VILLAGE OF CARMANGAY







LAND USE BYLAW

BYLAW NO. 742

May 2013

(Consolidated to Bylaw No. 851, September 2024)

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VILLAGE OF CARMANGAY

BYLAW NO. 742

BEING a bylaw of the Village of Carmangay, in the Province of Alberta, to adopt a new Land Use Bylaw;

WHEREAS Section 639 of the Municipal Government Act requires the passage of a Land Use Bylaw;

AND WHEREAS the Council of the Village of Carmangay wishes to adopt a new Land Use Bylaw for the purposes of:

- updating and establishing standards and processes regarding the use and development of land within the municipality;
- addressing new development guidelines for certain types of uses within the Village;
- incorporating new land use district standards and uses;
- amending the existing Land Use District Map to reflect land use designations; and
- complying with the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended;

AND WHEREAS the land use bylaw is intended to foster orderly growth and development in the Village;

AND WHEREAS the bylaw is adopted in accordance with section 692 of the Municipal Government Act and the public hearing requirements.

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 of the Village of Carmangay duly assembled does hereby enact the following:

1. Bylaw No. 658 being the former Land Use Bylaw, and any amendments thereto, and any other Land Use Bylaw and amendments thereto are hereby rescinded.
2. Bylaw No. 742 shall come into effect upon third and final reading thereof.
3. Bylaw No. 742 is hereby adopted.

READ a **first** time this 16 day of April, 2013.

Mayor – Kym Nichols — *Chief Administrative Officer – Carolyn Erb*

READ a **second** time this 21 day of May, 2013.

Mayor – Kym Nichols — *Chief Administrative Officer – Carolyn Erb*

READ a **third** time and finally passed this 21 day of May, 2013.

Mayor – Kym Nichols — *Chief Administrative Officer – Carolyn Erb*

Village of Carmangay Land Use Bylaw No. 742 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
755	"Residential – R" to "Public – P"; Add "Municipal Interpretive/Public Attraction" as a Permitted Use in the "Public – P" land use district and as a definition in Schedule 6	Lots 1-4, 5-7, 8-10, Block 1, Plan 570X (203, 209, 217 Pacific Avenue)	16-Jun-2015
757	"Manufactured Home – MH" to "Residential – R"	Lot 1, Block 106, Plan 7940AG	20-Oct-2015
822	"Public – P" to "Commercial – C"	Easterly halves of lots 17-20 inclusive, Block 4, Plan 570X (117 Carman Street) Easterly 28.75 feet throughout the Westerly halves of Lots 17-20 inclusive, Block 4, Plan 570X (113 Carman Street) Westerly 28 feet 9 inches throughout of Lots 17-20 inclusive, Block 4, Plan 570X (111 Carman Street)	15-Jun-2022
825	"Public – P" to "Residential – R"	Lots 33-36, Block 36, Plan 3103AB (110 Sweet St.)	20-Sept-2022
838	Addition to Schedule 1 Development Not Requiring a Development Permit, the regulations as to when a permit is not required for the use, parking, and storage of private recreational vehicles (no more than two per parcel). Addition to Schedule 4 Standards of Development, the regulations and standards applicable to use and storage of recreational vehicle standards. Addition to Schedule 6 Definitions the definition of Recreational Vehicle (RV).		20-Jun-2022
841	"Manufactured Home – MH" to "Residential – R"	Lots 11-13 inclusive, Block 5, Plan 570X within NW 32-13-23-W4M (618 Grand Ave)	15-Aug-2023
843	Addition to accommodate quality residential small (tiny) home development on serviced lots with specific criteria standards in areas deemed to be compatible for each uses, and sited on permanent foundations in economical, orderly, and attractive manner which excluding mobile/trailer type of similar uses. Addition to Schedule 2 Land Use Districts Regulations of "Residential Small Home Lot - RSHL" land use district. Addition of Schedule 6 Definition for "Small (tiny) home". Addition of rules, standards, and criteria for the siting of small homes in the RSHL district.		16-Jan-2024
851	"Manufactured Home – MH" to "Residential -R"	Lots 19 and 20, Block 5, Plan 570X	17-Sept-2024

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VILLAGE OF CARMANGAY

LAND USE BYLAW NO. 742

ADMINISTRATION

1. TITLE

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

2. PURPOSE

In compliance with section 640 of the *Municipal Government Act (MGA)*, this bylaw regulates and controls the use and development of land and buildings within the Village of Carmangay to achieve orderly, efficient, and economic development of the land.

