TOWN OF COALHURST

# LAND USE BYLAW 462-25

## JULY 2025

Consolidated to Bylaw 474-26, July 2026



**Prepared by**




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**Prepared for the Town of Coalhurst**

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Town of Coalhurst

**BYLAW NO. 462-25**

**TOWN OF COALHURST IN THE PROVINCE OF ALBERTA**
**"LAND USE BYLAW"**

**BEING** a bylaw of the Town of Coalhurst 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 and provide for its consideration at a public hearing;

**AND WHEREAS** the Council of the Town of Coalhurst has determined the existing Land Use Bylaw is dated and wishes to adopt a new Land Use Bylaw for the purposes of:

- updating and establishing standards and procedures regarding the use and development of land within the municipality;
- further clarification of development standards for uses within the Town;
- establishing new Land Use Districts with respective uses for designation of lands within the town;
- amending the existing Land Use District Map to reflect land use redesignations and new districts; and
- complying with the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended.

**AND WHEREAS** the purpose of proposed Bylaw No. 462-25 is to foster orderly growth and development within the Town;

**AND WHEREAS** a public hearing was conducted in accordance with Section 692 of the Act;

**NOW THEREFORE,** under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council duly assembled does hereby enact the following:

1. This Bylaw may be cited as the Land Use Bylaw.
2. Bylaw No. 354-12, being the former Land Use Bylaw, and any amendments thereto, is hereby rescinded.
3. Bylaw No. 462-25 shall come into force when it receives the THIRD and FINAL reading and is duly signed.

READ a FIRST time this 6th day of May, 2025.

PUBLIC HEARING held this 17th day of June, 2025.

MOVED by Councillor Caldwell that Land Use Bylaw No. 462-25 be amended by removing "Manufacturing and Fabrication" from the permitted uses in the Business Industrial District.

**Motion Carried**

MOVED by Councillor Potrie that Land Use Bylaw No. 462-25 be amended by removing "Light Fabrication Shop" from the permitted uses in the Business Industrial District.

**Motion Carried**

READ a SECOND time this 8th day of July, 2025.

READ a THIRD and final time this 8th day of July, 2025.

Lyndsay Montina
Mayor

Karlene Betteridge
Chief Administrative Officer

# Town of Coalhurst Land Use Bylaw No. 462-25 – Amendments

| Bylaw No. | Amendment Description | Legal Description | Passed |
|---|---|---|---|
| Forms Updated with new Logo and Access to Information Act and Protection of Privacy Act clauses<br>September 18, 2025 | | | |
| 474-26 | Residential – R to Two-Unit Residential – TUR<br>Residential – R to Parks and Recreation – PR<br>Multi-Unit Residential – MUR to Residential – R | Lots 24 & 25, Block 1, Plan 0312247<br>Lot 31, Block 1, Plan 0511607<br>Lot 65, Block 1, Plan 1014702 | 7-Jul-2026 |

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Notice of Appeal

# TOWN OF COALHURST

# LAND USE BYLAW NO. 462-25

# ADMINISTRATION

## GENERAL

### SECTION 1 TITLE

1.1 This bylaw may be cited as the "Town of Coalhurst 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;

(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 notice of the issuance of a development permit is to be given; and

(e) implement the Town of Coalhurst Municipal Development Plan and other statutory plans of the municipality, as 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 Town of Coalhurst Land Use Bylaw No. 354-12 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 COMPLIANCE WITH THE LAND USE BYLAW

6.1 No development, other than those designated in Schedule 3 of this bylaw (Development Not Requiring a Development Permit), shall be undertaken within the Town unless a development application has been approved and a development permit has been issued.

6.2 Notwithstanding Section 6.1, while a development permit may not be required pursuant to Schedule 3, development shall comply with all regulations of 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 *Interpretation Act, Chapter I-8, RSA 2000 as amended,* shall be used in the interpretation of this bylaw. Words have the same meaning whether they are capitalized or not.

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

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

## SECTION 9 MEASURMENTS AND STANDARDS

9.1 All units of measure contained within this bylaw are metric (SI) standards. Imperial measurements and conversions are provided for information only.

## SECTION 10 DEFINITIONS

10.1 Refer to Schedule 10, 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.

11.2 Application forms and notices are included in Appendix A.

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

11.4 In any case, where the required fee is not listed in the fee schedule, such fee shall be determined by the Development Officer or Municipal Subdivision and Development Authority (MSDA) and shall be consistent with those fees listed in the schedule for similar developments.

11.5 If development is commenced without a valid development permit, an additional fee in the amount prescribed under the current fee schedule shall be payable upon application for the development permit.

### SECTION 12 APPENDICES

12.1 Appendix A attached hereto is for information purposes only and may be amended from time to time as it does not form part of the Town of Coalhurst Land Use Bylaw.

# APPROVING AUTHORITIES

### SECTION 13 DEVELOPMENT AUTHORITY

13.1 The Development Authority is established in accordance with Bylaw No. 350-11.

13.2 Council shall make the decision on any development permit within any Direct Control district, unless specifically delegated by bylaw to the Municipal Subdivision and Development Authority or the Development Officer.

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

(a) Municipal Subdivision and Development Authority,

(b) Chief Administrative Officer, or

(c) a designate(s) in accordance with the *Municipal Government Act (MGA).*

13.4 The Development Officer is an authorized person in accordance with section 624 of the *MGA*.

13.5 The Development Authority shall perform such powers and duties as are specified:

(a) in the Town of Coalhurst Municipal Subdivision and Development Bylaw;

(b) in this bylaw;

(c) in the *MGA*;

(d) where applicable, by resolution of Council.

### SECTION 14 DEVELOPMENT OFFICER – POWERS AND DUTIES

14.1 The office of the Development Officer is hereby established and such office shall be filled by one or more persons as appointed by resolution of Council.

14.2 The Development Officer:

(a) shall receive and process all applications for a development permit and determine whether a development application is complete in accordance with Section 31;

(b) shall refer to the Municipal Subdivision and Development Authority all development permit applications for which decision making authority has not been assigned to the Development Officer;

(c) may refer any development application to the Municipal Subdivision and Development Authority for a decision and may refer any other planning or development matter to the Municipal Subdivision and Development Authority for its review, comment or advice;

(d) shall maintain for the inspection of the public during office hours, a copy of this bylaw and all amendments thereto and ensure that copies of the same are available for public purchase;

(e) shall also establish and maintain a register in which shall be recorded the application made for a development permit and the decision made on the application, and contain any such other information as the Municipal Subdivision and Development Authority considers necessary;

(f) except as provided in subsection (g), shall consider and decide on applications for a development permit for:

(i) permitted uses that comply with this Land Use Bylaw;

(ii) permitted uses that request one variance of a measurable standard not to exceed 10% excluding site coverage;

(iii) permitted uses on existing registered lots where the Municipal Subdivision and Development Authority granted a variance(s) to the minimum lot width, length and/or area requirements as part of a subdivision approval;

(iv) landscaping;

(v) fences, walls or other types of enclosures; and

(vi) demolition;

(g) shall refer all development applications in a Direct Control district to Council for a decision, unless Council has specifically delegated approval authority to the Development Officer or the Municipal Subdivision and Development Authority;

(h) shall notify adjacent landowners and any persons who are likely to be affected by a proposed development in accordance with Section 39 of this bylaw;

(i) shall receive, review, and refer any applications to amend this bylaw to Council;

(j) shall issue the written notice of decision and/or development permit on all development permit applications and any other notices, decisions or orders in accordance with this bylaw;

(k) may receive and consider and decide on requests for time extensions for development permits which the Development Officer has approved and shall refer to the Municipal Subdivision and Development Authority those requests which the Municipal Subdivision and Development Authority has approved;

(l) shall provide a regular report to the Municipal Subdivision and Development Authority summarizing the applications made for a development permit and the decision made on the applications, and any other information as the Municipal Subdivision and Development Authority considers necessary; and

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

## SECTION 15 SUBDIVISION AUTHORITY

15.1 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,

(c) in the *MGA*, or

(d) by resolution of Council.

15.2 The Subdivision Authority may delegate, though any of the methods described in Section 15.1(a), (b) or (d), 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 MUNICIPAL SUBDIVISION AND DEVELOPMENT AUTHORITY

16.1 The Municipal Subdivision and Development Authority may exercise only such powers and duties as are specified in the *MGA*, the Municipal Subdivision and Development Authority Bylaw, this bylaw, or by resolution of Council.

16.2 The Municipal Subdivision and Development Authority shall perform such powers and duties as are specified:

(a) in the Town of Coalhurst Municipal Subdivision and Development Authority Bylaw;

(b) in this bylaw;

(c) in the *MGA*;

(d) where applicable, by resolution of Council.

16.3 The Municipal Subdivision and Development Authority shall be responsible for:

(a) considering and deciding upon development permit applications referred to it by the Development Officer;

(b) providing recommendations on planning and development matters referred to it by the Development Officer or Council;

(c) considering and deciding upon requests for time extensions on development permit applications referred to it by the Development Officer;

(d) considering and deciding upon applications for subdivision approval;

(e) any other powers and duties as are specified in this bylaw, the Municipal Subdivision and Development Authority Bylaw, the *MGA* or by resolution of Council.

## 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 Municipal Subdivision and Development Authority or the Development Officer.

## SECTION 18 SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)

18.1 The Subdivision and Development Appeal Board (SDAB) is established by separate bylaw pursuant to the *MGA*, and may exercise such powers and duties as are specified in this bylaw, the *MGA* and the Subdivision and Development Appeal Board Bylaw.

# DEVELOPMENT AND SUBDVISION IN GENERAL

## SECTION 19 LAND USE DISTRICTS

19.1 The Town of Coalhurst is divided into those land use districts shown in Schedule 1 on the Land Use Districts Map.

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

(a) permitted uses in each district,

(b) discretionary uses in each district,

(c) prohibited uses in each district,

are described in Schedule 2.

19.3 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 35 (Similar and Prohibited Uses).

19.4 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.

## SECTION 20 DEVELOPMENT IN MUNICIPALITY GENERALLY

20.1 A person who develops land or a building in the municipality shall comply with the standards of development specified in Schedules 4 and 5 in addition to complying with the use or uses prescribed in Schedule 2 and any conditions attached to a development permit, if one is required.

20.2 A person who develops land or a building in the municipality is also responsible for ascertaining, obtaining, and complying with the requirements of any federal, provincial or other municipal legislation.

## SECTION 21 GENERAL SUBDIVISON PROVISIONS

21.1 All applications for subdivision approval shall be evaluated by the Town in accordance with the following criteria:

(a) compliance with statutory plans, bylaws, and regulations;

(b) adequacy of road access;

(c) provision of municipal services and utilities, including a storm water drainage plan;

(d) compatibility with adjacent land uses;

(e) accessibility to emergency services;

(f) site suitability in terms of minimum dimensional standards for lots and all other criterion in this bylaw as specified in the applicable land use district in Schedule 2;

(g) any other matters the Town may consider necessary.

21.2 For the purpose of infill development, an application which proposes to subdivide an accessory structure onto a separate lot may be considered by the Subdivision Authority where:

(a) the proposed lots meet the provisions of Schedule 2;

(b) the existing and proposed buildings meet the provisions of Schedule 2 based on the lot proposed layout;

(c) the access of each lot is provided from a public roadway, not a lane or laneway;

(d) all lots are serviceable to the satisfaction of the municipality.

21.3 At the time of subdivision and as a condition of approval, 10% of the lands to be subdivided shall be dedicated as municipal or school reserve in accordance with the provisions of the *MGA*. The Town may take municipal or school reserve in one or a combination of the following methods:

(a) land,

(b) land similar in quality to the land being proposed to be subdivided,

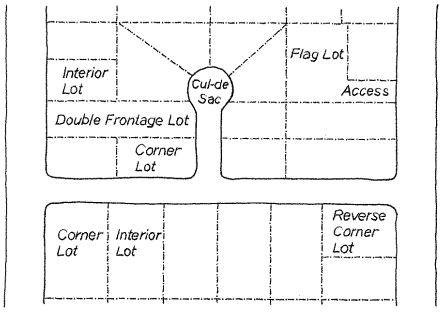
(c) money in lieu, or

(d) deferral to the balance of the subject property.

21.4 In commercial or industrial areas, the Town may allocate municipal reserve for the purpose of providing a buffer between incompatible land uses or to augment the parks and trails system.

## SECTION 22 SUBDIVISION LOT DESIGN

22.1 Through lots or double frontage lots, shall be avoided except where essential to separate residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. In such cases, access will be allowed only on the lower classification street.




22.2 Flag lots are prohibited.

22.3 All rectangular lots and, so far as practical, all other lots shall have side lot lines at right angles to straight street lines or radial side lot lines to curved street lines. Unusual or odd-shaped lots having boundary lines that intersect at extreme angles shall be avoided.

22.4 The lot line common to the street right-of-way line shall be the front line. All lots shall face the front line and a similar lot across the street. Wherever feasible, lots shall be arranged so that the rear line does not abut the side line of an adjacent lot.

22.5 No lot or parcel shall be created which does not provide for a buildable area as defined by the applicable land use district, except pursuant to an area structure plan.

22.6 When reviewing proposed lot and block arrangements, the Subdivision Authority shall consider the following factors:

(a) Adequate Building Sites Required: Provisions of adequate building sites suitable to the special needs of the type of land use (residential, commercial or other) proposed for development shall be provided, taking into consideration topographical and drainage features.

(b) Minimum Lot Sizes Established: Minimum land use district and lot requirements defining lot sizes and dimensions shall be accommodated without creating unusable lot remnants.

(c) Safe Access Required: Block layout shall enable development to meet all Town engineering requirements for convenient access, circulation, control and safety of street traffic.

22.7 At the time of subdivision, all corner lots and interior laneway corner lots shall dedicate clear vision triangles as right-of-way.

22.8 Subdivision of land within the Manufactured Home Park – MHP district shall not be permitted except in accordance with an approved Manufactured Home Park Conceptual Design or adopted Area Structure Plan.

## SECTION 23 SUITABILITY OF SITES

23.1 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, as applicable, may refuse to approve a subdivision or issue a development permit if the Development Authority is made aware of, or if in their opinion, the proposed building or use is not safe or suitable if the site:

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

(c) is situated on an unstable slope;

(d) consists of unconsolidated material unsuitable for building;

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

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

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

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

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

(j) does not meet the lot size and/or setback requirements or any other applicable standards or requirements of the Town of Coalhurst Land Use Bylaw;

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

23.2 Nothing in this section shall prevent the Development Officer or Municipal Subdivision and Development Authority, as applicable, from issuing a development permit or approving a subdivision if the Development Officer or Municipal Subdivision and Development 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 24 NUMBER OF DWELLING UNITS ON A PARCEL

24.1 No more than one dwelling unit shall be constructed or located or caused to be constructed or located on a parcel except as provided for in the land use district for which the application is made (e.g. accessory dwelling, two-unit dwellings, multi-unit dwellings, manufactured home park, secondary suite) as permitted in the applicable land use district.

## SECTION 25 NON-CONFORMING BUILDINGS AND USES

25.1 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.

25.2 A non-conforming use of land or a building may be continued but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building must conform with the Land Use Bylaw then in effect.

25.3 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.

25.4 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.

25.5 A non-conforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:

(a) to make it a conforming building; or

(b) as the Development Officer considers necessary for the routine maintenance of the building, in accordance with the variance powers provided for in section 643(5)(c) of the *MGA*. Routine maintenance of the building may include the replacement of windows and doors, or adding attached uncovered steps.

25.6 If a non-conforming building is damaged or destroyed by more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this bylaw.

25.7 Questions regarding the interpretation and application of Sections 25.3 to 25.6 shall, if necessary, be referred to the Municipal Subdivision and Development Authority for interpretation and a decision.

25.8 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 26 NON-CONFORMING VARIANCES

26.1 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 or Municipal Subdivision and Development Authority, 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 27 DEVELOPMENT AGREEMENTS

27.1 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.

27.2 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*.

27.3 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*.

27.4 A municipality may register a caveat under the *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.

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

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

27.7 The Developer shall be responsible for paying all legal and engineering costs, fees, expenses and disbursements incurred by the Town through its solicitors and engineers for all services rendered in connection with the preparation, fulfilment, execution and enforcement of the agreement.

## DEVELOPMENT PERMIT RULES AND PROCEDURES

### SECTION 28 DEVELOPMENT PERMIT – WHEN REQUIRED

28.1 Except as otherwise provided for in Section 29 (Development Not Requiring a Development Permit), no development shall be commenced unless a development permit application has been approved, a development permit issued, and the development is in accordance with the terms and conditions of a development permit issued pursuant to this bylaw.

28.2 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 29 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

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

29.2 This section does not negate the requirement of obtaining a business license, where required.

29.3 Developments not requiring a development permit are listed in Schedule 3.

29.4 Signs not requiring a development permit are listed in Schedule 6.

29.5 If there is a question as to whether a development permit is required for a particular use, the matter shall be referred to the Municipal Subdivision and Development Authority for a determination.

## SECTION 30 DEVELOPMENT PERMIT APPLICATIONS

30.1 Except as provided in Schedule 3 (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.

30.2 An application for a development permit must be made 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 owner. The Development Officer may request a current title documenting ownership and copies of any registered encumbrance, lien or interest registered on title.

30.3 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, signed by the registered owner or authorized by the owner pursuant to Section 30.2;

(b) the prescribed fee, as set by Council;

(c) a description of the existing and proposed use of the land, building(s) and/or structures and whether it is a new development, an alteration/addition, relocation or change of use and whether the use is temporary in nature;

(d) a computer-generated site plan acceptable to the Development Officer indicating:

(i) the location of all existing and proposed buildings and structures (including roof overhangs) and registered easements or rights-of-way, dimensioned to property lines and drawn to a satisfactory scale;

(ii) existing and proposed parking and loading areas, driveways, abutting streets, avenues and lanes, and egress and ingress;

(iii) where applicable, the location of existing and proposed utilities, wells, septic tanks, disposal fields, culverts and surface drainage patterns;

(iv) any additional information as may be stipulated in the standards of development;

(v) any such other information as may be required by the Development Officer or Municipal Subdivision and Development Authority to evaluate an application including, but not limited to: conceptual design schemes, landscaping plans, building plans, drainage plans, servicing and infrastructure plans, soil analysis, geotechnical reports or other reports regarding site suitability, Real Property Report, or a surveyors sketch;

(e) a copy of the approval letter from the appropriate authority stating that the proposal complies with the architectural controls caveat;

(f) computer-generated plans and color renderings acceptable to the Development Authority showing the interior development and exterior elevations including height, horizontal dimensions and finishing materials of all buildings, existing and proposed;

(g) documentation from the Alberta Energy Regulator (AER) identifying the presence or absence of abandoned oil and gas wells as required by the Subdivision and Development Regulation.

## SECTION 31 DETERMINATION OF COMPLETE DEVELOPMENT PERMIT APPLICATION

31.1 A Development Officer shall, within 20 days after the receipt of an application in accordance with Section 30 for a development permit, determine whether the application is complete for processing purposes.

31.2 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.

31.3 The 20-day time period referred to in Section 31.1 may be extended by an agreement in writing between the applicant and the Development Officer, which would extend the time to determine completeness of the application.

31.4 If the Development Officer does not make a determination referred to in Section 31.1 within the time required under Section 31.1 or 31.3, the application is deemed to be complete for processing purposes.

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

31.6 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 and specifying the outstanding documents and information to be provided, including but not limited to those required by Section 30. A submittal deadline for the outstanding documents and information shall be set out in the notice or a later date agreed on between the applicant and the Development Officer in order for the application to be considered complete.

31.7 If the Development Officer determines that the information and documents submitted under Section 31.6 are complete, the Development Officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete for processing purposes, delivered by hand, mail or electronic means.

31.8 If the required documents and information under Section 31.6 have not been submitted to the Development Officer within the timeframe prescribed in the notice issued under Section 31.6, 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.

31.9 Despite issuance of a Notice of Completeness under Section 31.5 or 31.7, the Development Officer in the course of reviewing the application may request additional information or documentation from the applicant that the Development Authority considers necessary to review the application.

## SECTION 32 PERMITTED USE APPLICATIONS

32.1 Upon receipt of a complete application for a development permit for a permitted use that conforms with this bylaw, the Development Officer:

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

(b) may refer the application to the Municipal Subdivision and Development Authority for a decision.

32.2 Upon receipt of a complete application for a permitted use that requests a limited variance not to exceed 10% of one measurable standard of this bylaw, the Development Officer:

(a) may grant the limited variance not to exceed 10% of one measurable standard of this bylaw excluding site coverage and approve the development permit with or without conditions if, in the opinion of the Development Officer, the variance would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; or

(b) may refer the development application involving a request for a limited variance not to exceed 10% of one measurable standard of this bylaw to the Municipal Subdivision and Development Authority for a decision;

(c) is not required to notify adjacent landowners or persons likely to be affected prior to issuance of a decision on a development permit granting a limited variance under this section.

32.3 Upon receipt of a complete application for a permitted use that requests more than one limited variance, a variance(s) exceeding 10% of any measurable standard excluding site coverage of this bylaw, or a variance of any other bylaw provision, the Development Officer shall refer the application to the Municipal Subdivision and Development Authority for a decision pursuant to Section 37 (Processing Applications Requiring a Variance of Bylaw Provisions).

32.4 The Development Officer or the Municipal Subdivision and Development Authority may place any of the following conditions on a development permit for a permitted use:

(a) requirement for the applicant to enter into a development agreement;

(b) payment of any applicable off-site levy or redevelopment levy;

(c) geotechnical investigation to ensure that the site is suitable in terms of topography, soil characteristics, flooding subsidence, and erosion;

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

(e) any measures to ensure compliance with the requirements of this Land Use Bylaw or any other statutory plan adopted by the Town of Coalhurst;

(f) easements and/or encroachment agreements;

(g) provision of public utilities, other than telecommunications systems or works, and vehicular and pedestrian access;

(h) repairs or reinstatement to the original condition of any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise altered by development or building operations upon the site, to the satisfaction of the Development Officer or the Municipal Subdivision and Development Authority;

(i) to give security to ensure the terms of the permit approval under this section are carried out which will be returned upon completion of the development to the satisfaction of the Town;

(j) time periods stipulating completion of development;

(k) requirement for a lot and/or construction stakeout conducted by an approved surveyor or agent;

(l) any measures to ensure compliance with applicable federal, provincial and/or other municipal legislation and approvals.

## SECTION 33 DISCRETIONARY USE APPLICATIONS

33.1 Upon receipt of a complete application for a development permit for a discretionary use or a permitted use that requests more than one variance, a variance(s) exceeding 10% of any measurable standard and any waiver for site coverage of this bylaw, or a variance of any other bylaw provision, the Development Officer shall:

(a) refer the application to the Municipal Subdivision and Development Authority for a decision pursuant to Section 37 (Processing Applications Requiring a Variance of Bylaw Provisions);

(b) notify adjacent landowners and other persons likely to be affected in accordance with Section 39 (Notification of Adjacent Landowners and Persons Likely Affected).

33.2 After consideration of any response to the notifications of adjacent landowners and other persons likely to be affected, including Lethbridge County, government departments and referral agencies as applicable, compatibility and suitability of the proposed use, and any other matters, the Municipal Subdivision and Development Authority may:

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

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

33.3 The Municipal Subdivision and Development Authority may place any of the conditions stipulated in Section 32.4 (Permitted Use Applications) on a development permit for a discretionary use in any land use district, in addition to any other conditions necessary to ensure the quality, suitability and compatibility of a development with other existing and approved uses in the area.

## SECTION 34 DIRECT CONTROL DISTRICTS

34.1 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 Municipal Subdivision and Development Authority or the Development Officer; and

(b) may notify adjacent landowners and other persons likely to be affected in accordance with Section 39 (Notification of Adjacent Landowners and Persons Likely Affected).

34.2 After considering any response to notifications issued under Section 39, 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.

34.3 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.

## SECTION 35 SIMILAR AND PROHIBITED USES

35.1 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 following process shall apply:

(a) the matter shall be referred by the Designated Officer to the Municipal Subdivision and Development Authority;

(b) the Designated Officer shall notify persons likely to be affected in accordance with Section 39;

(c) the Municipal Subdivision and 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.

(d) If the use is deemed similar, the proposed use shall be reviewed by the Municipal Subdivision and Development Authority as a discretionary use for that land use district.

(e) Given the above, if the application is approved by the Municipal Subdivision and Development Authority, a development permit shall be issued in accordance with Section 40.

35.2 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 35.1, then that use is prohibited in the land use district.

## SECTION 36 TEMPORARY USE

36.1 Where, in the opinion of the Development Authority, a proposed use is of a temporary nature, it may approve a temporary development permit valid for a period of up to one year for a use, provided the use is listed as a permitted use, discretionary use or deemed similar to a permitted or discretionary use in the applicable land use district.

36.2 Temporary use applications shall be subject to the following conditions:

(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 Municipal Subdivision and Development Authority may require the applicant to submit an irrevocable letter of credit, performance bond or other acceptable form of security guaranteeing the cessation or removal of the temporary use; and

(c) any other conditions as deemed necessary.

36.3 A use deemed temporary in nature shall be processed in accordance with the corresponding Sections 31 through 35 of this bylaw. Notification of adjacent landowners and other persons likely to be affected, including Lethbridge County, government departments and referral agencies, shall be in accordance with Section 39 of this bylaw.

## SECTION 37 PROCESSING APPLICATIONS REQUIRING A VARIANCE OF BYLAW PROVISIONS

37.1 Upon receipt of an application for a development permit that does not comply with this bylaw but in respect of which the Municipal Subdivision and Development Authority is requested to exercise discretion under Section 37.3, the Development Officer shall:

(a) refer the application to the Municipal Subdivision and Development Authority for a decision; and

(b) notify adjacent landowners and other persons likely to be affected, including Lethbridge County, government departments and any other referral agency, in accordance with Section 39.

37.2 The Development Officer is authorized to exercise discretion for a permitted use where a limited variance to one applicable measurable standard not to exceed 10% excluding site coverage, is requested, in accordance with Section 32.2.

37.3 The Municipal Subdivision and Development Authority is authorized to decide upon an application for a development permit notwithstanding that the proposed development does not comply with this bylaw, if in the opinion of the Municipal Subdivision and Development Authority:

(a) the proposed development would not:

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

(ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties; and

(b) the proposed development conforms with the use prescribed for that land or building within Schedule 2, Land Use Districts.

## SECTION 38 LIMITATIONS ON VARIANCE PROVISIONS

38.1 In approving an application for a development permit, the Designated Officer or Municipal Subdivision and Development Authority shall adhere to the general purpose and intent of the appropriate land use district and to the following:

(a) a variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building which are not generally common to other land in the same land use district;

(b) 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.

## SECTION 39 NOTIFICATION OF ADJACENT LANDOWNERS AND PERSONS LIKELY AFFECTED

39.1 Where notification of adjacent landowners and other persons likely to be affected is required, the Development Officer shall:

(a) mail (postal service or electronic) written notice of the application at least 10 days before the meeting of the Municipal Subdivision and Development Authority to:

(i) adjacent landowners and other persons likely to be affected by the issuance of a development permit;

(ii) Lethbridge County if, in the opinion of the Development Officer or the Municipal Subdivision and Development Authority, the proposed development could have an impact upon land uses in the County or is adjacent to the County boundary; and

(iii) any other persons, government departments or referral agency that is deemed to be affected; or

(b) hand deliver written notice of the application at least five days before the meeting of the Municipal Subdivision and Development Authority to the persons and agencies specified in subsection (a); or

(c) publish a notice of the application in a newspaper circulating in the municipality or the Town newsletter at least 10 days before the meeting of the Municipal Subdivision and Development Authority to the persons and agencies specified in subsection (a); or

(d) post a notice of the application in a conspicuous place on the property at least five days before the meeting of the Municipal Subdivision and Development Authority to the persons and agencies specified in subsection (a); or

(e) any combination of the above.

39.2 In all cases, notification shall:

(a) describe the nature and location of the proposed use or development;

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

(c) specify the location at which the application can be inspected.

## SECTION 40 NOTICE OF DECISION

40.1 Upon issuance of a development permit for a permitted use that complies with this bylaw, the Development Authority shall:

(a) mail a written notice of decision to the applicant; and

(b) notify persons likely to be affected by either:

(i) posting a copy of the decision in a prominent place in the Town Office for at least 21 days; or

(ii) publishing a notice of the decision on the official municipal website or newspaper circulated within the municipality; or

(iii) any combination of the above.

40.2 Upon issuance of a development permit for a discretionary use, similar use, temporary use, or an application involving a waiver, the Development Authority shall:

(a) mail a written notice of decision to the applicant; and

(b) notify persons likely to be affected by either:

(i) mailing a copy of the decision to those persons, departments and agencies; or

(ii) publishing a notice of the decision in a newspaper circulated within the municipality; or

(iii) post a notice of the application in a conspicuous place on the property; or

(iv) any combination of the above.

40.3 The Development Officer will give or send a copy of the written decision, specifying the date on which the written decision was given and containing any other information required by the regulations the same day the written decision is given.

40.4 For the purposes of Section 40.3, the "date on which the decision was made" means:

(a) the date the Development Authority signs the notice of decision or development permit; or

(b) the date the decision is posted in the newspaper;

whichever occurs later.

## SECTION 41 COMMENCEMENT OF DEVELOPMENT

41.1 Despite the issuance of a development permit, no development is authorized to commence within 21 days after the date on which the decision was made.

41.2 If an appeal is made, no development is authorized pending the outcome of the appeal.

41.3 Any development occurring prior to the dates determined under Section 41.1 is at the risk of the applicant.

## SECTION 42 DEVELOPMENT PERMIT VALIDITY

42.1 Unless a development permit is suspended or cancelled, the development must be commenced and carried out with reasonable diligence in the opinion of the Development Officer or the Municipal Subdivision and Development Authority within 12 months from the date of issuance of the permit, otherwise the permit is no longer valid.

42.2 An application to extend the validity of a development permit may be made at any time prior to the expiration of the approved permit in accordance with Section 42.3, except for a permit for a temporary use which shall not be extended.

42.3 Upon receipt of a request to extend the validity of a development permit, the validity of a development permit may be extended for up to a period of one year by:

(a) the Development Officer or the Municipal Subdivision and Development Authority if the permit was issued by the Development Officer;

(b) the Municipal Subdivision and Development Authority if the permit was issued by the Municipal Subdivision and Development Authority or approved on appeal by the Subdivision and Development Appeal Board.

42.4 When any use has been discontinued for a period of 12 months or more, any development permit that may have been issued is no longer valid and said use may not be recommenced until a new application for a development permit has been made and a new development permit issued. This section does not apply to non-conforming uses which are regulated under section 643 of the *MGA*.

42.5 The Development Officer or the Municipal Subdivision and Development Authority may place conditions on a development permit approval that stipulate a timeframe for the completion of a development.

## SECTION 43 TRANSFERABILITY OF DEVELOPMENT PERMIT

43.1 A home occupation permit is non-transferable.

43.2 Any other valid development permit is transferable where the use remains unchanged and the development is affected only by a change of ownership, tenancy, or occupancy.

## SECTION 44 OCCUPANCY PERMITS

44.1 The Development Officer or the Municipal Subdivision and Development Authority, or in a Direct Control district the Council, may require that the holder of a development permit obtain an occupancy permit before a building or use that was the subject of a development permit is occupied and/or the approved use initiated.

## SECTION 45 FAILURE TO MAKE A DECISION – DEEMED REFUSAL

45.1 In accordance with section 684 of the *MGA*, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Officer or the Municipal Subdivision and Development Authority, as the case may be, is not made within 40 days of receipt of the complete application unless the applicant has entered into an agreement with the Development Officer or the Municipal Subdivision and Development Authority to extend the 40-day decision period.

## SECTION 46 REAPPLICATION FOR A DEVELOPMENT PERMIT

46.1 If an application for a development permit is refused by the Development Officer, the Municipal Subdivision and Development Authority, or on appeal 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 months after the date of refusal.

46.2 If an application was refused solely because it did not comply with the standards of this bylaw or was refused as an incomplete application under Section 31, 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 46.1 has lapsed, provided the application has been modified to comply with this bylaw.

## SECTION 47 SUSPENSION OR CANCELLATION OF A PERMIT

47.1 If after a development permit has been issued, the Development Officer or the Municipal Subdivision and Development Authority determines that:

(a) the application contained a misrepresentation;

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

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

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

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

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

47.3 A person whose development permit is suspended or cancelled under this section may appeal within 21 days of the date the notice of cancellation or suspension is received to the Subdivision and Development Appeal Board.

47.4 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 or the Municipal Subdivision and Development Authority 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 may impose such other conditions as are considered necessary to ensure that this bylaw or any statutory plan is complied with.

# SUBDIVISION RULES AND PROCEDURES

## SECTION 48 SUBDIVISION APPLICATIONS

48.1 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.

48.2 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.

48.3 Notwithstanding Section 48.2, 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.

48.4 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 49 INCOMPLETE SUBDIVISION APPLICATIONS

49.1 The Subdivision Authority may refuse to accept and process a subdivision application where the information required under Section 45 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.

49.2 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 48.2.

49.3 The notification provided for in Section 48.2(b) 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*.

# ENFORCEMENT AND APPEALS

## SECTION 50 SUBDIVISON AND DEVELOPMENT APPEALS

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

50.2 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*.

50.3 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 51 GENERAL PROVISIONS

51.1 A Development Officer may enforce the provisions of the *MGA* and its regulations, the conditions of a permit or subdivision approval, and this bylaw. Enforcement may be by notice of violation, stop orders, or any other authorized action to ensure compliance.

**Right of Entry**

51.2 After reasonable notice (generally to mean 48 hours' notice) to the owner or occupant in accordance with the *MGA*, a Development Officer may enter property at reasonable times (generally to mean 7:30 AM to 10:00 PM) to ascertain if bylaw requirements are being met.

51.3 A person shall not prevent or obstruct a Development Officer from carrying out any official duty under this bylaw. If consent is not given, the Town of Coalhurst may apply for an authorizing order.

**Contravention of Bylaw**

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

(a) contravenes; or

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

commits an offence.

51.5 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.

51.6 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.

51.7 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.

**Warning Notice**

51.8 A Development Officer may issue a warning notice outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures.

## SECTION 52 NOTICE OF VIOLATION

52.1 Once the Town has found a violation of this bylaw, the Development Officer may notify either the owner of the land, the building or the structure, the person in possession of the land, building or structure, the person responsible for the violation or any or all of them, of the contravention of this bylaw, by:

(a) delivering a Notice of Violation either in person or by ordinary mail to the owner of the land, building or structure at the address listed on the tax roll for the land in question; or

(b) delivering a Notice of Violation either in person or by ordinary mail to the owner of a sign, at a location where the owner carries on business.

52.2 Such notice shall state the following:

(a) nature of the violation,

(b) corrective measures required to comply, and

(c) time period within which such corrective measures must be performed.

52.3 The appearance of the name of an individual, organization, corporation or ownership on a sign is prima facie proof that the individual, organization, corporation or owner named thereon caused, suffered or permitted the sign to be placed on land, and is responsible for any contravention of the provisions of this bylaw.

52.4 The Town is not required to issue a Violation Notice before commencing any other enforcement action under the *MGA*, or this bylaw, or at all.

