Town of Claresholm
Land Use Bylaw
No. 1525





Claresholm

April 2009

Consolidated to Bylaw No. 1824, March 2026

Prepared for the

Town of Claresholm

Claresholm

By

OLDMAN RIVER REGIONAL SERVICES COMMISSION

Cover Art courtesy of ORRSC

Clareholm

TOWN OF CLARESHOLM

BYLAW NO. 1525

BEING A BYLAW OF THE TOWN OF CLARESHOLM IN THE PROVINCE OF ALBERTA TO ADOPT A LAND USE BYLAW.

WHEREAS Section 639 of the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26, as amended, provides that a municipality must pass a Land Use Bylaw; and

WHEREAS The Town of Claresholm has conducted a significant review of the previous Land Use Bylaw; and

WHEREAS The number of changes will better reflect the land use requirements of the town;

NOW THEREFORE Under the authority of the Municipal Government Act, sections 639 and 692, the Council of the Town of Claresholm, in the Province of Alberta, duly assembled enacts the following:

1. Bylaw No.1384 being the former Land Use bylaw and any amendments thereto are hereby repealed.
2. Bylaw No.1324 being the former awning and sign bylaw and any amendments thereto are hereby repealed.
3. Land Use Bylaw No. 1525 shall come into affect upon third and final reading thereof.
4. Bylaw No. 1525 is hereby adopted.

READ a **first** time this **23rd** day of **March**, 2009.

Mayor - Rob Steel | *Chief Administrative Officer - Kris Holbeck*

Amended per Schedule 'A'.

READ a **second** time this **14th** day of **April**, 2009 as amended.

Mayor - Rob Steel | *Chief Administrative Officer - Kris Holbeck*

READ a **third** time and finally PASSED this **14th** day of **April**, 2009.

Mayor - Rob Steel | *Chief Administrative Officer - Kris Holbeck*

Form #7-3210

Town of Claresholm Land Use Bylaw No. 1525 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
1532	"Single Detached Residential – R1" to "Service Industrial – I2"	Portion of Block 127, Plan 147N	28-Sep-2009
1565	"Single Detached Residential – R1" to "Multiple Residential – R4"	Lot 9 & 10, Block 15, Plan 147N	18-Jul-2011
1567	"Single Detached Residential – R1" to "Multiple Residential – R4"	Lot 8, Block 74, Plan 147N	9-Jan-12
1570	"Industrial – I1" to "Public – P"; "Multiple Residential – R4" to "Direct Control – DC"; "Multiple Residential – R4" to "Direct Control – DC"; "Multiple Residential – R4" to "Direct Control – DC"; "Public – P" to "Direct Control – DC"; "Industrial – I1" to "Direct Control – DC"; "Industrial – I1" to "Direct Control – DC"; "Industrial – I1" to "Direct Control – DC"; "Public – P" to "Direct Control – DC"; "Highway Commercial – C2" to "Direct Control – DC"; No designation to "Direct Control – DC"; No designation to "Direct Control – DC"; No designation to "Direct Control – DC"; "Industrial – I1" to "Direct Control – DC"; "Industrial – I1" to "Direct Control – DC"; No designation to "Direct Control – DC"; "Industrial – I1" to "Direct Control – DC"; "Industrial – I1" to "Direct Control – DC"; "Industrial – I1" to "Direct Control – DC"; "Industrial – I1" to "Public – P"; "Retail Commercial – C1" to "Public – P"; "Multiple Residential – R4" to "Public – P"; "Public – P" to "Direct Control – DC"; "Single Detached Residential – R1" to "Public – P"; "Single Detached Residential – R1" to "Public – P"; "Single Detached Residential – R1" to "Public – P"; "Single Detached Residential – R1" to "Public – P"; "Single Detached Residential – R1" to "Public – P"; "Single Detached Residential – R1" to "Public – P"; "Single Detached Residential – R1" to "Public – P"; "Single Detached Residential – R1" to "Public – P"; "Single Detached Residential – R1" to "Public – P";	Lot 8MR, Block 2, Plan 0310918; Lot 1, Block 4, Plan 8111403; Lot 2, Block 4, Plan 8111403; Lot 3, Block 4, Plan 8111403; Lot 4MR, Block 4, Plan 8111403; Lot 5, Block 4, Plan 8111403; Lot 6, Block 4, Plan 8111403; Lot 7, Block 4, Plan 8111403; Lot 8MR, Block 4, Plan 8111403; Lot 9, Block 4, Plan 8111403; Lot 57, Block B, Plan 1112576; Portion of Lot 12, Block RLY, Plan RY8; Portion of Block OT, Plan RY8; Portion of NE 26-12-27-W4M; Block M, Plan 147N; Portion of Lot 12, Block RLY, Plan RY8; Portion of Block 130, Plan 404R, Plan RY8; Portion of Block 88, Plan 147N; Portion of Block 130, Plan 404R; Block 5, Plan 7810527; Lots 11-16, Block 12, Plan 127N; Portion of Block P, Plan 4265JK; Portion of Block 127, Plan 147N; Lot 5, Block 19, Plan 147N; Lot 6, Block 19, Plan 147N; Lot 7, Block 19, Plan 147N; E½ of Lot 16, Block 18, Plan 147N; Lot 17, Block 18, Plan 147N; N 30' of Lot 18, Block 18, Plan 147N; Lot 4, Block 18, Plan 147N; W 40' of Lot 19, Block 17, Plan 147N; N 20' of Lots 17 & 18, Block 17, Plan 147N	10-Apr-2012
1576	Replace definition of "Food processing facility" with two definitions: "Food processing facility, major" and "Food processing facility, minor"; Add "Food processing facility, minor: as a discretionary use in the "Highway Commercial – C2" district		13-Aug-2012
1577	"Single Detached Residential – R1" to "Direct Control – DC"	Lot 2, Block 7, Plan 7911185	10-Sep-2012

Bylaw No.	Amendment Description	Legal Description	Passed
1579	"Retail Commercial – C1" to "Single Detached Residential – R1"	Lot 8, Block 131, Plan 7959GV	14-Jan-2013
1591	"Multiple Residential – R4" to "Apartments – R5"	Portion of Block 66, Plan 147N	10-Feb-2014
1596	General amendment to update, enhance and clarify administrative procedures, amend the land use map to represent existing land use or land use recommended by the Municipal Development Plan, augment district and development criteria and standards, and include additional schedules and definitions	Various – see bylaw	14-Mar-2016
1619	Add "Truck Transportation Depot" and "Caretaker's Suite" as discretionary uses in the "Highway Commercial – C2" district		14-Nov-2016
1622	Replace "Auto sales and service" definition with "Vehicle sales and service" definition; Replace "Auto sales and service" with "Vehicle sales and service" in C2, I1 and I2 districts; Add "Vehicle sales and service" as a discretionary use in the C1 district.		9-Jan-2017
1624	Various text amendments to define, regulate and control Secondary Suites within certain residential districts		10-Apr-2017
1625	"Rural General – RG" to "Agricultural/Transitional – A/T" "Rural Small Holdings – RSH" to "Agricultural/Transitional – A/T"	A portion of the W½ 25-12-27-W4M; NW 24-12-27-W4M Lot 1PUL, Block 5, Plan 1212346 Block OT, Plan 7510394 Lot 1, Block 1, Plan 9211776 Block 3, 4 and 5, Plan 731633	27-Mar-2017
	Replaced Appendix B, Subdivision and Development Appeal Board Bylaw with new Bylaw #1636		22-Jan-2018
1640	"Multiple Residential – R4" to "Apartment – R5"	Lot 16, Block 63, Plan 0110064	9-Apr-2018
1646	Various text amendments		28-May-2018
1649	"Retail Commercial – C1" to "Single Detached Residential – R1"	Lot 3 and 4 and a portion of Lot 5, Block 14, Plan 147N	25-Jun-2018
1651	Various text amendments to accommodate cannabis related uses in accordance with Federal and Provincial legislation		24-Sep-2018
1652	Various text amendments to bring the Land Use Bylaw into compliance with the provincial changes to the Municipal Government Act		10-Dec-2018
1665	"Industrial – I1" to "Service Industrial – I2"	Lot 9, Block 3, Plan 0012393 Lot 7, Block 2, Plan 0310918 Lots 11-14, Block 3, Plan 0313204 Lots 15-17, Block 3, Plan 0514376 Lot 6, Block 4, Plan 0514376 Lots 1-3, Block 5, Plan 0514376 Lot 17, Block 3, Plan 1412307 Units 1-4 & Common Property, Plan 1612558 Block 2, Plan 731663 Lot 1, Block 7, Plan 8210390 Lots 1-6, Block 2, Plan 8510082 Lots 3, 4, 6, 8, Block 3, Plan 8510082 Lots 4 & 5, Block 4, Plan 8510082	13-May-2019

Bylaw No.	Amendment Description	Legal Description	Passed
1666	"Single Detached Residential – R1" to "Public – P" and all former roads to "Public – P" Various text amendments regarding: Breweries, distilleries and wineries; Cafes/coffee shop; Contractor, general; Light fabrication shops; Light industrial; Manufacturing and fabrication; Patios, Health care services, etc.	Lot 1 including all former roads, Block 128, Plan 1811272	13-May-2019
1667	Update to Schedule 2 - Signs		11-Jan-2021
1689	No designation to "Single Detached Residential – R1" No designation to "Single Detached Residential – R1"	Closed walkway between Lot 41 and 42, Block 4, Plan 7810995 Closed roadway (Pine Ridge Crescent) between Block 114 and 118, Plan 8010781	25-May 2020
1690	"Direct Control – DC" to Single Detached Residential – R1; "Direct Control – DC" to Road (No Zoning); "Direct Control – DC" to "Multiple Residential – R4"; "Direct Control – DC" and "Multiple Residential – R4" to "Public – P"	N. 31.85 m of Lot 2, Block 7, Plan 7911185 excepting Plan 9910869; S. 22.90 m of N. 54.75 m of Lot 2, Block 7, Plan 7911185 excepting Plan 9910869; N. 44.17 m of S. 70.23 m of Lot 2, Block 7, Plan 7911185 excepting Plan 9910869; S. 26.06 m of Lot 2, Block 7, Plan 7911185 excepting Plan 9910869 and S. 46.12 m of E. 12.67 m of Lot 1, Block 7, Plan 7911185	20-Jul-2020
1706	"Multiple Residential – R4" to "Apartments – R5"	Lot 1, Block 66, Plan 9212404	22-Jun-2020
Annexation O.C. 383/2020	Order annexing land from the Municipal District of Willow Creek No. 26 to the Town of Claresholm	Annexed from the MD of Willow Creek to the Town of Claresholm: All that portion of the South East Quarter of Section Twenty-Three (23), Township Twelve (12), Range Twenty-Seven (27) West of the Fourth (4) Meridian not within the Town of Claresholm including the North-South Road Allowance adjacent to the East Boundary of said Quarter Section and including all that land adjacent to the East of said Quarter Section lying West of the East Boundary of Plan 941 0195	9-Dec-2020
1718	"Agricultural/Transitional - AT" to "Highway Commercial - C2"	Ptn. Block 3, Plan 731663 within S 1/2 35-12-27 W4M	8-Feb-2021
1719	"Rural Commercial - RC" to "Industrial - I"	SE 23-12-27 W4M	8-Feb-2021
1727	"Single Detached Residential - R1" to "Multiple Residential - R4"	Ptn Lot 4, Block 28, Plan 7304EC within SW 26-12-27 W4M	12-Oct-2021
1732	"Industrial - I1" to "Highway Commercial - C2"	Lots 2 & 3, Block 1, Plan 658LK	14-Mar-2022
1736	"No zoning" to "Single Detached Residential - RI"	Closed Roadway, Plan 147N, Block 8, that portion of lane lying west of the southerly production of the east boundary of Lot 11 and East of the Southerly Production of the West Boundary of Lot 12	28-Feb-2022
1738	"No zoning" to "Public – P"	Closed Roadway, that Portion all of lane shown on Plan 6129 JK, containing 0.112 hectares, more or less.	23-Jan-2023

Bylaw No.	Amendment Description	Legal Description	Passed
1740	Various amendments to provide development officer discretionary powers and duties. Delete and replace Schedule 8 Parking and Loading Space Requirements Section 5. Addition of definitions and standards for Cryptocurrency mining operations and tourist homes. Various text amendments.		18-Jul-2022
1752	"Multiple Residential – R4" to "Apartments – R5"	Block 4, Plan 7610058	14-Nov-2022
1753	Add Cryptocurrency mining to Industrial – I1 and Service Industrial – I2 as a Discretionary Use.		14-Nov-2022
1757	No Designation to "Single Detached Residential – R1"	Closed walkway firstly that part of Plan 7410893, Block 3 Walkway that falls within Plan _____, Block 3, Lot 52, containing 0.013 hectares (0.03 acres) more or less; Secondly that part of Plan 7410893, Block 3 Walkway that falls within Plan _____, Block 3, Lot 53, containing 0.013 hectares (0.03 acres) more or less.	25-Sept-2023
1758	"Single Detached Residential – R1" to "Duplex – R2"	Lot 11-12, Block 5, Plan 147N	27-Mar-2023
1761	"Single Detached Residential – R1" to "Retail Commercial -C1"	Lot 6, portion of Lot 7, Block 14, Plan 147N	17-Jul-2023
1763	"Public – P" to "Single Detached Residential – R1"	Portion of Lot 1, Block 128, Plan 1811272	11-Dec-2023
1767	"Retail Commercial – C1" to "Multiple Residential – R4"	Lots 17, 18, 19, Block 132, Plan 7959 GC	14-Nov-2023
1771	"Retail Commercial - C1" to "Single Detached Residential - R1"	Lots 21-29, Block 2, Plan 147N	8-Jan-2024
1772	Addition of "Personal Services" as a Permitted Use in the Highway Commercial – C2 Land Use District		11-Dec-2023
1773	"Direct Control – DC" to "Highway Commercial – C2"	Portion of Lot 57, Block B, Plan 1122576 (Portion of proposed Lot 61, Block B Subdivision File 2023-0-123 within SE ¼ 26-12-27-W4	11-Dec-2023
1774	"Direct Control - DC" to "Retail Commercial - C1" "Direct Control - DC" to "Highway Commercial - C2"	Portions of Lots 6-9, Block 9, Plan 2311945 Portions of Lots 10 & 11, Block 9, Plan 2311945	8-Jan-2024
1775	"Rural General - RG" to "Agricultural/Transitional - A/T"	NE 1/4, SEC 22 & E 1/2 SEC 27 TWP 12 RGE 27 W4M; Portion of Lot 1, Block 1, Plan 9210773; Lot 2, Block 1, Plan 2211827 & Portion of Water line Right of Way, Plan 5721HU	8-Jan-2024
1783	"Single Detached Residential - R1" to "Multiple Residential - R4"	Lots 20-38, Block B, Plan 2010856	13-May-24
1785	"Multiple Residential - R4" to "Retail Commercial - C1"	Lots 17, 18, 19 Block 132, Plan 7959 GV	13-May-24

Bylaw No.	Amendment Description	Legal Description	Passed
1787	Addition of Grocery Store as a Development Officer Discretionary Uses to the Highway Commercial C-2 district. Deleting and replacing the definition of Food Processing Facility, Major in Administration Section 6 - Definitions. Deleting and replacing the definition of Food Processing Facility, Minor in Administration Section 6 - Definitions.		27-May-2024
1789	"Public – P" to "Single Detached Residential – R1"	Portions of Lots 17-19, Block 17, Plan 147N	9-Sept-2024
1791	"Public – P" to "Single Detached Residential – R1"	Portion of Lot R2, Block 2, Plan 741 0893	12-Nov-2024
1805	"Highway Commercial – C2" to "Multiple Residential – R4"	Lot 5, Block B, Plan 7810399	28-Apr-2025
1808	"Agricultural / Transitional – A/T" to "Highway Commercial – C2" "Agricultural / Transitional – A/T" to Multiple Residential – R4" "Agricultural / Transitional – A/T" to "Single Detached Residential – R1" "Agricultural / Transitional – A/T" to "Public – P"	Portions of SE ¼ 23-12-27-W4M	8-Sept-2025
1809	"Highway Commercial – C2" to "Single Detached Residential – R1"	Part of Lot 6, Block 10, Plan ___ ___ Within NE ¼ 26-12-27-W4M	8-Sept-2025
1825	"Single Detached Residential – R1" to "Apartment – R5"	Lot 1, Block C, Plan 8810870	9-Mar-2026

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TOWN OF CLARESHOLM
IN THE PROVINCE OF ALBERTA

LAND USE BYLAW No. 1525

The Council of the Town of Claresholm in the Province of Alberta enacts as follows:

LAND USE BYLAW NO. 1525

BEING A BYLAW OF THE TOWN OF CLARESHOLM, IN THE PROVINCE OF ALBERTA, TO REGULATE AND CONTROL LAND USE AND DEVELOPMENT OF LAND AND BUILDINGS IN THE TOWN OF CLARESHOLM.

APPLICABILITY

TITLE

1. This bylaw shall be referred to as the TOWN OF CLARESHOLM LAND USE BYLAW.

PURPOSE

2. The purpose of the Town of Claresholm Land Use Bylaw is to prohibit or regulate and control the use and development of land and buildings within the Town of Claresholm and to achieve orderly, efficient, and economic development of land as well as:

   (a) To divide the Town of Claresholm into land use districts;

   (b) To prescribe and regulate for each land use district, the range of uses and the purpose for which land or buildings may be used;

   (c) To establish a method of making decisions on applications for Development Permits including the issuing of Development Permits, Sign Permits and Demolition Permits;

   (d) To prescribe the procedure to notify owners of land likely to be affected by the issuance of a Development Permit; and

   (e) To implement statutory plans of the municipality, as they may be developed.

APPLICATION

3. This Bylaw shall apply to the whole of the Town of Claresholm being all lands contained within its corporate boundaries.

APPENDICES

4. Appendix A – Forms, B – Fees, C – Subdivision and Development Authority Bylaw, and D – Subdivision and Development Appeal Board Bylaw attached hereto are for information purposes only and do not form part of this bylaw.



FORMS, FEES AND NOTICES

5.1 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.

5.2 Application forms, fees and notices are included in Appendices A and B.

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

5.4 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 Planning Commission and shall be consistent with those fees listed in the schedule for similar developments.

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

SEVERABILITY

6. 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 sections or schedules.



COMPLIANCE WITH THE LAND USE BYLAW

7.1 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.

7.2 Notwithstanding subsection 7.1, while a development permit may not be required pursuant to Schedule 3, development shall comply with all regulations of this bylaw.

COMPLIANCE WITH OTHER LEGISLATION

8.1 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.

INTERPRETATION

RULES OF INTERPRETATION

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.

2. The written regulations of this Land Use Bylaw take precedence over any graphic or diagrams if there is a perceived conflict.

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

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

MEASUREMENTS AND STANDARDS

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

DEFINITIONS

6. Unless otherwise provided in this bylaw, a word or term takes the definition in the *Municipal Government Act*. For the purpose of this bylaw, the following definitions are to be applied:

Abattoir means a development where livestock is slaughtered and the meat is cut, cured, smoked, aged, wrapped, or frozen for sale or distribution.

Accessory building means any building:

(a) which is separate from the principal building on the lot on which both are located and the use of which the Development Officer decides is normally subordinate and incidental to that of the principal building; or

(b) the use of which the Development Officer decides is normally subordinate and incidental to that of the principal use of the site on which it is located.

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, storage tanks, and satellite dishes. 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 of a building or site which the Development Officer decides is normally subordinate and incidental to the principal use of the building or site.



Act means the *Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26*, as amended.

Addition means adding onto an existing building, provided that there are no structural changes to the existing building, no removal of the roof structure, and no removal of the exterior walls, other than required to provide an opening for access from, and integration of, the existing building to the portion added thereto and there is a common structural connection from the existing building to the addition that includes a foundation, constructed to the minimum standards outlined in the National Building Code – Alberta Edition, and a roof.

Alberta Land Stewardship Act (ALSA) means the *Alberta Land Stewardship Act, Statutes of Alberta, 2009, Chapter A-26.8*. The Act and its Regulation are the legislated legal basis for regional land-use planning in Alberta which, for the Town of Claresholm, is the *South Saskatchewan Regional Plan*.

Alternative energy, solar means a structure that collects energy derived from the sun and is for the sole consumption of the landowner, resident or occupant.

Alternative energy, wind means a structure that collects energy derived from the wind and is for the sole consumption of the landowner, resident or occupant.

Amusement facility means a development for amusement pastimes, and may incorporate eating and drinking facilities as an accessory use. This use includes movie theatres and cinemas, amusement/video arcades, pool/billiard parlours, bingo halls, bowling alleys, dance studios, miniature golf, go-cart tracks, waterslides, axe throwing, archery, rock walls, or martial arts facilities.



Animal care service, major means a development used for the care, treatment, boarding, breeding or training of animals and livestock within or outside buildings and includes the supplementary sale of associated products. This use includes veterinary offices or hospitals, animal shelters, boarding and breeding kennels, facilities for impounding and quarantining animals and related research facilities.

Animal care service, minor means a development for the on-site treatment or grooming of small animals such as household pets, where on-site accommodation is not normally provided and where all care and confinement facilities are enclosed within a building. This use includes off-site treatment of animals or livestock of any size and the supplementary sale of associated products. Examples include pet grooming salons, pet clinics and veterinary offices.

Apartment means a development which contains three or more dwelling units and where the primary access to each unit is provided through a common or shared entryway. This use does not include 'Multi-unit Dwelling' or 'Rowhouse Dwelling or Townhouse'.

Approved use means a use of land and/or building for which a development permit has been issued by the Development Officer or the Municipal Planning Commission.

Apron means a flat surfaced area that surrounds and lies adjacent to a manufactured home pad.

Aquaculture means a development of an agricultural operation, also known as aqua-farming or cultured fish, where the use of land or building produces aquatic organisms such as fish, crustaceans, mollusks and aquatic plants. Aquaculture involves cultivating freshwater and saltwater populations under controlled conditions. This use must comply with all regulation and permitting of Alberta Agriculture.

Aquaponics means development of an agricultural operation where the use of land or building combines conventional aquaculture with hydroponics (cultivating plants in water) in a symbiotic environment for food production. This use must comply with all regulation and permitting of Alberta Agriculture.

Area redevelopment plan means a statutory plan in accordance with the Act and the municipal development plan 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 in accordance with the Act and the municipal development plan for the purpose of providing a framework for subsequent subdivision and development of an area of land in the municipality.

As required by the Municipal Planning Commission means that a standard or requirement of the land use bylaw may be varied but not completely waived.

Assisted living means a development with a special combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living. The facility may include a central or private kitchen, dining, recreational, and other facilities, with separate dwelling units or living quarters, where the emphasis of the facility remains residential.

Auctioneering facility means a development 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 development where the bodies, but not other parts of motor vehicles, are repaired, and where motor vehicle bodies and other metal machines, components or articles may be painted.

Bakery means a development where baked products (i.e. bread, buns, cookies, pastries) are prepared, sold and/or distributed.

Basement means any storey of a building of which the ceiling level is less than 1.8 m (6 ft.) above the average finished surface level of the surrounding ground.

Basement suite – See Secondary Suite definition.



Bed and breakfast establishment means a home occupation development of a private dwelling occupied by the owner or operator offering hospitality to 8 or less registered guests at a time and providing a breakfast meal.

Berm means a dyke-like form used to separate incompatible areas or functions, or constructed to protect the site or district from vehicular road or other noise.

Boarding house means a development (other than a hotel or motel) containing sleeping rooms where meals or lodging are provided.

Breweries, distilleries and wineries means a development that manufactures beer, wine, spirits or other alcoholic beverages. This Use may include the sale of alcoholic beverages to the public for consumption within the premises. Retail sales of alcoholic beverages for consumption off site shall only be manufactured within the premises. Accessory activities may include the preparation and sale of food, and storage, packaging, bottling, canning and shipping of products manufactured within the premises. This use may have a private non-sale hospitality area where products manufactured within the premises are provided to private individuals or groups for tasting and sampling.

Buffer means a row of trees, hedges, shrubs, or berm planted or constructed to provide visual screening and separation between uses, buildings, sites or districts.

Buildable area means that portion of a lot or parcel which remains after all setbacks, minimum yard dimensions and separation distances have been deducted.



Building has the meaning defined in the Act.

Building height means the vertical distance between grade and the highest point of a building excluding an elevator housing, a roof stairway entrance, 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 appointed by the municipality to be the chief building inspector or building inspectors in and for the Town of Claresholm.

Building permit means a certificate or document issued by the Safety Codes Officer pursuant to Provincial legislation authorizing commencement of construction.

Building supplies means a development of a commercial retail store where lumber, building materials, hardware and household accessories and other related goods are stored, offered, or kept for sale and may include outside storage.

Bulk fuel storage and sales means a development for the purpose of storing natural gas and petroleum products for distribution to customers.

Business support services means development providing support services to businesses. This use includes duplicating, photocopying and blueprinting services; building security, cleaning or maintenance services; engineering, architectural, drafting, project design and project management services; sign making; farm consulting services; data processing or data storage facility; and the preparation and delivery of food by mobile catering service. “Office” and “Cryptocurrency mining” are separate uses.

Café/Coffee shop means a development where an informal restaurant offers coffee, tea, and other beverages, and where baked goods and limited menu meals may also be sold.

Campground, private or public means a development of land for the use of holiday trailers, motor homes, tents, campers, and similar vehicles, recreation, and is not normally used as year-round storage, or accommodation for residential uses.

Cannabis refers to the plant Cannabis sativa and is as defined in the Government of Canada *Cannabis Act*.

Cannabis accessory refers to the products used in the consumption of cannabis and is as defined in the Government of Canada *Cannabis Act*.

Cannabis production facility means a development where cannabis is grown, processed, packaged, tested, destroyed, stored or loaded for shipping.

Carport means a development of a partially enclosed structure intended for the shelter of one of more motor vehicles with at least 40 percent of the total perimeter open and unobstructed. Exterior finish shall be identical to the principal structure.

Car wash means a development designed for the cleansing, detailing and vacuuming of motor or recreational vehicles.

Caretaker's suite means a development of a dwelling unit for the occupancy of the owner, operator, caretaker, or other essential administrative and operational personnel, which is accessory to other development on the parcel.

Cemetery 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.

Certificate of compliance means a document signed by the Development Authority or Development Officer certifying that a development complies with this bylaw with respect to setback.

Club means a development, not open to the general public, for the meeting, social or recreational activities of members of philanthropic, social services, athletic, business or service organizations, without on-site residences. Clubs may include rooms for eating, drinking and assembly.

Common wall or Party 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.

Comprehensive development means planned residential development having a high standard of design, a variety of accommodation, and adequate amenity provisions.

Condominium means a development 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.



Confined feeding operation (CFO) has the same meaning as defined in the Agricultural Operation Practices Act (AOPA).

Contractor, general means development used for industrial service support and construction. Typical uses include cleaning and maintenance contractors, building construction, landscaping, concrete, excavation, drilling, paving, road construction, sewer, seismic, 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. This use does not include Oilfield servicing operation, Natural resource extractive uses or Contractor, limited.

Contractor, limited means a development for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods normally associated with such contractor services where all materials are kept within an enclosed building, and where there are no associated manufacturing activities.

Convenience store means a development selling retail goods and foodstuffs to area residents on a day-to-day basis from business premises, which do not exceed 200 m^2 (2,153 sq. ft.) in gross floor area.

Council means the Council of the Town of Claresholm in the Province of Alberta.

Cryptocurrency mining operation means the development of a heavy industrial facility consisting of a building or group of buildings housing powerful, highly specialized computers that are used to verify digital transactions and require 24/7 climate control. This may include an on-site power plant.



Cultural facility means development for display, storage, restoration or events related to art, literature, music, history or science, and may incorporate café/coffee shop, restaurants and retail facilities as accessory uses. This term refers to uses such as art galleries, libraries, auditoriums, museums, archives and interpretive/tourist centres.

Day care/child care facility means a development 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 day-care centres, nurseries and after-school or baby-sitting programs which meet the conditions of this definition.

Day home means a home occupation development within 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. For Private babysitting see Schedule 3.

Deck means a development of an unenclosed (no roof/walls) amenity area, of wood frame or other construction, which may be attached to a dwelling. The overall height of a deck is greater than 0.6 m (2 ft.) from the finished grade to the underside of the supporting structure. Any structure lower than 0.6 m (2 ft.) is considered a patio. See Schedule 3.

Designated officer means a person authorized by Council to act as a Development Authority pursuant to section 624(2) of the Municipal Government Act and in accordance with the municipality's Development Authority Bylaw. For the purpose of this bylaw, the designated officer shall be the Development Officer.

Development 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 in, on, over or under land of any of them;

(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 the use of the land or building.

Development agreement means a contractual agreement completed between the municipality and an applicant for a Development Permit which specifies the public roadways, utilities and other services to be provided by the Permit holder as a condition of Development approval or subdivision approval, provided the agreement is in accordance with Sections 648, 650, 654 and 655 of the Act, as amended.

Development area means the area to be occupied by a building plus the reasonable area required for excavation and construction.

Development Authority means the Municipal Planning Commission or the designated officer in accordance with the powers and duties of this bylaw.

Development permit means a document issued pursuant to this Bylaw by the Town of Claresholm authorizing a development that has been approved by the designated officer, Municipal Planning Commission or Subdivision and Development Appeal Board.

Discretionary use means the one or more uses of land or buildings that are described in Schedule 1 as Discretionary or Development Officer Discretionary uses.

District means a district established under Schedule 1.

Double-wide manufactured home means a "Manufactured home" (as defined) that is permanently fixed to two chassis, or is permanently fixed to one chassis and has a section which can be expanded or telescoped from the manufactured home for additional floor area. Double-wide manufactured homes are typically not less than 6.1 m (20 ft.) in width.

Drive-in restaurant means a development which offers car attendant service or drive-through pick-up food service.

Duplex means a development containing two separate dwelling units connected by a common floor, ceiling or wall.

Dwelling unit means a room or a suite of rooms operated as a residence, containing cooking, sleeping and sanitary facilities.



Equipment sales, rental and service means a development 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.

Exhibition centre means a development, 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.

Extensive agriculture means the production of crops or livestock or both by the expansive cultivation or open grazing of normally more than one parcel or lot containing 64.8 hectares (160 acres) more or less.

Existing lot means a lot that existed at the time this bylaw was adopted.

Family means one or more persons occupying a dwelling unit as a single housekeeping unit.

Farm buildings means a development commonly or normally contained in a farmstead and associated with a farming operation or extensive agriculture use. Farm buildings includes, but is not limited to barns, granaries, implement machinery and equipment sheds, dugouts, corrals and fences but does not include **intensive horticultural facility**, **intensive livestock operation** or any **dwelling unit**, as defined in this bylaw.

Farm/industrial machinery sales, rental and service means a development for the sale, service and/or rental of agricultural implements, vehicles over 5,900 kilograms (13,000 lbs.) tare weight 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 or as accessory uses.

Farm supplies and service means a development for the sale, storage and distribution of grain (including grain elevators), livestock feed, fertilizer and chemicals used in agriculture.

Fence means an accessory structure which acts as a vertical physical barrier constructed to prevent visual intrusions, unauthorized access or provide sound abatement and may include confinement of livestock or protection of livestock from wind. (See Schedule 7)

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 centre means a development for physical health or fitness including, but not limited to, health centres, gymnasiums, ball courts, spas and personal trainers. The use may incorporate a café/coffee shop, restaurant or retail store as accessory uses. Amusement facility is a separate use.