3. DATE OF COMMENCEMENT

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

4. REPEAL OF FORMER LAND USE BYLAW

Village of Carmangay Land Use Bylaw No. 658 and amendments thereto are hereby repealed.

5. AMENDMENT OF BYLAW

The Council may amend this Bylaw at any time in accordance with the procedures detailed in section 692 of the *Municipal Government Act.*

6. SEVERABILITY

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.

7. DEFINITIONS

See **Schedule 6 – Definitions.**

8. DESIGNATED OFFICER

(1) The office of “Designated Officer” is established.

(2) The Council shall, by resolution, appoint a person(s) to the office of Designated Officer.

(3) The Designated Officer shall be considered an authorized person pursuant to section 624 of the *Municipal Government Act*.

(4) The Designated Officer may perform only such powers and duties as are specified in this Bylaw, the Development Authority Bylaw or by resolution of Council.

(5) The Designated Officer is responsible for:

(a) receiving, processing, deciding upon and referring applications for a development permit in accordance with this Bylaw;

(b) may decide upon or refer applications to the Development Authority in accordance with Sections 21-23 of this Bylaw.

(c) maintaining a register of all applications together with their disposition and other relevant details.

9. DEVELOPMENT AUTHORITY

(1) The Development Authority may perform only such powers and duties as are specified:

(a) in the *Municipal Government Act*; or

(b) in the Village of Carmangay Subdivision and Development Authority Bylaw No. 731;

(c) in this Bylaw; or

(d) by resolution of Council.

(2) The Development Authority referred to in this Bylaw may be the Municipal Planning Commission in accordance with the Village of Carmangay Subdivision and Development Authority Bylaw No. 731.

10. APPLICATION FEES

(1) Application fees are prescribed by Council under a separate bylaw. Refer to Appendix A.

(2) Refund or adjustment of prescribed fees requires the approval of Council.

(3) Whenever an application is received for a development or use not listed in the fee schedule, the amount of the fee shall be determined by the Designated Officer or the Development Authority and shall be consistent with those fees listed in the schedule.

11. APPENDICES

Appendices A through C attached hereto are for information purposes only and do not form part of this Bylaw.

12. METRIC STANDARDS

The metric standards in this Bylaw are applicable. Imperial standards are provided only for convenience.

LAND USE DISTRICTS AND DEVELOPMENT IN GENERAL

13. LAND USE DISTRICTS

(1) The municipality is divided into those districts specified in Schedule 2 and shown on the Land Use Districts Map.

(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;

are described in Schedule 3.

(3) A land use 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.

(4) A land use not listed as a permitted or discretionary use or deemed similar in nature to a use in a district is prohibited.

14. DEVELOPMENT IN MUNICIPALITY GENERALLY

(1) A person who develops land or a building in the municipality shall comply with the applicable standards and requirements of development specified in this Bylaw, in addition to complying with the use or uses prescribed in the applicable land use district and any conditions attached to a development permit if one is required.

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

(3) A person who develops land or a building in the municipality is responsible for any costs related to the servicing of that parcel of land or building.

15. DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

Development that does not require a development permit is specified in Schedule 1.

16. NON-CONFORMING USES AND BUILDINGS

(1) If a development permit has been issued on or before the day on which this Bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.

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

(3) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations shall be made to it or in it. If windows or doors are to be altered, repaired or replaced, they must not alter the structural integrity of the building.

(4) A non-conforming use of part of a lot may not be extended or transferred in whole or in part to any other part of the lot and no additional buildings may be constructed on the lot while the non-conforming use continues.

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

(a) to make it a conforming building, or

(b) as the Designated Officer considers necessary for the routine maintenance of the building, in accordance with the variance powers provided for in section 643(5)(c) of the *Municipal Government Act*.

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

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

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

(a) minor in nature;

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

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

(d) the permit issued indicates a waiver has been granted.

