is from a road or lane that is hard surfaced.

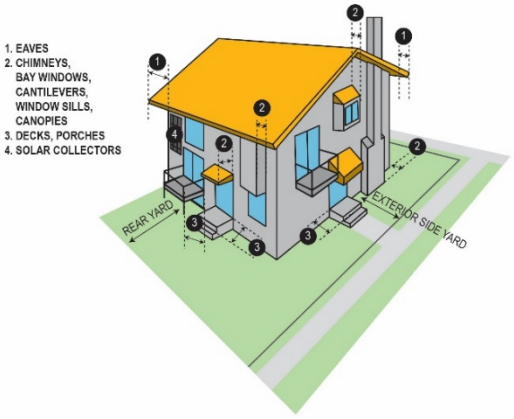
4.13.10 Adequate curbs, concrete bumpers or fences shall be provided to the satisfaction of the Development Authority if it is or becomes necessary to protect adjacent fences, walls, boulevards, landscaped areas or buildings on the site, or an abutting site from contact with vehicles using such parking space or area.

4.13.11 On-site parking shall be provided in the manner shown on the approved site plan with the entire area to be graded so as to ensure that drainage will be confined to the site and disposed of in a manner that is satisfactory to the Development Authority.

4.13.12 For all commercial, public and recreational uses, a portion of the parking area nearest the principal building shall be designated for use by the handicapped to the satisfaction of the Development Authority.

4.14 Permitted Encroachments

Figure 4.8: Permitted Encroachments



4.14.1 The portions of and attachments to a main building or accessory building that may project over or on a yard are:
(a) on a site in a residential district, a cornice, sill, a canopy or eaves that project for a distance not exceeding one-half of the minimum side yard required for the lot;
(b) a chimney which projects 0.6 m (2 ft) or less provided that in each case it is not less than 0.9 m (3 ft) from the side boundary of the site;
(c) unenclosed steps with or without a landing and above the surface to the yard if they do not project more than 2.4 m (8 ft) over or on a minimum front or rear yard;

(d) solar collectors that are mounted on the side of a building (Figure 4.8).

4.15 Relocation of Buildings

4.15.1 Where a development permit for a use has been granted for the relocation of a building on the same site or from another site, the Development Officer may require the applicant to provide:
(a) a performance bond or letter of credit of such amount to ensure completion of any renovations set out as a condition of approval of a development permit;
(b) an engineer's certificate to confirm that the building is structurally sound to the satisfaction of the Development Authority; and
(c) current colour photographs of all sides of the building, to the satisfaction of the Development Authority.

4.15.2 Relocations and associated renovations shall be completed within 1 year of the issuance of a development permit for the same.

4.15.3 Costs for damages and repair to municipal infrastructure arising from or caused by relocation shall be the responsibility of the applicant and/or developer and shall be paid to the Municipality on demand.

4.16 Removal of Topsoil and Site Grading

4.16.1 Stripping, excavating or grading of land that is required solely for the development of a site may only occur after a development permit has been approved for the proposed development on that site.

4.16.2 For the purpose of this section, stripping and grading refers to those activities required for construction or building purposes.

4.16.3 Notwithstanding 4.16.2, the removal of topsoil from agricultural lands shall only be permitted if required in order to prepare the subject land for an approved development. If top soil is proposed to be removed for any other purpose, such activity shall require a development permit.

4.16.4 No drainage measures undertaken as part of a development shall negatively impact adjacent lots by way of flooding or inundation through the redirection of surface water. In the event that a development is found to affect neighbouring lands, all required mitigation measures required to remedy the problem including drainage structures, drainage easements, and retaining walls, shall be at the developer's sole expense.

4.16.5 The Development Authority may require the applicant to submit a grading plan in support of a development permit application.

4.17 Risk Assessment

4.17.1 Where an application for a development permit is for an activity that involves the use or storage of hazardous substances, the Development Authority may require the applicant to submit a Risk Assessment prepared by an environmental professional such as an engineer, biologist, planner, geologist or hydrogeologist. The Development Authority may impose any conditions necessary to mitigate the risks associated with the use or storage of hazard substances identified in the assessment. The Risk Assessment shall:
(a) identify hazardous substances and their quantities;
(b) estimate the expected frequency of the occurrence of a hazardous event;
(c) assess the possible consequences of such an event;
(d) determine annual individual risk and compare to Major Industrial Accidents Council of Canada (MIACC) risk acceptability criteria;
(e) demonstrate how the proposed facility and operations shall contribute to the following risk management objectives:

(f) risk reduction at source (siting of facilities, modifications to processes, conformity to legislation e.g. the *Safety Codes Act*, the *Dangerous Goods Transportation and Handling Act*, monitoring, technical changes, training, etc.);
(g) risk reduction through land use planning around industrial Sites and pipeline and dangerous goods corridors;
(h) emergency preparedness;
(i) emergency response;
(j) risk communication and public participation, and
(k) identify and recommend risk-based separation distances and other mitigative measures to reduce risk.

4.17.2 At the discretion of the Development Authority, the applicant applying for a use pursuant to this Section shall provide an approved site plan from the appropriate Provincial agencies prior to a development permit being issued.

4.17.3 Notwithstanding any other regulations in this Bylaw, any industrial and commercial uses that involve the manufacture, storage, handling, distribution or disposal of explosives and/or chemical materials or products shall not be located on sites that, in the opinion of the Development Authority, would be considered unsafe or may unduly interfere with, or affect the use, enjoyment or value of neighbouring properties.

4.17.4 Environmental Site Assessments

(a) The Development Authority may require that an applicant, in support of a subdivision or development permit application, to submit a Phase I Environmental Site Assessment (ESA) for the subject property.

(b) The Phase I ESA shall be prepared in accordance with *Canadian Standards Association* requirements, and shall include:
  (i) an analysis of the subject property in terms of historical use;
  (ii) a determination of the level and extent of any contamination;
  (iii) a review of sampling undertaken;
  (iv) the existence of above and/or below ground tanks; and
  (v) any other matters deemed necessary by the Development Authority.

(c) The Phase I ESA will be referred to Alberta Environment for comments.

(d) If the Phase I ESA determines a likelihood of contamination, a Phase II and III ESA may be required prior to the Development Authority making a decision with respect to the application.

4.18 Sewage Disposal Systems

4.18.1 All developments serviced by a private sewage disposal system are required to meet the requirements of the Alberta Private System Standard of Practice 2015 or successor documents.

4.19 Transportation

4.19.1 A Roadside Development Permit shall be required from Alberta Transportation pursuant to the *Highway Development and Protection Act* and the *Highway Development and Protection Regulation*, and amendments thereto, for all developments occurring within 300 m (984 ft) of a highway right-of-way boundary, or within 0.8 km (0.5 mi) of an intersection of a highway with a municipal road.

SECTION 5 SPECIAL REGULATIONS

5.1 Accessory Buildings and Uses

5.1.1 For the sole purpose of calculating yard setbacks and lot coverage requirements as provided in this Bylaw, when an accessory building is attached to the principal building, it is to be considered a part of the principal building and not as an accessory building.

5.1.2 Unless otherwise permitted in this Bylaw, any accessory building or use erected on a site in any Land Use District shall not be used as a dwelling.

5.1.3 In a residential district, no accessory building or use shall be located in the front yard or exterior side yard of any principal building.

5.1.4 The minimum side and rear yard setback for an accessory building shall be 1.5 m (5 ft).

5.1.5 Notwithstanding 5.1.4, where access to a rear yard is obtained via a developed lane, an accessory building used as a garage shall have a minimum rear yard setback of 6.1 m (20 ft) where the vehicle entrance faces the lane.

5.1.6 Notwithstanding 5.1.4, an accessory building may be constructed to the lot line provided that it shares a common wall with an accessory building on the adjacent lot or if a fire rated wall meeting the requirements of the *Alberta Building Code* is provided. There will be no overhang of eaves and all drainage is confined to the site.

5.1.7 An accessory building shall be located a minimum distance of 1.8 m (6 ft) from a principal building.

5.1.8 Notwithstanding any other provision of this Bylaw, an accessory building shall not exceed 4.3 m (14 ft) in height in a residential district.

5.1.9 In a residential district, the combined area of all accessory buildings shall not exceed 10% of the lot area.

5.2 Cannabis

5.2.1 A Cannabis Production Facility shall be located a minimum distance of 305 m (1,000 ft) from a dwelling, school site, or residential parcel.

5.2.2 A Cannabis, Retail use shall be located a minimum distance of
(a) 305 m (1,000 ft) from a school site;
(b) 100 m from a Provincial Health Care Facility; or
(c) 100 m (328 ft) from a lot that is designated as Municipal Reserve on the land title but is not a school site.

5.2.3 For the purpose of this Section:
(a) The minimum separation distance between a dwelling and a Cannabis Production Facility shall be established by measuring the shortest distance between the external wall of the nearest dwelling and the boundary of the Cannabis Production Facility.
(b) The minimum separation distance between a residential parcel and a Cannabis Production Facility shall be established by measuring the shortest distance between the boundary of the residential parcel or school site and the boundary of the Cannabis Production Facility.
(c) The minimum separation distances under 5.2.2 shall be established by measuring the shortest distance between the lot lines of the parcels containing the uses to be separated.
(d) Provincial Health Care Facility means an approved hospital as defined in the *Hospitals Act*.

5.3 Car Washes

5.3.1 The minimum site lot area for a car wash shall be 743 m^2 (8,000 ft^2) and shall contain storage space for 10 vehicles prior to their entry into any part of the cleaning process. In the case of a service station including a car wash, the minimum site area shall be 1,115 m^2 (12,000 ft^2).

5.4 Child Care Facilities

5.4.1 A child care facility shall comply with the provisions of the Provincial Day Care Regulations concerning site requirements, development standards and licensing.

