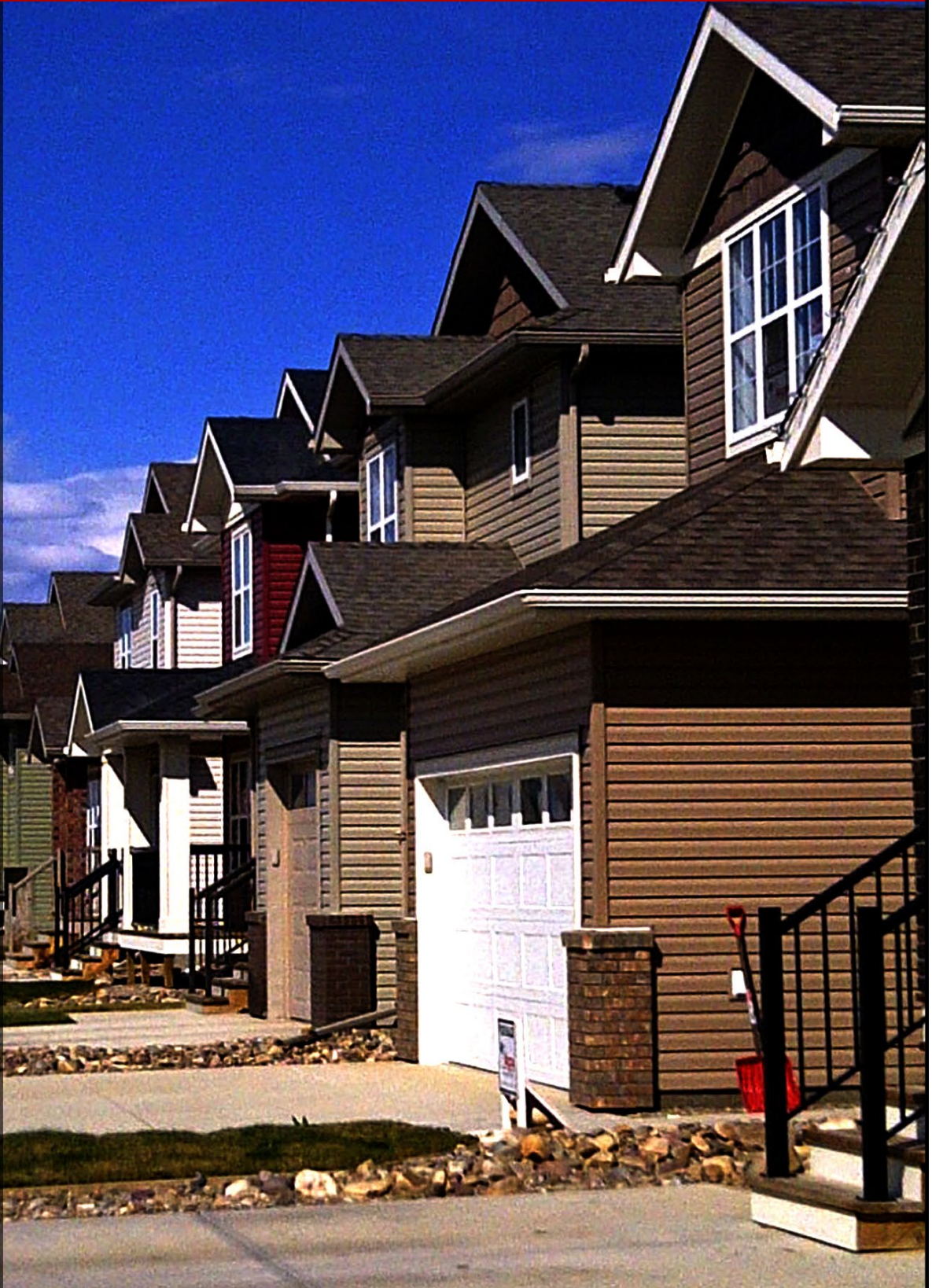




# The Town of Coalhurst

## Land Use Bylaw

No. 354-12



Consolidated to  
Bylaw No. 445-23  
November 2023

Prepared by



*OLDMAN RIVER REGIONAL SERVICES COMMISSION*

**July 2012**



**TOWN OF COALHURST  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 354-12**

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

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

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

AND WHEREAS the purpose of proposed Bylaw No. 354-12 is to foster orderly growth and development within the Town;

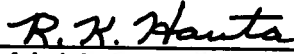
AND WHEREAS, a public hearing was conducted in accordance with Section 692 of the Act;

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

1. Bylaw No. 252-98, being the former Land Use Bylaw, and any amendments thereto, is hereby rescinded.
2. Bylaw No. 354-12 shall come into effect upon third and final reading thereof.
3. Bylaw No. 354-12 is hereby adopted.

READ a **first** time this 1<sup>st</sup> day of May, 2012.

  
\_\_\_\_\_  
Mayor – Dennis Cassie

  
\_\_\_\_\_  
Chief Administrative Officer – R. K. Hauta

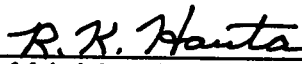
READ a **second** time, as amended, this 10<sup>th</sup> day of July, 2012.

  
\_\_\_\_\_  
Mayor – Dennis Cassie

  
\_\_\_\_\_  
Chief Administrative Officer – R. K. Hauta

READ a **third** time and finally PASSED this 10<sup>th</sup> day of July, 2012.

  
\_\_\_\_\_  
Mayor – Dennis Cassie

  
\_\_\_\_\_  
Chief Administrative Officer – R. K. Hauta



## Town of Coalhurst Land Use Bylaw No. 354-12 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
358-12	“Large Lot Residential – LLR” to “Business Industrial – BI”	Portion of Parcel V, Plan 4077JK	4-Sep-2012
376-14	Add a maximum size for secondary suite in the “Residential – R” and “Large Lot Residential – LLR” districts; Add standards for privacy walls and screens in “Residential - R”, “Small Lot Residential – SLR”, “Large Lot Residential – LLR” and “Multi-Unit Residential – MUR” districts; Add customer and client visits to a residence for Home Occupation 2 uses in the “Residential – R” and “Large Lot Residential – LLR” districts; Amend Section 8.22 of Schedule 4 to clarify stacking space for drive-through uses; Add a definition for Privacy wall and screens and Translucent in Schedule 7		2-Dec-2014
382-16	Various text amendments regarding “Pawnshop”, “Payday Loan”, and “Payday Loan Business” to Schedules 2, 5 and 7		4-Apr-2016
383-16	“Rural Urban Fringe (Lethbridge County) – RUF” to “Transitional – TR”; “Rural Urban Fringe (Lethbridge County) – RUF” to “Parks and Recreation – PR”	Portion of NE 16-9-22-W4M and Block 1, Plan 901 0514 within NE 16-9-22-W4M; Canal ROW, Plan 081 2954 (two parts) and Canal ROW, Plan 011 0686 within NW 16-9-22-W4M	4-Apr-2016
385-16	Add “Retail” as a discretionary use in the “Business Industrial – BI”		12-Jul-2016
390-17	“Residential – R” to “Small Lot Residential – SLR” and “Residential – R” to “Parks and Recreation – PR”	Lot 1, Block 15, Plan 0614136 within SW 21-9-22-W4M	7-Mar-2017
402-18	Add minimum requirements and standards for Retail Cannabis Stores; Add the use “Retail Cannabis Store as a discretionary use in the “Commercial – C” and “Business Industrial – BI” districts; Add definitions for Cannabis, Cannabis Accessory, and Retail Cannabis Stores		9-Oct-2018
434-22	Amend Schedule 2, Parks and Recreation Land Use District, Section 2.1 be amended to add "Utilities" as a permitted use. Redesignation: "Transitional - TR" to "Parks and Recreation - PR"	Portion of SE 1/4 21-9-22 W4M (Legal Subdivision 1)	21-Jun-2022
435-22	Amend Schedule 5, Use Specific Standard, Section 11 Cannabis Retail Store to delete 11(d).		21-Jun-2022
445-23	Delete the use “Alternative energy system, individual” as a discretionary use in all Land Use Districts. Addition of “Solar energy system, individual – roof or wall mounted” as a permitted use to Residential – R, Small Lot Residential – SLR, Large Lot Residential – LLR, Multi-unit Residential – MUR, Manufactured Home Park – MHP, Commercial – C, Business Industrial – BI, Parks		7-Nov-2023

Bylaw No.	Amendment Description	Legal Description	Passed
	<p>and Recreational – PR, Public Institutional – PI, and Transitional – TR Land Use Districts</p> <p>Addition of “Solar energy system, individual – ground mounted” as a discretionary use to the Commercial – C, Business Industrial – BI, Parks and Recreation – PR, Public Institutional – PI, and Transitional – TR Land Use Districts</p> <p>Add “Wind energy conversion system, individual” as a discretionary use to Residential – R, Small Lot Residential – SLR, Large Lot Residential – LLR, Multi-unit Residential – MUR, Manufactured Home Park – MHP, Commercial – C, Business Industrial – BI, Parks and Recreation – PR, Public Institutional – PI, and Transitional – TR Land Use Districts.</p> <p>Delete definition of “Alternative energy system, individual”</p> <p>Addition of definition of “Solar energy system, individual – roof or wall mounted”, “Solar energy system, individual – ground mounted”, and “Wind energy conversion system, individual”.</p> <p>Amend title of Section 1 Energy Sources of Schedule Five to “Section 1 Alternative Energy Sources: Solar and Wind”.</p>		

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- Notice of Appeal

# TOWN OF COALHURST

## LAND USE BYLAW NO. 354-12

### ADMINISTRATION

#### GENERAL

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##### **SECTION 1 TITLE**

- 1.1 This bylaw may be cited as the “Town of Coalhurst Land Use Bylaw.”

##### **SECTION 2 PURPOSE**

- 2.1 The purpose of this bylaw is to, amongst other things:
- (a) divide the municipality into districts;
  - (b) prescribe and regulate the use(s) for each district;
  - (c) establish a method for making decisions on applications for development permits and issuing development permits for a development;
  - (d) provide the manner in which notice of the issuance of a development permit is to be given; and
  - (e) implement the Town of Coalhurst Municipal Development Plan and other statutory plans of the municipality, as may be developed.

##### **SECTION 3 EFFECTIVE DATE**

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

##### **SECTION 4 REPEAL OF FORMER BYLAW**

- 4.1 Town of Coalhurst Land Use Bylaw No. 252-98 and amendments thereto are hereby repealed.

##### **SECTION 5 SEVERABILITY**

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

##### **SECTION 6 COMPLIANCE WITH THE LAND USE BYLAW**

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

- 6.2 Notwithstanding subsection 6.1, while a development permit may not be required pursuant to Section 26, development shall comply with all regulations of this bylaw.

## **SECTION 7 COMPLIANCE WITH OTHER LEGISLATION**

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

## **SECTION 8 RULES OF INTERPRETATION**

- 8.1 Unless otherwise required by the context, words used in the present tense include the future tense; words used in the singular include the plural; and the word person includes a corporation as well as an individual. The *Interpretation Act, Chapter I-8, RSA 2000 as amended*, shall be used in the interpretation of this bylaw. Words have the same meaning whether they are capitalized or not.
- 8.2 The written regulations of this bylaw take precedence over any graphic or diagram if there is a perceived conflict.
- 8.3 The Land Use Districts Map takes precedence over any graphic or diagram in the district regulations if there is a perceived conflict.

## **SECTION 9 MEASUREMENTS AND STANDARDS**

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

## **SECTION 10 DEFINITIONS**

- 10.1 Refer to Schedule 7 – Definitions.

## **SECTION 11 FORMS, NOTICES AND FEES**

- 11.1 For the purposes of administering the provisions of this bylaw, Council may authorize by separate resolution or bylaw as may be applicable, the preparation and use of such fee schedules, forms or notices as in its discretion it may deem necessary. Any such fee schedules, forms or notices are deemed to have the full force and effect of this bylaw in execution of the purpose for which they are designed, authorized and issued.
- 11.2 Application forms, fees and notices are included in Appendix A.
- 11.3 Refund of application fees requires approval of the Town Council.
- 11.4 In any case, where the required fee is not listed in the fee schedule, such fee shall be determined by the Development Officer or Municipal Subdivision and Development Authority and shall be consistent with those fees listed in the schedule for similar developments.

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

## **SECTION 12 APPENDICES**

- 12.1 Appendix A and B attached hereto are for information purposes only and may be amended from time to time as they do not form part of the Town of Coalhurst Land Use Bylaw.

## **APPROVING AUTHORITIES**

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### **SECTION 13 DEVELOPMENT AUTHORITY**

- 13.1 The Development Authority is established in accordance with bylaw 350-11.
- 13.2 Council shall be the Development Authority within any Direct Control District, unless specifically delegated by bylaw to the Municipal Subdivision and Development Authority or the Development Officer.
- 13.3 In the absence of the Development Officer, the following are authorized to act in the capacity of Development Officer:
- (a) Municipal Subdivision and Development Authority;
  - (b) Chief Administrative Officer; or
  - (c) a designate(s) in accordance with the Act.
- 13.4 The Development Officer is an authorized person in accordance with section 624 of the Act.
- 13.5 The Development Authority shall perform such powers and duties as are specified:
- (a) in the Town of Coalhurst Municipal Subdivision and Development Bylaw;
  - (b) in this bylaw;
  - (c) in the Municipal Government Act;
  - (d) where applicable, by resolution of Council.

### **SECTION 14 DEVELOPMENT OFFICER – POWERS AND DUTIES**

- 14.1 The office of the Development Officer is hereby established and such office shall be filled by one or more persons as appointed by resolution of Council.
- 14.2 The Development Officer:
- (a) shall receive and process all applications for development permits;

- (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 Subdivision and Development Authority considers necessary;
- (d) except as provided in subsection (14.2)(g), shall consider and decide on applications for a development permit for:
  - (i) permitted uses that comply with this land use bylaw;
  - (ii) permitted uses that request one (1) variance of a measurable standard not to exceed 10%;
  - (iii) permitted uses on existing registered lots where the Municipal Subdivision and Development Authority granted a variance(s) to the minimum lot width, length and/or area requirements as part of a subdivision approval;
  - (iv) landscaping;
  - (v) fences, walls or other types of enclosures; and
  - (vi) demolition;
- (e) shall refer to the Municipal Subdivision and Development Authority all development permit applications for which decision making authority has not been assigned to the Development Officer;
- (f) may refer any development application to the Municipal Subdivision and Development Authority for a decision and may refer any other planning or development matter to the Municipal Subdivision and Development Authority for its review, comment or advice;
- (g) shall refer all development applications in a Direct Control District to Council for a decision, unless Council has specifically delegated approval authority to the Development Officer or the Municipal Subdivision and Development Authority;
- (h) shall notify adjacent landowners and any persons who are likely to be affected by a proposed development in accordance with Section 35 of this bylaw;
- (i) shall receive, review, and refer any applications to amend this bylaw to Council;
- (j) shall issue the written notice of decision and/or development permit on all development permit applications and any other notices, decisions or orders in accordance with this bylaw;
- (k) may receive and consider and decide on requests for time extensions for Development Permits which the Development Officer has approved and shall refer to the Municipal Subdivision and Development Authority those requests which the Municipal Subdivision and Development Authority has approved;
- (l) shall provide a regular report to the Municipal Subdivision and Development Authority summarizing the applications made for a development permit and the decision made on the applications, and any other information as the Municipal Subdivision and Development Authority considers necessary; and



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

**SECTION 15 MUNICIPAL SUBDIVISION AND DEVELOPMENT AUTHORITY**

- 15.1 The Municipal Subdivision and Development Authority may exercise only such powers and duties as are specified in the Act, the Municipal Subdivision and Development Authority Bylaw, this bylaw, or by resolution of Council.
- 15.2 The Municipal Subdivision and Development Authority shall be responsible for:
  - (a) considering and deciding upon development permit applications referred to it by the Development Officer;
  - (b) providing recommendations on planning and development matters referred to it by the Development Officer or Council;
  - (c) considering and deciding upon requests for time extensions on development permit applications referred to it by the Development Officer;
  - (d) considering and deciding upon applications for subdivision approval;
  - (e) any other powers and duties as are specified in this bylaw, the Municipal Subdivision and Development Authority Bylaw, the Act or by resolution of Council.

**SECTION 16 COUNCIL**

- 16.1 Council shall be responsible for considering and deciding upon development permit applications within any Direct Control District, except where the decision making authority has been delegated to the Municipal Subdivision and Development Authority or the Development Officer.

**SECTION 17 SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)**

- 17.1 The SDAB is established by separate bylaw pursuant to the Act, and may exercise such powers and duties as are specified in this bylaw, the Act and the Subdivision and Development Appeal Board Bylaw.

**DEVELOPMENT IN GENERAL**

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**SECTION 18 LAND USE DISTRICTS**

- 18.1 The Town of Coalhurst is divided into those land use districts shown in Schedule 1 on the Land Use District Map.
- 18.2 The one or more uses of land or buildings that are:
  - (a) permitted uses in each district, with or without conditions; and/or

- (b) discretionary uses in each district, with or without conditions;
  - (c) are described in Schedule 2.
- 18.3 A land use that is not listed as a permitted or discretionary use but which is reasonably similar in character and purpose to a permitted or discretionary use in that district may be deemed a similar use by the Development Authority in accordance with Section 32 (Similar Use).
- 18.4 A land use not listed as a permitted or discretionary use or not deemed a similar use, in a district is a prohibited use and shall be refused.

## **SECTION 19 SUITABILITY OF SITES**

- 19.1 Notwithstanding that a use of land may be permitted or discretionary or considered similar in nature to a permitted or discretionary use in a land use district, the Development Authority, as applicable, may refuse to approve a subdivision or issue a development permit if the Development Authority is made aware of or if in their opinion, the site of the proposed building or use is not safe or suitable based on the following:
- (a) does not have safe legal and physical access to a maintained road in accordance with the land use bylaw, other municipal requirements or those of Alberta Transportation if within 300 m (984 ft) of a provincial highway or 800 m (2,625 ft) from the centre point of an intersection of a controlled highway and a public road;
  - (b) has a high water table or soil conditions which make the site unsuitable for foundations and/or sewage disposal systems in accordance with the 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 Provincial Land Use Policies, Regional Plan, Subdivision and Development Regulation or any other applicable Statutory Plans;
  - (f) is situated over an active or abandoned coal mine or oil or gas well or pipeline;
  - (g) is unsafe due to contamination by previous land uses;
  - (h) does not meet the minimum setback requirements from a sour gas well or bulk ammonia storage facility;
  - (i) does not have adequate water and sewer provisions;
  - (j) does not meet the lot size and/or setback requirements or any other applicable standards or requirements of the Town of Coalhurst Land Use Bylaw;
  - (k) is subject to any easement, caveat, restrictive covenant or other registered encumbrance which makes it impossible to build on the site.

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

**SECTION 20 NUMBER OF DWELLING UNITS ON A PARCEL**

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

**SECTION 21 NON-CONFORMING BUILDINGS AND USES**

- 21.1 A non-conforming building or use may only be continued in accordance with the conditions detailed in section 643 of the Act.

**SECTION 22 DEVELOPMENT ON NON-CONFORMING SIZED LOTS**

- 22.1 Development on an existing registered non-conforming sized lot that does not meet the minimum requirements for lot length, width or area specified in the applicable land use district in Schedule 2 may be permitted at the discretion of the Municipal Subdivision and Development Authority.
- 22.2 The Development Officer is authorized to permit development on existing registered non-conforming sized lots for permitted uses where the Municipal Subdivision and Development Authority issued a variance(s) to the minimum requirements for lot length, width and/or area as part of a subdivision approval.

**SECTION 23 NON-CONFORMING VARIANCES**

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

**SECTION 24 DEVELOPMENT AGREEMENTS**

- 24.1 The Development Authority may require, with respect to a development, that as a condition of issuing a development permit, the applicant enter into an agreement with the municipality, pursuant to section 650(1) of the Act, to do any or all of the following:
- (a) to construct or pay for the construction of a road required to give access to the development;
  - (b) to construct or pay for the construction of a pedestrian walkway system to serve the development and/or connect with existing or proposed pedestrian walkway systems that serve adjacent development;

- (c) to install or pay for the installation of public utilities, other than telecommunication systems or works, that are necessary to serve the development;
  - (d) to construct or pay for the construction of off-street, or other parking facilities and/or loading and unloading facilities;
  - (e) to pay an off-site levy or redevelopment levy;
  - (f) to give security to ensure that the terms of the agreement under this section are carried out.
- 24.2 The Subdivision Authority may require, with respect to a subdivision that as a condition of issuing an approval for a subdivision, the applicant enter into an agreement with the municipality, pursuant to section 655(1)(b) of the Act.
- 24.3 An agreement referred to in this section may require the applicant for a development permit or subdivision approval to oversize improvements in accordance with section 651 of the Act.
- 24.4 A municipality may register a caveat under the Land Titles Act with respect to an agreement under this section against the certificate of title for the land that is the subject of the development, or for the parcel of land that is the subject of the subdivision.
- 24.5 If a municipality registers a caveat under this section, the municipality must discharge the caveat when the agreement has been complied with.

## DEVELOPMENT PERMIT RULES AND PROCEDURES

### **SECTION 25 DEVELOPMENT PERMIT – WHEN REQUIRED**

- 25.1 Except as otherwise provided for in Section 26 (Development Not Requiring a Development Permit), no development shall be commenced unless a development permit application has been approved, a development permit issued, and the development is in accordance with the terms and conditions of a development permit issued pursuant to this bylaw.
- 25.2 In addition to meeting the requirements of this bylaw, it is the responsibility of the applicant to ascertain, obtain and comply with all other approvals and licenses that may be required by other federal, provincial or municipal regulatory departments or agencies.

### **SECTION 26 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT**

- 26.1 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.
- 26.2 This subsection does not negate the requirement of obtaining a business license where required.

- 26.3 Developments not requiring a municipal permit are listed in Schedule 3.
- 26.4 If there is a question as to whether a development permit is required for a particular use, the matter shall be referred to the Municipal Subdivision and Development Authority for a determination.

## **SECTION 27 DEVELOPMENT PERMIT APPLICATION**

- 27.1 Except as provided in Section 26 (Development Not Requiring a Development Permit) no person shall commence a development unless he/she has been issued a development permit in respect of the proposed development.
- 27.2 An application for a development permit shall be made to the Development Officer by submitting:
- (a) a completed development permit application, signed by the registered owner or authorized by the owner pursuant to subsection 27.3;
  - (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 areas, driveways, abutting streets, avenues and lanes, and surface drainage patterns;
    - (iii) where applicable, the location of existing and proposed 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 Subdivision and Development Authority to evaluate an application including but not limited to: conceptual design schemes, landscaping plans, building plans, drainage plans, servicing and infrastructure plans, soil analysis, geotechnical reports and/or other reports regarding site suitability; Real Property Report; or a surveyors sketch.
- 27.3 An application for a development permit must be made by the registered owner of the land on which the development is proposed. An application may be made by a person who is not the registered owner of the land only with written consent of the owner. The Development Officer may request a current title documenting ownership and copies of any registered encumbrance, lien or interest registered on title.

## **SECTION 28 INCOMPLETE APPLICATIONS**

- 28.1 The Development Officer or the Municipal Subdivision and Development Authority may refuse to accept a development permit application where the information required by subsection 27.2 (Development Permit Application) is incomplete or where, in its opinion, the quality of the material supplied is inadequate to properly evaluate the application.

## **SECTION 29 PERMITTED USE APPLICATIONS**

- 29.1 Upon receipt of a completed application for a development permit for a permitted use that conforms with this bylaw, the Development Officer:
- (a) shall approve a development permit with or without conditions; or
  - (b) may refer the application to the Municipal Subdivision and Development Authority for a decision.
- 29.2 Upon receipt of a completed application for a permitted use that requests a limited variance not to exceed 10% of one measurable standard of this bylaw, the Development Officer:
- (a) may grant the limited variance not to exceed 10% of one measurable standard of this bylaw and approve the development permit with or without conditions if in the opinion of the Development Officer, the variance would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; or
  - (b) may refer the development application involving a request for a limited variance not to exceed 10% of one measurable standard of this bylaw to the Municipal Subdivision and Development Authority for a decision;
  - (c) is not required to notify adjacent landowners or persons likely to be affected prior to issuance of a decision on a development permit granting a limited variance under this section.
- 29.3 Upon receipt of a completed application for a permitted use that requests more than one limited variance, a variance(s) exceeding 10% of any measurable standard of this bylaw, or a variance of any other bylaw provision the Development Officer shall refer the application to the Municipal Subdivision and Development Authority for a decision pursuant to Section 34 (Applications Requesting Variance of Bylaw Provisions).
- 29.4 The Development Officer or the Municipal Subdivision and Development Authority may place any of the following conditions on a development permit for a permitted use:
- (a) requirement for applicant to enter into a development agreement;
  - (b) payment of any applicable off-site levy or redevelopment levy;
  - (c) geotechnical investigation to ensure that the site is suitable in terms of topography, soil characteristics, flooding subsidence, and erosion;



- (d) alteration of a structure or building size or location to ensure any setback requirements of this land use bylaw or the Subdivision and Development Regulation can be met;
- (e) any measures to ensure compliance with the requirements of this land use bylaw or any other statutory plan adopted by the Town of Coalhurst;
- (f) easements and/or encroachment agreements;
- (g) provision of public utilities, other than telecommunications systems or works, and vehicular and pedestrian access;
- (h) repairs or reinstatement 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 Development Officer or the Municipal Subdivision and Development Authority;
- (i) to give security to ensure the terms of the permit approval under this section are carried out;
- (j) time periods stipulating completion of development;
- (k) requirement for a lot and/or construction stakeout conducted by an approved surveyor or agent;
- (l) any measures to ensure compliance with applicable federal, provincial and/or other municipal legislation and approvals.

### **SECTION 30 DISCRETIONARY USE APPLICATIONS**

- 30.1 Upon receipt of a completed application for a development permit for a discretionary use or a permitted use that requests more than one variance, a variance(s) exceeding 10% of any measurable standard of this bylaw, or a variance of any other bylaw provision, the Development Officer shall:
  - (a) refer the application to the Municipal Subdivision and Development Authority for a decision pursuant to Section 34 (Applications Requesting Variance of Bylaw Provisions);
  - (b) notify adjacent landowners and other persons likely to be affected in accordance with Section 35 (Notification of Adjacent Landowners and Persons Likely Affected).
- 30.2 After consideration of any response to the notifications of adjacent landowners and other persons likely to be affected, including the County of Lethbridge, government departments and referral agencies as applicable, compatibility and suitability of the proposed use, and any other matters, the Municipal Subdivision and Development Authority may:
  - (a) approve a development permit with or without conditions; or
  - (b) refuse to approve the development permit, stating reasons.

- 30.3 The Municipal Subdivision and Development Authority may place any of the conditions stipulated in subsection 29.4 (Permitted Use Applications) on a development permit for a discretionary use in any land use district, in addition to any other conditions necessary to ensure the quality, suitability and compatibility of a development with other existing and approved uses in the area.

### **SECTION 31 DIRECT CONTROL DISTRICTS**

- 31.1 Upon receipt of a completed application for a development permit in a Direct Control District, the Development Officer shall:
- (a) refer the application to Council for a decision, except where the decision making authority has been delegated to the Municipal Subdivision and Development Authority or the Development Officer; and
  - (b) notify adjacent landowners and other persons likely to be affected in accordance with Section 35 (Notification of Adjacent Landowners and Persons Likely Affected).
- 31.2 After considering any response to notifications issued under Section 35, Council or the delegated decision making authority may:
- (a) approve a development permit with or without conditions; or
  - (b) refuse to approve the development permit, stating reasons.
- 31.3 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.

### **SECTION 32 SIMILAR USE**

- 32.1 Upon receipt of an application for a development permit for a use that is not specifically listed in any land use district, but which may be similar in character and purpose to other uses of land and structures in the land use district in which such use is proposed, the Development Officer may classify the use as either similar to a permitted use or similar to a discretionary use.
- 32.2 Where a use has been classified similar to a permitted use, the Development Officer may process the application accordingly as a permitted use or refer the application to the Municipal Subdivision and Development Authority for a decision. The notice of the decision shall be subject to subsection 36.2.
- 32.3 Where a use has been classified similar to a permitted use and requests more than one limited variance, a variance(s) exceeding 10% of any measurable standard of this bylaw, or a variance of any other bylaw provision, the Development Officer shall:
- (a) refer the application to the Municipal Subdivision and Development Authority for a decision; and
  - (b) notify adjacent landowners and other persons likely to be affected in accordance with Section 35 (Notification of Adjacent Landowners and Persons Likely Affected).

- 32.4 Where a use has been classified similar to a discretionary use the Development Officer shall:
- (a) refer the application to the Municipal Subdivision and Development Authority for a decision; and
  - (b) notify adjacent landowners and other persons likely to be affected in accordance with Section 35 (Notification of Adjacent Landowners and Persons Likely Affected).
- 32.5 Upon referral of an application by the Development Officer for a use that may be similar in character and purpose to a permitted or discretionary use, the Municipal Subdivision and Development Authority:
- (a) shall rule whether or not the proposed use is similar to a use in the land use district in which it is proposed;
  - (b) if the proposed use is deemed similar to a use in the land use district in which it is proposed, the application shall be reviewed as a discretionary use application;
  - (c) if the proposed use is not deemed similar to a use in the land use district in which it is proposed, the development permit shall be refused.

### **SECTION 33 TEMPORARY USE**

- 33.1 Where in the opinion of the Development Authority, a proposed use is of a temporary nature, it may approve a temporary development permit valid for a period of up to one year for a use, provided the use is listed as a permitted use, discretionary use or deemed similar to a permitted or discretionary use in the applicable land use district.
- 33.2 Temporary use applications shall be subject to the following conditions:
- (a) the applicant or developer is liable for any costs involved in the cessation or removal of any development at the expiration of the permitted period;
  - (b) the Municipal Subdivision and Development Authority may require the applicant to submit an irrevocable letter of credit, performance bond or other acceptable form of security guaranteeing the cessation or removal of the temporary use; and
  - (c) any other conditions as deemed necessary.
- 33.3 A use deemed temporary in nature shall be processed in accordance with the corresponding Sections 29-32 of this bylaw. Notification of adjacent landowners and other persons likely to be affected, including the County of Lethbridge, government departments and referral agencies shall be in accordance with Section 35 of this bylaw.

### **SECTION 34 APPLICATIONS REQUESTING VARIANCE OF BYLAW PROVISIONS**

- 34.1 Upon receipt of an application for a development permit that does not comply with this bylaw but in respect of which the Municipal Subdivision and Development Authority is requested to exercise discretion under subsection 34.3, the Development Officer shall:
- (a) refer the application to the Municipal Subdivision and Development Authority for a decision; and

- (b) notify adjacent landowners and other persons likely to be affected, including the County of Lethbridge, government departments and any other referral agency in accordance with Section 35.

34.2 The Development Officer is authorized to exercise discretion for a permitted use where a limited variance to one applicable measurable standard not to exceed 10% is requested, in accordance with subsection 29.2.

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

- (a) unduly interfere with the amenities of the neighbourhood; or
- (b) materially interfere with or affect the use, enjoyment or value of neighbouring properties;
- (c) and the proposed development conforms with the use prescribed for that land or building within Schedule 2 – Land Use Districts.

### **SECTION 35 NOTIFICATION OF ADJACENT LANDOWNERS AND PERSONS LIKELY AFFECTED**

35.1 Where notification of adjacent landowners and other persons likely to be affected is required under Sections 30 to 34, the Development Officer shall:

- (a) mail (postal service or electronic) written notice of the application at least ten (10) days before the meeting of the Municipal Subdivision and Development Authority to:
  - (i) adjacent landowners and other persons likely to be affected by the issuance of a development permit;
  - (ii) the County of Lethbridge if in the opinion of the Development Officer or the Municipal Subdivision and Development Authority, the proposed development could have an impact upon land uses in the County or is adjacent to the County boundary; and
  - (iii) any other persons, government departments or referral agency that is deemed to be affected; or
- (b) hand deliver written notice of the application at least five (5) days before the meeting of the Municipal Subdivision and Development Authority to the persons and agencies specified in subsection 35.1(a); or
- (c) publish a notice of the application in a newspaper circulating in the municipality or the Town newsletter at least ten (10) days before the meeting of the Municipal Subdivision and Development Authority to the persons and agencies specified in subsection 35.1(a); or
- (d) post a notice of the application in a conspicuous place on the property at least five (5) days before the meeting of the Municipal Subdivision and Development Authority to the persons and agencies specified in subsection 35.1(a); or

any combination of the above.

- 35.2 In all cases, notification shall:
- (a) describe the nature and location of the proposed use or development;
  - (b) state the place and time where the Municipal Subdivision and Development Authority will meet to consider the application, and state how and when written or oral submissions on the application will be received and considered;
  - (c) specify the location at which the application can be inspected.

## **SECTION 36 NOTICE OF DECISION**

- 36.1 Upon issuance of a 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 14 days.
- 36.2 Upon issuance of a 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 in a newspaper or the municipal newsletter circulated within the municipality.

## **SECTION 37 COMMENCEMENT OF DEVELOPMENT**

- 37.1 Despite the issuance of a development permit, no development is authorized to commence until the appeal period has expired in compliance with the following:

### **Permitted Uses:**

- (a) where the notice of decision is posted in the Town Office, development shall not commence until 14 days after the notice was posted;
- (b) where the notice of decision is published in the newspaper, development shall not commence until at least 14 days from the date of publication;

### **Discretionary Uses or Applications for Waivers:**

- (c) where the notice of decision is mailed to adjacent landowners and other persons likely to be affected, development shall not commence until at least 19 days from the date the decision was mailed;

(d) where the notice of decision is published in the newspaper, development shall not commence until at least 14 days from the date of publication.

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

37.3 Any development occurring prior to the dates determined under subsection 37.1 is at the risk of the applicant.

### **SECTION 38 DEVELOPMENT PERMIT VALIDITY**

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

38.2 An application to extend the validity of a development permit may be made at any time prior to the expiration of the approved permit in accordance with subsection 38.3, except for a permit for a temporary use which shall not be extended.

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

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

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

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

### **SECTION 39 TRANSFERABILITY OF DEVELOPMENT PERMIT**

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

### **SECTION 40 OCCUPANCY PERMITS**

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



**SECTION 41 FAILURE TO MAKE A DECISION – DEEMED REFUSAL**

- 41.1 In accordance with section 684 of the Municipal Government 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 Officer or the Municipal Subdivision and Development Authority, as the case may be, is not made within 40 days of receipt of the completed application unless the applicant has entered into an agreement with the Development Officer or the Municipal Subdivision and Development Authority to extend the 40-day decision period.

**SECTION 42 REAPPLICATION FOR A DEVELOPMENT PERMIT**

- 42.1 If an application for a development permit is refused by the Development Officer, the Municipal Subdivision and Development Authority or, on appeal the Subdivision and Development Appeal Board, the submission of another application for a development permit on the same parcel of land for the same or for a similar use of the land may not be accepted by the Development Officer for at least six months after the date of refusal.
- 42.2 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 subsection 42.1 has lapsed, provided the application has been modified to comply with this bylaw.

**SECTION 43 SUSPENSION OR CANCELLATION OF A PERMIT**

- 43.1 If after a development permit has been issued, the Development Officer or the Municipal Subdivision and Development Authority determines that:
- (a) the application contained a misrepresentation;
  - (b) facts were not disclosed which should have been at the time of consideration of the application for the development permit;
  - (c) the development permit was issued in error; or
  - (d) the applicant withdrew the application by way of written notice;
- the Development Officer or the Municipal Subdivision and Development Authority may suspend or cancel the development permit by notice in writing to the holder of it stating the reasons for any suspension or cancellation.
- 43.2 Upon receipt of the written notification of suspension or cancellation, the applicant must cease all development and activities to which the development permit relates.
- 43.3 A person whose development permit is suspended or cancelled under this section may appeal within 14 days of the date the notice of cancellation or suspension is received to the Subdivision and Development Appeal Board.
- 43.4 If a development permit is suspended or cancelled, the Subdivision and Development Appeal Board shall review the application if an appeal is filed by the applicant and either:

- (a) reinstate the development permit; or
- (b) cancel the development permit if the Development Officer or the Municipal Subdivision and Development Authority would not have issued the development permit if the facts subsequently disclosed had been known during the consideration of the application; or
- (c) reinstate the development permit and may impose such other conditions as are considered necessary to ensure that this bylaw or any statutory plan is complied with.

**SECTION 44 DEVELOPMENT APPEALS**

- 44.1 Any person applying for a development permit or any other person affected by an order, decision or development permit made or issued by the Development Officer or the Municipal Subdivision and Development Authority may appeal such an order or decision to the Subdivision and Development Appeal Board in accordance with the procedures described in the Act.
- 44.2 An appeal to the Subdivision and Development Appeal Board shall be commenced by serving a written notice of the appeal with reasons to the Subdivision and Development Appeal Board and shall be accompanied by the applicable fees.

## **ENFORCEMENT**

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**SECTION 45 NOTICE OF VIOLATION**

- 45.1 Where the Development Officer or Municipal Subdivision and Development Authority finds that a development or use of land or buildings is not in accordance with the Act, the Subdivision and Development Regulation, a development permit or subdivision approval, or this bylaw, the Development Officer may issue a notice of violation to the registered owner or the person in possession of the land or buildings or to the person responsible for the contravention.
- 45.2 Such notice shall state the following:
  - (a) nature of the violation;
  - (b) corrective measures required to comply; and
  - (c) time period within which such corrective measures must be performed.

**SECTION 46 STOP ORDERS**

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

- 46.2 A person who receives notice pursuant to subsection 46.1 may appeal the order to the Subdivision and Development Appeal Board in accordance with the Act.

#### **SECTION 47 ENFORCEMENT OF STOP ORDERS**

- 47.1 Pursuant to section 646 of the Act, if a person fails or refuses to comply with an order directed to the person under section 645 or an order of a subdivision and development appeal board under section 687, the designated officer may, in accordance with section 542, enter on the land or building and take any action necessary to carry out the order.
- 47.2 The Town may register a caveat under the *Land Titles Act* in respect of an order referred to in subsection 47.1 against the certificate of title for the land that is the subject of an order.
- 47.3 If a caveat is registered under subsection 47.2, the Town must discharge the caveat when the order has been complied with.
- 47.4 If compliance with a stop order is not voluntarily effected, the Town may undertake legal action, including but not limited to, seeking injunctive relief from the Alberta Court of Queen's Bench pursuant to section 554 of the Act. In accordance with section 553 of the Act, the expenses and costs of carrying out an order under section 646 of the Act may be added to the tax roll of the parcel of land.

#### **SECTION 48 PENALTIES AND RIGHT OF ENTRY**

- 48.1 Any person who contravenes any provision of this bylaw is guilty of an offence in accordance with Part 13, Division 5, Offences and Penalties of the Municipal Government Act 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.
- 48.2 In accordance with section 542 of the Act, a designated officer may, after giving reasonable notice to and obtaining consent from the owner or occupier of land upon which this bylaw or Act authorizes anything to be inspected, remedied or enforced or done by a municipality:
- (a) enter on that land at a reasonable time and carry out inspection, enforcement, or action authorized or required by the enactment or bylaw;
  - (b) request anything to be produced to assist in the inspection, remedy, enforcement or action; and
  - (c) make copies of anything related to the inspection, remedy, enforcement or action.
- 48.3 If a person refuses to grant consent or refuses to produce anything to assist in the inspection, remedy, enforcement or action referred to in section 542 of the Act, the municipality under the authority of section 543 of the Act may obtain a court order.

## AMENDMENTS

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### SECTION 49 SECTION AMENDMENTS TO THE LAND USE BYLAW

- 49.1 Any person or the Town may initiate amendments to the Town of Coalhurst Land Use Bylaw by submitting an application to the Development Officer.
- 49.2 All applications for amendment shall be submitted using the applicable form in Appendix A, and be accompanied by any additional information, as deemed necessary by the Development Officer to process the application.
- 49.3 The Development Officer may refuse to accept an application if, in his/her opinion, the information supplied is not sufficient to make a proper evaluation of the proposed amendment.
- 49.4 Council or the Development Officer may refer the application to the Municipal Subdivision and Development Authority for their recommendation.
- 49.5 The Development Officer shall forward the application to Council for consideration if he/she is satisfied sufficient information has been provided with the application.
- 49.6 Public hearing and notification requirements shall be in accordance with section 692 of the Act.
- 49.7 Where an application for an amendment to the Town of Coalhurst Land Use Bylaw has been refused by Council, another application that is the same or similar in nature shall not be accepted until at least twelve months after the date of refusal.
- 49.8 Where an application has been significantly changed Town Council may accept an application prior to the end of the twelve month period specified in subsection 49.7.