17. NUMBER OF DWELLINGS ON A PARCEL OR LOT

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

18. SUITABILITY OF SITES

(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 Designated Officer, Subdivision Authority, or Development Authority, as applicable, may refuse to approve a subdivision or issue a development permit 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 public road in accordance with municipal requirements or those of Alberta Transportation if within 300 metres of a provincial highway;

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

(c) is situated on an unstable slope;

(d) consists of unconsolidated material unsuitable for building;

(e) does not comply with the requirements of the Provincial Land Use Policies, *Alberta Land Stewardship Act*, Regional Plan, Subdivision and Development Regulation or any applicable Statutory Plans;

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

(g) is located within a floodplain;

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

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

(j) does not meet the lot size and/or setback requirements or any other applicable standards or requirements of this 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.

(2) Nothing in this section shall prevent the Development Authority from approving a lot for subdivision or issuing a development permit if the Municipal Planning Commission 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.

19. DEVELOPMENT AGREEMENTS

The Designated Officer or the Development Authority may require with respect to development that as a condition of issuing a development permit, the applicant enter into a development agreement in accordance with the *Municipal Government Act*.

DEVELOPMENT PERMITS

20. DEVELOPMENT PERMIT APPLICATIONS

(1) Except as provided in Schedule 1, no person shall commence a development unless he/she has been issued a development permit in respect of the proposed development.

(2) An application for a development permit must be made to the municipality by submitting the following:

(a) a completed development permit application,

(b) the application fee prescribed; and

(c) such other information as may be required by the Designated Officer or Development Authority including:

(i) a site plan indicating:

a. legal description and the location of existing and proposed development, including location and dimension of eaves, in relation to the lot boundaries;

b. dimensions clearly illustrated;

c. all property lines and easements;

(ii) floor plans, elevations and sections at a minimum scale of 1:200 or such other scale as required by the Designated Officer or Development Authority; and

(iii) studies of projected traffic volumes, utilities, landscaping, urban design, parking, environmental impact assessment, slope, soil or any other information as required by the Designated Officer or Development Authority.

(3) An application for a development permit must be made by the owner of the land on which the development is proposed or, with the consent of the owner, by any other persons. The Designated Officer may request a current title documenting ownership.

(4) The Designated Officer may request a Surveyor's Sketch to verify locations of buildings.

21. PERMITTED USE APPLICATIONS

(1) Upon receipt of a completed application for a development permit that conforms with this Bylaw, the Designated Officer:

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

(b) may refer an application to the Development Authority for a decision.

(2) Upon receipt of a completed application for a permitted use that requests a waiver(s) of any measureable standard of this Bylaw, the Designated Officer shall refer the application to the Development Authority for a decision pursuant to Section 23.

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

(a) requirement to enter into a development agreement, including requirements for oversize improvements;

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

(c) provide a geotechnical investigation to ensure that the site is suitable in terms of topography, soil characteristics, slope stability, flooding subsistence and erosion;

(d) provide a soil analysis to determine suitability for on-site private sewage servicing;

(e) require the 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;

(f) any measures to ensure compliance with the requirements of this Land Use Bylaw, its standards of development, or any other statutory plan adopted by the Village of Carmangay;

(g) provide easements and encroachment agreements;

(h) provide public utilities, other than telecommunications systems or works, and vehicular and pedestrian access;

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

(j) provide security to ensure the terms of the permit approval under this section are carried out (e.g. bond, letter of credit) which will be returned upon completion of the work to the satisfaction of the Village;

(k) stipulate time periods stipulating completion of development;

(l) stipulate the hours of operation or days of week that a development may operate;

(m) any measures to ensure compliance with applicable provincial legislation.

(4) The return of any provided security shall be at the discretion of the Designated Officer or Development Authority as per the terms of the development agreement or in its absence, as a condition of a development permit, when the work or improvements are completed to the satisfaction of the municipality.

22. DISCRETIONARY USE APPLICATIONS

(1) Upon receipt of a completed application for a development permit for a discretionary use, the Designated Officer shall:

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

(b) notify, or cause to be notified:

(i) persons likely to be affected in accordance with Section 26; and

(ii) Vulcan County, if, in the opinion of the Development Authority or Designated Officer, the proposed development could have an impact on land uses in that municipality.