Floor area means the sum of the gross horizontal area of the several floors and passageways of a building, but not including cellars, attached garages, and open porches. All dimensions shall be outside dimensions.

Food processing facility, major means a development that consist of the processing of raw materials into semi-finished or finished food and/or beverage product that may be stored on site prior to the distribution of the product. The portion of the floor area directly related to the food processing facility exceeds 1,114.84 m^2 (12,000 sq. ft.). Any indoor display, retail, office

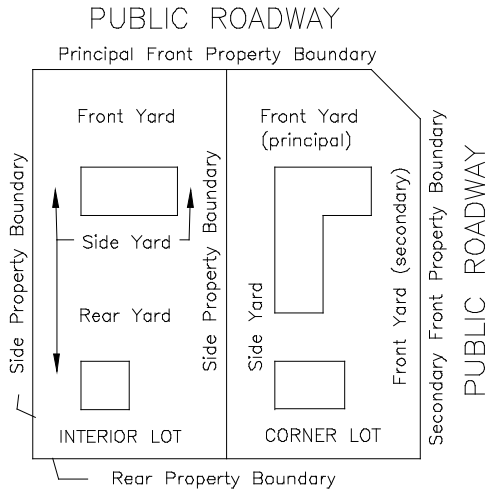
or administrative support area shall be deemed an accessory use and not used in the floor processing floor area calculations.

Food processing facility, minor means a development that consists of the processing of raw materials into a semi-finished or finished food and/or beverage product that may be stored on site prior to the distribution of the product. The portion of the floor area directly related to the food processing facility shall not exceed 1,114.84 m^2 (12,000 sq. ft.). Any indoor display, retail, office or administrative support area shall be deemed an accessory use and not used in the floor processing floor area calculations.

Foundation means the supporting base structure of a building.

Front property boundary, Principal means the front property boundary as shown in Figure 1.

FIGURE 1



Front property boundary, Secondary means the front property boundary as shown in Figure 1.

Funeral home means a development used for the arrangement of funerals, the preparation of the deceased for burial or cremation, the holding of funeral services and the carrying out of cremations, where not more than one cremation chamber is provided.

Garage (residential) means an accessory building designed and used for storage of non-commercial motor vehicles.

Garage height means the height of an accessory building measured from the floor to the top of the trusses at the apex of the structure.

Garage suite – See Secondary Suite definition.

Garden centre means a development for the sale, display, growing and storage of garden, household, and ornamental plants and trees. The retail sale and display of plants and trees must remain the principal use. This use includes the supplementary retail sale of fertilizers, garden chemicals and implements as well as associated products.

Garden suite – See Secondary Suite definition.

Gas bar means a development used for the sale of gasoline, liquefied petroleum gas, lubrication oils and associated automotive fluids or limited retail goods only.

Golf course means a development 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 practise facility, food service, and other commercial uses typically associated with a golf course clubhouse facility.

Grade, building (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.

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.

Grain elevator means a development normally located adjacent to a railway constructed for the purpose of storing harvested cereal crops until such time that the product can be transported to market.



Greenhouse means a development specially designed and used for the growing of vegetables, flowers or other plants for transplanting or sale.

Grocery store means a development that retails items including dairy products, produce, preserved foods, meat, fish, non-alcoholic beverages, baked goods and household supplies and specifically excludes alcoholic beverages.

Group home means a development using a dwelling unit for a provincially-approved residential social care facility providing rehabilitative and supportive care for four or more persons. A "Group home" may incorporate accommodation for resident staff as an accessory use.

Health care services means a development used for the provision of physical and mental health services on an out-patient basis, of a preventative, diagnostic treatment, therapeutic nature. Typical uses or facilities would include medical and dental offices, health clinics, and chiropractor offices and may include associated office space as an accessory use.

Highway means:

(a) a highway or proposed highway that is designated as a primary highway; or

(b) a road, street or highway designated as a secondary road and numbered between 500 and 999;

pursuant to the Public Highways Development Act.

Highway commercial is a general term used to describe development, typically along a major roadway or highway that provides goods and services to the travelling public. Typical highway commercial uses include service stations, truck stops, motels, hotels, drive-in and fast-food restaurants.

Home occupation means a development of an occupation, trade, profession, service 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. (See Schedule 10)

Home occupation 1 means a home occupation where no traffic will be generated as a result of the operation, no outside storage, and no related vehicles or trailers. Typical such uses may include an in home office for business administration or book keeping, computer or internet based business, direct sales from home.

Home occupation 2 means a home occupation that may generate business-related visits, may have non-resident employees, and may have business related vehicles or trailers.

Hospital means a development providing room, board, and surgical or other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences. Typical uses include hospitals, sanatoria, nursing homes, convalescent homes, isolation facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

Hotel means a development used primarily for sleeping accommodation and ancillary services provided in rooms or suites of rooms which may contain bar/kitchen facilities. The building may also contain commercial or other uses and may offer such additional services as parking facilities, café/coffee shop, restaurant or dining room, room service or public convention facilities.

Improvement means any installation or physical change made to a property with a view to increasing its value, utility or beauty.

Intensive horticultural operations or facilities means a development for the high yield production and/or sale of specialty crops. This use includes greenhouses, nurseries, hydroponic or market gardens, tree, mushroom and sod farms.

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.

See Schedule 9.

Light fabrication shops means a development where the assembly of parts, including blacksmith and welding shops, sheet metal shops, machine shops, and boiler shops, that produce duct work, tanks, towers, cabinets and enclosures, metal doors and gates, and similar products.

Light industrial means a development used for 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 development 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.

Loading space means a portion of a lot or parcel that is designated or used by a vehicle while loading or unloading goods or materials to a building or use on that parcel or lot.

Lot, in accordance with the Act, means:

(a) a quarter section;

(b) a river lot shown on an official plan referred to in the Surveys Act that is filed or lodged in a land titles office;

(c) a settlement lot shown on an official plan referred to in the Surveys Act that is filed or lodged in a land titles office;

(d) a part of a parcel where the boundaries of the parcel are separately described in a certificate of title other than by reference to a legal subdivision; or

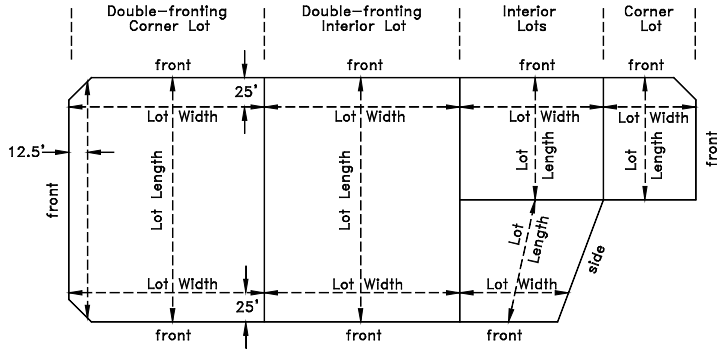
(e) a part of a parcel where the boundaries of the parcel are described in a certificate of title by reference to a plan of subdivision.

Lot, corner means a lot located at the intersection of two or more streets.

Lot coverage means the combined area of all buildings or structures on a site including but not limited to accessory buildings, decks, verandas, porches, and balconies but excluding eaves, cornices, and other similar projections.

Lot, double fronting means a lot with two front property boundaries, where the front property boundaries are situated at opposite or approximately opposite sides of the lot, as shown in Figure 2.

FIGURE 2



Lot, interior means a lot other than a corner lot as shown in Figure 2.

Lot length means the horizontal distance between the shortest or principal front property boundary and the opposite property boundary, measured along the median between the side property boundaries as shown in Figure 2.

Lot width means the horizontal distance between opposite side property boundaries measured at a point 7.6 m (25 ft.) from the shorter or principal front property boundary as shown in Figure 2.

Lounge/beverage room means a development licensed pursuant to provincial legislation where alcoholic beverages are served for consumption on the premises.

Manufactured home means a development of a newly-constructed, factory-built dwelling which may be transported to a new location and placed on a permanent foundation or constructed in prefabricated units at a factory or place other than that of its final assembly. This use includes "Double-wide" "Single-wide" and mobile homes, but the term does not include motor homes, travel trailers, recreation vehicles and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements and precludes the installation of a secondary suite.

Manufactured home park means a development of a lot occupied by or intended for two or more single-wide and/or double-wide manufactured homes, where each manufactured home site is not subdivided into a separately titled lot.

Manufactured home sales and service means a development for the sale, rental or storage of new and used manufactured homes, and includes supplementary maintenance services and the sale of parts and accessories.

Manufactured home subdivision means lands divided into lots intended to be occupied by their owners for private residential purposes, and on which are erected permanent foundations for manufactured or modular homes.

Manufacturing and fabrication means a development for medium industrial operation where the land and buildings are used for the manufacture or fabrication of products or parts, and may include 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. Any nuisance associated with such uses should not generally extend beyond the boundaries of the site.

Market garden means a development of 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.

May means within the context of a policy that a discretionary action is permitted.

Measurable standard means a dimensional standard, limited to minimum lot size, minimum setbacks, maximum lot coverage, minimum floor area, maximum building height and any sign dimension.

Medical and dental office means a development providing medical and health care on an outpatient basis. Examples of this use include medical and dental offices, clinics, occupational health and safety offices, counselling services, chiropractic and naturopathic services. This use excludes dispensaries which sell pharmaceutical and related medical supplies as an accessory use.

Mini-storage and self-storage means a development consisting of varying sizes of individual, self-contained stalls or lockers for the storage of business, household and/or commercial goods. These units are leased or rented on individual leases for varying periods of time. May include outside storage sites for recreation vehicles, but outside storage must be formally requested and approved by the Municipal Planning Commission as part of the development permit application process.



Mixed-use residential means a development of vertically integrated residential that is part of a commercial office building within a commercial land use designated district. Typical uses include ground floor commercial, second floor commercial/office or residential dwelling units, and/or third floor (or to the maximum height allowed in the district) residential dwelling units.

Modular home means a development of a residential building of one or more sections constructed within a factory and transported to a site to be permanently installed on a foundation. A modular home shall be considered a detached single dwelling providing it meets all the architectural and provincial construction requirements of a single-detached dwelling as outlined in the Land Use Bylaw and National Building Code – Alberta Edition, but does not include a manufactured home.

Motel means a development primarily providing temporary sleeping accommodation in rooms or suites, where each room or suite may contain kitchen facilities. Each room or suite in a "Motel" usually has its own private exterior access and is typically provided with an adjoining or conveniently-located parking stall. A "Motel" may include eating and drinking facilities, entertainment, convention, sports, recreation, personal service and retail facilities as accessory uses.

Moved-in building means a development of a conventional, pre-constructed, previously occupied building which is physically removed from one site, transported and re-established on another site.

Moved-in dwelling means a development of a conventional pre-constructed, previously-occupied building, which is physically removed from one site, transported and re-established on another site for use as a residence. This use does not include modular or manufactured homes.

Multi-unit dwelling means a development containing three or more separate dwelling units. This use does not include 'Apartment', or 'Rowhouse dwelling or townhouse'.

Municipal Planning Commission (MPC) means a committee appointed by Council to act as a Development Authority pursuant to section 624(2) of the Municipal Government Act and in accordance with the municipality's Development Authority Bylaw.

Municipal Development Plan means a statutory plan, formerly known as a general municipal plan, adopted by bylaw in accordance with section 632 of the Act.

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

Municipality means the geographic area of the Town of Claresholm in the Province of Alberta.

Natural resource extractive uses means a development of a natural resource and which involve the extraction or on-site processing and/or storage of a natural resource, except those industries which are "Noxious or hazardous industries". "Natural resource extractive uses" include the following:

(a) cement and concrete batching plants;

(b) sand and gravel operations; and

(c) logging and forestry operations, including sawmills.



Noise impact assessment means an assessment prepared by a qualified professional which measures noise and noise impacts.

Non-conforming building, in accordance with the Act, means a building:

(a) that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or 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, in accordance with the Act, means a lawful specific use:

(a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw 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.

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

Nursing home/extended care facility means a development of a public or private health facility or institutional-type residential building with multiple accommodation or dwelling units for the care, supervision or rehabilitation of senior-aged individuals, and containing overnight or long-term accommodation.

Office means a development to accommodate:

(a) professional, managerial and consulting services;

(b) the administrative centres of businesses, trades, contractors and other organizations; and

(c) service-related businesses such as travel agents, insurance brokers, real estate agents.

Off-street parking space means a lot or parcel or portion thereof, excluding a public roadway which is used or intended to be used as a parking area for motor vehicles.

Oilfield servicing operation means a development for the service of equipment, parts, and supplies used in the operation, construction or maintenance of oilfield businesses and operations. Associated activities may include cleaning, repairing and sale of parts and accessories. Such a facility may include an administrative office, ancillary structures, outdoor work areas, parking, and outdoor storage areas.

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

Outdoor patio means a development where food or beverages are served or offered for sale for consumption that are not contained within a fully-enclosed building and are accessory to an approved use such as restaurant, drive-in restaurant, lounge/beverage room, café/coffee shop, or Breweries, distilleries and wineries.



Outdoor recreation facility means a development to support activities operated outdoors and includes but is not limited to a riding stable, water park/slide, ice skating rink, tennis court or equestrian facility.

Owner means the person or persons shown as the owner(s) of land on the assessment roll of a municipality.

Parcel, in accordance with the Act, means the aggregate of the one or more areas of land described in a certificate of title by reference to a plan filed or registered in a land titles office.

Parking facility means a development includes parking areas, parking spaces and parking structures which are defined as follows:

(a) **Parking area** means a portion of land or a building or a combination of both, set aside for and capable of providing space for the parking of a number of motor vehicles.

(b) **Parking space** means a space set aside for and capable of being used for the parking of one motor vehicle.

(c) **Parking structure** means a building or other structure designed for parking automobiles in tiers on a number of levels above each other whether above or below the ground.

Patio means a development of an outdoor area of a lot used for leisure and/or recreation purposes.

Permanent foundation means a foundation installed to provide structural support for a building or structure, for a period of at least 20 years including: concrete slab on grade, concrete strip footings below frost level, wood or concrete full basement and pile or pier footings.

Permitted use means:

(a) the one or more uses of land or buildings that are stated in Schedule 1 as permitted uses; and

(b) uses which, in accordance with and subject to the Act, shall be issued a development permit with or without conditions (unless the use is exempted from requiring a development permit) if the proposed development conforms with this bylaw.

Personal service means a development providing services for personal care and appearance; services for cleaning, servicing, altering and maintenance of personal effects and accessories. "Personal service" includes barber shops, beauty salons, tailors, diet centres, shoe repair shops, photography studios, upholstery and rug cleaners, and laundromats.

Place of worship means a development dedicated to the undertaking of religious practices and activities and includes churches, chapels, temples, parish halls, synagogues, convents, seminaries, monasteries, rectories, mosques and may include such accessory uses as offices for administration of the place of worship, a childcare facility and space for social recreational and community activities.

Plan of subdivision means a plan of survey prepared in accordance with the provisions of the Land Titles Act for the purpose of effecting subdivision.

Planning advisor means the person or organization retained by the Town of Claresholm to provide planning-related advice or services.



Porch means a covered, open structure (unenclosed) that is attached to the exterior of a building, often forming a covered entrance to a doorway. The structure does not have solid walls, but may be screened.

Post office means a development of a government approved facility charged with regulating and handling the transmission of mail or parcels in a country.

Principal building means a building which:

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

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

Principal dwelling means a primary residence which is the principal building on the title.

Principal use means the main purpose for which a lot, parcel, or building is used or intended to be used.

Printing establishment, commercial means a development providing photocopying and/or commercial offset printing and retail services.

Private recreation facility means a development of a for-profit or commercial business providing sport or recreational activities and may include eating and retail areas.

Public and institutional means a development for any of the following public or semi-public developments:

(a) a school or educational facility whether public or private;

(b) government and municipal offices;

(c) protective services, including firehalls, police stations and ambulance services; and

(d) community hall or community centre.

Public open space means land which is not in private ownership and is open to use by the public. This use does not include 'public park or recreation'.

Public park or recreation means a development of a public park, playground, recreation area, indoor or outdoor rink, gymnasium, sports field, campground, agriplex, historic or archaeological site

Public thoroughfare means any pathway, sidewalk, bridge, rear lane, service road, local street, collector street, arterial street, or highway.

Public utility means a development of any public utility including those as defined in the Act, but excluding those that are exempted by the Act or the Lieutenant Governor in Council pursuant to section 618(4) of the Act. Subject to the Act and the Regulations, a "Public utility" may include but is not limited to sewage treatment facilities, water treatment facilities, highway weigh scales and highway maintenance yards and sanitary landfill sites.

Real Property Report (RPR) means a legal document that illustrates in detail the location of all relevant, visible public and private improvements relative to property boundaries.

Rear lane means service access, generally for vehicular traffic at the rear of properties.



Recreational vehicle means a vehicle primarily designed as temporary living quarters for recreational camping or travelling, which either has its own motor power or is mounted onto or drawn by another vehicle.

Recycling facility means a development for the purchasing, receiving and/or temporary storage of discarded articles. The use shall not generate a detrimental effect or nuisance beyond the boundaries of the lot or site on which it is situated. A "Recycling facility" may involve supplementary production of by-products or materials and includes bottle, can and paper recycling depots.

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 purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land, and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title; or

ii. in the absence of a person described in paragraph (i), the person registered under the Land Titles Act as the owner of the fee simple estate in the land.

Reserve land means environmental reserve, municipal reserve, school reserve, or municipal and school reserve.



Residential streets means streets whose primary function is to allow access to residential lots. A collector street may be classified as a residential street, providing the volume of traffic is not detrimental to living conditions.

Restaurant means a development where food and beverages are prepared and served and includes supplementary alcoholic beverage service and supplementary on- or off-premises catering services. This term includes ice cream parlours, banquet facilities, and take-out restaurants. Café/coffee shop, outdoor patio, and drive-in restaurant are separate uses.

Retail cannabis store means a development for the retail sale of cannabis and cannabis accessories. This use does not include Cannabis production facility, Retail store, or Retail store, large scale.

Retail store means a development where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things sufficient only to service such a store. This use does not include Retail cannabis store or Liquor store, which are separate uses.

Retail store, large scale means a development of a stand-alone retail store that exceed 2,000 m^2 (21,529 sq. ft.) in size and may include retail outlets operated as part of a chain that locate on individual sites or that cluster on a large site, sometimes adjacent to each other. This use may include grocery stores or supermarkets, junior department stores and specialty stores selling a single line of products such as: business and office supply stores, electronics, appliances, furniture, fashion and clothing, craft and hobby stores, book stores, sporting goods, home improvement, hardware stores, gardening materials or building supplies. This use does not include liquor stores, retail cannabis store, automotive related uses, farm or industrial sales or service, which are separate uses.

Rowhouse dwelling or townhouse means a development containing three or more dwelling units, where each dwelling unit is joined in whole or in part at the side only and where no dwelling unit is located in whole or in part above another dwelling unit. Each dwelling unit in a rowhouse is separated from the abutting dwelling unit by a wall, generally extending from the foundation to the roof, and each dwelling unit is provided with its own direct access from grade.

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.

Salvage or waste disposal facility means a development for purchasing, receiving or transporting of spent materials or substances which may generate a detrimental impact or nuisance beyond the boundaries of the lot or parcel on which it is situated. This term includes uses such as autowreckers, salvage and scrap yards, garbage container services, and effluence tanker services.

Satellite dish means an accessory structure designed specifically to receive television signals.

Screening means a fence, wall, berm or hedge used to visually separate areas or functions which detract from the urban street or neighbouring land uses.

Secondary suite means a development of an accessory dwelling unit containing cooking facilities, a food preparation area, sleeping area, and sanitary facilities, which are physically separate from and subordinate to those of the principal dwelling within the structure or on the same title and that has a separate entrance. A secondary suite may be a basement or garage suite within the principal dwelling, or a garage or garden suite within an accessory building. A secondary suite does NOT include a boarding house, duplex, semi-detached dwelling, multi-unit dwelling, rowhouse dwelling or townhouse, manufactured home park, or apartment.

Semi-detached dwelling means a development containing only two dwelling units located side by side on separate lots with separate access to each dwelling unit. Each dwelling unit in a "Semi-detached dwelling" is joined to the other unit by at least one common wall which extends from the foundation to at least the top of the first storey of both dwelling units.

Senior citizen housing means a development, including lodges which is used as a residence for elderly individuals not requiring constant or intensive medical care.

Service station means a development used or intended to be used for the servicing and minor repairing of motor vehicles and for the sale of gasoline, lubricating oils and minor accessories for motor vehicles.

Setback means the distance required between a building, development or use from a property line facing a street or other property line.

Shall means that the action is mandatory.



Shipping container means a development of any container that was used for transport of goods by means of rail, truck or by sea and are generally referred to as a sea cargo container, sea cans or cargo container. These containers are rectangular in shape and are generally made of metal. When used for any other purpose other than transporting freight, a shipping container is a building and subject to the standards and requirements of the Land Use Bylaw.

Should means that the action is recommended.

Sign – see Schedule 2 for all definitions and general standards.

Similar use means a use which is not specifically considered in a land use district but, in the opinion of the Municipal Planning Commission, is similar in character and purpose to another use that is permitted or discretionary in the land use district. See Section 11.

Single detached dwelling means a development of a freestanding residential dwelling, not forming part of and not physically attached to any other dwelling or structure.

Single-wide manufactured home means a "Manufactured home" (as defined) which is:

(a) typically not greater than 4.9 m (16 ft.) in width; and

(b) permanently fixed to a single chassis; and

(c) not intended to be expanded, telescoped or twinned for additional floor space.

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



Site servicing plan means a plan showing the legal description and dimensions of the site, the utilities, site drainage, existing and proposed site grades, the grades of streets and sewer servicing the property, elevations of top of curb or sidewalk and lot corners approved by the Town's Engineer.

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. See Alternative energy, wind.

South Saskatchewan Regional Plan means the regional plan and regulations established by order of the Lieutenant Governor in Council pursuant to the *Alberta Land Stewardship Act*.

Stop order means an order issued by the Development Authority pursuant to section 645 of the Act.

Storage yard means a development for the outdoor storage of materials and is screened in accordance with the requirements of landscaping in the district in which it is situated.

Storey means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

Street means a public thoroughfare affording the principal means of access to abutting parcels, and includes the sidewalks and the land on each side of and contiguous with the prepared surface of the thoroughfare and owned by the municipality.

Subdivision means the division of a parcel by an instrument, and "subdivide" has a corresponding meaning.

Subdivision and Development Appeal Board (SDAB) means the tribunal established, by bylaw, to act as the municipal appeal body for subdivision and development.

Subdivision and Development Regulation means regulations established by order of the Lieutenant Governor in Council pursuant to section 694 of the Act.

Subdivision approval means the approval of a subdivision by a subdivision approving authority.

Subdivision Authority means the person or authority empowered to approve a subdivision.

Theatre means a development designed for the showing of motion pictures or to accommodate a company of performers for the showing of plays or dances.

Theatre, drive-in movie is a development of an open-air theatre where the movie is viewed by all or part of the audience from motor vehicles. The use may incorporate a concession stand or retail as an accessory use. Amusement facility is a separate use.

Tire business means a development where the principal business is the sale or installation of new, used, or retread tires and tire accessories.

Tourist home is an accessory use development where a dwelling unit is operated as a temporary or short-term rental or lease accommodation unit, with or without compensation, occupied by a guest or guests for a period less than 28 continuance days where the residence owner may or may not be present or residing on site, and includes all vacation rentals of a dwelling unit. This use does not include Home Occupation – Bed and Breakfasts, Motels, or Hotels which are separately defined uses.

Truck stop means a development of a service station which caters to large commercial vehicles such as semi-trailer trucks as well as intermediate-sized vehicles and passenger vehicles. The use "Truck stop" includes an accompanying restaurant or cafe as well as a card lock or key lock motor vehicle fuel dispensing facility. The use may also include general retail sales, vehicle towing services, and limited vehicle sales or rentals.

Truck transportation depot means a development for the purpose of storing and dispatching trucks and tractor-trailers for transporting goods.

Utilities means a development of 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 sewage 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 sub-clauses (a) to (d) that are exempted by the Lieutenant Governor in Council by regulation.



Vehicle sales and rental means a development for the sale of automobiles, vans, motorcycles, snowmobiles, tent and holiday trailers, boats and other recreational vehicles and craft and trucks with a tare weight not exceeding 13,000 pounds (5,909 kg). This use includes supplementary vehicle maintenance and cleaning, sale of parts and accessories and dispensing of motor fuel.

Vehicle sales and service means a development within an enclosed building within which vehicles and parts are displayed for sale, and may include a new or used vehicle sales lot, and may also include vehicle repairs except for body work and painting. A vehicle is a device in, on or by which a person or thing may be transported or drawn on a highway.

Veranda means a flat-floored, generally unenclosed, roofed structure adjoining a principal building or built as a structural part of it. A veranda shall be included in lot coverage calculations.

Waiver means the relaxation or variance of a development standard established in the land use bylaw. For the purpose of this bylaw, only the Municipal Planning Commission or, on appeal, the Subdivision and Development Appeal Board can waive provisions of the land use bylaw.

Warehousing means a development used for the storage of materials, products, goods or merchandise. Limited product display, retail sales and offices accessory to the principal use may be permitted in this land use class.

Workshop means a development attached or detached to the principal building of a retail store where the workshop is used for the purpose of small scale, on-site production or repair of goods or craftwork. This work may be carried on by an individual or proprietor with or without helpers or power machinery and the goods or articles produced or repaired are associated with the principal retail use on the lot. This term includes but is not limited to uses such as cabinetmaking, woodworking, pottery, ceramic, jewellery, sculpture, and artist studios.

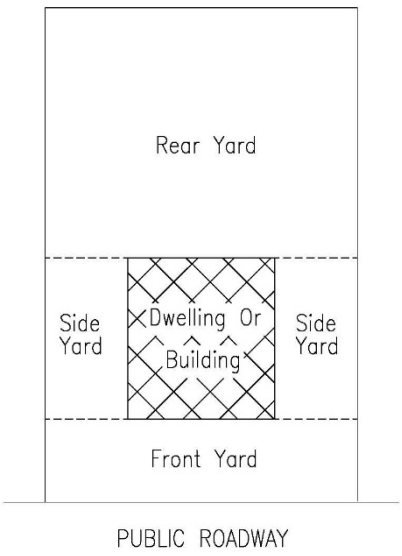
Yard means the area between a lot line and the nearest part of any building, structure, development, excavation or use on the lot.

Yard, front means a yard extending across the full width of the site and measured, as to depth, at the least horizontal distance between the front street line and the nearest projection of the principal building as shown in Figure 3.

Yard, rear means a yard which extends the full width of a site and measured, as to depth, at the least horizontal distance between the rear property line and the nearest projection of any building as shown in Figure 3.

Yard, side means a yard extending from the front yard to the rear yard, and measured as to width at the least horizontal distance between the side property line or side street line and the nearest projection of any building as shown in Figure 3.

FIGURE 3



ADMINISTRATION

DEVELOPMENT AUTHORITY

1. (a) The Development Authority shall be established in accordance with Town of Claresholm Subdivision and Development Authority Bylaw (Appendix C).

   (b) In accordance with Section 624 of the Act, the Development Authority is:

      i. any designated officer while carrying out his functions or duties under this Bylaw or the Act; or

      ii. the Municipal Planning Commission (MPC) while exercising development powers or duties under this Bylaw or the Act.

DESIGNATED OFFICER

2. The office of "designated officer" is established.

3. The Council shall, by resolution, appoint a person or persons to the office of designated officer.

4. In accordance of section 210 of the Act and for the purpose of this bylaw the designated officer shall be the Development Officer.

5. The Development Officer is an authorized person in accordance with section 624 of the Act.

6. The Development Officer may exercise only such powers and perform duties as are specified in the Act, this bylaw or by resolution of Council.

DEVELOPMENT OFFICER – POWER AND DUTIES

7.1 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.

7.2 The Development Officer:

   (a) shall, in accordance with the Development Permits Section of this bylaw, receive and process all applications for development permits and determine whether a development permit application is complete;

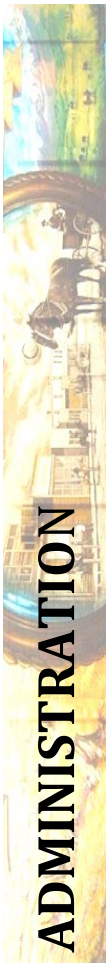
   (b) shall maintain for the inspection of the public during office hours, a copy of this bylaw and all amendments thereto and ensure that copies of the same are available for public purchase;

   (c) 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 Planning Commission considers necessary;

   (d) 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 two (2) variances of a measurable standard not to exceed twenty-five percent (25%) each excluding height;



iii. permitted uses on existing registered lots where the Municipal Planning Commission granted a variance(s) to the minimum lot width, length, or area requirements as part of a subdivision approval;

iv. discretionary uses identified under “Development Officer Discretionary Uses” in the applicable land use district;

v. discretionary uses identified under “Development Officer Discretionary Uses” that request two limited variances of a measurable standard not to exceed twenty-five percent (25%) each excluding height;

vi. a ten percent (10%) variance of height, additional to the two (2) measurable stand variances in ii. and v.;

vii. landscaping;

viii. fences, walls or other types of enclosures; and,

ix. demolition;

(e) shall refer to the Municipal Planning Commission all development permit applications for which decision-making authority has not been assigned to the Development Officer;

(f) may refer any development application to the Municipal Planning Commission for a decision and may refer any other planning or development matter to the Municipal Planning Commission for its review, comment or advice;

(g) shall notify adjacent landowners and any persons who are likely to be affected by a proposed development in accordance with Development Permit – Notification Sections 29-33 of this bylaw;

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

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

(j) 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 Planning Commission those requests which the Municipal Planning Commission has approved;

(k) shall provide a regular report to the Municipal Planning Commission summarizing the applications made for a development permit and the decision made on the applications, and any other information as the Municipal Planning Commission considers necessary;

(l) shall perform any other powers and duties as are specified in this bylaw, the Subdivision and Development Authority Bylaw, the *Act* or by resolution of Council; and,

(m) 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 Planning Commission.



MUNICIPAL PLANNING COMMISSION

8. The Municipal Planning Commission may exercise only such powers and perform duties as are specified:

   (a) in the Act; or

   (b) in the Town of Claresholm Subdivision and Development Authority Bylaw;

   (c) in this bylaw; or

   (d) by resolution of Council.

COUNCIL

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

10. Council shall be responsible for considering development permit applications within any Direct Control District, except where the decision making authority has been delegated to the Municipal Planning Commission or the Development Officer.

11. Council shall be responsible for considering all proposed amendments to this bylaw as outlined under Amendments.

SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)

12. The Subdivision and Development Appeal Board is established by separate bylaw pursuant to the Act (see Appendix D), and may exercise such powers and duties as are specified in this bylaw, the Act and the Subdivision and Development Appeal Board Bylaw.

SUBDIVISION AUTHORITY

13. The Subdivision Authority is authorized to make decisions on applications for subdivisions and may exercise only such powers and duties as are specified:

   (a) in the Subdivision and Development Authority Bylaw;

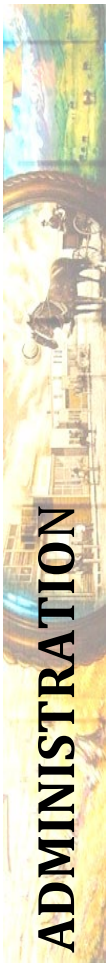
   (b) in this bylaw; or

   (c) by resolution of Council.

