



City of Brooks

Land Use Bylaw 14/12

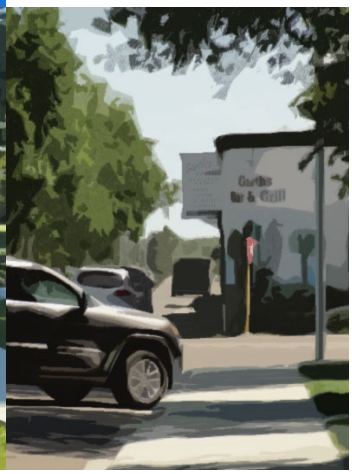
Consolidated to Bylaw 26/027, May 2026

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Prepared by



OLDMAN RIVER REGIONAL SERVICES COMMISSION

CITY OF BROOKS

BYLAW NO. 14/12

BEING a bylaw of the City of Brooks in the Province of Alberta, to adopt a Land Use Bylaw pursuant to section 639 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time, and to provide for its consideration at a public hearing.

WHEREBY THE PURPOSE of Bylaw No. 14/12 is to:

- Update and establish standards and procedures regarding the use and development of land within the municipality;
- Incorporate new development standards for uses within the City of Brooks;
- To incorporate new land use districts with uses and standards;
- To incorporate a new land use districts map to reflect land use re-designations and new districts; and
- To comply with the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.

AND WHEREAS the purpose of Bylaw No. 14/12 is to foster orderly growth and development within the City.

AND WHEREAS a Public Hearing, as required by Section 692 of the Municipal Government Act, will be held prior to second reading of this Bylaw.

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, RSA 2000, Chapter M-26, as amended from time to time, the Council of the City of Brooks duly assembled, enacts as follows:

1. That Bylaw 03/30, and any amendments thereto, is hereby rescinded.

2. That Bylaw 94/20 and any amendments thereto, is hereby rescinded.

3. Bylaw 14/12 shall come into effect upon final passing thereof.

4. Bylaw 14/12 is hereby adopted.

Read a first time this 9th day of June, 2014.
Read a second time this this 7th day of July, 2014.
Read a third time and finally passed this 7th, day of July, 2014.

Mayor

Chief Administrative Officer

City of Brooks Land Use Bylaw No. 14/12 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
14/16	Change "home occupation 2" from permitted to discretionary in the following districts: (R-SL) (R-HD) (R-MH) (R-MP); Add definition for "established"; Add the use "funeral services" in C-C district		17-Nov-2014
14/17	"Residential High Density (R-HD)" to "Commercial Central (C-C)"	Lot 31-32, Block 10, Plan 4012X	17-Nov-2014
14/18	"Commercial General (C-G)" to "Direct Control (DC)"; Amend "Section 8: Site Specific Direct Control Standards"	Block 1, Plan 8411174	17-Nov-2014
14/19	"Future Urban Development (FUD)" to "Industrial Light (I-L)"	Lot 1, Block 30, Plan 5111FW	17-Nov-2014
14/23	Add "Section 13: Secondary Suites" to Schedule 4; Add "secondary suites" as a discretionary use; Add definition for "secondary suites"		17-Feb-2015
15/01	Amend "Residential High Density (R-HD)" district to change the minimum width for semi-detached, duplex and triplex dwelling unit development and reduce the minimum lot size for corner lots		20-Apr-2015
15/15	Added use specific standards for Medical Marihuana to Schedule 4		15-Jun-2015
15/16	Added Definition for Medical Marihuana		6-Jul-2015
15/17	Added definition for driveway and pie-shaped lots and standards for regulation of driveway widths		5-Oct-2015
16/05	Revise definition for Dwelling subsection (d) in Schedule 6		18-Apr-2016
16/17	Various text amendments regarding Secondary Suites		7-Nov-2016
16/18	Various text amendments to regulate and process Home Occupation-2		7-Nov-2016
16/21	"Residential Single-Detached (R-SD)" to "Public and Quasi-Public Service (P-PS) Change all instances of the abbreviation (P-QS) to (P-PS)	Lot 1MR, Block 5, Plan 0512323	19-Dec-2016
17/12	Various text amendments to regulate and process Breweries, Wineries and Distilleries		21-Aug-2017
17/13	"Residential Single-Detached (R-SD)" to "Residential Low Density (R-LD)"	Lot 19, Block 1, Plan 3661FC and Lot 20, Block 1, Plan 3661FC	6-Nov-2017
18/09	"Residential: R-HD: High Density" to "Commercial: C-N: Local Neighbourhood"	Lot 5, Block F, Plan 2230JK (Amended by Bylaw 19/11 1-Apr-2019)	17-Dec-2018
18/10	Replace Section 17 "Parking and Loading", 17.2(2) Minimum off-street parking requirements: Non-residential uses with a new table		7-May-2018
18/11	Amend Schedule 6 to clarify definitions including, but not limited to, stating that retail cannabis stores are not included in current uses, Retail Establishment - Major or Retail Establishment - Minor		7-May-2018

Bylaw No.	Amendment Description	Legal Description	Passed
18/18	Amend Schedule 3, Section 10.7 with regards to the Public Notice requirements in the Interface Area		20-Aug-2018
18/19	Various text amendments regarding Personal Cannabis Cultivation, Retail Cannabis Stores and Cannabis Production Facilities		4-Sep-2018
19/05	"Commercial General: C-G" to "Industrial Light (I-L)"; No Zoning to "Industrial Light (I-L)"; No Zoning to "Commercial General (C-G)"	Lot 2, Block 3, Plan 0312117; Portion of the road adjacent to Lot 2, Block 3, Plan 0312117; Portion of the closed road adjacent to Lot 1, Block 3, Plan 0312117	4-Feb-2019
19/07	Amend the table for setback requirements in the "Residential Low Density (R-LD) district		19-Feb-2019
19/11	Amend legal description of Bylaw 18/09 from "Lot 5" to "Lot 15"	Lot 15, Block F, Plan 2230JK	1-Apr-2019
20/09	Update the Administration Section to align with the *Municipal Government Act*, to add clearer regulations for the subdivision and development process, to clarify notification requirements, to better define mobile vendors and to generally improve the organization and functionality of the Land Use Bylaw		*4-May-2020*
20/19	"Residential Low Density - R-LD" to "Commercial Neighbourhood - C-N"	Lot 19, Block 3, Plan 9710398	8-Sept-2020
20/20	"Residential High Density - R-HD" to "Commercial General - C-G"	Lot 2, Block 15, Plan 3230AM	8-Sept-2020
20/21	"Light Industrial - I-L" to "Commercial General - C-G"	Lot 2, Block 3, Plan 731352	21-Sept-2020
20/22	Consolidate and clarify the use definitions, to generally expand the types of uses under the permitted versus discretionary category within all Land Use Districts, and to make small text changes to streamline the development permit process.		21-Dec-2020
21/05	Amendment to clarify that political poster signs cannot be posted more than 60 days before an election or plebiscite		16-Feb-2021
21/07	"Future Urban Development - FUD" to "Residential Single-Detached - R-SD"	Block 2, Plan 8411174	15-Mar-2021
21/13	"Future Urban Development - FUD" to "Direct Control - DC"	Block 3, Plan 8411174	7-June-2021
21/17	"Residential Single-Detached - R-SD" to "Residential Small Lot - R-SL"	Lot 1, Block 6, Plan 8530FL within SE 31-18-14 W4M	7-Sept-2021
Updated Appendix B – Fees December 1, 2021			
22/03	Amendment to update the signage standards and to redefine existing regulations to align with industry practice, provide clarity and streamline the development permit process.		7-Feb-2022

Bylaw No.	Amendment Description	Legal Description	Passed
22/05	Add definition of "Kenneling" to Schedule 6 Addition of "Kenneling" to Industrial Light (I-L), Industrial General (I-G) and Industrial Heavy (I-H) as Discretionary Use to Schedule 2. Addition of Off-Street Parking Requirements for "Kenneling" to Schedule 3. Addition of "Kenneling" to Schedule 4.		19-Sept-2022
22/14	Amend Schedule 6 definition of “Kenneling”. Amend Schedule 4, Section 97.2(3) General Requirements. Amend Schedule 4, Section 97.3(1) Development Requirements.		5-Dec-2022
22/17	No Designation to “General Commercial (C-G)”	Portion of Centre Street within Plan 9512478 lying north of the easterly projection of the southern boundary of Lot 2, Block 3, Plan 9512478	16-Jan-2023
Update Appendix A Telecommunication Siting Protocol Application & Checklist Form			30-Jun-2023
23/13	“Residential Single-Detached (R-SD)” to “Direct Control (DC) Amend Direct Control district Section 8: Site Specific Direct Control Standards.	Block 2, Plan 841174	4-Jul-2023
Update Appendix B Fees			19-Jul-2023
23/15	“Commercial General (C-G)” to “Residential High Density (R-HD)”	Lot 4, Block 4 and Lot 4, Block 1, Plan 1711387	4-Dec-2023
23/17	“Directo Control (DC)” to “Commercial General (C-G)”	A portion of SW ¼ 3-19-14-W4M	5-Feb-2024
24/03	“Residential Single-Detached R-SD” to “Residential High Density (R-HD)	Lot 16, Block 13, Plan 0613077	**Defeated at 2nd Reading**
24/10	“Residential Low Density (R-LD)” to “Residential High Density (R-HD)”	Lots 22-23, Block 4, Plan 0712061	**Defeated at 2nd Reading**
24/12	“Residential Single-Detached R-SD” to “Residential High Density (R-HD)	Lots 18-23, Block 4, Plan 0712061	6-May-2024
24/16	Amend multi-unit residential development to expand the development options for secondary suites. Clarifying terms and definitions related to the residential districts and use specific criteria. Addition of new residential district for medium density development. Addition of definitions for Cluster Housing and Multiple Unit Residential Development.		17-Jun-2024
24/19	"Industrial Light (I-L)" to "Commercial General (C-G)"	Lot 4, Block 2, Plan 731352	15-Jul-2024

24/20	"Residential Low Density (R-LD)" to "Residential Medium Density (R-MD)"	Lots 11-28, Block 7, Plan 0511404 (216-250 17 Street E) Lots 2-28, Block 8, Plan 0511404 (304-356 17 Street E) Lots 12-17, Block 2, Plan 9610719 (11-21 Garrow Cres E) Lots 21-25, Block 2, Plan 9610719 (27-35 Garrow Cres E) Lots 6-7, Block 4, Plan 7386JK (31 Oak Ave W)	15-Jul-2024
24/25	Public Recreation and Open Space (P-OS) to Public and Quasi-Public Service (P-PS)	Lot 1, Block 12, Plan 0313610	21-Oct-2024
Update Appendix B – Fees			1-Nov-2024
24/32	Residential High Density (R-HD) to Commercial General (C-G)	Lot 1, Block 6, Plan 0512323	2-Dec-2024
25/08	Residential Single Detached (R-SD) to Residential Medium Density (R-MD)	Lot 1, Block 1, Plan 9512251	18-Feb-2025
25/11	Public Recreation and Open Space (P-OS) to Commercial General (C-G)	Portion of NE ¼-33-18-14-W4M	5-May-2025
25/19	“Direct Control (DC)” to “Commercial General (C-G)” and “Public Recreation and Open Space (P-OS)	Portion of SE ¼ 4-19-14-W4M	7-Jul-2025
25/21	“Residential Detached (R-SD)” to “Residential Low Density (R-LD)”	Lot 20, Block 4, Plan 4215JK	6-Oct-2025
25/22	“Public Recreation and Open Spaces (P-OS)” to “Public and Quasi-Public Service (P-PS)	Block 2, Plan 9311193	6-Oct-2025
Update Appendix B – Fees			1-Jan-2026
Update Appendix B - Fees			3-Feb-2026
26/004	To define the Subdivision Authority and redefine the Development Authority and its role in decision making by amending “Municipal Planning Commission” to “Development Authority”		23-Mar-2026
26/021	“Residential Single Detached (R-SD)” to “Residential Medium Density (R-MD)”	Lot 2, Block K, Plan 2511566	13-Apr-2026
26/022	“Future Urban Development (FUD)” to “Residential High Density (R-HD)”	Block Q, Plan 2342GO	13-Apr-2026
26/027	Addition of “Data Centre” to Schedule 2 as Discretionary Use in the Industrial Light (I-L), Industrial General (I-G), and Industrial Heavy (I-H) land use districts. Addition of “Business Support Services” as a Discretionary Use in the Commercial Central (C-C), Commercial General (C-G), Industrial Light (I-L), and Industrial General (I-G) land use districts. Addition of “Data Centre” and “Business Support Services” to Schedule 6 Definitions. Addition of “Data Centre” to Schedule 3, Section 73 Parking and Loading. Addition of “Data Centre” to Schedule 4.		25-May-2026

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Subdivision Authority Bylaw
Development Authority Bylaw
Subdivision and Development Appeal Board Bylaw

ADMINISTRATION

ADMINISTRATION

PART 1: PURPOSE AND APPLICATION

SECTION 1 TITLE

1.1 This bylaw may be cited as the “City of Brooks Land Use Bylaw.”

SECTION 2 PURPOSE

2.1 The purpose of this bylaw is to, amongst other things:

(a) divide the municipality into districts;

(b) prescribe and regulate the use(s) for each district and the intent and purpose for which land and buildings may be used;

(c) establish a method for making decisions on applications for development permits and issuing development permits for a development;

(d) provide the manner in which the notice of decision of a development permit is to be given; and

(e) implement the City of Brooks Municipal Development Plan and other statutory plans of the municipality that exist or may be developed.

SECTION 3 EFFECTIVE DATE

3.1 This bylaw shall come into effect upon third and final reading thereof.

SECTION 4 REPEAL OF FORMER BYLAW

4.1 City of Brooks Land Use Bylaw No. 03/30 and amendments thereto are hereby repealed.

SECTION 5 SEVERABILITY

5.1 If any provision of this bylaw is held to be invalid by a decision of a court of competent jurisdiction, that decision will not affect the validity of the remaining portions.

SECTION 6 APPLICABILITY

6.1 This bylaw shall apply to the entire City of Brooks, being all lands contained within its corporate boundaries.

6.2 Unless exempt from this bylaw, development shall not commence unless the applicant has been issued a development permit pursuant to this bylaw.

SECTION 7 COMPLIANCE WITH OTHER LEGISLATION

7.1 Compliance with the requirements of this bylaw does not exempt any person undertaking a development from complying with all applicable municipal, provincial or federal legislation, and respecting any easements, covenants, agreements or other contracts affecting the land or the development.

SECTION 8 RULES OF INTERPRETATION

8.1 Unless otherwise required by the context, words used in the present tense include the future tense, words used in the singular include the plural, and the word person includes a corporation as well as an individual. The *Alberta Interpretation Act, Chapter I-8, RSA 2000,* as amended from time to time, shall be used in the interpretation of this bylaw.

8.2 Words have the same meaning whether they are capitalized or not.

8.3 The written regulations of this bylaw take precedence over any graphic or diagram if there is a perceived conflict.

8.4 The Land Use Districts Map takes precedence over any graphic or diagram in the district regulations if there is a perceived conflict.

8.5 All references to engineering requirements shall be prepared by an engineer registered with the Association of Professional Engineers and Geoscientists of Alberta (APEGA).

SECTION 9 MEASUREMENTS AND STANDARDS

9.1 All units of measure contained within this bylaw are expressed in metric form, with equivalent imperial measure given in parenthesis. Should there be a discrepancy between the metric and imperial units, the metric version shall prevail.

SECTION 10 DEFINITIONS

10.1 Refer to Schedule 6, Definitions.

SECTION 11 FORMS AND FEES

11.1 For the purposes of administering the provisions of this bylaw, Council may authorize by separate resolution or bylaw as may be applicable, the preparation and use of such fee schedules, forms or notices as in its discretion it may deem necessary. Any such fee schedules, forms or notices are deemed to have the full force and effect of this bylaw in execution of the purpose for which they are designed, authorized and issued. Application forms and notices are included in Appendix A. Fees are included in Appendix B.

11.2 The application fee is non-refundable once the application is deemed complete.

11.3 Refund of application fees requires approval of the City Council.

11.4 In any case, where the required fee is not included in Appendix B “Fees”, such fee shall be determined by the Development Officer or other Approving Authority as assigned by Council and shall be consistent with those fees listed in the Appendix for similar developments.

11.5 If development is commenced without a valid development permit, an additional fee in the amount prescribed in Appendix B "Fees" shall be payable upon application for the development permit.

SECTION 12 APPENDICES

12.1 Appendices attached hereto are for information purposes only and may be amended from time to time as they do not form part of the City of Brooks Land Use Bylaw.

PART 2: APPROVING AUTHORITIES

SECTION 13 DEVELOPMENT AUTHORITY

13.1 The Development Authority is established in accordance with the Development Authority Bylaw and amendments thereto and consists of:

(a) the Development Officer as a Designated Officer authorized by Council in accordance with section 210 of the *Municipal Government Act (MGA)*, while carrying out municipal functions or duties under the Development Authority Bylaw where applicable by resolution of Council and the *MGA*; and

(b) Council in Direct Control Districts, unless authority has been specifically delegated by bylaw or resolution to a Designated Officer.

13.2 In the absence of the Development Officer, the following are authorized to act in the capacity of Development Officer:

(a) Chief Administrative Officer, or

(b) a designate(s) in accordance with the *MGA.*

SECTION 14 DEVELOPMENT OFFICER – POWERS AND DUTIES

14.1 The Development Officer is a Designated Officer and is an authorized person in accordance with sections 210 of the *MGA* and the Development Authority Bylaw included in Appendix C.

14.2 The position of Development Officer is hereby established and Council shall, by resolution, appoint one or more Development Officers.

14.3 The Development Officer:

(a) shall receive all development applications and shall review each application to ensure that it is complete in accordance with the requirements of this bylaw and the *MGA*;

(b) shall collect the fees payable for each development permit application in accordance with Appendix B "Fees" which has been established by resolution of Council;

(c) may require a development permit applicant to supply information other than prescribed in this bylaw if such information is deemed to be necessary for consideration of the development application;

(d) shall not process a development application until it is deemed complete and the Development Officer is satisfied that all requirements have been met;

(e) may, as a condition of issuing a development permit, require the applicant to provide security in the form of a certified cheque, irrevocable Letter of Credit or other security acceptable to the Development Officer, to ensure the terms and conditions attached to the development permit are carried out;

(f) shall consider and decide upon applications for development permits as described in this bylaw and the *MGA*, except as provided in subsections (g);

(g) shall refer all development permit applications in a Direct Control district to Council for a decision, unless Council has specifically delegated approving authority to the Development Officer, or another Designated Officer;

(h) shall keep and maintain, for the inspection of the general public, a copy of this bylaw including all amendments, and shall ensure that copies of the same are available to the general public on the City of Brooks official website;

(i) shall keep on file and make available for inspection by the general public all completed applications for development permits, including the decisions thereon; and

(j) shall perform any other powers and duties as are specified in this bylaw, the Development Authority Bylaw, the MGA or by resolution of Council.

SECTION 15 SUBDIVISION AUTHORITY

15.1 Pursuant to section 623 of the *MGA*, the Subdivision Authority is authorized to make decisions on applications for subdivisions pursuant to the Subdivision Authority Bylaw, and may exercise only such powers and duties as are specified:

(a) in the municipality's Subdivision Authority Bylaw,

(b) in this bylaw, or

(c) by resolution of Council.

15.2 The Subdivision Authority may delegate, through any of the methods described in Section 15.1, to any individual, municipal staff, or a regional services commission, any of its required functions or duties in the processing of subdivision applications. In respect of this:

(a) the delegation of duties by the Subdivision Authority may include the authorized entity being responsible for determining the completeness of a submitted subdivision application;

(b) the Subdivision Authority delegate is authorized to carry out the application process with subdivision applicants as described in the Subdivision Application Rules and Procedures section of the bylaw, including the task of sending all required notifications to applicants as stipulated.

SECTION 16 SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)

16.1 The powers, duties and responsibilities of the Subdivision and Development Appeal Board with respect to this bylaw are those established in the Subdivision and Development Appeal Board Bylaw included in Appendix C.

16.2 The Subdivision and Development Appeal Board shall consider and decide upon appeals concerning subdivision and development decisions and stop orders which have been properly lodged in accordance with this bylaw and the *MGA*.

SECTION 17 COUNCIL

17.1 Council shall be responsible for considering and deciding upon development permit applications within any Direct Control district, except where the decision making authority has been delegated to the Development Officer.

17.2 Council shall be responsible for considering and deciding upon subdivision applications within any Direct Control district, except where the decision making authority has been delegated to the Development Officer.

17.3 Council shall be responsible for considering and deciding upon requests for time extensions on subdivision approvals in accordance with section 657 of the *MGA*.

PART 3: PRIMARY REQUIREMENTS OF DEVELOPMENT AND SUBDIVISION

SECTION 18 ESTABLISHMENT OF LAND USE DISTRICTS

18.1 In accordance with section 640 of the *MGA*, all land within the City of Brooks is herein divided into land use districts.

18.2 The boundaries of the districts are delineated on the Land Use Districts Map contained in Schedule 1 of this bylaw.

18.3 The one or more uses of land or buildings that are:

(a) permitted uses in each district, with or without conditions; or

(b) discretionary uses in each district, with or without conditions; or both

are described in Schedule 2.

18.4 A land use that is not listed as a permitted or discretionary use but which is reasonably similar in character and purpose to a permitted or discretionary use in that district may be deemed a similar use by the Development Authority in accordance with Section 34 (Similar and Prohibited Uses).

18.5 A land use not listed as a permitted or discretionary use or not deemed a similar use in a district is a prohibited use and shall be refused.

18.6 Should any perceived error exist on the Land Use Districts Map relating to the assigning of a land use district to a specific lot or portion of the City, corrective action regarding the perceived error shall be decided upon by resolution of Council or if Council has designated such decision making authority to a Designated Officer.

SECTION 19 USE OF LAND

19.1 A person who develops land or a building in the City of Brooks shall comply with the requirements of this bylaw including all conditions attached to a development permit, if one is required, and all other applicable federal, provincial and municipal requirements.

SECTION 20 SUITABILITY OF SITES

20.1 Notwithstanding that a use of land may be permitted or discretionary or considered similar in nature to a permitted or discretionary use in a land use district, the Development Authority or Subdivision Authority as applicable, may refuse to issue a development permit or approve a subdivision or if the Development Authority or Subdivision Authority is made aware of, or if in their opinion, the site of the proposed building or use:

(a) does not have safe legal and physical access to a maintained road in accordance with the Land Use Bylaw, other municipal requirements, or those of Alberta Transportation if within 300 m (984 ft.) of a provincial highway or 800 m (2,625 ft.) from the centre point of an intersection of a controlled highway and a public road;

(b) creates a situation where vehicular and non-vehicular traffic safety is negatively impacted;

(c) has a high water table, drainage/stormwater issues or soil conditions which make the site unsuitable for development or subdivision;

(d) is situated on an unstable slope;

(e) consists of unconsolidated material unsuitable for building;

(f) does not comply with the requirements of the South Saskatchewan Regional Plan, Subdivision and Development Regulation or any other applicable Statutory Plans;

(g) is situated over an active or abandoned coal mine or oil or gas well or pipeline;

(h) is unsafe due to contamination by previous land uses;

(i) does not meet the minimum setback requirements from a sour gas well or bulk ammonia storage facility;

(j) does not have adequate water and sewer provisions;

(k) cannot adequately contain or convey stormwater runoff;

(l) does not meet the lot size and/or setback requirements or any other applicable standards or requirements, unless a variance has been granted in accordance with the City of Brooks Land Use Bylaw; and

(m) is subject to an easement, caveat, restrictive covenant or other registered encumbrance which makes it impossible to build on the site.

20.2 Nothing in this section shall prevent the Development Officer, from issuing a development permit or the Subdivision Authority approving a subdivision if the Development Officer or Subdivision Authority is satisfied that there is no risk to persons or property or that these concerns will be met by appropriate engineering measures or other mitigating measures and approvals from provincial and/or federal agencies have been obtained, as applicable.

SECTION 21 NUMBER OF DWELLING UNITS ON A LOT

21.1 No person shall construct or locate, or cause to be constructed or located, more than one dwelling unit on a lot except when permitted by the land use district or unless authorized by the Development Authority through the issuance of a development permit.

SECTION 22 REMOVAL, REPLACEMENT AND PLACEMENT OF BUILDINGS

22.1 Any application for removal or replacing or placing a building on a site is subject to all conditions and regulations specified under the appropriate district and, in addition, the Development Authority may require:

(a) recent colour photographs of the structure;

(b) written confirmation by a licensed professional that the building meets the requirements of the *Alberta Safety Codes Act* or, if it does not, the manner in which the building will be brought up to these standards within the time limit established by the Development Authority;

(c) the applicant to pay for the costs of an inspection by an authorized municipal official prior to moving the building.

22.2 The standards that the building must meet shall be established by the Development Authority at the time of the approval of the development permit application and shall form part of the conditions of the development permit.

22.3 All renovations to a building that has been moved to and placed on a site shall be completed within twelve (12) months of the date of the development permit. A final inspection to verify compliance with any condition outlined in the development permit shall be conducted by an authorized municipal official.

22.4 The setbacks shall be as prescribed in this bylaw or as authorized in accordance with the variances that may be granted by the Development Authority in accordance with Section 36 of the Administrative Section of this bylaw.

SECTION 23 NON-CONFORMING BUILDINGS AND USES

23.1 If a development permit has been issued on or before the day on which this bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw, pursuant to section 643 of the *MGA*.

23.2 A non-conforming use of land or a building may be continued but, if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform to the Land Use Bylaw then in effect, pursuant to section 643 of the *MGA*.

23.3 A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations shall be made to it or in it, pursuant to section 643 of the *MGA*.

23.4 A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues, pursuant to section 643 of the *MGA*.

23.5 A non-conforming building, pursuant to section 643 of the *MGA*, may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:

(a) to make it a conforming building;

(b) for routine maintenance of the building, if the Development Authority considers it necessary; or

(c) in accordance with a Land Use Bylaw that provides minor variance powers to the Development Authority for the purposes of this section.

23.6 If a non-conforming building is damaged or destroyed by 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.

23.7 The land use or the use of a building is not affected by a change of ownership or tenancy of the land or building.

SECTION 24 NON-CONFORMING LOT SIZES

24.1 Development on an existing registered lot that does not conform with the minimum requirements for lot length, width or area specified in the applicable land use district as per this bylaw, may be permitted at the discretion of the Development Authority.

24.2 The Development Officer is authorized to approve development on existing registered lots that do not conform to the requirements for lot length, width or area specified in the applicable land use district as per this bylaw, if a variance was issued as a part of the subdivision of the lot.

SECTION 25 NON-CONFORMING LOT VARIANCES

25.1 Where a proposed lot contains different dimensions than those prescribed within the land use district in effect, or will result in an existing or future building not conforming with the height or setback requirements prescribed within the district in effect, a variance may be approved where, in the opinion of the Development Officer the noncompliance with the district regulations is:

(a) minor in nature;

(b) consistent with the general character of the area; and

(c) does not interfere with the use, enjoyment or value of the neighbouring properties.

SECTION 26 DEVELOPMENT AGREEMENTS

26.1 The Development Authority may require, with respect to a development that as a condition of issuing a development permit, the applicant enter into an agreement with the municipality, pursuant to section 650(1) of the *MGA*, to do any or all of the following:

(a) to construct or pay for the construction of a road required to give access to the development;

(b) to construct or pay for the construction of a pedestrian walkway system to serve the development and/or connect with existing or proposed pedestrian walkway systems that serve adjacent development;

(c) to install or pay for the installation of public utilities, other than telecommunication systems or works, that are necessary to serve the development;

(d) to construct or pay for the construction of off-street, or other parking facilities and/or loading and unloading facilities;

(e) to pay an off-site levy or redevelopment levy;

(f) to give security to ensure that the terms of the agreement under this section are carried out.

26.2 The Subdivision Authority may require, with respect to a subdivision, that as a condition of issuing an approval for a subdivision, the applicant enter into an agreement with the municipality, pursuant to section 655(1)(b) of the *MGA*.

26.3 An agreement referred to in this section may require the applicant for a development permit or subdivision approval to oversize improvements in accordance with section 651 of the *MGA*.

26.4 A municipality may register a caveat under the *Alberta Land Titles Act* with respect to an agreement under this section against the Certificate of Title for the land that is the subject of the development, or for the parcel of land that is the subject of the subdivision.

26.5 If a municipality registers a caveat under this section, the municipality must discharge the caveat when the agreement has been complied with.

26.6 As a condition of subdivision approval, all agreements may be registered concurrently by caveat onto individual lots created.

26.7 The Developer shall be responsible for and within 30 days of the presentation of an account, pay to the City of Brooks all legal and engineering costs, fees, expenses and disbursements incurred by the City through its solicitors and engineers for all services rendered in connection with the preparation, fulfilment, execution and enforcement of the agreement.

PART 4: DEVELOPMENT PERMIT RULES AND PROCEDURES

SECTION 27 DEVELOPMENT PERMIT

27.1 Except as otherwise provided for in Section 28 (Development Not Requiring a Development Permit), no person shall commence development unless they have been issued a development permit in respect of the development in accordance with the terms and/or conditions of a development permit pursuant to this bylaw.

27.2 In addition to meeting the requirements of this bylaw, it is the responsibility of the applicant to ascertain, obtain and comply with all other approvals and licenses that may be required by other federal, provincial or municipal regulatory departments or agencies.

SECTION 28 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

28.1 If a variance to any measurable standard in this bylaw is required, this section does not apply and a development permit is required.

28.2 This section does not negate the requirement of obtaining all required permits, as applicable, under the *Alberta Safety Codes Act* and any other provincial or federal statute.

28.3 The following shall not require a development permit, provided that the proposed development complies with the applicable provisions of this bylaw:

(a) accessory buildings up to 10 m^2 in residential districts, provided they meet all other requirements as set forth in this bylaw;

(b) accessory buildings up to 60 m^2 in all other districts, provided they meet all other requirements as set forth in Schedules 2 to 4 of this bylaw;

(c) interior or exterior renovations to a building which do not:

- Create another dwelling unit;
- Increase parking requirements;
- Result in the change of use of a building; or
- Increase the square footage (increase density).

(d) the temporary use of all or part of a building for a polling station, returning officer's headquarters, campaign office or any other use directly related to a federal, provincial, municipal or school election, or a referendum, plebiscite or census;

(e) the construction and maintenance of gates, fences, walls or other means of enclosure that meet the requirements of this bylaw;

(f) the landscaping of a parcel that shall not have proposed grades which would adversely impact the site or adjacent property and which is not a requirement of another development permit;

(g) temporary buildings used in the construction or alteration of a building for which a permit has been issued under this bylaw, provided the temporary building is not used as a dwelling and provided the building(s) is removed within one (1) month of completion of construction of the building for which the permit has been issued;

(h) the placement of no more than one shipping container used in the construction or alteration of a building for which a permit has been issued under this bylaw, provided the shipping container is not used as a dwelling and provided the shipping container is removed immediately upon completion of construction of the building for which the permit has been issued;

(i) the construction, maintenance and repair of public works, services and utilities carried by or on behalf of federal, provincial or municipal public authorities on land which is publicly owned or controlled;

(j) the construction of a balcony, patio, uncovered deck or landing that meets the requirements of this bylaw;

(k) the installation of swimming pools and hot tubs with a depth of up to 600 mm;

(l) any sign that does not require a permit as per Schedule 5 of this bylaw;

(m) grading, excavating, stripping and/or stockpiling of land, when such operations are performed in accordance with a valid Development Agreement, but where a valid Development Agreement does not exist, an application for a development permit must be made; or

(n) any mobile vendor if:

(i) they are part of a special event or seasonal sale hosted by a non-profit or community organization; or

(ii) the area of a stand or structure, and any other materials used for service or retail purposes can fit within an area of 4.6 m^2 (50 ft^2).

28.4 The following developments shall not require a development permit:

(a) any use or development exempted under section 618(1) of the *MGA*;

(b) any use or development exempted by the Lieutenant Governor in Council pursuant to section 618(4) of the *MGA*;

(c) telecommunication antenna systems that are regulated by Innovation, Science and Economic Development (ISED) Canada, subject to the Telecommunication Antenna Siting Protocol in Appendix A;

(d) the completion of a building which was lawfully under construction at the date this bylaw came into force, provided that the building is completed in accordance with the terms and conditions of any development permit granted; and

(e) the completion of a building that did not require a development permit under the previous Land Use Bylaw and which was lawfully under construction provided, the building is completed within twelve (12) months from the date of this bylaw coming into force.

SECTION 29 DEVELOPMENT PERMIT APPLICATIONS

29.1 Except as provided in Section 28 (Development Not Requiring a Development Permit) no person shall commence a development unless he/she has been issued a development permit in respect of the proposed development.

29.2 Development permit applications shall be made only by the registered owner of the land on which the development is proposed. An application may be made by a person who is not the registered owner of the land only with written consent of the registered owner. The Development Officer may request a current title documenting ownership and copies of any registered encumbrance, lien or interest registered on title.

29.3 An application for a development permit shall be made by submitting to the Development Officer the following, which must be of a quality adequate to properly evaluate the application:

(a) a completed application form with the required fee;

(b) a description of the proposed development, including a statement of the intended use of all land, buildings, and finishes to be used;

(c) a site plan and building plans drawn to scale showing:

(i) legal description and municipal address of subject property;

(ii) north arrow and accurate orientation of all proposed development;

(iii) land use district;

(iv) adjacent roadways and lanes;

(v) lot dimensions, lot area, and percentage of lot coverage for all buildings and/or structures;

(vi) the location of any and all abandoned wells, and if abandoned wells are present, a legal Alberta Land survey showing the actual well location(s) in relation to property lines and existing and/or proposed buildings;

(vii) any existing or proposed buildings/structures with all foundation dimensions and projections including decks;

(viii) the dimensions of all front, side and rear yard setbacks;

(ix) separation distance between all buildings/structures;

(x) location of lot access, existing sidewalk(s) and curbs;

(xi) number and location of parking spaces;

(xii) location of any registered utility right of ways and easements; and

(xiii) a floor plan and elevation plans for the buildings to be constructed including front, sides and rear elevations, building height (from finished grade) and roof pitch;

(d) in the cases where the proposed development is for commercial, industrial, institutional or multiple residential dwelling developments on one or more lots, the following additional information is required:

(i) landscaping plan;

(ii) lighting plan;

(iii) location of amenity space;

(iv) location of fire hydrant, streetlight, power/telephone/cable pedestal(s) located within property frontage;

(v) proposed lot grading plan and on-site drainage information;

(vi) location of signage, fencing, storage areas and garbage receptacles;

(vii) location of all existing buildings and/or structures, roads, water bodies and other physical features of the land and all adjacent properties;

(viii) Engineering studies prepared and sealed by a professional engineer in good standing with the Association of Professional Engineers and Geoscientists of Alberta (APEGA), including but not limited to:

a. Geotechnical Report ensuring that the site is suitable in terms of topography, soil characteristics, flooding, subsidence, slope stability and erosion control measures;

b. Site Servicing Study which looks at the availability of infrastructure to service the site including adequate water, and sanitary sewer capacities;

c. Storm Water Management Study which looks at the existing site storm runoff and using current Alberta Environment policies, provides a storm water management system to restrict both quantity and quality to pre-development rates without affecting neighbouring properties; and

d. Traffic Impact Assessment which considers the potential impacts to public roads and options available to address any impacts that would create issues relating to road capacities, levels of service and vehicular/non-vehicular traffic safety;

(e) in cases where architectural controls are in place and applicable to the parcel or unit in question, a copy of the architectural controls approval;

(f) a current copy of the Certificate of Title showing ownerships and encumbrances; and

(g) any other information deemed necessary by the Development Authority to adequately process the application.

29.4 The Development Authority may accept an application and make a decision thereon without all of the above information if, at the discretion of the Development Authority, the nature of the development is such that a decision on the application would not:

(a) unduly interfere with the amenities of the neighbourhood; or

(b) materially interfere with or affect the use, enjoyment or value of the neighbouring parcels of land; and

(c) the proposed development must conform with the use prescribed for that land or building in this bylaw.

SECTION 30 DETERMINATION OF COMPLETE DEVELOPMENT PERMIT APPLICATION

30.1 A Development Officer shall, within 20 days after the receipt of an application in accordance with Section 29 (Development Permit Applications) for a development permit, determine whether the application is complete for processing.

30.2 An application is complete if, in the opinion of the Development Officer, the application contains the documents and other information necessary to review the application.

30.3 The 20-day time period referred to in Section 30.1 may be extended by an agreement in writing between the applicant and the Development Officer, which would extend the time to deem the application complete for processing.

30.4 If the Development Officer does not make a determination referred to in Section 30.1 within the time required under Section 30.1 or 30.3, the application is complete for processing.

30.5 If a Development Officer determines that the application is complete, the Development Officer shall issue to the applicant a written notice acknowledging that the application is complete, delivered by hand, mail or electronic means.

30.6 If the Development Officer determines that the application is incomplete, the Development Officer shall issue to the applicant a written notice indicating that the application is incomplete, which specifies:

(a) the outstanding documents and information to be provided, including but not limited to those required by Section 29 (Development Permit Applications), and

(b) a submission deadline.

A later submission date may be agreed upon by the applicant and the Development Officer in order for the application to be considered complete.

30.7 If the Development Officer determines that the information and documents submitted under Section 30.6 are complete, the Development Officer shall issue to the applicant a written notice acknowledging that the application is complete for processing, delivered by hand, mail or electronic means.

30.8 If the required documents and information under Section 30.6 have not been submitted within the timeframe prescribed in the notice issued under Section 30.6, the Development Officer shall return the application to the applicant accompanied by a written notice of refusal stating the application is deemed refused and the reasons for refusal.

30.9 In the course of reviewing the application, the Development Officer may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application, even if a notice has been issued under Section 30.5 or 30.7.

SECTION 31 PERMITTED USE APPLICATIONS

31.1 Upon receipt of a complete application for a development permit for a permitted use that conforms with this bylaw, the Development Officer shall approve a development permit with or without conditions, including the provision of a development agreement pursuant to the *MGA*.

31.2 Upon receipt of a complete application for a permitted use that requests a variance the Development Officer shall refer to Administration Section 35 (Variance to Bylaw Provisions).

31.3 The Development Authority may place any of the following conditions on a development permit for a permitted use:

(a) require the applicant to enter into a development agreement pursuant to the *MGA*, as prescribed in this bylaw;

(b) the provision of security in the form of a certified cheque, irrevocable Letter of Credit or other security acceptable to the Development Authority;

(c) alteration of a structure or building size or location to ensure any setback requirements of this bylaw or the Subdivision and Development Regulation can be met;

(d) time periods stipulating completion of development;

(e) easements and/or encroachment agreements required as a result of the development;

(f) an increased setback to any minimum required setback if determined to be necessary where an adjacent use may be considered to be otherwise negatively impacted, and the increased setback would serve to improve the suitability of the proposed use at the subject location, with consideration for the local context;

(g) the property owner/developer is to repair or reinstate, or pay for the repair or reinstatement to original condition, of any City owned infrastructure, including but not limited to, street furniture, curbing, sidewalk, boulevard landscaping and tree planting that may be damaged or destroyed or otherwise harmed by development or/and building operations upon the site. All repair and reinstatement work must be completed by a City approved contractor. The property owner/developer must notify the City if they are going to have to destroy or replace any City owned infrastructure;

(h) provision of vehicular and pedestrian access and public utilities other than telecommunication systems or works;

(i) obtain any other approval, permit, authorization, consent or license that may be required to develop or service the affected land;

(j) requirement of a lot or construction stakeout conducted by an approved surveyor or agent;

(k) any measure required to ensure compliance with applicable federal, provincial and/or municipal legislation and approvals; and

(l) any other conditions necessary to ensure compliance with this bylaw and any other statutory plans brought into force by the City of Brooks.

SECTION 32 DISCRETIONARY USE APPLICATIONS

32.1 Upon receipt of a completed application under Section 30, the Development Authority shall as required in this bylaw, notify the owners of the land likely to be affected by the issue of a development permit in accordance with Section 37 (Notification of Adjacent Landowners and Persons Likely to be Affected).

32.2 The Development Authority may place any of the following conditions on a development permit for a discretionary use:

(a) require the applicant to enter into a development agreement pursuant to the *MGA*, as prescribed in this bylaw;

(b) the provision of security in the form of a certified cheque, irrevocable Letter of Credit or other security acceptable to the Development Authority;

(c) alteration of a structure or building size or location to ensure any setback requirements of this bylaw or the Subdivision and Development Regulation can be met;

(d) time periods stipulating completion of development;

(e) easements and/or encroachment agreements required as a result of the development;

(f) the application of an increased setback to any minimum required setback if determined to be necessary where an adjacent use may be considered to be otherwise negatively impacted, and the increased setback would serve to improve the suitability of the proposed use at the subject location, with consideration for the local context;

(g) the property owner/developer is to repair or reinstate, or pay for the repair or reinstatement to original condition, of any City owned infrastructure, including but not limited to, street furniture, curbing, sidewalk, boulevard landscaping and tree planting that may be damaged or destroyed or otherwise harmed by development or/and building operations upon the site. All repair and reinstatement work must be completed by a City approved contractor. The property owner/developer must notify the City if they are going to have to destroy or replace any City owned infrastructure;

(h) provision of vehicular and pedestrian access and public utilities other than telecommunication systems or works;

(i) obtain any other approval, permit, authorization, consent or license that may be required to develop or service the affected land;

(j) requirement of a lot or construction stakeout conducted by approved surveyor or agent;

(k) any measure required to ensure compliance with applicable federal, provincial and/or municipal legislation and approvals; and

(l) any other conditions necessary to ensure compliance with this bylaw and any other statutory plans brought into force by the City of Brooks.

32.3 After considering any response to the notifications to owners likely to be affected by the development and, as applicable, any comment received at a development hearing, the Development Authority may issue a development permit with or without conditions, or may refuse to issue a development permit stating the reasons.

SECTION 33 DIRECT CONTROL DISTRICT APPLICATIONS

33.1 Upon receipt of a complete application for a development permit in a Direct Control District, the Development Officer:

(a) shall refer the application to Council for a decision, except where the decision making authority has been delegated to the Development Authority; and

(b) may notify adjacent landowners and other persons likely to be affected in accordance with Section 37 (Notification of Adjacent Landowners and Persons Likely to be Affected) if directed by Council.

33.2 After considering any response to notifications issued under Section 37 (Notification of Adjacent Landowners and Persons Likely to be Affected), Council or the delegated decision making authority may:

(a) approve a development permit with or without conditions; or

(b) refuse to approve the development permit, stating reasons.

33.3 In accordance with section 641(4)(a) of the *MGA*, there is no appeal to the Subdivision and Development Appeal Board for a decision on an application for a development permit in a Direct Control District if the decision is a Council decision.

SECTION 34 SIMILAR AND PROHIBITED USES

34.1 Where a use is applied for which is not specifically considered in any land use district or defined elsewhere in the Land Use Bylaw, but is similar in character and purpose to another use that is permitted or discretionary in the land use district in which such use is proposed, the Development Authority shall determine and make a ruling on the proposed use as to its similarity to a permitted or discretionary use in the district.

34.2 If the use is no deemed similar to a permitted or discretionary use listed in the land use district in which it is proposed, the development permit shall be refused.

34.3 If the use is deemed similar, the proposed use shall be reviewed by the Development Authority who after notifying adjacent landowners and other persons likely to be affected in accordance with Section 37 (Notification of Adjacent Landowners and Persons Likely to be Affected) and will render a decision on the application.

34.4 Given the above, if the application is approved by the Development Authority, a development permit shall be issued in accordance with Section 38 (Notice of Decision).

34.5 Where a use is not listed in a land use district as either discretionary or permitted and is not deemed similar in nature in accordance with Section 34.1, then that use is prohibited.

SECTION 35 VARIANCE TO BYLAW PROVISIONS

35.1 In accordance with section 640(6) of the *MGA*, the Development Officer may approve, with or without conditions, a development permit even though 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 parcels of land; and

(b) the proposed development conforms with the use prescribed for that land or building in this bylaw.

35.2 Upon receipt of a completed application for a development permit for a permitted or discretionary use that requests an unlimited variance to any measurable standards of this bylaw, the Development Officer may grant the variance and issue the development permit with or without conditions if, in the opinion of the Development Officer, the variance would meet the requirements of the *MGA* as outlined in Section 35.1(a) and (b).

35.3 Upon receipt of a completed application for a development permit for a permitted or discretionary use that requires a variance to required number of parking stalls, the Development Officer may grant a variance no greater than 50% of the minimum required off-street parking and issue the development permit with or without conditions, if in the opinion of the Development Officer, the variance would meet the requirements of the MGA as outlined in Section 35.1(a) and (b).

35.4 Upon receipt of a completed application for a permitted or a discretionary use that requests a variance, the Development Officer shall notify adjacent landowners and persons likely to be affected in accordance with Administration Section 37 (Notification of Adjacent Landowners and Persons Likely to be Affected) where:

(a) a required variance for parking exceeds 25% of the minimum required off-street parking standard; or

(b) a required variance exceeds 50% to any measurable standard for new development.

SECTION 36 LIMITATIONS ON VARIANCE PROVISIONS

36.1 In approving an application for a development permit, the Development Officer shall adhere to the general purpose and intent of the appropriate land use district, Administration Section 25, and to the following:

(a) a variance for the purposes of having existing buildings and structures comply with the requirements of this bylaw shall be considered in the context of the neighbourhood, adjacent uses and the impacts to neighbouring properties;

(b) a variance of measurable standards of the bylaw shall be considered in cases of unnecessary hardship or practical difficulties to the use, character, or situation of land or buildings which are not generally common to other land or buildings in the same land use district;

(c) where a variance is considered that will reduce the setback from any road as defined in the *MGA*, the Development Authority shall consider all future road construction needs of the municipality as well as the transportation requirements of the parcel(s) or lot(s) affected.

36.2 Despite Section 35, the Development Officer shall not grant a variance for the following:

(a) density regulations;

(b) distances and requirements of the Subdivision and Development Regulations;

(c) any applicable standard of the land use bylaw, if a section or policy specifically states that the standard is not to be waived or varied; or

(d) requirements of any local, provincial or national building or construction standards.

SECTION 37 NOTIFICATION OF ADJACENT LANDOWNERS AND PERSONS LIKELY TO BE AFFECTED

37.1 Where notification of adjacent landowners and persons likely to be affected is required as set forth in sections 606, 606.1 and 640 of the *MGA* and have been determined to be required by the Development Authority or Council, the Development Officer shall, at least five (5) days, excluding weekends and holidays, preceding the date of consideration by the Development Authority or Council:

(a) provide notice of the complete application to the applicant in writing by mail or email;

(b) provide notice of the application to landowners within 100 m (328.1 ft) of the subject parcel and persons likely to be affected by undertaking the preferred method of:

(i) mailing or hand delivering the notice;

or, if the preferred method is not practicable, as determined by the Development Officer, by undertaking any one or more of the following:

(ii) placing a notice on any other form of digital media that is accessible by adjacent landowners and persons likely to be affected; or

(iii) placing a notice on the property in a location where the notice is visible and readable from a public right-of-way; and, if deemed necessary; or

(iv) placing a notice on the City's website; and/or

(v) placing an advertisement in a newspaper circulating within the City.

37.2 Notification shall be provided to the County of Newell if the development permit application is identified within the County of Newell and City of Brooks Intermunicipal Development Plan.

37.3 Notification shall be provided to any other persons, government departments or referral agencies that are deemed by the Development Authority to be affected.

37.4 In all cases, the notification shall:

(a) describe the nature and location of the use;

(b) state the time and place where the Development Authority will meet to consider the application and indicate how and when written or oral submission on the application will be received and considered;

(c) specify the location at which the development permit application can be inspected;

(d) in the instance of mailing of the notice, be deemed received seven (7) days from mailing the notice; and

(e) in the instance of the notice being placed in a newspaper, be deemed received on the date of publication of the newspaper.

SECTION 38 NOTICE OF DECISION

38.1 Upon the decision of all development permit applications, the Development Officer shall:

(a) mail, email or hand deliver a written notice of decision to the applicant; and

(b) mail, email or hand deliver a written notice of decision to adjacent landowners and persons likely to be affected; and

(c) to any persons likely to be affected by or appeal the decision of the Development Authority by:

(i) posting a notice prominently on the City of Brooks official website or official social media site(s), or

(ii) mailing a notice (postal service or electronic mail), or

(iii) posting a notice conspicuously on the property for which the application has been made, or

(iv) placing a notice in a newspaper circulating in the City of Brooks, or

(v) or any combination thereof.

38.2 The Development Officer will give (hand deliver) or send a copy (postal service or electronic mail) of the written decision, which specifies the date on which the decision was given, to the applicant on the same day the decision is given.

38.3 For the purposes of Section 38.2, the "date on which the decision was given" means:

(a) the date that the Development Officer signs the notice of decision or development permit, or

(b) the date the decision is posted in the newspaper circulating in the City of Brooks, or

(c) the date the decision is posted on the City of Brooks official website or official social media site(s),

whichever occurs later.

SECTION 39 FAILURE TO MAKE A DECISION

39.1 In accordance with section 684 of the *MGA*, if the Development Authority has not made a decision within 40 days of receipt of an application being deemed complete under Section 30 (Determination of Complete Development Permit Application), the development permit application may be deemed to be refused and may be appealed by the applicant.

39.2 The Development Authority and the applicant must enter into a written agreement prior to the expiration of the 40-day time period to extend the period referred to in Section 39.1.

39.3 Section 39.1 does not apply in the case of a development application deemed to be refused under Section 30 (Determination of Complete Development Permit Application).

SECTION 40 COMMENCEMENT OF DEVELOPMENT

40.1 Even though a development permit has been issued, development shall not commence until 21 days from the date of the notice of decision is given as per section 686(1) of the *MGA.*

40.2 Development permits issued that have been appealed, no development shall commence until the appeal is decided upon.

SECTION 41 DEVELOPMENT PERMIT VALIDITY

41.1 Unless a development permit is suspended or cancelled, the development must be commenced or carried out with reasonable diligence in the opinion of the Development Authority within 12 months from the date of issuance of the permit, otherwise the permit is void, notwithstanding an extension approved by the Development Authority prior to the 12 month period concluding.

41.2 An application to extend the validity of a development permit may be made at any time prior to the expiration of the approved permit. The application to extend the validity of a development permit is at the discretion of the Development Authority.

41.3 When any discretionary use has been discontinued for a period of six (6) months or more, any development permit that may have been issued is no longer valid and the use may not be recommenced until a new application for a development permit has been submitted, reviewed and a new development permit issued.

41.4 The Development Officer may attach a condition to a permit approval to limit the time frame that any development permit is valid for. If a time limit is applied to a development permit, the following conditions may also be applied:

(a) the applicant or developer is liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period;

(b) the applicant may be required to submit an irrevocable Letter of Credit, performance bond or other acceptable form of security guaranteeing the cessation or removal of the non-permanent use; and

(c) any other conditions as deemed necessary.

SECTION 42 TRANSFERABILITY OF DEVELOPMENT PERMIT

42.1 A valid development permit is transferable when the use remains unchanged and the development is affected only by a change in ownership, tenancy or occupancy.

42.2 A home occupation permit is non-transferable.

SECTION 43 REAPPLICATION FOR A DEVELOPMENT PERMIT

43.1 If an application for a development permit is refused by the Development Officer, or the Subdivision and Development Appeal Board, the submission of another application for a development permit on the same parcel of land for the same or for a similar use of the land may not be accepted by the Development Officer for at least six (6) months after the date of refusal.

43.2 If an application was refused solely because it did not comply with the development standards of this bylaw or was refused as an incomplete application under Section 30 (Determination of Complete Development Permit Application), the Development Officer may accept another application on the same parcel of land for the same or similar use before the time period referred to in Section 43.1 has lapsed, provided the application has been modified to comply with this bylaw.

SECTION 44 SUSPENSION OR CANCELLATION OF A PERMIT

44.1 If, after a development permit has been issued, the Development Officer determines that:

(a) the application for the development permit contained a misrepresentation, or

(b) facts were not disclosed which should have been at the time of consideration of the application for the development permit; or

(c) the development permit was issued in error; or

(d) the applicant withdrew the application by way of written notice; or

(e) the applicant's development has deviated from what was approved;

the Development Officer may suspend or cancel the development permit by notice in writing to the holder of it stating the reasons for any suspension or cancellation.

44.2 Upon receipt of the written notification of suspension or cancellation of the permit, the permit holder must cease all development and activities to which the development permit relates.

44.3 A person whose development permit is suspended or cancelled under this section may appeal within 21 days of the notice of decision to the Subdivision and Development Appeal Board.

44.4 If a development permit is suspended or cancelled, the Subdivision and Development Appeal Board shall review the application if an appeal is filed by the applicant and either:

(a) reinstate the development permit; or

(b) cancel the development permit if the Development Officer would not have issued the development permit if the facts subsequently disclosed had been known during the consideration of the application; or

(c) reinstate the development permit and impose such other conditions as are considered necessary to ensure that this bylaw or any statutory plan is complied with.

PART 5: SUBDIVISION RULES AND PROCEDURES

SECTION 45 SUBDIVISION IN GENERAL

45.1 Where the development of land requires the subdivision of land, no development permit shall be issued until the application for subdivision has been approved in accordance with the *MGA*.

45.2 The minimum dimensional standards for lots and all other requirements in this bylaw shall be as specified in the applicable land use district in Schedule 2.

45.3 An application for subdivision may be subject to the same requirements of Section 20 (Suitability of Sites) and Section 55 (Land Use District Redesignation) if deemed necessary by the Subdivision Authority.

45.4 All applications for subdivision shall be required to meet the design standards set out in Schedule 3.

45.5 Subdivision of lands within the Residential Manufactured Home Park (R-MP) land use district shall not be permitted unless accompanied by an approved concept plan or adopted area structure plan.

SECTION 46 SUBDIVISION APPLICATIONS

46.1 An applicant applying for subdivision shall provide the required material and information as requested by the Subdivision Authority or its designate. A complete application shall consist of:

(a) an official application, in the manner and form prescribed, clearly and legibly completed with all the required information and signatures provided as requested on the form; and

(b) the applicable fees paid; and

(c) an up-to-date and current copy of the Certificate of Title to the subject land; and

(d) a surveyors sketch or tentative subdivision plan with dimensions, structures, location of private sewage disposal system, professionally prepared; and

(e) provincial abandoned gas well information; and

(f) any such other information as may be required at the discretion of the Subdivision Authority in order to accurately evaluate the application and determine compliance with the Land Use Bylaw or other government regulations. This may include but is not limited to the provision of geotechnical information, soil analysis reports, water reports, soil or slope stability analysis, drainage information, contours and elevations of the land, engineering studies or reports, wetland reports, environmental impact assessments, utility and servicing information, and/or the preparation of a conceptual design scheme or an area structure plan prior to a decision being rendered on a subdivision application to determine the suitability of the land for the proposed use; and

(g) the consent to authorize the Subdivision Authority or its designate to carry out a site inspection on the subject land as authorized in accordance with the *MGA* must also be provided on the submitted application form unless determined not to be needed by the Subdivision Authority.

46.2 In accordance with the *MGA*, the Subdivision Authority or those authorized to act on its behalf, shall provide notification to a subdivision applicant within the 20-day prescribed time period, on whether a submitted application is deemed complete, or if it is determined to be deficient what information is required to be submitted by a specified time period, by sending notification in the following manner:

(a) for an application deemed complete, the applicant shall be notified in writing as part of the formal subdivision application circulation referral letter;

(b) for an application determined to be incomplete, written notification shall be given to the applicant which may be in the form of a letter sent by regular mail to the applicant, or sent by electronic means, or both, or by any other method as may be agreed to between the applicant and Subdivision Authority;

(c) in respect of subsection (b) for a subdivision application determined to be incomplete, the applicant will be advised in writing as part of the Notice of Incompleteness what the outstanding or required information items are that must be submitted by the time specified in the notice.

46.3 Notwithstanding Section 46.2, the applicant and Subdivision Authority may agree and sign a time extension agreement in writing in accordance with section 653.1(3) of the *MGA* to extend the 20-day decision time period to determine whether the subdivision application and support information submitted is complete.

46.4 A determination made by the Subdivision Authority that an application is complete for processing does not preclude the ability for the Subdivision Authority to request other information or studies to be submitted by the applicant during the review and processing period, prior to a decision being rendered, or as condition of subdivision approval.

SECTION 47 INCOMPLETE SUBDIVISION APPLICATIONS

47.1 The Subdivision Authority may refuse to accept and process a subdivision application where the information required under Section 46 and/or as described in a Notification of Incompleteness has not been submitted, is determined to be deficient, is still incomplete, or in the opinion of the Subdivision Authority the quality of the material supplied is inadequate to properly evaluate the application.

47.2 If the Subdivision Authority makes a determination that the application is refused due to incompleteness, the applicant shall be notified in writing with reasons in the manner as described in Section 46.2.

47.3 The notification provided for in Section 46.2 shall include for the applicant the required information on the filing of an appeal and to which appeal board body the appeal lies, either the local appeal board or provincial Municipal Government Board, in accordance with the parameters of the *MGA*.

PART 6: ENFORCEMENT AND APPEALS

SECTION 48 DESIGNATED OFFICERS

48.1 In accordance with section 210 of the *MGA*, an officer designated to carry out enforcement of the *MGA*, the Subdivision and Development Regulation, a development permit or subdivision approval, or this bylaw is herein referred to as an Officer, and includes:

(a) the Development Officer or another designated officer in Section 13.1(a) of this bylaw, and

(b) a Bylaw Enforcement Officer in accordance with the *MGA*, and

(c) a Community Peace Officer in accordance with the Alberta *Peace Officer Act*, and

(d) a Police Officer in accordance with the Alberta *Police Act*.

SECTION 49 SUBDIVISION AND DEVELOPMENT APPEALS

49.1 Any person applying for a development permit or any other person affected by an order, decision or development permit made or issued by the Development Officer may appeal such an order or decision to the Subdivision and Development Appeal Board in accordance with the procedures described in the *MGA*.

49.2 The applicant may appeal a subdivision decision, and any condition attached to the decision, to the Subdivision and Development Appeal Board in accordance with the procedures described in the *MGA*. Adjacent or affected landowners have no right to appeal under the *MGA*.

49.3 Notwithstanding Section 49.1, there is no avenue for an appeal if the application was made on lands zoned as Direct Control, if the decision was made by Council. If the decision was made by the Development Officer as a delegated authority of Council, the appeal is limited to whether the Development Authority followed the directions of Council, as per section 641 of the *MGA*.

49.4 An appeal to the Subdivision and Development Appeal Board shall be commenced by serving a written notice of the appeal with reasons to the Subdivision and Development Appeal Board and shall be accompanied by the applicable fees.

SECTION 50 CONTRAVENTION OF THE LAND USE BYLAW

50.1 A Development Officer may enforce the provisions of this bylaw, a development permit or subdivision approval, the Subdivision and Development Regulation, or the MGA. Enforcement may be by notice of violation, stop orders, or any other authorized action to ensure compliance.

50.2 Any owner, lessee, tenant or occupant of land, a building, a structure or a sign thereon, who, with respect to such land, building or structure:

(a) contravenes; or

(b) causes, allows or permits a contravention of any provision of this bylaw;

commits an offence.

50.3 It is an offence for any person to:

(a) construct a building or structure,

(b) make an addition or alteration thereto, or

(c) place a sign on land,

for which a development permit is required but has not been issued or is not valid under this bylaw.

50.4 It is an offence to use residential, agricultural, public, commercial or industrial property without a valid development permit where the use is listed as a permitted or discretionary use in the land use district.

50.5 It is an offence to use residential, agricultural, public, commercial or industrial property without a valid development permit where the use is not listed as a permitted or discretionary use in the land use district.

SECTION 51 NOTICE OF VIOLATION

51.1 Where the Development Authority finds that a development or use of land or buildings is not in accordance with this bylaw, a development permit or subdivision approval, the Subdivision and Development Regulation, or the MGA, an Officer may issue a notice of violation to the registered owner or the person in possession of the land or buildings or to the person responsible for the contravention.

51.2 Such notice shall state the following:

(a) nature of the violation;

(b) corrective measures required to comply;

(c) the time period within which such corrective measures must carried out; and

(d) a warning that if the violation is not corrected, a stop order will be issued pursuant to section 645 of the *MGA*.

51.3 The Municipality is not required to issue a notice of violation before commencing any other enforcement action under the *MGA*, or this bylaw, or at all.

SECTION 52 STOP ORDERS

52.1 As set forth in section 645 of the *MGA*, the Development Authority is authorized to issue a stop order, herein referred to as an order, if a development or use of land or buildings is not in accordance with this bylaw, a development permit or subdivision approval, the Subdivision and Development Regulation, or the MGA.

53.2 A person who receives notice pursuant to Section 52.1 may appeal the order within 21 days of the date on which the order is made to the Subdivision and Development Appeal Board in accordance with the *MGA*.

52.3 Pursuant to section 646 of the *MGA*, if a person fails or refuses to comply with an order directed to the person under section 645 or an order of a Subdivision And Development Appeal Board under section 687, the Development Officer may, in accordance with section 542, enter on the land or building and take any action necessary to carry out the order.

52.4 The City may register a caveat under the *Land Titles Act* in respect of an order referred to in Section 53.1 against the Certificate of Title for the land that is the subject of an order.

52.5 If a caveat is registered under Section 52.4, the City must discharge the caveat when the order has been complied with.

52.6 If a stop order is not complied with, the City may undertake legal action, including but not limited to, seeking injunctive relief from the Alberta Court of Queen's Bench pursuant to section 554 of the *MGA*. In accordance with section 553 of the *MGA*, the expenses and costs of carrying out an order under section 646 of the *MGA* may be added to the tax roll of the parcel of land.

SECTION 53 PENALTIES AND RIGHT OF ENTRY

53.1 Any person who contravenes any provision of this bylaw is guilty of an offence in accordance with Part 13, Division 5, Offences and Penalties of the *MGA* and is liable to a fine of not more than $10,000 or to imprisonment for not more than one year or to both fine and imprisonment.

53.2 Pursuant to section 542 of the *MGA*, an Officer may, after giving reasonable notice to and obtaining consent from the owner or occupier of land:

(a) enter on that land at a reasonable time and carry out inspection, enforcement, or action authorized or required by the enactment or bylaw;

(b) request anything to be produced that would assist in carrying out Section 53.2(a); and

(c) make copies of anything related to Section 53.2(a).

53.3 Pursuant to section 543 of the *MGA*, if a person refuses to grant consent or refuses to provide anything to assist in the inspection, enforcement or action referred to in section 542 of the *MGA*, the municipality may obtain a court order.

PART 7: AMENDMENTS TO THIS BYLAW

SECTION 54 AMENDMENT OR REPEAL OF BYLAW

54.1 A person may request an amendment to this bylaw, by applying in writing, providing reasons in support of the application and paying the prescribed fee.

54.2 All applications to amend this bylaw shall be submitted to the Development Officer and shall be accompanied by the following:

(a) an application fee;

(b) an application form included in Appendix A of this bylaw, which is completed to the satisfaction of the Development Officer;

(c) a current Certificate of Title of the land affected and/or other documents satisfactory to the Development Officer, which indicate the interest of the applicant in the said land;

(d) all drawings required to be submitted, drawn to the satisfaction of the Development Officer; and

(e) any other material as deemed necessary by the Development Officer to allow Council to make a decision on the application.