(2) After consideration of any response to the notifications of persons likely to be affected, including Vulcan County, government departments and referral agencies as applicable, compatibility and suitability of the proposed use, and any other matters, the Development Authority may:

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

(b) refuse to issue a development permit application, stating the reasons.

(3) The Development Authority may place any of the conditions stipulated in Section 21(3) 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.

23. APPLICATIONS REQUESTING WAIVERS OF BYLAW PROVISIONS

(1) Upon receipt of an application for a development permit that does not comply with this Bylaw but in respect of which the Development Authority is requested by the applicant to exercise discretion under Section 23(2), the Designated Officer shall:

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

(b) notify persons likely to be affected including adjacent municipalities, government departments and any other referral agency in accordance with Section 26.

(2) The 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 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; and

(c) the proposed development conforms with the use prescribed for that land or building under Schedule 3.

24. SIMILAR USE APPLICATIONS

(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 listed in the land use district in which such use is proposed, the Designated Officer shall, at the request of the applicant:

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

(b) notify or cause to notify the affected persons pursuant to Section 26.

(2) Upon referral of the application by the Designated Officer, the Development Authority:

(a) shall rule whether or not the proposed use is either similar to a permitted or discretionary use listed in the land use district in which it is proposed;

(b) if the use is deemed similar to a permitted or discretionary use listed in the land use district in which it is proposed, the application shall be reviewed as a discretionary use and a development permit may be issued with or without conditions after consideration of any responses to the notifications of persons likely to be affected by the development;

(c) if the use is not deemed similar to a permitted or discretionary use listed in the land use district in which it is proposed, the development permit shall be refused.

25. TEMPORARY USE APPLICATIONS

(1) The Development Authority for a permitted, discretionary, or similar use, may issue a temporary development permit for a period not to exceed one year for uses that are:

(a) determined to be temporary (non-permanent) in nature; or

(b) for uses that may have impacts to adjacent land uses whereby a permit for a temporary period of time may have merit to ensure the development does not negatively impact the surrounding land uses.

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

(c) any other conditions as deemed necessary.

(3) Applicants who possess permits issued under Section 25(1)(b) may apply for a non-temporary (permanent) development permit at the expiration of the temporary permit.

(4) Notification of persons likely to be affected, including Vulcan County, government departments and referral agencies shall be in accordance with Section 26.

26. NOTIFICATION OF PERSONS LIKELY TO BE AFFECTED

(1) Where notification of persons likely to be affected is required under Sections 22, 23, 24 and 25, the Designated Officer shall, at least seven (7) days before the meeting of the Development Authority:

(a) mail written notice of the application to:

(i) the owners of land likely to be affected by the issuance of a development permit;

(ii) Vulcan County if in the opinion of the Designated Officer or the 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 department or referral agency that is deemed to be affected; or

(b) cause similar notice to be published in a newspaper circulating in the municipality where the application is located; or

(c) cause a similar notice to be posted in a conspicuous place on the property; or

(d) any combination of the above.

(2) In all cases, notification shall:

(a) describe the nature and legal location description of the proposed use;

(b) state the place and time where the Development Authority will meet to consider the application; and

(c) state the process for receipt of written or oral submission on the application.

DEVELOPMENT DECISION

27. DECISION PROCESS

(1) An application for a development permit shall be considered by the Designated Officer or Development Authority who:

(a) shall approve with or without conditions an application for a permitted use, where the proposed development conforms to this Bylaw;

(b) may approve with our without conditions an application for a discretionary use, where the proposed development conforms to this Bylaw;

(c) refuse an application for a permitted or discretionary use, where the proposed development does not conform to this Bylaw; or

(d) refuse an application for a discretionary use, where the proposed development conforms to this Bylaw, but where the Development Authority has chosen to exercise its discretion; or

(e) refuse an application for a use which is neither a permitted use, a discretionary use nor deemed to be a similar use and is therefore deemed to be prohibited.