14. The Subdivision Authority may delegate, through any of the methods described in subsection 13 above, 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 carrying out the application process with subdivision applicants as described in the Subdivision Application section of the bylaw, including the task of sending all required notifications to applicants as stipulated.



DEVELOPMENT IN THE MUNICIPALITY GENERALLY

1. A person who develops land or a building in the municipality shall:

   (a) comply with the applicable standards and requirements of development specified in all schedules of this bylaw, in addition to complying with the use or uses prescribed in Schedule 1 and any conditions attached to a development permit if one is required;

   (b) notify the Development Officer following the preliminary layout of the site, but prior to the commencement of development thereon.

SUITABILITY OF SITES

2. 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 issue a development permit if the Development Authority is made aware of or if in their opinion, the site of the proposed building or use is not safe or suitable based on the following:

   (a) does not has safe legal and physical access to a maintained road in accordance with municipal requirements or those of Alberta Transportation if within 300 m of a provincial highway;

   (b) has a high water table which makes the site unsuitable for foundations and/or sewage disposal systems in accordance with provincial regulations;

   (c) is situated on an unstable slope;

   (d) consists of unconsolidated material unsuitable for building;

   (e) does not comply with the requirements of the *Alberta Land Stewardship Act*, *South Saskatchewan Regional Plan*,, *Subdivision and Development Regulation* or any 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 lot size and/or setback requirements or any other applicable development standards;

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

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

   Nothing in this section shall prevent the Development Authority, as applicable, from issuing a development permit if the 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.

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

3. Development that does not require a development permit is specified in Schedule 3.

4. This subsection does not negate the requirement of obtaining all required permits, as applicable, under the *Safety Codes Act* and any other Provincial or Federal statute.



5. This subsection does not negate the requirement of obtaining a business license where required.

6. Signs not requiring a municipal development permit are listed in Schedule 2 Section 4.

7. 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 Planning Commission for a determination.

LAND USE DISTRICTS

8. The Town of Claresholm is divided into those land use districts specified in Schedule 1 and shown on the Land Use District Map.

9. The one or more uses of land or buildings that are:

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

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

   are described in Schedule 1.

10. 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.

SIMILAR USES

11. At the request of the applicant, where a use is applied for which is not specifically considered in any land use district, 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 Development Officer to the Municipal Planning Commission;

   (b) the Municipal Planning Commission shall determine and make a ruling on the proposed use as to its similarity to a permitted or discretionary use in the district;

   (c) if the use is deemed similar, the proposed use shall be reviewed by the Municipal Planning Commission as a discretionary use for that land use district;

   (d) given the above, if the application is approved by the Municipal Planning Commission a development permit shall be issued in accordance with sections 21 to 23 under Notification.

NUMBER OF DWELLING UNITS ON A PARCEL

12. No person shall construct or locate or cause to be constructed or located more than one dwelling unit on a parcel unless authorized by the Development Authority through the issuance of a development permit and only where allowed in the land use district for which the application was made.



GENERAL REQUIREMENTS FOR DIRECT CONTROL DISTRICTS

13. The purpose of the Direct Control district is to enable Council to exercise particular control over the use and development of land and buildings within designated areas of the Town.

    (a) All development must comply with:

        i. South Saskatchewan Regional Plan;

        ii. The provisions of any Inter-municipal Statutory Plans; and

        iii. The provisions of any Municipal Statutory Plans.

    (b) All land use applications shall be regulated by appropriate development standards as deemed necessary by Council.

    (c) Inclusive with the procedures established under Development Permits Section 2 and 3 of the Land Use Bylaw, applications for development in lands designated Direct Control shall be referred, by the Development Officer, to Council for its approval or refusal.

    (d) Council may hold, at its discretion, a public hearing on the development application to receive public input. Notice of a public hearing, should be published in two (2) consecutive editions of a newspaper circulating in the municipality stating the location of the property for which the application has been made and proposed use. Notification by direct mail may also be given to surrounding landowners at a circulation distance deemed sufficient by the Development Authority.

    (e) Council shall decide on all applications for development permits within a Direct Control District. Council may approve an application, with or without conditions, or may refuse an application for a development permit.

    (f) In accordance with section 641(4)(a) of the Act, 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.



DEVELOPMENT AGREEMENTS

14. The Development Authority pursuant to the Act may require with respect to a development that as a condition of issuing a development permit, the applicant enter into a development agreement to:

    (a) construct or pay for the construction of public roadways, parking areas, or loading and unloading facilities;

    (b) construct or pay for the construction of pedestrian walkways and connections;

    (c) install or pay for the installation of public utilities, and/or any municipal service mutually agreed upon;

    (d) pay for an off-site levy or redevelopment levy imposed by bylaw

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

15. 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 Act.

16. 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 Act.

17. 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.

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

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

20. The Developer shall be responsible for and within 30 days of the presentation of an invoice, pay to the Town 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 development agreement.



DEVELOPMENT PERMITS

DEVELOPMENT PERMIT APPLICATIONS

1. Except as provided in Schedule 3, no person shall commence a development unless he has been issued a development permit in respect of the development.

2. An application for a development permit must be made to the Development Officer by submitting:

   (a) a completed development permit application, signed by the registered owner(s) or authorized by the owner pursuant to section 3 below;

   (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 site plan acceptable to the Development Officer indicating:

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

      ii. existing and proposed parking and loading spaces, driveways, abutting streets, avenues and lanes, and surface drainage patterns;

      iii. where applicable, the location of existing wells, septic tanks, disposal fields, culverts and crossings;

      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 Planning Commission 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 and/or other reports regarding site suitability; Real Property Report; or a surveyors sketch;

   (e) 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.

3. An application for a development permit must be made by the registered owner(s) of the land on which the development is proposed or, with the written consent of the owner(s) by any other person. The Development Officer may request a current title documenting ownership and copies of any registered encumbrance, lien or interest registered on title.

ADDITIONAL INFORMATION REQUIREMENTS

4. The Development Officer may require proof of ownership or right to land in question, a site servicing plan, site grading plan, and may require a surveyor's certificate **or** Real Property Report (RPR) as proof of location of development on said land.



DETERMINATION OF COMPLETE DEVELOPMENT PERMIT APPLICATION

5. A Development Officer shall, within 20 days after the receipt of an application in accordance with subsection 2 for a development permit, determine whether the application is complete.

6. 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.

7. The time period referred to in subsection 5 may be extended by an agreement in writing between the applicant and the Development Officer.

8. If the Development Officer does not make a determination referred to in subsection 5 within the time required under subsection 5 or 7, the application is deemed to be complete.

9. 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.

10. 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 subsection 2. A submittal deadline for the outstanding documents and information shall be set out in the notice. A later date may be agreed on between the applicant and the Development Officer in writing to extend the deadline.

11. When the Development Officer determines that the information and documents required to be submitted under subsection 10 are 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.

12. If the required documents and information under subsection 10 have not been submitted to the Development Officer within the timeframe prescribed in the notice issued under subsection 10, 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.

13. Despite issuance of a Notice of Completeness under subsection 9 or 11, the Development Authority 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.

PERMITTED USE APPLICATIONS

14. Upon receipt of a completed application for a development permit for a permitted use, the Development Officer may, if the application conforms with this bylaw, issue a development permit with or without conditions, including the provision of a development agreement pursuant to the Act.

15. The Development Officer may refer any application for a permitted use to the Municipal Planning Commission for a decision.



16. All development approvals granted by the Development Officer in accordance with section 14 above may be summarized and filed with the Municipal Planning Commission at their next regularly scheduled meeting.

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

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

    (b) geotechnical investigation to ensure that the site is suitable in terms of topography, soil characteristics, flooding subsistence, erosion and sanitary sewerage servicing;

    (c) 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;

    (d) any measures to ensure compliance with the requirements of this land use bylaw or any statutory plan adopted by the Town of Claresholm;

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

    (f) repairs or reinstatement of 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 designated officer;

    (g) to give security to ensure the terms of the permit approval under this section are carried out;

    (h) any measures to ensure compliance with applicable federal and provincial legislation or other municipal bylaw or policy;

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

    (j) the submission of an Environmental Impact Assessment.



DISCRETIONARY USE APPLICATIONS

18.1 Upon receipt of a completed application for a development permit for a discretionary use for which the Development Officer is authorized to decide upon (listed as Development Officer Discretionary Uses in Schedule 1), and which complies with this bylaw, the Development Officer:

    (a) shall notify adjacent landowners and other persons likely to be affected in accordance with Development Permits – Notification Section 29-31; and

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

    (c) may refuse to approve the development permit, stating reasons; or

    (d) may refer the application to the Municipal Planning Commission for a decision.

18.2 Upon receipt of a completed application for a development permit for a discretionary use for which the Development Officer is authorized to decide upon (listed as Development Officer Discretionary Uses in Schedule 1), that requests a limited variance, the Development Officer:

(a) may grant the limited variance not to exceed twenty-five percent (25%) of two measurable standards excluding height and may additionally grant a ten percent (10%) variance of height of this bylaw and approve the development permit with or without conditions; or

(b) may refer the development application involving a request for a limited variance to the Municipal Planning Commission.

18.3 Upon receipt of a completed application for a development permit for a 'Discretionary use', the Development Officer shall send the application to the Municipal Planning Commission for a decision.

19. Upon receipt of an application under section 18, the Municipal Planning Commission or the Development Officer may notify, or cause to be notified the owners of land likely to be affected by the issue of a development permit in accordance with sections 29 to 31.

20. Upon receipt of a completed application for a development permit for a development that does not comply with the development standards in this bylaw, but in respect of which the Municipal Planning Commission is requested by the applicant to exercise discretion under sections 45 and 46, the Development Officer shall send the application to the Municipal Planning Commission.

21. Upon receipt of an application under section 19, and if the Municipal Planning Commission is prepared to exercise its discretion under sections 18 and 19, it may notify, or cause to be notified, the owners of land likely to be affected by the issue of a development permit in accordance with sections 29 to 31.

22. The Development Authority may place any of the conditions stipulated in section 17 on a development permit for a discretionary or development officer 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.

DEVELOPMENT ON NON-CONFORMING SIZED LOTS

23. At the discretion of the Development Authority, development may be permitted on a lot that does not conform to the minimum requirements for length, width or area specified in Schedule 1.

NON-CONFORMING VARIANCES

24. The Development Authority is authorized to exercise minor variance powers with respect to non-conforming buildings pursuant to section 643(5)(c) of the *Act*.

TEMPORARY USE APPLICATIONS

25. The Development Authority may issue a temporary development permit for a period not to exceed one year for uses that are determined to be temporary in nature.

26. The proposed temporary use must be either a permitted, discretionary, or deemed similar use, in conformance with the applicable Land Use District.

27. 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 Development Authority may require the applicant to submit an irrevocable letter of credit guaranteeing the cessation or removal of the temporary use; and

(c) any other conditions as deemed necessary.

28. Notification of persons likely to be affected, including the M.D. of Willow Creek, government departments and referral agencies shall be consistent with Section 21 of this bylaw.

NOTIFICATION

29. Upon receipt of an application under sections 18 to 21 or 45 to 46, the Development Officer shall notify or cause to be notified any persons likely to be affected by the issue of a discretionary development permit as follows:

(a) a notice in writing may be mailed immediately by the Development Officer to any person who may be affected, including but not limited to, adjacent landowners, the Municipal District of Willow Creek No. 26, and government departments or referral agency; or

(b) the Development Officer may immediately post a notice of application conspicuously on the property for which the application has been made at least 7 days prior to the meeting; or

(c) the Development Officer may ensure that a notice is immediately published in a newspaper circulating in the municipality at least 10 days prior to the meeting; or

(d) the Development Officer may hand deliver a notice of application to any persons affected by the proposal at least 7 days prior to the meeting; or

(e) post a notice on the municipal website and official social media as authorized through an advertising bylaw approved by Council in accordance with section 606.1 of the Act at least ten (10) days before the meeting of the Municipal Planning Commission or the decision of the Development Officer; or

(f) any combination of (a), (b) (c), (d) and (e).

30. Any person notified in accordance with section 29 and who wishes to comment on the application must submit comments to the Municipal Planning Commission prior to 2 p.m. the day before the meeting, if said comments are to be considered.

31. Not before five consecutive days after notification of an application and upon considering any response to the notification by persons likely to be affected by the development, the Municipal Planning Commission may refuse the application or may issue a development permit with or without conditions, including the provision of a development agreement pursuant to the Act.

32. Upon the decision on a development application for a permitted use that complies with the Land Use Bylaw, the Development Officer shall:

(a) mail (postal service or electronic mail) or hand deliver a written notice of decision to the applicant; and

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



(c) publish a notice of the decision on the municipal website, in a newspaper or the municipal newsletter circulated within the municipality.

33. Upon the decision on all other development permit applications, the Development Officer shall:

(a) mail (postal service or electronic mail) or hand deliver a written notice of decision to the applicant; and

(b) mail a copy of the decision to those originally notified of the development permit application, those that made written submissions, and any other person, government department or agency that may, in the opinion of the Development Officer, likely be affected; or

(c) publish a notice of the decision on the municipal website, in a newspaper or the municipal newsletter circulated within the municipality.

VALIDITY OF A DEVELOPMENT PERMIT

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

35. An application to extend the validity of a development permit may be made at any time prior to the expiration of the approved permit.

36. The validity of a development permit may be extended for up to 18 months from the date of its approval by:

(a) the Development Authority, if the Development Officer issued it; or

(b) the Municipal Planning Commission, if the Municipal Planning Commission issued it; or

(c) the Development Authority, if approved on appeal.

37. When any use has been discontinued for a period of 24 months or more, any development permit that may have been issued is no longer valid and the use may not be recommenced until a new application for a development permit has been made and a new development permit issued. This section does not apply to non-conforming uses which are regulated under section 643 of the Act.

REAPPLICATION

38. If an application for a development permit is refused by the Development Officer, the Municipal Planning Commission, or on appeal by the Subdivision and Development Appeal Board, another application for a development on the same lot, and for the same or similar use, may not be considered for at least six months after the date of refusal.

39. If an application was refused solely because it did not comply with the standards of this bylaw, 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 44 has lapsed, provided the application has been modified to comply with this bylaw.



APPEALS

40. Any person affected by a decision of the Development Authority has the right pursuant to the Act, to appeal the decision to the Subdivision and Development Appeal Board. An appeal request shall be accompanied by the applicable fees.

41. An appeal to the Subdivision and Development Appeal Board shall be commenced by serving a written notice of the appeal to the Subdivision and Development Appeal Board within 21 days after:

    (a) a person is notified of a order or decision or the issuance of a development permit; or

    (b) the date on which the notice of the issuance of a development permit was given in accordance with section 33 of this bylaw; or

    (c) the expiration of the 40-day period for a decision to be made and any extension of that period, in accordance with section 44 of this bylaw, has expired.

COMMENCEMENT OF DEVELOPMENT

42. Despite the approval of a development permit, no development is authorized to commence:

    (a) until 21 days after the written notice of decision is published in the newspaper for all approved permits; or

    (b) if an appeal is made, until the appeal is decided upon.



TRANSFER OF DEVELOPMENT PERMIT

43. A valid development permit is transferable where the use remains unchanged and the development is affected only by a change in ownership or tenancy. This provision does not apply to a home occupation permit, which are non-transferable.

APPLICATION DEEMED REFUSED

44. In accordance with section 684 of the Act, an application for a development permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Authority, as the case may be, is not made within 40 days of an application being deemed complete under section 9 or 11 by the Development Officer, unless the applicant has entered into an agreement with the Development Officer to extend the 40-day period.

NON-COMPLIANCE WITH LAND USE BYLAW

45. (a) Upon receipt of a completed application for a Development Permit for a Development that does not comply with this Bylaw, but in respect of which the Development Authority is requested by the applicant to exercise discretion under Section 45(c), the designated officer shall send the application to the Development Authority.

    (b) Upon receipt of an application for approval which would require the Development Authority to exercise its discretion under Section 45(c), the Development Authority shall notify persons likely to be affected by the issue of the Development Permit in accordance with Section 29.

(c) The Municipal Planning Commission is authorized and, subject to section 46, the Development Officer is also authorized, to decide upon an application for a development permit despite that the proposed development does not comply with this bylaw if, in the opinion of the Development Authority:

i. the proposed development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use or enjoyment or value of neighbouring properties; and

ii. the proposed development conforms with the use prescribed for the land or building in Schedule 1.

46. The Development Officer may only exercise discretion under section 45 in respect of the following matters:

(a) if a minor waiver is required, the Development Officer may waive one applicable measurable standard and issue a Development Permit with or without conditions, provided the waiver does not exceed 10 percent of any measurable standard specified in the Bylaw; or

(b) if the waiver required exceeds 10 percent of any measurable standard in the Bylaw, the designated officer shall refer the application to the Municipal Planning Commission for a decision.

(c) approval of minor deviations from approved site plans;

(d) imposing conditions on permitted uses in order to ensure a proposed use will comply with provisions of the bylaw, the municipal development plan or any other statutory plan.

SUSPENSION OF A DEVELOPMENT PERMIT

47. If, after a development permit has been issued, the Development Authority becomes aware that:

(a) the application for the development permit contained misrepresentations; or

(b) facts concerning the application or the development that were not disclosed, and which should have been disclosed at the time of the application was considered, have subsequently become known; or

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

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

the 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.

48. If a development permit is suspended or cancelled, the Subdivision and Development Appeal Board (SDAB) shall review the application if an appeal is filed by the applicant within 21 days of the notice of the cancellation or suspension and either:

(a) reinstate the development permit; or

(b) cancel the development permit if the Development Authority would not have issued the development permit if the facts subsequently disclosed had been known during 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

APPLICATIONS

1. An applicant applying for subdivision shall provide the required material and information as requested by the Subdivision Authority or its designate. A completed 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;

   (b) the applicable fees paid;

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

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

   (e) provincial abandoned gas well information;

   (f) for vacant parcels, a soils analysis which indicates the ability of the proposed parcel to be privately serviced;

   (g) 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 may be required from the applicant prior to a decision being rendered on a subdivision application to determine the suitability of the land for the proposed use; and

   (h) 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 *Municipal Government Act* must also be provided on the submitted application form unless determined not to be needed by the Subdivision Authority.

2. In accordance with the *Municipal Government Act*, 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.



3. Notwithstanding section 2 above, the applicant and Subdivision Authority may agree and sign a time extension agreement in writing in accordance with section 653.1(3) of the Act to extend the 20-day decision time period to determine whether the subdivision application and support information submitted is complete.

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.

INCOMPLETE APPLICATIONS

5. The Subdivision Authority may refuse to accept and process a subdivision application where the information required under sections 1-4 above 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.

6. 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 2 above.

7. The notification provided for in subsection 2(b) above 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 Act.



DECISION

8. 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 1;

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

9. 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 1;

   (b) the existing and proposed buildings meet the provisions of Schedule 1 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.

10. At the time of subdivision and as a condition of approval, ten percent (10%) of the lands to be subdivided shall be dedicated as municipal or school reserve in accordance with the provisions of the *Municipal Government Act*. 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.

11. Money-in-lieu of municipal reserve shall be placed in a special reserve fund, administered by the Town, to be used for recreation area and facility construction and improvement.

12. The Town will coordinate the location of new schools and the allocation of school reserves in the Municipality with the local school divisions.

13. In residential areas, the Town may allocate municipal or school reserve for the purpose of developing parks, playgrounds, trail systems, recreation facilities, schools and similar uses.

14. 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.

15. In addition to Municipal Reserve, land that is deemed to be protected may be left in its natural state and allocated as environmental reserve or environmental reserve easement in accordance with the provisions of the *Municipal Government Act*.

APPEALS

16. In accordance with the *Municipal Government Act*, any land owner who applied for subdivision and was refused an approval or had conditions attached to the approval, may appeal the decision within 21 days from the date of the written decision to the Subdivision and Development Appeal Board, or the Municipal Government Board (where the Subdivision and Development Regulation requires it). Adjacent or affected land owners have no right to appeal under the Act.



ENFORCEMENT

GENERAL PROVISIONS

1. A designated officer may enforce the provisions of the *Municipal Government Act* 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

2. After reasonable notice (generally to mean 48 hours notice) to the owner or occupant in accordance with the *Municipal Government Act*, a designated 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.

3. A person shall not prevent or obstruct a designated officer from carrying out any official duty under this *Bylaw*. If consent is not given, the Town of Claresholm may apply for an authorizing order.

CONTRAVENTION OF BYLAW

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.

5. It is an offence for any person;

   (a) to construct a building or structure;

   (b) to make an addition or alteration thereto; or

   (c) to place a Sign on land;

   for which a Development Permit is required but has not been issued or is not valid under this Bylaw.

6. If the corrective measures described in a Violation Notice issued pursuant to subsection 83-86 are not completed within the time specified by the Violation Notice, the person to whom the Violation Notice was issued is guilty of an offence and shall pay the penalty amount specified in the Fees policy.

7. If development continues after a Permit has been revoked or suspended, the person to whom the Permit was issued or the person continuing the development is guilty of an offence and shall pay the penalty amount specified in the Fees policy.

8. It is an offence to display a Temporary Sign without a valid Development Permit.

9. It is an offence to have a Sign in an abandoned state.



10. 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.

11. 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.

12. It is an offence to commence any construction which requires a Development Permit in a residential, agricultural, public, commercial or industrial District without a valid Development Permit.

WARNING NOTICE

13. A designated officer may issue a warning notice outlining the nature of the violation, corrective measures that may be taken, and the deadline for corrective measures.

VIOLATION NOTICE

14. Once the Town has found a violation of this Bylaw, a designated 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 Violation Notice delivered either in person or by ordinary mail:

        i. to the owner of the land, building or structure at the address listed on the tax roll for the land in question; or

        ii. to the owner of the Sign, at a location where the owner carries on business; or

    (b) in the case of Temporary Signs, verbal notification to the Sign owner or by delivering a Violation Notice in person to the Sign owner or by ordinary mail or by facsimile to an address where the Sign owner carries on business.

15. Such notice shall state the following:

    (a) nature of the violation of this Bylaw;

    (b) corrective measures required to comply with this Bylaw; and

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

16. 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.

17. The Town is not required to issue a Violation Notice before commencing any other enforcement action under the Municipal Government Act, or this Bylaw, or at all.



STOP ORDERS

18. The Development Authority is authorized to issue an Order under Section 645 of the Act.
19. A person who receives a written Order under Section 18 may by written notice within 21 days of being notified of the Order, appeal to the Subdivision and Development Appeal Board pursuant to Section 685 of the Act.

20. The costs and expenses incurred in carrying out an Order shall be placed on the tax roll. The amount so placed shall be deemed for all purposes to be a tax imposed pursuant to the Municipal Government Act, from the date it was added to the tax roll and forms a special lien against the parcel of land in favour of the municipality from the date it was added to the tax roll.

SIGN IMPOUNDMENT

21. Where a temporary or portable sign contravenes this Bylaw, a designated officer may, without notice, remove and impound the sign if it is located on lands under the control of the Town of Claresholm or the Town of Claresholm has the consent of the registered owner of the land where the sign is located.

22. The owner of an impounded sign may claim the sign by payment of the impoundment fee described in the Fees policy.

23. If the sign is not claimed within 30 days, it may be treated as unclaimed property pursuant to the Town policy.



AMENDMENTS

AMENDMENT OR REPEAL OF BYLAW

1. Council shall follow the procedures in the Act, including the processes related to notice of Public Hearings and the conduct of meetings.

2. Any person or the Town may initiate amendments to this Bylaw by making an application to the designated 0fficer.

3. All applications for amendment shall be made using the applicable form found in, Appendix A, entitled *Application for Land Use Bylaw Amendment*.

4. The designated officer may, in addition to the information provided on the application form, request such other information as necessary to properly evaluate and make a recommendation on the application.

5. The designated officer may refuse to accept the application if, in his/her opinion, the information supplied is not sufficient to make a proper evaluation of the proposed amendment.

6. The designated officer shall submit the application to Council for a decision if he/she is satisfied sufficient information has been provided with the application.

7. Council or the designated officer may refer the application to the Development Authority for their recommendation.

8. Where an application for amendment to this Bylaw has been refused by Council, another application that is the same or similar in nature shall not be accepted until at least six (6) months from the date of refusal.

LAND USE REDESIGNATION APPLICATION REQUIREMENTS

9. (a) A request for redesignation from one land use district to another shall be accompanied by:

    i. a completed application form and redesignation fee;

    ii. a narrative describing the:

        1. proposed designation and future use(s);

        2. consistency with applicable statutory plans;

        3. compatibility of the proposal with surrounding uses and zoning;

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

        5. 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

        6. any potential impacts on public roads;



iii. conceptual subdivision design, if applicable;

iv. a geotechnical report prepared by an engineer demonstrating soil stability/suitability if deemed necessary by the Development Authority;

v. an evaluation of surface drainage which may include adjacent properties if deemed necessary by the Development Authority; and

vi. any other information deemed necessary by the Development Authority to properly evaluate the application.

(b) An Area Structure Plan or Conceptual Design Scheme may be required in conjunction with a redesignation application when:

i. redesignating land from Urban Reserve to another district;

ii. multiple parcels of land are involved;

iii. more than four lots could be created;

iv. several pieces of fragmented land are adjacent to the proposal;

v. internal public roads would be required;

vi. municipal services would need to be extended; or

vii. required by Council or Development Authority.

REDESIGNATION CRITERIA

10. When redesignating land from one land use district to another, Council should consider the following when making a decision:

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

(b) consistency with any 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 development;

(f) potential impacts on public roads;

(g) setback distances contained in the *Subdivision and Development Regulation* of the Act;

(h) supply of suitably designated land;

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

(j) any other matters deemed pertinent.



Schedule 1

LAND USE DISTRICTS

Schedule 1

LAND USE DISTRICTS

1. The Town of Claresholm is divided into those districts illustrated on the Land Use District Map.

2. Each district shown on the map referred to in section 1 above shall be known by the following identifying letters and numbers:

SINGLE DETACHED RESIDENTIAL	– R1
DUPLEX RESIDENTIAL	– R2
COUNTRY RESIDENTIAL	– R3
MULTIPLE RESIDENTIAL	– R4
APARTMENTS	– R5
MANUFACTURED HOMES	– R6
RETAIL COMMERCIAL	– C1
HIGHWAY COMMERCIAL	– C2
NEIGHBOURHOOD COMMERCIAL	– C3
INDUSTRIAL	– I1
SERVICE INDUSTRIAL	– I2
PUBLIC	– P
AGRICULTURAL/TRANSITIONAL	– A/T
DIRECT CONTROL	– DC

3. Land Use District Map (following this page).



SINGLE DETACHED RESIDENTIAL – R1

INTENT: This district is intended to accommodate single detached residential development on serviced lots in an orderly, economical and attractive manner, while excluding potentially incompatible land uses.

1. PERMITTED USES

Accessory building
Accessory structure
Accessory use
Alternative energy, solar (wall and roof mounted)
Shipping container, temporary
Signs (in accordance with Schedule 2)
Single detached dwelling
Home occupation 1

DEVELOPMENT OFFICER DISCRETIONARY USES

Modular home
Moved-in building
Moved-in dwelling
Semi-detached dwelling

DISCRETIONARY USES

Alternative energy, solar (ground mounted)
Community facilities
Home occupation 2
Place of worship
Secondary suite
Signs (in accordance with Schedule 2)

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	sq. ft.
Single Detached dwelling	15.2	50	30.5	100	464.5	5,000
Semi-detached dwelling	15.2	50	30.5	100	650.3	7,000**
All other uses	As required by the Development Authority					

* the total square footage of the lot must be a minimum of 650.3 m^2 (7,000 sq. ft.) for two dwelling units.

3. MINIMUM SETBACK DIMENSIONS

	Front		Side		Rear	
Use	m	ft.	m	ft.	m	ft.
Single Detached dwelling	7.6	25	1.5	5	7.6	25
Semi-detached dwelling	7.6	25	1.5	5	7.6	25
Accessory Building	7.6	25	1.5	5	1.5	5
Corner lots	See Schedule 4 – #4 - "Multiple Front Yard Provision (Corner Lots)"					
All other uses	7.6	25	1.5	5	7.6	25

4. MAXIMUM PERCENTAGE OF LOT COVERAGE

Principal building – 40%
Accessory buildings – 111.5 m^2 (1,200 sq. ft.) or 15%, whichever is the lesser



5. MINIMUM FLOOR AREA

Single detached dwelling, modular home or moved-in dwelling – 74.3 m^2 on the main floor (800 sq. ft.)

Semi-detached – 148.6 m^2 on the main floor (1,600 sq. ft.)

6. MAXIMUM HEIGHT OF BUILDINGS

Principal building – 9.1 m (30 ft.)
Accessory buildings – 4.6 m (15 ft.)

7. SIGNS – See Schedule 2.

8. SIDE YARD PROJECTIONS – See Schedule 4.

9. CORNER LOTS – See Schedule 4.

10. GARBAGE RECEPTACLES – See Schedule 4.

11. MOVED-IN BUILDING REGULATIONS – See Schedule 5.

12. FENCING REQUIREMENTS – See Schedule 7.

13. PARKING AND LOADING SPACE REQUIREMENTS – See Schedule 8.

14. LANDSCAPING STANDARDS – See Schedule 9.

15. HOME OCCUPATIONS – See Schedule 10.

16. TELECOMMUNICATION ANTENNA STRUCTURES – See Schedule 12.

DUPLEX RESIDENTIAL – R2

INTENT: This district is intended to provide a residential area which will accommodate low density attached housing within the community.

1. PERMITTED USES

- Accessory building
- Accessory structure
- Accessory use
- Alternative energy, solar (wall and roof mounted)
- Duplex
- Home occupation 1
- Semi-detached dwelling
- Shipping container, temporary
- Signs (in accordance with Schedule 2)

DEVELOPMENT OFFICER DISCRETIONARY USES

- Modular home
- Single detached dwelling

DISCRETIONARY USES

- Alternative energy, solar (ground mounted)
- Home occupation 2
- Secondary suite
- Signs (in accordance with Schedule 2)

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	sq. ft.
Semi-detached or Duplex dwellings	18.3	60	30.5	100	650.3	7,000*
Single Detached dwelling	15.2	50	30.5	100	464.5	5,000
All other uses	As required by the Development Authority					

* The total square footage of the lot must be a minimum of 650.3 m^2 (7,000 sq. ft.) for the two dwelling units.

3. MINIMUM SETBACK DIMENSIONS

Use	Front		Side		Rear	
	m	ft.	m	ft.	m	ft.
Semi-detached or duplex dwelling	7.6	25	1.5	5	7.6	25
Single Detached dwelling	7.6	25	1.5	5		
Accessory Building	7.6	25	1.5	5		
Corner lots	Corner lots - See Schedule 4 – #4 - "Multiple Front Yard Provision (Corner Lots)"					
All other uses	7.6	25	1.5	5	7.6	25



4. MAXIMUM PERCENTAGE OF LOT COVERAGE

Principal building – 40%
Accessory buildings – 111.5 m^2 (1,200 sq. ft.) or 15%, whichever is the lesser

5. MINIMUM FLOOR AREA

Semi-detached or duplex dwelling – 148.6 m^2 on the main floor (1,600 sq. ft.)
Single detached dwelling or modular home – 74.3 m^2 on the main floor (800 sq. ft.)