54.3 The Development Officer may refuse to accept an application for an amendment to this Land Use Bylaw if, in their opinion, the information supplied is not sufficient to undertake a proper evaluation of the proposed amendment.

54.4 Once an application is accepted by the Development Officer, they shall forward the application to Council for a decision.

54.5 In reviewing an application to amend this bylaw, Council shall give consideration to the following:

(a) the consistency of the proposal to the City's statutory and non-statutory plans, approved policies, and this bylaw;

(b) the proposal is located in an appropriate area of the community and is compatible with adjacent land uses;

(c) the proposal does not compromise the road capacity of the area, levels of service of the roads in the area, or vehicular and non-vehicular traffic safety, and is suitably and efficiently serviced by an off-site road network;

(d) the proposal can be adequately serviced with municipal utilities; and

(e) any other matter as deemed necessary by Council.

54.6 All proposed amendments to this bylaw shall be decided upon by Council in accordance with the *MGA*.

54.7 Public hearing and notification requirements shall be in accordance with sections 230, 606, 606.1 and 692 of the *MGA*.

54.8 Where an application for an amendment to this bylaw has been refused by Council, another application that is the same or similar shall not be accepted for a period of six (6) months following the date of the decision of refusal.

54.9 Where an application for an amendment to this bylaw has been refused by Council, another application that has been significantly changed may be accepted prior to the six (6) month waiting period prescribed in 54.8 of this section, at the discretion of Council.

SECTION 55 LAND USE DISTRICT REDESIGNATION

55.1 In addition to the general requirements for amendment or repeal of this bylaw as set forth in Section 54 (Amendment or Repeal of Bylaw), an application made specifically for redesignation from one land use district to another shall be accompanied by the following:

(a) an application fee;

(b) a completed application form as included in Appendix A;

(c) an explanation of the application describing:

(i) proposed land use designation and future use(s);

(ii) consistency with applicable statutory plans or rationale for why the proposal may be inconsistent with applicable statutory plans;

(iii) development potential/suitability of the site including identification of any constraints and/or hazards to development;

(iv) availability of infrastructure to service the site including adequate water, sewer, and storm water capacities;

(v) potential impacts to public roads and options available to address any impacts that would create issues relating to road capacities, levels of service and vehicular/non-vehicular traffic safety;

(vi) conceptual subdivision design, if applicable;

(vii) geotechnical report prepared by an engineer demonstrating soil suitability if deemed necessary by the Development Authority;

(viii) an evaluation of surface drainage which may include adjacent properties if deemed necessary by the Development Authority; and

(ix) any other information deemed necessary by the Development Authority to properly evaluate the application;

(d) an Area Structure Plan, Outline Plan or Conceptual Design Scheme may be required in conjunction with an application if:

(i) proposing to redesignate lands from Future Urban Development (FUD) to any other land use district,

(ii) multiple parcels of land are involved,

(iii) more than four (4) lots could be created,

(iv) several fragmented parcels are adjacent to the parcel that is the subject of the proposed redesignation,

(v) internal public roads would be required,

(vi) municipal services would need to be extended, or

(vii) it is required by the Development Authority.

SCHEDULE 1:

LAND USE DISTRICTS MAP

SCHEDULE 2:

LAND USE DISTRICTS

SCHEDULE 2: LAND USE DISTRICTS

SECTION 1: PREAMBLE

(1) The municipality is divided into those districts shown on the Land Use Districts Map in Schedule 1; and

(2) Each district shown on the Land Use Districts Map shall be known by the following identifying names and abbreviations:

Land Use District Category/Title	Abbreviation
Residential Districts	
Residential Single-Detached	R-SD
Residential Small Lot	R-SL
Residential Low Density	R-LD
Residential Medium Density	R-MD
Residential High Density	R-HD
Residential Manufactured Home	R-MH
Residential Manufactured Home Park	R-MP
Commercial Districts	
Commercial Central	C-C
Commercial General	C-G
Commercial Neighbourhood	C-N
Industrial Districts	
Industrial Light	I-L
Industrial General	I-G
Industrial Heavy	I-H
Public Districts	
Public and Quasi-Public Service	P-PS
Public Recreation and Open Space	P-OS
Direct Control Districts	
Direct Control	DC
Specialized Districts	
Future Urban Development	FUD

RESIDENTIAL LAND USE DISTRICTS

RESIDENTIAL SINGLE-DETACHED (R-SD)

SECTION 1: PURPOSE

The purpose of this district is to provide for the development of predominately Single-Detached Dwellings, with opportunity for Duplex and Attached Housing when integrated into the dominant built form appropriately.

SECTION 2: USES

2.1 PERMITTED

- Accessory Building and Structure
- Day Home
- Home Occupation – 1, 2
- Public Utility
- Secondary Suite
- Single-Detached Dwelling

2.2 DISCRETIONARY

- Bed and Breakfast
- Day Care
- Duplex
- Government and Public Service
- Group Care Facility (≤ 5 residents)
- Home Occupation – 3
- Modular Home
- Moved-in Dwelling
- Religious Assembly
- Attached Housing (2 units maximum)

SECTION 3: MINIMUM LOT DIMENSIONS

Dwelling Type	Lot Size	Lot Depth	Lot Width
Single-Detached Dwelling, Duplex	503 m^2 (5414.3 ft^2)	33.5 m (109.9 ft)	Mid block: 15 m (49.2 ft) Corner lot: 18 m (59 ft) Pie-shaped lot: 15 m (49.2 ft) measured 5 m (16.4 ft) from front property line
Attached Housing, (each unit)	335 m^2 (3605.9 ft^2)	33.5 m (109.9 ft)	10 m (32.8 ft) Pie-shaped lot: 10 m (32.8 ft) measured 5 m (16.4 ft) from front property line
All others	To the discretion of the Development Authority.		
Notes	*Attached Housing/Duplex lot size minimums are pre-development.*		

SECTION 4: SETBACKS

4.1 APPLICABILITY

(1) Minimum setbacks for those discretionary uses that do not take place within a Single-Detached Dwelling shall be determined by the Development Authority;

(2) Notwithstanding the setbacks provided in sub-section 4.2 of this section, setbacks in established areas shall be determined by application of sub-section 7.6 of the first part of this bylaw (Administration); and

(3) Where the shape of a lot or other circumstances is such that the setbacks prescribed in sub-section 4.2 of this section cannot be reasonably applied, the Development Authority shall determine the setbacks.

4.2 SETBACK REQUIREMENTS

Principal Building		
Mid-block	Front	Minimum: 5 m (16.4 ft)
	Rear	7.6 m (24.9 ft)
	Side	1.5 m (4.9 ft)
Corner lot	Front: same as mid-block	
	Rear	5.0 m (16.4 ft)
	Side	1.5 m (4.9 ft)
	Flankage (secondary front)	3.0 m (9.8 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Where a site requires vehicular access that is not available from the rear of the lot and there is no attached garage or carport, the side setback on one side shall be 3.0 metres.	

Accessory Building(s) Larger than 10 m^2 (107.6 ft^2)		
Mid-block	Front	N/A (prohibited in front yards)
	Rear	1.0 m (3.3 ft)
	Side	1.0 m (3.3 ft)
Corner lot	Front: same as mid-block	
	Rear	1.0 m (3.3 ft)
	Side	1.0 m (3.3 ft)
	Flankage (secondary front)	N/A (prohibited in flankage)

Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	
	No accessory buildings shall be located adjacent to the principal building on the same side of the yard as the one-side 3.0 metre principal building setback, if applicable.	

Accessory Building(s) 10 m^2 (107.6 ft^2) and Smaller		
Mid-block	Front	N/A (prohibited in front yards)
	Rear	0 m (ft) if internal setbacks are met
	Side	0 m (ft) if internal setbacks are met
Corner lot	Front: same as mid-block	
	Rear	0 m (ft) if internal setbacks are met
	Side	0 m (ft) if internal setbacks are met
	Flankage (secondary front)	N/A (prohibited in flankage)
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	
	No accessory buildings shall be located adjacent to the principal building on the same side of the yard as the one-side 3.0 metre principal building setback, if applicable.	

SECTION 5: MAXIMUM SITE COVERAGE

(1) Total allowable coverage: 45% inclusive of all buildings

(2) Principal building: 30 – 45% depending on accessory building(s)

Note: attached garages are considered part of the principal building for the purposes of site coverage calculations.

(3) Accessory building(s): 0 – 15% depending on principal building

SECTION 6: MAXIMUM BUILDING HEIGHT

(1) Single-Detached Dwelling and other dwellings up to 2 units: 11.0 m (36 ft)

(2) Accessory building(s): 4.5 m (14.8 ft)

SECTION 7: MINIMUM FLOOR AREA

7.1 APPLICABILITY

(1) Minimum floor areas are calculated for that part of a building that is no more than 1.0 m (3.3 ft) below finished grade, which does not include finished basements or attached garages;

(2) All minimum floor areas are to be calculated for the main floor of the dwelling unless otherwise stated; and

(3) For Single-Detached Dwelling, Duplex, and Attached Housing of more than 1 storey, each additional half storey shall increase the minimum required floor area by 25 percent.

7.2 MINIMUM FLOOR AREAS

Dwelling Type	Minimum Floor Area
Single-Detached Dwelling	90 m^2 (968.8 ft^2)
Duplex and Attached Housing (per dwelling unit)	60 m^2 (645.8 ft^2)

SECTION 8: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the R-SD land use district include but are not limited to:

(a) General Standards of Development: Schedule 3

Section 56: Accessory Buildings and Structures
Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 61: Fences, Privacy Walls, and Gates
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 64: Infill Development
Section 66: Landscaping
Section 68: Moved-in Buildings
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development
Section 77: Site Drainage and Storm Water Management

(b) Use-specific Standards of Development: Schedule 4

Section 83: Bed and Breakfasts
Section 84: Child Care Facilities
Section 85: Group Care Facilities
Section 86: Home Occupations
Section 90: Modular Homes
Section 93: Secondary Suites

RESIDENTIAL SMALL LOT (R-SL)

SECTION 1: PURPOSE

The purpose of this district is to provide for the development of predominately Single-Detached Dwellings on smaller residential lots in new and established residential neighbourhoods.



SECTION 2: USES

2.1 PERMITTED

- Accessory Building and Structure
- Day Home
- Home Occupation – 1, 2
- Public Utility
- Secondary Suite
- Single-Detached Dwelling

2.2 DISCRETIONARY

- Attached Housing (2 units)
- Bed and Breakfast
- Duplex
- Government and Public Service
- Home Occupation – 3
- Moved-in Dwelling
- Modular Home

SECTION 3: MINIMUM LOT DIMENSIONS

Dwelling Type	Lot Size	Lot Depth	Lot Width
Single-Detached Dwelling, Duplex	278.6 m^2 (3000 ft^2)	30.5 m (100.0 ft)	Mid block: 9.14 m (30.0 ft) Corner lot: 12.19 m (40.0 ft) Pie-shaped lot: 9.14 m (30.0 ft) measured 5 m (16.4 ft) from front property line
Attached Housing, (each unit)	335 m^2 (3605.9 ft^2)	33.5 m (109.9 ft)	10 m (32.8 ft) Pie-shaped lot: 10 m (32.8 ft) measured 5 m (16.4 ft) from front property line
All others	To the discretion of the Development Authority.		
Notes	*Attached Housing/Duplex lot size minimums are pre-development.*		

SECTION 4: SETBACKS

4.1 APPLICABILITY

(1) Minimum setbacks for those discretionary uses that do not take place within a Single-Detached Dwelling shall be determined by the Development Authority;

(2) Notwithstanding the setbacks provided in sub-section 4.2 of this section, setbacks in established areas shall be determined by application of sub-section 7.6 of the first part of this bylaw (Administration); and

(3) Where the shape of a lot or other circumstances is such that the setbacks prescribed in sub-section 4.2 of this section cannot be reasonably applied, the Development Authority shall determine the setbacks.

4.2 SETBACK REQUIREMENTS

Principal Building		
Mid-block	Front	Minimum: 5 m (16.4 ft)
	Rear	7.6 m (24.9 ft)
	Side	1.5 m (4.9 ft)
Corner lot	Front: same as mid-block	
	Rear	5.0 m (16.4 ft)
	Side	1.2 m (3.9 ft)
	Flankage (secondary front)	3.0 m (9.8 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Where a site requires vehicular access that is not available from the rear of the lot and there is no attached garage or carport, the side setback on one side shall be 3.0 metres.	

Accessory Building(s) Larger than 10 m^2 (107.6 ft^2)		
Mid-block	Front	N/A (prohibited in front yards)
	Rear	1.0 m (3.3 ft)
	Side	1.0 m (3.3 ft)
Corner lot	Front: same as mid-block	
	Rear	1.0 m (3.3 ft)
	Side	1.0 m (3.3 ft)
	Flankage (secondary front)	N/A (prohibited in flankage)
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)

Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.
	No accessory buildings shall be located adjacent to the principal building on the same side of the yard as the one-side 3.0 metre principal building setback, if applicable.

Accessory Building(s) 10 m^2 (107.6 ft^2) and Smaller		
Mid-block	Front	N/A (prohibited in front yards)
	Rear	0 m (ft) if internal setbacks are met
	Side	0 m (ft) if internal setbacks are met
Corner lot	Front: same as mid-block	
	Rear	0 m (ft) if internal setbacks are met
	Side	0 m (ft) if internal setbacks are met
	Flankage (secondary front)	N/A (prohibited in flankage)
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	
	No accessory buildings shall be located adjacent to the principal building on the same side of the yard as the one-side 3.0 metre principal building setback, if applicable.	

SECTION 5: MAXIMUM SITE COVERAGE

(1) Total allowable coverage: 45% inclusive of all buildings

(2) Principal building: 30 – 45% depending on accessory building(s)

Note: attached garages are considered part of the principal building for the purposes of site coverage calculations.

(3) Accessory building(s): 0 – 15% depending on principal building

SECTION 6: MAXIMUM BUILDING HEIGHT

(1) Single-Detached Dwelling and Attached Housing or Duplex dwellings up to 2 units: 11.0 m (36 ft)

(2) Accessory building(s): 4.5 m (14.8 ft)

SECTION 7: MINIMUM FLOOR AREA

7.1 APPLICABILITY

(1) Minimum floor areas are calculated for that part of a building that is no more than 1.0 m (3.3 ft) below finished grade, which does not include finished basements or attached garages;

(2) All minimum floor areas are for the main floor of the dwelling unless otherwise stated; and

(3) For Single-Detached Dwelling, Attached Housing and Duplex dwellings of more than 1 storey, each additional half storey shall increase the minimum required floor area by 25 percent.

7.2 MINIMUM FLOOR AREAS

Dwelling Type	Minimum Floor Area
Single-Detached Dwelling	90 m^2 (968.8 ft^2)
Attached Housing or Duplex (per dwelling unit)	60 m^2 (645.8 ft^2)

SECTION 8: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the R-SL land use district include but are not limited to:

(a) General Standards of Development: Schedule 3

Section 56: Accessory Buildings and Structures
Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 61: Fences, Privacy Walls, and Gates
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 64: Infill Development
Section 66: Landscaping
Section 68: Moved-in Buildings
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development
Section 77: Site Drainage and Storm Water Management

(b) Use-specific Standards of Development: Schedule 4

Section 83: Bed and Breakfasts
Section 84: Child Care Facilities
Section 86: Home Occupations
Section 90: Modular Homes
Section 93: Secondary Suites

RESIDENTIAL LOW DENSITY (R-LD)

SECTION 1: PURPOSE

The purpose of this district is to provide for low density residential development in the form of Single-Detached and two and three unit dwellings, with consideration for other forms such as Apartments, where appropriately integrated into the dominate built form.



SECTION 2: USES

2.1 PERMITTED

- Accessory Building and Structure
- Day Home
- Duplex
- Home Occupation– 1, 2
- Public Utility
- Secondary Suite
- Single-Detached Dwelling
- Attached Housing (3 unit maximum)

2.2 DISCRETIONARY

- Apartment (4 unit maximum)
- Attached Housing (4 unit maximum)
- Bed and Breakfast
- Cluster Housing
- Day Care
- Government and Public Service
- Group Care Facility (≤ 5 residents)
- Home Occupation – 3
- Moved-in Dwelling
- Modular Home
- Multi-Unit Dwelling (4 unit maximum)

SECTION 3: MINIMUM LOT DIMENSIONS

Dwelling Type	Lot Size	Lot Depth	Lot Width
Single-Detached Dwelling, Duplex	402 m^2 (4327.1 ft^2)	33.5 m (109.9 ft)	Mid block: 12 m (39.4 ft) Corner lot: 15 m (49.2 ft) Pie-shaped lot: 15 m (49.2 ft) measured 5 m (16.4 ft) from front property line
Attached Housing 2 unit (each unit)	335 m^2 (3605.9 ft^2)	33.5 m (109.9 ft)	10 m (32.8 ft)

Attached Housing >2 unit (each unit)	End dwelling: 335 m^2 (3605.9 ft^2) Interior dwelling: 218 m^2 (2346.5 ft^2)	33.5 m (109.9 ft)	End dwelling unit: 10 m (32.8 ft) Interior dwelling unit: 6.5 m (21.3 ft)
All others	To the discretion of the Development Authority.		

SECTION 4: SETBACKS

4.1 APPLICABILITY

(1) Minimum setbacks for those discretionary uses that do not take place within a Single-Detached Dwelling shall be determined by the Development Authority;

(2) Notwithstanding the setbacks provided in sub-section 4.2 of this section, setbacks in established areas shall be determined by application of sub-section 7.6 of the first part of this bylaw (Administration); and

(3) Where the shape of a lot or other circumstances is such that the setbacks prescribed in sub-section 4.2 of this section cannot be reasonably applied, the Development Authority shall determine the setbacks.

4.2 SETBACK REQUIREMENTS

Principal Building		
Mid-block	Front	Minimum: 5 m (16.4 ft)
	Rear	7.6 m (24.9 ft)
	Side	1.5 m (4.9 ft)
Corner lot	Front: same as mid-block	
	Rear	5.0 m (16.4 ft)
	Side	1.5 m (4.9 ft)
	Flankage (secondary front)	3.0 m (9.8 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Where a site requires vehicular access that is not available from the rear of the lot and there is no attached garage or carport, the side setback on one side shall be 3.0 metres.	

Accessory Building(s) Larger than 10 m^2 (107.6 ft^2)		
Mid-block	Front	N/A (prohibited in front yards)
	Rear	1.0 m (3.3 ft)
	Side	1.0 m (3.3 ft)
Corner lot	Front: same as mid-block	
	Rear	1.0 m (3.3 ft)

	Side	1.0 m (3.3 ft)
	Flankage (secondary front)	N/A (prohibited in flankage)
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	
	No accessory buildings shall be located adjacent to the principal building on the same side of the yard as the one-side 3.0 metre principal building setback, if applicable.	

Accessory Building(s) 10 m^2 (107.6 ft^2) and Smaller		
Mid-block	Front	N/A (prohibited in front yards)
	Rear	0 m (ft) if internal setbacks are met
	Side	0 m (ft) if internal setbacks are met
Corner lot	Front: same as mid-block	
	Rear	0 m (ft) if internal setbacks are met
	Side	0 m (ft) if internal setbacks are met
	Flankage (secondary front)	N/A (prohibited in flankage)
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	
	No accessory buildings shall be located adjacent to the principal building on the same side of the yard as the one-side 3.0 metre principal building setback, if applicable.	

SECTION 5: MAXIMUM SITE COVERAGE

(1) Total allowable coverage: 45% inclusive of all buildings

(2) Principal building: 30 – 45% depending on accessory building(s)

Note: attached garages are considered part of the principal building for the purposes of site coverage calculations.

(3) Accessory building(s): 0 – 15% depending on principal building

SECTION 6: MAXIMUM BUILDING HEIGHT

(1) Single-Detached Dwelling and dwellings up to 3 units: 11.0 m (36 ft)

(2) Dwellings greater than 3 units: 12 m (39.4 ft)

(3) Accessory building(s): 4.5 m (14.8 ft)

SECTION 7: MINIMUM FLOOR AREA

7.1 APPLICABILITY

(1) Minimum floor areas are calculated for that part of a building that is no more than 1.0 m (3.3 ft) below finished grade, which does not include finished basements or attached garages;

(2) All minimum floor areas are for the main floor of the dwelling unless otherwise stated; and

(3) For Single-Detached Dwelling, Duplex, and Attached Housing of more than 1 storey, each additional half storey shall increase the minimum required floor area by 25 percent.

7.2 MINIMUM FLOOR AREAS

Dwelling Type	Minimum Floor Area
Single-Detached Dwelling	90 m^2 (968.8 ft^2)
Apartment, Attached Housing and Multi-unit Dwelling (per dwelling unit)	60 m^2 (645.8 ft^2)

SECTION 8: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the R-LD land use district include but are not limited to:

(a) General Standards of Development: Schedule 3

Section 56: Accessory Buildings and Structures
Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 61: Fences, Privacy Walls, and Gates
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 66: Landscaping
Section 68: Moved-in Buildings
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development
Section 77: Site Drainage and Storm Water Management

(b) Use-specific Standards of Development: Schedule 4

Section 83: Bed and Breakfasts
Section 84: Child Care Facilities
Section 85: Group Care Facilities
Section 86: Home Occupations
Section 90: Modular Homes
Section 91: Multi-unit Residential Development
Section 93: Secondary Suites
Section 97: Cluster Housing

RESIDENTIAL MEDIUM DENSITY (R-MD)

SECTION 1: PURPOSE

The purpose of this district is to provide for low density residential development in the form of Single-Detached and two and three unit dwellings, with consideration for other forms, such as Apartments up to 8 units, where appropriately integrated into the dominate built form.



SECTION 2: USES

2.1 PERMITTED

- Accessory Building and Structure
- Apartment (4 unit maximum)
- Attached Housing (4 unit maximum)
- Day Home
- Duplex
- Home Occupation – 1, 2
- Public Utility
- Secondary Suite
- Single-Detached Dwelling

2.2 DISCRETIONARY

- Apartment (8 unit maximum)
- Attached Housing (8 unit maximum)
- Bed and Breakfast
- Cluster Housing
- Day Care
- Government and Public Service
- Group Care Facility (≤ 5 residents)
- Home Occupation – 3
- Modular Home
- Moved-in Dwelling
- Multiple Unit Residential Development (8 unit maximum)
- Multi-unit Dwelling (8 unit maximum)

SECTION 3: MINIMUM LOT DIMENSIONS

Dwelling Type	Lot Size	Lot Depth	Lot Width
Single-Detached Dwelling, Duplex	402 m^2 (4327.1 ft^2)	33.5 m (109.9 ft)	Mid block: 12 m (39.4 ft)
			Corner lot: 15 m (49.2 ft)
			Pie-shaped lot: 15 m (49.2 ft) measured 5 m (16.4 ft) from front property line

Attached Housing 2 unit (each unit)	335 m^2 (3605.9 ft^2)	33.5 m (109.9 ft)	10 m (32.8 ft)
Attached Housing >2 unit (each unit)	End dwelling: 335 m^2 (3605.9 ft^2) Interior dwelling: 218 m^2 (2346.5 ft^2)	33.5 m (109.9 ft)	End dwelling unit: 10 m (32.8 ft) Interior dwelling unit: 6.5 m (21.3 ft)
All others	To the discretion of the Development Authority.		

SECTION 4: SETBACKS

4.1 APPLICABILITY

(1) Minimum setbacks for those discretionary uses that do not take place within a Single-Detached Dwelling shall be determined by the Development Authority.

(2) Notwithstanding the setbacks provided in sub-section 4.2 of this section, setbacks in established areas shall be determined by application of sub-section 7.6 of the first part of this bylaw (Administration).

(3) Where the shape of a lot or other circumstances is such that the setbacks prescribed in sub-section 4.2 of this section cannot be reasonably applied, the Development Authority shall determine the setbacks.

4.2 SETBACK REQUIREMENTS

Principal Building		
Mid-block	Front	Minimum: 5 m (16.4 ft)
	Rear	7.6 m (24.9 ft)
	Side	1.5 m (4.9 ft)
Corner lot	Front: same as mid-block	
	Rear	5.0 m (16.4 ft)
	Side	1.5 m (4.9 ft)
	Flankage (secondary front)	3.0 m (9.8 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Where a site requires vehicular access that is not available from the rear of the lot and there is no attached garage or carport, the side setback on one side shall be 3.0 metres.	

Accessory Building(s) Larger than 10 m^2 (107.6 ft^2)		
Mid-block	Front	N/A (prohibited in front yards)
	Rear	1.0 m (3.3 ft)
	Side	1.0 m (3.3 ft)

Corner lot	Front: same as mid-block	
	Rear	1.0 m (3.3 ft)
	Side	1.0 m (3.3 ft)
	Flankage (secondary front)	N/A (prohibited in flankage)
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	
	No accessory buildings shall be located adjacent to the principal building on the same side of the yard as the one-side 3.0 metre principal building setback, if applicable.	

Accessory Building(s) 10 m^2 (107.6 ft^2) and Smaller		
Mid-block	Front	N/A (prohibited in front yards)
	Rear	0 m (ft) if internal setbacks are met
	Side	0 m (ft) if internal setbacks are met
Corner lot	Front: same as mid-block	
	Rear	0 m (ft) if internal setbacks are met
	Side	0 m (ft) if internal setbacks are met
	Flankage (secondary front)	N/A (prohibited in flankage)
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	
	No accessory buildings shall be located adjacent to the principal building on the same side of the yard as the one-side 3.0 metre principal building setback, if applicable.	

SECTION 5: MAXIMUM SITE COVERAGE

(1) Total allowable coverage: 45% inclusive of all buildings

(2) Principal building: 30 - 45% depending on accessory building(s)

Note: attached garages are considered part of the principal building for the purposes of site coverage calculations.

(3) Accessory building(s): 0-15% depending on principal building

SECTION 6: MAXIMUM BUILDING HEIGHT

(1)	Single-Detached Dwellings and dwellings up to 4 units:	11.0 m (36 ft)
(2)	Dwellings up to 8 units:	12 m (39.4 ft)
(3)	Accessory building(s):	4.5 m (14.8 ft)

SECTION 7: MINIMUM FLOOR AREA

7.1 APPLICABILITY

(1) Minimum floor areas are calculated for that part of a building that is no more than 1.0 m (3.3 ft) below finished grade, which does not include finished basements or attached garages;

(2) All minimum floor areas are for the main floor of the dwelling unless otherwise stated; and

(3) For Single-Detached Dwelling, Duplex, and Attached Housing of more than 1 storey, each additional half storey shall increase the minimum required floor area by 25 percent.

7.2 MINIMUM FLOOR AREAS

Dwelling Type	Minimum Floor Area
Single-Detached Dwelling	90 m^2 (968.8 ft^2)
Apartment, Attached Housing, and Multi-unit Dwelling (per dwelling unit)	60 m^2 (645.8 ft^2)

SECTION 8: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the R-MD land use district include but are not limited to:

(a) General Standards of Development: Schedule 3

Section 56: Accessory Buildings and Structures
Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 61: Fences, Privacy Walls, and Gates
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 66: Landscaping
Section 68: Moved-in Buildings
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development

Section 77: Site Drainage and Storm Water Management

(b) Use-specific Standards of Development: Schedule 4

Section 83: Bed and Breakfasts
Section 84: Child Care Facilities
Section 85: Group Care Facilities
Section 86: Home Occupations
Section 90: Modular Homes
Section 91: Multi-unit Dwellings
Section 93: Secondary Suites
Section 97: Cluster Housing

RESIDENTIAL HIGH DENSITY (R-HD)

SECTION 1: PURPOSE



The purpose of this district is to:

(1) Provide for a mixture of dwelling unit types in various configurations such as Single-Detached Dwellings and Multi-unit Dwellings in a range of densities generally greater than that of any other residential district;

(2) Promote the continuation of a mixture of contextually appropriate residential and non-residential uses within established areas of the City, while providing for similar opportunities in new neighbourhoods.

SECTION 2: USES

2.1 PERMITTED

- Accessory Building and Structure
- Apartment
- Day Care
- Day Home
- Duplex
- Home Occupation – 1, 2
- Multi-unit Dwelling
- Public Utility
- Secondary Suite
- Single-Detached Dwelling
- Attached Housing

2.2 DISCRETIONARY

- Bed and Breakfast
- Commercial uses on the main floor of multi-storey buildings:
  - Business and Professional Office
  - Cafe
  - Medical Office
  - Minor Retail Establishment
  - Personal Services
- Cluster Housing
- Government and Public Service
- Group Care Facility (≤ 5 residents)
- Home Occupation – 3
- Modular Home
- Moved-in Dwelling
- Multiple Unit Residential Development
- Religious Assembly

SECTION 3: MINIMUM LOT DIMENSIONS

Dwelling Type	Lot Size	Lot Depth	Lot Width
Single-Detached Dwelling, Duplex	402 m^2 (4327.1 ft^2)	33.5 m (109.9 ft)	Mid block: 12 m (39.4 ft) Corner lot: 15 m (49.2 ft) Pie-shaped lot: 15 m (49.2 ft) measured 5 m (16.4 ft) from front property line
Attached Housing 2 unit (each unit)	335 m^2 (3605.9 ft^2)	33.5 m (109.9 ft)	10 m (32.8 ft)
Attached Housing >2 unit (each unit)	End dwelling: 335 m^2 (3605.9 ft^2) Interior dwelling: 218 m^2 (2346.5 ft^2)	33.5 m (109.9 ft)	End dwelling unit: 10 m (32.8 ft) Interior dwelling unit: 6.5 m (21.3 ft)
All others	To the discretion of the Development Authority.		

SECTION 4: SETBACKS

4.1 APPLICABILITY

(1) Minimum setbacks for those discretionary uses that do not take place within a Single-Detached Dwelling shall be determined by the Development Authority.

(2) Notwithstanding the setbacks provided in sub-section 4.2 of this section, setbacks in established areas shall be determined by application of sub-section 7.6 of the first part of this bylaw (Administration).

(3) Where the shape of a lot or other circumstances is such that the setbacks prescribed in sub-section 4.2 of this section cannot be reasonably applied, the Development Authority shall determine the setbacks.

4.2 SETBACK REQUIREMENTS

Principal Building		
Mid-block	Front	Minimum: 5 m (16.4 ft)
	Rear: Single-Detached Dwelling, Duplex, Attached Housing	5 m (16.4 ft)
	Rear: Multi-unit Dwelling of 4 or more units	6 m (19.7 ft)
	Side	1.5 m (4.9 ft)
Corner lot	Front: same as mid-block	
	Rear	5.0 m (16.4 ft)
	Side	1.5 m (4.9 ft)

	Flankage (secondary front)	3.0 m (9.8 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Where a site requires vehicular access that is not available from the rear of the lot and there is no attached garage or carport, the side setback on one side shall be 3.0 metres.	
Accessory Building(s) Larger than 10 m^2 (107.6 ft^2)		
Mid-block	Front	N/A (prohibited in front yards)
	Rear	1.0 m (3.3 ft)
	Side	1.0 m (3.3 ft)
Corner lot	Front: same as mid-block	
	Rear	1.0 m (3.3 ft)
	Side	1.0 m (3.3 ft)
	Flankage (secondary front)	N/A (prohibited in flankage)
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	
	No accessory buildings shall be located adjacent to the principal building on the same side of the yard as the one-side 3.0 metre principal building setback, if applicable.	
Accessory Building(s) 10 m^2 (107.6 ft^2) and Smaller		
Mid-block	Front	N/A (prohibited in front yards)
	Rear	0 m (ft) if internal setbacks are met
	Side	0 m (ft) if internal setbacks are met
Corner lot	Front: same as mid-block	
	Rear	0 m (ft) if internal setbacks are met
	Side	0 m (ft) if internal setbacks are met
	Flankage (secondary front)	N/A (prohibited in flankage)
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	
	No accessory buildings shall be located adjacent to the principal building on the same side of the yard as the one-side 3.0 metre principal building setback, if applicable.	

SECTION 5: MAXIMUM SITE COVERAGE

(4) Total allowable coverage: 50% inclusive of all buildings

(5) Principal building: 35-50% depending on accessory building(s)

Note: attached garages are considered part of the principal building for the purposes of site coverage calculations.

(6) Accessory building(s): 0-15% depending on principal building

SECTION 6: MAXIMUM BUILDING HEIGHT

(1) Single-Detached Dwelling and dwellings up to 3 units: 11.0 m (36 ft)

(2) Dwellings of 4 or more units: 12 m (39.4 ft)

(3) Accessory building(s): 4.5 m (14.8 ft)

SECTION 7: MINIMUM FLOOR AREA

7.1 APPLICABILITY

(1) Minimum floor areas are calculated for that part of a building that is no more than 1.0 m (3.3 ft) below finished grade, which does not include finished basements or attached garages;

(2) All minimum floor areas are for the main floor of the dwelling unless otherwise stated; and

(3) For Single-Detached Dwelling, Duplex, and Attached Housing of more than 1 storey, each additional half storey shall increase the minimum required floor area by 25 percent.

7.2 MINIMUM FLOOR AREAS

Dwelling Type	Minimum Floor Area
Single-Detached Dwelling	90 m^2 (968.8 ft^2)
Attached Housing and Multi-unit Dwelling (per dwelling unit)	60 m^2 (645.8 ft^2)

SECTION 8: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the R-HD land use district include but are not limited to:

(a) General Standards of Development: Schedule 3

Section 56: Accessory Buildings and Structures

Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 61: Fences, Privacy Walls, and Gates
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 66: Landscaping
Section 67: Mixed-Use Development
Section 68: Moved-in Buildings
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development
Section 77: Site Drainage and Storm Water Management

(b) Use-specific Standards of Development: Schedule 4

Section 83: Bed and Breakfasts
Section 84: Child Care Facilities
Section 85: Group Care Facilities
Section 86: Home Occupations
Section 90: Modular Homes
Section 91: Multi-unit Residential Development
Section 93: Secondary Suites
Section 97: Cluster Housing

RESIDENTIAL MANUFACTURED HOME (R-MH)

SECTION 1: PURPOSE

The purpose of this district is to provide for the development of comprehensively designed manufactured home subdivisions in which dwelling units are accommodated in individually titled parcels, with individual servicing connections supplied for each unit.



SECTION 2: USES

2.1 PERMITTED

- Accessory buildings and structures
- Home occupations – 1, 2
- Manufactured homes
- Public utilities

2.2 DISCRETIONARY

- Government and public services
- Home occupations – 3
- Modular homes
- Moved-in dwellings
- Single-detached dwellings

SECTION 3: ELIGIBLE MANUFACTURED HOMES

(1) Manufactured homes shall be Canadian Standards Association (CSA) certified and meet the requirements of any other applicable national, provincial and local regulations and standards;

(2) New factory built manufactured homes constructed in accordance with CSA A-277 and Z-240 standards and any amendments thereto; and

(3) Used factory built manufactured homes in a state of good repair, as defined in Schedule 4 (Use Specific Standards of Development) of this bylaw and further to the discretion of the Development Authority.

SECTION 4: MINIMUM LOT DIMENSIONS

Dwelling Type	Lot Size	Lot Depth	Lot Width
Manufactured Homes	385.3 m^2 (4147.3 ft^2)	33.5 m (109.9 ft)	Mid block: 11.5 m (37.7 ft)
			Corner lot: 15 m (49.2 ft)
			Pie-shaped lot: 13 m (42.7 ft) measured 7.5 m (24.6 ft) from front property line
All others	To the discretion of the Development Authority.		

SECTION 5: SETBACKS

5.1 APPLICABILITY

(1) Minimum setbacks for those discretionary uses that do not take place within a manufactured home shall be determined by the Development Authority;

(2) Notwithstanding the setbacks provided in sub-section 5.2 of this section, setbacks in established areas shall be determined by application of sub-section 7.6 of the first part of this bylaw (Administration); and

(3) Where the shape of a lot or other circumstances is such that the setbacks prescribed in sub-section 5.2 of this section cannot be reasonably applied, the Development Authority shall determine the setbacks.

5.2 SETBACK REQUIREMENTS

Principal Building		
Mid-block	Front	Minimum: 5 m (16.4 ft)
	Rear	3 m (9.8 ft)
	Side	0 m (0 ft) one side only (see *Notes*)
Corner lot	Front: same as mid-block	
	Rear	3.0 m (9.8 ft)
	Side	0 m (0 ft) for the interior side yard
	Flankage (secondary front)	3.0 m (9.8 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	If parking stalls cannot be accommodated along the side of the lot, the minimum front setback shall be 6 m.	
	0 m side yard setback only permitted when the home is placed on the opposite side yard to the home on the adjacent lot, and a minimum 1.5 m (4.92 ft) maintenance easement is registered on the adjacent property, giving access to the side of the home that would otherwise be inaccessible.	

Accessory Building(s) Larger than 10 m^2 (107.6 ft^2)		
Mid-block	Front	N/A (prohibited in front yards)
	Rear	1.0 m (3.3 ft)
	Side	1.0 m (3.3 ft)
Corner lot	Front: same as mid-block	
	Rear	1.0 m (3.3 ft)
	Side	1.0 m (3.3 ft)
	Flankage (secondary front)	N/A (prohibited in flankage)

Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	
	No accessory buildings shall be located adjacent to the principal building on the same side of the yard as the one-side 3.0 metre principal building setback, if applicable.	

Accessory Building(s) 10 m^2 (107.6 ft^2) and Smaller		
Mid-block	Front	N/A (prohibited in front yards)
	Rear	0 m (ft) if internal setbacks are met
	Side	0 m (ft) if internal setbacks are met
Corner lot	Front: same as mid-block	
	Rear	0 m (ft) if internal setbacks are met
	Side	0 m (ft) if internal setbacks are met
	Flankage (secondary front)	N/A (prohibited in flankage)
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	
	No accessory buildings shall be located adjacent to the principal building on the same side of the yard as the one-side 3.0 metre principal building setback, if applicable.	

SECTION 6: MAXIMUM SITE COVERAGE

(1) Total allowable coverage: 45% inclusive of all buildings

(2) Principal building: 30 – 45% depending on accessory building(s)

Note: attached garages are considered part of the principal building for the purposes of site coverage calculations.

(3) Accessory building(s): 0 – 15% depending on principal building

SECTION 7: BUILDING DIMENSIONS

(1) Principal building maximum height: 6 m (19.7 ft)

(2) Accessory building(s) maximum height: 4.5 m (14.8 ft)

(3) Manufactured home minimum width: 4.2 m (13.8 ft)

(4) Dimensional requirements for all other buildings in this district are to the discretion of the Development Authority.

SECTION 8: MINIMUM FLOOR AREA

8.1 APPLICABILITY

(1) Minimum floor areas are calculated for that part of a building that is no more than 1.0 m (3.3 ft) below finished grade, which does not include finished basements or attached garages;

(2) All minimum floor areas are for the main floor of the dwelling unless otherwise stated; and

(3) For dwellings of more than one (1) storey, each additional half storey shall increase the minimum required floor area by twenty five (25) percent.

8.2 MINIMUM FLOOR AREAS

Dwelling Type	Minimum Floor Area
Manufactured home	75 m^2 (807.3 ft^2)
Single-detached, Modular home	To the discretion of the Development Authority

SECTION 9: FOUNDATION REQUIREMENTS

(1) All manufactured homes shall be placed on a full foundation of poured concrete or concrete blocks or upon and affixed to steel or concrete piles, or upon an approved treated wooden basement or foundation;

(2) If a manufactured home is placed on piles, it shall be skirted from the base of the home to the ground with material similar in design to the home itself; and

(3) Regardless of the type of foundation a manufactured home is placed on, all hitches, wheels, and axels shall be removed prior to occupancy of the home.

SECTION 10: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the R-MH land use district include but are not limited to:

(a) General Standards of Development: Schedule 3

Section 56: Accessory Buildings and Structures
Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 61: Fences, Privacy Walls, and Gates
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 66: Landscaping
Section 68: Moved-in Buildings
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development
Section 77: Site Drainage and Storm Water Management

(b) Use-specific Standards of Development: Schedule 4

Section 86: Home Occupations
Section 88: Manufactured Homes and Manufactured Home Parks
Section 90: Modular Homes

RESIDENTIAL MANUFACTURED HOME PARK (R-MP)

SECTION 1: PURPOSE

The purpose of this district is to provide for the development of manufactured home parks where un-subdivided but appropriately demarcated and adequately serviced lots are available for lease or rent, in accordance with approved comprehensive plans and in locations considered to be suitable and complementary to adjacent uses.



SECTION 2: USES

2.1 PERMITTED

- Accessory buildings and structures
- Home occupations – 1, 2
- Manufactured homes
- Manufactured home parks
- Parks and playgrounds
- Public utilities

2.2 DISCRETIONARY

- Government and public services
- Home occupations – 3
- Modular homes

SECTION 3: ELIGIBLE MANUFACTURED HOMES

(1) Manufactured homes shall be Canadian Standards Association (CSA) certified and meet the requirements of any other applicable national, provincial and local regulations and standards;

(2) New factory built manufactured homes constructed in accordance with CSA A-277 and Z-240 standards and any amendments thereto; and

(3) Used factory built manufactured homes in a state of good repair, as defined in Section 89 (Manufactured Homes and Manufactured Home Parks) of Schedule 4 (Use Specific Standards of Development) of this bylaw and further to the discretion of the Development Authority.

SECTION 4: MINIMUM MANUFACTURED HOME PARK SIZE

The minimum size for manufactured home parks shall be 2 hectares (4.9 acres) or alternatively as approved by the Development Authority, with consideration for the suitability of smaller sites and potential impacts to adjacent uses.

SECTION 5: MINIMUM LOT DIMENSIONS

Dwelling Type	Lot Size	Lot Depth	Lot Width
Manufactured Homes	360 m^2 (3875 ft^2)	30 m (98.4 ft)	12 m (39.4 ft)
All others	To the discretion of the Development Authority.		

SECTION 6: SETBACKS

6.1 APPLICABILITY

(1) Minimum setbacks for those discretionary uses that do not take place within a manufactured home shall be determined by the Development Authority; and

(2) Where the shape of a lot or other circumstances is such that the setbacks prescribed in sub-section 6.2 of this section cannot be reasonably applied, the Development Authority shall determine the setbacks.

6.2 SETBACK REQUIREMENTS

Manufactured Home		
Front	From closest edge of internal road	4 m (13.1 ft)
	From any permanent structure located directly across from the front of the unit	17.5 m (57.4 ft)
Rear	3 m (9.8 ft)	
Side	0 m (0 ft) one side only (see *Notes)*	
Other	From any manufactured home community boundary	3 m (9.8 ft)
	From the side of any manufactured home to any other manufactured home	2.4 m (7.9 ft)
	One side yard setback, to maintain living space for driveways, carports, porches, patios and similar site features	5.5 m (18 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	If parking stalls cannot be accommodated along the side of the lot, the minimum front setback shall be 6 m.	
	0 m side yard setback only permitted when the home is placed on the opposite side yard to the home on the adjacent lot, and a minimum 1.5 m (4.92 ft) maintenance easement is registered on the adjacent property, giving access to the side of the home that would otherwise be inaccessible.	

Accessory Building(s) Larger than 10 m^2 (107.6 ft^2)		
Front	Parallel to the front of the principal building at minimum	
Rear	1.0 m (3.3 ft)	
Side	1.0 m (3.3 ft)	
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3, unless otherwise indicated.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	
	No accessory buildings shall be located adjacent to the principal building on the same side of the yard as the one-side 3.0 metre principal building setback, if applicable.	

Accessory Building(s) 10 m^2 (107.6 ft^2) and Smaller		
Front	N/A (prohibited in front yards)	
Rear	0 m (ft) if internal setbacks are met	
Side	0 m (ft) if internal setbacks are met	
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	No accessory buildings shall be located on the same side of the yard as the one-side 5.5 metre principal building setback, if applicable.	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	

SECTION 7: MAXIMUM SITE COVERAGE

The following site coverage requirements are to be adhered to where a plot plan approved by the Development Authority is on file:

(1) Total allowable coverage: 45% inclusive of all buildings

(2) Principal building: 30 – 45% depending on accessory building(s)

Note: attached garages are considered part of the principal building for the purposes of site coverage calculations.

(3) Accessory building(s): 0 – 15% depending on principal building

SECTION 8: BUILDING DIMENSIONS

(1) Principal building maximum height: 6 m (19.7 ft)

(2) Accessory building(s) maximum height: 4.5 m (14.8 ft)

(3) Manufactured home minimum width: 4.2 m (13.8 ft)

(4) Dimensional requirements for all other buildings in this district are to the discretion of the Development Authority.

SECTION 9: MINIMUM FLOOR AREA

9.1 APPLICABILITY

(1) Minimum floor areas are calculated for that part of a building that is no more than 1.0 m (3.3 ft) below finished grade, which does not include finished basements or attached garages;

(2) All minimum floor areas are for the main floor of the dwelling unless otherwise stated; and

(3) For dwellings of more than 1 storey, each additional half storey shall increase the minimum required floor area by 25 percent.

9.2 MINIMUM FLOOR AREAS

Dwelling Type	Minimum Floor Area
Manufactured home	75 m^2 (807.3 ft^2)
Modular home	To the discretion of the Development Authority

SECTION 10: FOUNDATION REQUIREMENTS

(1) All manufactured homes shall be placed on a full foundation of poured concrete or concrete blocks or upon and affixed to steel or concrete piles, or upon an approved treated wooden basement, foundation, or blocks;

(2) If a manufactured home is placed on piles or blocks, it shall be skirted from the base of the home to the ground with material similar in design to the home itself; and

(3) Regardless of the type of foundation a manufactured home is placed on, all hitches, wheels, and axels shall be skirted such that no part of them is visible.

SECTION 11: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the R-MP land use district include but are not limited to:

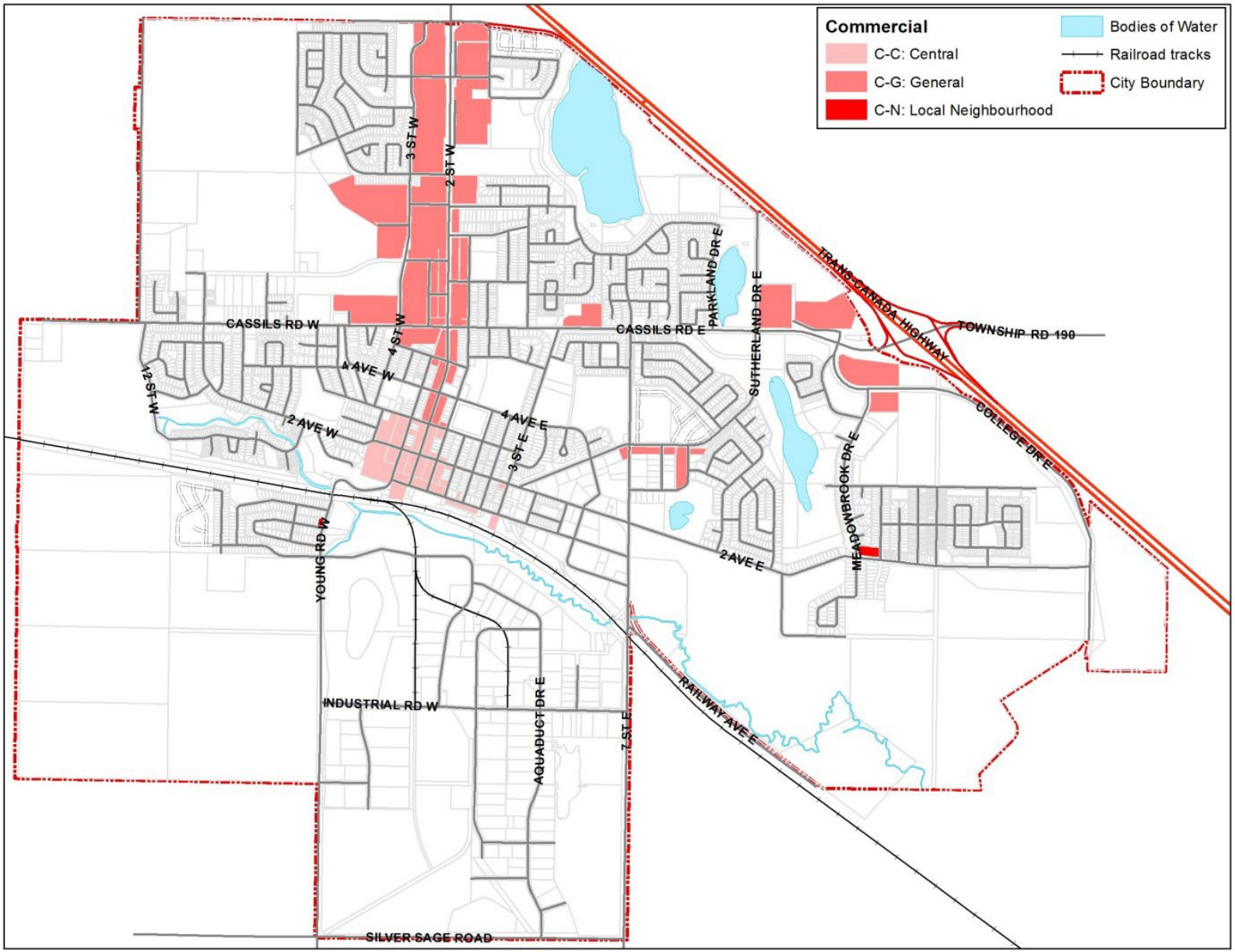
(a) General Standards of Development: Schedule 3

Section 56: Accessory Buildings and Structures
Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 61: Fences, Privacy Walls, and Gates
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 66: Landscaping
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development
Section 77: Site Drainage and Storm Water Management

(b) Use-specific Standards of Development: Schedule 4

Section 86: Home Occupations
Section 88: Manufactured Homes and Manufactured Home Parks
Section 90: Modular Homes

COMMERCIAL LAND USE DISTRICTS


Commercial
C-C: Central
C-G: General
C-N: Local Neighbourhood
Bodies of Water
Railroad tracks
City Boundary
3 ST W
2 ST W
4 ST W
1 ST W
CASSILS RD W
CASSILS RD E
1 AVE W
2 AVE W
4 AVE E
3 ST E
PARKLAND DR E
SUTHERLAND DR E
TRANS-CANADA HIGHWAY
TOWNSHIP RD 190
COLLEGE DR E
MEADOWBROOK DR E
2 AVE E
YOUNG RD W
INDUSTRIAL RD W
AQUADUCT DR E
7 ST E
RAILWAY AVE E
SILVER SAGE ROAD

COMMERCIAL CENTRAL (C-C)

SECTION 1: PURPOSE



The purpose of this district is to provide for the support of the existing mixture of residential, commercial and other uses that currently take place in the City's historic downtown, and encourage the continued development of the same.

SECTION 2: USES

2.1 PERMITTED

- Accessory buildings and structures
- Art and craft studios
- Bakeries
- Bars/Lounges
- Breweries, wineries and distilleries
- Business and professional offices
- Cafes
- Cannabis stores
- Commercial schools
- Cultural facilities
- Dwelling units above non-residential uses
- Entertainment facilities
- Financial institutions
- Government and public services
- Home occupations – 1, 2
- Hotels
- Media production facilities
- Medical offices
- Minor retail establishments
- Personal services
- Pet grooming establishments
- Private recreation facilities
- Public utilities
- Religious assemblies
- Restaurants

2.2 DISCRETIONARY

- Adult entertainment establishments
- Apartments
- Auto and equipment rentals and sales
- Business support services
- Day cares
- Duplexes
- Dwelling units in the rear of non-residential uses
- Funeral services
- Home occupations – 3
- Liquor stores
- Modular homes
- Moved-in buildings
- Moved-in dwellings
- Parking facilities
- Repair shops
- Secondary suites
- Semi-detached dwellings
- Service stations
- Shopping malls
- Single-detached dwellings
- Townhouses

SECTION 3: MINIMUM LOT DIMENSIONS

Lot Size	Lot Width	Lot Depth
To the discretion of the Development Authority		

SECTION 4: SETBACKS

4.1 APPLICABILITY

(1) Setbacks only apply to a C-C lot or lots that are adjacent to other C-C lots; and

(2) For all C-C lots that are adjacent to one or more residential lots, in accordance with those residential land use districts established in this bylaw, the C-C lot shall meet setback requirements of Section 65 (Interface Areas) of Schedule 3 (General Standards of Development).

4.2 SETBACK REQUIREMENTS

Principal Building	
Front	0 m (0 ft)
Rear	
Side	
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*
	Corner lots shall provide an adequate clear vision zone in accordance with the clear vision triangle requirements outlined in Section 3 of Schedule 3.

Accessory Building(s)		
Front	N/A (prohibited in front yards)	
Rear	1.0 m (3.3 ft)	
Side	1.0 m (3.3 ft)	
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	

SECTION 5: MAXIMUM SITE COVERAGE

(1) Total allowable coverage: 100% inclusive of all buildings

(2) Principal building: 85 – 100% depending on accessory building(s)

(3) Accessory building(s): 0 – 15% depending on principal building

(4) Unless otherwise exempted from off-street parking requirements in accordance with the Downtown Parking Overlay (Section 72 (Parking and Loading) of Schedule 3 (General Standards of Development)), site coverage shall be adjusted accordingly based on the area required to provide off-street parking in accordance with Section 72 of Schedule 3 and any other requirements of this bylaw including but not limited to area for landscaping, storage, and waste disposal.

(5) Maximum site coverage does not include lots on which existing detached dwellings constructed prior to December 31, 1990 are located, which shall instead meet site coverage requirements as determined by the Development Authority, taking into account area for off-street parking, site drainage, and any other factors as determined by the Development Authority.

SECTION 6: MAXIMUM BUILDING HEIGHT

(1)	Principal building:	12 m (39 ft)
(2)	Accessory building(s):	4.5 m (14.8 ft)

SECTION 7: FLOOR AREA RATIO

Principal buildings in this district shall be developed to a maximum FAR of 3, as illustrated in Figure 7.1

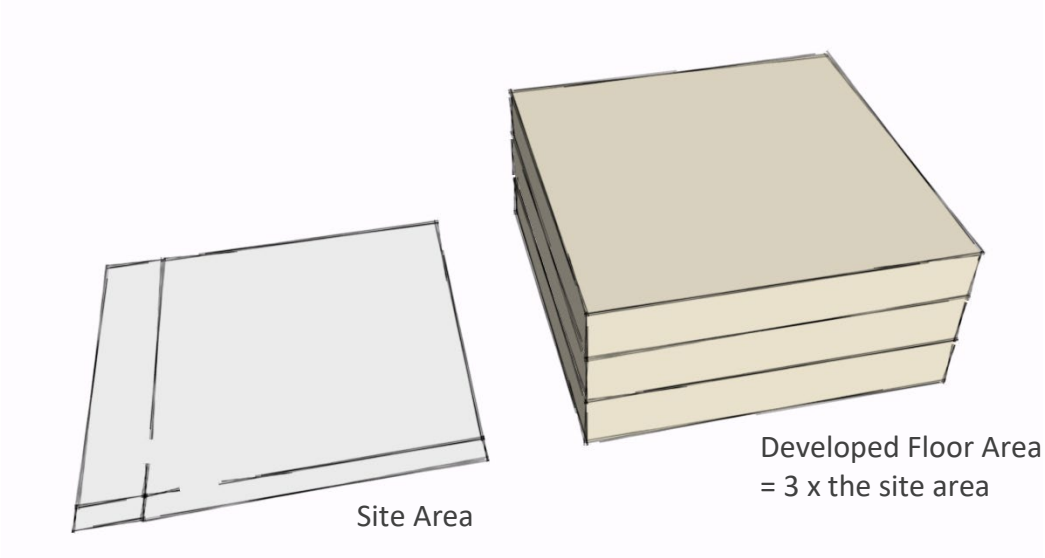


Figure 7.1: an example of an FAR of 3.0.

SECTION 8: RESIDENTIAL DEVELOPMENT

(1) Residential development above or in the rear of commercial uses shall meet all requirements of Section 67 (Mixed-Use Development) of Schedule 3 (General Standards of Development); and

(2) Existing detached residential dwellings constructed prior to the passing of this bylaw may be renovated, but shall not be enlarged, replaced or reconstructed.

SECTION 9: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the C-C land use district include but are not limited to:

(a) General Standards of Development: Schedule 3

Section 56: Accessory Buildings and Structures
Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 60: Exceptions to Building Height
Section 61: Fences, Privacy Walls, and Gates
Section 62: Gateways and Corridors
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 64: Infill Development
Section 65: Interface Areas
Section 66: Landscaping
Section 67: Mixed Use Development
Section 68: Moved-in Buildings
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development
Section 76: Screening
Section 77: Site Drainage and Storm Water Management
Section 79: Vehicle-oriented Development

(b) Use-specific Standards of Development: Schedule 4

Section 81: Adult entertainment establishments
Section 84: Child Care Facilities
Section 86: Home Occupations
Section 90: Modular Homes
Section 91: Multi-unit Dwellings
Section 92: Liquor Stores
Section 93: Secondary Suites
Section 95: Cannabis Stores

COMMERCIAL GENERAL (C-G)

SECTION 1: PURPOSE

The purpose of this district is to provide for the development of a wide variety of commercial uses that benefit from a high level of exposure and may serve the City, surrounding communities and the travelling public.



SECTION 2: USES

2.1 PERMITTED

- Accessory buildings and structures
- Art and craft studios
- Auto and equipment rental and sales
- Bakeries
- Bar/Lounges
- Breweries, wineries and distilleries
- Bus depots
- Building and trade contractors
- Business and professional offices
- Cafes
- Cannabis stores
- Commercial schools
- Cultural facilities
- Dwelling units above non-residential uses
- Dwelling units in the rear of non-residential uses
- Entertainment facilities
- Financial institutions
- Funeral services
- Government and public services
- Home occupations – 1, 2
- Hotels
- Major retail establishments
- Media production facilities
- Medical offices
- Minor retail establishments
- Personal services
- Pet grooming establishments
- Private recreation facilities
- Public utilities
- Religious assemblies
- Restaurants
- Service stations
- Shopping malls
- Veterinary clinics

2.2 DISCRETIONARY

- Adult entertainment establishments
- Apartments
- Business support services
- Day cares
- Duplexes
- Home occupations – 3
- Liquor stores
- Modular homes
- Moved-in buildings
- Moved-in dwellings
- Oilfield services
- Parking facilities
- Recycling facilities
- Repair shops
- Secondary suites
- Semi-detached dwellings
- Single-detached dwellings
- Townhouses
- Truck and car washes
- Warehouses

SECTION 3: MINIMUM LOT DIMENSIONS

Lot Size	Lot Width	Lot Depth
To the discretion of the Development Authority		

SECTION 4: SETBACKS

4.1 APPLICABILITY

(1) Setbacks only apply to a C-G lot or lots that are adjacent to other C-G lots; and

(2) For all C-G lots that are adjacent to one or more residential lots, in accordance with those residential land use districts established in this bylaw, the C-G lot shall meet setback requirements of Section 65 (Interface Areas) of Schedule 3 (General Standards of Development).

4.3 SETBACK REQUIREMENTS

Principal Building	
Front and Flankage	6 m (19.7 ft)
Rear	0 m (0 ft) except where parking, loading, storage and waste disposal provisions are required
Side	
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*
	Corner lots shall provide adequate clear vision space in accordance with the clear vision triangle requirements outlined in Section 3 of Schedule 3.

Accessory Building(s)		
Front	N/A (prohibited in front yards)	
Rear	1.0 m (3.3 ft)	
Side	1.0 m (3.3 ft)	
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	

SECTION 5: MAXIMUM SITE COVERAGE

(1) Total allowable coverage: 60% inclusive of all buildings

(2) Principal building: 45 – 60% depending on accessory building(s)

(3) Accessory building(s): 0 – 15% depending on principal building

(4) Maximum site coverage does not include lots on which existing detached dwellings constructed prior to December 31, 1990 are located, which shall instead meet site coverage requirements as determined by the Development Authority, taking into account area for off-street parking, site drainage, and any other factors as determined by the Development Authority.

SECTION 6: MAXIMUM BUILDING HEIGHT

(1)	Principal building:	12 m (39 ft)
(2)	Accessory building(s):	4.5 m (14.8 ft)

SECTION 7: FLOOR AREA RATIO

Principal buildings in this district shall be developed to a maximum FAR of 1.5, as illustrated in Figure 7.1.

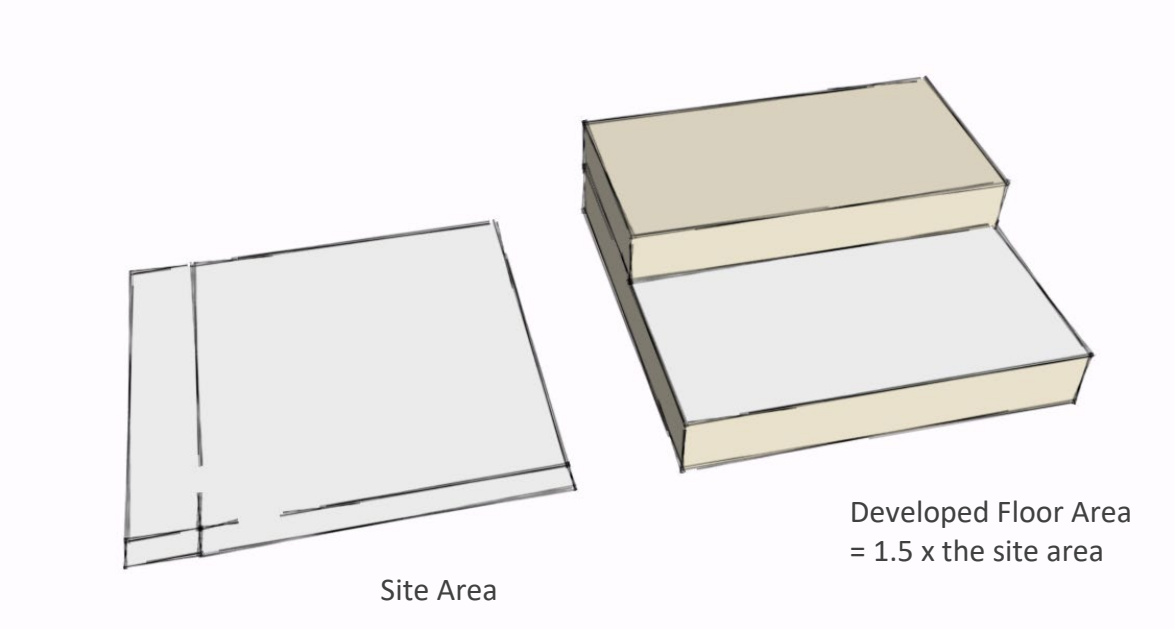


Figure 7.1: an example of an FAR of 1.5.

SECTION 8: RESIDENTIAL DEVELOPMENT

(1) Residential development above commercial uses shall meet all requirements of Section 67 (Mixed-Use Development) of Schedule 3 (General Standards of Development); and

(2) Existing detached residential dwellings constructed prior to the passing of this bylaw may be renovated, but shall not be enlarged, replaced or reconstructed.