(2) The Development Authority is authorized to exercise minor variance powers with respect to non-conforming uses pursuant to section 643(5)(c) of the *Municipal Government Act*. Also see Sections 17 and 24 of this Bylaw.

28. NOTICE OF DECISION FOR DEVELOPMENT PERMITS ISSUED

Permitted use permits:

(1) Upon issuance of a development permit for a permitted use that complies with this Bylaw, the Designated Officer shall:

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

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

(i) posting a copy of the decision in a prominent place in the Village Office for at least 14 days, or

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

All other permits:

(2) Upon issuance of a development permit for a discretionary use, similar use, temporary use, or an application involving a waiver, the Designated Officer or its designate shall:

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

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

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

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

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

(iv) any combination of the above.

29. DEEMED REFUSAL / FAILURE TO MAKE A DECISION

In accordance with section 684 of the *Municipal Government Act*, an application for a development permit shall, at the option of the applicant, deemed to be refused when the decision of the Designated Officer or the 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 Village of Carmangay to extend the 40-day period.

30. REAPPLICATION

(1) If an application for a development permit is refused, another application for a development permit on the same lot for the same or similar use may not be submitted for at least six months after the date of refusal. All applicable fees shall apply.

(2) If an application was refused solely because it did not comply with this Bylaw, another application on the same lot for the same or similar use may be accepted before the time period referred to in Section 31(1) provided the application has been modified to comply with this Bylaw. All applicable fees shall apply.

VALIDITY OF DEVELOPMENT PERMIT

31. COMMENCEMENT OF DEVELOPMENT

(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:

(a) where the notice of decision is posted in the Village Office, development shall not commence until 14 days after the notice was posted;

(b) where the notice of decision is mailed to persons likely to be affected, development shall not commence until at least 19 days from the date of mailing of the notice; and

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

(2) If an appeal is made, no development is authorized pending the outcome of the appeal.

(3) Any development occurring prior to the date determined under Section 32(1) and (2) is at the expense and risk of the applicant, developer or landowner.

32. PERMIT COMMENCEMENT

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

(2) If a development has not commenced within the time period specified in Section 33(1), the validity of a development permit may be extended for up to six (6) additional months by the Development Authority.

(3) 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.

(4) When any use has been discontinued for a period of 18 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 *Municipal Government Act*. See also Section 16 – *Non-conforming Buildings and Uses*. of this Bylaw.

(5) The Designated Officer or Development Authority may place conditions on a development permit approval that stipulate a timeframe for the completion of a development.

33. SUSPENSION OR CANCELLATION OF A DEVELOPMENT PERMIT

(1) If, after a development permit has been issued, the Designated Officer or Development Authority becomes aware:

(a) the application for the development permit contained a serious misrepresentation; or

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

(c) a development permit was issued in error;

the Designated Officer or Development Authority may suspend or cancel the development permit by notice in writing to the holder of it.

(2) Those persons who receive a notice referred to in Section 33(1) above may appeal to the Subdivision and Development Appeal Board pursuant to Section 36.

(3) 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 Designated Officer or Development Authority would not have issued the development permit if the facts subsequently disclosed had been known during the consideration of the application.

(4) In addition to the conditions that the Designated Officer or Development Authority may impose on a development permit, the Subdivision and Development Appeal Board may impose such other conditions as are considered necessary to ensure that this Bylaw or any statutory plan is complied with.

34. APPEAL PROCEDURE

(1) Any person applying for a development permit or any other person affected by an order under section 645 of the *Municipal Government Act* may appeal to the Subdivision and Development Appeal Board, if a Designated Officer or Development Authority:

(a) refuses or fails to make a decision on a development permit within 40 days of receipt of a completed application,

(b) issues a development permit subject to conditions.

(2) In addition to an applicant under Section 36(1), any person affected by an order, decision or development permit made or issued by a Designated Officer or Development Authority may appeal to the Subdivision and Development Appeal Board.

(3) Notwithstanding Section 36(1) and (2), no appeal lies in respect of the issuance of a development permit for a permitted use unless the provisions of this Bylaw are relaxed, varied or misinterpreted pursuant to section 685(3) of the *Municipal Government Act*.