## SECTION 53 STOP ORDERS

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

53.2 A person who receives notice pursuant to Section 53.1 may appeal the order to the Subdivision and Development Appeal Board in accordance with the *MGA*.

53.3 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.

53.4 The Town 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.

53.5 If a caveat is registered under Section 53.4, the Town must discharge the caveat when the order has been complied with.

53.6 If compliance with a stop order is not voluntarily effected, the Town 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 54 PENALTIES AND RIGHT OF ENTRY

54.1 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.

54.2 In accordance with section 542 of the *MGA*, a Development Officer may, after giving reasonable notice to and obtaining consent from the owner or occupier of land upon which this bylaw or *MGA* authorizes anything to be inspected, remedied or enforced or done by a municipality:

(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 to assist in the inspection, remedy, enforcement or action; and

(c) make copies of anything related to the inspection, remedy, enforcement or action.

54.3 If a person refuses to grant consent or refuses to produce anything to assist in the inspection, remedy, enforcement or action referred to in section 542 of the *MGA*, the municipality under the authority of section 543 of the *MGA* may obtain a court order.

## AMENDMENTS

### SECTION 55 AMENDMENTS TO THE LAND USE BYLAW

55.1 Any person or the Town may initiate amendments to the Town of Coalhurst Land Use Bylaw by submitting an application to the Development Officer.

55.2 All applications for amendment shall be submitted using the applicable form in Appendix A, and be accompanied by any additional information, as deemed necessary by the Development Officer to process the application.

55.3 The Development Officer may refuse to accept an application if, in his/her opinion, the information supplied is not sufficient to make a proper evaluation of the proposed amendment.

55.4 Council or the Development Officer may refer the application to the Municipal Subdivision and Development Authority for their recommendation.

55.5 The Development Officer shall forward the application to Council for consideration if he/she is satisfied sufficient information has been provided with the application.

55.6 Public hearing and notification requirements shall be in accordance with section 692 of the *MGA*.

55.7 Where an application for an amendment to the Town of Coalhurst Land Use Bylaw has been refused by Council, another application that is the same or similar in nature shall not be accepted until at least 12 months after the date of refusal.

55.8 Where an application has been significantly changed, Town Council may accept an application prior to the end of the 12-month period specified in Section 55.7.

## SECTION 56 LAND USE REDESIGNATION APPLICATION REQUIREMENTS

56.1 A request for redesignation from one land use district to another shall be accompanied by:

(a) a completed application form and the applicable fee;

(b) a copy of the Certificate of Title for the lands, dated not more than 60 days prior to the date on which the application was made;

(c) a narrative describing the:

(i) proposed designation and future uses(s);

(ii) consistency with the applicable statutory plans;

(iii) compatibility of the proposal with surrounding uses and zoning;

(iv) development potential/suitability of the site, including identification of any constraints and/or hazard areas (e.g. easements, soil conditions, topography, drainage, floodplain, steep slopes, etc.);

(v) 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;

(vi) any potential impacts on public roads; and

(vii) any other information deemed necessary by the Development Officer or Council to properly evaluate the proposal.

(d) conceptual lot design, if applicable;

(e) a geotechnical report prepared by an engineer registered with the Association of Professional Engineers, Geologists, and Geophysicists of Alberta (APEGGA), addressing the following but not limited to:

(i) slope stability,

(ii) groundwater,

(iii) sewage,

(iv) water table, and

(v) flood plain analysis,

if deemed necessary by the Development Officer, or Council;

(f) an evaluation of surface drainage which may include adjacent properties if deemed necessary by the Development Officer, or Council; and

(g) any other information deemed necessary by the Development Officer, or Council to properly evaluate the application.

56.2 An Area Structure Plan or Conceptual Design Scheme shall be required in conjunction with a redesignation application, or unless determined otherwise by Council, when:

(a) redesignating land from Transitional – TR to another district;

(b) redesignating annexed land to a district other than Transitional – TR, except where an approved Area Structure Plan or Conceptual Design Scheme defines land use designation(s) for the proposed development area;

(c) grouped industrial development;

(d) large-scale commercial development;

(e) a new or expanded manufactured home park;

(f) multi-lot residential development resulting in the creation of more than three lots or which has the potential to trigger capacity upgrades or expansion of infrastructure; or

(g) as required by Council.

## SECTION 57 REDESIGNATION CRITERIA

57.1 When redesignating land from one land use district to another, Council considerations shall include the following:

(a) compliance with applicable standards and provisions of the Town of Coalhurst Land Use Bylaw;

(b) consistency with the Municipal Development Plan and any other adopted statutory plans;

(c) compatibility with adjacent uses;

(d) development potential/suitability of the site;

(e) availability of facilities and services (sewage disposal, domestic water, gas, electricity, police and fire protection, schools, etc.) to serve the subject property and any potential impacts to levels of service to existing and future developments;

(f) cumulative impact to the Town;

(g) potential impacts on public roads;

(h) setback distances contained in the Subdivision and Development Regulation;

(i) supply of suitably developable land;

(j) public comment and any applicable review agency comments; and

(k) any other matters deemed pertinent.

# ADMINISTRATION DEFINITIONS

## SECTION 58 ADMINISTRATION DEFINITIONS

The following definitions shall apply to the entire bylaw.

# A

**APPROVED USE** means a use of land and/or building for which a development permit has been issued by the Development Authority or the Subdivision and Development Appeal Board.

**AREA REDEVELOPMENT PLAN** means a statutory plan, prepared in accordance with sections 634 and 635 of the *MGA* 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 (*MGA*, section 633) and that may be adopted by a Council by bylaw.

# B

**BUILDING PERMIT** means a certificate or document issued by the Safety Codes Officer pursuant to provincial legislation authorizing commencement of construction.

**BYLAW** means the Land Use Bylaw of the Town of Coalhurst.

# C

**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 Surveyor's 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.

**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 building or structure where there exists a type of ownership of individual units, generally in a multi-unit development or project where the owner possesses an interest as a tenant in common with other owners in accordance with the provisions of the *Condominium Property Act*.

**CONDOMINIUM PLAN** means a plan of survey registered at a Land Titles Office prepared in accordance with the provisions of the *Condominium Property Act, Revised Statutes of Alberta 2000, Chapter C-22, as amended*.

**COUNCIL** means Council of the Town of Coalhurst.

# D

**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 change the use of the property from its existing use.

**DEVELOPMENT** in accordance with the *Municipal Government Act* means:

(a) an excavation or stockpile and the creation of either of them;

(b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them 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 or subdivision approval which specifies the roadways, walkways, public utilities, and other services to be provided by the applicant as a condition of a development permit or subdivision approval, in accordance with the *Municipal Government Act*.

**DEVELOPMENT AUTHORITY** means the body established by bylaw to act as the Development Authority in accordance with sections 623(b) or (c) and 624 of the *Municipal Government Act*.

**DEVELOPMENT OFFICER** means a person(s) authorized by Council to act as a development authority pursuant to section 624 of the *Municipal Government Act* and in accordance with the Municipal Subdivision and Development Authority Bylaw.

**DEVELOPMENT PERMIT** means a permit issued with or without conditions pursuant to this bylaw authorizing a development. A development permit does not constitute a building permit.

**DISCRETIONARY USE** means the use of land or building(s) provided for in the Land Use Bylaw for which a development permit may be issued, following receipt by the Development Officer of a competed application with appropriate details and fees.

**DISTRICT** – see **LAND USE DISTRICT**

# G

**GEOTECHNICAL REPORT** means a comprehensive site analysis and report prepared by a qualified and registered professional with the Association of Professional Engineers and Geoscientists of Alberta (APEGA).

# L

**LANDOWNER** – see **REGISTERED OWNER**

**LAND USE DISTRICT** means a specifically delineated area or zone within which the development standards of this bylaw govern the use, placement, spacing, and size of land and buildings. All land use districts referred to in this bylaw are shown on the Land Use Districts Map found in Schedule 1 of this bylaw.

**LANE or LANEWAY** means a public thoroughfare, which provides a secondary means of access to a lot or lots.

**LOT** means a lot as defined in the *Municipal Government Act* and shall include a bare land condominium unit.

# M

**MAINTENANCE** means the upkeep of a building or property that does not involve structural change, the change of use, or the change of intensity of use.

**MUNICIPAL DEVELOPMENT PLAN** means a statutory plan, formerly known as a General Municipal Plan, adopted by bylaw in accordance with section 632 of the *Municipal Government Act*.

**MUNICIPAL GOVERNMENT ACT (MGA)** means the *Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26, as amended*.

**MUNICIPAL SUBDIVISION AND DEVELOPMENT AUTHORITY** means the committee authorized by Council to act as the Subdivision Authority pursuant to section 623 of the *Municipal Government Act* and Development Authority pursuant to section 624 of the *Municipal Government Act*, and in accordance with the Municipal Subdivision and Development Authority Bylaw.

**MUNICIPAL/SCHOOL RESERVE** means the land specified to be municipal and school reserve by a subdivision approving authority pursuant to section 666 of the *Municipal Government Act*.

# 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** means a building:

(a) that is lawfully constructed or lawfully under construction at the date of a Land Use Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and

(b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the Land Use Bylaw.

**NON-CONFORMING USE** means a lawful specific use:

(a) being made of land or a building or intended to be made of a building lawfully under construction, at the date of a Land Use Bylaw or any amendment thereof affecting the land or building becomes effective; and

(b) that on the date the Land Use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction, will not comply with the Land Use Bylaw.

**NON-SERVICED** means, in respect to a lot or parcel, that neither a municipal water system nor a municipal sewage system services it.

**NUISANCE** means any use, prevailing condition or activity which has a detrimental effect on living or working conditions.

# O

**OFF-SITE LEVY** means the rate established by the municipal Council that will be imposed upon owners and/or developers who are increasing the use of utility services, traffic services, and other services directly attributable to the changes that are proposed to the personal property. The revenues from the off-site levies will be collected by the municipality and used to offset the future capital costs for expanding utility services, transportation network, and other services that have to be expanded in order to service the needs that are proposed for the change in use of the property.

**ORIENTATION** means the arranging or facing of a building or other structure with respect to the points of the compass.

# P

**PARCEL** means an area of land described in a Certificate of Title either directly or by reference to a plan and registered with the Alberta Land Titles Office.

**PARTIALLY SERVICED LOT** means a lot that is provided water or sewer serviced by either:

(a) a municipal water line or a municipal sewer line; or

(b) an incorporated organization or co-operative, recognized by the municipality, that is operating a provincially approved water or sewer system.

**PERMITTED USE** means the use of land or building(s) which is permitted in a district for which a development permit shall be issued, following receipt by the Development Officer of a completed application with appropriate details and fees.

**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.

**PRINCIPAL BUILDING** means a building which:

(a) occupies the major or central portion of a lot;

(b) is the chief or main building on a lot; or

(c) constitutes, by reason of its use, the primary purpose for which the lot is used.

**PRINCIPAL USE** means the main purpose, in the opinion of the Development Officer or Municipal Subdivision and Development Authority, for which a lot is used.

**PROHIBITED USE** means a development that is not listed as permitted or discretionary, or is not considered similar within a land use district.

# 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 prepared by a registered Alberta Land Surveyor.

**REGISTERED OWNER** 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.

**RIGHT-OF-WAY** 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 CODES** 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.*

**SIMILAR USE** means a use of land or building(s) for a purpose that is not provided in any district Development in this bylaw, but is deemed by the Development Officer or Municipal Subdivision and Development Authority to be similar in character and purpose to another use of land or buildings that is included within the list of uses prescribed for that district.

**SITE** means that part of a parcel or a group of parcels on which a development exists or which an application for a development permit is being made.

**STOP ORDER** means an order issued by the Development Officer or Municipal Subdivision and Development Authority pursuant to section 645 of the *Municipal Government Act*.

**SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)** means the committee established, by bylaw, to act as the municipal appeal body for subdivision and development applications.

**SUBDIVISION AND DEVELOPMENT REGULATION** means regulations established by order of the Lieutenant Governor in Council pursuant to section 694 of the *Municipal Government Act*.

**SUBDIVISION AUTHORITY** means the body established by bylaw to act as the subdivision authority in accordance with section 623 of the *Municipal Government Act*.

**SUBDIVISION OR SUBDIVIDE** means the division of a parcel by an instrument.

**SUBSIDENCE** means a localized downward settling or sinking of a land surface.

**SUCH AS** means includes, but is not limited to the list of items provided.

# T

**TEMPORARY DEVELOPMENT** means a development for which a development permit has been issued for a limited time period.

**TOWN** means the Town of Coalhurst.

# 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.

**UTILITIES** means any one or more of the following:

(a) systems for the distribution of gas, whether artificial or natural;

(b) facilities for the storage, transmission, treatment, distribution or supply of water or electricity;

(c) facilities for the collection, treatment, movement or disposal of sanitary sewage;

(d) storm water drainage facilities;

(e) any other things prescribed by the Lieutenant Governor in Council by regulation;

but does not include those systems or facilities referred to in subclauses (a) to (d) that are exempted by the Lieutenant Governor in Council by regulation.

# W

**WAIVER** means the relaxation or variance of a development standard as established in this bylaw.

# Z

**ZONING** – see **LAND USE DISTRICT**

**All other words and expressions not otherwise defined in this Land Use Bylaw have the meaning assigned to them in the *Municipal Government Act.***

**Schedule 1**

# LAND USE DISTRICTS

**Schedule 1**

# LAND USE DISTRICTS

## SECTION 1 LAND USE DISTRICTS

1.1 The municipality is divided into those districts shown on the Land Use Districts Map of this schedule.

1.2 Each district shown on the map referred to in section 1 of this schedule shall be known by the following identifying names and symbols:

| | |
|---|---|
| RESIDENTIAL | – R |
| SMALL LOT RESIDENTIAL | – SLR |
| LARGE LOT RESIDENTIAL | – LLR |
| TWO-UNIT RESIDENTIAL | – TUR |
| MULTI-UNIT RESIDENTIAL | – MUR |
| MANUFACTURED HOME PARK | – MHP |
| TOWN CENTRE COMMERCIAL | – TCC |
| BUSINESS PARK | – BUP |
| INDUSTRIAL BUSINESS | – IBU |
| PARKS AND RECREATION | – PR |
| PUBLIC INSTITUTIONAL | – PI |
| TRANSITIONAL | – TR |
| DIRECT CONTROL | – DC |
| FUSION | – FUS |

## SECTION 2 LAND USE DISTRICTS MAP

2.1 Land Use Districts Map (following this page)

**Schedule 2**

# LAND USE DISTRICT REGULATIONS

# RESIDENTIAL – R

## SECTION 1 PURPOSE

1.1 *To provide for a high quality residential environment with an appropriate range of housing types that comply with standards outlined in the Residential land use district.*

## SECTION 2 USES

2.1 **Permitted Uses**

Accessory building less than 65.0 $m^2$ (700 $ft^2$)
Accessory structure
Accessory use
Dwelling:
- Modular home A
- Ready-to-move home A
- Single-unit

Home occupation 1
Solar energy system, individual, roof or wall mounted

2.2 **Discretionary Uses**

Accessory building less than 80.2 $m^2$ (864 $ft^2$)
Bed and breakfast
Child care facility
Day home
Dwelling:
- Modular home B
- Moved-in
- Ready-to-move home B

Home occupation 2
Moved-in building
Parks and playgrounds
Wind energy conversion system, individual
Tourist home

2.3 **Prohibited Uses**

Accessory building greater than 80.2 $m^2$ (864 $ft^2$)
Manufactured home

## SECTION 3 MINIMUM LOT SIZE

3.1 Minimum lot sizes are as follows:

| | Width | | Length | | Area | |
|---|---|---|---|---|---|---|
| **Use** | **m** | **ft** | **m** | **ft** | **$m^2$** | **$ft^2$** |
| Dwelling:<br>Single-unit<br>Modular home A & B<br>Ready-to-move home A & B | 15.2 | 50 | 30.5 | 100 | 464.5 | 5,000 |
| All other uses | As required by the MSDA | | | | | |

## SECTION 4 MINIMUM SETBACKS

4.1 Minimum setbacks are as follows:

| | Front Yard | | Secondary Front (Corner Lots) | | Side Yard | | Rear Yard | |
|---|---|---|---|---|---|---|---|---|
| Use | m | ft | m | ft | m | ft | m | ft |
| Dwelling:<br>Single-unit<br>Modular home A & B<br>Ready-to-move home A & B | 6.1 | 20 | 3.1 | 10 | 1.2 | 4 | 6.1 | 20 |
| Accessory building, exempt shed | 6.1 | 20 | 3.1 | 10 | 0.6 | 2 | 0.6 | 2 |
| Accessory building, accessory building | 6.1 | 20 | 3.1 | 10 | 1.2 | 4 | 0.6 | 2 |
| Accessory building, detached garage | 6.1 | 20 | 3.1 | 10 | 1.2 | 4 | 0.6 | 2 |
| All other uses | As required by the MSDA | | | | | | | |

4.2 The Development Authority may require increased building setbacks if such setbacks would:

(a) help avoid land use conflict; or

(b) enhance the appearance of the area; or

(c) avoid existing registered easements.

4.3 The Development Authority may waive the building setback requirement in a well-established residential area if, in his or their opinion, the setback is in accordance with the prevailing yard pattern.

4.4 The following features may, subject to the relevant provisions of Safety Codes, project into the required setbacks under this bylaw:

(a) eaves, fireplaces, belt courses, bay windows, cornices, sills or other similar architectural features attached to the principal dwelling may project over a side setback as permitted under the relevant provisions of Safety Codes and over a front or rear setback a distance not to exceed 1.2 m (4 ft);

(b) unenclosed steps or unenclosed fire escapes, wheelchair ramp, fences or walls to the property line, driveways, curbs and sidewalks, off-street parking, cooling units not to exceed 0.9 m (3 ft), mailboxes, landscaping, fish ponds, ornaments, flagpoles (less than 4.6 m (15 ft) in height), temporary swimming pools and signs may project over a side, front or rear setback at the discretion of the Development Officer or the Municipal Subdivision and Development Authority.

4.5 Where a laneway or roadway has reduced the size of a lot by cutting off a corner of the lot, the minimum setback requirements shall apply to the portions of the lot that have not been cut-off by the laneway or roadway.

## SECTION 5 MAXIMUM SITE COVERAGE

5.1 Total lot coverage – 45%

(Inclusive of all dwellings, accessory buildings and structures)

5.2 Accessory buildings – 10%

The combined total of all accessory buildings (shed, garages, accessory buildings) shall cover not more than 10% of the surface area of a lot. Accessory buildings must be subordinate to the principal dwelling.

5.3 Other development shall be at the discretion of the Development Authority.

5.4 Hard surfaced parking pads, walkway, and/or paving stones or similar impervious ground cover is limited to a maximum of 50% of the lot (front, side and rear) not covered by the dwelling and accessory buildings and structures, unless approved otherwise by a development permit.

## SECTION 6 MINIMUM FLOOR AREA

6.1 Minimum main floor area:

(a) 1-unit dwelling – 74.3 $m^2$ (800 $ft^2$)

(b) All other uses – As required by the Municipal Subdivision and Development Authority

6.2 The total floor area of any accessory building and/or attached garage must be less than the main floor area of the principal building.

## SECTION 7 MAXIMUM BUILDING HEIGHT

7.1 Maximum building height:

(a) Principal building – 10.1 m (33 ft)

(b) Accessory buildings – 4.9 m (16 ft)

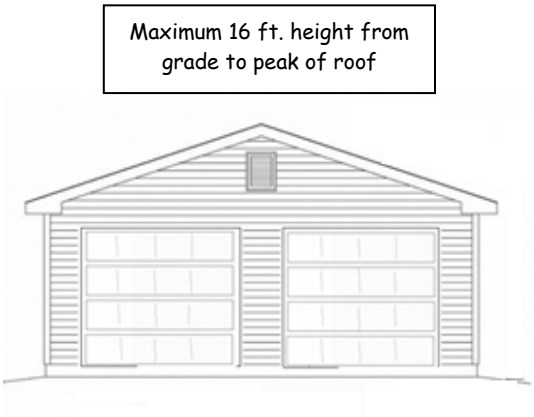
## SECTION 8 ACCESSORY BUILDINGS AND STRUCTURES

8.1 Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.

8.2 No accessory building, structure or use shall be allowed:

(a) on a lot without an approved principal dwelling or use,

(b) to be located in the front yard of the principal structure.




8.3 The first accessory building, which is 9.3 $m^2$ (100 $ft^2$) or less in area, placed on a lot does not require a development permit, but any second or subsequent accessory building shall require a development permit and the Development Authority may limit the number of accessory buildings on a lot.

8.4 Accessory buildings, structures and uses that are not specifically included within a development permit require a separate development permit application.

8.5 Detached garages shall have a minimum separation of 3.1 m (10 ft) from the foundation of any dwellings or buildings and a minimum of 0.6 m (2 ft) from the roof overhang of a dwelling or structure.

8.6 Accessory buildings and structures shall be set back from a side lot line or rear lot line in accordance with Section 4.1 and all drainage is conducted to the appropriate storm drain via the applicant's own property.

8.7 As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.

**SECTION 9** **DEVELOPMENT NOT REQUIRING A PERMIT** – See Schedule 3
**SECTION 10** **RESIDENTIAL STANDARDS OF DEVELOPMENT** – See Schedule 4
**SECTION 11** **USE SPECIFIC STANDARDS OF DEVELOPMENT** – See Schedule 6
**SECTION 12** **DEFINITIONS** – See Schedule 7

# SMALL LOT RESIDENTIAL – SLR

## SECTION 1 PURPOSE

1.1 *To provide for a high-quality residential environment with an appropriate range of housing types that comply with standards outlined in the Small Lot Residential land use district.*

## SECTION 2 USES

2.1 **Permitted Uses**

Accessory building less than 65.0 $m^2$ (700 $ft^2$)
Accessory structure
Accessory use
Alternative energy, solar
Dwelling:
- Modular home A
- Ready-to-move home A
- Single-unit

Home occupation 1
Solar energy system, individual, roof or wall mounted

2.2 **Discretionary Uses**

Accessory building less than 80.2 $m^2$ (864 $ft^2$)
Day home
Dwelling:
- Modular home B
- Ready-to-move home B

Home occupation 2
Moved-in building
Moved-in dwelling
Parks and playgrounds
Wind energy conversion system, individual

2.3 **Prohibited Uses**

Accessory building greater than 80.2 $m^2$ (864 $ft^2$)
Bed and breakfast

## SECTION 3 MINIMUM LOT SIZE

3.1 Minimum lot sizes are as follows:

| | Width | | Length | | Area | |
|---|---|---|---|---|---|---|
| **Use** | **m** | **ft** | **m** | **ft** | **$m^2$** | **$ft^2$** |
| Dwelling:<br>Single-unit<br>Modular home A & B<br>Ready-to-move home A & B | 11.0 | 36 | 30.5 | 100 | 334.4 | 3,600 |
| All other uses | As required by the MSDA | | | | | |

## SECTION 4 MINIMUM SETBACKS

4.1 Minimum setbacks are as follows:

| | Front Yard | | Secondary Front (Corner Lots) | | Side Yard | | Rear Yard | |
|---|---|---|---|---|---|---|---|---|
| Use | m | ft | m | ft | m | ft | m | ft |
| Dwelling:<br>Single-unit<br>Modular home A & B<br>Ready-to-move home A & B | 6.1 | 20 | 3.1 | 10 | 1.2 | 4 | 6.1 | 20 |
| Accessory building, exempt shed | 6.1 | 20 | 3.1 | 10 | 0.6 | 2 | 0.6 | 2 |
| Accessory building, accessory building | 6.1 | 20 | 3.1 | 10 | 1.2 | 4 | 0.6 | 2 |
| Accessory building, detached garage | 6.1 | 20 | 3.1 | 10 | 1.2 | 4 | 0.6 | 2 |
| All other uses | As required by the MSDA | | | | | | | |

4.2 The Development Authority may require increased building setbacks if such setbacks would:

(a) help avoid land use conflict; or

(b) enhance the appearance of the area; or

(c) avoid existing registered easements.

4.3 The Development Authority may waive the building setback requirement in a well-established residential area if, in his or their opinion, the setback is in accordance with the prevailing yard pattern.

4.4 The following features may, subject to the relevant provisions of Safety Codes, project into the required setbacks under this bylaw:

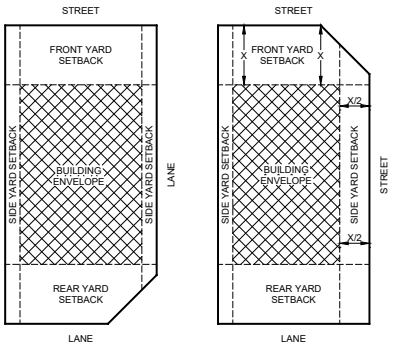
(a) eaves, fireplaces, belt courses, bay windows, cornices, sills or other similar architectural features attached to the principal dwelling may project over a side setback as permitted under the relevant provisions of Safety Codes and over a front or rear setback a distance not to exceed 1.2 m (4 ft);

(b) unenclosed steps or unenclosed fire escapes, wheelchair ramp, fences or walls to the property line, driveways, curbs and sidewalks, off-street parking, cooling units not to exceed 0.9 m (3 ft), mailboxes, landscaping, fish ponds, ornaments, flagpoles (less than 4.6 m (15 ft) in height), temporary swimming pools and signs may project over a side, front or rear setback a at the discretion of the Development Officer or the Municipal Subdivision and Development Authority.

4.5 Where a laneway or roadway has reduced the size of a lot by cutting off a corner of the lot the minimum setback requirements shall apply to the portions of the lot that have not been cut-off by the laneway or roadway.

**Corner Cut-off Lot**
**Minimum Setback Requirements**

X = minimum setback requirement
(arrows indicate measurement location)




## SECTION 5 MAXIMUM SITE COVERAGE

5.1 Total lot coverage – 50%

(Inclusive of all dwellings, accessory buildings and structures)

5.2 Accessory Buildings – 10%

The combined total of all accessory buildings shall cover not more than 10% of the surface area of a lot. Accessory buildings must be subordinate to the principal dwelling.

5.3 Other development shall be at the discretion of the Development Authority.

5.4 Hard surfaced parking pads, walkway, and/or paving stones or similar impervious ground cover is limited to a maximum of 50% of the lot (front, side and rear) not covered by the dwelling and accessory buildings and structures, unless approved otherwise by a development permit.

## SECTION 6 MINIMUM FLOOR AREA

6.1 Minimum main floor area:

(a) Single-unit dwelling – 74.3 $m^2$ (800 $ft^2$)

(b) All other uses – As required by the Municipal Subdivision and Development Authority

6.2 The total floor area of any accessory building and/or attached garage must be less than the main floor area of the principal building.

## SECTION 7 MAXIMUM BUILDING HEIGHT

7.1 Maximum building height:

(a) Principal building – 10.1 m (33 ft)

(b) Accessory buildings – 4.9 m (16 ft)

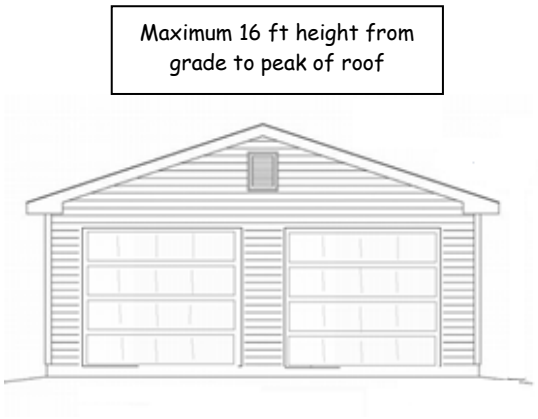
## SECTION 8 ACCESSORY BUILDINGS AND STRUCTURES

8.1 Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.

8.2 No accessory building, structure or use shall be allowed:

(a) on a lot without an approved principal dwelling or use,

(b) to be located in the front yard of the principal structure.




8.3 The first accessory building, which is 9.3 m² (100 ft²) or less in area, placed on a lot does not require a development permit, but any second or subsequent accessory building shall require a development permit and the Development Authority may limit the number of accessory buildings on a lot.

8.4 Accessory buildings, structures and uses that are not specifically included within a development permit require a separate development permit application.

8.5 Detached garages shall have a minimum separation of 3.1 m (10 ft) from the foundation of any dwellings or buildings and a minimum of 0.6 m (2 ft) from the roof overhang of a dwelling or structure.

8.6 Accessory buildings and structures shall be set back from a side lot line or rear lot line in accordance with Section 4.1 and all drainage is conducted to the appropriate storm drain via the applicant's own property.

8.7 As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.

**SECTION 9** **DEVELOPMENT NOT REQUIRING A PERMIT** – See Schedule 3

**SECTION 10** **RESIDENTIAL STANDARDS OF DEVELOPMENT** – See Schedule 4

**SECTION 11** **USE SPECIFIC STANDARDS OF DEVELOPMENT** – See Schedule 6

**SECTION 12** **DEFINITIONS** – See Schedule 7

# LARGE LOT RESIDENTIAL – LLR

## SECTION 1 PURPOSE

1.1 *To ensure a high-quality of development occurs on large residential lots by requiring high standards of development and restricting the types of uses that may occur.*

## SECTION 2 USES

2.1 **Permitted Uses**

Accessory building less than 65.0 $m^2$ (700 $ft^2$)
Accessory structure
Accessory use
Alternative energy, solar
Dwelling:
  Single-unit dwelling
Home occupation 1
Solar energy system, individual, roof or wall mounted

2.2 **Discretionary Uses**

Accessory building 111.5 $m^2$ (1200 $ft^2$) or less
Bed and breakfast
Day home
Home occupation 2
Market garden
Modular home A and B
Moved-in building
Parks and playgrounds
Ready-to-move home A and B
Wind energy conversion system, individual

2.3 **Prohibited Uses**

Accessory building greater than 111.5 $m^2$ (1,200 $ft^2$)
Commercial including any trucking operation
Industrial use
Keeping of farm animals
Kennel
Quonset

## SECTION 3 MINIMUM LOT SIZE

3.1 Minimum lot sizes are as follows:

| | Width | | Length | | Area | |
|---|---|---|---|---|---|---|
| Use | m | ft | m | ft | ha | acre |
| All uses | 44.2 | 145 | 54.9 | 180 | 0.4 | 1.0 |

## SECTION 4 MINIMUM SETBACKS

4.1 Minimum setbacks are as follows:

| | Front Yard | | Secondary Front (Corner Lots) | | Side Yard | | Rear Yard | |
|---|---|---|---|---|---|---|---|---|
| Use | m | ft | m | ft | m | ft | m | ft |
| Single-unit dwelling | 22.9 | 75 | 6.1 | 20 | 6.1 | 20 | 12.2 | 40 |
| Accessory building, exempt shed | 6.1 | 20 | 3.1 | 10 | 0.6 | 2 | 0.6 | 2 |
| Accessory building, accessory building | 6.1 | 20 | 3.1 | 10 | 1.2 | 4 | 0.6 | 2 |
| Accessory building, detached garage | 6.1 | 20 | 3.1 | 10 | 1.2 | 4 | 0.6 | 2 |
| All other uses | As required by the MSDA | | | | | | | |

4.2 The Development Authority may require increased building setbacks if such setbacks would:

(a) help avoid land use conflict;

(b) enhance the appearance of the area;

(c) avoid existing easements.

4.3 The Development Authority may waive the building setback requirement in a well-established residential area if, in his or their opinion, the setback is in accordance with the prevailing yard pattern.

4.4 The following features may, subject to the relevant provisions of Safety Codes, project into the required setbacks under this bylaw:

(a) eaves, fireplaces, belt courses, bay windows, cornices, sills or other similar architectural features attached to the principal dwelling may project over a side setback as permitted under the relevant provisions of Safety Codes and over a front or rear setback a distance not to exceed 1.2 m (4 ft);

(b) unenclosed steps or unenclosed fire escapes, wheelchair ramp, fences or walls to the property line, driveways, curbs and sidewalks, off-street parking, cooling units not to exceed 0.9 m (3 ft), mailboxes, landscaping, fish ponds, ornaments, flagpoles (less than 4.6 m (15 ft) in height), temporary swimming pools and signs may project over a side, front or rear setback a at the discretion of the Development Officer or the Municipal Subdivision and Development Authority.

4.5 Where a laneway or roadway has reduced the size of a lot by cutting off a corner of the lot the minimum setback requirements shall apply to the portions of the lot that have not been cut-off by the laneway or roadway.

## SECTION 5 MAXIMUM SITE COVERAGE

5.1 Principal buildings – as required by the Development Authority.

5.2 Accessory buildings – as required by the Development Authority and must be less than the site coverage of the principal building.

5.3 Accessory buildings must be subordinate to the principal dwelling.

5.4 Hard surfaced parking pads, walkway, and/or paving stones or similar impervious ground cover is limited to a maximum of 50% of the lot (front, side and rear) not covered by the dwelling and accessory buildings and structures, unless approved otherwise by a development permit.

## SECTION 6 MINIMUM FLOOR AREA

6.1 Single-unit dwelling – 111.5 $m^2$ (1,200 $ft^2$)

6.2 The total floor area of any accessory building and/or attached garage must be less than the main floor area of the principal building.

## SECTION 7 MAXIMUM BUILDING HEIGHT

7.1 Maximum building height:

(a) Principal building – 10.1 m (33 ft)

(b) Accessory buildings:

(i) less than 65.0 $m^2$ (700 $ft^2$) – 4.9 m (16 ft)

(ii) greater than 65.0 $m^2$ (700 $ft^2$) and less than 111.5 $m^2$ (1200 $ft^2$) – 7.3 m (24 ft)

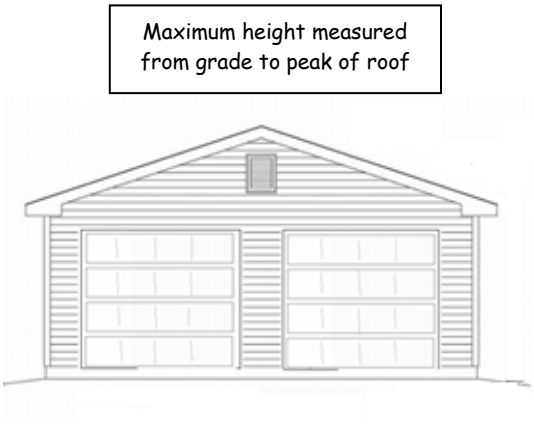
## SECTION 8 ACCESSORY BUILDINGS AND STRUCTURES

8.1 Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.

8.2 No accessory building, structure or use shall be allowed:

(a) on a lot without an approved principal dwelling or use,

(b) to be located in the front yard of the principal structure.




8.3 The first accessory building, which is 9.3 $m^2$ (100 $ft^2$) or less in area, placed on a lot does not require a development permit, but any second or subsequent accessory building shall require a development permit and the Development Authority may limit the number of accessory buildings on a lot.

8.4 Accessory buildings, structures and uses that are not specifically included within a development permit require a separate development permit application.

8.5 Detached garages shall have a minimum separation of 3.1 m (10 ft) from the foundation of any dwellings or buildings and a minimum of 0.6 m (2 ft) from the roof overhang of dwelling or structure.

8.6 Accessory buildings and structures shall be set back from a side lot line or rear lot line in accordance with Section 4.1 and all drainage is conducted to the appropriate storm drain via the applicant's own property.