### SECTION 50 LAND USE REDESIGNATION APPLICATION REQUIREMENTS

- 50.1 A request for redesignation from one land use district to another shall be accompanied by:
- (a) a completed application form and the applicable fee;
  - (b) a copy of the Certificate of Title for the lands, dated not more than sixty (60) days prior to the date on which the application was made;
  - (c) a narrative describing the:
    - (i) proposed designation and future uses(s);
    - (ii) consistency with the applicable statutory plans;
    - (iii) compatibility of the proposal with surrounding uses and zoning;
    - (iv) development potential/suitability of the site, including identification of any constraints and/or hazard areas (e.g. easements, soil conditions, topography, drainage, floodplain, steep slopes, etc.);

- (v) availability of facilities and services (sewage disposal, domestic water, gas, electricity, fire and police protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development;
  - (vi) any potential impacts on public roads; and
  - (vii) any other information deemed necessary by the Development Officer or Council to properly evaluate the proposal.
- (d) conceptual lot design, if applicable;
- (e) a geotechnical report prepared by an engineer registered with The Association of Professional Engineers, Geologists, and Geophysicists of Alberta (APEGGA), addressing the following but not limited to:
- (i) slope stability,
  - (ii) groundwater,
  - (iii) sewage,
  - (iv) water table, and
  - (v) flood plain analysis,
- if deemed necessary by the Development Officer, or Council;
- (f) an evaluation of surface drainage which may include adjacent properties if deemed necessary by the Development Officer, or Council; and
- (g) any other information deemed necessary by the Development Officer, or Council to properly evaluate the application.
- 50.2 An Area Structure Plan or Conceptual Design Scheme shall be required in conjunction with a redesignation application when:
- (a) redesignating land from Transitional – T to another district;
  - (b) redesignating annexed land to a district other than Transitional – T, except where an approved Area Structure Plan or Conceptual Design Scheme defines land use designation(s) for the proposed development area, or unless determined otherwise by Council.
- 50.3 An Area Structure Plan or Conceptual Design Scheme may be required in conjunction with a redesignation application involving:
- (a) industrial development;
  - (b) large-scale commercial development;
  - (c) manufactured home park;
  - (d) multi-lot residential development resulting in the creation of more than five lots or which has the potential to trigger capacity upgrades or expansion of infrastructure; or
  - (e) as required by Council.

## **SECTION 51 REDESIGNATION CRITERIA**

- 51.1 When redesignating land from one land use district to another, Council considerations shall include the following:
- (a) compliance with applicable standards and provisions of the Town of Coalhurst Land Use Bylaw;
  - (b) consistency with the Municipal Development Plan and any other adopted statutory plans;
  - (c) compatibility with adjacent uses;
  - (d) development potential/suitability of the site;
  - (e) availability of facilities and services (sewage disposal, domestic water, gas, electricity, police and fire protection, schools, etc.) to serve the subject property and any potential impacts to levels of service to existing and future developments;
  - (f) cumulative impact to the town;
  - (g) potential impacts on public roads;
  - (h) setback distances contained in the Subdivision and Development Regulation;
  - (i) supply of suitably designated land;
  - (j) public comment and any applicable review agency comments; and
  - (k) any other matters deemed pertinent.

## **SUBDIVISION**

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### **SECTION 52 SUBDIVISION CRITERIA**

- 52.1 Minimum dimensional standards for lots and all other criterion in this bylaw shall be as specified in the applicable land use district in Schedule 2.
- 52.2 Subdivision of land within the Manufactured Home Park – MHP district shall not be permitted except in accordance with an approved Manufactured Home Park Conceptual Design or adopted Area Structure Plan.

Schedule 1

**LAND USE DISTRICTS**

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## LAND USE DISTRICTS

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**SECTION 1      LAND USE DISTRICTS**

- 1.1      The municipality is divided into those districts shown on the Land Use District Map of this schedule.
- 1.2      Each district shown on the map referred to in section 1 of this schedule shall be known by the following identifying names and symbols:

RESIDENTIAL	– R
SMALL LOT RESIDENTIAL	– SLR
LARGE LOT RESIDENTIAL	– LLR
MULTI-UNIT RESIDENTIAL	– MUR
MANUFACTURED HOME PARK	– MHP
COMMERCIAL	– C
BUSINESS INDUSTRIAL	– BI
PARKS AND RECREATION	– PR
PUBLIC INSTITUTIONAL	– PI
TRANSITIONAL	– TR
DIRECT CONTROL	– DC

**SECTION 2      LAND USE DISTRICTS MAP**

- 2.1      Land Use Districts Map (following this page)



Schedule 2

**LAND USE DISTRICT REGULATIONS**

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## RESIDENTIAL – R

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### SECTION 1 PURPOSE

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

### SECTION 2 USES

#### 2.1 Permitted Uses

Accessory building  
 Accessory structure  
 Accessory use  
 Dwelling:  
     Single-unit  
     Modular home A  
     Ready-to-move home A  
 Home occupation 1  
 Solar energy system, individual –  
     roof or wall mounted

#### 2.2 Discretionary Uses

Bed and breakfast  
 Child care facility  
 Day home  
 Dwellings:  
     2-unit  
     Lodging or boarding house  
     Modular home B  
     Moved-in  
     Ready-to-move home B  
 Home occupation 2  
 Moved-in building  
 Parks and playgrounds  
 Religious assembly  
 Secondary suites  
 Wind energy conversion system,  
     individual

### SECTION 3 MINIMUM LOT SIZE

- 3.1 Minimum lot sizes are as follows:

Use	Width		Length		Area	
	m	ft	m	ft	m <sup>2</sup>	ft <sup>2</sup>
Dwellings: Single-unit Modular home A & B Ready-to-move home A & B	15.1	50	30.5	100	464.5	5,000
2-unit dwellings	17.1	56	30.5	100	520.3	5,600
All other uses	As required by the MSDA					

**SECTION 4 MINIMUM SETBACKS**

4.1 Minimum setbacks are as follows:

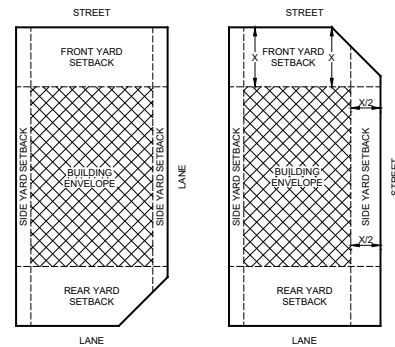
Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Dwellings: Single-unit Modular home A & B Ready-to-move home A & B 2-unit dwellings	6.1	20	3.1	10	1.2	4	6.1	20
All other uses	As required by the MSDA							

Note: see Section 12 Permitted Projections into Setbacks

- 4.2 The side setback provision does not limit the building of a semi-detached dwelling where each dwelling is on a separate lot.
- 4.3 Also refer to sections 13 and 14 for setbacks from easements and clear vision triangle requirements.
- 4.4 Structures that are attached to a principal building are subject to the principal setbacks excepting the permitted projections in section 12.
- 4.5 The Development Authority may waive the building setback requirement in a well-established residential area if, in his or their opinion, the setback is in accordance with the prevailing yard pattern.
- 4.6 The Development Authority may require varied or increased building setbacks in new residential areas if, in his or their opinion, the variation in setbacks will enhance the development of that area.
- 4.7 The Development Authority may require increased building setbacks (other than those listed in 4.5 and 4.6 above) if, in his or their opinion, such setbacks would:
  - (a) help avoid land use conflict;
  - (b) enhance the appearance of the area.
- 4.8 Where a laneway or roadway has reduced the size of a lot by cutting off a corner of the lot, the minimum setback requirements shall apply to the portions of the lot that have not been cut-off by the laneway or roadway.

### Corner Cut-off Lot Minimum Setback Requirements

X = minimum setback requirement  
(arrows indicate measurement location)



## SECTION 5 ACCESSORY BUILDINGS

5.1 Minimum setbacks for accessory buildings are as follows:

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Accessory buildings (including detached garages)	Same as principal building		3.1	10	1.2	4	1.5	5

- 5.2 No accessory structure or use shall be allowed on a lot without an approved principal structure or use.
- 5.3 Accessory structures and uses that are not specifically included within a development permit require a separate development permit application.
- 5.4 No accessory structures are allowed to be located in the front yard of the principal structure.
- 5.5 Detached garages shall have a minimum separation of 0.6 m (2 ft) from the roof overhang of either structure.
- 5.6 Accessory buildings shall be constructed such that eaves shall be no closer than 0.6 m (2 ft) from a side lot line or rear lot line and all drainage is conducted to the appropriate storm drain via the applicant's own property.
- 5.7 Also refer to sections 13 and 14 for setbacks from easements and clear vision triangle requirements.

## SECTION 6 MAXIMUM SITE COVERAGE

- 6.1 Total lot coverage – 45%.  
(Inclusive of all dwellings, accessory buildings and structures)



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

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

## **SECTION 7 MINIMUM FLOOR AREA**

7.1 Minimum floor area:

- (a) 1-unit dwelling – 74.3 m<sup>2</sup> (800 ft<sup>2</sup>)
- (b) 2-unit dwelling – 65.0 m<sup>2</sup> (700 ft<sup>2</sup>) per unit
- (c) All other uses – As required by the MSDA

## **SECTION 8 MAXIMUM FLOOR AREA FOR ACCESSORY BUILDINGS AND ATTACHED GARAGES**

8.1 The total floor area of any accessory building or attached garage must be less than the total floor area of the principal building.

## **SECTION 9 MAXIMUM BUILDING HEIGHT**

9.1 Maximum building height:

- (a) Principal building – 10.1 m (33 ft)
- (b) Accessory buildings – 4.9 m (16 ft)

## **SECTION 10 QUALITY OF DEVELOPMENT**

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

## **SECTION 11 REDUCED LOT AREA AND DIMENSIONS**

11.1 The Development Authority may approve a development on an existing registered lot the minimum dimensions or area of which are less than those specified in section 3 provided that the minimum area allowed is not less than 232.3 m<sup>2</sup> (2,500 ft<sup>2</sup>).

## **SECTION 12 PERMITTED PROJECTIONS INTO SETBACKS**

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

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

- (a) unenclosed steps or unenclosed fire escapes;
- (b) a wheelchair ramp at the discretion of the Development Authority;

- (c) fences or walls to the property line in accordance with the applicable land use district and section 14 (Corner Lot Sight Triangle);
- (d) driveways, curbs and sidewalks;
- (e) off-street parking in accordance with the applicable land use district and section 14 (Corner Lot Sight Triangle);
- (f) cooling units not to exceed 0.9 m (3 ft);
- (g) mailboxes;
- (h) landscaping, fish ponds, ornaments, flagpoles (less than 4.6 m (15 ft) in height), or other similar landscaping features in accordance with section 14 (Corner Lot Sight Triangle);
- (i) temporary swimming pools in accordance with the applicable land use district; and
- (j) signs, in accordance with Schedule 6.

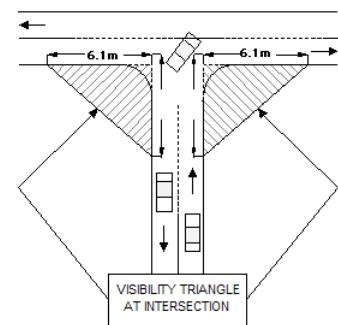
- 12.3 The portions of an attachment to a principal structure which may, subject to the relevant provisions of Safety Codes, project over a setback are as follows:
- (a) eaves, fireplaces, belt courses, bay windows, cornices, sills or other similar architectural features may project over a side setback as permitted under the relevant provisions of Safety Codes and over a front or rear setback a distance not to exceed 1.2 m (4 ft);
  - (b) in all cases, projections into any required setback must comply with the requirements of Safety Codes.

**SECTION 13 EASEMENTS**

- 13.1 All permanent structures shall be located a minimum of 3.1 m (10 ft), or such greater distance as required by the Development Authority, from an easement registered for the protection of municipal water mains and sewer mains or any other such infrastructure, as determined by the municipality.
- 13.2 No structures shall be located within a registered easement.

**SECTION 14 CORNER LOT SIGHT TRIANGLE**

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



## **SECTION 15 LANDSCAPING STANDARDS AND SCREENING**

- 15.1 The front yard and secondary front yard of a lot shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.
- 15.2 Landscaping shall consist of any or all of the following:
- (a) vegetation (e.g., trees, shrubs, lawn, flowers);
  - (b) ground cover such as large feature rocks, bark chip, field stone, crushed rock, or other similar features.
- 15.3 Landscaping may consist of any or all of the following:
- (a) trees, shrubs, lawn, flowers;
  - (b) large feature rocks, bark chips, field stone (Development Authority approval is required if this type of landscaping exceeds 50% of the total landscaped area);
  - (c) berming, terracing;
  - (d) innovative landscaping features;
  - (e) landscape ornaments;
  - (f) other features that may include, but not limited to, front walkways and steps.
- 15.4 Parking lots shall be landscaped and/or screened as required by the Development Authority.
- 15.5 The Development Authority may impose additional landscaping or screening requirements on a development approval for a permitted or discretionary use to improve the quality or compatibility of the proposed development.

## **SECTION 16 ROAD FRONTAGE AND ACCESS**

- 16.1 All newly created lots shall have frontage on a public roadway which enables direct physical and legal access onto that public road. Frontage on a laneway alone will not be permitted. The minimum frontage requirements shall be as defined by the minimum lot dimensions in the applicable land use district.
- 16.2 All new development shall have frontage on and direct physical and legal access to a maintained public roadway, except for:
- (a) development internal to a condominium plan containing private roadways; and
  - (b) development internal to a manufactured home community or multi-use development containing internal roadways as approved by the Development Authority.
- 16.3 Vehicular access to a corner lot shall generally be limited to locations along the minor residential street.

- 16.4 Every vehicular entrance and exit shall be located at least 7.6 m (25 ft) from the intersection of two streets, and a greater distance where reasonable and appropriate by the Development Authority.
- 16.5 The Development Authority may require access to be located so that it can be shared with an adjoining lot or development.

**SECTION 17 OFF-STREET PARKING AND LOADING REQUIREMENTS AND DESIGN STANDARDS**

17.1 Minimum off-street parking requirements are as follows:

USE	MINIMUM PARKING SPACES
<b>RESIDENTIAL</b>	
Bed and breakfast	1 space per guest room
Dwellings: - Single-unit dwelling - 2-unit dwelling - Modular home A & B - Ready-to-move home A & B	2 spaces per dwelling unit
Home occupation 2	2 additional spaces or as required by the Municipal Subdivision and Development Authority
Secondary suite	2 spaces per suite
All other uses	As required in Schedule 4, Standards of Development: Off-Street Parking and Loading Requirements

- 17.2 Off-street parking stall standards for residential uses are as follows:
  - (a) Minimum width – 2.4 m (8 ft)
  - (b) Minimum length – 5.5 m (18 ft)
- 17.3 The Development Authority may require any off-street parking space or driveway to be paved or hard-surfaced as a condition of approval.
- 17.4 Off-street parking spaces and driveways shall be constructed in a manner which will permit adequate drainage, snow removal and maintenance.
- 17.5 Vehicular access for corner lots may be limited to locations along the minor street unless site specific considerations require otherwise.

**SECTION 18 DRIVEWAYS**

18.1 Only one driveway per lot is permitted for single-unit residential development. The maximum number of driveways permitted per lot for all other uses shall be as required by the Development Authority.

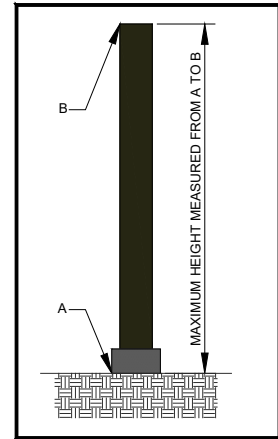
- 18.2 Driveway standards are as follows:
- (a) Minimum width – 3.0 m (10 ft)
  - (b) Maximum width – 7.3 m (24 ft)
  - (c) Setback from lane – 3.0 m (10 ft)
  - (d) Setback from intersection – 7.6 m (25 ft)
- 18.3 The Development Authority may require that driveways be paved as a condition of approval.
- 18.4 Hard surfaced or gravel driveway, parking pad not supporting a garage or carport, walkway, and/or paving stones or similar impervious ground cover is limited to a maximum of 50% of the front or rear yard unless approved otherwise by a development permit.

## **SECTION 19 DECKS AND AMENITY SPACES**

- 19.1 A Development Permit is required for the construction of a deck if it will be constructed so that the decking is situated more than 0.6 m (2 ft) above grade.
- 19.2 For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by a roofed structure (open or enclosed), it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks.
- 19.3 Attached and unattached decks must be located in a manner such as to preserve the privacy on adjacent properties.
- 19.4 A ground level deck means an unenclosed (no roof) amenity area of concrete, brick, wood, or other material that is constructed at grade or attached to a dwelling. The overall height of a ground level deck shall not exceed 0.6 m (2 ft) measured from the finished grade to the underside of the supporting structure.
- 19.5 A raised deck means an unenclosed (no roof) amenity area, of wood frame or other construction, which may be attached to a dwelling. The overall height of a raised deck is greater than 0.6 m (2 ft) from the finished grade to the underside of the supporting structure.
- 19.6 **Rear Yard Setbacks:** unenclosed decks may encroach into the minimum required rear yard setback distance a maximum of 2.0 m (6.5 ft) on laneless lots and 3.1 m (10 ft) on laned lots.

**SECTION 20 FENCES**

- 20.1 No fence, wall, gate, hedge or other means of enclosure shall extend more than 0.9 m (3 ft) above level grade in any front yard without an approved development permit.
- 20.2 Fences in the secondary front, rear and side yards must not exceed 1.8 m (6 ft) in height from level grade without an approved development permit.
- 20.3 Fencing shall not be permitted to be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner’s expense.
- 20.4 Where a permit is required for fencing, the Development Authority may regulate the material types and colours used for the fence. Regardless of fence height, barbed wire fencing is prohibited.
- 20.5 Also refer to sections 13 and 14 for setbacks from easements and clear vision triangle requirements.



Fence height is measured from grade to the top of the fence or fence post.

**SECTION 21 BALCONIES, VERANDAS AND PORCHES**

- 21.1 A balcony shall not project more than 1.8 m (6 ft) from a building façade. For semi-detached dwellings, no separation from a party wall property line is required for a balcony where a privacy wall extends the full depth of the balcony.
- 21.2 Where any building or structure on a lot is attached to a principal building on the lot by a roof, an open or enclosed structure above grade, a floor or a foundation which is above grade, or any structure below grade allowing access between the buildings such as a parking garage or a corridor or passageway connecting the buildings, it is to be considered as part of the principal building.
- 21.3 **Rear Yard Setbacks:** balconies, porches, and verandas that are unenclosed may encroach into the minimum required rear yard setback distance a maximum of 2.0 m (6.5 ft) on laneless lots and 3.1 m (10 ft) on laned lots.

**SECTION 22 LIGHTING**

- 22.1 Where artificial outdoor lighting is provided to illuminate any parcel, building or site, the type, location and orientation of lighting shall:
  - (a) avoid direct illumination of the neighbouring properties;
  - (b) not adversely affect the use, enjoyment and privacy of any dwelling; and
  - (c) not interfere with traffic safety on public roadways.

- 22.2 Outdoor lighting is to be mounted not more than 6.1 m (20 ft) above ground, excepting outdoor lighting for public uses and lighting approved in conjunction with a development permit.
- 22.3 Site lighting may be required as a condition of development and any such lighting shall be located, oriented and shielded so as not to adversely affect neighbouring properties or traffic safety on public roadways.

### **SECTION 23 REFUSE COLLECTION AND STORAGE**

- 23.1 Refuse and garbage shall be stored in suitable containers for the applicable use within a land use district as per the Town's Utility Bylaw.
- 23.2 All garbage holding areas, enclosures, and compaction areas shall be located and designed to ensure adequate on-site maneuvering for refuse collection vehicles.
- 23.3 All refuse on any construction site shall be properly screened or placed in an approved enclosure on the property until removed for disposal.

### **SECTION 24 UTILITIES AND SERVICING**

- 24.1 The erection of a building on any site may be prohibited where it would otherwise be permitted when, in the opinion of the Development Authority, satisfactory arrangements have not been made for the supply of water, gas, electric power, sewage, street access or other services or facilities necessary to serve the development.
- 24.2 All development shall be required to connect to both the municipal water supply and sewerage system, except where in the opinion of the Development Authority, the development does not require water and sewer.

### **SECTION 25 SECONDARY SUITES**

- 25.1 In the case of a secondary suite located completely below the first storey of a single unit dwelling the floor area shall not exceed the floor area of the first storey of the associated principal dwelling (excluding stairways).
- 25.2 The minimum floor area for a secondary suite shall be not less than 30.1 m<sup>2</sup> (325 ft<sup>2</sup>) and the maximum floor area must be less than the floor area of the principal dwelling unit.
- 25.3 A secondary suite shall be developed in such a manner that the exterior of the principal dwelling containing the secondary suite shall appear as a single dwelling.
- 25.4 Only one secondary suite may be developed in conjunction with a principal dwelling.
- 25.5 A secondary suite shall not be developed within the same principal dwelling containing a Home Occupation 2, 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.

- 25.6 The number of persons occupying a secondary suite shall not exceed four.
- 25.7 The secondary suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.
- 25.8 Variances or waivers of setbacks shall not be granted to develop a secondary suite.
- 25.9 The secondary suite shall have full utility services through service connections from the principal dwelling unit.
- 25.10 Development of a secondary suite shall adhere to the Alberta Building Code and Alberta Fire Code as a condition of approval.

## **SECTION 26 HOME OCCUPATIONS**

The Development Officer or Municipal Subdivision and Development Authority is authorized to decide upon home occupations in accordance with the following:

### **26.1 Home Occupation 1**

A small-scale, home occupation contained within the principal dwelling involving:

- (a) phone and office use only;
- (b) no outdoor storage and/or display of goods;
- (c) no customer/client visits to the residence; and
- (d) all sales occur off the premises;
- (e) the use complies with the general standards found in Schedule 3 – Standards of Development.
- (f) 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 Subdivision and Development Authority.

### **26.2 Home Occupation 2**

All other home occupations shall be classified as a home occupation 2 and may involve:

- (a) the use of a garage or accessory structure;
- (b) limited outdoor storage provided that it is screened from view and/or display of goods within the residence, garage or accessory structure;
- (c) limited volume of on-premises sales;
- (d) there is a limited display proposed for the inside of the building;
- (e) a maximum of one non-resident employee;
- (f) the use complies with the general standards found in Schedule 3 – Standards of Development; and
- (g) customer/client visits to the residence.



### 26.3 General Standards for Home Occupations

Home occupations may be approved subject to the following conditions:

- (a) 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.
- (b) Allowances for home occupations are intended to foster small-scale business. Home occupations will be required to relocate to a suitable commercial or industrial district when they become incompatible with a residential area or become unsuitable as a home occupation.
- (c) Unless otherwise approved by the Municipal Subdivision and Development Authority, not more than one home occupation shall be permitted on a parcel.
- (d) The use shall not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.
- (e) No commercial vehicle of a capacity greater than 681 kg ( $\frac{3}{4}$  ton) shall be parked or maintained on a public road right-of-way or lane.
- (f) No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare shall be produced by the use.
- (g) 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.
- (h) No use requiring electrical or mechanical equipment shall cause a fire rating change in the structure or the district in which the home occupation is located.
- (i) The approved use shall be valid only for the period of time the property is occupied by the applicant for such approved use.
- (j) All permits issued for home occupations shall be subject to the conditions that the permit may be revoked at any time, if, in the opinion of the Development Officer or Municipal Subdivision and Development Authority, the use is or has become detrimental to the residential character or the amenities of the neighbourhood.
- (k) Signage for home occupations must comply with the following:
  - (i) a maximum of one sign,
  - (ii) sign must be no greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) in size, and
  - (iii) sign must be located in the structure window.Request for more than one sign or a sign greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) requires a separate development permit application.
- (l) 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.

- (m) Home occupations shall not include:
  - (i) activities that use or store hazardous materials;
  - (ii) any use that would, in the opinion of the Municipal Subdivision and Development Authority, materially interfere with or affect the use, enjoyment or value of neighbouring properties;
  - (iii) any use declared by resolution of Council to be undesirable as a home occupation.

## **SECTION 27 BED AND BREAKFAST ACCOMMODATIONS**

- 27.1 The bed and breakfast shall be operated by a full-time resident of the dwelling.
- 27.2 The operation is limited to a maximum of five guest rooms and ten guests at any one time in addition to the full-time residents of the dwelling.
- 27.3 One off-street parking space is required for each guest room in addition to the off-street parking requirements for the dwelling.
- 27.4 The residential character of the dwelling shall be maintained and be consistent with the intent of the district.
- 27.5 Guest rooms shall not be permitted to contain cooking or kitchen facilities.
- 27.6 Meals may be provided to registered guests only.
- 27.7 The maximum length of accommodation for guests is limited to 14 consecutive days.
- 27.8 Signage for bed and breakfasts must comply with the following:
  - (a) a maximum of one sign,
  - (b) sign must be no greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) in size, and
  - (c) sign must be located in the structure window.

Request for more than one sign or a sign greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) requires a separate development permit application.
- 27.9 The applicant shall be responsible for compliance with the Alberta Health Standards and Guidelines and the Alberta Building Code requirements for Bed and Breakfast accommodations.
- 27.10 The issuance of a development permit in no way exempts the applicant from obtaining a business license from the Town and any other Provincial approvals that may be required.

## **SECTION 28 CHILD CARE FACILITY / DAY HOME**

- 28.1 If determined by the Development Officer, prior to the Municipal Subdivision and Development Authority meeting, the applicant for a child care facility may be required to meet and consult with all adjacent land owners in the vicinity of where the use is proposed.

- 28.2 In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- 28.3 Signage for child care facilities must comply with the following:
- (a) a maximum of one sign,
  - (b) sign must be no greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) in size, and
  - (c) sign must be located in the structure window.
- Request for more than one sign or a sign greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) requires a separate development permit application.
- 28.4 The use shall not generate traffic problems within the district.
- 28.5 Requires a minimum of one (1) on-site parking space per employee at the use at any given time.
- 28.6 Requires a minimum of one (1) on-site pick-up and drop-off space for every 10 children and the location of passenger loading zones for child care facilities may be specified by condition of a development permit.
- 28.7 Must have screening for any outdoor play areas to the satisfaction of the Municipal Subdivision and Development Authority.
- 28.8 All applications for child care facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies.

## **SECTION 29 PRIVATE SWIMMING POOLS**

- 29.1 Private swimming pools shall be classified as an accessory structure.
- 29.2 Any private swimming pool with a design depth greater than 0.6 m (2 ft) shall be constructed and fenced in accordance with Safety Codes requirements.
- 29.3 Temporary above ground swimming pools and above ground hot tubs do not require a development permit, but are subject to Safety Codes and may require a building permit.
- 29.4 Construction of an in-ground swimming pool and swimming pools that are attached to a deck require a development permit and are subject to the following additional standards:
- (a) placement of a swimming pool shall be limited to the side and rear yard only;
  - (b) swimming pools are subject to the setback requirements for accessory structures in the applicable land use district;
  - (c) swimming pools are subject to the maximum lot coverage requirements for accessory structures in the applicable land use district.

## **SECTION 30 SATELLITE DISHES AND RADIO OR TELEVISION ANTENNA**

- 30.1 In all residential land use districts:
- (a) satellite dishes greater than 1 m (3 ft) in diameter or radio or television antenna shall be classified as an accessory structure and shall be placed in the rear or side yard;
  - (b) satellite dishes greater than 1 m (3 ft) in diameter shall not be mounted or attached to the roof of any dwelling or accessory building and shall not be illuminated or contain advertising other than the manufacturer's trademark or logo.
- 30.2 Radio and television antennas, which are not regulated by Industry Canada, are classified as an accessory structure.

### **SECTION 31 PRIVACY WALLS AND/OR PRIVACY SCREENS**

- 31.1 The placement of a privacy wall or screen shall be limited to the side and rear yard only.
- 31.2 Privacy walls and/or screens will not require a development permit if:
- (a) the proposed development complies with all of the standards for privacy walls and/or screens within this section; and
  - (b) attached to a raised deck 0.6 m (2 ft) or greater in height and the deck has been issued a development permit; or
  - (c) the structure is freestanding and meets the setback requirements for accessory buildings within the applicable land use district.
- 31.3 Privacy walls and/or screens which are attached to a raised deck or balcony in conjunction with a single unit dwelling shall:
- (a) be no more than 2.4 m (8 ft) above the finished deck floor elevation (finished board on top of joist floor);
  - (b) have all the area of the wall or screen above 1.2 m (4 ft) be constructed of material that is translucent or has individual openings of at least 2.5 cm (1 inch) to allow light to pass;
  - (c) be subject to the setback requirements for principal buildings.
- 31.4 Privacy walls and/or screens which are attached to a raised deck or balcony shared by more than one dwelling unit shall:
- (a) be no more than 2.4 m (8 ft) above the finished deck floor elevation (finished board on top of joist floor);
  - (b) require that the dividing wall be constructed of material that is solid to allow for privacy between the units;
  - (c) require that all other privacy walls or screens be constructed to have all of the area of the wall or screen above 1.2 m (4 ft) constructed of material that is translucent or has individual openings of at least 2.5 cm (1 inch) to allow light to pass.
- 31.5 Privacy walls and/or screens which are free standing shall:
- (a) be no more than 3.1 m (10 ft) above ground level; and

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

31.6 The privacy walls and/or screens are required to be finished on both sides with similar materials and colours.

31.7 The Municipal Subdivision and Development Authority may stipulate the type of material and colour of finish for the privacy wall and/or screen as a condition on a development approval.

**SECTION 32 DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 3**

**SECTION 33 GENERAL STANDARDS OF DEVELOPMENT – See Schedule 4**

**SECTION 34 OFF-STREET PARKING/LOADING REQUIREMENTS – See Schedule 4, Design Standards**

**SECTION 35 USE SPECIFIC STANDARDS OF DEVELOPMENT – See Schedule 5**

**SECTION 36 SIGNS – See Schedule 6**

**SECTION 37 DEFINITIONS – See Schedule 7**

## SMALL LOT RESIDENTIAL – SLR

### SECTION 1 PURPOSE

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

### SECTION 2 USES

- |   |   |
|---|---|
| <p>2.1 <b>Permitted Uses</b></p> <ul style="list-style-type: none"> <li>Accessory buildings</li> <li>Accessory structures</li> <li>Accessory uses</li> <li>Dwellings:               <ul style="list-style-type: none"> <li>Single-unit</li> <li>Modular home A</li> <li>Ready-to-move home A</li> </ul> </li> <li>Home occupations 1</li> <li>Solar energy system, individual – roof or wall mounted</li> </ul> | <p>2.2 <b>Discretionary Uses</b></p> <ul style="list-style-type: none"> <li>Day home</li> <li>Dwellings:               <ul style="list-style-type: none"> <li>Modular home B</li> <li>Ready-to-move home B</li> </ul> </li> <li>Moved-in building</li> <li>Wind energy conversion system, individual</li> </ul> |
|---|---|

### SECTION 3 MINIMUM LOT SIZE

- 3.1 Minimum lot sizes are as follows:

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

### SECTION 4 MINIMUM SETBACKS

- 4.1 Minimum setbacks are as follows:

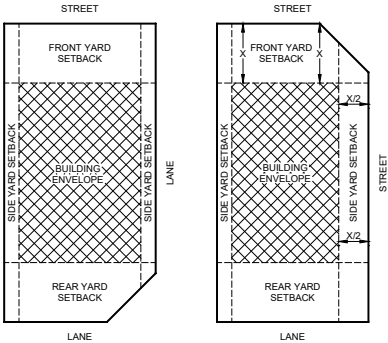
Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Dwellings: Single-unit Modular home A & B Ready-to-move home A & B	6.1	20	3.1	10	1.2	4	5.5	18

All other uses	As required by the MSDA
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Note: see Section 12 Permitted Projections into Setbacks

- 4.2 Also refer to sections 13 and 14 for setbacks from easements and clear vision triangle requirements.
- 4.3 Structures that are attached to a principal building are subject to the principal setbacks excepting the permitted projections in section 12.
- 4.4 The Development Authority may waive the building setback requirement in a well-established residential area if, in his or their opinion, the setback is in accordance with the prevailing yard pattern.
- 4.5 The Development Authority may require varied or increased building setbacks in new residential areas if, in his or their opinion, the variation in setbacks will enhance the development of that area.
- 4.6 The Development Authority may require increased building setbacks (other than those listed in 4.4 and 4.5 above) if, in his or their opinion, such setbacks would:
  - (a) help avoid land use conflict;
  - (b) enhance the appearance of the area.
- 4.7 Where a laneway or roadway has reduced the size of a lot by cutting off a corner of the lot the minimum setback requirements shall apply to the portions of the lot that have not been cut-off by the laneway or roadway.

**Corner Cut-off Lot  
Minimum Setback Requirements**  
X = minimum setback requirement  
(arrows indicate measurement location)



**SECTION 5 ACCESSORY BUILDINGS**

5.1 Minimum setbacks for accessory buildings are as follows:

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Accessory buildings (including detached garages)	Same as principal building		3.1	10	1.2	4	1.5	5

- 5.2 No accessory structure or use shall be allowed on a lot without an approved principal structure or use.
- 5.3 Accessory structures and uses that are not specifically included within a development permit require a separate development permit application.
- 5.4 No accessory structures are allowed to be located in the front yard of the principal structure.
- 5.5 Detached garages shall have a minimum separation of 0.6 m (2 ft) from the roof overhang of either structure.
- 5.6 Accessory buildings shall be constructed such that eaves shall be no closer than 0.6 m (2 ft) from a side lot line or rear lot line and all drainage is conducted to the appropriate storm drain via the applicant's own property.
- 5.7 Also refer to sections 12 and 15 for setbacks from easements and clear vision triangle requirements.

**SECTION 6      MAXIMUM SITE COVERAGE**

- 6.1 Total lot coverage – 50%.  
(Inclusive of all dwellings, accessory buildings and structures)
- 6.2 Accessory Buildings – 10%.  
The combined total of all accessory buildings shall cover not more than 10% of the surface area of a lot. Accessory buildings must be subordinate to the principal dwelling.
- 6.3 Other development shall be at the discretion of the Development Authority.

**SECTION 7      MINIMUM FLOOR AREA**

- 7.1 Minimum floor area:
  - (a) Single-unit dwelling – 74.3 m<sup>2</sup> (800 ft<sup>2</sup>)
  - (b) All other uses – As required by the MSDA

**SECTION 8      MAXIMUM FLOOR AREA FOR ACCESSORY BUILDINGS AND ATTACHED GARAGES**

- 8.1 The total floor area of any accessory building or attached garage must be less than the total floor area of the principal building.

**SECTION 9      MAXIMUM BUILDING HEIGHT**

- 9.1 Maximum building height:
  - (a) Principal building – 10.1 m (33 ft)
  - (b) Accessory buildings – 4.9 m (16 ft)



## **SECTION 10 QUALITY OF DEVELOPMENT**

- 10.1 The Development Authority may impose reasonable conditions on a development permit if it will make the use or development more consistent with the purpose of the land use district or with the municipal development plan.

## **SECTION 11 REDUCED LOT AREA AND DIMENSIONS**

- 11.1 The Development Authority may approve a development on an existing registered lot the minimum dimensions or area of which are less than those specified in section 3 provided that the minimum area allowed is not less than 232.3 m<sup>2</sup> (2,500 ft<sup>2</sup>).

## **SECTION 12 PERMITTED PROJECTIONS INTO SETBACKS**

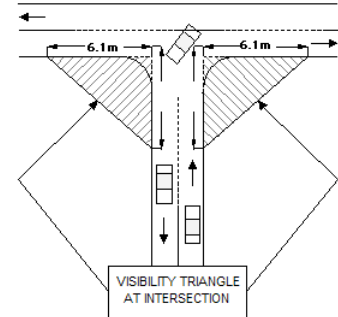
- 12.1 In no circumstances shall any part of any structure encroach or cause runoff on an adjoining property.
- 12.2 The following features may, subject to the relevant provisions of Safety Codes, project into the required setbacks under this bylaw:
- (a) unenclosed steps or unenclosed fire escapes;
  - (b) a wheelchair ramp at the discretion of the Development Authority;
  - (c) fences or walls to the property line in accordance with the applicable land use district and section 14;
  - (d) driveways, curbs and sidewalks;
  - (e) off-street parking in accordance with the applicable land use district and section 15 (Corner Lot Sight Triangle);
  - (f) cooling units not to exceed 0.9 m (3 ft);
  - (g) mailboxes;
  - (h) landscaping, fish ponds, ornaments, flagpoles (less than 4.6 m (15 ft) in height), or other similar landscaping features in accordance with section 14;
  - (i) temporary swimming pools in accordance with the applicable land use district; and
  - (j) signs, in accordance with Schedule 6.
- 12.3 The portions of an attachment to a principal structure which may, subject to the relevant provisions of Safety Codes, project over a setback are as follows:
- (a) eaves, fireplaces, belt courses, bay windows, cornices, sills or other similar architectural features may project over a side setback as permitted under the relevant provisions of Safety Codes and over a front or rear setback a distance not to exceed 1.2 m (4 ft);
  - (b) In all cases, projections into any required setback must comply with the requirements of Safety Codes.

### SECTION 13 EASEMENTS

- 13.1 All permanent structures shall be located a minimum of 3.1 m (10 ft), or such greater distance as required by the Development Authority, from an easement registered for the protection of municipal water mains and sewer mains or any other such infrastructure, as determined by the municipality.
- 13.2 No structures shall be located within a registered easement.

### SECTION 14 CORNER LOT SIGHT TRIANGLE

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



### SECTION 15 LANDSCAPING STANDARDS AND SCREENING

- 15.1 The front yard and secondary front yard of a lot shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.
- 15.2 Landscaping shall consist of any or all of the following:
- (a) vegetation (e.g., trees, shrubs, lawn, flowers);
  - (b) ground cover such as large feature rocks, bark chip, field stone, crushed rock, or other similar features.
- 15.3 Landscaping may consist of any or all of the following:
- (a) trees, shrubs, lawn, flowers;
  - (b) large feature rocks, bark chips, field stone (Development Authority approval is required if this type of landscaping exceeds 50% of the total landscaped area);
  - (c) berming, terracing;
  - (d) innovative landscaping features;
  - (e) landscape ornaments;
  - (f) other features that may include, but not limited to, front walkways and steps.
- 15.4 Parking lots shall be landscaped and/or screened as required by the Development Authority.

- 15.5 The Development Authority may impose additional landscaping or screening requirements on a development approval for a permitted or discretionary use to improve the quality or compatibility of the proposed development.

**SECTION 16 ROAD FRONTAGE AND ACCESS**

- 16.1 All newly created lots shall have frontage on a public roadway which enables direct physical and legal access onto that public road. Frontage on a laneway alone will not be permitted. The minimum frontage requirements shall be as defined by the minimum lot dimensions in the applicable land use district.
- 16.2 All new development shall have frontage on and direct physical and legal access to a maintained public roadway, except for:
- (a) development internal to a condominium plan containing private roadways; and
  - (b) development internal to a manufactured home community or multi-use development containing internal roadways as approved by the Development Authority.
- 16.3 Vehicular access to a corner lot shall generally be limited to locations along the minor residential street.
- 16.4 Every vehicular entrance and exit shall be located at least 7.6 m (25 ft) from the intersection of two streets, and a greater distance where reasonable and appropriate by the Development Authority.
- 16.5 The Development Authority may require access to be located so that it can be shared with an adjoining lot or development.

**SECTION 17 OFF-STREET PARKING AND LOADING REQUIREMENTS AND DESIGN STANDARDS**

- 17.1 Minimum off-street parking requirements are as follows:

USE	MINIMUM PARKING SPACES
<b>RESIDENTIAL</b>	
Bed and breakfast	1 space per guest room
Dwellings: - Single-detached - 2-unit dwelling - Modular home A & B - Ready-to-move home A & B	2 spaces per dwelling unit
All other uses	As required in Schedule 4, Standards of Development: Off-Street Parking and Loading Requirements

- 17.2 Off-street parking stall standards for residential uses are as follows:
- (a) Minimum width – 2.4 m (8 ft)
  - (b) Minimum length – 6.7 m (22 ft)
- 17.3 The Development Authority may require any off-street parking space or driveway to be paved or hard-surfaced as a condition of approval.
- 17.4 Off-street parking spaces and driveways shall be constructed in a manner which will permit adequate drainage, snow removal and maintenance.
- 17.5 Vehicular access for corner lots may be limited to locations along the minor street unless site specific considerations require otherwise.

## **SECTION 18 DRIVEWAYS**

- 18.1 Only one driveway per lot is permitted for single-unit residential development. The maximum number of driveways permitted per lot for all other uses shall be as required by the Development Authority.
- 18.2 Driveway standards are as follows:
- (a) Minimum width – 3.0 m (10 ft)
  - (b) Maximum width – 5.5 m (18 ft)
  - (c) Setback from lane – 3.0 m (10 ft)
  - (d) Setback from intersection – 7.6 m (25 ft)
- 18.3 The Development Authority may require that driveways be paved as a condition of approval.
- 18.4 Hard surfaced or gravel driveway, parking pad not supporting a garage or carport, walkway, and/or paving stones or similar impervious ground cover is limited to a maximum of 50% of the front or rear yard unless approved otherwise by a development permit.