(4) An appeal by an applicant may be commenced by filing a notice of the appeal containing specific reasons, with the Secretary of the Appeal Board within 14 days after:

(a) notification in writing of the issuance of the development permit by the Designated Officer; or

(b) the 40-day period referred to in Section 29 – *Deemed Refusal / Failure to Make a Decision* has expired.

(5) An appeal by an affected person may be commenced by filing a notice of the appeal containing reasons, with the Secretary of the Appeal Board within 14 days after the date on which the notice of issuance of the permit was deemed to be received in accordance with this Bylaw.

ENFORCEMENT PROCESS

35. NOTICE OF VIOLATION

(1) Where the Development Officer or Development Authority finds that a development or use of land or buildings is not in accordance with the *Municipal Government 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.

(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.

36. STOP ORDERS

(1) As set forth in the *Municipal Government Act*, the Development Authority is authorized to issue an Order under section 645 of the *MGA* if a development, land use of a building is not in accordance with the *MGA*, the Subdivision and Development Regulation, a development permit or subdivision approval, or in this bylaw. Refer to Appendix B.

(2) A person who receives notice pursuant to Section 36(1) may appeal the order to the Subdivision and Development Appeal Board in accordance with the *Municipal Government Act*. Refer to Appendix B.

37. ENFORCEMENT OF STOP ORDERS

(1) Pursuant to section 646 of the *Municipal Government 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.

(2) The Village may register a caveat under the *Land Titles Act* in respect of an order referred to in Section 37(1) against the certificate of title for the land that is subject of an order.

(3) If a caveat is registered under Section 37(2), the Village may discharge the caveat when the order has been complied with.

(4) If compliance with a stop order is not voluntarily effected, the Village 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 *Municipal Government Act*. In accordance with section 553 of the *MGA*, the expenses and costs of carrying out an order under section 646 of the *MGA* may be added to the tax roll of the parcel of land.

38. PENALTIES AND RIGHT OF ENTRY

(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.

(2) In accordance with section 542 of the *Municipal Government 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 *MGA* authorizes anything to be inspected, remedied or enforced or done by a municipality:

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

(b) request anything to be produced to assist in the inspection, remedy, enforcement or action, and

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

(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 *Municipal Government Act*, the municipality under the authority of section of the *MGA* may obtain a court order.

LAND USE BYLAW AMENDMENTS

39. AMENDMENTS TO THE LAND USE BYLAW

(1) Council may make amendments to this Bylaw at its prerogative, by following the process as outlined in the *Municipal Government Act*.

(2) Any person may initiate amendments to this Bylaw by making an application to the municipality.

(3) All applications for amendment shall be submitted using the applicable form and be accompanied by any additional information, as deemed necessary by the municipality to process the application, and any applicable fee paid to the Village of Carmangay as required.

(4) The Municipal Administrator, Designated Officer or designate 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.

(5) The Municipal Administrator or Designated Officer shall forward the application to Council for a decision if he/she is satisfied sufficient information has been provided with the application.

(6) Council or the Designated Officer may refer the application to the Development Authority for their recommendation prior to the application being considered by Council.

(7) The application shall be processed in compliance with the requirements of the *Municipal Government Act*, including the processes for notice of public hearings and the conduct of meetings.

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

40. LAND USE REDESIGNATION APPLICATION REQUIREMENTS

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

(a) a completed application form and fee;

(b) the legal description of the land, and the municipal address if applicable;

(c) a site plan if there are any buildings or structures on the land;

(d) a narrative describing the:

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

(ii) consistency with 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, 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; and

(vi) any potential impacts on public roads.

(2) The applicant may also be requested to provide the following in support of a redesignation application:

(a) conceptual subdivision design, if applicable;

(b) a geotechnical report prepared by an engineer demonstrating soil stability/suitability if deemed necessary;

(c) an evaluation of surface drainage which may include adjacent properties if deemed necessary; and

(d) any other information deemed necessary by the Designated Officer or Council to properly evaluate the application.

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

(a) redesignating land to another district;

(b) multiple parcels of land are involved;

(c) more than four (4) lots could be created;

(d) several pieces of fragmented land are adjacent to the proposal;

(e) internal public roads would be required;

(f) municipal services would need to be extended; or

(g) required by Council or the Development Authority.