8.7 As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.

**SECTION 9** **DEVELOPMENT NOT REQUIRING A PERMIT** – See Schedule 3
**SECTION 10** **RESIDENTIAL STANDARDS OF DEVELOPMENT** – See Schedule 4
**SECTION 11** **USE SPECIFIC STANDARDS OF DEVELOPMENT** – See Schedule 6
**SECTION 12** **DEFINITIONS** – See Schedule 7

# TWO-UNIT RESIDENTIAL – TUR

## SECTION 1 PURPOSE

1.1 *To provide for a high-quality residential environment where the development of two-unit dwellings, which includes duplexes and secondary suites, that provides for a high quality of development and an attractive density within new or existing neighbourhood.*

## SECTION 2 USES

2.1 **Permitted Uses**

Accessory building less than 65.0 $m^2$ (700 $ft^2$)
Accessory structure
Accessory use
Alternative energy, solar
Dwelling:
  Two-unit
Home occupation 1
Secondary suite in conjunction with new single-unit construction
Secondary suite in conjunction with existing single-dwelling unit
Solar energy system, individual, roof or wall mounted

2.2 **Discretionary Uses**

Accessory building less than 80.2 $m^2$ (864 $ft^2$)
Day home
Home occupation 2
Modular home A
Parks and playgrounds
Wind energy conversion system, individual

2.3 **Prohibited Uses**

Bed and breakfast
Home occupation 3

## SECTION 3 MINIMUM LOT SIZE

3.1 Minimum lot sizes are as follows:

| | Width | | Length | | Area | |
|---|---|---|---|---|---|---|
| Use | m | ft | m | ft | $m^2$ | $ft^2$ |
| Two-unit dwelling (side by side) on single lot | 17.1 | 56 | 30.5 | 100 | 521.5 | 5,600 |
| Two-unit dwelling (side by side) on individual lots | 8.5 | 28 | 30.5 | 100 | 259.3 | 2,800 |
| Secondary suite in conjunction with new single-unit construction | 12.1 | 40 | 30.5 | 100 | 369.1 | 4,000 |
| Secondary suite in conjunction with existing single-unit dwelling | 11.0 | 36 | 30.5 | 100 | 334.4 | 3,600 |
| All other uses | As required by the MSDA | | | | | |

## SECTION 4 MINIMUM SETBACKS

4.1 Minimum setbacks are as follows:

| | Front Yard | | Secondary Front (Corner Lots) | | Side Yard | | Rear Yard | |
|---|---|---|---|---|---|---|---|---|
| Use | m | ft | m | ft | m | ft | m | ft |
| Dwelling:<br>Two-unit<br>Secondary suite | 6.1 | 20 | 3.1 | 10 | 1.2 | 4 | 6.1 | 20 |
| Accessory building, exempt shed | 6.1 | 20 | 3.1 | 10 | 0.6 | 2 | 0.6 | 2 |
| Accessory building, accessory building | 6.1 | 20 | 3.1 | 10 | 1.2 | 4 | 0.6 | 2 |
| Accessory building, detached garage | 6.1 | 20 | 3.1 | 10 | 1.2 | 4 | 0.6 | 2 |
| All other uses | As required by the MSDA | | | | | | | |

4.2 The side setback requirement does not preclude the building of a two-unit dwelling where each dwelling unit is separated by a party wall and/or is a separate title.

4.3 The Development Authority may require increased building setbacks if such setbacks would:

(a) help avoid land use conflict;

(b) enhance the appearance of the area;

(c) avoid an existing easement.

4.4 The Development Authority may waive the building setback requirement in a well-established residential area if, in their opinion, the setback is in accordance with the prevailing yard pattern.

4.5 The following features may, subject to the relevant provisions of Safety Codes, project into the required setbacks under this bylaw:

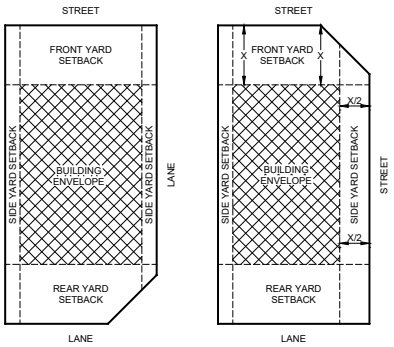
(a) eaves, fireplaces, belt courses, bay windows, cornices, sills or other similar architectural features attached to the principal dwelling may project over a side setback as permitted under the relevant provisions of Safety Codes and over a front or rear setback a distance not to exceed 1.2 m (4 ft);

(b) unenclosed steps or unenclosed fire escapes, wheelchair ramp, fences or walls to the property line, driveways, curbs and sidewalks, off-street parking, cooling units not to exceed 0.9 m (3 ft), mailboxes, landscaping, fish ponds, ornaments, flagpoles (less than 4.6 m (15 ft) in height), temporary swimming pools and signs may project over a side, front or rear setback a at the discretion of the Development Officer or the Municipal Subdivision and Development Authority.

4.6 Where a laneway or roadway has reduced the size of a lot by cutting off a corner of the lot the minimum setback requirements shall apply to the portions of the lot that have not been cut-off by the laneway or roadway.

**Corner Cut-off Lot**
**Minimum Setback Requirements**

X = minimum setback requirement
(arrows indicate measurement location)




## SECTION 5 MAXIMUM SITE COVERAGE

5.1 Total lot coverage – 45%

(Inclusive of all dwellings, accessory buildings and structures)

5.2 Accessory buildings – 10%

The combined total of all accessory buildings shall cover not more than 10% of the surface area of a lot. Accessory buildings must be subordinate to the principal dwelling.

5.3 Other development shall be at the discretion of the Development Authority.

## SECTION 6 MINIMUM FLOOR AREA

6.1 Minimum floor area of existing dwellings or new construction:

(a) Single-unit dwelling – 74.3 $m^2$ (800 $ft^2$) main floor

(b) Two-unit dwelling (side by side) – 65.0 $m^2$ (700 $ft^2$) main floor of each unit

(c) Secondary suite – 30.1 $m^2$ (325 $ft^2$) and must be subordinate to the main floor suite

(d) All other uses – As required by the Municipal Subdivision and Development Authority

6.2 The total floor area of any accessory building and/or attached garage must be less than the main floor area of the principal building.

## SECTION 7 MAXIMUM BUILDING HEIGHT

7.1 Maximum building height:

(a) Principal building – 10.1 m (33 ft)

(b) Accessory buildings – 4.9 m (16 ft)

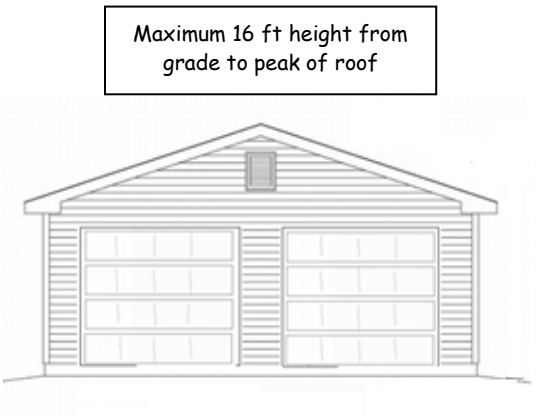
## SECTION 8 ACCESSORY BUILDINGS AND STRUCTURES

8.1 Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.

8.2 No accessory building, structure or use shall be allowed:

(a) on a lot without an approved principal dwelling or use,

(b) to be located in the front yard of the principal structure.




8.3 The first accessory building, which is 9.3 m² (100 ft²) or less in area, placed on a lot does not require a development permit, but any second or subsequent accessory building shall require a development permit and the Development Authority may limit the number of accessory buildings on a lot.

8.4 Accessory buildings, structures and uses that are not specifically included within a development permit require a separate development permit application.

8.5 Detached garages shall have a minimum separation of 3.1 m (10 ft) from the foundation of any dwellings or buildings and a minimum of 0.6 m (2 ft) from the roof overhang of a dwelling or structure.

8.6 Accessory buildings and structures shall be set back from a side lot line or rear lot line in accordance with Section 4.1 and all drainage is conducted to the appropriate storm drain via the applicant's own property.

8.7 As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.

## SECTION 9 SECONDARY SUITES

**General Requirements**

9.1 A secondary suite includes, but is not limited to, a self-contained dwelling unit containing cooking facilities, food preparation area, sleeping and sanitary facilities, which is physically separate from those of the principal dwelling within the structure 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.

9.2 A basement secondary suite is located below grade, in the basement of a single detached dwelling. 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 should the entrance be directly from the exterior of the dwelling.

9.3 Only one secondary suite may be developed per lot and shall be restricted to a lot occupied by a single-unit dwelling, not including a manufactured home as defined by this bylaw and shall not be permitted in a two or multi-unit dwelling.

9.4 A secondary suite shall be developed in such a manner that the exterior of the principal dwelling containing the secondary suite shall appear as a single dwelling.

9.5 The minimum floor area for a secondary suite shall be not less than 30.1 $m^2$ (325 $ft^2$) and the maximum floor area must be less than the floor area of the associated principal dwelling unit.

9.6 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, the owner shall be required to obtain a business license.

9.7 Variances or waivers of setbacks or any other measureable standard in conjunction with applications for secondary suites shall be decided upon by the Municipal Subdivision and Development Authority.

9.8 A secondary suite shall provide one off-street parking space per bedroom and no variances or waivers to this requirement shall be granted.

9.9 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.

**New Construction**

9.10 Development of a new dwelling unit with a secondary suite included at the time of construction shall adhere to the applicable Alberta Building Code and Alberta Fire Code as a condition of approval.

9.11 Application for a new dwelling unit with a secondary suite included at the time of construction shall clearly indicate on the site plan and associated drawings the kitchen, bedrooms, washrooms, and mechanical rooms as well as, but not limited to, entrance locations, parking plan, landscaping plan and exterior finishes of the dwelling.

9.12 The secondary suite shall have full utility services through service connections (water and sewer) from the principal dwelling unit and will not be eligible for additional service connections to the Town's infrastructure.

9.13 Suites are required to have independent or separate heating/ventilation systems for the primary suite and the secondary suite, as per the Alberta Building Code. Independent heating/ventilation can mean two furnaces, or a combination of furnace and supplemental heating, such as space heaters.

**Adding Suite to Existing Dwelling**

9.14 Development of a new secondary suite in an existing dwelling shall adhere to the applicable Alberta Building Code and Alberta Fire Code as a condition of approval.

9.15 Application for a secondary suite shall clearly indicate on the site plan and associated drawings the kitchen, bedrooms, washrooms, and mechanical rooms as well as, but not limited to, entrance locations, parking plan, landscaping plan and exterior finishes of the dwelling.

**Existing Secondary Suites**

9.16 Existing secondary suites include any suites that existed prior to the passing of this bylaw and will require a development permit. In addition to the general requirements for secondary suites, if it can be proven that the suite was developed prior to December 31, 2006, the suite shall meet all applicable requirements of the Alberta Building Code and Fire Code as a condition of approval.

9.17 An existing secondary suite shall meet all other requirements of this section and any other applicable section of this bylaw.

9.18 Should an existing secondary suite be unable to reasonably meet the requirements of this bylaw, to the discretion of the Municipal Subdivision and Development Authority, the use of the suite for rental purposes shall not be permitted and shall be decommissioned as outlined in Sections 9.20 through 9.24.

**Decommissioning of Secondary Suites**

9.19 Secondary suites are unauthorized unless a valid development permit has been issued by the Town and all of the necessary Alberta Safety Code requirements have been met. Unauthorized suites must be legalized or decommissioned for the safety of the building occupants.

9.20 Decommissioning of a secondary suite include the landowner completing the following and submitted written proof by way of building inspection reports that the development has been removed:

(a) permanently removing cooking facilities; and

(b) creating permanent opening(s) between the suite and the main dwelling.

9.21 Removal of Electric Cooking facilities include:

(a) permanent removal of the stove fan, stove hood, and cooking facilities including but not limited to stoves, microwaves, convection ovens, toaster ovens, cook tops, hot plates, camping stoves, barbeques, crock pots, electric fry pans, woks, grills and griddles;

(b) the stove plug and the breaker associated with the stove plug must be removed;

(c) the stove fan and hood must be removed and the wire supplying power to it must be terminated in a safe manner.

9.22 Removal of Gas Cooking facilities include:

(a) permanent removal of the stove fan, stove hood, and cooking facilities including but not limited to stoves, microwaves, convection ovens, toaster ovens, cook tops, hot plates, camping stoves, barbeques, crock pots, electric fry pans, woks, grills and griddles;

(b) the gas line to the stove must be removed back to the main gas line or the first junction and capped in accordance with Alberta Safety Codes;

(c) the stove fan and hood must be removed and the wire supplying power to it must be terminated in a safe manner.

9.23 Creating a permanent opening between the suite and main dwelling include:

(a) permanently remove door(s), hinges and door frame(s) between the suite and main dwelling;

(b) ensure the new opening(s) has a minimum finished width that meets the Alberta Safety Code and the opening is finished using drywall, wood trim or other suitable material.

**SECTION 10** **DEVELOPMENT NOT REQUIRING A PERMIT** – See Schedule 3
**SECTION 11** **RESIDENTIAL STANDARDS OF DEVELOPMENT** – See Schedule 4
**SECTION 12** **USE SPECIFIC STANDARDS OF DEVELOPMENT** – See Schedule 6
**SECTION 13** **DEFINITIONS** – See Schedule 7

# MULTI-UNIT RESIDENTIAL – MUR

## SECTION 1 PURPOSE

1.1 *To provide opportunities for multi-unit development in those areas of the Town considered suitable for such development.*

## SECTION 2 USES

2.1 **Permitted Uses**

Accessory building less than 65.0 $m^2$ (700 $ft^2$)
Accessory structure
Accessory use
Alternative energy, solar
Dwelling:
- Three-unit
- Four-unit

Home occupation 1
Solar energy system, individual, roof or wall mounted

2.2 **Discretionary Uses**

Accessory building less than 80.20 $m^2$ (864 $ft^2$)
Dwelling:
- Apartment building
- Row dwelling (more than four units)
- Moved-in building

Dwelling group
Parks and playgrounds
Senior citizen housing
Wind energy conversion system, individual

2.3 **Prohibited Uses**

Bed and breakfast
Home occupation 2 and 3

## SECTION 3 MINIMUM LOT SIZE

3.1 Minimum lot sizes are as follows:

| | Width | | Length | | Area | |
|---|---|---|---|---|---|---|
| **Use** | **m** | **ft** | **m** | **ft** | **$m^2$** | **$ft^2$** |
| Three-unit dwelling | 20.7 | 68 | 30.5 | 100 | 631.4 | 6,800 |
| Four-unit dwelling | 20.7 | 68 | 30.5 | 100 | 631.4 | 6,800 |
| Row dwelling:<br>Interior unit<br>End unit | <br>6.1<br>10.7 | <br>24<br>35 | <br>30.5<br>30.5 | <br>100<br>100 | <br>185.8<br>325.2 | <br>2,400<br>3,500 |
| All other uses | As required by the MSDA | | | | | |

## SECTION 4 MINIMUM SETBACKS

4.1 Minimum setbacks are as follows:

| | Front Yard | | Secondary Front (Corner Lots) | | Side Yard | | Rear Yard | |
|---|---|---|---|---|---|---|---|---|
| Use | m | ft | m | ft | m | ft | m | ft |
| Dwelling:<br>Three-unit<br>Four-unit | 6.1 | 20 | 3.1 | 10 | 1.2 | 4 | 6.1 | 20 |
| Row dwelling:<br>- interior unit<br>- end unit | 6.1<br>6.1 | 20<br>20 | —<br>3.1 | —<br>10 | —<br>1.2 | —<br>4 | 6.1<br>6.1 | 20<br>20 |
| Accessory building, exempt shed | 6.1 | 20 | 3.1 | 10 | 0.6 | 2 | 0.6 | 2 |
| Accessory building, accessory building | 6.1 | 20 | 3.1 | 10 | 1.2 | 4 | 0.6 | 2 |
| Accessory building, detached garage | 6.1 | 20 | 3.1 | 10 | 1.2 | 4 | 0.6 | 2 |
| All other uses | As required by the MSDA | | | | | | | |

4.2 The Development Authority may require increased building setbacks if such setbacks would:

(a) help avoid land use conflict;

(b) enhance the appearance of the area;

(c) avoid existing easement.

4.3 The Development Authority may waive the building setback requirement in a well-established residential area if, in his or their opinion, the setback is in accordance with the prevailing yard pattern.

4.4 The following features may, subject to the relevant provisions of Safety Codes, project into the required setbacks under this bylaw:

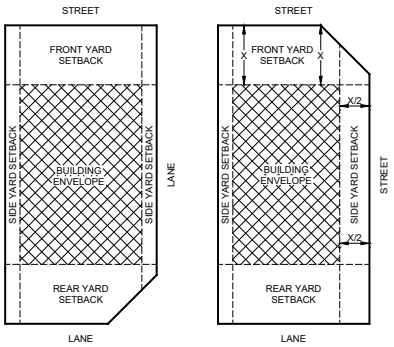
(a) eaves, fireplaces, belt courses, bay windows, cornices, sills or other similar architectural features attached to the principal dwelling may project over a side setback as permitted under the relevant provisions of Safety Codes and over a front or rear setback a distance not to exceed 1.2 m (4 ft);

(b) unenclosed steps or unenclosed fire escapes, wheelchair ramp, fences or walls to the property line, driveways, curbs and sidewalks, off-street parking, cooling units not to exceed 0.9 m (3 ft), mailboxes, landscaping, fish ponds, ornaments, flagpoles (less than 4.6 m (15 ft) in height), temporary swimming pools and signs may project over a side, front or rear setback a at the discretion of the Development Officer or the Municipal Subdivision and Development Authority.

4.5 Where a laneway or roadway has reduced the size of a lot by cutting off a corner of the lot the minimum setback requirements shall apply to the portions of the lot that have not been cut-off by the laneway or roadway.

**Corner Cut-off Lot**
**Minimum Setback Requirements**

X = minimum setback requirement
(arrows indicate measurement location)




## SECTION 5 MAXIMUM SITE COVERAGE

5.1 Total lot coverage – 45%

(Inclusive of all dwellings, accessory buildings and structures)

5.2 Accessory buildings – 10%

The combined total of all accessory buildings shall cover not more than 10% of the surface area of a lot. Accessory buildings must be subordinate to the principal dwelling.

5.3 Other development shall be at the discretion of the Development Authority.

## SECTION 6 MINIMUM FLOOR AREA

6.1 Minimum floor area:

(a) Unit dwelling – 55.7 $m^2$ (600 $ft^2$) main floor of each unit

(b) All other uses – as required by the Municipal Subdivision and Development Authority

6.2 The total floor area of any accessory building and/or attached garage must be less than the main floor area of the principal building.

## SECTION 7 MAXIMUM BUILDING HEIGHT

7.1 Maximum building height:

(a) Principal building

(i) three–unit, four - unit, and row dwelling – 10.1 m (33 ft)

(ii) Apartment buildings – As required by the Municipal Subdivision and Development Authority

(b) Accessory buildings – 4.9 m (16 ft)

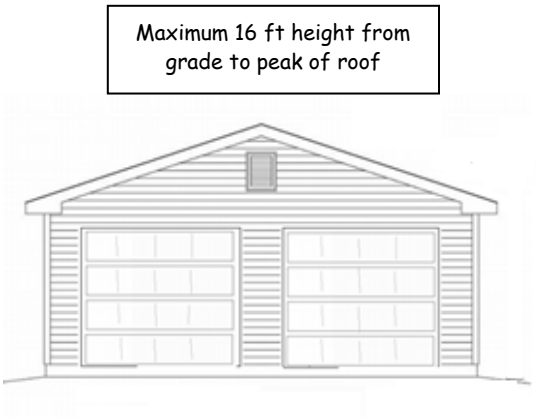
## SECTION 8 ACCESSORY BUILDINGS AND STRUCTURES

8.1 Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.

8.2 No accessory building, structure or use shall be allowed:

(a) on a lot without an approved principal dwelling or use,

(b) to be located in the front yard of the principal structure.




8.3 The first accessory building, which is 11.1 $m^2$ (120 $ft^2$) or less in area, placed on a lot does not require a development permit, but any second or subsequent accessory building shall require a development permit and the Development Authority may limit the number of accessory buildings on a lot.

8.4 Accessory buildings, structures and uses that are not specifically included within a development permit require a separate development permit application.

8.5 Detached garages shall have a minimum separation of 3.1 m (10 ft) from the foundation of any dwellings or buildings and a minimum of 0.6 m (2 ft) from the roof overhang of the dwelling or structure.

8.6 Accessory buildings and structures shall be set back from a side lot line or rear lot line in accordance with Section 4.1 and all drainage is conducted to the appropriate storm drain via the applicant's own property.

8.7 As a condition of a permit, if a development approval is required, the Development Authority may stipulate specific requirements for the type of foundation, fastening or tie-down system, finish, colour, roof pitch, and materials to be applied to the accessory building or structure.

**SECTION 9** **DEVELOPMENT NOT REQUIRING A PERMIT** – See Schedule 3
**SECTION 10** **RESIDENTIAL STANDARDS OF DEVELOPMENT** – See Schedule 4
**SECTION 11** **USE SPECIFIC STANDARDS OF DEVELOPMENT** – See Schedule 6
**SECTION 12** **DEFINITIONS** – See Schedule 7

# MANUFACTURED HOME PARK – MHP

## SECTION 1 PURPOSE

1.1 *To provide for areas suitable for the location of manufactured housing communities and provide for a high quality development.*

## SECTION 2 USES

2.1 **Permitted Uses**

Accessory building less than 13.9 $m^2$ (150 $ft^2$)
Accessory structure
Accessory use
Addition to dwelling unit
Home occupation 1
Manufactured home
Solar energy system, individual, roof or wall mounted

2.2 **Discretionary Uses**

Accessory building less than 18.6 $m^2$ (200 $ft^2$)
Manufacturing housing community
Moved-in building
Parks and playgrounds
Wind energy conversion system, individual

2.3 **Prohibited Uses**

Home occupation 2 and 3

## SECTION 3 ELIGIBLE MANUFACTURED HOMES

3.1 New factory-built manufactured homes.

3.2 Used factory-built units in a good state of repair (to the satisfaction of the Municipal Subdivision and Development Authority). Any application for a development permit to locate a used manufactured home:

(a) shall include recent colour photographs of all elevations including additions; and

(b) may require an inspection to determine the unit's suitability.

3.3 Manufactured homes shall be Canadian Standards Association (CSA) certified.

## SECTION 4 MINIMUM SETBACKS

4.1 A minimum separation of 2.4 m (8 ft) shall be maintained between manufactured homes.

## SECTION 5 MINIMUM FLOOR AREA

5.1 Minimum floor area:

(a) Single-wide manufactured homes – 55.7 $m^2$ (600 $ft^2$)

(b) Double-wide manufactured homes – 72.0 $m^2$ (775 $ft^2$)

(c) All other uses – As required by the Municipal Subdivision and Development Authority

## SECTION 6 MAXIMUM BUILDING HEIGHT

6.1 Maximum building height:

(a) Principal building – 10.1 m (33 ft)

(b) Accessory buildings – 4.9 m (16 ft)

## SECTION 7 FOUNDATIONS MANUFACTURED HOME ADDITIONS

7.1 All manufactured home additions shall require a development permit and shall be of a design and finish which will enhance and be compatible with the manufactured home.

7.2 All manufactured homes shall be placed on foundations constructed in accordance with CSA standards and shall be skirted to meet the satisfaction of the Development Officer.

7.3 All manufactured homes shall be skirted with compatible materials and satisfactorily enclosed to the satisfaction of the Development Officer.

7.4 All double-wide units shall be placed on concrete block foundations capable of supporting the maximum anticipated load in conformity with the provincial building requirements and Canada Mortgage and Housing regulations.

7.5 Any portion of a concrete block foundation above grade shall be parged unless otherwise finished with an approved material.

7.6 The maximum height of the exposed portion of a concrete block foundation shall be not more than 0.6 m (2 ft) above the average finished grade level of the surrounding ground.

## SECTION 8 ACCESSORY BUILDINGS AND STRUCTURES

8.1 Where a structure is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or foundation, it is to be considered a part of the principal building and is not an accessory building.

8.2 No accessory building, structure or use shall be allowed to be located in the front yard.

8.3 One accessory building, which is not to exceed 9.3 $m^2$ (100 $ft^2$) in size, may be placed on an individual home site does require a development permit.

8.4 Accessory buildings, structures and uses that are not specifically included within a development permit require a separate development permit application.

## SECTION 9 GENERAL APPEARANCE

In order to maintain the residential character of the development:

9.1 The underside of manufactured homes, which are not provided with a basement, shall be within 0.9 m (3 ft) of the finished grade.

9.2 The front yard area of each lot shall be suitably developed and landscaped.

9.3 The foundation and skirting shall be in place within 30 days of placement and ensure both the wheels and the hitch are covered.

## SECTION 10 GENERAL DEVELOPMENT STANDARDS

### 10.1 General and Overall Appearance

The manufactured home park should incorporate detailed aesthetic consideration 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) imaginative handling of lamp standards, refuse receptacles, street signs and things of this nature.

### 10.2 Integration with Adjoining Residential Uses

The park design and subsequent placement of manufactured homes on lots should integrate well with adjoining residential development so as not to be obtrusive.

### 10.3 Density

The design of the park should be such that the net site density of the park does not exceed 20 units per ha (8 units per acre).

### 10.4 Open Space Requirements

A minimum of 10% of the manufactured home park area should be developed for park and playground use for the enjoyment of the inhabitants.

### 10.5 Fences

Where a permit is required for fencing, the Development Authority may regulate the material types and colours used for the fence. Regardless of fence height, barbed wire fencing is prohibited.

## SECTION 11 DESIGN CRITERIA FOR MANUFACTURED HOME PARKS

### 11.1 Street Layout and Streetscape

(a) Grouping or clustering of manufactured homes should provide a mixture of types and aesthetic variety along the streets and spatial relationships between the manufactured homes.

(b) Street furniture such as light standards, signs, telephone booths, refuse receptacles, etc., should, where possible, be of a high quality in design and harmoniously incorporated into the total streetscape.

### 11.2 Open Space, Recreational Area and Buffer Strip Standards

(a) **Landscaping Standards**

A substantial number of mature trees and good variety of shrubbery should be utilized in the landscaping of the park to provide both a park-like atmosphere and proper screening.

(b) **Recreation Area and Development**

The 10% of the manufactured home park which is dedicated to open space shall include playground equipment to accommodate children's play. This 10% area should also provide benches and a walkway for passive recreation.

11.3 **Servicing Requirements**

(a) A qualified engineer should be engaged at the expense of the developer to consult with the Town and utility companies to arrive at a design for all interior servicing, including roads, drainage, sewer, water, natural gas, telephone, electrical and fire protection.

(b) All on-site servicing should be built to the standards and requirements of the Town of Coalhurst, TransAlta Utilities, ATCO Gas and Telus.

(c) Utility easements as may be required shall be provided within the site and reasonable access to these easements shall be granted to the Town and utility companies for the installation and maintenance of services.

11.4 **Storage Compound**

The developer of the manufactured home park should provide and maintain in good repair within the park, an area to accommodate the storage of recreational vehicles such as motor boats, travel trailers, etc.

**SECTION 12** **DEVELOPMENT NOT REQUIRING A PERMIT** – See Schedule 3
**SECTION 13** **RESIDENTIAL STANDARDS OF DEVELOPMENT** – See Schedule 4
**SECTION 14** **USE SPECIFIC STANDARDS OF DEVELOPMENT** – See Schedule 6
**SECTION 15** **DEFINITIONS** – See Schedule 7

# TOWN CENTRE COMMERCIAL – TCC

## SECTION 1 PURPOSE

1.1 *To provide for the development of a range of retail commercial and personal service uses which primarily cater to the daily needs of the residents in an attractive pedestrian environment and foster a meeting place for residents.*

## SECTION 2 USES

2.1 **Permitted Uses**

Accessory building
Accessory structure
Accessory use
Business support service
Convenience store
Financial institution
Government service
Medical/health facility
Office
Personal services
Restaurant
Retail store
Sign:
- Canopy
- Fascia
- Temporary
- Window

Solar energy system, individual, roof mounted

2.2 **Discretionary Uses**

Amusement facility
Animal care service, small
Cannabis retail store
Child care facility
Club or fraternal organization
Commercial building group
Drive-in /drive-through restaurant
Entertainment establishment
Fitness Facility
Funeral home
Hotel/motel
Institutional
Liquor store
Mixed use building
Moved-in building
Museum
Parks and playgrounds
Public or private recreation
Religious assembly
Service station
Shipping container
Sign:
- Freestanding
- Mural
- Projecting

Solar energy system, individual, wall mounted
Wind energy conversion system, individual

2.3 **Prohibited Uses**

Auto wreckage and salvage yard
Industrial use
Noxious or hazardous use

## SECTION 3 MINIMUM LOT SIZE

3.1 Minimum lot sizes are as follows:

| | Width | | Length | | Area | |
|---|---|---|---|---|---|---|
| Use | m | ft | m | ft | $m^2$ | $ft^2$ |
| All uses | 7.6 | 25 | 30.5 | 100 | 232.3 | 2,500 |

## SECTION 4 MINIMUM SETBACKS

4.1 Minimum setbacks are as follows:

| | Front Yard | | Side Yard | | Rear Yard | |
|---|---|---|---|---|---|---|
| Use | m | ft | m | ft | m | ft |
| All uses | 1.5 | 5 | 0 | 0 | 6.1 | 20 |

4.2 The Development Authority may require increased building setbacks if, in their opinion, such setbacks would:

(a) help avoid land use conflict;

(b) enhance the appearance of the area;

(c) avoid an existing easement.

## SECTION 5 MAXIMUM SITE COVERAGE

5.1 Principal buildings and accessory building – 80%

## SECTION 6 MAXIMUM BUILDING HEIGHT

6.1 Maximum building height:

(a) Principal building – 11.0 m (36 ft)

(b) Accessory buildings – 4.9 m (16 ft)

## SECTION 7 ACCESSORY STRUCTURES AND USES

7.1 No accessory structure or use shall be allowed on a lot without an approved principal structure or use.

7.2 Accessory structures and uses that are not specifically included within a development permit require a separate development permit application.

## SECTION 8 PROJECTIONS OVER PUBLIC LAND

8.1 No projections are to be over public lands.

8.2 Signs, awnings or other projections shall be designed so that drainage or snow melt will be contained on the property.

## SECTION 9 PERMITTED PROJECTIONS INTO SETBACKS

9.1 In no circumstances shall any part of any structure encroach or cause runoff on an adjoining property.

9.2 The following features may, subject to the relevant provisions of Safety Codes, project into the required setbacks under this bylaw:

(a) unenclosed steps or unenclosed fire escapes;

(b) a wheelchair ramp at the discretion of the Development Authority;

(c) driveways, curbs and sidewalks;

(d) off-street parking in accordance with the applicable land use district and Section 11;

(e) mailboxes;

(f) signs, in accordance with Schedule 6.

9.3 The portions of an attachment to a principal structure which may, subject to the relevant provisions of Safety Codes, project over a setback are as follows: eaves, belt courses, bay windows, cornices, sills or other similar architectural features may project over a side setback as permitted under the relevant provisions of Safety Codes and over a front or rear setback a distance not to exceed 1.2 m (4 ft).

9.4 In all cases, projections into any required setback must comply with the requirements of Safety Codes.

**SECTION 10** **DEVELOPMENT NOT REQUIRING A PERMIT** – See Schedule 3
**SECTION 11** **COMMERICAL / INDUSTRIAL STANDARDS OF DEVELOPMENT** – See Schedule 5
**SECTION 12** **USE SPECIFIC STANDARDS OF DEVELOPMENT** – See Schedule 6
**SECTION 13** **DEFINITIONS** – See Schedule 7

# BUSINESS PARK – BP

## SECTION 1 PURPOSE

1.1 *To allow for the development of light manufacturing, assembly operations, warehousing, business services and contractor services, sales for goods produced on-site and other commercial uses which are compatible with each other and with uses in adjacent districts.*

## SECTION 2 USES

2.1 **Permitted Uses**

Accessory building
Accessory structure
Accessory use
Business support service
Contractor, limited
Fitness facility
Garden centre or greenhouse
Government services
Mini-storage
Office
Sign:
- Canopy
- Fascia
- Temporary
- Window

Solar energy system, individual, roof mounted

2.2 **Discretionary Uses**

Amusement facility
Animal care service, small
Auto sales and service
Cannabis retail store
Club or fraternal organization
Contractor, general
Convenience store
Commercial building group
Community association building
Drive in/ through restaurant
Equipment sales, rental and service
Farmers market
Funeral home
General warehousing and storage
Institutional
Light fabrication shop
Light industrial/manufacturing
Medical / health facility
Moved-in building
Public and/or private recreation
Recreational vehicle storage
Recycling facility
Restaurant
Retail
Service station
Shipping container
Sign:
- Freestanding
- Mural
- Projecting

Solar energy system, individual, ground mounted
Transportation/delivery service
Utility
Warehouse
Wind energy conversion system, individual

2.3 **Prohibited Uses**

Auto wreckage and salvage yard
Dwelling
Noxious or hazardous use

## SECTION 3 MINIMUM LOT SIZE

3.1 Minimum lot sizes are as follows:

| | Width | | Length | | Area | |
|---|---|---|---|---|---|---|
| Use | m | ft | m | ft | $m^2$ | $ft^2$ |
| All uses | 30.5 | 100 | 30.5 | 100 | 929.0 | 10,000 |

## SECTION 4 MINIMUM SETBACKS

4.1 Minimum setbacks are as follows:

| | Front Yard | | Side Yard | | Rear Yard | |
|---|---|---|---|---|---|---|
| Use | m | ft | m | ft | m | ft |
| All uses | 7.6 | 25 | 1.5 | 5 | 6.1 | 20 |

4.2 Structures that are attached to a principal building are subject to the principal setbacks.

4.3 The Development Authority may require increased building setbacks if, in his or their opinion, such setbacks would:

(a) help avoid land use conflict;

(b) enhance the appearance of the area;

(c) avoid an existing easement.

## SECTION 5 MAXIMUM SITE COVERAGE

5.1 Principal buildings and accessory building – 60%

## SECTION 6 MAXIMUM BUILDING HEIGHT

6.1 Maximum building height:

(a) Principal building – 11.0 m (36 ft)

(b) Accessory buildings – 4.9 m (16 ft)

## SECTION 7 ACCESSORY STRUCTURES AND USES

7.1 No accessory structure or use shall be allowed on a lot without an approved principal structure or use.

7.2 Accessory structures and uses that are not specifically included within a development permit require a separate development permit application.