5.5 Communication Towers and Antennas

Note: Industry Canada is responsible for regulating radio communication in Canada and for authorizing the location and height of radio communication facilities, including radio, television and microwave transmission facilities. In making its decision regarding transmission, communication and related facilities, Industry Canada considers the following:

- the input provided by the land-use authority;
- compliance with Transport Canada's painting and lighting requirements for aeronautical safety;
- Health Canada's safety guidelines respecting limits of exposure to radio frequency fields; and,
- an environmental assessment may be required in order to comply with the federal Environmental Assessment Act.

5.5.1 No person shall construct or cause to be constructed a communication tower or antenna system unless a development permit has first been issued in accordance with this Bylaw.

5.5.2 The Development Authority shall submit a letter of concurrence to Industry Canada upon completion of a processed application detailing:

(a) its opinion as to whether the location of a new telecommunications facility is appropriate from the Municipality's land use perspective;
(b) whether or not, in the Municipality's opinion, adequate public consultation has been conducted by the carrier; and
(c) the degree to which the carrier has met the regulations in this section as they relate to location, design and visual impact.

5.6 Decks

5.6.1 A deck may encroach up to 1.5 m (5 ft) into a required front yard setback provided that the deck is uncovered and unenclosed by walls, lattice or other similar material.

5.6.2 Decks that are covered and/or enclosed from above shall be considered an addition to the principal building. A covered and/or enclosed deck is required to meet the district requirements for the principal building and is included in the lot coverage calculation.

5.6.3 Decks that are attached to a side-side duplex dwelling or a multi-unit dwelling may extend to the common lot line between units if the deck is provided with a privacy wall.

5.6.4 At the discretion of the Development Authority, a deck may encroach into any required yard where the deck is designed to accommodate access to a dwelling for a person with a mobility disability.

5.6.5 A ground level deck may be built within 15 cm (0.5 ft) of an interior side lot line and up to a rear lot line.

5.6.6 A raised deck shall be set back a minimum of 1.5 m (5 ft) from an interior side lot line and 4.6 m (15 ft) from a rear lot line.

5.7 Drive-Through Businesses

5.7.1 Notwithstanding the applicable district regulations, drive-through businesses shall not be located on a site that in the opinion of the Development Authority would be considered unsafe in terms of vehicle circulation, access and egress.

5.7.2 Exits and entrances shall be as approved by the Development Authority and circulation within the lots shall be one-directional and adequately signed.

5.7.3 Where a drive-through business is abutting a residential district, screening shall be provided to the satisfaction of the Development Authority.

5.8 Gas Bars and Service Stations

5.8.1 Site Area and Coverage:
(a) The minimum site area for a gas bar or service station shall be 557 m^2 (6,000 ft^2) and the maximum site coverage shall be 15%.
(b) Where a service station forms part of a shopping centre development, the minimum site area and maximum building coverage may be varied at the discretion of the Development Authority.

5.8.2 Site and Building Requirements:
(a) All parts of the site to which vehicles may have access shall be paved if the property is accessed from a paved road or lane, and graded to ensure proper drainage to the satisfaction of the Development Authority.
(b) No activity may be carried on which constitutes a nuisance to adjacent properties by reason of dust, noise, gases, odours, smoke or vibration.
(c) The site of the building shall be maintained in a clean and tidy condition and free from all rubbish and debris.

5.9 Group Homes

5.9.1 A group home shall not generate pedestrian or vehicular traffic in excess of that which is characteristic of the Land Use District in which it is located.

5.9.2 An application for a group home shall be reviewed on its individual merits. In reviewing the proposed location for a group home, the Development Authority shall consider:
(a) the compatibility of the facility with development on adjacent properties,
(b) the proposed separation distance from neighbouring developments,
(c) proposed servicing,
(d) potential traffic generation, and
(e) accessibility.

5.10 Home Based Business

5.10.1 Home based businesses shall be limited to those uses that are approved by the Development Authority. Those uses shall not interfere with the rights of other residents to the quiet enjoyment of their properties, or create a nuisance by way of dust, noise, smell, smoke, or traffic generation.

5.10.2 Home based businesses shall be evaluated in accordance with the criteria outlined in Table 5.1:

Table 5.1: Home Based Business Criteria

Criteria	Major Home Based Business	Minor Home Based Business
Location	Shall be incidental and subordinate to the residential use and shall be restricted to the residential site.	Shall be an incidental and subordinate use to the principal residential use and shall be restricted to the dwelling unit.
Exterior Storage	None. Indoor storage related to the business activity shall be allowed in the dwelling or accessory buildings.	None.
Commercial Vehicles	Maximum of 1.	None larger than a pickup or cargo van on site (deliveries only).
Employees	Maximum of 2 other than the resident and members of the resident's family who permanently reside in the dwelling.	None other than the resident and members of the resident's family who permanently reside in the dwelling.
Size	Limited to lot.	Limited to residence.
Signage	1 unlit sign maximum 2 m^2 (21.5 ft^2) in size.	No display of commercial advertising, wares or products discernible from the outside of the building, but may display an unlit sign that is a maximum of 903 cm^2 (140 in^2) in size.
Alterations to Building	No alterations to principal or accessory building unless approved by the Development Authority as part of a development permit application.	No alterations to principal building unless approved by the Development Authority as part of a development permit application.

5.10.3 No home based business shall create any nuisance by way of dust, noise, smell, smoke, unsightly premises or traffic generation.

5.10.4 Home based business proposals respecting such uses as personal service establishments, food preparation (including bottling of water), child care facilities, and bed and breakfast establishments are required to conform to the standards administered by the local Health Authority and to obtain all necessary licenses required under the applicable legislation.

5.10.5 A major home based business shall not be allowed if, in the opinion of the Development Officer, the proposed business would be more appropriately located in a commercial or industrial district, having regard for the compatibility of the proposed use with the residential character of the neighbourhood.

5.10.6 An application for a development permit for a home based business shall include:
(a) a description of the business to be undertaken at the premises;
(b) an indication of the number of business visits per week,
(c) details for the provision of parking; and
(d) where any materials or equipment associated with the business use are to be stored.

5.10.7 A development permit for a home based business may be issued on a temporary basis and may be subject to annual review/reissuance.

5.11 Manufactured Homes

5.11.1 Manufactured homes older than 10 years shall not be approved unless at the discretion of the Development Officer.

5.11.2 All manufactured homes must conform to Canadian Standards Association (CSA Z240) certification and all skirting, accessory structures, additions and porches shall be of sound construction and appearance to the satisfaction of the Development Authority.

5.11.3 Manufactured homes shall be placed on a permanent foundation.

5.11.4 Axles, wheels, running gear and towing tongues shall be removed before the manufactured home is installed on a permanent foundation conforming to the requirements of the *Alberta Building Code*.

5.11.5 Any modifications, extensions, or additions (including, without restriction, a patio, porch, or exterior stairway) to a manufactured home shall be:
(a) constructed of pre-fabricated materials that are consistent in appearance, performance, and safety as the exterior of the manufactured home;
(b) installed in the same manner as the manufactured home;
(c) completed within 30 days from the date that the modification, extension or addition was commenced, unless otherwise authorized in the development permit.

5.11.6 The undercarriage of a manufactured home shall be completely screened from view by the foundation, by flame-proof skirting or by such other means satisfactory to the Development Officer.

5.12 Religious Assembly

5.12.1 Maximum height requirements may be exceeded only if one extra foot of side yard per foot over maximum height requirements is provided.

5.12.2 The site upon which a religious assembly use~~church~~ is situated shall have a minimum width of 30 m (98.5 ft) and a minimum area of 930 m^2 (10,010 ft^2).

5.12.3 In the case where a manse, rectory, parsonage or other building for a minister's residence is to be erected on the same site as the religious assembly use~~church~~, the combined area of the site shall not be less than 1,390 m^2 (14,962 ft^2).

5.13 Secondary Suites

5.13.1 A secondary suite may only be developed in a single detached dwelling and only where listed as a permitted or discretionary use.

5.13.2 A maximum of 1 secondary suite shall be allowed per principal building.

5.13.3 A secondary suite shall not be allowed in an accessory building.

5.13.4 A secondary suite shall not exceed 40% of the total floor area of the principal building, including upper floors and basement combined, or 90 m^2 (969 ft^2), whichever is less, and shall not be smaller than 38 m^2 (409 ft^2).

5.13.5 A separate entrance door shall be required for a secondary suite, but shall not be located on any front building elevation facing a road. Notwithstanding this requirement, however, a single entry door providing access to an enclosed, shared entry area may be provided.

5.13.6 One on-site parking stall shall be provided per secondary suite for the exclusive use of the occupant of the secondary suite, in addition to any other parking stalls required to serve the principal building.

5.14 Signs

5.14.1 Except where provided for in 6.1.2(t), no sign of any advertising, directional or informative nature shall be erected on land or affixed to any exterior surface of any building or structure, including the alteration or relocation of an existing sign**,** unless an application for this purpose has been approved by the Development Authority.

5.14.2 With the exception of signs that do not require a development permit, no signs or advertising structures shall be erected on or affixed to private property without the prior written consent of the property owner or tenant. A copy of the consent shall be submitted with the development permit application.

5.14.3 In applying for a development permit for a sign, the applicant shall provide complete sign details (i.e. size, colour, layout, construction materials, location, etc.).

5.14.4 An application for 1 or more signs shall not be approved if, in the opinion of the Development Authority, the sign:
(a) displays an intermittent, flashing or rotating light or lights or has rotating or moving parts;
(b) unduly interferes with the amenities of the area;
(c) materially interferes with or affect the use, enjoyment or values of neighbouring properties;
(d) creates a safety hazard; or
(e) displays lighting of an intensity and colour that may interfere with or be confused with an authorized traffic sign or traffic control device.