41. REDESIGNATION CRITERIA

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

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

(b) consistency with any adopted statutory plans;

(c) compatibility with adjacent uses;

(d) development potential/suitability of the site;

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

(f) potential impacts on public roads;

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

(h) supply of suitably designated land;

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

(j) any other matters deemed pertinent.

Schedule 1

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

1. No development permit is required for any development that is specifically exempted by the Lieutenant Governor in Council, pursuant to section 618(4) of the *Municipal Government Act*.

2. No development permit is required for the following:

   (a) the carrying out of works of maintenance or repair to any building, if such works do not include structural alterations or major works of renovation;

   (b) interior building renovations that do not affect the existing use, appearance or exterior dimensions of the dwelling;

   (c) the completion of a building which was lawfully under construction at the date of the first publication of an official notice required by section 692 of the *MGA*, provided that:

      (i) the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which that permit was granted; and

      (ii) the building, whether or not a permit was granted in respect of it, is completed within a period of 12 months from the date of the first publication of the official notice;

   (d) the use of any building referred to in Section 2(c)(i) and (ii) of this schedule for the purpose for which construction was commenced;

   (e) the erection of gates, fences, walls, hedges or other means of enclosure which are:

      (i) not more than 0.91 metre (3 ft.) in height in front yards (See Figure 2.1);

      (ii) in any residential land use district not more than 1.83 metres (6 ft.) in the secondary front, rear and side yards;

      (iii) in any commercial or industrial land use district not more than 2.44 metres (8 ft.) in the secondary front, rear and side yards.

   (f) concrete or asphalt parking surfaces (excluding carports);

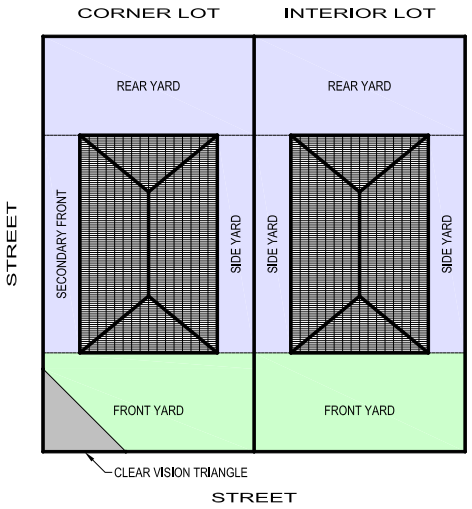


Figure 2.1

   (g) the temporary erection or construction of buildings, works, plant or machinery needed in connection with operations for which a development permit and a building permit have been issued;

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

   (i) certain signs may not need a permit; refer to Schedule 5;

   (j) the erection or placement of one accessory building or structure of less than 18.58 m^2 (200 sq. ft.) in area providing that it otherwise complies with this bylaw (additional accessory buildings or structures will require a development permit);

   (k) uncovered patios or stairs provided they do not project more than the allowed distance into required setbacks;

(l) landscaping, fish ponds, fountains, ornaments, flagpoles (less than 4.88 metres (16 ft.) in height), garden/flower boxes, or other similar landscaping features;

(m) rear, ground level deck less than 0.61 metre (2 ft.) in height;

(n) any residential hard surfaced or gravel driveways, parking pads not supporting a garage or carport, and/or paving stones, to a maximum of 25 percent of the lots surface area that was not required as part of the original development permit;

(o) satellite or cable television dishes less than 1.52 metres (5 ft.) in diameter provided installation meets all requirements within the Land Use District pertaining to the development;

(p) temporary and/or portable swimming pools and hot tubs 11.15 m^2 (120 sq. ft.) or less in size but are subject to Safety Codes and may require a building permit.. (Any private swimming pool with a design depth greater than 0.61 metre (2 ft.) shall be constructed and fenced in accordance with Safety Codes requirements.) – refer to Schedule 4 for other Swimming Pool standards.