**SECTION 8** **DEVELOPMENT NOT REQUIRING A PERMIT** – See Schedule 3
**SECTION 9** **COMMERICAL / INDUSTRIAL STANDARDS OF DEVELOPMENT** – See Schedule 5
**SECTION 10** **USE SPECIFIC STANDARDS OF DEVELOPMENT** – See Schedule 6
**SECTION 11** **DEFINITIONS** – See Schedule 7

# BUSINESS INDUSTRIAL – BI

## SECTION 1 PURPOSE

1.1 *To allow for the development of industrial commercial uses which are compatible with each other and with uses in adjacent districts.*

## SECTION 2 USES

2.1 **Permitted Uses**

Accessory building
Accessory structure
Accessory use
Auto sales and service
Contractor, general
Contractor, limited
Equipment sales, rental and service
General warehousing and storage
Lumber yard
Mini-storage
Sign:
- Canopy
- Fascia
- Temporary
- Window

Solar energy system, individual, roof mounted
Warehouse

2.2 **Discretionary Uses**

Animal care service, large
Animal care service, small
Auctioneering facility
Auto body and paint shop
Bulk fuel station
Card lock
Car wash
Commercial building group
Exhibition ground
Fitness facility
Funeral home
Garden centre or greenhouse
Grain elevator/seed cleaning
Light fabrication
Machinery and equipment sales, rental and service
Moved-in building
Outdoor storage
Railway and railway related use
Recreational vehicle storage
Recycling facility
Retail
Service station
Shipping container
Sign:
- Freestanding
- Mural
- Projecting

Solar energy system, individual, ground mounted
Transportation/delivery service
Truck stop
Truck transportation dispatch/depot
Utility
Wind energy conversion system, individual

2.3 **Prohibited Uses**

Auto wreckage and salvage yard
Dwelling
Noxious or hazardous use

## SECTION 3 MINIMUM LOT SIZE

3.1 Minimum lot sizes are as follows:

| | Width | | Length | | Area | |
|---|---|---|---|---|---|---|
| Use | m | ft | m | ft | $m^2$ | $ft^2$ |
| All uses | 30.5 | 100 | 30.5 | 100 | 929.0 | 10,000 |

## SECTION 4 MINIMUM SETBACKS

4.1 Minimum setbacks are as follows:

| | Front Yard | | Side Yard | | Rear Yard | |
|---|---|---|---|---|---|---|
| Use | m | ft | m | ft | m | ft |
| All uses | 7.6 | 25 | 1.5 | 5 | 6.1 | 20 |

4.2 Structures that are attached to a principal building are subject to the principal setbacks.

4.3 The Development Authority may require increased building setbacks if, in his or their opinion, such setbacks would:

(a) help avoid land use conflict;

(b) enhance the appearance of the area.

## SECTION 5 MAXIMUM SITE COVERAGE

5.1 Principal buildings and accessory building – 60%

## SECTION 6 MAXIMUM BUILDING HEIGHT

6.1 Maximum building height:

(a) Principal building – 11.0 m (36 ft)

(b) Accessory buildings – 4.9 m (16 ft)

## SECTION 7 ACCESSORY STRUCTURES AND USES

7.1 No accessory structure or use shall be allowed on a lot without an approved principal structure or use.

7.2 Accessory structures and uses that are not specifically included within a development permit require a separate development permit application.

## SECTION 8 DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 3

## SECTION 9 COMMERICAL / INDUSTRIAL STANDARDS OF DEVELOPMENT – See Schedule 5

**SECTION 10** **USE SPECIFIC STANDARDS OF DEVELOPMENT** – See Schedule 6

**SECTION 11** **DEFINITIONS** – See Schedule 7

# PARKS AND RECREATION – PR

## SECTION 1 PURPOSE

1.1 *To designate areas for the development of open space, parks and recreational areas and facilities.*

## SECTION 2 USES

2.1 **Permitted Uses**

Accessory building
Accessory structure
Accessory use
Parks and playgrounds
Recreation, public
Solar energy system, individual, roof mounted

2.2 **Discretionary Uses**

Amusement facility
Campground
Cemetery and interment service
Child care facility
Community association building
Exhibition centre
Golf course
Institutional
Museum
Recreation, private
Shipping Containers
Signs
Solar energy system, individual, ground mounted
Wind energy conversion system, individual

## SECTION 3 MINIMUM LOT SIZE

3.1 As required by the Development Officer or Municipal Subdivision and Development Authority.

## SECTION 4 MINIMUM SETBACK REQUIREMENTS

4.1 As required by the Development Officer or Municipal Subdivision and Development Authority.

## SECTION 5 DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 3

## SECTION 6 COMMERICAL / INDUSTRIAL STANDARDS OF DEVELOPMENT – See Schedule 5

## SECTION 7 USE SPECIFIC STANDARDS OF DEVELOPMENT – See Schedule 6

## SECTION 8 DEFINITIONS – See Schedule 7

# PUBLIC INSTITUTIONAL – PI

## SECTION 1 PURPOSE

1.1 *To designate areas for the development of government, educational, medical, social and other public and institutional uses.*

## SECTION 2 USES

2.1 **Permitted Uses**

Accessory building
Accessory structure
Accessory use
Educational facility
Government service
Institutional
Parks and playgrounds
Religious assembly
Solar energy system, individual, roof mounted

2.2 **Discretionary Uses**

Child care facility
Community association building
Museum
Shipping container
Signs
Solar energy system, individual, ground mounted
Wind energy conversion system, individual

## SECTION 3 MINIMUM LOT SIZE

3.1 As required by the Development Officer or Municipal Subdivision and Development Authority.

## SECTION 4 MINIMUM SETBACKS

4.1 As required by the Development Officer or Municipal Subdivision and Development Authority.

## SECTION 5 DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 3

## SECTION 6 COMMERICAL / INDUSTRIAL STANDARDS OF DEVELOPMENT – See Schedule 5

## SECTION 7 USE SPECIFIC STANDARDS OF DEVELOPMENT – See Schedule 6

## SECTION 8 DEFINITIONS – See Schedule 7

# TRANSITIONAL – TR

## SECTION 1 PURPOSE

1.1 *To be applied to larger parcels of land usually on the periphery of existing development. The district restricts uses and maintains parcels in larger sizes to allow maximum flexibility for use and development when the land is required for urban development.*

## SECTION 2 USES

2.1 **Permitted Uses**

Alternative energy, solar
Cultivation of land
Home occupation 1
Solar energy system, individual, roof mounted

2.2 **Discretionary Uses**

Accessory building
Accessory structure
Accessory use
Agricultural building
Animal care service, large
Animal care service, small
Garden centre or greenhouse
Home occupation 2
Market garden
Single-unit dwelling
Shipping container
Solar energy system, individual, roof mounted
Solar energy system, individual, ground mounted
Wind energy conversion system, individual

2.3 **Prohibited Uses**

Keeping of animals

## SECTION 3 MINIMUM LOT SIZE

3.1 Existing Parcels

## SECTION 4 MINIMUM SETBACKS

4.1 As required by the Development Officer or Municipal Subdivision and Development Authority.

## SECTION 5 DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 3

## SECTION 6 RESIDENTIAL STANDARDS OF DEVELOPMENT – See Schedule 4

## SECTION 7 COMMERICAL / INDUSTRIAL STANDARDS OF DEVELOPMENT – See Schedule 5

## SECTION 8 USE SPECIFIC STANDARDS OF DEVELOPMENT – See Schedule 6

## SECTION 9 DEFINITIONS – See Schedule 7

# DIRECT CONTROL – DC

## SECTION 1 PURPOSE

1.1 *To allow Council considerable flexibility for approval of uses on suitable sites that have potential for a number of different land uses. On sites Development as Direct Control, Council is willing to consider proposals that do not infringe on adjacent uses.*

## SECTION 2 PERMITTED USES

2.1 Any use Council considers suitable.

## SECTION 3 MINIMUM LOT SIZE

3.1 As Council determines necessary, but not less than the requirements of the Subdivision and Development Regulation.

## SECTION 4 STANDARDS OF DEVELOPMENT

4.1 As Council considers necessary having regard to Schedules 4, 5, and 6.

## SECTION 5 OTHER STANDARDS

5.1 Council may require additional standards having regard to statutory plans, and comments from referral agencies contacted under Section 7.3 of this district.

## SECTION 6 APPROVAL PROCEDURE

6.1 Before Council considers an application for a use in the Direct Control district, they shall:

(a) cause notice to be issued by the Development Officer in accordance with Section 39 of this bylaw;

(b) hear any persons that claim to be affected by the decision on the application.

6.2 Council may then approve the application with or without conditions or refuse the application.

6.3 When applicable, Council should seek comments from other government agencies, such as:

- Alberta Health Services,
- Planning Advisor,
- Alberta Transportation,
- Alberta Environment, and
- any other agency Council considers necessary.

## SITE SPECIFIC DIRECT CONTROL STANDARDS

### SECTION 7 Lots 11-12, Block 1, Plan 2605 AL (514 51 Avenue)

# FUSION – FUS

## SECTION 1 PURPOSE

1.1 To allow the comprehensive Development of a Site which may or may not feature a mixture of complementary residential and non-residential land uses to create an environment not possible using another land Use District in this Bylaw

## SECTION 2 PERMITTED USES

2.1 Uses permitted in the district are those which are, in the opinion of the Development Authority, compatible with any associated approved Area Structure Plan, Outline Plan or the Municipal Development Plan and the approved Comprehensive Site Plan.

## SECTION 3 MINIMUM LOT SIZE

3.1 As determined necessary in the approved Area Structure Plan, Outline Plan or the Municipal Development Plan and the approved Comprehensive Site Plan, but not less than the requirements of the Subdivision and Development Regulation.

## SECTION 3 STANDARDS OF DEVELOPMENT

3.1 Prior to the issuance of any Development Permits, a Comprehensive Site Plan must be approved by the Town Council.

3.2 All development shall have regard to Schedules 4, 5, 6 and 7.

## SECTION 4 OTHER STANDARDS

4.1 The Development Authority may require additional standards having regard to statutory plans, and comments from referral agencies.

**Schedule 3**

# DEVELOPMENT NOT REQUIRING A PERMIT

# Schedule 3

# DEVELOPMENT NOT REQUIRING A PERMIT

## SECTION 1 GENERAL STANDARDS

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

1.2 This schedule does not negate the requirement of obtaining a business license where required.

1.3 Developments that shall not require a development permit must otherwise comply with all provisions of this bylaw including:

(a) the development must conform to the uses in the land use district in which the development is proposed; and

(b) the development must meet or exceed the applicable development standards including but not limited to setbacks from property lines, height, site coverage as stated in the applicable land use district.

1.4 If there is a doubt to whether a development is exempt from obtaining a development permit, the matter shall be decided by the Municipal Subdivision and Development Authority.

## SECTION 2 RESIDENTIAL DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

The following residential developments shall not require a development permit, but must otherwise comply with all other provisions of this bylaw and other legislation in accordance with Section 1 of this schedule.

2.1 The maintenance or repair of any building provided that the work does not include structural alterations or additions.

2.2 Interior renovations to a building which do not:

(a) create another dwelling unit,

(b) increase parking requirements, or

(c) result in the change of use of a building.

2.3 Any accessory storage building, garden shed or structure placed on a lot which is 9.3 $m^2$ (100 $ft^2$) or less in area and that is not on a permanent foundation.

2.4 The erection, maintenance or alteration of a fence, gate, wall, hedge or other means of enclosure as specified regarding height and location in accordance with Schedule 4: Residential Standards of Development.

2.5 The construction of uncovered decks or patios 24 inches or lower to ground level in accordance with the land use district front, side and rear setback requirements. Any covered deck shall require a development permit.

2.6 Landscaping that was not required as part of the original development permit in accordance with Schedule 4: Residential Standards of Development.

2.7 Any satellite dish less than 1 m (3.3 ft) in diameter.

2.8 Stand-alone temporary inflatable outdoor swimming pools and above ground hot tubs. Shade structures or decks for access to the pool or hot tub require permits.

2.9 The installation of cement or other hard surface material that is not to be covered or partially covered by a roof or other shelter and does not exceed 50% of the total landscaped area.

2.10 One shipping container may remain on site for a single period not exceeding 14 days in a calendar year (i.e. a single period is allowed, regardless of the total number of days – once the shipping container leaves the site it may not return without the benefit of an approved development permit).

2.11 The completion of a building which was lawfully under construction at the date this bylaw came into effect provided that the building is completed in accordance with the terms and conditions of any development permit granted.

2.12 The completion of a building that did not require a development permit under the previous Land Use Bylaw and which was lawfully under construction prior to the adoption of this bylaw, and provided the building is completed within 12 months from the date this bylaw came into effect.

## SECTION 3 NON- RESIDENTIAL DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

The following developments shall not require a development permit, but must otherwise comply with all other provisions of this bylaw and other legislation in accordance with Section 1 of this schedule.

3.1 The temporary placement or construction of works, plants or machinery (not including shipping containers) needed to construct a development for which a development permit has been issued for the period of those operations.

3.2 Temporary and directional signs.

3.3 Excavation, grading, stripping, or stockpile provided it is part of a development for which a development permit has been issued or is addressed in a signed Development Agreement with the Town of Coalhurst.

3.4 One shipping container may remain on site for a single period not exceeding 14 days in a calendar year (i.e. a single period is allowed, regardless of the total number of days – once the shipping container leaves the site it may not return without the benefit of an approved development permit).

3.5 Seasonal sales that are not permanent, but may require a Town of Coalhurst Business License, (e.g. farmers' market, outdoor amusement park, fruit and vegetable stands, Christmas tree sales, etc.) if in the opinion of the Development Authority, such sales, activities and special events would not adversely affect:

(a) parking,

(b) traffic flow,

(c) the appearance of the site,

(d) public safety, and/or

(e) the seasonal outside sale, activity or special event is in operation for a period not to exceed 30 days.

3.6 In all land use districts, heavy machinery excavation (i.e. stripping or stockpiling of topsoil, and rough grading of land), when such operations are performed in accordance with a valid Development Agreement made with the municipality which authorizes such work.

3.7 Despite Section 3.6 above, where no development agreement for heavy machinery excavation (i.e. stripping or stockpiling of topsoil and rough grading of land) exists, an application for a development permit is required.

3.8 In the Transitional – TR land use district the cultivation of land or extensive agriculture use.

3.9 The installation and maintenance of new or replacement playground facilities in public parks that are owned and operated by the Town of Coalhurst.

3.10 The completion of a building which was lawfully under construction at the date this bylaw came into effect provided that the building is completed in accordance with the terms and conditions of any development permit granted.

3.11 The completion of a building that did not require a development permit under the previous Land Use Bylaw and which was lawfully under construction prior to the adoption of this bylaw, and provided the building is completed within 12 months from the date this bylaw came into effect.

## SECTION 4 MUNICIPAL, PROVINCIAL AND FEDERAL DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

The following developments shall not require a development permit:

4.1 The maintenance or repair of public works, services and utilities on publicly owned or administered land carried out by or on behalf of federal, provincial, municipal or public authorities.

4.2 Municipal signs on public land.

4.3 The installation and maintenance of new or replacement playground facilities in public parks that are owned and operated by the Town of Coalhurst.

4.4 Any use or development exempted under section 618(1) of the *MGA*.

4.5 Any use or development exempted by the Lieutenant Governor in Council pursuant to section 618(4) of the *MGA*.

4.6 Telecommunication antenna systems that are regulated by Science, Innovation and Economic Development Canada subject to Schedule 8, Telecommunication Antenna Siting Process.

4.7 The completion of a building which was lawfully under construction at the date this bylaw came into effect provided that the building is completed in accordance with the terms and conditions of any development permit granted.

4.8 The completion of a building that did not require a development permit under the previous Land Use Bylaw and which was lawfully under construction prior to the adoption of this bylaw, and provided the building is completed within 12 months from the date this bylaw came into effect.

**Schedule 4**

# RESIDENTIAL STANDARDS OF DEVELOPMENT

# Schedule 4

# RESIDENTIAL STANDARDS OF DEVELOPMENT

Except for more specific, alternative, or contradictory standards as may be set forth within an individual land use district, the following standards apply to all uses in all districts.

## PART 1: GENERAL RESIDENTIAL STANDARDS

### SECTION 1 STATUTORY PLANS

1.1 Where the policies, rules or procedures indicated in a statutory plan vary, supplement, reduce, replace or qualify the requirements of this bylaw for a particular district or districts, the policies, rules or procedures indicated in the statutory plan shall take precedence.

### SECTION 2 QUALITY OF DEVELOPMENT

2.1 The Development Authority may impose reasonable conditions on a development permit if it will make the use or development more consistent with the purpose of the land use district or with the Municipal Development Plan.

2.2 In no circumstances shall any part of any structure encroach or cause runoff on an adjoining property.

### SECTION 3 DESIGN AND ORIENTATION OF BUILDINGS, STRUCTURES AND SIGNS

3.1 The design, character and appearance of buildings, structures or signs shall be consistent with the intent of the land use district in which the building is located and compatible with other buildings in the vicinity.

3.2 The Development Authority may regulate the exterior finish of buildings, structures or signs to improve the quality of any proposed development within any land use district.

3.3 The maximum allowable height above the average finished surface level of the surrounding ground of the exposed portion of a concrete or block foundation may be limited by the Development Authority.

3.4 Subject to the requirements of the Safety Codes, the Development Authority may require that buildings be physically accessible to disabled persons.

3.5 If a building is to be located on a lot with more than one street frontage or on a lot with potential for further subdivision, the Development Authority may regulate the orientation and location of the building as a condition of development approval.

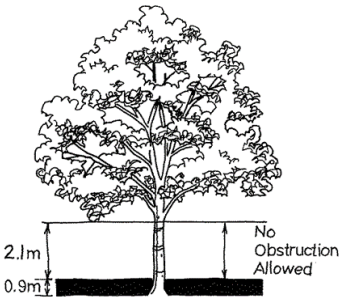
### SECTION 4 EASEMENTS

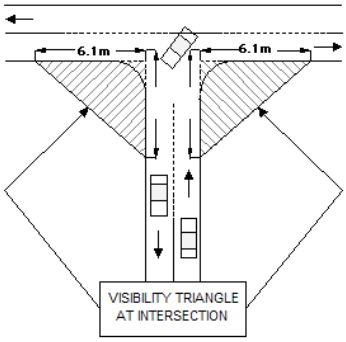
4.1 No structures shall be located within a registered easement.

4.2 All permanent structures shall be located a minimum of 3.1 m (10 ft), or such greater distance as required by the Development Authority, from an easement registered for the protection of municipal water mains and sewer mains or any other such infrastructure, as determined by the municipality.

## SECTION 5 CORNER LOT SIGHT TRIANGLE

5.1 On a corner lot, nothing shall be erected, placed, planted or allowed to grow in a manner which may restrict traffic visibility at street intersections, between 0.9 m (3 ft) and 3.1 m (10 ft) above the centre line grades of the intersecting streets in the area bounded by the property lines of such corner lots and a line joining points along the said property line 6.1 m (20 ft) [or such other distance as required by the Development Authority] from the point of intersection.




## SECTION 6 REDUCED LOT AREA AND DIMENSIONS

6.1 The Development Authority may approve a development on an existing registered lot the minimum dimensions or area of which are less than those specified in each land use district provided that the minimum area allowed is not less than 232.3 $m^2$ (2,500 $ft^2$).

## SECTION 7 MULTIPLE FRONT YARD PROVISION (Corner Lots)

7.1 Where any lot has more than one front yard line, the front yard requirements shall apply to all yards, but at the discretion of the Development Officer or Municipal Subdivision and Development Authority, only one-half the front yard requirement may apply to one of the front yards and that yard shall be considered a side yard.

## SECTION 8 PROJECTIONS OVER PUBLIC LAND

8.1 In residential districts, no projections are to be over public lands, including roads, boulevards or sidewalks.

8.2 Signs, awnings or other projections shall be designed so that drainage or snow melt will be contained on the property.

## SECTION 9 DEMOLITION OR REMOVAL OF BUILDINGS OR STRUCTURES

9.1 No person shall commence or cause to be commenced the demolition or removal of any building or structure, or portion thereof, until all necessary approvals have been obtained.

9.2 An application and approval must be obtained for the demolition or removal of any building or structure greater than 9.3 $m^2$ (100 $ft^2$) in size.

9.3 Whenever an approval is issued for the demolition or removal of a building or structure, it shall be required that the lot shall be cleared, with all debris removed, and left in a graded condition upon completion of the demolition or removal to the satisfaction of the Development Authority.

9.4 An approval for demolition or removal of a building or structure may require the applicant to provide a cash deposit, irrevocable letter of credit or other acceptable form of security in such amount as to cover the costs of reclamation to any public utility or town property.

9.5 Whenever a demolition or removal of a building or structure is carried out, the property owner shall, at his own expense, protect any wall, structure, sidewalk or roadway liable to be affected by such demolition or removal, including those on neighbouring properties, from damage or displacement. Further, the property owner shall ensure that adequate measures are taken by way of fencing and screening to ensure public safety.

9.6 The applicant shall be responsible for obtaining all necessary Safety Codes approvals and utility service disconnections before demolition or removal of buildings or structures.

### SECTION 10 DEVELOPMENT OF LANDS SUBJECT TO SUBSIDENCE, UNDERMINING OR FLOODING

10.1 If, in the opinion of the Development Authority, land upon which development is proposed is subject to subsidence, flooding or undermining, the Development Authority may require the applicant to submit a structural building plan prepared and sealed by a qualified professional engineer, and/or a slope stability analysis, and/or geotechnical report, and/or flood mapping prepared by a qualified professional engineer demonstrating that any potential hazards can be mitigated.

10.2 The Development Authority may determine that the land upon which development is proposed which has been identified as impacted by subsidence, flooding or undermining may refuse the application.

## PART 2: LOT IMPROVEMENTS

### SECTION 1 PERMITTED PROJECTIONS INTO SETBACKS

1.1 In no circumstances shall any part of any structure encroach or cause runoff on an adjoining property.

1.2 The following features may, subject to the relevant provisions of Safety Codes, project into the required setbacks under this bylaw:

(a) unenclosed steps or unenclosed fire escapes;

(b) a wheelchair ramp at the discretion of the Development Authority;

(c) driveways, curbs and sidewalks;

(d) off-street parking in accordance with the applicable land use district and section 10;

(e) cooling units not to exceed 0.9 m (3 ft);

(f) mailboxes; and

(g) signs, in accordance with Schedule 3.

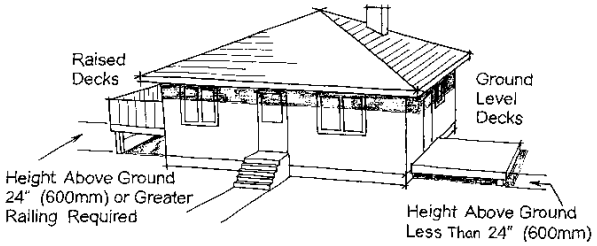
1.3 In all cases, projections into any required setback must comply with the requirements of Safety Codes.

## SECTION 2 DECKS

2.1 A development permit is required for the construction of a deck if it will be constructed so that the decking is situated more than 0.6 m (24 inches) above grade.

2.2 Attached and unattached decks must be located in a manner such as to preserve the privacy on adjacent properties.

2.3 A ground level deck means an unenclosed (no roof) amenity area of concrete, brick, wood, or other material that is constructed at grade or attached to a dwelling. The overall height of a ground level deck shall not exceed 0.6 m (24 inches) measured from the finished grade to the underside of the supporting structure and must be constructed to meet all yard setbacks in the appropriate land use district.




2.4 A raised deck means an unenclosed (no roof) amenity area, of wood frame or other construction, which may be attached to a dwelling. The overall height of a raised deck is greater than 0.6 m (2 ft) from the finished grade to the underside of the supporting structure and must be constructed to meet all yard setbacks in the appropriate land use district.

2.5 For the purpose of calculating yard setbacks and site coverage requirements as provided in this bylaw, where a deck structure is attached to the principal building it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks.

2.6 Unenclosed decks may encroach into the minimum required rear yard setback distance a maximum of 2.0 m (6.5 ft) on laneless lots and 3.1 m (10 ft) on lots with lanes.

## SECTION 3 PRIVACY WALLS AND/OR PRIVACY SCREENS

3.1 The placement of a privacy wall or screen shall be limited to the side and rear yard only.

3.2 Privacy walls and/or screens will not require a development permit if:

(a) the proposed development complies with all of the standards for privacy walls and/or screens within this section; and

(b) attached to a raised deck 0.6 m (2 ft) or greater in height and the deck has been issued a development permit; or

(c) the structure is freestanding and meets the setback requirements for accessory buildings within the applicable land use district.

3.3 Privacy walls and/or screens which are attached to a raised deck or balcony in conjunction with a **single-unit dwelling** shall:

(a) be no more than 2.4 m (8 ft) above the finished deck floor elevation (finished board on top of joist floor);

(b) have all the area of the wall or screen above 1.2 m (4 ft) be constructed of material that is translucent or has individual openings of at least 2.5 cm (1 inch) to allow light to pass;

(c) be subject to the setback requirements for principal buildings.

3.4 Privacy walls and/or screens which are attached to a raised deck or balcony **shared by more than one dwelling unit** shall:

(a) be no more than 2.4 m (8 ft) above the finished deck floor elevation (finished board on top of joist floor);

(b) require that the dividing wall be constructed of material that is solid to allow for privacy between the units;

(c) require that all other privacy walls or screens be constructed to have all of the area of the wall or screen above 1.2 m (4 ft) constructed of material that is translucent or has individual openings of at least 2.5 cm (1 inch) to allow light to pass.

3.5 Privacy walls and/or screens which are free standing shall:

(a) be no more than 3.1 m (10 ft) above ground level; and

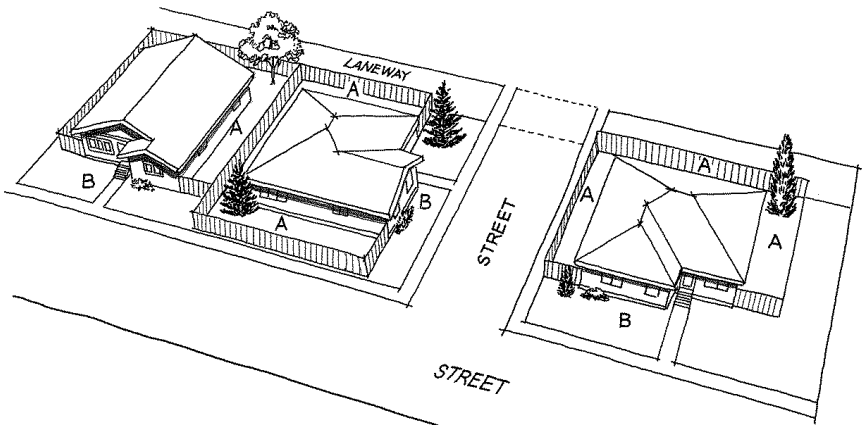
(b) have all of the area of the wall or screen above 1.8 m (6 ft) be constructed of material that is translucent or has individual openings of at least 2.5 cm (1 inch) to allow light to pass;

(c) be subject to the setback requirements for accessory buildings in the appropriate land use district.

3.6 The privacy walls and/or screens are required to be finished on both sides with similar materials and colours. The Development Officer or Municipal Subdivision and Development Authority may stipulate the type of material and colour of finish for the privacy wall and/or screen as a condition on a development approval.

## SECTION 4 FENCES

4.1 No fence, wall, gate, hedge or other means of enclosure shall extend more than 0.9 m (3 ft) above level grade and shall not be more than 0.3 m (1 ft) in width in any front yard without an approved development permit (labelled as area B on diagram), except in the case of corner lots where one yard is considered as the side yard.



4.2 Fences in the secondary front, rear and side yards must not exceed 1.8 m (6 ft) in height from level grade and shall not be more than 0.3 m (1 ft) in width without an approved development permit (labelled as area A on diagram).

4.3 Fencing shall not be permitted to be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense.

4.4 The Development Authority may regulate the material types and colour used for the fence. Regardless of fence height, barbed wire fencing or unconventional fencing materials, including but not limited to pallets, used construction materials, etc., as determined by the Development Authority, are prohibited.

4.5 No portion of a fence, including an associated retaining wall, shall be greater than 0.30 m (1 ft) in thickness. Any variance to the thickness of a fence shall be referred to the Municipal Subdivision and Development Authority for a decision.

4.6 The construction of a fence should be completed within 12 months of commencement and shall be finished, where appropriate, by painting or staining the fence.

## SECTION 5 REFUSE COLLECTION AND STORAGE

5.1 In all land use districts, refuse and garbage shall be stored in suitable containers for the applicable use within a land use district as per the Town's Utility Bylaw.

## SECTION 6 LIGHTING

6.1 Where artificial outdoor lighting is provided to illuminate any parcel, building or site, the type, location and orientation of lighting shall:

(a) avoid direct illumination of the neighbouring properties;

(b) not adversely affect the use, enjoyment and privacy of any dwelling; and

(c) not interfere with traffic safety on public roadways.

6.2 Outdoor lighting is to be mounted not more than 6.1 m (20 ft) above ground, excepting outdoor lighting for public uses and lighting approved in conjunction with a development permit.

6.3 Site lighting may be required as a condition of development and any such lighting shall be located, oriented and shielded so as not to adversely affect neighbouring properties or traffic safety on public roadways.

## SECTION 7 HARDSURFACING AND LANDSCAPING STANDARDS

7.1 The all residential yards (front, side, secondary front and rear) of a lot shall be landscaped within 18 months of occupancy to the satisfaction of the municipality.

7.2 Hardsurface landscaping may consist of any or all of the following:

(a) asphalt,

(b) concrete, or

(c) any other product which will not allow for the penetration of water through it.

7.3 Hardsurface landscaping shall be limited to not more than 50% of the lot not covered by the principal dwelling, decks, accessory buildings and structures. Driveways, sidewalks, parking pads, at grade decks and patios shall be used to calculate hardsurface landscaping which may not exceed 50% of the total landscaped area unless approved by the Municipal Subdivision and Development Authority.

7.4 Parking shall be prohibited on areas of the lot required for landscaping and is limited to approved parking areas including driveways or parking pads.

7.5 All area of a lot not hard surfaced must be landscaped and may consist of vegetative landscaping or ground cover landscaping or both.

7.6 Vegetative landscaping may consist of any or all of the following:

(a) trees, shrubs, lawn, flowers;

(b) berming, terracing; or

(c) innovative landscaping features.

7.8 Ground cover landscaping may consist of:

(a) large feature rocks, bark chips, field stone; and

(b) may not exceed 50% of the total landscaped area, and

(c) must be a minimum of 1.2 m (3 ft) from the municipal sidewalk to protect the infrastructure.

7.9 Ground cover including large feature rocks, bark chip, field stone, crushed rock, or other similar materials shall be limited to not more than 50% of a front or side yard and may not exceed 50% of the total landscaped area. An approval from the Municipal Subdivision and Development Authority approval is required if ground cover landscaping exceeds 50% of the total area to be landscaped.

7.10 A minimum of 0.9 m (3 ft) of lawn or grass cover must be maintained from the public sidewalk to protect the infrastructure from soil erosion.

7.11 Residential parking lots, where required for multi-unit developments, shall be landscaped and/or screened as required by the Development Authority.

7.12 The Development Authority may impose additional landscaping or screening requirements on a development approval for a permitted or discretionary use to improve the quality or compatibility of the proposed development.

7.13 The Development Authority may impose additional landscaping or screening requirements on a development approval for a permitted or discretionary use to improve the quality or compatibility of the proposed development.

# PART 3: ACCESS / DRIVEWAYS / PARKING

## SECTION 1 ROAD FRONTAGE AND APPROVAL OF ACCESS

1.1 All lots shall have frontage on a public roadway which enables direct physical and legal access onto that public road. Frontage on a laneway alone will not be permitted. The minimum frontage requirements shall be as defined by the minimum lot dimensions in the applicable land use district.

1.2 All access to a lot, either from a registered municipal road or lane shall be at the sole discretion of the municipality and subject to approval by the appropriate Development Authority in consultation with the Public Works Department.

1.3 All new development shall have frontage on and direct physical and legal access to a maintained public roadway, except for:

(a) development internal to a condominium plan containing private roadways; and

(b) development internal to a manufactured home community or multi-use development containing internal roadways as approved by the Development Authority.

1.4 Vehicular access to a corner lot shall generally be limited to locations along the minor residential street and access will be determined by the Development Authority at the time of development approval.

1.5 Every vehicular entrance and exit shall be located a minimum 7.6 m (25 ft) from the intersection of two streets, and a greater distance where determined reasonable and appropriate by the Development Authority.

1.6 The Development Authority may require access to be located so that it can be shared with an adjoining lot or development.

1.7 Residential garages shall have access from the lane or minor streets and consideration of sight-lines and safety shall be used to determine the approved location of the access.

## SECTION 2 OFF-STREET PARKING REQUIREMENTS

2.1 Minimum off-street parking requirements are as follows:

| USE | MINIMUM PARKING SPACES |
|---|---|
| Dwelling Unit:<br>- Single-unit<br>- Two-unit, Three-unit, Four-unit<br>- Secondary suite<br>- Modular home A & B<br>- Ready-to-move home A & B | 2 spaces per dwelling unit |
| Dwelling Unit:<br>- Three-unit<br>- Four-unit | 2 spaces per dwelling unit with up to 3 bedrooms plus one additional parking stall for each additional bedroom thereafter |
| Row Dwelling (more than four units) | 2 spaces per dwelling unit plus 1 visitor parking space for every 2 dwelling units |
| Apartment | 1.5 spaces per dwelling unit plus 1 visitor parking space for every 2 dwelling units |
| Home occupation 1<br>Home occupation 2 | N/A<br>1 additional space |
| Senior citizen housing | 1 space per 2.5 dwelling units plus visitor parking as required by the Development Authority |
| Bed and breakfast | 1 space per guest room |
| Child care facility<br><br>Group care facility | 1 pick-up/drop-off space per 10 children plus 1 space per employee<br>1 space per employee |
| Parks and playgrounds<br>Religious assembly | As required by the Development Authority |

2.2 Off-street parking stall standards for residential uses are as follows:

(a) Minimum width – 2.4 m (8 ft)

(b) Minimum length – 6.1 m (20 ft)

2.3 Calculation of off-street parking requirements resulting in a fractional number of 0.5 or greater shall be rounded up and rounded down when resulting in a fractional number of less than 0.5.

2.4 Parking lots which are required to be developed in conjunction with any residential development requiring more than 8 onsite parking stalls shall be subject to the minimum requirements found in Schedule 5, Part 3, Sections 6 and 7.

2.5 A multiple use development must provide parking in an amount equal to the number of spaces for all uses, except where a shared parking provision is approved by the Development Authority.

2.6 Tandem or stacked parking space designs are prohibited in residential districts and shall only be counted as 1 stall towards the required parking stall requirement.

2.7 Stalls located in attached or detached garages are not counted towards the required off-street parking requirements.

2.8 Off-street parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance. The Development Authority may require that off-street parking areas or portions thereof be paved as a condition of approval.

2.9 The standards and requirements found in Schedule 5, Part 3, Section 6 and 7 shall apply when a multi-stall parking area/lot is required to be constructed in conjunction with a large residential development.

## SECTION 3 DRIVEWAY STANDARDS

3.1 Only one driveway per lot is permitted for residential development. The maximum number of driveways permitted per lot shall be as indicated in Section 3.2.