6. MAXIMUM HEIGHT OF BUILDINGS

Principal building – 9.1 m (30 ft.)
Accessory buildings – 4.6 m (15 ft.)

7. SPECIAL DEVELOPMENT STANDARD

The side setback requirement does not preclude the building of a semi-detached dwelling, or a rowhouse dwelling or townhouse where each dwelling is separated by a party wall and on a separate title.

8. SIGNS – See Schedule 2.

9. SIDE YARD PROJECTIONS – See Schedule 4.

10. CORNER LOTS – See Schedule 4.

11. GARBAGE RECEPTACLES – See Schedule 4.

12. MOVED-IN BUILDING REGULATIONS – See Schedule 5.

13. FENCING REQUIREMENTS – See Schedule 7.

14. PARKING AND LOADING SPACE REQUIREMENTS – See Schedule 8.

15. LANDSCAPING STANDARDS – See Schedule 9.

16. HOME OCCUPATIONS – See Schedule 10.

17. TELECOMMUNICATION ANTENNA STRUCTURES – See Schedule 12.

COUNTRY RESIDENTIAL – R3

INTENT: This district is intended to allow for the development of larger acreage lots where the primary function of single unit dwellings is supported by secondary uses.

1. PERMITTED USES

Accessory building
Accessory structure
Accessory use
Alternative energy, solar (wall and roof mounted)
Home occupation 1
Shipping container, temporary
Signs (in accordance with Schedule 2)
Single detached dwelling

DEVELOPMENT OFFICER DISCRETIONARY USES

Modular home
Semi-detached dwelling

DISCRETIONARY USES

Alternative energy, solar (ground mounted)
Greenhouse
Home occupation 2
Manufactured home
Market garden
Secondary suite
Signs (in accordance with Schedule 2)

2. MINIMUM LOT SIZE

0.7 hectares (1.8 acres)
Minimum depth – 76.2 m (250 ft.)

3. MINIMUM SETBACK DIMENSIONS

	Front		Side		Rear	
Use	**m**	**ft.**	**m**	**ft.**	**m**	**ft.**
Single detached dwelling	12.2	40	1.5	5	7.6	25
Accessory building	12.2	40	1.5	5	7.6	25

All other uses, as required by the Development Authority.

4. MAXIMUM PERCENTAGE OF LOT COVERAGE

Principal building – as required by the Development Officer
Accessory buildings – as required by the Development Officer

5. MAXIMUM HEIGHT OF BUILDINGS

Principal buildings – 9.1 m (30 ft.)
Accessory buildings – 4.6 m (15 ft.)



6. DESIGN STANDARDS

All proposed developments must, in the opinion of the Development Authority, be compatible with existing houses in terms of:

(a) design;
(b) materials;
(c) colours;
(d) fence designs and construction.

7. SIGNS – See Schedule 2.

8. GARBAGE RECEPTACLES – See Schedule 4.

9. FENCING REQUIREMENTS – See Schedule 7.

10. PARKING AND LOADING SPACE REQUIREMENTS – See Schedule 8.

11. LANDSCAPING STANDARDS – See Schedule 9.

12. HOME OCCUPATIONS – See Schedule 10.

13. TELECOMMUNICATION ANTENNA STRUCTURES – See Schedule 12.



MULTIPLE RESIDENTIAL – R4

INTENT: This district is intended to provide residential areas which will accommodate medium density housing within the community where high-quality multi-unit dwelling environments are integrated into either existing or proposed residential neighbourhoods.

1. PERMITTED USES

- Accessory buildings
- Accessory structure
- Accessory use
- Alternative energy, solar (wall and roof mounted)
- Duplex
- Home occupation 1
- Multi-unit dwelling
- Semi-detached dwelling
- Shipping container, temporary
- Signs (in accordance with Schedule 2)

DEVELOPMENT OFFICER DISCRETIONARY USES

- Rowhouse dwelling or townhouse

DISCRETIONARY USES

- Alternative energy, solar (ground mounted)
- Assisted living
- Boarding house
- Group home
- Home occupation 2
- Nursing home/extended care facility
- Senior citizen housing
- Signs (in accordance with Schedule 2)

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	sq. ft.
Semi-detached (each unit)						
– interior lot	9.1	30	30.5	100	325.2	3,500
– corner lot	12.2	40	30.5	100	371.6	4,000
Duplex						
– interior lot	18.3	60	30.5	100	650.3	7,000
– corner lot	22.9	75	30.5	100	696.8	7,500
Rowhouse dwelling						
– interior lot	6.1	20	30.5	100	185.8	2,000
– corner lot	9.1	30	30.5	100	278.7	3,000
Multi-unit dwelling	30.5	100	30.5	100	929.0	10,000

3. MINIMUM SETBACK DIMENSIONS

Use	Front		Side		Rear	
	m	ft.	m	ft.	m	ft.
Semi-detached duplex	7.6	25	1.5	5	7.6	25
Rowhouse dwelling or townhouse	7.6	25	1.5	5	7.6	25
Multi-unit dwelling	7.6	25	1.5	5	7.6	25

All other uses, as required by the Development Authority.



4. MAXIMUM PERCENTAGE OF LOT COVERAGE

Principal building – 50%
Accessory buildings – 10% or 111.5 m^2 (1,200 sq. ft.), whichever is less.

5. MINIMUM FLOOR AREA

Row dwelling – 74.3 m^2 (800 sq. ft.)
Duplex – 74.3 m^2 (800 sq. ft.)
Multi-unit dwelling – 74.3 m^2 (800 sq. ft.)
All other uses – as required by the Development Authority

6. MAXIMUM HEIGHT OF BUILDINGS

Principal building – 10.6 m (35 ft.)
Accessory buildings – 4.6 m (15 ft.)

7. SPECIAL DEVELOPMENT STANDARDS

The side setback requirement does not preclude the building of a semi-detached dwelling, a row dwelling or townhouse where each dwelling is separated by a party wall and on a separate title.

8. SIGNS – See Schedule 2.

9. FENCING REQUIREMENTS – See Schedule 7.

10. PARKING AND LOADING SPACE REQUIREMENTS – See Schedule 8.

11. LANDSCAPING STANDARDS – See Schedule 9.

12. HOME OCCUPATIONS – See Schedule 10.

13. TELECOMMUNICATION ANTENNA STRUCTURES – See Schedule 12.

APARTMENTS – R5

INTENT: This district is intended to provide residential areas which will accommodate housing for sale and rent within the community where high-quality multi-unit dwelling environments are integrated into either existing or proposed residential neighbourhoods.

1. PERMITTED USES

Accessory buildings
Accessory structure
Accessory use
Alternative energy, solar (wall and roof mounted)
Apartment
Home occupation 1
Signs (in accordance with Schedule 2)

DEVELOPMENT OFFICER DISCRETIONARY USES

Multi-unit dwelling
Rowhouse dwelling or townhouse

DISCRETIONARY USES

Alternative energy, solar (ground mounted)
Boarding house
Group home
Home occupation 2
Signs (in accordance with Schedule 2)

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	sq. ft.
Rowhouse dwelling or townhouse						
– interior lot	6.1	20	30.5	100	185.8	2,000
– corner lot	9.1	30	30.5	100	278.7	3,000
Apartment	30.5	100	30.5	100	929.0	10,000

3. MINIMUM SETBACK DIMENSIONS

Use	Front		Side		Rear	
	m	ft.	m	ft.	m	ft.
Rowhouse dwelling or townhouse	7.6	25	1.5	5	7.6	25
Apartment	7.6	25	3.0	10	7.6	25

All other uses, as required by the Development Authority.

4. MAXIMUM PERCENTAGE OF LOT COVERAGE

Principal building – 50%
Accessory buildings – 10% or 111.5 m^2 (1,200 sq. ft.), whichever is less.



5. MINIMUM FLOOR AREA

Row dwelling	–	74.3 m^2 (800 sq. ft.)
Apartment	–	46.5 m^2 (500 sq. ft.)
Multi-unit dwelling	–	74.3 m^2 (800 sq. ft.)
All other uses	–	as required by the Development Authority

6. MAXIMUM HEIGHT OF BUILDINGS

Principal building	–	15.2 m (50 ft.)
Accessory buildings	–	4.6 m (15 ft.)

7. SPECIAL DEVELOPMENT STANDARDS

(a) The side setback requirement does not preclude the building of a semi-detached dwelling, a row dwelling or townhouse where each dwelling is separated by a party wall and on a separate title.

(b) All high-rise developments shall be built so as not to obstruct the sun from surrounding dwellings. An apartment over three storeys in height shall be built at least the distance the apartment is high from adjacent buildings.

8. SIGNS – See Schedule 2.

9. FENCING REQUIREMENTS – See Schedule 7.

10. PARKING AND LOADING SPACE REQUIREMENTS – See Schedule 8.

11. LANDSCAPING STANDARDS – See Schedule 9.

12. HOME OCCUPATIONS – See Schedule 10.

13. TELECOMMUNICATION ANTENNA STRUCTURES – See Schedule 12.

MANUFACTURED HOMES – R6

INTENT: This district is intended to provide an area for manufactured homes and to regulate the development and use of land for them and other listed uses.

1. PERMITTED USES

- Accessory building
- Accessory structure
- Accessory use
- Alternative energy, solar (wall and roof mounted)
- Home occupation 1
- Manufactured home
- Shipping container, temporary
- Signs (in accordance with Schedule 2)
- Single detached dwelling

DEVELOPMENT OFFICER DISCRETIONARY USES

- Modular home

DISCRETIONARY USES

- Alternative energy, solar (ground mounted)
- Home occupation 2
- Manufactured home park
- Signs (in accordance with Schedule 2)

2. MINIMUM LOT SIZE

Use	Width		Length		Area	
	m	ft.	m	ft.	m^2	sq. ft.
Single-wide manufactured home	12.2	40	30.5	100	371.6	4,000
Double-wide manufactured home	15.2	50	30.5	100	464.5	5,000
All other uses	As required by the Development Authority					

3. MINIMUM SETBACK DIMENSIONS

Use	Front		Side		Rear	
	m	ft.	m	ft.	m	ft.
Single-wide manufactured home	6.1	20	1.5	5	4.6	15
Double-wide manufactured home	6.1	20	1.5	5	4.6	15
Corner lots	6.1	20	1.5	5	4.6	15
All other uses	As required by the Development Authority					

4. MANUFACTURED HOME ADDITIONS

All manufactured home additions shall also require a building permit and shall be of a design and finish which, in the opinion of the Development Officer, will enhance and be compatible with the manufactured home.



5. MAXIMUM PERCENTAGE OF COVERAGE

(a) A manufactured home, inclusive of all additions, shall cover not more than 40% of the surface area of the lot.

(b) Any accessory buildings shall cover not more than 15% of the surface area of the lot or 111.5 m^2 (1,200 sq. ft.), whichever is less.

6. MINIMUM FLOOR AREA

Single-wide manufactured home	– 74.3 m^2 (800 sq. ft.)
Double-wide manufactured home	– 111.5 m^2 (1,200 sq. ft.)
All other uses	– As required by the Development Authority

7. MAXIMUM HEIGHT OF ACCESSORY BUILDINGS

No accessory building shall exceed 4.6 m (15 ft.) in height.

8. SIGNS – See Schedule 2.

9. MANUFACTURED HOME STANDARDS – See Schedule 4.

10. FENCES – See Schedule 7.

11. PARKING AND LOADING SPACE REQUIREMENTS – See Schedule 8.

12. LANDSCAPING STANDARDS – See Schedule 9.

13. HOME OCCUPATIONS – See Schedule 10.

14. TELECOMMUNICATION ANTENNA STRUCTURES – See Schedule 12.

RETAIL COMMERCIAL – C1

INTENT: This district is intended to provide an area suited to intensive commercial uses, including the redevelopment of existing uses, which are convenient and attractive to pedestrians, while offering ready vehicular access and adequate parking.

1. PERMITTED USES

- Accessory building
- Accessory structure
- Accessory use
- Alternative energy, solar (wall and roof mounted)
- Bakery
- Club
- Café/Coffee shop
- Cultural facility
- Financial institution
- Health care services
- Hotel
- Lounge/beverage room
- Office
- Medical and dental office
- Parking facility
- Personal service
- Public and institutional
- Restaurant
- Retail store
- Shipping container, temporary
- Signs (in accordance with Schedule 2)
- Theatre

DEVELOPMENT OFFICER DISCRETIONARY USES

- Amusement facility
- Breweries, distilleries and wineries
- Business support services
- Convenience store
- Day/child care facility
- Dry cleaning shops
- Fitness centre
- Funeral home
- Grocery store
- Liquor store
- Post office
- Printing establishment, commercial
- Retail cannabis store
- Signs (in accordance with Schedule 2)
- Vehicle sales and service
- Workshop

DISCRETIONARY USES

- Alternative energy, solar (ground mounted)
- Animal care service, minor
- Caretaker's suite
- Mixed-use residential
- Outdoor patio
- Retail store, large scale

2. MINIMUM LOT SIZE

	Width		Length		Area	
	m	ft.	m	ft.	m^2	sq. ft.
All uses	7.62	25	30.48	100	232.25	2,500

3. MINIMUM SETBACK DIMENSIONS

In accordance with the minimum required by the provincial building requirements or as stipulated by the Development Authority.

5. SIGNS – See Schedule 2.

6. GARBAGE RECEPTACLES – See Schedule 4.



7. **STANDARDS OF DEVELOPMENT** – See Schedule 4.

8. **FENCING REQUIREMENTS** – See Schedule 7.

9. **PARKING AND LOADING SPACE REQUIREMENTS** – See Schedule 8.

10. **LANDSCAPING STANDARDS** – See Schedule 9.

11. **TELECOMMUNICATION ANTENNA STRUCTURES** – See Schedule 12.

12. **CANNABIS REGULATION** – See Schedule 14.



HIGHWAY COMMERCIAL – C2

INTENT: This district is intended to ensure the sites adjacent to the highway are reserved for appropriate commercial uses.

1. PERMITTED USES

- Accessory building
- Accessory structure
- Accessory use
- Alternative energy, solar (wall and roof mounted)
- Amusement facility
- Animal care service, minor
- Business support services
- Café/Coffee shop
- Convenience store
- Cultural facility
- Drive-in restaurant
- Equipment sales, rental and service
- Fitness centre
- Gas bar
- Hotel
- Motel
- Office
- Personal Service
- Restaurant
- Service station
- Shipping container, temporary
- Signs (in accordance with Schedule 2)
- Vehicle sales and rental
- Vehicle sales and service

DEVELOPMENT OFFICER DISCRETIONARY USES

- Breweries, distilleries and wineries
- Contractor, limited
- Day/child care facility
- Farm/industrial machinery sales, rental and service
- Grocery Store
- Liquor store
- Retail cannabis store
- Signs (in accordance with Schedule 2)
- Workshop

DISCRETIONARY USES

- Alternative energy, solar (ground mounted)
- Auctioneering facility
- Bulk fuel storage and sales
- Caretaker's suite
- Car wash
- Food processing facility, minor
- Outdoor patio
- Public utility
- Retail store, large scale
- Shipping container, permanent
- Theatre, drive in movie
- Tire business
- Truck stop
- Truck transportation depot

2. MINIMUM LOT SIZE

	Width		Length		Area	
	m	ft.	m	ft.	m^2	sq. ft.
All uses	30.5	100	45.7	150	1,393.5	15,000

3. MINIMUM SETBACK DIMENSIONS

As required by the Development Authority and the provincial building requirements.

4. ACCESS

Access, wherever possible, shall be from service roads onto Highway 2. Access points onto service roads shall be approved by the Development Authority.

5. SCREENING

The Development Authority shall prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials and other items.

6. SIGNS – See Schedule 2.

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

8. FENCING REQUIREMENTS – See Schedule 7.

9. PARKING AND LOADING SPACE REQUIREMENTS – See Schedule 8.

10. LANDSCAPING STANDARDS – See Schedule 9.

11. SHIPPING CONTAINER REGULATIONS – See Schedule 11.

12. TELECOMMUNICATION ANTENNA STRUCTURES – See Schedule 12.

13. CANNABIS REGULATION – See Schedule 14.



NEIGHBOURHOOD COMMERCIAL – C3

INTENT: This district is intended to provide an area suited for commercial uses which will compliment neighbourhood liveability.

1. PERMITTED USES

Accessory building
Accessory structure
Accessory use
Alternative energy, solar (wall and roof mounted)
Café/Coffee shop
Convenience store
Restaurant
Shipping container, temporary
Signs (in accordance with Schedule 2)

DEVELOPMENT OFFICER DISCRETIONARY USES

Day/child care facility
Financial institution
Fitness centre
Lounge/beverage room
Mixed-use residential
Office
Personal service
Retail store
Signs (in accordance with Schedule 2)

DISCRETIONARY USES

Alternative energy, solar (ground mounted)
Animal care service, minor
Gas bar
Outdoor patio
Service station

2. MINIMUM LOT SIZE

	Width		Length		Area	
	m	ft.	m	ft.	m^2	sq. ft.
All uses	15.2	50	30.5	100	464.5	5000

3. MINIMUM SETBACK DIMENSIONS

3.5 m (11.5 ft.) from commercial or industrial land uses.
8.0 m (26.2 ft.) from residential and public land uses.
All other setbacks shall be as required by the Development Authority.

4. PARKING AND LOADING SPACE REQUIREMENTS – See Schedule 8.

5. SIGNS – See Schedule 2.

6. GARBAGE RECEPTACLES – See Schedule 4.

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

8. FENCING REQUIREMENTS – See Schedule 7.

9. LANDSCAPING STANDARDS – See Schedule 9.

10. TELECOMMUNICATION ANTENNA STRUCTURES – See Schedule 12.

INDUSTRIAL – I1

INTENT: This district is intended to provide for a broad range of industrial and storage uses. The location of individual uses will have regard to both the effect on adjacent uses and the ability to provide adequate services to the site.

1. PERMITTED USES

Accessory buildings
Accessory structure
Accessory use
Alternative energy, solar (wall and roof mounted)
Amusement facility
Animal care service, major
Auctioneering facility
Breweries, distilleries and wineries
Building supplies
Bulk fuel storage and sales
Business support services
Contractor, general
Contractor, limited
Equipment sales, rental and service
Farm supplies and service
Farm/industrial machinery sales, rental and service
Fitness centre
Food processing facility, minor
Garden centre
Greenhouse
Light fabrication shops
Light industrial
Manufactured home sales and service
Offices
Public utility
Recycling facility
Retail store
Retail store, large scale
Shipping container, permanent
Shipping container, temporary
Signs (in accordance with Schedule 2)
Truck transportation depot
Vehicle sales and service

DEVELOPMENT OFFICER DISCRETIONARY USES

Manufacturing and fabrication
Market garden
Mini-storage and self storage
Municipal works storage shops
Oilfield servicing operation
Retail cannabis store
Signs (in accordance with Schedule 2)
Storage yard
Tire business
Truck stop
Warehousing

DISCRETIONARY USES

Abattoir
Alternative energy, solar (ground mounted)
Alternative energy, wind
Aquaculture
Aquaponics
Auto body and paint shop
Cannabis production facility
Caretaker suite
Cryptocurrency mining
Food processing facility, major
Grain elevator
Intensive horticulture operations or facilities
Natural resource extractive uses
Salvage or waste disposal facility
Theatre, drive-in movie

2. MINIMUM LOT SIZE

	Width		Length		Area	
	m	ft.	m	ft.	m^2	sq. ft.
All uses	As required by the Development Authority				1,114.8	12,000

3. MINIMUM SETBACK DIMENSIONS

	Front		Side		Rear	
Use	m	ft.	m	ft.	m	ft.
All uses	9.1	30	6.1	20	6.1	20

4. SCREENING

The Development Authority shall prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials and other items.

5. SIGNS – See Schedule 2.

6. FENCING REQUIREMENTS – See Schedule 7.

7. PARKING AND LOADING SPACE REQUIREMENTS – See Schedule 8.

8. LANDSCAPING STANDARDS – See Schedule 9.

9. SHIPPING CONTAINER REGULATIONS – See Schedule 11.

10. TELECOMMUNICATION ANTENNA STRUCTURES – See Schedule 12.

11. CANNABIS REGULATION – See Schedule 14.

SERVICE INDUSTRIAL – I2

INTENT: This district is intended to provide for uses that are light industrial in nature and may allow for transition between more intensive industrial and other uses.

1. PERMITTED USES

- Accessory buildings
- Accessory structure
- Accessory use
- Alternative energy, solar (wall and roof mounted)
- Amusement facility
- Animal care service, minor
- Auctioneering facility
- Breweries, distilleries and wineries
- Business support services
- Contractor, limited
- Equipment sales, rental and service
- Farm/industrial machinery sales, rental and service
- Fitness centre
- Garden centre
- Office
- Retail store
- Shipping container, permanent
- Shipping container, temporary
- Signs (in accordance with Schedule 2)
- Vehicle sales and service
- Warehousing

DEVELOPMENT OFFICER DISCRETIONARY USES

- Contractor, general
- Food processing facility, minor
- Greenhouse
- Light fabrication shops
- Light industrial
- Market garden
- Mini-storage and self storage
- Public utility
- Retail cannabis store
- Retail store, large scale
- Service station
- Signs (in accordance with Schedule 2)
- Storage yard
- Tire business
- Truck stop
- Vehicle sales and rental

DISCRETIONARY USES

- Alternative energy, solar (ground mounted)
- Alternative energy, wind
- Animal care service, major
- Aquaculture
- Aquaponics
- Auto body and paint shop
- Car wash
- Caretaker suite
- Cryptocurrency mining
- Theatre, drive-in movie

2. MINIMUM LOT SIZE

	Width		Length		Area	
	m	ft.	m	ft.	m^2	sq. ft.
All uses	30.5	100	45.7	150	1,393.5	15,000

3. MINIMUM SETBACK DIMENSIONS

	Front		Side		Rear	
Use	m	ft.	m	ft.	m	ft.
All uses	9.1	30	6.1	20	6.1	20

4. ACCESS

Access, wherever possible, shall be from service roads onto Highway 2. Access points onto service roads shall be approved by the Municipal Planning Commission.

5. SCREENING

The Development Authority shall prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials and other items.

6. SIGNS – See Schedule 2.

7. STANDARDS OF DEVELOPMENT – See Schedule 4.

8. FENCING REQUIREMENTS – See Schedule 7.

9. PARKING AND LOADING SPACE REQUIREMENTS – See Schedule 8.

10. LANDSCAPING STANDARDS – See Schedule 9.

11. SHIPPING CONTAINER REGULATIONS – See Schedule 11.

12. TELECOMMUNICATION ANTENNA STRUCTURES – See Schedule 12.

13. CANNABIS REGULATION – See Schedule 14.



PUBLIC – P

INTENT: This district is intended to provide for institutional, public and semi-public uses which are compatible with each other and with adjoining uses.

1. PERMITTED USES

Accessory buildings
Accessory structure
Accessory use
Alternative energy, solar (wall and roof mounted)
Cultural facility
Place of worship
Public and Institutional
Public open space
Public park or recreation
Public recreation area or building
Shipping container, temporary
Signs (in accordance with Schedule 2)

DEVELOPMENT OFFICER DISCRETIONARY USES

Assisted living
Day/child care facility
Shipping container, permanent
Signs (in accordance with Schedule 2)

DISCRETIONARY USES

Alternative energy, solar (ground mounted)
Campground, private or public
Cemetery
Exhibition Centre
Golf course
Hospital
Outdoor recreation facility
Private recreation facility

2. MINIMUM LOT SIZE

As required by the Development Authority.

3. MINIMUM SETBACK DIMENSIONS

As required by the Development Authority.

4. MAXIMUM HEIGHT OF PRINCIPAL BUILDINGS

As required by the Development Authority.

5. STANDARDS OF DEVELOPMENT – See Schedule 4.

6. FENCING REQUIREMENTS – See Schedule 7.

7. OFF-STREET PARKING AND LOADING SPACE – See Schedule 8.

8. LANDSCAPING STANDARDS – See Schedule 9.

9. TELECOMMUNICATION ANTENNA STRUCTURES – See Schedule 12.

AGRICULTURAL / TRANSITIONAL – A/T

INTENT: This district is intended to ensure lots typically on the periphery of existing developments are allowed limited uses and maintain parcels of larger sizes to give maximum flexibility for use and development when the land is required for urban development.

1. PERMITTED USES

Additions, maintenance, and replacement of existing dwellings*
Alternative energy, solar (wall and roof mounted)
Extensive agriculture
Home occupation 1
Market garden
Shipping container, temporary
Signs (in accordance with Schedule 2)

DEVELOPMENT OFFICER DISCRETIONARY USES

Farm buildings
Signs (in accordance with Schedule 2)

DISCRETIONARY USES

Alternative energy, solar (ground mounted)
Campground
Home occupation 2
Intensive horticultural operations or facilities
Public park or recreation

* Existing dwellings that were legally in existence at the time of annexation.

2. MINIMUM LOT SIZE

64.8 hectares (160 acres) or area of existing titles.

3. MINIMUM SETBACK DIMENSIONS

As required by the Development Authority.

4. MAXIMUM PERCENTAGE OF LOT COVERAGE

As required by the Development Authority.

5. MAXIMUM HEIGHT OF BUILDINGS

As required by the Development Authority.

6. SIGNS – See Schedule 2.

7. GARBAGE RECEPTACLES – See Schedule 4.

8. FENCING REQUIREMENTS – See Schedule 7.

9. PARKING AND LOADING SPACE REQUIREMENTS – See Schedule 8.

10. LANDSCAPING STANDARDS – See Schedule 9.

11. HOME OCCUPATIONS – See Schedule 10.

12. TELECOMMUNICATION ANTENNA STRUCTURES – See Schedule 12.



DIRECT CONTROL – DC

INTENT: To provide a means whereby Council may regulate and control the use, Development or Subdivision of land or buildings within a specific area of the municipality where the circumstances relating to the development or subdivision of a site are such that regulation and control by use of the other Land Use Districts in this Bylaw is inadequate considering long-range planning goals and the greater public interest.

1. PERMITTED USES **DISCRETIONARY USES**

As prescribed by Council.

2. MINIMUM LOT SIZE

As required by Council.

3. MINIMUM SETBACK DIMENSIONS

As required by Council.

4. SIGNS

As required by Council with regard to Schedule 2.

5. STANDARDS OF DEVELOPMENT

As required by Council with regard to Schedule 4.

6. FENCING REQUIREMENTS

As required by Council with regard to Schedule 7.

7. PARKING AND LOADING SPACE REQUIREMENTS

As required by Council with regard to Schedule 8.

8. LANDSCAPING

As required by Council with regard to Schedule 9.



Schedule 2

SIGNS

Schedule 2

SIGNS

1. PURPOSE AND SCOPE

The purpose of this Schedule is to create the legal framework for a comprehensive and balanced system of sign regulation that will provide an easy and pleasant communication between people and their environment, and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. With these purposes in mind, it is the intent of this Schedule to authorize the use of signs that:

A. Promote the health, safety and general welfare of visitors and citizens of the town and preserve and enhance property values.

B. Encourage a positive business atmosphere.

C. To promote and accomplish the goals, policies and objectives of the Town of Claresholm's Municipal Development Plan.

D. Promote aesthetically pleasing and compatible signage which implements the land use bylaw of the town.

E. Provide for consistent and fair application and enforcement of the regulations pertaining to signs.

F. The regulations of this Schedule shall apply on all public and private lands.

G. It is not the intent of this Schedule to interfere or conflict with legally existing private restrictions, covenants, agreements or easements unless they are less restrictive than required by this Schedule.

2. DEFINITIONS

For the purpose of the Land Use Bylaw and this Schedule, the following definitions apply:

A-Board means a 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.

Awning means a fixed, folding or collapsible covering supported by a frame extending outward from a building to provide shelter from sun or rain. See Canopy sign.

Banner means a temporary sign of light weight material intended to be secured to the flat surface of a building, at the top and the bottom on all corners, excluding official flags and emblems.

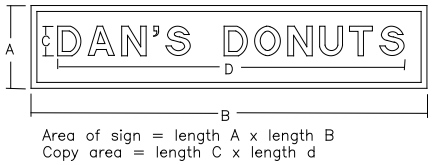
Billboard means a freestanding sign exceeding 300 sq. ft which is supported by one or more poles, uprights or braces, in the ground that is designed for changeable messages which advertise or direct attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than on the premises upon which the sign is located or to impart a public service message.



Canopy Sign means a projecting sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.

Construction Company Sign means a temporary sign identifying the contractor, architect, designer or other affiliated organization responsible for the construction of a new project.

Display Surface 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.



Electronic Display means sign copy displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light-emitting diode displays, or any other similar electronic technology.

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.

Footing means a sign which is supported by one or more poles, uprights or braces, in or upon the ground, which are not part of a building other than poles or pylon signs.

Freestanding Sign means a sign supported independently of a building, wall, or other structure by way of columns, uprights, braces, masts or poles mounted in or upon grade

Frontage means the front lot line and the side of a lot abutting a public roadway. Frontage does not include any side of a lot abutting a lane unless the lane is the only means of physical access.

Letter sign means a facia type sign whereby individual letters are mounted on the wall or fascia of a building.

Lot Line means the divisional line between any two or more lots or between any lot and a road, street or lane.

Marquee or Canopy means a solid projection extending horizontally from the face of a building between the first and second storey thereof, over a niche or entrance. See Canopy sign.

Monument Sign means a freestanding identification, advertising or business sign which is supported by a pole(s) or base having a combined width(s) greater than two feet (2') which is mounted permanently in the ground.

Multi-Tenant Sign means any freestanding sign that contains sign content that advertises more than one tenant or business.

Mural Sign means a painting or other decorative work applied to and made integral with an outside wall surface of a building.

Off Premises Sign means a sign indicating the availability of goods or services at a location other than the location of the sign.

Overhanging means that which projects over any part of any street, lane or other Town property.

Parapet means a low retaining wall at the edge of a roof, porch or terrace.

Portable Sign means a sign that is not permanently affixed to a building, structure or the ground and is supported on a structure allowing it to be readily moved from one location to another.

Primary Sign means a sign advertising the primary use of the premises.

Projection means the distance by which a sign extends over public property or beyond the property line.

Projecting Sign means a sign other than a wall sign suspended from or supported by a building or steel column and projecting out there from.

Pylon or Pole Sign means a freestanding sign supported by or suspended from a column or columns of structural steel, pipe or poles.

Roof Sign means a projecting sign erected upon or above a roof or parapet of a building.

Secondary Sign means any sign advertising or otherwise related to an occupation or use that is not the primary use of the premises.

Shingle sign means a small projecting sign, which is either suspended from an overhang, canopy, marquee or awning, or is suspended from a mounting attached directly to the building wall. Shingle signs are generally placed perpendicular to the face of a building.

Sign means every sign that includes any announcement, declaration, demonstration, display, illustration or insignia, used to advertise or promote the interests of any person when the same is placed out of doors in view of the general public.

Snipe sign means any sign of any size, made of any material, including paper, cardboard, wood and metal, when such sign is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, fences or other objects, and the advertising matter appearing thereon is not applicable to the premises upon which said sign is located.

Structure means supports, uprights, bracing and framework for the sign or outdoor display.

Temporary Sign means any sign permitted, designed or intended to be displayed for a short period of time, including balloon signs, developer marketing signs, land use classification signs, construction signs, political signs, banner signs, feather flags or any other sign that is not permanently attached to a building, structure or the ground.



Wall Sign means a fascia sign attached to or erected against the wall of a building with the exposed display surface of the sign in a plane approximately parallel to the plane of the said wall.