5.14.5 All signs shall be kept in good repair and maintained in a manner satisfactory to the Development Authority.

5.14.6 Freestanding signs shall be set back a minimum of 1 m (3 ft) from a lot line.

5.14.7 The Development Officer my require the removal of any permanent sign that is or has become unsightly, or is in such a state of disrepair as to constitute a hazard.

5.14.8 On an industrial site:
(a) no sign shall project more than 1.5 m (5 ft) above the top of any main wall or parapet to which it is affixed, unless it has been designed as an integral part of the building; and
(b) no sign shall be illuminated unless the source of light is steady and suitably shielded.

5.14.9 On a commercial site:
(a) a maximum of 2 signs shall be allowed on the premises;
(b) the signs shall be properly spaced in order to ensure traffic safety and maintaining the appearance of the commercial area;
(c) no sign shall be illuminated unless the source of light is suitably shielded; and
(d) signs shall not project from the face of the building a distance exceeding 1.5 m (5 ft).

5.14.10 Any sign, notice or advertising device shall require approval from Alberta Transportation if it is erected within
(a) the limits of the right-of-way of any highway;
(b) 305 m (1,000 ft) from any right-of-way limit of a highway; or
(c) 800 m (0.5 mi) of the centre point of the intersection of a highway with another highway or a public road.

5.15 Solar Collectors

5.15.1 Solar collectors may be affixed to a building or structure wall, mounted to the roof of a building or structure, or mounted to the ground as a free-standing structure. The maximum number of solar collectors per lot and location shall be at the discretion of the Development Authority.

5.15.2 Solar collectors must be located such that they do not create undue glare on neighbouring parcels or public roads.

5.15.3 Solar collectors mounted to the roof of a building or structure must not extend beyond the outermost edge of the roof.

5.15.4 The maximum projection of solar collectors affixed to the wall of a building or structure in a residential district shall be:
(a) 1.5 m (5 ft) from the surface of a wall that faces a rear lot line; and
(b) In all other cases, 0.6 m (2 ft) from the surface of that wall.

5.15.5 Free-standing solar collectors shall be subject to the setback requirements for accessory buildings.

5.15.6 The maximum height of a free-standing solar collector shall not exceed 2.4 m (8 ft).

5.16 Solar Energy Facilities

5.16.1 The applicant shall obtain and demonstrate compliance with all relevant Alberta Utilities Commission and other provincial and federal permits, approvals and licenses.

5.16.2 An environmental impact assessment may be required by the Development Authority.

5.16.3 The Development Authority may require landscaping in addition to the regulations described in 4.8.

5.16.4 The Development Authority, at its discretion, may require the development permit application to include a proposal for the reclamation of the lot, prepared by a qualified professional, and other documentation or studies in support of the application.

5.17 Temporary Storage

5.17.1 Sea-cans shall not be located:
(a) On a lot in a residential district, or
(b) In the front yard of a lot in any other district;

5.17.2 Sea-cans shall not be stacked one upon the other.

5.17.3 Sea-cans shall be screened from public view to the satisfaction of the Development Officer, and shall be painted or finished to match the principal building on the subject lot.

5.17.4 A temporary structure being used as a garage shall not be located in the front yard of a lot in a residential district.

5.18 Wind Energy Conversion Systems (WECS), Small Scale

5.18.1 A development permit application for a Small Scale WCES shall meet or exceed all provincial and federal regulations and shall include the manufacturer's specifications indicating:
(a) the WECS rated output in kilowatts;
(b) safety features and sound characteristics;
(c) type of material used in tower, blade, and/or construction;
(d) turbine height;
(e) blade diameter and rotor clearance;
(f) Canadian Standards Association approval, if applicable;
(g) potential for electromagnetic interference;
(h) nature and function of over speed controls that are provided;
(i) specifications on the foundations and/or anchor design, including location and anchoring of

any guy wires;
(j) information demonstrating that the system will be used primarily to generate on-site electricity;
(k) location of existing buildings or improvements; and
(l) an analysis for noise to any residences located within a 200 m radius of the proposed WECS.

5.18.2 Prior to making a decision on a development application for a Small Scale WECS, the Development Authority may refer and consider the input of any authorities having jurisdiction and any applicable legislation.

5.18.3 Notwithstanding the maximum height provisions applicable to a site, the total height of a Small Scale WCES may exceed the maximum building height of a District by a maximum of 1.8 m (6 ft).

5.18.4 The blade clearance of a Small Scale WCES shall be a minimum of 4.6 m (15 ft) above grade.

5.18.5 A Small Scale WECS shall meet the setback requirements of the Land Use District in which it is to be located.

5.18.6 Notwithstanding 5.17.5, a Small Scale WECS shall be set back from any lot line a minimum distance equal to the height of the structure.

5.18.7 The maximum diameter of the blades shall be 3 m (10 ft).

5.18.8 A maximum of 1 Small Scale WECS shall be allowed on a lot.

5.18.9 A Small Scale WCES shall comply with the following:
(a) the system shall be equipped with manual and automatic over speed controls;
(b) the conformance rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural or electrical engineer.

SECTION 6 ADMINISTRATIVE PROVISIONS

6.1 When Development Permits Are Required

6.1.1 Except as provided in 6.2, no person shall undertake any development unless:
(a) a development permit has first been issued pursuant to this Bylaw, and
(b) it is in accordance with the terms and conditions of a development permit issued pursuant to this Bylaw.

6.2 When Development Permits Are Not Required

6.2.1 A development permit is not required for the following developments provided they comply with the regulations:
(a) works of maintenance or repair to any structure if such work does not include structural alterations, and does not change the use or intensity of the use of the structure;
(b) the completion of a building that was lawfully under construction at the date this Bylaw comes into full force and effect, provided that the building is completed in accordance with their terms of any permit granted by the Municipality, subject to the conditions of that permit;
(c) the erection, construction, or maintenance of fences, gates or other means of enclosure less than 1.8 m (6 ft) in height in a rear and side yard, and less than 1 m (3 ft) in height in a front yard;
(d) a temporary building, the sole purpose of which is incidental to the erection or alteration of a permanent building, for which a development permit has been issued;
(e) the construction and maintenance of that part of a public utility placed in or upon a public road, easement, or public utility lot;
(f) the construction, maintenance, and repair of private walkways, private pathways, private driveways and similar works;
(g) municipal projects undertaken by government authorities including the construction of roads, bridges, drainage ditches, public utilities, parks and the erection of signs;
(h) the use of a building or part thereof as a temporary polling station for a Federal, Provincial or Municipal election or referendum;
(n) an official notice, sign, placard, or bulletin required to be displayed pursuant to the provisions of Federal, Provincial or Municipal legislation;
(o) one accessory building that does not exceed 9.3 m^2 (100 ft^2) in area and that is accessory to a permitted use;
(p) the erection or installation of machinery needed in connection with operations for which a Development Permit has been issued, for the period of those operations;
(q) stripping or stockpiling of soil, installation of utilities and construction of roads in a subdivision area when a development agreement has been duly executed;
(r) the continued agricultural use of a parcel that is assessed as farmland and used for extensive agricultural operations;
(s) low level decks;
(t) one temporary, on-site sign that does not exceed 1 m^2 (11 ft^2) in area nor 1.2 m (4 ft) in height and is intended for:
  (i) advertising the sale or lease of a dwelling unit, or property,
  (ii) identifying a construction or demolition project for which a development permit has been issued for such a project,
  (iii) identifying a political or charitable campaign. Such signs shall be removed after said campaign drive;
(u) the keeping of animals, other than livestock, for personal use only and in a manner and number that conforms with the *Animal Control Bylaw*, as amended;
(v) a sea-can located on a lot in the HD or M-1 District.

6.3 Development Permit Applications

6.3.1 An application for a development permit shall be made to the Development Officer in writing on the prescribed form, and shall be signed by the registered owner, applicant or his authorized agent. In the event that the registered owner is not the applicant for a development permit, then consent of the registered owner shall be required.

6.3.2 The Development Officer may require any or all of the following information in duplicate as part of a development permit application:
(a) a completed application form;
(b) building plans showing a floor plan, elevations, and exterior finish;
(c) site plans with dimensions showing the legal description of the site, the relationship to lot lines of all existing and proposed buildings, on-site loading and vehicle parking, access;
(d) a statement describing the proposed use of the site;
(e) a copy of the certificate of title for the lands affected and/or statement of the registered land owner's consent to the application and/or other documents satisfactory to the Development Officer for the purpose of verifying that the applicant has a legal interest in the land;
(f) the required non-refundable fee;
(g) the estimated commencement and completion dates;
(h) the estimated cost of the project or contract price;
(i) utilities, site drainage, grade elevations, existing and finished lot grades; and
(j) if the development is not served by a municipal water or sewer system, the location of existing and proposed wells, septic tanks, and disposal fields.

6.3.3 In addition to the requirements of 6.3.2, other information may be required to evaluate the application, including but not limited to:
(a) an operational plan for a group home;
(b) a geotechnical report in a potentially hazardous or unstable area;
(c) a reclamation plan for aggregate extraction or site grading and excavation;
(d) an environmental site assessment to determine potential contamination and mitigation; or
(e) an environmental impact assessment for a development with potential significant environmental effects and/or a flood plain impact study.

6.3.4 The Development Authority shall consider and decide on development permit applications within 40 days of the receipt of the application in its complete and final form in accordance with 6.5. If a decision is not made within 40 days of receipt of the complete application, the permit shall, at the option of the applicant, be deemed refused. Alternately, the applicant may at his/ her discretion enter into a time extension agreement with the Development Officer to extend the 40 day period using the prescribed form.

6.4 Subdivision Applications

6.4.1 A subdivision application shall be made to the Development Officer in writing on the prescribed form, and shall be signed by the landowner or an authorized agent.