SECTION 9: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the C-G land use district include but are not limited to:

(a) General Standards of Development: Schedule 3

Section 56: Accessory Buildings and Structures
Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 60: Exceptions to Building Height
Section 61: Fences, Privacy Walls, and Gates
Section 62: Gateways and Corridors
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 64: Infill Development
Section 65: Interface Areas
Section 66: Landscaping
Section 67: Mixed Use Development
Section 68: Moved-in Buildings
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development
Section 76: Screening
Section 77: Site Drainage and Storm Water Management
Section 79: Vehicle-oriented Development

(b) Use-specific Standards of Development: Schedule 4

Section 81: Adult Entertainment Establishments
Section 84: Child Care Facilities
Section 86: Home Occupations
Section 90: Modular Homes
Section 92: Liquor Stores
Section 93: Secondary Suites
Section 95: Cannabis Stores

COMMERCIAL NEIGHBOURHOOD (C-N)

SECTION 1: PURPOSE

The purpose of this district is to provide for commercial uses located within primarily residential neighbourhoods, that are compatible with and complementary to the daily needs of residents.



SECTION 2: USES

2.1 PERMITTED

- Accessory buildings and structures
- Art and craft studios
- Bakeries
- Bed and breakfasts
- Business and professional offices
- Cafes
- Day cares
- Day homes
- Duplexes
- Dwelling units above nonresidential uses
- Dwelling units in the rear of residential uses
- Home occupations – 1, 2
- Minor retail establishments
- Personal services
- Public utilities
- Semi-detached dwellings
- Single-detached dwellings

2.2 DISCRETIONARY

- Apartments
- Bars/Lounges
- Breweries, wineries and distilleries
- Commercial schools
- Government and public services
- Group care facilities (<= 5 residents)
- Home occupations - 3
- Medical offices
- Modular homes
- Moved-in buildings
- Moved-in dwellings
- Restaurants
- Townhouses

SECTION 3: MINIMUM LOT DIMENSIONS

Lot Size	Lot Width	Lot Depth
To the discretion of the Development Authority		

SECTION 4: SETBACKS

4.1 APPLICABILITY

(1) Setbacks only apply to a C-N lot or lots that are adjacent to other C-N lots; and

(2) For all C-N lots that are adjacent to one or more residential lots, in accordance with those residential land use districts established in this bylaw, the C-N lot shall meet setback requirements of Section 65 (Interface Areas) of Schedule 3 (General Standards of Development).

4.2 SETBACK REQUIREMENTS

Principal Building	
Front and Flankage	Minimum: 5 m (16.4 ft)
Rear	7.5 m (24.6 ft)
Side	4.5 m (14.8 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*
	Corner lots shall provide adequate clear vision space in accordance with the clear vision triangle requirements outlined in Section 3 of Schedule 3.

Accessory Building(s)		
Front	N/A (prohibited in front yards)	
Rear	1.0 m (3.3 ft)	
Side	1.0 m (3.3 ft)	
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	

SECTION 5: MAXIMUM SITE COVERAGE

(1) Total allowable coverage: 60% inclusive of all buildings

(2) Principal building: 45 – 60% depending on accessory building(s)

(3) Accessory building(s): 0 – 15% depending on principal building

SECTION 6: MAXIMUM BUILDING HEIGHT

(1) Principal building: 12 m (39 ft)

(2) Accessory building(s): 4.5 m (14.8 ft)

SECTION 7: FLOOR AREA RATIO

Principal buildings in this district shall be developed to a maximum FAR of 0.6, as illustrated in Figure 7.1.

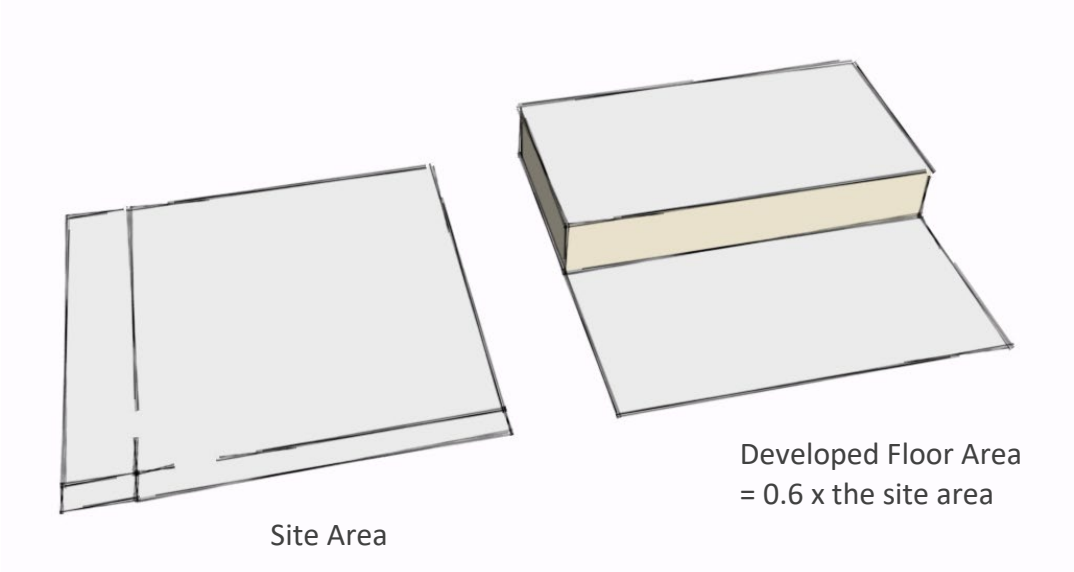


Figure 7.1: an example of an FAR of 0.6.

SECTION 8: RESIDENTIAL DEVELOPMENT

(1) Residential development above or in the rear of commercial uses shall meet all requirements of Section 67 (Mixed-Use Development) of Schedule 3 (General Standards of Development); and

(2) Existing detached residential dwellings constructed prior to the passing of this bylaw may be renovated, but shall not be enlarged, replaced or reconstructed.

SECTION 9: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the C-N land use district include but are not limited to:

(a) General Standards of Development: Schedule 3

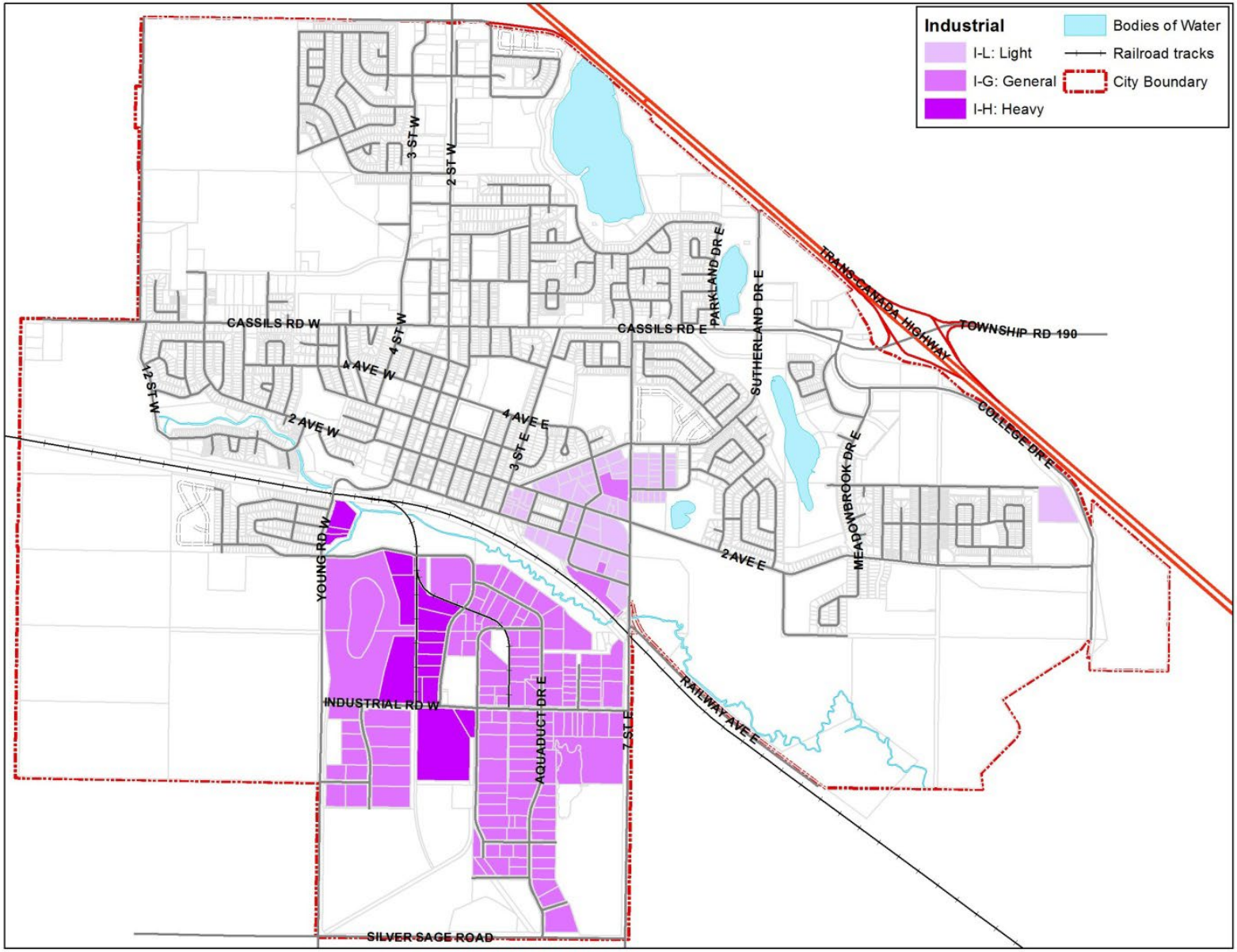
Section 56: Accessory Buildings and Structures
Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 60: Exceptions to Building Height
Section 61: Fences, Privacy Walls, and Gates
Section 62: Gateways and Corridors
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 64: Infill Development
Section 65: Interface Areas
Section 66: Landscaping

Section 67: Mixed Use Development
Section 68: Moved-in Buildings
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development
Section 76: Screening
Section 77: Site Drainage and Storm Water Management
Section 79: Vehicle-oriented Development

(b) Use-specific Standards of Development: Schedule 4

Section 83: Bed and Breakfasts
Section 84: Child Care Facilities
Section 85: Group Care Facilities
Section 86: Home Occupations
Section 90: Modular Homes
Section 91: Multi-unit Dwellings
Section 93: Secondary Suites

INDUSTRIAL LAND USE DISTRICTS


Industrial
I-L: Light
I-G: General
I-H: Heavy
Bodies of Water
Railroad tracks
City Boundary
3 ST W
2 ST W
CASSILS RD W
4 ST W
1 AVE W
2 AVE W
CASSILS RD E
PARKLAND DR E
SUTHERLAND DR E
TRANS-CANADA HIGHWAY
TOWNSHIP RD 190
COLLEGE DR E
4 AVE E
3 ST E
MEADOWBROOK DR E
2 AVE E
YOUNG RD W
INDUSTRIAL RD W
AQUADUCT DR E
7 ST E
RAILWAY AVE E
SILVER SAGE ROAD

INDUSTRIAL LIGHT (I-L)

SECTION 1: PURPOSE

The purpose of this district is to provide for a variety of industrial developments that maintain potential nuisance such as noise, odour, vibration and the visual impact of storage within the confines of individual buildings and may include commercial uses supportive the industrial activities.



SECTION 2: USES

2.1 PERMITTED

- Accessory buildings and structures
- Auction establishments
- Auto and equipment paint shops
- Auto and equipment rental and sales
- Breweries, wineries and distilleries
- Building and trade contractors
- Business and professional offices
- Cafes
- Cannabis stores
- Commercial schools
- Day cares
- Entertainment facilities
- Funeral services
- Government and public services
- Laboratories
- Light manufacturing
- Major retail establishments
- Media production facilities
- Minor retail establishments
- Oilfield services
- Pet grooming establishments
- Private recreation facilities
- Public utilities
- Recycling facilities
- Religious assemblies
- Repair shops
- Restaurants
- Service stations
- Truck and car washes
- Veterinary clinics
- Warehouses

2.2 DISCRETIONARY

- Adult entertainment establishments
- Bar/Lounges
- Bulk fuel stations
- Business support services
- Cannabis production facilities
- Data centre
- Dwelling units above non-residential uses
- Hotels
- Kenneling
- Liquor stores
- Moved-in buildings
- Outdoor storage
- Personal services
- Renewable energies

SECTION 3: MINIMUM LOT DIMENSIONS

Lot Size	Lot Width	Lot Depth
464 m^2 (4994.5 ft^2)	To the discretion of the Development Authority	

SECTION 4: SETBACKS

Principal Building		
Front	7.5 m (24.6 ft)	
Rear	6 m (19.7 ft)	
Side	Lot with rear lane	0 m (0 ft)
	Lot without rear lane	One side only: 4.5 m (14.8 ft)
Flankage *Corner lots*	7.5 m (24.6 ft)	
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Corner lots shall provide adequate clear vision space in accordance with the clear vision triangle requirements outlined in Section 3 of Schedule 3.	

Accessory Building(s)	
To the discretion of the Development Authority, with consideration for required setbacks and minimum distance separations based on materials stored in accessory buildings.	
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*
	Corner lots shall provide adequate clear vision space in accordance with the clear vision triangle requirements outlined in Section 3 of Schedule 3.

SECTION 5: MAXIMUM SITE COVERAGE

(1) Total allowable coverage: 60% inclusive of all buildings

(2) Principal and accessory buildings may make up any percentage of the total allowable site coverage as required.

SECTION 6: MAXIMUM BUILDING HEIGHT

(1) Principal building: 12 m (39 ft)

(2) Accessory building(s): 12 m (39 ft)

SECTION 7: PERFORMANCE STANDARDS

(1) Industrial uses in this land use district shall address any noise, smoke, dust, ash, odour, release of gasses or heat, outdoor storage, construction and creation, storage and disposal of industrial wastes in ways approved by the relevant regulatory bodies and to the discretion of the Development Authority; and

(2) Industrial uses in this land use district shall be required to meet the performance standards set out in Section 87 (Industrial Performance Standards) of Schedule 4 (Use Specific Standards of Development).

SECTION 8: RESIDENTIAL DEVELOPMENT

(1) Residential development above non-residential uses in this district shall meet all requirements of Section 67 (Mixed-Use Development) of Schedule 3 (General Standards of Development); and

(2) Existing detached residential dwellings constructed prior to the passing of this bylaw may be renovated, but shall not be enlarged, replaced or reconstructed.

SECTION 9: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the I-L land use district include but are not limited to:

(a) General Standards of Development: Schedule 3

Section 56: Accessory Buildings and Structures
Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 60: Exceptions to Building Height
Section 61: Fences, Privacy Walls, and Gates
Section 62: Gateways and Corridors
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 66: Landscaping
Section 67: Mixed Use Development
Section 68: Moved-in Buildings
Section 71: Outdoor Storage and Display
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development
Section 76: Screening
Section 77: Site Drainage and Storm Water Management

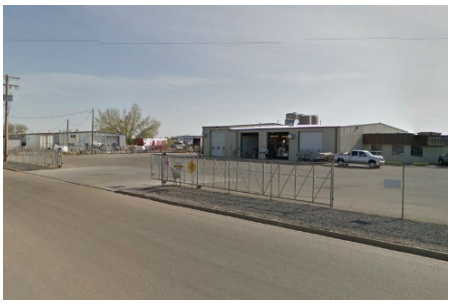
(b) Use-specific Standards of Development: Schedule 4

Section 84: Child Care Facilities
Section 87: Industrial Performance Standards
Section 89: Cannabis Production Facilities
Section 92: Liquor Stores
Section 95: Cannabis Stores

Section 96: Kenneling
Section 98: Data Centre

INDUSTRIAL GENERAL (I-G)

SECTION 1: PURPOSE



The purpose of this district is to provide for:

(1) A wide range of industrial uses with opportunity for complementary but secondary commercial activities; and

(2) Sensitivity to the potential impacts of the primarily industrial and secondary commercial uses on surrounding development.

SECTION 2: USES

2.1 PERMITTED

- Accessory buildings and structures
- Auction establishments
- Auto and equipment paint shops
- Auto and equipment rental and sales
- Building and trade contractors
- Bulk fuel stations
- Business and professional offices
- Cannabis production facilities
- Commercial schools
- Funeral services
- Government and public services
- Laboratories
- Light manufacturing
- Major retail establishments
- Media production facilities
- Minor retail establishments
- Oilfield services
- Outdoor storage
- Public utilities
- Recycling facilities
- Renewable energies
- Repair shops
- Service stations
- Truck and car washes
- Veterinary clinics
- Warehouses

2.2 DISCRETIONARY

- Breweries, wineries and distilleries
- Business support services
- Data centre
- Day cares
- Heavy manufacturing
- Kenneling
- Liquor stores
- Moved-in buildings
- Religious assemblies
- Salvage yards

SECTION 3: MINIMUM LOT DIMENSIONS

Lot Size	Lot Width	Lot Depth
464 m^2 (4994.5 ft^2)	To the discretion of the Development Authority	

SECTION 4: SETBACKS

Principal Building		
Front	7.5 m (24.6 ft)	
Rear	4.5 m (14.8 ft)	
Side	Lot with rear lane	0 m (0 ft)
	Lot without rear lane	One side only: 4.5 m (14.8 ft)
Flankage *Corner lots*	7.5 m (24.6 ft)	
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Corner lots shall provide adequate clear vision space in accordance with the clear vision triangle requirements outlined in Section 3 of Schedule 3.	

Accessory Building(s)	
To the discretion of the Development Authority, with consideration for required setbacks and minimum distance separations based on materials stored in accessory buildings.	
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*
	Corner lots shall provide adequate clear vision space in accordance with the clear vision triangle requirements outlined in Section 3 of Schedule 3.

SECTION 5: MAXIMUM SITE COVERAGE

(1) Total allowable coverage: 60% inclusive of all buildings

(2) Principal and accessory buildings may make up any percentage of the total allowable site coverage as required.

SECTION 6: MAXIMUM BUILDING HEIGHT

(1) Principal building: 12 m (39 ft)

(2) Accessory building(s): 12 m (39 ft)

SECTION 7: PERFORMANCE STANDARDS

(1) Industrial uses in this land use district shall address any noise, smoke, dust, ash, odour, release of gasses or heat, outdoor storage, construction and creation, storage and disposal of industrial wastes in ways approved by the relevant regulatory bodies and to the discretion of the Development Authority; and

(3) Industrial uses in this land use district shall be required to meet the performance standards set out in Section 87 (Industrial Performance Standards) of Schedule 4 (Use Specific Standards of Development).

SECTION 8: RESIDENTIAL DEVELOPMENT

(1) Residential development above non-residential uses in this district shall meet all requirements of Section 67 (Mixed-Use Development) of Schedule 3 (General Standards of Development).

SECTION 9: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the I-G land use district include but are not limited to:

(a) General Standards of Development: Schedule 3

Section 56: Accessory Buildings and Structures
Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 60: Exceptions to Building Height
Section 61: Fences, Privacy Walls, and Gates
Section 62: Gateways and Corridors
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 66: Landscaping
Section 68: Moved-in Buildings
Section 71: Outdoor Storage and Display
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development
Section 76: Screening
Section 77: Site Drainage and Storm Water Management

(b) Use-specific Standards of Development: Schedule 4

Section 84: Child Care Facilities
Section 87: Industrial Performance Standards
Section 89: Cannabis Production Facilities
Section 92: Liquor Sales
Section 96: Kenneling
Section 98: Data Centre

INDUSTRIAL HEAVY (I-H)

SECTION 1: PURPOSE



The purpose of this district is to provide for a variety of industrial developments typically referred to as *heavy*; having the potential to create the greatest impact on-site regarding noise, odour, outdoor storage requirements and vibration.

SECTION 2: USES

2.1 PERMITTED

- Accessory buildings and structures
- Auction establishments
- Auto and equipment paint shops
- Building and trade contractors
- Bulk fuel stations
- Cannabis production facilities
- Government and public services
- Light manufacturing
- Public utilities
- Oilfield services
- Outdoor storage
- Recycling facilities
- Repair shops
- Renewable energies
- Salvage yards
- Warehouses

2.2 DISCRETIONARY

- Commercial schools
- Data centre
- Kenneling
- Heavy manufacturing
- Major retail establishments
- Moved-in buildings

SECTION 3: MINIMUM LOT DIMENSIONS

Lot Size	Lot Width	Lot Depth
464 m^2 (4994.5 ft^2)	To the discretion of the Development Authority	

SECTION 4: SETBACKS

Principal Building		
Front	7.5 m (24.6 ft)	
Rear	4.5 m (14.8 ft)	
Side	Lot with rear lane	0 m (0 ft)
	Lot without rear lane	One side only: 4.5 m (14.8 ft)
Flankage *Corner lots*	7.5 m (24.6 ft)	
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Corner lots shall provide adequate clear vision space in accordance with the clear vision triangle requirements outlined in Section 3 of Schedule 3.	

Accessory Building(s)	
To the discretion of the Development Authority, with consideration for required setbacks and minimum distance separations based on materials stored in accessory buildings.	
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*
	Corner lots shall provide adequate clear vision space in accordance with the clear vision triangle requirements outlined in Section 3 of Schedule 3.

SECTION 5: MAXIMUM SITE COVERAGE

(1) Total allowable coverage: 60% inclusive of all buildings

(2) Principal and accessory buildings may make up any percentage of the total allowable site coverage as required.

SECTION 6: MAXIMUM BUILDING HEIGHT

(1) Principal building: 12 m (39 ft)

(2) Accessory building(s): 12 m (39 ft)

SECTION 7: PERFORMANCE STANDARDS

(1) Industrial uses in this land use district shall address any noise, smoke, dust, ash, odour, release of gasses or heat, outdoor storage, construction and creation, storage and disposal of industrial wastes in ways approved by the relevant regulatory bodies and to the discretion of the Development Authority; and

(2) Industrial uses in this land use district shall be required to meet the performance standards set out in Section 87 (Industrial Performance Standards) of Schedule 4 (Use Specific Standards of Development).

SECTION 8: RESIDENTIAL DEVELOPMENT

(1) Residential development above non-residential uses in this district shall meet all requirements of Section 67 (Mixed-Use Development) of Schedule 3 (General Standards of Development).

SECTION 9: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the I-H land use district include but are not limited to:

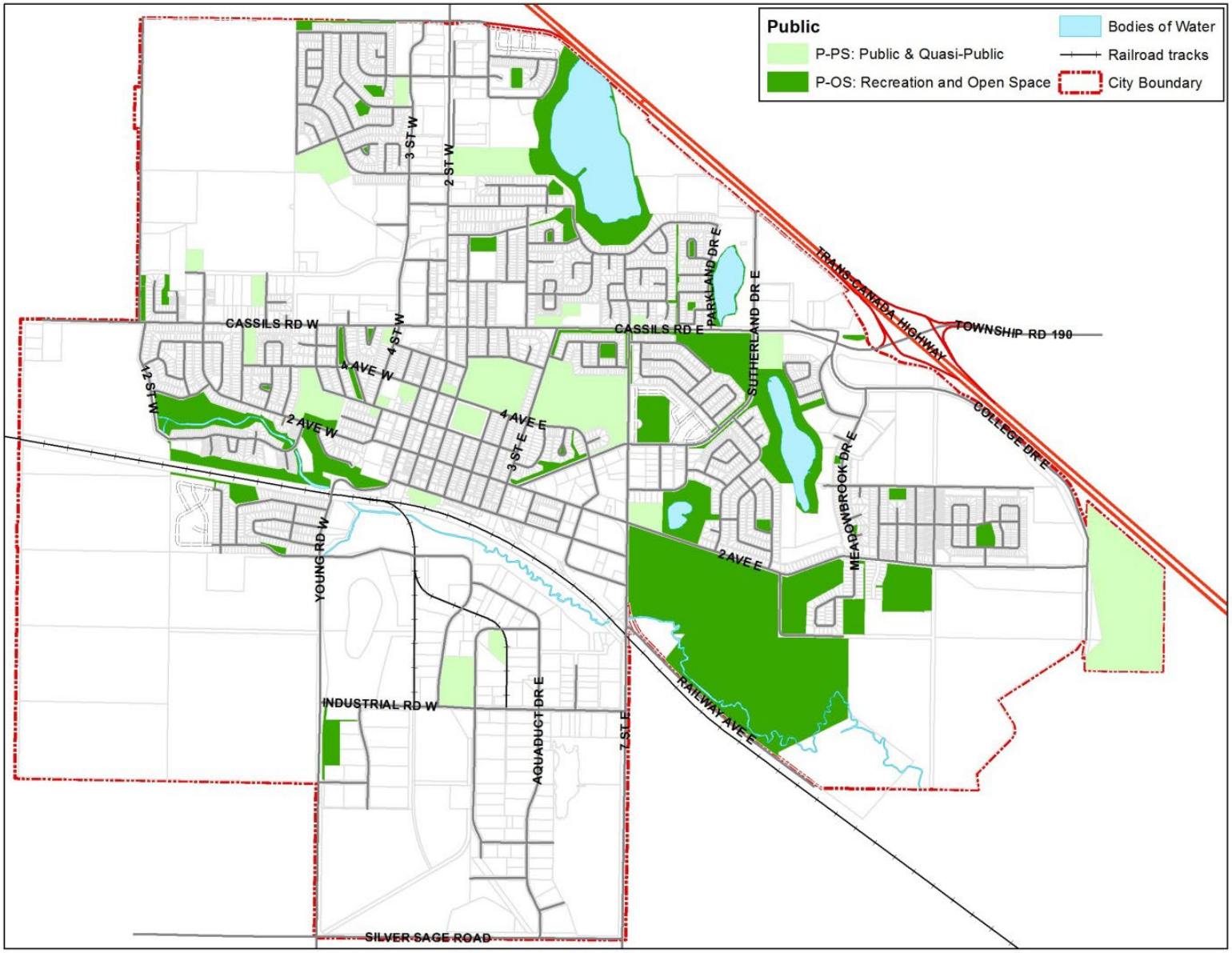
(a) General Standards of Development: Schedule 3

Section 56: Accessory Buildings and Structures
Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 60: Exceptions to Building Height
Section 61: Fences, Privacy Walls, and Gates
Section 62: Gateways and Corridors
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 66: Landscaping
Section 68: Moved-in Buildings
Section 71: Outdoor Storage and Display
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development
Section 76: Screening
Section 77 Site Drainage and Storm Water Management

(b) Use-specific Standards of Development: Schedule 4

Section 87: Industrial Performance Standards
Section 89: Cannabis Production Facilities
Section 96: Kenneling
Section 98: Data Centre

PUBLIC & QUASI-PUBLIC LAND USE DISTRICTS


Public
P-PS: Public & Quasi-Public
P-OS: Recreation and Open Space
Bodies of Water
Railroad tracks
City Boundary
CASSILS RD W
CASSILS RD E
TRANSCANADA HIGHWAY
TOWNSHIP RD 190
COLLEGE DR E
SUTHERLAND DR E
PARKLAND DR E
MEADOWBROOK DR E
YOUNG RD W
INDUSTRIAL RD W
AQUADUCT DR E
RAILWAY AVE E
SILVER SAGE ROAD
1 AVE W
2 AVE W
4 AVE E
2 AVE E
2 ST W
3 ST W
4 ST W
2 ST E
3 ST E
7 ST E

PUBLIC AND QUASI-PUBLIC SERVICE (P-PS)

SECTION 1: PURPOSE



The purpose of this district is to provide for the development of public and private uses that offer essential services and social, cultural and educational opportunities in a variety of institutional and other suitable settings.

SECTION 2: USES

2.1 PERMITTED

- Accessory buildings and structures
- Cultural facilities
- Day cares
- Education facilities
- Government and public services
- Hospitals
- Parks and playgrounds
- Public recreation facilities
- Public utilities

2.2 DISCRETIONARY

- Cemeteries
- Group care facilities
- Moved-in buildings
- Religious assemblies
- Seniors housing

SECTION 3: MINIMUM LOT DIMENSIONS

Lot Size	Lot Width	Lot Depth
To the discretion of the Development Authority.		

SECTION 4: SETBACKS

4.1 SETBACK REQUIREMENTS

Principal Building	
Front	To the discretion of the Development Authority.
Rear	
Side	
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*
	Corner lots shall provide adequate clear vision space in accordance with the clear vision triangle requirements outlined in Section 3 of Schedule 3.

Accessory Building(s)		
Front	N/A (prohibited in front yards)	
Rear	1.0 m (3.3 ft)	
Side	1.0 m (3.3 ft)	
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	

SECTION 5: MAXIMUM SITE COVERAGE

(1) Total allowable coverage: 60% inclusive of all buildings

(2) Principal building: 45 – 60% depending on accessory building(s)

(3) Accessory building(s): 0 – 15% depending on principal building

SECTION 6: MAXIMUM BUILDING HEIGHT

(1) Principal building: 12 m (39 ft)

(2) Accessory building(s): 4.5 m (14.8 ft)

SECTION 7: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the P-PS land use district include but are not limited to:

(a) General Standards of Development: Schedule 3

Section 56: Accessory Buildings and Structures
Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 60: Exceptions to Building Height
Section 61: Fences, Privacy Walls, and Gates
Section 62: Gateways and Corridors
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 66: Landscaping
Section 68: Moved-in Buildings
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development
Section 76: Screening
Section 77: Site Drainage and Storm Water Management

(b) Use-specific Standards of Development: Schedule 4

Section 84: Child Care Facilities
Section 85: Group Care Facilities
Section 91: Multi-unit Dwellings

PUBLIC RECREATION AND OPEN SPACE (P-OS)

SECTION 1: PURPOSE



The purpose of this district is to provide for the development of publicly accessible passive and active parks and outdoor recreational spaces with a focus on the broad spectrum of related activities and pursuits enjoyed throughout the City.

SECTION 2: USES

2.1 PERMITTED

- Accessory buildings and structures
- Cultural facilities
- Parks and playgrounds
- Public recreational facilities
- Public utilities

2.2 DISCRETIONARY

- Campgrounds
- Golf courses

SECTION 3: MINIMUM LOT DIMENSIONS

Lot Size	Lot Width	Lot Depth
To the discretion of the Development Authority.		

SECTION 4: SETBACKS

4.1 SETBACK REQUIREMENTS

Principal Building	
Front	To the discretion of the Development Authority.
Rear	
Side	
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 Schedule 3.*
	Corner lots shall provide adequate clear vision space in accordance with the clear vision triangle requirements outlined in Section 3 of Schedule 3.

Accessory Building(s)		
Front	N/A (prohibited in front yards)	
Rear	1.0 m (3.3 ft)	
Side	1.0 m (3.3 ft)	
Internal	From principal building	1.5 m (4.9 ft)
	From other accessory buildings	1.0 m (3.3 ft)
Notes	*Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.*	
	Internal setbacks include setbacks from accessory to accessory and accessory to principal buildings on adjacent lots.	

SECTION 5: MAXIMUM SITE COVERAGE

(1) Total allowable coverage: 50% inclusive of all buildings

(2) Principal building: 35 – 50% depending on accessory building(s)

(3) Accessory building(s): 0 – 15% depending on principal building

SECTION 6: MAXIMUM BUILDING HEIGHT

(1) Principal building: 12 m (39 ft)

(2) Accessory building(s): 4.5 m (14.8 ft)

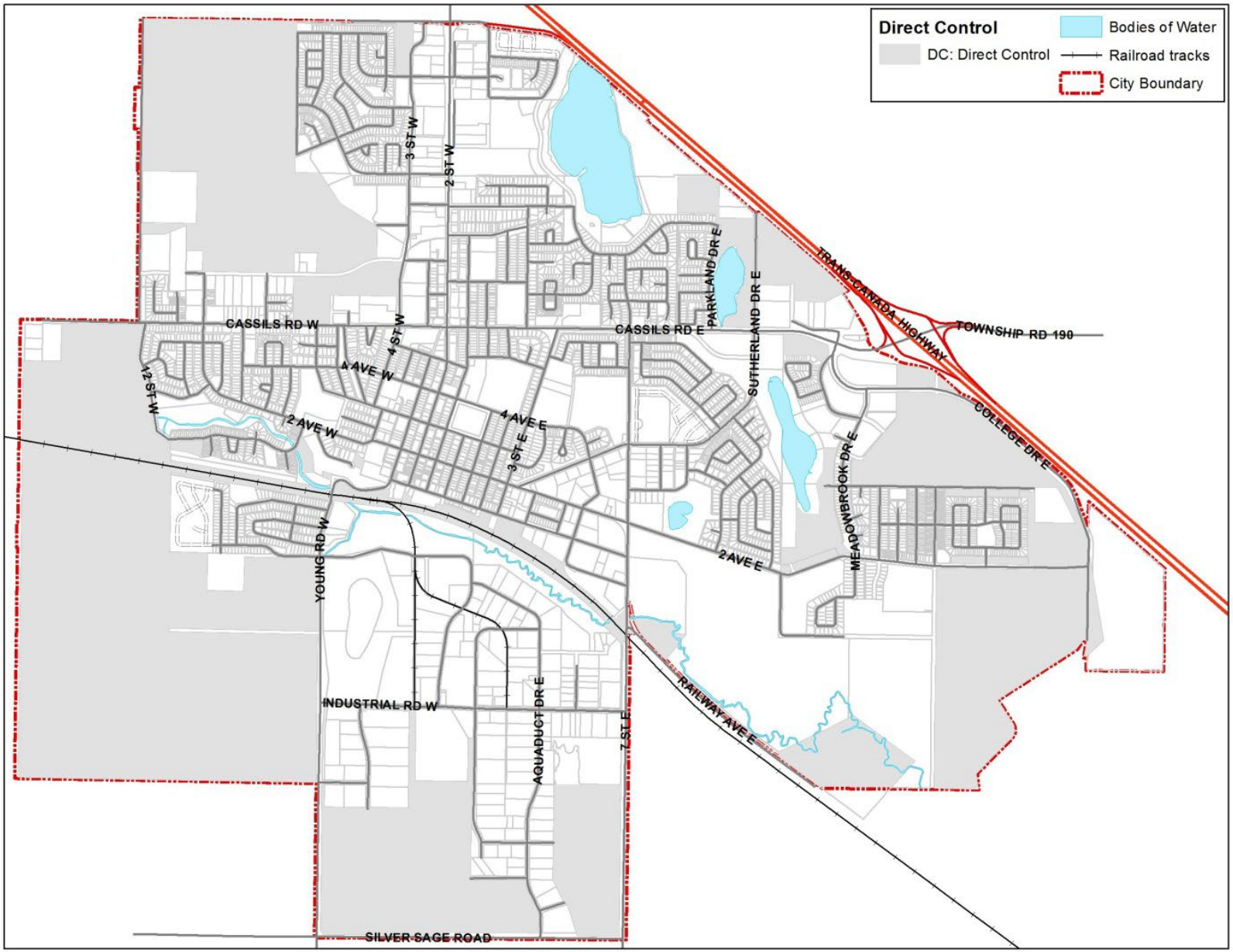
SECTION 7: APPLICABLE SCHEDULES

(1) The following schedules and sections of this bylaw that apply to the P-OS land use district include but are not limited to:

(a) General Standards of Development: Schedule 3

Section 56: Accessory Buildings and Structures
Section 57: Access Requirements
Section 58: Corner Lots
Section 59: Design Standards
Section 60: Exceptions to Building Height
Section 61: Fences, Privacy Walls, and Gates
Section 63: Grading, Excavating, Stripping and Stockpiling
Section 66: Landscaping
Section 72: Parking and Loading
Section 74: Projections into Setbacks
Section 75: Quality of Development
Section 76: Screening
Section 77: Site Drainage and Storm Water Management

DIRECT CONTROL LAND USE DISTRICTS


Direct Control
DC: Direct Control
Bodies of Water
Railroad tracks
City Boundary
CASSILS RD W
CASSILS RD E
TRANS-CANADA HIGHWAY
TOWNSHIP RD 190
PARKLAND DR E
SUTHERLAND DR E
COLLEGE DR E
MEADOWBROOK DR E
2 AVE E
RAILWAY AVE E
YOUNG RD W
INDUSTRIAL RD W
AQUADUCT DR E
SILVER SAGE ROAD
3 ST W
2 ST W
4 ST W
12 ST W
4 AVE W
2 AVE W
4 AVE E
3 ST E
7 ST E

DIRECT CONTROL (DC)

SECTION 1: PURPOSE

The purpose of this district is to provide a means by which Council may regulate and control the use, development and subdivision of land and buildings within specified areas of the City where circumstances are such that any other land use district available through this bylaw are not considered appropriate or suitable.

SECTION 2: USES

All proposed uses are to the discretion of Council unless such authority has been delegated to the Development Authority as per Section 2, sub-section 2.1(3) of the Administrative section of this bylaw.

SECTION 3: MINIMUM REQUIREMENTS

Minimum requirements including but not limited to lot size, setbacks, site coverage, building height and floor area are to the discretion of Council, unless such authority has been delegated as per this bylaw.

SECTION 4: APPLICATION PROCEDURES

4.1 DEVELOPMENT

Any development proposed on a Direct Control lot shall be considered discretionary and the requirements of sub-section 3.5 (Discretionary Use Applications) and 3.13 (Notice of Receipt of an Application) and 3.14 (Notice of Decision) shall apply.

4.2 SUBDIVISION

Any subdivision proposed on a Direct Control lot shall be required to supply the same information as indicated in Section 6 (Subdivision), sub-section (4) of Administration:

(1) where the development of land requires the subdivision of land, no development permit shall be issued until the application for subdivision has been approved in accordance with the Act;

(2) minimum dimensional standards for lots and all other requirements in this bylaw shall be as specified in the applicable land use district in Schedule 2;

(3) an application for subdivision may be subject to the same requirements of sub-section 5.2 (Land Use District Redesignation), if deemed necessary by the Development Authority;

(4) all applications for subdivision shall be required to meet the design standards set out in Schedule 3; and

SECTION 5: APPEALS

As indicated in Section 3 (Development Permit Rules and Procedures), sub-section 3.21(2) of this bylaw, there is no avenue of appeal on decisions made by Council for lands districted as Direct Control. If Council has delegated authority to the Development Authority, the appeal is limited in scope to whether or not the delegated authority followed the directions of Council.

SECTION 6: ADDITIONAL REQUIREMENTS

Council or its delegated authority may establish additional requirements on Direct Control lots that include but are not limited to:

(1) Impact on adjacent lands

(2) Availability of services

(3) Traffic generation and safety

(4) Storm water drainage

(5) Scale of development

(6) Any other matters deemed relevant

SECTION 7: APPLICABLE SCHEDULES

Any schedule or section of this bylaw may be applied to any development proposed on a Direct Control lot to the discretion of Council, or the Development Authority if such authority has been delegated as per this bylaw.

SECTION 8: SITE SPECIFIC DIRECT CONTROL STANDARDS

8.1 THE PORTION OF PLAN 8411174, BLOCK 1, AS DESCRIBED IN BYLAW 14/18

(1) Permitted Uses: Seasonal Recreation Vehicle (RV) Park;

(2) Definitions: Seasonal Recreational Vehicle (RV) Park shall mean, solely for the purposes of the use associated with Bylaw 14/18, a development that allows the temporary rental of space to allow for the parking of RVs for the purposes of using the RVs as overnight accommodation, in compliance with all requirements of any and all Development Permits associated with Bylaw 14/18;

(3) Standards of Development: shall be to the discretion of Council and shall be clearly outlined in an associated Development Permit, including but not limited to any restrictions set regarding length of stay, the number of RVs allowed in the RV Park at any one time, the months of the year the RV Park is permitted to operate, and any other matters as deemed necessary to regulate by Council.

8.2 THE PORTION OF PLAN 8411174, BLOCK 2 AND 3, AS DESCRIBED IN BYLAW 21/13 and BYLAW 23/13

(1) Area A Permitted Uses:

- Townhouses
- Public Utilities

Area B Permitted Uses:

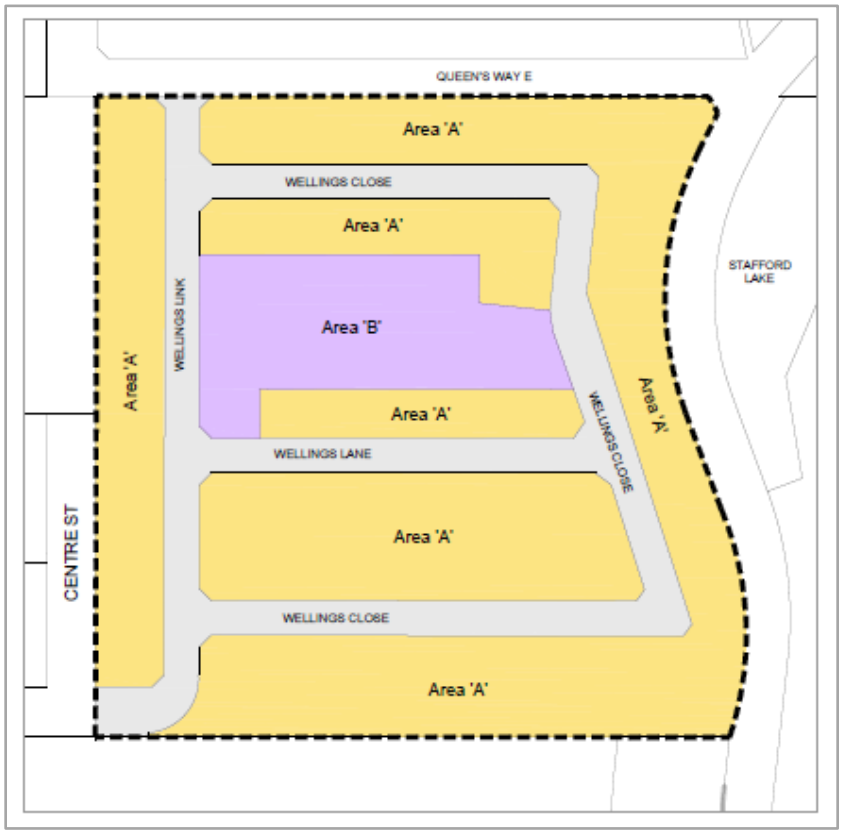
- Accessory buildings and structures
- Community Hall
- Public Utilities

(2) The following definitions shall apply to the uses listed in 8.2(1):

(a) **Community Hall** shall mean a facility or building whose primary purpose is to accommodate temporary uses by community members. Temporary uses may include, but are not limited to, medical clinics, exercise classes, markets/fairs, meetings of clubs, parties, and events. The structure may include such features as meeting rooms, kitchen, stage and open floor area, bar/liquor area, multi-purpose rooms, washrooms, storage rooms and administrative offices. Exterior uses may include, among other things, parking areas, playground areas, outdoor shelters, community gardens and sitting areas.

(b) Schedule 6 shall be used to define all other uses.

(4) Development shall generally be in accordance with the following site plan:



(4) Minimum setback requirements shall be as follows:

Front	6.0 m (19.7 ft)
Rear (from building to road right of way or property line)	7.5 m (24.6 ft)
Rear (between buildings)	12.0 m (39.4 ft)
Side (between buildings)	3.0 m (9.8 ft)
Flankage (secondary front)	3.0 m (9.8 ft)
Setbacks are measured to the closest point of the building, allowing for projections as per Section 74 of Schedule 3.	

(5) Maximum site coverage shall be 40% inclusive of all buildings.

(6) Maximum building height shall be as follows:

Townhouses	11.0 m (36.1 ft)
Community hall	6.1 m (20.0 ft)
Accessory buildings and structures	4.5 m (14.8 ft)

(7) Minimum floor area per dwelling unit is 57 m^2 (613.5 ft^2) and shall be subject to the following:

(a) minimum floor areas are calculated for that part of a building that is no more than 1.0 m (3.3 ft) below finished grade, which does not include finished basements or attached garages;

(b) all minimum floor areas are for the main floor of the dwelling unless otherwise stated; and

(c) for townhouse dwellings of more than 1 storey, each additional half storey shall increase the minimum required floor area by 25 percent.

(8) Minimum off-street parking requirements shall be provided as follows:

Townhouse with 1 bedroom	1 stall/dwelling
Townhouse with 2 or more bedrooms	2 stalls/dwelling
Community Hall	As required by the Development Authority

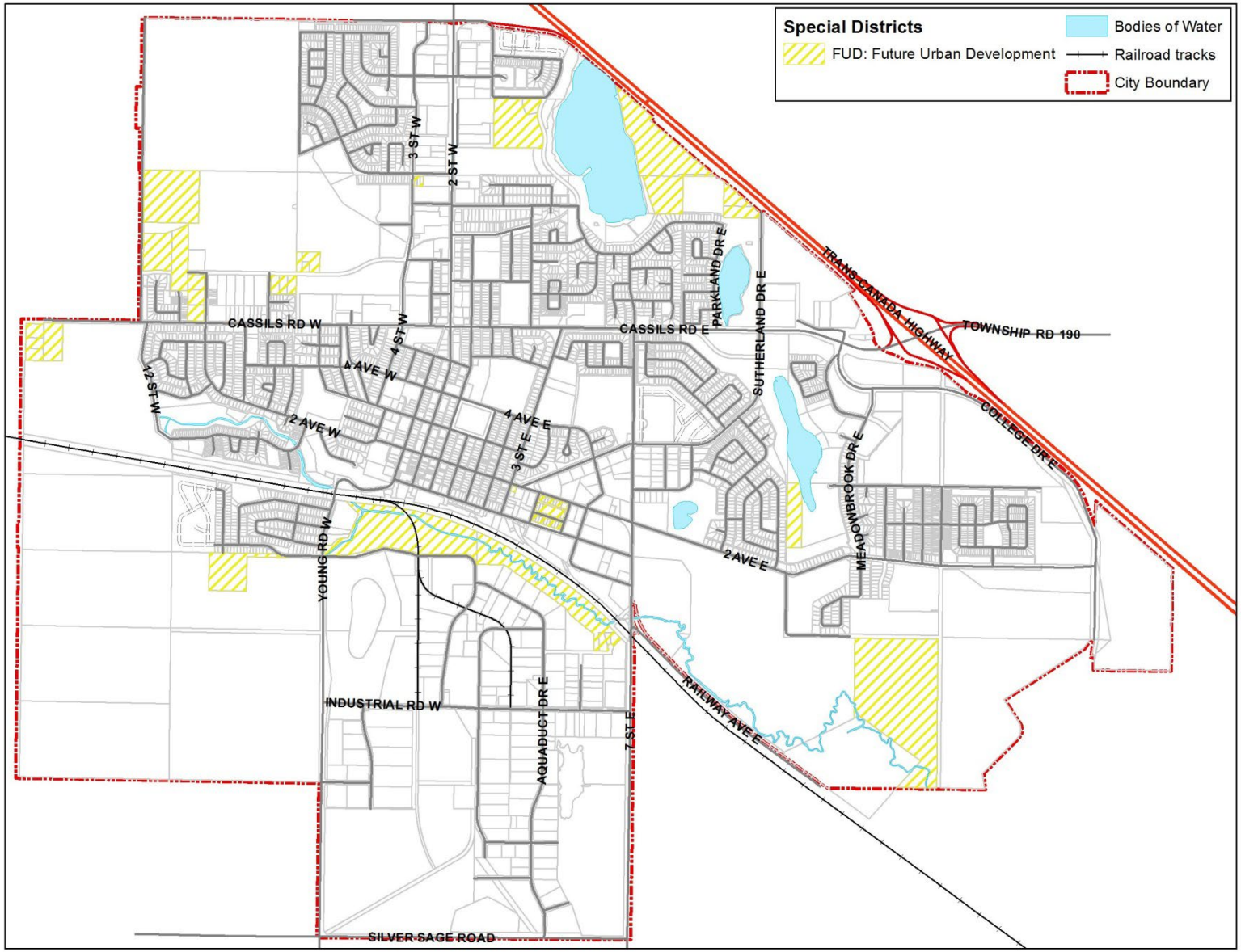
(9) The decision-making authority for uses has been delegated to the Development Officer.

(10) Application procedures, appeals, additional requirements, and applicable schedules shall apply as per Administration Sections 1 to 55.

(11) The following sections shall apply where relevant as determined by the Development Authority:

- Section 56: Accessory Buildings and Structures
- Section 57: Access Requirements
- Section 58: Corner Lots
- Section 59: Design Standards
- Section 61: Fences, Privacy Walls, and Gates
- Section 63: Grading, Excavating, Stripping and Stockpiling
- Section 66: Landscaping
- Section 72: Parking and Loading
- Section 74: Projections into Setbacks
- Section 75: Quality of Development
- Section 77: Site Drainage and Storm Water Management
- Schedule 5: Signage Standards

SPECIALIZED LAND USE DISTRICTS


Special Districts
FUD: Future Urban Development
Bodies of Water
Railroad tracks
City Boundary
3 ST W
2 ST W
PARKLAND DR E
SUTHERLAND DR E
TRANS-CANADA HIGHWAY
TOWNSHIP RD 190
CASSILS RD W
CASSILS RD E
4 ST W
12 ST W
4 AVE W
2 AVE W
4 AVE E
3 ST E
COLLEGE DR E
MEADOWBROOK DR E
2 AVE E
YOUNG RD W
INDUSTRIAL RD W
AQUADUCT DR E
7 ST E
RAILWAY AVE E
SILVER SAGE ROAD

FUTURE URBAN DEVELOPMENT (FUD)

SECTION 1: PURPOSE



The purpose of this district is to:

(1) Preserve the development potential of lands deemed suitable for future urban development by carefully managing the interim uses that may take place on such lands;

(2) Provide an appropriate timeline with which to identify the optimum phasing of future development, the municipal infrastructure and services that will be required at full build-out of the lands; and

(3) Allow for the continued development of such lands by providing low-impact permitted and discretionary use options.

SECTION 2: USES

2.1 PERMITTED

- Accessory buildings and structures
- Farms
- Home occupations – 1, 2
- Public utilities

2.2 DISCRETIONARY

- Home occupations – 3
- Modular homes
- Moved-in buildings
- Moved-in dwellings
- Outdoor storage
- Parks and playgrounds
- Public recreation facilities
- Renewable energies
- Single-detached dwellings

SECTION 3: MINIMUM REQUIREMENTS

Minimum requirements including but not limited to lot size, setbacks, site coverage, building height and floor area are to the discretion of the Development Authority.

SECTION 4: ADDITIONAL REQUIREMENTS

The Development Authority may establish additional requirements on Future Urban Development lots that include but are not limited to:

(1) Impact on adjacent lands

(2) Availability of services

(3) Traffic generation and safety

(4) Storm water drainage

(5) Scale of development

(6) Any other matters deemed relevant

SECTION 5: APPLICABLE SCHEDULES

Any schedule or section of this bylaw may be applied to any development proposed on a Direct Control lot to the discretion of the Development Authority.

SCHEDULE 3:

GENERAL STANDARDS OF DEVELOPMENT

SCHEDULE 3: GENERAL STANDARDS OF DEVELOPMENT

SECTION 56: ACCESSORY BUILDINGS AND STRUCTURES

56.1 APPLICABILITY

The construction of new accessory buildings and structures, and renovation and movement of existing accessory buildings and structures shall comply with the requirements of this section.

56.2 ALL LAND USE DISTRICTS

(1) Accessory building(s) or structure(s) shall not be constructed or placed on a lot until such time that the lot has a principal building or structure in place on the lot;

(2) An accessory building shall not be located in a front yard unless otherwise provided for within a district or by the Development Authority;

(3) Where a building or structure is attached to a principal building or structure on a lot by a roof, an open or enclosed structure, a floor or foundation, it is to be considered as part of the principal building and is not an accessory building or structure;

(4) Where an accessory building or structure in any land use district is placed on a service line, no service valves or shut-off valves shall be located in or on it;

(5) Accessory buildings or structures shall not be located on utility easements unless written permission has been granted by the easement holder;

(6) The area of an accessory building(s) or structure(s) on a lot shall be less than the area of the principal building or structure on the lot;

(7) All accessory buildings and structures shall comply with the regulations outlined for the district they are located in;

(8) No accessory building and/or structure, or a number of accessory buildings and/or structures on a lot, shall occupy more than two-thirds (2/3) of the width of the rear yard of any lot, unless otherwise approved by the Development Authority; and

(9) An accessory building or garage in the rear yard shall not have a roof deck.

56.3 RESIDENTIAL LAND USE DISTRICTS

(1) Unless otherwise stipulated in a specific Residential Land Use District, no more than three (3) accessory buildings shall be permitted on a residential lot and the sum of the area of the total number of accessory buildings shall not exceed the allowable lot coverage maximum;

(2) The wall height of a detached garage in a residential district shall not exceed 2.8 m (9.2 ft) above grade unless approved by the Development Authority;

(3) The roofline and exterior finish of accessory building(s) in excess of 10 m^2 (107.6 ft^2) shall conform to the principal building;

(4) Portable shelters shall:

(a) not be permitted in front, flankage, or side yards

(b) be a maximum of 2.4 m (7.9 ft) in height and 10 m^2 (107.63 ft^2) in area

(c) be included in the calculation of lot coverage maximums

(d) be screened from adjacent lots with fencing or vegetation; and

(e) be securely fastened to the ground;

(5) Accessory buildings shall be no closer than 1.5 m (4.92 ft) to the principal building.

SECTION 57: ACCESS REQUIREMENTS

57.1 APPLICABILITY

(1) Direct legal and physical access shall be required to all new development for the purposes of access by motorized and active modes of transportation such as but not limited to; pedestrians, cyclists, personal and commercial automobiles;

(2) Notwithstanding the requirements of sub-section 57.1(1) of this section, the following exemptions apply:

(a) development internal to a condominium plan containing private streets;

(b) development internal to a manufactured home community, dwelling group, or multi-use development containing internal streets as approved by the Development Authority; and

(c) where the Subdivision or Development Authority has allowed legal access to be provided by an easement.

57.2 ACCESS DESIGN

Access to development from streets and laneways shall meet the following design requirements:

(1) Access to development, for all users, including those with physical, sensory and developmental disabilities shall be provided through conformity with the barrier-free design requirements of the Alberta Building Code.

(2) All points of automobile access shall be set back a minimum of 6 m (19.7 ft) from any intersection; and

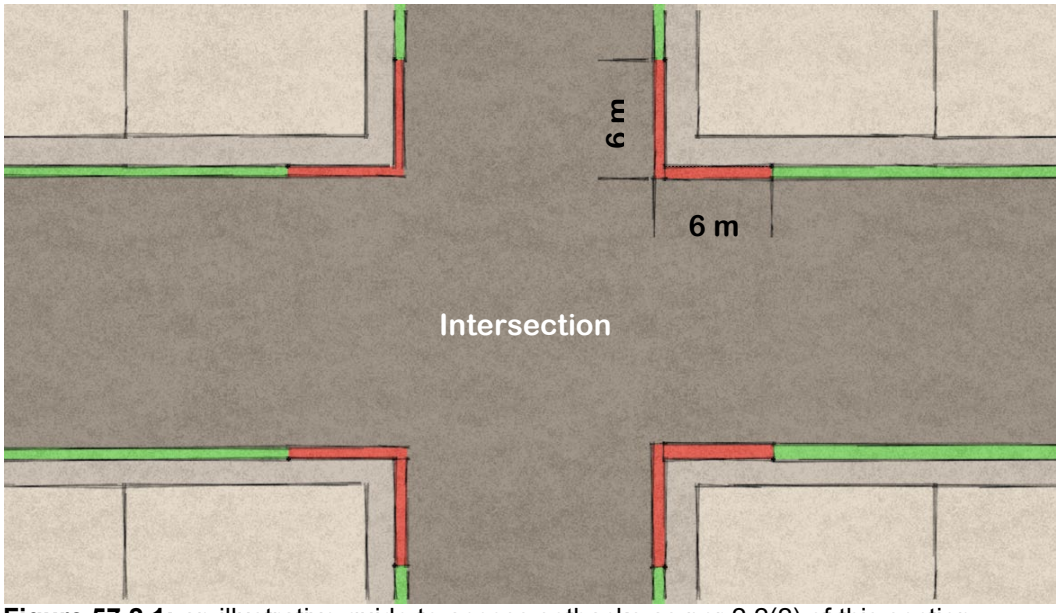


Figure 57.2.1: an illustrative guide to access setbacks as per 2.2(2) of this section.

(3) Access to development from streets and laneways may be required to be shared between lots and/or uses to the discretion of the Development Authority.

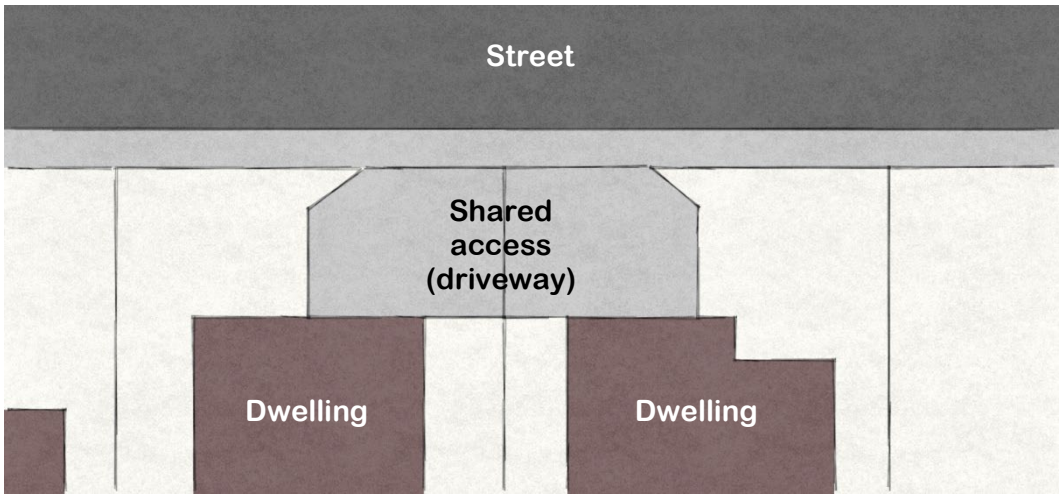


Figure 57.2.2: an example of a shared access as per 2.2.2 of this section.

SECTION 58: CORNER LOTS

58.1 APPLICABILITY

Corner lots require special consideration relating to streets and laneways and safe visibility at intersections, and the need to identify primary front yards and secondary front yards (flankage), to ensure setback requirements are clear. The following requirements apply to all land use districts unless otherwise provided for in the district or by way of a variance as may be approved by the Development Authority.

58.2 FLANKAGE

Corner lots generally have two or three yards facing streets and/or laneways and in the case of condominium or privatized roadways, private streets and/or laneways and as such require careful consideration regarding which boundary of the corner lot is determined to be the front, flankage (secondary front), side and rear yard. The following rules apply in determining yard assignments for corner lots:

(1) The front yard shall be the shorter of the two yards facing a street;

(2) The flankage yard shall be the longer of the two yards facing a street;

(3) In the case where the lot is of equal dimensions, the front yard shall be whichever yard the main entrance of the principal building is oriented to, and the flankage yard shall be the other yard;

(4) The side yard shall be the yard that is parallel to the flankage yard;

(5) The rear yard shall be the yard that is parallel to the front yard; or

(6) In circumstances where the lot orientation, layout or dimensions are such that determination of the yard assignments does not meet the requirements set out in sub-section 3.2(1-5) of this section, the yard assignments shall be to the discretion of the Development Authority; and

(7) For corner lots on which there is an existing dwelling or other principal building, the front yard shall be the yard to which the principal entrance is oriented, or to the discretion of the Development Authority.

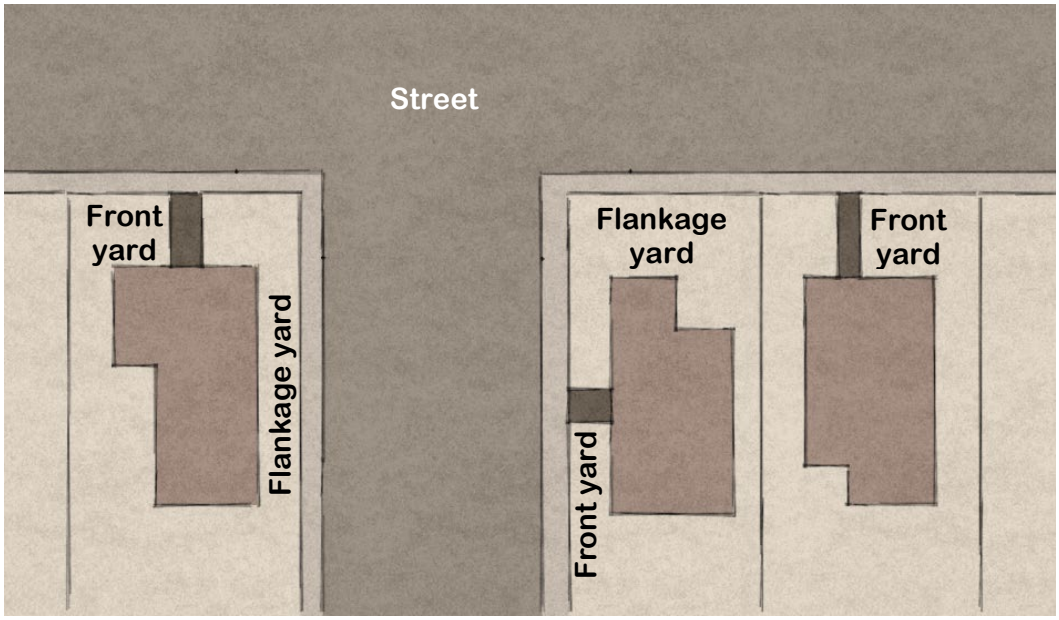


Figure 58.2.1: an illustrative explanation of flankage or “secondary front” yard provisions.

58.3 CLEAR VISION ZONE

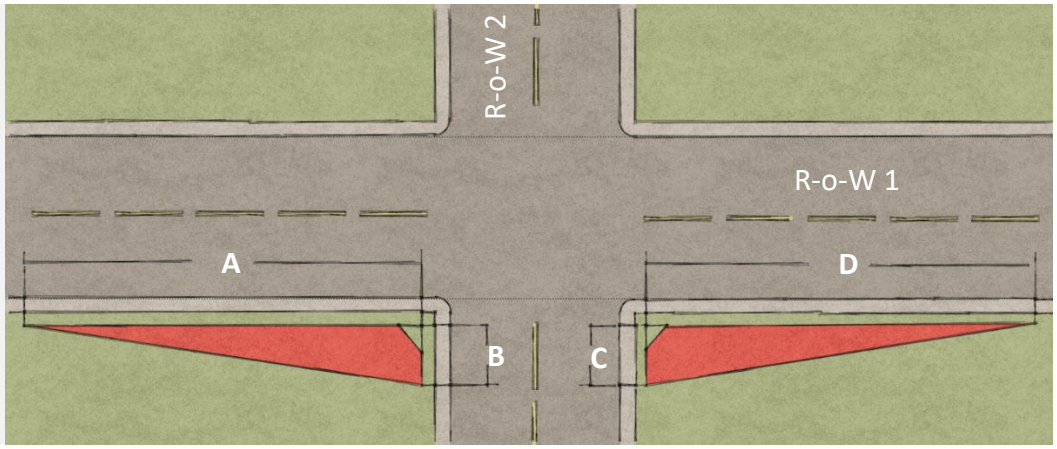
On corner lots, nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede vision in excess of a height of 0.8 m (2.6 ft) above the centre line grades of the intersecting streets in the area determined by application of the Clear Vision Zone Matrix.