3. PROHIBITED SIGNS

(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.

(b) In any residential district, signs that employ animation or changeable content as the projection style are prohibited.

(c) Any signs located within the public right-of-way or on public property, except for signs approved by the Town of Claresholm, which may include: electoral signs, canopy signs, shingle signs, fascia signs and temporary signs or signs approved by the Province of Alberta or Federal Government.

(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 twenty-four (24) hours.

(e) Any sign which has not obtained a development permit or any sign which has not been deemed exempt from the requirement of obtaining a development permit as per this sign schedule (see Section 4 – Signs Not Requiring a Permit).

(f) No sign shall be located or placed in such a manner that, in the opinion of the Development Authority, will create a potential hazard or conflict with rights-of-way, easements or the routing of any public utility, and will not create a traffic hazard or obstruct the public's view of any other signage.

(g) Billboard signs are not permitted in the Town of Claresholm.

4. SIGNS NOT REQUIRING A PERMIT

No Development – Sign Permit is required for the following types of signs:

(a) construction company signs, provided such signs are removed within 14 days of the completion of construction;

(b) signs on municipal buildings or structures;

(c) Canadian federal, provincial, and municipal political posters, provided all such signage is removed within 14 days after the completion of the relevant election or plebiscite;

(d) a single temporary real estate sign located on the subject property, provided all such signage is removed within 30 days after the sale or lease of the premises;

(e) residency identification signs, provided the sign is no greater than 0.2 m² (2 sq. ft.) in area;

(f) garage sale signs, provided the owner of the property upon which the sign is located has approved its placement and that the sign is removed immediately upon the conclusion of the sale. These signs shall not be displayed for more than 48 hours in a given week;



(g) on-premises directional and informational signage and incidental signs, 0.2 m² (2 sq. ft.) or less in display surface;

(h) any traffic or directional and informational signage erected by the Town of Claresholm, the Alberta Government or the Federal Government;

(i) any community service bulletin board erected by the Town of Claresholm and any notices posted on the bulletin board;

(j) any window sign posted on the interior of the premises provided that no more than fifty percent (50%) of the window area is covered;

(k) home occupation signs as provided in Schedule 10;

(l) neon or placard signs which indicate 'Open' or 'Closed' within commercial, public or industrial districts;

(m) shingle signs that meet the provisions of this schedule and are part of the Town's Shingle Signage Program;

(n) 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;

(o) one A-board sign per business is permitted subject to the following requirements:

(i) shall not exceed 0.6 m (2 ft) in width and 1 m (3.3 ft) in sign height;

(ii) shall not impede the safe movement of pedestrian traffic or block a fire exit or doorways;

(iii) shall be removed at the end of the business day;

(iv) shall not be illuminated;

(v) shall be located immediately in front of the business; except where the business has no street frontage and the primary entrance is in a rear lane, then the sign may be placed on the nearest street frontage, and

(vi) real estate A-board signs provided they are removed within 24 hours of the open house.



(p) banner signs which are displayed for a period on time not exceeding 90 days and are do not exceed 4.64 m² (50 sq. ft) of display surface.

provided all such signage is suitably maintained to the satisfaction of the Development Authority.

5. SIGN PERMIT REQUIREMENTS

(1) Unless otherwise specified, a Development Permit application is required for all signs. Application is made using Appendix A: Development - Sign Permit, unless specifically exempt under Section 4, Signs Not Requiring a Permit of this schedule.

(2) Should the sign permit request also require a building permit for structural, electrical or footing components, the construction related details necessary for a building permit application must be submitted.

(3) New Permanent sign applications including sign criteria shall be submitted for review by the Development Officer for proposed developments at the time of the development permit review. Sign permits will not be issued for proposed developments until the sign plan or criteria are approved. Sign requests made subsequent to development permit approval shall be reviewed and approved by the Development Officer for compliance with the approved plan.

(4) Changes to Existing sign permit applications for new or replacement signage which alters an existing sign shall be reviewed by the Development Officer:

(i) for compliance with this schedule; and

(ii) in compliance with the original sign plan and criteria for the development as approved by the Development Authority. If no sign plan or sign criteria were approved for the development, the proposed signage must comply with this schedule.

(5) Temporary Sign Permits for temporary signs shall be submitted to and reviewed by the Development Officer for compliance with this schedule.



Procedure

Signs shall only be allowed in land use districts where listed as a permitted or discretionary use and are limited to the following sign types:

“P” indicates that the sign type is classified as a permitted use within the respective land use district.

“D” indicates that the use is classified as a discretionary use within the respective land use district.

“DO” indicates that the use is classified as development officer discretionary use within the respective land use district.

A blank cell indicates that the sign type is prohibited within the respective land use district.

Sign Type - Subtype	Land Use District					Use Specific Standards
	R1 thru R6	C1-C3	I1- I2	P	A/T	
Freestanding sign	D[Note1]	P	P	P		Section 10
-Monument sign	D[Note1]	P	P	P		Section 10
-Multi-tenant		DO	DO	DO		Section 10.1
Fascia & wall sign	D [Note1]	P	P	P	DO	Section 11
-Mural sign	D [Note1]	DO	DO	DO		Section 11.2
-window sign	P [Note1]	P	P	P	P	Section 4 & 11.1
Projecting sign	D [Note1]	DO	DO	DO	DO	Section 9
-Shingle sign	P [Note1]	P	P	P	P	Section 9.3
-Roof sign		DO	DO	DO		Section 9.2
-Canopy	D [Note1]	P	P	P		Section 9.1
Portable Sign		P	P	P		Section 4 & 8.1
Directional, Informational, Identification Sign	P [Note1]	P	P	DO		Section 4
Electronic Display	Any sign type utilizing electronic display is prohibited, except in the C1, C2, C3, I1, I2 and P districts where they will be processed as development officer discretionary uses. The luminosity, transition time, proximity to residential uses, operational times, etc. are at the discretion of the Development Authority and may be regulated as a condition of approval per Section 14.					
Off-premise Sign	Off-premise signs are in accordance with the sign type above and Section 7.					
Temporary Signs	For temporary signs which comply with Section 8, the Development Officer may issue a temporary development permit as a permitted use.					
Home Occupation Sign	Home occupation signs are regulated under Schedule 10 of this bylaw and section 4 of this schedule.					
Master Sign Plan	When an applicant exceeds the number of allowable signs per frontage in Section 6, they may apply for a master sign plan permit as a development officer discretionary use under Section 13.					
Note 1	Restricted to signage associated with approved community facilities, nursing homes, places of worship, senior citizen housing, manufactured home parks, market gardens, group home, assisted living, and the following residential uses: boarding houses, multi-unit dwellings, townhouse/row housing, apartment where classified as a permitted, development officer discretionary use or discretionary use in the respective district.					



6. GENERAL STANDARDS FOR SIGNS

The following regulations shall be applied to all signs:

(a) All signs shall, in the opinion of the Development Authority, be of quality construction and of a design suitable for public display.

(b) All signs shall be maintained in good repair and a safe and tidy manner to the satisfaction of the Development Authority.

(c) The source of light for any illuminated sign shall be steady and suitably shielded to the satisfaction of the Development Authority.

(d) Signs may locate within the setback requirement of a Land Use District if it does not interfere with visibility at an intersection (See Schedule 4) and complies with other requirements of this sign schedule.

(e) Unless otherwise specified in this schedule, the maximum number of primary signs permitted on a non-residential lot with single frontage is three and with two (2) or more frontages, five. These primary signs may consist of the following types of signage or a combination thereof:

i. freestanding,

ii. existing projecting and overhanging,

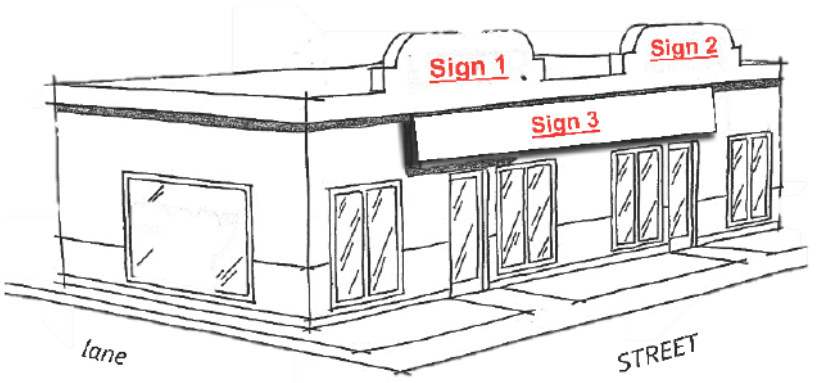
iii. fascia and wall,

except as provided under Section 10.1, Multi-Tenant Signs or Section 13, Master Sign Plans.

(f) As depicted below, the maximum display surface of all signs not including portable signs or signs exempted under Section 4 that may be located on a lot with a single frontage is 18.6 m² (200 sq. ft.) and with two (2) or more frontages is 27.9 m² (300 sq. ft.) except as provided under Section 10.1, Multi-Tenant Signs or Section 13, Master Sign Plans.

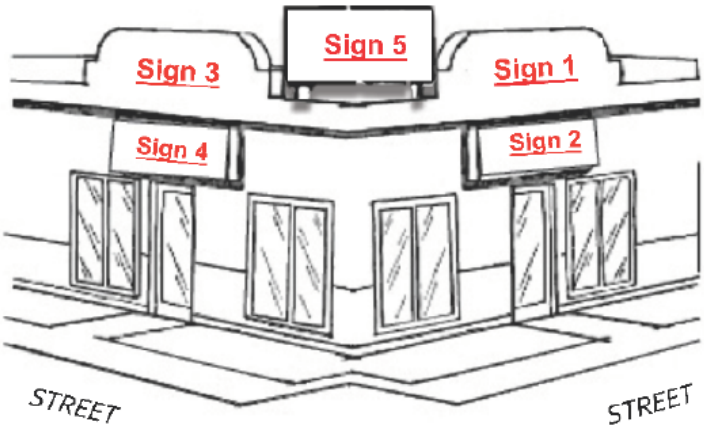
SINGLE FRONTAGE

[Sign 1 Area] + [Sign 2 Area] + [Sign 3 Area] ≤ 18.6m² (200 sq ft.)



TWO (OR MORE) FRONTAGES

[Sign 1 Area] + [Sign 2 Area] + [Sign 3 Area] + [Sign 4 Area] + [Sign 5 Area] ≤ 27.87m^2 (300 sq ft.)



(g) All signage wording shall be submitted and approved by the Development Authority and a design suitable for public display.

(h) The designated officer is satisfied that any political posters, real estate signs, third-party signs or other signage located on a boulevard have not been objected to by any residents or landowners adjacent to said boulevard.

7. OFF-PREMISES SIGNS

(a) The display surface of any third party and off-premises signage visible from a roadway shall not exceed:

i. 2.3 m² (25.0 sq. ft.) where the speed limit is no greater than 50 km per hour; and

ii. 4.6 m² (50.0 sq. ft.) where the speed limit is greater than 50 km per hour but not greater than 70 km per hour.

(b) Off-premises signs shall only identify businesses or services licensed to operate in the Town of Claresholm, charitable organizations or service clubs.

(c) All third-party and off-premises signage shall comply with all other provisions of this Bylaw unless specifically exempted.

(d) A separation distance of 152.4 m (500.0 ft.) shall be maintained between off-premises freestanding signs of any type.

(e) Any sign appearing on street furniture, such as benches or garbage containers, that are located on public land must obtain an agreement with Council and then obtain a Development – Sign Permit from the Development Authority.

8. TEMPORARY SIGNS

(a) A Development - Sign Permit for a temporary sign will be valid for a period of no longer than 90 days unless specified differently in Section 4.

(b) No temporary signs shall be suspended on or between support columns of any freestanding sign.

(c) No posters or snipe signs shall be placed on any public utility structure, on town street signs or equipment such as a power pole.

8.1 PORTABLE SIGNS

(a) The display surface of a portable sign shall not exceed 4.6 m² (50.0 sq. ft.).

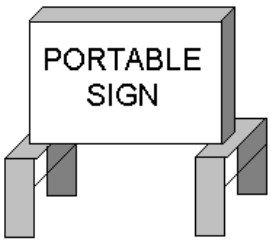
(b) No more than one portable sign per frontage or where there are two (2) or more frontages, a total of two (2) portable signs may be located on a single lot or premises, except in a designated tourism signage area where more than two (2) portable signs may be located at the discretion of the designated officer or the Development Authority.

(c) Any sign appearing on street furniture, such as benches or garbage containers, that are located on private property shall require a Development – Sign permit.

(d) No portable sign shall extend or project into any public place or beyond the boundaries of the lot or premises upon which it is sited without the approval of the designated officer or the Development Authority.

(e) Portable signs may be off-premises signs under Section 7, Off-Premises Signs.

(f) The designated officer or Development Authority must approve the location of the portable sign on the premises having regard for location of power supply, parking pattern on the site or other site constraints.



9. PROJECTING SIGNS

(a) Approval of any projecting sign or canopy signage overhanging public land under the sign schedule is conditional upon the owners and/or occupiers of the premises upon which said sign is located providing to the Town of Claresholm a written waiver of liability as authorized by Council or an indemnification agreement for any injury or damage resulting from said sign.

(b) Projecting or canopy signs shall have a minimum vertical clearance of 2.4 m (8 ft.) measured between the lower sign edge and grade.

(c) A projecting sign shall not extend horizontally more than 2.0 m (6.5 ft.) from a structure or building face or extend within 0.9 m (3 ft.) of the edge of a curb or a roadway.

(d) The maximum allowable height for a projecting sign excluding roof signs, measured from the top of the sign to grade, shall not exceed the lesser of:

(i) the height of the eave line or roof line,

(ii) 6.0 m (20 ft.),

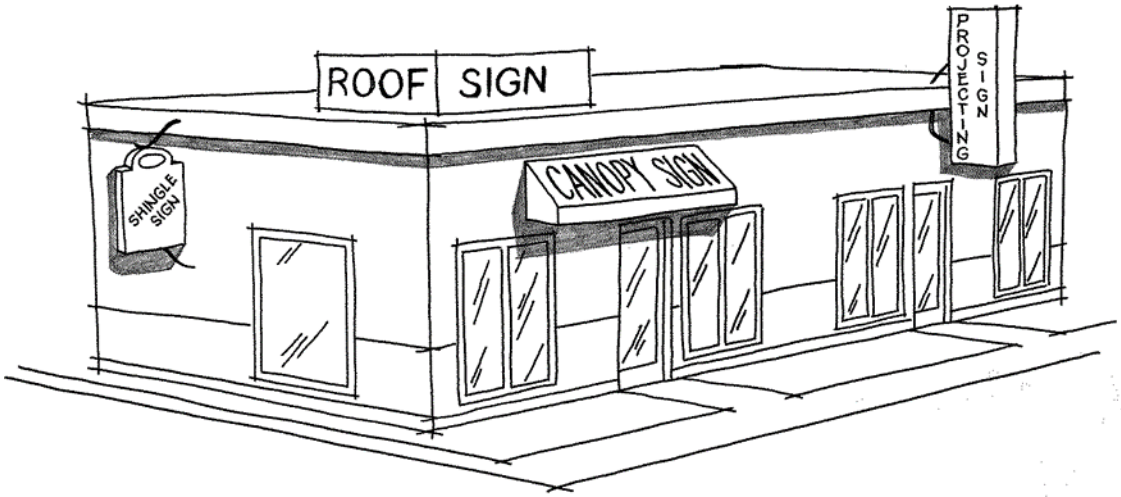
(iii) or to the satisfaction of the Municipal Planning Commission.

(e) One projecting sign per business area may be allowed provided the maximum sign content area does not exceed that required under Section 6 or as exempted in Section 4.

9.1 CANOPY SIGNS

(a) The display surface of a canopy sign shall not exceed 9.3 m² (100.0 sq. ft.).

(b) No more than one canopy sign per frontage or, where there are two (2) or more frontages, a total of two (2) such signs may be located on a single lot or premises, where more than one tenant occupies the premises (see Section 10.1, Multi-Tenant Signs).



9.2 ROOF SIGNS

The Development Authority may approve the erection of a roof sign subject to the following:

(a) Where the roof sign display surfaces are back-to-back in a common structure, it shall be construed to be a single sign.

(b) Every roof sign shall be erected in such a manner that the support structure, guy wires, braces, and all other secondary supports are not visible, so that the roof sign appears to be an architectural component of the building, unless otherwise directed by the Development Authority.

(c) No roof sign shall extend beyond the ends or sides of the building.

(d) The maximum height shall be 7.5 m above the roof or parapet.

9.3 SHINGLE SIGNS

(a) In general, all forms of projecting signs are discouraged and most are prohibited. However, there is a narrow class of projecting graphic signs, called the shingle sign, which is deemed to be a desirable balance of sign function and high aesthetic standards.

(b) The use of aluminium, metal, painted wood or material closely simulating painted wood with a black support frame is preferred for shingle signs. Letters may be used only to announce the name of the business conducted and the

principal classification and brand of goods sold or service offered on the premises.

(c) A shingle sign is subject to the following limitations:

1. It may not be attached to a structure other than a building;
2. It may not project more than 36 inches from the surface of the building to which it is attached;
3. It may not contain more than a total of five square feet of display surface, excluding the supporting structure;
4. It may be only as high as the eave line of the building surface to which it is attached or 11 feet above grade, whichever is lower;
5. It may not be lower than seven and one-half feet;
6. It may not be internally illuminated;
7. It may not be more than four inches or less than one-half inch thick, except as reasonably required in connection with some graphic element of the sign;
8. The total wall sign display area otherwise permitted shall be reduced by the display area, excluding the supporting structure, of the shingle sign approved;
9. Only one shingle sign may be approved for installation on a single frontage of a premises;
10. No shingle sign may be approved for a premises for which a freestanding sign permit is outstanding.

(d) An application for a shingle sign may not be approved except upon the following written findings;

1. The sign is reasonably required for and assists in the identification of the premises by persons in motor vehicles or by pedestrians approaching along public streets or open spaces; and
2. The sign will have no garish or obtrusive qualities, and embodies strong elements of quality graphic design; and
3. Neither the supporting structure nor the proposed external lighting will materially detract from the design qualities of the sign or building; and
4. The sign will comply with the specific criteria of subsection (b) of this section and the limitations of subsection (c) of this section.

10. FREESTANDING SIGNS

(a) No more than one freestanding sign per frontage or a total of two (2) freestanding signs shall be located on a single lot or premises with two (2) or more frontages.

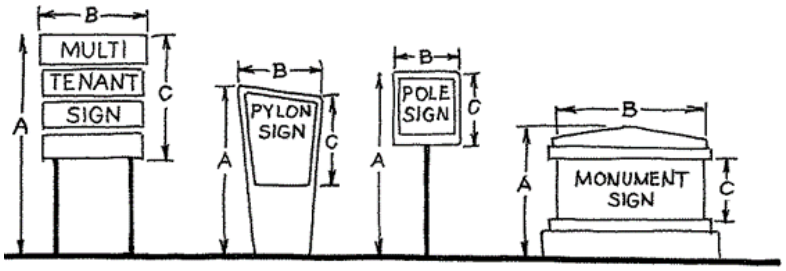
(b) No freestanding sign shall exceed 9.1m (30 ft.) in height. No monument sign shall exceed 1.2m (4ft.) in height.

(c) All freestanding or monument signs shall be completely located on the same lot as the use being advertised, with the exception of off-premises signage approved in accordance with the provisions of this sign schedule.

(d) With the exception of directional and informational signage, any part of a freestanding sign that extends beyond the support column or between two (2) support columns shall be 2.7 m (9 ft.) above ground or sidewalk grade.



(e) No temporary signs shall be suspended on or between support columns of any freestanding sign.



10.1 MULTI-TENANT SIGNS

(a) A maximum of one secondary sign per business or service is permitted.

(b) The display surface of all secondary signs shall not exceed 20 percent of the maximum allowable display surface for the principal signage.

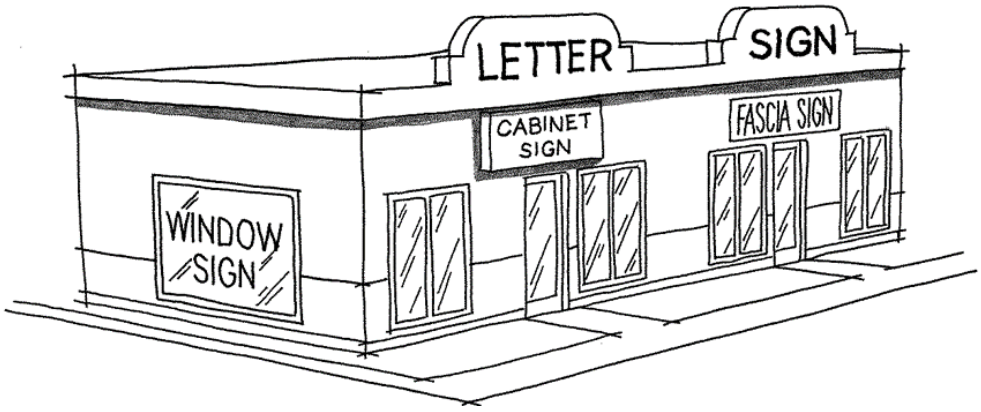
(c) For the purpose of calculations contained in Section 5, General Standards for Signs, secondary signs shall not be included.

11. FASCIA AND WALL SIGNS

(a) No more than one fascia or wall sign per frontage or where there are two (2) or more frontages, a total of two (2) such signs may be permitted.

(b) The display surface of a fascia or wall sign for a commercial or industrial use shall not exceed 9.3 m² (100 sq. ft.).

(c) Whenever there is a band of several fascia or wall signs, they should be of a consistent size and located near the same level as other similar signage on the premises and adjacent buildings.



11.1 WINDOW SIGNS

Window signs are not included in the calculations contained in Section 6, General Standards for Signs (see Section 4, Signs Not Requiring a Permit).

11.2 MURAL SIGNS

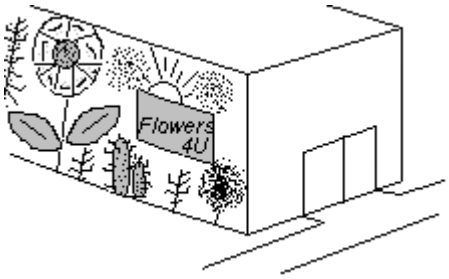
(a) No more than one mural sign shall be allowed per commercial building unless specifically authorized by the Development Authority.

(b) The location, theme, construction materials and size associated with the mural shall be to the satisfaction of the Development Authority.

(c) 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.

(d) Display of text, including a business name or commercial message, within a mural shall not exceed 10 percent coverage of the wall surface area, up to a maximum coverage size of 100 sq. ft.

Mural Sign



12. OTHER SIGNS

When a sign cannot be clearly categorized as one of the sign types as defined in this bylaw, the Development Authority shall determine the sign type and any and all applicable controls.

13. MASTER SIGN PLANS

(a) A Master Sign Plan is intended to promote consistency among signs within a development and enhance the compatibility of signs with the architectural and site design features.

(b) A Master Sign Plan shall be required for all multi-tenant developments in the commercial or industrial districts. A Master Sign Plan shall be filed and approved prior to the erection, location or placement of any sign for such project or development.

(c) A Master Sign Plan shall be required for any proposal requesting additional signage in all commercial, public and industrial districts. Upon reviewing applications in the Retail Commercial – C1 district.

(d) A Master Sign Plan is encouraged to be submitted by an owner for any other project or development not listed in subsection (b), above, but which will include multiple signs.

(e) An approved Master Sign Plan shall be retained in the town office as part of the file for the development.

(f) A Master Sign Plan, which accurately depicts and provides valid reasons to support the suitability of the proposed signs, shall include:

(i) the proposed locations for freestanding signs on a lot as well as the proposed location(s) for building signs on a building façade;

(ii) an indication of the types of all signs proposed;

(iii) a listing of the materials and finishes proposed for all sign structures and sign surfaces;

(iv) the maximum number and maximum size of proposed signs using calculations consistent with the requirements of this schedule;

(v) the proposed style and colour pallet for all signs including letter colours, background colours, and text font;

(vi) the type of illumination, if any, proposed for all signs;

(vii) a description and drawing of any structure other than a building upon which a sign is proposed to be placed;

(viii) a typical landscape plan for any proposed freestanding signs; and

(iv) any such other information as may be required by the Development Officer or Municipal Planning Commission to evaluate an application including but not limited to: conceptual design schemes, landscaping plans or Real Property Report.

(g) Prior to the issuance of a development permit for the placement of a sign, all proposed sign plans shall be reviewed for conformity with the Master Sign Plan and all applicable provisions of this schedule. If a proposed sign conforms to the regulations of the schedule and the guidelines of the approved Master Sign Plan, such sign shall be authorized. No sign which does not conform to the guidelines of a Master Sign Plan and this schedule shall be erected, located or placed on a property.

(h) A Master Sign Plan may be amended by submitting a Revised Master Sign Plan for consideration. Upon approval of a Revised Master Sign Plan, the Revised Master Sign Plan shall have the same force and effect as an approved Master Sign Plan.

(i) For multi-tenant developments which were approved or developed prior to the effective date of this bylaw, the development authority may review new applications for individual freestanding signs or building signs for consistency with other signs within the project.

14. ELECTRONIC DISPLAY SPECIFICATIONS

All electronic display signs adjacent to Highway 2 and 520 require a permit from Alberta Transportation and the Town of Claresholm. The following are provided as Town preferred specifications which may be overridden by Alberta Transportation requirements.

(a) Electronic Display content must remain in place unchanged for a minimum of 6.0 seconds before switching to new content. If the sign is visible in a residential district or adjacent to Highway 2 and 520 a minimum of 60.0 seconds will be required.

(b) The maximum transition time between each different Electronic Display on a sign is 0.1 seconds.

(c) The transition between each Electronic Display must not involve any visible effects, including but not limited to action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.

(d) Electronic Display content must not include full motion video, movies, Moving Picture Experts Group (MPEG) or any other non-static digital format and the content must not be displayed using any visible effects, including but not limited to: action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.



(e) A sign featuring Electronic Display must be equipped with a functioning ambient light sensor and must be set to operate so as not to exceed the following limits at all times when the Electronic Display feature is functioning, as measured from the sign face at its maximum brightness:

(i) A maximum of 5,000 nits from sunrise to sunset, as those times are established by the sunrise/sunset calculator of the National Research Council of Canada;

(ii) A maximum of 300 nits from sunset to sunrise as those times are established determined by the sunrise/sunset calculator of the National Research Council of Canada;

(iii) the light levels around the Electronic Display must not at any time exceed the ambient light level by more than 5.0 LUX.

(f) If a Development Authority determines that the brightness or light level of an Electronic Display exceeds the limits set out in subsection (e) of this Section, the Development Authority may direct the Development Permit holder to change the settings in order to bring the Electronic Display into compliance with this Bylaw.

(g) If any component of an Electronic Display fails or malfunctions such that the Electronic Display is no longer operating in compliance with this Bylaw or with the conditions of a Development Permit, the Development Permit holder must ensure that the Electronic Display is turned off until all components are fixed and operating in compliance.

(h) The Development Permit holder for a sign featuring an Electronic Display must ensure that a Development Authority is at all times in possession of the name and telephone contact information of a person(s) having access to the technology controls for the sign, who can be contacted 24 hours a day if the sign malfunctions.



15. FEES

The fee payable for a Development – Sign Application Permit shall be per the Town of Claresholm Fees Policy.

16. ENFORCEMENT

The Development Officer or his designate or any other person appointed by Council shall be authorized to enforce all provisions of this Schedule. See the Enforcement section of this Bylaw.

17. SIGN PERMIT VALIDITY

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

18. APPEAL

Denied applications may be appealed to the Subdivision and Development Appeal Board in accordance with section 56 of this bylaw.

Schedule 3

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

Schedule 3

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

1. The following developments shall not require a development permit:
   (a) any use or development exempted under section 618(1) of the Act;
   (b) any use or development exempted by the Lieutenant Governor in Council pursuant to section 618(4) of the Act;
   (c) telecommunication antenna systems that are regulated by Innovation, Science and Economic Development (ISED) Canada subject to Schedule 12 – Telecommunication Antenna Siting Protocol;
   (d) 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;
   (e) the completion of a building that did not require a development permit under the previous Land Use Bylaw and which was lawfully under construction provided the building is completed within 12 months from the date this bylaw came into effect.

2. The following developments do not require a development permit as long as they **comply with all other provisions of this bylaw**:
   (a) the maintenance or repair of any building provided that the work does not include structural alterations or additions;
   (b) interior renovations to a building which do not:
      i. create another dwelling unit,
      ii. increase parking requirements, or
      iii. result in the change of use of a building;
   (c) 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;
   (d) 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;
   (e) a maximum of two (2) accessory building placed on a lot which are 9.3 m^2 (100 sq. ft.) or less in area that are not on a permanent foundation or soft covered/tarpaulin structures having an area not more than 9.3 m^2 (100 sq. ft.) or less in area either may be placed a minimum of 0.6 m (2 ft.) from a side or rear lot line;
   (f) in all districts the erection, maintenance or alteration of a fence, gate, wall, hedge or other means of enclosure that does not exceed 0.9 m (3 ft.) in height in any front or secondary front yard, and 1.8 m (6 ft.) in height in any rear or side yard (see Schedule 7);
   (g) in the Industrial land use districts, the erection, maintenance or alteration of a fence, gate, wall hedge, or other means of enclosure that does not exceed 2.4 m (8 ft.) in height in any rear or side yard (see Schedule 7);



(h) landscaping that was not required as part of the original development permit;

(i) any sign listed in Schedule 2 Section 4;

(j) any satellite dish less than 0.9 m (3 ft.) in diameter;

(k) flag poles 25 feet or less in height;

(l) temporary outdoor swimming pools and above ground hot tubs;

(m) private babysitting;

(n) any residential hard surfaced or gravel driveways, parking pads not supporting a garage or carport, walkways, and/or paving stones to a maximum of 25 percent of the lot surface area that was not required as part of the original Development Permit;

(o) 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 Claresholm;

(p) the construction of uncovered decks or patios less than 0.6 m (2 ft.) in height to ground level; and

(q) a Tourist home within the residential districts where a business license has been obtained.

If there is a doubt to whether a development is of a kind listed above, the matter shall be decided by the Municipal Planning Commission.



Schedule 4

STANDARDS OF DEVELOPMENT

Schedule 4

STANDARDS OF DEVELOPMENT

PURPOSE: To ensure that proposed developments do not unduly interfere with the visual aesthetics, neighbourhood amenities or affect the use, enjoyment or value of neighbouring properties.

1. QUALITY OF DEVELOPMENT

The Development Authority may impose reasonable conditions on development applications if doing so will serve to improve the quality of any proposed development within any land use district.

Where the requirements of this bylaw are at variance with the requirements of any other lawfully adopted rules, regulations, bylaws, deed restrictions or covenants, the most restrictive or that imposing the higher standards shall govern.

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 to such building of water, electric power, sewage, street access or other services or facilities, or any of them, including the payment of costs of installing any such service or facility.

2. REDUCED LOT AREA AND DIMENSION

The Municipal Planning Commission may approve a development on an existing registered lot where the minimum dimensions or area of which are less than those specified in Schedule 1. The minimum area shall not be less than 232.3 m^2 (2,500 sq. ft.).

3. LOTS GENERALLY

A. Dimensions, Generally: The lot standards provided in this schedule shall apply in each zoning district in which such uses are permitted. In the event that standards identified in this schedule vary from those regulations specified in the zoning district text, the more restrictive standard shall govern.