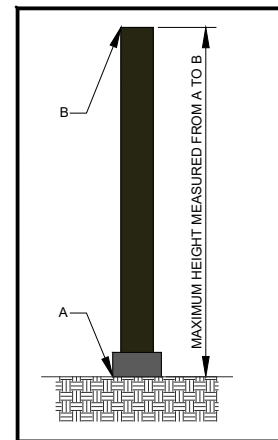
## **SECTION 19 DECKS AND AMENITY SPACES**

- 19.1 A Development Permit is required for the construction of a deck if it will be constructed so that the decking is situated more than 0.6 m (2 ft) above grade.
- 19.2 For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by a roofed structure (open or enclosed), it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks.
- 19.3 Attached and unattached decks must be located in a manner such as to preserve the privacy on adjacent properties.

- 19.4 A **ground level deck** means an unenclosed (no roof) amenity area of concrete, brick, wood, or other material that is constructed at grade or attached to a dwelling. The overall height of a ground level deck shall not exceed 0.6 m (2 ft) measured from the finished grade to the underside of the supporting structure.
- 19.5 A **raised deck** means an unenclosed (no roof) amenity area, of wood frame or other construction, which may be attached to a dwelling. The overall height of a raised deck is greater than 0.6 m (2 ft) from the finished grade to the underside of the supporting structure.
- 19.6 **Rear Yard Setbacks:** unenclosed decks may encroach into the minimum required rear yard setback distance a maximum of 2.0 m (6.5 ft) on laneless lots and 3.1 m (10 ft) on laned lots.

**SECTION 20 FENCES**

- 20.1 No fence, wall, gate, hedge or other means of enclosure shall extend more than 0.9 m (3 ft) above level grade in any front yard without an approved development permit.
- 20.2 Fences in the secondary front, rear and side yards must not exceed 1.8 m (6 ft) in height from level grade without an approved development permit.
- 20.3 Fencing shall not be permitted to be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense.
- 20.4 Where a permit is required for fencing, the Development Authority may regulate the material types and colours used for the fence. Regardless of fence height, barbed wire fencing is prohibited.
- 20.5 Also refer to sections 13 and 14 for setbacks from easements and clear vision triangle requirements.



Fence height is measured from grade to the top of the fence or fence post.

**SECTION 21 BALCONIES, VERANDAS AND PORCHES**

- 21.1 A balcony shall not project more than 1.8 m (6 ft) from a building façade.
- 21.2 Where any building or structure on a lot is attached to a principal building on the lot by a roof, an open or enclosed structure above grade, a floor or a foundation which is above grade, or any structure below grade allowing access between the buildings such as a parking garage or a corridor or passageway connecting the buildings, it is to be considered as part of the principal building.

- 21.3 **Rear Yard Setbacks:** balconies, porches, and verandas that are unenclosed may encroach into the minimum required rear yard setback distance a maximum of 2.0 m (6.5 ft) on laneless lots and 3.1 m (10 ft) on laned lots.

## **SECTION 22 LIGHTING**

- 22.1 Where artificial outdoor lighting is provided to illuminate any parcel, building or site, the type, location and orientation of lighting shall:
- (a) avoid direct illumination of the neighbouring properties;
  - (b) not adversely affect the use, enjoyment and privacy of any dwelling; and
  - (c) not interfere with traffic safety on public roadways.
- 22.2 Outdoor lighting is to be mounted not more than 6.1 m (20 ft) above ground, excepting outdoor lighting for public uses and lighting approved in conjunction with a development permit.
- 22.3 Site lighting may be required as a condition of development and any such lighting shall be located, oriented and shielded so as not to adversely affect neighbouring properties or traffic safety on public roadways.

## **SECTION 23 REFUSE COLLECTION AND STORAGE**

- 23.1 Refuse and garbage shall be stored in suitable containers for the applicable use within a land use district as per the Town's Utility Bylaw.
- 23.2 All garbage holding areas, enclosures, and compaction areas shall be located and designed to ensure adequate on-site maneuvering for refuse collection vehicles.
- 23.3 All refuse on any construction site shall be properly screened or placed in an approved enclosure on the property until removed for disposal.

## **SECTION 24 UTILITIES AND SERVICING**

- 24.1 The erection of a building on any site may be prohibited where it would otherwise be permitted when, in the opinion of the Development Authority, satisfactory arrangements have not been made for the supply of water, gas, electric power, sewage, street access or other services or facilities necessary to serve the development.
- 24.2 All development shall be required to connect to both the municipal water supply and sewerage system, except where in the opinion of the Development Authority, the development does not require water and sewer.

## **SECTION 25 HOME OCCUPATIONS**

The Development Officer or Municipal Subdivision and Development Authority is authorized to decide upon home occupations in accordance with the following:

### 25.1 Home Occupation 1

A small-scale, home occupation contained within the principal dwelling involving:

- (a) phone and office use only;
- (b) no outdoor storage and/or display of goods;
- (c) no customer/client visits to the residence; and
- (d) all sales occur off the premises;
- (e) the use complies with the general standards found in Schedule 3 – Standards of Development.
- (f) 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 Subdivision and Development Authority.

### 25.2 General Standards for Home Occupations

Home occupations may be approved subject to the following conditions:

- (a) 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.
- (b) Allowances for home occupations are intended to foster small-scale business. Home occupations will be required to relocate to a suitable commercial or industrial district when they become incompatible with a residential area or become unsuitable as a home occupation.
- (c) Unless otherwise approved by the Municipal Subdivision and Development Authority, not more than one home occupation shall be permitted on a parcel.
- (d) The use shall not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.
- (e) No commercial vehicle of a capacity greater than 681 kg ( $\frac{3}{4}$  ton) shall be parked or maintained on a public road right-of-way or lane.
- (f) No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare shall be produced by the use.
- (g) 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.
- (h) No use requiring electrical or mechanical equipment shall cause a fire rating change in the structure or the district in which the home occupation is located.
- (i) The approved use shall be valid only for the period of time the property is occupied by the applicant for such approved use.

- (j) All permits issued for home occupations shall be subject to the conditions that the permit may be revoked at any time, if, in the opinion of the Development Officer or Municipal Subdivision and Development Authority, the use is or has become detrimental to the residential character or the amenities of the neighbourhood.
- (k) Signage for home occupations must comply with the following:
  - (i) a maximum of one sign,
  - (ii) sign must be no greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) in size, and
  - (iii) sign must be located in the structure window.

Request for more than one sign or a sign greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) requires a separate development permit application.
- (l) 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.
- (m) Home occupations shall not include:
  - (i) activities that use or store hazardous materials;
  - (ii) any use that would, in the opinion of the Municipal Subdivision and Development Authority, materially interfere with or affect the use, enjoyment or value of neighbouring properties;
  - (iii) any use declared by resolution of Council to be undesirable as a home occupation.

## **SECTION 26 CHILD CARE FACILITY / DAY HOME**

All child care facilities may be approved subject to the following conditions and requirements:

- 26.1 If determined by the Development Officer, prior to the Municipal Subdivision and Development Authority meeting, the applicant for a child care facility may be required to meet and consult with all adjacent land owners in the vicinity of where the use is proposed.
- 26.2 In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- 26.3 Signage for child care facilities must comply with the following:
  - (a) a maximum of one sign,
  - (b) sign must be no greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) in size, and
  - (c) sign must be located in the structure window.

Request for more than one sign or a sign greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) requires a separate development permit application.



- 26.4 The use shall not generate traffic problems within the district.
- 26.5 Requires a minimum of one (1) on-site parking space per employee at the use at any given time.
- 26.6 Requires a minimum of one (1) on-site pick-up and drop-off space for every 10 children and the location of passenger loading zones for child care facilities may be specified by condition of a development permit.
- 26.7 Must have screening for any outdoor play areas to the satisfaction of the Municipal Subdivision and Development Authority.
- 26.8 All applications for child care facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies.

## **SECTION 27 PRIVATE SWIMMING POOLS**

- 27.1 Private swimming pools shall be classified as an accessory structure.
- 27.2 Any private swimming pool with a design depth greater than 0.6 m (2 ft) shall be constructed and fenced in accordance with Safety Codes requirements.
- 27.3 Temporary above ground swimming pools and above ground hot tubs do not require a development permit, but are subject to Safety Codes and may require a building permit.
- 27.4 Construction of an in-ground swimming pool and swimming pools that are attached to a deck require a development permit and are subject to the following additional standards:
  - (a) placement of a swimming pool shall be limited to the side and rear yard only;
  - (b) swimming pools are subject to the setback requirements for accessory structures in the applicable land use district;
  - (c) swimming pools are subject to the maximum lot coverage requirements for accessory structures in the applicable land use district.

## **SECTION 28 SATELLITE DISHES AND RADIO OR TELEVISION ANTENNA**

- 28.1 In all residential land use districts:
  - (a) satellite dishes greater than 1 m (3 ft) in diameter or radio or television antenna shall be classified as an accessory structure and shall be placed in the rear or side yard;
  - (b) satellite dishes greater than 1 m (3 ft) in diameter shall not be mounted or attached to the roof of any dwelling or accessory building and shall not be illuminated or contain advertising other than the manufacturer's trademark or logo.
- 28.2 Radio and television antennas, which are not regulated by Industry Canada, are classified as an accessory structure.

## **SECTION 29 PRIVACY WALLS AND/OR PRIVACY SCREENS**

- 29.1 The placement of a privacy wall or screen shall be limited to the side and rear yard only.
- 29.2 Privacy walls and/or screens will not require a development permit if:
- (a) the proposed development complies with all of the standards for privacy walls and/or screens within this section; and
  - (b) attached to a raised deck 0.6 m (2 ft) or greater in height and the deck has been issued a development permit; or
  - (c) the structure is freestanding and meets the setback requirements for accessory buildings within the applicable land use district.
- 29.3 Privacy walls and/or screens which are attached to a raised deck or balcony in conjunction with a single unit dwelling shall:
- (a) be no more than 2.4 m (8 ft) above the finished deck floor elevation (finished board on top of joist floor);
  - (b) have all the area of the wall or screen above 1.2 m (4 ft) be constructed of material that is translucent or has individual openings of at least 2.5 cm (1 inch) to allow light to pass;
  - (c) be subject to the setback requirements for principal buildings.
- 29.4 Privacy walls and/or screens which are free standing shall:
- (a) be no more than 3.1 m (10 ft) above ground level; and
  - (b) have all of the area of the wall or screen above 1.8 m (6 ft) be constructed of material that is translucent or has individual openings of at least 2.5 cm (1 inch) to allow light to pass;
  - (c) be subject to the setback requirements for accessory buildings.
- 29.5 The privacy walls and/or screens are required to be finished on both sides with similar materials and colours.
- 29.6 The Municipal Subdivision and Development Authority may stipulate the type of material and colour of finish for the privacy wall and/or screen as a condition on a development approval.

**SECTION 30 DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 3**

**SECTION 31 GENERAL STANDARDS OF DEVELOPMENT – See Schedule 4**

**SECTION 32 OFF-STREET PARKING/LOADING REQUIREMENTS – See Schedule 4, Design Standards**

**SECTION 33 USE SPECIFIC STANDARDS OF DEVELOPMENT – See Schedule 5**

**SECTION 34 SIGNS – See Schedule 6**

**SECTION 35    DEFINITIONS – See Schedule 7**

## LARGE LOT RESIDENTIAL – LLR

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### SECTION 1 PURPOSE

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

### SECTION 2 USES

#### 2.1 Permitted Uses

Accessory building less than 65.0 m<sup>2</sup> (700 ft<sup>2</sup>)  
 Accessory structure  
 Accessory use  
 Dwellings:  
     Single-unit dwellings  
 Home occupations 1  
 Solar energy system, individual – roof or wall mounted

#### 2.2 Discretionary Uses

Accessory building 111.5 m<sup>2</sup> (1200 ft<sup>2</sup>) or less  
 Bed and breakfast  
 Home occupations 2  
 Market gardens  
 Modular home A and B  
 Moved-in building  
 Parks and playgrounds  
 Ready-to-move home A and B  
 Religious assembly  
 Secondary suite  
 Solar energy system, individual – ground mounted  
 Wind energy conversion system, individual

#### 2.3 Prohibited Uses

Commercial including any trucking operations  
 Keeping of farm animals  
 Kennels or catteries  
 Industrial uses  
 Quonsets  
 Accessory building greater than 111.5 m<sup>2</sup> (1,200 ft<sup>2</sup>)

### SECTION 3 MINIMUM LOT SIZE

- 3.1 Minimum lot sizes are as follows:

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

**SECTION 4 MINIMUM SETBACKS**

4.1 Minimum setbacks are as follows:

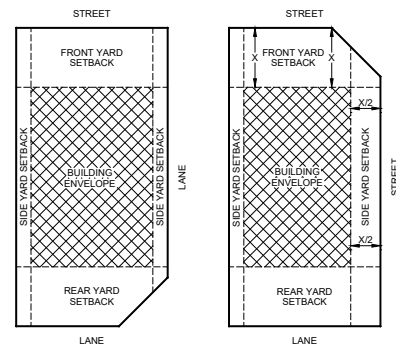
Use	Front Yard		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft
Single-unit dwelling	22.9	75	6.1	20	12.2	40
All other uses	As required by the MSDA					

Note: see Section 12 Permitted Projections into Setbacks

- 4.2 Also refer to sections 13 and 14 for setbacks from easements and clear vision triangle requirements.
- 4.3 Structures that are attached to a principal building are subject to the principal setbacks excepting the permitted projections in section 12.
- 4.4 The Development Authority may waive the building setback requirement in a well-established residential area if, in his or their opinion, the setback is in accordance with the prevailing yard pattern.
- 4.5 The Development Authority may require varied or increased building setbacks in new residential areas if, in his or their opinion, the variation in setbacks will enhance the development of that area.
- 4.6 The Development Authority may require increased building setbacks (other than those listed in 4.4 and 4.5 above) if, in his or their opinion, such setbacks would:
  - (a) help avoid land use conflict;
  - (b) enhance the appearance of the area.
- 4.7 Where a laneway or roadway has reduced the size of a lot by cutting off a corner of the lot the minimum setback requirements shall apply to the portions of the lot that have not been cut-off by the laneway or roadway.

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

X = minimum setback requirement  
(arrows indicate measurement location)



**SECTION 5 ACCESSORY BUILDINGS**

5.1 Minimum setbacks for accessory buildings are as follows:

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Accessory buildings (including detached garages)	Same as principal building		3.1	10	1.2	4	1.5	5

- 5.2 No accessory structure or use shall be allowed on a lot without an approved principal structure or use.
- 5.3 Accessory structures and uses that are not specifically included within a development permit require a separate development permit application.
- 5.4 No accessory structures are allowed to be located in the front yard of the principal structure.
- 5.5 Detached garages shall have a minimum separation of 0.6 m (2 ft) from the roof overhang of either structure.
- 5.6 Accessory buildings shall be constructed such that eaves shall be no closer than 0.6 m (2 ft) from a side lot line or rear lot line and all drainage is conducted to the appropriate storm drain via the applicant’s own property.
- 5.7 Also refer to sections 13 and 14 for setbacks from easements and clear vision triangle requirements.

**SECTION 6 MAXIMUM SITE COVERAGE**

- 6.1 Principal Buildings – as required by the Development Authority.
- 6.2 Accessory Buildings – as required by the Development Authority and must be less than the site coverage of the principal building.
- 6.3 Accessory buildings must be subordinate to the principal dwelling.

**SECTION 7 MINIMUM FLOOR AREA**

- 7.1 Single-unit dwelling – 111.5 m<sup>2</sup> (1,200 ft<sup>2</sup>)

**SECTION 8 MAXIMUM FLOOR AREA FOR ACCESSORY BUILDINGS AND ATTACHED GARAGES**

- 8.1 The total floor area of any accessory building or attached garage must be less than the total floor area of the principal building.

## **SECTION 9      MAXIMUM BUILDING HEIGHT**

9.1      Maximum building height:

- (a)   Principal building – 10.1 m (33 ft)
- (b)   Accessory buildings:
  - (i)   less than 65.0 m<sup>2</sup> (700 ft<sup>2</sup>) – 4.9 m (16 ft)
  - (ii)  greater than 65.0 m<sup>2</sup> (700 ft<sup>2</sup>) and less than 111.5 m<sup>2</sup> (1200 ft<sup>2</sup>) – 7.3 m (24 ft)

## **SECTION 10     QUALITY OF DEVELOPMENT**

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

## **SECTION 11     REDUCED LOT AREA AND DIMENSIONS**

11.1     The Development Authority may approve a development on an existing registered lot the minimum dimensions or area of which are less than those specified in section 3 provided that the minimum area allowed is not less than 232.3 m<sup>2</sup> (2,500 ft<sup>2</sup>).

## **SECTION 12     PERMITTED PROJECTIONS INTO SETBACKS**

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

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

- (a)   unenclosed steps or unenclosed fire escapes;
- (b)   a wheelchair ramp at the discretion of the Development Authority;
- (c)   fences or walls to the property line in accordance with the applicable land use district and section 15;
- (d)   driveways, curbs and sidewalks;
- (e)   off-street parking in accordance with the applicable land use district and section 14;
- (f)   cooling units not to exceed 0.9 m (3 ft);
- (g)   mailboxes;
- (h)   landscaping, fish ponds, ornaments, flagpoles (less than 4.6 m (15 ft) in height), or other similar landscaping features in accordance with section 14;
- (i)   temporary swimming pools in accordance with the applicable land use district; and
- (j)   signs, in accordance with Schedule 6.

12.3     The portions of an attachment to a principal structure which may, subject to the relevant provisions of Safety Codes, project over a setback are as follows:

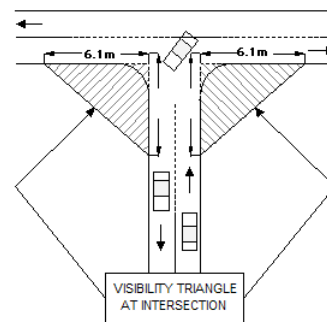
- (a) eaves, fireplaces, belt courses, bay windows, cornices, sills or other similar architectural features may project over a side setback as permitted under the relevant provisions of Safety Codes and over a front or rear setback a distance not to exceed 1.2 m (4 ft);
- (b) in all cases, projections into any required setback must comply with the requirements of Safety Codes.

**SECTION 13 EASEMENTS**

- 13.1 All permanent structures shall be located a minimum of 3.1 m (10 ft), or such greater distance as required by the Development Authority, from an easement registered for the protection of municipal water mains and sewer mains or any other such infrastructure, as determined by the municipality.
- 13.2 No structures shall be located within a registered easement.

**SECTION 14 CORNER LOT SIGHT TRIANGLE**

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



**SECTION 15 LANDSCAPING STANDARDS AND SCREENING**

- 15.1 The front yard and secondary front yard of a lot shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.
- 15.2 Landscaping shall consist of any or all of the following:
  - (a) vegetation (e.g., trees, shrubs, lawn, flowers);
  - (b) ground cover such as large feature rocks, bark chip, field stone, crushed rock, or other similar features.
- 15.3 Landscaping may consist of any or all of the following:
  - (a) trees, shrubs, lawn, flowers;
  - (b) large feature rocks, bark chips, field stone (Development Authority approval is required if this type of landscaping exceeds 50% of the total landscaped area);
  - (c) berming, terracing;



- (d) innovative landscaping features;
  - (e) landscape ornaments;
  - (f) other features that may include, but not limited to, front walkways and steps.
- 15.4 Parking lots shall be landscaped and/or screened as required by the Development Authority.
- 15.5 The Development Authority may impose additional landscaping or screening requirements on a development approval for a permitted or discretionary use to improve the quality or compatibility of the proposed development.

**SECTION 16 ROAD FRONTAGE AND ACCESS**

- 16.1 All newly created lots shall have frontage on a public roadway which enables direct physical and legal access onto that public road. Frontage on a laneway alone will not be permitted. The minimum frontage requirements shall be as defined by the minimum lot dimensions in the applicable land use district.
- 16.2 All new development shall have frontage on and direct physical and legal access to a maintained public roadway, except for:
- (a) development internal to a condominium plan containing private roadways; and
  - (b) development internal to a manufactured home community or multi-use development containing internal roadways as approved by the Development Authority.
- 16.3 Vehicular access to a corner lot shall generally be limited to locations along the minor residential street.
- 16.4 Every vehicular entrance and exit shall be located at least 7.6 m (25 ft) from the intersection of two streets, and a greater distance where reasonable and appropriate by the Development Authority.
- 16.5 The Development Authority may require access to be located so that it can be shared with an adjoining lot or development.

**SECTION 17 OFF-STREET PARKING AND LOADING REQUIREMENTS AND DESIGN STANDARDS**

17.1 Minimum off-street parking requirements are as follows:

USE	MINIMUM PARKING SPACES
<b>RESIDENTIAL</b>	
Bed and breakfast	1 space per guest room
Dwellings: - Single-detached	2 spaces per dwelling unit
Home occupation 2	2 additional spaces or as required by the Municipal Subdivision and Development Authority

- 17.2 Off-street parking stall standards for residential uses are as follows:
- (a) Minimum width – 2.4 m (8 ft)
  - (b) Minimum length: 5.5 m (18 ft)
- 17.3 The Development Authority may require any off-street parking space or driveway to be paved or hard-surfaced as a condition of approval.
- 17.4 Off-street parking spaces and driveways shall be constructed in a manner which will permit adequate drainage, snow removal and maintenance.
- 17.5 Vehicular access for corner lots may be limited to locations along the minor street unless site specific considerations require otherwise.

## **SECTION 18 DRIVEWAYS**

- 18.1 Only one driveway per lot is permitted for single-unit residential development. The maximum number of driveways permitted per lot for all other uses shall be as required by the Development Authority.
- 18.2 Driveway standards are as follows:
- (a) Minimum width – 3.0 m (10 ft)
  - (b) Maximum width – 7.3 m (24 ft)
  - (c) Setback from lane – 3.0 m (10 ft)
  - (d) Setback from intersection – 7.6 m (25 ft)
- 18.3 The Development Authority may require that driveways be paved as a condition of approval.
- 18.4 Hard surfaced or gravel driveway, parking pad not supporting a garage or carport, walkway, and/or paving stones or similar impervious ground cover is limited to a maximum of 25% of the front or rear yard unless approved otherwise by a development permit.

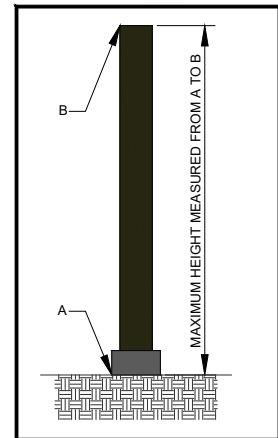
## **SECTION 19 DECKS AND AMENITY SPACES**

- 19.1 A Development Permit is required for the construction of a deck if it will be constructed so that the decking is situated more than 0.6 m (2 ft) above grade.
- 19.2 For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by a roofed structure (open or enclosed), it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks.

- 19.3 Attached and unattached decks must be located in a manner such as to preserve the privacy on adjacent properties.
- 19.4 A **ground level deck** means an unenclosed (no roof) amenity area of concrete, brick, wood, or other material that is constructed at grade or attached to a dwelling. The overall height of a ground level deck shall not exceed 0.6 m (2 ft) measured from the finished grade to the underside of the supporting structure.
- 19.5 A **raised deck** means an unenclosed (no roof) amenity area, of wood frame or other construction, which may be attached to a dwelling. The overall height of a raised deck is greater than 0.6 m (2 ft) from the finished grade to the underside of the supporting structure.
- 19.6 **Rear Yard Setbacks:** unenclosed decks may encroach into the minimum required rear yard setback distance a maximum of 2.0 m (6.5 ft) on laneless lots and 3.1 m (10 ft) on laned lots.

**SECTION 20 FENCES**

- 20.1 No fence, wall, gate, hedge or other means of enclosure shall extend more than 0.9 m (3 ft) above level grade in any front yard without an approved development permit.
- 20.2 Fences in the secondary front, rear and side yards must not exceed 1.8 m (6 ft) in height from level grade without an approved development permit.
- 20.3 Fencing shall not be permitted to be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense.
- 20.4 Where a permit is required for fencing, the Development Authority may regulate the material types and colours used for the fence. Regardless of fence height, barbed wire fencing is prohibited.
- 20.5 Also refer to sections 13 and 14 for setbacks from easements and clear vision triangle requirements.



Fence height is measured from grade to the top of the fence or fence post.

**SECTION 21 BALCONIES, VERANDAS AND PORCHES**

- 21.1 A balcony shall not project more than 1.8 m (6 ft) from a building façade.
- 21.2 Where any building or structure on a lot is attached to a principal building on the lot by a roof, an open or enclosed structure above grade, a floor or a foundation which is above grade, or any structure below grade allowing access between the buildings such as a parking garage or a corridor or passageway connecting the buildings, it is to be considered as part of the principal building.

- 21.3 **Rear Yard Setbacks:** balconies, porches, and verandas that are unenclosed may encroach into the minimum required rear yard setback distance a maximum of 2.0 m (6.5 ft) on laneless lots and 3.1 m (10 ft) on laned lots.

## **SECTION 22 LIGHTING**

- 22.1 Where artificial outdoor lighting is provided to illuminate any parcel, building or site, the type, location and orientation of lighting shall:
- (a) avoid direct illumination of the neighbouring properties;
  - (b) not adversely affect the use, enjoyment and privacy of any dwelling; and
  - (c) not interfere with traffic safety on public roadways.
- 22.2 Outdoor lighting is to be mounted not more than 6.1 m (20 ft) above ground, excepting outdoor lighting for public uses and lighting approved in conjunction with a development permit.
- 22.3 Site lighting may be required as a condition of development and any such lighting shall be located, oriented and shielded so as not to adversely affect neighbouring properties or traffic safety on public roadways.

## **SECTION 23 REFUSE COLLECTION AND STORAGE**

- 23.1 Refuse and garbage shall be stored in suitable containers for the applicable use within a land use district as per the Town's Utility Bylaw.
- 23.2 All garbage holding areas, enclosures, and compaction areas shall be located and designed to ensure adequate on-site maneuvering for refuse collection vehicles.
- 23.3 All refuse on any construction site shall be properly screened or placed in an approved enclosure on the property until removed for disposal.

## **SECTION 24 UTILITIES AND SERVICING**

- 24.1 The erection of a building on any site may be prohibited where it would otherwise be permitted when, in the opinion of the Development Authority, satisfactory arrangements have not been made for the supply of water, gas, electric power, sewage, street access or other services or facilities necessary to serve the development.
- 24.2 All development shall be required to connect to both the municipal water supply and sewerage system, except where in the opinion of the Development Authority, the development does not require water and sewer.

## **SECTION 25 HOME OCCUPATIONS**

The Development Officer or Municipal Subdivision and Development Authority is authorized to decide upon home occupations in accordance with the following:

### 25.1 Home Occupation 1

A small-scale, home occupation contained within the principal dwelling involving:

- (a) phone and office use only;
- (b) no outdoor storage and/or display of goods;
- (c) no customer/client visits to the residence; and
- (d) all sales occur off the premises;
- (e) the use complies with the general standards found in Schedule 3 – Standards of Development.
- (f) 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 Subdivision and Development Authority.

### 25.2 Home Occupation 2

All other home occupations shall be classified as a home occupation 2 and may involve:

- (a) the use of a garage or accessory structure;
- (b) limited outdoor storage provided that it is screened from view and/or display of goods within the residence, garage or accessory structure;
- (c) limited volume of on-premises sales;
- (d) there is a limited display proposed for the inside of the building;
- (e) a maximum of one non-resident employee;
- (f) the use complies with the general standards found in Schedule 3 – Standards of Development; and
- (g) customer/client visits to the residence.

### 25.3 General Standards for Home Occupations

Home occupations may be approved subject to the following conditions:

- (a) 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.
- (b) Allowances for home occupations are intended to foster small-scale business. Home occupations will be required to relocate to a suitable commercial or industrial district when they become incompatible with a residential area or become unsuitable as a home occupation.
- (c) Unless otherwise approved by the Municipal Subdivision and Development Authority, not more than one home occupation shall be permitted on a parcel.
- (d) The use shall not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.

- (e) No commercial vehicle of a capacity greater than 681 kg ( $\frac{3}{4}$  ton) shall be parked or maintained on a public road right-of-way or lane.
- (f) No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare shall be produced by the use.
- (g) 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.
- (h) No use requiring electrical or mechanical equipment shall cause a fire rating change in the structure or the district in which the home occupation is located.
- (i) The approved use shall be valid only for the period of time the property is occupied by the applicant for such approved use.
- (j) All permits issued for home occupations shall be subject to the conditions that the permit may be revoked at any time, if, in the opinion of the Development Officer or Municipal Subdivision and Development Authority, the use is or has become detrimental to the residential character or the amenities of the neighbourhood.
- (k) Signage for home occupations must comply with the following:
  - (i) a maximum of one sign,
  - (ii) sign must be no greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) in size, and
  - (iii) sign must be located in the structure window.
 Request for more than one sign or a sign greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) requires a separate development permit application.
- (l) 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.
- (m) Home occupations shall not include:
  - (i) activities that use or store hazardous materials;
  - (ii) any use that would, in the opinion of the Municipal Subdivision and Development Authority, materially interfere with or affect the use, enjoyment or value of neighbouring properties;
  - (iii) any use declared by resolution of Council to be undesirable as a home occupation.

## **SECTION 26 BED AND BREAKFAST ACCOMMODATIONS**

- 26.1 The bed and breakfast shall be operated by a full-time resident of the dwelling.
- 26.2 The operation is limited to a maximum of five guest rooms and ten guests at any one time in addition to the full-time residents of the dwelling.
- 26.3 One off-street parking space is required for each guest room in addition to the off-street parking requirements for the dwelling.

- 26.4 The residential character of the dwelling shall be maintained and be consistent with the intent of the district.
- 26.5 Guest rooms shall not be permitted to contain cooking or kitchen facilities.
- 26.6 Meals may be provided to registered guests only.
- 26.7 The maximum length of accommodation for guests is limited to 14 consecutive days.
- 26.8 Signage for bed and breakfasts must comply with the following:
- (a) a maximum of one sign,
  - (b) sign must be no greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) in size, and
  - (c) sign must be located in the structure window.
- Request for more than one sign or a sign greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) requires a separate development permit application.
- 26.9 The applicant shall be responsible for compliance with the Alberta Health Standards and Guidelines and the Alberta Building Code requirements for Bed and Breakfast accommodations.
- 26.10 The issuance of a development permit in no way exempts the applicant from obtaining a business license from the Town and any other Provincial approvals that may be required.

## **SECTION 27 PRIVATE SWIMMING POOLS**

- 27.1 Private swimming pools shall be classified as an accessory structure.
- 27.2 Any private swimming pool with a design depth greater than 0.6 m (2 ft) shall be constructed and fenced in accordance with Safety Codes requirements.
- 27.3 Temporary above ground swimming pools and above ground hot tubs do not require a development permit, but are subject to Safety Codes and may require a building permit.
- 27.4 Construction of an in-ground swimming pool and swimming pools that are attached to a deck require a development permit and are subject to the following additional standards:
- (a) placement of a swimming pool shall be limited to the side and rear yard only;
  - (b) swimming pools are subject to the setback requirements for accessory structures in the applicable land use district;
  - (c) swimming pools are subject to the maximum lot coverage requirements for accessory structures in the applicable land use district.

## **SECTION 28 SATELLITE DISHES AND RADIO OR TELEVISION ANTENNA**

- 28.1 In all residential land use districts:
- (a) satellite dishes greater than 1 m (3 ft) in diameter or radio or television antenna shall be classified as an accessory structure and shall be placed in the rear or side yard;
  - (b) satellite dishes greater than 1 m (3 ft) in diameter shall not be mounted or attached to the roof of any dwelling or accessory building and shall not be illuminated or contain advertising other than the manufacturer's trademark or logo.
- 28.2 Radio and television antennas, which are not regulated by Industry Canada, are classified as an accessory structure.

## **SECTION 29 SECONDARY SUITES**

- 29.1 In the case of a secondary suite located completely below the first storey of a single unit dwelling the floor area shall not exceed the floor area of the first storey of the associated principal dwelling (excluding stairways).
- 29.2 The minimum floor area for a secondary suite shall be not less than 30.1 m<sup>2</sup> (325 ft<sup>2</sup>) and the maximum floor area must be less than the floor area of the principal dwelling unit.
- 29.3 A secondary suite shall be developed in such a manner that the exterior of the principal dwelling containing the secondary suite shall appear as a single dwelling.
- 29.4 Only one secondary suite may be developed in conjunction with a principal dwelling.
- 29.5 A secondary suite shall not be developed within the same principal dwelling containing a Home Occupation 2, 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.
- 29.6 The number of persons occupying a secondary suite shall not exceed four.
- 29.7 The secondary suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.
- 29.8 Variances or waivers of setbacks shall not be granted to develop a secondary suite.
- 29.9 The secondary suite shall have full utility services through service connections from the principal dwelling unit.
- 29.10 Development of a secondary suite shall adhere to the Alberta Building Code and Alberta Fire Code as a condition of approval.

## **SECTION 30 PRIVACY WALLS AND/OR PRIVACY SCREENS**

- 30.1 The placement of a privacy wall or screen shall be limited to the side and rear yard only.
- 30.2 Privacy walls and/or screens will not require a development permit if:



- (a) the proposed development complies with all of the standards for privacy walls and/or screens within this section; and
  - (b) attached to a raised deck 0.6 m (2 ft) or greater in height and the deck has been issued a development permit; or
  - (c) the structure is freestanding and meets the setback requirements for accessory buildings within the applicable land use district.
- 30.3 Privacy walls and/or screens which are attached to a raised deck or balcony in conjunction with a single unit dwelling shall:
- (a) be no more than 2.4 m (8 ft) above the finished deck floor elevation (finished board on top of joist floor);
  - (b) have all the area of the wall or screen above 1.2 m (4 ft) be constructed of material that is translucent or has individual openings of at least 2.5 cm (1 inch) to allow light to pass;
  - (c) be subject to the setback requirements for principal buildings.
- 30.4 Privacy walls and/or screens which are free standing shall:
- (a) be no more than 3.1 m (10 ft) above ground level; and
  - (b) have all of the area of the wall or screen above 1.8 m (6 ft) be constructed of material that is translucent or has individual openings of at least 2.5 cm (1 inch) to allow light to pass;
  - (c) be subject to the setback requirements for accessory buildings.
- 30.5 The privacy walls and/or screens are required to be finished on both sides with similar materials and colours.
- 30.6 The Municipal Subdivision and Development Authority may stipulate the type of material and colour of finish for the privacy wall and/or screen as a condition on a development approval.

**SECTION 31 DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 3**

**SECTION 32 GENERAL STANDARDS OF DEVELOPMENT – See Schedule 4**

**SECTION 33 OFF-STREET PARKING/LOADING REQUIREMENTS – See Schedule 4, Design Standards**

**SECTION 34 USE SPECIFIC STANDARDS OF DEVELOPMENT – See Schedule 5**

**SECTION 35 SIGNS – See Schedule 6**

**SECTION 36 DEFINITIONS – See Schedule 7**

## MULTI-UNIT RESIDENTIAL – MUR

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### SECTION 1 PURPOSE

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

### SECTION 2 USES

#### 2.1 Permitted Uses

Accessory building  
 Accessory structure  
 Accessory use  
 Dwellings:  
     2-unit dwelling  
     3-unit dwelling  
     4-unit dwelling  
 Home occupation 1  
 Solar energy system, individual –  
     roof or wall mounted

#### 2.2 Discretionary Uses

Dwellings:  
     Apartment  
     Modular home A and B  
     Ready-to-move home A and B  
     Rowhouse dwelling (more than 4  
     units)  
     Single-unit  
 Moved-in buildings  
 Parks and playgrounds  
 Senior citizen housing  
 Wind energy conversion system,  
     individual

### SECTION 3 MINIMUM LOT SIZE

- 3.1 Minimum lot sizes are as follows:

Use	Width		Length		Area	
	m	ft	m	ft	m <sup>2</sup>	ft <sup>2</sup>
2-unit dwelling	17.1	56	30.5	100	520.3	5,600
3-unit dwelling	18.3	60	30.5	100	558.1	6,000
4-unit dwelling	18.3	60	30.5	100	558.1	6,000
Row dwelling:						
- Interior unit	6.1	20	30.5	100	185.8	2,000
- End unit	10.7	35	30.5	100	325.2	3,500
1-unit dwelling	15.4	50	30.5	100	464.5	5,000
All other uses	As required by the MSDA					

**SECTION 4 MINIMUM SETBACKS**

4.1 Minimum setbacks are as follows:

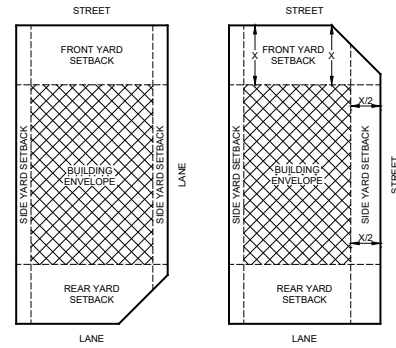
Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
2-unit dwelling	6.1	20	3.1	10	1.2	4	6.1	20
3-unit dwelling	6.1	20	3.1	10	1.2	4	6.1	20
4-unit dwelling	6.1	20	3.1	10	1.2	4	6.1	20
Row dwelling								
-interior unit	6.1	20	-	-	-	-	6.1	20
-end unit	6.1	20	3.1	10	1.2	4	6.1	20
All other uses	As required by the MSDA							

Note: see Section 11 Permitted Projections into Setbacks

- 4.2 The side setback provision does not limit the building of a semi-detached dwelling where each dwelling is on a separate lot.
- 4.3 Also refer to sections 12 and 13 for setbacks from easements and clear vision triangle requirements.
- 4.4 Structures that are attached to a principal building are subject to the principal setbacks excepting the permitted projections in section 11.
- 4.5 The Development Authority may waive the building setback requirement in a well-established residential area if, in his or their opinion, the setback is in accordance with the prevailing yard pattern.
- 4.6 The Development Authority may require varied or increased building setbacks in new residential areas if, in his or their opinion, the variation in setbacks will enhance the development of that area.
- 4.7 The Development Authority may require increased building setbacks (other than those listed in 4.5 and 4.6 above) if, in his or their opinion, such setbacks would:
  - (a) help avoid land use conflict;
  - (b) enhance the appearance of the area.
- 4.8 Where a laneway or roadway has reduced the size of a lot by cutting off a corner of the lot the minimum setback requirements shall apply to the portions of the lot that have not been cut-off by the laneway or roadway.

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

X = minimum setback requirement  
(arrows indicate measurement location)



**SECTION 5 ACCESSORY BUILDINGS**

5.1 Minimum setbacks for accessory buildings are as follows:

Use	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
	m	ft	m	ft	m	ft	m	ft
Accessory buildings (including detached garages)	Same as principal building		3.1	10	1.2	4	1.5	5

- 5.2 No accessory structure or use shall be allowed on a lot without an approved principal structure or use.
- 5.3 Accessory structures and uses that are not specifically included within a development permit require a separate development permit application.
- 5.4 No accessory structures are allowed to be located in the front yard of the principal structure.
- 5.5 Detached garages shall have a minimum separation of 0.6 m (2 ft) from the roof overhang of either structure.
- 5.6 Accessory buildings shall be constructed such that eaves shall be no closer than 0.6 m (2 ft) from a side lot line or rear lot line and all drainage is conducted to the appropriate storm drain via the applicant’s own property.
- 5.7 Also refer to sections 12 and 13 for setbacks from easements and clear vision triangle requirements.

**SECTION 6 MAXIMUM SITE COVERAGE**

6.1 Total lot coverage – 45%.  
(Inclusive of all dwellings, accessory buildings and structures)

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

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

## **SECTION 7 MINIMUM FLOOR AREA**

7.1 Minimum floor area:

- (a) Single-unit dwelling – 74.3 m<sup>2</sup> (800 ft<sup>2</sup>)
- (b) Unit – 55.7 m<sup>2</sup> (600 ft<sup>2</sup>) per unit
- (c) All other uses – As required by the MSDA

## **SECTION 8 MAXIMUM BUILDING HEIGHT**

8.1 Maximum building height:

- (a) Principal building – 10.1 m (33 ft)
- (b) Accessory buildings – 4.9 m (16 ft)

## **SECTION 9 QUALITY OF DEVELOPMENT**

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

## **SECTION 10 REDUCED LOT AREA AND DIMENSIONS**

10.1 The Development Authority may approve a development on an existing registered lot the minimum dimensions or area of which are less than those specified in section 3 provided that the minimum area allowed is not less than 232.3 m<sup>2</sup> (2,500 ft<sup>2</sup>).

## **SECTION 11 PERMITTED PROJECTIONS INTO SETBACKS**

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

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

- (a) unenclosed steps or unenclosed fire escapes;
- (b) a wheelchair ramp at the discretion of the Development Authority;
- (c) fences or walls to the property line in accordance with the applicable land use district and section 14;
- (d) driveways, curbs and sidewalks;
- (e) off-street parking in accordance with the applicable land use district and section 13;

- (f) cooling units not to exceed 0.9 m (3 ft);
- (g) mailboxes;
- (h) landscaping, fish ponds, ornaments, flagpoles (less than 4.6 m (15 ft) in height), or other similar landscaping features in accordance with section 13;
- (i) temporary swimming pools in accordance with the applicable land use district; and
- (j) signs, in accordance with Schedule 6.