6.4.2 The Development Officer shall require the following information in order to be considered a complete subdivision application:
(a) the application form;
(b) a right of entry form signed by the landowner;
(c) a tentative plan;
(d) a copy of the certificate of title dated within 30 days of the application;
(e) a map illustrating the land uses on all adjacent lands;
(f) information respecting existing and proposed sources of water;
(g) information respecting existing and proposed methods of sewage disposal, including setback distances;
(h) the prescribed non-refundable application fee, the amount of which shall be established by

resolution of Council from time to time.

6.4.3 In addition to the requirements of 6.4.2, other information may be required by the Subdivision Authority to review a subdivision permit application, including: water testing, soil testing, geotechnical reports, floodplain mapping, and site topography and drainage patterns.

6.5 Determination and Notification of Complete Applications

6.5.1 Within 20 days of receipt of an application pursuant to 6.3.2 and 6.4.2, the Development Officer shall determine whether an application is complete, unless an agreement is reached between the Development Officer and the applicant to extend the 20 day period. If the Development Officer fails to determine that the application is complete within the prescribed time period, the application shall be deemed to be complete.

6.5.2 When, in the opinion of the Development Officer an application is deemed to be incomplete, the applicant shall be advised in writing that the application is incomplete and that the application will not be processed until all of the required information is provided. The written notice shall include a description of the information required for the application to be considered complete and the deadline by which the required information is to be submitted. The failure to submit the required information in accordance with the notice shall result in the application being deemed refused and may be appealed in accordance with 6.10.

6.5.3 Once an application is deemed to be complete in accordance with 6.5.1 or 6.5.2, the applicant shall be notified in writing that the application is complete, and the Development Officer shall process the application.

6.5.4 The requirements of this Section do not apply to the optional information identified in 6.3.3 and 6.4.3, but if required shall be provided by the applicant to the Approving Authority prior to a decision being made.

6.6 Referrals

6.6.1 The Development Officer may refer any application for a development permit to any government agency, adjacent landowner, or any person or agency with a registered encumbrance on the subject land for comment and advice.

6.6.2 After 14 days from the date of referral under 6.6.1, the Development Authority may deal with the application whether or not comments have been received.

6.6.3 The Development Officer shall circulate an application for subdivision to all adjacent landowners, and all agencies required under the Regulation for review and comment. A subdivision application may also be circulated to any person or agency with a registered encumbrance on the subject land.

6.7 Development Authority's Discretion

6.7.1 A development permit application for a use that is not listed as a permitted use or a discretionary use in the subject Land Use District shall be refused.

6.7.2 Notwithstanding 6.7.1, the Development Authority may determine that the proposed use of land or a building is similar in character and purpose to a use listed under that land use district, despite that the use is not listed as a permitted use or discretionary use in this Bylaw, the Development Authority may issue a development permit.

6.7.3 In making a decision on an application for a permitted use, the Development Authority shall:

(a) approve with or without conditions, an application for a development permit where the proposed development conforms with this Bylaw; or
(b) refuse an application for a development permit if the proposed development does not conform to the Bylaw.

6.7.4 In making a decision on an application for a discretionary use, the Development Authority:
(a) may approve, either permanently or for a limited period of time, a development permit application that meets the requirements of this Bylaw, with or without conditions;
(b) may refuse a development permit application even though it meets the requirements of this Bylaw;
(c) shall refuse, a development permit application if the proposed development does not conform with this Bylaw.

6.7.5 In reviewing a development permit application for a discretionary use, the Development Authority shall have regard for:
(a) the purpose and intent of the Act, as well as any statutory plans adopted by the Municipality;
(b) the circumstances and merits of the application, which may include such items as:
(i) impact of nuisance factors such as smoke, airborne emissions, odours and noise on nearby properties;
(ii) the design, character and appearance of the development shall be compatible with and complementary to the surrounding area; and
(iii) the servicing requirements for the proposed development.

6.7.6 A development permit for a temporary use or development may only be issued if the use or development is a listed as a permitted use or a discretionary use in the applicable land use district.

6.7.7 The Development Authority shall refuse an application for a development permit or subdivision that is deemed to be incomplete in accordance with 6.5.

6.7.8 The Development Authority may approve an application for a development permit notwithstanding that the proposed development does not comply with this Bylaw if, in the opinion of the Development Authority:
(a) the proposed development would not
(i) unduly interfere with the amenities of the neighbourhood, or
(ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties, and
(b) the proposed development conforms with the use prescribed for the land or building in the Bylaw.

6.7.9 Further to 6.7.8, the Development Authority may vary any or all of the district requirements by a maximum of 10% provided such a variance does not unduly affect the amenities, uses or enjoyment of the site or the neighbouring properties.

6.7.10 In the event that a variance is granted pursuant to 6.7.9, the Municipality shall indicate in its files the type and extent of any variance granted to any development permit approval.

6.8 Conditions of a Development Permit or Subdivision Approval

6.8.1 The Approving Authority may attach as conditions of a development permit approval or subdivision approval, those conditions it feels are necessary to address or resolve any development concerns or issues in regards to a proposed development or subdivision.

6.8.2 The Approving Authority may require that as a condition of issuing a development permit or subdivision approval, the applicant enter into an agreement with the Municipality to do any or all of the following:

(a) to construct or pay for the construction of a road required to give access to the development or subdivision;
(b) to construct or pay for the construction of a pedestrian walkway system to serve the development or subdivision, or pedestrian walkways that will connect the pedestrian walkway system serving the development or subdivision with a pedestrian walkway system that serves or is proposed to serve an adjacent development or subdivision;
(c) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development or subdivision;
(d) to construct or pay for the construction of on-site or other parking facilities, and loading and unloading areas;
(e) to pay an off-site levy or redevelopment levy imposed by bylaw;
(f) to provide security to ensure that the terms of the agreement are carried out; and
(g) any other requirement the Approving Authority deems necessary.

6.8.3 The Municipality may register a caveat pursuant to the provisions of the Act and the *Land Titles Act* in respect of an agreement under this Section against the Certificate of Title for the land that is the subject of the development or subdivision. Said caveat shall be discharged when the agreement has been complied with.

6.8.4 A development permit granted pursuant to this Section does not come into effect until 21 days after its issuance. Where an appeal has been filed with the Board, no development shall be commenced or undertaken pursuant to the development permit until all appeals are finally determined and the issuance of the development permit has been upheld.

6.8.5 A development permit lapses or expires and is automatically void:
(a) if the development authorized is not commenced within 12 months from the date of issuing the permit, or within such longer period as may be granted by the Development Authority;
(b) the development is temporary and the time allowed for carrying out the development under the development permit conditions has expired;
(c) for a development permit authorizing a dwelling unit, if the dwelling unit is not substantially complete and safe for occupancy, as evidenced by the applicant's submission to the Municipality of all permit approvals required under the *Safety Codes Act*, within 18 months from the date that the development permit became effective, unless otherwise prescribed under the conditions of the development permit;
(d) if a development is not completed within the time prescribed for completion under the development permit conditions.

Further, developments shall be completed to the satisfaction of the Development Officer within 18 months from the date of issuing the development permit.

6.8.5 In the case where an application for a development permit has been refused initially or ultimately after appeal, the submission of another application for a permit on the same property and for the same or similar use of the land shall not be accepted by the Development Officer within 6 months of date of the refusal.

6.9 Notification of Decision

6.9.1 A decision of the Approving Authority on an application for a development permit or subdivision shall be given in writing, and a copy of the notice of decision shall be mailed or emailed to the applicant or agent, and in the case of a subdivision approval, any other person or agency required under the Act.

6.9.2 Development permit approvals shall be posted on the Municipality's website.

6.9.3 When an application for a development permit for a Permitted Use requiring a variance or a Discretionary Use is approved, the Development Officer shall publish a notice in a local newspaper indicating:

(a) the applicant's name;
(b) the address and legal description of the property for which the application has been made;
(c) the nature of the proposed development; and
(d) the decision of the Development Authority.

6.9.4 When an application for a development permit or subdivision is refused, the Development Officer shall mail a notice of decision to the applicant or his agent stating the reasons for refusal.

6.9.5 For the purpose of this Bylaw, notice of the decision of the Development Authority is deemed to have been given on the day when the notice of decision is published in the newspaper, or the date the notice is mailed or emailed to the applicant.

6.10 Appeals

6.10.1 Method of Appeal
(a) The Board shall perform such duties and follow such procedures as specified in the Act and the *Intermunicipal Subdivision and Development Appeal Board Bylaw*, as amended.
(b) A decision on a development permit or a subdivision may be appealed:
  (i) by the applicant by serving a written notice of appeal on the Clerk within 21 ~~14~~ days after notice of the decision or issuance of the development permit or subdivision was given, or
  (ii) by an affected person within 21 days after the date on which notice of issuance of the development permit was given in accordance with 6.9.
(c) For the purposes of this Bylaw, 6.9.5 establishes the date a notice of decision is deemed to have been given.

6.10.2 The Appeal Process
(a) The Clerk shall give written notice of the hearing to all required parties in accordance with the Act and the *Intermunicipal Subdivision and Development Appeal Board Bylaw*, as amended.
(b) When a notice of appeal has been served on the Clerk with respect to a decision of the Approving Authority to approve a development permit or subdivision, the development permit or subdivision approval shall not be effective before:
  (i) the decision of the Approving Authority has been sustained by the Board, or
  (ii) the Clerk has received written notification from the appellant that the appeal has been abandoned.
  (iii) if the decision of the Approving Authority to approve a development permit or subdivision application is reversed by the Board, the development permit or subdivision approval shall be
(c) If the decision to approve a development permit or subdivision application is varied by the Board, the Board shall direct the Development Officer to forthwith issue the permit in accordance with the terns of the decision of the Board.