B. Single-dwelling Unit Lots:

1. District Standards, Compliance: Maximum height, as well as the minimum lot size, depth, width and building setbacks for single-dwelling unit development shall comply with the applicable zoning district standards.
2. Depth: Single-dwelling unit lots shall be deeper than wide.
3. Cul-De-Sacs: For lots on cul-de-sacs or similar circumstances, the minimum width shall apply at all points between the front and rear setback lines. Cul-de-sac lots shall have a minimum width of 7.6 m (25 ft.) at the street line.

C. Non-residential Lots:

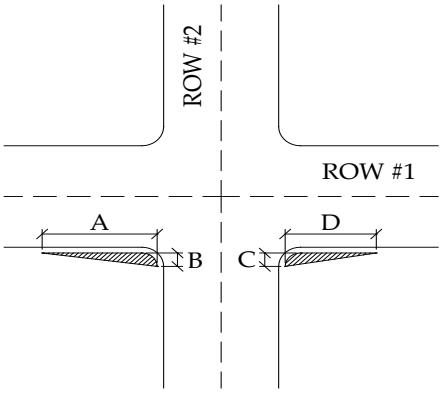
1. Interior Side Yard: No interior side yard will be required on contiguous lots developed as a common project, except as required to comply with fire codes or other provisions of this code.

2. Accessory Structures: Accessory structures shall be located a minimum of 6.1 m (20 ft.) from all property lines, except in commercial districts and except as otherwise permitted by these regulations.

D. Corner Site Visibility Zone

On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision in excess of a height of 0.8 m (2.5 ft.) above the centre line grades of the intersecting streets in the area as described in the diagram and chart below.

ROW	Right of Way #1			
Right of Way #2	Road Type	Arterial	Collector	Local
	Arterial	A=40m B=2m C=2m D=17m	A=17m B=2m C=2m D=17m	A=17m B=2m C=2m D=17m
	Collector	A=17m B=2m C=2m D=17m	A=23m B=2m C=2m D=11m	A=11m B=2m C=2m D=11m
	Local	A=17m B=2m C=2m D=17m	A=11m B=2m C=2m D=11m	A=11m B=2m C=2m D=9m



Access Driveway: Corner lots adjacent to streets of unequal classification shall have only one access driveway to be located on the lower classification, based upon traffic volume, of the intersecting streets. Access points to the property shall be limited to as few points as possible, paving or continual access across the whole property line shall be prohibited.

E. Through Lots

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.

F. Flag Lots

Flag lots are prohibited in the single-dwelling unit and multi-unit development categories. Flag lots or parcels may be permitted in the country residential development categories under the following conditions:

1. The flag lot directly accesses a local or residential street;
2. The aggregate width of the pole, or poles for two (2) adjacent flag lots, is a minimum of 12.2 m (40 ft.) in width with minimum pole width of 6.1 m (20 ft.).

G. Lot Lines

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

H. Lot Orientation

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.

I. Lot Remnants

No lot or parcel shall be created which does not meet the minimum standards of the applicable Land Use district, except pursuant to a ASP or Direct Control District which provides for the perpetual maintenance of such remnants.

BLOCKS:

The length and width of blocks shall be sufficient to accommodate two (2) tiers of lots with minimum standards specified by the applicable zoning district and this chapter, except where a single row of lots back up to an arterial street. 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.

4. MULTIPLE FRONT YARD SETBACK PROVISION (Corner Lots)

Where any lot has more than one front yard, the front setback requirement shall apply to one yard and at the discretion of the Development Authority only one-half the front setback requirement may apply to the other front yard and that yard shall be considered a side yard (see Figure2 - Definitions).

5. RETAINING WALLS AND GRADING

(a) The Development Authority may require the construction of a retaining wall as a condition of development if, in its opinion, significant differences in grade exist or will exist between the parcel being developed and adjacent parcels.

(b) As a condition of a development permit, the Development Authority may require special grading and/or paving to prevent surface drainage problems with neighbouring lots.

(c) The final grades of the development must be approved by the Development Officer before the issuance of a building permit.

(d) The developer/owner are responsible for ensuring that the final grades are adhered to.

(e) As a condition of a development permit, the Development Authority may require the developer to provide a bond to ensure final grades are met. Prior to a certificate of occupancy the developer shall provide a legal survey of the lot showing that the engineered grades have been met. With acceptance of the final grades by the Development Authority, the bond shall be returned to the developer.

6. REFUSE COLLECTION AND STORAGE

(a) Refuse and garbage shall be kept in suitable containers or enclosures.

(b) Refuse and garbage storage areas shall be effectively screened from the public view.

(c) All refuse on any construction site shall be properly screened or placed in an approved enclosure until removed for disposal.

7. BUILDING SETBACKS

(a) The Municipal Planning Commission may waive the building setback requirement in a well established residential area if, in its opinion, the setback is compatible with the prevailing yard pattern.

(b) The Municipal Planning Commission may require varied or increased building setbacks in new residential areas if, in his opinion, this would enhance the appearance of that area.

(c) Carport setbacks - the foundation shall be not less than 1.5 m (5 ft.) from the property line with a maximum roof overhang of 0.3 m (1 ft.).

Note: The Town of Claresholm may require the owner to enter into an agreement restricting the future enclosure of the carport on the side yard property line to a height not exceeding 1.2 m (4 ft.).

8. EXTERIOR BUILDING FINISHES

The Development Authority may require that specific finishing materials and colour tones be utilized in order to maintain the compatibility of any site where:

(a) renovations or new development is proposed with that of surrounding buildings;

(b) additions or ancillary structures is proposed with the existing buildings on the same lot;

(c) the use of a c-container/shipping container is proposed.

9. EASEMENTS

In no case shall a building be located closer than 3 m (10 ft.) to a registered easement (right of way), or such greater distance as may be required by the Development Authority.

10. MANUFACTURED HOME STANDARDS

(a) The following criteria shall apply to manufactured homes (prefabricated, sectional) as a condition of Development approval by the Development Authority. The approval authority may issue a Development Permit for a manufactured home provided that:

i. the dwelling unit was constructed within the last five-year period;

ii. the dwelling is a factory-built unit that meets the manufactured housing industry standards;

iii. the dwelling is securely fastened and placed on a permanent foundation to the satisfaction of the National Building Code – Alberta Edition;

iv. the maximum allowable height of the exposed portion of a concrete or block foundation shall be not more than 0.6 m (2 ft.) above the average finished surface level of the surrounding ground;

v. all manufactured homes shall be skirted to meet the requirements established by the Development Authority;

vi. units not on a basement shall be placed not less than 0.3 m (1 ft.) and not more than 0.6 m (2 ft.) higher than the average finished grade;

vii. a basement for a manufactured home may be permitted, provided access to the basement is housed within an approved enclosure;

viii. the minimum roof pitch shall not be less than a 4/12 pitch;

ix. the dwelling should be a minimum 7.3 m (24 ft.) in width;

x. the unit is CSA certified (CSA-Z240 Standards) and will meet all safety code requirements;

xi. at the discretion of the Development Authority, the exterior finish, colour and roofing material may be stipulated as a condition of approval;

xii. the Development Authority may request colour photographs be submitted of the entire structure and, in addition, may stipulate that the developer provide a security or performance bond of a minimum $2,000 to ensure the conditions are met to the satisfaction of the municipality;

xiii. any costs incurred to meet any of the conditions or for building inspections shall be at the expense of the applicant.

(b) As a condition of approval the 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.

(c) The Development Authority may require, at their discretion, any of the conditions of Schedule 4, Standards of Development, for a manufactured home development approval within any Land Use District, if they are of the opinion it is necessary to improve the quality of the proposed development.

(d) 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.

(e) Site coverage shall be the same requirement as per the Land Use District

Manufactured home parks shall be subject to all development standards established in Schedule 6.

11. SIDE YARD PROJECTIONS

(a) Chimney chases or eaves on the sides of principal buildings shall not be less than 0.9 m (3 ft.) from the property line.

(b) Places of worship may have no side or rear yard if building entrances are recessed. Entrances must meet the provincial building requirements.

(c) The side setback dimension requirements do not preclude the buildings of semi-detached dwellings or rowhouse dwelling or townhouse where the party wall along a lot line replaces the normal setback dimension.

12. DECKS AND AMENITY SPACES

(a) A Development Permit for an accessory structure is required for the construction of a deck if it will be constructed so that the decking is situated more than 0.6 m (2 ft.) above grade.

(b) For the purpose of calculating setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by an open or enclosed roofed structure, it shall be deemed to be part of the principal building and must meet the required side and rear setbacks.

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

(d) A ground level deck or patio means an unenclosed (no roof/walls) 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 (2 ft.) measured from the finished grade to the underside of the supporting structure.

(e) A raised deck means an unenclosed (no roof/walls) 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.

(f) REAR SETBACKS: unenclosed decks may encroach into the minimum required rear setback distance a maximum of 2 m (6.5 ft.) on laneless lots and 3 m (10 ft.) on laned lots.



13. DEVELOPMENT IN A FRONT YARD

No development, other than the following, shall be allowed in the front yard of any residential Land Use District:

(a) an unenclosed veranda, porch or balcony that does not project higher than 0.6 m (2 ft.) above the surface of the ground;

(b) architectural features such as chimneys, sills, eaves, windows or unenclosed stairs;

(c) fish ponds, flag poles and other ornaments;

(d) fences in accordance with Schedule 7.

14. DEMOLITION

(a) No person shall commence or cause to be commenced the removal, relocation, or demolition of any building or structure, or portion thereof, unless a removal, relocation, or demolition Permit has first been obtained from the authorized jurisdiction.

(b) The demolition of a building or structure shall be subject to the requirements of the Building Inspector.

(c) No Permit shall be assigned or transferred without the written consent of the authority having jurisdiction.

15. SERVICING REQUIREMENT

All residential, industrial and commercial buildings shall be required to connect to both the municipal water supply and sewerage systems where the municipal services are, in the opinion of the designated officer or the Development Authority, reasonably available. Other provisions may apply for water where an Area Structure Plan has been prepared and adopted.



16. SHOW HOMES

(a) The construction of or use of an unoccupied dwelling unit for the purpose of a show home for the sale of other dwellings units by the same builder for other dwellings units within the same approved subdivision requires a Development Permit.

(b) The dwelling occupied as a residence shall not be used as a sales office or as facility to demonstration a builder's construction quality or methods except in accordance with the land use rules for Home Occupations in Schedule 10.

(c) There shall be a maximum of 1 show home for every 20 parcels in a single phase subdivision; or no more than 1 show home for every 10 lots within a single phase of a multi-phase approved subdivision. In a subdivision of less than 20 lots, 1 show home may be allowed.

(d) Developments Permits may be issued prior to the registration of a phase of a subdivision providing that the phase has received approval by the Subdivision Approving Authority, there is a Development Agreement in place and there is a gravel surfaced road constructed from the developed municipal road to the show parcel in accordance with the Development Agreement.

(e) The conditions of the Development Permit for the show home(s) may include the following:

i. Advertising signs and features providing details of these features including location, type and number were submitted as part of the application. All advertising signs and features shall be removed immediately upon the cessation of use of the building as a show home.

ii. The show home shall not be open to the public for viewing unless and until the road is paved to municipal standards to the show homes from the municipal road and there are at least 4 off street parking spaces per show home to be constructed to a minimum standard of a compacted gravel surface in subdivisions that do not have curb and gutter.

iii. There shall be signs posted at adjacent occupied residences by the show home builder indicating that these homes are private and not for viewing.

iv. The show home shall be closed to the public within 30 days of the date that 90% of the homes are occupied in the phase of the subdivision or within 30 days of the date that 90% of all the lots in the subdivision are occupied, whichever occurs first.

v. The advertised hours that the show home is open to the public shall not be earlier than 9:00 am or later than 6:00 pm, except that during the first 14 days of the use of the building as a show home, extended public viewing hours may be permitted for no more than 3 days.

vi. Conditions of the permit do not limit the private showing by appointment of the show home at any time.

Schedule 5

MOVED-IN BUILDING REGULATIONS

Schedule 5

MOVED-IN BUILDING REGULATIONS

All developments involving a moved-in building shall comply with the following:

1. The building and land upon which it is to be located shall be subject to all conditions and regulations specified for the particular districts as set out in the land use bylaw.

2. The building, when relocated, shall meet the requirements of the Safety Codes Act.

3. The standards to which the building shall comply shall be established by the Development Authority at the time of approval of the application, and shall form a part of the conditions of the development permit.

4. The building shall comply with provincial and municipal Health and Fire Regulations.

5. A specified date for the completion and full compliance with all stipulated requirements shall be established by the Development Authority at the time of the approval of the application.

6. A final inspection by the building inspector or Development Officer shall be made to establish full compliance with all requirements, and a permit for occupancy shall not be issued until all specified requirements have been completed.

7. Non-permanent structures such as garden sheds and moved-in storage sheds shall be located only in rear yards and side yards.

8. The Development Officer may require that recent color photographs accompany any application for a moved-in building.

9. The Development Authority may require a performance bond or an irrevocable letter of credit to be posted to ensure the conditions of any development approval are met.

10. Manufactured homes two years and older are considered moved-in buildings and require approval from the Development Authority.



Schedule 6

MANUFACTURED HOME PARK REGULATIONS

Schedule 6

MANUFACTURED HOME PARK REGULATIONS

No parcel of land within the Town of Claresholm shall be developed for use as a manufactured home park unless the following regulations with regard thereto can be and are fulfilled, namely:

1. The parcel of land is situated within a land use district wherein such use is permitted or discretionary and is at least 2 hectares (5 acres) in area.

2. The average area of all manufactured home sites within a manufactured home park development shall not be less than 464.5 m^2 (5,000 sq. ft.).

3. Not less than 10 percent of the gross acreage of a manufactured home park shall be allocated to communal open space for the recreational use and enjoyment of its inhabitants, and shall be provided in a location or locations satisfactory to the Municipal Planning Commission. A landscape plan shall be submitted by the applicant for approval by the Development Authority.

4. All internal roads, streets or driveways used by vehicles must be paved to the Town of Claresholm engineering standards.

5. A footpath system, which may or may not be adjoined to an internal road system, must be provided within a manufactured home park to provide convenient pedestrian access from the manufactured home lots to the park's communal services and facilities. All footpaths must be a minimum of 0.9 m (3 ft.) in width and paved to the satisfaction of the Municipal Planning Commission.

6. A gravel pad connected by a driveway to the adjoining internal road system must be provided on each manufactured home site for the purpose of situating a manufactured home thereon. The size of the pad must be sufficient to accommodate any manufactured home park to be placed within the boundaries of the site without encroachment onto other lands, provided its location ensures the manufactured home cannot be closer than 4.6 m (15 ft.) from another manufactured home. The materials and construction of the pad and driveway shall be specified by Town of Claresholm engineering standards.

7. A paved concrete patio of not less than 9.3 m^2 (100 sq. ft.) in area shall be provided on each manufactured home lot in a location adjoining or near to the gravel pad.

8. Those areas of a manufactured home site not developed with a patio, apron, driveway or footpath shall be developed or landscaped to an extent acceptable to the Municipal Planning Commission.

9. All areas of a manufactured home park shall be maintained to the satisfaction of the Municipal Planning Commission.

10. All service and utility wires shall be installed underground and in compliance with provincial regulations.



11. One freestanding, identification sign may be erected at the entrance to the manufactured home park. The Municipal Planning Commission may allow a second sign under exceptional circumstances. The sign or signs shall be of a size, type and construction acceptable to the Municipal Planning Commission and in compliance with the Sign Schedule of this bylaw.

12. Directional signs within the manufactured home park must be integrated in design and appearance, in scale with the immediate surroundings, and constructed of durable material.

13. Two parking spaces shall be provided for each manufactured home site. This space may be located thereon or, alternatively located in a communal parking area or areas which do not encroach into the required width of any adjacent internal road or driveway. All parking spaces shall be paved to the satisfaction of the Municipal Planning Commission.

14. The design, appearance, general location and exterior finishing materials of the permanent buildings or structures within a manufactured home park must be acceptable to the Municipal Planning Commission.

15. The outdoor lighting system within a manufactured home park must be integrated in design and appearance and kept to a pedestrian scale. The type of lighting must conform to town requirements and specifications.

16. Each manufactured home site shall be physically defined at its corners or along its boundaries by means of a fence to the satisfaction of the Municipal Planning Commission.

17. The boundaries of a manufactured home park shall be suitably and adequately screened, and the site shall be landscaped to the satisfaction of the Municipal Planning Commission.

18. Except with the approval of the Council of the Town of Claresholm, not more than one motor vehicle entrance and one motor vehicle exit to a highway, each of minimum width of 7.6 m (25 ft.) measured to the curb cuts, shall be permitted.

19. (a) The management of a manufactured home park shall at all time conform to local bylaws relating to sanitation and to garbage and refuse collection.

    (b) One garbage container on a permanent foundation shall be provided for each manufactured home site.



Schedule 7

FENCING REQUIREMENTS

Schedule 7

FENCING REQUIREMENTS

GENERAL

1. Fences shall be constructed to encompass property lines only.

2. Gates shall not open over a public sidewalk.

3. Fences shall be made of suitable building material or decorative metal to the satisfaction of the Development Authority.

4. Fences shall be located on or just within property lines.

5. Chain link fences may be constructed subject to the approval of the Development Authority.

6. For corner lots in all districts, see Standards of Development, Schedule 4, Section D.

7. 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.

RESIDENTIAL DISTRICTS

1. No fence, wall, hedge or any combination thereof shall extend more than 0.9 m (3 ft.) above the ground in any front yard area, as illustrated in Figure 7.1 labelled as B, without a development permit approved by the Municipal Planning Commission.

2. Fences in the rear and side yards shall be 1.8 m (6 ft.) in height or less (see Figure 7.1 where Dimension A = 1.8 m).

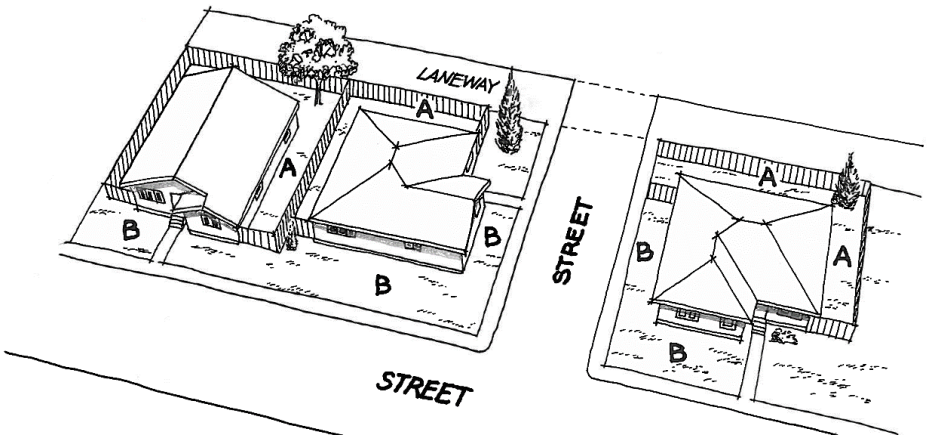


Figure 7.1

SCHEDULE 7: Fencing Requirements

3. Fences shall not be more than 0.5 m (1.5 ft.) away from the nearest edge of the sidewalk, where applicable.

4. All multiple residential developments are required to fence side and rear yards.

5. In residential districts, the use of barbwire and razor wire is prohibited; other security fencing must be approved by the Municipal Planning Commission.

COMMERCIAL, PUBLIC, AND INDUSTRIAL DISTRICTS

1. All industrial uses must fence their development.

2. Fences for commercial and industrial uses shall provide specification of building materials prior to permit approval.

3. In an Industrial district, no fence, wall, gate, hedge or other means of enclosure shall extend more than 2.4 m (8 ft.) in height in any side or rear yard. A fence, wall, gate, hedge or other means of structural enclosure that exceeds 0.9 m (3 ft.) in height within a front yard or secondary front yard requires approval by the Development Authority.

4. In commercial, public and industrial districts, the use of razor wire is prohibited.

5. In commercial and public districts, the use of barbwire must be approved by the Municipal Planning Commission.

6. In industrial districts, the use of 3 strand barbwire at the top of a fence is permitted when the overall height as described in subsection 3 is met; otherwise it must be approved by the Municipal Planning Commission.



Schedule 8

PARKING AND LOADING SPACE REQUIREMENTS

Schedule 8

PARKING AND LOADING SPACE REQUIREMENTS

1. GENERAL REQUIREMENTS

(a) Parking areas shall be laid out and delineated in a manner that will provide for orderly parking (see Figure 8b below).

(b) Parking areas shall be constructed in a manner that will permit adequate drainage, snow removal, and maintenance.

(c) The Development Authority may require that parking areas or portions thereof be hard surfaced (e.g. asphalt) when an adjoining street is hard-surfaced.

(d) All parking space provided shall be on the same lot as the building or use, except where the Development Authority may Permit parking space to be on a lot within 152.4 m (500 ft.) of the building or use if, in their opinion, it is impractical to provide parking on the same lot with the building or use. Where such other parking space is provided, a caveat shall be registered against the lot to guarantee the continuous use of the site for parking.

(e) At the discretion of the Development Authority, stacked parking may be considered to fill parking requirements if:

i. in the case of commercial and industrial uses stacked parking would only apply to employee parking;

ii. in the case of residential uses, the proposed arrangement does not affect traffic safety and non-stacked parking cannot be reasonably accommodated on the site;

iii. in no case would stacking of more than two (2) vehicles per stall be Permitted;

iv. stacked parking only applies to cars and does not affect storage areas or loading requirements for the development concerned.

2. SPECIFIC REQUIREMENTS

(a) Parking Space Calculations

The following shall be used in calculating the number of parking spaces required for the proposed development:



TYPE OF DEVELOPMENT	NUMBER OF SPACES REQUIRED
ALL USES NOT SPECIFIED BELOW	As required by the Development Authority
EDUCATIONAL INSTITUTIONS	As required by the Development Authority
HIGHWAY COMMERCIAL	
Drive-In Establishments	15 spaces minimum, or as required by the Development Authority
Motels and Motor Hotels	1 space per guest room or unit
Motels and Motor Hotels, with Bars, Cocktail Lounges, Beer Parlours, Restaurant spaces and Convention Rooms or Ballrooms	1 space per guest room or unit, PLUS 1 space per 9.3 m² (100 sq. ft.) of such other spaces
Other	As required by the Development Authority
HOSPITALS	1 space per every 3 hospital beds
MEDICAL CLINICS	1 space per 18.6 m² (200 sq. ft.)
NURSINGHOME / EXTENDED CARE FACILITIES	1 space per every 5 patient beds PLUS 1 space per every 2 workers
HOTELS AND LICENSED PREMISES	
Hotels	1 space per 1 guest room
Hotels with Bars, Cocktail Lounges, Beer Parlours, Restaurant spaces, and Convention Rooms or Ballrooms	1 space per 1 guest room PLUS 1 space per 9.3 m² (100 sq. ft.) of such other spaces
INDUSTRIAL	1 space per 55.7 m² (600 sq. ft.) of gross floor area
Breweries, Distilleries and Wineries	1 space per 92.9 m² (1000 sq. ft.) of gross floor area
OFFICES	
Banks, Trust Companies, and Post Office	1 space per 27.9 m² (300 sq. ft.) of gross floor area
Others	As required by the Development Authority
PERSONAL SERVICES	
Barber Shop, Beauty Salon, Laundromat, Diet Centers	1 space per 27.9 m² (300 sq. ft.) of gross floor area
Fitness Centre	1 space per employee; plus 1 space per 25.0 m² (269.1 sq. ft.) of gross floor area

TYPE OF DEVELOPMENT	NUMBER OF SPACES REQUIRED
News Stand, Tailors, Shoemakers, Photography studios, Upholstery and rug cleaners	1 space per 37.2 m² (400 sq. ft.) of gross floor area
PUBLIC ASSEMBLY	
Community Centre	1 space per 27.9 m² (300 sq. ft.) of gross floor area
Cultural Facility	Areas with fixed seating 1 space per 20 seats; All other areas 1 space per 45.0 m² (484.4 sq. ft.)
Places of Worship	1 space per each 6 seating spaces
Sunday School (ancillary to place of worship)	As required by the Development Authority
Theatres	1 space per 2 seating places
Theatre, Drive-in Movie	As required by the Development Authority
RECREATION BUILDINGS OR AREAS	As required by the Development Authority
RESIDENTIAL	
Single-Detached Dwelling	2 spaces per dwelling unit
Duplex or Semi-detached Dwelling	2 spaces per dwelling unit
Multi-Unit Dwelling	2 spaces per dwelling unit plus 0.2 spaces per dwelling unit for guest parking
Apartments	As required by the Development Authority
Manufactured Homes	2 spaces per manufactured home
Manufactured Home Park	2 spaces per manufactured home PLUS 0.2 spaces per dwelling unit for guest parking
Lodging or Boarding Houses	As required by the Development Authority
Row Dwelling or Townhouse	2 spaces per dwelling unit
Residential combined with a Commercial Use	2 spaces per residential dwelling unit plus the number of spaces required for a commercial use listed in this schedule
Residential Bed and Breakfast Senior Citizen Housing	As required by the Development Authority 1 space per 2 dwelling units PLUS 1 space per every 2 workers PLUS 0.2 spaces per dwelling unit for guest parking
Secondary Suites	1 space per bedroom



TYPE OF DEVELOPMENT	NUMBER OF SPACES REQUIRED
RETAIL	
Food Take-Out Service (no seating)	As required by the Development Authority
Liquor Store	1 space per 18.6 m² (200 sq. ft.) of gross floor area
Restaurants and Lounge (exclusive of Take-Out Service)	1 space per 9.3 m² (100 sq. ft.) of gross floor area
Grocery Store	1 space per 18.6 m² (200 sq. ft.) of gross floor area plus 1 space per employee
Café/Coffee shop	1 space per 27.9 m² (300 sq. ft.) of gross floor area
Others	1 space per 55.7 m² (600 sq. ft.) of gross ground floor area, AND 1 space per 46.5 m² (500 sq. ft.) of gross floor area on all other floors
SERVICE STATIONS / GAS BARS	
Automotive Dealerships	1 space per 46.5 m² (500 sq. ft.) of gross floor area
Muffler Shops, Tire Repair Shops, Transmission Repair Shops, etc.	1 space per 37.2 m² (400 sq. ft.) of gross floor area
UTILITIES	As required by the Development Authority
WAREHOUSING STORAGE, BULK STORAGE	2 spaces minimum, or as required by the Development Authority

(b) Storage and heating spaces are exempt from the calculations of floor area.

(c) Any multiple use development shall provide the number of parking spaces required for each use. For example, a hotel with a restaurant shall provide one parking space for each unit in the hotel, and one parking space for every 100ftsq of gross floor area in the restaurant.

3. PAYMENT-IN-LIEU OF PROVIDING OFF-STREET PARKING AND LOADING SPACE

(a) In lieu of providing off-street parking or loading space, an owner of land to be developed may, subject to the policy of Council, pay to the municipality such amount of money in return for the equivalent public parking or loading space to be provided by the municipality.

(b) To be eligible for the payment-in-lieu provision, a minimum of 50 percent of the total parking requirement for the development shall be provided in accordance with Section 1(d) of this Schedule.

(c) The payment-in-lieu of providing off-street parking spaces would only apply to the C1 and C2 Land Use Districts.

4. LOADING SPACE REQUIREMENTS

(a) There shall be a minimum of one off-street loading space per building in the C1, C2 and I Land Use Districts.

(b) The Development Authority may require that off-street loading spaces be provided in districts other than C1, C2 and I if necessary.

(c) Each loading space shall provide a doorway, sufficient to meet the needs of the use within the building into the building.

(d) The Development Authority may require additional loading spaces or doors if necessary.

(e) Each loading space shall be a minimum of 27.9 m² (300 sq. ft.).

(f) Each loading space shall be designed in such a manner that it will not interfere with convenient and safe pedestrian movement, traffic flow, or parking.

5. BARRIER FREE PARKING

(a) The minimum number of barrier-free parking spaces to be provided shall be a portion of the total number of off-street parking spaces required, in accordance with the table below.

Number of parking spaces required	Number of barrier-free spaces required
2-10	1
11-25	2
26-50	3
51-100	4
for each additional increment of 100 or part thereof	one additional stall

(b) In accordance with the National Building Code – Alberta Edition, each barrier-free parking space for the disabled shall be:

i. designed as a 2.4 m wide parking stall adjacent to a 2.4 m wide access aisle where the access aisle is demarcated to indicate no parking;

ii. have a firm, slip-resistant and level surface; and

iii. be clearly signed as being for the use of a persons with disabilities only.

(c) There must be a well-lit, discernible, barrier-free path of travel leading to the building entrance.

(d) 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, recreation centres, medical services, and restaurants.