11.3 The portions of an attachment to a principal structure which may, subject to the relevant provisions of Safety Codes, project over a setback are as follows:

- (a) eaves, fireplaces, belt courses, bay windows, cornices, sills or other similar architectural features may project over a side setback as permitted under the relevant provisions of Safety Codes and over a front or rear setback a distance not to exceed 1.2 m (4 ft);
- (b) in all cases, projections into any required setback must comply with the requirements of Safety Codes.

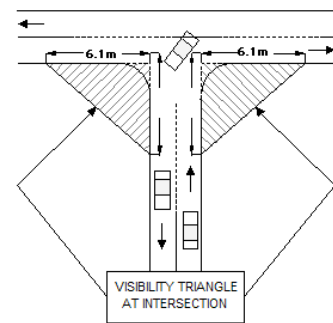
**SECTION 12 EASEMENTS**

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

12.2 No structures shall be located within a registered easement.

**SECTION 13 CORNER LOT SIGHT TRIANGLE**

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



**SECTION 14 LANDSCAPING STANDARDS AND SCREENING**

14.1 The front yard and secondary front yard of a lot shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.

14.2 Landscaping shall consist of any or all of the following:

- (a) vegetation (e.g., trees, shrubs, lawn, flowers);

- (b) ground cover such as large feature rocks, bark chip, field stone, crushed rock, or other similar features.
- 14.3 Landscaping may consist of any or all of the following:
- (a) trees, shrubs, lawn, flowers;
  - (b) large feature rocks, bark chips, field stone (Development Authority approval is required if this type of landscaping exceeds 50% of the total landscaped area);
  - (c) berming, terracing;
  - (d) innovative landscaping features;
  - (e) landscape ornaments;
  - (f) other features that may include, but not limited to, front walkways and steps.
- 14.4 Parking lots shall be landscaped and/or screened as required by the Development Authority.
- 14.5 The Development Authority may impose additional landscaping or screening requirements on a development approval for a permitted or discretionary use to improve the quality or compatibility of the proposed development.

## **SECTION 15 ROAD FRONTAGE AND ACCESS**

- 15.1 All newly created lots shall have frontage on a public roadway which enables direct physical and legal access onto that public road. Frontage on a laneway alone will not be permitted. The minimum frontage requirements shall be as defined by the minimum lot dimensions in the applicable land use district.
- 15.2 All new development shall have frontage on and direct physical and legal access to a maintained public roadway, except for:
- (a) development internal to a condominium plan containing private roadways; and
  - (b) development internal to a manufactured home community or multi-use development containing internal roadways as approved by the Development Authority.
- 15.3 Vehicular access to a corner lot shall generally be limited to locations along the minor residential street.
- 15.4 Every vehicular entrance and exit shall be located at least 7.6 m (25 ft) from the intersection of two streets, and a greater distance where reasonable and appropriate by the Development Authority.
- 15.5 The Development Authority may require access to be located so that it can be shared with an adjoining lot or development.

**SECTION 16 OFF-STREET PARKING AND LOADING REQUIREMENTS AND DESIGN STANDARDS**

16.1 Minimum off-street parking requirements are as follows:

USE	MINIMUM PARKING SPACES
<b>RESIDENTIAL</b>	
Dwellings: - Single-unit - 2-unit - 3-unit - 4-unit	2 spaces per dwelling unit
All other uses	As required in Schedule 4, Standards of Development: Off-Street Parking and Loading Requirements

16.2 Off-street parking stall standards for residential uses are as follows:

- (a) Minimum width – 2.4 m (8 ft)
- (b) Minimum length: 5.5 m (18 ft)

16.3 The Development Authority may require any off-street parking space or driveway to be paved or hard-surfaced as a condition of approval.

16.4 Off-street parking spaces and driveways shall be constructed in a manner which will permit adequate drainage, snow removal and maintenance.

16.5 Vehicular access for corner lots may be limited to locations along the minor street unless site specific considerations require otherwise.

**SECTION 17 DRIVEWAYS**

17.1 Only one driveway per lot is permitted for single-unit residential development. The maximum number of driveways permitted per lot for all other uses shall be as required by the Development Authority.

17.2 Driveway standards are as follows:

- (a) Minimum width – 3.0 m (10 ft)
- (b) Maximum width – 3.0 m (10 ft)
- (c) Setback from lane – 3.0 m (10 ft)
- (d) Setback from intersection – 7.6 m (25 ft)

17.3 The Development Authority may require that driveways be paved as a condition of approval.

17.4 Hard surfaced or gravel driveway, parking pad not supporting a garage or carport, walkway, and/or paving stones or similar impervious ground cover is limited to a maximum of 50% of the front or rear yard unless approved otherwise by a development permit.

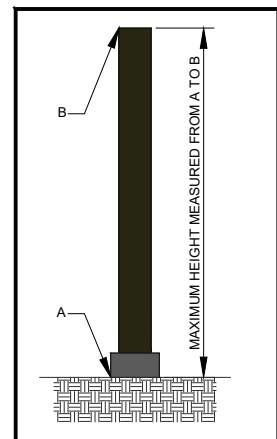


## SECTION 18 DECKS AND AMENITY SPACES

- 18.1 A Development Permit is required for the construction of a deck if it will be constructed so that the decking is situated more than 0.6 m (2 ft) above grade.
- 18.2 For the purpose of calculating yard setbacks and site coverage requirements as provided in this Bylaw, where a structure is attached to the principal building by a roofed structure (open or enclosed), it shall be deemed to be part of the principal building and must meet the required side and rear yard setbacks.
- 18.3 Attached and unattached decks must be located in a manner such as to preserve the privacy on adjacent properties.
- 18.4 A **ground level deck** means an unenclosed (no roof) amenity area of concrete, brick, wood, or other material that is constructed at grade or attached to a dwelling. The overall height of a ground level deck shall not exceed 0.6 m (2 ft) measured from the finished grade to the underside of the supporting structure.
- 18.5 A **raised deck** means an unenclosed (no roof) amenity area, of wood frame or other construction, which may be attached to a dwelling. The overall height of a raised deck is greater than 0.6 m (2 ft) from the finished grade to the underside of the supporting structure.
- 18.6 **Rear Yard Setbacks:** unenclosed decks may encroach into the minimum required rear yard setback distance a maximum of 2.0 m (6.5 ft) on laneless lots and 3.1 m (10 ft) on laned lots.

## SECTION 19 FENCES

- 19.1 No fence, wall, gate, hedge or other means of enclosure shall extend more than 0.9 m (3 ft) above level grade in any front yard without an approved development permit.
- 19.2 Fences in the secondary front, rear and side yards must not exceed 1.8 m (6 ft) in height from level grade without an approved development permit.
- 19.3 Fencing shall not be permitted to be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense.
- 19.4 Where a permit is required for fencing, the Development Authority may regulate the material types and colours used for the fence. Regardless of fence height, barbed wire fencing is prohibited.
- 19.5 Also refer to sections 12 and 13 for setbacks from easements and clear vision triangle requirements.



Fence height is measured from grade to the top of the fence or fence post.

## **SECTION 20 BALCONIES, VERANDAS AND PORCHES**

- 20.1 A balcony shall not project more than 1.8 m (6 ft) from a building façade. For semi-detached dwellings, no separation from a party wall property line is required for a balcony where a privacy wall extends the full depth of the balcony.
- 20.2 Where any building or structure on a lot is attached to a principal building on the lot by a roof, an open or enclosed structure above grade, a floor or a foundation which is above grade, or any structure below grade allowing access between the buildings such as a parking garage or a corridor or passageway connecting the buildings, it is to be considered as part of the principal building.
- 20.3 **Rear Yard Setbacks:** balconies, porches, and verandas that are unenclosed may encroach into the minimum required rear yard setback distance a maximum of 2.0 m (6.5 ft) on laneless lots and 3.1 m (10 ft) on laned lots.

## **SECTION 21 LIGHTING**

- 21.1 Where artificial outdoor lighting is provided to illuminate any parcel, building or site, the type, location and orientation of lighting shall:
- (a) avoid direct illumination of the neighbouring properties;
  - (b) not adversely affect the use, enjoyment and privacy of any dwelling; and
  - (c) not interfere with traffic safety on public roadways.
- 21.2 Outdoor lighting is to be mounted not more than 6.1 m (20 ft) above ground, excepting outdoor lighting for public uses and lighting approved in conjunction with a development permit.
- 21.3 Site lighting may be required as a condition of development and any such lighting shall be located, oriented and shielded so as not to adversely affect neighbouring properties or traffic safety on public roadways.

## **SECTION 22 REFUSE COLLECTION AND STORAGE**

- 22.1 Refuse and garbage shall be stored in suitable containers for the applicable use within a land use district as per the Town's Utility Bylaw.
- 22.2 All garbage holding areas, enclosures, and compaction areas shall be located and designed to ensure adequate on-site maneuvering for refuse collection vehicles.
- 22.3 All refuse on any construction site shall be properly screened or placed in an approved enclosure on the property until removed for disposal.

## **SECTION 23 UTILITIES AND SERVICING**

- 23.1 The erection of a building on any site may be prohibited where it would otherwise be permitted when, in the opinion of the Development Authority, satisfactory arrangements

have not been made for the supply of water, gas, electric power, sewage, street access or other services or facilities necessary to serve the development.

- 23.2 All development shall be required to connect to both the municipal water supply and sewerage system, except where in the opinion of the Development Authority, the development does not require water and sewer.

## **SECTION 24 HOME OCCUPATIONS**

The Development Officer or Municipal Subdivision and Development Authority is authorized to decide upon home occupations in accordance with the following:

### **24.1 Home Occupation 1**

A small-scale, home occupation contained within the principal dwelling involving:

- (a) phone and office use only;
- (b) no outdoor storage and/or display of goods;
- (c) no customer/client visits to the residence; and
- (d) all sales occur off the premises;
- (e) the use complies with the general standards found in Schedule 3 – Standards of Development.
- (f) 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 Subdivision and Development Authority.

### **24.2 General Standards for Home Occupations**

Home occupations may be approved subject to the following conditions:

- (a) 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.
- (b) Allowances for home occupations are intended to foster small-scale business. Home occupations will be required to relocate to a suitable commercial or industrial district when they become incompatible with a residential area or become unsuitable as a home occupation.
- (c) Unless otherwise approved by the Municipal Subdivision and Development Authority, not more than one home occupation shall be permitted on a parcel.
- (d) The use shall not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.
- (e) No commercial vehicle of a capacity greater than 681 kg ( $\frac{3}{4}$  ton) shall be parked or maintained on a public road right-of-way or lane.
- (f) No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare shall be produced by the use.

- (g) 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.
- (h) No use requiring electrical or mechanical equipment shall cause a fire rating change in the structure or the district in which the home occupation is located.
- (i) The approved use shall be valid only for the period of time the property is occupied by the applicant for such approved use.
- (j) All permits issued for home occupations shall be subject to the conditions that the permit may be revoked at any time, if, in the opinion of the Development Officer or Municipal Subdivision and Development Authority, the use is or has become detrimental to the residential character or the amenities of the neighbourhood.
- (k) Signage for home occupations must comply with the following:
  - (i) a maximum of one sign,
  - (ii) sign must be no greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) in size, and
  - (iii) sign must be located in the structure window.
 Request for more than one sign or a sign greater than 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) requires a separate development permit application.
- (l) 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.
- (m) Home occupations shall not include:
  - (i) activities that use or store hazardous materials;
  - (ii) any use that would, in the opinion of the Municipal Subdivision and Development Authority, materially interfere with or affect the use, enjoyment or value of neighbouring properties;
  - (iii) any use declared by resolution of Council to be undesirable as a home occupation.

## **SECTION 25 PRIVATE SWIMMING POOLS**

- 25.1 Private swimming pools shall be classified as an accessory structure.
- 25.2 Any private swimming pool with a design depth greater than 0.6 m (2 ft) shall be constructed and fenced in accordance with Safety Codes requirements.
- 25.3 Temporary above ground swimming pools and above ground hot tubs do not require a development permit, but are subject to Safety Codes and may require a building permit.
- 27.4 Construction of an in-ground swimming pool and swimming pools that are attached to a deck require a development permit and are subject to the following additional standards:
  - (a) placement of a swimming pool shall be limited to the side and rear yard only;

- (b) swimming pools are subject to the setback requirements for accessory structures in the applicable land use district;
- (c) swimming pools are subject to the maximum lot coverage requirements for accessory structures in the applicable land use district.

**SECTION 26 SATELLITE DISHES AND RADIO OR TELEVISION ANTENNA**

- 26.1 In all residential land use districts:
- (a) satellite dishes greater than 1 m (3 ft) in diameter or radio or television antenna shall be classified as an accessory structure and shall be placed in the rear or side yard;
  - (b) satellite dishes greater than 1 m (3 ft) in diameter shall not be mounted or attached to the roof of any dwelling or accessory building and shall not be illuminated or contain advertising other than the manufacturer's trademark or logo.
- 26.2 Radio and television antennas, which are not regulated by Industry Canada, are classified as an accessory structure.

**SECTION 27 PRIVACY WALLS AND/OR PRIVACY SCREENS**

- 27.1 The placement of a privacy wall or screen shall be limited to the side and rear yard only.
- 27.2 Privacy walls and/or screens will not require a development permit if:
- (a) the proposed development complies with all of the standards for privacy walls and/or screens within this section; and
  - (b) attached to a raised deck 0.6 m (2 ft) or greater in height and the deck has been issued a development permit; or
  - (c) the structure is freestanding and meets the setback requirements for accessory buildings within the applicable land use district.
- 27.3 Privacy walls and/or screens which are attached to a raised deck or balcony in conjunction with a single unit dwelling shall:
- (a) be no more than 2.4 m (8 ft) above the finished deck floor elevation (finished board on top of joist floor);
  - (b) have all the area of the wall or screen above 1.2 m (4 ft) be constructed of material that is translucent or has individual openings of at least 2.5 cm (1 inch) to allow light to pass;
  - (c) be subject to the setback requirements for principal buildings.
- 27.4 Privacy walls and/or screens which are attached to a raised deck or balcony shared by more than one dwelling unit shall:
- (a) be no more than 2.4 m (8 ft) above the finished deck floor elevation (finished board on top of joist floor);
  - (b) require that the dividing wall be constructed of material that is solid to allow for privacy between the units;

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

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

- (a) be no more than 3.1 m (10 ft) above ground level; and
- (b) have all of the area of the wall or screen above 1.8 m (6 ft) be constructed of material that is translucent or has individual openings of at least 2.5 cm (1 inch) to allow light to pass;
- (c) be subject to the setback requirements for accessory buildings.

27.6 The privacy walls and/or screens are required to be finished on both sides with similar materials and colours.

27.7 The Municipal Subdivision and Development Authority may stipulate the type of material and colour of finish for the privacy wall and/or screen as a condition on a development approval.

**SECTION 28 DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 3**

**SECTION 29 GENERAL STANDARDS OF DEVELOPMENT – See Schedule 4**

**SECTION 30 OFF-STREET PARKING/LOADING REQUIREMENTS – See Schedule 4, Design Standards**

**SECTION 31 USE SPECIFIC STANDARDS OF DEVELOPMENT – See Schedule 5**

**SECTION 32 SIGNS – See Schedule 6**

**SECTION 33 DEFINITIONS – See Schedule 7**



## **MANUFACTURED HOME PARK – MHP**

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### **SECTION 1 PURPOSE**

- 1.1 *To provide for areas suitable for the location of manufactured home parks. These areas would be designated and provide for a high quality development.*

### **SECTION 2 USES**

- |  |  |
|--|--|
| <p>2.1 <b>Permitted Uses</b></p> <ul style="list-style-type: none"><li>Accessory building</li><li>Accessory structure</li><li>Accessory use</li><li>Addition to dwelling unit</li><li>Manufactured homes</li><li>Home occupations 1</li><li>Solar energy system, individual – roof or wall mounted</li></ul> | <p>2.2 <b>Discretionary Uses</b></p> <ul style="list-style-type: none"><li>Moved-in building</li><li>Parks and playgrounds</li><li>Wind energy conversion system, individual</li></ul> |
|--|--|

### **SECTION 3 ELIGIBLE MANUFACTURED HOMES**

- 3.1 New factory-built manufactured homes.
- 3.2 Used factory-built manufactured homes in a state of good repair.
- 3.3 Manufactured homes shall be Canadian Standards Association (CSA) certified.

### **SECTION 4 MINIMUM SETBACKS**

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

### **SECTION 5 MINIMUM FLOOR AREA**

- 5.1 Minimum floor area:
- (a) Single-wide manufactured homes – 55.7 m<sup>2</sup> (600 ft<sup>2</sup>)
  - (b) Double-wide manufactured homes – 72.0 m<sup>2</sup> (775 ft<sup>2</sup>)
  - (c) All other uses – As required by the MSDA

### **SECTION 6 MAXIMUM BUILDING HEIGHT**

- 6.1 Maximum building height:
- (a) Principal building – 10.1 m (33 ft)
  - (b) Accessory buildings – 4.9 m (16 ft)



## **SECTION 7 MANUFACTURED HOME ADDITIONS**

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

## **SECTION 8 FOUNDATIONS**

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

## **SECTION 9 GENERAL APPEARANCE**

In order to maintain the residential character of the development:

- 9.1 The underside of manufactured homes, which are not provided with a basement, shall be within 0.9 m (3 ft) of the finished grade.
- 9.2 The front yard area of each lot shall be suitably developed and landscaped.
- 9.3 The foundation and skirting shall be in place within 30 days of placement and ensure both the wheels and the hitch are covered.

## **SECTION 10 GENERAL DEVELOPMENT STANDARDS**

### **10.1 General and Overall Appearance**

The manufactured home park should incorporate detailed aesthetic consideration such as:

- (a) substantial landscaping design of the entire park in general and of individual sites in particular;
- (b) treatment of communal areas both indoor and outdoor;
- (c) imaginative handling of lamp standards, refuse receptacles, street signs and things of this nature.

### **10.2 Integration with Adjoining Residential Uses**

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

### **10.3 Density**

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

### **10.4 Open Space Requirements**

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

**10.5 Fences**

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

**SECTION 11 DESIGN CRITERIA FOR MANUFACTURED HOME PARKS**

**11.1 Street Layout and Streetscape**

- (a) Grouping or clustering of manufactured homes should provide a mixture of types and aesthetic variety along the streets and spatial relationships between the manufactured homes.
- (b) Street furniture such as light standards, signs, telephone booths, refuse receptacles, etc., should, where possible, be of a high quality in design and harmoniously incorporated into the total streetscape.

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

**(a) Landscaping Standards**

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

**(b) Recreation Area and Development**

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

**11.3 Servicing Requirements**

- (a) A qualified engineer should be engaged at the expense of the developer to consult with the town and utility companies to arrive at a design for all interior servicing, including roads, drainage, sewer, water, natural gas, telephone, electrical and fire protection.
- (b) All on-site servicing should be built to the standards and requirements of the Town of Coalhurst, TransAlta Utilities, ATCO Gas and Telus.
- (c) Utility easements as may be required shall be provided within the site and reasonable access to these easements shall be granted to the town and utility companies for the installation and maintenance of services.

**11.4 Storage Compound**

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

**SECTION 12 DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 3**

**SECTION 13 GENERAL STANDARDS OF DEVELOPMENT – See Schedule 4**

**SECTION 14 OFF-STREET PARKING/LOADING REQUIREMENTS – See Schedule 4, Design Standards**

**SECTION 15 USE SPECIFIC STANDARDS OF DEVELOPMENT – See Schedule 5**

**SECTION 16 SIGNS – See Schedule 6**

**SECTION 17 DEFINITIONS – See Schedule 7**

## COMMERCIAL – C

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### SECTION 1 PURPOSE

- 1.1 *To provide for the development of a range of commercial and service uses which primarily cater to the daily needs of the residents of the Town of Coalhurst.*

### SECTION 2 USES

#### 2.1 Permitted Uses

Accessory building  
 Accessory structure  
 Accessory use  
 Business support service  
 Convenience stores  
 Financial institutions  
 Government services  
 Hotel/motel  
 Medical/health facility  
 Offices  
 Personal services  
 Restaurants  
 Retail stores  
 Signs Types:  
     Canopy  
     Fascia  
     Temporary  
     Window  
 Solar energy system, individual –  
     roof or wall mounted

#### 2.2 Discretionary Uses

Animal care, small  
 Auto sales and service  
 Child care facility  
 Club or fraternal organization  
 Entertainment establishment  
 Funeral home  
 Institutional  
 Liquor store  
 Mixed use building  
 Moved-in building  
 Museum  
 Pawnshop  
 Payday Loan Business  
 Public or private recreation  
 Public or private utility  
 Religious assembly  
 Retail cannabis store  
 Service station  
 Shipping container  
 Sign Types:  
     Freestanding  
     Mural  
     Projecting  
 Solar energy system, individual – ground  
     mounted  
 Surveillance suite  
 Wind energy conversion system,  
     individual

### SECTION 3 MINIMUM LOT SIZE

- 3.1 Minimum lot sizes are as follows:

Use	Width		Length		Area	
	m	ft	m	ft	m <sup>2</sup>	ft <sup>2</sup>
All uses	7.6	25	30.5	100	232.3	2,500

**SECTION 4 MINIMUM SETBACKS**

4.1 Minimum setbacks are as follows:

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

4.2 Also refer to sections 10 and 11 for setbacks from easements and clear vision triangle requirements.

4.3 Structures that are attached to a principal building are subject to the principal setbacks excepting the permitted projections in section 9.

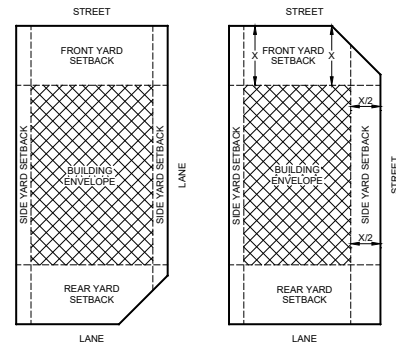
4.4 The Development Authority may require increased building setbacks if, in their opinion, such setbacks would:

- (a) help avoid land use conflict;
- (b) enhance the appearance of the area.

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

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

X = minimum setback requirement  
(arrows indicate measurement location)



**SECTION 5 MAXIMUM SITE COVERAGE**

5.1 Principal buildings and accessory building – 80%

**SECTION 6 MAXIMUM BUILDING HEIGHT**

6.1 Maximum building height:

- (a) Principal building – 11.0 m (36 ft)
- (b) Accessory buildings – 4.9 m (16 ft)

## **SECTION 7      ACCESSORY STRUCTURES AND USES**

- 7.1      No accessory structure or use shall be allowed on a lot without an approved principal structure or use.
- 7.2      Accessory structures and uses that are not specifically included within a development permit require a separate development permit application.

## **SECTION 8      PROJECTIONS OVER PUBLIC LAND**

- 8.1      No projections are to be over public lands.
- 8.2      Signs, awnings or other projections shall be designed so that drainage or snow melt will be contained on the property.

## **SECTION 9      PERMITTED PROJECTIONS INTO SETBACKS**

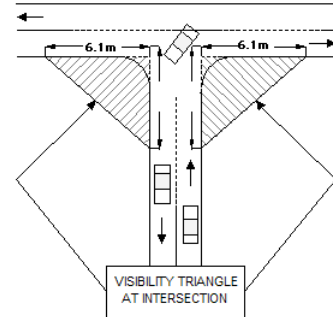
- 9.1      In no circumstances shall any part of any structure encroach or cause runoff on an adjoining property.
- 9.2      The following features may, subject to the relevant provisions of Safety Codes, project into the required setbacks under this bylaw:
  - (a)      unenclosed steps or unenclosed fire escapes;
  - (b)      a wheelchair ramp at the discretion of the Development Authority;
  - (c)      fences or walls to the property line in accordance with the applicable land use district and section 11;
  - (d)      driveways, curbs and sidewalks;
  - (e)      off-street parking in accordance with the applicable land use district and section 11;
  - (f)      cooling units not to exceed 0.9 m (3 ft);
  - (g)      mailboxes;
  - (h)      landscaping, fish ponds, ornaments, flagpoles (less than 4.6 m (15 ft) in height), or other similar landscaping features in accordance with section 11;
  - (i)      signs, in accordance with Schedule 6.
- 9.3      The portions of an attachment to a principal structure which may, subject to the relevant provisions of Safety Codes, project over a setback are as follows: eaves, fireplaces, belt courses, bay windows, cornices, sills or other similar architectural features may project over a side setback as permitted under the relevant provisions of Safety Codes and over a front or rear setback a distance not to exceed 1.2 m (4 ft).
- 9.4      In all cases, projections into any required setback must comply with the requirements of Safety Codes.

## SECTION 10 EASEMENTS

- 10.1 All permanent structures shall be located a minimum of 3.1 m (10 ft), or such greater distance as required by the Development Authority, from an easement registered for the protection of municipal water mains and sewer mains or any other such infrastructure, as determined by the municipality.
- 10.2 No structures shall be located within a registered easement.

## SECTION 11 CORNER LOT SIGHT TRIANGLE

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



## SECTION 12 QUALITY OF DEVELOPMENT

- 12.1 The Development Authority may impose reasonable conditions on a development permit if it will make the use or development more consistent with the purpose of the land use district or with the municipal development plan.

## SECTION 13 ROAD FRONTAGE AND ACCESS

- 13.1 All newly created lots shall have frontage on a public roadway which enables direct physical and legal access onto that public road. Frontage on a laneway alone will not be permitted. The minimum frontage requirements shall be as defined by the minimum lot dimensions in the applicable land use district.
- 13.2 All new development shall have frontage on and direct physical and legal access to a maintained public roadway, except for:
- (a) development internal to a condominium plan containing private roadways; and
  - (b) development internal to a manufactured home community or multi-use development containing internal roadways as approved by the Development Authority.
- 13.3 Every vehicular entrance and exit shall be located at least 7.6 m (25 ft) from the intersection of two streets, and a greater distance where reasonable and appropriate by the Development Authority.
- 13.4 The Development Authority may require access to be located so that it can be shared with an adjoining lot or development.

**SECTION 14 LIGHTING**

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

**SECTION 15 REFUSE COLLECTION AND STORAGE**

- 15.1 Refuse and garbage shall be stored in suitable containers for the applicable use within a land use district as per the Town's Utility Bylaw.
- 15.2 All garbage holding areas, enclosures, and compaction areas shall be located and designed to ensure adequate on-site maneuvering for refuse collection vehicles.
- 15.3 All refuse on any construction site shall be properly screened or placed in an approved enclosure on the property until removed for disposal.

**SECTION 16 UTILITIES AND SERVICING**

- 16.1 The erection of a building on any site may be prohibited where it would otherwise be permitted when, in the opinion of the Development Authority, satisfactory arrangements have not been made for the supply of water, gas, electric power, sewage, street access or other services or facilities necessary to serve the development.
- 16.2 All development shall be required to connect to both the municipal water supply and sewerage system, except where in the opinion of the Development Authority, the development does not require water and sewer.

**SECTION 17 LANDSCAPING STANDARDS AND SCREENING**

- 17.1 Landscaping shall consist of any or all of the following:
- (a) vegetation (e.g., trees, shrubs, lawn, flowers);
  - (b) ground cover such as large feature rocks, bark chip, field stone, crushed rock, or other similar features;
  - (c) Landscaping may consist of any or all of the following:
  - (d) trees, shrubs, lawn, flowers;
  - (e) large feature rocks, bark chips, field stone (Development Authority approval is required if this type of landscaping exceeds 50% of the total landscaped area);
  - (f) berming, terracing;
  - (g) innovative landscaping features;
  - (h) landscape ornaments;
  - (i) other features that may include, but not limited to, front walkways and steps.
- 17.2 Parking lots shall be landscaped and/or screened as required by the Development Authority.



- 17.3 The Development Authority may impose additional landscaping or screening requirements on a development approval for a permitted or discretionary use to improve the quality or compatibility of the proposed development.

**SECTION 18 FENCES**

- 18.1 No fence, wall, gate, hedge or other means of enclosure shall extend more than 0.9 m (3 ft) above level grade in any front yard without an approved development permit.
- 18.2 Fences in the rear and side yards must not exceed 2.4 m (8 ft) in height from level grade without an approved development permit.
- 18.3 Fencing shall not be permitted to be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense.
- 18.4 Where a permit is required for fencing, the Development Authority may regulate the material types and colours used for the fence. Regardless of fence height, barbed wire fencing is prohibited.
- 18.5 Any business with outside storage must have a locked perimeter fence of a minimum of 1.8 m (6 ft) and a maximum of 2.4 m (8 ft).
- 18.6 Refer also to section 11 for Corner Lot Sight Triangle requirements.

**SECTION 19 DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 3**

**SECTION 20 GENERAL STANDARDS OF DEVELOPMENT – See Schedule 4**

**SECTION 21 OFF-STREET PARKING/LOADING REQUIREMENTS – See Schedule 4, Design Standards**

**SECTION 22 USE SPECIFIC STANDARDS OF DEVELOPMENT – See Schedule 5**

**SECTION 23 SIGNS – See Schedule 6**

**SECTION 24 DEFINITIONS – See Schedule 7**

## **BUSINESS INDUSTRIAL – BI**

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### **SECTION 1      PURPOSE**

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

### **SECTION 2      USES**

- |  |  |
|--|--|
| <p>2.1      <b>Permitted Uses</b></p> <ul style="list-style-type: none"><li>Accessory building</li><li>Accessory structure</li><li>Accessory use</li><li>Auto sales and service</li><li>Contractor, general</li><li>Contractor, limited</li><li>Car wash</li><li>Equipment sales, rental and service</li><li>Fitness facility</li><li>Garden centres or greenhouse</li><li>General warehousing and storage</li><li>Light fabrication shops</li><li>Lumber yard</li><li>Mini-storage</li><li>Offices</li><li>Service stations</li><li>Signs Types:<ul style="list-style-type: none"><li>Canopy</li><li>Fascia</li><li>Temporary</li><li>Window</li></ul></li><li>Solar energy system, individual – roof or wall mounted</li></ul> | <p>2.2      <b>Discretionary Uses</b></p> <ul style="list-style-type: none"><li>Amusement facility</li><li>Animal care, large</li><li>Animal care, small</li><li>Auto body and paint shop</li><li>Auctioneering facility</li><li>Community association building</li><li>Club or fraternal organization</li><li>Farmers market</li><li>Funeral homes</li><li>Grain elevators / seed cleaning</li><li>Hotel /motel</li><li>Light industrial/manufacturing</li><li>Moved-in building</li><li>Museum</li><li>Public and private utility</li><li>Railway and railway related uses</li><li>Recycling facility</li><li>Restaurant</li><li>Retail</li><li>Retail cannabis store</li><li>Shipping container</li><li>Sign Types:<ul style="list-style-type: none"><li>Freestanding</li><li>Mural</li><li>Projecting</li></ul></li><li>Solar energy system, individual – ground mounted</li><li>Surveillance suite</li><li>Transportation/delivery service</li><li>Truck stop</li><li>Truck transportation dispatch/depot</li><li>Wind energy conversion system, individual</li></ul> |
|--|--|

**SECTION 3 MINIMUM LOT SIZE**

3.1 Minimum lot sizes are as follows:

Use	Width		Length		Area	
	m	ft	m	ft	m <sup>2</sup>	ft <sup>2</sup>
All uses	7.6	25	30.5	100	232.3	2,500

**SECTION 4 MINIMUM SETBACKS**

4.1 Minimum setbacks are as follows:

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

4.2 Also refer to sections 10 and 11 for setbacks from easements and clear vision triangle requirements.

4.3 Structures that are attached to a principal building are subject to the principal setbacks excepting the permitted projections in section 9.

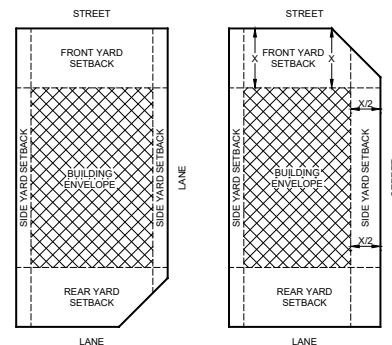
4.4 The Development Authority may require increased building setbacks if, in his or their opinion, such setbacks would:

- (a) help avoid land use conflict;
- (b) enhance the appearance of the area.

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

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

X = minimum setback requirement  
(arrows indicate measurement location)



**SECTION 5 MAXIMUM SITE COVERAGE**

5.1 Principal buildings and accessory building – 80%.

**SECTION 6      MAXIMUM BUILDING HEIGHT**

- 6.1      Maximum building height:
- (a)   Principal building – 11.0 m (36 ft)
  - (b)   Accessory buildings – 4.9 m (16 ft)

**SECTION 7      ACCESSORY STRUCTURES AND USES**

- 7.1      No accessory structure or use shall be allowed on a lot without an approved principal structure or use.
- 7.2      Accessory structures and uses that are not specifically included within a development permit require a separate development permit application.

**SECTION 8      PROJECTIONS OVER PUBLIC LAND**

- 8.1      No projections are to be over public lands.
- 8.2      Signs, awnings or other projections shall be designed so that drainage or snow melt will be contained on the property.

**SECTION 9      PERMITTED PROJECTIONS INTO SETBACKS**

- 9.1      In no circumstances shall any part of any structure encroach or cause runoff on an adjoining property.
- 9.2      The following features may, subject to the relevant provisions of Safety Codes, project into the required setbacks under this bylaw:
- (a)   unenclosed steps or unenclosed fire escapes;
  - (b)   a wheelchair ramp at the discretion of the Development Authority;
  - (c)   fences or walls to the property line in accordance with the applicable land use district and section 10;
  - (d)   driveways, curbs and sidewalks;
  - (e)   off-street parking in accordance with the applicable land use district and section 10;
  - (f)   cooling units not to exceed 0.9 m (3 ft);
  - (g)   mailboxes;
  - (h)   landscaping, fish ponds, ornaments, flagpoles (less than 4.6 m (15 ft) in height), or other similar landscaping features in accordance with section 10;
  - (x)   signs, in accordance with Schedule 3.
- 9.3      The portions of an attachment to a principal structure which may, subject to the relevant provisions of Safety Codes, project over a setback are as follows: eaves, fireplaces, belt courses, bay windows, cornices, sills or other similar architectural features may project

over a side setback as permitted under the relevant provisions of Safety Codes and over a front or rear setback a distance not to exceed 1.2 m (4 ft).

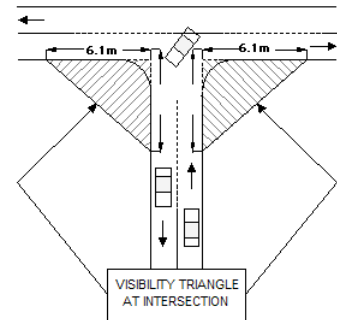
- 9.4 In all cases, projections into any required setback must comply with the requirements of Safety Codes.

## SECTION 10 EASEMENTS

- 10.1 All permanent structures shall be located a minimum of 3.1 m (10 ft), or such greater distance as required by the Development Authority, from an easement registered for the protection of municipal water mains and sewer mains or any other such infrastructure, as determined by the municipality.
- 10.2 No structures shall be located within a registered easement.

## SECTION 11 CORNER LOT SIGHT TRIANGLE

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



## SECTION 12 ROAD FRONTAGE AND ACCESS

- 12.1 All newly created lots shall have frontage on a public roadway which enables direct physical and legal access onto that public road. Frontage on a laneway alone will not be permitted. The minimum frontage requirements shall be as defined by the minimum lot dimensions in the applicable land use district.
- 12.2 All new development shall have frontage on and direct physical and legal access to a maintained public roadway, except for:
- (a) development internal to a condominium plan containing private roadways; and
  - (b) development internal to a manufactured home community or multi-use development containing internal roadways as approved by the Development Authority.
- 12.3 Vehicular access to a corner lot shall generally be limited to locations along the minor residential street.
- 12.4 Every vehicular entrance and exit shall be located at least 7.6 m (25 ft) from the intersection of two streets, and a greater distance where reasonable and appropriate by the Development Authority.

- 12.5 The Development Authority may require access to be located so that it can be shared with an adjoining lot or development.

### **SECTION 13 LIGHTING**

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

### **SECTION 14 REFUSE COLLECTION AND STORAGE**

- 14.1 Refuse and garbage shall be stored in suitable containers for the applicable use within a land use district as per the Town's Utility Bylaw.
- 14.2 All garbage holding areas, enclosures, and compaction areas shall be located and designed to ensure adequate on-site maneuvering for refuse collection vehicles.
- 14.3 All refuse on any construction site shall be properly screened or placed in an approved enclosure on the property until removed for disposal.

### **SECTION 15 UTILITIES AND SERVICING**

- 15.1 The erection of a building on any site may be prohibited where it would otherwise be permitted when, in the opinion of the Development Authority, satisfactory arrangements have not been made for the supply of water, gas, electric power, sewage, street access or other services or facilities necessary to serve the development.
- 15.2 All development shall be required to connect to both the municipal water supply and sewerage system, except where in the opinion of the Development Authority, the development does not require water and sewer.

### **SECTION 16 LANDSCAPING STANDARDS AND SCREENING**

- 16.1 Landscaping shall consist of any or all of the following:
- (a) vegetation (e.g., trees, shrubs, lawn, flowers);
  - (b) ground cover such as large feature rocks, bark chip, field stone, crushed rock, or other similar features;
  - (c) Landscaping may consist of any or all of the following:
    - (d) trees, shrubs, lawn, flowers;
    - (e) large feature rocks, bark chips, field stone (Development Authority approval is required if this type of landscaping exceeds 50% of the total landscaped area);
    - (f) berming, terracing;
    - (g) innovative landscaping features;
    - (h) landscape ornaments;
    - (i) other features that may include, but not limited to, front walkways and steps.

- 16.2 Parking lots shall be landscaped and/or screened as required by the Development Authority.
- 16.3 The Development Authority may impose additional landscaping or screening requirements on a development approval for a permitted or discretionary use to improve the quality or compatibility of the proposed development.

**SECTION 17 FENCES**

- 17.1 No fence, wall, gate, hedge or other means of enclosure shall extend more than 0.9 m (3 ft) above level grade in any front yard without an approved development permit.
- 17.2 Fences in the rear and side yards must not exceed 2.4 m (8 ft) in height from level grade without an approved development permit.
- 17.3 Fencing shall not be permitted to be constructed within any developed or undeveloped roadway or laneway right-of-way. Removal of such fencing will be at the property owner's expense.
- 17.4 Where a permit is required for fencing, the Development Authority may regulate the material types and colours used for the fence. Regardless of fence height, a fence may not be constructed principally of barbed wire. At the discretion of the Development Authority, a top line of barb wire for security purposes may be acceptable.
- 17.5 Any business with outside storage must have a locked perimeter fence of a minimum of 1.8 m (6 ft) and a maximum of 2.4 m (8 ft).
- 17.6 Refer also to section 11 for Corner Lot Sight Triangle requirements.

**SECTION 18 DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 3**

**SECTION 19 GENERAL STANDARDS OF DEVELOPMENT – See Schedule 4**

**SECTION 20 OFF-STREET PARKING/LOADING REQUIREMENTS – See Schedule 4, Design Standards**

**SECTION 21 USE SPECIFIC STANDARDS OF DEVELOPMENT – See Schedule 5**

**SECTION 22 SIGNS – See Schedule 6**

**SECTION 23 DEFINITIONS – See Schedule 7**

## **PARKS AND RECREATION – PR**

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### **SECTION 1 PURPOSE**

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

### **SECTION 2 USES**

#### **2.1 Permitted Uses**

Accessory building  
Accessory structure  
Accessory use  
Parks and playgrounds  
Public recreation  
Solar energy system, individual –  
roof or wall mounted  
Utilities

#### **2.2 Discretionary Uses**

Campground  
Cemetery and internment services  
Community association building  
Golf course  
Institutional  
Museum  
Private recreation  
Rodeo grounds  
Solar energy system, individual – ground  
mounted  
Wind energy conversion system,  
individual

### **SECTION 3 MINIMUM LOT SIZE**

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

### **SECTION 4 MINIMUM SETBACK REQUIREMENTS**

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

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

### **SECTION 6 GENERAL STANDARDS OF DEVELOPMENT – See Schedule 4**

### **SECTION 7 OFF-STREET PARKING/LOADING REQUIREMENTS – See Schedule 4, Design Standards**

### **SECTION 8 USE SPECIFIC STANDARDS OF DEVELOPMENT – See Schedule 5**

### **SECTION 9 SIGNS – See Schedule 6**

### **SECTION 10 DEFINITIONS – See Schedule 7**





## **PUBLIC INSTITUTIONAL – PI**

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### **SECTION 1 PURPOSE**

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

### **SECTION 2 USES**

- |  |  |
|--|--|
| <p>2.1 <b>Permitted Uses</b></p> <ul style="list-style-type: none"><li>Accessory building</li><li>Accessory structure</li><li>Accessory use</li><li>Educational facility</li><li>Government services</li><li>Institutional</li><li>Parks and playgrounds</li><li>Religious assembly</li><li>Solar energy system, individual – roof or wall mounted</li></ul> | <p>2.2 <b>Discretionary Uses</b></p> <ul style="list-style-type: none"><li>Child care facility</li><li>Community association building</li><li>Museum</li><li>Shipping container</li><li>Signs</li><li>Solar energy system, individual – ground mounted</li><li>Tourist information</li><li>Wind energy conversion system, individual</li></ul> |
|--|--|

### **SECTION 3 MINIMUM LOT SIZE**

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

### **SECTION 4 MINIMUM SETBACKS**

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

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

### **SECTION 6 GENERAL STANDARDS OF DEVELOPMENT – See Schedule 4**

### **SECTION 7 OFF-STREET PARKING/LOADING REQUIREMENTS – See Schedule 4, Design Standards**

### **SECTION 8 USE SPECIFIC STANDARDS OF DEVELOPMENT – See Schedule 5**

### **SECTION 9 SIGNS – See Schedule 6**

### **SECTION 10 DEFINITIONS – See Schedule 7**



## **TRANSITIONAL – TR**

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### **SECTION 1 PURPOSE**

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

### **SECTION 2 USES**

#### **2.1 Permitted Uses**

Accessory building  
Accessory structure  
Accessory use  
Cultivation of land  
Home occupation 1  
Single-unit dwelling  
Solar energy system, individual –  
roof or wall mounted

#### **2.2 Discretionary Uses**

Agricultural building  
Garden centre or greenhouse  
Home occupation 2  
Market garden  
Religious assembly  
Shipping container  
Solar energy system, individual – ground  
mounted  
Wind energy conversion system,  
individual

### **SECTION 3 MINIMUM LOT SIZE**

- 3.1 4.0 hectares (10 acres).