Clear Vision Zone Matrix

Part 1: Table

R-o-W		R-o-W 1		
R-o-W 2	Road Type	Arterial	Collector	Local
	Arterial A	40 m (131.2 ft)	17 m (55.8 ft)	17 m (55.8 ft)
	Arterial B	2 m (6.6 ft)	2 m (6.6 ft)	2 m (6.6 ft)
	Arterial C	2 m (6.6 ft)	2 m (6.6 ft)	2 m (6.6 ft)
	Arterial D	17 m (55.8 ft)	17 m (55.8 ft)	17 m (55.8 ft)
	Collector A	17 m (55.8 ft)	23 m 75.5 ft)	11 m (36.1 ft)
	Collector B	2 m (6.6 ft)	2 m (6.6 ft)	2 m (6.6 ft)
	Collector C	2 m (6.6 ft)	2 m (6.6 ft)	2 m (6.6 ft)
	Collector D	17 m (55.8 ft)	11 m (36.1 ft)	11 m (36.1 ft)
	Local A	17 m (55.8 ft)	11 m (36.1 ft)	11 m (36.1 ft)
	Local B	2 m (6.6 ft)	2 m (6.6 ft)	2 m (6.6 ft)
	Local C	2 m (6.6 ft)	2 m (6.6 ft)	2 m (6.6 ft)
	Local D	17 m (55.8 ft)	11 m (36.1 ft)	9 m (29.5 ft)

Part 2: Diagram



SECTION 59: DESIGN STANDARDS

59.1 APPLICABILITY

Design standards relate to the ways that buildings, lots, streets, blocks and neighbourhoods may relate to one another and how they may be laid out overall. These standards provide direction to existing and proposed subdivision and development with a focus on balancing the conventional requirements of this bylaw with a degree of flexibility that is intended to:

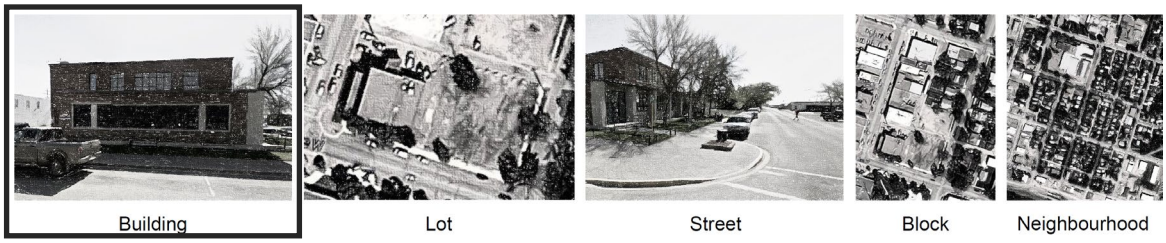
(1) Promote a development approach that balances the traditional focus on the automobile with recognition for people as the main users of the built environment.

(2) Be applicable to existing subdivision and development as much as is practical given the context-specific constraints that are present in already built-up areas of the City; and

(3) Be applicable to proposed subdivision and development in a comprehensive manner.

The design standards contained in this section shall be applicable to all land use districts unless otherwise stated.

59.2 BUILDING SCALE



59.2.1 OVERVIEW

The building scale relates directly and indirectly to the lot scale and takes into account, but is not limited to such factors as the:

(1) Relative size and visual interest provided by the building (articulation and scale);

(2) Number and/or size and placement of windows and doors facing private and public outdoor spaces such as but not limited to parking lots, patios, pedestrian and cyclist linkages, and streets (transparency);

(3) Building design including exterior materials and color choices as related to adjacent and area development (character); and

(4) The orientation and placement of the building and its entrances in relation to required parking and loading areas and pedestrian and cyclist linkages leading to the lot and building (orientation).

In addition to all other applicable requirements of this bylaw, redeveloped and newly constructed buildings are subject to the standards of this section.

59.2.2 ARTICULATION

(1) General Requirements:

(a) the façade of principal buildings shall not be at the same depth of setback for the façade's total width;

(b) façade articulation shall be achieved through the use of design techniques such as but not limited to:

(i) stepping out or recessing portions of the façade;
(ii) using accent colors and/or textures;
(iii) planting vegetation along the building edges;

(c) principal entrances shall be articulated through the use of design techniques listed in (1)(b) of this sub-section; and

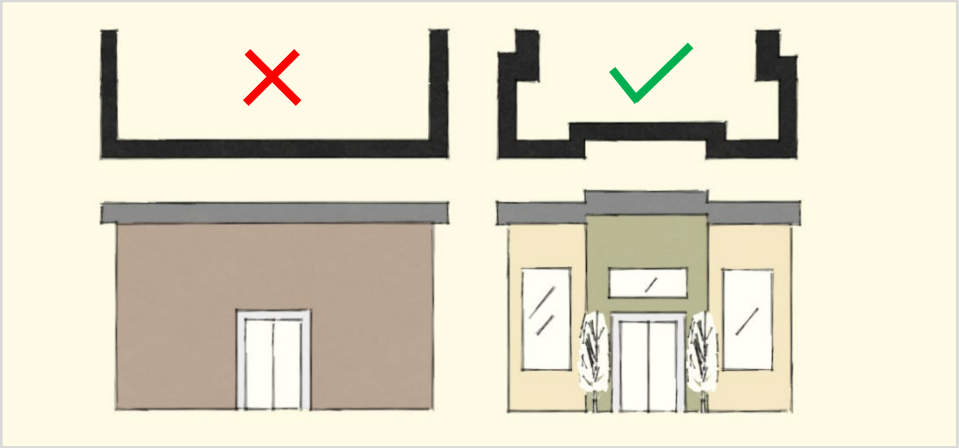


Figure 59.2.1: an example of façade articulation as per 60.2.2(1) of this section.

(d) should a building be built to the maximum allowable height of 12 m (39.4 ft) as measured to the eaves, the third story or equivalent height in single or two story buildings with high ceilings or false fronts, be stepped back a minimum of 1.83 m (6 ft).

(2) Commercial and Industrial development:

(a) commercial buildings and industrial buildings that provide administrative and/or retail space shall orient the façade of such administrative and/or retail space to the street, with any part of the building used for manufacturing or any other non-retail commercial or industrial activity to be oriented behind the façade; and

(b) should blank walls (not containing any transparent surface) of the principal building be oriented to a flankage yard, the visual monotony shall be broken up with linear vegetation such as but not limited to tree species such as columnar aspen.

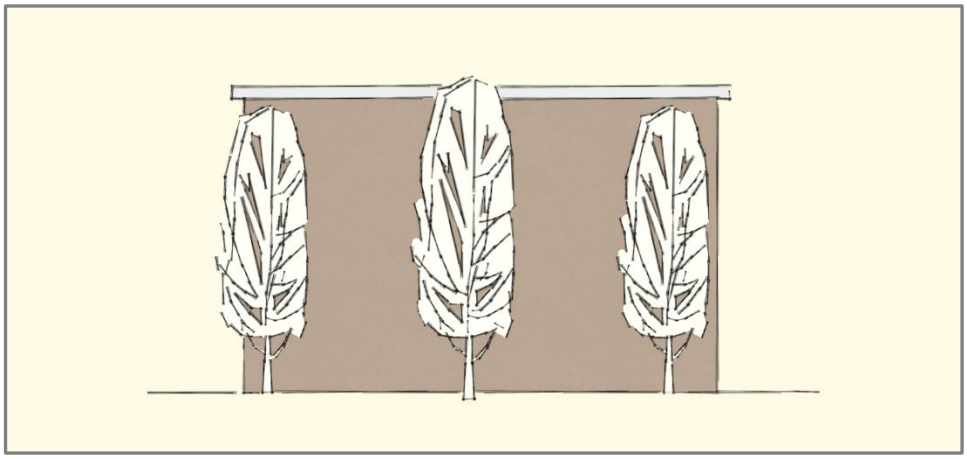


Figure 59.2.2: an example of articulating blank walls with plantings as per 60.2.2(2)(b) of this section.

59.2.3 SCALE

Key features of the principal building such as but not limited to primary entrances should be scaled to suit the pedestrian.

59.2.4 TRANSPARENCY

(1) The façade of the principal building shall be made up of a minimum of 30 percent transparent surfaces;

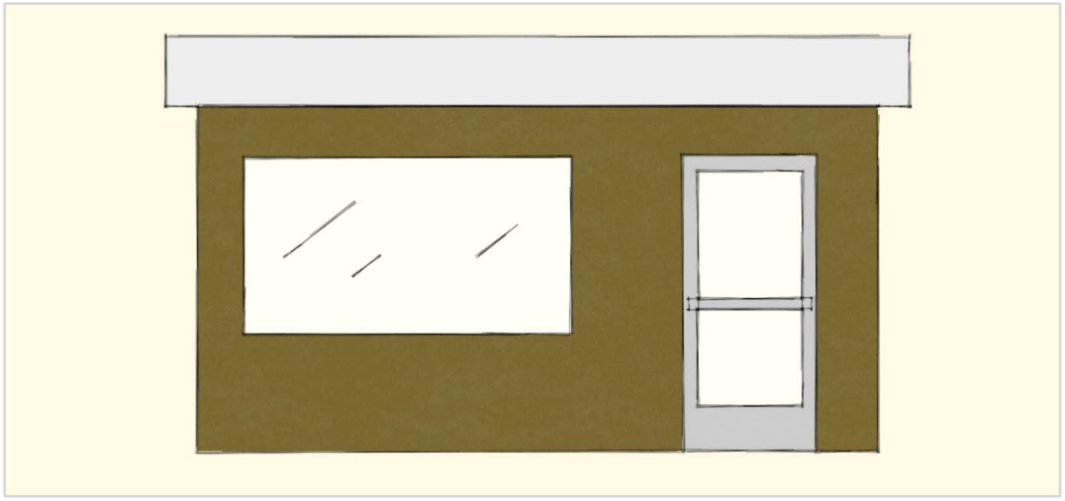


Figure 59.2.3: an example of approximately 30 percent transparent surface as per 59.2.4(1) of this section.

(2) Should any side of the principal building other than the façade face a street or other public right-of-way, transparent surface should be incorporated; and

(3) Transparent surfaces shall be oriented towards key access linkages to the lot and the principal building, including but not limited to parking areas, sidewalks, pathways, trails, bicycle racks, and outdoor amenity spaces.

59.2.5 CHARACTER

(1) All development shall complement and enhance features of the adjacent lots and the overall existing or desired character of the street and area, based on approved statutory or non-statutory plans and/or to the discretion of the Development Authority, through investigation of existing:

(a) building heights, scale, massing, form, orientation, and roof slopes;

(b) architectural features and exterior finishes;

(c) entrances, walkways and linkages;

(d) parking and vehicular access layout;

(e) landscaping and outdoor amenity spaces; and

(f) any other matters deemed appropriate by the Development Authority.

59.2.6 ORIENTATION

(1) General requirements:

(a) the façade and primary entrance of the principal building shall be oriented to the street; and

(b) parking areas shall, where practical, be oriented to the side and rear of the lot.

(2) Non-residential land use districts:

(a) loading areas and service entrances shall be to the side and rear of the lot; and

(b) the principal building should be oriented in such a way that loading areas and service entrances are not visible from the street.

59.3 LOT SCALE



59.3.1 OVERVIEW

The intention of this section is to provide a balance between the highest possible function of the lot and respect the relationship that lots have to one another, the development that is to occur on the lots, and the ways in which both relate to adjacent public space.

(1) General Requirements:

(a) through lots or double frontage lots shall not be permitted except where essential to separate residential development from traffic arterials, to overcome specific disadvantages of topography and orientation or if essential to the operation of an industrial use;

(b) in such cases, as deemed by the Development Authority, where through lots may be permitted, the primary access to the lot shall be provided only on the lower classification street;

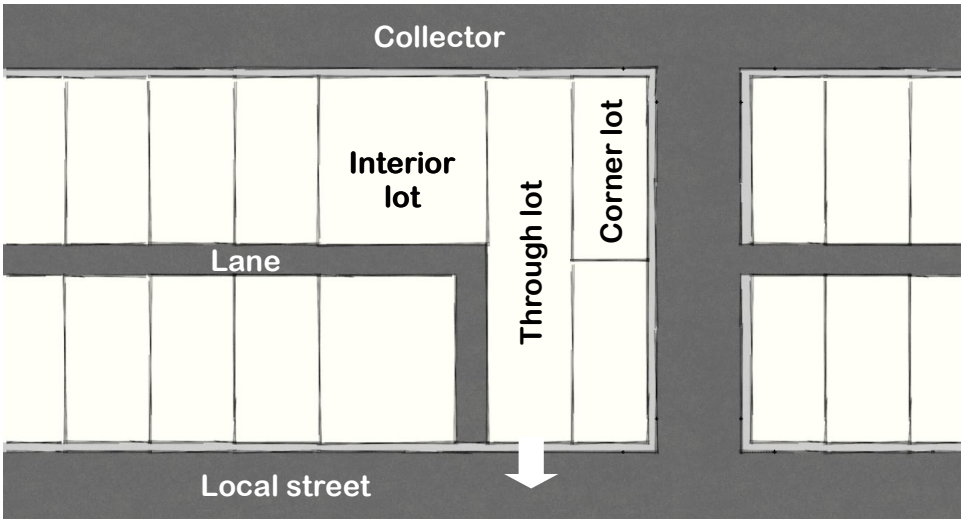


Figure 59.3.1: an illustrative guide to lot types as per 59.3.1(1) of this section.

(c) flag lots shall not be permitted to be less than 0.2 ha (0.5 acres) and shall meet the following design requirements:

(i) the flag lot directly accesses a local street;
(ii) the aggregate width of the narrowest point of the lot is 6.1 m (20 ft);

(d) all lots shall have side lot lines at right angles to street lines or radial side lot lines to curved streets. Unusual lot shapes shall be avoided unless it is required to overcome specific disadvantages of topography and orientation;

(e) the lot line common to the street shall be the front lot line. All lots shall face the front lot line and a similar lot across the street;

(f) all lots shall have one lot line adjacent to a public roadway other than a lane;

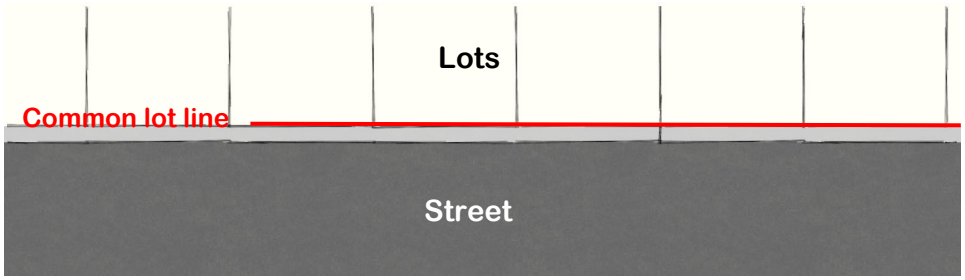


Figure 59.3.2: an example of a common lot line as per 59.3.1(e) of this section.

(g) where feasible, lots shall be oriented in such a way that the rear lot line does not abut the side lot line of any adjacent lot(s), excepting out lots adjacent to collector roads, which may be oriented parallel to the collector and thereby placing the side of the lot line of the lots adjacent to the collector adjacent to the rear of the lots facing the local street;

(h) no lot shall be created that does not meet the minimum requirements of this bylaw, unless such a lot has been permitted by an adopted statutory plan and the use and maintenance of that lot has been specified; and

(i) at the time of subdivision, all corner lots shall dedicate clear vision triangles, in accordance with Section 3 of this Schedule, as right-of-way.

(2) Residential land use districts:

(a) residential lots shall be longer than they are wide, except in instances where:

(i) corner lot orientation makes this unachievable;
(ii) the lot is intended for multiple residential dwelling development and makes use of the consolidation of a number of residential lots that would have previously been suitable only for lower density dwelling types such as Single-Detached Dwelling, Duplex, and Attached Housing (2 unit).

59.4 STREET SCALE



59.4.1 OVERVIEW

The intention of this section is to ensure a balanced approach to the use of streets is achieved. That is, the vehicle is not the only user of the street and therefore the needs of the vehicle should be balanced against those choosing active modes of transportation. Street scale design should consider, account for, and where possible enhance the level of comfort for active modes of transportation.

(1) General requirements:

(a) where practical and to reduce potential points of conflict between vehicles and pedestrians, vehicular access directly to a lot from the street should be shared with adjacent lots that may also require the same type of access;

(b) on streets with sidewalks and other forms of active transportation rights-of-way, traffic calming measures should be incorporated such as but not limited to:

(i) boulevard landscaping;
(ii) reduced corner radii;
(iii) intersectional and mid-block bulb-outs at key crossing points:
(iv) vertical and horizontal deflection;
(v) partial street closure;
(vi) median barriers incorporating hard and soft landscaping;
(vii) artificial lane narrowing and choke points; and
(viii) any other measures as deemed appropriate by the Development Authority;

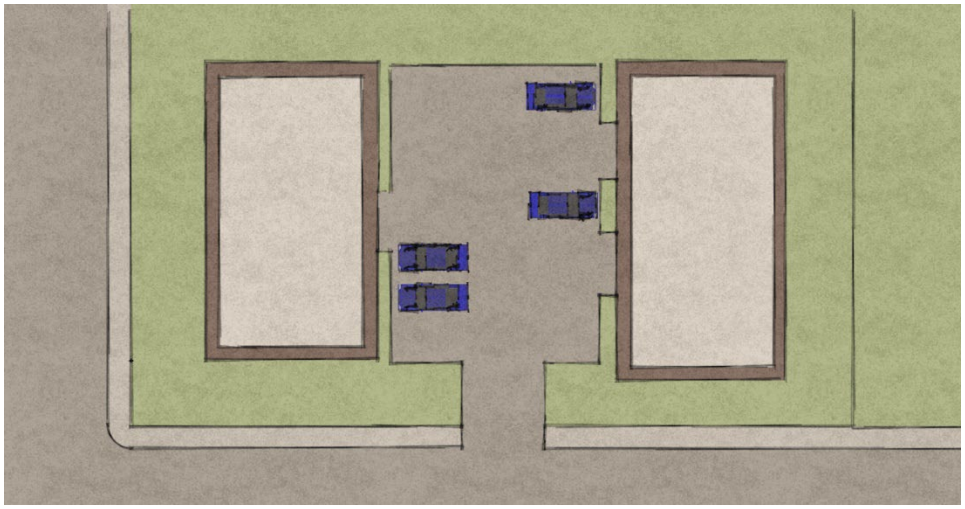


Figure 59.4.1: an example of shared access as per 59.4.1(a) of this section.

(c) traffic calming measures should be incorporated at 30 m (98.4 ft) intervals for local streets and 50 m (164 ft) intervals for collectors;

(d) traffic calming measures for arterial streets should be determined on a case-by-case basis;

(e) traffic calming measures, when incorporated, shall be designed to ensure the access for emergency and protective services vehicles is not negatively impacted; and

(f) all proposed traffic calming measures shall be reviewed by and to the satisfaction of the City's engineering department.

(2) Residential land use districts:

(a) where possible, street design in residential land use districts and areas where residential districts are the predominate district, should avoid cul-de-sacs that do not provide a through-route for active modes of transportation.

59.5 BLOCK SCALE



59.5.1 OVERVIEW

The block scale relates broadly to the lot, street and neighbourhood scales. Block scale design can influence the number of choices automobiles and active modes of transportation have in moving through the urban environment, the distance between destinations, and the overall level of connection of the block to adjacent and surround blocks and neighbourhoods.

The intention of this section is to provide general standards with a focus on the:

(1) Number of route choices for motor vehicles and active modes (permeability); and

(2) Distance between destinations (connectivity).

59.5.2 PERMEABILITY & CONNECTIVITY

(1) General requirements:

(a) the maximum dimensions of a block, measured from the centre of the street, should be no greater than 500 m (1640 ft);



Figure 59.5.1: maximum block dimensions as per 59.5.2(1)(a) of this section.

(b) the length and width of the block should be sufficient to accommodate two (2) tiers of lots, except where a single row of lots back onto an arterial street; and

(c) rear laneways should be incorporated into block design where possible.

59.6 NEIGHBOURHOOD/AREA SCALE



59.6.1 OVERVIEW

The neighbourhood or more generally, the area scale relates broadly to the block and street scales. The ability of the neighbourhood/area to relate to adjacent and surrounding development is based on the level of connectivity to other areas, and the overall street layout that is made up of the prevailing block patterns.

This section is intended to provide general standards for the integration of new and existing neighbourhoods/areas, which may result in less traffic congestion at the 'choke' points resulting from conventional neighbourhood/area design.

(1) General requirements:

(a) new neighbourhoods/areas should provide:

(i) as many through routes as are practical;
(ii) integration into the prevailing block pattern and street network of existing adjacent areas;

(2) Residential land use districts:

(a) new neighbourhood development shall consider the prevailing block pattern and street network of existing adjacent development when identifying points of neighbourhood/area access;

(b) new neighbourhood/area development shall incorporate as many points of access for the neighbourhood/area as are practical; and

(c) a mix of collector and arterial roads should provide access not only within the neighbourhood, but to and from the neighbourhood.

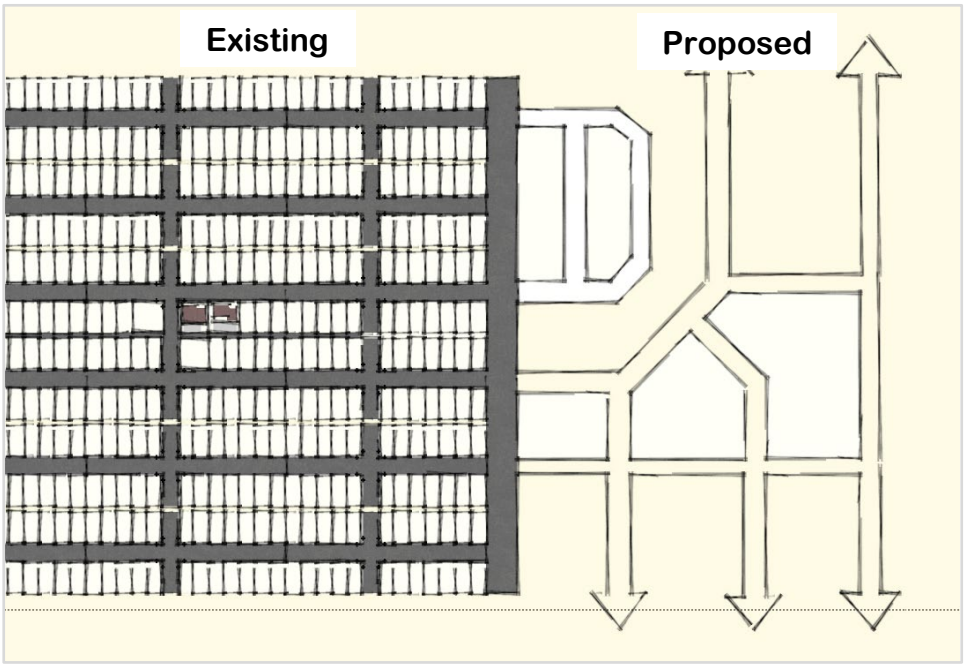


Figure 59.6.1: an example of an existing neighbourhood being considered when new neighbourhood design is proposed as per 59.6.1(2) of this section.

59.7 EXCEPTIONS

The requirements of this section may be waived should the Development Authority deem any of the requirements to be unachievable due to a material impact they may have on the development potential of a site.

As a part of the process of determining whether a requirement of this section may have a material impact on the development potential of a site, the Development Authority may, at the sole cost of the developer, require proof in the form of an analysis and recommendation completed by a qualified professional such as but not limited to an architect, engineer or planner that is a registered member in good standing with the respective professional organizations of Alberta and/or Canada.

SECTION 60: EXCEPTIONS TO BUILDING HEIGHT

60.1 The maximum building height of 12 m (39.4 ft) is to be measured to the eaves line of all buildings; and

60.2 exceptions to the maximum building height of 12 m (39.4 ft) are limited to architectural accents such as but not limited to steeples, parapet walls and false fronts that do not increase the actual height to the eaves line as indicated in 5(1) above.

SECTION 61: FENCES, PRIVACY WALLS AND GATES

61.1 The maximum height of fences, privacy walls and gates shall be:

(a)	Front yards:	1 m (3.3 ft)
(b)	Side and rear yards:	2 m (6.6 ft)
(c)	in Clear Vision Zones (corner lots only):	0.8 m (2.6 ft)

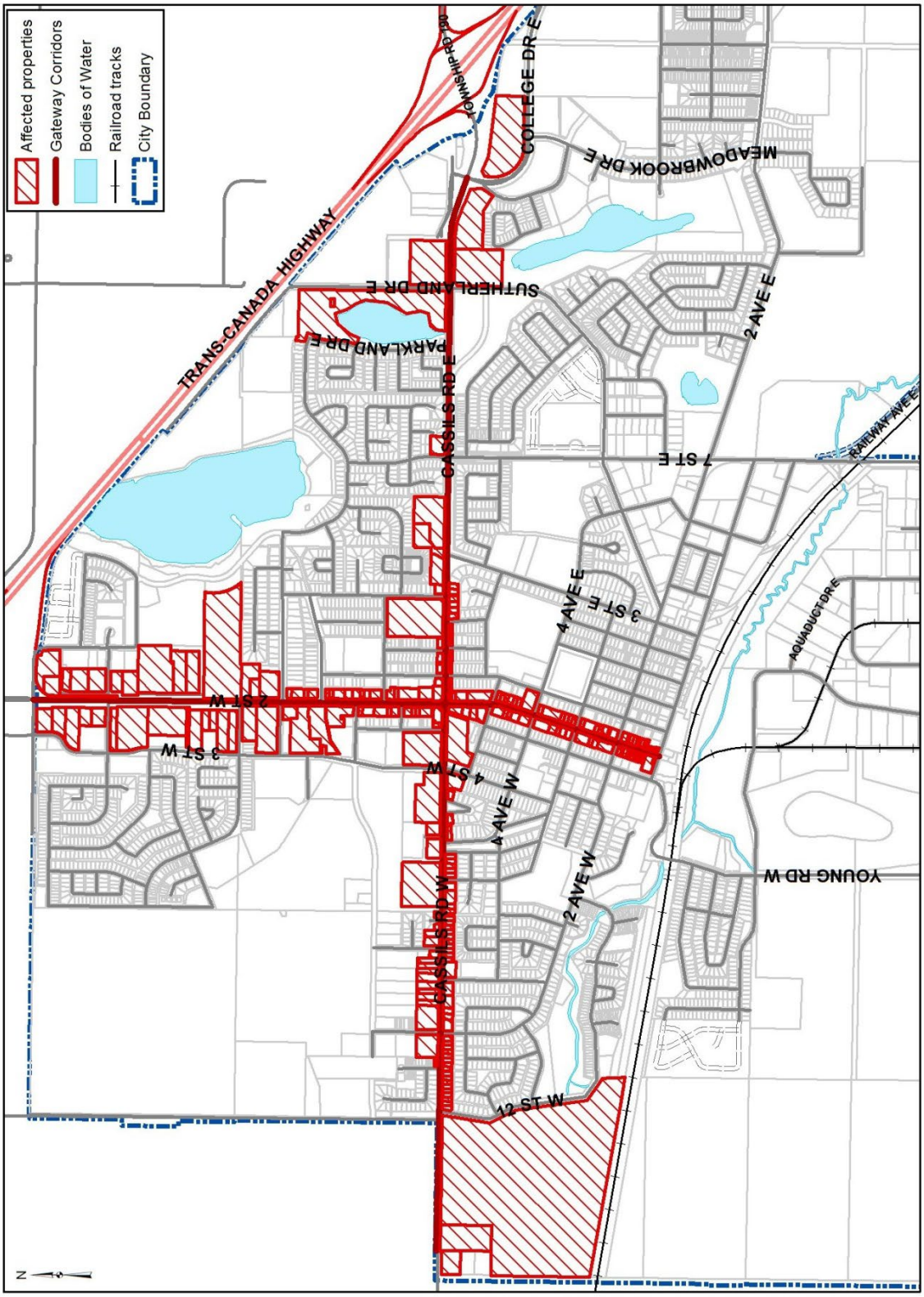
61.2 Fences or privacy walls that make use of barbed or razor wire or similar deterrents shall only be permitted in Commercial and Industrial districts and only if the barbed or razor wire is placed at a minimum height of 1.8 m (5.9 ft); and

61.3 Vegetation, including but not limited to hedges, when used primarily for the purposes that a fence or privacy wall would otherwise serve, shall be required to meet the same height requirements as prescribed in 6(1) above, unless otherwise approved by the Development Authority.

SECTION 62: GATEWAYS AND CORRIDORS

62.1 APPLICABILITY

The requirements of this section are in addition to any other section of this bylaw, and apply to all areas identified on the accompanying map, and any other areas as determined by the Development Authority.


Affected properties
Gateway Corridors
Bodies of Water
Railroad tracks
City Boundary
TRANS-CANADA HIGHWAY
COLLEGE DR E
MEADOWBROOK DR E
SUTHERLAND DR E
PARKLAND DR E
CASSILS RD E
2 AVE E
7 ST E
RAILWAY AVE E
4 AVE E
3 ST E
AQUADUCT DR E
2 ST W
3 ST W
4 ST W
4 AVE W
2 AVE W
YOUNG RD W
CASSILS RD W
12 ST W
N

62.2 GENERAL REQUIREMENTS

(1) Exterior building materials shall be durable and of a high quality;

(2) Highly reflective exterior building materials are discouraged;

(3) The design, massing, layout and orientation of buildings should complement the existing or desired character of the area as described in any applicable approved statutory or non-statutory plan and/or to the discretion of the Development Authority. In addition, the following standards apply:

(a) the articulation of all street-oriented building facades shall be achieved through the incorporation of architectural elements such as but not limited to balconies, canopies, bay windows, parapets, varying textures, projections and recesses, awnings, and an overall increase in visual interest;

(b) a high degree of transparency should also be incorporated into street-oriented building facades, through the placement of doors and windows at a minimum of 30 percent coverage of the street-oriented building facades;

(c) buildings shall be oriented and the massing designed to highlight the interface between individual lots and the street, including, where possible, the minimization of building setbacks from the fronts of lots and the placement of parking and loading areas to the sides and rear of lots; and

(4) All vents, gutters, downspouts, flashing and electrical conduits shall be the same color as the adjacent surface, unless acting as an accent to the overall color scheme of the building exterior.

62.3 SIGNAGE

In addition to the requirements of Schedule 5 (Signage), signage in gateways and corridors shall be architecturally integrated with surrounding development and should complement the existing or desired character of the area as described in any applicable approved statutory or non-statutory plan and/or to the discretion of the Development Authority.

62.4 TRANSPORTATION DESIGN, PARKING AND LOADING

The design and layout of transportation rights-of-way should minimize the potential for traffic safety issues including but not limited to congestion and points of conflict between different modes of motorized and active transportation. The following standards shall apply:

(1) Accesses to individual lots shall be shared, where possible, to minimize points of conflict between automobiles and active modes of transportation;

(2) Parking lots shall be shared where possible;

(3) Parking lots should be located in the rear and/or side yards of lots;

(4) Loading areas shall be located along the rear or side of the building and visually screened from the street through the use of fencing, landscaping, and the orientation of the principal building; and

(5) Pedestrian crossings shall be included at every crossing including points of vehicular access to individual lots, and at main points of pedestrian traffic in parking lots and clearly marked and stylized through means such as but not limited to texturing, painting and signage to complement the existing or desired character of the area as described in any applicable approved statutory or non-statutory plan and/or to the discretion of the Development Authority.

62.5 LANDSCAPING

Gateways and corridors are of high visual value to the City and therefore, in addition to the requirements of Section 66 (Landscaping) of this Schedule, the following requirements shall apply:

(1) Development applications in gateways and corridors shall be accompanied by landscaping plans prepared in accordance with this bylaw;

(2) Landscaping in gateways and corridors shall complement and enhance the existing landscaping on adjacent lots, along the street and in the area;

(3) All areas of a lot not covered by buildings, outdoor storage, pedestrian parking or vehicular movement or any other structures necessary for the approved use, shall be landscaped;

(4) Existing soft landscaping retained on a site may be considered as full or partial fulfilment of the required landscaping;

(5) Where space on the lot permits, trees and shrubs should be grouped;

(6) All boulevard areas shall be the developer's responsibility to landscape and shall incorporate trees and shrubs, the minimum number and type of which shall be at the discretion of the Development Authority;

(7) Groupings of trees and shrubs should be located at the main entrance to the lot and the principal building;

(8) Landscaping shall screen structures such as but not limited to transformers, utility boxes, outdoor storage areas, trash enclosures and generators and shall make use of trees and shrubs and fencing, if permitted, of a density that blocks a minimum of ninety (90) percent of the structures from view;

(9) As an alternative to the screening requirements that make use of trees and shrubs, as set out in this sub-section, a solid fence or wall may, at the discretion of the Development Authority, be provided; and

(10) Should a solid fence or wall be permitted in lieu of trees and shrubs, for the sole purpose of meeting 62.5(9) above, all other landscaping requirements in this sub-section and Section 67 of this Schedule shall be met.

SECTION 63: GRADING, EXCAVATION, STRIPPING & STOCKPILING

63.1 APPLICABILITY

Grading, excavating, stripping and stockpiling of materials associated with a lot or lots shall be required to meet the standards of this section and any other applicable section of this bylaw.

63.2 GENERAL REQUIREMENTS

(1) Any grading, excavation, stripping and/or stockpiling of materials required during the process of development on a lot shall be carried out in the shortest amount of time possible and shall minimize potential negative impacts to adjacent lots and the street on which the development is occurring, including but not limited to:

(a) noise, odour and dust;

(b) any required changes to pre-development traffic routes, patterns and access to individual lots; and

(c) lot drainage;

(2) Any grading, excavation, stripping and/or stockpiling of materials required during the process of development shall not, under any circumstance, alter the drainage of the site on which such work is being carried out to a point where runoff exits the lot and enters an adjacent lot;

(3) The stockpiling of materials removed through grading, stripping and/or excavating shall be contained on the lot on which the development is taking place, unless otherwise approved by the Development Authority;

(4) In the case of a proposal to excavate, strip, grade, and/or stockpile a detailed plan may be required for an individual lot and shall be required for multiple lots and shall contain the following information:

(a) the location of the area of the grading, excavating, stripping and/or stockpiling within the lot(s);

(b) a detailed phasing plan indicating when each area identified in 4(a) will be graded, stripped and/or excavated;

(c) final lot conditions including new grades, changes to drainage, and any reclamation work that may be required; and

(d) a detailed description of measures to be taken to minimize nuisance outside of the lot(s), including but not limited to noise, dust, odour, changes to traffic routes, patterns and access, and drainage.

SECTION 64: INFILL DEVELOPMENT

64.1 APPLICABILITY

The general requirements of this section apply to all of the areas of the City that may be considered already established, which may be defined as areas where the majority of lots have been subdivided, serviced and developed. In addition to the general requirements, specific infill development standards also apply to the Residential, and Commercial Neighbourhood Land Use Districts.

64.2 ALL LAND USE DISTRICTS

(1) Infill development includes development that may take place on:

(a) existing undeveloped lots;

(b) existing developed lots where the existing buildings and structures on the lot will be demolished and removed thereby creating an undeveloped lot;

(2) Applications for infill development shall, in addition to the regular requirements of the application/permit process:

(a) provide a detailed proposal regarding any grading, stripping, stockpiling or excavation that may take place, including:

(i) existing and proposed grades for the lot to be developed;
(ii) existing grades for each adjacent lot;
(iii) location(s) for the stockpiling of materials to be moved through stripping and/or grading;
(iv) detailed timing and phasing program for the length of the development;
(v) a strategy for the minimization of dust, noise and other nuisances during the development;
(vi) measures to be taken to ensure surface drainage of adjacent properties and/or public rights-of-way is not unduly affected during or after the development; and
(vii) any other matters deemed appropriate by the Development Authority;

(b) provide, for any infill development that includes the demolition and removal of existing buildings and structures, a detailed proposal indicating:

(i) the method of demolition;
(ii) timing for removal of demolished materials;
(iii) any other work required to be completed to prepare the lot for development; and
(iv) any other matters deemed appropriate by the Development Authority.

64.3 SPECIFIC LAND USE DISTRICTS

The standards of this sub-section apply to all Residential Land Use Districts, and the Commercial Neighbourhood District:

(1) Infill development shall complement features of the adjacent developed lots and the overall existing or desired character of the street and area, based on approved statutory or non-statutory plans and/or to the discretion of the Development Authority, through investigation of existing:

(a) building heights, scale, massing, form, orientation, and roof slopes;

(b) architectural features and exterior finishes;

(c) entrances, walkways and linkages;

(d) parking and vehicular access layout;

(e) landscaping and outdoor amenity spaces; and

(f) any other matters deemed appropriate by the Development Authority;

(2) Infill development shall not duplicate the street-facing facade of any adjacent building(s);

(3) Setback requirements shall be established through the implementation of sub-section 7.6 of the Administration portion of this bylaw (Setbacks in Established Areas);

(4) On streets where there are few or no front driveways, the introduction of new front driveways is discouraged;

(5) For multi-unit residential, commercial and mixed-use developments off-street parking shall be:

(a) located at the rear and/or side of the lot and shall be screened from view by landscaping and/or fencing;

(b) permitted one point of access from the street if there is no laneway and may only be permitted from the laneway if there is a laneway, to the discretion of the Development Authority; and

(c) should a reduction to minimum parking standards and/or shared parking be proposed, the Development Authority may require the submission of a Parking Management Plan, in accordance with Section 72, sub-section 72.2(5) and (6);

(6) Existing mature trees (greater than 15 cm (0.5 ft) in diameter measured 1.5 m (4.9 ft) from the ground) should be retained whenever possible;

(7) If an existing mature tree is removed, it should be replaced by a similar species of the minimum size as described above, or larger; and

(8) A comprehensive landscaping plan may be requested from the Development Authority.

SECTION 65: INTERFACE AREAS

65.1 APPLICABILITY

The requirements of this section apply to all circumstances where a non-residential development is proposed to be situated adjacent to a residential development, including mixed-use developments containing residential dwelling units above or behind non-residential development proposed adjacent to residential-only development.

65.2 GENERAL REQUIREMENTS

(1) Development in interface areas shall complement and enhance features of the adjacent lots and the overall existing or desired character of the street and area, based on approved statutory or non-statutory plans and/or to the discretion of the Development Authority, through investigation of existing:

(a) building heights, scale, massing, form, orientation, and roof slopes;

(b) architectural features and exterior finishes;

(c) entrances, walkways and linkages;

(d) parking and vehicular access layout;

(e) landscaping and outdoor amenity spaces; and

(f) any other matters deemed appropriate by the Development Authority;

(2) Development in interface areas shall mitigate potential undesirable impacts on existing uses. Impacts may include but are not limited to issues regarding pedestrian and traffic circulation and safety, parking, light and glare, noise, odours, dust control, security, shading, and visual intrusion. The mechanisms proposed for impact mitigation shall be considered the responsibility of the developer and shall be developed and implemented to the satisfaction of the Development Authority and

(3) In interface areas site elements such as loading bays, storage areas, trash enclosures, transformers, generators and similar features shall be sited in such a way they are not visible from public rights-of-way and visibility from adjacent lots is minimized as much as is reasonably achievable.

65.3 SIGNAGE

(1) Certain types of signage are prohibited in interface areas, including signage that is animated, electronic moving image/script LED, flashing, or rotating;

(2) The illumination of signage shall only be permitted if is not internal to the sign, does not make use of neon gas, and meets the requirements of Section 70 of this Schedule; and

(3) Signage in interface areas shall complement and enhance the existing or desired character of the street and area.

65.4 PARKING AND LOADING

(1) For multi-unit residential and non-residential development in interface areas off-street parking shall be:

(a) located at the rear and/or side of the lot and shall be screened from public rights-of-way and adjacent lots by landscaping and/or fencing;

(b) permitted one point of access from the street if there is no laneway and may only be permitted from the laneway if there is a laneway, to the discretion of the Development Authority; or

(c) should a reduction to minimum parking standards and/or shared parking be proposed, the Development Authority may require the submission of a Parking Management Plan, in accordance with Section 72, sub-section 72.2(5) and (6).

65.5 LANDSCAPING

(1) Development applications in interface areas shall be accompanied by landscaping plans prepared in accordance with Section 66 of this Schedule;

(2) Trees and shrubs in an interface area shall be planted in a manner that effectively screens non-residential development from residential development. Trees and shrubs may be clustered or grouped within a side or rear yard to serve as a focal point for the landscape treatment but a minimum 1.5 metre landscaped strip shall be provided along the side and rear property lines. The developer will be encouraged to provide trees in a ratio of one tree per 35 square metres of total landscaped area provided on a site. As an alternative, shrubs may be planted for each 35 square metres of landscaped area provided on a site so long as the design incorporates trees along the property line;

(3) On corner lots, in addition to the landscaping required in the front yard as identified in 10.5(2) above, the developer shall be responsible for landscaping the municipal boulevard from the back of curb to the front and/or flankage property line;

(4) Where a non-residential development abuts any residential lot without an intervening lane, there shall be landscaping parallel to the property line of not less than 1.5 m (4.92 ft) in width throughout that shall make use of trees and shrubs to aid with visual screening between the lots;

(5) As an alternative to the screening requirements that make use of trees and shrubs, as set out in this sub-section, a solid fence or wall may, at the discretion of the Development Authority, be provided along the lot lines that are adjacent to a residential lot; and

(6) Should a solid fence or wall be permitted in lieu of trees and shrubs, for the sole purpose of screening a non-residential development from a residential lot, all other landscaping requirements in this sub-section and Section 66 (Landscaping) of this Schedule shall be met.

65.6 OUTDOOR LIGHTING

In addition to the requirements of Section 70 (Outdoor Lighting) of this Schedule, development in interface areas shall meet the following outdoor lighting requirements to the satisfaction of the Development Authority:

(1) Development proposed within an interface area may be required to contain a detailed lighting plan for the site including illustrations of light fixture design, height, location and extent of light pool, at the discretion of the Development Authority; and

(2) Where freestanding poles are used to provide lighting, they shall be designed to complement the existing or desired character of the street and area.





Figure 65.6.1: examples of freestanding lighting that may fit in with an existing neighbourhood character.

65.7 PUBLIC NOTICE

(1) In addition to the requirements of Section 3 of the Administration portion of this Bylaw, should the Development Officer deem it appropriate, they shall:

(a) require the applicant to undertake public consultation and provide direction regarding the method and duration of advertising, the type of consultation, and to collect and forward the results of the consultation to the Development Officer at least seven days prior to the scheduled MPC hearing where the application is to be decided upon.

SECTION 66: LANDSCAPING

66.1 APPLICABILITY

The requirements of this section apply to new development on vacant lots and redevelopment of existing uses and are considered minimum requirements that may be added to depending on the other portions of this bylaw that may apply to each development proposal.

66.2 CLASSIFICATIONS

Landscaping is classified into soft and hard categories, based upon the characteristics of the materials and features used in each:

(1) Soft landscaping is generally non-structural and consists of living organisms or materials derived from living organisms such as but not limited to trees, shrubs, grasses, native and non-native plants and flowers; and

(2) Hard landscaping is generally structural and consists of non-living materials such as but not limited to brick, concrete, stamped concrete and asphalt, stone, paving blocks, and wood, but does not include un-stamped concrete or asphalt, or loose aggregate.



Figure 66.2.1: an illustrative example of soft (left) and hard (right) landscaping as per 67.2(1)(2) of this section.

66.3 GENERAL REQUIREMENTS

(1) Landscaping shall be to the satisfaction of the Development Authority;

(2) Detailed landscaping plans may be required at the discretion of the Development Authority;

(3) The quality and extent of the landscaping established on a site shall be the minimum standard to be maintained on the site for the life of the development;

(4) The scale and nature of landscaping on a lot shall complement and enhance the development;

(5) The majority of required landscaping shall be concentrated in those yards adjacent to public rights-of-way unless otherwise stipulated;

(6) Landscaping materials shall be selected based on the context of the site and the existing or desired character of the street and area, based on approved statutory or non-statutory plans and/or to the discretion of the Development Authority and soft landscaping specifically shall be chosen based on resistance to disease, maintenance requirements, and relative hardiness as compared to the local climate;

(7) Trees and shrubs that exist on a lot prior to development occurring shall be preserved and integrated into the required landscaping unless the developer can demonstrate that this requirement cannot be reasonably met;

(8) Landscaping shall not unduly affect the drainage of public rights-of-way or adjacent properties;

(9) The Development Authority shall determine the following:

(a) the minimum number of trees and/or shrubs for the portions of a lot required to be landscaped;

(b) the minimum distance required between the ground and the lowest branches of trees; and

(c) the minimum caliper width of trees at the time of planting;

(10) Soft landscaping shall be maintained on an ongoing basis;

(11) Any tree or shrub that does not survive shall be replaced within one year of discovery or from the time the Development Authority receives notification of the same; and

(12) Low Impact Development (LID) techniques such as but not limited to alternative irrigation system and the use of drought-resistant landscaping techniques such as but not limited to xeriscaping and drought-resistant materials such as but not limited to mulches and gravels is encouraged to minimize the additional watering requirements of some non-native trees, shrubs, plants, flowers, and grasses.

66.4 LANDSCAPED AREAS

The landscaped areas described in this sub-section are considered the minimum area to be landscaped and may be added to, depending on the type and location of development.

(1) Landscaping of all lots shall occur within the entire front yard and flankage yard except for those areas required for pedestrian and vehicular movement, parking, and for any other structures and/or uses approved to be located in the front and/or flankage yard;

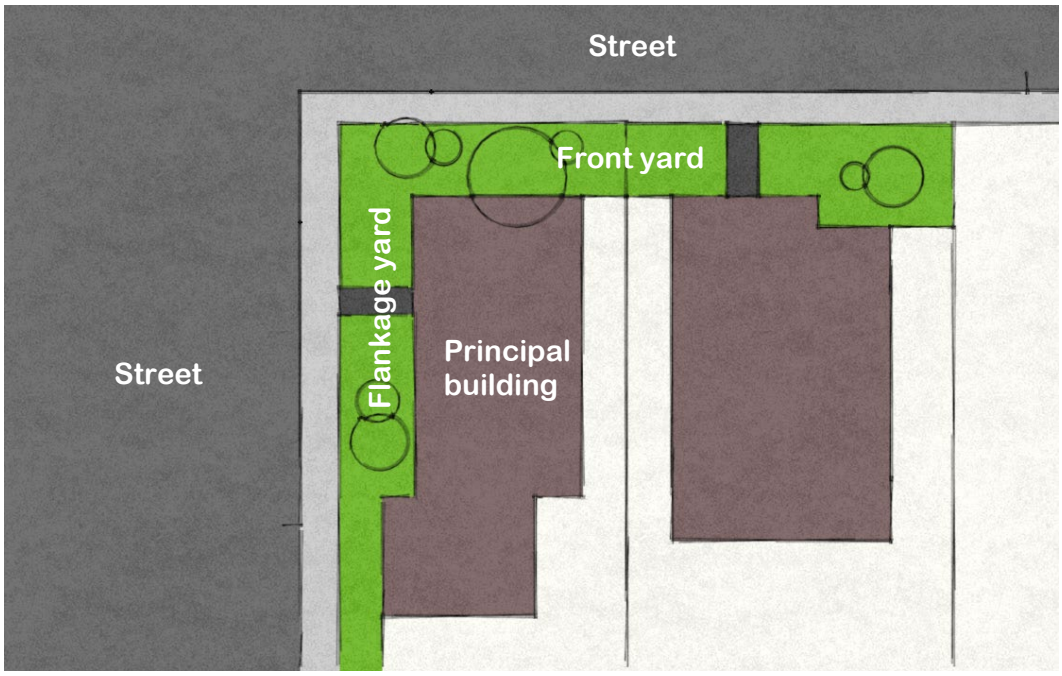


Figure 66.4.1: an illustrative example of areas required to be landscaped in accordance with 11.4(1) of this section.

(2) In addition to all other landscaping requirements, all City boulevards and other public r-o-w adjacent to a lot that is intended to be landscaped shall be landscaped by the developer and shall be maintained by adjoining landowners to the satisfaction of the Development Authority;

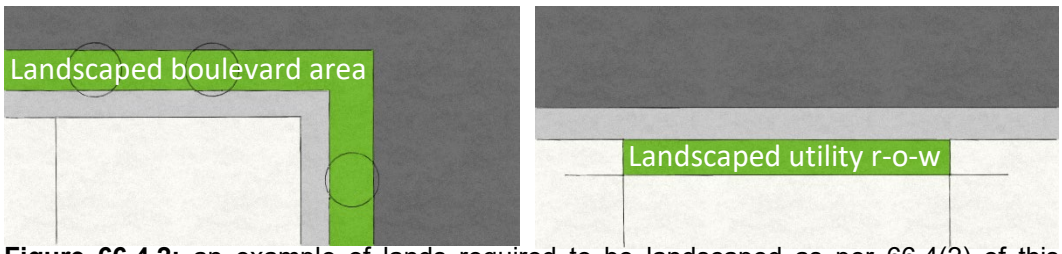


Figure 66.4.2: an example of lands required to be landscaped as per 66.4(2) of this section.

(3) In addition to 66.4(1) and the landscaping requirements of any other portion of this bylaw, for developments where off-street parking is in the rear and/or side yards, landscaping shall be required for areas visible from adjacent public rights-of-way not required for parking stalls or vehicular movement; and

(4) Notwithstanding 66.4(1-3), any other portion of a lot that may require additional landscaping for the benefit of adjacent properties and/or views from public rights-of-way may be determined at the discretion of the Development Authority.

66.5 SECURITY

The Development Authority may require an approved form of financial security to be provided to ensure the satisfactory completion and maintenance of required landscaping. Should the security be required the following shall apply:

(1) The form of security shall be to the satisfaction of the Development Authority;

(2) The calculation of the security shall be one hundred twenty five (125) percent of the total cost of landscaping and the first year of maintenance, based on estimates approved by the Development Authority and provided by the landscaping company that will be completing the work, or the registered landscape architect who has prepared the approved landscaping plan;

(3) The security either in part or as a whole shall be returned upon inspection of the completed landscaping by the Development Officer, depending on whether deficiencies have been identified;

(4) Whatever portion of the security that represents the cost of the first year of maintenance may be withheld for a period determined by the Development Authority should the condition of the landscaping not meet the minimum requirements of this section; and

(5) Should it be determined that any portion of the landscaping has not survived or was not completed in accordance with the requirements of this bylaw and/or any approved landscaping plan, the Development Authority shall use that portion of the security required to rectify the deficiency.

SECTION 67: MIXED-USE DEVELOPMENT

67.1 APPLICABILITY

For the purposes of this section, mixed-use development refers to those situations where non-residential uses may be located below residential dwelling units in a multi-storey building (vertical mixed-use), or behind a non-residential use in a single-storey building (horizontal mixed-use), as provided for in the permitted and/or discretionary uses lists of the Commercial land use district.

Other instances of this bylaw where uses may be mixed such as home occupations and developments where commercial or industrial are the principal and secondary uses on a site or lot are not subject to the requirements of this section.

67.2 GENERAL REQUIREMENTS

(1) The requirements of this section are to the satisfaction of the Development Authority;

(2) Dwelling units in vertical mixed-use development shall always be located on the storey(s) of the building that are above non-residential uses;

(3) Notwithstanding 67.2(2), a dwelling unit may be located in the rear of a non-residential use in the Commercial Neighbourhood land use district, subject to the discretionary uses requirements of this bylaw;

(4) Non-residential uses shall have a separate entrance from any dwelling unit in the same building, either from the outside of the building or from a common indoor point of access such as but not limited to a hallway, landing or stairwell;

(5) Section 65 (Interface Areas) of this Schedule applies to all mixed-use development that is identified as being within an interface area;

(6) Regardless of whether mixed-use development is in or out of an interface area, the development shall complement and enhance features of the adjacent lots and the overall existing or desired character of the street and area, based on approved statutory or non-statutory plans and/or to the discretion of the Development Authority, through investigation of existing:

(a) building heights, scale, massing, form, orientation, and roof slopes;

(b) architectural features and exterior finishes;

(c) entrances, walkways and linkages;

(d) parking and vehicular access layout;

(e) landscaping and outdoor amenity spaces; and

(f) any other matters deemed appropriate by the Development Authority.

67.3 BUILDING DESIGN, MASSING AND ORIENTATION

(1) Vertical mixed-use buildings shall meet the following requirements:

(a) overhanging balconies shall not be permitted above non-residential uses and instead the storeys of residential development above non-residential development shall be stepped-back an adequate distance to meet the minimum private outdoor amenity space standards specified in this section;

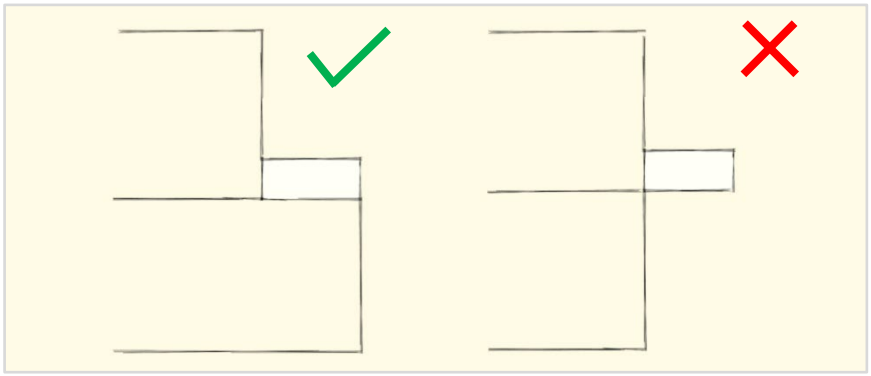


Figure 67.3.1: permitted vs. prohibited forms of balconies for residential units above non-residential uses as per 67.3(1)(a) of this section.

(b) non-residential development on the ground floor should have transparent windows and doors make up a minimum of 30 percent of the street facing façade;

(c) development on any storeys above the ground floor should have transparent windows and doors make up a minimum of 30 percent of the street facing façade;

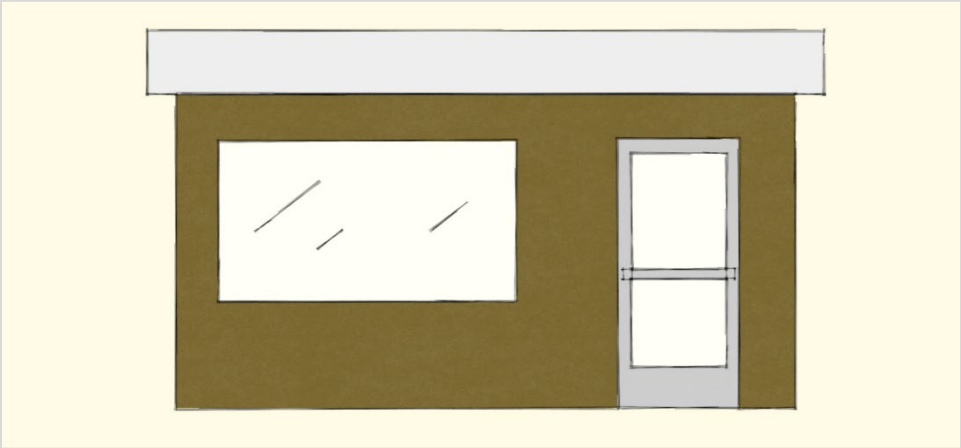


Figure 67.3.2: an illustrative example of approximately 30 percent transparency as per 67.3(1)(c) of this section.

(d) the main access for ground floor non-residential development shall be oriented towards the street and to pedestrian walkways internal to the site, if applicable; and

(e) all dwelling units should be oriented such that they each receive sun exposure the majority of the year.

(2) Horizontal mixed-use buildings shall meet the following requirements:

(a) dwelling units shall always be located behind non-residential development;

(b) non-residential development shall always make up the street facing façade;

(c) non-residential development should have transparent windows and doors make up a minimum of thirty (30) percent of the street facing façade; and

(d) notwithstanding the general requirements of this section, dwelling units shall always have access directly to the outdoors, either as the main and only point of access to the unit(s) or in addition to a shared indoor access.

67.4 AMENITY SPACE

Amenity space may be categorized as private, common (accessible to all dwelling units in a mixed-use development) and public, on-site and off-site and can be indoors, partly or entirely outdoors, or any combination thereof depending on the development.

(1) Private amenity space for vertical mixed-use development shall be:

(a) provided for each dwelling unit in the form of a balcony or rooftop space;

(b) a minimum of 4.6 m^2 (49.5 ft^2) and for balconies the minimum depth from the point of access shall be 1.5 m (4.9 ft);

(c) only be accessible through the dwelling unit to which they are a part of; and

(d) for rooftop space, dedicated only to dwelling units directly below it and accessible through the use of common access points such as hallways and stairwells.

(2) Private amenity space for horizontal mixed-use development shall be:

(a) provided for each dwelling unit in the form of a patio, deck or landscaped area;

(b) a minimum of 10 m^2 (107.6 ft^2); and

(c) accessible only through the dwelling unit that it is a part of.

(3) Common amenity space shall be:

(a) to the discretion of the Development Authority for mixed-use developments with ten or fewer dwelling units;

(b) required for mixed-use developments with more than ten dwelling units;

(c) provided for in the form of indoor and/or outdoor space;

(d) in the case of indoor space, consist of a minimum area of 37.2 m^2 (400 ft^2) contained within the same building as the mixed-use development;

(e) in the case of partially or fully outdoor space, make up a minimum of 25% of the total site area and fully contained within the mixed-use development lot or site;

(f) accessible to all dwelling units within a mixed-use development;

(g) made up of any of the following indoor spaces:

(i) common rooms for the purposes of group entertainment;

(ii) fitness facilities such as but not limited to swimming pools, saunas, steam rooms and fitness rooms;

(h) made up of any of the following outdoor spaces:

(i) communal patios, balconies or rooftop spaces;
(ii) landscaped yards and/or gardens.

(4) Public amenity space shall be:

(a) contained off-site from the mixed-use development but may be adjacent to the lot or site of the mixed-use development;

(b) considered in lieu of private amenity space in instances where the provision of adequate indoor and/or outdoor amenity space is demonstrated by the developer to not be achievable on-site;

(c) developed at the expense of the developer should 12.4(4)(b) apply;

(d) a minimum of 25 percent of the total area of the mixed-use development site;

(e) a maximum of 150 m (492.1 ft) from the mixed-use development;

(f) made up of any combination of indoor/outdoor space including but not limited to passive and active recreational space that may contain landscaped areas, walking and cycling trails, sports fields and facilities; and

(g) fully accessible to the public.

67.5 SIGNAGE

In addition to the requirements of any other section of this bylaw, signage in mixed-use development shall not unduly interfere with the dwelling units by way of the placement, illumination of or any other situation that may result in potential negative impacts to dwelling units in the building.

67.6 PARKING AND LOADING

(1) Off-street parking shall be located in the rear and/or side yard and shall be screened from public rights-of-way and adjacent lots by landscaping and/or fencing;

(2) Access for off-street parking shall be permitted one point of access from the street if there is no laneway and may only be permitted from the laneway if there is a laneway, to the discretion of the Development Authority;

(3) Non-residential uses may be granted a partial or full waiver to the off-street parking requirements of Section 72 (Parking and Loading) of this Schedule, based on factors such as but not limited to the projected amount of vehicular

traffic to be generated by the use, proximity to existing on-street and/or off-street parking, and the potential for required parking to be shared depending on business hours and the number of dwelling units; and

(4) Should a reduction to minimum parking standards and/or shared parking be proposed, the Development Authority may require the submission of a Parking Management Plan, in accordance with Section 72, sub-section 72.2(5) and (6).

67.7 LANDSCAPING

(1) Development applications for mixed-use development shall be accompanied by landscaping plans prepared in accordance with Section 66 of this Schedule;

(2) Trees and shrubs shall be planted in a manner that effectively screens mixed-use development from residential-only development. Trees and shrubs may be clustered or grouped within a side or rear yard to serve as a focal point for the landscape treatment but a minimum 1.5 metre landscaped strip shall be provided along the side and rear property lines and any other area of the lot that abuts a residential-only lot. The developer is encouraged to provide trees in a ratio of one tree per 35 square metres of total landscaped area provided on a site. As an alternative, shrubs may be planted for each 35 square metres of landscaped area provided on a site so long as the design incorporates trees along the property line;

(3) Landscaping of main building accesses including shared accesses to non-residential and residential points of access shall include soft materials other than grasses and hard materials that together highlight the access;

(4) On corner lots, in addition to the landscaping required in the front yard as identified in (2) above, the developer shall be responsible for landscaping the municipal boulevard from the back of curb to the front and/or flankage property line;

(5) As an alternative to the screening requirements that make use of trees and shrubs, as set out in this sub-section, a solid fence or wall may, at the discretion of the Development Authority, be provided along the lot lines that abut a residential lot; and

(6) Should a solid fence or wall be permitted in lieu of trees and shrubs, for the sole purpose of screening a mixed-use development from a residential lot, all other landscaping requirements in this sub-section and Section 66 (Landscaping) of this Schedule shall still apply.

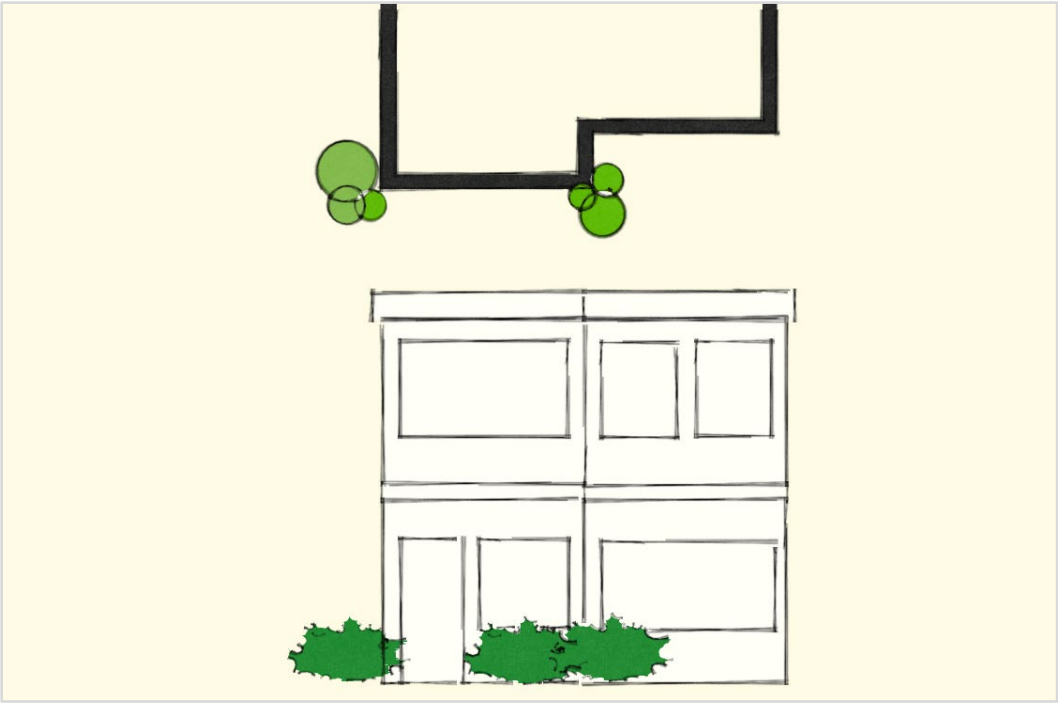


Figure 67.7.1: an illustrative example of highlighting an entrance with soft landscaping as per 67.7(3) of this section.