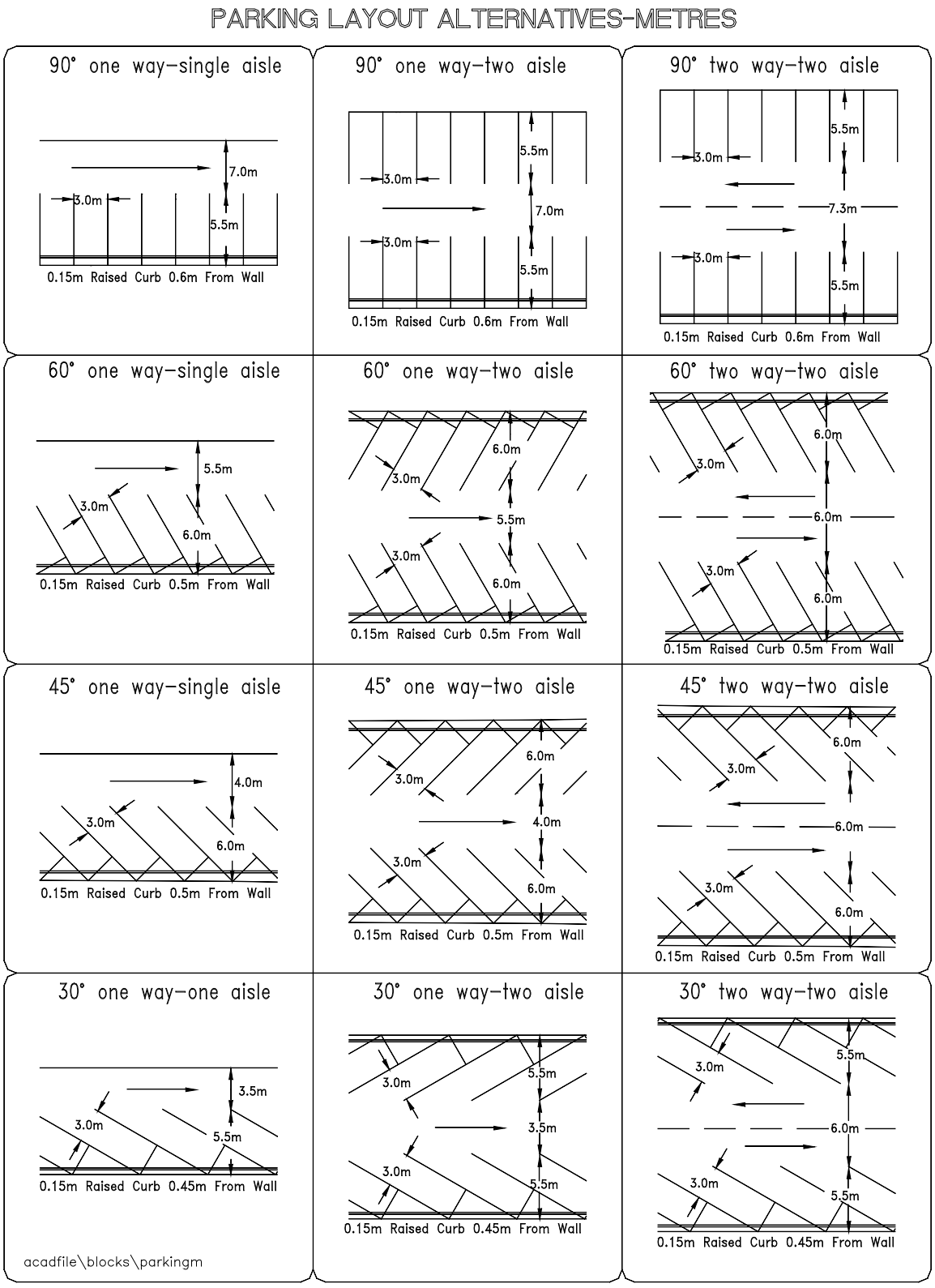

PARKING LAYOUT ALTERNATIVES-METRES
90° one way–single aisle
7.0m
3.0m
5.5m
0.15m Raised Curb 0.6m From Wall
90° one way–two aisle
5.5m
3.0m
7.0m
3.0m
5.5m
0.15m Raised Curb 0.6m From Wall
90° two way–two aisle
5.5m
3.0m
7.3m
3.0m
5.5m
0.15m Raised Curb 0.6m From Wall
60° one way–single aisle
5.5m
3.0m
6.0m
0.15m Raised Curb 0.5m From Wall
60° one way–two aisle
6.0m
3.0m
5.5m
3.0m
6.0m
0.15m Raised Curb 0.5m From Wall
60° two way–two aisle
6.0m
3.0m
6.0m
3.0m
6.0m
0.15m Raised Curb 0.5m From Wall
45° one way–single aisle
4.0m
3.0m
6.0m
0.15m Raised Curb 0.5m From Wall
45° one way–two aisle
6.0m
3.0m
4.0m
3.0m
6.0m
0.15m Raised Curb 0.5m From Wall
45° two way–two aisle
6.0m
3.0m
6.0m
3.0m
6.0m
0.15m Raised Curb 0.5m From Wall
30° one way–one aisle
3.5m
3.0m
5.5m
0.15m Raised Curb 0.45m From Wall
acadfile\blocks\parkingm
30° one way–two aisle
5.5m
3.0m
3.5m
3.0m
5.5m
0.15m Raised Curb 0.45m From Wall
30° two way–two aisle
5.5m
3.0m
6.0m
3.0m
5.5m
0.15m Raised Curb 0.45m From Wall

Figure 8b

Schedule 9

LANDSCAPING STANDARDS

Schedule 9

LANDSCAPING STANDARDS

GENERAL PURPOSE

The intent of these Landscaping standards is to contribute to a reasonable standard of livability and appearance for developments, from the initial placement of the Landscaping through to its mature state, to provide a positive overall image for Claresholm and to encourage good environmental stewardship.

APPLICABILITY

The provision of Landscaping, in accordance with this Bylaw, shall be a condition of the issuance of a Development Permit for all types of new development.

The provision of Landscaping, in accordance with this Bylaw, shall also be a condition of the issuance of a Development Permit related to an existing development if the existing development shall be, as a consequence of the work that is the subject of the Development Permit, substantially enlarged or increased in capacity. This Section shall not apply to developments that consist solely of interior alterations or improvements or change of use that does not alter the building shell.

GENERAL REQUIREMENTS

At least one tree shall be planted in all Residential – R1, Duplex Residential – R2, and Country Residential – R3 front yards.

Development applications in the Multiple Residential – R4, Apartments – R5, Industrial – I, Retail Commercial – C1, Highway Commercial – C2, Neighbourhood Commercial – C3 or Service Industrial – I2 districts shall be accompanied by plan(s) showing the proposed landscaping of the site. Landscape plan content may be obtained from the Development Officer.

All developments are subject to the following minimum requirements:

1. All front yards (other than the area used for parking) shall be grassed or, at the discretion of the Development Authority, suitably developed to be attractive and prevent soil erosion and dust.

2. Parking areas shall be graded and/or paved to drain surface run-off. The Development Authority may require berming and planting of grass, shrubs and trees on the edge of the parking area.

3. Any parking lot having eight or more parking spaces that is visible from an adjoining Site in a Residential or Commercial Zone, or from a public roadway other than a Lane, shall have perimeter planting. The location, length, thickness and height of such perimeter planting at maturity shall, in conjunction with a change in Grade or other natural or man-made features, be sufficient to provide substantial interruption of the view of the parking area from any adjoining Residential or Commercial Zone, and enhance the view of the parking area from any adjacent public roadway.



4. In the Highway Commercial – C2, Service Industrial – I2 and Industrial – I Districts, a 3-metre (10-ft.) buffer strip shall be allocated along the front of each lot for landscaping purposes regarding new developments.

5. Existing vegetation shall be preserved and protected unless removal is demonstrated, to the satisfaction of the Development Officer, to be necessary or desirable to efficiently accommodate the proposed development. Trees and shrubs preserved on the Site may, at the discretion of the Development Officer, be credited to the total landscaping requirements.

6. The Development Authority may impose landscaping or screening requirements as a condition of an approval for a permitted or discretionary use if, in their opinion, these would serve to improve the quality or compatibility of the proposed development with nearby developments.

7. Where any parcel or part of a parcel adjacent to a primary highway or secondary road is used for outdoor storage of goods, machinery, vehicles, buildings or waste materials, the Development Authority shall require screening by buildings, fences, hedges, trees, berming or other landscaping features to its satisfaction.

8. In the case of corner lots, the minor street frontage shall also be landscaped to the satisfaction of the Development Authority.

9. Landscaping may consist of any or all of the following:
   - trees, shrubs, lawn, annuals and perennials;
   - large feature rocks, bark chips, field stone (limits of 25 percent of total landscaped area);
   - berming, terracing;
   - other innovative landscaping features.

   All landscaping within the Town of Claresholm should reference the planting preference list available at the Town office.

10. Where screen planting is required, evergreens or flowering trees or shrubs should be used. All screening incorporating a fence shall comply with the Fencing Requirements of Schedule 7.

11. Plants shall be placed to the satisfaction of the Development Authority against long expanses of building walls, fences, and other barriers to create a softening effect.

12. Detention/retention basins and ponds shall be landscaped where possible. Such landscaping may include shade and ornamental trees, evergreens, shrubbery, turf, and ground cover.

13. All landscaping shall adhere to all approved engineered final lot grades.

SPECIFICATIONS FOR PLANT MATERIALS

14. All plant materials shall be hardy to the Claresholm area and to the actual Site conditions. The most current edition of the "Alberta Horticultural Guide" shall be used as a reference by the Development Officer.

15. All plant materials shall meet the horticultural standards of the most current edition of the "Guide Specifications for Nursery Stock", produced by the Canadian Nursery Trade Association.

16. All planting shall conform to the following:



(a) the proportion of deciduous to coniferous trees and shrubs shall be approximately 50:50; and

(b) the following mix of tree sizes shall be used:

i. 50% of required deciduous trees shall be a minimum 50 mm Calliper and 50% shall be a minimum 75 mm Calliper; and

ii. 75% of required coniferous trees shall be a minimum of 2.5 m in height and 25% shall be a minimum 3.5 m in height.

17. The regulations regarding the required Specifications for Plant Materials of this Bylaw may be waived by the Development Officer at the request of a qualified landscape professional, such as a horticulturist or landscape architect, acting on behalf of the property owner.

18. All developments considering xeriscaping or low impact landscaping shall choose plantings from the following:

Low Water Deciduous Trees

Botanical Name	Common Name
Acer ginnala and negundo	Amur Maple
Fraxinus pensylvanica	Green Ash
Prunus padus commutate	Mayday
Prunus pennsylvanica	Pin Cherry
Prunus virginiana var.melanocarpa	Chokecherry
Pyrus ussuriensis	Ussurian pear
Quercus macrocarpa	Bur oak

Low Water Coniferous Trees

Botanical Name	Common Name
Picea Pungens	Blue Spruce
Pinus aristata	Bristlecone Pine
Pinus banksiana	Jack pine
Pinus contorta var. latifolia	Lodgepole pine
Pinus flexilis	Limber Pine
Pinus ponderosa	Ponderosa pine upright

Low Water Shrubs

Botanical Name	Common Name
Amelanchier alnifolia	Saskatoon berry
Arctostaphylos uva-ursi	Bearberry
Cotoneaster spp.	Cotoneaster (various)
Crataegus spp.	Hawthorn
Elaeagnus commutate	Wolf willow
Hippophae rhamnoides	Sea buckthorn
Juniperus spp.	Juniper (various)
Lonicera spp.	Honeysuckle
Pinus mugo	Mugo pine
Potentilla fruticosa	Cinquefoil
Prinsepia sinensis	Cherry prinsepia
Prunus fruticosa	European dwarf cherry
Prunus tenella	Russian almond
Prunus tomentosa	Nanking cherry
Prunus triloba	Double flowering plum
Prunus x cistena	Cistina cherry
Rhus trilobata	Skunk bush
Ribes alpinum	Alpine currant
Ribes aureum	Golden currant
Ribes oxycanthoides	Wild gooseberry
Sambucus racemosa	European red elder
Shepherdia argentea	Silver buffaloberry
Sorbaria sorbifolia	Ural false spirea
Spiraea trilobata	Three lobed spirea
Symphoricarpo occidentalis	Western snowberry
Syringa spp.	Lilac
Viburnum lantana	Wayfaring tree
Viburnum lentango	Nannyberry

NONCONFORMING

If at any time after the issuance of a certificate of occupancy, the approved landscaping is found to be in non-conformance to the standards and criteria of this section, the Development Officer shall issue notice to the owner, citing the violation and describing what action is required to comply with this section. The owner, tenant or agent shall have thirty (30) days from date of said notice to restore the landscaping as required. If the landscaping is not restored within the allotted time, such person shall be in violation of these regulations.

Schedule 10

HOME OCCUPATIONS

Schedule 10

HOME OCCUPATIONS

The intent of this section is to provide regulations respecting Home occupations, as defined, in accordance with the following objectives:

- to protect residential areas and districts from incompatible non-residential land uses;
- to ensure that commercial and industrial uses are located in appropriate commercial or industrial districts.

GENERAL STANDARDS

1. All home occupations shall be categorized as either Home occupation 1 or Home occupation 2.

2. Day homes and Bed and breakfasts shall be categorized as a Home occupation 2.

3. 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. There shall be no business activities associated with the home occupation conducted on the lot outside the dwelling or accessory structure.

4. Allowances for home occupations are intended to foster small-scale business. Home occupations will be encouraged to relocate to a suitable commercial or industrial district when they become incompatible with a residential area or become unsuitable as a home occupation.

5. A Home occupation 2 shall not be permitted, if in the opinion of the Development Authority, the use would be more appropriately located within a commercial or industrial district.

6. The business operator shall be a full-time resident of the dwelling.

7. Unless otherwise approved by the Municipal Planning Commission, not more than one home occupation is permitted on a lot.

8. The use must not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.

9. No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare shall be produced by the use.

10. 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. Should the demand exceed the average, a commercial consumption rate may be placed on the dwelling.

11. Home occupations shall not include any use that would, in the opinion of the Development Authority, materially interfere with or affect the use or enjoyment of neighbouring properties.



12. Signage advertising a Home occupation 1 or 2 is limited to one sign located in the window or attached to the residence in the form of a name plate not exceeding 0.37 m² (4 sq. ft.) or such greater size as deemed appropriate by the Development Authority.

13. The Development Authority may regulate the hours of operation, the number of customer visits, outdoor storage and screening and landscaping requirements for outdoor storage.

14. The development permit for the use shall be valid only for the period of time the property is occupied by the applicant for such approved use and is not transferable to another location or another person.

15. 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.

16. The Development Authority may consider the parking, maintenance or storage of one commercial vehicle with a gross weight not exceeding 1000 kg (1 ton) on the site or any adjoining lands.

17. The Development Authority may restrict the parking of any commercial trailers on site or on public roadways in residential areas.

18. Any changes to an approved home occupation require the approval of the Municipal Planning Commission.

HOME OCCUPATION 1 STANDARDS

19. An application for a Home occupation 1 complying with the conditions listed below may be approved by the Development Officer:

    (a) the use involves phone and office only,

    (b) the use involves no outdoor storage,

    (c) there is no display of goods on the interior of the residence,

    (d) all sales occur off the premises,

    (e) there is no client traffic to the dwelling,

    (f) the use complies with the general standards found in Sections 10.1 - 10.18 of this schedule.

    If there is a doubt as to whether a proposed home occupation is a Home occupation 1, then the Development Officer may refer the application to the Municipal Planning Commission for a decision.

HOME OCCUPATION 2 STANDARDS

20. The Municipal Planning Commission is to decide upon any Home occupation 2 complying with the conditions listed below:

    (a) there is a limited volume of on-premises sales,

    (b) any proposed storage is not exposed to public view,

    (c) there is a limited display of products proposed for the inside of the building,

    (d) there is a limited amount of client traffic to the dwelling,



(e) the use complies with the general standards found in Sections 10.1 - 10.18 of this schedule.

21. A Home occupation 2 shall not be approved where a second dwelling unit has been developed, unless it is proven to the satisfaction of the Development Authority that the amount of traffic generated is limited and adequate parking is available without adversely affecting the neighbourhood.

22. A Home occupation 2 development permit may be issued as a temporary development permit that may be renewed annually or on a timeline specified in the approval by the Municipal Planning Commission.

23. A Home Occupation 2 shall not be approved where a secondary suite has been developed, unless it is proven to the satisfaction of the Development Authority that the amount of traffic generated is limited and adequate parking is available without adversely affecting the neighbourhood.

Home Occupation 2: Day Homes Standards

24. A day home shall be categorized as a Home occupation 2. The use of a dwelling for day home is subject to the following criteria:

    (a) shall not require any alterations to the principal building unless the alterations are approved by the Development Authority and Safety or Fire Codes Officer;

    (b) shall not create a nuisance by way of noise, parking or traffic generation;

    (c) the applicant shall be responsible for complying with the *Child Care Licensing Act* and obtaining all necessary approvals required from regulatory agencies;

    (d) 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.

Home Occupation 2: Bed and Breakfast Accommodation Standards

25. The use of a dwelling for bed and breakfast accommodation is subject to the following criteria:

    (a) shall not require any alterations to the principal building unless the alterations are approved by the Development Authority and Safety or Fire Codes Officer;

    (b) shall not create a nuisance by way of noise, parking or traffic generation;

    (c) shall not occupy more than 30 percent (30%) of the dwelling unit or provide for more than three guest rooms in addition to the family of the owner, whichever is less;

    (d) shall not sell meals or alcoholic beverages to non-overnight guests;

    (e) shall not include a kitchen in any room rented;

    (f) one on-site parking space per guest room may be required, however on-street parking may be accepted by the Development Authority.

Schedule 11

SHIPPING CONTAINER REGULATIONS

Schedule 11

SHIPPING CONTAINER REGULATIONS

1. Shipping containers shall only be allowed in land use districts where listed as a Permitted or Discretionary Use within Schedule 1 Land Use District Regulations. Shipping containers are prohibited in all other districts.

2. There shall be legal principal use on the property where it is located.

3. A maximum of three permanent shipping containers shall be allowed per lot.

4. The square footage of the cargo container when added to the square footage of principal and accessory buildings on the property may not exceed the maximum site coverage as defined by the district.

5. Shipping containers shall not be stacked.

6. As a condition of the Application for Development Permit, the Development Authority may require any permanent shipping container to be screened from view or landscaped to make it aesthetically pleasing.

7. All permanent shipping containers may be required to sandblast and paint to match the color(s) of the principal building or as required by the Development Authority. The shipping container shall not display advertising, company logos, names or other marketing without an approved sign permit and only in industrial districts.

8. All permanent shipping containers must be located in the rear or side yards only, with a side yard setback of 1.5 m (5.0 feet) and a rear yard setback of 1.5 m (5.0 feet).

9. Subject to Administration Sections 17-20, a shipping container may be placed temporarily either in conjunction with a renovation or for a construction site, subject to the following provisions:

   (a) temporary shipping container for a renovation shall be in accordance with the time limitations listed in (h) below. Longer term projects shall be considered a construction site and subject to the timelines provided in (g) below;

   (b) temporary shipping containers are subject to Section 1 of this Schedule;

   (c) that the shipping container is needed in connection with construction of a development for which a development permit has been issued or for construction activities that may not require a development permit, relating to repair or renovation, flood damage, sewer back-up, fire damage and other similar circumstances;

   (d) only one shipping container may be used on the construction site or in the renovation of a building for which a permit has been issued under this bylaw, provided the shipping container is not used as a dwelling;

   (e) that the construction site has received approvals and is active or is about to commence within one month. The placement of a shipping container on an inactive construction site is prohibited;

   (f) setbacks and placement for a temporary shipping container shall be as required by the Development Authority;



(g) for a construction site the Development Authority has the discretion to determine the maximum amount of time a shipping container is permitted on a lot. Upon expiration of the approval the shipping container must be removed and another application may not be approved until 30 days have lapsed. Only two separate applications may be made in any given calendar year for the same construction site;

(h) for a renovation the Development Authority may only approve a temporary shipping container for a maximum of 30 consecutive days where upon it must be removed. Only two separate applications may be made in any given calendar year; and

(i) the shipping container shall be removed immediately upon completion of construction or sooner as may be required by the Development Authority.



Schedule 12

TELECOMMUNICATION ANTENNA STRUCTURES

Schedule 12

TELECOMMUNICATION ANTENNA STRUCTURES

The intent of this schedule is to guide the telecommunications industry and amateur radio operators through the process of siting within the municipality. This guide was developed in accordance with Innovation, Science and Economic Development (ISED) Canada siting protocols.

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 Planning Commission including:

(a) the information as listed in Section 2 and 3, and

(b) complete the notification and public consultation process found in Section 4.

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 Claresholm will provide concurrence in the form of a written letter to the proponent.

1.3 The following are excluded from the public consultation process outlined in Section 4:

(a) an antenna mounted on a building that projects less than 1.8 m (6 ft.) in height above the top of the building,

(b) industrial designated lands which are a minimum of 150.0 m (492 ft.) from residential designated lands or lands designated for public purpose.

2. CO-UTILIZATION

All applicants for freestanding antenna structures will be requested to identify any other such structures within a radius of 500 m 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.

3. APPEARANCE

All applicants 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 applicant shall provide stealth structure options when requested by the Town.

Lighting and Signage

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.

Only signage that is required by applicable federal agencies is permitted. No advertising signage shall be permitted.



4. NOTIFICATION AND PUBLIC CONSULTATION PROCESS

The Municipality will notify all land owners within a distance of 500 m of the proposed structure at the expense of the applicant.

For each notification, the proponent must submit a letter providing a map of the location of the tower, physical details of the tower (with elevation drawings), the time and location of the open house, 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 open house.

The applicant 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.

From the open house, the proponent shall provide the Municipal Planning Commission with a copy of the agenda and the minutes indicating the topics discussed, additional concerns raised with proposal for resolutions, and any outstanding issues that the proponent and/or landowners could not resolve.

Where the public process has raised unresolved concerns about public health and related effects of wireless communication technology, the Town of Claresholm will request a ruling by Innovation, Science and Economic Development (ISED) Canada prior to the issuance of a permit.



Schedule 13

ALTERNATIVE ENERGY

Schedule 13

ALTERNATIVE ENERGY

1. The Development Authority is authorized to issue development approvals for alternative energy sources pursuant to Schedule 1.

SOLAR COLLECTOR

2. A solar collector attached to a wall or roof of a building shall only be allowed in land use districts where listed as a Permitted or Discretionary Use in Schedule 1 subject to the following:

   (a) A solar collector mounted on a roof:

      i. may project a maximum of 1.3 m (4 ft.) from the surface of the roof and is not to exceed the maximum height requirements of the applicable land use district; and

      ii. must not extend beyond the outermost edge of the roof.

   (b) A solar collector mounted to a wall:

      i. must be located such that it does not create undue glare on neighbouring property or public roadways;

      ii. 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

      iii. may project a maximum of 0.6 m (2 ft.) from the surface of the wall when the wall faces the front, secondary front or side property line, subject to the setback requirements of the applicable land use district.

3. A free-standing solar collector or a solar collector mounted to any structure other than a roof or wall of a building shall only be allowed in land use districts where listed as a Permitted or Discretionary Use in Schedule 1 subject to the following:

   (a) the collector must be located such that it does not create undue glare on neighbouring property or public roadways; and

   (b) the collector must not exceed 1.8 m (6 ft.) in height above existing grade.

SMALL WIND ENERGY SYSTEMS

Information Requirements

4. An application for a development permit for a proposed alternative energy, wind use or a small wind energy conversion system (SWECS) must be completed and submitted to the Development Officer accompanied by:

   (a) a site plan acceptable to the Development Officer indicating the exact location of the SWECS on the parcel and all buildings and structures, registered easements or rights-of-way, and any overhead utilities, dimensioned to the property lines and drawn to a satisfactory scale;



(b) existing and proposed parking and loading spaces, driveways, abutting streets, avenues and lanes, and surface drainage patterns;

(c) photographs and plans of the proposed SWECS indicating:

- rated output in kilowatts,
- safety features and noise characteristics,
- turbine height,
- blade diameter and rotor clearance,
- nature and function of over speed controls which are provided, and
- estimated lifespan;

(d) specifications on the foundation and anchor design, including the location and anchoring of any guy wires;

(e) engineered plans, prepared by a professional engineer, for SWECS that are mounted or attached to any building demonstrating that the building can support the SWECS; and

(f) any security measures proposed to ensure public safety and security.

Referrals

5. Prior to making a decision on a development permit application for a SWECS, the Development Authority may require that the application be referred to the following agencies and departments:

(a) Transport Canada,

(b) NAVCanada,

(c) STARS,

(d) Alberta Transportation, and

(e) any other federal or provincial agencies or departments deemed necessary.



General Development Standards

All SWECS development is subject to the following general standards:

6. The SWECS may be allowed as an alternative energy, wind use which is a discretionary use in accordance with Schedule 1.

7. The SWECS are to be setback from all property lines a distance equal to the height of the system.

8. The blade clearance of any SWECS is not to be less than 4.6 m (15 ft.) above grade.

9. Any climbing apparatus associated with the SWECS is to be a minimum of 4.6 m (15 ft.) above grade.

10. Any guy wires associated with a SWECS are to be accommodated entirely within the parcel and must be clearly visible from grade to a height of 1.8 m (6 ft.).

11. The sound produced by the SWECS under normal operating conditions, as measured at the property line shall not exceed 60 dBA or 6 dBA over the background noise, whichever is greater.

12. The SWECS shall not display advertising or other marketing.

13. The SWECS shall not be artificially illuminated except as required by a federal or provincial agency or department.

14. The manufacturer's identification, technical, warning, and emergency contact information must be affixed no lower than 0.9 m (3 ft.) from the base of the tower and not higher than 1.5 m (5 ft.) from the base of the tower.

15. The Development Authority may regulate the maximum number of SWECS permitted on a lot.

16. The Development Authority may require as a condition of approval that any SWECS be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of the SWECS to the satisfaction of the Development Authority.

17. The Development Authority may require as a condition of approval that any SWECS be surrounded by a security fence with a lockable gate not less than 1.8 m (6 ft.) in height.

18. Prior to the installation of a SWECS the applicant or landowner shall obtain:
    (a) all relevant federal and provincial permits and permissions;
    (b) an electrical permit, and if applicable, a building permit;
    (c) wire service provider approval for SWECS with a rated output of less than 10 kW that are proposed to be connected to the grid; and
    (d) Alberta Utilities Commission approval for SWECS with a rate output greater than 10 kW that are proposed to be connected to the grid.

19. All components of the SWECS, including any electrical components, shall comply with the Canadian National Standards and shall bear the appropriate certification marks.

20. The SWECS system must be installed by a certified electrical contractor prior to operation.

21. Where the SWECS has been inactive for more than six consecutive months the applicant or landowner is required to decommission and remove the system at their expense. If the SWECS is not decommissioned and removed after six months of inactivity, the Town may undertake enforcement action.

Decommissioning

22. Prior to removal of the SWECS the applicant or landowner shall submit documentation to the Development Officer demonstrating that the system has been disconnected from any electrical utilities.

23. All refuse associated with the decommissioning and dismantling of the SWECS shall be removed from the property and disposed of appropriately.

24. Upon removal of the SWECS the property shall be restored to its pre-construction condition to the satisfaction of the Development Officer.



Review of Permits

25. Town Council may consider reviewing the impacts of Small Wind Energy Systems after the issuance of 25 development permits within the municipality.



Schedule 14

CANNABIS REGULATION

Schedule 14

CANNABIS REGULATION

CANNABIS PRODUCTION FACILITY

1. The owner or applicant must provide as a condition of development a copy of the current license for all activities associated with cannabis production as issued by Health Canada.

2. The owner or applicant must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.

3. The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.

4. The development shall not operate in conjunction with another approved use.

5. The development shall not include an outdoor area for storage of goods, materials or supplies.

6. The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.

7. The development must not be within 75.0 m (246 ft.) of a residential or a public institutional district, measured from the building foundation containing the use to the nearest property line of a parcel designated as a residential or a public institutional district.

8. The Development Authority may require, as a condition of a development permit, a Public Utility and Waste Management Plan, completed by a qualified professional, that includes detail on:

   (a) the incineration of waste products and airborne emissions, including smell;

   (b) the quantity and characteristics of liquid and waste material discharged by the facility; and

   (c) the method and location of collection and disposal of liquid and waste material.

9. The minimum number of motor vehicle parking stalls shall be based on the parking requirements of the Industrial type of development found in Schedule 8.

RETAIL CANNABIS STORE

All retail cannabis stores shall meet the following requirements:

10. Prior to applying for a municipal development permit for a Retail Cannabis Store, the applicant is required to apply to the Alberta Gaming and Liquor Commission (AGLC) for a determination of eligibility to obtain a license, and submit verification of the AGLC eligibility as part of the development application.



11. As part of the development application, the applicant shall demonstrate how the building location and design comply with all requirements under the *Alberta Gaming, Liquor and Cannabis Regulation*.

12. That the developer or applicant or owner provide copies of all approved Alberta Gaming and Liquor Commission licenses as a condition of the development permit.

13. The business must obtain and maintain a current Town of Claresholm business license.

14. The hours of operation for the business shall be limited to 10 a.m. to 11 p.m. daily.

15. The use is defined by its separation from other uses as follows:

    (a) 100.0 m from the property line of a retail cannabis store to the property line of a public school;

    (b) 100.0 m from the property line of a retail cannabis store to the property line of a hospital; and

    (c) 100.0 m from the property line of a retail cannabis store to the property line of a day care / child care facility.

16. The specified separation distances are reciprocal and also apply to those described sensitive uses (e.g. school, child care facility) applying for development permit locating is proximity of established Retail Cannabis Stores.

17. All signage for the Retail Cannabis Store use shall be in accordance with the *Alberta Gaming, Liquor and Cannabis Regulation* and Schedule 2 of this bylaw.

18. The minimum number of motor vehicle parking stalls shall be based on the parking requirements of the Retail type of development found in Schedule 8.



Schedule 15

SECONDARY SUITES

Schedule 15

SECONDARY SUITES

1. APPLICABILITY

The requirements of this schedule, with the exception of the general requirements, which apply to all secondary suites, are categorized based on the context of the suites and how they may be incorporated into a principal dwelling or accessory building.

2. GENERAL REQUIREMENTS

All secondary suites shall meet the following requirements:

(a) only one secondary suite may be developed where a Single detached dwelling, Modular home or Moved-in dwelling has been established;

(b) should all residential dwelling units on a title be rented, including but not limited to, the main floor and, if applicable, second storey of a principal dwelling where there is a basement suite, a suite above an attached garage, a suite that is part of a detached garage, or a garden suite, the owner shall be required to obtain a business license;

(c) notwithstanding 2(d), variances or waivers of setbacks or any other measureable standard in conjunction with applications for secondary suites shall be decided upon by the Municipal Planning Commission.

(d) a secondary suite shall provide one off-street parking space per bedroom and no variances or waivers to this requirement shall be granted;

(e) all required off-street parking shall be designed and developed to the standards set out in Schedule 8 (Parking and Loading Space Requirements);

(f) development of a new secondary suite shall meet all requirements of the National Building Code – Alberta Edition and Alberta Fire Code as a condition of approval;

(g) a secondary suite shall not be separated from the principal dwelling or any part of the title on which the principal dwelling is located through a condominium conversion or subdivision;

(h) a secondary suite shall be restricted to a title occupied by a single dwelling unit either a Single detached dwelling, Modular home or Moved-in dwelling but, not including a Manufactured home as defined by this bylaw;

(i) a secondary suite shall not be permitted in a boarding house, duplex, semi-detached dwelling, multi-unit dwelling, rowhouse dwelling or townhouse, manufactured home park, or apartment;

(j) the maximum number of bedrooms in a secondary suite shall be two (2);

(k) the Development Authority, as a condition of approval, may request proof that the utility services to the principal dwelling are capable of carrying the additional load of the proposed secondary suite;

(l) a secondary suite shall not be developed on the same title as a Home occupation 2 (see Schedule 10), unless it can be proven to the Development Authority that the impact resulting from the home occupation is limited, adequate parking is provided and the amenities of the neighbourhood are not negatively affected;



(m) the exterior finish of a garden suite, including but not limited to, materials, textures, and colours, shall match or complement the exterior finish of the principal dwelling, to the satisfaction of the Development Authority; and

(n) the minimum floor area of a secondary suite shall be 30 m^2 (322.9 sq. ft.).

3. EXISTING SECONDARY SUITES

Existing secondary suites include any suite that existed prior to the passing of this bylaw. In addition to the requirements of section 2 of this schedule, excepting thereout the building code requirement of 2(f) if it can be proven that the suite was developed prior to December 31, 2006, existing secondary suites shall meet the following requirements;

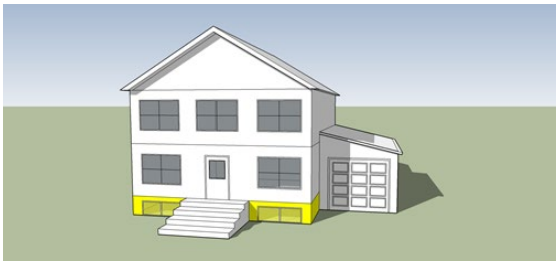
(a) an existing secondary suite developed prior to December 31, 2006, shall meet all applicable requirements of the Alberta Fire Code as a condition of approval;

(b) an existing secondary suite developed after December 31, 2006, shall comply with all National Building Code – Alberta Edition and Alberta Fire Code requirements, including separate heating and ventilation systems for the principal dwelling unit and secondary suite, as a condition of approval;

(c) an existing secondary suite shall meet all other requirements of this Schedule and any other applicable section or schedule of this bylaw; and

(d) should an existing secondary suite be unable to reasonably meet the requirements of this bylaw, to the discretion of the Development Authority, the use of the suite for rental purposes shall not be permitted.