### **SECTION 4 MINIMUM SETBACKS**

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

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

### **SECTION 6 GENERAL STANDARDS OF DEVELOPMENT – See Schedule 4**

### **SECTION 7 OFF-STREET PARKING/LOADING REQUIREMENTS – See Schedule 4, Design Standards**

### **SECTION 8 USE SPECIFIC STANDARDS OF DEVELOPMENT – See Schedule 5**

### **SECTION 9 SIGNS – See Schedule 6**

### **SECTION 10 DEFINITIONS – See Schedule 7**



## DIRECT CONTROL – DC

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### **SECTION 1 PURPOSE**

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

### **SECTION 2 PERMITTED USES**

- 2.1 Any use Council considers suitable.

### **SECTION 3 MINIMUM LOT SIZE**

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

### **SECTION 4 STANDARDS OF DEVELOPMENT**

- 4.1 As Council considers necessary having regard to Schedule 4.

### **SECTION 5 SIGNS**

- 5.1 As Council considers necessary having regard to Schedule 5.

### **SECTION 6 OTHER STANDARDS**

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

### **SECTION 7 APPROVAL PROCEDURE**

- 7.1 Before Council considers an application for a use in the Direct Control district, they shall:
- (a) cause notice to be issued by the Development Officer in accordance with section 35 of this bylaw;
  - (b) hear any persons that claim to be affected by the decision on the application.
- 7.2 Council may then approve the application with or without conditions or refuse the application.
- 7.3 When applicable, Council should seek comments from other government agencies, such as:
- Alberta Health Services,
  - Planning Advisor,
  - Alberta Transportation,
  - Alberta Environment, and
  - any other agency Council considers necessary.



Schedule 3

**DEVELOPMENT NOT REQUIRING A PERMIT**

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## DEVELOPMENT NOT REQUIRING A PERMIT

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### SECTION 1 DEVELOPMENT NOT REQUIRING A PERMIT

- 1.1 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 Industry Canada subject to Schedule 8 – Telecommunication Antenna Siting Process;
  - (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.
- 1.2 The following developments shall not require a development permit, but must **otherwise 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) any structure placed on a lot which is 11 m<sup>2</sup> (120 ft<sup>2</sup>) or less in area that is not on a permanent foundation;
  - (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 yard and 1.8 m (6 ft) in height in any secondary front, rear or side yard;
  - (g) in the Business Industrial land use district, 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;

- (h) landscaping that was not required as part of the original development permit;
- (i) municipal signs on public land;
- (j) temporary and directional signs;
- (k) any satellite dish less than 1 m (3.3 ft) in diameter;
- (l) temporary outdoor swimming pools and above ground hot tubs;
- (m) the installation of cement or other hard surface material that is not to be covered or partially covered by a roof or other shelter;
- (n) excavation, grading, stripping, or stockpile provided it is part of a development for which a development permit has been issued or is addressed in a signed Development Agreement with the Town of Coalhurst; and
- (o) the construction of uncovered decks or patios two (2) feet or lower to ground level (a covered deck shall require a development permit).

**If there is a doubt to whether a development is of a kind listed above, the matter shall be decided by the Municipal Subdivision and Development Authority.**

Schedule 4

**GENERAL STANDARDS OF DEVELOPMENT**

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# GENERAL STANDARDS OF DEVELOPMENT

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

### **SECTION 1 APPROVAL OF ACCESS**

- 1.1 Location of the access to each development from a public roadway should be shown on the plot plan submitted with the application for a development permit and is subject to the approval of the Development Officer or Municipal Subdivision and Development Authority.

### **SECTION 2 DEMOLITION OR REMOVAL OF BUILDINGS OR STRUCTURES**

- 2.1 No person shall commence or cause to be commenced the demolition or removal of any building or structure, or portion thereof, until all necessary permits have been obtained.
- 2.2 A development permit must be obtained for the demolition or removal of any building or structure greater than 11 m<sup>2</sup> (120 ft<sup>2</sup>) in size.
- 2.3 Whenever a development permit is issued for the demolition or removal of a building or structure, it shall be a condition of the permit that the lot shall be cleared, with all debris removed, and left in a graded condition upon completion of the demolition or removal to the satisfaction of the Development Authority.
- 2.4 When a development permit is to be approved for the demolition or removal of a building or structure, the Development Authority may require the applicant to provide a cash deposit, irrevocable letter of credit or other acceptable form of security in such amount as to cover the costs of reclamation to any public utility or town property.
- 2.5 Whenever a demolition or removal of a building or structure is carried out, the property owner shall, at his own expense, protect any wall, structure, sidewalk or roadway liable to be affected by such demolition or removal, including those on neighbouring properties, from damage or displacement. Further, the property owner shall ensure that adequate measures are taken by way of fencing and screening to ensure public safety.
- 2.6 The applicant shall be responsible for obtaining all necessary Safety Codes approvals and utility service disconnections before demolition or removal of buildings or structures.

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

- 3.1 The design, character and appearance of buildings, structures or signs shall be consistent with the intent of the land use district in which the building is located and compatible with other buildings in the vicinity.
- 3.2 The Development Authority may regulate the exterior finish of buildings, structures or signs to improve the quality of any proposed development within any land use district.
- 3.3 The maximum allowable height above the average finished surface level of the surrounding ground of the exposed portion of a concrete or block foundation may be limited by the Development Authority.
- 3.4 Subject to the requirements of the Safety Codes, the Development Authority may require that buildings be physically accessible to disabled persons.
- 3.5 If a building is to be located on a lot with more than one street frontage or on a lot with potential for further subdivision, the Development Authority may regulate the orientation and location of the building as a condition of development approval.

### **SECTION 4 DEVELOPMENT OF LANDS SUBJECT TO SUBSIDENCE, UNDERMINING OR FLOODING**

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

### **SECTION 5 EASEMENTS**

- 5.1 All permanent structures shall be located a minimum of 3.1 m (10 ft), or such greater distance as required by the Development Authority, from an easement registered for the protection of municipal water mains and sewer mains or any other such infrastructure, as determined by the municipality.
- 5.2 No structures shall be located within a registered easement.

### **SECTION 6 GRADING AND STORMWATER MANAGEMENT**

- 6.1 The Development Authority may require as a condition of development approval:
  - (a) engineered grading and drainage plans for the development and legal survey demonstrating that engineered grades have been met;
  - (b) grading and other measures, as appropriate, to control surface drainage, reduce or eliminate grade difference between adjacent lots, and minimize erosion or slope instability;
  - (c) the final grades of the development must be approved by the Development Authority before the issuance of a building permit.

(d) the applicant is responsible for ensuring adherence to final grades.

- 6.2 The construction of a retaining wall whenever, in the opinion of the Development Authority, significant differences in grade exist or will exist between the lot being developed and any adjacent lot or roadway. Where a retaining wall is required, the applicant shall submit to the Development Officer plans identifying the design and specifications of development for review and approval by the accredited safety codes officer.
- 6.3 Roof and surface drainage shall be directed either to the public roadway fronting the property, or as approved by the Development Officer, to a rear or side property boundary or as approved in an engineered stormwater management plan.
- 6.4 When discharging down spouts or sump hoses, the end point of the spout or hose must discharge a minimum of 1.8 m (6 ft) from the front property line.

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

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

## **SECTION 8 OFF-STREET PARKING AND LOADING REQUIREMENTS**

- 8.1 The off-street parking and loading requirements and design standards apply to:
- (a) all new buildings and uses; and
  - (b) the expansion or enlargement of existing buildings or uses.
- 8.2 In the case of expansion or enlargement of an existing building or use, additional off-street parking spaces will be required to serve the expanded or enlarged area only, not the entire building or use.

### **Minimum Required Off-Street Parking**

- 8.3 Table 1, Minimum Required Off-Street Parking, shall be used to calculate the minimum number of off-street parking spaces a use is required to provide.
- 8.4 Off-street parking requirements based on floor area are to be computed on the gross floor area (GFA) of the building.
- 8.5 Calculation of off-street parking requirements resulting in a fractional number of 0.5 or greater shall be rounded up and rounded down when resulting in a fractional number of 0.49 or less.
- 8.6 A multiple use development must provide parking in an amount equal to the number of spaces for all uses, except where a shared parking provision is approved by the Development Authority.



- 8.7 A shared parking provision based upon the proposed sharing of parking spaces between two or more uses must include a written agreement between the owners on record. Where such off-site parking is approved, a caveat shall be registered against the lot to guarantee the continuous use of the site for parking.
- 8.8 Where a use is not listed, minimum required off-street parking shall be provided as required by the Development Authority having regard to the listed use that is most similar to the proposed use. As an alternative, the Development Authority may require a parking study to be prepared by a qualified professional at the applicant's expense to determine the parking requirements for a use not listed in Table 1.
- 8.9 All required parking spaces shall be provided on the same lot as the building or use, except where the Development Authority may permit off-site parking spaces to be provided on a lot within 152.4 m (500 ft) of the building or use if, in the Development Authority's opinion, it is impractical to provide parking on the same lot as the building or use. Where such off-site parking is approved, a caveat shall be registered against the lot to guarantee the continuous use of the site for parking.

**Table 1 – Minimum Required Off-street Parking**

USE	MINIMUM PARKING SPACES
<b>COMMERCIAL/INDUSTRIAL</b>	
Accessory structures and uses	As required by the Development Authority
Automotive sales and/or service	1 space /46.5 m <sup>2</sup> (500 ft <sup>2</sup> ) of GFA
Bulk oil / fuel station	1 space /46.5 m <sup>2</sup> (500 ft <sup>2</sup> ) of GFA
Car wash	1 space per employee
Construction supply and contractor	1 space /65 m <sup>2</sup> (700 ft <sup>2</sup> ) of GFA
Convenience store	1 space /27.9 m <sup>2</sup> (300 ft <sup>2</sup> ) of GFA
Drive-in/drive-through use	1 space /5.1 m <sup>2</sup> (55 ft <sup>2</sup> ) of seating area plus 1 space per employee
Restaurant	1 space per 4 seats plus employee parking
Entertainment establishment	1 space /5.1 m <sup>2</sup> (55 ft <sup>2</sup> ) of patron use area plus 1 space per employee
Equipment sales, rental and service	1 space /65 m <sup>2</sup> (700 ft <sup>2</sup> ) of GFA
Financial institution	1 space /37.2 m <sup>2</sup> (400 ft <sup>2</sup> ) of GFA
Grocery store	1 space /37.2 m <sup>2</sup> (400 ft <sup>2</sup> ) of GFA
Government service	1 space /46.5 m <sup>2</sup> (500 ft <sup>2</sup> ) of GFA
Health service	1 space per staff member and 1 space per examination room
Hotel/motel	1 space per guest room
Intensive horticultural service	1 space /65 m <sup>2</sup> (700 ft <sup>2</sup> ) of GFA
Kennel	1 space /46.5 m <sup>2</sup> (500 ft <sup>2</sup> ) of GFA
Light industry/manufacturing	1 space /65 m <sup>2</sup> (700 ft <sup>2</sup> ) of GFA
Mini storage	As required by the Development Authority
Office	1 space /46.5 m <sup>2</sup> (500 ft <sup>2</sup> ) of GFA
Outdoor storage	As required by the Development Authority
Personal service	1 space /37.2 m <sup>2</sup> (400 ft <sup>2</sup> ) of GFA

USE	MINIMUM PARKING SPACES
Recreation facility	1 space /27.9 m <sup>2</sup> (300 ft <sup>2</sup> ) of GFA
Retail store	1 space /37.2 m <sup>2</sup> (400 ft <sup>2</sup> ) of GFA
Salvage or wreckage yard	As required by the Development Authority
Service station/gas bar	1 space /37.2 m <sup>2</sup> (400 ft <sup>2</sup> ) of GFA
Shopping centre	1 space /23.2 m <sup>2</sup> (250 ft <sup>2</sup> ) of GFA
Truck transportation/dispatch depot	1 space /65 m <sup>2</sup> (700 ft <sup>2</sup> ) of GFA
Truck wash	1 space per employee
Warehousing	1 space /65 m <sup>2</sup> (700 ft <sup>2</sup> ) of GFA
Waste disposal facility	As required by the Development Authority
Wholesale trade	1 space /65 m <sup>2</sup> (700 ft <sup>2</sup> ) of GFA
<b>RESIDENTIAL</b>	
Bed and breakfast	1 space per guest room
Boarding or lodging home	1 space per sleeping unit
Child care facility	1 pick-up/drop-off space per 10 children plus 1 space per employee
Dwellings:	
- Apartment	1.5 spaces per dwelling unit plus 1 visitor parking space for every 2 dwelling units
- 2 unit, 3-unit, 4-unit	2 spaces per dwelling unit
- Row (more than 4 units)	2 spaces per dwelling unit plus 1 visitor parking space for every 2 dwelling units
- Single-unit	2 spaces per dwelling unit
Home occupation 1	N/A
Home occupation 2	1 additional space
Manufactured home community - visitor parking	As required by the Development Authority
Secondary suite	2 spaces
Senior citizen housing	1 space per 2.5 dwelling units
<b>PUBLIC</b>	
Cemetery	As required by the Development Authority
Clubs and organizations	1 space /5.1 m <sup>2</sup> (55 ft <sup>2</sup> ) of patron use area plus 1 space per employee
Community hall	1 space/5 seating spaces plus 1 space per employee
Cultural facility	1 space/5 seating spaces plus 1 space per employee
Dormitory	As required by the Development Authority
Educational facility	3 spaces per classroom
Exhibition ground	As required by the Development Authority
Group care facility	1 space per employee
Hospital	1 space per bed
Parks and playgrounds	As required by the Development Authority
Religious assembly	As required by the Development Authority

### Barrier-free Parking

- 8.10 The minimum number of barrier-free parking spaces to be provided for the disabled shall be a portion of the total number of off-street parking spaces required, in accordance with Table 2, Barrier-Free Parking Spaces.
- 8.11 Each barrier-free parking space for the disabled shall be:
- (a) at least 3.7 m (12 ft) wide;
  - (b) have a firm, slip-resistant and level surface;
  - (c) be clearly marked as being for the use of persons with disabilities only.
- 8.12 Where there are two or more adjacent barrier-free parking stalls, a 1.5 m (5 ft) wide access aisle shall be provided between the stalls.
- 8.13 Barrier-free parking stalls shall be clearly identifiable in accordance with Safety Codes.
- 8.14 There must be a well-lit, distinguishable, barrier-free path of travel from the parking areas to the building entrance.
- 8.15 It is recommended that an additional number of spaces be considered when the purpose or use of the building facilities may cause an increase in the number of seniors or persons with disabilities who require accessible parking, such as, but not limited to, medical services and restaurants.

**Table 2 – Barrier-Free Parking Spaces**

Number of parking spaces required for a use	Number of barrier-free spaces required for a use by persons with disabilities
0-10	0*
11-25	1
26-50	2
51-100	3
for each additional increment of 100 or part thereof	one additional stall

\* Development is encouraged to provide at least one barrier-free parking space for use by persons with disabilities.

### Loading Space Requirements

- 8.16 One loading space shall be provided for each loading door.
- 8.17 The minimum dimensions for a loading space shall be 3.1 m (10 ft) by 9.1 m (30 ft) with an overhead clearance of 4 m (13 ft).
- 8.18 Each loading area shall provide a doorway into the building sufficient to meet the needs of the use within the building.

- 8.19 Each loading area shall be designed in such a manner that it will not interfere with convenient and safe pedestrian movement, traffic flow or parking.
- 8.20 The Development Authority may require additional loading areas or doors if, in the Development Authority's opinion, such additional areas or doors are deemed necessary.
- 8.21 The Development Authority may consider a joint loading area for two or more uses if, in the Development Authority's opinion, such a loading area would facilitate orderly development or relieve congestion in the immediate area.

#### **Stacking Spaces for Drive-through Uses**

- 8.22 In addition to the off-street parking requirements, a drive-through use is required to provide the following minimum stacking spaces:
- (a) Gas station: 9.1 m (30 ft) from each end on pump island;
  - (b) Bank machine: 22.9 m (75 ft) from bank machine window;
  - (c) Car wash: 15.2 m (50 ft) from car wash entrance;
  - (d) Any use that has an order box and pick-up window component: 30.5 m (100 ft) from order box to pick-up window.
- 8.23 The minimum stacking space requirements in subsection 8.22 may be varied by the Development Authority depending upon the intensity of the proposed development.

### **SECTION 9 OFF-STREET PARKING DESIGN STANDARDS**

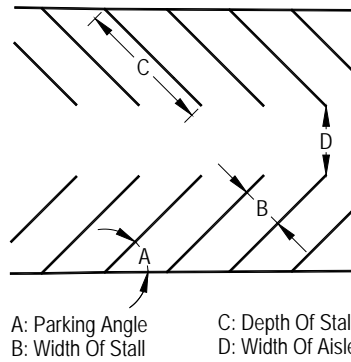
- 9.1 Off-street parking areas shall be accessible and designed in a manner which will provide for orderly parking in accordance with the minimum parking space dimensions in Table 3, Minimum Parking Space Dimensions.
- 9.2 Parking space designs proposing tandem or stacked parking to a maximum of two vehicles per stall may be approved by the Development Authority provided the spaces are for employee parking only.
- 9.3 The stall width and depth requirements for an off-street parking space may be reduced by the Development Authority where spaces are designed to accommodate compact vehicle parking.
- 9.4 Where a use or development may need to accommodate over-sized vehicles such as tractor-trailers, large recreational vehicles, buses or other similar vehicles, the Development Authority may require larger parking space and aisle dimensions.
- 9.5 Off-street parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.
- 9.6 Off-street parking spaces adjacent to a road right-of-way shall be provided with bumper blocks, curbing or other similar protective feature to ensure public safety and prevent vehicle overhang.

- 9.7 The Development Authority may require that off-street parking areas or portions thereof be paved as a condition of approval.

**Table 3 – Minimum Parking Space Dimensions**

A: Parking Angle	B: Stall Width		C: Stall Depth		D: Aisle Width	
	m	ft	m	ft	m	ft
0	2.4	8.0	6.7	22	3.7	12
30	2.7	9.0	5.5	18	3.5	11
45	2.6	8.5	6.1	20	3.9	13
60	2.6	8.5	6.4	21	5.5	18
90	2.9	9.5	5.6	18.5	7.3	24

**Minimum Parking Space Dimensions**



**SECTION 10 DRIVEWAY STANDARDS**

- 10.1 Only one driveway per lot is permitted for single-unit residential development. The maximum number of driveways permitted per lot for all other uses shall be as required by the Development Authority.
- 10.2 Vehicular access for corner lots will be limited to locations along the minor street unless site specific considerations require otherwise.
- 10.3 Driveway dimension standards are found in Schedule 2 for each land use district.
- 10.4 The Development Authority may require that driveways be paved as a condition of approval.

**SECTION 11 REFUSE COLLECTION AND STORAGE**

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

- 11.2 In non-residential land use districts, refuse and garbage holding areas, including containers and compaction, shall be effectively screened from public view. The Development Authority may require screening of refuse and garbage holding areas as a condition of development approval.
- 11.3 In all non-residential land use districts, refuse and garbage holding areas, enclosures, and compaction areas are to be located a minimum of 7.6 m (25 ft) from an adjacent residential use.
- 11.4 All garbage holding areas, enclosures, and compaction areas shall be located and designed to ensure adequate on-site maneuvering for refuse collection vehicles.
- 11.5 All refuse on any construction site shall be properly screened or placed in an approved enclosure until removed for disposal.

## **SECTION 12 STATUTORY PLANS**

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



Schedule 5

**USE SPECIFIC STANDARDS OF DEVELOPMENT**

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## USE SPECIFIC STANDARDS OF DEVELOPMENT

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The standards in this schedule establish additional requirements for specific uses or structures. The General Standards of Development in Schedule 4 and the requirements of the applicable land use district also apply unless otherwise stated.

### SECTION 1 ALTERNATIVE ENERGY SOURCES: SOLAR AND WIND

- 1.1 The Development Authority is authorized to issue development approvals for alternative energy sources such as, but not limited to, solar panels, heat exchange systems, generators, turbines, etc. provided that any additional approvals or standards required at the municipal, provincial and/or federal levels are met or exceeded.

#### SOLAR COLLECTOR

- 1.2 A solar collector attached to a wall or roof of a building may be permitted in any land use district as an accessory structure subject to the following:
- 1.3 A solar collector mounted on a roof:
- (a) may project a maximum of 1.3 m (4 ft) from the surface of the roof and shall not exceed the maximum height requirements of the applicable land use district; and
  - (b) must not extend beyond the outermost edge of the roof.
- 1.4 A solar collector mounted to a wall:
- (a) must be located such that it does not create undue glare on neighbouring property or public roadways;
  - (b) must be located a minimum of 2.3 m (7.5 ft) above grade;
  - (c) may project a maximum of 1.5 m (5 ft) from the surface of the wall, when the wall faces the rear property line, subject to the setback requirements of the applicable land use district; and
  - (d) may project a maximum of 0.6 m (2 ft) from the surface of the wall when the wall faces the front, secondary front or side property line, subject to the setback requirements of the applicable land use district.
- 1.5 A free-standing solar collector or a solar collector mounted to any structure other than a roof or wall of a building shall be classified as an accessory use and processed subject to the applicable land use district and the following additional standards:
- 1.6 A free-standing solar collector or a solar collector mounted to any structure other than a roof or wall of a building:

- (a) must be located such that it does not create undue glare on neighbouring property or public roadways; and
- (b) must not exceed 1.8 m (6 ft) in height above existing grade.

## **SMALL WIND ENERGY SYSTEMS**

### **Definitions**

1.7 The following definitions apply to this schedule:

- (a) Blade means an element of a wind energy system rotor, which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.
- (b) Blade clearance means, in reference to a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc.
- (c) Rotor's arc means the largest circumferential path travelled by a blade.
- (d) Small Wind Energy System (SWES) means a wind energy conversion system consisting of a wind turbine (rotor and blades), a tower, and associated control or conversion electronics, which has a rated capacity that does not exceed the allowable rated capacity of 3 kW and which will be used primarily to reduce onsite consumption of utility power and is CSA approved.
- (e) Total height means the height from grade to the highest vertical extension of a SWES. In the case of a SWES with a horizontal axis rotor, total height includes the distance from grade to the top of the tower, plus the distance from the top of the tower to the highest point of the rotor's arc.
- (f) Tower means the structure which supports the rotor above grade.

### **Permit Requirements**

- 1.8 Small Wind Energy Systems shall require a development permit depending on their location, as provided in the regulations for the land use districts in which they are allowed.
- (a) **Type A Small Wind Energy System:** This use is defined as a Small Wind Energy System that is either roof mounted or has a tower which does not exceed 12.2 m (40 ft) in height.
  - (b) **Type B Small Wind Energy System:** This use is defined as a Small Wind Energy System that has a tower which is greater than 12.2 m (40 ft) in height but does not exceed 24.4 m (80 ft) in height.

### **Information Requirements**

- 1.9 Applications for Small Wind Energy Systems shall include the following information where applicable:
- (a) all proposed Small Wind Energy Systems shall be commercially manufactured and applications shall include the manufacturers make and model number;

- (b) the manufacturer's specifications indicating:
  - the SWES rated output in kilowatts;
  - safety features and sound characteristics;
  - type of material used in tower, blade, and/or rotor construction;
- (c) potential for electromagnetic interference;
- (d) nature and function of over speed controls which are provided;
- (e) specifications on the foundations and/or anchor design, including location and anchoring of any guide wires;
- (f) information demonstrating that the system will be used primarily to reduce on-site consumption of electricity; and
- (g) location of existing buildings or improvements.

### **Referrals**

- 1.10 Prior to making a decision on a development application for a Small Wind Energy System, the Municipal Subdivision and Development Authority may refer and consider the input of the following agencies and departments:
- (a) Alberta Utilities Board,
  - (b) Transport Canada,
  - (c) NavCanada,
  - (d) any other federal or provincial agencies or departments deemed necessary.

### **Setbacks**

- 1.11 A Small Wind Energy System shall comply with all the setbacks that govern the principal use in the district in which it is located.
- 1.12 No part of the wind system structure, including guy wire anchors, may extend closer than 3.0 m (10 ft) to the property boundaries of the installation site.

### **Development Standards**

- 1.13 There shall be a limit of one Small Wind Energy System per parcel.
- 1.14 The system's tower shall be set back a minimum distance equal to the height of the tower from all parcel lines, and a minimum distance of 3.0 m (10 ft) from any other structure on the parcel on which the system is located. On parcels 4.0 ha (10 acres) or more, the parcel line setback may be reduced if the applicant demonstrates that:
- (a) because of topography, strict adherence to the setback requirement would result in greater visibility of the system's tower than a reduced setback; and
  - (b) the system's tower is set back a minimum distance equal to the height of the tower from any structure on adjoining parcels.

- 1.15 The system's tower shall not exceed a maximum height of 12.2 m (40 ft) on a parcel of less than 0.4 ha (1 acre), a maximum of 19.8 m (65 ft) on a parcel of 0.4 ha (1 acre) to less than 2.0 ha (5 acres), and maximum height of 24.4 m (80 ft) on a parcel 2.0 ha (5 acres) or more.
- 1.16 The system's tower shall be located and screened by landforms, natural vegetation or other means to minimize visual impacts on neighbouring residences and public roads, public trails and other public areas.
- 1.17 The system's tower and supporting structures shall be painted a single, neutral, non-reflective, non-glossy (for example, earth-tones, grey, black) that, to the extent possible, visually blends the system with the surrounding natural and built environments.
- 1.18 The system shall be equipped with manual and automatic over speed controls. The conformance of rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural or civil engineer.
- 1.19 The system's tower-climbing apparatus and blade tips shall be no closer than 4.6 m (15 ft) from ground level unless the system is enclosed by a 1.8-metre (6-ft) high fence.
- 1.20 The system's utility lines shall be underground where economically practical.
- 1.21 The system shall be operated such that no electro-magnetic interference is caused.
- 1.22 The system's maximum power shall not exceed 3 kW.
- 1.23 The system shall be located in the rear or side yard.
- 1.24 Small wind turbines shall not exceed 60 dB(A), or in excess of 5 dB(A) above the background noise at the property line, whichever is greater. The level, however, may be exceeded during short-term events including utility outages and severe windstorms.
- 1.25 Brand names or advertising associated with the system or the system's installation shall not be visible from any public place.
- 1.26 Upon abandonment or termination of the system's use, the entire facility, including the system's tower, turbine, supporting structures and all equipment, shall be removed and the site shall be restored to its pre-construction condition.

#### **Review of Permits**

- 1.27 Town Council shall review the impacts of issuance of permits for Small Wind Energy Systems after the issuance of 25 development permits for this specific use within the municipality.

## **SECTION 2 DWELLING GROUP**

- 2.1 Design of the dwelling group shall consider the height, building design and nature of surrounding residential development.
- 2.2 The arrangement of the structures in a dwelling group is subject to the approval of the Municipal Subdivision and Development Authority and the requirements of the Alberta Building Code, as amended.
- 2.3 A landscaping plan shall be submitted with the development permit application. The Development Authority may require that a landscape plan be prepared by a professional. An irrigation plan may also be required.
- 2.4 A minimum of 10% of the lot area is to be provided for common open space and on-site amenities such as playground equipment, barbeque areas, recreation areas or other similar features. The minimum open space requirement may be increased as required by the Development Authority dependent upon the density of the proposed development.
- 2.5 A minimum 1.5 m (5 ft) wide landscaped buffer strip is required between the parking lot and an adjacent residential lot. The Development Authority, depending on the intensity of the development, may increase the minimum required width of the landscaped buffer strip.
- 2.6 The Development Authority may regulate the maximum density of apartments and multi-unit dwellings within a block or subdivision based on the policies of the Municipal Development Plan and consideration of:
  - (a) density of existing development within the block;
  - (b) adequacy and proximity of community facilities such as schools, shopping, recreational facilities and open space;
  - (c) adequacy of utilities to accommodate the proposed use;
  - (d) impacts on future land uses and the street system, and
  - (e) any other matters deemed pertinent by the Development Authority.

## **SECTION 3 GROUP CARE FACILITIES**

- 3.1 A group care facility must be compatible with the character of the surrounding neighbourhood.
- 3.2 A landscaping plan shall be submitted with the development permit application. The Development Authority may require that a landscaping plan be prepared by a professional. An irrigation plan may also be required.
- 3.3 Minimum common open space requirements shall be as required by the Development Authority.

- 3.4 A minimum 1.5 m (5 ft) wide landscaped buffer strip is required between the parking lot and an adjacent residential lot. The Development Authority, depending on the intensity of the development, may increase the minimum required width of the landscaped buffer strip.
- 3.5 A landscaped buffer strip between a group care facility and an adjacent residential lot may be required at the discretion of the Development Authority.
- 3.6 The Development Authority may regulate the maximum density of group care facilities within a block or subdivision based on consideration of:
  - (a) density of existing development within the block;
  - (b) adequacy and proximity of community facilities such as schools, shopping, recreational facilities and open space;
  - (c) adequacy of utilities to accommodate the proposed use;
  - (d) impacts on future land uses and the street system; and
  - (e) any other matters deemed pertinent by the Development Authority.
- 3.7 The applicant shall be responsible for complying with applicable provincial standards and obtaining all necessary approvals required from regulatory agencies.
- 3.8 The issuance of a development permit in no way exempts the applicant from obtaining a business license from the Town and any other Provincial approvals that may be required.

## **SECTION 4 MANUFACTURED HOMES**

### **Standards and Requirements Applicable to Manufactured Homes**

- 4.1 Standards of Development – Schedule 4.
- 4.2 Any special manufactured home development standards adopted by Council.
- 4.3 Except where noted, all standards, requirements and guidelines shall apply to both single-wide and double-wide units located in conventional subdivisions or manufactured home parks.
- 4.4 The Development Officer or Subdivision and Development Authority may require a bond or irrevocable letter of credit of a minimum \$5000.00 to a maximum value of up to 50% of the assessed value of the building to ensure the conditions of the development permit for a principal building are met.

### **Eligible Manufactured Homes**

- 4.5 New factory-built units.

- 4.6 Used factory-built units in a good state of repair (to the satisfaction of the Municipal Subdivision and Development Authority). Any application for a development permit to locate a used manufactured home:
- (a) shall include recent colour photographs of all elevations including additions; and
  - (b) may require a personal inspection by the Development Officer to determine the unit's suitability.
- 4.7 Canadian Standards Association (CSA) certified units or units bearing the Alberta Building Label (CSA A-277 or Z-240 building labels).
- 4.8 Manufactured or mobile homes bearing the original home certification.

**Foundations, roof lines and additions**

- 4.9 All single-wide manufactured homes shall be skirted with compatible materials and satisfactorily enclosed to the satisfaction of the Development Officer.
- 4.10 All double-wide units shall be placed on concrete block foundations capable of supporting the maximum anticipated load in conformity with the provincial building requirements and Canada Mortgage and Housing regulations.
- 4.11 Any portion of a concrete block foundation above grade shall be parged unless otherwise finished with an approved material.
- 4.12 The maximum height of the exposed portion of a concrete block foundation shall be not more than 0.6 m (2 ft) above the average finished grade level of the surrounding ground.
- 4.13 To ensure compatibility of housing types, the variation of roof lines between double-wide manufactured homes and conventional homes may be limited. Generally, the double-wide unit should not be more than 0.6 m (2 ft) higher or lower than an adjacent home, whether conventional or double-wide. Generally, single-wide units shall not be encouraged to locate adjacent to or among conventional dwellings.
- 4.14 All manufactured home additions shall be of a design and finish which will complement the unit.

**General Appearance**

- 4.15 The wheels, hitches and other running gear shall be removed from a manufactured home immediately after the placement of the home.
- 4.16 The yard area of each lot shall be developed and landscaped.



**SECTION 5 MODULAR AND READY-TO-MOVE (RTM) HOMES**

**Requirements Applicable to Modular Home A and B and Ready-To-Move (RTM) Home A and B**

Requirements for Modular and Ready to Move Homes (RTM)	Categories	
	A	B
Factory built unit that meets CSA standards and building code (CSA A-277)	✓	✓
Dwelling is securely fasten and placed on:		
Basement	✓	
Concrete slab		✓
Concrete strip footing		✓
Pile or pier footing		✓
Minimum roof pitch shall not be less than 4/12	✓	✓
Minimum floor area shall not be less than 79.89 m <sup>2</sup> (800 ft <sup>2</sup> )	✓	✓
Minimum width of dwelling – 7.3 m (24 ft)	✓	✓
Maximum length of dwelling – 20.0 m (66 ft)	✓	✓
Maximum height of exposed foundation – 0.6 m (2 ft)		✓

5.1 The approval authority shall issue a development permit for a modular or ready-to-move (RTM) home A or B provided that:

- (a) the design, character, and appearance (including roof lines/material and exterior finish) of modular homes shall be consistent with the purpose of the district in which the building is located and shall take into account any other buildings existing in the vicinity;
- (b) to ensure compatibility of housing types, the variation of roof lines between modular homes or RTM homes and conventional homes may be limited. Generally, dwellings should not be more than 0.6 m (2 ft) higher or lower than an adjacent home;
- (c) at the discretion of the Development Officer or the Subdivision and Development Authority, the exterior finish, colour and roofing material may be stipulated as a condition of approval;
- (d) the dwelling shall conform to any architectural controls that may apply.

5.2 As a condition of approval the Development Officer or the Subdivision and Development Authority, at their discretion, may place other conditions on a development permit including the requirement that the developer provide landscaping, fencing, address drainage issues, or other such matters it considers necessary if, in his or its opinion, they would serve to improve the quality or compatibility of any proposed development.

- 5.3 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.
- 5.4 The building, when completed, shall meet or exceed provincial building requirements.
- 5.5 The applicant/developer must submit professional building plans illustrating the exterior design, floor plan, elevations and setbacks.
- 5.6 The quality of the completed building shall be at least equal to the quality of the other buildings in the area.
- 5.7 If there is any doubt as to the required standards being met, the Development Officer may refer the application to the Subdivision and Development Authority for a decision.
- 5.8 The Development Officer or Subdivision and Development Authority may require a bond or irrevocable letter of credit of a minimum \$5000.00 to a maximum value of up to 50% of the assessed value of the building to ensure the conditions of the development permit for a principal building are met.

**SECTION 6      MOVED-IN BUILDINGS AND MOVED-IN DWELLINGS**

- 6.1 The building and the land upon which it is to be located shall be subject to all conditions and regulations specified for the particular land use district set out in the land use bylaw.
- 6.2 The building shall comply with all provincial and municipal health and fire regulations prior to occupancy and release of cash deposit.
- 6.3 The quality of the completed building shall be at least equal to or better than the quality of the other buildings in the area.
- 6.4 The requirements of the building shall be established by the Municipal Subdivision and Development Authority at the time of approval of the application and shall form a part of the conditions of the development permit.
- 6.5 A report by the building inspector regarding each application shall be filed before any such application shall be considered.
- 6.6 A limit of the time of completion and full compliance with all stipulated requirements shall be established by the Municipal Subdivision and Development Authority at the time of the approval of the application.
- 6.7 The application should be accompanied by recent colour photographs of all elevations of the moved-in building.
- 6.8 The Development Officer shall require a minimum of \$2,000 in cash to ensure the conditions of the development permit are met. If the cost to complete the work in the conditions of approval is greater than the cash deposit, construction may be completed by the town and additional costs may be charged against the property taxes.

- 6.9 Return of the posted bond is contingent on the Development Officer verifying the completion of all the conditions of this schedule and the development permit, such as:
- (a) sod being installed in the front yard;
  - (b) siding on the structure;
  - (c) hard surface or gravel in a parking area;
  - (d) walkway from the dwelling to the sidewalk;
  - (e) down spouts for drainage; and
  - (f) other aspects required in the development permit.
- 6.10 Should an on-site inspection by the Development Officer be required prior to the moving of the structure, this will be at the applicant's expense.

## **SECTION 7 SATELLITE DISHES AND RADIO OR TELEVISION ANTENNA**

- 7.1 In all residential land use districts and the transitional district:
- (a) satellite dishes greater than 1 m (3 ft) in diameter or radio or television antenna shall be classified as an accessory structure and shall be placed in the rear or side yard;
  - (b) satellite dishes greater than 1 m (3 ft) in diameter shall not be mounted or attached to the roof of any dwelling or accessory building and shall not be illuminated or contain advertising other than the manufacturer's trademark or logo.
- 7.2 The Development Authority may approve the installation of a satellite dish on the roof of any building or portion thereof if, in its opinion, such an installation does not:
- (a) constitute a public safety hazard;
  - (b) compromise the structural integrity of the building; or
  - (c) may be unreasonably obtrusive.
- 7.3 Radio and television antennas, which are not regulated by Industry Canada, are classified as an accessory structure.

## **SECTION 8 SHIPPING CONTAINERS**

- 8.1 Shipping containers shall only be allowed in land use districts where listed as a permitted or discretionary use Schedule 2. Shipping containers are prohibited in all other districts.
- 8.2 Any shipping container shall be subject to the following general standards:
- (a) An application for a development permit for a proposed shipping container must be completed and submitted to the Development Officer accompanied by the applicable application fee and a minimum of two recent colour photographs of each container (one end view and one side view).
  - (b) There shall be a legal primary use on the property where the shipping container is proposed.

- (c) Shipping containers are permitted to be used for storage only and shall not be used as a building or a construction material.
- (d) The Development Authority may regulate the maximum number of shipping containers permitted on a lot.
- (e) The Development Authority may regulate the maximum height of shipping containers.
- (f) The Development Authority may require as a condition of approval that a shipping container(s) be screened from view or landscaped to make it aesthetically pleasing.
- (g) The Development Authority may require as a condition of approval that any shipping container be sandblasted and/or painted a neutral or complementary colour to match the existing building(s) on the property.
- (h) The Development Authority may require as a condition of approval that the exterior of the shipping container be kept clean and regularly painted in a neutral or complementary colour to match the existing building(s) on the property.
- (i) The Development Authority may regulate the time period for which a development permit for a shipping container(s) is valid through the issuance of a temporary permit.
- (j) Removal of the shipping container(s) at the expiration of the permit shall be at the expense of the applicant and/or landowner. The Development Authority may require as a condition of approval the posting of a bond or a security guaranteeing the removal of the container and/or compliance with the conditions of the permit.

8.3 A permanent shipping container is subject to the following additional provisions:

- (a) the maximum lot coverage and setback requirements for accessory structures in the applicable land use district;
- (b) the shipping container may only be permitted in the secondary front, rear, or side yard;
- (c) the shipping container shall not display advertising, company logos, names or other marketing without an approved sign permit.

8.4 A shipping container may be placed temporarily on a construction site for the period of construction, in any land use district where listed as a permitted or discretionary use with an approved development permit, subject to the following provisions:

- (a) temporary shipping containers are subject to the standards in subsection 8.2 above;
- (b) the shipping container is needed in connection with construction of a development for which a development permit has been issued;
- (c) the construction site is active (i.e., construction has commenced and is on-going or is about to commence within one week); placement of a shipping container on an inactive construction site is prohibited;
- (d) setbacks for a temporary shipping container shall be as required by the Development Authority;

- (e) the Development Authority has the authority to determine the maximum amount of time a shipping container is permitted on a lot; and
- (f) the shipping container shall be removed immediately upon completion of construction or sooner as may be required by the Development Authority.