3.2 Driveway standards are as follows:

| | Maximum Number | Minimum Width | | Maximum Width | |
|---|---|---|---|---|---|
| **Land Use District** | | **m** | **ft** | **m** | **ft** |
| Residential – R | 1 | 3.0 | 10 | 7.3 | 24 |
| Small Lot Residential – SLR | 1 | 3.0 | 10 | 5.5 | 18 |
| Large Lot Residential – LLR | 1 | 3.0 | 10 | 7.3 | 24 |
| Two Unit Residential – TUR<br>Side by side on single parcel<br>Side by side on individual parcel<br>Secondary suite | <br>2 (one per side)<br>1 per parcel<br>0 | 3.0 | 10 | 3.0 | 10 |
| Multi-Unit Residential – MUR<br>Front/back units on single lot<br>Three-unit on single parcel<br>Row dwelling | <br>2 (one per side)<br>1 per parcel<br>1 per parcel | 3.0 | 10 | 3.0 | 10 |

3.3 Driveway in all land use districts shall be:

(a) Setback from road or lane – 3.0 m (10 ft)

(b) Setback from intersection – 7.6 m (25 ft)

3.4 Vehicular access for corner lots will be limited to locations along the minor street unless site specific considerations require otherwise.

3.5 The Development Authority may require that driveways be paved as a condition of approval.

3.6 For lots which have alley access, preference will be to provide access from the alley to garages and carports. Front driveways will require the approval of the Municipal Subdivision and Development Authority.

3.7 Hard surfaced parking pads, walkways, and/or paving stones or similar impervious ground cover is limited to a maximum of 50% of the lot (front, side and rear) not covered by the dwelling and accessory buildings and structures, unless approved otherwise by a development permit.

# PART 4: INFRASTRUCTURE

## SECTION 1 UTILITIES AND SERVICING

1.1 All development shall be required to connect to both the municipal water supply and wastewater system except, where in the opinion of the Development Authority, the development does not require water and sewer.

1.2 The erection of a building on any site may be prohibited where it would otherwise be permitted when, in the opinion of the Development Authority, satisfactory arrangements have not been made for the supply of water, gas, electric power, sewage, street access or other services or facilities necessary to serve the development.

## SECTION 2 GRADING AND STORMWATER MANAGEMENT

2.1 Roof and surface drainage shall be directed either to the public roadway fronting the property, or as approved by the Development Officer, to a rear or side property boundary or as approved in an engineered stormwater management plan.

2.2 When discharging down spouts or sump hoses, the end point of the spout or hose must discharge a minimum of 1.8 m (6 ft) from the front property line.

2.3 The Development Authority may require as a condition of development approval engineered grading and drainage plans for the development and legal survey demonstrating that engineered grades have been met.

2.4 Grading and other measures, as appropriate, may be required to control surface drainage, reduce or eliminate grade difference between adjacent lots, and minimize erosion or slope instability.

2.5 The final grades of the development must be approved by the Development Authority before the issuance of a building permit.

2.6 The applicant is responsible for ensuring adherence to final grades.

2.7 Where a retaining wall is required, the applicant shall submit to the Development Officer plans identifying the design and specifications of development for review and approval by an accredited Safety Codes Officer.

**Schedule 5**

# COMMERCIAL / INDUSTRIAL / INSTITUTIONAL STANDARDS OF DEVELOPMENT

# Schedule 5

# COMMERCIAL / INDUSTRIAL / INSTITUTIONAL STANDARDS OF DEVELOPMENT

Except for more specific, alternative, or contradictory standards as may be set forth within an individual land use district, the following standards apply to all uses in all districts.

## PART 1: GENERAL STANDARDS

### SECTION 1 STATUTORY PLANS

1.1 Where the policies, rules or procedures indicated in a statutory plan vary, supplement, reduce, replace or qualify the requirements of this bylaw for a particular district or districts, the policies, rules or procedures indicated in the statutory plan shall take precedence.

### SECTION 2 QUALITY OF DEVELOPMENT

2.1 The Development Authority may impose reasonable conditions on a development permit if it will make the use or development more consistent with the purpose of the land use district or with the Municipal Development Plan.

2.2 In no circumstances shall any part of any structure encroach or cause runoff on an adjoining property.

### SECTION 3 DESIGN AND ORIENTATION OF BUILDINGS, STRUCTURES AND SIGNS

3.1 The design, character and appearance of buildings, structures or signs shall be consistent with the intent of the land use district in which the building is located and compatible with other buildings in the vicinity.

3.2 The Development Authority may regulate the exterior finish of buildings, structures or signs to improve the quality of any proposed development within any land use district.

3.3 The maximum allowable height above the average finished surface level of the surrounding ground of the exposed portion of a concrete or block foundation may be limited by the Development Authority.

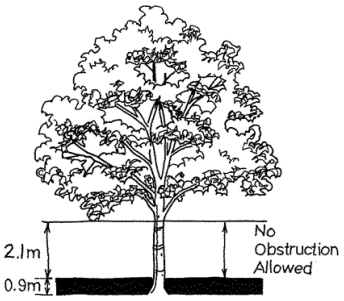
3.4 Subject to the requirements of the Safety Codes, the Development Authority may require that buildings be physically accessible to disabled persons.

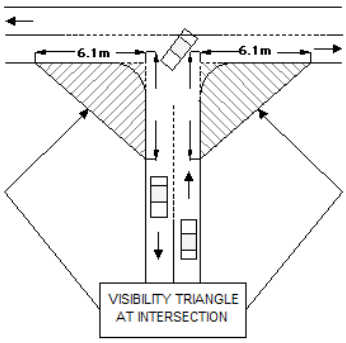
3.5 If a building is to be located on a lot with more than one street frontage or on a lot with potential for further subdivision, the Development Authority may regulate the orientation and location of the building as a condition of development approval.

3.6 Buildings shall be located close to the main street with buildings along a street following the same ‘build to’ line with some variances to provide for pocket setbacks, interest and definition.

## SECTION 4 CORNER LOT SIGHT TRIANGLE

4.1 On a corner lot, nothing shall be erected, placed, planted or allowed to grow in a manner which may restrict traffic visibility at street intersections, between 0.9 m (3 ft) and 3.1 m (10 ft) above the centre line grades of the intersecting streets in the area bounded by the property lines of such corner lots and a line joining points along the said property line 6.1 m (20 ft) [or such other distance as required by the Development Authority] from the point of intersection.




## SECTION 5 REDUCED LOT AREA AND DIMENSIONS

5.1 The Development Authority may approve a development on an existing registered lot the minimum dimensions or area of which are less than those specified in each land use district provided that the minimum area allowed is not less than 232.3 $m^2$ (2,500 $ft^2$).

## SECTION 6 MULTIPLE FRONT YARD PROVISION (Corner Lots)

6.1 Where any lot has more than one front yard line, the front yard requirements shall apply to all yards, but at the discretion of the Development Officer or Municipal Subdivision and Development Authority, only one-half the front yard requirement may apply to one of the front yards and that yard shall be considered a side yard.

## SECTION 7 PROJECTIONS OVER PUBLIC LAND

7.1 In all districts, no projections are to be over public lands, including roads, boulevards or sidewalks.

7.2 Signs, awnings or other projections shall be designed so that drainage or snow melt will be contained on the property.

## SECTION 8 DEMOLITION OR REMOVAL OF BUILDINGS OR STRUCTURES

8.1 No person shall commence or cause to be commenced the demolition or removal of any building or structure, or portion thereof, until all necessary approvals have been obtained.

8.2 An application and approval must be obtained for the demolition or removal of any building or structure greater than 9.3 $m^2$ (100 $ft^2$) in size.

8.3 Whenever an approval is issued for the demolition or removal of a building or structure, it shall be required that the lot shall be cleared, with all debris removed, and left in a graded condition upon completion of the demolition or removal to the satisfaction of the Development Authority.

8.4 An approval for demolition or removal of a building or structure may require the applicant to provide a cash deposit, irrevocable letter of credit or other acceptable form of security in such amount as to cover the costs of reclamation to any public utility or town property.

8.5 Whenever a demolition or removal of a building or structure is carried out, the property owner shall, at his own expense, protect any wall, structure, sidewalk or roadway liable to be affected by such demolition or removal, including those on neighbouring properties, from damage or displacement. Further, the property owner shall ensure that adequate measures are taken by way of fencing and screening to ensure public safety.

8.6 The applicant shall be responsible for obtaining all necessary Safety Codes approvals and utility service disconnections before demolition or removal of buildings or structures.

### SECTION 9 DEVELOPMENT OF LANDS SUBJECT TO SUBSIDENCE, UNDERMINING OR FLOODING

9.1 If, in the opinion of the Development Authority, land upon which development is proposed is subject to subsidence, flooding or undermining, the Development Authority may require the applicant to submit a structural building plan prepared and sealed by a qualified professional engineer, and/or a slope stability analysis, and/or geotechnical report, and/or flood mapping prepared by a qualified professional engineer demonstrating that any potential hazards can be mitigated.

9.2 The Development Authority may refuse an application on lands upon which development is proposed which has been identified as impacted by subsidence, undermining or flooding.

## PART 2: LOT IMPROVEMENTS

### SECTION 1 FENCES

1.1 No fence, wall, gate, hedge or other means of enclosure may be erected in the front yard of a non-residential lot. For the following specific land use districts, fences shall be restricted to the side and rear yard of properties and fence heights restrictions are:

| | Maximum Height | |
|---|---|---|
| **Land Use District** | **m** | **ft** |
| Town Centre Commercial – TCC | 2.4 | 8 |
| Business Park – BP | 2.4 | 8 |
| Industrial Business – IB | 2.4 | 8 |

1.2 For the below specific land use districts, fences or other means of enclosure may be erected in the front, rear and side yard of a non-residential lot and fence heights are as follows:

| | Maximum Height | |
|---|---|---|
| **Land Use District** | **m** | **ft** |
| Parks And Recreation – PR | 4.5 | 15 |
| Public Institutional – PI | 1.8 | 6 |
| Transitional – TR | As per MSDA | |
| Direct Control – DC | As per Council | |

1.3 Fencing shall not be permitted to be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense.

1.4 The Development Authority may regulate the material types and colour used for the fence. Regardless of fence height, barbed wire fencing or unconventional fencing materials, including but not limited to pallets, used construction materials, etc., as determined by the Development Authority, are prohibited.

1.5 No portion of a fence, including an associated retaining wall, shall be greater than 0.30 m (1 ft) in thickness. Any variance to the thickness of a fence shall be referred to the Municipal Subdivision and Development Authority for a decision.

1.6 The construction of a fence should be completed within 12 months of commencement and shall be finished, where appropriate, by painting or staining the fence.

## SECTION 2 LANDSCAPING STANDARDS AND SCREENING

2.1 The Development Authority may impose additional landscaping or screening requirements on a development approval for a permitted or discretionary use to improve the quality or compatibility of the proposed development.

2.2 Landscaping shall consist of any or all of the following:

(a) vegetation (e.g., trees, shrubs, lawn, flowers);

(b) ground cover such as large feature rocks, bark chip, field stone, crushed rock, or other similar features.

2.3 Landscaping may consist of any or all of the following:

(a) trees, shrubs, lawn, flowers;

(b) large feature rocks, bark chips, field stone (Development Authority approval is required if this type of landscaping exceeds 50% of the total landscaped area);

(c) berming, terracing;

(d) innovative landscaping features;

(e) landscape ornaments;

(f) other features that may include, but not limited to, front walkways and steps.

2.4 Parking lots for non-residential uses shall be landscaped and/or screened as required by the Development Authority.

## SECTION 3 LIGHTING

3.1 Where artificial outdoor lighting is provided to illuminate any parcel, building or site, the type, location and orientation of lighting shall:

(a) avoid direct illumination of the neighbouring properties;

(b) not adversely affect the use, enjoyment and privacy of any adjacent dwelling; and

(c) not interfere with traffic safety on public roadways.

3.2 Outdoor lighting is to be mounted not more than 6.1 m (20 ft) above ground, excepting outdoor lighting for public uses and lighting approved in conjunction with a development permit.

3.3 Site lighting may be required as a condition of development and any such lighting shall be located, oriented and shielded so as not to adversely affect neighbouring properties or traffic safety on public roadways.

### SECTION 4 REFUSE COLLECTION AND STORAGE

4.1 In non-residential land use districts refuse and garbage shall be stored in suitable containers for the applicable use within a land use district as per the Town's Utility Bylaw.

4.2 In non-residential land use districts, refuse and garbage holding areas, including containers and compaction, shall be effectively screened from public view. The Development Authority may require screening of refuse and garbage holding areas as a condition of development approval.

4.3 In all non-residential land use districts, refuse and garbage holding areas, enclosures, and compaction areas are to be located a minimum of 7.6 m (25 ft) from an adjacent residential use.

4.4 All garbage holding areas, enclosures, and compaction areas shall be located and designed to ensure adequate on-site maneuvering for refuse collection vehicles.

4.5 All refuse on any construction site shall be properly screened or placed in an approved enclosure until removed for disposal.

## PART 3: ACCESS / OFF-STREET PARKING / PARKING LOTS

### SECTION 1 ROAD FRONTAGE AND ACCESS

1.1 All lots shall have frontage on a public roadway which enables direct physical and legal access onto that public road. Frontage on a laneway alone will not be permitted. The minimum frontage requirements shall be as defined by the minimum lot dimensions in the applicable land use district.

1.2 Location of the access to each development from a public roadway should be shown on the plot plan submitted with the application for a development permit and is subject to the approval of the Development Officer or Municipal Subdivision and Development Authority.

1.3 Vehicular access to a corner lot shall generally be limited to locations along the minor streets and access will be determined by the Development Authority at the time of development approval.

1.4 Every vehicular entrance and exit shall be located at least 7.6 m (25 ft) from the intersection of two streets, and a greater distance where reasonable and appropriate by the Development Authority.

1.5 The Development Authority may require access to be located so that it can be shared with an adjoining lot or development.

## SECTION 2 OFF-STREET PARKING REQUIREMENTS

2.1 The off-street parking and loading requirements and design standards apply to:

(a) all new buildings and uses, and

(b) the expansion or enlargement of existing buildings or uses.

2.2 In the case of expansion or enlargement of an existing building or use, additional off-street parking spaces will be required to serve the expanded or enlarged area only, not the entire building or use.

2.3 Off-street parking requirements based on floor area are to be computed on the gross floor area (GFA) of the building. Table 1, Minimum Required Off-Street Parking, shall be used to calculate the minimum number of off-street parking spaces a use is required to provide.

2.4 Calculation of off-street parking requirements resulting in a fractional number of 0.5 or greater shall be rounded up and rounded down when resulting in a fractional number of less than 0.5.

2.5 A multiple use development must provide parking in an amount equal to the number of spaces for all uses, except where a shared parking provision is approved by the Development Authority.

2.6 A shared parking provision based upon the proposed sharing of parking spaces between two or more uses must include a written agreement between the owners on record. Where such off-site parking is approved, a caveat shall be registered against the lot to guarantee the continuous use of the site for parking.

2.7 Where a use is not listed, minimum required off-street parking shall be provided as required by the Development Authority having regard to the listed use that is most similar to the proposed use. As an alternative, the Development Authority may require a parking study to be prepared by a qualified professional at the applicant's expense to determine the parking requirements for a use not listed in Table 1.

2.8 All required parking spaces shall be provided on the same lot as the building or use, except where the Development Authority may permit off-site parking spaces to be provided on a lot within 152.4 m (500 ft) of the building or use if, in the Development Authority's opinion, it is impractical to provide parking on the same lot as the building or use. Where such off-site parking is approved, a caveat shall be registered against the lot to guarantee the continuous use of the site for parking.

**Table 1 – Minimum Required Off-street Parking**

| USE | MINIMUM PARKING SPACES |
|---|---|
| Drive-in/drive-through use<br>Entertainment establishment | 1 space /5.1 $m^2$ (55 $ft^2$) of seating area plus 1 space per employee |
| Shopping centre | 1 space /23.2 $m^2$ (250 $ft^2$) of GFA |
| Convenience store<br>Recreation facility | 1 space /27.9 $m^2$ (300 $ft^2$) of GFA |
| Financial institution<br>Grocery store<br>Personal service<br>Retail store<br>Service station/gas bar | 1 space /37.2 $m^2$ (400 $ft^2$) of GFA |
| Automotive sales and/or service<br>Bulk oil / fuel station<br>Government service<br>Kennel<br>Office | 1 space /46.5 $m^2$ (500 $ft^2$) of GFA |
| Construction supply and contractor<br>Equipment sales, rental and service<br>Intensive horticultural service<br>Light industry/manufacturing<br>Truck transportation/dispatch depot<br>Warehousing<br>Wholesale trade | 1 space /65 $m^2$ (700 $ft^2$) of GFA |
| Car wash<br>Truck wash | 1 space per employee |
| Restaurant | 1 space per 4 seats plus employee parking |
| Health service | 1 space per staff member and 1 space per examination room |
| Hotel/motel | 1 space per guest room |
| Mini storage<br>Outdoor storage<br>Salvage or wreckage yard<br>Waste disposal facility | As required by the Development Authority |

## SECTION 3 BARRIER-FREE OFF-STREET PARKING REQUIREMENTS

3.1 The minimum number of barrier-free parking spaces to be provided for the disabled shall be a portion of the total number of off-street parking spaces required, in accordance with Table 2, Barrier-Free Parking Spaces.

3.2 Each barrier-free parking space for the disabled shall be:

(a) at least 3.7 m (12 ft) wide;

(b) have a firm, slip-resistant and level surface;

(c) be clearly marked as being for the use of persons with disabilities only.

3.3 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.

3.4 Barrier-free parking stalls shall be clearly identifiable in accordance with Safety Codes.

3.5 There must be a well-lit, distinguishable, barrier-free path of travel from the parking areas to the building entrance.

3.6 It is recommended that an additional number of spaces 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, such as, but not limited to, medical services and restaurants.

**Table 2 – Barrier-Free Parking Spaces**

| NUMBER OF PARKING SPACES REQUIRED FOR A USE | NUMBER OF BARRIER-FREE SPACES REQUIRED FOR A USE BY PERSONS WITH DISABILITIES |
|---|---|
| 0-10 | 0* |
| 11-25 | 1 |
| 26-50 | 2 |
| 51-100 | 3 |
| for each additional increment of 100 or part thereof | 1 additional stall |

* Development is encouraged to provide at least one barrier-free parking space for use by persons with disabilities.

## SECTION 4 LOADING SPACE REQUIREMENTS

4.1 One loading space shall be provided for each loading door for all commercial or industrial uses unless determined by the Municipal Subdivision and Development Authority it is not necessary.

4.2 The minimum dimensions for a loading space shall be 3.1 m (10 ft) by 9.1 m (30 ft) with an overhead clearance of 4 m (13 ft).

4.3 Each loading area shall provide a doorway into the building sufficient to meet the needs of the use within the building.

4.4 Each loading area shall be designed in such a manner that it will not interfere with convenient and safe pedestrian movement, traffic flow or parking.

4.5 The Development Authority may require additional loading areas or doors if, in the Development Authority's opinion, such additional areas or doors are deemed necessary.

4.6 The Development Authority may consider a joint loading area for two or more uses if, in the Development Authority's opinion, such a loading area would facilitate orderly development or relieve congestion in the immediate area.

## SECTION 5 QUEUING REQUIREMENTS FOR DRIVE-THROUGH USES

5.1 Vehicle-oriented uses should be located only where the development will not adversely affect the functioning of surrounding public roadways.

5.2 Queuing space should be provided as follows:

(a) Gas station: 9.1 m (30 ft) from each end on pump island;

(b) Bank machine: 22.9 m (75 ft) from bank machine window;

(c) Car wash: 15.2 m (50 ft) from car wash entrance;

(d) Any use that has an order box and pick-up window component: 30.5 m (100 ft) from order box to pick-up window.

5.3 The minimum stacking space requirements in Section 5.2 may be varied by the Development Authority depending upon the intensity of the proposed development.

5.4 All portions of the queuing lane shall be contained on the parcel on which the development is located. The use of public lanes or roadway shall be prohibited as part of the queuing lane.

5.5 Queuing lanes should be located to the outer perimeter of the businesses parking lot wherever possible, to avoid vehicles in queuing spaces from impeding/blocking other vehicles navigating parking spaces.

5.6 Queuing lanes must provide sufficient space for turning and maneuvering, and be maintained by the parcel owner.

## SECTION 6 OFF-STREET PARKING DESIGN STANDARDS

6.1 Off-street parking areas shall be accessible and designed in a manner which will provide for orderly parking in accordance with the minimum parking space dimensions in Table 3, Minimum Parking Space Dimensions.

6.2 Parking space designs proposing tandem or stacked parking to a maximum of two vehicles per stall may be approved by the Development Authority provided the spaces are for employee parking only.

6.3 The stall width and depth requirements for an off-street parking space may be reduced by the Development Authority where spaces are designed to accommodate compact vehicle parking.

6.4 Where a use or development may need to accommodate over-sized vehicles such as tractor-trailers, large recreational vehicles, buses or other similar vehicles, the Development Authority may require larger parking space and aisle dimensions.

6.5 Off-street parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.

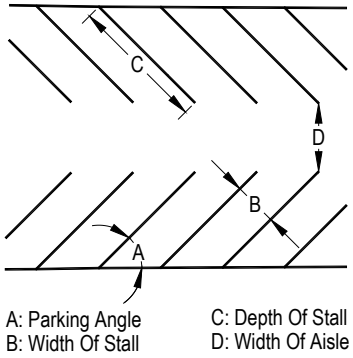
6.6 Off-street parking spaces adjacent to a road right-of-way shall be provided with bumper blocks, curbing or other similar protective feature to ensure public safety and prevent vehicle overhang.

6.7 The Development Authority may require that off-street parking areas or portions thereof be paved as a condition of approval.

**Table 3 – Minimum Parking Space Dimensions**

| A: Parking Angle | B: Stall Width | | C: Stall Depth | | D: Aisle Width | |
|---|---|---|---|---|---|---|
| Degrees | m | ft | m | ft | m | ft |
| 0 | 2.4 | 8.0 | 6.7 | 22 | 3.7 | 12 |
| 30 | 2.7 | 9.0 | 5.5 | 18 | 3.5 | 11 |
| 45 | 2.6 | 8.5 | 6.1 | 20 | 3.9 | 13 |
| 60 | 2.6 | 8.5 | 6.4 | 21 | 5.5 | 18 |
| 90 | 2.9 | 9.5 | 5.6 | 18.5 | 7.3 | 24 |

**Minimum Parking Space Dimensions**




## SECTION 7 DESIGN REQUIREMENTS FOR MULTI-STALL PARKING AREAS (PARKING LOTS)

7.1 The requirements of this section are in addition to any other requirement for multi-stall parking areas contained in this bylaw.

7.2 For multi-stall parking areas of more than 20 total stalls, every 10 stalls should be interrupted by landscaping or other site elements deemed appropriate by the Development Authority.

7.3 All multi-stall parking areas should incorporate Low Impact Development (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.

7.4 All 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 Municipal Subdivision and Development Authority.

7.5 All multi-stall parking areas shall be adequately illuminated and consideration of light shields

# PART 4: INFRASTRUCTURE

## SECTION 1 EASEMENTS

1.1 No structures shall be located within a registered easement.

1.2 All permanent structures shall be located a minimum of 3.1 m (10 ft), or such greater distance as required by the Development Authority, from an easement registered for the protection of municipal water mains and sewer mains or any other such infrastructure, as determined by the municipality.

## SECTION 2 UTILITIES AND SERVICING

2.1 The erection of a building on any site may be prohibited where it would otherwise be permitted when, in the opinion of the Development Authority, satisfactory arrangements have not been made for the supply of water, gas, electric power, sewage, street access or other services or facilities necessary to serve the development.

2.2 All development shall be required to connect to both the municipal water supply and wastewater system, except where in the opinion of the Development Authority, the development does not require water and sewer.

## SECTION 3 GRADING AND STORMWATER MANAGEMENT

3.1 The Development Authority may require as a condition of development approval:

(a) engineered grading and drainage plans for the development and legal survey demonstrating that engineered grades have been met;

(b) grading and other measures, as appropriate, to control surface drainage, reduce or eliminate grade difference between adjacent lots, and minimize erosion or slope instability;

(c) the final grades of the development must be approved by the Development Authority before the issuance of a building permit;

(d) the applicant is responsible for ensuring adherence to final grades.

3.2 The construction of a retaining wall whenever, in the opinion of the Development Authority, significant differences in grade exist or will exist between the lot being developed and any adjacent lot or roadway. Where a retaining wall is required, the applicant shall submit to the Development Officer plans identifying the design and specifications of development for review and approval by the accredited Safety Codes Officer.

3.3 Roof and surface drainage shall be directed either to the public roadway fronting the property, or as approved by the Development Officer, to a rear or side property boundary or as approved in an engineered stormwater management plan.

3.4 When discharging down spouts or sump hoses, the end point of the spout or hose must discharge a minimum of 1.8 m (6 ft) from the front property line.

**Schedule 6**

# USE SPECIFIC STANDARDS OF DEVELOPMENT

# Schedule 6

# USE SPECIFIC STANDARDS OF DEVELOPMENT

The standards in this schedule establish additional requirements for specific uses or structures. The General Standards of Development in Schedules 4 and 5 and the requirements of the applicable land use district also apply unless otherwise stated.

## SECTION 1 ALTERNATIVE ENERGY SOURCES: SOLAR AND WIND

1.1 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, turbines, etc. provided that any additional approvals or standards required at the municipal, provincial and/or federal levels are met or exceeded.

**SOLAR ENERGY SYSTEM**

1.2 A solar energy system 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:

1.3 A solar collector mounted on a roof:

(a) may project a maximum of 1.3 m (4 ft) from the surface of the roof and shall not exceed the maximum height requirements of the applicable land use district; and

(b) must not extend beyond the outermost edge of the roof.

1.4 A solar collector mounted to a wall:

(a) must be located such that it does not create undue glare on neighbouring property or public roadways;

(b) must be located a minimum of 2.3 m (7.5 ft) above grade;

(c) may project a maximum of 1.5 m (5 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; and

(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.

1.5 A free-standing solar collector or a solar collector mounted to any structure other than a roof or wall of a building shall be processed subject to the applicable land use district and shall be subject to the setback requirements for accessory buildings and structures.

1.6 A free-standing solar collector or a solar collector mounted to any structure other than a roof or wall of a building:

(a) must be located such that it does not create undue glare on neighbouring property or public roadways; and

(b) must not exceed 1.8 m (6 ft) in height above existing grade.

**WIND ENERGY CONVERSION SYSTEMS, INDIVIDUAL**

1.7 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.

(a) ***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.

(b) ***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 ft) in height.

1.8 Applications for Small Wind Energy Systems shall include the following information where applicable:

(a) the manufacturers make and model number;

(b) the manufacturer's specifications indicating:
- the SWES rated output in kilowatts
- safety features and sound characteristics
- type of material used in tower, blade, and/or rotor construction;

(c) nature and function of over speed controls which are provided;

(d) specifications on the foundations and/or anchor design, including location and anchoring of any guide wires; and

(e) site diagram with proposed system and location of existing buildings or improvements.

1.9 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 Alberta Utilities Board, Transport Canada, NavCanada, and any other federal or provincial agencies or departments deemed necessary.

1.10 A Small Wind Energy System shall comply with all the setbacks that govern the principal use in the district in which it is located.

1.11 No part of the wind system structure, including guy wire anchors, may extend closer than 3.0 m (10 ft) to the property boundaries of the installation site.

1.12 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 (10 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; and

(b) the system's tower is set back a minimum distance equal to the height of the tower from any structure on adjoining parcels.

1.13 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 ft) on a parcel 2.0 ha (5 acres) or more.

1.14 The Municipal Subdivision and Development Authority may place conditions on approval regarding:

(a) visual appearance of the system;

(b) utility lines shall be underground where economically practical;

(c) noise shall not exceed 45 dB(A), or in excess of 5 dB(A) above the background noise at the property line, whichever is greater;

(d) reclamation of the system.

## SECTION 2 BED AND BREAKFAST ACCOMMODATIONS

2.1 The bed and breakfast shall be operated by a full-time resident of the dwelling.

2.2 The operation is limited to a maximum of five guest rooms and 10 guests at any one time in addition to the full-time residents of the dwelling.

2.3 One off-street parking space is required for each guest room in addition to the off-street parking requirements for the dwelling.

2.4 The residential character of the dwelling shall be maintained and be consistent with the intent of the district.

2.5 Guest rooms shall not be permitted to contain cooking or kitchen facilities.

2.6 Meals may be provided to registered guests only.

2.7 The maximum length of accommodation for guests is limited to 14 consecutive days.

2.8 Signage for bed and breakfasts must comply with the following:

(a) a maximum of one sign,

(b) sign must be no greater than 0.7 $m^2$ (8 $ft^2$) in size, and

(c) sign must be located in the structure window.

Request for more than one sign or a sign greater than 0.7 $m^2$ (8 $ft^2$) requires a separate development permit application.

2.9 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.

2.10 The issuance of a development permit in no way exempts the applicant from obtaining a business license from the Town and any other Provincial approvals that may be required.

## SECTION 3 CANNABIS RETAIL STORE

3.1 A cannabis retail store shall not be approved if any portion of an exterior wall of the store is located within 100 m (328 ft) of:

(a) the boundary of a parcel of land on which a provincial health care facility is located;

(b) the boundary of a parcel of land containing a school and school grounds/sports fields or municipal sports field;

(c) the boundary of a parcel of land that is designated as school reserve (SR) or municipal and school reserve (MSR) under the *Municipal Government Act*; or

(d) the boundary of a parcel of land zoned Public Institutional – PI on the map in Schedule 1 Land Use Districts.

3.2 A cannabis retail store shall not be approved if any portion of the exterior wall of the store is located within 150 m (492 ft) of another retail cannabis store (measured to the exterior wall).

3.3 An application for a development permit must be made to the Development Officer by submitting:

(a) floor plans, elevations and sections of the buildings;

(b) verification of the Alberta Gaming and Liquor Commission (AGLC) of eligibility to obtain a license; and

(c) a detailed listing and site plan of surrounding business and uses, both on adjacent (contiguous) parcels and those identified as sensitive sites as outlined in Section 3.1 above within 200 m (656 ft) (drawn on a high quality and clearly legible site plan with text descriptions).

3.4 The Municipal Subdivision and Development Authority may regulate the hours of operation of a cannabis retail store.

## SECTION 4 CHILD CARE FACILITY / DAY HOME

4.1 If determined by the Development Officer, prior to the Municipal Subdivision and Development Authority meeting, the applicant for a child care facility may be required to meet and consult with all adjacent land owners in the vicinity of where the use is proposed.

4.2 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.

4.3 Signage for child care facilities must comply with the following:

(a) a maximum of one sign,

(b) sign must be no greater than 0.7 $m^2$ (8 $ft^2$) in size, and

(c) sign must be located in the structure window.

Request for more than one sign or a sign greater than 0.7 $m^2$ (8 $ft^2$) requires a separate development permit application.

4.4 The use shall not generate traffic problems within the district.

4.5 A minimum of one on-site parking space per employee must be provided at any given time.

4.6 A minimum of one on-site pick-up and drop-off space for every 10 children must be provided and the location of passenger loading zones for child care facilities may be specified as a condition of a development permit.

4.7 The use must have screening for any outdoor play areas to the satisfaction of the Municipal Subdivision and Development Authority.

4.8 All applications for child care facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies.

## SECTION 5 DWELLING GROUP

5.1 Design of the dwelling group shall consider the height, building design and nature of surrounding residential development.

5.2 The arrangement of the structures in a dwelling group is subject to the approval of the Municipal Subdivision and Development Authority and the requirements of the Alberta Building Code, as amended.

5.3 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.

5.4 A minimum of 10% of the lot area is to be provided for common open space and on-site 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 dependent upon the density of the proposed development.

5.5 A minimum 1.5 m (5 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.

5.6 The Development Authority may regulate the maximum density of apartments and multi-unit dwellings within a block or subdivision based on the policies of the Municipal Development Plan and consideration of:

(a) density of existing development within the block;

(b) adequacy and proximity of community facilities such as schools, shopping, recreational facilities and open space;

(c) adequacy of utilities to accommodate the proposed use;

(d) impacts on future land uses and the street system; and

(e) any other matters deemed pertinent by the Development Authority.

## SECTION 6 GROUP CARE FACILITIES

6.1 A group care facility must be compatible with the character of the surrounding neighbourhood.

6.2 A landscaping plan shall be submitted with the development permit application. The Development Authority may require that a landscaping plan be prepared by a professional. An irrigation plan may also be required.

6.3 Minimum common open space requirements shall be as required by the Development Authority.

6.4 A minimum 1.5 m (5 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.

6.5 A landscaped buffer strip between a group care facility and an adjacent residential lot may be required at the discretion of the Development Authority.

6.6 The Development Authority may regulate the maximum density of group care facilities within a block or subdivision based on consideration of:

(a) density of existing development within the block;

(b) adequacy and proximity of community facilities such as schools, shopping, recreational facilities and open space;

(c) adequacy of utilities to accommodate the proposed use;

(d) impacts on future land uses and the street system; and

(e) any other matters deemed pertinent by the Development Authority.

6.7 The applicant shall be responsible for complying with applicable provincial standards and obtaining all necessary approvals required from regulatory agencies.

6.8 The issuance of a development permit in no way exempts the applicant from obtaining a business license from the Town and any other provincial approvals that may be required.

## SECTION 7 HOME OCCUPATIONS

7.1 Based on the information provided in the application, the Development Officer shall determine what level of Home Occupation Permit will be required for operation using the chart below.

| | **Home Occupation 1** | **Home Occupation 2** |
|---|---|---|
| Located in dwelling or accessory building | Dwelling only | Dwelling or accessory |
| Customer/ client visits | None | Limited |
| Retail sales | Off premise only | Limited on premise |
| Non-Resident Employees | None | 1 |
| Commercial Vehicles & Trailers | None | Up to 2 |
| Outside Storage | None | Limited |
| Parking Stalls | None required | One per employee plus one for customers |

7.2 The following information must be submitted when applying for a Home Occupation Permit:

(a) proof of ownership and residency;

(b) description of business;

(c) materials, equipment and/or vehicles that will be used for the Home Occupation;

(d) number of resident and non-resident employees;

(e) number of business visits per day;

(f) number of parking spaces on the property; and

(g) type of signage for the Home Occupation

7.3 An approved home occupation shall be valid only for the period of time the property is occupied by the applicant / owner for the approved use and the permit approval is non-transferable to another location or owner.

7.4 No permit shall be issued if, in the opinion of the Development Officer or the Municipal Subdivision and Development Authority, the home occupation would undermine the liveability standards of the residential use of the property or any adjacent properties.

7.5 A home occupation shall be incidental and subordinate to the principal residential use of the dwelling and shall not change the external appearance or character of the dwelling. No permit shall be issued if the parcel does not have a habitable residence, power, on-site potable water supply, a sewage disposal system, and legal and physical access to a municipal road.

7.6 No advertising shall be permitted on the property except for one indirectly illuminated sign of 0.7 $m^2$ (8 $ft^2$) placed within the dwelling or accessory building or fence. Larger signage or requests for more than one sign requires a separate development permit application.

7.7 Consideration shall be given to the potential for a home occupation to impact adjacent uses due to noise, vibration, smoke dust or odours.

7.8 If at any time, in the opinion of the Development Officer or the Municipal Planning Commission, the conditions of a Home Occupation Permit have not been complied with, the Development Officer may issue a stop order, pursuant to section 645 of the *Municipal Government Act*.

7.9 Unless otherwise approved by the Municipal Subdivision and Development Authority, not more than one home occupation shall be permitted on a parcel.