6.11 Amendments

6.11.1 Contents of an Amendment Application
(a) An application to amend this Bylaw shall be made to the Development Officer on the prescribed form and accompanied by the following:
  (i) if the amendment involves the re-designation of land to a different Land Use District,
    1. a copy of the certificate of title for the subject property dated within 30 days of the application,
    2. the applicant's name, address and interest in the subject property. Where the applicant is an agent for the owner, a letter from the owner must be provided verifying the agent's authority to make the application,
    3. an accurate and fully dimensioned graphic representation of the subject lands affected by the proposed amendment, and may be required to be prepared to a

professional standard by a surveyor if less than the full parcel,
4. signature of all registered landowners or written authorization for agent to act on behalf of the registered landowners, and
5. properly dimensioned vicinity maps of appropriate scaled indicating the site to be amended, its relationship to existing land uses within a 90 m (285 ft) radius of the boundaries of the site, and
6. permission for right-of-entry by the Development Officer and/or other persons authorized by the Municipality;

(ii) a written statement from the applicant explaining the reasons for the proposed amendment, and how the amendment conforms with any relevant statutory plan(s);
(iii) such additional information as the Development Officer may require.

(b) Each amendment application shall be accompanied by a non-refundable application fee, as determined by resolution of Council from time to time.
(c) Council may, on its own initiative, commence an amendment to this Bylaw by directing the Development Officer to initiate an application.
(d) The Development Officer may refuse to process an application to amend this Bylaw if the information has not been supplied or if, in his opinion, it is of inadequate quality to properly evaluate the application.

6.11.2 The Amendment Process

(a) All amendments to this Bylaw shall be made through the adoption of an amending bylaw following a public hearing.
(b) Upon receipt of a complete application (in accordance with 6.11.1), it shall be referred to:
(i) The Municipality's administration for the drafting of an amending bylaw; and
(ii) Council to consider first reading and to establish a public hearing date.
(c) A notice of the application shall be published for 2 consecutive weeks in the local newspaper, with the second notice appearing no later than 5 days in advance of the public hearing. The notice shall also be mailed to each owner of land that is the subject of the proposed amendment, as well as all adjacent landowners. The notice shall contain:
(i) if the amendment involves the re-designation of land to a different Land Use District, the legal description of the land and a map illustrating the lands in question;
(ii) the purpose of the proposed amending bylaw;
(iii) the one or more places where a copy of the proposed amending bylaw may be inspected by the public;
(iv) the one or more dates, places and times that the Council will hold a public hearing on the proposed amending bylaw;
(v) an outline of the procedures to be followed by anyone wishing to be heard at the public hearing; and
(vi) an outline of the procedures by which the public hearing will be conducted.
(d) The application may be referred to any agency as deemed necessary for comment and advice.
(e) Council, after considering
(i) any representations made at the public hearing; and
(ii) any statutory plan, affecting the application and the provisions of this Bylaw may:
1. make such changes as it considers necessary to the proposed amendment, if any, and proceed to pass the proposed amendment, or
2. defeat the proposed amendment.

(f) Where an application for an amendment has been refused by Council, the Development Officer shall refuse to accept another application on the same land for the same or similar purpose until six months have passed from the date of such refusal.

6.12 Compliance

6.12.1 Non-Conforming Buildings and Uses

A development that is considered as a non-conforming building or use shall be dealt with as provided for under the Act. For convenience, the following extracts are provided:

(a) If a development permit has been issued on or before the day on which this Bylaw or amending bylaw comes into force, and this Bylaw would make the subject development a nonconforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of this Bylaw.
(b) A non-conforming use of land or a non-conforming use of a building may be continued but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building shall conform with the provisions of this Bylaw;
(c) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it;
(d) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the nonconforming use continues;
(e) A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except
    (i) to make it a conforming building; or
    (ii) for routine maintenance of the building, if the Development Authority considers it necessary;
(f) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw;
(g) The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

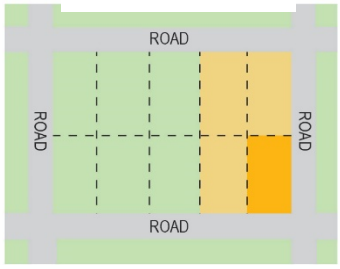
6.12.2 Contravention
(a) No person shall make use of land in a manner contrary to the provision of the Act, this Bylaw, or a development permit issued under this Bylaw.
(b) A Development Authority may suspend or revoke a development permit where:
    (i) the permit or conditions of a permit have not been complied with;
    (ii) the permit was issued on the basis of incorrect information or misrepresentation by the applicant or registered owner;
    (iii) the permit was issued in error; or
    (iv) requested by the applicant or registered owner.
(c) Where the Development Officer finds that a development or use of land is not in accordance with the Act, this Bylaw, or a development permit issued hereunder, the Development Officer may, by notice in writing, order the registered owner, the person in possession of the land or buildings, the person responsible for the contravention, or all or any of them to:
    (i) stop the development or use of the land or buildings in whole or in part as directed by the notice;
    (ii) demolish, remove or replace the development; or
    (iii) carry out any other actions required by the notice so that the development or use of the land or building complies with the Act, a development permit, subdivision approval or this Bylaw as the case may be, within the time specified by the notice.
(d) If a person fails or refuses to comply with an order directed to him under 6.12.2(c) or an order of the Board under the Act, Council or a person appointed by it may, in accordance with the Act, enter upon the land or building and take such action as is necessary to carry out the order.
(e) When Council or a person appointed by it carries out an order, Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.
(f) For the purpose of entering and inspecting land or buildings as described in the Act, the Development Officer is hereby declared to be a "designated officer".

SECTION 7 DEFINITIONS

In this Bylaw, the following definitions shall apply. All other words or expressions shall have the meanings respectively assigned to them in the Act and the Regulation. In any other cases, the meaning shall be the customary meaning of the word or expression.

Abut/Abutting
Immediately contiguous to or physically touching, and when used with respect to a lot, means that the lot physically touches upon another lot, and shares a boundary with it.

Abut/Abutting



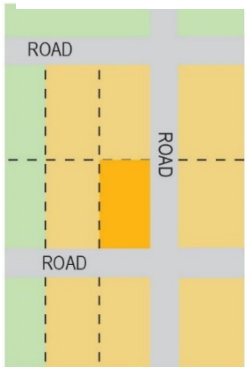
Accessory Building/Use
A building or use, that in the opinion of the Development Authority is incidental, subordinate and exclusively devoted to the principal use or building and located on the same site, but does not include an accessory dwelling.

Accessory Dwelling
A dwelling unit that is located either above or to the rear of a commercial use and is subordinate to the commercial use of the site.

Act
The *Municipal Government Act*, *Revised Statutes of Alberta 2000, Chapter M-26* and amendments thereto.

Adjacent

Adjacent
Land that is contiguous to another parcel of land, or would be contiguous if not for a river, stream, railway, road or utility right of way or reserve land.



Agriculture, Extensive
The raising or production of any cultivated crops, livestock or dairy products that utilize relatively large areas of land and in which the use of buildings and confinement areas is auxiliary to the use of the land itself. This constitutes an "agricultural operation" pursuant to the requirements of the *Agricultural Operation Practices Act*.

Amenity Area
An area developed for the active or passive recreation and enjoyment of the occupants of a development. Such area may be for either private or communal use and may be under either individual or common ownership.

Amusement Facility
An area, structure or part of a structure open to the public that contains mechanical or electronic games and/or pool tables for the purposes of providing entertainment for a fee.

Approach
A vehicular access road, culvert crossing, or other structure constructed, erected, installed or maintained in a road between a lot line and the nearest curb or edge of road and is for the use or benefit of the occupant of the subject lot.

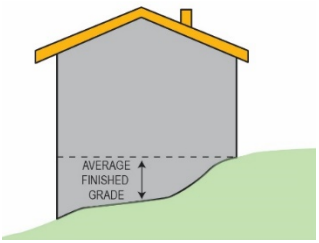
Approving Authority
The Development Authority or the Subdivision Authority for the Municipality as applicable.

Auto Body and Paint Shop
An establishment for the repair and/or painting of motor vehicle bodies but does not include facilities for the sale of fuels, lubricants, automotive accessories or mechanical or electrical repairs.

Automotive Repair
A facility for the servicing and mechanical repair of automobiles, trucks and utility vehicles, heavy equipment, motorcycles, snowmobiles, motor homes and similar vehicles, the sale, installation, or servicing of related accessories and parts, and servicing of small engines and equipment, but does not include auto body and paint shops or salvage yards.

Average Finished Grade

Average Finished Grade
For the purposes of measuring building height, the arithmetic mean of the elevations of the finished grade at two outermost



corners of a wall on the respective side of a building.

Basement
That portion of a building that is located wholly or partially below grade, the ceiling of which does not extend more than 1 m (3 ft) above grade.

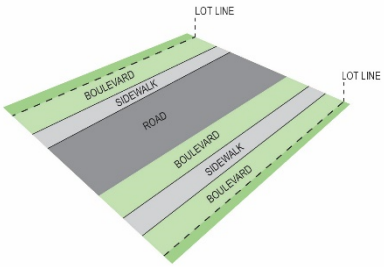
Bed and Breakfast
An establishment that is operated from a private residence that has 2 or more rooms for rent to the general public on a daily basis. The rent charge may or may not include meals for the registered guests. Not to limit the generality of the above, the main use of the house is for a private residence for the host and their immediate family.

Board
The Intermunicipal Subdivision and Development Appeal Board established under the Act to conduct hearings with respect to development and subdivision appeals and stop orders.

Boarding House
An accessory use to a single family dwelling consisting of sleeping facilities that may be in addition to the family accommodations and where cooking and/or sanitary facilities are not developed in addition to those that are in the dwelling unit. Boarding facilities shall be limited to a maximum of 3 persons other than the immediate family.