**SECTION 9      SHOW HOMES**

- 9.1 The construction of or use of a new, unoccupied dwelling unit for the purpose of a show home for the sale or marketing of other dwelling units by a builder or developer within a subdivision or development may be approved as a temporary use in all residential land use districts and the general commercial land use district.
- 9.2 A dwelling occupied as a residence shall not be used as a show home, sales office or as a facility to demonstrate a builder's construction quality or methods.
- 9.3 The show home shall not be open to the public for viewing until the road accessing the show home is developed to municipal standards.
- 9.4 There shall be a sign posted at the show home identifying it as such.
- 9.5 The advertised hours that the show home is open to the public shall not be earlier than 9:00 am or later than 9:00 pm.
- 9.6 Conditions of the permit do not limit the private showing by appointment of the show home at any time.

**SECTION 10     PAWNSHOPS AND PAYDAY LOAN BUSINESS**

- 10.1 All pawnshops and payday loan business shall be located in standalone buildings.
- 10.2 Pawnshops or Payday Loan Businesses will not be considered as a use within buildings on any site that is within the following distances when measured in a straight line from the closest point of the lot on which the use is proposed to the closest point of a lot containing one or more of the following regardless of obstructions:
  - (a) 200 m (656 ft) of a site that has a residential land use designation, or that is identified for residential use in an Area Structure Plan or the Municipal Development Plan;
  - (b) 400 m (1,312 ft) of any other pawnshop, payday loan business, or licensed establishment;
  - (c) 400 m (1,312 ft) of a school site.
- 10.3 A request to reduce the minimum separation distances as required in Section 10.2 shall not be considered by the Municipal Subdivision and Development Authority or the Municipal Subdivision and Development Appeal Board.
- 10.4 On sites where a building is used as a pawnshop, the site shall not have outdoor storage for any goods or materials.

- 10.5 One parking space will be required for every 46.5 m<sup>2</sup> (500 ft<sup>2</sup>) of gross floor area. Employee parking will be based on the number of employees.

**SECTION 11 CANNABIS RETAIL STORE**

- 11.1 A retail cannabis store shall not be approved if any portion of an exterior wall of the store is located within 100 m (328 ft) of:
- (a) the boundary of a parcel of land on which a provincial health care facility is located;
  - (b) the boundary of a parcel of land containing a school and school grounds/sports fields or municipal sports field;
  - (c) the boundary of a parcel of land that is designated as school reserve (SR) or municipal and school reserve (MSR) under the *Municipal Government Act*; or
- 11.2 A retail cannabis store shall not be approved if any portion of the exterior wall of the store is located within 150 m (492 ft) of another retail cannabis store (measured to the exterior wall).
- 11.3 An application for a development permit must be made to the Development Officer by submitting:
- (a) floor plans, elevations and sections of the buildings;
  - (b) submit verification of the Alberta Gaming and Liquor Commission (AGLC) of eligibility to obtain a license; and
  - (c) a detailed listing and site plan of surrounding business and uses, both on adjacent (contiguous) parcels and those identified as sensitive sites as outlined in 11.1 within 200 m (656 ft) (drawn on a high quality and clearly legible site plan with text descriptions).
- 11.4 The Municipal Subdivision and Development Authority may regulate the hours of operation of a retail cannabis store.



Schedule 6

**SIGN REGULATIONS**

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# SIGN REGULATIONS

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Except as stated in Section 5 (Signs Not Requiring a Permit) below, no sign shall be erected on land or affixed to any exterior surface of a building or structure unless a development permit for this purpose has been issued by the Development Authority.

## SECTION 1 DEFINITIONS

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

**A-BOARD** means a temporary portable sign which is set on the ground, built of 2 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 1 person.

**ABANDONED SIGN** means a sign which advertises or identifies an activity, business, owner, product, lessee or service which no longer exists or a sign for which no legal owner can be found.

**ANIMATION** means a projection style where action or motion is used to project sign content, including lighting changes, special effects or pictures, but does not include changeable content.

**AWNING** means an adjustable or temporary roof-like covering fitted over windows and doors and used for shelter, advertising or decoration.

**BALLOON SIGN** means any inflatable device used or employed as a sign that is anchored to the ground or to a building or structure.

**BANNER SIGN** means a temporary sign that is made of lightweight material intended to be secured to the flat surface of a building or structure, at the top and the bottom on all corners, excluding official flags and emblems.

**BILLBOARD SIGN** means a freestanding structure constructed to provide a medium for advertising where the subject matter is not necessarily related to a use at or around the parcel on which the billboard is located and where the copy can be periodically replaced.

**CANOPY** means a permanent fixture fitted over windows and doors and used for shelter, advertising or decoration.

**CANOPY SIGN** means a sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.

**CHANGEABLE CONTENT** means sign content which changes automatically through electronic and/or mechanical means and may include typical features such as an electronic message centre or time and temperature unit.

**CONSTRUCTION SIGN** means a temporary sign which is placed on a site to advertise items such as the provision of labour, services, materials or financing on a construction project.

**DIRECTIONAL AND INFORMATION SIGN** means a sign the message of which is limited to providing direction guidance, distance, facility or similar information and which may contain a name or logo.

**FASCIA SIGN** means a sign attached across the face of the building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, which does not project more than 0.3 m (1 ft) from the building.

**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.

**HOME OCCUPATION SIGN** means a sign advertising a home occupation approved under the Land Use Bylaw.

**LUMINOSITY** means the measurement of brightness.

**MARQUEE** means a permanent structure that projects over a public place, usually an entrance, and is permanently attached to and supported by a building.

**MULTI-TENANT SIGN** means any type of sign that may contain sign content that advertises more than one tenant and/or business.

**MURAL SIGN** means any picture, scene, graphic or diagram displayed on the exterior wall of a building for the primary purpose of decoration or artistic expression and not created to solely display a commercial message or depiction.

**OFF-PREMISES SIGN** means any type of sign that may contain sign content that advertises or otherwise identifies a service, product or activity conducted, sold or offered at a location other than the premises on which the sign is located.

**OFF-PREMISES SIGN CONTENT** means sign content which advertises or otherwise identifies a service, product or activity conducted, sold or offered at a location other than the premises on which the sign is located.

**ON-PREMISES SIGN CONTENT** means sign content which advertises a service, product or activity conducted, sold or offered on the property that the sign is located.

**OVERHANGING** means that which projects over any part of any street, lane or other municipally owned property.

**PARAPET** means the extension of a false front wall above a roof line.

**POLITICAL POSTER SIGN** means a temporary sign announcing or supporting candidates or issues in any election or plebiscite.

**PORTABLE SIGN** means a sign that is not permanently affixed to a building, structure, or the ground.

**PROJECTING SIGN** means a sign other than a canopy sign or fascia sign which is attached to and projects, more than 0.3 m (1 ft) horizontally from a structure or building face.

**REAL ESTATE SIGN** means a sign advertising real estate (i.e. property) that is for sale, for lease, or for rent or for real estate that has been sold.

**RESIDENCY IDENTIFICATION SIGN** means a sign located on a lot in a residential district that provides for the name and/or address of the owner or occupant of a dwelling.

**ROTATING SIGN** means a sign or portion of a sign which moves in a revolving manner. See below section 8 for applicable sign type: e.g. freestanding sign, temporary sign, etc.

**ROOF SIGN** means any sign erected upon, against, or directly above a roof or on top of or above the parapet of a building.

**SHINGLE SIGN** means a small sign which is suspended from a mounting attached directly to the building wall. Shingle signs are generally placed perpendicular to the face of a building and are typically found in pedestrian oriented environments such as a downtown and/or historic district. See Projecting Signs.

**SIGN** means a lettered board or other public display intended for the advertising or calling attention to any person, business, matter, object or event.

**SIGN ALTERATION** means the structural and/or projection style modification of a sign but does not include the routine maintenance, painting or change in face, content, copy or lettering.

**SIGN AREA** means the entire area within a single continuous perimeter enclosing the extreme limits of a sign and in no case passing through or between any adjacent elements of same. However, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display.

**SIGN CONTENT** means the wording/lettering, message, graphics or content displayed on a sign.

**SIGN CONTENT AREA** means the entire area within a single straight line geometric figure or a combination of squares or rectangles that will enclose the extreme limits of the advertising message or announcement including decorations related to the specific nature of the advertising message or announcement.

**SIGN HEIGHT** means the vertical distance measured from the highest point of the sign or sign structure to the finished grade.

**SIGN ILLUMINATION** means the lighting or exposure of a sign to artificial lighting either by lights on or in the sign or directed toward the sign.

**SIGN PROJECTION STYLE** means the method by which the sign content is conveyed to the viewer (e.g. lettering/logo, animation, changeable content, movement/motion).

**SIGN TYPE** means the type of structure of a sign (e.g. billboard, freestanding, temporary, etc.) used to convey sign content.

**TEMPORARY SIGN** means any sign permitted, designed or intended to be displayed for a short period of time (not to exceed 60 days), including portable signs, balloon signs, developer marketing signs, land use classification signs, construction signs, political poster signs, window signs, banner signs, A-board signs or any other sign that is not permanently attached to a building, structure or the ground.

**WINDOW SIGN** means a sign painted on, attached to or installed on a window intended to be viewed from outside the premises.

## **SECTION 2      PROHIBITED SIGNS**

- 2.1 Signs which employ revolving, flashing or intermittent lights, or lights resembling emergency services, traffic signals, railway crossing signals, hazard warning devices or other similar lighting but does not include changeable content, sign projection styles or animation.
- 2.2 Signs which emit amplified sounds or music.
- 2.3 In any residential district, signs that employ animation or changeable content as the projection style are prohibited.
- 2.4 In any non-residential district, signs that employ changeable content, animation or pictorial scenes at a luminosity, intensity and/or interval which may create a public hazard or nuisance are prohibited.
- 2.5 Any signs located within the public right-of-way or on public property, except for signs approved by the Town of Coalhurst, which may include: canopy signs, projecting signs and temporary signs or signs approved by the Province of Alberta or Federal Government.

- 2.6 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.
- 2.7 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).

### **SECTION 3 GENERAL STANDARDS AND REGULATIONS FOR ALL SIGNS**

- 3.1 Unless otherwise specified, a Development Permit application is required for all signs.
- 3.2 The Development Officer may refer any Development Permit application for a sign to the Municipal Subdivision and Development Authority for a decision.
- 3.3 All signs shall be compatible with the general character of the surrounding streetscape and the architecture of nearby buildings.
- 3.4 All signs shall be of quality construction and of a design suitable for public display.
- 3.5 All signs shall be maintained in good repair and a safe and tidy manner.
- 3.6 No sign shall be placed in a public road or laneway or sited in such a manner that the sign causes confusion with or obstructs the vision of any information sign or a traffic control sign, signal, light or other traffic device.
- 3.7 No sign shall be located or placed in such a manner that it will create a potential hazard or conflict with rights-of-way, easements or the routing of any public utility, and will not create a traffic hazard or obstruct the public's view of any other signage.
- 3.8 The size, location, illumination and materials of all signs and outdoor advertising structures and features shall not detract from the design of existing and proposed buildings and structures and the surrounding properties.
- 3.9 Any sign which creates a traffic or a pedestrian hazard either due to its design or location shall not be permitted.
- 3.10 A sign shall be located entirely within the subject lot unless prior written approval granting permission for the sign to overhang another property is submitted to the Town by the affected property owner.
- 3.11 A sign shall not be erected on any property unless permission is granted in writing from the registered property owner.
- 3.12 Sign alterations (e.g. change in size, shape, type, illumination, sign projection style, etc.) shall not be made without first obtaining the required permits or written authorization.

- 3.13 Any signs that rotate, employ animation or changeable content require approval of the Municipal Subdivision and Development Authority.
- 3.14 In all cases, the required distance from overhead power and service lines, as set forth in the Electrical Protection Act, shall be maintained.
- 3.15 A sign shall not be attached to a public bench, light standard, utility pole or any other publicly owned structure or building without prior written authorization from the Development Authority.
- 3.16 The source of light for all sign illumination shall be steady and suitably shielded.
- 3.17 Subsequent to approval from the Development Authority, signs may be permitted to locate within the setback requirement of a Land Use District if it does not interfere with visibility at an intersection and complies with other requirements of this sign schedule.
- 3.18 The following rules apply to all types of signs on municipal property:
- (a) No signs shall be located on, erected on, or attached to municipal property, buildings or structures unless permission is granted in writing from the Town.
  - (b) If permission is granted for a sign to be located on, erected on, or attached to municipal property, buildings or structures, the sign type shall comply with all applicable sign regulations contained within this Land Use Bylaw.
  - (c) Any sign located on, erected on, or attached to municipal property without authorization from the Town, may be removed without notice.
- 3.19 Any abandoned sign shall be removed at the property owner's expense. If abandoned signs are not removed the Town may remove the sign.
- 3.20 Non-compliance with any regulation of this Bylaw may result in the Town removing a sign without notice and any cost associated with its removal may be charged to the sign owner. A sign recovery charge of \$200 will be required prior to the return of the sign to the owner.
- 3.21 Any signs removed by the Town may be held for 30 days after removal at the owner's risk. Should the signs not be claimed by the owner after 30 days from the date of removal, the signs will be disposed of at the discretion of the Town.
- 3.22 The Town shall not be held liable for any injury, loss or damage suffered by any person or corporate body which is caused by any sign located in the Town whether or not the sign is in accordance with the requirements of this Bylaw.

#### **SECTION 4 SIGNS NOT REQUIRING A PERMIT**

*The following signs do not require a sign permit, but shall otherwise comply with this Bylaw and be suitably maintained to the satisfaction of the Development Authority.*

- 4.1 Construction signs which do not exceed 3.0 m<sup>2</sup> (32.39 ft<sup>2</sup>) in area provided such signs are removed within 14 days of the completion of construction;
- 4.2 Banner signs which are displayed for a period of time not exceeding 30 days;
- 4.3 Signs, notices, placards, or bulletins required to be displayed:
  - (a) in accordance with the provisions of federal, provincial, or municipal legislation;
  - (b) by or on behalf of the federal, provincial, or municipal government;
  - (c) on behalf of a department, a commission, a board, a committee, or an official of the federal, provincial, or municipal government.
- 4.4 Any traffic or directional and informational signage erected by the Town, Province of Alberta or Federal government;
- 4.5 Municipal signs for municipal purposes (e.g. traffic or directional information signage, community service bulletin board signs, etc.).
- 4.6 Residency identification signs which state no more than the name and/or address of the person(s) occupying the lot, provided the sign is no greater than 0.4 m<sup>2</sup> (4 ft<sup>2</sup>) in area;
- 4.7 Vehicle signs except as prohibited in Section 3 (Prohibited Signs) above;
- 4.8 Entrance or exit signs used for the purpose of directing traffic providing:
  - (a) those signs that do not display any advertising message, other than a business logo,
  - (b) the sign area does not exceed 1.0 m<sup>2</sup> (10.7 sq. ft) in area, and
  - (c) the sign height does not exceed 1.2 m (3.9 ft.).
- 4.9 A-board signs where the owner of the sign submits written authorization from the owner of the land where the sign is to be located and where the sign is removed from that location on a daily basis;
- 4.10 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;
- 4.11 Freestanding signs for community / neighbourhood / subdivision identification purposes where all relevant details and design drawings have been submitted, evaluated and approved as part of a subdivision application process;
- 4.12 All signs for public buildings except for freestanding signs, and any signs that contain movement/motion (i.e. rotate, etc.), or employ animation or changeable content, which shall require the approval of the Municipal Subdivision and Development Authority;
- 4.13 Real estate signs, provided all such signage is removed within 30 days after the sale or lease of the premises upon which the sign is located;



- 4.14 Real estate open house A-board signs provided they are removed within 24 hours of the open house;
- 4.15 On-premises directional and informational signage and incidental signs 0.4 m<sup>2</sup> (4 ft<sup>2</sup>) or less in area;
- 4.16 Any window sign painted on, attached to or installed on a window provided that no more than 50% of the subject window area is covered;
- 4.17 Political poster signs provided all such signage is removed within 5 days after the closing of the polling stations for the relevant election or plebiscite and comply with the following requirements:
- (a) Signs cannot emit sound, use video features or be illuminated;
  - (b) Signs shall be maintained in a condition that is neat and shall not be unsightly or dangerous;
  - (c) Signs shall not interfere with the safe and orderly movement of pedestrians or vehicles, or restrict the sight lines for pedestrians or motorists;
  - (d) Signs shall not exceed 1.5 m<sup>2</sup> (16 ft<sup>2</sup>) in area, 1.2 m (3.9 ft.) in height, and be self supporting;
  - (e) Signs shall not be posted for more than 60 days; and
  - (f) Signs shall be a minimum of 3.0 m (9.8 ft.) from any road access and a minimum of 5.0 m (16.4 ft.) from any intersection.

## **SECTION 5 SIGN PERMIT APPLICATION REQUIREMENTS**

- 5.1 A development permit for a sign shall be made to the Development Authority by an applicant, a landowner, or someone that has been authorized by the landowner (i.e. agent) to submit a development permit application, on a completed application form.
- 5.2 An application for a development permit to erect, place, alter or relocate a sign shall also be accompanied by:
- (a) the name and address of:
    - the sign manufacturer or company, and
    - the lawful sign owner;
  - (b) a letter of authorization from the affected registered property and/or building owner (if the applicant is not the landowner).
- 5.3 The Development Authority may require any additional information deemed necessary to evaluate a Development Permit application for a sign, but generally, an application for a permit to erect, place, alter or relocate a sign shall be made to the Development Authority and shall be accompanied by photographs and/or drawings, to an appropriate scale, showing where applicable:
- (a) the location of all existing and proposed sign(s);

- (b) the size, height, and area of the proposed sign(s), including any supporting structures;
- (c) details with respect to the sign content (i.e. wording/lettering, text, message, graphics, etc.);
- (d) the colour and design scheme;
- (e) materials specifications;
- (f) location of the property boundaries of the parcel upon which the proposed sign(s) is to be located;
- (g) utility rights-of-way, access easements and any other related encumbrances;
- (h) location of existing building(s) on the site;
- (i) the type of illumination, animation and/or changeable content, if any, and details with respect to the proposed luminosity intensity and/or interval;
- (j) If a sign is to be attached to a building, the details regarding the extent of the projection.

**SECTION 6 PROJECTION STYLES AND ILLUMINATION**

**Projection Styles**

6.1 The content of any sign type (e.g. temporary, freestanding, billboard, etc.) may be projected using one or a combination of more than one of the following projection styles.

(a) Lettering/Logo: means the sign content contains simple wording, lettering, logo or graphics that are not animated, moving or cannot be changed automatically.



(b) Animation: means the sign content or a portion of the sign content contains action or motion, including lighting changes, special effects or pictures, but does not mean changeable content.



(c) Changeable content: means the sign content or a portion of the sign content changes automatically through electronic and/or mechanical means.



Mechanical changeable content



Electronic/digital changeable

(d) Movement/motion: means the sign, sign content or a portion of the sign conveys its message to the public through the movement or motion of its mechanical parts. Typical signs using this projection style include rotating signs.



- 6.2 Any change in projection style requires the submission of a new development permit application.

### **Illumination**

- 6.3 Any sign may be considered illuminated if it is lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign. Illuminated signs may be regulated by the Land Use Bylaw.

## **SECTION 7 SIGN TYPES**

### **Temporary Signs**

- 7.1 All temporary signs require a development permit except those signs exempted in Section 4.
- 7.2 A Development Permit for a temporary sign will be valid for a period of no longer than 60 days.
- 7.3 Once the permit has expired for a temporary sign at a location address, re-application for another temporary sign on the same site shall not occur until 30 days has elapsed from the expiration of the previously approved permit or 30 days from the date at which the temporary sign is removed, whichever is the later of the two dates.
- 7.4 No temporary signs shall be suspended on or between support columns of any permanent sign such as a freestanding sign or billboard sign, notwithstanding any other sign that may be considered as permanent by the Development Authority.
- 7.5 No posters or signs shall be placed on any public utility such as a power pole.
- 7.6 No posters or signs shall be placed on municipal, provincial or federal signage.
- 7.7 Temporary signs shall not be projected using animation, digital or electronic changeable copy.
- 7.8 The Development Authority must only approve the location of the temporary sign on the premises after having given due consideration for the location of power supply, sight lines visibility, parking pattern on the site and/or any other site specific development constraints that the Development Authority considers relevant.
- 7.9 All temporary signs shall be located within the property lines of the location address shown on the development permit application.
- 7.10 At the discretion of the Municipal Subdivision and Development Authority temporary signs may contain off-premises sign content as defined in Section 1.
- 7.11 The Development Authority may require the posting of a security with the Town to ensure compliance with any and all conditions of approval and the removal of the sign on or before the date of expiry of the permit.

- 7.12 Temporary signs shall not be allowed in any residential land use district unless placed on Town boulevards and permission has been obtained from the Development Authority.
- 7.13 No temporary sign (including electrical cords) shall be placed on or extend over or project into any municipal property or beyond the boundaries of the private lot or premises upon which it is sited without the written authorization of the Development Authority.
- 7.14 The copy area of a temporary sign shall not exceed 3.7 m<sup>2</sup> (40 ft<sup>2</sup>).

**Canopy Signs**

- 7.15 All canopy signs require a development permit except those signs exempted in Section 4.
- 7.16 No part of a canopy sign shall project more than 1.2 m (4 ft) over a public sidewalk or within 1 m (3.3 ft) of a curb adjoining a public roadway.
- 7.17 A canopy sign shall be mounted no less than 2.4 m (8 ft) above grade.
- 7.18 A canopy sign or any physical supports for the sign shall not extend beyond the lateral or vertical dimensions of the canopy or its apron.
- 7.19 Approval of any canopy signage overhanging public land under the sign regulations is conditional upon the owners and/or occupiers of the premises upon which said sign is located entering into an encroachment and hold harmless agreement with the Town of Coalhurst. The agreement may be registered on title.

**Window Signs**

- 7.20 In any residential district, a maximum of one window sign per lot not to exceed 0.7 m<sup>2</sup> (8 ft<sup>2</sup>) in area may be permitted.
- 7.21 In all other districts, a window sign painted on, attached to or installed on a window may cover no more than 50% of the subject window area.

**Freestanding Signs**



Examples of freestanding signs

- 7.22 All freestanding signs require a development permit except those signs exempted in section 4.

- 7.23 Development Permits for freestanding signs in all residential, public service and urban reserve districts shall require the approval of the Development Authority.
- 7.24 No more than one freestanding sign per business frontage may be erected.
- 7.25 Freestanding signs shall have a minimum separation distance of 30.0 m (98 ft.) for those signs located on the same side of a roadway.
- 7.26 Freestanding signs shall not contain off-premises sign content.
- 7.27 No temporary signs shall be suspended on or between support columns of any freestanding sign.
- 7.28 In residential districts freestanding signs shall not be permitted except for the following purposes:
  - (a) community / neighbourhood / subdivision identification purposes;
  - (b) approved multi-unit residential development projects; and
  - (c) institutional projects and/or uses.
  - (d) The maximum height of a freestanding sign shall be 6.1 m (20 ft).

**Fascia Signs**



Examples of fascia signs

- 7.29 All fascia signs require a development permit except those signs exempted in section 5.
- 7.30 The total maximum sign area permitted for fascia signs is 20% of the area formed by each building face or bay.
- 7.31 A fascia sign shall not project more than 0.3 m (1 ft) from the face of a building.
- 7.32 Whenever there is a band of several fascia signs, they should be of a consistent size and located near the same level as other similar signage on the premises and adjacent buildings.
- 7.33 A fascia sign shall not be located above any portion of a street, or project over public property, unless the fascia sign maintains a minimum clearance from grade of 2.4 m (8 ft) and the maximum projection shall be no greater than 0.3 m.

## Mural Signs

- 7.34 All mural signs require a development permit except those signs exempted in section 4.
- 7.35 No more than one mural sign shall be allowed per building unless specifically authorized by the Municipal Subdivision and Development Authority.
- 7.36 The location, theme, construction materials and size associated with the mural shall be to the satisfaction of the Development Authority.
- 7.37 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.
- 7.38 The Development Authority may require that the mural content be reflective of the Town's history and/or heritage.
- 7.39 Display of text, including a business name or commercial message, within a mural shall not exceed 10% coverage of the wall surface area, up to a maximum coverage size of 100 ft<sup>2</sup>.

## Projecting Signs



Examples of projecting signs

- 7.40 All projecting signs require a development permit except those signs exempted in section 4.
- 7.41 Projecting signs are prohibited in all land use districts except Commercial – C and Business Industrial – BI.
- 7.42 Projecting signs shall be placed:
- (a) at right angles to the building face to which they will be attached, or
  - (b) in the case of corner sites, placed at equal angles to the building faces that form the corner.
- 7.43 Projecting signs shall have a minimum vertical clearance of 2.4 m (8 ft) measured between the lower sign edge and grade.
- 7.44 A projecting sign shall not project more than 0.9 m (3 ft) from the surface of the building to which it is attached.

- 7.45 The maximum allowable height for a projecting sign, measured from the top of the sign to grade, shall not exceed the lesser of:
- (a) The height of the eave line or roof line;
  - (b) 6.0 m (20 ft); or
  - (b) to the satisfaction of the Development Authority.
- 7.46 One projecting sign per business area may be allowed provided the maximum sign area does not exceed 5.0 m<sup>2</sup> (54 ft<sup>2</sup>) in area.

**Billboard Signs**

- 7.47 Billboards are not permitted in the Town of Coalhurst.

**Roof Signs**

- 7.48 Roof signs are not permitted in the Town of Coalhurst.

**Other Signs**

- 7.49 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.

Schedule 7

**DEFINITIONS**

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## DEFINITIONS

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In this bylaw, word importing the singular number of the masculine gender may include the plural number of the masculine gender, the singular number or plural number of the feminine gender, or may also refer to corporate bodies, and the context requires.

### A

**ACCESSORY BUILDING** means any structure that is physically separate from the principal building on the lot on which both are located and which is subordinate and incidental to that of the principal building. The use is subordinate and incidental to that of the principal use of the site on which it is located and examples of a typical accessory building is a private garage or shed. No accessory building shall be used for human habitation.

**ACCESSORY STRUCTURE** means a building that is detached from the principal building. It is ancillary, incidental, and subordinate to the principal building or use. Typical accessory structures include flagpoles, swimming pools, and storage tanks. When a structure is attached to the principal building by a roof, a floor, a wall, or a foundation, either above or below grade, it is considered part of the principal building. No accessory structure shall be used for human habitation.

**ACCESSORY USE** means a use or development customarily incidental and subordinate to the principal use or building and is located on the same parcel as such principal use or building. A principal use must be legally established or approved before an accessory use can be approved.

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

**ADDITION** means construction that increases the footprint of an existing building or structure on the parcel of land. Typically there will be a common connection from the existing building to the addition that includes a foundation of some type beneath the addition.

**ADJACENT LAND OR ADJACENT** means land that is contiguous to a parcel of land proposed for development, subdivision or redesignation and includes land that would be contiguous if not for a road, railway, walkway, watercourse, water body, utility lot, right-of-way, reserve land or other similar feature.

**ADULT ESTABLISHMENT** means commercial establishments in which a significant portion of the business is to:

- (a) display, sell, have in their possession for sale, offer for view, publish, disseminate, give, lease, or otherwise deal in any written or printed matter, pictures, films, sound recordings, machines, mechanical devices, models, facsimiles, or other material and paraphernalia depicting sexual conduct or nudity and which exclude minors by reason of age; and/or
- (b) which display for viewing any film or pictures depicting sexual conduct or nudity and which exclude minors by reason of age; and/or

- (c) in which any person appears or performs in a manner depicting sexual conduct or involving nudity and from which minors are excluded by reason of age.

**AGRICULTURAL BUILDING** means a structure associated with and generally essential to an agricultural operation. Such structures or facilities may include, but are not limited to the following: machine sheds, storage sheds, granaries, grain bins, silos, animal housing and/or feeding facilities, repair shops, corrals, pens, and other ancillary farm structures.

**ALTER or ALTERATION** means any structural change to a building that results in an increase or decrease in the area or the volume of the building; any change in the area frontage, depth, or width of a lot that affects the required yard, landscaped open space, or parking requirements of this Bylaw; structural change to a sign; and to discontinue or change the principal use of the site or building with a use defined as being distinct from the discontinued use.

**AMENITY AREA** means an area(s) within the boundaries of a development intended for recreational purposes. These may include landscaped areas, patios, balconies, swimming pools, beaches, and other similar items that are intended for public use.

**AMMONIA STORAGE** means a building and/or containment facility used for the safe storage of ammonia and ammonia products normally associated with use for agricultural purposes.

**AMUSEMENT FACILITY** means development for amusement pastimes, and may incorporate eating facilities as an accessory use. Such uses may include but are not limited to, amusement arcades, billiard parlours, bingo halls, bowling alleys and indoor mini-golf.

**ANIMAL CARE SERVICE, LARGE** means any establishment maintained and operated by a licensed veterinarian for the on-site or off-site treatment of animals. The development may also be used for on-site boarding, breeding or training of animals and livestock. The facility may also include outside buildings and pens associated with the service and the supplementary sale of associated animal care products. Typically, this use will include veterinary offices or hospitals, animal shelters, and facilities for impounding and quarantining animals.

**ANIMAL CARE SERVICE, SMALL** means development for the on-site treatment and/or grooming of small animals such as household pets, where on-site accommodation may be provided and where all care and confinement facilities are enclosed within one particular building. This use may also include the supplementary sale of associated animal products. Typically, this use will include pet grooming salons, pet clinics and veterinary offices.

**APARTMENT BUILDING** means a structure with several self-contained dwelling units (see definition of dwelling unit), each of which occupies a portion of the same building. Such a building will typically consist of 5 or more apartments for rent include an area for tenant and visitor parking and have a common entrance.

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

**AREA REDEVELOPMENT PLAN** means a statutory plan, prepared in accordance with Sections 634 and 635 of the MGA for the purpose of all or any of the following:

- (a) preserving or improving land and buildings in the area;
- (b) rehabilitating buildings in the area;
- (c) removing buildings from the area;
- (d) constructing or replacing buildings in the area;
- (e) establishing, improving or relocating public roadways, public utilities or other services in the area;
- (f) any other development in the area.

**AREA STRUCTURE PLAN** means a statutory plan prepared for the purpose of providing a framework for subsequent subdivision and development of an area of land (MGA, Section 633) and that may be adopted by a Council by bylaw.

**AUTO BODY AND PAINT SHOP** means a building where motor vehicles are repaired and also where motor vehicle bodies and parts, and other metal machines, components, or objects may be painted. Painting of this type shall not be done outdoors, but must be set up in a properly ventilated building. This use may also include an outdoor storage area and an office component. See also **SANDBLASTING FACILITIES**.

**AUTO SALES AND SERVICE** means the retail sale, lease, or rental of new or used automobiles and/or recreational vehicles and/or a facility for the repair and servicing of automobiles and/or recreational vehicles, including but not limited to, mufflers, oil changes, transmissions, engine replacement, glass repair, auto detailing. Such facilities do not include the sale of gas but may include towing services as an accessory use.

**AUCTIONEERING FACILITY** means any facility where animals or goods are regularly bought, sold, or traded to the highest bidder. The facility may also include holding pens and viewing areas, transport facilities, spectator seating, and administrative offices. This definition does not apply to individual sales of animals or goods by private owners.

**AUTO WRECKAGE AND SALVAGE YARD** means a facility or operation specifically intended for the dismantling of automotive vehicles and the sale of those parts to the general public. Such a facility may include an administrative office, work areas, and outdoor storage. The parcel of land on which the facility exists must be completely fenced according to Town standards.

**AVIARY** means a place for keeping birds confined for the purpose of raising, exhibiting or selling.

## **B**

**BALCONY** means a platform, attached to and projecting from the face of a principal building with or without a supporting structure above the first storey, normally surrounded by a baluster railing and used as an outdoor porch or sundeck with access only from within the building.

**BASEMENT** means the portion of a building or structure, which is partially or wholly below grade and having its floor below grade by a distance greater than one-half the distance from floor to ceiling.

**BED AND BREAKFAST** means an accessory use carried out in an owner-occupied dwelling where temporary accommodation is provided to non-residents of the dwelling for remuneration, and where meals, if provided for guests, are prepared in the common kitchen of the principal residence.

**BERM** means a barrier, typically constructed of mounded earth, used to separate incompatible areas, uses, or functions, or to protect a site or development from noise.

**BOARDING OR LODGING HOUSE** means a private dwelling in which lodgers rent room(s) for one night or even more extended periods of weeks or months. The common parts of the house, such as bathroom(s), kitchen, and living areas, are maintained by the private owner. Meals, laundry or cleaning may be provided as part of the lodging agreement.

**BUFFER** means open spaces, landscaped areas, fences, walls, hedges, trees, shrubs, berms or other similar features used to physically and/or visually separate incompatible uses, areas, functions, sites, buildings, roadways, districts, etc.

**BUILDING** has the meaning defined in the Act and includes anything constructed or placed on, in, over or under land, but does not include a highway or road or a bridge that forms part of a highway or road.

**BUILDING AND TRADE CONTRACTORS** means a facility 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.

**BUILDING ENVELOPE** means the space created on a lot or parcel within which a building may be constructed once the setback requirements for a specific zoning district have been considered.

**BUILDING GRADE** (as applied to the determination of building height) means the average level of finished ground adjoining the main front wall of a building (not including an attached garage), except that localized depressions such as for vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.

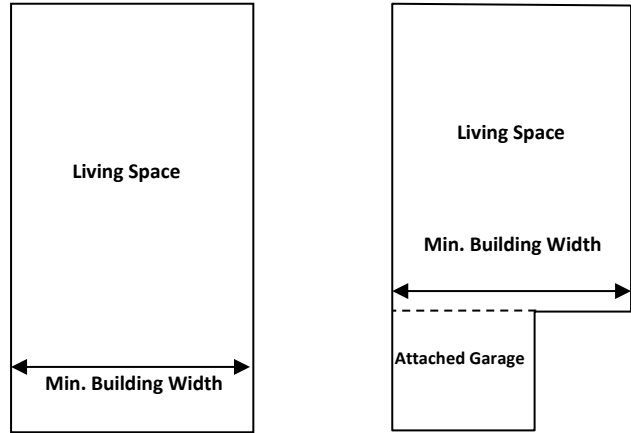
**BUILDING HEIGHT** means the vertical distance between grade and the highest point of a building excluding a roof stairway entrance, an elevator housing, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, a fire wall or a parapet wall and a flagpole or similar device not structurally essential to the building.

**BUILDING INSPECTOR** means the person or persons appointed by Alberta Labour to be the chief building inspector or building inspectors in and for the Town of Coalhurst.

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

**BUILDING SETBACK** means the shortest distance between the exterior foundation wall of the building and the nearest lot line. Depending on the zoning district, the minimum setback will vary.

**BUILDING WIDTH, MINIMUM** means the minimum horizontal distance of the building's living space measured parallel to the shortest exterior wall of the building and perpendicular to the longest exterior wall of the building and excludes porches, decks, patios, balconies, carports, garages, unheated storage space, porte-cochere and other similar architectural features.



**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.

**BULK FUEL STATION** means a use of land or buildings for storing and distributing petroleum products in bulk quantities. This use includes supplementary tanker vehicle storage and card lock or key lock fuel distribution facilities.

**BUSINESS** means a commercial, merchandising, or industrial activity or undertaking, a profession, trade, occupation, calling or employment or an activity providing goods or services, whether or not for profit and however organized or formed, including a cooperative or association of persons.

**BUSINESS SUPPORT SERVICE** means an establishment primarily engaged in providing services for other business establishments such as advertising, copying, equipment, financial services, employment services, and other similar services.

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

## C

**CAMPGROUND** means a use of land or buildings intended for seasonal occupancy by holiday or tent trailers, recreation vehicles, tents and similar equipment and which may include supplementary bathroom and recreational facilities, eating shelters, convenience retail, laundry facilities and dwelling accommodations for the operator.

**CANNABIS** means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time and includes edible products that contain cannabis.

**CANNABIS ACCESSORY** means cannabis accessory as defined in the *Cannabis Act* (Canada) and its regulations, as amended from time to time.

**CAR WASH** means the use of a structure or area providing for the cleaning of motor vehicles but does not include SERVICE STATIONS/GAS BARS.

**CARD LOCK** means a facility for the wholesale or retail sale of oil and gas products by means of a prearranged and managed account card. Such a facility may include an office and retail establishment for the sale of convenience items.

**CARPORT** means a roofed, partially enclosed structure intended for the shelter of one or more motor vehicles.

**CEMETERY AND INTERNMENT SERVICES** means a development for the entombment of the deceased and may include such facilities as crematories, cinerarium, columbarium, mausoleums, memorial parks, burial grounds, cemeteries and gardens of remembrance.

**CERTIFICATE OF COMPLIANCE** means a document signed by the Development Authority, certifying that a development complies with this Bylaw with respect to yard requirements and insofar as represented on an Alberta Land Surveyors' Real Property Report.

**CHANGE OF USE** means the conversion of land or building, or portion thereof from one land use activity to another in accordance with the Permitted or Discretionary Uses as listed in each Land Use District.

**CHILD CARE FACILITY** means a building or portion thereof used for the provision of care, maintenance and supervision of seven or more children, by persons unrelated to the children by blood or marriage, for periods not exceeding 24 consecutive hours and includes all child-care centres, day cares, nurseries and after-school or baby-sitting programs which meet the conditions of this definition. Group homes and day homes are separate uses.

**CHURCH** means a building or facility whose primary purpose is to facilitate meetings of a group of people for public worship or religious services. Also see **RELIGIOUS ASSEMBLY**.

**CLUB OR FRATERNAL ORGANIZATION** means a development for the assembly of members of non-profit clubs or organizations, including charitable, social service, ethnic, athletic, business or fraternal organizations. This use may include eating, drinking, entertainment, sports, recreation and amusement facilities as accessory uses but "Campground" is a separate use.

**COMMERCIAL ESTABLISHMENT** means the use of land and/or building for the purpose of display, storage, and sale of goods and/or services to the general public. Any on-site manufacturing, processing or refining of goods shall be incidental to the sales operation. If outdoor storage or display is required for the operation, the parcel shall be completely fenced according to County standards.

**COMMERCIAL TRUCK WASH** means a commercial facility for cleaning the interior and exterior of commercial trucks. In the case of oilfield tanker trucks, washing the interior of the tank requires adherence to the Code of Practice for Tanker Truck Washing Facilities (EPEA). In the case of cattle transport trucks, washing facilities that deal with manure are regulated by the NRCB.

**COMMERCIAL VEHICLE** means a motor vehicle used in the operation of a commercial business or home occupation operation for the transport of goods and/or equipment incidental to the operation of the business. Typically the vehicle will have a commercial license plate and an identifiable logo design on it.

**COMMON WALL** means a vertical separation completely dividing a portion of a building from the remainder of the building and creating in effect a building which, from its roof to its lowest level, is

separate and complete unto itself for its intended purpose, such wall being owned by one party but jointly used by two (2) parties, one or both of whom is entitled to such use by prior arrangement.

**COMMUNITY ASSOCIATION BUILDING or COMMUNITY HALL** means a facility or building whose primary purpose is to accommodate use by community group(s). The structure may include such features as meeting rooms, kitchen, stage and open floor area, bar/liquor area, multi-purpose rooms, washrooms, coat room, storage room(s) and administrative offices. Exterior uses may include parking, playground areas, outdoor shelters, and sitting areas.

**CONCEPTUAL DESIGN SCHEME** means a detailed site layout plan for a parcel of land which typically addresses the same requirements of an Area Structure Plan but which is not adopted by bylaw which:

- (a) shows the location of any existing or proposed buildings; and
- (b) describes the potential effect and/or relationship of the proposed development on the surrounding area and the municipality as a whole; and
- (c) provides for access roads, water, sewer, power and other services to the satisfaction of the Development Authority.

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

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

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

**CONTRACTOR, LIMITED** means a development used for the provision of electrical, plumbing, heating, painting, catering and similar contractor services primarily to individual household and the accessory sales of goods normally associated with the contractor services where all material are kept within an enclosed building, and there are no accessory manufacture activities or fleet storage of more than four vehicles.

**CONVENIENCE STORE** means a retail store that sells a limited line of groceries and household goods for the convenience of the neighbourhood.

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



## D

**DAY HOME** means a private residence where care, development and supervision are provided for a maximum of six children between the ages of 0-12 years, by persons unrelated to the children by blood or marriage, including children under the age of 12 who reside in the home, for periods not exceeding 24 consecutive hours.

**DECK** means a paved, wooden, or other hard-surfaced area generally adjoining a principal building intended for outdoor living space that is 0.6 m (2 feet) or greater above grade.

**DEMOLITION** means the pulling down, tearing down or razing of a building or structure.

**DETACHED GARAGE** means an accessory building designed and use primarily for the storage of motor vehicles that is not attached or is separate from the principal building.

**DEVELOPER** means a person or an owner of land in accordance with the Statutes of the Province of Alberta who wishes to alter the title to the property and change the use of the property from its existing use.

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

- (a) an excavation or stockpile and the creation of either of them;
- (b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land;
- (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or
- (d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

**DEVELOPMENT AGREEMENT** means a contractual agreement completed between the municipality and an applicant for a development permit or subdivision approval which specifies the roadways, walkways, public utilities, and other services to be provided by the applicant as a condition of a development permit or subdivision approval, in accordance with the Act.