7.10 The use shall not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district. No commercial vehicle of a capacity greater than 681 kg (¾ ton) shall be parked or maintained on a public road right-of-way or lane.

7.11 No use shall cause an increase in the demand placed on any one or more utilities (water, sewer, garbage, etc.) such that the combined total consumption for a dwelling and its home occupation exceed the normal demand for residences in the area. 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.

## SECTION 8 MODULAR AND READY-TO-MOVE (RTM) HOMES

8.1 A Modular or Ready-to-Move Home A must comply with the following criteria:

(a) factory built unit that meets CSA standards;

(b) dwelling is securely fasten and placed on concrete basement;

(c) minimum roof pitch shall not be less than 4/12;

(d) minimum width of dwelling – 7.3 m (24 ft);

(e) maximum length of dwelling – 20.0 m (66 ft); and

(f) maximum height of exposed foundation – 0.6 m (2 ft).

8.2 A Modular or Ready-to-Move Home B must comply with the following criteria:

(a) factory built unit that meets CSA standards;

(b) dwelling is securely fasten and placed on concrete slab or strip footing, pile or pier footing and may be screened;

(c) minimum roof pitch shall not be less than 4/12;

(d) minimum width of dwelling – 7.3 m (24 ft);

(e) maximum length of dwelling – 20.0 m (66 ft); and

(f) maximum height of exposed foundation – 0.6 m (2 ft).

8.3 The approval authority shall issue a development permit for a modular or ready-to-move (RTM) home A or B provided that:

(a) the design, character, and appearance (including roof lines/material and exterior finish) of modular homes 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;

(b) to ensure compatibility of housing types, the variation of roof lines between modular homes or RTM homes and conventional homes may be limited. Generally, dwellings should not be more than 0.6 m (2 ft) higher or lower than an adjacent home;

(c) at the discretion of the Development Officer or the Municipal Subdivision and Development Authority, the exterior finish, colour and roofing material may be stipulated as a condition of approval;

(d) the dwelling shall conform to any architectural controls that may apply.

8.4 As a condition of approval, the Development Officer or the Municipal Subdivision and Development Authority, 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 it considers necessary if, in his or its opinion, they would serve to improve the quality or compatibility of any proposed development.

8.5 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.

8.6 The building, when completed, shall meet or exceed provincial building requirements.

8.7 The applicant/developer must submit professional building plans illustrating the exterior design, floor plan, elevations and setbacks.

8.8 The quality of the completed building shall be at least equal to the quality of the other buildings in the area.

8.9 If there is any doubt as to the required standards being met, the Development Officer may refer the application to the Municipal Subdivision and Development Authority for a decision.

8.10 The Development Officer or Municipal Subdivision and Development Authority may require a bond or irrevocable letter of credit of a minimum $5000.00 to a maximum value of up to 50% of the assessed value of the building to ensure the conditions of the development permit for a principal building are met.

## SECTION 9 MOVED-IN BUILDINGS AND MOVED-IN DWELLINGS

9.1 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.

9.2 The building shall comply with all provincial and municipal health and fire regulations prior to occupancy and release of cash deposit.

9.3 The quality of the completed building shall be at least equal to or better than the quality of the other buildings in the area.

9.4 The requirements of the building shall be established by the Municipal Subdivision and Development Authority at the time of approval of the application and shall form a part of the conditions of the development permit.

9.5 A limit of the time of completion and full compliance with all stipulated requirements shall be established by the Municipal Subdivision and Development Authority at the time of the approval of the application.

9.6 The application should be accompanied by recent colour photographs of all elevations of the moved-in building.

9.7 The Development Officer shall require a minimum of $2,000 in cash 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 cash deposit, construction may be completed by the Town and additional costs may be charged against the property taxes.

9.8 Return of the posted bond 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.

9.9 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 10 PAWNSHOPS AND PAYDAY LOAN BUSINESSES

10.1 All pawnshops and payday loan businesses shall be located in standalone buildings.

10.2 Pawnshops or payday loan businesses will not be considered as a use within buildings on any site that is within the following distances when measured in a straight line from the closest point of the lot on which the use is proposed to the closest point of a lot containing one or more of the following regardless of obstructions:

(a) 200 m (656 ft) of a site that has a residential land use designation, or that is identified for residential use in an Area Structure Plan or the Municipal Development Plan;

(b) 400 m (1,312 ft) of any other pawnshop, payday loan business, or licensed establishment;

(c) 400 m (1,312 ft) of a school site.

10.3 A request to reduce the minimum separation distances as required in Section 8.2 shall not be considered by the Municipal Subdivision and Development Authority or the Municipal Subdivision and Development Appeal Board.

10.4 On sites where a building is used as a pawnshop, the site shall not have outdoor storage for any goods or materials.

10.5 One parking space will be required for every 46.5 $m^2$ (500 $ft^2$) of gross floor area. Employee parking will be based on the number of employees.

## SECTION 11 PRIVATE SWIMMING POOLS

11.1 Private swimming pools shall be classified as an accessory structure.

11.2 Any private swimming pool with a design depth greater than 0.6 m (2 ft) shall be constructed and fenced in accordance with Safety Codes requirements.

11.3 Temporary inflatable above ground swimming pools and above ground hot tubs do not require a development permit, but are subject to Safety Codes and may require a building permit.

11.4 Construction of an in-ground swimming pool and swimming pools that are attached to a deck require a development permit and are subject to the following additional standards:

(a) placement of a swimming pool shall be limited to the side and rear yard only;

(b) swimming pools are subject to the setback requirements for accessory structures in the applicable land use district;

(c) swimming pools are subject to the maximum lot coverage requirements for accessory structures in the applicable land use district.

## SECTION 12 SATELLITE DISHES AND RADIO OR TELEVISION ANTENNA

12.1 In all residential land use districts and the transitional district:

(a) satellite dishes greater than 1 m (3 ft) in diameter or radio or television antenna shall be classified as an accessory structure and shall be placed in the rear or side yard;

(b) satellite dishes greater than 1 m (3 ft) in diameter shall not be mounted or attached to the roof of any dwelling or accessory building and shall not be illuminated or contain advertising other than the manufacturer's trademark or logo.

12.2 The Development Authority may approve the installation of a satellite dish on the roof of any building or portion thereof if, in its opinion, such an installation does not:

(a) constitute a public safety hazard;

(b) compromise the structural integrity of the building; or

(c) may be unreasonably obtrusive.

12.3 Radio and television antennas, which are not regulated by Science, Innovation and Economic Development Canada , are classified as an accessory structure.

## SECTION 13 SIGNS

13.1 The following signs do not require a sign permit, but shall otherwise comply with this bylaw and be suitably maintained to the satisfaction of the Development Authority:

(a) Any construction sign which do not exceed 2.9 $m^2$ (32 $ft^2$) in area, provided such signs are removed within 14 days of the completion of construction shall not require a development permit.

(b) Any banner signs which are displayed for a period of time not exceeding 30 days shall not require a development permit.

(c) Signs, notices, placards, or bulletins required to be displayed in accordance with the provisions of federal, provincial, or municipal legislation; by or on behalf of the federal, provincial, or municipal government; or on behalf of a department, a commission, a board, a committee, or an official of the federal, provincial, or municipal government shall not require a development permit.

(d) Any traffic or directional and informational signage erected by the Town, Province of Alberta or Federal government shall not require a development permit.

(e) Any municipal signs for municipal purposes (e.g. traffic or directional information signage, community service bulletin board signs, etc.) shall not require a development permit.

(f) Any 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 $ft^2$) in area shall not require a development permit.

(g) Entrance or exit signs used for the purpose of directing traffic providing those signs that do not display any advertising message, other than a business logo; the sign area does not exceed 0.9 $m^2$ (10 $ft^2$) in area; and the sign height does not exceed 1.2 m (4 ft.), shall not require a development permit.

(h) A-board signs, where the owner of the sign submits written authorization from the owner of the land where the sign is to be located and where the sign is removed from that location on a daily basis, shall not require a development permit.




(i) The alteration of a sign which only includes routine maintenance, painting or change in face, content or lettering and does not include modification to the sign structure or projection style shall not require a development permit.

(j) Any 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 real estate open house A-board signs, provided they are removed within 24 hours of the open house shall not require a development permit.

(k) Any window sign painted on, attached to or installed on a window provided that no more than 50% of the subject window area is covered shall not require a development permit.

(l) Any political poster signs, provided all such signage is removed within five days after the closing of the polling stations for the relevant election or plebiscite and comply with the following requirements shall not require a development permit:

  (i) signs cannot emit sound, use video features or be illuminated;

  (ii) signs shall be maintained in a condition that is neat and shall not be unsightly or dangerous;

  (iii) signs shall not interfere with the safe and orderly movement of pedestrians or vehicles, or restrict the sight lines for pedestrians or motorists;

  (iv) signs shall not exceed 0.9 m2 (10 ft2) in area, 1.2 m (4 ft) in height, and be self-supporting; and

  (v) signs shall not be posted for more than 60 days;

(m) One temporary portable sign per parcel located on site not more than 14 days shall not require a permit.

13.2 The following signs are prohibited in the municipality:

(a) 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, sign projection styles or animation and signs which emit amplified sounds or music are prohibited.

(b) In any non-residential district, signs that employ changeable content, animation or pictorial scenes at a luminosity, intensity and/or interval which may create a public hazard or nuisance are prohibited.

(c) Any signs located within the public right-of-way or on public property, except for signs approved by the Town of Coalhurst, are prohibited.

(d) 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 intent/purpose of displaying the sign to motorists and the public for any period of time excepting signs for special events organized by a non-profit association, group or organization for a display time period not to exceed 24 hours, are prohibited.

(e) Billboards are prohibited.

13.3 All signs within the municipality must adhere to the following general standards and regulations:

(a) Unless otherwise specified, a Development Permit application is required for all signs.

(b) The Development Officer may refer any Development Permit application for a sign to the Municipal Subdivision and Development Authority for a decision.

(c) All signs shall be compatible with the general character of the surrounding streetscape and the architecture of nearby buildings. All signs shall be of quality construction and of a design suitable for public display and all signs shall be maintained in good repair and a safe and tidy manner.

(d) 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. Any sign which creates a traffic or pedestrian hazard either due to its design or location shall not be permitted.

(e) 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 Town by the affected property owner. A sign shall not be attached to a public bench, light standard, utility pole or any other publicly owned structure or building without prior written authorization from the Town.

(f) Sign alterations (e.g. change in size, shape, type, illumination, sign projection style, etc.) shall not be made without first obtaining the required permits or written authorization.

(g) In all cases, the required distance from overhead power and service lines, as set forth in the Electrical Protection Act, shall be maintained.

(h) The source of light for all sign illumination shall be steady and suitably shielded.

(i) Any abandoned sign shall be removed at the property owner's expense. If abandoned signs are not removed, the Town may remove the sign.

(j) Non-compliance with any regulation of this bylaw may result in the Town removing a sign without notice and any cost associated with its removal may be charged to the sign owner. A sign recovery charge of will be required to be paid prior to the return of the sign to the owner.

13.4 Portable and temporary signs only shall be permitted subject to the following limitations:

(a) All portable signs require a development permit but may be allowed without a permit for the announcement of special events, sales, or circumstances where a sign is needed for short specified time periods at the discretion of the Development Authority.

(b) Portable signs projected using animation, digital or electronic changeable copy shall be at the discretion of the Municipal Subdivision and Development Authority.

(c) A development permit for a portable sign will be valid for a period of no longer than 60 days.

(d) Once the permit has expired for a portable sign at a location address, application for another portable sign on the same site shall not occur until 30 days has elapsed from the expiration of the previously approved permit or 30 days from the date at which the portable sign is removed, whichever is the later of the two dates.

(e) Portable signs shall not be allowed in any residential land use district unless placed on Town boulevards and permission has been obtained from the Development Authority.

(f) No more than one portable sign per business frontage or where there are two or more frontages, a total of two portable signs may be located on a single lot or premises, except in a designated tourism signage area where more than two portable signs may be located at the discretion of the Municipal Subdivision and Development Authority.

(g) No portable sign (including electrical cords) shall be placed on or extend over or project into any municipal property or beyond the boundaries of the private lot or premises upon which it is sited without the written authorization of the Development Authority.

(h) All portable signs shall be located within the property lines of the location address shown on the development permit application.

(i) The proposed advertising copy and/or business shall be indicated at the time of the development permit application.

(j) The Development Authority may require the posting of a security with the Town to ensure compliance with any and all conditions of approval and the removal of the sign on or before the date of expiry of the permit.

(k) A portable sign shall not be allowed to locate or remain on a site without a development permit, whether the sign displays any advertising or not.

(l) The Development Authority must only approve the location of the portable sign on the premises after having given due consideration for the location of power supply, sight lines visibility, parking pattern on the site and/or any other site specific development constraints that the Development Authority considers relevant.

(m) The copy area of a portable sign shall not exceed 4.6 m2 (50 ft2).

13.5 The content of any sign type may be displayed using one or a combination of more than one of the following display styles:

(a) Lettering/Logo: means the sign content contains simple wording, lettering, logo or graphics that are not animated, moving or cannot be changed automatically.

(d) Movement/Motion: means the sign, sign content or a portion of the sign conveys its message to the public through the movement or motion of its mechanical parts. Typical signs using this projection style include rotating signs.

13.6 Any change in display style requires the submission of a new development permit application.

13.7 Any sign may be considered illuminated if it is lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign. Illuminated signs are regulated by the Land Use Bylaw.

## FREESTANDING SIGNS

13.8 All freestanding signs require a development permit.

13.9 Freestanding signs shall have a minimum separation distance of 30.0 m (98 ft) for those signs located on the same side of a roadway.

13.10 Except for monument signs, the maximum height of a freestanding sign shall be 6.1 m (20 ft) with a minimum clearance from the bottom of the sign to the ground of 3.05 m (10 ft) (see Figure 6.1 where Dimension A = 6.1 m and Dimension A minus C = 3.05 m). Minimum clearance does not apply to pylon signs.

13.11 The total sign area for each face shall not exceed 7.0 $m^2$ (75 $ft^2$). Sign area is depicted in Figure 13.1 as dimension B multiplied by dimension C.

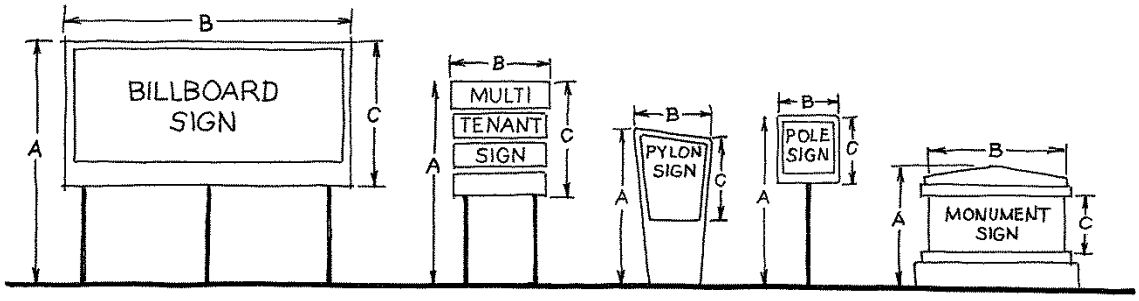



**Figure 13.1**

## FACSIA SIGNS

13.12 The total maximum sign area permitted for fascia signs is 20% of the area formed by each building face or bay. For large walls, no fascia sign shall exceed a maximum coverage size of 9.3 $m^2$ (100 $ft^2$).

13.13 A fascia sign shall not project more than 0.3 m (1 ft) from the face of a building.

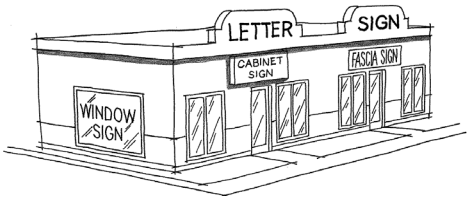



**Figure 13.2**

13.14 A fascia sign 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 (8 ft) and the maximum projection shall be no greater than 0.3 m (1 ft).

**Window Signs**

13.15 A window sign painted on, attached to or installed on a window may cover no more than 50% of the subject window area.

**Mural Signs**

13.16 No more than one mural sign shall be allowed per building unless specifically authorized by the Municipal Subdivision and Development Authority.

13.17 The location, theme, construction materials and size associated with the mural shall be to the satisfaction of the Development Authority.

13.18 The mural must be a painting or other decorative work (artistic rendering/scene) and no mural shall be created to solely display a commercial message or depiction.

13.19 The Development Authority may require that the mural content be reflective of the Town's history and/or heritage.

13.20 Display of text, including a business name or commercial message, within a mural shall not exceed 10% coverage of the wall surface area, up to a maximum coverage size of 9.3 $m^2$ (100 $ft^2$).

## PROJECTING SIGNS

13.21 Projecting signs shall be placed:

(a) at right angles to the building face to which they will be attached; or

(b) in the case of corner sites, placed at equal angles to the building faces that form the corner.

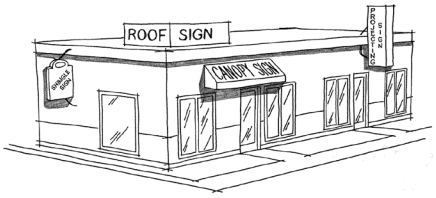



**Figure 13.3**

13.22 Projecting signs shall have a minimum vertical clearance of 2.4 m (8 ft) measured between the lower sign edge and grade and shall not project more than 0.9 m (3 ft) from the surface of the building to which it is attached.

13.23 The maximum allowable height for a projecting sign, measured from the top of the sign to grade, shall not exceed the lesser of:

(a) the height of the eave line or roof line,

(b) 6.1 m (20 ft), or

(c) to the satisfaction of the Development Authority.

**Canopy Signs**

13.24 No part of a canopy sign shall project more than 1.2 m (4 ft) over a public sidewalk or within 0.9 m (3 ft) of a curb adjoining a public roadway and shall be mounted no less than 2.4 m (8 ft) above grade.

(b) 6.1 m (20 ft), or

(c) to the satisfaction of the Development Authority.

**Canopy Signs**

13.24 No part of a canopy sign shall project more than 1.2 m (4 ft) over a public sidewalk or within 0.9 m (3 ft) of a curb adjoining a public roadway and shall be mounted no less than 2.4 m (8 ft) above grade.

13.25 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.

13.26 Approval of any canopy signage overhanging public land under the sign regulations is conditional upon the owners and/or occupiers of the premises upon which said sign is located entering into an encroachment and hold harmless agreement with the Town of Coalhurst. The agreement may be registered on title.

13.27 The copy area of the sign shall not exceed 50% of the exposed edge or face of the canopy, awning or marquee.

## SECTION 14 SHIPPING CONTAINERS

14.1 Shipping containers shall only be allowed in land use districts where listed as a permitted or discretionary use Schedule 2. Shipping containers are prohibited in all other districts.

14.2 Any shipping container shall be subject to the following general standards:

(a) An application for a development permit for a proposed shipping container must be completed and submitted to the Development Officer accompanied by the applicable application fee and a minimum of two recent colour photographs of each container (one end view and one side view).

(b) There shall be a legal primary use on the property where the shipping container is proposed.

(c) Shipping containers are permitted to be used for storage only and shall not be used as a building or a construction material.

(d) The Development Authority may regulate the maximum number of shipping containers permitted on a lot.

(e) The Development Authority may regulate the maximum height of shipping containers.

(f) The Development Authority may require as a condition of approval that a shipping container(s) be screened from view or landscaped to make it aesthetically pleasing.

(g) The Development Authority may require as a condition of approval that any shipping container be sandblasted and/or painted a neutral or complementary colour to match the existing building(s) on the property.

(h) The Development Authority may require as a condition of approval that the exterior of the shipping container be kept clean and regularly painted in a neutral or complementary colour to match the existing building(s) on the property.

(i) The Development Authority may regulate the time period for which a development permit for a shipping container(s) is valid through the issuance of a temporary permit.

(j) Removal of the shipping container(s) at the expiration of the permit shall be at the expense of the applicant and/or landowner. The Development Authority may require as a condition of approval the posting of a bond or a security guaranteeing the removal of the container and/or compliance with the conditions of the permit.

14.3 A permanent shipping container is subject to the following additional provisions:

(a) the maximum lot coverage and setback requirements for accessory structures in the applicable land use district;

(b) the shipping container may only be permitted in the secondary front, rear, or side yard;

(c) the shipping container shall not display advertising, company logos, names or other marketing without an approved sign permit.

14.4 A shipping container may be placed temporarily on a construction site for the period of construction, in any land use district where listed as a permitted or discretionary use with an approved development permit, subject to the following provisions:

(a) temporary shipping containers are subject to the standards in Section 13.2 above;

(b) the shipping container is needed in connection with construction of a development for which a development permit has been issued;

(c) the construction site is active (i.e., construction has commenced and is on-going or is about to commence within one week); placement of a shipping container on an inactive construction site is prohibited;

(d) setbacks for a temporary shipping container shall be as required by the Development Authority;

(e) the Development Authority has the authority to determine the maximum amount of time a shipping container is permitted on a lot; and

(f) the shipping container shall be removed immediately upon completion of construction or sooner as may be required by the Development Authority.

## SECTION 15 SHOW HOMES

15.1 The construction of or use of a new, unoccupied dwelling unit for the purpose of a show home for the sale or marketing of other dwelling units by a builder or developer within a subdivision or development may be approved as a temporary use in all residential land use districts.

15.2 A dwelling occupied as a residence shall not be used as a show home, sales office or as a facility to demonstrate a builder's construction quality or methods.

15.3 The show home shall not be open to the public for viewing until the road accessing the show home is developed to municipal standards.

15.4 There shall be a sign posted at the show home identifying it as such.

15.5 The advertised hours that the show home is open to the public shall not be earlier than 9:00 am or later than 9:00 pm.

15.6 Conditions of the permit do not limit the private showing by appointment of the show home at any time.

**Schedule 7**

# DEFINITIONS

# Schedule 7

# DEFINITIONS

In this bylaw, a word importing the singular number of the masculine gender may include the plural number of the masculine gender, the singular number or plural number of the feminine gender, or may also refer to corporate bodies, as the context requires.

## A

**A-BOARD** means a temporary portable sign which is set on the ground, built of two similar pieces of material and attached at the top by a hinge(s) so as to be self-supporting when the bottom edges are separated from each other and designed and built to be easily carried by one person.

**ACCESSORY BUILDING** means any building that is physically separate from the principal building on the lot on which both are located and which is subordinate and incidental to that of the principal building. The use is subordinate and incidental to that of the principal use of the site on which it is located. No accessory building shall be used for human habitation.

**ACCESSORY STRUCTURE** means a structure that is detached from the principal building. It is ancillary, incidental, and subordinate to the principal building or use. Typical accessory structures include flagpoles, swimming pools, and storage tanks. When a structure is attached to the principal building by a roof, a floor, a wall, or a foundation, either above or below grade, it is considered part of the principal building. No accessory structure shall be used for human habitation.

**ACCESSORY USE** means a use or development customarily incidental and subordinate to the principal use or building and is located on the same parcel as such principal use or building. A principal use must be legally established or approved before an accessory use can be approved.

**ADDITION** means construction that increases the footprint of an existing building or structure on the parcel of land. Typically there will be a common connection from the existing building to the addition that includes a foundation of some type beneath the addition.

**ADJACENT LAND or ADJACENT** means land that is contiguous to a parcel of land proposed for development, subdivision or redesignation and includes land that would be contiguous if not for a road, railway, walkway, watercourse, water body, utility lot, right-of-way, reserve land or other similar feature.

**ADULT 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 exclude 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 from which minors are excluded by reason of age.

**AGRICULTURAL BUILDING** means a structure associated with and generally essential to an agricultural operation. Such structures or facilities may include, but are not limited to, the following: machine sheds, storage sheds, granaries, grain bins, silos, animal housing and/or feeding facilities, repair shops, corrals, pens, and other ancillary farm structures.

**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 ENERGY, SOLAR** means energy that is renewable or sustainable that is derived from sunlight and is primarily produced for consumption by the landowner, resident or occupant.

**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 public use.

**AMUSEMENT FACILITY** means development for amusement pastimes, and may incorporate eating facilities as an accessory use. Such uses may include, but are not limited to, amusement arcades, billiard parlours, bingo halls, bowling alleys and indoor mini-golf.

**ANIMAL CARE SERVICE, LARGE** means any establishment maintained and operated by a licensed veterinarian for the on-site or off-site treatment of animals. The development may also be used for on-site boarding, breeding or training of animals and livestock. The facility may also include outside buildings and pens associated with the service and the supplementary sale of associated animal care products. Typically, this use will include veterinary offices or hospitals, animal shelters, and facilities for impounding and quarantining animals.

**ANIMAL CARE SERVICE, SMALL** means development for the on-site treatment and/or grooming of small animals such as household pets, where on-site accommodation may be provided and where all care and confinement facilities are enclosed within one particular building. This use may also include the supplementary sale of associated animal products. Typically, this use will include pet grooming salons, pet daycares, pet clinics and veterinary offices.

**ANIMATION** means a projection style where action or motion is used to project sign content, including lighting changes, special effects or pictures, but does not include changeable content.

**AUCTIONEERING FACILITY** means any facility where animals or goods are regularly bought, sold, or traded to the highest bidder. The facility may also include holding pens and viewing areas, transport facilities, spectator seating, and administrative offices. This definition does not apply to individual sales of animals or goods by private owners.

**AUTO BODY AND PAINT SHOP** means a building where motor vehicles are repaired and also where motor vehicle bodies and parts, and other metal machines, components, or objects may be painted. Painting of this type shall not be done outdoors, but must be set up in a properly ventilated building. This use may also include an outdoor storage area and an office component. Also see SANDBLASTING FACILITIES.

**AUTO SALES AND SERVICE** means the retail sale, lease, or rental of new or used automobiles and/or recreational vehicles and/or a facility for the repair and servicing of automobiles and/or recreational vehicles including, but not limited to, mufflers, oil changes, transmissions, engine replacement, glass repair and auto detailing. Such facilities do not include the sale of gas but may include towing services as an accessory use.

**AUTO WRECKAGE AND SALVAGE YARD** means a facility or operation specifically intended for the dismantling of automotive vehicles and the sale of those parts to the general public. Such a facility may include an administrative office, work areas, and outdoor storage. The parcel of land on which the facility exists must be completely fenced according to Town standards.

**AWNING** means an adjustable or temporary roof-like covering fitted over windows and doors and used for shelter, advertising or decoration. See CANOPY SIGN.

# B

**BALCONY** means a platform, attached to and projecting from the face of a principal building with or without a supporting structure above the first storey, normally surrounded by a baluster railing and used as an outdoor porch or sundeck with access only from within the building.

**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.

**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.

**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.

**BERM** means a barrier, typically constructed of mounded earth, used to separate incompatible areas, uses, or functions, or to protect a site or development from noise.

**BILLBOARD SIGN** means a structure constructed to provide a medium for advertising where the subject matter is not necessarily related to a use at or around the parcel on which the billboard is located and where the copy can be periodically replaced.

**BUFFER** means open spaces, landscaped areas, fences, walls, hedges, trees, shrubs, berms or other similar features used to physically and/or visually separate incompatible uses, areas, functions, sites, buildings, roadways, districts, etc.

**BUILDING** has the meaning defined in the *Municipal Government Act* and includes 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 ENVELOPE** means the space created on a lot or parcel within which a building may be constructed once the setback requirements for a specific zoning district have been considered.

**BUILDING GRADE** (as applied to the determination of building height) 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.

**BUILDING HEIGHT** means the vertical distance between grade and the highest point of a building excluding a roof stairway entrance, elevator housing, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall or a parapet wall and a flagpole or similar device not structurally essential to the building.

**BUILDING INSPECTOR** means the person or persons hired to be the chief building inspector or building inspectors in and for the Town of Coalhurst.

**BUILDING PERMIT** means a certificate or document issued by the Safety Codes Officer pursuant to provincial legislation authorizing commencement of construction.

**BUILDING SETBACK** means the shortest distance between the exterior foundation wall of the building and the nearest lot line. Depending on the zoning district, the minimum setback will vary.

**BUILDING WIDTH, MINIMUM** means the minimum horizontal distance of the building's living space measured parallel to the shortest exterior wall of the building and perpendicular to the longest exterior wall of the building and excludes porches, decks, patios, balconies, carports, garages, unheated storage space, porte-cochere and other similar architectural features.

**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.

**BUSINESS** means a commercial, merchandising, or industrial activity or undertaking, a profession, trade, occupation, calling or employment or an activity providing goods or services, whether or not for profit and however organized or formed, including a cooperative or association of persons.

**BUSINESS SUPPORT SERVICE** means an establishment primarily engaged in providing services for other business establishments such as advertising, copying, equipment, financial services, employment services, and other similar services.

# C

**CAMPGROUND** means a use of land or buildings intended for seasonal occupancy by holiday or tent trailers, recreation vehicles, tents and similar equipment and which may include supplementary bathroom and recreational facilities, eating shelters, convenience retail, laundry facilities and dwelling accommodations for the operator.

**CANNABIS** means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time and includes edible products that contain cannabis.

**CANNABIS ACCESSORY** means cannabis accessory as defined in the *Cannabis Act* (Canada) and its regulations, as amended from time to time.

**CANNABIS RETAIL STORE** means the use of a store, premises or a building for a commercial retail cannabis business, licensed by the Province of Alberta, where legal non-medical cannabis and cannabis accessories are sold to individuals who attend at the premises and the product sales or associated sales are expressly authorized by the Alberta Gaming and Liquor Commission (AGLC).

**CANOPY SIGN** means a projecting sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.

**CAR WASH** means the use of a structure or area providing for the cleaning of motor vehicles but does not include SERVICE STATIONS/GAS BARS.

**CARD LOCK** means a facility for the wholesale or retail sale of oil and gas products by means of a prearranged and managed account card. Such a facility may include an office and retail establishment for the sale of convenience items.

**CARPORT** means a roofed, partially enclosed structure intended for the shelter of one or more motor vehicles.

**CEMETERY AND INTERMENT SERVICES** means a development for the entombment of the deceased and may include such facilities as crematories, cinerarium, columbarium, mausoleums, memorial parks, burial grounds, cemeteries and gardens of remembrance.

**CHANGEABLE CONTENT** means sign content which changes automatically through electronic and/or mechanical means and may include typical features such as an electronic message centre or time and temperature unit.

**CHILD CARE FACILITY** means a building or portion thereof used for the provision of care, maintenance and supervision of seven or more children, by persons unrelated to the children by blood or marriage, for periods not exceeding 24 consecutive hours and includes all child care centres, day cares, nurseries and after-school or baby-sitting programs which meet the conditions of this definition. Group homes and day homes are separate uses.

**CHURCH** means a building or facility whose primary purpose is to facilitate meetings of a group of people for public worship or religious services. Also see RELIGIOUS ASSEMBLY.

**CLUB OR FRATERNAL ORGANIZATION** means a development for the assembly of members 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 but "campground" is a separate use.

**COMMERCIAL ESTABLISHMENT** means the use of land and/or building for the purpose of display, storage, and sale of goods and/or services to the general public. Any on-site manufacturing, processing or refining of goods shall be incidental to the sales operation. If outdoor storage or display is required for the operation, the parcel shall be completely fenced according to Town standards.

**COMMERCIAL VEHICLE** means a motor vehicle used in the operation of a commercial business or home occupation operation for the transport of goods and/or equipment incidental to the operation of the business. Typically the vehicle will have a commercial license plate and an identifiable logo design on it.

**COMMON WALL** means a vertical separation completely dividing a portion of a building from the remainder of the building and creating in effect a building which, from its roof to its lowest level, is separate and complete unto itself for its intended purpose, such wall being owned by one party but jointly used by two parties, one or both of whom is entitled to such use by prior arrangement.

**COMMUNITY ASSOCIATION BUILDING or COMMUNITY HALL** means a facility or building whose primary purpose is to accommodate use by community group(s). The structure may include such features as meeting rooms, kitchen, stage and open floor area, bar/liquor area, multi-purpose rooms, washrooms, coat room, storage room(s) and administrative offices. Exterior uses may include parking, playground areas, outdoor shelters, and sitting areas.

**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.

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

**CONTRACTOR, LIMITED** means a development used for the provision of electrical, plumbing, heating, painting, catering and similar contractor services primarily to individual household and the accessory sales of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacture activities or fleet storage of more than four vehicles.

**CONVENIENCE STORE** means a retail store that sells a limited line of groceries and household goods for the convenience of the neighbourhood.

**CORNER VISIBILITY OR CLEAR VISION TRIANGLE** means a triangular area on a corner lot that is comprised of two sides which are measured from the intersection corner for a distance specified in this bylaw. The third side of the triangle is a line joining the ends of the other two sides. Where the lot lines at intersections have rounded corners, the lot lines will be extended in a straight line to a point of intersection.

**CULTIVATION OF LAND** means the commercial agricultural production of field crops and the associated crop preparation and harvesting activities including mechanical soil preparation, irrigation system operation, and spraying.

# D

**DAY HOME** means a private residence where care, development and supervision are provided for a maximum of six children between the ages of 0-12 years, by persons unrelated to the children by blood or marriage, including children under the age of 12 who reside in the home, for periods not exceeding 24 consecutive hours.

**DECK** means a paved, wooden, or other hard-surfaced area generally adjoining a principal building intended for outdoor living space that is 0.6 m (2 ft) or greater above grade.

**DEMOLITION** means the pulling down, tearing down or razing of a building or structure.

**DETACHED GARAGE** means an accessory building designed and used primarily for the storage of motor vehicles that is not attached or is separate from the principal building.

**DEVELOPMENT PERMIT** means a permit issued with or without conditions pursuant to this bylaw authorizing a development. A development permit does not constitute a building permit.

**DIRECTIONAL AND INFORMATION SIGN** means a sign the message of which is limited to providing direction guidance, distance, facility or similar information and which may contain a name or logo.

**DRIVE-IN/DRIVE-THROUGH RESTAURANT** means an establishment where food is prepared and served on the premise for sale to the public and includes car attendant and/or drive-through, pick-up service.

**DWELLING** means a 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 other similar accommodation. Dwelling includes the following:

> **Single-unit dwelling** means a residential building containing only one dwelling unit and may include site-built, modular and ready-to-move homes.
>
> **Two-unit dwelling** means a residential building that contains two separate dwelling units connected either by a common floor/ceiling, or by a common wall (party wall) between units.
>
> **Three-unit dwelling** means a residential building comprised of three dwelling units, each unit having a separate, direct entrance from grade or a landscaped area. Each dwelling unit will be connected either by a common floor/ceiling, or by a common wall (party wall) between units.

**Four-unit dwelling** means a residential building comprised of four dwelling units, each unit having a separate, direct entrance from grade or a landscaped area. Each dwelling unit will be connected either by a common floor/ceiling, or by a common wall (party wall) between units.

**Apartment building** means a structure with several self-contained dwellings, each of which occupies a portion of the same building. Such a building will typically consist of five or more apartments for rent including an area for tenant and visitor parking and have a common entrance.

**Manufactured home** means a completely self-contained dwelling unit, designed and constructed entirely within a factory setting. Typically it is transported to a site in not more than one piece on its own chassis and wheel system or on a flatbed truck. For the purposes of this bylaw, a manufactured home does not include a "modular home" or "ready-to-move home".