67.8 EXCEPTIONS

Notwithstanding any of the requirements of this section, in instances where mixed-use development is to be located in already established areas and a specific requirement is demonstrated to have a material impact on the development potential of the site, the developer shall provide an alternative means of meeting the requirement, to the satisfaction of the Development Authority.

SECTION 68: MOVED-IN BUILDINGS

68.1 APPLICABILITY

Manufactured homes and modular homes are exempt from this section and shall instead comply with all other applicable sections of this bylaw.

68.2 GENERAL REQUIREMENTS

The following requirements apply to moved-in dwellings and moved-in buildings and for the purposes of this sub-section, both shall be referred to as 'the building':

(1) The building and the land upon which it is to be located shall be subject to all conditions and regulations specified for the particular land use district set out in the land use bylaw;

(2) The building shall comply with all provincial and municipal health and fire regulations prior to occupancy and release of cash deposit;

(3) The quality of the completed building shall be at least equal to or better than the quality of the other buildings in the area;

(4) The requirements of the building shall be established by the Development Authority at the time of approval of the application and shall form a part of the conditions of the development permit;

(5) A report by the building inspector regarding each application shall be filed before any such application shall be considered;

(6) A limit of the time of completion and full compliance with all stipulated requirements shall be established by the Development Authority at the time of the approval of the application;

(7) The application should be accompanied by recent colour photographs of all elevations of the building;

(8) The Development Officer shall require a minimum deposit of $2,000 to ensure the conditions of the development permit are met. If the cost to complete the work in the conditions of approval is greater than the deposit, construction may be completed by the City and additional costs may be charged against the property taxes;

(9) Return of the deposit is contingent on the Development Officer verifying the completion of all the conditions of this schedule and the development permit, such as:

(a) sod being installed in the front yard;

(b) siding on the structure;

(c) hard surface or gravel in a parking area;

(d) walkway from the dwelling to the sidewalk;

(e) down spouts for drainage; and

(f) other aspects required in the development permit;

(10) Should an on-site inspection by the Development Officer be required prior to the moving of the structure, this will be at the applicant's expense.

SECTION 69: NUISANCE, POLLUTION & HAZARD CONTROL

69.1 APPLICABILITY

The requirements of this section apply to any use in any land use district that may create nuisance and/or pollution and/or hazard beyond the boundaries of the site on which the use is approved.

69.2 GENERAL REQUIREMENTS

(1) Unless otherwise permitted by virtue of the land use district or as detailed in the Development Permit associated with the approved use, activities that create the release of dust, noise, odor, smoke or any other potentially harmful airborne particulate beyond what is considered permissible based on this or any other applicable City, provincial or national standard shall be contained entirely on-site;

(2) There shall be no mechanical or electrical equipment used which creates visual, audible or electrical interference to radio, television and/or telecommunication reception; and

(3) All approved uses that may produce nuisance, pollution and hazard on or off-site shall be subject to required minimum distance separations from adjacent and area development.

SECTION 70: OUTDOOR LIGHTING

70.1 APPLICABILITY

Outdoor lighting requirements specified in this section are applicable to all new development and the redevelopment of all existing development that requires the replacement of existing outdoor lighting fixtures, or the installation of new outdoor lighting fixtures.

70.2 REQUIREMENTS

Where outdoor lighting is required for any development to illuminate the lot, building or any other portion of the site, the type, location and orientation of the lighting shall:

(1) Not produce any form of light pollution, including but not limited to light trespass, glare, over-illumination, light clutter or up-lighting;

(2) Make use of full cut-off fixtures and appropriate bulb strengths; and

(3) Angle adjustable light fixtures such that they are horizontal to and parallel with the ground over which they are intended to illuminate.

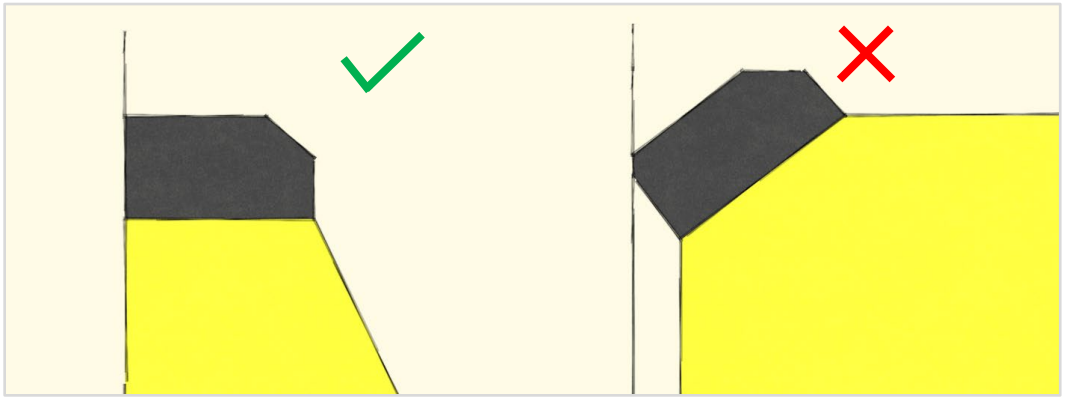


Figure 70.2.1: an example of proper vs. improper adjustable light placement as per 7.2(3) of this section.

70.3 EXEMPTIONS

(1) Season specific temporary outdoor lighting that does not comply with the requirements of this section shall be permitted on a non-permanent basis; and

(2) Street lighting may produce some light trespass, but is subject to all other requirements of this section.

SECTION 71: OUTDOOR STORAGE AND DISPLAY

71.1 APPLICABILITY

The requirements of this section apply to all land use districts unless otherwise stipulated or specified in this or any other section of this bylaw.

71.2 GENERAL REQUIREMENTS

(1) All requirements of this section shall be to the satisfaction of the Development Authority;

(2) The storage or display of any object or material in any of the yard setbacks other than those objects and materials permitted in other sections of this bylaw, shall not be permitted;

(3) The storage and/or display of any object or material shall not occur on any public rights-of-way at any time;

(4) The storage or display of any object or material in parking areas shall not be permitted;

(5) Notwithstanding 71.2(4) of this section, parking areas may be used for the temporary storage and/or display of products if the storage and/or display does not:

(a) impact the number of parking stalls required during peak time periods, which may be required to be demonstrated through the provision of a parking demand study, at the discretion of the Development Authority;

(b) last more than fourteen (14) consecutive days or another specified duration, at the discretion of the Development Authority;

(6) The storage and/or display of any object or material shall not impact or impede automobile and pedestrian traffic, including but not limited to emergency and customer access, into and out of the lot(s) on which the storage and/or display is occurring;

(7) The storage and/or display of any object or material shall not impact or impede vehicular and pedestrian access to the building(s) on the lot(s) on which the storage and/or display is occurring;

(8) Outdoor storage and/or display areas that may visually impact adjacent lots may be required to be screened in accordance with Section 76 (Screening) of this Schedule ; and

(9) Outdoor storage and/or display areas shall not impact access to or the safety of adjacent lots and buildings at any time.

71.3 NON-RESIDENTIAL LAND USE DISTRICTS

OUTDOOR STORAGE

(1) Outdoor storage in non-residential land use districts may be required to be screened in accordance with Section 76 (Screening);

(2) All outdoor storage areas adjacent to residential land use districts shall be screened in accordance with Section 76 (Screening) and any other applicable section of this bylaw;

(3) Outdoor storage shall not be permitted in the front yard of any lot other than for the combined purposes of storage and display, including the:

(a) display of new and used vehicles including but not limited to personal automobiles, recreational vehicles, and commercial vehicles, intended for rental and/or sale to the public within an approved associated use;

(b) temporary storage of vehicles intended for repair at an automotive repair facility, not lasting more than 14 consecutive days;.

(c) temporary storage of building supplies intended for sale to the public, within an approved building supply centre, not lasting more than six consecutive months.

OUTDOOR DISPLAY

(1) Outdoor display of objects and materials may be permitted if the display of the objects and materials does not:

(a) pose a threat to the safety of the public;

(b) encroach onto public rights-of-way including but not limited to sidewalks, on-street parking areas, and roadways;

(c) unduly interfere with vehicular and non-vehicular access to adjacent public rights-of-way and/or private lots and buildings;

(d) shade or completely block the windows of adjacent buildings; and

(e) have any other impact deemed to be objectionable by the Development Authority.

SECTION 72: PARKING AND LOADING

72.1 APPLICABILITY

Notwithstanding the minimum standards set out herein, specific requirements applicable to the use of land in any district shall govern the parking requirements of that district.

72.2 GENERAL REQUIREMENTS

(1) Any parking provision for development after the adoption of this bylaw shall be in accordance with the minimum prescribed specifications;

(2) Notwithstanding any additional requirements as may be specified any other portion of this bylaw, the following minimum parking standards shall apply:

MINIMUM OFF-STREET PARKING REQUIREMENTS: Residential Uses	
Uses	**Parking requirements**
All Attached Housing, Cluster Housing, Duplex, Apartment, Secondary Suite or Multi-unit Dwelling < 2 bedrooms/unit	1 stall/bedroom
All Attached Housing, Cluster Housing, Duplex, Apartment, Secondary Suite or Multi-unit Dwelling ≥ 2 bedrooms/unit All Single-Detached Dwelling, Modular Home, Manufactured Home, and Moved-in Dwelling	2 stalls/dwelling unit

MINIMUM OFF-STREET PARKING REQUIREMENTS: Non-residential Uses	
Uses	**Parking requirements**
Adult entertainment establishments	10 stalls/100 m^2 (1076.39 ft^2) GFA
Arts and craft studios	2 stalls/100 m^2 (1076.39 ft^2) GFA
Auction establishments	10 stalls/100 m^2 (1076.39 ft^2) GFA
Auto and equipment paint shops	2 stalls/100 m^2 (1076.39 ft^2) GFA
Auto and equipment rental and sales	2 stalls/100 m^2 (1076.39 ft^2) GFA
Bakeries	2 stalls/100 m^2 (1076.39 ft^2) GFA
Bars/Lounges	10 stalls/100 m^2 (1076.39 ft^2) GFA
Bed and breakfasts	1 stall/guest room
Breweries, wineries and distilleries	As required by the DA
Building and trade contractors	2 stalls/100 m^2 (1076.39 ft^2) GFA
Bulk fuel stations	2 stalls/100 m^2 (1076.39 ft^2) GFA

Bus depots	2 stalls/100 m^2 (1076.39 ft^2) GFA
Business and professional offices	2 stalls/100 m^2 (1076.39 ft^2) GFA
Cafes	2 stalls/100 m^2 (1076.39 ft^2) GFA
Cannabis production facilities	2 stalls/100 m^2 (1076.39 ft^2) GFA
Cannabis stores	2 stalls/100 m^2 (1076.39 ft^2) GFA
Campgrounds	As required by the DA
Cemeteries	As required by the DA
Commercial schools	2 stalls/100 m^2 (1076.39 ft^2) GFA
Cultural facilities	10 stalls/100 m^2 (1076.39 ft^2) GFA
Data centre	1 stall per employee
Day cares	2 stalls/100 m^2 (1076.39 ft^2) GFA
Day homes	As required by the DA
Education facilities	10 stalls/100 m^2 (1076.39 ft^2) GFA
Entertainment facilities	3 stalls/100 m^2 (1076.39 ft^2) GFA
Farms	Not applicable
Financial institutions	3 stalls/100 m^2 (1076.39 ft^2) GFA
Funeral services	10 stalls/100 m^2 (1076.39 ft^2) GFA
Government and public services	As required by the DA
Heavy manufacturing	2 stalls/100 m^2 (1076.39 ft^2) GFA
Home occupations	See Section 87
Hospitals	10 stalls/100 m^2 (1076.39 ft^2) GFA
Hotels	1 stall/room
Kenneling	2 stalls/100 m^2 (1076.39 ft^2) GFA
Laboratories	2 stalls/100 m^2 (1076.39 ft^2) GFA
Light manufacturing	2 stalls/100 m^2 (1076.39 ft^2) GFA
Liquor stores	2 stalls/100 m^2 (1076.39 ft^2) GFA
Major or minor retail establishments	2 stalls/100 m^2 (1076.39 ft^2) GFA
Media production facilities	2 stalls/100 m^2 (1076.39 ft^2) GFA
Medical offices	5 stalls/100 m^2 (1076.39 ft^2) GFA
Outdoor storage	As required by the DA
Parking facilities	Not applicable

Parks and playgrounds	As required by the DA
Personal services	2 stalls/100 m^2 (1076.39 ft^2) GFA
Pet grooming facilities	2 stalls/100 m^2 (1076.39 ft^2) GFA
Private recreation facilities	5 stalls/100 m^2 (1076.39 ft^2) GFA
Public recreation facilities	As required by the DA
Public utilities	As required by the DA
Recycling facilities	2 stalls/100 m^2 (1076.39 ft^2) GFA
Religious assemblies	As required by the DA
Renewable energies	As required by the DA
Repair shops	2 stalls/100 m^2 (1076.39 ft^2) GFA
Restaurants	5 stalls/100 m^2 (1076.39 ft^2) GFA
Salvage yards	2 stalls/100 m^2 (1076.39 ft^2) GFA
Seniors housing	10 stalls/100 m^2 (1076.39 ft^2) GFA
Service stations	2 stalls/100 m^2 (1076.39 ft^2) GFA
Shopping malls	2 stalls/100 m^2 (1076.39 ft^2) GFA
Truck and car washes	2 stalls/100 m^2 (1076.39 ft^2) GFA
Veterinary clinics	2 stalls/100 m^2 (1076.39 ft^2) GFA
Warehouses	As required by the DA

(3) Parking requirements for uses not listed shall be determined by the Development Authority, with regard for similar uses for which specific parking requirements are set;

(4) Notwithstanding the minimum standards as set out in 72.2(2), the Development Authority may require fewer or more parking stalls based on factors that are specific to the proposed use including but not limited to:

(a) the location of the use for which the off-street parking is required;

(b) adjacent land uses;

(c) existing on and off-street parking available for the proposed use;

(d) the intensity of the proposed use, including but not limited to factors such as estimated trip generation rates, based on information provided as a part of the Development Permit application process;

(e) the results of a comprehensive Parking Management Plan submitted by the applicant; and

(f) any other factors determined to be relevant by the Development Authority;

(5) Should the minimum standards, as set forth in 72.2(2) of this section, or as determined by the Development Authority, not be met for a proposed use and/or shared parking is proposed, the Development Authority may require that the applicant submit a Parking Management Plan detailing, in a comprehensive manner, factors such as but not limited to parking supply, demand, utilization, prioritization, turnover, sharing, peak demand management, and pricing;

(6) In consideration of a Parking Management Plan submitted by an applicant, the Development Authority may waive the minimum number of required parking stalls and/or allow the sharing of stalls between multiple uses, should the Plan provide sufficient merit to do so, as determined by the Development Authority;

(7) Where a lot is used exclusively for off-street parking, that portion of the lot that would correspond to the front yard if a building was erected on the site, shall not contain any parking stalls and shall be landscaped to the satisfaction of the Development Authority;

(8) The portion of a lot used for parking shall be:

(a) clearly delineated with curbs, landscaping, barriers or fences as required by the Development Authority;

(b) constructed in a manner that permits adequate drainage, snow removal and maintenance to the satisfaction of the Development Authority;

(9) All parking areas and loading spaces, except where provided for single-detached dwellings and duplexes shall be hard surfaced with impervious materials and drained to the satisfaction of the Development Authority;

(10) Notwithstanding the above, pervious materials used for parking areas and loading spaces for the purpose of realizing a low-impact development may be accepted, to the discretion of the Development Authority and subsequent to review of proposed design by the City's engineer;

(11) The provision of a parking area pursuant to the provisions of this bylaw shall be located on the same lot as the building or use in respect of which it is required unless otherwise approved by the Development Authority;

(12) Should a parking area be proposed off-site from the lot on which the associated building(s) is located, the parking area shall be on an adjacent lot, or within 150 m (492.1 ft) of the lot on which the building(s) is situated;

(13) When the requirements of sub-section 12 are required to be met:

(a) the developer(s) shall have an instrument registered on the title of the lot on which the parking area is to be situated indicating that the lot is to be used for off-site, off-street parking until such time that the developer finds a suitable alternative to the use of the off-site lot for the purposes of meeting the City's parking requirements;

(b) no more than 25 percent of the required parking may be shared or combined unless proof can be provided by the developer that additional shared parking will not result in shortages for the proposed use and other uses that may share or be proposed to share the parking area, to the discretion of the Development Authority;

(14) Off-street parking requirements may be met by either providing the minimum number of stalls as set out in sub-section 72.2(2) or as determined by the Development Authority, or by the payment of money in-lieu of the stalls not provided. City Council shall determine the per stall amount of in-lieu payment;

(15) Each parking stall shall be delineated to the satisfaction of the Development Authority including but not limited to painted lines, wheel stops and signage;

(16) Wheel stops shall be placed so that the centre point of the wheel stop is not less than 0.6 m (2 ft) from the back of a sidewalk so that the minimum stall depth prescribed in this section is provided;

(17) Off-street parking and loading facilities shall be so arranged and of such size as to avoid any interference with the use of transportation r-o-w adjacent to the lot on which the parking is provided;

(18) Parking stall designs proposing tandem or stacked parking to a maximum of two vehicles per stall may be approved by the Development Authority;

(19) A parking and loading facility shall be located and constructed so that:

(a) it is accessible to vehicles intended to be accommodated in it and can be properly maintained;

(b) it is of a size, shape, location and construction design that is appropriate having regard to the nature and frequency of use;

(20) The dimensions of parking stalls and aisles shall meet the following requirements:

Standard Parking Stall Dimensions

A: Parking Angle	B: Stall Width		C: Stall Depth		D: Aisle Width	
Degrees	m	ft	m	ft	m	ft
0 (parallel)	2.4	7.9	6.7	22	3.7	12.1
30	2.7	8.9	5.5	18.1	3.5	11.5
45	2.6	8.5	6.1	20	3.9	12.8
60	2.6	8.5	6.4	21	5.5	18
90	2.9	9.5	5.8	19	7.3	24
90 (small car)	2.3	7.5	4.9	16.1	-	-

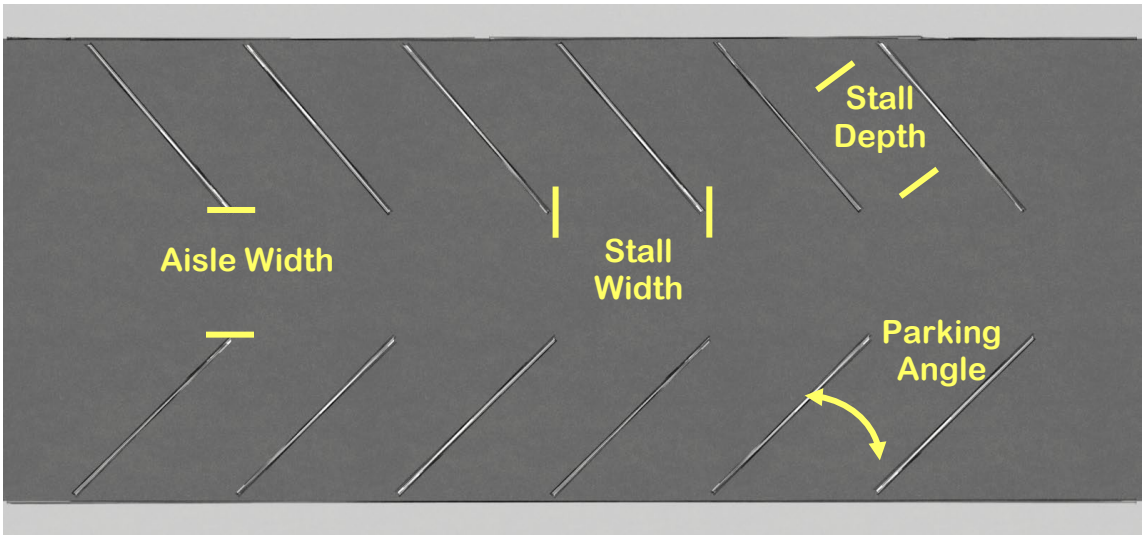


Figure 72.2.1: a visual key for the standard parking stall dimensions table as per 72.2(21) of this section.

(21) Up to twenty five (25) percent of the required parking stalls may be provided in the form of small car stalls, to the discretion of the Development Authority;

(22) The minimum number of barrier-free parking stalls to be provided for the disabled shall be a portion of the total number of off-street parking spaces required, in accordance with the table below;

Stalls required for a use	Barrier free stalls required
0-10	1
11-25	2
26-50	3
51-100	4
For each additional increment of 100 or part thereof	One additional stall

(23) Each barrier-free parking stall shall be designed in accordance with the *Alberta Building Code* and specifically the *Barrier Free Design Guide (2019)* and any amendments thereto;

(24) Each barrier-free parking space for persons with disabilities shall be:
a) at least 3.7 m (12 ft) wide or designed in accordance with the *Safety Codes Act;*
b) have a firm, slip-resistant and level surface;
c) be clearly marked as being for the use of persons with disabilities only;

(25) Where there are two or more adjacent barrier-free parking stalls, a 1.5 m (5 ft) wide access aisle shall be provided between the stalls;

(26) Barrier-free parking stalls shall be clearly identifiable in accordance with the *Safety Codes Act;*

(27) There must be a well-lit, discernible, barrier-free path of travel leading to the building entrance;

(28) Additional barrier-free stalls should be considered when the purpose or use of the building facilities may cause an increase in the number of seniors or persons with disabilities who require accessible parking including, but not limited to, medical uses and public/institutional uses;

(29) For the calculation of parking requirements, fractional numbers shall be rounded down or up to the next whole number, at the discretion of the Development Authority;

(30) The Development Authority may require that a Traffic Impact Assessment (TIA) be conducted for any use as part of the development permit application if it appears that traffic volumes or vehicular turnover may create a significant negative impact on surrounding development. The TIA shall be prepared to the satisfaction of the municipality; and

(31) Any lot on which a non-residential use is situated should be of sufficient size to accommodate the loading/unloading and maneuvering of commercial vehicles such as delivery and garbage trucks within the site and any loading space or area used for loading should be oriented so as to minimize impacts on adjacent uses, including uses on the same site.

72.3 BICYCLE PARKING REQUIREMENTS

Should bicycle parking be provided as a part of the development of a residential use for multi-unit dwellings of more than 4 units, or any non-residential use, the following requirements shall apply:

(1) Bicycle parking, at the discretion of the Development Authority, may be located within public r-o-w, limited to sidewalks and civic space including but not limited to squares, parking areas and parks and playgrounds, but shall not:

(a) encroach into the areas of a sidewalk or any other portion of public r-o-w associated with pedestrian and/or vehicular movement;

(b) be located further than 35 m (114.8 ft) from the principal entrance to the building and/or facility of the use that is required to provide the parking;

(2) Bicycle parking shall be located, regardless of whether permitted to be within public r-o-w or on the same lot as the associated use:

(a) within 35 m (114.8 ft) of the principal entrance to the building and/or facility of the use that is required to provide the parking;

(b) within view of the façade of the building within which the associated use is located, and, if windows are present on the side of the building, along the side of the building;

(3) Bicycle parking shall be anchored securely to the ground or a portion of a building in a way that minimizes the potential for the parking to be removed easily, to the discretion of the Development Authority.

72.4 PARKING REQUIREMENTS IN THE COMMERCIAL CENTRAL DISTRICT

(1) For the calculation of parking requirements in the Commercial Central (C-C) District, the minimum standards as provided in 72.2(2) shall apply, but shall also be subject to the following additional requirements:

(a) new developments in the Central Commercial District shall provide 100 percent of the required off-street parking whether through actual stalls or money in-lieu of stalls or a combination of both;

(b) notwithstanding any other provision, there shall be no requirement to provide additional off-street parking stalls for a proposal to redevelop an existing building in the Commercial Central District area shown on the Downtown Parking Overlay Map on the following page unless, in the opinion of the Development Authority, a lack of parking will result from the proposed development; and

(c) in the event that a lack of parking will result from a redevelopment proposal, the Development Authority shall specify the number of additional off-street parking stalls to be provided.


N
3 AVE W
3 ST W
2 ST W
1 ST W
2 AVE W
CENTRE ST
1 AVE W
1 AVE E
Legend
Downtown Parking Overlay

72.5 LOADING REQUIREMENTS

(1) Loading spaces shall be designed and located so that all vehicles using those spaces can be parked and maneuvered entirely within the bounds of the site before moving on to adjacent streets or sites;

(2) The required loading facilities for specific uses shall be as follows:

MINIMUM OFF-STREET LOADING REQUIREMENTS: Non-residential Uses		
Parking need	**Uses**	**Loading Requirements**
LOW	Auditoriums Convention centres Exhibition buildings Retail minor Wholesale establishments	1 stall/2800 m^2 of GFA
MEDIUM	Rail yards Industrial Manufacturing Business, Professional and Administrative Offices Restaurants Bar/Lounges	1 stall minimum + 1 stall/1800 m^2 of GFA
HIGH	Funeral services	1 stall/hearse + 1 stall/1800 m^2 of GFA

(3) For the calculation of loading requirements, fractional numbers shall be rounded down or up to the next whole number, at the discretion of the Development Authority.

72.6 DESIGN REQUIREMENTS FOR MULTI-STALL PARKING AREA

(1) The requirements of this section are in addition to any other requirement for multi-stall parking areas contained in this bylaw;

(2) For multi-stall parking areas of more than twenty (20) total stalls, every ten (10) stalls should be interrupted by landscaping or other site elements deemed appropriate by the Development Authority;

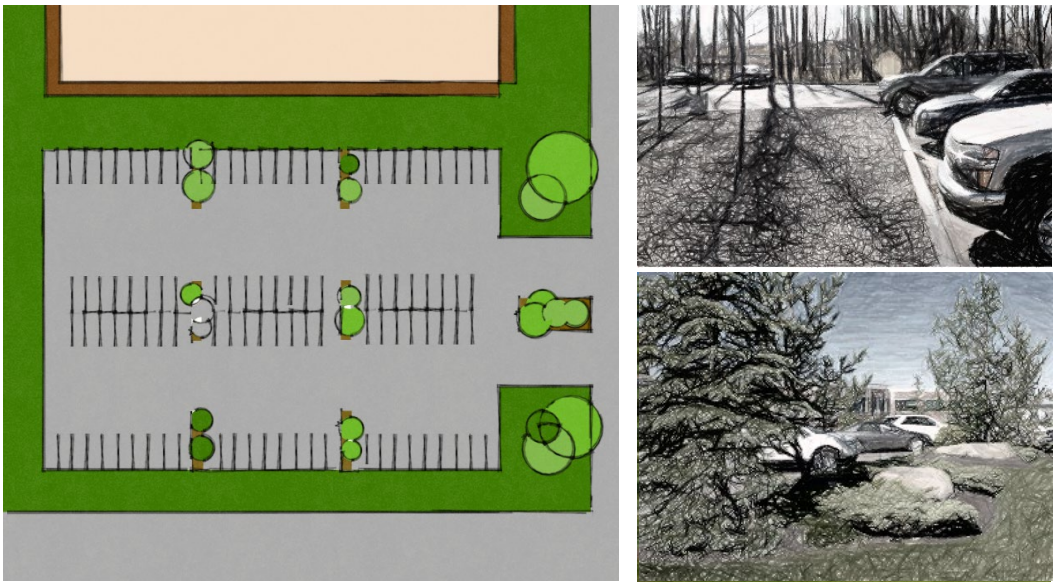


Figure 72.6.1: an example of multi-stall landscaping requirements.

(3) Multi-stall parking areas should incorporate LID practices such as tree filter boxes and curb-cuts where other LID storm water management tools have been implemented on or adjacent to the site;

(4) Multi-stall parking areas shall incorporate pedestrian rights-of-way at key points throughout the parking area including but not limited to building or facility entrances and between aisle intersections, in the form of walkways and crossings that are clearly delineated through the use of techniques such as but not limited to:

(a) paint;

(b) context-appropriate signage;

(c) texturized pavement, paving stone or interlocking brick;

(d) raised crossings;

(e) bump-outs;

(f) bollards and other site elements physically separating pedestrians from vehicle rights-of-way; and

(g) any other technique deemed appropriate by the Development Authority;

(5) Multi-stall parking areas shall be adequately illuminated in accordance with applicable standards such as but not limited to those of the Transportation Association of Canada (TAC) and/or the Illuminating Engineering Society of North America (IESNA).

72.7 DRIVEWAYS

(1) Driveways in residential districts shall be a maximum of 50 percent of the width of the lot;

(2) The width of the lot shall be measured 7.5 m (24.6 ft) back from the front property boundary for the purposes of 72.7(1);

(3) Pie-shaped lots, which are typically found fronting onto cul-de-sacs or the corners of crescents, are exempt from 72.7(1) and 72.7(2).

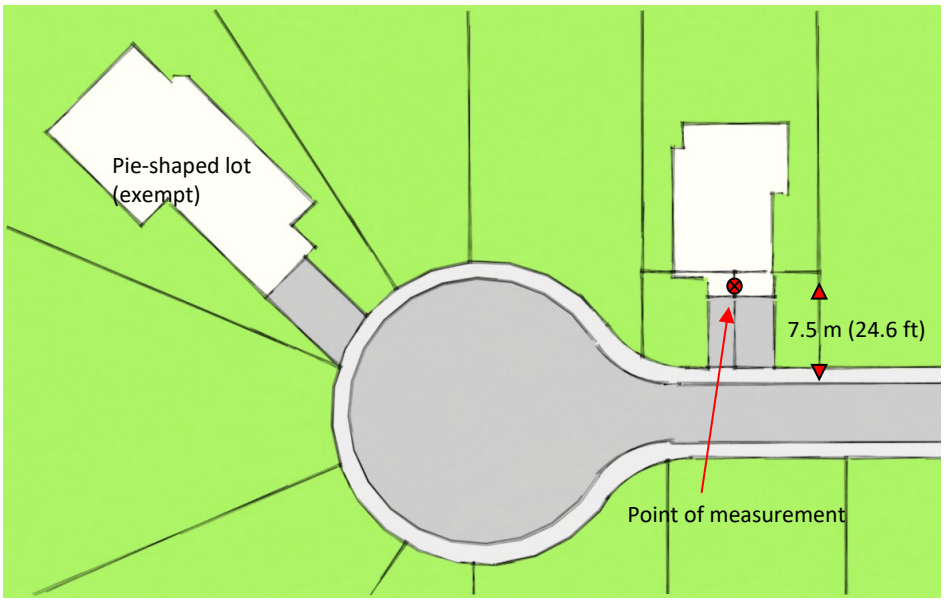


Figure 72.7.1: an illustration of where lot width is measured from in accordance with 72.7(2), and a pie-shaped lot in accordance with 72.7(3).

(4) Driveways in all other land use districts shall be of a maximum width that is determined by the Development Authority, with consideration for the context of the land on which the driveway is located, and potential negative impacts to adjacent and neighbouring properties and the public rights-of-way from which the driveway is accessed.

SECTION 73: PROHIBITIONS

73.1 APPLICABILITY

The prohibition of certain permanent and portable structures and uses not listed in the land use districts are specified in this section and may be specific to a land use district, or if indicated as such, apply to all areas of the City.

73.2 USES NOT LISTED

If a use is not listed in the permitted or discretionary uses list of a land use district, and a use that is not listed is not deemed a similar use by the Development Authority, the use is considered prohibited and shall not occur in the associated land use district.

73.3 RECREATIONAL VEHICLES

(1) Recreational vehicles including but not limited to motor homes and holiday trailers shall not be used for accommodation on a lot, street or laneway for a single, continuous period of time greater than fourteen (14) days in duration; but

(2) In cases of emergency where dwelling(s) have been impacted to a point where they are uninhabitable, the requirements of this section do not apply.

73.4 PORTABLE SHELTERS

(1) Portable shelters that are in excess of 2.4 m (7.9 ft) in height and 10 m^2 (107.64 ft^2) in area are prohibited in all residential and the Commercial Central land use districts; and

(2) Portable shelters in excess of the dimensions listed in this section that are to be erected for a single continuous period of time of seven (7) days or less may be permitted at the discretion of the Development Authority.

73.5 SHIPPING CONTAINERS

(1) Shipping containers are:

(a) prohibited in residential districts;

(b) discretionary in commercial districts;

(c) permitted in industrial districts;

(2) Notwithstanding 73.5(1) above, shipping containers are permitted in residential and commercial districts on a temporary basis for:

(a) 30 successive days or less if placed on the lot associated with the container;

(b) 2 successive days or less if placed on public r-o-w adjacent to the lot associated with the container;

(3) Notwithstanding the requirements of this bylaw, the placement and use of shipping containers shall meet all requirements of the City's Community Standards Bylaw (No. 14/02) and any amendments thereto.

SECTION 74: PROJECTIONS INTO SETBACKS

74.1 APPLICABILITY

Certain elements of buildings and lot improvements may be permitted to project into the yard setbacks prescribed in the land use districts. This section applies to all land use districts but does not apply when the setback requirement is 0 m (0 ft).

74.2 PERMITTED PROJECTIONS

(1) No part of any structure shall encroach into an adjacent property or public rights-of-way;

(2) No part of any structure or any projection shall cause runoff onto an adjacent property;

(3) The following may, subject to relevant provisions of Safety Codes, project into the minimum required yard setbacks of this bylaw:

(a) unenclosed steps providing entry to the basement or first floor of a principal building except into a 3.0 metre side yard required in a laneless subdivision where no provision is made for a garage or carport on the front or side of a dwelling, to a maximum of:

(i)	side yards:	1.5 m (4.92 ft); or the minimum setback width between the property line and principal building, whichever is the lesser of the two.
(ii)	front, flankage and rear yards:	50% of the minimum set back.

(b) wheelchair ramps and lifting devices;

(c) fences that comply with the maximum height requirements of the yard on which they are placed;

(d) driveways, sidewalks and curbs;

(e) off-street parking in accordance with the applicable land use district and Section 3 (Corner Lots) of this Schedule;

(f) Services metres and mail boxes;

(g) architectural and/or structural features such as but not limited to window sills, cornices, eaves, gutters, chimneys, pilasters, canopies, and window bays, to the discretion of the Development Authority and to a maximum of:

(i)	side yards:	0.6 m (1.97 ft)
(ii)	front, flankage and rear yards:	1.2 m (3.94 ft)

(h) landscaping features;

(i) unenclosed porches and decks to a maximum of:

(i)	front yards:	to within 2 m (6.56 ft) of the property line.
(ii)	flankage:	to within 1 m (3.28 ft) of the property line
(iii)	rear yards:	3 m (9.84 ft)

(j) signs, in accordance with Schedule 5; and

(k) patios to a maximum of:

(i) side and/or rear yards: 100%
(ii) front and/or flankage yards: 50%

74.3 EXCEPTIONS

Notwithstanding the permitted projections of sub-section 74.2, the Development Authority may prohibit any projection into any yard setback should it be determined that it may result in material impact to adjacent properties, public rights-of-way, or the amenities of the neighbourhood.

SECTION 75: QUALITY OF DEVELOPMENT

75.1 APPLICABILITY

Quality of development may relate to buildings, hard and soft landscaping and any other site improvements deemed relevant by the Development Authority, including but not limited to design, orientation, massing, types and ratios of materials used, and the maintenance requirements of the same.

The quality of development in the City shall be required to meet the standards of this bylaw and any statutory and non-statutory plans deemed relevant by the Development Authority.

75.2 GENERAL REQUIREMENTS

(1) All development in all land use districts shall be designed in accordance with the adopted Municipal Development Plan, any other statutory or non-statutory plans deemed relevant by the Development Authority, and this bylaw. Through this bylaw and any statutory/non-statutory plan deemed relevant, the Development Authority may determine specific development standards regarding design, orientation, massing, scale, façade treatment, landscaping, and any other matter deemed relevant to a proposed use;

(2) The Development Authority shall have due regard for compatibility of and potential undue and material impacts of proposed uses on adjacent land uses, public rights-of-way, vehicular and non-vehicular traffic safety, and any other matter deemed relevant; and

(3) The exterior of buildings and structures and any other site improvements including but not limited to hard and soft landscaping and pedestrian and vehicular rights-of-way shall be maintained to the standard as shown on the plans approved by the development authority.

SECTION 76: SCREENING

76.1 APPLICABILITY

The requirements of this section shall be met in any instance that the Development Authority deems it appropriate to require the screening of a part or all of a building or any other structure or use on a lot from adjacent lots and/or public rights-of-way, including instances where screening has not been noted as a potential requirement of the proposed development in this bylaw. All requirements of this section are in addition to the screening requirements of any other section of this bylaw.

76.2 GENERAL REQUIREMENTS

(1) Acceptable methods of screening include fencing, solid walls, berms or vegetation, or any combination thereof that meet the standards of this bylaw, or other types of screening that may be proposed at the discretion of the Development Authority;

(2) All types of screening shall:

(a) ensure a minimum opacity of 90 percent;

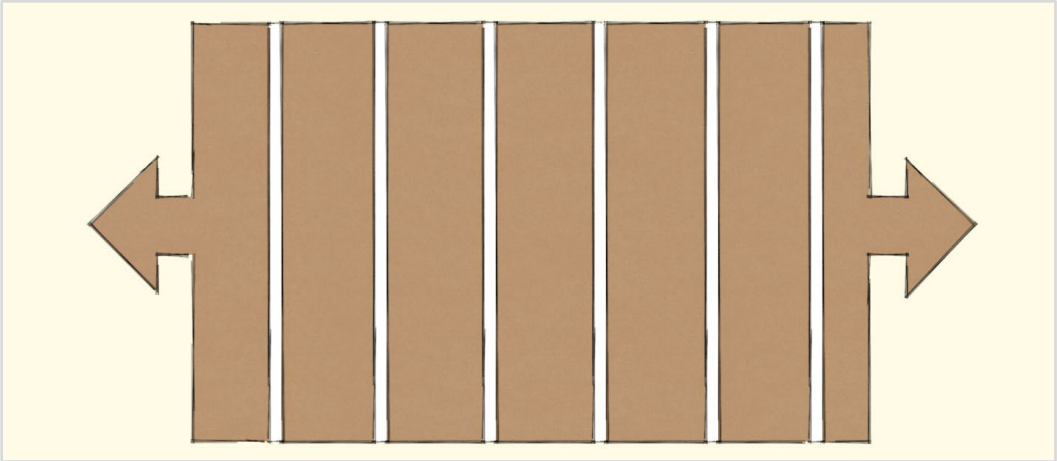


Figure 76.2.1: an example of screening with approximately 90 percent opacity.

(b) be maintained to the standard at which it was originally approved;

(3) Vegetation used for the purposes of meeting screening requirements shall be:

(a) of a draught-resistant variety;

(b) of a species that does not lose foliage in the fall and winter months;

(c) at a minimum of 75 percent the height required to meet the screening requirements at the time of planting;

(4) Chain link fencing shall not be permitted as screening unless opaque slats are included in all of the chain link fencing intended for the purposes of screening.

76.3 NON-RESIDENTIAL LAND USE DISTRICTS

(1) All non-residential land use districts shall be required to screen the following, in addition to screening requirements prescribed in other sections of this bylaw, if they are not already out of the view of the public and/or adjacent lots:

(a) garbage and recycling bins;



Figure 76.3.1: examples of bin and utility box screening as per 76.3(a)(b) of this section.

(b) mechanical and utility boxes;

(c) air conditioning units mounted along unfenced side yards; and

(d) any other structure as deemed necessary by the Development Authority;

(2) Should a fence or solid wall be proposed for the purposes of meeting the screening requirements and the height of the structure to be screened or the area to be screened is of a size that the maximum fence or solid wall height of 2.0 m (6.56 ft) is insufficient, the fence or solid wall shall be increased in height to a point where the structure or area intended to be screened is sufficient.

SECTION 77: SITE DRAINAGE AND STORM WATER MANAGEMENT

77.1 APPLICABILITY

The Development Authority may require, in any instance deemed necessary, the preparation and submittal of drainage and storm water management plans to ensure development does not result in surface drainage adversely affecting adjacent lots or public rights-of-way.

77.2 GENERAL REQUIREMENTS

The Development Authority may require the following as a condition of development approval, at the sole cost of the developer:

(1) The preparation of engineered grading, drainage, and/or comprehensive storm water management plans;

(2) A legal land survey and any other documentation required to demonstrate engineered grades and any other measures necessary to meet requirements related to site drainage and storm water management have been met;

(3) The implementation of any measures necessary to control surface drainage, reduce or eliminate grade difference that may result in drainage problems for adjacent lots, and to minimize erosion and slope instability; and

(4) That final grades of the development and/or any other site works related to drainage shall be approved by the Development Authority before the issuance of a Development Permit;

77.3 LOW IMPACT DEVELOPMENT (LID)

LID measures are intended to reduce the quantity of storm water runoff and improve the quality of runoff at its source. The Development Authority may require the following LID measures as part of a development approval:

(1) Green or living roofs;

(2) Bioretention areas;

(3) Porous pavement, paving grids, and vegetative paving blocks;

(4) Water re-use;

(5) Bioswales;

(6) Tree box filters;

(7) Low or no water use landscaping; and

(8) Any other measure deemed appropriate by the Development Authority.

SECTION 78: STATUTORY AND NON-STATUTORY PLANS

78.1 APPLICABILITY

Where the policies, rules, procedures or standards indicated in a statutory plan varies, supplements, reduces, replaces or qualifies the requirements of this bylaw, the plan shall take precedence. At the discretion of the Development Authority, the preparation of and/or adherence to the contents of a non-statutory plan may be required.

78.2 TYPES OF PLANS

(1) Statutory plans, as indicated in 613(dd) of the Act, include an:

(a) Intermunicipal Development Plan (IMDP);

(b) Municipal Development Plan (MDP);

(c) Area Structure Plan (ASP); and

(d) Area Redevelopment Plan (ARP).

(2) Non-statutory plans are developed in the context of the relevant statutory plans and may consist of any other plan or planning document recognized and/or required by the Development Authority, including but not limited to an:

(a) Area Concept Plan (ACP);

(b) Outline Plan (OP);

(c) Conceptual Design Scheme; and

(d) any other plan or planning document as determined by the Development Authority.

78.3 PLAN REQUIREMENTS

Statutory and non-statutory plans shall, as a minimum, provide the information required as per sub-section 5.2(2) of the Administration portion of this bylaw, including:

(1) Proposed land use designation(s) and future use(s);

(2) Consistency with applicable statutory plans OR rationale for why the proposal may be inconsistent with applicable statutory plans;

(3) Development potential/suitability of the site including identification of any constraints and/or hazards to development;

(4) Availability of infrastructure to service the site including adequate water, sewer, and storm water capacities;

(5) Potential impacts to public roads and options available to address any impacts that would create issues relating to road capacities, levels of service and vehicular/non-vehicular traffic safety;

(6) Conceptual subdivision design, if applicable;

(7) Geotechnical report prepared by an engineer demonstrating soil suitability if deemed necessary by the Development Authority;

(8) An evaluation of surface drainage which may include adjacent properties if deemed necessary by the Development Authority;

(9) Feedback regarding the proposed plan from existing adjacent and/or area landowners through the use of public consultation techniques as determined by the Development Authority on a case by case basis, including but not limited to the mailing of plan details to adjacent and/or area landowners and the holding of open houses and workshops; and

(10) Any other information deemed necessary by the Development Authority to properly evaluate the application.

AREA STRUCTURE PLANS:

(11) If the preparation of an ASP is required as per sub-section 5.2(3) of the Administration portion of this bylaw, the developer shall prepare the plan in the context of the MDP, this bylaw, and any other applicable statutory and/or non-statutory plan, and shall ensure the plan meets the requirements of section 633 of the Act by including information regarding the:

(a) sequence of development proposed for the area;

(b) land uses proposed for the area, either generally or with respect to specific parts of the area;

(c) density of population proposed for the area either generally or with respect to specific parts of the area;

(d) general location of major transportation routes and public utilities; and

(e) may contain any other matters Council considers necessary including but not limited to compatibility with surrounding uses and impact on the same.

(12) The level of detail required for (23.3(11)(a-e) shall be determined by the Development Authority and may take into account a variety of considerations relating to the proposed development site, including the site(s):

(a) physical size and location;

(b) ability to be serviced;

(c) adjacent land uses;

(d) access to transportation rights-of-way;

(e) scale and complexity; and

(f) any other factors deemed relevant by the Development Authority.

NON-STATUTORY PLANS:

(13) If the preparation of an ACP, OP, Conceptual Design Scheme or any other type of non-statutory plan is required as per sub-section 5.2(3) of the Administration portion of this bylaw, the developer shall prepare the plan in the context of the MDP, this bylaw, and any other applicable statutory and/or non-statutory plan;

(14) In addition to the minimum requirements of a statutory or non-statutory plan as prescribed in 78.3(1-10), non-statutory plans should provide, if applicable, the following information regarding the proposed development:

(a) design, orientation and massing of building(s);

(b) proposed layout of lots, streets and blocks;

(c) integration into surrounding development;

(d) preservation of natural areas such as but not limited to waterbodies and waterways;

(e) any other matters deemed necessary by the Development Authority.

SECTION 79: VEHICLE-ORIENTED DEVELOPMENT

79.1 APPLICABILITY

Any use that directly incorporates vehicles into the operation of the building(s), including but not limited to drive-through facilities for the purposes of serving food or any other provision, vehicle washing facilities such as car and truck washes, fueling stations, oil change facilities, or any combination of the above, shall be subject to the requirements of this section.

79.2 GENERAL REQUIREMENTS

(1) All vehicle-oriented uses shall be designed and developed to the satisfaction of the Development Authority;

(2) Vehicle-oriented uses should be located only where the operation and associated traffic flows will not unduly or materially impact adjacent land uses and/or the normal functioning of surrounding transportation rights-of-way;

(3) Minimum queuing space shall be provided as follows:

(a)	restaurant:	30.5 m (100 ft) from order box to pick-up window
(b)	fuel station:	9.1 m (29.9 ft) from each end on pump island
(c)	bank machine:	22.9 m (75.1 ft) from bank machine window
(d)	vehicle wash:	15.2 m (49.9 ft) from wash bay entrance
(e)	vehicle services: (drive-in bay)	15.2 m (49.9 ft) from vehicle entrance
(f)	other:	As determined by the Development Authority

(4) The minimum queuing space requirements of 79.2(3) may be varied by the Development Authority depending on the projected intensity of the proposed development and associated traffic flows; and

(5) A maximum of two vehicle access points to and from the site shall be permitted and shall be sited to the satisfaction of the Development Authority.

79.3 SITE AND BUILDING DESIGN

(1) Required off-street parking and queuing lanes should be located at the side and rear of the building;

(2) Principal building entrances should be oriented to the street;

(3) Vehicle access points to and from the site shall be located as far from street intersections as possible;

(4) Parking stalls and queuing lanes adjacent to other lots or public rights-of-way shall be buffered by a strip of 2 m (6.56 ft) in width that is landscaped, fenced or has a solid wall placed on it to buffer the vehicle-oriented use from adjacent uses;

(5) Parking stalls shall be buffered from queuing lanes by a strip of 1 m (3.28 ft) in width that is landscaped in accordance with this bylaw;

(6) Site amenities such as but not limited to picnic benches, outdoor seating, garbage receptacles, recycling containers and bicycle parking facilities shall be placed along the side(s) of the building facing the street;

(7) Pedestrian circulation shall be clearly demarcated in and across parking and queuing areas through the use of paint, differentiation between paving materials and textures, raised pavement, or any other means deemed appropriate by the Development Authority;

(8) In instances where the size, location or orientation of the lot results in the placement of the queuing lane or off-street parking in the front yard of the site, a strip of 3.0 m (9.84 ft) in width that is landscaped to meet the screening standards of this bylaw shall be required; and

(9) In instances where payment and/or pick-up windows are included in the use, the side of the building on which any of the windows are located should not be oriented to any exterior yard so as to face a street.

SECTION 80: PERSONAL CANNABIS CULTIVATION

80.1 APPLICABILITY

The requirements of this section apply to all Personal Cannabis Cultivation, as defined by the Land Use Bylaw and are in addition to the Government of Alberta's requirements of the *Gaming, Liquor, and Cannabis Act* and the Government of Canada's *Cannabis Act*.

80.2 GENERAL REQUIREMENTS

(1) The act of Personal Cannabis Cultivation shall only be permitted in all residential districts and is restricted in all other districts.

(2) Through Federal regulations, adults are allowed to grow a maximum of four (4) cannabis plants per household.

(3) All personal Cannabis plants are to be cultivated in the principal building as defined in the Land Use Bylaw. Plants shall not be cultivated in accessory buildings.

SCHEDULE 4:

USE SPECIFIC STANDARDS OF DEVELOPMENT

SCHEDULE 4: USE SPECIFIC STANDARDS OF DEVELOPMENT

SECTION 81: ADULT ENTERTAINMENT ESTABLISHMENTS

81.1 APPLICABILITY

This section applies to all adult entertainment establishments, whether such establishments are the principal or subordinate use, as defined by this bylaw.

81.2 GENERAL REQUIREMENTS

(1) An adult entertainment establishment including but not limited to an adult media store, adult novelty store, or strip club shall be located on a site at least 150 m (492.13 ft) from the nearest dwelling unit, arena, school, religious assembly, day home, day care, community centre or park as measured from the boundaries of sites containing such uses; and

(2) All adult entertainment establishments shall provide translucent or opaque coverings on all exterior windows for the entire width and to a height that negates any of the adult materials or activities contained within the building to be seen by passersby, to the satisfaction of the Development Authority.

SECTION 82: ALTERNATIVE ENERGY SOURCES

82.1 APPLICABILITY

The Development Authority is authorized to issue development approvals for alternative energy sources such as, but not limited to, solar panels, heat exchange systems, generators and turbines, provided that any additional approvals or standards required at the municipal, provincial and/or federal levels are met or exceeded.

82.2 SOLAR COLLECTORS

A solar collector attached to a wall or roof of a building may be permitted in any land use district as an accessory structure subject to the following:

(1) A solar collector mounted on a roof:

(a) may project a maximum of 1.3 m (4.3 ft) from the surface of the roof and shall not exceed the maximum height requirements of the applicable land use district;

(b) shall not extend beyond the outermost edge of the roof;

(2) A solar collector mounted to a wall:

(a) shall be located such that it does not create undue glare on neighbouring property or public roadways;

(b) shall be located a minimum of 2.3 m (7.5 ft) above grade;

(c) may project a maximum of 1.5 m (4.9 ft) from the surface of the wall, when the wall faces the rear property line, subject to the setback requirements of the applicable land use district;

(d) may project a maximum of 0.6 m (2 ft) from the surface of the wall when the wall faces the front, secondary front or side property line, subject to the setback requirements of the applicable land use district;

(3) A free-standing solar collector or a solar collector mounted to any structure other than a roof or wall of a building shall be classified as an accessory use and processed subject to the applicable land use district and the following additional standards:

(4) A free-standing solar collector or a solar collector mounted to any structure other than a roof or wall of a building:

(a) shall be located such that it does not create undue glare on neighbouring property or public roadways;

(b) shall not exceed 1.8 m (5.9 ft) in height above existing grade.

82.3 SMALL WIND ENERGY SYSTEMS

(1) The following definitions apply to this section:

(a) blade means an element of a wind energy system rotor, which acts as a single airfoil, thereby extracting kinetic energy directly from the wind;

(b) blade clearance means, in reference to a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc;

(c) rotor's arc means the largest circumferential path travelled by a blade;

(d) Small Wind Energy System (SWES) means a wind energy conversion system consisting of a wind turbine (rotor and blades), a tower, and associated control or conversion electronics, which has a rated capacity that does not exceed the allowable rated capacity of 3 kW and which will be used primarily to reduce onsite consumption of utility power and is CSA approved;

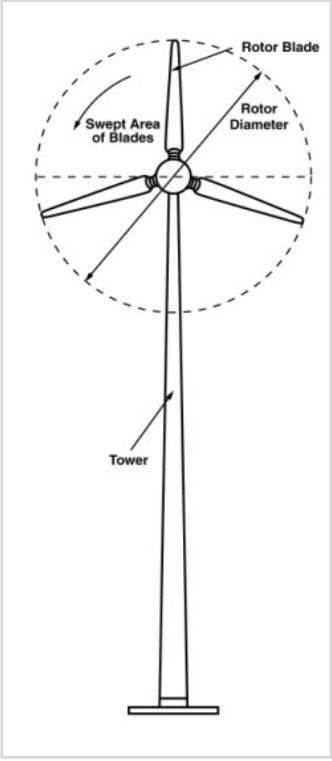


Figure 82.3.1: SWES diagram.

(e) total height means the height from grade to the highest vertical extension of a SWES. In the case of a SWES with a horizontal axis rotor, total height includes the distance from grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor's arc;

(f) tower means the structure which supports the rotor above grade;

(2) the following requirements shall apply to small wind energy conversion systems:

(a) Small Wind Energy Systems shall require a development permit depending on their location, as provided in the regulations for the land use districts in which they are allowed:

(i) Type A Small Wind Energy System: This use is defined as a Small Wind Energy System that is either roof mounted or has a tower which does not exceed 12.2 m (40 ft) in height;
(ii) Type B Small Wind Energy System: This use is defined as a Small Wind Energy System that has a tower which is greater than 12.2 m (40 ft) in height but does not exceed 24.4 m (80.1 ft) in height;

(3) Applications for Small Wind Energy Systems shall include the following information where applicable:

(a) all proposed Small Wind Energy Systems shall be commercially manufactured and applications shall include the manufacturers make and model number;

(b) the manufacturer's specifications indicating the rated output in kilowatts, safety features and sound characteristics, and the type of materials used in the tower, blade and rotor construction;

(c) potential for electromagnetic interference;

(d) nature and function of over speed controls which are provided;

(e) specifications on the foundations and/or anchor design, including location and anchoring of any guide wires;

(f) information demonstrating that the system will be used primarily to reduce on-site consumption of electricity; and

(g) location of existing buildings or improvements;

(4) Prior to making a decision on a development application for a Small Wind Energy System, the Municipal Subdivision and Development Authority may refer and consider the input of the following agencies and departments:

(a) Alberta Utilities Commission;

(b) Transport Canada;

(c) NavCanada; and

(d) any other federal or provincial agencies or departments deemed necessary;

(5) A Small Wind Energy System shall comply with all the setbacks that govern the principal use in the district in which it is located;

(6) No part of the wind system structure, including guy wire anchors, may extend closer than 3.0 m (9.8 ft) to the property boundaries of the installation site;

(7) there shall be a limit of one Small Wind Energy System per parcel;

(8) The system's tower shall be set back a minimum distance equal to the height of the tower from all parcel lines, and a minimum distance of 3.0 m (9.8 ft) from any other structure on the parcel on which the system is located. On parcels 4.0 ha (10 acres) or more, the parcel line setback may be reduced if the applicant demonstrates that:

(a) because of topography, strict adherence to the setback requirement would result in greater visibility of the system's tower than a reduced setback;

(b) the system's tower is set back a minimum distance equal to the height of the tower from any structure on adjoining parcels;

(9) The system's tower shall not exceed a maximum height of 12.2 m (40 ft) on a parcel of less than 0.4 ha (1 acre), a maximum of 19.8 m (65 ft) on a parcel of 0.4 ha (1 acre) to less than 2.0 ha (5 acres), and maximum height of 24.4 m (80.1 ft) on a parcel 2.0 ha (5 acres) or more;

(10) The system's tower shall be located and screened by landforms, natural vegetation or other means to minimize visual impacts on neighbouring residences and public roads, public trails and other public areas;

(11) The system's tower and supporting structures shall be painted a single, neutral, non-reflective, non-glossy (for example, earth-tones, grey, black) that, to the extent possible, visually blends the system with the surrounding natural and built environments;

(12) The system shall be equipped with manual and automatic over speed controls. The conformance of rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural or civil engineer;

(13) The system's tower-climbing apparatus and blade tips shall be no closer than 4.6 m (15.1 ft) from ground level unless the system is enclosed by a 1.8 m (5.9 ft) high fence;

(14) The system's utility lines shall be underground where economically practical;

(15) The system shall be operated such that no electro-magnetic interference is caused;

(16) The system's maximum power shall not exceed 3 kW;

(17) The system shall be located in the rear or side yard;

(18) Small wind turbines shall not exceed 60 dB(A), or in excess of 5 dB(A) above the background noise at the property line, whichever is greater. The level, however, may be exceeded during short-term events including utility outages and severe windstorms;

(19) Brand names or advertising associated with the system or the system's installation shall not be visible from any public place; and

(20) Upon abandonment or termination of the system's use, the entire facility, including the system's tower, turbine, supporting structures and all equipment, shall be removed and the site shall be restored to its pre-construction condition.

SECTION 83: BED AND BREAKFASTS

83.1 APPLICABILITY

The requirements of this section apply to all bed and breakfasts in the City and are in addition to all other local and provincial requirements regarding the safe operation of bed and breakfast facilities.

83.2 GENERAL REQUIREMENTS

Bed and Breakfast accommodations shall not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. Bed and Breakfast accommodation shall be an incidental and subordinate use to the principal use and restricted to the dwelling unit, and:

(1) Advertising may only be permitted in compliance with Schedule 5: Signage Standards;

(2) Alterations to the principal building may be permitted but shall not change the principal character or external appearance of the principal building;

(3) An approved development permit will remain in effect, provided the intensity of use does not increase and all requirements of the development permit have been satisfied;

(4) A development permit does not exempt compliance with health regulations or any other provincial and municipal requirements;

(5) Employees working in the business shall be limited to the residents of the dwelling unit unless one additional parking stall per non-resident employee can be provided on the lot where the bed and breakfast is situated;

(6) The accommodation shall be limited to a maximum of two (2) guest rooms and a maximum of four (4) guests in addition to the permanent residents;

(7) A development permit is based solely on the location of use. If a permit holder relocates within the municipality, the person must apply for a development permit to continue the use from the new location;

(8) Guest rooms shall not be permitted to contain cooking or kitchen facilities;

(9) Meals may be provided to registered guests only and meals for guests shall be prepared in the common kitchen of the principal residence;

(10) One off-street parking space is required for each guest room in addition to the off-street parking requirements for the dwelling;

(11) The applicant shall be responsible for compliance with the Alberta Health Standards and Guidelines and the Alberta Building Code requirements for Bed and Breakfast accommodations; and

(12) The issuance of a development permit in no way exempts the applicant from obtaining a business license from the City and any other Provincial approvals that may be required;

SECTION 84: CHILD CARE FACILITIES

84.1 APPLICABILITY

The requirements of this section are provided in two (2) parts. The parts of this section are categorized based on the Province of Alberta's *Child Care Licensing Act*, which differentiates between the two (2) primary forms of child care facilities recognized in Alberta that require additional regulation associated with this bylaw:

(1) Day Homes;

defined in part as those facilities operating out of a residence that provide services to care for no more than six (6) children between the ages of 0 and 12 at any one time, for periods of time not to exceed 24 hours, not including those children who reside in the home on a permanent basis, and that may be unlicensed but shall be approved by the Province.

(2) Day Cares;

defined in part as those facilities that provide services to care for seven (7) or more children between the ages of 0 and 12 at any one time, for periods of time not to exceed 24 hours, and that shall meet the licensing requirements of the Province.

84.2 DAY HOMES

Day homes shall not place any signage related to the operation of the day home on the property or in the window of the residence where the day home is operation out of, other than the signage provided by and related to the approval of the day home by the Province of Alberta.

84.3 DAY CARES

All day care facilities may be approved subject to the following conditions and requirements:

(1) If determined by the Designated Officer, the applicant for a day care may be required to meet and consult with all adjacent land owners in the vicinity of where the use is proposed;

(2) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property;

(3) All signage must comply with Schedule 5: Signage Standards;

(4) Request for more than one sign or a sign greater than 0.74 m^2 (8 ft^2) requires a separate development permit application;

(5) The use shall not generate traffic problems within the district;

(6) Requires a minimum of one (1) on-site parking space per employee at the use at any given time;

(7) Requires a minimum of one (1) on-site pick-up and drop-off space for every 10 children and the location of passenger loading zones for child care facilities may be specified by a condition of a development permit; and

(8) Must have screening for any outdoor play areas to the satisfaction of the Development Authority;

(a) all applications for child care facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies.

SECTION 85: GROUP CARE FACILITIES

85.1 APPLICABILITY

The requirements of this section apply to all group care facilities including but not limited to group care facilities that are limited to a maximum of five (5) persons other than the required number of employees by virtue of the land use district in which the facilities may be approved, and such group care facilities that may be permitted based on a higher maximum occupancy again based on the land use district in which such facilities may be approved.

85.2 GENERAL REQUIREMENTS

The applicant is required as part of the development permit application, to provide information on the following:

(1) The type of client served;

(2) The number of clients accommodated;

(3) The number of staff employed; and

(4) The submission of a plan that describes how communication with neighbours will be carried out and how neighbourhood compatibility problems are to be resolved.

85.3 GROUP CARE FACILITIES (5 residents or fewer)

All group care facilities with no more than 5 residents that may be approved are subject to the following conditions and requirements:

(1) The applicant for a group care facility shall be required to meet and consult with all adjacent land owners in the vicinity of where the use is proposed;

(2) The total occupancy by clients and staff shall be specified for each development by condition of a development permit. The total number of clients shall not exceed more than two (2) per bedroom in a residential District;

(3) The Development Authority may establish the maximum number of residents allowed in a group care facility on a case specific basis with attention given to the District in which the use is located and the type of facility seeking approval;

(4) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property;

(5) If the group care facility is operating within a single-detached dwelling, the dwelling must be located on a street with a rear lane, and is not permitted to be located within cul-de-sacs or lane-less streets;

(6) The use of accessory buildings, structures or uses not associated with the principal residential dwelling are not permitted on the property;

(7) The site must allow for secure storage and pick up of garbage and recycling material located away from public areas;

(8) The use shall not generate traffic problems within the district;

(9) Off-street parking is required with the provision of two (2) spaces per each dwelling unit plus one (1) space per employee; and

(10) Signage for group care facilities must comply with the following:

(a) a maximum of one sign.

(b) sign must be no greater than 0.74 m^2 (8 ft^2) in size.

(c) sign must be located in the buildings window.

(d) all applications for group care facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies and the group care facility (group home for the purposes of provincial legislation) shall comply with provincial standards.

85.4 GROUP CARE FACILITIES (more than 5 residents)

All group care facilities with more than 5 residents that may be approved are subject to the following conditions and requirements:

(1) The applicant is required as part of the development permit application, to provide information as stipulated in sub-section 85.2 above;

(2) The site must allow for secure storage and pick up of garbage and recycling material located away from public areas;

(3) The use shall not generate traffic problems within the district;

(4) Off-street parking is required in accordance with Schedule 3, Section 72;

(5) Signage for group care facilities shall be in accordance with Schedule 5; and

(6) All applications for group care facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies and the group care facility (group home for the purposes of provincial legislation) shall comply with all provincial standards.

SECTION 86: HOME OCCUPATIONS

86.1 APPLICABILITY

The requirements of this section are applicable to all home occupations, as defined by this bylaw, with the exception of defined uses such as Bed and Breakfasts, Day Homes and Group Care Facilities that serve a maximum of five (5) residents. Home occupations in the City are categorized based on the level of measurable impact that each category of home occupation may have on the dwelling, lot, adjacent properties and the street on which the occupation may be located.