Boulevard
(a) That portion of the right-of-way of a road lying between the curb line of the road and the abutting lot line, excepting that portion occupied by a sidewalk; or

Boulevard



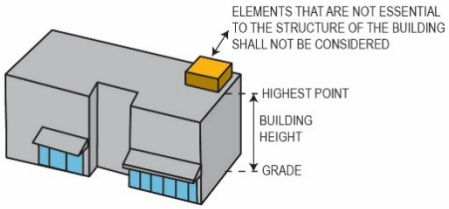
(b) Where there is no curb, that portion of the right-of-way lying between the edge of the road ordinarily used by vehicles and the abutting lot line, excepting that portion occupied by a sidewalk.

Buffer
A row of trees or shrubs or berm to provide visual screening and separation to uses between sites or districts.

Building
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
The vertical distance of a building measured from the average finished grade adjacent to the building to the highest point of the roof.

Building Height



Building Supplies
A commercial development offering for sale dimensional and sheet lumber and building supplies and may include outside and fenced storage of the same for the purposes of sale.

Bulk Fuel/Chemical or Card Lock
A development where refined or crude oil, fuel, or liquid or solid chemical is stored outdoors, and includes the storage of dangerous or hazardous substances, as defined by the *Dangerous Goods Transportation and Handling Act* and the Major Industrial Accidents Council of Canada (MIACC). The development may include facilities for cleaning, blending or packaging of bulk oil, fuel or chemicals, but does not include manufacture of any of these products.

Bulk Retail
A commercial development where consumer goods are offered in bulk (warehouse style and in case lots or pre-packaged multiples) for sale or trade during limited hours of operation and excludes the storage and/or sale of hazardous goods to the satisfaction of the Development Authority.

Cannabis
Cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the

Cannabis Act (Canada) and its regulations, as amended.

Cannabis Production Facility
The use of land, buildings or structures for the cultivation, processing, testing, destruction, packaging, and shipping of marijuana used for medical purposes as permitted and licensed by the Government of Canada.

Cannabis, Retail
A federally regulated retail use that is involved in the sale of legal cannabis products.

Canopy
A projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun.

Car and Truck Wash
A commercial facility for the cleaning and washing of motor vehicles.

Cemetery
Development of a parcel of land primarily as landscaped open space for the entombment of deceased persons, and may include the following accessory developments: crematoria, columbaria, and mausoleums. Typical uses include memorial parks, burial grounds and gardens of remembrance.

Child Care Facility
A provincially regulated facility used for the provision of care, instruction, maintenance or supervision of children.

Clerk
The Clerk to the Intermunicipal Subdivision and Development Appeal Board.

Commence
To initiate a development pursuant to an approved development permit. For the purpose of this Bylaw, this refers to the excavation of a site and/or the construction of the foundation of a building or structure.

Commercial Entertainment Facility
A commercial development offering non-participatory or audience based entertainment such as concerts, movies, and theatrical productions.

Commercial Vehicle
A semi-trailer truck, intermediate-sized vehicle or passenger vehicle no larger than a pick-up or cargo van used in support of a business.

Communication Tower and Antenna System
A structure for supporting equipment for transmitting or receiving television, radio, telephone or other electronic communications.

Community Hall/Facility
A development used for public or quasi-public activities, such as community cultural and/or fundraising events.

Complete Application
A development permit or subdivision application that contains all of the information required in order for the Approving Authority to make a decision.

Contractor, General
A development used for commercial and industrial service support and construction. Typical uses include oilfield support services, laboratories, cleaning and maintenance contractors, welders, building construction, surveying, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer, or similar services of a construction nature that require on-site storage space for materials, mobile equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal general contractor use.

Contractor, Limited
Development used for the provision of electrical, plumbing, heating, painting, catering and similar contractor services primarily to individual households and the accessory sales of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities.

Corner
The intersection of any 2 lot lines of a lot or site.

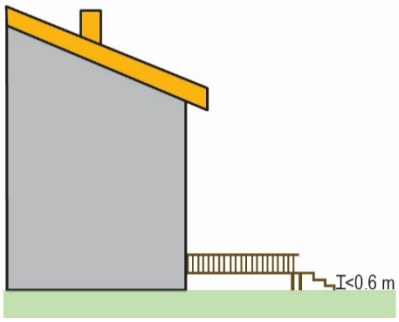
Council
The Municipal Council of the Municipality.

Dangerous Goods
Dangerous goods as defined in the *Alberta Fire Code*.

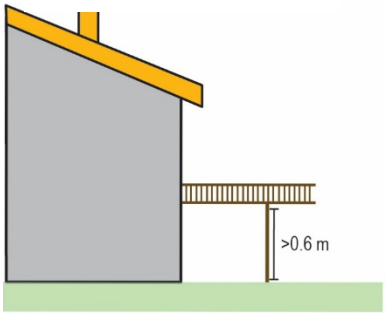
Dealership
Premises for the display, sale and servicing of new or used motor vehicles and equipment, including farm machinery and equipment, construction-related vehicles and equipment, manufactured homes, modular homes, recreational vehicles, trucks, trailers, boats, motorcycles, and snowmobiles.

Deck
An unenclosed amenity area of concrete, brick, wood or other material that is constructed at grade or attached to a dwelling, and may consist of a:

Ground Level Deck



Raised Deck



(a) "Ground Level Deck", the overall height of which does not exceed 0.6 m (2 ft) measured from finished grade to the finished floor height; or
(b) "Raised Deck", the overall height of which is greater than 0.6 m (2 ft) measured from finished grade to finished floor height.

Density
The average number of persons, families or dwelling units per unit of area.

Developer
An owner, agent or any person, firm or company responsible for a development.

Development
(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 in, on, over or under land,
(c) A change in use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
(d) A change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

Development Authority
A Development Authority established pursuant to the Act and includes the Development Officer of the Municipality.

Development Officer
The person appointed by Council to serve as the Development Officer pursuant to 2.1.1.

Development Permit
A document authorizing a development issued pursuant to this Bylaw.

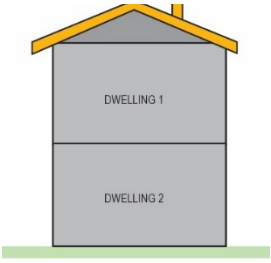
Discretionary
Refers to the use of land or a building that may be authorized (as included in a list of Discretionary Uses) in a given Land Use District at the discretion of the Development Authority, with or without conditions.

Drinking Establishment
A facility licensed by the Alberta Gaming and Liquor Commission where alcoholic beverages are served for consumption on the premises, and includes a licensed lounge that is accessory to a restaurant.

Drive-Through Business
An establishment, which services customers traveling in motor vehicles driven onto the site where such business is carried on, where the customer normally remains in the vehicle for service.

Driveway
A private road that provides vehicle access from an individual lot or site to a road.

Up-Down Duplex



Duplex
Residential development consisting of a building containing 2 dwelling units, each of which has a separate entrance, and may take

either of the following forms:

(a) "Up-Down" where 1 dwelling unit is located above the other; or

(b) "Side-Side" where the dwellings share a common wall.

Side-Side Duplex

Dwelling/Dwelling Unit
1 or more rooms used as or designed to be used as a residence and containing sleeping, cooking and sanitary facilities and with an independent entrance either directly from outside a building or from a common hallway inside a building.

Dwelling, Single Detached
A stick-built or modular residential building containing only one residential dwelling unit, but does not include a manufactured home.

Easement
A right to use land, generally for access to other property or for a public utility.

Emergency Services
A development that is required for the public protection of persons and property from injury, harm or damage together with the incidental storage of equipment and vehicles necessary for the local distribution of utility services. Typical uses include police stations, fire stations, emergency medical services, and accessory training facilities.

Equipment Sales, Rental and Repair
A development used for the sales, rental and repair of tools, agricultural equipment and vehicles, appliances, recreational craft, office machines, furniture, home appliances, light construction equipment, or similar items, but does not include the rental or repair of motor vehicles.

Excavation
Any breaking of ground, except common household gardening and ground care.

Exterior Storage
The use of a site or portion of a site used for the storage of products, goods, materials, machinery, vehicles, or equipment that is not contained within a building.

Fence
A physical barrier constructed for the purposes of sound abatement, limiting intrusion, and/or to prevent unauthorized access or containment of livestock.

Financial Services
A building, or part of a building, where financial services such as loans, deposit accounts and mortgages are provided.

Fleet Service
A development using a fleet of vehicles for the delivery of people, goods, or services, where such vehicles are not available for sale or long-term lease. This includes, taxi services, bus lines, messenger and courier services, but does not include moving or cartage firms involving trucks with a gross vehicle weight of more than 3,000 kg (6,600 lb).

Foundation
The lower portion of a building, usually concrete, masonry or preserved wood, and includes the footings that transfer the weight of and loads on a building to the ground.

Foundation, Permanent
A structure consisting of concrete, treated wood, or masonry that serves as support for a building that, during construction, involves an excavation. This may include but not be limited to a basement, crawl space, concrete slab, or pilings.

Garage
An accessory building or part of the principal building, designed and used primarily for the storage of motor vehicles.

Gas Bar
An establishment used for the sale of gasoline, propane or other fuels, the sale of lubricating oils and other automotive fluids or motor vehicle accessories, but does not include service stations or automotive repair establishments.

General Industry
An industrial use that may include but not limited to:

(a) warehousing or storage of materials, goods or equipment, and/or,

(b) manufacturing or processing of a finished product from raw materials and/or

(c) provision of large scale transportation facilities for freight or passengers and/or,

(d) industrial operations that due to noise, safety hazards, noxious or toxic emissions requires tracts of land situated away from any concentration of people, and/or
(e) storage of steel materials, including but not limited to the following: pipes, culverts and steel beams.

Grade
The ground elevation from which the height of a building or structure is measured.