**Modular dwelling** – see MODULAR HOME A and MODULAR HOME B.

**Moved-in dwelling** – see MOVED-IN DWELLING.

**Ready-to-move (RTM)** means a dwelling unit 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 single unit onto the proper moving equipment and delivered to the site intended for occupancy and placed on a concrete slab or basement or other approved foundation.

**Row dwelling** means development consisting of a building containing a row of four or more dwelling units each sharing a common wall extending from the first floor to the roof, at the side only with no dwelling being place over another in whole or in part. Each dwelling unit shall have separate, individual, and direct access to the building at grade.

**DWELLING GROUP** means two or more buildings each containing one or more dwelling units, located on a lot or a number of adjoining lots where all buildings, recreation areas, vehicular areas, landscaping and all other features have been planned as an integrated development. Accessory structure and accessory building are separate uses.

# E

**EASEMENT** means a right held by one part in land owned by another.

**EAVE** means the overhang or extension of a roof line beyond the vertical wall of a building.

**EDUCATIONAL FACILITY** means a place of instruction offering continuing education or specialized courses of study. Included in the category may be public, private, and commercial institutions.

**ENTERTAINMENT ESTABLISHMENT** means an establishment such as a theatre, auditorium, lounge or cabaret providing dramatic, musical or other entertainment indoors or outdoors and may include facilities for supplementary food and beverage consumption.

**EQUIPMENT SALES, RENTAL AND SERVICE** means the use of land or buildings for the retail sale, wholesale distribution, rental and/or service of: hand tools, small construction, farming, gardening and automotive equipment, small machinery parts and office machinery and equipment.

**EXCAVATION** means the process of altering the natural elevation of the ground by grading, cutting, stripping, filling or breaking of ground, but does not include common household gardening and ground care, excavation made for

the building of basements, structures, landscaping, or parking for which a development permit has been issued, or extensive agriculture. Gravel pit, mineral extraction and any other similar extractive use are not classified as excavation and are a separate use.

**EXHIBITION CENTRE** means the use of land or building, public or private, for temporary events including seasonal shows, conventions, conferences, seminars, product displays or sale of goods, recreation activities, and entertainment functions. This use may include accessory functions including food and beverage preparation and service for on premise consumption.

# F

**FARMER'S MARKET** means the use of land or buildings where fresh farm or garden produce is sold in a retail or wholesale setting and where goods are typically displayed in bulk bins or stalls for customer selection. This use includes vendors of fruit, vegetables, meat products, baked goods, dry goods, spices and non-food products such as handicrafts, provided that the sale of fresh food products remains the primary function.

**FARMSTEAD** means the accessory part of an agricultural parcel developed with dwellings, structures, shelter belts, dugouts, storage areas for farm equipment, produce and fertilizer, etc. necessary to the extensive cultivation and/or grazing use of the major portion of the land.

**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.

**FENCE** means a structure usually made of wood, rails, bricks or wire intended to mark parcel boundaries and provide yard privacy.

**FINANCIAL INSTITUTION** means a development or use primarily for providing the service of banking or lending money, such as a bank, savings and loan institution, or credit union.

**FITNESS FACILITY** means a development where space, equipment or instruction is provided for people to pursue physical fitness or skills relating to physical activities and may include the incidental sale of products relating to the service provided.

**FLOOD ELEVATION, 1:100 YEAR** means the water level reached during a 1:100 year flood as determined in accordance with the technical criteria established by Alberta Environment.

**FLOOD RISK AREA** means the area of land bordering a water course or water body that would be inundated by 1:100 year flood (i.e. a flood that has a 1% chance of occurring every year) as determined by Alberta Environment in consultation with the Town and may include both flood fringe and floodway.

**FLOOR AREA** means the horizontal area of a building, but not including cellars, attached garages and open porches. All dimensions shall be outside dimensions. Basement floor areas shall be included only where the building contains a basement suite.

**FLOOR AREA RATIO** means the net floor area divided by the gross lot area.

**FOUNDATION** means the supporting base structure of a building.

**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.

**FUNERAL HOME** means a development used for the arrangement of funerals, the preparation of the deceased for burial or cremation, and the holding of funeral services.

# G

**GARAGE** means a private residential building or part of the principal residence, designed and used primarily for the storage of motor vehicles.

**GARDEN CENTRE OR GREENHOUSE** means a building specially designed and used for the commercial growing of vegetables, flowers or other plants for transplanting or sale. The use may include accessory retail uses on the premises.

**GARDEN SHED** means an accessory structure to store household and garden equipment and supplies that is not more than 100 $ft^2$ in size.

**GENERAL WAREHOUSING AND STORAGE** means a building used for the storage of goods and merchandise. The building may include administrative offices, loading areas, parking areas, storage rooms and the retail sale of goods stored in the warehouse. No outside storage is permitted with this use.

**GOLF COURSE** means an outdoor use/establishment of varying size where the land is developed primarily to accommodate the game of golf. Accessory uses include a pro shop, driving range and/or proactive facility, food service, and other commercial uses typically associated with a golf course clubhouse facility.

**GOVERNMENT SERVICES** means development providing municipal, provincial, or federal government services directly to the public or the community at large, and includes development required for the public protection of persons or property.

**GRAIN ELEVATOR/SEED CLEANING** means a facility for the collection, grading, sorting, storage, and transshipment of grains. This definition also includes “inland grain terminals”.

**GRADE, LANDSCAPED** (as applied to the determination of height of balconies, decks and architectural features and landscape structures) means the average level of finished landscaped ground under the four principal corners of the balcony, deck, architectural feature or landscape structure. For buildings see BUILDING GRADE.

**GROUP CARE FACILITY** means a development which provides residential accommodation and rehabilitative services to persons who are handicapped, disabled or undergoing rehabilitation and are provided care to meet their needs. 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 senior housing or assisted living which are separate uses in this bylaw.

# H

**HARDSURFACING** means the paving with continuous asphalt or concrete so that the surface of the ground is resistant to water penetration.

**HOLIDAY TRAILER** – see RECREATIONAL VEHICLE

**HOME OCCUPATION** means an occupation, trade, profession or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the lot, and which does not change the character thereof or have any exterior evidence of such secondary use.

**HOME OCCUPATION SIGN** means a sign advertising a home occupation approved under the Land Use Bylaw.

**HOTEL** means the use of a building for sleeping accommodations provided for a fee on a daily basis, accessible only through a central lobby with on-site parking; the building may also contain accessory commercial, and food and beverage service uses.

# I

**INSTITUTIONAL** means a use by or for an organization or society for public or social purposes and, without restricting the generality of the term, includes senior citizen housing, nursing homes, day care centres, places of worship, museums, libraries, schools, service and fraternal organizations, and government buildings.

# L

**LANDSCAPING** means the modification, beautification and enhancement of a site or development through the use of the following elements:

(a) natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass, flowers and other ground cover or materials;

(b) hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt; and

(c) excludes all areas utilized for driveways and parking.

**LIGHT FABRICATION SHOP** means the assembly of metal parts, including blacksmith and welding shops, sheet metal shops, machine shops, and boiler shops, that produce metal duct work, tanks, towers, cabinets and enclosures, metal doors and gates, and similar products.

**LIGHT INDUSTRIAL/MANUFACTURING** means development used for manufacturing, fabricating, processing, assembly, production or packaging of goods or products, as well as administrative offices and warehousing and wholesale distribution uses which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard or any nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

**LIQUOR STORE** means a retail establishment licensed under provincial authority for the sale of any or all of beer, wine, or spirits for consumption off premises. Full walls must physically separate the premises from any other business.

**LUMBER YARD** means a commercial operation where lumber, building materials and supplies, and other building-related goods are stored, displayed and sold.

**LUMINOSITY** means the measurement of brightness.

# M

**MACHINERY AND EQUIPMENT SALES, RENTAL AND SERVICE** means a commercial operation where the land and buildings are used for the sale, service and rental of machinery, vehicles and heavy machinery used in the operation, construction or maintenance of buildings, roadways, pipelines, oil fields, mining or forestry operations, and in freight hauling operations. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use. Such a facility may include an administrative office, ancillary structures, outdoor work areas, parking, and outdoor storage areas.

**MANUFACTURED HOME** – see DWELLING, MANUFACTURED HOME

**MANUFACTURED HOUSING COMMUNITY** means a comprehensively-planned residential development intended for the placement of manufactured homes on sites or pads. Such a community may also include amenity areas or facilities for the use of the community's residents.

**MANUFACTURING AND FABRICATION OPERATION** means a commercial operation where the land and buildings are used for the manufacture or fabrication of products or parts, and also the retail sale of such products or parts to the general public. Such a facility may include an administrative office, ancillary structures, outdoor work areas, parking, and outdoor storage areas.

**MARKET GARDEN** means the growing of vegetables or fruit for commercial purposes. This use includes an area for the display and sale of goods or produce grown or raised on site.

**MEDICAL/HEALTH FACILITY** 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.

**MINI STORAGE** means the use of land with compartmentalized buildings or a development site set up for the storage of equipment, household or business materials, or vehicles, but excludes storage of hazardous goods or materials. Accessory to this use is the exterior screened storage of recreational vehicles, boats, trailers and similar items.

**MIXED USE BUILDING** means a building used partly for residential and partly for commercial use.

**MIXED USE DEVELOPMENT** means a parcel of land or building or structures developed for two or more different uses that may include uses such as residential, office, manufacturing, retail, public or entertainment.

**MOBILE HOME** – see MANUFACTURED HOME

**MODULAR HOME A** means a dwelling unit built at an off-site manufacturing facility in conformance with CSA standards designed in two or more modules or sections. The dwelling is transported by transport trailer in sections and delivered to the site where it is assembled and placed on a concrete basement.

**MODULAR HOME B** means a dwelling unit built at an off-site manufacturing facility in conformance with CSA standards designed in two or more modules or sections. The dwelling is transported by transport trailer in sections and delivered to the site where it is assembled and placed on an approved foundation other than a concrete basement.

**MOTEL** means a building or group of buildings on a site designed and operated to provide temporary accommodation for transient motorists and contains separate sleeping units, each of which is provided with an adjoining conveniently-located parking stall. The building may also include accessory eating and drinking establishments and personal service shops.

**MOTOR VEHICLE** means a motor vehicle that, at the point of its original manufacture, meets the definition as defined in the *Traffic Safety Act*.

**MOTOR VEHICLE, UNREGISTERED AND/OR INOPERATIVE** means a motor vehicle as defined by this bylaw that is either not registered through the *Traffic Safety Act* or is inoperative, or both. For the purposes of this definition, inoperative means the motor vehicle cannot be used in its present condition for the purpose for which it was manufactured.

**MOVED-IN BUILDING** means a previously used or existing, established and working building, which is removed from a site, and then transported and re-established on another site.

**MOVED-IN DWELLING** means a previously existing, established and occupied dwelling, which is removed from one site and then transported and re-established on another site. For the purposes of this bylaw, a moved-in building does not include a "manufactured home", "modular home", "ready-to-move home", motor home, travel trailer, recreation vehicle and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

**MULTI-TENANT SIGN** means any freestanding sign that contains sign content that advertises more than one tenant and/or business.

**MURAL SIGN** 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.

**MUSEUM** means a building or site used for the preservation, collection, restoration, display and/or demonstration of articles of historical significance and may include archival records of a geographic area or of a time period.

# N

**NOXIOUS OR HAZARDOUS USES** are those land uses which may be detrimental to public health, safety and welfare because of toxic gases, noxious smells, wastes, noise, dust or smoke emissions which are incompatible with residential or other development.

**NUISANCE** means any use, prevailing condition or activity which has a detrimental effect 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.

**OFFICE** means development primarily for the provision of professional, management, administrative, consulting, or financial services in an office setting. Typical uses include but are not limited to the offices of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial agencies. This excludes government

services, the servicing and repair of goods, the sale of goods to the customer on the site, and the manufacturing or handling of a product.

**OFF-STREET LOADING SPACE** means an open area, not exceeding 9.1 m (30 ft) in width, located in the rear yard space, designed expressly for the parking of haulage vehicles while loading or unloading.

**OFF-STREET PARKING** means a lot or portion thereof, excluding a public roadway which is used or intended to be used as a parking area for motor vehicles.

**OFF-STREET PARKING SPACE** means an off-street area available for the parking of one motor vehicle. Every off-street parking space shall be accessible from a street, lane or other public roadway.

**OFF-PREMISES SIGN** means any type of sign that may contain sign content that 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.

**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.

**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.

**OVERHANGING SIGN** means a sign which projects over any part of any street, lane or other municipally owned property.

# P

**PARK MODEL TRAILER** means a recreational vehicle that is either:

(a) built on a single chassis mounted on wheels designed for infrequent towing by a heavy-duty tow vehicle but is restricted in size and weight so that it does not require a special highway movement permit and conforms to the CSA-Z-240 standard for recreational vehicles; or

(b) a recreational vehicle intended for temporary residence or seasonal use built on a single chassis mounted on wheels, which may be removed and returned to the factory, requiring a special tow vehicle and highway permit to move on the road and conforms to the CSA Z-241 standard for recreational vehicles.

**PARKS AND PLAYGROUNDS** means land developed for public recreational activities that do not require major buildings or facilities, and includes picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms. This may include public open space, which is not in private ownership and is open to use by the public.

**PAWNSHOP** means any business that engages, in whole or in part, in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of personal property, or the purchase or sale of personal property.

**PAYDAY LENDER** means a person who offers, arranges or provides a payday loan to a borrower.

**PAYDAY LOAN** means a use where the advancement of money with a principal of $1,500 or less and term of 62 days or less is made in exchange for a post-dated cheque, a pre-authorized debit or a future payment of a similar nature, but not for any guarantee, suretyship, overdraft protection or security on property, and not through a margin loan, pawn brokering, a line of credit or a credit cafrd.

**PAYDAY LOAN BUSINESS** means the activity of offering, arranging or providing payday loans by a payday lender as defined in the Alberta Payday Loan Regulation.

**PERSONAL SERVICES** means uses that provide personal services to an individual that are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include but are not limited to barber shops, beauty salons, hairdressers, manicurists, aestheticians, fitness facility, tailors, dress makers, shoe repair shops, dry cleaning establishments, and laundries but does not include health services.

**POLITICAL POSTER SIGN** means a temporary sign announcing or supporting candidates or issues in any election or plebiscite.

**PORTABLE SIGN** means a temporary sign that is not permanently affixed to a building, structure, or the ground.

**PRINCIPAL BUILDING** means a building which:

(a) occupies the major or central portion of a lot;

(b) is the chief or main building on a lot; or

(c) constitutes, by reason of its use, the primary purpose for which the lot is used.

**PRINCIPAL USE** means the main purpose, in the opinion of the Development Officer or Municipal Subdivision and Development Authority, for which a lot is used.

**PROHIBITED USE** means a development that is not listed as permitted or discretionary, or is not considered similar within a land use district.

**PROJECTING SIGN** means a sign other than a canopy sign or fascia sign which is attached to and projects, more than 0.3 m (1 ft) horizontally from a structure or building face.

**PRIVACY WALL AND/OR SCREEN** means a structure that provides a screen or visual barrier between a window of a habitable room or an outdoor area on a lot and an adjoining lot.

**PUBLIC OPEN SPACE** means land which is not in private ownership and is open to use by the public.

**PUBLIC ROADWAY** means a right-of-way maintained by the Town and is open to the public for the purpose of vehicular traffic.

# Q

**QUONSET** means a structure made from metal having a semicircular roof and/or cross section and end walls.

# R

**RAILWAY AND RAILWAY RELATED USES** means a railway line and any use connected with the direct operation or maintenance of a railway system and also includes any loading or unloading facilities, but excludes feed mills/grain elevators or bulk oil depots which are separate uses.

**REAL ESTATE SIGN** means a sign advertising real estate that is for sale, for lease, or for rent or for real estate that has been sold.

**RECREATION, PRIVATE** means sports or recreational or retreat activities, use, facilities including associated eating and retail areas, provided by commercial for-profit and non-profit businesses where the public is admitted for a fee or where admission is limited to members of an organization or limited group. Such uses include, but are not limited to, gymnasiums, athletic/sport fields, shooting ranges, paint-ball, go-cart tracks, golf courses and ranges, outdoor mini-golf, recreation centres, indoor/outdoor ice rinks, campgrounds retreats and country clubs.

**RECREATION, PUBLIC** means sports or recreational or retreat activities, uses or facilities, including associated eating and retail areas, for public use which are public-owned or operated (i.e. municipal, provincial, or federal including local boards, agencies or commissions of the Town). Such uses include, but are not limited to, gymnasiums, athletic/sports fields, shooting ranges, paint-ball, go-cart tracks, golf courses and ranges, outdoor mini-golf, recreation centres indoor/outdoor ice rinks, campground, retreats, and country clubs.

**RECREATIONAL VEHICLE / HOLIDAY TRAILER** means a transportable living unit, designed to be moved on its own wheels or by other means (including units permanently mounted on trucks), designed or constructed to be used for sleeping or living purposes on a short-term, temporary basis. Such living units are subject to highway safety standards rather than housing standards. Typical units include, but are not limited to motor homes, campers, holiday trailers, travel trailers, fifth wheel trailers, tent trailers and PARK MODEL trailers. These units are not permitted as either temporary or permanent DWELLINGS.

**RECREATIONAL VEHICLE PARK** means a lot or parcel of land intended for temporary occupancy by recreational vehicles for travel, recreation, seasonal, or vacation usage for periods of stay subject to an approved conceptual design scheme, area structure plan or conceptual site plan and its provisions. Uses where unoccupied recreational vehicles are offered for sale or lease, or are stored, are not included. Associated structures in a recreational vehicle park may include laundry facilities, restrooms, showers, sanitary dump facilities, water stations, playgrounds or storage areas intended to serve the needs of the residents of the park. See CAMPGROUND.

**RECREATIONAL VEHICLE STORAGE** means the storage, outdoors or inside a permanent structure, of recreational vehicles as defined in this bylaw, and other recreational or off-road vehicles including, but not limited to, boats, trikes, quads, personal watercraft, snowmobiles and trailers used to transport recreational vehicles.

**RECYCLING FACILITY** means the use of land or buildings for the purchasing, receiving and/or temporary storage of discarded and recyclable articles, provided that the use does not generate a detrimental effect or nuisance beyond the boundaries of the lot or site on which it is situated. Such a facility may include supplementary production of by-products or materials and includes bottle, can and paper recycling depots.

**RELIGIOUS ASSEMBLY** means a use or development used for public meetings, worship and related religious or social activities, and includes accessory rectories, manses, meeting rooms and classrooms. Typical uses would include community or civic halls/clubs, churches, chapels, temples, mosques, synagogues, parish halls and convents.

**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.

**RESTAURANT** means a commercial development where food and beverages are prepared and served. The development may include supplementary alcoholic beverage service and catering services. This term will include restaurants, cafes, diners, lunch and tea rooms, ice cream parlors, banquet facilities, and take-out restaurants.

**RETAIL** means a commercial premise where goods, merchandise, substances, articles, and other materials, are offered for sale to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store's operations. Typical uses include but are not limited to grocery, bakery, hardware, pharmaceutical, appliance, clothing, and sporting goods stores. These uses exclude warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or retail stores requiring outdoor storage.

**ROTATING SIGN** means a sign or portion of a sign which moves in a revolving manner.

**ROOF SIGN** means any sign erected upon, against, or directly above a roof or on top of or above the parapet of a building.

# S

**SALES AND/OR RENTALS** means the sale or rental of various goods including, but not limited to, vehicles, construction equipment, farm equipment or machinery, or recreational vehicles.

**SANDBLASTING FACILITIES** means a business where the major source of activity involves the large scale sandblasting of agricultural, industrial or other equipment/items. Sandblasting facilities may also include welding and painting facilities on-site.

**SATELLITE DISH** means a structure designed specifically to receive television signals.

**SCREENING** means a fence, wall, berm or hedge used to visually separate areas or functions that detract from the street or neighbouring land uses.

**SECONDARY SUITE** means a facility containing cooking facilities, food preparation area, sleeping and sanitary facilities, which is self-contained from those of the principal dwelling within the structure by way of 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 with no interior connection between the dwellings.

**SENIOR CITIZENS HOUSING** means a dwelling unit or accommodation sponsored and administered by any public agency or any non-profit organization, either of which obtains its financial assistance from federal, provincial, or municipal governments or agencies or public subscriptions or donation or any combinations thereof. Senior citizen accommodation may include lounge, dining, health care, and recreation facilities.

**SERVICE STATION** means any lot or building used for the retail sale of motor accessories, gasoline or other fuels and the supply of washing, greasing, cleaning and minor repair services for motor vehicles.

**SETBACK** means the minimum distance required between a property line of a lot and the nearest part of any building, structure, development, excavation or use on the lot and is measured at a right angle to the lot line.

**SHED** means any structure that is physically separate from the principal building on the lot on which both are located. The building size is subordinate and incidental to that of the principal building and is used for the purposes of storing personal goods and does not have access for vehicle storage from the road or laneway.

**SHINGLE SIGN** means a small projecting sign which is suspended from a mounting attached directly to the building wall. Shingle 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 district. See PROJECTING SIGNS.

**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.

**SIGN** means a lettered board or other public display intended for the advertising or calling attention to any person, business, matter, 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 entire area within a single continuous perimeter enclosing the extreme limits of a sign and in no case passing through or between any adjacent elements of same. However, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display.

**SIGN CONTENT** means the wording/lettering, message, graphics or content displayed on a sign.

**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 DISPLAY STYLE** means the method by which the sign content is conveyed to the viewer.

**SIGN TYPE** means the type of structure of a sign used to convey sign content.

**SITE PLAN** means a plan drawn to scale illustrating the proposed and existing development prepared in accordance with the requirements of this bylaw.

**SMALL WIND ENERGY CONVERSION SYSTEM (SWECS)** 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, which has a limited generation capacity to be used primarily for the applicants own use.

**STOREY** means the space between the top of any floor and the top of the next floor above it and if there is no floor above it, the portion between the top of the floor and the ceiling above it, but does not include a basement.

**STREET** means a thoroughfare which is used or intended to be used for passage or travel of motor vehicles and includes the sidewalks and land on each side of and contiguous to the prepared surface of the thoroughfare. It does not include lanes.

**STRUCTURE** means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, fences, billboards and poster panels.

**SURVEILLANCE SUITE** means a dwelling unit or sleeping unit, not exceeding 46.5 $m^2$ (500 $ft^2$) in size, that is developed in conjunction with a principal use so that the dwelling is a supplementary use to the principal use, and which is used solely to accommodate a person or persons, whose function is to provide surveillance, maintenance and/or security.

# T

**TELECOMMUNICATION ANTENNA** means a structure and any associated system, including all masts, towers and other antenna supporting structures that is used for the transmission, emission or reception of television, radio or telecommunications.

**TEMPORARY DEVELOPMENT** means a development for which a development permit has been issued for a limited time period.

**TOURIST HOME** means a dwelling unit that is managed, advertised and leased by an individual or professional property manager, who uses a system of reservations, deposits and confirmations, collects G.S.T., and accepts credit cards. The accommodation unit is not leased for more than 28 days at a time.

**TRANSLUCENT** means allowing light to pass through but diffusing it so that persons, objects, etc. on the opposite side are not clearly visible.

**TRANSPORTATION/DELIVERY SERVICE** means development involving the use of one or more vehicles to transport people, mail, currency, documents, packages and articles for compensation such as a mobile catering service, the rental or lease of vans and trucks, taxi service, limousine or bus service and may include limited storage and repair of the vehicles used. This use does not include towing operations.

**TRAVEL TRAILER** – see RECREATIONAL VEHICLE

**TRUCK STOP** means a building, premise or land in which or upon which a business, service or industry involving in the maintenance, servicing, storage or report of commercial vehicles is conducted or rendered including the dispensing of fuel products, the sale of accessories and/or equipment for trucks and similar commercial vehicles. A truck stop may also include convenience stores and restaurant facilities, and may include overnight accommodation facilities solely for the use of truck crews.

**TRUCK TRANSPORTATION DISPATCH/DEPOT** means a facility for the purpose of storing and/or dispatching trucks, buses, fleet vehicles, and transport vehicles and may include towing operations. The use may also involve the transfer of goods primarily involving the loading and unloading of freight-carrying trucks.

# U

**UTILITY** means any one or more of the following:

(a) systems for the distribution of gas, whether artificial or natural;

(b) facilities for the storage, transmission, treatment, distribution or supply of water;

(c) 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;

(h) any other things prescribed by the Lieutenant Governor in Council by regulation.

# V

**VARIANCE** – see WAIVER

**VETERINARY CLINIC** – see ANIMAL CARE SERVICE

# W

**WAREHOUSE** means a facility for the storage of goods, materials or equipment for use by a company.

**WASTE MANAGEMENT SITES** means a development for the commercial receiving of spent materials, provided that no detrimental effects or nuisances are generated beyond the parcel upon which it is situated. This use includes a dry waste site, a hazardous waste management facility and a waste sorting station. This use does not include a RECYCLING FACILITY.

**WASTE MANAGEMENT TRANSFER STATION** means a facility for the collection and temporary holding of solid waste in a transferable storage container.

**WASTEWATER TREATMENT PLANT** has the same meaning as referred to in the Subdivision and Development Regulation and as in the *Environmental Protection and Enhancement Act*. This definition also includes a wastewater treatment stabilization plant.

**WINDOW SIGN** means a sign painted on, attached to or installed on a window intended to be viewed from outside the premises.

All other words and expressions not otherwise defined in this Land Use Bylaw have the meaning assigned to them in the *Municipal Government Act*.

**Schedule 8**

# CONDOMINIUM CONVERSION APPLICATION

# Schedule 8

# CONDOMINIUM CONVERSION APPLICATION

The *Condominium Property Act RSA 2000* provides the opportunity for landowners to convert existing buildings into condominiums. The Act requires the Town's approval prior to registration of such conversions. An application process for a conversion is required.

## SECTION 1 CONDOMINIUM CONVERSION PROCESS

1.1 An applicant is required to submit the following information as part of the application process:

(a) one application for condominium conversion completed in full and signed by the registered owner(s) OR the person authorized to act on behalf of the registered owner(s);

(b) one copy of the Certificate of Title obtained from any Registries office. The copy is to be validated within 30 days of the submission of the application;

(c) copies of all instruments which are registered against the parcels and affects the use of the land;

(d) Authorization Form – if applicant is not the owner, a letter must be provided from the owner authorizing the applicant to act on his/her behalf;

(e) condominium conversion application per unit fee as outlined in the Town's fee schedule;

(f) three copies of the proposed condominium as prepared by a registered Alberta Land Surveyor in accordance with the *Condominium Property Act* and the Condominium Property Regulation;

(g) an Alberta Building Code Review of the subject building or copies of all final inspections for the property constructed if constructed within the last two years.

(h) any other information the municipality deems necessary.

1.2 The review consists of comparing the plan to the development permit issued when the building was constructed to ensure the number of units and the on-site parking required are consistent between the development permit and the condominium plan.

1.3 The plan is also reviewed in respect to the status of property taxes and the Alberta Building Code Review.

1.4 Approval for a conversion is granted by signing a certificate of local authority.

## SECTION 2 PROHIBITED APPLICATIONS

2.1 The municipality may prohibit any application with respect to a building that was constructed prior to August 1, 1966, or for which the building permit was issued prior to August 1, 1966, if it considers it proper to do so, as permitted by section 10(2) of the *Condominium Property Act*.

**Schedule 9**

# TELECOMMUNICATION ANTENNA SITING PROTOCOL

# Schedule 9

# TELECOMMUNICATION ANTENNA SITING PROTOCOL

The intent of this schedule is to guide the telecommunications industry and amateur radio operators through the process of tower siting within the municipality. This guide was developed in accordance with Science, Innovation and Economic Development Canada siting protocols.

## SECTION 1 MUNICIPAL APPROVAL

1.1 Proposals for freestanding telecommunication antennas shall not be required to obtain a development permit but shall be required to make a submission to the Municipal Subdivision and Development Authority including:

(a) the information as listed in section 2, and

(b) complete the notification and public consultation process found in Section 3.

1.2 Concurrence with the proponent's project will be measured against the requirements of each district's requirements and criteria listed below. If all requirements are met, the Town of Coalhurst will provide concurrence in the form of a written letter to the proponent.

1.3 The following are excluded from submitting information for review:

(a) an antenna mounted on a building that projects less than 2 m (6.6 ft) in height above the top of the building;

(b) an antenna proposed to be located on Business Park or Business Industrial lands which are a minimum of 150 m (492 ft) from lands zoned for residential or public use.

## SECTION 2 INFORMATION REQUIREMENTS

**Co-utilization (Co-location)**

2.1 All proponents for freestanding antenna structures will be requested to identify any other such structures within a radius of 500 metres of the proposed location and to provide documentary evidence that co-utilization of the existing or new structure is not a viable alternative to a second structure.

**Appearance**

2.2 All proponents for antenna structures which are visible from residential areas may be requested to employ innovative design measures to mitigate the visual impact of these structures. The proponent shall provide stealth structure options when requested by the municipality. Stealth structure options will be based on an evaluation of the massing, form, colour, material, and other decorative elements, that will blend the appearance of the facility into and with the surrounding lands.

**Lighting and signage**

2.3 Lighting in addition to that which is required by applicable federal agencies shall be avoided. Security lighting may be considered provided it meets the requirements of the applicable land use district.

2.4 Only signage that is required by applicable federal agencies is permitted. No advertising signage shall be permitted.

## SECTION 3 NOTIFICATION AND PUBLIC CONSULTATION PROCESS

3.1 At the expense of the applicant, the municipality will notify all land owners within a distance of 500 m (1640 ft) of the proposed structure.

3.2 With each notification, the proponent will be responsible to submit a letter providing notification of the location of the tower, physical details of the tower, the time and location of the public meeting, and a contact name and phone number of someone employed by the proponent who can answer questions regarding the proposal. The notifications should be sent 25 days prior to the public meeting.

3.3 The proponent shall be prepared to hold an open house regarding their development proposal and should proactively explain all aspects of the siting, technology and appearance of the proposed structure.

3.4 From the public meeting, the proponent will be responsible to provide the Municipal Subdivision and Development Authority with a copy of the agenda and the minutes indicating the topics discussed, additional concerns raised with resolutions, and any outstanding issues that the proponent and/or landowners could not resolve.

3.5 Where the public process has raised unresolved concerns about public health and related effects of wireless communication technology, the Town of Coalhurst will request a ruling by Science, Innovation and Economic Development Canada prior to the issuance of a letter of concurrence.

# APPENDIX A

# FORMS

Town of Coalhurst
100 – 51 Avenue
Box 456, Coalhurst, AB T0L 0V0
PH: (403) 381-3033 / FX: (403)381-2924
EMAIL: development@coalhurst.ca

TOWN OF COALHURST
A PLACE TO CALL MINE

# FORM A: RESIDENTIAL DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 462-25

| OFFICE USE | | | |
|---|---|---|---|
| Application No: | Roll No: | Use:<br>☐ Permitted ☐ Discretionary ☐ Waiver ☐ Prohibited | |
| Application Received: | Application Fee: | Land Use District: | Site Inspection Date: |
| Application Deemed: | | Expiry of 40-Day Decision Timeframe: | Deadline for Missing Documentation: |
| Date Incomplete: | Date Complete: | | |
| Date Reviewed by D.O.: | MSDA Meeting Date: | Date of Decision: | Effective Date: |

## PREFERRED METHOD OF DELIVERY (SELECT ONE)

- ☐ **Email:** I wish to receive all official written documentation for my application by email.
- ☐ **Letter Mail**: I wish to receive all official written documentation for my application by letter mail.
- ☐ **In-person Pickup**: I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

## APPLICANT INFORMATION

**Applicant's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

**Registered Landowner's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

Applicant's interest in the proposed development if not the registered owner:

☐ Agent ☐ Contractor ☐ Tenant ☐ Other:_____

## PROPERTY INFORMATION

Municipal Address:_____

Legal Description: Plan _____ Block _____ Lot(s)/Unit _____

Parcel Size: _____ ☐ $m^2$ ☐ sq. ft. Land Use District: _____

Existing use/development on the property: _____

_____

## DEVELOPMENT INFORMATION

**This application is to:** (Check all that apply)

☐ Construct a new dwelling:
- ☐ Single-unit dwelling
- ☐ Duplex/multi-unit dwelling
- ☐ Manufactured home/RTM
- ☐ Moved-in dwelling
- ☐ Secondary suite

☐ Alter/renovate the existing building:
- ☐ Addition (incl. attached garage)
- ☐ Deck(s)
- ☐ Roof-mounted Solar
- ☐ Other _____

☐ Construct a new accessory structure:
- ☐ Detached garage/shop
- ☐ Shed/greenhouse/gazebo/pool
- ☐ Fence exceeding max. height
- ☐ Other _____

**Describe the proposed use, any changes from existing use, and any work to be done.**

_____

_____

_____

## BUILDING DETAILS

| **Size/Dimensions** | Principal Building or Addition | Accessory Building/ Structure | **Office Use** |
|---|---|---|---|
| Building Size | ☐ $m^2$ ☐ sq. ft | ☐ $m^2$ ☐ sq. ft | |
| Height of Building (grade to peak) | ☐ m ☐ ft | ☐ m ☐ ft | |
| Attached Garage Size | ☐ $m^2$ ☐ sq. ft | N/A | |
| **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 | | | |

## SECONDARY SUITE DETAILS

Is a secondary suite being requested? ☐ No ☐ Yes

Will the secondary suite be located in: ☐ An Existing Home ☐ A New Construction

Is there currently a secondary suite located on the property? ☐ No ☐ Yes

Will the secondary suite contain a separate entrance on the exterior of the home? ☐ No ☐ Yes

If yes, please indicate the location of the separate entrance: _____

## PROJECT DETAILS

Cost of Development: _____ Start Date: _____ Completion Date: _____

Proposed Fencing and Height:_____

Proposed Landscaping: _____

Off-street Parking Spaces (number and size, not including garage): _____

## WAIVERS

Is a waiver (variance) to one or more standards in the Land Use Bylaw being requested? ☐ No ☐ Yes

If yes, please specify: _____

## ABANDONED WELL INFORMATION

The applicant acknowledges that there are no abandoned wells within the limits of the Town of Coalhurst and as such there are no abandoned wells in the proposed project area pertaining to this Development Permit application.

**Applicant's Initials: _____**

## DECLARATION OF APPLICANT

I/We have read and understand the terms noted below and hereby apply for a Development Permit to carry out the development described within this application including any attached plans, and supplementary forms and documents. 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/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

I also consent to an authorized person designated by the municipality to enter upon the subject land and building(s) for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Access to Information Act and Protection of Privacy Act.*

Date: _____ **Applicant's Signature:**_____

**Registered Owner's Signature:**_____
(Required, if different from applicant)

1. The Development Authority may deem a Development Permit application incomplete if any of the application requirements are incomplete or the quality of the information is deemed inadequate to properly evaluate the application.

2. Plans, drawings, and any additional documentation deemed to be required to enable adequate consideration of the application, must be submitted with this application.

3. Although the Development Officer is in a position to advise applicants of the process and requirements of the development application, such advice must not be taken as official consent, and is without prejudice to the decision in connection with the formal application.

4. Any development started before the issuance of a Development Permit and expiration of the appeal period is at the applicant's own risk and subject to a fine as per the Town of Coalhurst's *Zero Tolerance For Starting Development Without The Benefit Of A Development Permit Policy*.