86.2 GENERAL REQUIREMENTS

Regardless of category, all home occupations shall meet the following requirements:

(1) Except with the approval of the Development Authority, no person other than the applicant shall be engaged in home occupations on the premises;

(2) The applicant shall be a permanent resident of the dwelling;

(3) No variation from the external appearance and residential character of land or building shall be permitted;

(4) Home occupations shall be operated as a secondary or subordinate use to the principal use of the lot with a residence or dwelling unit;

(5) Home occupations shall not be permitted in any residential land use district if, in the opinion of the Development Authority, the use would be more appropriately located in a commercial or industrial land use district;

(6) No use requiring electrical or mechanical equipment shall cause a fire rating change in the structure or the district in which the home occupation is located;

(7) Advertising may only be permitted in compliance with Schedule 5: Signage Standards;

(8) Home occupations shall not generate vehicular traffic or parking, in excess of that which is characteristic of the district within which it is located;

(9) Off-street parking shall be provided and utilized for all business vehicles associated with a home occupation;

(10) Traffic shall be controlled by and conform to the City's Traffic Bylaw (No. 14/01) and any amendments thereto;

(11) No offensive noise, vibration, smoke, dust, odours, heat or glare discernible beyond the property lines shall be produced by the use;

(12) The development permit shall be applicable only for the period of time the property is occupied by the applicant. Any permit issued is non-transferable;

(13) All permits issued for home occupations shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Development Authority, the use is or has become detrimental to the amenities of the neighbourhood;

(14) A home occupation permit issued may be subject to review each year by the Development Officer to determine if the home occupation is in compliance with the Land Use Bylaw and any conditions placed on the approved permit;

(15) A home occupation permit may be issued temporarily in accordance Section 3 (Development Permit Rules and Procedures) of Administration;

(16) Home occupations shall not include:

(a) activities that use or store hazardous materials;

(b) any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment or value of neighbouring properties;

(c) any use declared by resolution of Council to be undesirable as a home occupation;

(17) The applicant shall be responsible for compliance with the Alberta Health Standards and Guidelines and the Alberta Building Code requirements;

(18) The issuance of development permit in no way exempts the applicant from obtaining a business license from the City and any other Provincial approvals that may be required; and

(19) The total number of home occupations per dwelling unit shall be determined based on the cumulative impact to the site, as determined by 86.4 of this section.

86.3 APPLICATION REQUIREMENTS

The following information shall be provided when applying for a home occupation:

(1) Proof of ownership or residency;

(2) Description of business;

(3) Materials, equipment and/or vehicles to be used;

(4) Number of resident and non-resident employees;

(5) Number of business/client visits per day;

(6) Number of parking spaces on the property;

(7) Type of signage proposed;

(8) Whether the sale of goods is proposed and if so, what volume per day;

(9) If outdoor storage is proposed; and

(10) Any other information the Development Authority may require to determine the category of home occupation.

86.4 ASSESSMENT OF MEASURABLE IMPACT

The defining factor categorizing home occupations is measurable impact. The cumulative impact of factors identified through the information provided in 86.3 of this section shall form the basis by which the category of home occupation is determined, by the Development Authority, as outlined in the following table:

Impact Factor	Home Occupation Categories		
	1	2	3
Non-resident employees	None	1	2
Commercial vehicles	None	None	1
Commercial trailers	None	None	1
Outdoor storage	None	None	Development Authority's discretion
Off-street Parking stalls	None	Development Authority's discretion	3
Client visits	None	3 – 5 per day	5 + per day
Signage	None	1 window	1 window + 1 free-standing
On-site sales	None	Development Authority's discretion	Development Authority's discretion
Development Permit	Not required	Required	Required

86.5 CATEGORY-SPECIFIC REQUIREMENTS

(1) A Home Occupation shall meet all requirements of the category that it is determined to fit within;

(2) The off-street parking stalls required of category 2 and 3 Home Occupations may be made up of those stalls required for the principal dwelling unit(s) on the lot, but shall not be considered to meet the parking requirements of the Home Occupation if any vehicles associated with the Home Occupation displace personal vehicles associated with the dwelling unit(s) on the lot;

(3) For a category 3 Home Occupation, a commercial vehicle and/or trailer associated with the Home Occupation shall:

(a) be parked off-street and in a location on the lot where the visual impact to the street is minimized.

(b) not be parked for any length of time in a laneway on on-street, except in instances where loading of the vehicle or trailer requires this temporarily;

(4) In accordance with Schedule 5 (Signage Standards), the signage associated with a Home Occupation shall be:

(a) for Home Occupation 2 and 3, window signage, no larger than 0.37 m^2 (4 ft^2);

(b) for any signage associated with a Home Occupation, made of a material that is complementary to the principal dwelling;

(c) not be directly illuminated in any way;

(5) The sales of goods and/or services associated with the Home Occupation shall be to the discretion of the Development Authority;

(6) Outdoor storage associated with a Home Occupation 3 shall be screened in such a way that the storage of associated materials is not visible outside of the lot, to the Development Authority's satisfaction.

SECTION 87: INDUSTRIAL PERFORMANCE STANDARDS

87.1 APPLICABILITY

Any operation including production, processing, cleaning, testing, repairing, storage or distribution of any material, regardless of the land use district of the lot(s) on which the operation is undertaken, shall meet the standards of this section and all other applicable sections of this bylaw.

87.2 GENERAL REQUIREMENTS

(1) No noise may be emitted above levels allowed by applicable national and provincial standards and/or local bylaws, audible beyond the boundary of the lot;

(2) No process involving the use of solid fuel is permitted, except the use of waste disposal incinerators of a design approved by the Development Authority;

(3) No process involving the emission of dust, fly ash, or other particulate matter outside of the boundaries of the lot on which the use is approved is permitted;

(4) The emission of any odorous gas or other odorous matter is prohibited;

(5) The emission of toxic gases or other toxic substances is prohibited;

(6) No operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot concerned;

(7) External storage of goods or materials is permitted if kept in a neat and orderly manner, or suitably screened in accordance with Section 76 (Screening) of Schedule 3 (General Standards of Development), to the satisfaction of the Development Authority;

(8) All buildings and improvements shall be constructed to applicable local, provincial and national building requirements and City construction standards; and

(9) No waste shall be discharged into any sewer that does not conform to the standards established by the City; the maximum quantity of which may be so discharged shall be governed by the City.

SECTION 88: MANUFACTURED HOMES & MANUFACTURED HOME PARKS

88.1 APPLICABILITY

The placement and finishing of new and used manufactured homes and new manufactured home parks shall meet the requirements of this and all other applicable sections of the bylaw.

88.2 GENERAL REQUIREMENTS

(1) The roofline of manufactured home dwellings shall be a minimum 3:12 pitch and covered with wood, metal or asphalt shingles that are typical of those used in residential construction;

(2) Any addition to a manufactured home, such as but not limited to enclosed patios, entrance porches, carports, storage areas, additional rooms, or any other roofed addition, shall require a Development Permit and additionally shall:

(a) be of a design and finish that incorporates the exterior of the addition into the existing portion of the dwelling such that the addition is indistinguishable other than from the shape or protrusion from the main structure;

(b) not create a situation where the dwelling encroaches into any of the yard setbacks prescribed in the associated land use district, unless a variance waiver has been granted by the Development Authority in accordance with Part 4 (Development Permit Rules and Procedures) of Administration;

(3) In accordance with the requirements of the associated land use districts, manufactured homes shall be placed on a suitable foundation and shall be required to meet the following additional standards:

(a) the maximum height of the exposed portion of any type of foundation should be no greater than 0.9 m (3 ft) above the finished grade;

(b) any portion of an approved concrete or wooden block foundation shall be skirted from the lowest point of the finished portion of the exterior of the manufactured home to grade with materials of a color, texture and appearance deemed suitable by the Development Authority; and

(c) any portion of an approved continuous concrete foundation shall be parged and painted with a colour deemed suitable by the Development Authority;

(4) All manufactured homes and accessory structures shall have eaves and downspouts, proper site grading and all surface drainage shall be contained on-site and directed into approved municipal infrastructure; and

(5) The Development Authority may require a security deposit of a minimum of $5000.00 to a maximum value of up to 50 percent of the assessed value of the building to ensure that any conditions of the associated Development Permit are met.

88.3 USED MANUFACTURED HOMES

(1) Any used manufactured home, regardless of age, shall meet all requirements of this section, including those requirements outlined in sub-section 88.2. Additionally, used manufactured homes shall meet the following requirements:

(a) used manufactured homes shall be in a state of good condition as determined by the Development Authority, including the Development Authority's consideration of the current state of all exterior elements of the home including but not limited to siding, paint, trim, shingles, fascia, soffit, windows, decks, porches, door handles, railings, and steps;

(b) all exterior elements of the home include but not limited to those listed in 88.3(1)(a), shall show minimal or no signs of wear, such as but not limited to the:

(i) discoloration, cracking, peeling or damage to any painted surfaces;
(ii) rusting, bending or breaking of any metal portion of the home's exterior;
(iii) discoloration, hazing, cracking or breaking of any windows;
(iv) missing or lifted shingles, or any other damage to the roof;
(v) shifting, stress or any other damage to decks, porches, steps or any other exterior element of the home;
(vi) any other form of wear on any other element of the exterior of the home, to the discretion of the Development Authority;

(2) Any application for a Development Permit to locate a used manufactured home shall include recent colour photographs of all elevations, including additions and shall show Canadian Standards Association and Alberta building Standards Label Numbers. A Safety Codes Officer must inspect all proposed dwellings built 20 years prior to the date when a Development Permit Application is submitted for a used manufactured home, at the developer's/applicant's expense, and provide a report as part of the Development Permit Application.

88.4 MANUFACTURED HOME PARKS

Prior to the issuance of a Development Permit for a manufactured home park, the Development Authority shall receive and adopt by resolution a comprehensive plan for the park. A comprehensive plan shall be in accordance with, but not necessarily limited to, the following:

(1) The comprehensive plan shall incorporate detailed aesthetic considerations such as:

(a) substantial landscaping design of the entire park in general, and of individual sites in particular;

(b) treatment of communal areas, both indoor and outdoor;

(c) consistent character and detailing for street furniture such as lamp standards, litter bins, benches, street signs, and accessories of this nature;

(2) The park design and subsequent placement of Manufactured Home on lots shall integrate well with adjoining residential development so as not to be obtrusive;

(3) The design of the park shall be such that the net site density of the park does not exceed 20 units per hectare (8 units per acre);

(4) A minimum of 10 percent of the manufactured home park area may be required to be developed for the use and enjoyment of the inhabitants, at the discretion of the Development Authority;

(5) Servicing Requirements

(a) a qualified engineer shall be engaged at the expense of the developer to consult with the City and utility companies to arrive at a design for all interior servicing, including roads, drainage, grading, sewer, water, natural gas, telephone, electrical and fire protection;

(b) all on-site servicing shall be built to the standards and requirements of the City of Brooks, any applicable utility companies, and the City of Brooks Fire Department;

(c) utility easements as required shall be provided within the site, and reasonable access to these easements shall be granted to the City's Public Works Department and utility companies for the installation and maintenance of services as required;

(6) Internal Roads

(a) roads shall be provided in the manufactured home park to allow access to individual lots within the park and to other facilities where access is required;

(b) these roads shall be privately owned and maintained and form part of the common area;

(c) the street system shall be designed to be compatible with existing municipal street and public utility systems;

(d) the street system shall provide convenient circulation by the use of local roads and properly located collector roads within the manufactured home park. Dead-end roads shall be discouraged; however, where design alternatives are not available, a minimum 16.5 m (54.1 ft.) radius shall be provided for vehicle turn-around purposes. At the time of comprehensive plan submission the minimum radius may be modified based on municipal needs and standards;

(e) all roads in the manufactured home park shall be paved;

(f) a minimum right-of-way of 12.19 m (40 ft.) is required for all roads within the manufactured home park;

(7) Additions to Manufactured Homes

(a) any addition to a manufactured home in a manufactured home park shall be of a design and finish that will complement the manufactured dwelling unit and the neighbouring units in the vicinity, as determined by the Development Authority;

(b) additions shall be located to the rear or side of the manufactured home only. Where any lot has more than one front yard line, the front yard requirements shall apply to one yard only and additions may be permitted in the other front yard;

(c) additions shall not exceed 30 percent of the floor area of a manufactured home;

(8) Storage Compound

(a) the developer of the manufactured home park shall provide, within the park, an area to accommodate the storage of recreational vehicles as defined in this bylaw;

(b) the size of this storage compound shall be a percentage of the total site area as determined by the Development Authority;

(c) the storage compound shall be screened by fences, trees, landscape features, or a combination thereof, to the satisfaction of the Development Authority, and shall be maintained in good repair;

(9) Landscaping Standards

The developer shall provide a landscaping plan detailing the location, number and type of trees and other vegetation that shall be planted within the manufactured home park. The landscaping plan should provide a park-like atmosphere and must be completed to the satisfaction of the Development Authority;

(10) Recreation and Open Space

A minimum of 10 percent of the total area of the manufactured home park may be required to be designated to open space in order to accommodate recreational activities, at the discretion of the Development Authority. The open space shall include:

(a) a playground for younger children; and

(b) benches and a walkway for passive recreation;

(11) Siting requirements

(a) manufactured home parks should be located such that the internal road system is directly connected to arterial or collector roads where possible;

(b) should direct connection to arterial or collector roads not be possible, the developer shall be required to provide suitable connections to such roadways to the satisfaction of the Development Authority;

(12) Drawings to be submitted by Applicants

(a) Site Plan

(i) a scaled site plan shall be submitted showing the manufactured home park and its immediate surroundings; and
(ii) the site plan shall indicate, among other things, the mix of single-wide and double-wide Manufactured Home lots, the lot size dimensions, street and pavement widths, parking stalls, location of service buildings, storage compound, playground and walkway system;

(b) Utility Plan

(i) the utility plan shall be based on the site plan;
(ii) the utility plan shall indicate the location of all utilities necessary for the provision of the following services to the area to be developed including but not limited to water supply, sanitary sewer, storm sewer, power, natural gas, telephone, cable, internet and street lighting;
(iii) the sizing and specifications of all utilities to be determined in consultation with the City's Public Works Department and the respective utility companies or agencies; and
(iv) an engineered storm water management plan shall be provided to the satisfaction of the Development Authority;

(c) Layout Plan Showing Typical Manufactured Home Lots

(i) the layout plan shall indicate typical arrangement of Manufactured Home; and
(ii) the layout plan shall also indicate parking areas and landscaping of the lot.

(d) Landscaping Plan

A detailed landscaping plan shall illustrate the types of tree planting and ground occupy for internal buffer strips, open space and playground areas, irrigation layout, all Manufactured Home lots, and entrances to the park;

(13) Garbage Enclosures

If not using City services for garbage collection, garbage enclosures shall be properly screened to the satisfaction of the Development Authority. Common garbage receptacle areas, if provided in the comprehensive plan, must be suitably and effectively screened to the satisfaction of the Development Authority; and

(14) Park Maintenance/Storage Uses

The design of the park shall include an area or accessory building for the use of park maintenance and storage uses to be constructed for the care and maintenance of the park.

SECTION 89: CANNABIS PRODUCTION FACILITIES

89.1 APPLICABILITY

The requirements of this section apply to any and all Cannabis Production Facilities, as defined by the Land Use Bylaw and are in addition to the federal regulations required by the Government of Canada's Access to Cannabis for Medical Purposes Regulations (ACMPR) and all requirements in the Government of Canada's *Cannabis Act*.

89.2 GENERAL REQUIREMENTS

(1) A license for all activities associated with Cannabis production as issued by Health Canada shall be provided to the Development Authority prior to occupancy as a condition of development approval.

(2) All of the processes and functions associated with a Cannabis Production Facility shall be fully enclosed within a stand-alone building.

(3) A Cannabis Production Facility shall not operate in conjunction with another approved Use.

(4) A Cannabis Production Facility shall not include an outdoor area for storage of goods, materials or supplies.

(5) All loading stalls and docks shall be inside a building.

(6) Cannabis Production Facility is a Discretionary Use within the Industrial General (I-G) and Industrial Heavy (I-H) Land Use Districts.

(7) An ancillary building or structure used for security purposes may be located on the parcel containing a Cannabis Production Facility.

(8) Equipment that is designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system shall be provided and operate at any time a Cannabis Production Facility is in operation.

(9) Garbage containers and waste material shall be contained within the building containing a Cannabis Production Facility.

(10) A Cannabis Production Facility shall not be located on a parcel of land that is adjacent to another parcel of land that is regulated by another Land Use District, unless that other parcel of land is in an Industrial Land Use District or Direct Control Land Use District.

(11) The Development Authority may require, as a condition of a Development Permit for a Cannabis Production Facility, a Public Utility and Waste Management Plan, completed by a qualified professional, that includes details on:

(a) the incineration of waste products and airborne emissions including smell;

(b) the quantity and characteristics of liquid and waste material discharged by the facility; and

(c) the method and location of collection and disposal of liquid and waste material.

SECTION 90: MODULAR HOMES

90.1 APPLICABILITY

The requirements of this section apply to all modular homes including ready-to-move and panelized homes in addition to modular homes, excepting out the requirement of modular homes to meet CSA standards, and ready-to-move and panelized homes to meet the current *Alberta Building Code*.

90.2 GENERAL REQUIREMENTS

(1) The Designated Officer shall issue a development permit for a modular home provided that:

(a) the unit is CSA certified for modular homes and shall meet all safety code requirements, and only safety code requirements for ready-to-move and panelized dwellings;

(b) the dwelling is securely fastened and must be placed on a permanent foundation;

(c) the minimum roof pitch shall not be less than a 4/12 pitch;

(d) the minimum floor area of the dwelling shall not be less than 79.9 m^2 (860 ft^2);

(e) the dwelling shall be a minimum 7.3 m (24 ft) in width;

(f) the design, character, and appearance (including roof lines/material and exterior finish) of a Modular Home shall be consistent with the purpose of the district in which the building is located and shall take into account any other buildings existing in the vicinity;

(g) to ensure compatibility of housing types, the variation of roof lines between modular homes and conventional homes may be limited at the discretion of the Development Authority;

(h) at the discretion of the Development Authority, the exterior finish, colour and roofing material may be stipulated as a condition of approval; and

(i) the dwelling shall conform to any architectural controls that may apply;

(2) As a condition of approval the Designated Officer at their discretion, may place other conditions on a development permit, including the requirement that the developer provide landscaping, fencing, address drainage issues, or other such matters they consider necessary if, in their opinion, the conditions would serve to improve the quality or compatibility of a proposed development;

(3) The dwelling and the land upon which it is to be located shall be subject to all conditions and regulations specified for the particular land use district set out in the Land Use Bylaw;

(4) The applicant/developer shall submit professional building plans illustrating the exterior design, floor plan, elevations and setbacks;

(5) The quality of the completed dwelling shall be at least equal to the quality of the other dwellings in the area; and

(6) The Development Authority may require a security deposit of a minimum of $5000.00 to a maximum value of up to 50 percent of the assessed value of the building to ensure that any conditions of the associated Development Permit are met.

SECTION 91: MULTI-UNIT RESIDENTIAL DEVELOPMENT

91.1 APPLICABILITY

The requirements of this section apply to all multiple unit residential development, Multi-unit Dwellings and Attached Housing, excluding single unit dwelling types, Attached Housing (2 unit), Duplex, and mixed-use development containing dwelling units, and are in addition to all other applicable sections of this bylaw, including but not limited to Section 59 (Design Standards) of Schedule 3 (General Standards of Development).

91.2 GENERAL REQUIREMENTS

In addition to all other requirements of this bylaw, all applications for multi-unit residential developments shall provide the following:

(1) Design plans including:

(a) elevations of all sides of the proposed residential building;

(b) the location, orientation and massing of all buildings and structures on the lot;

(c) the location and total number of parking stalls and points of access proposed to provide vehicular access to the lot;

(d) the location, orientation and details of garbage storage areas including the screening proposed for such areas;

(e) stages of development, if applicable;

(f) landscaping proposed for the lot;

(g) any other element of the proposed development to the discretion of the Development Authority;

(2) The design, orientation and massing of the building in which the dwelling units are located shall:

(a) not make use of the duplication of façade treatment along any one side of the building facing the street or streets if located on a corner lot, without articulating and differentiating between dwelling units on the same side of the building through the use of techniques such as but not limited to partial offsetting of the façade, complementary color variations and the mixing of exterior building materials, varying roof lines, and landscaping at the base of the building;

(b) take into consideration the setbacks and maximum heights of buildings on adjacent lots, or setback requirements of the land use district associated with adjacent lots;

(c) if located adjacent to or on the same street as residential dwellings of a lower density, such as single-detached and duplex dwellings, blend in with the lower density residential dwellings, to the satisfaction of the Development Authority;



Figure 91.2.1: an example of multi-unit (right) blending in with single unit (left) development.

(3) The principal entry for each dwelling unit, with the exception of condominiums and apartments shall be separate and directly accessible from ground level, including through the use of steps in the case of dwelling units with basements;

(4) For multi-unit buildings any side yard setback requirements in any land use district do not apply to internal units.

91.3 DENSITY

The number of units in a multi-unit residential development shall not be prescribed but instead be based on:

(1) The requirements contained in this bylaw, including but not limited to the measurable standards of maximum permitted site coverage, building height, minimum unit sizes, parking, loading and access requirements, and the Floor Area Ratio as outlined in the land use districts that list a Multi-unit Dwelling, Multiple Unit Residential Development or Attached Housing as permitted or discretionary uses;

(2) Notwithstanding 91.3(1) of this section, the Development Authority may reduce the maximum density of units that may be permitted within a development as determined by 91.3(1), based on consideration of the:

(a) density of existing development on the street;

(b) adequacy and proximity of community facilities such as schools, shopping and recreational facilities including but not limited to parks and open space, and other community facilities as deemed appropriate by the Development Authority;

(c) adequacy of utilities to accommodate the proposed development;

(d) impacts of future land use on the transportation infrastructure; and

(e) any other matters deemed appropriate by the Development Authority.

91.4 AMENITY SPACE

Amenity space may be categorized as private, common (accessible to all dwelling units in the development) and public, on-site and off-site and can be indoors, partly or entirely outdoors, or any combination thereof depending on the development.

(1) Private amenity space development for multi-unit residential development shall be:

(a) provided for each dwelling unit in the form of a yard, patio, balcony or rooftop space;

(b) a minimum of 4.6 m^2 (49.5 ft^2) for patios and balconies and additionally the minimum depth from the point of access shall be 1.5 m (4.9 ft);

(c) only be accessible through the dwelling unit to which they are a part of; and

(d) for rooftop space, dedicated only to dwelling units directly below it and accessible through the use of common access points such as hallways and stairwells;

(2) Common amenity space shall be:

(a) to the discretion of the Development Authority for developments with ten or fewer dwelling units;

(b) required for developments with more than ten dwelling units other than Attached Housing;

(c) provided for in the form of indoor and/or outdoor space;

(d) in the case of indoor space, consist of a minimum area of 37.2 m^2 (400 ft^2) contained within the same building as the mixed-use development;

(e) in the case of partially or fully outdoor space, make up a minimum of 25 percent of the total site area and fully contained within the mixed-use development lot or site;

(f) accessible to all dwelling units within a mixed-use development;

(g) made up of any of the following indoor spaces:

(i) common rooms for the purposes of group entertainment;
(ii) fitness facilities such as but not limited to swimming pools, saunas, steam rooms and fitness rooms;

(h) made up of any of the following outdoor spaces:

(i) communal patios, balconies or rooftop spaces;
(ii) landscaped yards and/or gardens;

(3) Public amenity space shall be:

(a) contained off-site from the multi-unit residential development but may be adjacent to the lot or site of the multi-unit residential development;

(b) considered in lieu of private amenity space in instances where the provision of adequate indoor and/or outdoor amenity space is demonstrated by the developer to not be achievable on-site;

(c) developed at the expense of the developer should 91.4(3)(b) apply;

(d) a minimum of 25 percent of the total area of the mixed-use development site;

(e) a maximum of 150 m (492.1 ft) from the mixed-use development;

(f) made up of any combination of indoor/outdoor space including but not limited to passive and active recreational space that may contain landscaped areas, walking and cycling trails, sports fields and facilities; and

(g) fully accessible to the public.

91.5 MULTIPLE BUILDINGS ON THE SAME LOT

The location of multi-unit residential development consisting of more than one building on a single lot, in addition to all other requirements of this bylaw, shall provide the following minimum separation distances between such buildings oriented to face one another:

(1) 10 m (32.8 ft) for exterior windows of common living areas of dwelling units such as but not limited to living and dining rooms and kitchens;

(2) 6 m (19.7 ft) for habitable rooms other than those described in 91.5(1) of this section, such as but not limited to bedrooms and home offices; and

(3) 3 m (9.8 ft) for non-habitable rooms such as entryways, bathrooms and areas of the exterior of a development with blank walls.

91.6 PARKING AND LOADING

(1) Off-street parking shall be located in the rear and/or side yard and shall be screened from public rights-of-way and adjacent lots by landscaping and/or fencing;

(2) Access for off-street parking shall be permitted one point of access from the street if there is no laneway and may only be permitted from the laneway if there is a laneway, to the discretion of the Development Authority;

(3) Notwithstanding 91.6(1) and (2) of this section, parking for Attached Housing may, at the discretion of the Development Authority, be located in the front yard in the form of driveways and or attached garages oriented to the front of the dwelling unit.

91.7 LANDSCAPING

In addition to Section 66 of Schedule 3 (General Standards of Development), multi-unit residential development shall meet the following landscaping requirements:

(1) Twenty five (25) percent of the total lot area shall be provided as landscaped area, the majority of which shall be focused along yards adjacent to public right-of-way other than laneways, and accompanied by an approved landscaping plan, to the discretion of the Development Authority, excepting out residential development that makes use of zero setback allowances if provided for in the associated land use district;

(2) Trees and shrubs shall be planted and should be clustered or grouped within a front and/or side/flankage yard to serve as a focal point for the landscape treatment and to blend in with landscaping that may be present on adjacent lots. The developer is encouraged to provide trees in a ratio of one tree per 35 square metres of total landscaped area provided on a lot;

(3) Landscaping of main building accesses shall include soft materials other than grasses, including but not limited to shrubs and trees, and hard materials that together highlight the access; and

(4) On corner lots, in addition to the landscaping required in the front yard as identified in (2) above, the developer shall be responsible for landscaping the municipal boulevard, if present, from the back of curb to the front and/or flankage property line.

SECTION 92: LIQUOR STORES

92.1 APPLICABILITY

The requirements of this section apply to all liquor stores including those proposed to locate as satellite to principle uses on a site such as may be the case with grocery stores that have liquor stores of the same company name located within the parking lot of the grocery store, and those liquor stores that may be proposed on the ground level of vertical mixed-use developments.

92.2 GENERAL REQUIREMENTS

(1) The development of liquor stores shall be in accordance with the *Alberta Gaming & Liquor Act* as well as any other applicable regulation;

(2) A liquor store shall be located on a site at least 150 m from the nearest dwelling unit, arena, school, religious assembly, day home, day care, community centre or park as measured from the boundaries of sites containing such uses;

(3) Where a proposed liquor store is within 150 m radial distance of an existing liquor store, any cumulative impacts of the facilities on existing development within the area shall be considered in evaluating the application;

(4) The Development Authority may, as part of the development permit, require design elements that promote 'natural surveillance' of the site and store, such as but not limited to Crime Prevention Through Environmental Design (CPTED) criteria by ensuring:

(a) the façade of the store shall have a minimum of sixty 60 percent transparent surface including windows and doors;

(b) exterior lighting should minimize shadows and glare by providing lighting that does not exceed the lumens required to adequately illuminate the site and shall meet all requirements of Section 70 (Outdoor Lighting) of Schedule 3 (General Standards of Development);

(c) any landscaping around the facilities be low-growing shrubs or deciduous trees with a high canopy at maturity and that all foliage be kept trimmed back to prevent loss of natural surveillance;

(d) all customer parking stalls shall be visible from the façade of the store and illuminated in accordance with 4(c) and all other applicable parts of this bylaw; and

(e) customer access shall be limited to areas that are highly visible from the street, parking lot or from a point of access that serves multiple commercial uses such as but not limited to a shopping mall.

92.3 MIXED-USE DEVELOPMENT

Notwithstanding the requirements of this section, should a liquor store be proposed on the ground level of a vertical mixed-use development, the following shall be taken into consideration:

(1) The proposed location of the store shall meet all requirements of this section for all residences other than those located on any floors above the ground level of the vertical mixed-use development within which the store is proposed;

(2) The customer access to the liquor store shall be located as far as possible from points of access to dwelling units on any floor above the ground level, including those points of access shared between residential and non-residential uses within the same vertical mixed-use development; and

(3) Liquor stores shall not be permitted within horizontal mixed-use developments.

SECTION 93: SECONDARY SUITES

93.1 APPLICABILITY

The requirements of this section, with the exception of the general requirements, which apply to all secondary suites, are categorized based on the context of the suites and how they may be incorporated into a principal dwelling, detached garage, or as stand-alone garden suites in rear yards.

93.2 GENERAL REQUIREMENTS

All secondary suites shall meet the following requirements:

(1) Only one secondary suite may be developed per lot;

(2) Should all residential dwelling units on a lot be rented, including but not limited to the main floor and, if applicable, second storey of a principal dwelling where there is a basement suite, a suite above an attached garage, a suite that is part of a detached garage, or a garden suite, the owner shall be required to obtain a business license;

(3) A secondary suite shall provide one off-street parking space per bedroom and no variances or waivers to this requirement shall be granted;

(4) All required off-street parking shall be designed and developed to the standards set out in Section 72 (Parking and Loading) of Schedule 3 (General Standards of Development);

(5) Development of a new secondary suite shall meet all requirements of the Alberta Building Code and Alberta Fire Code as a condition of approval;

(6) A secondary suite shall not be separated from the principal dwelling or any part of the lot on which the principal dwelling is located through a condominium conversion or subdivision;

(7) A secondary suite shall not be permitted in a Duplex, Cluster Housing, Manufactured Home, Attached Housing (unsubdivided), Multiple Unit Residential Development, or any multi-unit dwelling;

(8) Notwithstanding 14.2(11), the maximum number of bedrooms in a secondary suite shall be three (3), or however many can be reasonably accommodated while meeting all other requirements of this bylaw, whichever is the lesser of the two options;

(9) The maximum number of bedrooms in a secondary suite in the Residential Small Lot (R-SL) land use district shall be one (1);

(10) A secondary suite includes, but is not limited, to a facility containing cooking facilities, food preparation area, sleeping and sanitary facilities, which is physically separate from those of the principal dwelling within the structure or on the lot, and that has an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the side or rear of the structure;

(11) The Development Authority, as a condition of approval, may request proof that the utility services to the principal dwelling are capable of carrying the additional load of the proposed secondary suite;

(12) A secondary suite shall not be developed on the same lot as a home occupation 2 or 3 (see Section 86 of this Schedule), unless it can be proven to the Development Authority that the impact resulting from the home occupation is limited, adequate parking is provided and the amenities of the neighbourhood are not negatively affected; and

(13) The minimum floor area of a secondary suite shall be 30 m^2 (322.9 ft^2).

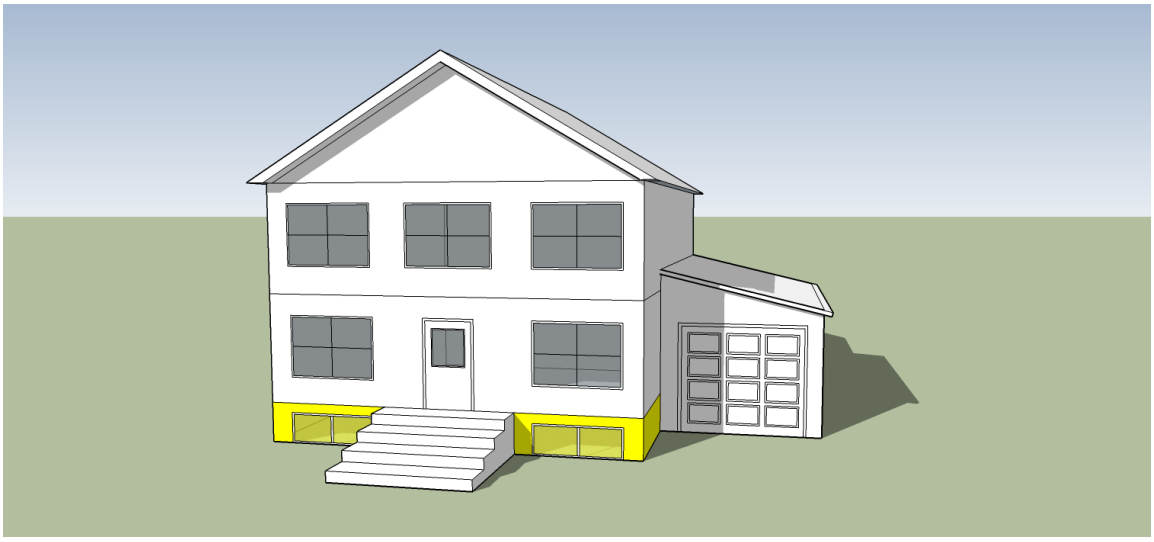
93.3 EXISTING SECONDARY SUITES

Existing secondary suites include any suite that existed prior to the passing of this bylaw. In addition to the requirements of this section, excepting thereout the building code requirement of 93.2(6) if it can be proven that the suite was developed prior to December 31, 2006, existing secondary suites shall meet the following requirements:

(1) An existing secondary suite developed after December 31, 2006, shall comply with all Alberta Building Code and Alberta Fire Code requirements, including separate heating and ventilation systems for the principal dwelling unit and secondary suite, as a condition of approval;

(2) An existing secondary suite shall meet all other requirements of this section and any other applicable section of this bylaw; and

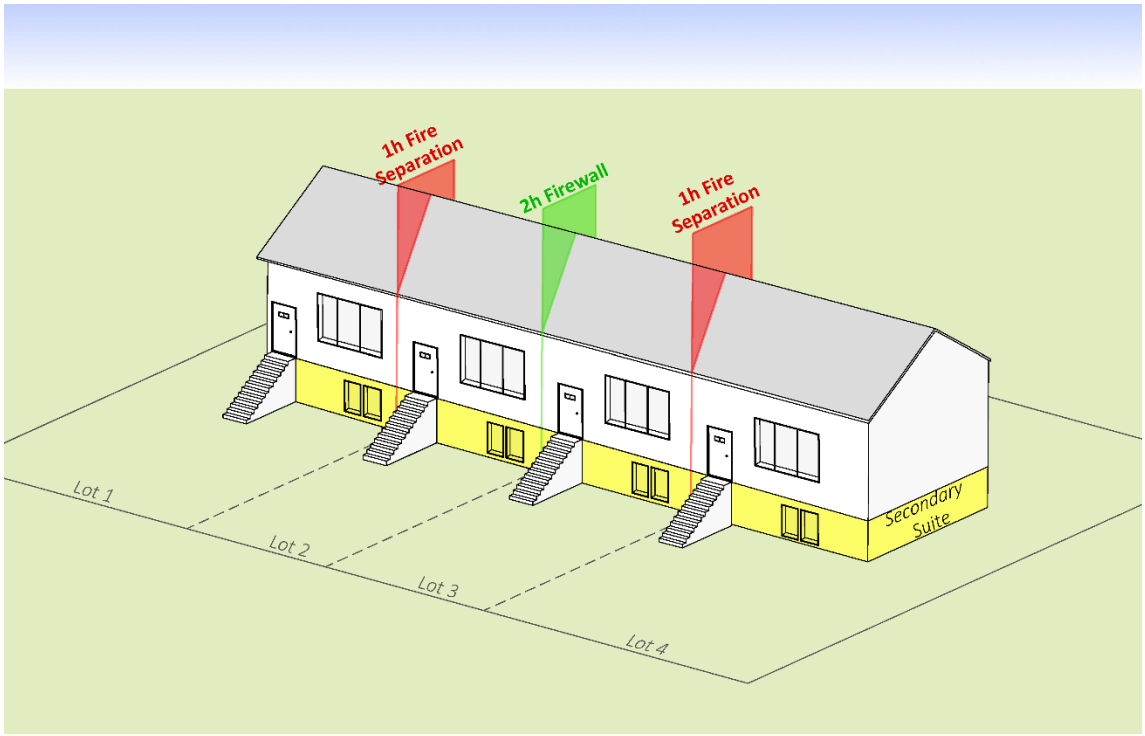
93.4 BASEMENT SUITES



Basement suites are located below grade, in the basement of a Single-Detached Dwelling, Moved-in Dwelling, Modular Home, or Attached Housing. In addition to the requirements of 93.2 of this section, the following requirements apply to basement suites:

(1) The maximum floor area of a basement suite shall not exceed the floor area of any one storey of the dwelling above grade;

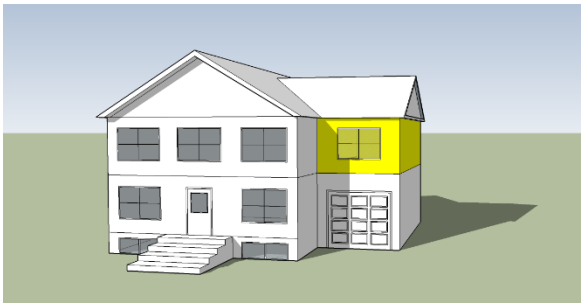
(2) A basement suite shall be developed in such a way that the exterior of the principal dwelling shall appear as a Single-Detached Dwelling, Moved-in Dwelling, Modular Home, or Attached Housing; and



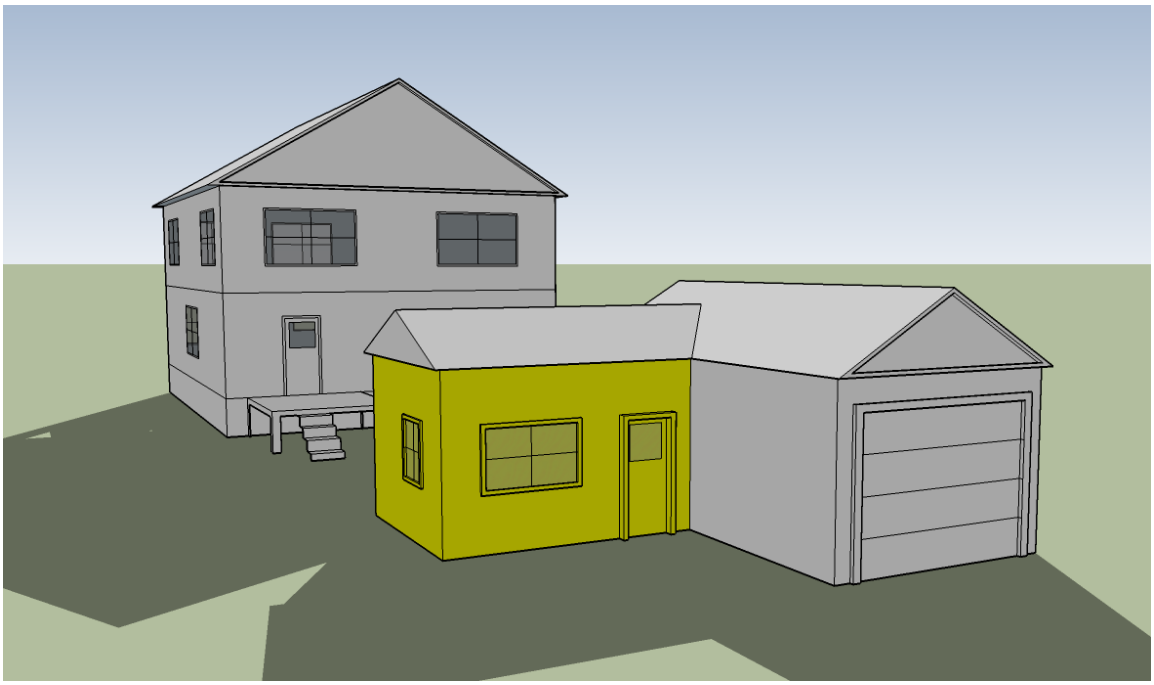
(3) A basement suite shall have an entrance separate from the entrance of the principal dwelling, either from a common indoor landing, or from the exterior of the principal dwelling; and

(4) Should the entrance be directly from the exterior of the dwelling, it shall be on the side or rear of the structure for a Single-Detached Dwelling, Moved-in Dwelling, Modular Home, and may be development on the front, side, or rear for an Attached Housing development.

93.5 GARAGE SUITES







Garage suites may include a secondary suite within the same structure as the garage, located above or beside the garage, herein referred to as above grade and at grade respectively. In addition to the requirements of 93.2 of this section, at or above grade garage suites shall meet the following requirements:

(1) The maximum height to roof peak of the garage shall be 6.5 m (21.3 ft) or the height of the principal dwelling's roof peak, whichever is the lesser of the two;

(2) In no instance shall the roof peak of a garage suite be higher than the roof peak of the principal dwelling;

(3) The roof slope of the garage should be the same as or similar to the roof slope of the principal dwelling, to the discretion of the Development Authority;

(4) An entrance separate from the entrance to the garage, either from a common indoor landing or from the exterior of the structure, shall be provided;

(5) At or above grade garage suites that are a part of a detached garage shall only be permitted on lots with laneways;

(6) An at or above grade garage suite shall not be developed on a lot until a principal dwelling has been erected on the same lot;

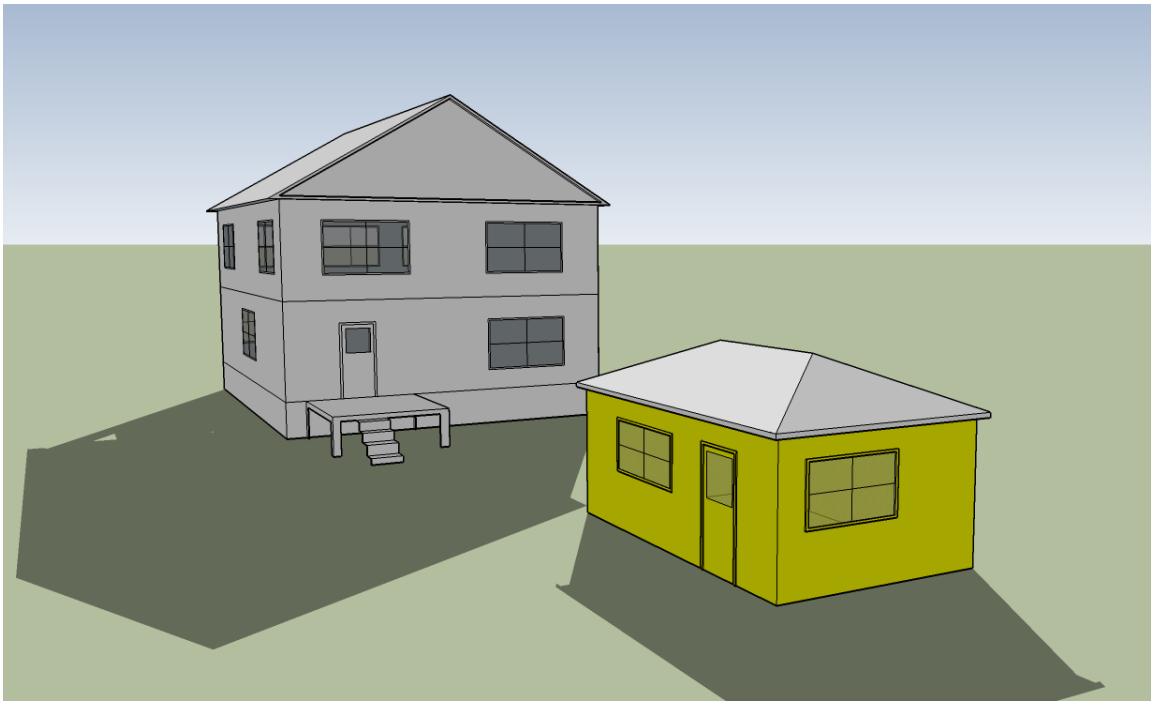
(7) The maximum floor area of the suite shall not exceed the floor area of the garage, not including shared mechanical rooms and common areas;

(8) The minimum setback from the principal dwelling shall be 3 m (9.84 ft);

(9) The minimum side yard setback shall be 1.2 m (3.9 ft); and

(10) The portion of the garage structure intended for use as a garage shall not be permitted to be used as additional living space.

93.6 GARDEN SUITES



Garden suites are detached completely from the principal dwelling and are standalone structures constructed at grade. In addition to the requirements of 93.2 of this section, garden suites shall meet the following requirements:

(1) The maximum height to roof peak shall be 4.5 m (14.8 ft);

(2) A garden suite shall only be permitted on lots with laneways;

(3) A garden suite shall not be developed on a lot until a principal dwelling has been erected on the same lot;

(4) The maximum floor area of a garden suite shall be 74.32 m^2 (800 ft^2);

(5) The minimum setback from the principal dwelling shall be 3 m (9.84 ft);

(6) The minimum side yard setback shall be 1.2 m (3.9 ft); and

(7) The exterior finish of a garden suite, including but not limited to materials, textures, and colours, shall match or compliment the exterior finish of the principal dwelling, to the satisfaction of the Development Authority.

SECTION 94: BREWERIES, WINERIES AND DISTILLERIES

94.1 GENERAL REQUIREMENTS

Breweries, Wineries and Distilleries shall comply with the following regulations:

(1) Breweries, Wineries and Distilleries shall not generate odour, dust, waste or delivery traffic in excess of that which is characteristic of the District in which it is located;

(2) There shall be no unenclosed outdoor storage of material or equipment associated with the business.

SECTION 95: CANNABIS STORES

95.1 APPLICABILITY

The requirements of this section apply to all Retail Cannabis Stores, as defined by the Land Use Bylaw and are in addition to the Government of Alberta's requirements of the *Gaming, Liquor, and Cannabis Act*.

95.2 GENERAL REQUIREMENTS

(1) The development of Retail Cannabis Stores shall be in accordance with the *Gaming, Liquor, and Cannabis Act* as well as any other applicable regulation.

(2) A copy of the Retail Cannabis License issued by the Alberta Gaming and Liquor Commission shall be provided to the City prior to occupancy as a condition of Development Permit approval.

(3) The maximum operating hours will be 10:00 a.m. to 10:00 p.m. daily.

(4) Advertising inside the premises shall not be visible from the outside.

(5) Only permanent signage shall be permitted and copy shall be restricted to the business name.

(6) Retail Cannabis Stores will be restricted in the use of portable signs.

(7) The premises must operate separately from other businesses, including providing a separate Loading Space when one is required.

(8) The public entrance and exit to the Use must be direct to the outdoors.

(9) Goods shall not be visible from outside the business premises.

(10) A Retail Cannabis Store shall have no other Use.

(11) Retail Cannabis Stores shall only be allowed within the Commercial Central (C-C), Commercial General (C-G), and Industrial Light (I-L) Land Use Districts.

(12) In all districts a Retail Cannabis Store must not be located within a 100 m area that contains any of the following Uses or structures, when measured from the closest point of a Retail Cannabis Stores parcel of land to any of the following:

(a) the boundary of the parcel of land on which a Provincial Health Care Facility, as defined in this Bylaw is located;

(b) the boundary of the parcel of land containing a School, as defined in this Bylaw;

(c) a boundary of a parcel of land that is designated as school reserve or municipal and school reserve under the *Municipal Government Act*; or

(d) any City owned playground structure.

(13) The specified separation distances noted in 95.2(12) are reciprocal.

(14) The Commercial Central District (C-C) shall have a maximum of three (3) Retail Cannabis Stores. This clause may be reviewed annually from the date of cannabis legalization.

SECTION 96: KENNELING

96.1 APPLICABILITY

The requirements of this section apply to all kenneling businesses where animals are kept on premises for short or long term stays. Animals kept at such facilities must be accepted under the Animal Control Bylaw.

96.2 GENERAL REQUIREMENTS

(1) Signage and advertising may only be permitted in compliance with Schedule 5: Signage Standards;

(2) Parking and Loading is required in accordance with Schedule 3, Section 72;

(3) That kenneling be located not closer than 150 meters (492.12 ft) from any residential dwelling unit, or existing or future residential land use. The measurements shall be taken from the residential boundary to the kennel property boundary.

(4) Kenneling shall only be a Discretionary Use within the Industrial Light (I-L), Industrial General (I-G), and Industrial Heavy (I-H) Land Use Districts; and

(5) Kenneling shall be operated in accordance with provincial health regulations. All excrement and similar waste shall be disposed of in a manner acceptable to Alberta Health Services.

96.3 DEVELOPMENT REQUIREMENTS

(1) That operations of the kennel be:

(a) adequately designed and maintained to suppress emissions and further that pens, rooms, and runs shall be adequately sound proofed;

(b) designed with washable surfaces and cleaned regularly;

(c) equipped with an indoor exercises area;

(d) equipped with a separate air exchange system in the animal holding area where heating and air conditioning is shared with other businesses;

(e) limited to the hours of 7 a.m. – 10 p.m. Monday to Friday and 9 a.m. – 10 p.m. weekends for any outdoor use;

(f) cleaned regularly; and

(g) adequately fenced to the satisfaction of the Development Authority.

SECTION 97: CLUSTER HOUSING

97.1 APPLICABILITY

The requirements of this section are categorized based on the context of the cluster housing and how it may be incorporated into a neighbourhood design. Unlike Multiple Unit Residential Development, these units tend to be smaller in floor area and are a low density development.

97.2 GENERAL STANDARDS:

(1) Cluster housing is subject to the following additional standards:

(a) Design of cluster housing shall consider the height, building design and nature of surrounding residential development.

(b) The arrangement of the structures in a cluster housing is subject to the approval of the Development Authority and the requirements of the Alberta Building Code.

(c) A landscaping plan shall be submitted with the development permit application. The Development Authority may require that a landscape plan be prepared by a professional. An irrigation plan may also be required.

(d) A minimum of 10% of the lot area is to be provided for common open space and onsite amenities such as playground equipment, barbeque areas, recreation areas or other similar features. The minimum open space requirement may be increased as required by the Development Authority depending upon the density of the proposed development.

(e) A minimum 1.5 m (4.9 ft) wide landscaped buffer strip is required between the parking lot and an adjacent residential lot. The Development Authority, depending on the intensity of the development, may increase the minimum required width of the landscaped buffer strip.

(f) Minimum floor area: The minimum size of each dwelling unit shall be 47 m² (505.9 sq ft) in size.

(g) The Development Authority may regulate the maximum density of cluster housing within a block or subdivision based on the policies of the Municipal Development Plan and consideration of:

(i) density of existing development within the block;

(ii) adequacy and proximity of community facilities such as schools, shopping, recreational facilities and open space;

(iii) adequacy of utilities to accommodate the proposed use;

(iv) impacts on future land uses and the street system;

(v) any other matters deemed pertinent by the Development Authority.



SECTION 98: DATA CENTRE

98.1 APPLICABILITY

The requirements of this section are based on a Data Centre being located in areas that limit the impact of adjacent uses and where impacts are addressed through appropriate land planning of energy and water consumption and design standards are adopted to mitigate noise levels.

98.2 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS:

(1) That the applicant meet all requirements of Part 4 of the Administration Section, Schedule 2 Industrial District requirements, Schedule 3 Section 73 Parking requirements, and Schedule 4 Section 88 Industrial Performance Standards of this bylaw.

(2) Submittal of a copy of Fortis's agreement allowing connection to their system.

(3) Submittal of a water consumption and disposal plan, including anticipated water usage and wastewater produced, and steps to be taken to minimize water consumption.

(4) Where applicable, the submittal of any approvals, licenses, or permits from the Alberta Utilities Commission or Alberta Energy Regulator.

(5) Information about the size and location of any fuel storage tanks that will be located on site.

98.3 ADDITIONAL REQUIREMENTS

SOUND STANDARDS

(1) Excluding an emergency drill or equipment testing, noise levels emitted by any Data Centre and any coinciding development which supports the Data Centre, regardless of the noise source, may not exceed the following:

Existing Use or Future Use as Defined by an approved Area Structure Plan	**Decibel Limit 7:01 am – 10:00 PM**	**Decibel Limit 10:01 PM – 7:00 AM**
Residential	55	45
Commercial	60	50
Public	60	50
Industrial Uses	70	60

Noise will be measured at the property boundary of the locations listed above.

(2) All noise assessments must:

(a) be prepared by a qualified third-party professional;
(b) detail their methodology;
(c) detail what equipment and infrastructure are included in the sound study, including their manufacturer specifications regarding noise;
(d) provide predicted sound with all generators, mechanical and HVAC equipment, and electrical equipment running at maximum load during routine and peak operations, with consideration of the time periods provided in Section (1) above;
(e) account for the complete buildout of the Data Centre and any coinciding development which supports the Data Centre, whether or not they are on site; and
(f) account for cumulative effect created by an additional Data Centre located within 100m of the proposed Data Centre.

(3) Generators including backup generators for Data Centres shall be located within an enclosed building with necessary ventilation to reduce impacts on noise to surrounding areas or an enclosure acceptable to the development authority.

SAFETY

(4) Data Centres must have security measures in place, including perimeter fencing, surveillance systems, and controlled access points.

(5) Fire Safety Plan to be submitted to the satisfaction of the City's Fire Chief.

(6) A lighting design must be submitted for review to the satisfaction of the Development Authority.

SCHEDULE 5:

SIGNAGE STANDARDS

SCHEDULE 5: SIGNAGE STANDARDS

SECTION 99: PROHIBITED SIGNS

The following types of signage or individual elements of signage systems are prohibited:

(1) Signs which employ revolving, flashing or intermittent lights, or lights resembling emergency services, traffic signals, railway crossing signals, hazard warning devices or other similar lighting but does not include changeable content, illumination, or animation;

(2) Signs that emit amplified sounds or music;

(3) In any residential district, signs that employ animation or changeable content as the projection style;

(4) In any non-residential district, signs that employ changeable content or animation at a brightness, intensity and/or interval that may create a public hazard or nuisance;

(5) Signs that, in the opinion of the Development Authority:

(a) block the natural light or view of adjacent buildings;

(b) obstruct free and clear vision of vehicular traffic or may be confused with any authorized traffic sign, signal or device; and/or

(c) contain vulgar, obscene, or generally offensive content;

(6) Any signs located within the public right-of-way or on public property, except for signs *approved* by the City that may include canopy signs, projecting signs and temporary signs or signs approved by the provincial or federal authorities;

(7) Signs that are attached to or appearing on any vehicle or trailer which is parked on a public right of way or any other public lands or on private land that is located adjacent to a public right of way with the primary intent of displaying the sign to motorists and the public for any period of time, excepting thereout signs for special events organized by a non-profit association, group or organization for a display time period not to exceed 24 hours;

(8) Signs that are attached to or appearing on semi-trailers, shipping containers or fences except on a temporary basis only, as per Section 100(1); and

(9) Any sign that has not obtained a development permit or any sign that has not been deemed exempt from the requirement of obtaining a development permit as per this Schedule.

SECTION 100: GENERAL STANDARDS FOR ALL SIGNS

(1) Unless otherwise specified, a development permit application is required for all signs.

(2) All signs shall be compatible with the general character of the surrounding streetscape and the architecture of nearby buildings. The size, location, illumination and materials of all signs and outdoor advertising structures and features shall not detract from the design of existing and proposed buildings and structures and the surrounding properties.

(3) All signs shall be of quality construction and of a design suitable for public display.

(4) All signs shall be maintained in good repair and a safe and tidy manner including but not limited to the paint, integrity of the mounting and supporting structure, any illumination, and any other element affecting the overall appearance, as determined by the Development Authority.

(5) No sign shall be placed in a public road or laneway or sited in such a manner that the sign causes confusion with or obstructs the vision of any information sign or a traffic control sign, signal, light or other traffic device.

(6) No sign shall be located or placed in such a manner that it will create a potential hazard or conflict with rights-of-way, easements or the routing of any public utility, or create a traffic hazard or obstruct the public's view of any other signage.

(7) A sign shall be located entirely within the subject lot unless prior written approval granting permission for the sign to overhang another property is submitted to the City by the affected property owner.

(8) A sign shall not be erected on any property unless permission is granted in writing from the registered property owner.

(9) Any signs, except window signs that comply with this bylaw, that employ electronic display or changeable content require approval of the Development Authority.

(10) In all cases, the required distance from overhead power and service lines, as set forth in the *Alberta Electrical Utility Code*, shall be maintained.

(11) The source of light for all sign illumination shall be steady and suitably oriented and shielded so as to minimize the potential for light pollution, in accordance with Section 70 (Outdoor Lighting) of Schedule 3 (General Standards of Development).

(12) Subsequent to approval from the Development Authority, signs may be located within the setback requirement of a land use district if it does not interfere with visibility at an intersection and complies with other requirements of this sign Schedule.

(13) The following rules apply to all types of signs on municipal property:

(a) no signs shall be located on, erected on, or attached to municipal property, building or structure, including public benches, light standards, and utility poles, without prior written authorization from the City; and

(b) if permission is granted for a sign to be located on, erected on, or attached to municipal property, buildings or structures, the sign type shall comply with all applicable sign regulations contained within this bylaw; and

(c) any sign located on, erected on, or attached to municipal property without authorization from the City, may be removed without notice.

(14) Any sign overhanging public or City-owned property shall be required to provide proof of liability insurance and the applicant shall enter into an indemnification agreement with the City for any injury or damage resulting from said sign.

(15) The City shall not be held liable for any injury, loss or damage suffered by any person or corporate body which is caused by any sign located in the City whether or not the sign is in accordance with the requirements of this bylaw.

100.1 GENERAL REGULATIONS FOR SIGNS WITH ELECTRONIC COPY

(1) Signs with electronic display must be a minimum distance of 15.24 m (50 ft) from a signalized intersection.

(2) Signs with electronic display, except electronic display signs for schools, shall not be located within 15.24 m (50 ft) of a residential land use district measured from the edge of the sign to the property line of a residential parcel.

(3) If the rear of a sign with one-sided electronic display is visible to the public, it shall be finished with a material suitable to the Development Authority.

(4) A sign featuring electronic display must be equipped with a functioning ambient light sensor and must be set to operate so as not to exceed the following limits at all times when the electronic display feature is functioning, as measured from the sign face at its maximum brightness:

(a) a maximum of 7,500 nits from sunrise to sunset, based on the times established by the sunrise/sunset calculator of the National Research Council of Canada; and

(b) a maximum of 500 nits from sunset to sunrise, based on the times established by the sunrise/sunset calculator of the National Research Council of Canada; and

(c) the light levels around the Electronic Display must not at any time exceed the ambient light level by more than 5.0 LUX.

(5) If a Development Authority determines that the brightness or light level of an electronic display exceeds the limits set out in subsection 99.1(4), or impairs the vision of motorists, the Development Authority may direct the Development Permit holder to change the settings in order to bring the electronic display into compliance with this bylaw with 24 hours notice.

(6) If any component of electronic display fails or malfunctions such that the electronic display is no longer operating in compliance with this bylaw or with the conditions of a Development Permit, the Development Permit holder must ensure that the electronic display is turned off until all components are fixed and operating in compliance.

(7) The Development Permit holder for a sign with electronic display must ensure that a Development Authority is at all times in possession of the name and telephone contact information of a person(s) having access to the technology controls for the sign, who can be contacted 24 hours a day if the sign malfunctions.

(8) All electronic signs adjacent to a designated Alberta Highway shall during the application process be circulated to Alberta Transportation for comment and may be subject to an Alberta Transportation road side development permit.

SECTION 101: SIGNS NOT REQUIRING A DEVELOPMENT PERMIT

The signage specified in this section is deemed permitted and may be displayed without application being made for a Development Permit, provided that the signage specified in this section meets all other requirements of this and any other applicable bylaws and regulations that may pertain to it.

(1) Temporary signs provided all such signage complies with the following requirements:

(a) a temporary sign will be valid for a period of no longer than 30 days;

(b) once the 30 days has expired for a temporary sign at a location address, another temporary sign on the same site shall not occur until 30 days has elapsed from the end of the previous 30-day period that the temporary sign was erected for;

(c) no temporary signs shall be suspended on or between support columns of any permanent sign such as a freestanding sign, notwithstanding any other sign that may be considered as permanent by the Development Authority; and

(d) the maximum sign area of a temporary sign shall be no greater than 20 m^2 (215.3 ft^2).

(2) Construction signs that do not exceed 6 m^2 (64.58 ft^2) in area provided such signs are removed within 14 days of the completion of construction.

(3) Fascia signs on a shipping container that are placed temporarily on a construction site in compliance with this Schedule.

(4) Banner signs which are displayed for a period of time not exceeding 30 days.

(5) Inflatable signs.

(6) Signs, notices, placards, or bulletins required to be displayed:

(a) in accordance with the provisions of federal, provincial, or municipal legislation;

(b) by or on behalf of the federal, provincial, or municipal government; and/or

(c) on behalf of a department, a commission, a board, a committee, or an official of the federal, provincial, or municipal government.

(7) Signs located on public transportation vehicles or taxi-cabs.

(8) Signs located inside a building that are not intended to be viewed from the outside.

(9) The name and address of a building when it forms an integral part of the architectural finish of that building.

(10) Street numbers or letters displayed on a premises where together the total sign content area is less than 1 m^2 (10.76 ft^2).

(11) Residency identification signs which state no more than the name and/or address of the person(s) occupying the lot, provided the sign is no greater than 0.4 m^2 (4.3 ft^2) in area.

(12) Signs placed on premises for the guidance, warning, or restraint of persons and/or vehicles.

(13) Municipal road signs used for street name identification or traffic direction and control.

(14) Vehicle signs except as prohibited by Bylaw No. 12/28 and any amendments thereto.

(15) Any and all signs where all relevant details of the subject sign(s) have been submitted, evaluated and approved as part of a separate development permit application.

(16) The alteration of a lawful sign which only includes routine maintenance, painting or change in face, content or lettering and does not include modification to the sign structure, location, dimensions or sign type.

(17) Freestanding signs for community/neighbourhood/subdivision identification purposes where all relevant details and design drawings have been submitted, evaluated and approved as part of a subdivision application process.

(18) All signs for public buildings, except freestanding signs, signs that employ electronic display, animation or changeable content, which shall require the approval of the Development Authority.

(19) Real estate signs provided all such signage is removed within 30 days after the sale or lease of the premises upon which the sign is located and these signs shall not be placed in a road.

(20) Garage sale signs which do not exceed 1 m^2 (10.76 ft) in area, provided the owner of the property upon which the sign is located has approved its placement and the sign is removed immediately upon the conclusion of the sale.

(21) On-premise directional and informational signage and incidental signs 1 m^2 (10.76 ft^2) or less in area and with a maximum mounting height of 3 m (9.84 ft) above grade.

(22) Any traffic or directional and informational signage erected by the City, Province of Alberta or Federal government;

(23) Any community service bulletin board erected by the City and any notices posted on the bulletin board.

(24) Any sign appearing on street furniture, such as benches or garbage containers, that are located on private property.

(25) Any sign appearing on street furniture, such as benches or garbage containers, that are located on public land if an agreement to locate the street furniture has been reached with Council.

(26) Any window sign in a residential land use district, associated with a home occupation use that is 0.37 m2 (4 ft2) or less in sign area.

(27) Any window sign in a non-residential land use district.