Grain Elevator
A building, or part thereof, used for the purchase and sale of grain and may include, as an incidental or subordinate development, a grains-chemical sales facility.

Greenhouse
A building specially designed and used for the commercial production of vegetables, flowers and other plants, but does not include a Cannabis Production Facility.

Gross Floor Area (GFA)
The total of the floor area of every room and passageway contained in a building but not including the floor areas of basements, attached garages, sheds, open porches or breezeways.

Group Home
A residential development that provides special care for foster children or individuals that are handicapped, disabled or in need of adult supervision in accordance with their individual needs and are licensed by the Provincial authority having jurisdiction over the facility.

Hard Surfaced/Surfacing
A surface consisting of, at minimum, prepared hard gravel or paving approved by the Development Officer.

Highway
A road designated by the Province as a highway.

Home Based Business
A commercial development that is accessory and subordinate to the principal residential use of a dwelling or site, and may take the form of**:**
(a) "Home Based Business, Major" that is confined to a residential lot or an accessory building on a residential lot; or
(b) "Home Based Business, Minor" that is confined to a dwelling.

Hotel
A development used for the provision of rooms or suites for temporary accommodation where the rooms obtain access from a common interior corridor and may have a meal service for guests. Hotels may include meeting rooms, drinking establishments and restaurants.

Household
A social unit comprised of those living together under the same roof.

Industrial Support
A development that provides cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with the oil and gas industry and may include the storage or shipping of such materials, goods and equipment, including petrochemical products and supplies. This definition applies to oil and gas and forestry industry support operations and includes, but is not limited to, seismic and surveying, well servicing, oilfield haulers, pipeline contractors and welding operations.

Kennel
Premises used for the commercial breeding, raising, or boarding of cats or dogs.

Landscaping
The enhancement of a site through the use of any or all of the following elements:
(a) "Soft Landscaping" consisting of vegetation such as trees, shrubs, hedges, grass, berms, and ground cover,
(b) "Hard Landscaping" consisting of non-vegetative materials such as but not limited to brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt.

Lane
A narrow road intended to give vehicular access to the rear of a building or lot.

Livable Area
The portion of a dwelling that is developed for permanent habitation, not including the basement.

Loading Space
A space provided on a site to accommodate a commercial vehicle on a temporary basis for loading or unloading of goods and materials.

Lot
(a) A quarter section,

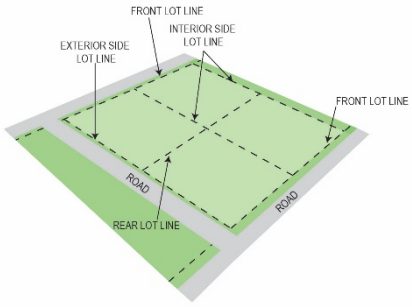
(b) A river lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office,
(c) A settlement lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office,
(d) A part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision, or
(e) A part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;.

Lot, Corner
A lot having a frontage on 2 or more roads at their intersection.

Lot Line
A legally defined limit of any lot.

Lot Line, Front
The boundary dividing the lot from an abutting road other than a lane. In the case of a corner lot the shorter lot line shall be the front lot line.

Lot Lines



Lot Line, Rear
The lot line of a lot that is directly opposite to the front lot line.

Lot Line, Side
Any lot line other than the front or rear lot line.

Lot Line, Exterior Side
A side lot line that abuts a road or lane.

Lot Line, Interior Side
A side lot line that is not an exterior side lot line.

Lot, Through
A lot that abuts two parallel roads, not including lanes.

Lot Width
The distance between the side lot lines at a point midway between the front and rear of the lot and parallel to the front lot line.

Manufactured Home
A transportable detached dwelling unit that is manufactured to meet the Canadian Standards Association standard CSA Z240 and that is used as a residence. For the purpose of this Bylaw, two types of manufactured homes may be distinguished:
(a) "Manufactured Home, Single Wide" means a manufactured home consisting of a single unit designed to be towed in a single load.
(b) “Manufactured Home, Double Wide" means a manufactured home consisting of two sections separately towable but designed to be joined together at the site to form one dwelling unit.

Manufactured Home Park
A development on a lot under single ownership and managed by a park operator that is designed to accommodate numerous manufactured homes on leased sites in a community setting.

Manufactured Home Subdivision
A subdivision of lots specifically for the development or placement of Manufactured Homes.

Market Garden
A commercial development for the growth and sale of vegetables and/or fruit and may include 'u-pick' (customer picked) vegetables and/or fruit sales.

Mini Storage
Self-contained buildings or storage facilities intended to provide inside storage options on a small scale where the customer is charged a rental fee on a monthly or annual basis for the storage of personal products.

Modular Home
A prefabricated or factory built dwelling that is manufactured to meet the Canadian Standards Association standard CSA Z277 and is installed on a concrete foundation.

Motel
A building or group of buildings designed for the accommodation of the traveling public, containing guest rooms, each of which has a separate entrance directly from outside the building.

Multi-Unit Dwelling
A residential development comprised of 3 or more dwelling units.

Municipality
The Village of Rycroft.

Non-Conforming
Refers to a building or use that does not comply with the provisions of this Bylaw.

Occupancy
The use or intended use of a building or part thereof for the shelter or support of persons or property.

Parcel
The aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office.

Park
Land developed for public recreational activities that do not require major buildings or facilities, and typically includes, but is not limited to, picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms.

Parking Lot
A portion of a lot or site that is developed for the storage and parking of motor vehicles.

Parking Stall
That portion of a parking lot that accommodates a vehicle.

Permitted
Refers to the use of land or of a building (as included in a list of Permitted Uses) for which a development permit shall be issued, with or without conditions, provided the use conforms to this Bylaw.

Personal Services
A development used for the provision of services to an individual that are related to the care and appearance of the body, or the cleaning and repair of personal effects. Typical uses include barber shops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, dry cleaners and similar uses**.**

Pipe and Equipment Storage
The storage of materials, goods and equipment normally associated with the oil and gas industry and may include the shipping of such materials, goods and equipment, including petrochemical products and supplies.

Porch
An entrance structure typically attached to the front or sides of a residential dwelling at the ground floor entry level, consisting of a roof and floor, where the front and sides of the structure may be enclosed by solid walls or windows or unenclosed where the front and/or sides remain open to the elements.

Principal Building/Use
A building or use that, in the opinion of the Development Authority,
(a) occupies the major or central portion of a site;
(b) is the main building or use among one or more buildings or uses on the site; or
(c) constitutes by reason of its use the primary purpose for which the site is used. There shall be no more than one principal building on each site unless specifically permitted in this Bylaw.

Professional Services
A development primarily used for the provision of professional, management, administrative, consulting, and financial services. Typical uses include the following and similar uses as offices of lawyers, accountants, engineers, planners, doctors and architects; offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; printing establishments, film processing establishments, janitorial firms, and business equipment repair shops.

Public Building/Use
A building, structure, or site owned or leased by a department or agency of the federal, provincial or municipal government for the purpose of public administration such as (but not limited to) municipal offices, taxation offices, courthouses, postal stations, manpower and employment offices, school board office, health authority office, social services, museums, libraries, and art galleries.

Public Utility
A system or works used to provide one or more of the following for public consumption, benefit, convenience or use:
(a) water or steam;

(b) sewage disposal;
(c) public transportation operated by or on behalf of the municipality;
(d) irrigation;
(e) drainage;
(f) fuel;
(g) electric power;
(h) heat;
(i) waste management;
(j) lighting.

Public Utility Lot
A lot or parcel of land used in the distribution, maintenance and housing of a public utility.

Railway Station Grounds
A facility used to store and maintain railroad related equipment and products and usually includes a number of buildings related to the operation of a railroad.

Recreation, Indoor
A facility where patrons participate in sports events and other recreational activities in an enclosed building that may include a restaurant and a retail store. Typical uses include but are not limited to, arenas, athletic clubs, curling clubs, health and fitness clubs, gymnasiums, swimming pools, bowling alleys, and racket clubs.

Recreational Vehicle
A vehicle or portable structure designed to be carried on a motor vehicle, towed behind a motor vehicle, or designed and built to be transported on its own wheels, to provide temporary living accommodation for travel and/or recreational purposes. This includes such vehicles as motor homes, fifth wheel trailers and holiday trailers, but does not include a manufactured home.

Recreational Vehicle Storage
The storage of recreational vehicles, but does not include a recreational vehicle park or the sales or service of recreational vehicles.

Registered Owner
(a) In the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or
(b) In the case of any other land:
    (i) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the Certificate of Title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the Certificate of Title; or
    (ii) in the absence of a person described in paragraph (i), the person registered under the *Land Titles Act* as the owner of the fee simple estate in the land.

Regulation
The *Subdivision and Development Regulation*.

Religious Assembly
A development used for spiritual worship and related religious philanthropic, or social activities and includes accessory rectories, manses, meeting rooms, food preparation and service facilities, classrooms, dormitories, and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries.

Residential Care Facility
A multi-unit residential development that provides special care for individuals that are aged and/or disabled, and has on-site health care facilities and/or health care attendants.

Restaurant
A development where food and beverages are prepared and served on-site to the public, where minor persons are not excluded, and for which alcoholic beverage service may be a subordinate use and is carried out in compliance with any applicable bylaws and provincial and federal laws.

Retail Store
Commercial premises in which the retail sale of consumer goods takes place, but does not include Cannabis, Retail.

Road
Land shown as a road on a plan of survey that has been filed or registered in a land titles office, or used as a public road, and includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a highway.

Salvage Yard
Land and associated buildings used to store, dismantle, salvage, and recycle components from discarded vehicles, industrial equipment, demolished buildings and other large items.

School
A development that is publicly supported and involves public assembly for education, training or instruction purposes, and includes dormitories and the administration offices required for the provision of such services on the same site. Typical uses include, but are not limited to, public and separate schools, community colleges, universities, and technical and vocational schools.