5. If a decision is not made within 40 days from the date the application is deemed complete, or within such longer period as the applicant may approve in writing, the applicant may deem the application to be refused. The applicant may exercise his/her right of appeal as though s/he had been mailed a refusal at the end of the 40-day period.

6. A Development Permit does not constitute a building permit or approval from any provincial or federal department. Construction undertaken subsequent to approval of this Development Permit application may be regulated by the Alberta Safety Codes**.** The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approval and inspections as may be required by the appropriate provincial body. The applicant is responsible for determining and obtaining any other applicable provincial and federal approvals prior to commencement.

TOWN OF COALHURST
A PLACE TO CALL MINE

# CHECKLIST: DEVELOPMENT PERMIT APPLICATION

## Dwelling(s) – single unit, duplex, multi-unit, moved-in, manufactured, secondary suite

☐ Completed *Form A: Residential Development Permit Application*

☐ Building plans:
- Scale and dimensions of exterior walls and interior rooms
- Floor plan of all living space proposed to be developed
- Building elevations (colour and finish) including front, sides, and rear elevations, building height (from finished grade), roofing material, and roof pitch

☐ Site plan:
- 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 and floor area ratio for all structures
- Proposed residence and/or any other buildings with dimensions of foundation and projections including decks
- The proposed distances from the front, side, and rear property lines
- Location of lot access, existing sidewalk(s), and curbs
- Location of fire hydrants, street light, power/telephone, cable pedestal(s) – *if located within property frontage*
- Location of any registered utility right-of-ways or easements
- Number of off-street parking spaces

☐ Computer generated grading/drainage plan

☐ Architectural controls signed off (where applicable)

☐ Building, Electrical, Gas, and Plumbing Permit applications

☐ Application fee (determined at time of application)

☐ Waiver request (where appliable – include a written explanation for the request)

☐ Additional supporting documentation (where applicable – moved-in dwelling requires recent colour photographs of the exterior and interior of the building)

*Disclaimer – this checklist is intended to be used as a resource tool for Development Permit applicants. The contents of this checklist are not a substitute for determining the completeness of an application.*

TOWN OF COALHURST
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# CHECKLIST: DEVELOPMENT PERMIT APPLICATION

## Residential additions, decks, garages, sheds, accessory structures, solar

☐ Completed *Form A: Residential Development Permit Application*

☐ Building plans (where applicable):
- Scale and dimensions of exterior walls and interior rooms
- Floor plan of the proposed space to be developed
- Building elevations (colour and finish) including front, sides, and rear elevations, building height (from finished grade), roofing material, and roof pitch
- Decks: structural cross-section including foundation (pile depths and dimensions, size and thickness of column pad footings, guardrails)

☐ Site plan:
- Legal description and municipal address of subject property
- Scale and north arrow
- Adjacent roadways and lanes, location of lot access
- Lot dimensions, lot area, and percentage of lot coverage and floor area ratio for all structures
- Proposed structure(s) and existing structures on the property with dimensions of foundation and projections including decks
- The proposed distances from the front, side, and rear property lines
- Location of any registered utility right-of-ways or easements on the property

☐ Computer generated grading/drainage plan (required for additions and garages/ accessory buildings over 500 sq. ft.)

☐ Architectural controls signed off (where applicable)

☐ Building, Electrical, Gas, and Plumbing Permit applications (where applicable)

☐ Application fee (determined at time of application)

☐ Waiver request (where appliable – include a written explanation for the request)

☐ Additional supporting documentation (where applicable – solar panel and racking schematics)

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Town of Coalhurst
100 – 51 Avenue
Box 456, Coalhurst, AB T0L 0V0
PH: (403) 381-3033 / FX: (403)381-2924
EMAIL: development@coalhurst.ca

TOWN OF COALHURST
A PLACE TO CALL MINE

# FORM B: NON-RESIDENTIAL DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 462-25

| OFFICE USE | | | |
|---|---|---|---|
| Application No: | Roll No: | Use:<br>☐ Permitted ☐ Discretionary ☐ Waiver ☐ Prohibited | |
| Application Received: | Application Fee: | Land Use District: | Site Inspection Date: |
| Application Deemed: | | Expiry of 40-Day Decision Timeframe: | Deadline for Missing Documentation: |
| Date Incomplete: | Date Complete: | | |
| Date Reviewed by D.O.: | MSDA Meeting Date: | Date of Decision: | Effective Date: |

## PREFERRED METHOD OF DELIVERY (SELECT ONE)

- ☐ **Email:** I wish to receive all official written documentation for my application by email.
- ☐ **Letter Mail**: I wish to receive all official written documentation for my application by letter mail.
- ☐ **In-person Pickup**: I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

## APPLICANT INFORMATION

**Applicant's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

**Registered Landowner's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

Applicant's interest in the proposed development if not the registered owner:

☐ Agent ☐ Contractor ☐ Tenant ☐ Other:_____

## PROPERTY INFORMATION

Municipal Address:_____

Legal Description: Plan _____ Block _____ Lot(s)/Unit _____

Parcel Size: _____ ☐ $m^2$ ☐ sq. ft. Land Use District: _____

Existing use/development on the property: _____

_____

## DEVELOPMENT INFORMATION

**This application is to:** (Check all that apply)

☐ Construct a new building for:
- ☐ Commercial Use
- ☐ Industrial Use
- ☐ Institutional/Recreational Use

☐ Alter an existing building:
- ☐ Addition
- ☐ Interior Renovation
- ☐ Mixed-use development

☐ Change in or Intensification of use

**Describe the proposed use, any changes from existing use, and any work to be done.**

_____

_____

_____

## BUILDING DETAILS

| **Size/Dimensions** | Principal Building or Addition | Accessory Building/ Structure | **Office Use** |
|---|---|---|---|
| Building Size | ☐ $m^2$ ☐ sq. ft | ☐ $m^2$ ☐ sq. ft | |
| Height of Building (grade to peak) | ☐ 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 | | | |

Please indicate the water and sewer requirements for the proposed development (check all that may apply):

- ☐ Washroom/kitchen type facilities for staff
- ☐ Washroom/food service facilities for public
- ☐ Car/truck wash
- ☐ No water/sewer services required
- ☐ Processing/manufacturing process
- ☐ Food processing
- ☐ Other: _____

## SITE LAYOUT

Is outdoor storage or a display area required or proposed? ☐ No ☐ Yes

Is a dedicated loading space/area proposed? ☐ No ☐ Yes

Is a drive-through component proposed which required a dedicated vehicle-stacking lane? ☐ No ☐ Yes

Off-street Parking Spaces (number and size): _____

Proposed Fencing and Height: _____

Proposed Landscaping: _____

## WAIVERS

Is a waiver (variance) to one or more standards in the Land Use Bylaw being requested? ☐ No ☐ Yes

If yes, please specify: _____

## PROJECT DETAILS

Construction Costs: _____ Start Date: _____ Estimated Completion Date: _____

## ABANDONED WELL INFORMATION

The applicant acknowledges that there are no abandoned wells within the limits of the Town of Coalhurst and as such there are no abandoned wells in the proposed project area pertaining to this Development Permit application.

**Applicant's Initials: _____**

## DECLARATION OF APPLICANT

I/We have read and understand the terms noted below and hereby apply for a Development Permit to carry out the development described within this application including any attached plans, and supplementary forms and documents. 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/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

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Date: _____ **Applicant's Signature:**_____

**Registered Owner's Signature:**_____
(Required, if different from applicant)

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3. Although the Development Officer is in a position to advise applicants of the process and requirements of the development application, such advice must not be taken as official consent, and is without prejudice to the decision in connection with the formal application.

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TOWN OF COALHURST
A PLACE TO CALL MINE

# CHECKLIST: DEVELOPMENT PERMIT APPLICATION

## Non-residential Development (Commercial, Industrial, Institutional, Recreational)

☐ Completed *Form B: Non-residential Development Permit Application*

☐ Building plans:
- Scale and dimensions of exterior walls and interior rooms
- Floor plan of all interior space proposed to be developed
- Building elevations (all sides), colour and finish, building height (from finished grade), roofing material, and roof pitch (if applicable)

☐ Professionally prepared plans (all to include legal description and municipal address of subject property, scale and north arrow, adjacent roadways and lanes):
- Site plan:
  - Lot dimensions, lot area, and percentage of lot coverage and floor area ratio for all structures
  - Proposed and existing buildings with dimensions of foundation and projections, include location(s) of proposed outdoor storage
  - The proposed distances from the front, side, and rear property lines
  - Location of fire hydrants, street light, power/telephone, cable pedestal(s) – *if located within property*
  - Location of any registered utility right-of-ways or easements
- Grading/drainage plan
- Landscaping plan (include labeling of all vegetation (trees, shrubs, ground cover), hardscaping (paving, rocks, etc.), fencing, garbage/recycling, irrigation)
- Parking and traffic circulation plan (include lot access, existing sidewalk(s), curbs, emergency/fire access information, swept path analysis, bike parking)
- Lighting plan

☐ Building, Electrical, Gas, and Plumbing Permit applications

☐ Application fee (determined at time of application)

☐ Waiver request (where appliable – include a written explanation for the request)

☐ Additional supporting documentation (where applicable – outline of the proposed development, government approvals, public participation process, etc.)

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Town of Coalhurst
100 – 51 Avenue
Box 456, Coalhurst, AB T0L 0V0
PH: (403) 381-3033 / FX: (403)381-2924
EMAIL: development@coalhurst.ca

# FORM C: HOME OCCUPATION DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 462-25

| OFFICE USE | | | |
|---|---|---|---|
| Application No: | Roll No: | Use:<br>☐ Permitted ☐ Discretionary ☐ Waiver ☐ Prohibited | |
| Application Received: | Application Fee: | Land Use District: | Site Inspection Date: |
| Application Deemed: | | Expiry of 40-Day Decision Timeframe: | Deadline for Missing Documentation: |
| Date Incomplete: | Date Complete: | | |
| Date Reviewed by D.O.: | MSDA Meeting Date: | Date of Decision: | Effective Date: |

## PREFERRED METHOD OF DELIVERY (SELECT ONE)

- ☐ **Email:** I wish to receive all official written documentation for my application by email.
- ☐ **Letter Mail**: I wish to receive all official written documentation for my application by letter mail.
- ☐ **In-person Pickup**: I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

## APPLICANT INFORMATION

**Applicant's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

**Registered Landowner's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

Applicant's interest in the proposed development if not the registered owner:

☐ Agent ☐ Contractor ☐ Tenant ☐ Other:_____

## PROPERTY INFORMATION

Municipal Address:_____

Legal Description: Plan _____ Block _____ Lot(s)/Unit _____

Parcel Size: _____ ☐ $m^2$ ☐ sq. ft. Land Use District: _____

Existing use/development on the property: _____

_____

## BUSINESS DESCRIPTION

**(1) Describe the primary function of your business. What goods and/or services are provided?**
Attach an additional sheet outlining the business.

**(2) Is there another home occupation already operating out of the residence?** ☐ No ☐ Yes

**(3) Is there a secondary suite in the residence?** ☐ No ☐ Yes

If yes, please provide details:_____

**(4) Where will the business operate from?** ☐ In-home ☐ Accessory building ☐ Off-site/Mobile

**(5) 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 ☐ 1-5 per day ☐ More than 5 per day

☐ **Remotely**. Clients/customers will not be coming to the residence but will only be in contact by:

☐ Phone/Fax ☐ Mail ☐ Courier ☐ Email/Internet

**(6) How many parking spaces for any client visits, deliveries, etc. will be available? _____**

**(7) Days and hours of operation:_____**

**(8) Will there be any employees that are not residents of the dwelling?** ☐ No ☐ Yes

If YES: **How many employees will come to the residence? _____**

**Will more than 1 employee come to the residence at a time?** ☐ No ☐ Yes

**(9) Will there be any equipment or materials stored outside the dwelling that will be used in conjunction with the business?** ☐ No ☐ Yes

If yes, please list materials & quantities:_____

**(10) Will any vehicles/machinery/trailers/tools be used to operate the business?** Please list.

_____

**(11) Will there be any flammable/hazardous materials on the premises as a result of the business?**

☐ No ☐ Yes (please list materials & quantities):_____

**(12) Will any goods be displayed at the residence?** ☐ No ☐ Yes

**(13) Will there be a sign for the business?** ☐ No ☐ Yes

If yes, please describe size, type, and location:_____

**(14) Does the business require additional government approvals?** ☐ No ☐ Yes

If yes, please describe (AHS, AMVIC, etc.):_____

## ABANDONED WELL INFORMATION

The applicant acknowledges that there are no abandoned wells within the limits of the Town of Coalhurst and as such there are no abandoned wells in the proposed project area pertaining to this Development Permit application.

**Applicant's Initials: _____**

## DECLARATION OF APPLICANT

I/We have read and understand the terms noted below and hereby apply for a Development Permit to carry out the development described within this application including any attached plans, and supplementary forms and documents. 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/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

I also consent to an authorized person designated by the municipality to enter upon the subject land and building(s) for the purpose of an inspection during the processing of this application.

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Date: _____ **Applicant's Signature:**_____

**Registered Owner's Signature:**_____
(Required, if different from applicant)

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TOWN OF COALHURST
A PLACE TO CALL MINE

# CHECKLIST: DEVELOPMENT PERMIT APPLICATION

## Home Occupation Businesses

- ☐ Completed *Form C: Home Occupation Development Permit Application*
- ☐ Site plan (required for Home Occupation 2):
  - Legal description and municipal address of subject property
  - Scale and north arrow
  - Adjacent roadways and lanes, location of lot access
  - Entrance to be used by clients
  - Location of off-street client parking
  - Location of proposed outdoor storage (to be screened from view)
- ☐ Floor plan of interior space(s) to be used for business (when clients come to property)
- ☐ Building, Electrical, Gas, and Plumbing Permit applications (where applicable)
- ☐ Application fee (determined at time of application)
- ☐ Waiver request (where appliable – include a written explanation for the request)
- ☐ Additional supporting documentation (where applicable)

*Disclaimer – this checklist is intended to be used as a resource tool for Development Permit applicants. The contents of this checklist are not a substitute for determining the completeness of an application.*

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EMAIL: development@coalhurst.ca

# FORM D: BUILDING REMOVAL DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 462-25

| OFFICE USE | | | |
|---|---|---|---|
| Application No: | Roll No: | Land Use District: | Site Inspection Date: |
| Application Received: | Application Fee: | Date Reviewed by D.O.: | Date of Decision: |
| Application Deemed: | | Utilities Signed Off: ☐ Yes ☐ No | |
| Date Incomplete: | Date Complete: | Accompanying DP Application: ☐ Yes ☐ No<br>DP Application no: | |

## PREFERRED METHOD OF DELIVERY (SELECT ONE)

- ☐ **Email:** I wish to receive all official written documentation for my application by email.
- ☐ **Letter Mail**: I wish to receive all official written documentation for my application by letter mail.
- ☐ **In-person Pickup**: I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

## APPLICANT INFORMATION

**Applicant's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

**Registered Landowner's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

Applicant's interest in the proposed building removal if not the registered owner:

☐ Agent ☐ Contractor ☐ Tenant ☐ Other:_____

## PROPERTY INFORMATION

Municipal Address:_____

Legal Description: Plan _____ Block _____ Lot(s)/Unit _____

Parcel Size: _____ ☐ $m^2$ ☐ sq. ft. Land Use District: _____

Existing use/development on the property: _____

_____

## STRUCTURES TO BE REMOVED

Description of Buildings/Structure(s): _____

_____

Type of Work: ☐ Removal to another site (no demolition) ☐ Demolition of building/structure

Building Size: _____ ☐ $m^2$ ☐ sq. ft

Height of Building: _____ ☐ $m^2$ ☐ sq. ft Number of storeys: _____

## DEMOLITION INFORMATION

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 prior to demolition.**

Location where building(s) are being moved to (if not being demolished):_____

_____

Contractor responsible for removal/demolition (if different from applicant): _____

Post building removal plan for property: ☐ Rebuild (separate Development Permit application required)

☐ To be left vacant (drainage plan & weed management plan required)

## PROJECT DETAILS

Cost of Development: _____ Start Date: _____ Completion Date: _____

## DISCONNECTION OF ALL SERVICES

Acquire signature (or written verification) from all applicable agencies verifying services are disconnected:

☐ Electrical power _____

☐ Natural gas _____

☐ Oil lines _____

☐ Telephone cables _____

☐ Communication lines (tv, internet) _____

☐ Water lines _____

☐ Storm & sanitary sewer _____

☐ Private Septic _____

## ABANDONED WELL INFORMATION

The applicant acknowledges that there are no abandoned wells within the limits of the Town of Coalhurst and as such there are no abandoned wells in the proposed project area pertaining to this Development Permit application.

**Applicant's Initials: _____**

## DECLARATION OF APPLICANT

I/We have read and understand the terms noted below and hereby apply for a Development Permit to carry out the development described within this application including any attached plans, and supplementary forms and documents. 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/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

I also consent to an authorized person designated by the municipality to enter upon the subject land and building(s) for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Access to Information Act and Protection of Privacy Act.*

Date: _____ **Applicant's Signature:**_____

**Registered Owner's Signature:**_____
(Required, if different from applicant)

1. The Development Authority may deem a Development Permit application incomplete if any of the application requirements are incomplete or the quality of the information is deemed inadequate to properly evaluate the application.

2. Plans, drawings, and any additional documentation deemed to be required to enable adequate consideration of the application, must be submitted with this application.

3. Although the Development Officer is in a position to advise applicants of the process and requirements of the development application, such advice must not be taken as official consent, and is without prejudice to the decision in connection with the formal application.

4. Any development started before the issuance of a Development Permit and expiration of the appeal period is at the applicant's own risk and subject to a fine as per the Town of Coalhurst's *Zero Tolerance For Starting Development Without The Benefit Of A Development Permit Policy*.

5. If a decision is not made within 40 days from the date the application is deemed complete, or within such longer period as the applicant may approve in writing, the applicant may deem the application to be refused. The applicant may exercise his/her right of appeal as though s/he had been mailed a refusal at the end of the 40-day period.

6. A Development Permit does not constitute a building permit or approval from any provincial or federal department. Construction undertaken subsequent to approval of this Development Permit application may be regulated by the Alberta Safety Codes**.** The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approval and inspections as may be required by the appropriate provincial body. The applicant is responsible for determining and obtaining any other applicable provincial and federal approvals prior to commencement.

TOWN OF COALHURST
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# CHECKLIST: DEVELOPMENT PERMIT APPLICATION

## Building removal & Demolition

- ☐ Completed *Form D: Building Removal/Demolition Permit Application*
- ☐ On-site consultation with Public Works Director (min. 48 hrs prior to work commencing)
- ☐ Final plan for property after building is removed/demolished and reclamation complete
  - Grading/drainage plan (if property will be vacant after removal or demolition)
  - Complete Development Permit application for new development where building is being replaced
- ☐ Building Permit application
- ☐ Application fee (determined at time of application) & security deposit (where applicable)
- ☐ Additional supporting documentation (where applicable)

*Disclaimer – this checklist is intended to be used as a resource tool for Demolition Permit applicants. The contents of this checklist are not a substitute for determining the completeness of an application.*

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# FORM E: SIGNAGE DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 462-25

| OFFICE USE | | | |
|---|---|---|---|
| Application No: | Roll No: | Use:<br>☐ Permitted ☐ Discretionary ☐ Waiver ☐ Prohibited | |
| Application Received: | Application Fee: | Land Use District: | Site Inspection Date: |
| Application Deemed: | | Expiry of 40-Day Decision Timeframe: | Deadline for Missing Documentation: |
| Date Incomplete: | Date Complete: | | |
| Date Reviewed by D.O.: | MSDA Meeting Date: | Date of Decision: | Effective Date: |

## PREFERRED METHOD OF DELIVERY (SELECT ONE)

- ☐ **Email:** I wish to receive all official written documentation for my application by email.
- ☐ **Letter Mail**: I wish to receive all official written documentation for my application by letter mail.
- ☐ **In-person Pickup**: I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

## APPLICANT INFORMATION

**Applicant's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

**Registered Landowner's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

Applicant's interest in the proposed development if not the registered owner:

☐ Agent ☐ Contractor ☐ Tenant ☐ Other:_____

## PROPERTY INFORMATION

Municipal Address:_____

Legal Description: Plan _____ Block _____ Lot(s)/Unit _____

Parcel Size: _____ ☐ $m^2$ ☐ sq. ft. Land Use District: _____

Existing use/development on the property: _____

_____

## SIGN INFORMATION

**Type of work** (select all that apply):

☐ New Permanent Sign ☐ Changes to Existing Sign ☐ Temporary Sign

☐ Wall (fascia)
☐ Freestanding
☐ Canopy/Roof mounted
☐ Sandwich Board
☐ Banding Sign

☐ Electrified
☐ Non-electrified
☐ Indirect Illumination
☐ Internal Illumination
☐ Direct Illumination
☐ Flashing/LED

☐ Animated
☐ Rotating
☐ Awning
☐ Portable
☐ Electronic Variable Messages
☐ Lettering

| **Size/Dimensions** | Proposed Sign | **Office Use** |
|---|---|---|
| Length of Sign: | ☐ m ☐ ft | |
| Height of Sign: | ☐ m ☐ ft | |
| Sign Face Area: | ☐ $m^2$ ☐ sq. ft | |
| Top of Sign Height from Grade: | ☐ m ☐ ft | |
| Top of Sign Height from Roof: | ☐ m ☐ ft | |
| Bottom of Sign Height from Grade: | ☐ m ☐ ft | |

| **Distance from Property Lines** | | **Office Use** |
|---|---|---|
| Front | ☐ m ☐ ft | |
| Rear | ☐ m ☐ ft | |
| Side | ☐ m ☐ ft | |
| Side | ☐ m ☐ ft | |

**Sign materials:** _____

**Are there any other signs on this property?** ☐ No ☐ Yes

If yes, please specify: _____

_____

_____

If the sign is only for **temporary** use:

For how many days is the sign proposed to be displayed: _____ days

Will the sign be used to advertise **off-premises** business, products or services? ☐ No ☐ Yes

## WAIVERS

Is a waiver (variance) to one or more standards in the Land Use Bylaw being requested? ☐ No ☐ Yes

If yes, please specify: _____

## PROJECT DETAILS

Cost of Development: _____ Start Date: _____ Completion Date: _____

## ABANDONED WELL INFORMATION

The applicant acknowledges that there are no abandoned wells within the limits of the Town of Coalhurst and as such there are no abandoned wells in the proposed project area pertaining to this Development Permit application.

**Applicant's Initials: _____**

## DECLARATION OF APPLICANT

I/We have read and understand the terms noted below and hereby apply for a Development Permit to carry out the development described within this application including any attached plans, and supplementary forms and documents. 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/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

I also consent to an authorized person designated by the municipality to enter upon the subject land and building(s) for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Access to Information Act and Protection of Privacy Act.*

Date: _____ **Applicant's Signature:**_____

**Registered Owner's Signature:**_____
(Required, if different from applicant)

1. The Development Authority may deem a Development Permit application incomplete if any of the application requirements are incomplete or the quality of the information is deemed inadequate to properly evaluate the application.

2. Plans, drawings, and any additional documentation deemed to be required to enable adequate consideration of the application, must be submitted with this application.

3. Although the Development Officer is in a position to advise applicants of the process and requirements of the development application, such advice must not be taken as official consent, and is without prejudice to the decision in connection with the formal application.

4. Any development started before the issuance of a Development Permit and expiration of the appeal period is at the applicant's own risk and subject to a fine as per the Town of Coalhurst's *Zero Tolerance For Starting Development Without The Benefit Of A Development Permit Policy*.

5. If a decision is not made within 40 days from the date the application is deemed complete, or within such longer period as the applicant may approve in writing, the applicant may deem the application to be refused. The applicant may exercise his/her right of appeal as though s/he had been mailed a refusal at the end of the 40-day period.

6. A Development Permit does not constitute a building permit or approval from any provincial or federal department. Construction undertaken subsequent to approval of this Development Permit application may be regulated by the Alberta Safety Codes**.** The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approval and inspections as may be required by the appropriate provincial body. The applicant is responsible for determining and obtaining any other applicable provincial and federal approvals prior to commencement.

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# CHECKLIST: DEVELOPMENT PERMIT APPLICATION

## Signage

☐ Completed *Form E: Signage Development Permit Application*

☐ Site plan:
- Legal description and municipal address of subject property
- Scale and north arrow
- Adjacent roadways and lanes, location of lot access
- Location of all existing and proposed sign(s)
- 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)
- Location of any registered utility right-of-ways or easements on the property

☐ Sign layout:
- Size, height, and other dimensions of the proposed sign(s), including any supporting structures
- To scale colour rendering of proposed signage

☐ Building, Electrical, Gas, and Plumbing Permit applications (where applicable)

☐ Application fee (determined at time of application)

☐ Waiver request (where appliable – include a written explanation for the request)

☐ Additional supporting documentation (where applicable)

*Disclaimer – this checklist is intended to be used as a resource tool for Development Permit applicants. The contents of this checklist are not a substitute for determining the completeness of an application.*

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# FORM F: APPLICATION FOR LAND USE BYLAW OR STATUTORY DOCUMENT AMENDMENT

| OFFICE USE | | | |
|---|---|---|---|
| Application No: | Roll No: | ☐ Redesignation ☐ Text Amendment | |
| Application Received: | Application Fee: | Land Use District: | Date submitted to ORRSC: |
| Application Deemed: | | Deadline for Missing Documentation: | ☐ Site Plan<br>☐ Conceptual Design Scheme or ASP |
| Date Incomplete: | Date Complete: | | |
| First Reading Date: | Public Hearing Date: | Second/Third Reading Date(s): | ☐ Certificate of Title (not older than 60 days prior to application date) |

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 12 months after the date of refusal.

*IMPORTANT NOTE*: Although administration 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.

## PREFERRED METHOD OF DELIVERY (PLEASE SELECT ONE)

- ☐ **Email:** I wish to receive all official written documentation for my application by email.
- ☐ **Letter Mail**: I wish to receive all official written documentation for my application by letter mail.
- ☐ **In-person Pickup**: I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

## APPLICANT INFORMATION

**Applicant's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

**Registered Landowner's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

Applicant's interest in the proposed development if not the registered owner:

☐ Agent ☐ Contractor ☐ Tenant ☐ Other:_____

## PROPERTY INFORMATION

Municipal Address:_____

Legal Description: Plan _____ Block _____ Lot(s)/Unit _____

OR Quarter _____ Section _____ Township _____ Range _____ W4M

## AMENDEMENT INFORMATION

**What is the proposed amendment:** ☐ LUB Text Amendment ☐ Land Use Redesignation

☐ MDP Amendment ☐ ASP Amendment

## IF TEXT AMENDMENT:

For text amendments, attach a description including:

- The section(s) to be amended;
- The change(s) to the text; and
- The reason(s) for change(s).

## IF LAND USE REDESIGNATION (REZONING):

Current Land Use Designation (zoning): _____

Proposed Land Use Designation (zoning): _____

*Land Use Bylaw no. 462-25 (Administration Section 50)* regulates the information required to accompany an application for redesignation. A descriptive narrative detailing the following is required:

- 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.

An Area Structure Plan or Conceptual Design Scheme may be required in conjunction with this application where:

- Redesignating land from Parks and Recreation (PR) to another district;
- Multiple parcels of land are involved;
- More than four lots could be created;
- Several pieces of fragmented land are adjacent to the proposal;
- Internal public roads would be required;
- Municipal services would need to be extended; or
- Required by Council of the Municipal Subdivision and Development Authority.

The Development Officer or Council may also require a:

- Geotechnical report; and/or
- Stormwater management plan.

## ABANDONED WELL INFORMATION

The applicant acknowledges that there are no abandoned wells within the limits of the Town of Coalhurst and as such there are no abandoned wells in the lands affected by this application.

**Applicant's Initials: _____**

## DECLARATION OF APPLICANT

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/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

I also consent to an authorized person designated by the municipality to enter upon the subject land and building(s) for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Access to Information Act and Protection of Privacy Act.*

Date: _____ **Applicant's Signature:**_____

**Registered Owner's Signature:**_____
(Required, if different from applicant)

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# FORM G: AGREEMENT FOR TIME EXTENSION

Pursuant to Land Use Bylaw No. 462-25

| OFFICE USE | | | |
|---|---|---|---|
| Application No: | Roll No: | Expiry of 40-Day Decision Timeframe: | |
| Application Received: | Date Development Permit Application Deemed Complete: | | MSDA Meeting Date: |

## PREFERRED METHOD OF DELIVERY (SELECT ONE)

- ☐ **Email:** I wish to receive all official written documentation for my application by email.
- ☐ **Letter Mail**: I wish to receive all official written documentation for my application by letter mail.
- ☐ **In-person Pickup**: I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

## AGREEMENT FOR TIME EXTENSION

I/We _____being the registered owner

or person authorized to act on behalf of the registered owner with respect to Application no: _____

applying for: _____

on lands located at: (Municipal Address)_____

(Legal Description) Plan _____ Block _____ Lot(s)/Unit _____

do hereby agree to a time extension of: _____days, until_____

_____

On the understanding that if a decision has not been made by this time, I may deem the application refused and appeal to the Chinook Intermunicipal Subdivision and Development Appeal Board in accordance with the provisions of the Municipal Government Act.

Date: _____ _____

Signature of Registered Owner/Person Acting on behalf of:

_____

Signature of Witness

Date: _____ _____

Signature of Designated Officer – Town of Coalhurst

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Access to Information Act and Protection of Privacy Act.*

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# FORM H: NOTICE OF APPEAL APPLICATION

Pursuant to Land Use Bylaw No. 462-25

| OFFICE USE | | | |
|---|---|---|---|
| Appeal No: | Roll No: | Date of Decision: | 21-day Appeal Period Date: |
| Appeal Received: | Application Fee: | Date Paid: | Hearing Date: |

## PREFERRED METHOD OF DELIVERY (SELECT ONE)

- ☐ **Email:** I wish to receive all official written documentation for my application by email.
- ☐ **Letter Mail**: I wish to receive all official written documentation for my application by letter mail.
- ☐ **In-person Pickup**: I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

## APPELLANT INFORMATION

**Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

## APPLICATION BEING APPEALED

- ☐ **Development Application no. _____**
- ☐ **Subdivision Application no. _____**
- ☐ **Stop Order no. _____**

I/We do hereby appeal the following decision/order:_____

_____

The grounds for the appeal are as follows (attach additional documentation if required): _____

_____

_____

_____

_____

_____

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Access to Information Act and Protection of Privacy Act.*

Date: _____ **Appellant's Signature:**_____

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# FORM I: TELECOMMUNICATION SITING PROTOCOL APPLICATION

| OFFICE USE | | | |
|---|---|---|---|
| Application no: | Roll No: | Land Use District: | Site Inspection Date: |
| Application Received: | Application Fee: | Application Deemed Complete: | Development Hearing Date: |

## PREFERRED METHOD OF DELIVERY (SELECT ONE)

- ☐ **Email:** I wish to receive all official written documentation for my application by email.
- ☐ **Letter Mail**: I wish to receive all official written documentation for my application by letter mail.
- ☐ **In-person Pickup**: I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

## APPLICANT INFORMATION

**Applicant's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

**Registered Landowner's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

Applicant's interest in the proposed development if not the registered owner:

☐ Agent ☐ Antenna proponent/developer ☐ Contractor ☐ Tenant ☐ Other:_____

## PROPERTY INFORMATION

Municipal Address:_____

Legal Description: Plan _____ Block _____ Lot(s)/Unit _____

Parcel Size: _____ ☐ $m^2$ ☐ sq. ft. Land Use District: _____

Existing use/development on the property: _____

_____

## DETAILS OF THE PROPOSED DEVELOPMENT

What will the antenna/tower be used for? _____

Are there any roads or approaches on the parcel? _____

Is co-utilization with existing antenna systems proposed? ☐ No ☐ Yes

Are there any other antenna towers located within 800 metres of the subject proposal? ☐ No ☐ Yes
If yes, describe what the tower is used for, its operator(s), and a location map.

_____

_____

Describe the proposed finish/colour and if lighting or any markings are proposed for the antenna. _____

_____

_____

Will the structure be visible from residential areas? ☐ No ☐ Yes

If yes, please describe the stealth structure options/screening. _____

_____

_____

Will signage be used? ☐ No ☐ Yes If yes, please describe. _____

_____

_____

Will the antenna contain any markings? ☐ No ☐ Yes If yes, please describe. _____

_____

## ABANDONED WELL INFORMATION

The applicant acknowledges that there are no abandoned wells within the limits of the Town of Coalhurst and as such there are no abandoned wells on the property affected by the proposed telecommunication tower.

**Applicant's Initials: _____**

## DECLARATION OF APPLICANT

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/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

I also consent to an authorized person designated by the municipality to enter upon the subject land and building(s) for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Access to Information Act and Protection of Privacy Act.*

Date: _____ **Applicant's Signature:**_____

**Registered Owner's Signature:**_____
(Required, if different from applicant)

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# FORM J: VOLUNTARY WAIVER OF CLAIMS

Development Commencement Form

| OFFICE USE | | | |
|---|---|---|---|
| Development Permit No: | Roll No: | Application Received: | Date Deemed Complete: |
| | | | |

## PREFERRED METHOD OF DELIVERY (SELECT ONE)

- ☐ **Email:** I wish to receive all official written documentation for my application by email.
- ☐ **Letter Mail**: I wish to receive all official written documentation for my application by letter mail.
- ☐ **In-person Pickup**: I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

## APPLICANT INFORMATION

**Applicant's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

**Registered Landowner's Name**: _____

Phone:_____ Email:_____

Mailing Address:_____

Applicant's interest in the proposed development if not the registered owner:

☐ Agent ☐ Contractor ☐ Tenant ☐ Other:_____

## PROPERTY INFORMATION

Municipal Address:_____

Legal Description: Plan _____ Block _____ Lot(s)/Unit _____

## "VOLUNTARY WAIVER OF CLAIM" (OPTIONAL)

**For Development Approvals of Discretionary Uses and/or Approvals granting a waiver of development standards.**

This "Voluntary Waiver of Claims" allows you to commence your development at your own risk in advance of the date of validity on your Development Permit. The permit's valid date is the date at which the appeal period for the public has expired.

By agreeing to this "Voluntary Waiver of Claims" you agree that should an appeal be made you will immediately cease the development pending the outcome of the appeal and will waive all claims to the compensation from the

Town of Coalhurst for costs associated with the cessation and/or costs resulting from the outcome of the appeal, including the removal of improvements and restoration of disturbances to the land/buildings to their former state.

Agreement to this "Voluntary Waiver of Claims" does not nullify your own right to an appeal. You may appeal any condition of approval on the Development Permit to the Chinook Intermunicipal Subdivision and Development Appeal Board by the date identified on your permit.

Agreement to this "Voluntary Waiver of Claims" and possession of the released Development Permit does not eliminate the need for a Business License, Building Permit or other permits. Do not commence development without first obtaining all the necessary permits.

**I have read, understood, and agree to this "Voluntary Waiver of Claims"**

Date: _____ **Applicant's Signature:**_____

**Registered Owner's Signature:**_____
(Required, if different from applicant)

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Access to Information Act and Protection of Privacy Act.*