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

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

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

**DISCRETIONARY USE** means the use of land or building(s) provided for in the land use bylaw for which a development permit may be issued, following receipt by the Development Officer of a completed application with appropriate details and fees and a decision is made in accordance Section 30: Discretionary Use Application.

**DISTRICT** means a defined area of a municipality as set out in the land use district schedules of uses and indicated on the Land Use District Map.

**DRIVE-IN/DRIVE-THROUGH RESTAURANT** means an establishment where food is prepared and served on the premise for sale to the public and includes car attendant and/or drive-through, pick-up service.

**DWELLING** means a building or portion thereof designed for human habitation and which is intended to be used as a residence for one or more individuals but does not include travel trailers, motor homes, recreational vehicles, or other mobile living units, hotel, motel, dormitory, boarding house, or other similar accommodation. Dwelling includes the following:

**Apartment Building** means a structure with several self-contained dwelling units (see definition of dwelling unit), each of which occupies a portion of the same building. Such a building will typically consist of five or more apartments for rent including an area for tenant and visitor parking and have a common entrance.

**Single-unit dwelling** means a residential building containing only one dwelling unit which is to be constructed on site and is to be placed on a basement or permanent slab foundation.

**1-unit dwelling** means a residential building containing only one dwelling unit and may include single-unit, modular and ready-to-move homes.

**2 unit dwelling** means a residential building that contains two separate dwelling units connected either by a common floor/ceiling, or by a common wall (party wall) between units.

**3 unit dwelling** means a residential building comprised of three dwelling units, each unit having a separate, direct entrance from grade or a landscaped area. Each dwelling unit will be connected either by a common floor/ceiling, or by a common wall (party wall) between units.

**4 unit dwelling** means a residential building comprised of four dwelling units, each unit having a separate, direct entrance from grade or a landscaped area. Each dwelling unit will be connected either by a common floor/ceiling, or by a common wall (party wall) between units.

**Manufactured home** means a completely self-contained dwelling unit, designed and constructed entirely within a factory setting. Typically it is transported to a site in not more than one piece on its own chassis and wheel system or on a flatbed truck. For the purposes of this bylaw, a manufactured home does not include a “modular home” or “ready-to-move home”.

**Modular dwelling** – see MODULAR HOME A AND MODULAR HOME B.

**Moved-in dwelling** – see MOVED-IN DWELLING.

**Row dwelling** means development consisting of a building containing a row of three or more dwelling units each sharing a common wall extending from the first floor to the roof, at the side only with no

dwelling being placed over another in whole or in part. Each dwelling unit shall have separate, individual, and direct access to the building at grade.

**Ready-to-move (RTM)** means a dwelling unit that would normally be constructed on the site intended for occupancy, but for various reasons, is constructed at an off-site manufacturing facility, construction site, plant site or building yard. It is then loaded and transported as one unit onto the proper moving equipment and delivered to the site intended for occupancy and placed on a concrete slab or basement or other approved foundation.

## E

**EASEMENT** means a right held by one part in land owned by another.

**EATING ESTABLISHMENT** means an establishment where food is prepared and served on the premises for sale to the public and may include supplementary on or off-premises catering services. This term includes restaurants, cafes, lunch and tea rooms, ice cream parlours, banquet facilities, take-out restaurants and other uses similar in character and nature. Also see RESTURANT.

**EAVE** means the overhang or extension of a roof line beyond the vertical wall of a building.

**EDUCATIONAL FACILITY** means a place of instruction offering continuing education or specialized courses of study. Included in the category may be public, private, and commercial institutions.

**ENTERTAINMENT ESTABLISHMENT** means an establishment such as a theatre, auditorium, lounge or cabaret providing dramatic, musical or other entertainment indoors or outdoors and may include facilities for supplementary food and beverage consumption.

**EQUIPMENT SALES, RENTAL AND SERVICE** means the use of land or buildings for the retail sale, wholesale distribution, rental and/or service of: hand tools, small construction, farming, gardening and automotive equipment, small machinery parts and office machinery and equipment.

**EXCAVATION** means the process of altering the natural elevation of the ground by grading, cutting, stripping, filling or breaking of ground, but does not include common household gardening and ground care, excavation made for the building of basements, structures, landscaping, or parking for which a development permit has been issued, or extensive agriculture. Gravel pit, mineral extraction and any other similar extractive use are not classified as excavation and are a separate use.

**EXHIBITION GROUND** means an establishment at which an exhibit of animals, objects, or other things is featured for the purpose of display, amusement and entertainment, and which the public typically pays an admission fee.

**EXTENSIVE AGRICULTURE** means the production of crops or livestock or both by expansive cultivation or open grazing only. Barns, quonsets and other similar buildings associated with extensive agriculture are classified as agricultural buildings. This use does not include agricultural-related industry buildings or uses such as packaging plants, processing plants, agricultural support services or any other similar uses or structures.

## F

**FARMER'S MARKET** means the use of land or buildings where fresh farm or garden produce is sold in retail or wholesale setting and where goods are typically displayed in bulk bins or stalls for customer selection. This use includes vendors of fruit, vegetables, meat products, baked goods, dry goods, spices and non-food products such as handicrafts, provided that the sale of fresh food products remains the primary function.

**FARMSTEAD** means the accessory part of an agricultural parcel developed with dwellings, structures, shelter belts, dugouts, storage areas for farm equipment, produce and fertilizer, etc. necessary to the extensive cultivation and/or grazing use of the major portion of the land.

**FENCE** means a structure usually made of wood, rails, bricks or wire intended to mark parcel boundaries and provide yard privacy.

**FINANCIAL INSTITUTION** means a development or use primarily for providing the service of banking or lending money, such as a bank, savings and loan institution, or credit union.

**FITNESS FACILITY** means a development where space, equipment or instruction is provided for people to pursue physical fitness or skills relating to physical activities and may include the incidental sale of products relating to the service provided.

**FLOOD ELEVATION, 1:100 YEAR** means the water level reached during a 1:100 year flood as determined in accordance with the technical criteria established by Alberta Environment.

**FLOODRISK AREA** means the area of land bordering a water course or water body that would be inundated by 1:100 year flood (i.e. a flood that has a 1% chance of occurring every year) as determined by Alberta Environment in consultation with the Town and may include both flood fringe and floodway.

**FLOOR AREA** means the 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. Basement floor areas shall be included only where the building contains a basement suite.

**FLOOR AREA RATIO** means the net floor area divided by the gross lot area.

**FOUNDATION** means the supporting base structure of a building.

**FRONT YARD** means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal building.

**FUNERAL HOME** means a development used for the arrangement of funerals, the preparation of the deceased for burial or cremation, and the holding of funeral services.

## G

**GARAGE** means an accessory private building or part of the principal building, designed and used primarily for the storage of motor vehicles.

**GARDEN CENTRE OR GREENHOUSE** means a building specially designed and used for the commercial growing of vegetables, flowers or other plants for transplanting or sale. The use may include accessory retail uses on the premises.

**GARDEN SHED** means an accessory structure to store household and garden equipment and supplies that is not more than 100 ft<sup>2</sup> in size.

**GEOTECHNICAL REPORT** means a comprehensive site analysis and report prepared by a qualified and registered professional with The Association of Professional Engineers, Geologists, and Geophysicists of Alberta (APEGGA).

**GENERAL WAREHOUSING AND STORAGE** means a building used for the storage of goods and merchandise. The building may include administrative offices, loading areas, parking areas, storage rooms and the retail sale of goods stored in the warehouse. No outside storage is permitted with this use.

**GOLF COURSE** means an outdoor use/establishment of varying size where the land is developed primarily to accommodate the game of golf. Accessory uses include a pro shop, driving range and/or proactive facility, food service, and other commercial uses typically associated with a golf course clubhouse facility.

**GOVERNMENT SERVICES** means development providing municipal, provincial, or federal government services directly to the public or the community at large, and includes development required for the public protection of persons or property.

**GRADE, LANDSCAPED** (as applied to the determination of height of balconies, decks and architectural features and landscape structures) means the average level of finished landscaped ground under the four principal corners of the balcony, deck, architectural feature or landscape structure. For buildings see BUILDING GRADE.

**GRAIN ELEVATOR/SEED CLEANING** means a facility for the collection, grading, sorting, storage, and transshipment of grains. This definition also includes 'inland grain terminals'.

## H

**HOLIDAY TRAILER** – see RECREATIONAL VEHICLE

**HOME OCCUPATION** means an occupation, trade, profession or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the lot, and which does not change the character thereof or have any exterior evidence of such secondary use.

**HORTICULTURE** means the commercial production and sales, on or off site, of specialty crops grown by high-yield and high-density techniques. Examples include greenhouses, nurseries, hydroponic operations, market gardens and tree farms but exclude mushroom growing.

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

**HOSTEL** means a facility operated to provide temporary (not exceeding 30 days) paid accommodation in a dormitory-style setting with communal kitchen and sanitary facilities and may include recreational facilities or services but no additional services such as room service.

**HOTEL** means the use of a building for sleeping accommodations provided for a fee on a daily basis, accessible only through a central lobby with onsite parking; the building may also contain accessory commercial, and food and beverage service uses.

## I

**INSTITUTIONAL** means a use by or for an organization or society for public or social purposes and, without restricting the generality of the term, includes senior citizen housing, nursing homes, day care centres, places of worship, museums, libraries, schools, service and fraternal organizations, and government buildings.

**INTERIOR LOT** means any lot other than a corner lot.

## K

**KENNEL** means a facility where dogs or cats or other domestic pets are maintained, boarded, bred, trained or cared for or kept for the purposes of sale but excludes an Animal Care Service.

## L

**LANDOWNER** – see REGISTERED OWNER

**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.

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

**LIGHT FABRICATION SHOPS** means the assembly of metal parts, including blacksmith and welding shops, sheet metal shops, machine shops, and boiler shops, that produce metal duct work, tanks, towers, cabinets and enclosures, metal doors and gates, and similar products (APA dictionary).

**LIGHT INDUSTRIAL/MANUFACTURING** means development used for manufacturing, fabricating, processing, assembly, production or packaging of goods or products, as well as administrative offices and warehousing and wholesale distribution uses which are accessory uses to the above, provided that the

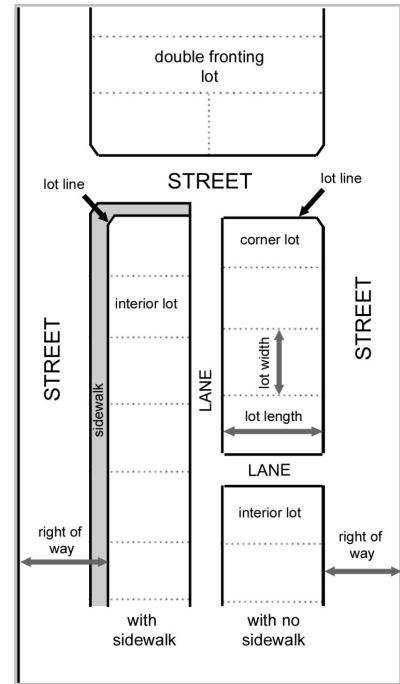
use does not generate any detrimental impact, potential health or safety hazard or any nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

**LIQUOR STORE** means a retail establishment licensed under provincial authority for the sale of any or all of beer, wine, or spirits for consumption off premises. Full walls must physically separate the premises from any other business.

**LOADING AREA** means a space designated for parking a commercial vehicle while being loaded or unloaded.

**LOT** in accordance with the Act, means:

- (a) a quarter section;
- (b) a river lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office;
- (c) a settlement lot shown on an official plan as defined in the Surveys Act, that is filed or lodged in a land titles office;
- (d) a part of a parcel where the boundaries of the parcel are separately described in the certificate of title other than by reference to a legal subdivision; or
- (e) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.
- (f) Where a certificate of title contains one or more lots described in a plan of subdivision that was registered in a land titles office before July 1, 1950, lot means parcel.



**LOT, AREA** means the total area of a lot.

**LOT, CORNER** means a lot located at the intersection of two or more streets. See figure.

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

**LOT, DOUBLE FRONTING** means a lot which abuts two parallel or approximately parallel streets. See figure.

**LOT FRONTAGE** means the front lot line or that side of a lot abutting a public roadway, but does not include any side abutting a lane, unless said lane is the only means of physical access to a lot.

**LOT, INTERIOR** means a lot situated between two lots or another lot and a lane and having access to not more than one street. See figure.

**LOT, LENGTH** means the horizontal distance between the front and the rear lot lines measure along the median between the side lot lines. See figure.

**LOT, LINE** means a legally defined boundary of any lot. The term property line and boundary line have the corresponding meaning. See figure.

**LOT, VACANT** means a lot with no existing development.

**LOT, WIDTH** means the horizontal distance between the side lot lines measured at a point 6.1 m (20 ft) from the front property line. See figure.

**LUMBER YARD** means a commercial operation where lumber, building materials and supplies, and other building-related goods are stored, displayed and sold.

## M

**MACHINERY AND EQUIPMENT SALES, RENTAL, AND SERVICE** means a commercial operation where the land and buildings are used for the sale, service and rental of machinery, vehicles and heavy machinery used in the operation, construction or maintenance of buildings, roadways, pipelines, oil fields, mining or forestry operations, and in freight hauling operations. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use. Such a facility may include an administrative office, ancillary structures, outdoor work areas, parking, and outdoor storage areas.

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

**MANUFACTURED HOME** see DWELLING, MANUFACTURED HOME

**MANUFACTURED HOME SALES AND SERVICE** means a commercial operation where the land and buildings are used in the sale, rental and storage of new and used manufactured homes. Such an operation may include an administrative office, outdoor work and storage areas, parking, supplementary maintenance services and the sale of parts and accessories.

**MANUFACTURED HOUSING COMMUNITY** means a comprehensively planned residential development intended for the placement of manufactured homes on sites or pads. Such a community may also include amenity areas or facilities for the use of the community's residents.

**MANUFACTURING AND FABRICATION OPERATION** means a commercial operation where the land and buildings are used for the manufacture or fabrication of products or parts, and also the retail sale of such products or parts to the general public. Such a facility may include an administrative office, ancillary structures, outdoor work areas, parking, and outdoor storage areas.

**MARKET GARDEN** means the growing of vegetables or fruit for commercial purposes. This use includes an area for the display and sale of goods or produce grown or raised on site.

**MEDICAL/HEALTH FACILITY** means a facility for the provision of human health services without overnight accommodation for patients and may include associated office space. Typical uses include physiotherapy, registered massage therapy, doctor, dentist, optometrist, and chiropractic offices.

**MINI STORAGE** means the use of land with compartmentalized buildings or a designated site set up for the storage of equipment, household or business materials, or vehicles, but excludes storage of hazardous



goods or materials. Accessory to this use is the exterior screened storage of recreational vehicles, boats, trailers and similar items.

**MIXED USE BUILDING** means a building used partly for residential and partly for commercial use.

**MIXED USE DEVELOPMENT** means a parcel of land or building or structures developed for two or more different uses that may include uses such as residential, office, manufacturing, retail, public or entertainment.

**MOBILE HOME** - see MANUFACTURED HOME

**MODULAR HOME A** means a dwelling unit built at an off-site manufacturing facility in conformance with CSA standards designed in two or more modules or sections. The dwelling is transported by transport trailer in sections and delivered to the site where it is assembled and placed on a concrete basement.

**MODULAR HOME B** means a dwelling unit built at an off-site manufacturing facility in conformance with CSA standards designed in two or more modules or sections. The dwelling is transported by transport trailer in sections and delivered to the site where it is assembled and placed on approved foundation other than a concrete basement.

**MOTEL** means a building or group of buildings on a site designed and operated to provide temporary accommodation for transient motorists and contains separate sleeping units, each of which is provided with an adjoining conveniently located parking stall. The building may also include accessory eating and drinking establishments and personal service shops.

**MOVED-IN BUILDING** means a previously used or existing, established and working building, which is removed from a site, and then transported and re-established on another site.

**MOVED-IN DWELLING** means a previously existing, established and occupied dwelling, which is removed from one site and then transported and re-established on another site. For the purposes of this bylaw, a moved-in building does not include a “manufactured home”, “modular home”, “ready-to-move home”, motor home, travel trailer, recreation vehicle and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

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

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

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

**MUNICIPAL SUBDIVISION AND DEVELOPMENT AUTHORITY (MSDA)** means the committee authorized by Council to act as the Subdivision Authority pursuant to section 623 of the Municipal Government Act and

Development Authority pursuant to section 624 of the Municipal Government Act, and in accordance with the Municipal Subdivision and Development Authority Bylaw.

**MUSEUM** means a building or site used for the preservation, collection, restoration, display and/or demonstration of articles of historical significance and may include archival records of a geographic area or of a time period.

## N

**NON-COMPLIANCE** means a development constructed, or use undertaken after the adoption of the current Land Use Bylaw and does not comply with the current Land Use Bylaw.

**NON-CONFORMING BUILDING** means a building:

- (a) that is lawfully constructed or lawfully under construction at the date of a land use bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and
- (b) that on the date the land use bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use bylaw.

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

- (a) being made of land or a building or intended to be made of a building lawfully under construction, at the date of a land use bylaw or any amendment thereof affecting the land or building becomes effective; and
- (b) that on the date the land use bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction, will not comply with the land use bylaw.

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

**NOXIOUS OR HAZARDOUS USES** are those land uses which may be detrimental to public health, safety and welfare because of toxic gases, noxious smells, wastes, noise, dust or smoke emissions which are incompatible with residential or other development.

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

## O

**OCCUPANCY PERMIT** means a permit issued by the municipality that authorizes the right to occupy or use a building or structure for its intended use.

**OFFICE** means development primarily for the provision of professional, management, administrative, consulting, or financial services in an office setting. Typical uses include but are not limited to the offices of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial

agencies. This excludes government services, the servicing and repair of goods, the sale of goods to the customer on the site, and the manufacturing or handling of a product.

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

**OFF-STREET LOADING SPACE** means an open area, not exceeding 9.1 m (30 ft) in width, located in the rear yard space, designed expressly for the parking of haulage vehicles while loading or unloading.

**OFF-STREET PARKING** means a lot or portion thereof, excluding a public roadway which is used or intended to be used as a parking area for motor vehicles.

**OFF-STREET PARKING SPACE** means an off-street area available for the parking of one motor vehicle. Every off-street parking space shall be accessible from a street, lane or other public roadway.

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

**OUTDOOR STORAGE** means the use of land with or without attendant buildings for the open, outdoor storage of equipment, materials or vehicles, or processed or unprocessed resources or materials. For the purposes of this bylaw, this definition is limited to those uses that require minimal on-site improvements, service and public amenities or facilities and does not include those goods or materials which are hazardous.

## P

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

**PARK MODEL TRAILER** means a recreational vehicle that is either;

- (a) built on a single chassis mounted on wheels designed for infrequent towing by a heavy-duty tow vehicle but is restricted in size and weight so that it does not require a special highway movement permit and conforms to the CSA-Z-240 standard for recreational vehicles; or
- (b) a recreational vehicle intended for temporary residence or seasonal use built on a single chassis mounted on wheels, which may be removed and returned to the factory, requiring a special tow vehicle and highway permit to move on the road and conforms to the CSA Z-241 standard for recreational vehicles.

**PARKS AND PLAYGROUNDS** means land developed for public recreational activities that do not require major buildings or facilities, and includes picnic areas, playgrounds, pedestrian and bicycle paths, landscaped areas and associated public washrooms. This may include public open space, which is not in private ownership and is open to use by the public.

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

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

**PATIO** means an outdoor area of a lot developed and used for leisure and/or recreation purposes.

**PAWNSHOP** means any business that engages, in whole or in part, in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of personal property, or the purchase or sale of personal property.

**PAYDAY LENDER** means a person who offers, arranges or provides a payday loan to a borrower.

**PAYDAY LOAN** means a use where the advancement of money with a principal of \$1,500 or less and term of 62 days or less is made in exchange for a post-dated cheque, a pre-authorized debit or a future payment of a similar nature, but not for any guarantee, suretyship, overdraft protection or security on property, and not through a margin loan, pawnbroking, a line of credit or a credit card.

**PAYDAY LOAN BUSINESS** means the activity of offering, arranging or providing payday loans by a payday lender as defined in the Alberta Payday Loan Regulation.

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

**PERSONAL SERVICES** means uses that provide personal services to an individual that are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include but are not limited to barber shops, beauty salons, hairdressers, manicurists, aestheticians, fitness facility, tailors, dress makers, shoe repair shops, dry cleaning establishments, and laundries but does not include health services.

**PLAN OF SUBDIVISION** means a plan of survey prepared in accordance with the relevant provisions of the Land Titles Act for the purpose of effecting subdivision.

**PORCH** means a 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.

**PRINCIPAL BUILDING** means a building which:

- (a) occupies the major or central portion of a lot;
- (b) is the chief or main building on a lot; or
- (c) constitutes, by reason of its use, the primary purpose for which the lot is used.

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

**PRIVACY WALL AND/OR SCREEN** means a structure that provides a screen or visual barrier between a window of a habitable room or an outdoor area on a lot and an adjoining lot.

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

**PROVINCIAL LAND USE POLICIES** means policies established by order of the Lieutenant Governor pursuant to section 622 of the Act.

**PUBLIC OR PRIVATE UTILITY** means any one or more of the following:

- (a) systems for the distribution of gas, whether artificial or natural;
- (b) facilities for the storage, transmission, treatment, distribution or supply of water;
- (c) facilities for the collection, treatment, movement or disposal of sanitary sewage;
- (d) storm sewage drainage facilities;
- (e) telecommunications systems;
- (f) systems for the distribution of artificial light or electric power;
- (g) facilities used for the storage of telephone, cable, remote weather stations or internet infrastructure;
- (h) any other things prescribed by the Lieutenant Governor in Council by regulation.

**PUBLIC ROADWAY** means a right-of-way maintained by the Town and is open to the public for the purpose of vehicular traffic.

**PUBLIC OPEN SPACE** means land, which is not in private ownership and is open to use by the public.

## Q

**QUONSET** means a structure made from metal having a semicircular roof and/or cross section and end walls.

## R

**RAILWAY AND RAILWAY RELATED USES** means a railway line and any use connected with the direct operation or maintenance of a railway system and also includes any loading or unloading facilities, but excludes feed mills/grain elevators or bulk oil depots which are separate uses.

**REAL PROPERTY REPORT (RPR)** means a legal document that illustrates in detail the location of all relevant, visible public and private improvements relative to property boundaries prepared by a registered Alberta Land Surveyor.

**REAR YARD** – see YARD, REAR

**RECREATION, PRIVATE** means sports or recreational or retreat activities, use, facilities including associated eating and retail areas, provided by commercial for-profit and non-profit businesses where the public is admitted for a fee or where admission is limited to members of an organization or limited group. Such uses include, but are not limited to, gymnasiums, athletic/sport fields, shooting ranges, paint-ball, go-cart tracks, golf courses and ranges, outdoor mini-golf, recreation centres, indoor/outdoor ice rinks, campgrounds retreats and country clubs.

**RECREATION, PUBLIC** means sports or recreational or retreat activities, uses or facilities, including associated eating and retail areas, for public use which are public-owned or operated (i.e. municipal, provincial, or federal including local boards, agencies or commissions of the Town). Such uses include, but are not limited to, gymnasiums, athletic/sports fields shooting ranges, paint-ball, go-cart tracks, golf courses and ranges, outdoor mini-golf, recreation centres indoor/outdoor ice rinks, campground, retreats, and country clubs.

**RECREATIONAL VEHICLE / HOLIDAY TRAILER** means a transportable living unit, designed to be moved on its own wheels or by other means (including units permanently mounted on trucks), designed or constructed to be used for sleeping or living purposes on a short-term, temporary basis. Such living units are subject to highway safety standards rather than housing standards. Typical units include, but are not limited to motor homes, a campers, holiday trailers, travel trailers, fifth wheel trailers, tent trailers and **PARK MODEL** trailers. These units are not permitted as either temporary or permanent **DWELLINGS**.

**RECREATIONAL VEHICLE STORAGE** – see **OUTDOOR STORAGE**

**REGISTERED OWNER** means:

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

**RELIGIOUS ASSEMBLY** means a use or development used for public meetings, worship and related religious or social activities, and includes accessory rectories, manses, meeting rooms and classrooms. Typical uses would include community or civic halls/clubs, churches, chapels, temples, mosques, synagogues, parish halls and convents.

**RESTAURANT** means a commercial development where food and beverages are prepared and served. The development may include supplementary alcoholic beverage service and catering services. This term will include restaurants, cafes, diners, lunch and tea rooms, ice cream parlors, banquet facilities, take-out restaurants and such other uses as the Municipal Planning Commission considers similar in character and nature to any one of these uses.

**RETAIL** means a commercial premise where goods, merchandise, substances, articles, and other materials, are offered for sale to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store's operations. Typical uses include but are not limited to grocery, bakery, hardware, pharmaceutical, appliance, clothing, and sporting goods stores. These uses exclude warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or retail stores requiring outdoor storage. Minor government services, such as postal services, are permitted within general retail stores.

**RETAIL CANNABIS STORE** means the use of a store, premises or a building for a commercial retail cannabis business, licensed by the Province of Alberta, where legal non-medical cannabis and cannabis accessories are sold to individuals who attend at the premises and the product sales or associated sales are expressly authorized by the Alberta Gaming and Liquor Commission (AGLC).

**RIGHT-OF-WAY** means an area of land not on a lot that is dedicated for public or private use to accommodate a transportation system and necessary public utility infrastructure (including but not limited to water lines, sewer lines, power lines, and gas lines.)

**ROAD** – see PUBLIC ROADWAY

**RODEO GROUNDS** means an agricultural-recreation oriented facility where livestock, animal husbandry and exhibitions of the speed, breeding and management are exhibited and showcased. Typically the site will also include the associated facilities such as an arena, chutes and corrals, stables, concession booths, grandstands and parking to carry out such purpose. The facility may be managed by civic, private or non-profit organizations.

## S

**SAFETY CODES** means a code, regulations, standard, or body of rules regulating things such as building, electrical systems, elevating devices, gas systems, plumbing or private sewage disposal systems, pressure equipment, fire protection systems and equipment, barrier free design and access in accordance with the *Safety Codes Act*, RSA 2000, Chapter S-1, as amended.

**SALES AND/OR RENTALS** means the sale or rental of various goods including but not limited to vehicles, construction equipment, farm equipment or machinery, or recreational vehicles.

**SANDBLASTING FACILITIES** means a business where the major source of activity involves the large scale sandblasting of agricultural, industrial or other equipment/items. Sandblasting facilities may also include welding and painting facilities on-site.

**SATELLITE DISH** means a structure designed specifically to receive television signals.

**SCHOOL RESERVE** – see MUNICIPAL/SCHOOL RESERVE

**SCREENING** means a fence, wall, berm or hedge used to visually separate areas or functions that detract from the street or neighbouring land uses.

**SECONDARY FRONT YARD** – see YARD, SECONDARY FRONT

**SECONDARY SUITE** means a facility containing cooking facilities, food preparation area, sleeping and sanitary facilities, which is physically separate from those of the principal dwelling within the structure. A secondary suite shall also have an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the side or rear of the structure.

**SENIOR CITIZENS HOUSING** means a dwelling unit or accommodation sponsored and administered by any public agency or any non-profit organization, either of which obtains its financial assistance from Federal, Provincial, or Municipal Governments or agencies or public subscriptions or donation or any combinations thereof. Senior citizen accommodation may include lounge, dining, health care, and recreation facilities.

**SERVICE STATION** means any lot or building used for the retail sale of motor accessories, gasoline or other fuels and the supply of washing, greasing, cleaning and minor repair services for motor vehicles.

**SETBACK** means the minimum distance required between a property line of a lot and the nearest part of any building, structure, development, excavation or use on the lot and is measured at a right angle to the lot line. See figure below.

**SHIPPING CONTAINER** means any container that is or was used for transport of goods by means of rail, truck or by sea. These are generally referred to as a C-Container, sea cargo container, sea can or cargo container. Such containers are typically rectangular in shape and are generally made of metal. For the purposes of this bylaw, when such a container is used for any purpose other than transporting freight, it will be considered as a structure, must conform to these regulations and may require a permit.

**SIDE YARD – see YARD, SIDE**

**SIGN** means any object, structure, fixture, placard, device and components, or portion thereof, which is used to advertise, identify, communicate, display, direct or attract attention to an object, matter, thing, person, institution, organization, business, product, service, event or location by any means. Refer to Schedule 6 for sign definitions.

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

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

**SITE PLAN** means a plan drawn to scale illustrating the proposed and existing development prepared in accordance with the requirements of this bylaw.

**SOLAR ENERGY SYSTEM, INDIVIDUAL – GROUND MOUNTED** means a photovoltaic system using solar panels to collect solar energy from the sun and convert it to electrical, mechanical, thermal or chemical energy that is ground-mounted using a self-supporting racking or supporting system that may or may not be connected to the interconnected electrical system for on-site use or selling into the market.



**SOLAR ENERGY SYSTEM, INDIVIDUAL – ROOF OR WALL MOUNTED** means a photovoltaic system using solar panels to collect solar energy from the sun and convert it to electrical, mechanical, thermal or chemical energy that is primarily intended for the sole use and consumption on-site by the landowner, resident or occupant attached to the roof or wall of a dwelling or accessory building.

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

**STOREY** means the space between the top of any floor and the top of the next floor above it and if there is no floor above it, the portion between the top of the floor and the ceiling above it, but does not include a basement.

**STREET** means a thoroughfare which is used or intended to be used for passage or travel of motor vehicles and includes the sidewalks and land on each side of and contiguous to the prepared surface of the thoroughfare. It does not include lanes.

**STRUCTURE** means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, fences, billboards and poster panels.

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

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

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

**SUCH AS** means includes but is not limited to.

**SURVEILLANCE SUITE** means a dwelling unit or sleeping unit, not exceeding 46.5 m<sup>2</sup> (500 ft<sup>2</sup>) in size, that is developed in conjunction with a principal use so that the dwelling is a supplementary use to the principal use, and which is used solely to accommodate a person or persons, whose function is to provide surveillance, maintenance and/or security.

## T

**TELECOMMUNICATION ANTENNA** means a structure and any associated system, including all masts, towers and other antenna supporting structures that is used for the transmission, emission or reception of television, radio or telecommunications.

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

**TOURIST HOME** means a dwelling unit that is managed, advertised and leased by an individual or professional property manager, who uses a system of reservations, deposits and confirmations, collects G.S.T., and accepts credit cards. The accommodation unit is not leased for more than 28 days at a time.

**TOURIST INFORMATION** means a development intended to provide information to the travelling public and may include washroom and picnic facilities and accessory retail sales.

**TOWN** means the Town of Coalhurst.

**TRANSLUCENT** means allowing light to pass through but diffusing it so that persons, objects, etc. on the opposite side are not clearly visible.

**TRANSPORTATION/DELIVERY SERVICE** means development involving the use of one or more vehicles to transport people, mail, currency, documents, packages and articles for compensation such as a mobile catering service, the rental or lease of vans and trucks, taxi service, limousine or bus service and may include limited storage and repair of the vehicles used. This use does not include towing operations.

**TRAVEL TRAILER** see “Recreational vehicle”.

**TRUCK STOP** means a building, premise or land in which or upon which a business, service or industry involving in the maintenance, servicing, storage or report of commercial vehicles is conducted or rendered including the dispensing of fuel products, the sale of accessories and/or equipment for trucks and similar commercial vehicles. A truck stop may also include convenience stores and restaurant facilities, and may include overnight accommodation facilities solely for the use of truck crews.

**TRUCK TRANSPORTATION DISPATCH/DEPOT** means a facility for the purpose of storing and/or dispatching trucks, buses, fleet vehicles, and transport vehicles and may include towing operations. The use may also involve the transfer of goods primarily involving the loading and unloading of freight-carrying trucks.

**TRUCK WASH** means a commercial vehicle washing facility associated with large vehicles such as tractor trailers.

## U

**USE** means the purposes for which land or a building is arranged or intended, or for which either land, a building or a structure is, or may be, occupied and maintained.

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

- (a) systems for the distribution of gas, whether artificial or natural;
- (b) facilities for the storage, transmission, treatment, distribution or supply of water or electricity;
- (c) facilities for the collection, treatment, movement or disposal of sanitary sewage;
- (d) storm water drainage facilities;
- (e) any other things prescribed by the Lieutenant Governor in Council by regulation;

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

## V

**VARIANCE** – see **WAIVER**

**VETERINARY CLINIC** – see **ANIMAL CARE SERVICE**

## W

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

**WAREHOUSE** means a facility for the storage of goods, materials or equipment for use by a company.

**WASTE MANAGEMENT SITES** means a development for the commercial receiving of spent materials, provided that no detrimental effects or nuisances are generated beyond the parcel upon which it is situated. This use includes a dry waste site, a hazardous waste management facility and a waste sorting station. This use does not include a **RECYCLING FACILITY**.

**WASTE MANAGEMENT TRANSFER STATION** means a facility for the collection and temporary holding of solid waste in a transferable storage container.

**WASTEWATER TREATMENT PLANT** has the same meaning as referred to in the Subdivision and Development Regulation and as in the Environmental Protection and Enhancement Act. This definition also includes a wastewater treatment stabilization plant.

**WATER TREATMENT PLANT** means a facility that treats raw water so that it is safe for human consumption and then distributes it for human use.

**WIND ENERGY CONVERSION SYSTEM, INDIVIDUAL** means a winder energy conversion system consisting of a single system, either mounted on a roof or placed on a self-supporting structure, with the capacity to generate electricity primarily for the property owner's use on the site it is located by may support power to the grid.

**WORK CAMP** means a parcel used for the temporary accommodation of construction workers. The site will typically include on-site buildings, trailers or other acceptable means of accommodation used to house and feed the workers and/or store project construction materials and/or provide office space for contractors and sub-contractors.

# Y

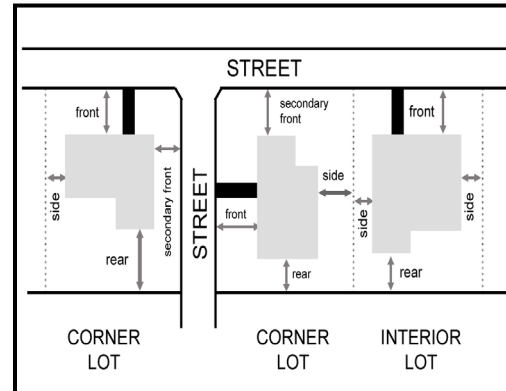
**YARD** means the area between a lot line and the nearest part of any building, structure, development, excavation or use on the lot. See figure.

**YARD, FRONT** means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal buildings. See figure.

**YARD, REAR** means a yard extending across the full width of a lot and situated between the rear lot lines and the nearest portion of the principal building. See figure.

**YARD, SECONDARY FRONT** means a yard on a corner lot with street frontage but which is not the frontage where the main entrance to the building or development is oriented or is the yard which is designated the secondary front by the Development Authority. See figure.

**YARD, SIDE** means a yard extending from the front yard to the rear yard and situated between the side lot lines and the nearest portion of the principal building. See figure.



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



**Schedule 8**

**TELECOMMUNICATION ANTENNA  
SITING PROTOCOL**

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# TELECOMMUNICATION ANTENNA SITING PROTOCOL

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The intent of this schedule is to guide the telecommunications industry and amateur radio operators through the process of tower siting within the municipality. This guide was developed in accordance with Industry Canada siting protocols.

## SECTION 1 MUNICIPAL APPROVAL

- 1.1 Proposals for freestanding telecommunication antennas shall not be required to obtain a development permit but shall be required to make a submission to the Municipal Planning Commission including:
  - (a) the information as listed in section 2, and
  - (b) complete the notification and public consultation process found in section 3.
- 1.2 Concurrence with the proponent's project will be measured against the requirements of each district's requirements and criteria listed below. If all requirements are met the Town of Coalhurst will provide concurrence in the form of a written letter to the proponent.
- 1.3 The following are excluded from submitting information for review:
  - (a) An antenna mounted on a building that projects less than 2 metres in height above the top of the building.
  - (b) Commercial or Business Industrial designated lands which are a minimum of 150m from residential designated lands or lands designated for public purpose.

## SECTION 2 INFORMATION REQUIREMENTS

### Co-utilization (Co-location)

- 2.1 All proponents for freestanding antenna structures will be requested to identify any other such structures within a radius of 500 metres of the proposed location and to provide documentary evidence that co-utilization of the existing or new structure is not a viable alternative to a second structure.

### Appearance

- 2.2 All proponents for antenna structures which are visible from residential areas may be requested to employ innovative design measures to mitigate the visual impact of these structures. The proponent shall provide stealth structure options when requested by the Municipality. Stealth structure options will be based on an evaluation of the massing, form, colour, material, and other decorative elements, that will blend the appearance of the facility into and with the surrounding lands.

### **Lighting and signage**

- 2.3 Lighting in addition to that which is required by applicable federal agencies shall be avoided. Security lighting may be considered provided it meets the requirements of the applicable land use district.
- 2.4 Only signage that is required by applicable federal agencies is permitted. No advertising signage shall be permitted.

### **SECTION 3 NOTIFICATION AND PUBLIC CONSULTATION PROCESS**

- 3.1 At the expense of the applicant, the Municipality will notify all land owners within a distance of 500 metres of the proposed structure.
- 3.2 With each notification, the proponent will be responsible to submit a letter providing notification of the location of the tower, physical details of the tower, the time and location of the public meeting, and a contact name and phone number of someone employed by the proponent who can answer questions regarding the proposal. The notifications should be sent 25 days prior to the public meeting.
- 3.3 The proponent shall be prepared to hold an open house regarding their development proposal and should proactively explain all aspects of the siting, technology and appearance of the proposed structure.
- 3.4 From the public meeting, the proponent will be responsible to provide the Municipal Subdivision and Development Authority with a copy of the agenda and the minutes indicating the topics discussed, additional concerns raised with resolutions, and any outstanding issues that the proponent and/or landowners could not resolve.
- 3.5 Where the public process has raised unresolved concerns about public health and related effects of wireless communication technology, the Town of Coalhurst will request a ruling by Industry Canada prior to the issuance of a letter of concurrence.





**APPENDIX A**

**Forms**

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## FORM A: RESIDENTIAL DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 354-12

OFFICE USE			
Application No:	Roll No:	Use: <input type="checkbox"/> Permitted <input type="checkbox"/> Discretionary <input type="checkbox"/> Waiver <input type="checkbox"/> Prohibited	
Application Received:	Application Fee:	Land Use District:	Site Inspection Date:
Application Deemed:		Expiry of 40-Day Decision Timeframe:	Deadline for Missing Documentation:
Date Incomplete:	Date Complete:		
Date Reviewed by D.O.:	MSDA Meeting Date:	Date of Decision:	Effective Date:

### PREFERRED METHOD OF DELIVERY (SELECT ONE)

- Email:** I wish to receive all official written documentation for my application by email.
- Letter Mail:** I wish to receive all official written documentation for my application by letter mail.
- In-person Pickup:** I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

### APPLICANT INFORMATION

**Applicant's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**Registered Landowner's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the proposed development if not the registered owner:

- Agent     Contractor     Tenant     Other: \_\_\_\_\_

### PROPERTY INFORMATION

Municipal Address: \_\_\_\_\_

Legal Description: Plan \_\_\_\_\_ Block \_\_\_\_\_ Lot(s)/Unit \_\_\_\_\_

Parcel Size: \_\_\_\_\_  m<sup>2</sup>  sq. ft.    Land Use District: \_\_\_\_\_

Existing use/development on the property: \_\_\_\_\_

\_\_\_\_\_

**DEVELOPMENT INFORMATION**

**This application is to:** (Check all that apply)

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Construct a new dwelling:  | <input type="checkbox"/> Alter/renovate the existing building: | <input type="checkbox"/> Construct a new accessory structure: |
| <input type="checkbox"/> Single-unit dwelling       | <input type="checkbox"/> Addition (incl. attached garage)      | <input type="checkbox"/> Detached garage/shop                 |
| <input type="checkbox"/> Duplex/multi-unit dwelling | <input type="checkbox"/> Deck(s)                               | <input type="checkbox"/> Shed/greenhouse/gazebo/pool          |
| <input type="checkbox"/> Manufactured home/RTM      | <input type="checkbox"/> Roof-mounted Solar                    | <input type="checkbox"/> Fence exceeding max. height          |
| <input type="checkbox"/> Moved-in dwelling          | <input type="checkbox"/> Other _____                           | <input type="checkbox"/> Other _____                          |
| <input type="checkbox"/> Secondary suite            |  |   |

**Describe the proposed use, any changes from existing use, and any work to be done.**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**BUILDING DETAILS**

Size/Dimensions	Principal Building or Addition	Accessory Building/ Structure	Office Use
Building Size	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> sq. ft	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> sq. ft	
Height of Building (grade to peak)	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Attached Garage Size	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> sq. ft	N/A	
<b>Proposed Setbacks from Property Lines</b>			
Front	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Rear	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Parcel Type:	<input type="checkbox"/> Interior Lot <input type="checkbox"/> Corner Lot		

**SECONDARY SUITE DETAILS**

Is a secondary suite being requested?     No     Yes

Will the secondary suite be located in:     An Existing Home     A New Construction

Is there currently a secondary suite located on the property?     No     Yes

Will the secondary suite contain a separate entrance on the exterior of the home?     No     Yes

If yes, please indicate the location of the separate entrance: \_\_\_\_\_

**PROJECT DETAILS**

Cost of Development: \_\_\_\_\_ Start Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_

Proposed Fencing and Height: \_\_\_\_\_

Proposed Landscaping: \_\_\_\_\_

Off-street Parking Spaces (number and size, not including garage): \_\_\_\_\_

**WAIVERS**

Is a waiver (variance) to one or more standards in the Land Use Bylaw being requested?     No     Yes

If yes, please specify: \_\_\_\_\_

**ABANDONED WELL INFORMATION**

The applicant acknowledges that there are no abandoned wells within the limits of the Town of Coalhurst and as such there are no abandoned wells in the proposed project area pertaining to this Development Permit application.