Screening
Without restricting the generality of the following, means a row of trees, shrubs, earth berm or fencing that provides visual screening and separation and/or noise attenuation between districts, lots, roadways, and sites, or between them.

Sea-Can
A standardized reusable steel shipping container used for the safe, efficient and secure storage and movement of materials and products.

Secondary Suite
A self-contained dwelling unit that is located within or on the same lot as the principal single detached dwelling unit, and has sleeping, cooking and living areas that are separate from those of the principal dwelling. Typical forms include basement suites, garden suites and garage suites.

Security Suite
A dwelling that is secondary or accessory to the principal industrial or commercial use on the same lot, and is used for the purposes of providing living accommodation for the owner, operator or caretaker of the principal use.

Service Station
A facility for the service and repair of motor vehicles and for the retail sale of gasoline, lubricants, automotive accessories and associated petroleum products.

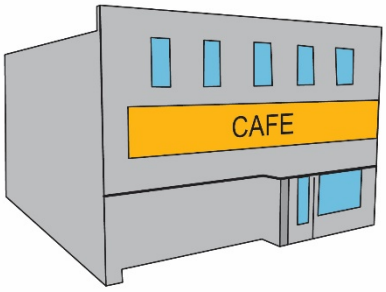
Setback
The distance that a development or a specified portion of it must be set back from a lot line. The setback shall be measured perpendicularly from the applicable front, rear or side lot line to any portion of the building foundation.

Shopping Centre
A group of retail outlets and/or personal or professional service establishments and financial institutions on a site planned, developed and managed as a single unit (that may be comprised of a group of owners or tenants) with shared or common parking areas and/or driveways.

Sight Triangle
That triangle formed by a straight line drawn between two points on the lot lines of a lot from the point where the lot lines intersect, and where visual obstructions, such as buildings, fences, signs, trees, and haystacks are prohibited.

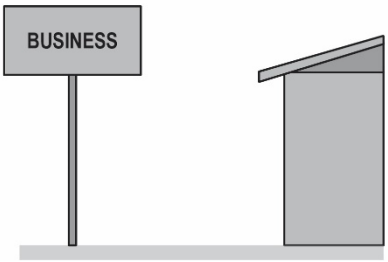
Sign
An object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event.

Fascia Sign



Sign, Fascia
A sign, the back of which is attached to a building wall.

Freestanding Sign



Sign, Free Standing
A sign that is supported independent of a building, and may display copy for a tenant or multiple tenants.

Site
1 or more lots or parcels for which an application for a development permit is made.

Site Plan
A plan showing the boundaries of the site, the location and use(s) or proposed use(s) of all existing and proposed buildings upon the site, the use(s) or the intended use(s) of the portions of the site on which no buildings are situated, and showing drainage, fencing, screening, grassed areas, any fixtures and any other significant features located on the site and abutting public roadways, sidewalks and above grade public utilities.

Solar Collector
A device used to collect sunlight that is part of a system that converts radiant energy from the sun into thermal or electrical energy for on-site use. This use does not include a solar energy facility.

Solar Energy Facility
A commercial facility that is designed to collect sunlight and then generate, store and distribute the converted energy for public consumption.

Statutory Plan
A municipal development plan, Intermunicipal Development Plan, or area structure plan prepared and adopted in accordance with the Act.

Storage Yard
A secure, fenced, outdoor development where goods or vehicles are stored for safekeeping or future distribution and that excludes the storage of goods hazardous to adjacent uses to the satisfaction of the Development Authority.

Storey
The habitable space between the upper face of one floor and the next above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement or cellar shall be considered a storey in calculating the height of a building if the lower face of the ceiling above it is more than 1.5 m (5 ft) above grade.

Structural Alteration
Any development or construction, including a renovation or addition to a building that affects the structural integrity or access to or within a building, but does not result in an increase to the gross floor area of the building.

Structure
Anything constructed or erected on the ground, or attached to something on the ground, and includes all buildings.

Subdivision
The division of a parcel of land into one or more smaller lots by a plan of subdivision or other instrument.

Subdivision Authority
The designated person or persons responsible for receiving, considering and deciding on subdivision applications and any other related duties pursuant to the Act, the Regulation and this Bylaw.

Temporary
Refers to a development or use that has been approved on a non-permanent basis with a specified permit expiry date not to exceed 6 months or as determined by the Development Authority.

Topsoil
The depth of soil containing the major portion of organic matter or the first 6 inches of soil on a lot that is used for agricultural purposes.

Tree Nursery
A commercial development for the growth and sale of seedling trees.

Trucking Operation
A development that may include facilities related to transportation oriented business. This use would normally require a large area to accommodate the parking of large commercial vehicles including tractor/trailer units. Typical uses would include oilfield hauling of materials and equipment, gravel haulers, water haulers, heavy equipment transport.

Use
The purpose or activity for which a piece of land or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

Variance
An alteration or change to a standard prescribed by this Bylaw that is authorized by the Approving Authority or the Board.

Veterinary Clinic
A development for the purpose of medical treatment of animals and may include retail sales of associated products. This includes such uses as impounding and quarantining facilities and animal shelters, but does not include a kennel or the sale of animals.

Warehouse
A building primarily for the keeping of goods and merchandise, excluding dangerous or hazardous materials or derelict vehicles, and does not include a Cannabis Production and Distribution Facility.

Wind Energy Conversion System (WECS)
A development that converts wind energy into

electrical power. The following definitions pertain to a WECS:

(a) "Blade" means the part of a WECS that forms an aerodynamic surface and revolves on contact with the wind;
(b) "Blade Clearance" means the minimum distance from grade to the tip of the blade when that tip is at the bottom of a full 360 degree revolution and pointed down to the ground;
(c) "Horizontal Axis Nacelle" means a WECS on which the axis of the nacelle is parallel to the grade;
(d) "Nacelle" means the part of the WECS that includes a generator, gearbox or yaw motor, and other operating parts that is installed at the top of the tower, and to which the blades are attached, and is responsible for converting wind power to energy;
(e) "Total Height" means the distance from grade to the tip of a blade when that tip is at the top of a full 360 degree revolution and is pointed up to the sky; and
(f) "Tower" means the vertical structure that supports the nacelle and the blade above the ground.

Wind Energy Conversion System (WECS), Small Scale
A single WECS developed to generate electrical power for on-site consumption, either on or off-grid, and may provide residual power to the grid but is not intended to produce power for resale. The system and supporting structure is less than 25 m (80 ft) in height.

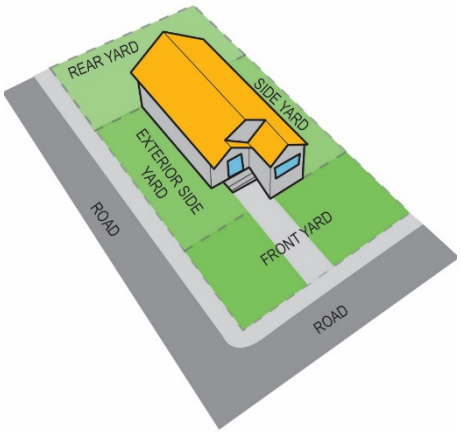
Yard
A required open space unoccupied and unobstructed by any structure or portion of a structure above the general ground level of the graded lot, unless otherwise permitted in this Bylaw.

Yard, Exterior Side
A yard abutting a road, extending from the front yard to the rear yard and situated between the side lot line and the nearest exterior wall of the principal building.

Yard, Front
That portion of land extending across the full width of a lot and situated between the front lot line and nearest exterior wall of the principal building.

Yard, Interior Side
A yard adjacent to a lot, extending from the front yard to the rear yard and situated between the side lot line and the nearest exterior wall of the principal building.

Yards



Yard, Rear
That portion of land extending across the full width of a lot from the rear lot line to the closest wall of the principal building.

Yard, Side
A yard extending from the front yard to the rear yard and situated between the side lot line and the nearest exterior wall of the principal building.

SCHEDULE A

LUB DISTRICT MAP

VILLAGE OF RYCROFT
LAND USE BYLAW

LAND USE DISTRICTS

- R-1 Low Density Residential District
- R-2 General Residential District
- MHR Mobile Home Residential District
- C-1 Commecial District
- C-2 Limited Highway Commercial District
- M-1 Industrial District
- HD Highway Development District
- PS Public Services District
- UR Urban Reserve District

N

Scale

1:6,500

ISL

LAND USE DISTRICT MAP

Bylaw No. 215-19

Schedule A

Map Updated: March 2019
Produced by ISL Engineeringa and Land Services LTd.
Compiled from Provincial Titles Mapping Digital Base,
Alberta Data Partnership.
NAD 1983 UTM 115

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Highway 49
CN Railway
Highway 2
51 St
48 Ave
47 Ave
46 Ave
45 Ave
45a Ave
46a Ave
53 St
52 St
55 St
54 St
51 St
50 St
49 St
48 St
47 St
46 St
45 St

Date: 2019-10-25 Document: J:\15200\15247 Spirit River IDP MDP LUBs\02 CADD\25 GIS\251 Figures\Map Booklet\15247 LUB Map1 Village Rycroft 191024.mxd

SCHEDULE B LAND USE BYLAW FORMS

Form A	Development Permit Application
Form A-1	Sign Development Permit Application
Form A-2	Home Based Business Development Permit Application
Form B	Development Permit Time Extension
Form C	Development Permit
Form D	Notice of Development Permit Decision
Form E	Subdivision Application Form
Form F	Subdivision Application Completeness
Form G	Right of Entry
Form H	Subdivision Time Extension
Form I	Designation of Authorized Agent
Form J	Land Use Bylaw Amendment Application
Form K	Subdivision/Development Appeal Form

SCHEDULE C LAND USE BYLAW AMENDMENTS

Bylaw No.	Description of Amendment