(28) Signs displayed in or on an operational motor vehicle that are not for the primary purpose of acting as advertising signage.

(29) Signs located on door plates, door bars and/or door kick plates.

(30) Political poster signs provided all such signage is removed within 5 days after the closing of the polling stations for the relevant election or plebiscite and comply with the following requirements:

(a) signs cannot emit sound, use video features or be illuminated;

(b) signs shall be maintained in a condition that is neat and shall not be unsightly or dangerous;

(c) signs shall not interfere with or be confused with a traffic control device;

(d) signs shall not interfere with the safe and orderly movement of pedestrians or vehicles, or restrict the sight lines for pedestrians or motorists;

(e) signs shall not exceed 1.1 m^2 (11.84 ft^2) in area, 1.2 m (3.93 ft) in height, and be self-supporting;

(f) signs shall not be posted prior to 60 days before the election, by-election or plebiscite;

(g) signs shall not be posted within the property boundaries of any existing City owned land or facility or any sidewalks or road right of way adjacent to City owned land or facilities but may be posted on boulevards and road rights of way adjoining parks and playing fields;

(h) signs shall be a minimum of 3 m (9.84 ft) from any road access and a minimum of 5 m (16.4 ft) from any intersection; and

(i) political poster signs that do not comply with Section 100(29) shall be categorized as one of the sign types as defined in this bylaw, at the discretion of the Development Authority, and shall meet all applicable regulations.

SECTION 102: SIGN DEVELOPMENT PERMIT REQUIREMENTS

(1) Except as stated in Section 100 (Signs Not Requiring a Permit), no sign shall be erected on land or affixed to any exterior surface of a building or structure unless a Development Permit for this purpose has been issued by the Development Authority.

(2) A development permit application to erect, place, alter or relocate a sign shall be made to the Development Authority by an applicant, a landowner, or someone that has been authorized by the landowner to act on their behalf and shall include the name and address of:

(a) the sign manufacturer or company;

(b) the lawful sign owner; and

(c) a letter of authorization from the affected registered property and/or building owner if the applicant is not the landowner.

(3) The Development Authority may refuse to accept a development permit application for a sign where the information provided by subsection 4 of this section has not been supplied or where, in the opinion of the Development Authority, the quality of the material supplied is inadequate to properly evaluate the application.

(4) A development application for a sign shall include where applicable:

(a) the location of all existing and proposed sign(s);

(b) for signs with electronic display, the setback distance(s) from the proposed sign(s) to the nearest intersection and/or to residential land use districts;

(c) the size, height, and area of the proposed sign(s), including any supporting structures;

(d) details with respect to the sign content such as but not limited to wording, lettering, text, message content and graphics;

(e) the colour and design scheme;

(f) materials specifications;

(g) location of the property boundaries of the parcel upon which the proposed sign(s) is to be located;

(h) utility rights-of-way, access easements and any other related encumbrances;

(i) location of existing building(s) on the site;

(j) the type of electronic display, illumination, and/or changeable content, if any, and details with respect to the proposed luminosity, intensity and/or interval;

(k) specifications regarding the mounting of the signage;

(l) if a sign is to be attached to a building, the details regarding the extent of the projection; and

(m) any other information the Development Authority deems necessary to evaluate an application for a sign.

SECTION 103: ALLOWABLE SIGN TYPES IN LAND USE DISTRICTS

Signs shall only be allowed in land use districts where listed as a permitted or discretionary use in the following table, and are limited to the following sign types:

- "P" indicates that the sign type is classified as a permitted use within the respective land use district.
- "D" indicates that the use is classified as a discretionary use within the respective land use district.
- A blank cell indicates that the sign type is prohibited within the respective land use district.

Sign Type[1]	Land Use District					Use Specific Standards
	R-SD, R-SL, R-LD, R-MH, R-MP, FUD	R-HD, C-N	C-C	C-G, I-L, I-G, I-H	P-PS, P-OS	
Canopy		P	P	P	P	103.1
Fascia		P	P	P	P	103.2
Fascia with electronic display			P	P	D	103.2 98.1
Freestanding		P	P	P	P	103.3
Freestanding sign adjacent to the Trans-Canada Highway (may have off-premises sign content)	P[2]			P	P	
Freestanding with electronic display (may include off-premises sign content)			P	P	D3	103.3 98.1
Projecting		P	P	P	P	103.4
Roof				P		103.5
Blade		P	P	P	P	103.6
Sign types with illumination		D	P	P	D	98

Note 1	*Signs not requiring a permit, as per Section 100, are not included in this table, but are allowed in all land use districts subject to compliance with this bylaw.*
Note 2	*Freestanding signs adjacent to the Trans Canada Highway are prohibited in all residential land use districts except FUD.*
Note 3	*Freestanding signs with electronic display in P-PS and P-OS are only allowed to display recreation, school, community and/or not-for-profit information and events.*

SECTION 104: GENERAL SIGN DEFINITIONS

General sign definitions are found in this section as well as sign types that do not have any specific regulations. Sign types that have specific associated regulations are listed in Section 104 of this Schedule.

Abandoned Sign means a sign which advertises or identifies an activity, business, owner, product, lessee or service which no longer exists or a sign for which no legal owner can be found.

Advertisement means any method, device or representation, whether illuminated or not, used to call attention to or identify any matter, object, event or person.

Animation means a style of electronic display where action or motion is used to project sign content, including special effects or pictures similar to moving images on a television.

Awning means an adjustable or temporary roof-like covering fitted over windows and doors and used for either shelter, advertising or decoration.

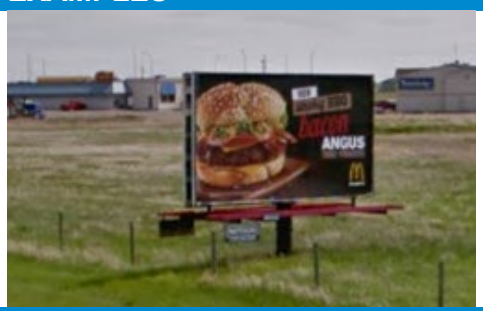
Banner Sign means a temporary sign that is made of lightweight material intended to be secured to the flat surface of a building or structure, at the top and the bottom on all corners, excluding official flags and emblems.

Bench Sign means a sign that is painted on or affixed flat to a bench.

Billboard Sign means a freestanding structure constructed to provide a medium for advertising where the sign typically consists of off-premises content and where the copy can be periodically replaced. For the purposes of this bylaw, billboard signs are regulated as freestanding signs.

BILLBOARD SIGN EXAMPLES





Canopy means a permanent fixture fitted over windows and doors and used for either shelter, advertising or decoration.

Changeable Content means sign content which can be changed manually, not through digital means. Changeable content includes mechanically controlled time and temperature displays.

Construction Sign means a temporary sign which is placed on a site to advertise items such as the provision of labour, services, materials or financing on a construction project.

Directional and Information Sign means a sign where the message of which is limited to providing direction guidance, distance, facility or similar information and which may contain a name or logo.

Electronic Display means sign copy that makes use of technologies that allow sign copy to be changed without manually or mechanically replacing the sign face or components. Electronic display includes technologies such as but not limited to electronic screens, televisions, computer video monitors, liquid crystal displays and light emitting diode displays. Electronic display copy can include animation or motion. Signs that are externally illuminated with LED light bulbs do not constitute electronic display.

Home Occupation Sign means a sign advertising a home occupation approved under the provisions of the Land Use Bylaw.

Identification Sign means a sign which is limited to the name, address, and number of a building, institution or person, and to the activity carried on in the building or institution, or the occupation of the person.

Inflatable Sign means any inflatable device, which is expanded by air or other gas to create a three dimensional feature, employed as a sign that is anchored to the ground or to a building or structure.

Luminosity means the measurement of brightness.

LUX means a metric for measuring the amount of light received by a surface (illuminance). The LUX measurement will decrease the farther away someone is from the subject light source. For the purposes of this bylaw, LUX is measured with a light meter sensor to determine the brightness of a sign with electronic display.

Multi-tenant Sign means any type of sign that may contain sign content that advertises more than one tenant and/or business. Multi-tenant signs may include freestanding signs.

Mural means any picture, scene, graphic or diagram displayed on the exterior wall of a building for the primary purpose of decoration or artistic expression and not created to solely display a commercial message or depiction. Murals do not require a development permit, but are subject to the requirements and procedure of the City of Brooks Mural Approval Policy.

NIT means a metric for measuring how much light an object emits (luminance). For the purposes of this bylaw, NIT is measured with a light meter sensor to determine the amount of light emitted from a sign with electronic display.

Non-conforming Sign means a sign that was installed prior to the passing of this bylaw and does not meet the regulations as stated in this bylaw.

Off-premises Sign Content means sign content which advertises or otherwise identifies a service, product or activity conducted, sold or offered at a location other than the premises on which the sign is located.

On-premises Sign Content means sign content which advertises a service, product or activity conducted, sold or offered on the property that the sign is located.

Overhanging means that which projects over any part of any street, lane or other municipally owned property.

Parapet means the extension of a false front wall above a roof line.

Political Poster Sign means a temporary sign announcing or supporting candidates or issues in any election or plebiscite.

Portable Sign means, in accordance with the Portable Signs Bylaw No. 12/28 and any amendments thereto, any sign which is mounted on a stand or other support structure which is designed in such a manner that the sign can be readily relocated but does not include A-frame signs.

Public Transportation Vehicle means publicly owned, operated and/or funded transit and transportation facilities

Real Estate Sign means a sign advertising real estate (i.e. property) that is for sale, for lease, or for rent or for real estate that has been sold.

Residency Identification Sign means a sign located on a lot in a residential district that provides for the name and/or address of the owner or occupant of a dwelling.

Rotating Sign means a sign or portion of a sign which moves in a revolving manner.

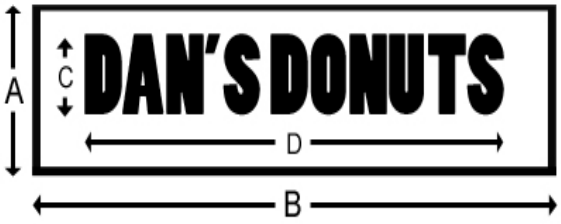
Sign means a lettered board and/or other public display intended for the advertising or calling attention to any person, business, matter, message, object or event.

Sign Alteration means the structural and/or projection style modification of a sign but does not include the routine maintenance, painting or change in face, content, copy or lettering.

Sign Area means the total area within the outer edge of the frame or border of a sign or in the case where there is no frame or border, the area contained within the shortest line surrounding the whole group of letters, figures, or symbols of the sign.

Sign Content means the wording/lettering, message, graphics or content displayed on a sign.

Sign area = A x B



Sign content area = C x D

Sign Content Area means the entire area within a single straight line geometric figure or a combination of squares or rectangles that will enclose the extreme limits of the advertising message or announcement including decorations related to the specific nature of the advertising message or announcement.

Sign Height means the vertical distance measured from the highest point of the sign or sign structure to the finished grade.

Sign Illumination means the lighting or exposure of a sign to artificial lighting either by lights on or in the sign or directed toward the sign.

Sign Projection Style means the method by which the sign content is conveyed to the viewer (e.g. lettering/logo, animation, changeable content, and movement/motion).

Sign Type means the type of structure of a sign (e.g. fascia, freestanding etc.) used to convey sign content.

Temporary Sign means any sign permitted, designed or intended to be displayed for a short period of time (not to exceed 30 days), not including portable signs, however including, developer marketing signs, land use classification signs, construction signs, or any other sign that is not permanently attached to a building, structure or the ground.

Vehicle Sign means a sign attached to, painted on or installed on a vehicle other than a public transportation vehicle, handi-bus, taxi cab or school bus.

Warning Sign means a sign displayed to warn the general public of possible danger in an area or location, which sometimes includes the context of the danger being referenced.

Window Sign means a sign painted on, attached to, or installed on a window intended to be viewed from outside the premises.

WINDOW SIGN EXAMPLES



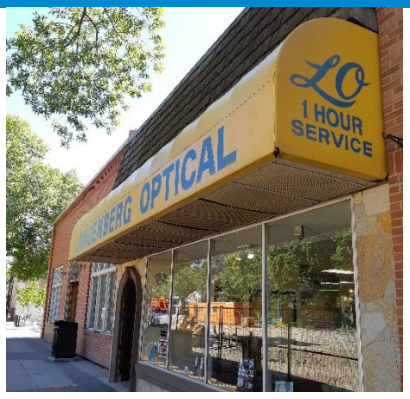


SECTION 105: SPECIFIC SIGN TYPE REGULATIONS

105.1 CANOPY SIGNS

Canopy Sign means a sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.

CANOPY SIGN EXAMPLES





(1) A maximum of one canopy sign may be allowed per business frontage.

(2) No part of a canopy sign shall project more than 1.5 m (5 ft) over any public place or extend within 0.9 m (3ft) of the edge of a curb or roadway.

(3) Canopy signs shall have a minimum vertical clearance of 2.4 m (7.9 ft.) measured between the bottom of the canopy and grade.

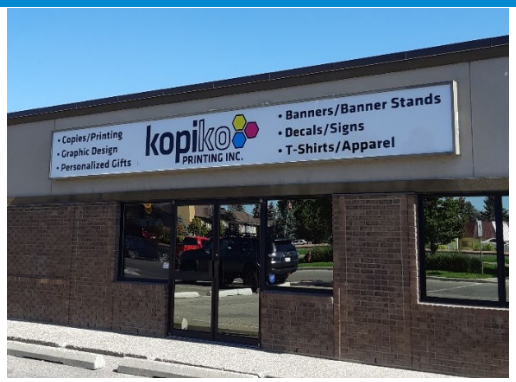
(4) A canopy sign or any physical supports for the sign shall not extend beyond the lateral or vertical dimensions of the canopy or its apron.

105.2 FASCIA SIGNS

Fascia Sign means a sign attached across the face of the building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, which does not project more than 0.3 m (1 ft) from the building.

FASCIA SIGN EXAMPLES





(1) A maximum of six (6) fascia signs may be permitted for each business frontage.

(2) The total maximum sign area permitted for fascia signs is 20 percent of the area formed by each building face or business bay/frontage.

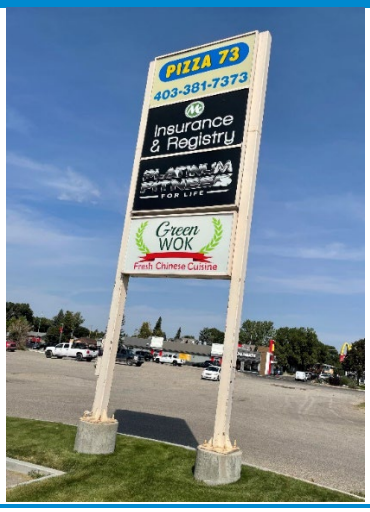
(3) Fascia signs shall not be located above any portion of a street, or project over public property, unless the fascia sign maintains a minimum clearance from grade of 2.4 m (7.9 ft), measured between the bottom of the canopy and grade.

(4) Fascia signs proposed to be located on a non-frontage wall may be considered by the Development Authority if it is deemed that the proposed signage and location of the signage on the building is suitable for the building that is the subject of the application and would not unduly and/or materially negatively impact adjacent buildings or public right-of-way.

105.3 FREESTANDING SIGNS

Freestanding Sign means a sign supported independently of a building, wall, or other structure by way of columns, uprights, braces, masts or poles mounted in or upon grade.

FREESTANDING SIGN EXAMPLES





(1) A maximum of one freestanding sign may be permitted for each parcel.

(2) The maximum area and height of a freestanding sign shall meet the following requirements:

	LAND USE DISTRICT			
	R-HD, C-N	C-C	C-G, I-L, I-G, I-H	P-PS, P-OS
Maximum freestanding sign height	3 m (9.8 ft)	6 m (19.7 ft)	10 m (32.8 ft)	6 m (19.7 ft)
Maximum Freestanding Sign Area[1]				
Business/building frontage 10 m or less in length	2 m^2 (21.5 ft^2)	5 m^2 (53.8 ft^2)	7.5 m^2 (80.7 ft^2)	5 m^2 (53.8 ft^2)
Business/building frontage over 10 m in length	3 m^2 (32.3 ft^2)	6 m^2 (64.6 ft^2)	12.5 m^2 (134.5 ft^2)	6 m^2 (64.6 ft^2)
NOTE[1]	Business or building frontages over 10 m (32.8 ft) in length are allowed an additional 0.2 m^2 (2.15 ft^2) of sign area per additional metre of frontage, to a maximum total freestanding sign area as identified .			

(3) If a freestanding sign projects over a transportation r-o-w including but not limited to roadways, driveways, parking stalls and sidewalks, a minimum of 4 m (13.12 ft) of clearance measured from the lower sign edge to grade shall be provided, unless it can be proven by the applicant that any potential for damage or danger to users of the transportation r-o-w has been minimized to a level acceptable to the Development Authority.

(4) Any electrical power supply to a freestanding sign shall be located underground.

(5) Freestanding signs proposed within the clear vision zone of a corner lot shall meet the requirements of Schedule 3 (General Standards of Development), Section 58 (Corner Lots).

(6) Freestanding signs may include multi-tenant signs where one freestanding sign advertises multiple businesses located in the same building or on the same parcel, to the discretion of the Development Authority, as long as the freestanding sign meets all other regulations of this bylaw.

(7) Freestanding signs that front onto the TransCanada highway (also called billboards) must adhere to the following regulations:

(a) sign area shall be a maximum of 50 m^2 (538.2 ft^2);

(b) maximum height shall be 4.5 m (14.8 ft) above grade; and

(c) where applicable, a record of approval from Alberta Transportation shall be provided as part of the sign application prior to the City issuing a development permit.

105.4 PROJECTING SIGNS

Projecting Sign means a sign other than a canopy sign, blade sign, or fascia sign which is attached to and projects, more than 0.3 m (1 ft.) horizontally from a structure or building face.

PROJECTING SIGN EXAMPLES





(1) A maximum of one projecting sign per business frontage may be allowed.

(2) No part of a projecting sign shall project more than 0.9 m (2.95 ft) above the top of the vertical face of the wall to which it is attached.

(3) The maximum area of a projecting sign is 6 m^2 (64.6 ft^2) for a business frontage that is 10 m (32.8 ft) or less in length. Business frontages over 10 m (32.8 ft) in length are allowed an additional 0.1 m^2 (1.08 ft^2) of sign area per additional metre of frontage, to a maximum total projecting sign area of 10 m^2 (107.6 ft^2).

(4) Projecting signs shall have a minimum vertical clearance of 2.4 m (7.9 ft) measured between the lower sign edge and grade.

(5) The space between a projecting sign and the wall on which it is mounted shall not exceed 0.6 m (1.97 ft).

(6) A projecting sign shall not extend horizontally more than 2.5 m (8.2 ft) from a structure or building face.

(7) No part of a projecting sign shall project or extend within 0.8 m (2.6 ft) of the edge of a curb or roadway.

(8) Supporting structures of projecting signs, when visible, shall be integrated into the overall design of the sign, to the satisfaction of the Development Authority.

105.5 ROOF SIGNS

Roof Sign means any sign erected upon, against, or directly above a roof or on top of or above the parapet of a building.

ROOF SIGN EXAMPLES





(1) A maximum of one roof sign per building may be allowed.

(2) Roof signs shall not project more than 3 m (9.84 ft) above the highest point of the roof.

(3) The maximum area of a roof sign shall be 10 m^2 (107.6 ft^2).

(4) Roof signs shall be erected in such a manner that the support structure, guy wires, braces, and all other secondary supports are not visible, so that the roof sign appears to be an architectural component of the building.

(5) A roof sign shall not extend beyond the ends or sides of the building on which it is mounted.

105.6 BLADE SIGNS

Blade Sign means a small sign which is suspended from a mounting attached directly to the building wall or a sign that is suspended from or below the ceiling or roof of an awning, canopy or marquee. Blade signs are generally placed perpendicular to the face of a building and are typically found in pedestrian oriented environments such as a downtown and/or historic districts.

BLADE SIGN EXAMPLES







(1) A maximum of one blade sign per business frontage may be allowed.

(2) Blade signs shall not project more than 0.91 m (3 ft) from the surface of the building to which it is attached. If a Blade sign is attached to an awning, canopy or marquee, it shall not project more than 1.2 m (4 ft).

(3) Blade signs shall not be higher than the eave line of the building surface to which it is attached or 3.35 m (11 ft) above grade, whichever is lower.

(4) Blade signs shall have a minimum vertical clearance of 2.4 m (7.9 ft) measured between the lower sign edge and grade.

(5) Blade signs shall have a maximum sign size of 0.46 m^2 (5 ft^2), excluding the supporting structure.

(6) Blade signs shall have a minimum thickness of 1.27 cm (0.5 inches) and a maximum thickness of 10.16 cm (4 inches), except as reasonably required in connection with some graphic element of the sign.

105.7 OTHER SIGNS

(1) When a sign cannot be clearly categorized as one of the sign types as defined in this bylaw, the Development Authority shall determine the sign type and all applicable regulations associated with it.

SECTION 106: ABANDONED SIGNS AND ENFORCEMENT

106.1 ABANDONED SIGNS

(1) Any abandoned sign shall be removed at the property owner's expense. If abandoned signs are not removed, the City may remove the sign.

(2) Non-compliance with any regulation of this bylaw may result in the City removing a sign subsequent to a 30 day period of notice and any cost associated with its removal may be charged to the sign owner, excepting out signs advertising garage sales, which do not require notice to be removed. A sign recovery charge of $200 will be required prior to the return of the sign to the owner.

(3) Any signs removed by the City may be held for 30 days after removal at the owner's risk. Should the signs not be claimed by the owner after 30 days from the date of removal, the signs will be disposed of at the discretion of the City.

106.2 ENFORCEMENT

If a sign is erected without a permit, has fallen into a state of disrepair beyond what is deemed acceptable by the Development Authority, or is in violation of any requirement of this bylaw or any other applicable regulation, the owner of the sign shall:

(1) Be notified of the violation and any corrective measures required, as per Section 51, sub-section 51.2 of the Administrative Schedule of this bylaw;

(2) Be subject to all other actions the Development Authority is permitted to undertake as per the Act, and as outlined in Part 6, Enforcement and Appeals, of the Administrative Schedule of this bylaw, including but not limited to:

(a) subject to obtaining consent from the owner or occupier of the lands, entering onto the lands on which the signage is located to undertake works required to correct the violation, and the recovery of any costs associated with the same;

(b) the charging of a fine of not less than $200.00 and of not more than $2500.00, in addition to the recovery of costs associated with the correction of the violation; and

(c) the obtaining of a court order, should the owner or occupier of the land on which the violation has taken place refuse to provide consent to enter onto the lands or refuses any other action permitted to be requested by the Development Authority, as per the Act.

SCHEDULE 6:

DEFINITIONS

SCHEDULE 6: DEFINITIONS

A

Accessory Building and Structure means any building or structure that is incidental or subordinate to and located on the same lot as a principal building, structure or use. A principal building, structure or use must be approved or legally established before an accessory building or structure can be approved. When a building or structure is attached to the principal building by a roof, floor or foundation above or below grade, it is considered to be part of the principal building.

Accessory Use means a use of a building or site that is associated with or part of a primary use and is incidental or subordinate to and located on the same lot as a principal building, structure or use.

Act means the *Municipal Government Act, RSA 2000, Chapter M-26* of the Province of Alberta, as amended from time to time, and is referred to in the bylaw as 'the Act'.

Active Mode means any form of human-powered transportation such as but not limited to walking, bicycling, in-line skating, skateboarding, a non-mechanized wheelchair, snowshoeing and skiing.

Addition means adding onto an existing building, provided that there are no structural changes to the existing building, no removal of the roof structure, and no removal of the exterior walls, other than that required to provide an opening for access from, and integration of, the existing building to the portion added thereto and there is a common structural connection from the existing building to the addition that includes a foundation, constructed to the minimum standards outlined in the Alberta Building Code, and a roof.

Adjacent means a lot, land or site that is contiguous, or would be contiguous if not for a highway, road, river or stream, in accordance with the Act. Additionally and for the purposes of this bylaw, adjacent can also mean a lot, land or site that shares a property boundary with another lot, land or site.

Adult Entertainment Establishment means commercial establishments in which a significant portion of the business is to:

(a) display, sell, have in their possession for sale, offer for view, publish, disseminate, give, lease or otherwise deal in any written or printed matter, pictures, films, sound recordings, machines, mechanical devices, models, facsimiles, or other material and paraphernalia depicting sexual conduct or nudity and which exclude minors by reason of age; and/or

(b) which display for viewing any film or pictures depicting sexual conduct or nudity and which excludes minors by reason of age; and/or

(c) in which any person appears or performs in a manner depicting sexual conduct or involving nudity and which minors are excluded by reason of age.

AGLC means Alberta Gaming, Liquor and Cannabis Commission

Alberta Building Code and Alberta Fire Code means the latest version of the National Building Code-Alberta Edition and National Fire Code-Alberta Edition as adopted by Alberta Safety Codes Council.

Alter or Alteration means any structural change to a building that results in an increase or decrease in the area or the volume of the building; any change in the area frontage, depth, or width of a lot that affects the required yard, landscaped open space, or parking requirements of this bylaw; structural change to a sign; and to discontinue or change the principal use of the site or building with a use defined as being distinct from the discontinued use.

Alternative (Renewable) Energy System means systems for commercial or residential use that derive energy from wind, solar, geothermal or other sources of energy that do not depend on finite, non-renewable resources such as fossil fuels and include but are not limited to such systems as wind energy conversion systems and solar collector arrays.

Amenity Area means an area(s) within the boundaries of a development intended for recreational purposes. These may include landscaped areas, patios, balconies, swimming pools, beaches and other similar items that are intended for private or public use as specified by the Development Authority.

Apartment means a building containing three or more dwelling units with shared services, facilities and outside entrances. This use does not include Attached Housing or a Multi-unit Dwelling, which are separate uses in this bylaw.

Applicant means the registered owner of the land or his or her representative or agent certified or authorized as such to act on their behalf.

Approved Use means a use of land and/or building(s) for which a development permit has been issued by the Development Authority or the Subdivision and Development Appeal Board.

Architectural Feature means any part or portion of a building or structure including but not limited to projections, recesses, windows, columns, awnings, marquee, façade or fascia, cornices, eaves, gutters, belt courses, sills, lintels, windows, chimneys and any other decorative and/or functional ornamentation that may be considered to contribute to the beauty, elegance and character of the building or structure and that may or may not be necessary for the structural integrity of the building or structure.

Area Redevelopment Plan means a statutory plan, prepared in accordance with Sections 634 and 635 of the Act for the purpose of all or any of the following:

(a) preserving or improving land and buildings in the area;

(b) rehabilitating buildings in the area;

(c) removing buildings from the area;

(d) constructing or replacing buildings in the area;

(e) establishing, improving or relocating public roadways, public utilities or other services in the area;

(f) any other development in the area.

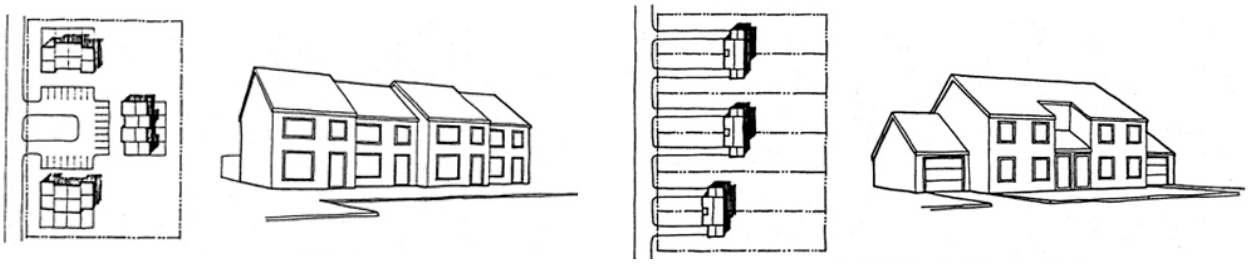
Area Structure Plan means a statutory plan prepared for the purpose of providing a framework for subsequent subdivision and development of an area of land as per Section 633 of the Act and that may be adopted by a Council by bylaw.

Art and Craft Studio means development used for the purpose of small scale, on-site, production of goods by hand manufacturing primarily involving the use of hand tools. Typical uses include pottery, ceramic, jewelry, toy manufacturing and sculpture and artist studios. This use does not include Light or Heavy Manufacturing, which are separate uses in this bylaw.

Articulation means the design, orientation and layout of a building or group of buildings, with a focus on the exterior, that should clearly define and positively contribute to the quality of the pedestrian environment and the overall streetscape through the selection and combination of exterior building materials, the transparency of the building faces (windows and openings) and the animation of the building(s) exterior walls through the inclusion of architectural features including but not limited to those presented in the respective definition included in this schedule.

Attached Garage means a building or portion of a building that is used for the storage of motor vehicles, which is attached to the principal building by sharing a common wall with the dwelling, and usually contains an access doorway into the principal building. For the purpose of calculating yard setbacks and site coverage requirements, an attached garage is deemed to be part of the principal building.

Attached Housing means a single building comprised of two or more dwelling units separated one from another by common party walls extending from foundation to roof, with each dwelling unit having a separate, direct entrance from grade and includes all row, stacked row, linked, patio, garden court, semi-detached or other housing which meet such criteria. This use does not include a Duplex or Multi-unit Dwelling which are separate uses in this bylaw.



Auction Establishment means a development specifically intended for the auctioning of goods and equipment services including related temporary storage of such goods and equipment. This use does not include Auto and Equipment Rental and Sales or Minor or Major Retail Establishments, which are separate uses in this bylaw.

Auto and Equipment Paint Shop means a development where vehicles, machines, large equipment, and similar objects are painted. This use may include outdoor storage and administrative offices as accessory uses. This use does not include Repair Shop or Service Station, which are separate uses in this bylaw.

Auto and Equipment Rental and Sale means a development for the sale or rental of new and used vehicles, recreational vehicles (campers, trailers etc.), manufactured homes, farm equipment, construction equipment and other similar large scale objects that cannot be readily stored in a building. This use must include a permanent building for sales and may include associated outdoor storage, mechanical repairs and administrative and sales offices as accessory uses. This use does not include Repair Shop, Auto and Equipment Paint Shop or Minor or Major Retail Establishments, which are separate uses in this bylaw.

Awning means a light-weight metal or cloth shelter projecting from and supported entirely by the exterior wall of a building.

B

Balcony means an elevated platform projecting from a wall with no support from the ground, having an outer railing or parapet and being greater than 0.6 metres in width.

Bakery means a building used for the baking and selling of baked goods and may include the retail sale of related goods or a café within the principal bakery building as accessory uses. This use does not include Restaurants, which is a separate use in this bylaw.

Bar/Lounge means an establishment, licensed by the Alberta Liquor Control Board, where the main purpose is to serve alcoholic beverages for consumption on the premises, and any preparation or serving of food is ancillary to such use. Typical uses include neighbourhood pubs, bars, taverns and licensed lounges that are accessory to a restaurant. This use does not include Entertainment Facilities, Restaurants or Adult Entertainment Establishments, which are separate uses in this bylaw.

Basement means the portion of a building or structure which is partially or wholly below grade and having its floor below grade by a distance greater than one-half the distance from floor to ceiling.

Bay means a self-contained unit or part of a building that can be sold or leased for individual occupancy.

Bay Window means a window or series of windows projecting from the outer wall of a building and forming a recess within.

Bed and Breakfast means an accessory use carried out in an owner-occupied dwelling where temporary accommodation is provided to non-residents of the dwelling for remuneration, and where meals, if provided for guests, are prepared in the common kitchen of the principal residence.

Block Scale means elements of an urban block such as but not limited to the shape, orientation, number of points of access for vehicles and active modes of transportation, length of streets as measured from one intersection to the next, and the overall perimeter measurement of a block, as measured from one intersection to any other number of intersections as may be required to be measured from and depending on the shape of the block being measured.

Brewery, Winery and Distillery means a facility where small-scale production and packaging of alcoholic and non-alcoholic beverages takes place. Such facilities may or may not include a tasting room, retail sales space, wholesale sales or a restaurant as an accessory use.

Building means anything constructed or placed on, in, over or under land but does not include a highway or road or a bridge that forms part of a highway or road.

Building Design means the development of a building's massing, shape, orientation, size, height, interior, exterior, structural, electrical, plumbing and other systems, overall style and any other elements as required to adequately provide the desired intent of the building to its users.

Building Height means the vertical distance between average grade and the highest point of the building, excluding a roof stairway entrance, elevator shaft, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall, a parapet wall, a flagpole or similar devices not structurally essential to the building.

Building Massing means the volume, height, location and orientation of a building.

Building Scale means building elements and details as they proportionally relate to each other and to humans.

Buffer means a row of trees, hedges, shrubs, a fence, or a berm planted or constructed to provide visual screening and separation between uses, buildings, sites or districts.

Building and Trade Contractor means a development for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with such contractor services where all materials are kept within an enclosed building, and where there are no associated manufacturing activities. This use may include an administrative office as an accessory use. This use does not include Light or Heavy Manufacturing or Minor or Major Retail Establishments, which are separate uses in this bylaw.

Bulk Fuel Station means a use of land or buildings for storing and distributing petroleum products in bulk quantities. This use includes supplementary tanker vehicle storage and card lock or key lock fuel distribution facilities. This use does not include Service Station, which is a separate use in this bylaw.

Bus Depot means development for the transient housing or parking of motor-driven buses and the loading and unloading of passengers and accessory uses. The transportation and storage of freight incidental to this use is considered part of this use.

Business and Professional Office means development used to offer professional, trading or occupational services including accountants, engineers and architects, real estate, insurance, clerical, secretarial, employment, telephone answering and other similar uses. This use does not include Financial Institutions and Medical Offices, which are separate uses in this bylaw.

Business Frontage means – see Frontage, Business

Business Support Services means a development providing service to existing business and the public. This use includes photocopying and printing services, building security, cleaning or maintenance services, sign making, farm consulting services, IT services, catering service, parcel dispatch, and other similar uses. “Business and Professional Office” and “Data Centre” are separate uses.

C

Café means a retail sales establishment engaged in the selling of light meals and nonalcoholic drinks where commercial kitchens and ventilation systems are not permitted. This use may include the retail sale of related goods on a small scale. This use does not include Restaurants, Bars/Lounges, or Minor or Major Retail Establishments, which are separate uses in this bylaw.

Campground means development of land which has been planned and improved for the seasonal short-term use of holiday trailers, motor homes, tents, campers and similar recreational vehicles and may include full time on site management accommodation accessory to the principal use. It is not used as year round storage or accommodation for residential use. Typical uses include tourist trailer parks, campsites and tenting grounds.

Cannabis means any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not.

Cannabis Accessory means accessories that promote the responsible and legal consumption and storage of cannabis.

Cannabis Product means a product that contains Cannabis.

Cannabis Production Facility means a use where Cannabis is grown, processed, packaged, tested, destroyed, stored or loaded for shipping, and that meets all Federal requirements as well as all requirements of this bylaw, as amended from time to time.

Cannabis Representative means a corporation or individual registered with the AGLC who is in the business of representing a Cannabis supplier in the sale of the supplier’s Cannabis.

Cannabis Store means a use where recreational Cannabis can be legally sold, and has been licensed by the AGLC. All Cannabis that is offered for sale or sold must be from a federally approved and licensed producer. No consumption shall be on premises. This may include ancillary retail sale or rental of Cannabis Accessories, and where counselling on Cannabis may be provided.

Cannabis Supplier means a person who holds a Federal licence that authorizes the person to produce Cannabis for commercial purposes or to sell Cannabis to the AGLC.

Canopy means a non-retractable solid projection extending from the wall of a building, or freestanding, which is intended to be used as protection against weather, other than normal architectural features such as lintels, sills, mouldings, architraves and pediments and includes the structure known as a theatre marquee.

Carnival means a temporary development that provides a variety of shows, games and amusement rides, for a period less than thirty (30) days, in which patrons take part.

Cemetery means development of a parcel of land primarily as landscaped open space for the entombment of the deceased and may include the following accessory developments: crematoriums, cinerariums, columbariums, and mausoleums. Typical uses include memorial parks, burial grounds and gardens of remembrance.

Certificate of Compliance means a document signed by the Development Authority, certifying that a development complies with this bylaw with respect to yard requirements and insofar as represented on an Alberta Land Surveyors' Real Property Report.

Change of Use means the conversion of land or building, or portion thereof from one land use activity to another in accordance with the Permitted or Discretionary Uses as listed in each land use district.

Character means the special physical characteristics of a building, structure or area that sets it apart from its surroundings and contributes to its individuality, either in the present tense through the creation of character based on the historic and recent development activities within and around the given building, structure or area, or in the future tense if the desire for a certain character for a given building, structure or area is identified in a plan approved by Council.

Choke Point means a point of congestion or blockage within transportation r-o-w.

Civic Space means a building, structure or area developed with the intention of providing access to all members of the public, including but not limited to public buildings, libraries, playgrounds, parks, assembly halls, green spaces, trails and active modes pathways, squares, festival facilities, amphitheaters, and community gardens.

Clear Vision Zone means a triangular area formed on the corner of a site by measuring back from the corner of the property line adjacent to the public right-of-way, and joining these two points across the property, as shown in Section 3, sub-section 3.3 of Schedule 3 (General Standards of Development).

Cluster Housing means a development of compact single unit housing consisting of multiple detached principal dwellings on the single lot spatially articulated around a centralized amenity space. This use does not include a Multi-unit Dwelling which is a separate use in this bylaw.

Combined or Shared Parking means an arrangement where two or more uses share a common parking area. This definition includes an arrangement where one use requires the common parking area during different hours than the other use that shares the same common parking area.

Commercial School means development used for training and instruction in a specific trade, skill or service. Typical uses may include, but are not limited to, secretarial, business, hairdressing, beauty culture, dancing or music schools. Administrative offices and the retail sale of related goods may be accessory uses. This use does not include Education Facility, which is a separate use in this bylaw.

Conceptual Design Scheme means a detailed site layout plan for a parcel of land which typically addresses the same requirements of an Area Structure Plan but which is not adopted by bylaw which:

(a) shows the location of any existing or proposed buildings; and

(b) describes the potential effect and/or relationship of the proposed development on the surrounding area and the municipality as a whole; and

(c) provides for access roads, water, sewer, power and other services to the satisfaction of the Subdivision Authority or Council.

Condominium means:

(a) in the case of a building, a space that is situated within a building and described as a unit in a condominium plan by reference to floors, walls, and ceilings within the building; and

(b) in the case other than a building, land that is situated within a lot and described as a unit in a condominium plan by reference to boundaries governed by monuments placed pursuant to the provisions of the *Surveys Act* respecting subdivision surveys.

Connectivity means a measure of the efficiency of the physical layout of the block structure as made up by the transportation network, including but not limited to average block dimensions, the number of intersections, the percentage of three and four way intersections, and route choice throughout a given transportation network. High connectivity means that a given network has many direct route choices, while low connectivity means a given network has few direct route choices.

Corner lot means – see Lot, Corner

Council means the duly elected Council of the City of Brooks.

Coverage means – see Lot, Coverage or Site Coverage

Cultural Facility means the provision of cultural services to the public by a public or private, non-profit facility. This use includes, but is not limited to, museums, art galleries, libraries and assemblies of non-profit clubs or organizations, including charitable, social service, ethnic, athletic, business, or fraternal organizations. This use may include eating, drinking, entertainment, sports, recreation, and amusement facilities as accessory uses. This use does not include Entertainment Facilities, or Public or Private Recreation Facilities, which are separate uses in this bylaw.

D

Data Centre means a development that houses computer equipment as a principle use. The use includes the collection, storage, processing, management, and distribution of digital data. This use may include infrastructure such as administrative spaces, security facilities, commercial HVAC systems, backup power supply, water recovery systems, and fire suppression. Thi use does not include “Business Support Services”.

Day Care means the use of a building, or portion of a building, for the provision of care, instruction, maintenance, or supervision of children between the ages of 0 and 12. Day cares are facilities that provide services to care for seven (7) or more children between the ages of 0 and 12 at any one time, for periods of time not to exceed 24 hours, and that shall meet the licensing requirements of the Province.

Day Home means the use of a building, or portion of a building, for the provision of care, instruction, maintenance, or supervision of children between the ages of 0 and 12. Day homes operate out of a residence that provides services to care for no more than six (6) children between the ages of 0 and 12 at any one time, for periods of time not to exceed 24 hours, not including those children who reside in the home on a permanent basis, and that may be unlicensed but shall be approved by the Province.

Deck means an uncovered horizontal structure, with a surface height greater than 0.6 m (2 ft) above grade at any point, but no higher than the first story floor level, and intended for use as a private outdoor amenity space.

Deflection means the placement of object(s) in the way of a straight line of sight, thereby shifting the visual focus from the linear path to the change in direction that is forced by the object. Objects may consist of but not be limited to hard and soft landscaping, structures, and buildings.

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

Density means the number of dwelling units on a site expressed in dwelling units per hectare or acre, and may be calculated using only developable area, generally expressed as *Net Density*, or using all of the subject site area, generally expressed as *Gross Density*.

Designated Officer means a person authorized by Council to act as a Development Authority pursuant to Section 623 of the Act and in accordance with the City's associated enabling bylaw.

Detached Garage means an accessory building designed and use primarily for the storage of motor vehicles that is not attached or is separate from the principal building.

Developer means a person or an owner of land in accordance with the Statutes of the Province of Alberta who wishes to alter the title to the property and who may also wish to change the use of the property from its existing use.

Development means, as per the Act:

(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 of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or

(d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

Development Agreement means a contractual agreement completed between the municipality and an applicant for a Development Permit which specifies the public roadways, utilities and other services to be provided by the Permit holder as a condition of Development approval or subdivision approval, provided the agreement is in accordance with sections 648, 650, 654 and 655 of the *Municipal Government Act*, as amended.

Development Application means an application made to the Development Authority in accordance with the Land Use Bylaw for the purpose of obtaining a development permit.

Development Area means the area to be occupied by a building plus the reasonable area required for excavation and construction.

Development Authority means the body established by bylaw to act as the Development Authority in accordance with Sections 623(b) of the Act and may include the Development Officer or other Designated Officer, or the Council of the City of Brooks for Direct Control.

Development Officer means a person appointed as the Development Officer pursuant to the Development Authority Bylaw and this Land Use Bylaw.

Development Permit means a document issued pursuant to this bylaw by the City of Brooks authorizing a Development that has been approved by the Development Authority or Subdivision and Development Appeal Board.

Discretionary Use means one or more uses of land or buildings in a land use district for which a development permit may be issued at the discretion of the Development Authority or the Subdivision and Development Appeal Board, with or without conditions.

District means – see Land Use District

Drive-Through means a restaurant or other business where services are provided to customers who remain in their vehicles. A drive-through may be an accessory use to a Café, Restaurant, Truck and Car Wash or other similar uses.

Driveway means a paved or unpaved strip of land located on private property that is used exclusively as a connector between public right-of-way and private land, for the purposes of accessing and providing parking space on private land, or for the purposes of accessing a garage structure or other enclosure located on private land, that is intended primarily for the parking of motorized or non-motorized vehicles.

Dwelling means any building or portion thereof designed for human habitation and which is intended to be used as a residence for one or more individuals but does not include travel trailers, motor homes, recreational vehicles, or other mobile living units, hotel, motel, dormitory, boarding house, or similar accommodation. For the purposes of this bylaw, dwellings include Apartment, Duplex, Manufactured Home, Modular Home, Moved-in Dwelling, Single-Detached Dwelling, and Attached Housing.

Dwelling Unit means a self-contained living premises with cooking, eating, living, sleeping and sanitary facilities for domestic use of one or more individuals.

Dwelling Unit Above Non-Residential Use means a dwelling unit as defined by this bylaw that is located above non-residential uses that are located in the same building, and that meets all other requirements of this bylaw.

Dwelling Unit in Rear of Non-Residential use means a dwelling unit as defined by this bylaw that is located in the rear of a building that contains a non-residential use in the front portion of the same building, and that meets all other requirements of this bylaw.

Duplex means a residential building containing two dwelling units located either one above the other or one behind the other with separate, direct access to each dwelling. Each dwelling unit is joined to the other unit by either a common floor/ceiling, or by a rear common wall, but is not legally subdivided by a property line.

E

Easement is the right to use the property owned by another for a specific purpose.

Eave Line means the outermost extent of the extension or overhang of a roof line beyond the vertical wall of a building.

Eave means the extension or overhang of a roof line beyond the vertical wall of a building.

Education facility means a place of instruction offering courses of study operated with public or private funds. Included in this use are public, private, and separate schools. This use includes grade schools and post-secondary institutions that offer courses, certificates and degrees. This use does not include Commercial Schools, which is a separate use in this bylaw.

Entertainment Facility means a development providing leisure and entertainment activities within an enclosed environment where alcohol and food may be consumed on the site as an accessory use. Typical uses include movie theaters, drama or dinner theaters, nightclubs, concert halls, video arcades, bingo halls, bowling alleys and similar uses. This use does not include Bar/Lounges, Restaurants or Adult Entertainment Establishments, which are separate uses in this bylaw.

Established Area means areas of the City where urban forms of development have already occurred on the majority of lots, including but not limited to site improvements such as landscaping and principal and secondary buildings serviced by utilities and infrastructure such as water, wastewater, power, gas, and electrical, roads and garbage collection services.

Existing means in place as of the date of adoption of this bylaw or any amendments to this bylaw.

F

Façade means the entire area and all elements (including but not limited to windows, recesses, projections, fascia, soffit, doors and canopies) of an exterior building wall for the entire width and from grade to the top of the building, not including any structural or non-structural elements extending beyond the highest point of the roof, eaves or parapet, whichever is applicable based on the design of the building.

Farm means an agricultural parcel that may be developed with a dwelling, structures, shelter belts, dugouts, storage areas for farm equipment, produce, fertilizer and other materials necessary to the extensive cultivation of the major portion of land associated with such development.

Fence means a structure which is used to prevent or redirect passage, to provide visual screening, sound attenuation, protection from dust or the elements or to mark a boundary.

Financial Institution means a development providing financial and banking services. Typical uses include banks, credit unions, trust companies or any other company providing loans or mortgages.

Flankage applies to corner lots and means the longer of the two lot lines facing the streets unless both lot lines facing the streets are of equal length, at which point either lot line, but not both, could be considered the flankage.

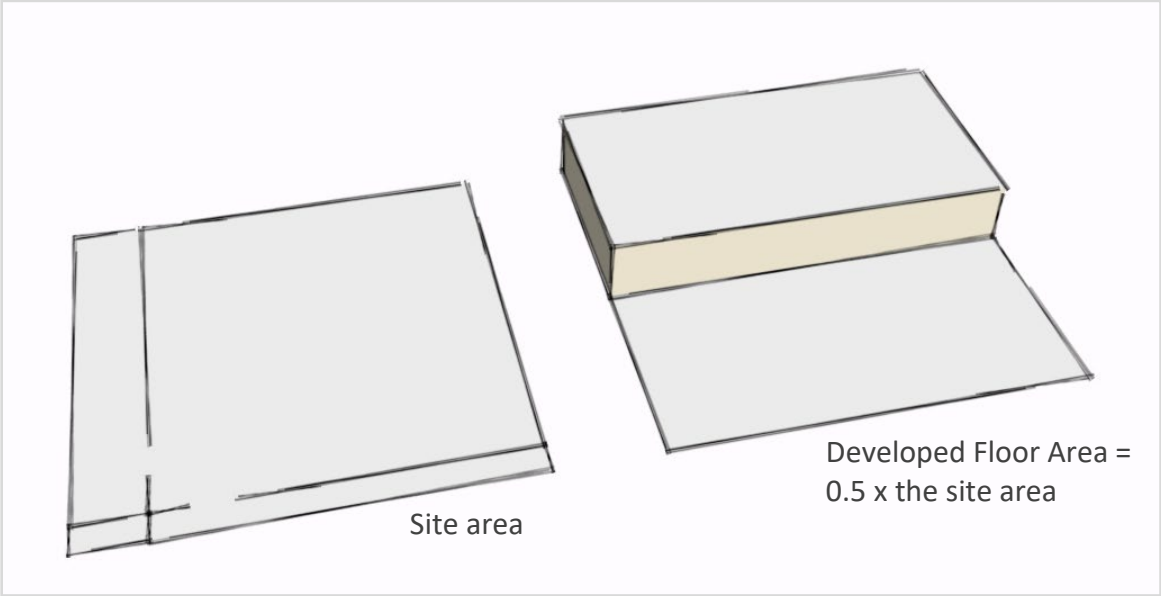
Flankage Setback applies to corner lots and means the minimum setback required along the lot line that is determined to be the flankage.

Floor Area means the sum of the gross horizontal area of the several floors and passageways of a building, but not including basements, attached garages, and open porches. All dimensions shall be external dimensions.

Floor Area, Gross means the total floor area of each floor of a building measured from the outside surface of the exterior walls, and includes all floors totally or partially above grade level except parking levels.

Floor Area, Net means the gross floor area defined by the inside dimensions for each floor minus the horizontal floor area on each floor used for corridors, elevators, stairways, mechanical rooms, workrooms, washrooms, lobbies, and other non-rentable areas.

Floor Area Ratio (FAR) means the ratio derived by dividing the gross floor area of all buildings on a lot by the total area of the lot, not including parking below grade.



Foundation means the supporting base structure of a building.

Front Yard means – see Yard, Front

Frontage means - se Lot, Frontage.

Frontage, Business means the length of the property line of any one business use, parallel to and along each legally accessible public street, excluding a lame that it borders.

Funeral Service means a development used for the arrangement of funerals, the preparation of the dead for burial or cremation, the holding of funeral services and the carrying out of cremations, where not more than one cremation chamber is provided.

G

Garage means an accessory building or part of a principal building designed and used for the shelter or storage of vehicles and includes a carport.

Golf Course means an outdoor use/establishment of varying size where the land is developed primarily to accommodate the game of golf. Accessory uses may include a pro shop, driving range and/or proactive facility, food service, and other commercial uses typically associated with a golf course clubhouse facility but subordinate to the actual area where the game of golf is played.

Government and Public Service means a development for the provision of public goods or services. The building, facility or installation is owned or operated by a municipal, provincial, or federal authority. Typical uses include but are not limited to City hall, post office, fire and police stations, and related public essential service buildings.

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

Gross Floor Area means – see Floor Area, Gross

Group Care Facility means a development that provides residential accommodation and rehabilitative services to persons who are handicapped, disabled, or undergoing rehabilitation and are provided care to meet their needs. Group care facilities are supervised residential dwelling units that are licensed and persons are typically referred to a group care facility by hospitals, courts, government agencies or recognized social service agencies or health professionals but may also voluntarily request care. This use includes supervised uses such as group homes, half-way houses, and convalescent homes. This use does not include Day Homes, Day Cares, Seniors Housing, or Hospitals, which are separate uses in this bylaw.

H

Heavy Manufacturing means a development for manufacturing, processing, assembling, fabricating or compounding activities typically involving raw materials, but may include processed materials, that may be highly flammable and/or combustible and where there may be external effects from the activity such as smoke, noise, odour, vibration, dust and other types of nuisances that shall be contained on-site in accordance with this bylaw. Administrative offices, and outdoor storage may be accessory uses.

Home Occupation means the secondary and subordinate use of a dwelling unit by the owner or occupant for the purpose of operating a business, trade, profession or craft that, based on the measurable impact of factors such as the number of non-resident employees, commercial vehicles, commercial trailers, outside storage, additional off-street parking, client visits, signage, on-site sales associated with the use, and other applicable factors, that may be categorized as either a level 1, 2 or 3 Home Occupation as determined by the application of the requirements of this bylaw.

Hotel means a development used for the provision of rooms or suites for temporary sleeping accommodation for the travelling public, where the rooms have access from a common interior or exterior corridor. Hotels may include accessory uses that are considered to complement the hotel such as but not limited to restaurants, cafes, private recreational facilities, convention facilities, minor retail establishments and personal services.

Hospital means a facility providing room, board, and surgical or other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences. Typical uses include hospitals, sanatoria, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

I

Intensity of Use means the extent to which land or a building is used as measured by area, floor space, seating capacity or other similar characteristics.

K

Kenneling means a development for the purpose of boarding small animals normally considered as household pets and includes indoor and outdoor enclosures, pens, runs or exercise areas. This land use may also include training, grooming, impounding/quarantining facilities, animal shelters, and retail sales for associated products.

L

Laboratory means a development used for the purpose of scientific or technical research, investigation or experimentation. This use does not include Light or Major Manufacturing or Education Facilities, which are separate uses in this bylaw.

Land Use District means a district established under Schedule 2 of this bylaw.

Landing means an uncovered platform extending horizontal from a building adjacent to an entry door and providing direct access to grade or stairs.

Landowner means:

(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 purchase 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.

Landscaped Area means that portion of a site which is required to be landscaped and may not be used for parking, storage, or display of items for sale.

Landscaping means to preserve, enhance or incorporate vegetation or other materials in a development and includes combining new or existing vegetative materials with architectural elements, existing site features or other development features including fences, walls or decorative walks.

Lane means a public through fare designed to serve as a secondary access and providing for utility services to adjacent properties.

Light Manufacturing means a development for the manufacturing predominately of previously prepared materials, of finished products or parts that are not flammable or combustible, including processing, fabrication, assembly, treatment and packaging, that do not generate any detrimental impact, potential health or safety hazard or any nuisance beyond the boundaries of the site or lot upon which it is situated, in accordance with this bylaw. This use may include incidental storage, sales and distribution of products and administrative and sales offices as accessory uses.

Liquor Store means an establishment, licensed by the *Alberta Gaming and Liquor Commission*, in which alcoholic beverages are sold to the public and intended to be consumed off the premises. Retail liquor stores may include the sale of ancillary complementary products, such as soft drinks and juices (mixes), pre-packaged snack foods (potato chips, pretzels), bar utensils (corkscrews, glasses) and nonalcoholic beer and wine.

Livestock means all domestic animals kept for use on a farm or raised for sale or profit and includes horses, cattle, sheep, swine, fur-bearing animals raised in captivity as well as game production animals within the meaning of the *Livestock Industry Diversification Act*, live poultry and bees or other animals as determined by the municipality.

Loading Area means a space designated for parking a commercial vehicle while being loaded or unloaded.

Lot in accordance with the *Municipal Government Act*, means:

(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 where the boundaries of the parcel are separately 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.

(f) where a certificate of title contains one or more lots described in a plan of subdivision that was registered in a land titles office before July 1, 1950, lot means parcel.

Lot Area means the area contained within the boundaries of a lot as shown on a plan of subdivision or described in a certificate of title that may be specified further as:

(a) *Gross Lot Area (GLA)* which includes all of the area of a lot.

(b) *Net Lot Area (NLA)* which includes only those parts of the lot on which improvements have been placed, including but not limited to parking areas, buildings, landscaping, and any other site feature that has been introduced to the lot beyond the natural state of the lot in its pre-development form.

Lot, Corner means a lot located at the intersection of two or more streets.

Lot Coverage means the combined area of all buildings or structures on a site including but not limited to the principal structure, accessory structures, decks, verandas, porches, and balconies but excluding eaves, cornices, and other similar projections.

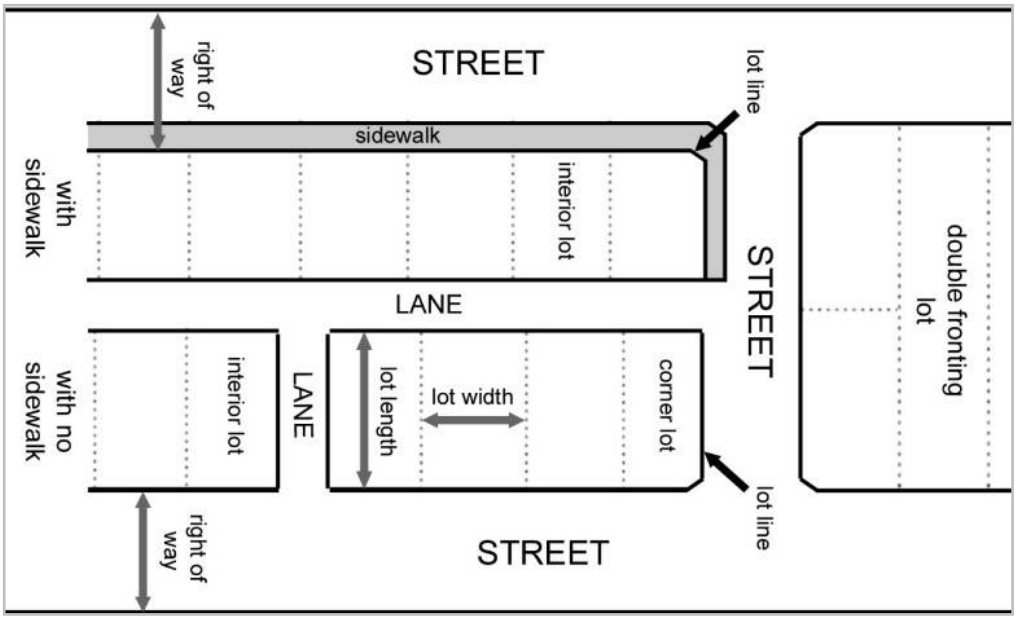
Lot, Double Fronting means a lot which abuts two parallel or approximately parallel streets.

Lot Frontage means the front lot line or that side of a lot abutting a public roadway, but does not include any side abutting a lane, unless said lane is the only means of physical access to a lot.

Lot, Interior means a lot situated between two lots or another lot and a lane and having access to not more than one street.

Lot Length, also referred to as site depth, means the horizontal distance between the front and the rear lot lines measured along the median between the side lot lines.

Lot Line means a legally defined boundary of any lot. The term property line and boundary line have the corresponding meaning.



Lot, Pie-shaped means a lot that is typically found fronting a cul-de-sac and that is narrower at the frontage of the lot than it is at the rear of the lot.

Lot Scale means the elements of the lot as they relate to one another and to the building and street scales, as defined by this bylaw. Lot scale elements include but are not limited to the boundaries of a lot, the relationship of one lot to adjacent and other lots in close proximity, and the ability of a lot to meet the needs of the uses that may be developed within it.

Lot, Vacant means a lot with no existing development.

Lot Width means the horizontal distance between the side lot lines measured at the front setback line (e.g. 7.6 m (25 ft.) from the front property line for residential lots).

M

Major Retail Establishment means a development where goods, merchandise, substances, articles, and other materials are offered for retail or wholesale. Major retail establishments typically exceed 2,000 m² (21,529 ft²) in size and/or sell bulky goods and may include the sale of goods predominantly outside. Typical uses include, but are not limited to, supermarkets, department stores, warehouse stores, or stores for the sale of business and office supplies, craft and hobby supplies, sporting goods, furniture, hardware, garden supplies, or building and lumber supplies. This use may include a café, administrative offices, outdoor storage, or light manufacturing with no nuisance outside of an enclosed building as accessory uses. This use does not include Minor Retail Establishment, Cannabis Store, Liquor Store or Auto and Equipment Rental and Sales, which are separate uses in this bylaw.

Manufactured Home means a dwelling unit built at an off-site manufacturing facility in conformance with CSA standards and Alberta Building Code. The unit is constructed with an integrated frame for placement on a surface mount foundation and designed in one or two sections for transport, whether on its own wheels or a transport trailer. The unit arrives at the site where it is to be occupied complete and ready for occupancy, except for incidental operations such as placement on an acceptable foundation and removal of any hitch and/or wheels. This use does not include Modular Homes, Moved-in Dwellings or Single-Detached Dwellings, which are separate uses in this bylaw.

Manufactured Home Park means a parcel of land under one title or condominium plan, which provides spaces for the long term placement and occupancy of manufactured homes that are either for purchase or lease.

Matters Related to Subdivision and Development Regulation means regulations established by order of the Lieutenant Governor in Council pursuant to Section 694 of the Act.

May means within the context of policy, that a discretionary action is permitted.

Measurable Impact means the outcome of a development relating to the amount of vehicle and/or pedestrian trips to and from the development in a given time period, the amount of noise, dust or other audible, visual, or odorous outcomes of activity relating to the development or any other impact as determined by the Development Authority.

Measurable Standard means a minimum or maximum standard stipulated in this bylaw that can be expressed as a unit of measurement in terms of length, width, height, area, volume, capacity, specified numbers, angle, and any other unit as determined by the Development Authority. This definition does not include the minimum required off-street parking.

Media Production Facility means a development associated with the manufacturing, distribution, transmission, marketing or consulting of products related but not exclusive to print, radio, television, wire, satellite and cable. Typical uses include, but are not limited to radio stations, television stations, recording studios, newspaper publishers and printing businesses.

Medical Cannabis means a substance used for medical purposes authorized by a licence issued under the Federal Government's Access to Cannabis for Medical Purposes Regulations (ACMPR) or any subsequent legislation which may be enacted in substitution.

Medical Office means a facility for the provision of human health services without overnight accommodation for patients and may include associated office space. Typical uses include physiotherapy, registered massage therapy, doctor, dentist, optometrist, and chiropractic offices. This use does not include Hospitals or Group Care Services, which are separate uses in this bylaw.

Minor Retail Establishment means a development where goods, merchandise, substances, articles, and other materials that can typically be stored and sold within a building are offered for sale to the general public. Minor retail establishments may include only very limited on-site outdoor storage and limited seasonal outdoor sales to support the store's operations. Typical uses include, but are not limited to, convenience, grocery, hardware, pharmaceutical, appliance, clothing, and sporting goods stores. This use may include a café, administrative offices, minor government and public services, such as postal services, or light manufacturing with no nuisance outside of an enclosed building as accessory uses. This use does not include Auto and Equipment Rental and Sales, Major Retail Establishments, Cannabis Stores, or Liquor Stores, which are separate uses in this bylaw, or retail that involves the sale of gasoline, alcoholic beverages, large scale equipment or materials, or extensive outdoor storage.

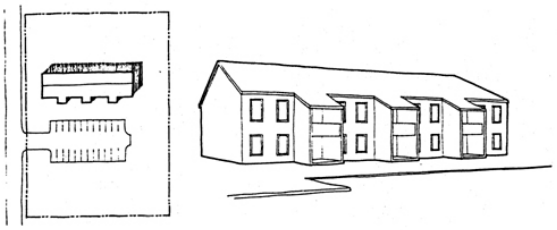
Modular Home means a previously unoccupied dwelling unit built at an off-site manufacturing facility or location other than the lot intended for occupancy. Modular homes are built in conformance with CSA standards and Alberta Building Codes. Modular homes do not have an integrated frame, hitch, wheels, chassis or other device allowing for the transport of the unit. The dwelling is delivered to the site by transport trailer where it is assembled over a conventional, permanent concrete foundation (a basement foundation, slab-on-grade or crawl space). Modular includes the following two subtypes: Panelized and Ready-to-Move (RTM). This use does not include a Manufactured Home, Moved-in Dwelling, or Single-Detached Dwelling, which are separate uses in this bylaw.

(a) Panelized means a dwelling unit constructed at the site intended for occupancy using pre-built exterior/interior wall panels and building components that are delivered to the site as a package ready for assembly over a conventional, permanent concrete foundation (basement foundation, slab-on-grade, or crawl space).

(b) Ready-to-Move (RTM) means a dwelling unit built to the current Alberta Building Code that would normally be constructed on the site intended for occupancy, but for various reasons, is constructed at an off-site manufacturing facility, construction site, plant site or building yard. It is then loaded and transported as one unit onto the proper moving equipment and delivered to the site intended for occupancy and placed on a conventional, permanent concrete foundation (either a basement, slab-on-grade or crawl space).