**Applicant's Initials:** \_\_\_\_\_

**DECLARATION OF APPLICANT**

I/We have read and understand the terms noted below and hereby apply for a Development Permit to carry out the development described within this application including any attached plans, and supplementary forms and documents. The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. **I/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

I also consent to an authorized person designated by the municipality to enter upon the subject land and building(s) for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).*

Date: \_\_\_\_\_                      **Applicant's Signature:** \_\_\_\_\_

**Registered Owner's Signature:** \_\_\_\_\_  
(Required, if different from applicant)

1. The Development Authority may deem a Development Permit application incomplete if any of the application requirements are incomplete or the quality of the information is deemed inadequate to properly evaluate the application.
2. Plans, drawings, and any additional documentation deemed to be required to enable adequate consideration of the application, must be submitted with this application.
3. Although the Development Officer is in a position to advise applicants of the process and requirements of the development application, such advice must not be taken as official consent, and is without prejudice to the decision in connection with the formal application.
4. Any development started before the issuance of a Development Permit and expiration of the appeal period is at the applicant's own risk and subject to a fine as per the Town of Coalhurst's *Zero Tolerance For Starting Development Without The Benefit Of A Development Permit Policy*.
5. If a decision is not made within 40 days from the date the application is deemed complete, or within such longer period as the applicant may approve in writing, the applicant may deem the application to be refused. The applicant may exercise his/her right of appeal as though s/he had been mailed a refusal at the end of the 40-day period.
6. A Development Permit does not constitute a building permit or approval from any provincial or federal department. Construction undertaken subsequent to approval of this Development Permit application may be regulated by the Alberta Safety Codes. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approval and inspections as may be required by the appropriate provincial body. The applicant is responsible for determining and obtaining any other applicable provincial and federal approvals prior to commencement.



**CHECKLIST: DEVELOPMENT PERMIT APPLICATION**

**Dwelling(s) – single unit, duplex, multi-unit, moved-in, manufactured, secondary suite**

- Completed *Form A: Residential Development Permit Application*
- Building plans:
- Scale and dimensions of exterior walls and interior rooms
  - Floor plan of all living space proposed to be developed
  - Building elevations (colour and finish) including front, sides, and rear elevations, building height (from finished grade), roofing material, and roof pitch
- Site plan:
- Legal description and municipal address of subject property
  - Scale and north arrow
  - Adjacent roadways and lanes
  - Lot dimensions, lot area, and percentage of lot coverage and floor area ratio for all structures
  - Proposed residence and/or any other buildings with dimensions of foundation and projections including decks
  - The proposed distances from the front, side, and rear property lines
  - Location of lot access, existing sidewalk(s), and curbs
  - Location of fire hydrants, street light, power/telephone, cable pedestal(s) – *if located within property frontage*
  - Location of any registered utility right-of-ways or easements
  - Number of off-street parking spaces
- Computer generated grading/drainage plan
- Architectural controls signed off (where applicable)
- Building, Electrical, Gas, and Plumbing Permit applications
- Application fee (determined at time of application)
- Waiver request (where applicable – include a written explanation for the request)
- Additional supporting documentation (where applicable – moved-in dwelling requires recent colour photographs of the exterior and interior of the building)





**CHECKLIST: DEVELOPMENT PERMIT APPLICATION**

**Residential additions, decks, garages, sheds, accessory structures, solar**

- Completed *Form A: Residential Development Permit Application*
- Building plans (where applicable):
- Scale and dimensions of exterior walls and interior rooms
  - Floor plan of the proposed space to be developed
  - Building elevations (colour and finish) including front, sides, and rear elevations, building height (from finished grade), roofing material, and roof pitch
  - Decks: structural cross-section including foundation (pile depths and dimensions, size and thickness of column pad footings, guardrails)
- Site plan:
- Legal description and municipal address of subject property
  - Scale and north arrow
  - Adjacent roadways and lanes, location of lot access
  - Lot dimensions, lot area, and percentage of lot coverage and floor area ratio for all structures
  - Proposed structure(s) and existing structures on the property with dimensions of foundation and projections including decks
  - The proposed distances from the front, side, and rear property lines
  - Location of any registered utility right-of-ways or easements on the property
- Computer generated grading/drainage plan (required for additions and garages/ accessory buildings over 500 sq. ft.)
- Architectural controls signed off (where applicable)
- Building, Electrical, Gas, and Plumbing Permit applications (where applicable)
- Application fee (determined at time of application)
- Waiver request (where applicable – include a written explanation for the request)
- Additional supporting documentation (where applicable – solar panel and racking schematics)





## FORM B: NON-RESIDENTIAL DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 354-12

OFFICE USE			
Application No:	Roll No:	Use: <input type="checkbox"/> Permitted <input type="checkbox"/> Discretionary <input type="checkbox"/> Waiver <input type="checkbox"/> Prohibited	
Application Received:	Application Fee:	Land Use District:	Site Inspection Date:
Application Deemed:		Expiry of 40-Day Decision Timeframe:	Deadline for Missing Documentation:
Date Incomplete:	Date Complete:		
Date Reviewed by D.O.:	MSDA Meeting Date:	Date of Decision:	Effective Date:

### PREFERRED METHOD OF DELIVERY (SELECT ONE)

- Email:** I wish to receive all official written documentation for my application by email.
- Letter Mail:** I wish to receive all official written documentation for my application by letter mail.
- In-person Pickup:** I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

### APPLICANT INFORMATION

**Applicant's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**Registered Landowner's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the proposed development if not the registered owner:

- Agent     Contractor     Tenant     Other: \_\_\_\_\_

### PROPERTY INFORMATION

Municipal Address: \_\_\_\_\_

Legal Description: Plan \_\_\_\_\_ Block \_\_\_\_\_ Lot(s)/Unit \_\_\_\_\_

Parcel Size: \_\_\_\_\_  m<sup>2</sup>  sq. ft.    Land Use District: \_\_\_\_\_

Existing use/development on the property: \_\_\_\_\_

\_\_\_\_\_

**DEVELOPMENT INFORMATION**

**This application is to:** (Check all that apply)

- Construct a new building for:     
  Alter an existing building:     
  Change in or Intensification of use  
      Commercial Use                     
      Addition  
      Industrial Use                        
      Interior Renovation  
      Institutional/Recreational Use     
      Mixed-use development

**Describe the proposed use, any changes from existing use, and any work to be done.**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**BUILDING DETAILS**

Size/Dimensions	Principal Building or Addition	Accessory Building/ Structure	Office Use
Building Size	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> sq. ft	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> sq. ft	
Height of Building (grade to peak)	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
<b>Proposed Setbacks from Property Lines</b>			
Front	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Rear	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	<input type="checkbox"/> m <input type="checkbox"/> ft	
Parcel Type:	<input type="checkbox"/> Interior Lot <input type="checkbox"/> Corner Lot		

Please indicate the water and sewer requirements for the proposed development (check all that may apply):

- Washroom/kitchen type facilities for staff     
  Processing/manufacturing process  
 Washroom/food service facilities for public     
  Food processing  
 Car/truck wash     
  Other: \_\_\_\_\_  
 No water/sewer services required

**SITE LAYOUT**

Is outdoor storage or a display area required or proposed?     No     Yes

Is a dedicated loading space/area proposed?     No     Yes

Is a drive-through component proposed which required a dedicated vehicle-stacking lane?     No     Yes

Off-street Parking Spaces (number and size): \_\_\_\_\_

Proposed Fencing and Height: \_\_\_\_\_

Proposed Landscaping: \_\_\_\_\_

**WAIVERS**

Is a waiver (variance) to one or more standards in the Land Use Bylaw being requested?     No     Yes

If yes, please specify: \_\_\_\_\_

**PROJECT DETAILS**

Construction Costs: \_\_\_\_\_ Start Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_

**ABANDONED WELL INFORMATION**

The applicant acknowledges that there are no abandoned wells within the limits of the Town of Coalhurst and as such there are no abandoned wells in the proposed project area pertaining to this Development Permit application.

**Applicant's Initials:** \_\_\_\_\_

**DECLARATION OF APPLICANT**

I/We have read and understand the terms noted below and hereby apply for a Development Permit to carry out the development described within this application including any attached plans, and supplementary forms and documents. The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. **I/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

I also consent to an authorized person designated by the municipality to enter upon the subject land and building(s) for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).*

Date: \_\_\_\_\_ **Applicant's Signature:** \_\_\_\_\_

**Registered Owner's Signature:** \_\_\_\_\_  
(Required, if different from applicant)

1. The Development Authority may deem a Development Permit application incomplete if any of the application requirements are incomplete or the quality of the information is deemed inadequate to properly evaluate the application.
2. Plans, drawings, and any additional documentation deemed to be required to enable adequate consideration of the application, must be submitted with this application.
3. Although the Development Officer is in a position to advise applicants of the process and requirements of the development application, such advice must not be taken as official consent, and is without prejudice to the decision in connection with the formal application.
4. Any development started before the issuance of a Development Permit and expiration of the appeal period is at the applicant's own risk and subject to a fine as per the Town of Coalhurst's *Zero Tolerance For Starting Development Without The Benefit Of A Development Permit Policy*.
5. If a decision is not made within 40 days from the date the application is deemed complete, or within such longer period as the applicant may approve in writing, the applicant may deem the application to be refused. The applicant may exercise his/her right of appeal as though s/he had been mailed a refusal at the end of the 40-day period.
6. A Development Permit does not constitute a building permit or approval from any provincial or federal department. Construction undertaken subsequent to approval of this Development Permit application may be regulated by the Alberta Safety Codes. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approval and inspections as may be required by the appropriate provincial body. The applicant is responsible for determining and obtaining any other applicable provincial and federal approvals prior to commencement.



## CHECKLIST: DEVELOPMENT PERMIT APPLICATION

### Non-residential Development (Commercial, Industrial, Institutional, Recreational)

- Completed *Form B: Non-residential Development Permit Application*
  
- Building plans:
  - Scale and dimensions of exterior walls and interior rooms
  - Floor plan of all interior space proposed to be developed
  - Building elevations (all sides), colour and finish, building height (from finished grade), roofing material, and roof pitch (if applicable)
  
- Professionally prepared plans (all to include legal description and municipal address of subject property, scale and north arrow, adjacent roadways and lanes):
  - Site plan:
    - Lot dimensions, lot area, and percentage of lot coverage and floor area ratio for all structures
    - Proposed and existing buildings with dimensions of foundation and projections, include location(s) of proposed outdoor storage
    - The proposed distances from the front, side, and rear property lines
    - Location of fire hydrants, street light, power/telephone, cable pedestal(s) – *if located within property*
    - Location of any registered utility right-of-ways or easements
  - Grading/drainage plan
  - Landscaping plan (include labeling of all vegetation (trees, shrubs, ground cover), hardscaping (paving, rocks, etc.), fencing, garbage/recycling, irrigation)
  - Parking and traffic circulation plan (include lot access, existing sidewalk(s), curbs, emergency/fire access information, swept path analysis, bike parking)
  - Lighting plan
  
- Building, Electrical, Gas, and Plumbing Permit applications
  
- Application fee (determined at time of application)
  
- Waiver request (where applicable – include a written explanation for the request)
  
- Additional supporting documentation (where applicable – outline of the proposed development, government approvals, public participation process, etc.)





## FORM C: HOME OCCUPATION DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 354-12

OFFICE USE			
Application No:	Roll No:	Use: <input type="checkbox"/> Permitted <input type="checkbox"/> Discretionary <input type="checkbox"/> Waiver <input type="checkbox"/> Prohibited	
Application Received:	Application Fee:	Land Use District:	Site Inspection Date:
Application Deemed:		Expiry of 40-Day Decision Timeframe:	Deadline for Missing Documentation:
Date Incomplete:	Date Complete:		
Date Reviewed by D.O.:	MSDA Meeting Date:	Date of Decision:	Effective Date:

### PREFERRED METHOD OF DELIVERY (SELECT ONE)

- Email:** I wish to receive all official written documentation for my application by email.
- Letter Mail:** I wish to receive all official written documentation for my application by letter mail.
- In-person Pickup:** I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

### APPLICANT INFORMATION

**Applicant's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**Registered Landowner's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the proposed development if not the registered owner:

- Agent     Contractor     Tenant     Other: \_\_\_\_\_

### PROPERTY INFORMATION

Municipal Address: \_\_\_\_\_

Legal Description: Plan \_\_\_\_\_ Block \_\_\_\_\_ Lot(s)/Unit \_\_\_\_\_

Parcel Size: \_\_\_\_\_  m<sup>2</sup>  sq. ft.    Land Use District: \_\_\_\_\_

Existing use/development on the property: \_\_\_\_\_

\_\_\_\_\_

**BUSINESS DESCRIPTION**

**(1) Describe the primary function of your business. What goods and/or services are provided?**

Attach an additional sheet outlining the business.

**(2) Is there another home occupation already operating out of the residence?**  No  Yes

**(3) Is there a secondary suite in the residence?**  No  Yes

If yes, please provide details: \_\_\_\_\_

**(4) Where will the business operate from?**  In-home  Accessory building  Off-site/Mobile

**(5) How will you interact or do business with your clients or customers?**

**In person.** Clients/customers will come to the residence. On average, how many clients will come to the residence?

Less than 1 per day  1-5 per day  More than 5 per day

**Remotely.** Clients/customers will not be coming to the residence but will only be in contact by:

Phone/Fax  Mail  Courier  Email/Internet

**(6) How many parking spaces for any client visits, deliveries, etc. will be available?** \_\_\_\_\_

**(7) Days and hours of operation:** \_\_\_\_\_

**(8) Will there be any employees that are not residents of the dwelling?**  No  Yes

If YES: **How many employees will come to the residence?** \_\_\_\_\_

**Will more than 1 employee come to the residence at a time?**  No  Yes

**(9) Will there be any equipment or materials stored outside the dwelling that will be used in conjunction with the business?**  No  Yes

If yes, please list materials & quantities: \_\_\_\_\_

**(10) Will any vehicles/machinery/trailers/tools be used to operate the business?** Please list.

\_\_\_\_\_

**(11) Will there be any flammable/hazardous materials on the premises as a result of the business?**

No  Yes (please list materials & quantities): \_\_\_\_\_

**(12) Will any goods be displayed at the residence?**  No  Yes

**(13) Will there be a sign for the business?**  No  Yes

If yes, please describe size, type, and location: \_\_\_\_\_

**(14) Does the business require additional government approvals?**  No  Yes

If yes, please describe (AHS, AMVIC, etc.): \_\_\_\_\_

**ABANDONED WELL INFORMATION**

The applicant acknowledges that there are no abandoned wells within the limits of the Town of Coalhurst and as such there are no abandoned wells in the proposed project area pertaining to this Development Permit application.

**Applicant's Initials:** \_\_\_\_\_

**DECLARATION OF APPLICANT**

I/We have read and understand the terms noted below and hereby apply for a Development Permit to carry out the development described within this application including any attached plans, and supplementary forms and documents. The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. **I/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

I also consent to an authorized person designated by the municipality to enter upon the subject land and building(s) for the purpose of an inspection during the processing of this application.

*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: \_\_\_\_\_ **Applicant's Signature:** \_\_\_\_\_

**Registered Owner's Signature:** \_\_\_\_\_  
(Required, if different from applicant)

1. The Development Authority may deem a Development Permit application incomplete if any of the application requirements are incomplete or the quality of the information is deemed inadequate to properly evaluate the application.
2. Plans, drawings, and any additional documentation deemed to be required to enable adequate consideration of the application, must be submitted with this application.
3. Although the Development Officer is in a position to advise applicants of the process and requirements of the development application, such advice must not be taken as official consent, and is without prejudice to the decision in connection with the formal application.
4. Any development started before the issuance of a Development Permit and expiration of the appeal period is at the applicant's own risk and subject to a fine as per the Town of Coalhurst's *Zero Tolerance For Starting Development Without The Benefit Of A Development Permit Policy*.
5. If a decision is not made within 40 days from the date the application is deemed complete, or within such longer period as the applicant may approve in writing, the applicant may deem the application to be refused. The applicant may exercise his/her right of appeal as though s/he had been mailed a refusal at the end of the 40-day period.
6. A Development Permit does not constitute a building permit or approval from any provincial or federal department. Construction undertaken subsequent to approval of this Development Permit application may be regulated by the Alberta Safety Codes. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approval and inspections as may be required by the appropriate provincial body. The applicant is responsible for determining and obtaining any other applicable provincial and federal approvals prior to commencement.



## CHECKLIST: DEVELOPMENT PERMIT APPLICATION

### Home Occupation Businesses

- Completed *Form C: Home Occupation Development Permit Application*
- Site plan (required for Home Occupation 2):
  - Legal description and municipal address of subject property
  - Scale and north arrow
  - Adjacent roadways and lanes, location of lot access
  - Entrance to be used by clients
  - Location of off-street client parking
  - Location of proposed outdoor storage (to be screened from view)
- Floor plan of interior space(s) to be used for business (when clients come to property)
- Building, Electrical, Gas, and Plumbing Permit applications (where applicable)
- Application fee (determined at time of application)
- Waiver request (where applicable – include a written explanation for the request)
- Additional supporting documentation (where applicable)

*Disclaimer – this checklist is intended to be used as a resource tool for Development Permit applicants. The contents of this checklist are not a substitute for determining the completeness of an application.*



## FORM D: BUILDING REMOVAL DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 354-12

OFFICE USE			
Application No:	Roll No:	Land Use District:	Site Inspection Date:
Application Received:	Application Fee:	Date Reviewed by D.O.:	Date of Decision:
Application Deemed:		Utilities Signed Off: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Date Incomplete:	Date Complete:	Accompanying DP Application: <input type="checkbox"/> Yes <input type="checkbox"/> No	
		DP Application no:	

### PREFERRED METHOD OF DELIVERY (SELECT ONE)

- Email:** I wish to receive all official written documentation for my application by email.
- Letter Mail:** I wish to receive all official written documentation for my application by letter mail.
- In-person Pickup:** I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

### APPLICANT INFORMATION

**Applicant's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**Registered Landowner's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the proposed building removal if not the registered owner:

- Agent     Contractor     Tenant     Other: \_\_\_\_\_

### PROPERTY INFORMATION

Municipal Address: \_\_\_\_\_

Legal Description: Plan \_\_\_\_\_ Block \_\_\_\_\_ Lot(s)/Unit \_\_\_\_\_

Parcel Size: \_\_\_\_\_  m<sup>2</sup>  sq. ft.    Land Use District: \_\_\_\_\_

Existing use/development on the property: \_\_\_\_\_

\_\_\_\_\_



**STRUCTURES TO BE REMOVED**

Description of Buildings/Structure(s): \_\_\_\_\_

Type of Work:     Removal to another site (no demolition)                       Demolition of building/structure

Building Size:    \_\_\_\_\_  m<sup>2</sup>  sq. ft

Height of Building: \_\_\_\_\_  m<sup>2</sup>  sq. ft                      Number of storeys: \_\_\_\_\_

**DEMOLITION INFORMATION**

Method of Demolition:     Manual (no heavy equipment)                       Using heavy equipment  
    Other – please explain: \_\_\_\_\_

Dump Site Location: \_\_\_\_\_

\*\*Note: Construction debris should be dumped in an approved certified site whenever possible. If that is not possible, approval must be obtained from Alberta Environment prior to demolition.\*\*

Location where building(s) are being moved to (if not being demolished): \_\_\_\_\_

Contractor responsible for removal/demolition (if different from applicant): \_\_\_\_\_

Post building removal plan for property:     Rebuild (separate Development Permit application required)  
    To be left vacant (drainage plan & weed management plan required)

**PROJECT DETAILS**

Cost of Development: \_\_\_\_\_ Start Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_

**DISCONNECTION OF ALL SERVICES**

Acquire signature (or written verification) from all applicable agencies verifying services are disconnected:

- Electrical power \_\_\_\_\_
- Natural gas \_\_\_\_\_
- Oil lines \_\_\_\_\_
- Telephone cables \_\_\_\_\_
- Communication lines (tv, internet) \_\_\_\_\_
- Water lines \_\_\_\_\_
- Storm & sanitary sewer \_\_\_\_\_
- Private Septic \_\_\_\_\_

**ABANDONED WELL INFORMATION**

The applicant acknowledges that there are no abandoned wells within the limits of the Town of Coalhurst and as such there are no abandoned wells in the proposed project area pertaining to this Development Permit application.

**Applicant's Initials:** \_\_\_\_\_

**DECLARATION OF APPLICANT**

I/We have read and understand the terms noted below and hereby apply for a Development Permit to carry out the development described within this application including any attached plans, and supplementary forms and documents. The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. **I/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

I also consent to an authorized person designated by the municipality to enter upon the subject land and building(s) for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).*

Date: \_\_\_\_\_ **Applicant's Signature:** \_\_\_\_\_

**Registered Owner's Signature:** \_\_\_\_\_  
(Required, if different from applicant)

1. The Development Authority may deem a Development Permit application incomplete if any of the application requirements are incomplete or the quality of the information is deemed inadequate to properly evaluate the application.
2. Plans, drawings, and any additional documentation deemed to be required to enable adequate consideration of the application, must be submitted with this application.
3. Although the Development Officer is in a position to advise applicants of the process and requirements of the development application, such advice must not be taken as official consent, and is without prejudice to the decision in connection with the formal application.
4. Any development started before the issuance of a Development Permit and expiration of the appeal period is at the applicant's own risk and subject to a fine as per the Town of Coalhurst's *Zero Tolerance For Starting Development Without The Benefit Of A Development Permit Policy*.
5. If a decision is not made within 40 days from the date the application is deemed complete, or within such longer period as the applicant may approve in writing, the applicant may deem the application to be refused. The applicant may exercise his/her right of appeal as though s/he had been mailed a refusal at the end of the 40-day period.
6. A Development Permit does not constitute a building permit or approval from any provincial or federal department. Construction undertaken subsequent to approval of this Development Permit application may be regulated by the Alberta Safety Codes. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approval and inspections as may be required by the appropriate provincial body. The applicant is responsible for determining and obtaining any other applicable provincial and federal approvals prior to commencement.



## CHECKLIST: DEVELOPMENT PERMIT APPLICATION

### Building removal & Demolition

- Completed *Form D: Building Removal/Demolition Permit Application*
- On-site consultation with Public Works Director (min. 48 hrs prior to work commencing)
- Final plan for property after building is removed/demolished and reclamation complete
  - Grading/drainage plan (if property will be vacant after removal or demolition)
  - Complete Development Permit application for new development where building is being replaced
- Building Permit application
- Application fee (determined at time of application) & security deposit (where applicable)
- Additional supporting documentation (where applicable)

*Disclaimer – this checklist is intended to be used as a resource tool for Demolition Permit applicants. The contents of this checklist are not a substitute for determining the completeness of an application.*





## FORM E: SIGNAGE DEVELOPMENT PERMIT APPLICATION

Pursuant to Land Use Bylaw No. 354-12

OFFICE USE			
Application No:	Roll No:	Use: <input type="checkbox"/> Permitted <input type="checkbox"/> Discretionary <input type="checkbox"/> Waiver <input type="checkbox"/> Prohibited	
Application Received:	Application Fee:	Land Use District:	Site Inspection Date:
Application Deemed:		Expiry of 40-Day Decision Timeframe:	Deadline for Missing Documentation:
Date Incomplete:	Date Complete:		
Date Reviewed by D.O.:	MSDA Meeting Date:	Date of Decision:	Effective Date:

### PREFERRED METHOD OF DELIVERY (SELECT ONE)

- Email:** I wish to receive all official written documentation for my application by email.
- Letter Mail:** I wish to receive all official written documentation for my application by letter mail.
- In-person Pickup:** I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

### APPLICANT INFORMATION

**Applicant's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**Registered Landowner's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the proposed development if not the registered owner:

- Agent     Contractor     Tenant     Other: \_\_\_\_\_

### PROPERTY INFORMATION

Municipal Address: \_\_\_\_\_

Legal Description: Plan \_\_\_\_\_ Block \_\_\_\_\_ Lot(s)/Unit \_\_\_\_\_

Parcel Size: \_\_\_\_\_  m<sup>2</sup>  sq. ft.    Land Use District: \_\_\_\_\_

Existing use/development on the property: \_\_\_\_\_

\_\_\_\_\_

**SIGN INFORMATION**

Type of work (select all that apply):

- New Permanent Sign
- Changes to Existing Sign
- Temporary Sign
  
- Wall (fascia)
- Electrified
- Animated
- Freestanding
- Non-electrified
- Rotating
- Canopy/Roof mounted
- Indirect Illumination
- Awning
- Sandwich Board
- Internal Illumination
- Portable
- Banding Sign
- Direct Illumination
- Electronic Variable Messages
- Flashing/LED
- Lettering

Size/Dimensions	Proposed Sign	Office Use
Length of Sign:	<input type="checkbox"/> m <input type="checkbox"/> ft	
Height of Sign:	<input type="checkbox"/> m <input type="checkbox"/> ft	
Sign Face Area:	<input type="checkbox"/> m <sup>2</sup> <input type="checkbox"/> sq. ft	
Top of Sign Height from Grade:	<input type="checkbox"/> m <input type="checkbox"/> ft	
Top of Sign Height from Roof:	<input type="checkbox"/> m <input type="checkbox"/> ft	
Bottom of Sign Height from Grade:	<input type="checkbox"/> m <input type="checkbox"/> ft	

Distance from Property Lines		Office Use
Front	<input type="checkbox"/> m <input type="checkbox"/> ft	
Rear	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	
Side	<input type="checkbox"/> m <input type="checkbox"/> ft	

Sign materials: \_\_\_\_\_

Are there any other signs on this property?  No  Yes

If yes, please specify: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

If the sign is only for **temporary** use:

For how many days is the sign proposed to be displayed: \_\_\_\_\_ days

Will the sign be used to advertise **off-premises** business, products or services?  No  Yes

**WAIVERS**

Is a waiver (variance) to one or more standards in the Land Use Bylaw being requested?  No  Yes

If yes, please specify: \_\_\_\_\_

**PROJECT DETAILS**

Cost of Development: \_\_\_\_\_ Start Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_

**ABANDONED WELL INFORMATION**

The applicant acknowledges that there are no abandoned wells within the limits of the Town of Coalhurst and as such there are no abandoned wells in the proposed project area pertaining to this Development Permit application.

**Applicant's Initials:** \_\_\_\_\_

**DECLARATION OF APPLICANT**

I/We have read and understand the terms noted below and hereby apply for a Development Permit to carry out the development described within this application including any attached plans, and supplementary forms and documents. The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. **I/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

I also consent to an authorized person designated by the municipality to enter upon the subject land and building(s) for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).*

Date: \_\_\_\_\_ **Applicant's Signature:** \_\_\_\_\_

**Registered Owner's Signature:** \_\_\_\_\_  
(Required, if different from applicant)

1. The Development Authority may deem a Development Permit application incomplete if any of the application requirements are incomplete or the quality of the information is deemed inadequate to properly evaluate the application.
2. Plans, drawings, and any additional documentation deemed to be required to enable adequate consideration of the application, must be submitted with this application.
3. Although the Development Officer is in a position to advise applicants of the process and requirements of the development application, such advice must not be taken as official consent, and is without prejudice to the decision in connection with the formal application.
4. Any development started before the issuance of a Development Permit and expiration of the appeal period is at the applicant's own risk and subject to a fine as per the Town of Coalhurst's *Zero Tolerance For Starting Development Without The Benefit Of A Development Permit Policy*.
5. If a decision is not made within 40 days from the date the application is deemed complete, or within such longer period as the applicant may approve in writing, the applicant may deem the application to be refused. The applicant may exercise his/her right of appeal as though s/he had been mailed a refusal at the end of the 40-day period.
6. A Development Permit does not constitute a building permit or approval from any provincial or federal department. Construction undertaken subsequent to approval of this Development Permit application may be regulated by the Alberta Safety Codes. The applicant/owner/developer assumes all responsibilities pertaining to construction plan submissions, approval and inspections as may be required by the appropriate provincial body. The applicant is responsible for determining and obtaining any other applicable provincial and federal approvals prior to commencement.





## CHECKLIST: DEVELOPMENT PERMIT APPLICATION

### Signage

- Completed *Form E: Signage Development Permit Application*
- Site plan:
  - Legal description and municipal address of subject property
  - Scale and north arrow
  - Adjacent roadways and lanes, location of lot access
  - Location of all existing and proposed sign(s)
  - Location of the property boundaries of the parcel upon which the proposed sign(s) are to be located
  - Setbacks from property lines of proposed sign(s) and existing building(s)
  - Location of any registered utility right-of-ways or easements on the property
- Sign layout:
  - Size, height, and other dimensions of the proposed sign(s), including any supporting structures
  - To scale colour rendering of proposed signage
- Building, Electrical, Gas, and Plumbing Permit applications (where applicable)
- Application fee (determined at time of application)
- Waiver request (where applicable – include a written explanation for the request)
- Additional supporting documentation (where applicable)

*Disclaimer – this checklist is intended to be used as a resource tool for Development Permit applicants. The contents of this checklist are not a substitute for determining the completeness of an application.*



## FORM F: APPLICATION FOR LAND USE BYLAW OR STATUTORY DOCUMENT AMENDMENT

OFFICE USE			
Application No:	Roll No:	<input type="checkbox"/> Redesignation	<input type="checkbox"/> Text Amendment
Application Received:	Application Fee:	Land Use District:	Date submitted to ORRSC:
Application Deemed:		Deadline for Missing Documentation:	<input type="checkbox"/> Site Plan
Date Incomplete:	Date Complete:		<input type="checkbox"/> Conceptual Design Scheme or ASP
First Reading Date:	Public Hearing Date:	Second/Third Reading Date(s):	<input type="checkbox"/> Certificate of Title (not older than 60 days prior to application date)

A refusal is **not** appealable and a subsequent application for amendment involving the same lot and/or the same or similar use may not be made for at least 12 months after the date of refusal.

**IMPORTANT NOTE:** Although administration is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent.

**PREFERRED METHOD OF DELIVERY (PLEASE SELECT ONE)**

- Email:** I wish to receive all official written documentation for my application by email.
- Letter Mail:** I wish to receive all official written documentation for my application by letter mail.
- In-person Pickup:** I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

**APPLICANT INFORMATION**

**Applicant's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**Registered Landowner's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the proposed development if not the registered owner:

- Agent     Contractor     Tenant     Other: \_\_\_\_\_

**PROPERTY INFORMATION**

Municipal Address: \_\_\_\_\_

Legal Description: Plan \_\_\_\_\_ Block \_\_\_\_\_ Lot(s)/Unit \_\_\_\_\_

OR Quarter \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ W4M

**AMENDEMENT INFORMATION**

**What is the proposed amendment:**

LUB Text Amendment

Land Use Redesignation

MDP Amendment

ASP Amendment

**IF TEXT AMENDMENT:**

For text amendments, attach a description including:

- The section(s) to be amended;
- The change(s) to the text; and
- The reason(s) for change(s).

**IF LAND USE REDESIGNATION (REZONING):**

Current Land Use Designation (zoning): \_\_\_\_\_

Proposed Land Use Designation (zoning): \_\_\_\_\_

*Land Use Bylaw no. 354-12 (Administration Section 50)* regulates the information required to accompany an application for redesignation. A descriptive narrative detailing the following is required:

- The proposed designation and future land use(s);
- If and how the proposed redesignation is consistent with applicable statutory plans;
- The compatibility of the proposal with surrounding uses and zoning;
- The development suitability or potential of the site, including identification of any constraints and/or hazard areas (e.g. easements, soil conditions, topography, drainage, etc.);
- Availability of facilities and services (sewage disposal, domestic water, gas, electricity, fire and police protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development; and
- Any potential impacts on public roads.

An Area Structure Plan or Conceptual Design Scheme may be required in conjunction with this application where:

- Redesignating land from Parks and Recreation (PR) to another district;
- Multiple parcels of land are involved;
- More than four lots could be created;
- Several pieces of fragmented land are adjacent to the proposal;
- Internal public roads would be required;
- Municipal services would need to be extended; or
- Required by Council of the Municipal Subdivision and Development Authority.

The Development Officer or Council may also require a:

- Geotechnical report; and/or
- Stormwater management plan.

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**ABANDONED WELL INFORMATION**

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The applicant acknowledges that there are no abandoned wells within the limits of the Town of Coalhurst and as such there are no abandoned wells in the lands affected by this application.

**Applicant's Initials:** \_\_\_\_\_

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**DECLARATION OF APPLICANT**

---

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application. **I/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

I also consent to an authorized person designated by the municipality to enter upon the subject land and building(s) for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).*

Date: \_\_\_\_\_ **Applicant's Signature:** \_\_\_\_\_

**Registered Owner's Signature:** \_\_\_\_\_  
(Required, if different from applicant)





## FORM G: AGREEMENT FOR TIME EXTENSION

Pursuant to Land Use Bylaw No. 354-12

OFFICE USE			
Application No:	Roll No:	Expiry of 40-Day Decision Timeframe:	
Application Received:	Date Development Permit Application Deemed Complete:	MSDA Meeting Date:	

### PREFERRED METHOD OF DELIVERY (SELECT ONE)

- Email:** I wish to receive all official written documentation for my application by email.
- Letter Mail:** I wish to receive all official written documentation for my application by letter mail.
- In-person Pickup:** I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

### AGREEMENT FOR TIME EXTENSION

I/We \_\_\_\_\_ being the registered owner  
 or person authorized to act on behalf of the registered owner with respect to Application no: \_\_\_\_\_  
 applying for: \_\_\_\_\_  
 on lands located at: (Municipal Address) \_\_\_\_\_  
 (Legal Description) Plan \_\_\_\_\_ Block \_\_\_\_\_ Lot(s)/Unit \_\_\_\_\_  
 do hereby agree to a time extension of: \_\_\_\_\_ days, until \_\_\_\_\_

On the understanding that if a decision has not been made by this time, I may deem the application refused and appeal to the Chinook Intermunicipal Subdivision and Development Appeal Board in accordance with the provisions of the Municipal Government Act.

Date: \_\_\_\_\_

\_\_\_\_\_  
 Signature of Registered Owner/Person Acting on behalf of:

\_\_\_\_\_  
 Signature of Witness

Date: \_\_\_\_\_

\_\_\_\_\_  
 Signature of Designated Officer – Town of Coalhurst

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).*







## FORM H: NOTICE OF APPEAL APPLICATION

Pursuant to Land Use Bylaw No. 354-12

OFFICE USE			
Appeal No:	Roll No:	Date of Decision:	21-day Appeal Period Date:
Appeal Received:	Application Fee:	Date Paid:	Hearing Date:

### PREFERRED METHOD OF DELIVERY (SELECT ONE)

- Email:** I wish to receive all official written documentation for my application by email.
- Letter Mail:** I wish to receive all official written documentation for my application by letter mail.
- In-person Pickup:** I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

### APPELLANT INFORMATION

**Name:** \_\_\_\_\_  
**Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_

### APPLICATION BEING APPEALED

- Development Application no.** \_\_\_\_\_
- Subdivision Application no.** \_\_\_\_\_
- Stop Order no.** \_\_\_\_\_

I/We do hereby appeal the following decision/order: \_\_\_\_\_  
 \_\_\_\_\_

The grounds for the appeal are as follows (attach additional documentation if required): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).*

Date: \_\_\_\_\_ **Appellant's Signature:** \_\_\_\_\_





## FORM I: TELECOMMUNICATION SITING PROTOCOL APPLICATION

OFFICE USE			
Application no:	Roll No:	Land Use District:	Site Inspection Date:
Application Received:	Application Fee:	Application Deemed Complete:	Development Hearing Date:

### PREFERRED METHOD OF DELIVERY (SELECT ONE)

- Email:** I wish to receive all official written documentation for my application by email.
- Letter Mail:** I wish to receive all official written documentation for my application by letter mail.
- In-person Pickup:** I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

### APPLICANT INFORMATION

**Applicant's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**Registered Landowner's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the proposed development if not the registered owner:

- Agent    Antenna proponent/developer    Contractor    Tenant    Other: \_\_\_\_\_

### PROPERTY INFORMATION

Municipal Address: \_\_\_\_\_

Legal Description: Plan \_\_\_\_\_ Block \_\_\_\_\_ Lot(s)/Unit \_\_\_\_\_

Parcel Size: \_\_\_\_\_  m<sup>2</sup>  sq. ft.   Land Use District: \_\_\_\_\_

Existing use/development on the property: \_\_\_\_\_

### DETAILS OF THE PROPOSED DEVELOPMENT

What will the antenna/tower be used for? \_\_\_\_\_

Are there any roads or approaches on the parcel? \_\_\_\_\_

Is co-utilization with existing antenna systems proposed?    No    Yes

Are there any other antenna towers located within 800 metres of the subject proposal?  No  Yes  
If yes, describe what the tower is used for, its operator(s), and a location map.

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Describe the proposed finish/colour and if lighting or any markings are proposed for the antenna. \_\_\_\_\_

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Will the structure be visible from residential areas?  No  Yes

If yes, please describe the stealth structure options/screening. \_\_\_\_\_

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Will signage be used?  No  Yes If yes, please describe. \_\_\_\_\_

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Will the antenna contain any markings?  No  Yes If yes, please describe. \_\_\_\_\_

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#### **ABANDONED WELL INFORMATION**

The applicant acknowledges that there are no abandoned wells within the limits of the Town of Coalhurst and as such there are no abandoned wells on the property affected by the proposed telecommunication tower.

**Applicant's Initials:** \_\_\_\_\_

#### **DECLARATION OF APPLICANT**

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. **I/We hereby certify that the registered owner of the land is aware of, and in agreement with this application.**

I also consent to an authorized person designated by the municipality to enter upon the subject land and building(s) for the purpose of an inspection during the processing of this application.

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).*

Date: \_\_\_\_\_ **Applicant's Signature:** \_\_\_\_\_

**Registered Owner's Signature:** \_\_\_\_\_  
(Required, if different from applicant)



## FORM J: VOLUNTARY WAIVER OF CLAIMS

### Development Commencement Form

OFFICE USE			
Development Permit No:	Roll No:	Application Received:	Date Deemed Complete:

#### PREFERRED METHOD OF DELIVERY (SELECT ONE)

- Email:** I wish to receive all official written documentation for my application by email.
- Letter Mail:** I wish to receive all official written documentation for my application by letter mail.
- In-person Pickup:** I wish to pickup all official written documentation for my application from the Town Office myself (applicant will be notified by phone when documents are available for pick-up).

#### APPLICANT INFORMATION

**Applicant's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**Registered Landowner's Name:** \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Applicant's interest in the proposed development if not the registered owner:

- Agent     Contractor     Tenant     Other: \_\_\_\_\_

#### PROPERTY INFORMATION

Municipal Address: \_\_\_\_\_

Legal Description: Plan \_\_\_\_\_ Block \_\_\_\_\_ Lot(s)/Unit \_\_\_\_\_

#### "VOLUNTARY WAIVER OF CLAIM" (OPTIONAL)

**For Development Approvals of Discretionary Uses and/or Approvals granting a waiver of development standards.**

This "Voluntary Waiver of Claims" allows you to commence your development at your own risk in advance of the date of validity on your Development Permit. The permit's valid date is the date at which the appeal period for the public has expired.

By agreeing to this "Voluntary Waiver of Claims" you agree that should an appeal be made you will immediately cease the development pending the outcome of the appeal and will waive all claims to the compensation from the

Town of Coalhurst for costs associated with the cessation and/or costs resulting from the outcome of the appeal, including the removal of improvements and restoration of disturbances to the land/buildings to their former state.

Agreement to this "Voluntary Waiver of Claims" does not nullify your own right to an appeal. You may appeal any condition of approval on the Development Permit to the Chinook Intermunicipal Subdivision and Development Appeal Board by the date identified on your permit.

Agreement to this "Voluntary Waiver of Claims" and possession of the released Development Permit does not eliminate the need for a Business License, Building Permit or other permits. Do not commence development without first obtaining all the necessary permits.

**I have read, understood, and agree to this "Voluntary Waiver of Claims"**

Date: \_\_\_\_\_ **Applicant's Signature:** \_\_\_\_\_

**Registered Owner's Signature:** \_\_\_\_\_  
(Required, if different from applicant)

*IMPORTANT: This information may also be shared with appropriate government/other agencies and may also be kept on file by those agencies. The application and related file contents will become available to the public and are subject to the provisions of the Freedom of Information and Protection of Privacy Act (FOIP).*