4. SECONDARY SUITES within the PRINCIPAL DWELLING



Basement suites are located below grade, in the basement of a Single detached dwelling, Modular home, or Moved-in dwelling. In addition to the requirements of section 2 of this schedule, the following requirements apply to basement suites:

(a) the maximum floor area of a basement suite shall not exceed the floor area of any one storey of the dwelling above grade;

(b) a basement suite shall be developed in such a way that the exterior of the principal dwelling shall appear as a single detached dwelling;

(c) a basement suite shall have an entrance separate from the entrance of the principal dwelling in accordance with Alberta Safety Codes; and

(d) should the entrance be directly from the exterior of the dwelling, it shall be on the side or rear of the structure.



Garage suites may include a secondary suite within the principal dwelling. In addition to the requirements of section 2 of this schedule, the following requirements apply to garage suites within the principal dwelling:

(e) in no instance shall the roof peak of a garage suite be higher than the roof peak of the principal dwelling;

(f) the roof slope of the garage should be the same as or similar to the roof slope of the principal dwelling, to the discretion of the Development Authority;

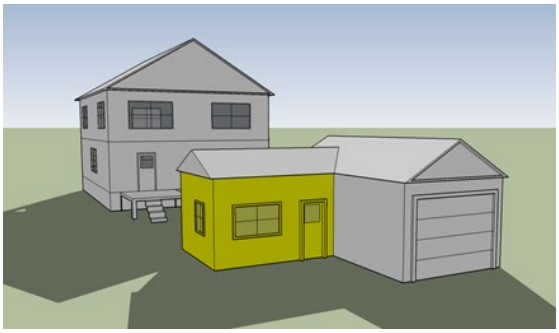
(g) an entrance separate from the entrance to the garage in accordance with Alberta Safety Codes;

(h) the maximum floor area of the suite shall not exceed the floor area of the garage, not including shared mechanical rooms and common areas;

(i) the minimum setback dimensions, maximum percentage of lot coverage, and maximum height requirement shall be as described in the land use district for a Single detached dwelling, Modular home, or Moved-in dwelling; and

(j) the portion of the garage structure intended for use as a garage shall not be permitted to be used as additional living space.

5. SECONDARY SUITES within an ACCESSORY BUILDING



Garage suites may be included at grade within the same accessory building as the detached garage. In addition to the requirements of section 2 of this schedule, the following requirements apply to garage suites within an accessory building:

(a) the roof slope of the garage should be the same as or similar to the roof slope of the principal dwelling, to the discretion of the Development Authority;

(b) an entrance separate from the entrance to the garage shall be developed in accordance with Alberta Safety Codes;

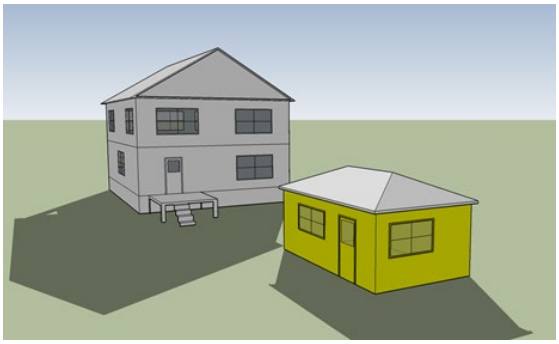
(c) at grade garage suites that are a part of a detached garage shall only be permitted on lots with laneways or on lots where adequate access is deemed acceptable to the Municipal Planning Commission;

(d) an at grade garage suite shall not be developed until a principal dwelling has been legally developed;

(e) the minimum separation from the principal dwelling shall be 3.0 m (9.84 ft.);

(f) the minimum setback dimensions, maximum percentage of lot coverage, and maximum height requirements shall be as described in the land use district for an accessory building; and

(g) the portion of the garage structure intended for use as a garage shall not be permitted to be used as additional living space.



Garden suites are detached completely from the principal dwelling and are accessory buildings constructed at grade. In addition to the requirements of section 2 of this schedule, the following requirements apply to garden suites within an accessory building:

(h) a garden suite shall only be permitted on lots with laneways or on lots where adequate access is deemed acceptable to the Municipal Planning Commission;

(i) a garden suite shall not be developed until the principal dwelling has been legally developed;

(j) the maximum floor area of a garden suite shall be 74.32 m^2 (800 sq. ft.);

(k) the minimum separation from the principal dwelling shall be 3.0 m (9.84 ft.); and

(l) the minimum setback dimensions, maximum percentage of lot coverage, and maximum height requirements shall be as described in the land use district for an accessory building.

Schedule 16

BREWERIES, DISTILLERIES AND WINERIES

Schedule 16

BREWERIES, DISTILLERIES AND WINERIES

APPLICABILITY

The requirements of this section, with the exception of the general standards found in Schedule 3 which apply to all breweries, distilleries and wineries and where applicable Schedule 5 Overlays, are provided to guide and regulate development.

GENERAL REQUIREMENTS

1. That the developer or applicant provide copies of all approved Alberta Gaming and Liquor Commission licenses as a condition of the development permit.

2. Breweries, distilleries and wineries shall not generate odour, dust, waste, or delivery traffic in excess of that which is characteristic of the District in which it is located.

3. There shall be no outdoor manufacturing activities, or unenclosed outdoor storage of material or equipment associated with the business.

4. Any public entrances, outdoor public spaces and outdoor private non-safe hospitality areas shall not be located next to an abutting residential use, existing at the time of approval. An Outdoor patio shall be processed as a separate use.

5. That when the use is located in an industrial district, the maximum floor area of a display and sales area located in a building is the greater of:

   (a) 38.0 m²; or

   (b) 20.0 percent of the gross floor area of the use to a maximum of 465.0 m².



Schedule 17

CRYPTOCURRENCY MINING OPERATION

Schedule 17

CRYPTOCURRENCY MINING OPERATION

1. An application for a cryptocurrency mining operation shall be accompanied by all the application submission requirements in accordance Administration Development Permits Section as well as the following information:

   (a) floor plans, elevations and renderings conveying all proposed buildings and structures that will form part of the facility including trailers, shipping containers, semi-trucks and related storage buildings;

   (b) a breakdown of the number of computer units, fans and any pertinent information concerning their anticipated noise impacts;

   (c) noise impact assessment (NIA) completed by a qualified professional which measures sound from the proposed facility to the nearest dwelling/ or building. The assessment shall be undertaken in accordance with the principles specified in AUC Rule 012 or a comparable standard, regardless of whether the proposed operation involved the on-site generation of electric energy.

   (d) a fire protection plan; and

   (e) any other information that may be required by the Development Authority.

2. Proposals for cryptocurrency mining operations integrating an on-site power plant or backup power source shall indicate the total MW at full build-out, and any pertinent information concerning their anticipated noise impacts. All structures related to energy generation shall be indicated on the site plan.

3. An application for a cryptocurrency mining operation that draws its power from the electricity grid shall be accompanied by verification in writing from the electrical service provider that the projected electrical consumption of the proposed use can be accommodated and that the utility supply equipment and related infrastructure is sufficiently sized to accommodate the proposal.

4. The applicant shall submit from the Alberta Utilities Commission:

   (a) a copy of proof of exemption of an approval for applications utilizing on-site power plant generating less than 10 megawatts (MW)

   (b) a copy of any approvals required by for application utilizing an on-site power plant generating 10 MW or more.



5. At all times during the operation of the cryptocurrency mining operations noise compliance shall be:

	Dwelling density per quarter section of land					
Proximity to Transportation	**1 to 8 dwellings**		**9 to 160 dwellings**		**Greater than 160 dwellings**	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
Category 1	50 dB	40 dB	53 dB	43 dB	56 dB	46 dB
Category 2	55 dB	45 dB	58 dB	48 dB	61 dB	51 dB
Category 3	60 dB	50 dB	63 dB	53 dB	66 dB	56 dB

Category 1: dwelling(s) distance is more than or equal to 500 metres (m) from heavily travelled roads or rail lines and not subject to frequent aircraft flyovers from proposed development.

Category 2: dwelling(s) distance is more than or equal to 30 m, but less than 500 m from heavily travelled roads or rail lines and not subject to frequent aircraft flyovers from proposed development.

Category 3: dwelling(s) distance is less than 30 m from heavily travelled roads, or rail lines or subject to frequent aircraft flyovers from proposed development.

	Daytime	Nighttime
Other parcels zoned for Industrial purposes	75 dB	70 dB

6. Facilities used in conjunction with cryptocurrency mining operations shall integrate noise management strategies to achieve noise compliance, including but not limited to exhaust baffles, roof and site extensions on exhaust side of buildings, sound-absorbent padding, and fire-resistant sound-absorbing walls. Where the above measures do not adequately mitigate sound to achieve noise compliant specified in section 20.6, more sophisticated sound mitigation solutions shall be required prior to commencement of operations.

7. In response to noise complaints:

   (a) by residents, the cryptocurrency mining operation that is the subject of those complaints may, at the discretion of the Development Authority, be required to undertake sound level testing at the location of the most affected dwelling to demonstrate that the noise threshold in is not exceeded.

   (b) by operators of other properties within the Industrial land use district, the Development Authority may determine that noise compliance testing is required to demonstrate compliance.

   (c) any required compliance testing shall be undertaken at the cost of the developer.

Appendix A

FORMS AND APPLICATIONS

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Claresholm

Town of Claresholm
APPLICATION FOR A DEVELOPMENT PERMIT

Application No.	

IMPORTANT NOTICE: This application ***does not*** *permit you to begin this development until such time as a development permit has been issued by the Development Authority. Please* ***read*** *carefully the* ***Important Notes*** *at the end of this application.*

I/We hereby make an application for a development permit under the provisions of Land Use Bylaw No. 1525 in accordance with the plans and supporting information submitted herewith and which forms part of this application.

APPLICANT INFORMATION

APPLICANT: _____

Mailing Address: _____ Telephone No. _____

Applicant's Interest if not the registered owner: _____

REGISTERED OWNER OF LAND CONCERNED: _____

Mailing Address: _____ Telephone No. _____

CONSENT SIGNATURES

I certify that I am the registered owner or that the registered owner(s) of the land described above is aware of this application and 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.

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 Freedom of Information and Protection of Privacy Act (FOIP).*

DATE: _____ **SIGNED:** _____
Applicant

SIGNED: _____
Registered Owner

PROPERTY INFORMATION

CIVIC ADDRESS: _____

PROPERTY LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Plan: _____

Quarter : _____ Section : _____ Township: _____ Range : _____

LAND USE DESIGNATION (ZONING): _____

EXISTING USE: _____

PROPOSED DEVELOPMENT/USE: _____

PROPOSED SETBACKS: Units: ☐ Meters ☐ Feet

Front: _____ Rear: _____ Sides: _____

Claresholm

OFF-STREET PARKING: No. of Spaces: _____

Where on parcel located / or to be located: _____

LOADING AND UNLOADING FACILITIES: No. of Spaces: _____

Where on parcel located / or to be located: _____

DETAILS OF PROPOSED DEVELOPMENT (Where Applicable)

Footings _____ Interior Finishing _____ Heating _____

Foundation _____ Roofing Material _____ Plumbing _____

Structure _____ Lighting _____ Floor Area _____

Exterior Finish _____ Other Details _____

_____

CONSTRUCTION VALUE OF PROPOSED DEVELOPMENT

Labour Value $ _____

Material Cost $ _____

TOTAL PROJECT VALUE $ _____

FOR OFFICE USE ONLY

PERMIT FEE $

PROJECT PLANNING: Additional Permits and Approvals

Estimated commencement date: _____ Estimated completion date: _____

- ☐ Building Permit
- ☐ Plumbing Permit
- ☐ Alberta Health Services
- ☐ Other; specify: _____
- ☐ Electrical Permit
- ☐ Gas Permit
- ☐ Alberta Transportation

FOR OFFICE USE ONLY

ROLL #:

RECEIVED BY:

PROCESSED BY:

PLAN REVIEW REQUIRED: ☐ Yes ☐ No ☐ N/A

DECISION BY:
- ☐ Development Officer
- ☐ Municipal Planning Commission
- ☐ Council

DECISION:
- ☐ Approved
- ☐ Approved with Conditions
- ☐ Refused

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Sketch of proposed Development(s)

Please provide a sketch of the proposed development. Be sure to include the location of the proposed development compared to the location of any existing buildings, the location of other structures on the subject property with distances from property lines, and the dimensions of the proposed development.



Claresholm

IMPORTANT NOTES:

1. Every application for a development permit shall be accompanied by the following information (if applicable, see checklist):
   (a) a site plan, in duplicate, showing: the registered legal boundaries, the location of any proposed development and any existing development, and proposed grades in relation to surrounding property, and provisions for off-street loading and vehicle parking facilities;
   (b) floor plans and elevations and sections;
   (c) a statement indicating the manner in which the applicant intends to conform to the conditions and standards applicable to the development proposed.

2. (a) A **non-refundable** fee, as per **Policy 85**, shall accompany every application.

3. All plans submitted for the erection, enlargement or alterations must meet or exceed Alberta Safety Codes, please contact a Town of Claresholm Safety Codes Officer for more details; Superior Safety Codes @ 1-888-717-2344

4. Failure to complete the application fully and/or to supply the required information and/or plans, may cause delays in the processing of the application.

5. An application for a Permit shall, at the opinion of the applicant, be deemed to be refused when a decision thereon is not made within forty (40) days after receipt of the application in its complete and final form by the Development Officer and the applicant may appeal as provided for in Section 684 of the Municipal Government Act, as though he had received a refusal at the end of the forty (40) day period.

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Claresholm

Town of Claresholm
NOTICE OF DECISION ON APPLICATION FOR A DEVELOPMENT PERMIT

Application No.	

APPLICANT INFORMATION

APPLICANT: _____

Mailing Address: _____ Telephone No. _____

REGISTERED OWNER (if different from applicant): _____

Mailing Address: _____ Telephone No. _____

PROPERTY INFORMATION

In the matter of development of property located at

CIVIC ADDRESS: _____

PROPERTY LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

Quarter _____ Section _____ Township _____ Range _____

PROPOSED DEVELOPMENT / USE

In respect of works consisting of _____

_____

_____

DECISION

The development as specified in Application No. _____ has been:

- ❑ **APPROVED**
- ❑ **APPROVED subject to the following conditions: (see reverse side)**
- ❑ **REFUSED for the following reasons: (see reverse side)**

DATE OF DECISION: _____ **SIGNED:** _____

Development Officer
Town of Claresholm

IMPORTANT NOTES:

1. A development permit issued does not take effect until fourteen (14) days after the notice of decision is published in the newspaper.
2. Notice of approval in no way removes the need to obtain any permit or approval required by any federal, provincial or municipal legislation, order and/or regulations pertaining to the development approved.

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Claresholm

Town of Claresholm
DEVELOPMENT PERMIT

THIS DEVELOPMENT PERMIT IS HEREBY ISSUED TO:

Application No.	

APPLICANT INFORMATION

APPLICANT: _____

Mailing Address: _____ Telephone No. _____

REGISTERED OWNER (if different from applicant): _____

Mailing Address: _____ Telephone No. _____

PROPERTY INFORMATION

In the matter of development of property located at

CIVIC ADDRESS: _____

PROPERTY LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

Quarter _____ Section _____ Township _____ Range _____

and described on the application for development, number _____ and plans submitted by the applicant.

PROPOSED DEVELOPMENT / USE

In respect of works consisting of _____

_____

DEVELOPMENT PERMIT

This permit refers only to works outlined in application number _____

and is subject to the conditions contained in the notice of decision dated _____

DATE: _____ **SIGNED:** _____

Development Officer
Town of Claresholm

THE DEVELOPMENT OUTLINED ABOVE IS SUBJECT TO THE FOLLOWING CONDITIONS:

(a) Only the development to which this permit relates is authorized in accordance with the provisions of this Bylaw, and in no way relieves or excuses the applicant from complying with this Land Use Bylaw or any other bylaws, laws, orders and/or regulations affecting such development.

(b) This permit is valid for a period of one (1) year from the date of issue. If, at the expiry of this period, the development has not commenced or been carried out with reasonable diligence, this permit shall be null and void.

(c) If this permit is issued for construction of a building, the exterior of the building, including painting, shall be completed within twelve (12) months from the date of issue.

NOTE: THIS DEVELOPMENT PERMIT DOES NOT TAKE EFFECT UNTIL FOURTEEN (14) DAYS AFTER THE NOTICE OF DECISION IS PUBLISHED IN THE NEWSPAPER.

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Claresholm

Town of Claresholm
NOTICE OF MUNICIPAL PLANNING COMMISSION MEETING

Application No.	

Notice is hereby given that an application is being made for a development permit with regard to the following:

NAME OF APPLICANT: _____

CIVIC ADDRESS: _____

LEGAL DESCRIPTION OF SITE: _____

LAND USE DESIGNATION: _____

TYPE OF DEVELOPMENT: _____

_____

_____

_____

_____

_____

PLACE OF MEETING: _____

DATE & TIME OF MEETING: _____

Any person affected by the said proposal has the right to present a written brief prior to the hearing and/or to be present and be heard at the meeting.

Persons requesting to be heard at the meeting shall submit a written request to be heard to the Town of Claresholm not later than: _____

DATE: _____ **SIGNED:** _____

Development Officer
Town of Claresholm

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Claresholm

Town of Claresholm

NOTICE OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARING

Application No.	

NAME: _____

ADDRESS: _____

A Public Hearing in the matter of the appeal of _____

of _____ to the decision of the designated officer / Subdivision and Development Authority on Development Application No. _____ , being the application for a development permit for _____

_____

at _____ by _____

shall be heard on the _____ day of _____ , _____ at _____ o'clock (a.m./p.m.)

The hearing will be held in the Town of Claresholm Council Chambers.

DATE: _____ **SIGNED:** _____

Secretary, Subdivision and Development Appeal Board
Town of Claresholm

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Claresholm

Town of Claresholm
NOTICE OF DECISION OF SUBDIVISION AND DEVELOPMENT APPEAL BOARD

Application No.	

NAME: _____

ADDRESS: _____

In the matter of the appeal of _____

of _____ to the decision of the designated officer / Subdivision and Development Authority on Development Application No. _____ , being the application for a development permit for _____

_____

at _____ by _____

the Subdivision and Development Appeal Board, duly convened on the _____ day of _____ , _____

decided to:

For the following reasons:

DATE: _____ **SIGNED:** _____

Secretary, Subdivision and Development Appeal Board
Town of Claresholm

IMPORTANT:

This decision of the Subdivision and Development Appeal Board is final and binding on all parties and all persons, subject only to appeal pursuant to the provisions of the Municipal Government Act.

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Claresholm

Town of Claresholm
AGREEMENT FOR TIME EXTENSION

Application No.	

I / We _____

being the registered owner or person authorized to act on behalf of the registered owner with respect to:

Application No. _____

for _____

located on (legal description) _____

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 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 Development Officer – Town of Claresholm

_____

Signature of Witness

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Claresholm

Town of Claresholm
TIME EXTENSION APPLICATION FOR DEVELOPMENT PERMITS

I/We hereby make an application for a time extension under the provisions of Land Use Bylaw No. 1525.

APPLICANT INFORMATION

APPLICANT: _____

Mailing Address: _____ Telephone No. _____

Applicant's Interest if not the registered owner: _____

REGISTERED OWNER OF LAND CONCERNED: _____

Mailing Address: _____ Telephone No. _____

CONSENT SIGNATURES

I certify that I am the registered owner or that the registered owner(s) of the land described above is aware of this application and 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.

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 Freedom of Information and Protection of Privacy Act (FOIP).*

DATE: _____ **SIGNED:** _____
Applicant

SIGNED: _____
Registered Owner

APPROVED APPLICATION INFORMATION

- ❑ DEVELOPMENT PERMIT FILE NUMBER: _____ EXPIRATION DATE: _____
- ❑ BUILDING PERMIT FILE NUMBER: _____ EXPIRATION DATE: _____
- ❑ ELECTRICAL PERMIT FILE NUMBER: _____ EXPIRATION DATE: _____
- ❑ PLUMBING PERMIT FILE NUMBER: _____ EXPIRATION DATE: _____
- ❑ Other:_____ FILE NUMBER: _____ EXPIRATION DATE: _____

CIVIC ADDRESS: _____

PROPERTY LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Plan: _____

Quarter : _____ Section :_____ Township:_____ Range : _____

Claresholm

DETAILS OF PROPOSED TIME EXTENSION

Extended time requested: _____ Until: _____
how many days *Date(m/d/y)*

Reason for Extension Request: _____

_____

_____

_____

_____

FOR OFFICE USE ONLY	
ROLL #:	**VALID FOR:** _____ **(days)**
RECEIVED BY:	**VALID UNTIL:** _____ **(d/m/y)**
PROCESSED BY:	**PERMIT FEE $**
DECISION BY: ❑ Development Officer ❑ Municipal Planning Commission ❑ Council	
DECISION: ❑ Approved ❑ Approved with Conditions ❑ Refused	

IMPORTANT NOTES:

1. A **non-refundable** fee, as per **Policy 85**, shall accompany every application.
2. Please note, as per Section 57 of the Town of Claresholm Land Use Bylaw No.1525 the validly of a development permit ***may*** be extended for up to a maximum of 18 months from the date of approval.
3. This Time Extension only pertains to the validity of the development permit; It is the applicant/property owners responsibility to acquire other relevant permit approvals or extensions (i.e. Safety Codes). **Please contact a appropriate Authority having Jurisdiction for more details. The Town of Claresholm Safety Codes Office can be contacted @ 1-888-717-2344 (Superior Safety Codes Inc.)**

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Claresholm

Town of Claresholm
STOP ORDER

Application No.	

TO THE REGISTERED OWNER: _____

MAILING ADDRESS: _____

CIVIC ADDRESS: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

Quarter _____ Section _____ Township _____ Range _____

PLEASE TAKE NOTICE that in accordance with the Municipal Government Act, section 645, you are HEREBY ORDERED TO:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

BE ADVISED that pursuant to section 566 of the Municipal Government Act, a person who contravenes an order under section 645, is guilty of an offense 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; and be FURTHER ADVISED that pursuant to section 684 and section 686(1) of the Municipal Government Act, you may appeal this order by serving a written notice of the appeal on the Subdivision and Development Appeal Board within 14 days after receiving this order, in care of the secretary, Subdivision and Development Appeal Board, Town of Claresholm, Box 1000, Claresholm, Alberta, T0L 0T0. [Office Location: 221 45th Avenue West]

DATE: _____ **SIGNED:** _____

Designated Officer
Town of Claresholm

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Claresholm

Town of Claresholm
APPLICATION FOR A LAND USE BYLAW AMENDMENT

Application No.	

APPLICANT INFORMATION

APPLICANT: _____

Mailing Address: _____ Telephone No. _____

REGISTERED OWNER: _____

Mailing Address: _____ Telephone No. _____

CONSENT SIGNATURES

I certify that I am the registered owner or that the registered owner(s) of the land described above is aware of this application and 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.

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 Freedom of Information and Protection of Privacy Act (FOIP).*

DATE: _____ **SIGNED:** _____

Applicant

SIGNED: _____

Registered Owner

PROPERTY INFORMATION

CIVIC ADDRESS: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

Quarter _____ Section _____ Township _____ Range _____

PROPOSED AMENDMENT

FROM: _____

TO: _____

APPLICANT'S SUBMISSION

Please state your reasons for applying for this amendment. (Attach a separate sheet if necessary.)

_____

_____

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Claresholm

Town of Claresholm
APPLICATION FOR A HOME OCCUPATION

Application No.	

APPLICANT INFORMATION

APPLICANT: _____

Mailing Address: _____ Telephone No. _____

REGISTERED OWNER: _____

Mailing Address: _____ Telephone No. _____

CONSENT SIGNATURES

I certify that I am the registered owner or that the registered owner(s) of the land described above is aware of this application and 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.

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 Freedom of Information and Protection of Privacy Act (FOIP).*

DATE: _____ **SIGNED:** _____
Applicant

SIGNED: _____
Registered Owner

PROPERTY INFORMATION

CIVIC ADDRESS: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

Quarter _____ Section Township Range

LAND USE DESIGNATION (ZONING): _____

Claresholm

DETAILS OF PROPOSED HOME OCCUPATION

EXISTING USE: _____

PROPOSED USE BEING APPLIED FOR: _____

HOURS OF OPERATION: _____ to _____

NOISE GENERATED:	❑ Yes	❑ No	❑ Not Applicable	
OFF-STREET PARKING AVAILABLE:	❑ Yes	❑ No	❑ Not Applicable	No. of Spaces _____
STORAGE OF GOODS ON PROPERTY:	❑ Yes	❑ No	❑ Not Applicable	
ANTICIPATED INCREASE IN VEHICULAR TRAFFIC:	❑ Yes	❑ No	❑ Not Applicable	
ODOURS OR NOXIOUS EFFLUENTS:	❑ Yes	❑ No	❑ Not Applicable	
ADDITIONAL VEHICLES REQUIRED:	❑ Yes	❑ No	❑ Not Applicable	

APPLICANT'S SUBMISSION

Please describe your proposed business. (Attach a separate sheet if necessary.)

_____

_____

_____

Please state your reasons for applying for this business. (Attach a separate sheet if necessary.)

_____

_____

_____

FOR OFFICE USE ONLY

ROLL #:

RECEIVED BY:

PROCESSED BY:

DECISION BY:
- ❑ Development Officer
- ❑ Municipal Planning Commission
- ❑ Council

DECISION:
- ❑ Approved
- ❑ Approved with Conditions
- ❑ Refused

PERMIT FEE $

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Claresholm

Town of Claresholm
SUPPORTING DOCUMENTATION FOR DEMOLITION/REMOVAL

A development permit is required to demolish or remove a building or structure from a site. The demolition/removal permit process ensures that buildings are dismantled and removed in a safe manner and that the land will be left in a suitable state after removal. The following is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

STRUCTURES TO BE REMOVED

Description of Building/Structure(s) _____

_____

Type of Work ❑ Removal to another site (no demolition) ❑ Demolition of building/structure

Building Size _____ ❑ m^2 ❑ sq. ft.

Height of Building _____ ❑ m ❑ ft. # of storeys _____

DEMOLITION PLAN

Time Frame Expected start date: _____ Expected completion date: _____

Method of Demolition
- ❑ Manual (no heavy equipment)
- ❑ Using heavy equipment
- ❑ Other - please explain _____

Dump Site Location _____

Note: Construction debris should be dumped in an approved certified site whenever possible. If that is not possible, approval must be obtained from Alberta Environment.

Name of Contractor responsible for removal/demolition _____

Claresholm

APPLICANT IS RESPONSIBLE FOR:

- ❑ **Disconnection of all services** including (if applicable):

Signature from agency verifying services disconnected (or attach letter):

  - ❑ Electrical power _____
  - ❑ Natural gas _____
  - ❑ Oil lines _____
  - ❑ Telephone cables _____
  - ❑ Communications cables (includes cable tv) _____
  - ❑ Water lines _____
  - ❑ Storm & sanitary sewer _____
  - ❑ Septic _____

- ❑ **On-site consultation with Public Works Director**. The applicant shall schedule a consultation with the Public Works Director a minimum of 48 hours prior to demolition or removal commencing to determine the state of affected public property.

- ❑ **Final plan for property after building removed or demolished and reclamation complete.** As applicable:
  - ❑ **Copy of grading plans** if property will be vacant after removal or demolition.
  - ❑ **Complete development application for new development** where building is being replaced.

- ❑ **A completed Development Application**. This form shall accompany a complete development application with the consent of the registered owner and any other required documentation.

- ❑ **Application Fee and any applicable deposit or security required payable to the Town of Claresholm.**

- ❑ **Construction / Demolition Management Plan required by the Town of Claresholm.**

*****NOTE: A building permit is also required before proceeding with demolition.***

SIGNATURES

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 Freedom of Information and Protection of Privacy Act (FOIP)..*

DATE: _____ **SIGNED:** _____

Applicant / Registered Owner

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Claresholm

Town of Claresholm
DEVELOPMENT – SIGN PERMIT APPLICATION

Sign Permit Application No.	

IMPORTANT NOTICE: This application ***does not*** *permit you to begin this development until such time as a permit has been issued by the Development Authority. Please* ***read*** *carefully the* ***Important Notes*** *at the end of this application.*

I/We hereby make an application for a sign permit under the provisions of Land Use Bylaw No. 1525 in accordance with the plans and supporting information submitted herewith and which forms part of this application.

APPLICANT INFORMATION

APPLICANT: _____

Mailing Address: _____ Telephone No. _____

Applicant's Interest if not the registered owner: _____

REGISTERED OWNER OF LAND CONCERNED: _____

Mailing Address: _____ Telephone No. _____

CONSENT SIGNATURES

I certify that I am the registered owner or that the registered owner(s) of the land described above is aware of this application and the information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Sign.

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 Freedom of Information and Protection of Privacy Act (FOIP).*

DATE: _____ **SIGNED:** _____
Applicant

SIGNED: _____
Registered Owner

PROPERTY INFORMATION

CIVIC ADDRESS: _____

PROPERTY LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Plan: _____

Quarter : _____ Section : _____ Township: _____ Range : _____

LAND USE DESIGNATION (ZONING): _____

EXISTING USE: _____

Claresholm

SIGN INFORMATION

TYPE OF WORK: ❑ New Permanent Sign ❑ Changes to Existing Sign ❑ Temporary Sign

SIGN LOCATION (civic address): _____

Are there any other signs at this location? ❑ Yes ❑ No

If Yes, please describe: _____

PROPOSED SETBACKS: (if applicable) Units: ☐ Meters ☐ Feet

Front: _____ Rear: _____ Sides: _____

SIGN TYPE:

- ❑ Wall (fascia)
- ❑ Freestanding (Monument)
- ❑ Canopy (Awning)
- ❑ Sandwich Board
- ❑ Shingle Sign
- ❑ Roof Sign
- ❑ Multi-Tenant
- ❑ Billboard
- ❑ Mural
- ❑ Portable

SIGN CHARACTERISTICS:

- ❑ Electrified
- ❑ Non-electrified
- ❑ Indirect Illumination
- ❑ Internal Illumination
- ❑ Flashing
- ❑ Animated
- ❑ Lettering
- ❑ Electronic Variable Messages
- ❑ Rotating
- ❑ Other _____

			Office Use
Length of Sign:	❑ m	❑ ft.	
Height of Sign:	❑ m	❑ ft.	
Display Surface (length x height):	❑ m^2	❑ sq. ft.	
Top of Sign Height:			
from Grade:	❑ m	❑ ft.	
above Roof:	❑ m	❑ ft.	

If the sign is only for **temporary** use:

How many days will the proposed sign be displayed? _____ days

SITE PLAN

**Please attach a plan drawn to a suitable scale and photographs, if available, illustrating:

- ❑ Location of all existing and proposed sign(s)
- ❑ Size, height, and other dimensions of the proposed sign(s), including any supporting structures
- ❑ 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)

221 45TH AVENUE WEST
BOX 1000
CLARESHOLM, AB T0L 0T0

Town of Claresholm

DEVELOPMENT – SIGN PERMIT APPLICATION

Sketch of Proposed Sign(s)

Please provide a sketch of the proposed signs. Be sure to include the location of the sign compared to the building, the location of any existing sign(s), the location of the sign and buildings on the subject property with distances from property lines, and the dimensions of the sign, including support structures.



Appendix B

FEES

Appendix C

SUBDIVISION AND DEVELOPMENT AUTHORITY BYLAW

Appendix D

SUBDIVISION AND DEVELOPMENT APPEAL BOARD BYLAW