Moved-in Dwelling means a conventional, previously occupied building which is physically removed from one site, transported and re-established on another site with a different legal description for use as a residence. This use does not include Manufactured Home or Modular Home, which are separate uses in this bylaw.

Multi-unit Dwelling means a development that contains 3 or more dwelling units. This use does not include an Apartment, Duplex, Secondary Suite, or Attached Housing, which are separate uses in this bylaw



DWELLING, MULTI-UNIT

Multiple Unit Residential Development means a development where the principal use consists of dwelling units with three or more residential units and where the site has two or more principal residential buildings. This use is subject to Schedule 4 Use Specific Standards Section 92 (Multi-unit Residential Development). Dwelling types include Apartments, Attached Housing, and Multi-unit Dwellings. This use does not contain Single-Detached Dwelling, Cluster Housing, Manufactured Home, Manufactured Home Park, or Modular Home.

Municipality means the City of Brooks.

Municipal Development Plan means a Statutory Plan, formerly known as a General Municipal Plan, adopted by bylaw in accordance with Section 632 of the *MGA*.

Municipal Reserve means the land specified to be municipal reserve by a subdivision approving authority pursuant to Section 666 of the Act.

Municipal/School Reserve means the land specified to be municipal and school reserve by a subdivision approving authority pursuant to Section 666 of the *MGA*.

N

Non-Compliance means a development constructed, or use undertaken after the adoption of the current Land Use Bylaw and does not comply with the current Land Use Bylaw.

Non-Conforming Building in accordance to the Act means a building:

(a) that is lawfully constructed or lawfully under construction on the date a land use bylaw affecting the building or land on which the building is situated, becomes effective, and

(b) that on the date the land use bylaw becomes effective does not or, or when constructed will not, comply with the land use bylaw.

Non-Conforming Use in accordance to the Act means a lawful specific use being made of land or a building or intended to be made of a building lawfully under construction at the date a land use bylaw affecting the land or building becomes effective, and that on the date the land use bylaw becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw.

Nuisance means any use, prevailing condition or activity which has a negative measurable impact on living or working conditions.

O

Occupancy Permit means a permit issued by the municipality that authorizes the right to occupy or use a building or structure for its intended use.

Off-Street Parking means the area of a lot designated for the parking of one or more motor vehicles.

Oilfield Service means a use of land or buildings for the sale, rental, parts, supplies and service of equipment used in the operation, construction or maintenance of oilfield businesses and operations. This use may include an administrative office, accessory structures, outdoor work areas, parking and outdoor storage areas as accessory uses. This use does not include Light or Heavy Manufacturing or Building and Trade Contractors, which are separate uses in this bylaw.

Orientation means the arranging or facing of a building or other structure with respect to the points of the compass.

Outdoor Display means the open outdoor display of goods that shall be limited to examples of product, merchandise, equipment, and/or items sold by the business or industry on the lot(s) or development site.

Outdoor Storage means the use of land with or without attendant buildings for the open, outdoor storage of equipment, materials or vehicles, or processed or unprocessed resources or materials. For the purposes of this bylaw, this definition is limited to those uses that require minimal on-site improvements, service and public amenities or facilities and does not include those goods or materials which are hazardous.

Outermost Extent means the eaves of a building or if a building does not have eaves, whichever portion of the building extends outward the furthest, and in the case of a structure, the portion of the structure that extends outward the furthest.

P

Parcel means the aggregate of 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.

Parking Facility means a structure designed for the parking of motor vehicles either outdoors or in a structure.

Parking Stall means a clearly marked and identifiable stall which is accessible on a continuous basis for the parking of one motor vehicle, either by the general public or employees, and shall not be used for storage or any other purpose which detracts from the intended use or the accessibility of the stall.

Parks and Playground means land specifically designed or reserved for the general public for active or passive recreational use that do not require major buildings. Typical uses include, but are not limited to, natural and manmade landscaping, playing fields, tot lots, amphitheaters, picnic grounds, bike and walking paths, playgrounds, water features and structures that are consistent with the general purposes of public parkland.

Patio means an uncovered horizontal structure, with a surface height, at any point, no greater than 0.60 metres above grade, adjacent to a residential dwelling and intended for use as a private outdoor amenity space.

Permeability means – see Connectivity.

Permitted Use means a use of land or buildings in a land use district designated as a permitted use in this bylaw for which a development permit shall be issued by the Development Authority, with or without conditions, if the development application otherwise conforms with this bylaw.

Personal Cannabis Cultivation means Cannabis plants being cultivated for personal use to a maximum of four (4) plants per principal dwelling in accordance with the Government of Alberta's requirements of the *Gaming, Liquor, and Cannabis Act* and the Government of Canada's *Cannabis Act*.

Personal Service means a development that provides services to an individual that are related to the care and appearance of the body or the cleaning and repair of personal effects and may include the retail sale of related goods as an accessory use. Typical uses include, but are not limited to, beauty salons, barber shops, tattoo shops, tailors and dressmakers, dry cleaners, and laundromats. This use does not include Medical Offices, which are a separate use in this bylaw.

Pet Grooming Establishment means a development providing onsite and offsite washing and grooming of small domestic animals within an enclosed building.

Plan of Subdivision means a plan of survey prepared in accordance with the relevant provisions of the *Land Titles Act* for the purpose of effecting subdivision.

Porch means a flat floored, generally enclosed, roofed structure adjoining a principal building or built as a structural part of it.

Portable Shelter means any temporary structure with or without side panels, the covering of which is made of pliable materials such as but not limited to plastics, fabrics or any other materials with similar structural properties, that is supported by an external or internal frame made of materials such as but not limited to plastic, metal or wood which the pliable material is stretched over or hung from and which may be fastened to the ground using eyelets and stakes or other non-permanent fastening devices and/or methods.

Principal Building means a building which, in the opinion of the Designated Officer:

(a) occupies the major or central portion of a site;

(b) is the chief or main building among one or more buildings for which the site is used; or

(c) constitutes, by reason of its use, the primary purpose for which the site is used.

Principal Entrance means the main point of access into and out of a building or structure.

Principal Use means the main purpose for which a lot, parcel, or building is used or intended to be used.

Privacy wall means a structure that:

(a) is accessory to an approved principal use;

(b) provides visual screening;

(c) is located on a balcony, deck or patio;

(d) is no greater than 2 m above the grade of a balcony, deck or patio; and

(e) does not include a railing.

Private Recreation Facility means a development for recreational activities that is not operated by a public body. This use may include cafes and eating areas, and associated retail areas as accessory uses. Typical uses include, but are not limited to, fitness facilities, gymnasiums, athletic/sport fields, paint-ball, go-cart tracks, outdoor mini-golf, and country clubs. This use does not include Entertainment Facilities, Public Recreation Facilities or Parks and Playgrounds, which are separate uses in this bylaw.

Private Swimming Pool means a structure located above or at grade and designed for recreational swimming. They are an accessory use associated with a private residence and do not include public swimming pools.

Prohibited Use means a development that is not listed as permitted or discretionary, or is not considered similar within a land use district.

Public Recreation Facility means a development for recreation activities, for public use which are publicly owned or operated. This use may include cafes and eating areas, and associated retail areas as accessory uses. Typical uses include, but are not limited to, gymnasiums, recreation centres, athletic/sports fields, tennis courts, and indoor/outdoor ice rinks, boating facilities, Scouts/Guide camps, retreat camps, indoor/outdoor swimming pools, bowling greens, and riding stables. This use does not include Entertainment Facilities, Private Recreation Facilities or Parks and Playgrounds, which are separate uses in this bylaw.

Public Right-of-Way means a right-of-way maintained by the City and is open to the public for the purpose of vehicular and pedestrian traffic in the case of roads, sidewalks and trails, and for the purposes of public enjoyment in the case of civic spaces as defined in this bylaw.

Public Roadway means a right-of-way maintained by the City and is open to the public for the purpose of vehicular traffic.

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

R

Real Property Report (RPR) means a legal document that illustrates in detail the location of all relevant, visible public and private improvements relative to property boundaries.

Rear Yard means – see Yard, Rear

Recycling Facility means a development for the purchasing, collecting or receiving of goods that are intended to be re-used or recycled. Typical uses include bottle, can and paper recycling depots. This use does not include Salvage Yards, which is a separate use in this bylaw.

Religious Assembly means a development for religious worship and related religious, charitable, educational or social activities. Typical uses include chapels, churches, convents, monasteries, mosques, parish halls, rectories, synagogues and temples.

Renewable Energy means a development for the advancement, manufacture, wholesale, resale and repair of renewable energies such as but not limited to Wind Energy Conversion Systems (WECS) as defined in this bylaw, solar collector arrays as defined by this bylaw, and other forms of solar collection systems.

Repair Shop means a development used for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles, and similar vehicles, or for the servicing and repair of equipment, machines or components. Repair shop may include the sale, installation or servicing of related accessories and parts, outdoor storage, and administrative offices as accessory uses. Typical uses include, but are not limited to, car-detailing, transmission shops, muffler shops, tire shops, automotive glass shops, upholstery shops, and farm or other equipment maintenance shops. This use does not include Service Stations, Auto and Equipment Paint Shop, or Auto and Equipment Rental and Sales, which are separate uses in this land use bylaw.

Residential Sales Center means a permanent or temporary building or structure used for a limited period of time for the purpose of marketing residential lands or buildings.

Restaurant means a development primarily used for the preparation and sale of food for consumption on the premises. Accessory uses may include the sale of alcoholic or non-alcoholic beverages incidental to the meal, take-out services, catering, or the retail sale of related goods. A restaurant may hold a “Class A” liquor license and minors may, or may not, be prohibited. This use does not include Cafés, Bars/Lounges, or Minor or Major Retail Establishments, which are separate uses in this bylaw.

Retail Cannabis Licence means a licence under the *Gaming, Liquor and Cannabis Act* that authorizes the purchase, sale, transport, possession, and storage of Cannabis.

Right-of-Way (r-o-w) means an area of land not on a lot that is dedicated for public or private use to accommodate a transportation system and necessary public utility infrastructure (including but not limited to water lines, sewer lines, power lines, and gas lines).

S

Safety Code means a code, regulations, standard, or body of rules regulating things such as building, electrical systems, elevating devices, gas systems, plumbing or private sewage disposal systems, pressure equipment, fire protection systems and equipment, barrier free design and access in accordance with the *Safety Codes Act, RSA 2000, Chapter S-1*, as amended.

Salvage Yard means use of land or buildings for the receiving, dismantling, resale or transportation of inoperable motor vehicles, machinery, equipment, parts, metals, construction materials or other similar materials. Salvage yards include, but are not limited to, junkyards, auto wreckers and scrap yards. This use does not include Recycling Facilities or Light or Heavy Manufacturing, which are separate uses in this bylaw.

Secondary Suite means an accessory dwelling unit containing cooking facilities, a food preparation area, and sleeping and sanitary facilities, which is physically separate from and subordinate to those of the principal dwelling within the structure or on the same lot and that has a separate entrance. A secondary suite does NOT include a Bed and Breakfast, Duplex, Multi-unit Dwelling, Apartment, or Attached Housing (unsubdivided) which are separate uses in this bylaw.

Semi-Detached Dwelling See Attached Housing.

Seniors Housing means development, including lodges, which is used as a residence for elderly individuals not requiring constant or intensive medical care and complies with the Alberta Housing Act, as amended. This use is sponsored and administered by any public agency or non-profit organization, which obtains its financial assistance from Federal, Provincial, or Municipal Governments or public subscriptions or donations. Senior citizen accommodation may include lounge, dining, health care, and recreation facilities as accessory uses.

Service Station means an establishment for the retail sale of motor vehicle fuels, lubricants, parts and accessories. Minor retail in the form of a convenience store may be incorporated as an accessory use. This use does not include Truck and Car Wash, Repair Shop, Auto and Equipment Rental and Sales or Auto and Equipment Paint Shop, which are separate uses in this bylaw.

Setback means the distance which must be maintained between a development or a specific portion of the development and a property line as specified in this bylaw or on a development permit. For the purposes of this bylaw, setbacks shall be measured to the foundation of the building or the closest point of the development to the property line or to another development, depending on whether the setback requirement pertains to the property line or to another development. For cut-off corner lots, the setback distance is to be measured from where the two property lines would intersect.

Shall means within the context of this document, that the action is mandatory excepting where you Administration Section 36.1 is invoked by the Development Authority.

Shipping Container means any container that is or was used for transport of goods by means of rail, truck or by sea. These are generally referred to as a C-Container, sea cargo container, sea can or cargo container. Such containers are typically rectangular in shape and are generally made of metal. For the purposes of this bylaw, when such a container is used for any purpose other than transporting freight, it will be considered as a structure, must conform to these regulations and may require a permit.

Shopping Mall means a unified group of buildings with more than one commercial use being primarily retail and personal services and on a site comprehensively planned, developed and managed as a single commercial operating unit with shared on-site parking where the intended uses comply with the subject district.

Should means that the action, requirement or regulation is recommended but is not mandatory, unless the Development Authority determines that the action is to be mandatory as a condition of a Development Permit.

Shrub means a single or multi-stemmed woody plant generally less than 5 m (16 ft) in height.

Side Yard means – see Yard, Side

Sign means – see Schedule 5 (Signage Standards)

Similar Use means the process where a use is applied for which is not specifically considered in any land use district or defined elsewhere in the bylaw, but is similar in character and purpose to another use that is permitted or discretionary in the land use district in which such use is proposed.

Single-Detached Dwelling means a building on a lot containing one dwelling unit only, which is not attached to any other building and which is not a Manufactured or Modular Home.

Site Coverage means the combined area of all buildings or structures on a site expressed as a percentage of the total area of the lot. It includes accessory buildings, decks and balconies and other structures that have a height of 0.6 metres or more above the grade but excludes eaves, cornices and other similar projections that have a clearance greater than 2.4 metres above grade.

Site Depth means the mean horizontal distance between the front and rear boundaries of the site as measured from property line to property line.

Site Plan means a plan drawn to scale showing the boundaries of the site, the location of all existing and proposed buildings upon that site, and the use or the intended use of the portions of the site on which no buildings are situated, and showing fencing, screening, grassed areas, and the location, species and size of all existing and proposed shrubs and trees on site.

Site Servicing Plan means a plan showing the legal description and dimensions of the site, the utilities, site drainage, existing and proposed site grades, the grades of streets and sewer servicing the property, elevations of top of curb or sidewalk and lot corners approved by the City's Engineer.

Site Width means the average horizontal distance between the side boundaries of a site measured at 8 m (26.2 ft.) from the front property line.

Solar Collector Array means a device or combination of devices, structures or parts of a device or structure that transforms direct solar energy into thermal, chemical or electrical energy.

Statutory Plans means an intermunicipal development plan, Municipal Development Plan, Area Structure Plan, or Area Redevelopment Plan adopted pursuant to the *Municipal Government Act*.

Stop Order means an order issued by the Development Authority pursuant to Section 645 of the Act.

Storey means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

Storey, First means the storey with its floor closest to grade.

Storey, Half means the storey immediately under a pitched roof, the top wall plates of which, on at least two possible walls, are less than 1.4 metres above its floor.

Street means a public thoroughfare affording the principal means of access to abutting parcels and includes the sidewalks and the land on each side of and contiguous to the prepared surface of the thoroughfare and owned by the municipality.

Street Furniture means those features associated with a street that are intended to enhance the aesthetic and function of the street such as but not limited to benches and other forms of seating, trash and recycling receptacles, kiosks, lighting, bicycle racks and storage facilities, planters, and other hard and soft landscaping.

Street Scale means elements of a street such as but not limited to the sidewalks and other pedestrian spaces, the thoroughfare including driving and, if present, parking lanes, boulevards, and other features including landscaping, foliage, active modes infrastructure including benches and seating, bicycle parking and storage racks, and any other objects present in the area defined as street.

Subdivision means the division of a parcel by an instrument, and "subdivide" has a corresponding meaning.

Subdivision and Development Appeal Board means the Subdivision and Development Appeal Board established pursuant to the City of Brooks Subdivision and Development Appeal Board Bylaw.

Subdivision Approval means the approval of a subdivision by a subdivision approving authority.

Subdivision Authority means the body established by bylaw to act as the subdivision authority in accordance with section 623 of the *Municipal Government Act*.

T

Temporary means a restricted period of time and in some cases as defined by this bylaw, such a period of time as determined by the Development Authority.

Temporary Accessory Building means an accessory building constructed or located on a property, without any foundation below grade, for a period of time of no more than six (6) consecutive months annually.

Temporary Building means any building, other than a manufactured home constructed or placed on a property without any foundation below grade, or any other building determined by the Development Authority to be temporary as a condition to the issuance of a development permit.

Temporary Structure means a structure without any foundation or footings and which is removed when the designated time period, activity or use for which the temporary structure was erected and ceased.

Temporary Use means a use intended for limited duration in a land use zone.

Transparency means the number and/or size and placement of windows and doors facing private and public outdoor spaces such as but not limited to parking lots, patios, pedestrian and cyclist linkages, and streets.

Truck and Car Wash means a facility for the washing, cleaning, or polishing of vehicles including both passenger automobiles and commercial vehicles on a fee basis. This use does not include Service Stations, Bulk Fuel Stations, Auto and Equipment Paint Shop or Auto and Equipment Rental and Sales, or Repair Shop which are separate uses in this bylaw.

U

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

Utility means any one or more of the following:

(a) systems for the distribution of gas, whether artificial or natural;

(b) waterworks systems (facilities for the storage, transmission, treatment, distribution or supply of water);

(c) sewage systems (facilities for the collection, treatment, movement or disposal of sanitary sewage);

(d) storm sewage drainage facilities;

(e) telecommunications systems;

(f) systems for the distribution of artificial light or electric power;

(g) facilities used for the storage of telephone, cable, remote weather stations or internet infrastructure; and

(h) anything else prescribed by the Lieutenant Governor in Council by regulation;

but does not include those systems or facilities referred to in subclause (a) through (g) that are exempted by the Lieutenant Governor in Council by regulation.

V

Vacant Lot means – see Lot, Vacant

Variance means the relaxation of a measurable standard of this bylaw.

Veterinary Clinic means a facility for the medical treatment of small or large animals and includes provision for their overnight accommodation within the building only. This use may include associated office space, or the retail sale of related goods, as an accessory use.

W

Waiver means – see Variance

Warehouse means a building used for the storage of materials, goods, equipment, or merchandise. The building may include administrative offices, loading areas, parking areas, and storage rooms, but does not include a building or area where the principal use is the sale of goods. This use may include outdoor storage as an accessory use. This use does not include Salvage Yards, or Light or Heavy Manufacturing, which are separate uses in this bylaw.

Wind Energy Conversion System (WECS) means a development that generates electricity from a wind turbine, either building or tower mounted, including associated control and conversion electronics and tower guy wires, some of which may have a limited generation capacity to be used primarily for the applicants own use, and some of which may have significant generation capacity and may be associated with commercial power generation. See Renewable Energies.

X

Xeriscaping means landscaping and gardening in ways that reduce or eliminate the need for supplemental water from irrigation and includes plants whose natural requirements are appropriate to the local climate.

Y

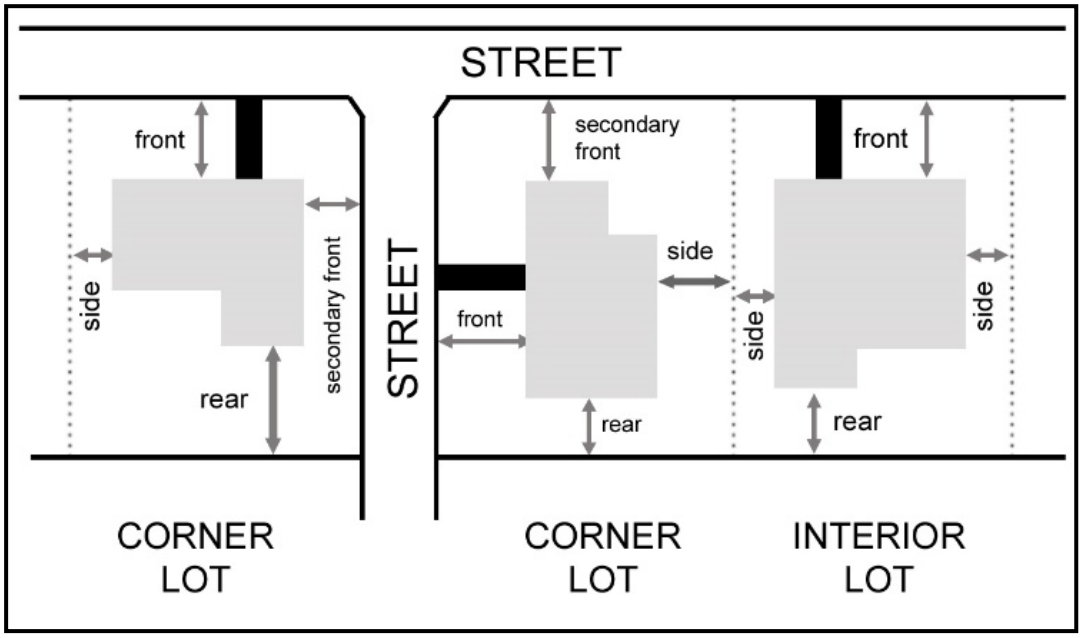
Yard means the area between a lot line and the nearest part of any building, structure, development, excavation or use on the lot. *May be referred to as 'setback'.*

Yard, Flankage means the side yard of a corner lot which side yard extends from the front yard to the rear yard between the flankage lot line and the nearest main wall of the main building or structure.

Yard, Front means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal buildings.

Yard, Rear means a yard extending across the full width of a lot and situated between the rear lot lines and the nearest portion of the principal building.

Yard, Side means a yard extending from the front yard to the rear yard and situated between the side lot lines and the nearest portion of the principal building.



APPENDICES

APPENDIX A: FORMS

CITY OF BROOKS
RESIDENTIAL
DEVELOPMENT PERMIT APPLICATION

Date of Application: _____

Estimated Start Date: _____

Estimated Value of Construction: _____

Development Permit Application No.	
Date Application Deemed Complete:	
Development Application Fee:	

***IMPORTANT NOTICE**: This application **does not** permit you to commence construction until such time as a permit has been issued by the Development Authority. If approval has not been received within 40 days of the date the application is deemed complete, you have the right to file an appeal to the Subdivision and Development Appeal Board.*

THIS DOES NOT CONSTITUTE A BUILDING PERMIT.
A SEPARATE BUILDING PERMIT MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS.

APPLICANT INFORMATION

Name of Applicant (please print): _____

Mailing Address: _____

_____

City/Town: _____

Postal Code: _____

Phone (primary): _____

Phone (alternate): _____

Fax: _____

Email: _____

❑ Check this box if you would like to receive documents through email.

Is the applicant the owner of the property? ❑ Yes ❑ No

IF "NO" please complete box below

Name of Owner: _____

Mailing Address: _____

_____

City/Town: _____

Postal Code: _____

Phone: _____

Applicant's interest in the property:

- ☐ Agent
- ☐ Contractor
- ☐ Tenant
- ☐ Other _____

PROPERTY INFORMATION

Municipal Address: _____

Legal Description: Lot(s) _____ Block _____ Plan _____

Land Use District: _____

What is the existing use(s)? _____

DEVELOPMENT INFORMATION

This application is to: (Check all that apply)

- ❑ Construct a new dwelling
  - The dwelling is a:
    - ❑ Single-unit dwelling
    - ❑ 2-unit dwelling
    - ❑ Multi-unit – please specify the number of dwelling units _____
    - ❑ Other _____
- ❑ Alter/renovate the existing building
  - The renovation is a(n):
    - ❑ Addition
    - ❑ Deck(s)
    - ❑ Other _____
- ❑ Construct an accessory building / structure
  - The accessory building is a:
    - ❑ Garage (detached)
    - ❑ Shed/workshop
    - ❑ Other _____
- ❑ Moved-in dwelling
- ❑ Manufactured home (move-in or move-out)
- ❑ Demolish existing building (attach completed ***Demolition Form***)
- ❑ Other

Describe the proposed use, any changes from existing use, and any work to be done (attach separate sheet if necessary)**.**

_____

_____

_____

BUILDING REQUIREMENTS

	Principal Building	**Accessory Building**	*Office Use*
Parcel Size	❑ m^2 ❑ ft^2	❑ m^2 ❑ ft^2	
Building Size	❑ m^2 ❑ ft^2	❑ m^2 ❑ ft^2	
Height of Building	❑ m ❑ ft.	❑ m ❑ ft.	
Proposed Setbacks from Property Lines			
Front	❑ m ❑ ft	❑ m ❑ ft	
Rear	❑ m ❑ ft	❑ m ❑ ft	
Side	❑ m ❑ ft	❑ m ❑ ft	
Side	❑ m ❑ ft	❑ m ❑ ft	
Parcel Type: ❑ Interior Lot ❑ Corner Lot			

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

_____ _____

APPLICANT Registered Owner (if not the same as applicant)

CITY OF BROOKS
RESIDENTIAL DEVELOPMENT PERMIT APPLICATION

DEVELOPMENT APPLICATION SUBMISSION REQUIREMENTS

The following items shall be attached to all Development Permit Applications for new buildings or exterior changes to existing buildings. This is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

- ❑ **Copy of Site Plan.** Site plan shall provide the following information:
  (May be provided on a survey plan or sketch)
  - ❑ Legal description and municipal address of subject property
  - ❑ Scale and north arrow
  - ❑ Adjacent roadways and lanes
  - ❑ Lot dimensions, lot area, and percentage of lot coverage for all structures
  - ❑ Existing residence and/or any other buildings with dimensions of foundation and projections including decks
  - ❑ Proposed residence and/or any other buildings with dimensions of foundation and projections including decks
  - ❑ The proposed distances from the foundation of the building to the front, side, and rear property lines
  - ❑ Location of lot access, existing sidewalk(s) and curbs
  - ❑ Location of any registered utility right of ways or easements
  - ❑ Location and number of off-street parking spaces

- ❑ **Copy of Building Plans.** Plans shall be to scale and contain the following information:
  - ❑ Scale and dimensions of exterior walls and interior rooms
  - ❑ Floor plan of all living space proposed to be developed
  - ❑ Building elevations including front, sides, and rear elevations, building height (from finished grade), roofing material, and roof pitch

- ❑ **If applicant is not the registered owner**, a written statement (or this application) signed by the registered owner consenting to this application.

- ❑ **Application fee payable to the City of Brooks.**

TERMS:

1. Subject to the provisions of the Land Use Bylaw of the City of Brooks, the term "Development" includes the making of any change in the use of buildings or land.
2. Although the Designated Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a Development Permit is received, is at his own risk.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in duplicate with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared. In accordance with Schedule 3, Section 8, a grade plan may required for development in all zoning districts.

4. If a decision is not made within 40 days from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may approve in writing, the application shall be deemed to be refused and the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period.
5. Construction undertaken subsequent to approval of this Development Permit application may be regulated by the provincial building requirements.
6. Any development carried out prior to the effective date of the appropriate Development Permit is done solely at the risk of the applicant and/or landowner.

ADDITIONAL INFORMATION:

In addition to the above requirements, the Designated Officer may also require:

1. Proof of ownership or right to the land in question and may require a current Real Property Report as proof of location of development on said land.
2. Landscape information and/or plans where landscaping is required by the Land Use Bylaw.
3. Additional plans and information may be required and requested due to the nature and magnitude of a proposed development of use.
4. Development drawings that include foundation and floor plans showing all occupancies and uses, elevations, cross sections, height by metres and the number of storeys.

Please note: Review of a Development proposal may be delayed if the form and/or additional information provided is incomplete.

CITY OF BROOKS
NON-RESIDENTIAL
DEVELOPMENT PERMIT APPLICATION

Date of Application: _____

Estimated Start Date: _____

Estimated Value of Construction: _____

Development Permit Application No.	
Date Application Deemed Complete:	
Development Application Fee:	

***IMPORTANT NOTICE**: This application **does not** permit you to commence construction until such time as a notice of decision has been issued by the Development Authority. If a decision has not been received within 40 days of the date of application and no extension agreement has been entered into, you have the right to deem the application refused and file an appeal to the Subdivision and Development Appeal Board.*

THIS DOES NOT CONSTITUTE A BUILDING PERMIT.
A SEPARATE BUILDING PERMIT MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS.

APPLICANT INFORMATION

Name of Applicant: _____

Mailing Address: _____

_____

City/Town: _____

Postal Code: _____

Phone: _____

Phone (alternate): _____

Fax: _____

Email: _____

❑ Check this box if you would like to receive documents through email.

Is the applicant the owner of the property? ❑ Yes ❑ No

IF "NO" please complete box below

Name of Owner: _____

Mailing Address: _____

_____

City/Town: _____

Postal Code: _____

Phone: _____

Applicant's interest in the property:

- ☐ Agent
- ☐ Contractor
- ☐ Tenant
- ☐ Other _____

PROPERTY INFORMATION

Municipal Address of Development: _____

Legal Description: Lot(s) _____ Block _____ Plan _____

Land Use District: _____

What is the existing use? _____

DEVELOPMENT INFORMATION

This application is to: (Check all that apply)

- ❑ Construct a new building
  - The building is for:
    - ❑ Commercial Use
    - ❑ Industrial Use
    - ❑ Public/Institutional Use
    - ❑ Other, specify _____
- ❑ Alter/renovate the existing building
- ❑ Construct an accessory building
- ❑ Demolish existing building (attach completed ***Demolition Form***)
- ❑ Change or intensification of use (e.g. new type of business in existing building)

Describe the proposed use, any changes from existing use, and any work to be done (attach separate sheet if necessary)**.**

_____

_____

_____

_____

_____

_____

BUILDING REQUIREMENTS

	Principal Building	Accessory Building	*Office Use*
Parcel Size	❑ m^2 ❑ ft^2	❑ m^2 ❑ ft^2	
Building Size	❑ m^2 ❑ ft^2	❑ m^2 ❑ ft^2	
Height of Building	❑ m ❑ ft	❑ m ❑ ft	
Proposed Setbacks From Property Lines			
Front	❑ m ❑ ft	❑ m ❑ ft	
Rear	❑ m ❑ ft	❑ m ❑ ft	
Side	❑ m ❑ ft	❑ m ❑ ft	
Side	❑ m ❑ ft	❑ m ❑ ft	
Parcel Type: ❑ Interior Lot ❑ Corner Lot			

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

_____ _____

APPLICANT Registered Owner (if not the same as applicant)

CITY OF BROOKS
NON-RESIDENTIAL DEVELOPMENT PERMIT APPLICATION

DEVELOPMENT APPLICATION SUBMISSION REQUIREMENTS

The following items shall be attached to all Development Permit Applications for new buildings or exterior changes to existing buildings. This is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

- ☐ **Copy of Site Plan.** Site plan shall provide the following information:
  (May be provided on a survey plan or sketch)
  - ☐ Legal description and municipal address of subject property
  - ☐ Scale, north arrow and land use district
  - ☐ Adjacent roadways and lanes
  - ☐ Lot dimensions, lot area, and percentage of lot coverage for all structures
  - ☐ Any buildings with dimensions of foundation and projections
  - ☐ The proposed distance from the front, side, and rear property lines
  - ☐ Location of lot access, existing sidewalk(s) and curbs
  - ☐ Number and location of parking spaces, both on and off-street
  - ☐ Location of any registered utility right of ways and easements
  - ☐ Landscaping plan
  - ☐ Lighting plan
  - ☐ Location of fire hydrant, street light, power/telephone/cable pedestal(s) (if located within property frontage)

- ☐ **Copy of Building Plans.** Plans shall be to scale and contain the following information:
  - ☐ Scale and dimensions of exterior walls and interior rooms
  - ☐ Floor plan of the space proposed to be developed
  - ☐ Building elevations including front, sides, and rear elevations, building height (from finished grade), roofing material, and roof pitch

- ☐ **If applicant is not the registered owner**, a written statement (or this application) signed by the registered owner consenting to this application.

- ☐ **Application fee payable to the City of Brooks.**

TERMS:

1. Subject to the provisions of the Land Use Bylaw of the City of Brooks, the term "Development" includes the making of any change in the use of buildings or land.
2. Although the Designated Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a Development Permit is received, is at his own risk.

3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in duplicate with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared. In accordance with Schedule 3, Section 8, a grade plan may be required for development in all zoning districts.
4. If a decision is not made within 40 days from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may approve in writing, the application shall be deemed to be refused and the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period.
5. Construction undertaken subsequent to approval of this Development Permit application may be regulated by the provincial building requirements.
6. Any development carried out prior to the effective date of the appropriate Development Permit is done solely at the risk of the applicant and/or landowner.

ADDITIONAL INFORMATION:

In addition to the above requirements, the Designated Officer may also require:

1. Proof of ownership or right to the land in question and may require a current Real Property Report as proof of location of development on said land.
2. Landscape information and/or plans where landscaping is required by the Land Use Bylaw.
3. Additional plans and information may be required and requested due to the nature and magnitude of a proposed development of use.
4. Development drawings that include foundation and floor plans showing all occupancies and uses, elevations, cross sections, height by metres and the number of storeys.

Please note: Review of a Development proposal may be delayed if the form and/or additional information provided is incomplete.

CITY OF BROOKS
HOME OCCUPATION
DEVELOPMENT PERMIT APPLICATION

Development Permit Application No.	

Date of Application: _____

Date Deemed Complete: _____

***IMPORTANT NOTICE**: This application **does not** permit you to operate the business until such time as a notice of decision has been issued by the Development Authority. If a decision has not been received within 40 days of the date of application and no extension agreement has been entered into, you have the right to deem the application refused and file an appeal to the Subdivision and Development Appeal Board.*

APPLICANT INFORMATION

Name of Applicant: _____

Mailing Address: _____

_____

City/Town: _____

Postal Code: _____

Phone: _____

Phone (alternate): _____

Fax: _____

Email: _____

❑ Check this box if you would like to receive documents through email.

Is the applicant the owner of the property? ❑ Yes ❑ No

IF "NO" please complete box below

Name of Owner: _____

Mailing Address: _____

_____

City/Town: _____

Postal Code: _____

Phone: _____

Applicant's interest in the property:

- ☐ Agent
- ☐ Contractor
- ☐ Tenant
- ☐ Other _____

PROPERTY INFORMATION

Municipal Address of Home Occupation: _____

Legal Description: Lot(s) _____ Block _____ Plan _____

BUSINESS DESCRIPTION

(1) Describe the primary function of your business. What goods and/or services are provided? Attach an additional sheet describing the business.

(2) Is there another home occupation already operating out of the residence? ❑ Yes ❑ No

(3) Where will the business operate from? ❑ In-home ❑ Accessory building

(4) How will you interact or do business with your clients or customers?

❑ **In person.** Clients/customers will come to the residence. On average, how many clients will come to the residence?

❑ Less than 1 per day ❑ 3-5 per day ❑ 5 or more per day

❑ **Remotely.** Clients/customers will not be coming to the residence but will only be in contact by:

❑ Phone ❑ Fax ❑ Mail ❑ Courier ❑ Internet/Email

(5) How many on-site parking spaces for any client visits, deliveries, etc. will be available? _____

(6) What will the days of operation be? ❑ Mon-Fri ❑ Weekends ❑ 7 days/wk ❑ Part-time

(7) What will be the hours of operation? _____

(8) Will there be any employees that are not residents of the dwelling? ❑ Yes ❑ No

If YES:

How many employees will come to the residence? _____

Will more than 1 employee come to the residence at a time? ❑ Yes ❑ No

(9) Will there be any equipment or materials stored outside the dwelling that will be used in conjunction with the business?

❑ Yes (list materials & quantities) _____

❑ No

(10) Will any vehicles/machinery/tools be used to operate the business? Please list.

_____

(11) Will there be any flammable or hazardous materials on the premises as a result of the business?

❑ Yes (list materials & quantities) _____

❑ No

(12) Will any goods be displayed at the residence? ❑ Yes ❑ No

(13) Will there be a sign for the business? ❑ Yes ❑ No

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Home Occupation. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

_____ _____

APPLICANT Registered Owner (if not the same as applicant)

TERMS:

1. Subject to the provisions of the Land Use Bylaw of the City of Brooks, the term "Development" includes the making of any change in the use of buildings or land.
2. Although the Designated Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a Development Permit is received, is at his own risk.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in duplicate with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared. In accordance with Schedule 3, Section 8 a grade plan is required for development in all zoning districts.
4. If a decision is not made within 40 days from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may approve in writing, the application shall be deemed to be refused and the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period.
5. Construction undertaken subsequent to approval of this Development Permit application may be regulated by the provincial building requirements.
6. Any development carried out prior to the effective date of the appropriate Development Permit is done solely at the risk of the applicant and/or landowner.

ADDITIONAL INFORMATION:

In addition to the above requirements, the Designated Officer may also require:

1. Proof of ownership or right to the land in question and may require a current Real Property Report as proof of location of development on said land.
2. Landscape information and/or plans where landscaping is required by the Land Use Bylaw.
3. Additional plans and information may be required and requested due to the nature and magnitude of a proposed development of use.
4. Development drawings that include foundation and floor plans showing all occupancies and uses, elevations, cross sections, height by metres and the number of storeys.

Please note: Review of a Development proposal may be delayed if the form and/or additional information provided is incomplete.

CITY OF BROOKS
SIGN APPLICATION
DEVELOPMENT PERMIT

Sign Permit Application No.	

Date of Application: _____

Date Deemed Complete: _____

***IMPORTANT NOTICE**: This application **does not** permit you to install the sign until such time as a notice of decision has been issued by the Development Authority. If a decision has not been received within 40 days of the date of application and no extension agreement has been entered into, you have the right to deem the application refused and file an appeal to the Subdivision and Development Appeal Board.*

APPLICANT INFORMATION

Name of Applicant: _____

Mailing Address: _____

_____

City/Town: _____

Postal Code: _____

Phone: _____

Phone (alternate): _____

Fax: _____

Email: _____

❑ Check this box if you would like to receive documents through email.

Is the applicant the owner of the property? ❑ Yes ❑ No

IF "NO" please complete box below

Name of Owner: _____

Mailing Address: _____

_____

City/Town: _____

Postal Code: _____

Phone: _____

Applicant's interest in the property:

- ☐ Agent
- ☐ Contractor
- ☐ Tenant
- ☐ Other _____

SIGN INFORMATION

TYPE OF WORK: ❑ New Permanent Sign ❑ Changes to Existing Sign ❑ Temporary Sign

Sign Location (Civic Address): _____

Are there any other signs at this location? ❑ Yes ❑ No

If yes, please state how many:

_____

SIGN TYPE*:	**PROJECTION STYLE:** *Mark any or all that apply*	**ILLUMINATION:** *Mark any or all that apply*
☐ Portable ☐ Temporary ☐ Canopy ☐ Window ☐ Freestanding ☐ Fascia ☐ Billboard ☐ Mural ☐ Projecting ☐ Under Canopy ☐ Roof ☐ Other *see Land Use Bylaw for definitions	☐ Lettering / logo ☐ Manual changeable lettering content ☐ Electronic changeable lettering content ☐ Animation ☐ Movement / rotation	☐ No illumination ☐ Direct illumination ☐ Internal illumination ☐ Flashing

		Office Use
Length of Sign:	❑ m^2 ❑ ft^2	
Height of Sign:	❑ m^2 ❑ ft^2	
Sign Face Area (length x height):	❑ m ❑ ft	
Top of Sign Height:		
from Grade:	❑ m ❑ ft	
from Roof:	❑ m ❑ ft	

If the sign is only for **temporary** use:

For how many days is the sign proposed to be displayed? _____ days

SITE PLAN

**Please attach a plan drawn to a suitable scale and photographs, if available, illustrating:

- ☐ Location of all existing and proposed sign(s) on the property
- ☐ Size, height, and other dimensions of the proposed sign(s), including any supporting structures
- ☐ Details of sign content (wording, lettering, graphics, colour and design scheme, materials, etc.)
- ☐ Location of the property boundaries of the parcel upon which the proposed sign(s) are to be located
- ☐ Setbacks from property lines of proposed sign(s) and existing building(s)

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Sign.

APPLICANT

Registered Owner (if not the same as applicant)

TERMS:

1. Subject to the provisions of the Land Use Bylaw of the City of Brooks, the term "Development" includes the making of any change in the use of buildings or land.
2. Although the Designated Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to the decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a Development Permit is received, is at his own risk.
3. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in duplicate with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
4. If a decision is not made within 40 days from the date of the receipt of the application in its complete and final form, or within such longer period as the applicant may approve in writing, the application shall be deemed to be refused and the applicant may exercise his right of appeal as though he had been mailed a refusal at the end of the 40-day period.
5. Construction undertaken subsequent to approval of this Development Permit application may be regulated by the provincial building requirements.
6. Any development carried out prior to the effective date of the appropriate Development Permit is done solely at the risk of the applicant and/or landowner.

ADDITIONAL INFORMATION:

In addition to the above requirements, the Designated Officer may also require:

1. Proof of ownership or right to the land in question and may require a current Real Property Report as proof of location of development on said land.
2. Landscape information and/or plans where landscaping is required by the Land Use Bylaw.
3. Additional plans and information may be required and requested due to the nature and magnitude of a proposed development of use.
4. Development drawings that include foundation and floor plans showing all occupancies and uses, elevations, cross sections, height by metres and the number of storeys.

Please note: Review of a Development proposal may be delayed if the form and/or additional information provided is incomplete.

CITY OF BROOKS
TELECOMMUNICATION SITING PROTOCOL APPLICATION & CHECKLIST

Date of Application: _____

APPLICANT INFORMATION

Name of Applicant (please print): _____

Mailing Address: _____

_____

City/Town: _____

Postal Code: _____

Phone (primary): _____

Phone (alternate): _____

Fax: _____

Email: _____

❑ Check this box if you would like to receive documents through email.

Is the applicant the owner of the property? ❑ Yes ❑ No

IF "NO" please complete box below

Name of Owner: _____

Mailing Address: _____

_____

City/Town: _____

Postal Code: _____

Phone: _____

Applicant's interest in the property:

- ☐ Agent
- ☐ Contractor
- ☐ Tenant
- ☐ Other _____

PROPERTY INFORMATION

Municipal Address: _____

Legal Description: Lot(s) _____ Block _____ Plan _____

Land Use District: _____

What is the existing use? _____

DETAILS OF THE PROPOSED DEVELOPMENT

What currently exists on the parcel?

_____

_____

_____

What will the tower be used for?

_____

_____

_____

TOWER SIZE

Overall tower height _____ ❑ m ❑ ft Commencement Date: _____

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

_____ _____

APPLICANT Registered Owner (if not the same as applicant)

CITY OF BROOKS
TELECOMMUNICATION SITING
PROTOCOL APPLICATION & CHECKLIST

TELECOMMUNICATION SITING PROTOCOL CHECKLIST

A COMPLETED APPLICATION REQUIRES:

1. A completed checklist
2. Non-refundable application fee
3. Signature of ALL landowners
4. Any additional information requested by the Development Authority

CHECKLIST INFORMATION:

- Failure to complete the Application or supply the required information, plans or fees may cause delays in application processing.
- The Development Authority may refuse to accept your application if the required information has not been supplied or if the quality of the information is inadequate to properly evaluate the application.
- Once the information has been reviewed, the Municipal Planning Commission will either:
    - Issue a municipal concurrence letter to the applicant, or
    - Issue a letter which outlines the municipality's concerns and/or conditions to the applicant and Industry Canada
- Construction permits may be required for buildings/tower foundations, plumbing, private sewage systems, and gas or electrical installations.

FEES		
Copying and distribution of required notification letters	$1.50/letter	Payment required for distribution of letters will be the application fee
Distribution of required notification letters	$1.00/letter	
If the applicant can prove that notification to all required adjacent landowners has been done, then no fee is required.		
For fees not listed here, please see City of Brooks Fee Schedule		

CHECKLIST

Please attach a description of the project summarizing the information required in the following table.

REQUIREMENT	IS THIS REQUIRED? YES OR NO	SUBMITTED? YES, NO OR N/A
Co-utilization: Are there any other such structures within a radius of 500 m (1640 ft.) of the proposed location?		
If YES, please provide a site plan showing the locations of these and provide documentary evidence that co-utilization of the existing structure(s) is not a viable alternative to a second structure.		
Stealth Structure Options/Screening: If this structure will be visible from residential areas stealth structure options must be used and a description of the stealth structure options must be submitted to the satisfaction of the City.		
Lighting and Signage: Is there additional lighting planned in addition to what is required by federal agencies? Please provide a description of all lighting, required or not required.		
What signage will be used? Please describe. No advertising signage shall be permitted.		
Notification & Public Consultation Process: All landowners within a distance of 500 m (1640 ft.) from the proposed structure must be notified. Please provide a letter that the City can circulate on your behalf.		
The fee for copying and distributing these letters is $1.50/letter. _____ x $1.50/letter = _____ total The fee for only distributing these letters is $1.00/letter. _____ x $1.00/letter = _____ total **Note:** City of Brooks reserves the right to charge an administrative fee in accordance with standard City fees for any time associated with copying and distribution of letters.		

CITY OF BROOKS
DEMOLITION FORM

Application No.	

Date of Application: _____

Date Deemed Complete: _____

APPLICANT INFORMATION

Name of Applicant: _____

Mailing Address: _____ **Phone:** _____

_____ **Phone (alternate):** _____

City/Town: _____ **Fax:** _____

Postal Code: _____ **Email:** _____

❑ Check this box if you would like to receive documents through email.

PROPERTY INFORMATION

Municipal Address of Development: _____

Legal Description: Lot(s) _____ Block _____ Plan _____

Land Use District: _____

What is the existing use? _____

DEMOLITION/REMOVAL INFORMATION

A development permit is required to demolish or remove a building or structure from a site. The demolition/removal permit process ensures that buildings are dismantled and removed in a safe manner and that the land will be left in a suitable state after removal. The following is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

STRUCTURES TO BE REMOVED

Description of Building/Structure(s) _____

_____

Type of Work ❑ Removal to another site (no demolition) ❑ Demolition of building/structure

Building Size _____ ❑ m^2 ❑ ft^2

Height of Building _____ ❑ m ❑ ft # of storeys _____

DEMOLITION PLAN

Timeframe — Expected start date: _____ Expected completion date: _____

Method of Demolition
- ❑ Manual (no heavy equipment)
- ❑ Using heavy equipment
- ❑ Other – please explain _____

Dump Site Location _____

Note: Construction debris should be dumped in an approved certified site whenever possible. If that is not possible, approval must be obtained from Alberta Environment.

Name of Contractor responsible for removal/demolition _____

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

_____ _____

APPLICANT | Registered Owner (if not the same as applicant)

APPLICANT IS RESPONSIBLE FOR:

- ❑ **Disconnection of all services** including (if applicable):
  - ❑ Electrical power
  - ❑ Natural gas
  - ❑ Oil lines
  - ❑ Telephone cables
  - ❑ Communications cables (includes cable TV)
  - ❑ Water lines
  - ❑ Storm & sanitary sewer
  - ❑ Septic
- ❑ **Final plan for property after building removed or demolished and reclamation complete.** As applicable:
  - ❑ **Copy of grading plans** if property will be vacant after removal or demolition
  - ❑ **Complete development application for new development** where building is being replaced
- ❑ **A completed Development Application**. This form shall accompany a complete development application with the consent of the registered owner and any other required documentation.
- ❑ **Application Fee and any applicable deposit or security required payable to the City of Brooks.**

****NOTE:** A building permit is also required before proceeding with demolition.

CITY OF BROOKS
MANUFACTURED HOME
Application Form / Vacating Notice

OWNER INFORMATION

Owner # 1: _____ _____
LAST NAME FIRST NAME

Date of Birth: _____
MONTH/DAY/YEAR

Email Address: _____ Phone: _____

Owner # 2: _____ _____
LAST NAME FIRST NAME

Date of Birth: _____
MONTH/DAY/YEAR

Email Address: _____ Phone: _____

Street Address: _____ City/Town: _____

Province: _____ Postal Code: _____

Mailing Address: _____ City/Town: _____
(IF DIFFERENT FROM ABOVE)

Province: _____ Postal Code: _____

HOME INFORMATION

Community Name: _____ Site#: _____

Date Moved In: _____ Year Built: _____
MONTH/DAY/YEAR

Date Moved Out: _____ Single or Double: _____
MONTH/DAY/YEAR

Manufacturer: _____ Size (ft): _____ x _____

Serial #: _____ Model #: _____

Alberta Label #: _____ Unit Color: _____

Certified Unit #: _____

Signature of Owners: _____ Date: _____

_____ Date: _____

The information on this form is being collected for the administration and billing of the City of Brooks tax system, under the authority of the Municipal Government Act (MGA) and is protected by the Freedom of Information and Protection of Privacy Act FOIP).

OFFICE USE ONLY:

Permit Number: _____ Tax Roll Number: _____

Addition Size: _____

Notes: _____

CITY OF BROOKS
APPLICATION FOR A LAND USE BYLAW AMENDMENT

Bylaw No.	

Date of Application: _____

Date Deemed Complete: _____

IMPORTANT NOTE: Although the Designated Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent.

A refusal is **not** appealable and a subsequent application for amendment involving the same lot and/or the same or similar use may not be made for at least 6 months after the date of refusal.

APPLICANT INFORMATION

Name of Applicant: _____

Mailing Address: _____

_____

City: _____

Postal Code: _____

Phone: _____

Phone (alternate): _____

Fax: _____

Email: _____

❑ Check this box if you would like to receive documents through email

Is the applicant the owner of the property? ❑ Yes ❑ No

IF "NO" please complete box below

Name of Owner: _____

Mailing Address: _____

_____

City: _____

Postal Code: _____

Phone: _____

Applicant's interest in the property:

- ☐ Agent
- ☐ Contractor
- ☐ Tenant
- ☐ Other _____

PROPERTY INFORMATION

Municipal Address: _____

Legal Description: Lot(s) _____ Block _____ Plan _____

OR Quarter _____ Section _____ Township _____ Range _____

AMENDMENT INFORMATION

What is the proposed amendment? ❑ Text Amendment ❑ Land Use Redesignation

IF TEXT AMENDMENT:

For text amendments to the *Land Use Bylaw*, attach a description including:

- the section to be amended;
- the change(s) to the text; and
- reasons for the change(s).

IF LAND USE REDESIGNATION:

Current Land Use Designation: _____

Proposed Land Use Designation (if applicable): _____

❑ **Map Attached**

Please attach a descriptive narrative detailing:

- the proposed designation and future land use(s);
- if and how the proposed redesignation is consistent with applicable statutory plans;
- the compatibility of the proposal with surrounding uses and zoning;
- the development suitability or potential of the site, including identification of any constraints and/or hazard areas (e.g. easements, soil conditions, topography, drainage, etc.);
- availability of facilities and services (sewage disposal, domestic water, gas, electricity, fire and police protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development; and
- any potential impacts on public roads.

In addition to the descriptive narrative, an Area Structure Plan or Conceptual Design Scheme may be required in conjunction with this application where deemed appropriate by Council.

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

_____ _____

APPLICANT Registered Owner (if not the same as applicant)

TERMS:

1. Although the Designated Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent, and is without prejudice to any decision in connection with the formal application. It must be clearly understood that any action taken by the applicant before a Development Permit is received, is their own risk.
2. Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in **duplicate** with this application, together with a plan sufficient to identify the land. Plans and drawings should be on a scale appropriate to the Development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared.
3. Pursuant to the Municipal Development Plan, an Area Structure Plan may be required by Council before a decision is made.
4. The designated Officer may request additional diagrams, reports or other information to be provided by the applicant in order to assist in evaluating the application.

APPENDICES

APPENDIX B: FEES

Planning and Permitting Application Fee Schedule (effective January 1 2026)		
Residential Development Permits		
New Single Family Dwelling		$150
New Multi Unit Dwelling (duplex/townhouse/ apartment)		$150 for the first unit plus $100 for each additional unit to a maximum of four (4)
Accessory Building/Structure over 10m^2		$150
Additions/Secondary Suites		$100
Home Occupation 2		$100
Home Occupation 3		$200
Demolition Permit		$150
Discretionary Uses (includes variances)	in addition to any other fee	$200
Minor Variance for permitted uses (includes all)	in addition to any other fee	$75
Major Variance for permitted uses (includes all)	in addition to any other fee	$200
Non-Residential Development Permits		
New Construction/Additions	< 5,000 sqft (gfa)	$250
	5,001 - 20,000 sqft	$350
	20,001 - 50,000 sqft	$550
	> 50,000 sqft	$1,000
Intensification of Use		$250
Shipping Container		$100
Demolition Permit		$150
Discretionary Uses (including variances)	in addition to any other fee	$200
Minor Variance for permitted uses (includes all)	in addition to any other fee	$75
Major Variance for permitted uses (includes all)	in addition to any other fee	$200
Change in Use		$100
New Use		$100
Sign Permits		$80
Planning Applications		
LUB Amendment		$800
Outline Plan Adoption		$1,000
ASP Amendment		$800
ASP Adoption		$1,500
MDP/IMDP Amendment		$800
SDAB Appeal		$150 (if appellant is successful, fee is refunded)
Subdivision Application		$800 plus $400 per new lot
Subdivision Time Extension (1st Request)		$375
Subdivision Time Extension (2nd Request)		$475
Subdivision Time Extension (3rd Request)		$575
Subdivision Endorsement		$250 per lot
Recirculation Fee		$400
Condominium Application		$40 per unit
Records Searches		
Land Title Search		$25
Certificate of Compliance		$75
Records Search		$125
Miscellaneous Building, Gas, Electrical Fees		
Request for Extension	6 months	$0
	Additional 6 months	10% of permit fee, minimum $125
Alternative Solutions / Variances		$150/hour, minimum 2 hour charge
Additional Work Found During Inspection		$75
Changes to Drawings or Design After Permit Issuance		$150

Residential Building Permits		
Minimum Fee		$225
New Construction		$7.00 per $1000 of Project Value
Additions		$7.00 per $1000 of Project Value
Accessory Structures		$7.00 per $1000 of Project Value
Structural Alterations/Basement Development/Decks/Secondary Suites		$7.00 per $1000 of Project Value
Wood Burning Stove/Fire Place		$225
Hot Tub/Swimming Pool		$225
Alternate Energy Permits		$225
Demolition Permit		$225
Additional Inspection Requested or Re-Inspection Required		$125
Safety Code Council Levy	4% of building permit fee up to a maximum of $560	
Non-Residential Building Permits		
Minimum Fee		$300
New Construction/Additions/Structural Alterations		$7.00 per $1000 of Project Value
Shipping Container		$300
Change in Classification/Occupancy	in addition to any other fee	$260
Demolition Permit		$300
Alternate Energy Permits		$7.00 per $1000 of Project Value
Fire Supression/Sprinkler System/HVAC Installation		$7.00 per $1000 of Project Value
Additional Inspection Requested or Re-Inspection Required		$125
Safety Code Council Levy	4% of building permit fee to a maximum of $560	
Electrical Permits New Single Family Dwellings, Additions, Residential Connections		
	Up to 1000 sqft	$225
	1001-1200 sqft	$250
	1201-1500 sqft	$275
	1501-2000 sqft	$300
	2001-2500 sqft	$325
	Over 2500 sqft	$325 plus $0.10 per sqft
Temporary Power/ Underground Service		$225
Permanent Service Connection		$225
Alternate Energy (Solar, Wind)		$225
Additional Inspection Requested or Re-Inspection Required		$125
Safety Code Council Levy	4% of electrical permit fee up to a maximum of $560	
Electrical Permits Other than Single Family Dwellings, Additions and Residential Connections		
	$0.00 - $2,500 Installation Cost	$225
	$2,501 - $5,000 Installation Cost	$250
	$5,001 - $7,500 Installation Cost	$300
	$7,501 - $10,000 Installation Cost	$350
	$10,001 - $20,000 Installation Cost	$475
	$20,001 - $30,000 Installation Cost	$600
	$30,001 - $40,000 Installation Cost	$725
	$40,001 - $50,000 Installation Cost	$875
	$50,001 - $100,000 Installation Cost	$1,100
	$100,001 - $250,000 Installation Cost	$1,300
	$250,001 - $350,000 Installation Cost	$1,650
	$350,001 - $500,000 Installation Cost	$1,900
	$500,001 - $750,000 Installation Cost	$2,500
	$750,001 - $1,000,000 Installation Cost	$3,000
	Greater than $1,000,000	Divide total installation cost by $1,000 and then multiply by 3.000
Annual Electrical Maintenance		$375
Additional Inspection Requested or Re-Inspection Required		$125
Safety Code Council Levy	4% of electrical permit fee up to a maximum of $560	
Plumbing Permits		
Residenital and Non-Residential Installations	Up to 20 fixtures	$225
	Over 20 fixtures	$225 plus $5.00 per fixture
Additional Inspection Requested or Re-Inspection Required		$125
Safety Code Council Levy	4% of plumbing permit fee up to a maximum of $560	
Residential Gas Permits		
Residential Installations	1-5 Outlets	$225
	6-10 Outlets	$250
	11-15 Outlets	$275

	16-20 Outlets	$325
	Over 20 Outlets	$325 plus $10 per outlet over 20
Propane Tank Set	In addition to permit fee for number of outlets	$225
Temporary Heat		$225
Additional Inspection Requested or Re-Inspection Required		$125
Safety Code Council Levy	4% of gas permit fee up to a maximum of $560	
Non-Residential Gas Permits (Mutli-Family, Commercial, Industrial, Institutional)		
New and Replacement Installations	0 - 400,000 BTU	$225
	400,001 - 750,000 BTU	$275
	750,001 - 1,000,000 BTU	$350
	1,000,001 - 2,000,000 BTU	$375
	Over 2,000,000 BTU	$375 plus $7 per 100,000 (or portion of) over 2,000,000 BTU
Propane Tank Set	In addition to permit fee for BTU input	$225
Temporary Heat (Propane Installation)		$250
Propane Cylinder Refill Centre		$250
Additional Inspection Requested or Re-Inspection Required		$125
Safety Code Council Levy	4% of gas permit fee up to a maximum of $560	

Where development commences before a permit is issued, the permit fee is doubled.

APPENDICES

APPENDIX C: BYLAWS

CITY OF BROOKS
BYLAW NO. 26/006

A BYLAW OF THE CITY OF BROOKS IN THE PROVINCE OF ALBERTA TO ESTABLISH A DEVELOPMENT AUTHORITY.

WHEREAS, Section 623(b) of the Municipal Government Act, RSA 2000, Chapter M-26 as amended, requires the municipality to adopt a bylaw to establish a Development Authority;

AND WHEREAS, the Development Authority is authorized to make decisions on development applications in accordance with the administrative procedures, land uses, and schedules established in the Land Use Bylaw.

NOW, THEREFORE the Council of the City of Brooks in the Province of Alberta hereby enacts the following:

1. This Bylaw may be referred to as a "City of Brooks Development Authority Bylaw".

2. DEFINITIONS:

   (a) Act means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.
   (b) Chief Administrative Officer (CAO) means the person appointed to the position in accordance with the Municipal Government Act.
   (c) Council means the Municipal Council of the City of Brooks.
   (d) Designated officer has the same meaning as is defined in the Land Use Bylaw.
   (e) Development Authority means the persons appointed by Council to exercise only such powers and perform duties as are specified in the Act, the Land Use Bylaw or by resolution of Council.
   (f) Municipality means the City of Brooks in the Province of Alberta.
   (g) All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.

3. The Development Authority for the municipality shall be the Designated Persons, being those individuals holding positions as defined by the Land Use Bylaw, and as designated by the CAO.

4. The Development Authority shall exercise the powers and perform the duties assigned under the Land Use Bylaw, statutory plans, the Act, and as otherwise directed by Council.

5. SEVERABLITY
   (a) It is the intention of Council that each separate provision of this bylaw shall be deemed independent of all other provisions herein and it is further the intention of Council that if any provision of this bylaw is declared invalid, that all other provisions hereof shall remain valid and enforceable.

6. That this Bylaw shall take effect upon the final passing thereof.

Read a first time this 26th day of January, 2026.

Read a second time this 23rd day of March, 2026.

Read a third time and finally passed this 23rd day of March, 2026.

Mayor

Chief Administrative Office

CITY OF BROOKS
BYLAW NO. 26/007

A BYLAW OF THE CITY OF BROOKS IN THE PROVINCE OF ALBERTA TO ESTABLISH A SUBDIVISION AUTHORITY.

WHEREAS, Section 623(a) of the *Municipal Government Act*, RSA 2000, Chapter M-26 as amended requires the municipality to adopt a Bylaw to establish a Subdivision Authority;

AND WHEREAS, the Subdivision Authority is authorized to make decisions on applications for subdivision approval in accordance with the provincial land use policies, the South Saskatchewan Regional Plan, the *Municipal Government Act*, the Matters Related to Subdivision and Development Regulation, the City of Brooks Land Use Bylaw and statutory plans.

NOW, THEREFORE the Council of the City of Brooks in the Province of Alberta hereby enacts the following:

1. This Bylaw may be referred to as a "City of Brooks Subdivision Authority Bylaw".

2. DEFINITIONS:

   (a) "Act" means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.

   (b) "Council" means the Municipal Council of the City of Brooks.

   (c) "Chief Administrative Officer (CAO)" means the person appointed to the position in accordance with the Act.

   (d) "Clerk" means the person or persons appointed by Council to act as recording clerk of the Subdivision Authority.

   (e) "Members" means the Members of the Subdivision Authority.

   (f) "Municipality" means the City of Brooks in the Province of Alberta.

   (g) "Subdivision Authority" means the persons appointed by Council to exercise only such powers and perform duties as are specified herein.

   (h) All other terms used in this Bylaw shall have the meaning as is assigned to them in the Act, as amended from time to time.

3. GENERAL RULES

(a) Council may delegate or authorize the CAO to delegate any of its Subdivision Authority powers, duties or function to an authorized person, delegated planning advisor, agency or a regional services commission.

(b) Council shall, at its organizational meeting, appoint all Councillor's, who do not act as a panel member of the Subdivision and Development Appeal Board, as Members of the Subdivision Authority.

(c) The Council shall, by resolution, appoint a Clerk who shall be an employee of the Municipality and shall attend all meetings of the Subdivision Authority, but shall not vote on any matter before the Subdivision Authority.

(d) The Members of the Subdivision Authority shall elect one of themselves as chair, and one of themselves as vice-chair to hold office for a term of one year from the date of election.

(e) The Subdivision Authority shall hold regular meetings (generally 12 times per year) on a date to be determined by the Subdivision Authority, and it may also hold special meetings at any time at the call of the chair.

(f) The Members present at the meeting of the Subdivision Authority shall constitute a quorum.

(g) The decision of the majority of the Members present at a meeting shall be deemed to be the decision of the whole Subdivision Authority.

(h) The Subdivision Authority may make rules to govern its hearings.

(i) The Subdivision Authority, when considering an application for subdivision approval, is not required to hold a hearing.

4. SEVERABLITY

(a) It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is further the intention of Council that if any provision of this Bylaw is declared invalid, that all other provisions hereof shall remain valid and enforceable.

5. That this Bylaw shall take effect upon the final passing thereof.

Read a first time this 26th day of January, 2026.

Read a second time this 23rd day of March, 2026.

Read a third time and finally passed this 23rd day of March, 2026.

Mayor

Chief Administrative Officer