(q) Up to two licensed personal recreational vehicles may be temporarily (as defined in Schedule 4, section 40(4)) parked or stored on an owner's parcel provided in contains a principle building, but the recreational vehicle shall not be used as residential living accommodations or as a permanent dwelling. – refer to Schedule 4 for other recreational vehicle standards. A landowner would be required to apply to the Municipal Planning Commission for an approval of a variance for any number of personal recreational vehicles that exceeds the two allowed.

(r) Up to two licensed personal recreational vehicles may be allowed on a vacant lot without the need for a development permit to temporarily house construction workers or lot owners actively engaged on a construction project that has an approved municipal development permit in accordance with the criteria of Schedule 4, section 40(8).

3. A development permit is not required for demolition:

(a) if a development permit has been approved for development on the same site and demolition is implicit in that permit; or

(b) for accessory buildings or structures of less than 18.58 m^2 (200 sq. ft.) in area.

4. The development of a dwelling's basement to create a secondary suite does not require a development permit but applicants/developers are responsible for obtaining a Building Permit and/or adhering to any other applicable legislation, safety codes or municipal bylaw.

5. Although the previous listed items may eliminate the necessity of a Development Permit, the applicant is still responsible for obtaining any required Building Permit and/or adhering to any other applicable legislation, safety codes or municipal bylaw.

6. If there is a doubt as to whether a development permit is required, the matter shall be referred to the Development Authority for a determination of whether a development permit is required.

Schedule 2

LAND USE DISTRICTS

Schedule 2

LAND USE DISTRICTS

1. The municipality is divided into those land use districts shown on the attached Land Use Districts Map.

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

RESIDENTIAL	– R
RESIDENTIAL SMALL HOME LOT	– RSHL
COUNTRY RESIDENTIAL	– CR
MANUFACTURED HOME	– MH
COMMERCIAL	– C
PUBLIC	– P
RAILWAY	– Ry
INDUSTRIAL	– I
URBAN RESERVE	– UR

3. Land Use Districts Map (following this page)

Schedule 3

LAND USE DISTRICT REGULATIONS

RESIDENTIAL – R

INTENT: *To accommodate residential development on serviced lots in an economical, orderly and attractive manner, while excluding potentially incompatible land uses.*

1. PERMITTED AND DISCRETIONARY USES

Permitted Uses

Accessory buildings, structures and uses, less than 44.59 m^2 (480 sq. ft.)
Dwelling:
- Single detached site-built

Home occupation 1 (See Schedule 4, Section 31)
Secondary suite (See Schedule 4, Section 34)
Solar collector (See Schedule 4, Section 35)

Prohibited Uses

All uses not listed as permitted or discretionary
Shipping containers

Discretionary Uses

Accessory buildings, structures and uses, greater than or equal to 44.59 m^2 (480 sq. ft.)
Bed and breakfast (See Schedule 4, Section 32)
Child care facility
Dwellings:
- Apartment
- Duplex
- Single detached prefabricated (See Schedule 4, Section 28)
- Semi-detached
- Moved-in (See Schedule 4, Section 29)
- Multi-unit
- Townhouse/Row house

Lodging or boarding house
Moved-in building (See Schedule 4, Section 29)
Home occupation 2 (See Schedule 4, Section 31)
Parks and playgrounds
Religious assembly
Small wind energy system – Type A (See Schedule 4, Section 36)
Seniors housing
Utility

2. MINIMUM LOT SIZE

	Width		Length		Area	
Use	**m**	**ft.**	**m**	**ft.**	**m^2**	**sq. ft.**
Single detached dwellings (site built and prefabricated)	15.24	50	35.05	115	534.18	5,750
Duplex dwellings	18.29	60	35.05	115	641.01	6,900
Semi-detached dwellings (Each side)	15.24 (2 x 7.62)	50 (2 x 25)	35.05	115	534.18	5,750
Multi-unit dwellings	22.86	75	35.05	115	801.26	8,625
Row or town houses:						
- end units	10.67	35	35.05	115	373.92	4,025
- interior units	7.62	25	35.05	115	266.99	2,874
All other uses	As required by the Development Authority					

3. MINIMUM SETBACK REQUIREMENTS – PRINCIPAL

	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
Use	**m**	**ft.**	**m**	**ft.**	**m**	**ft.**	**m**	**ft.**
Single detached dwellings (all types)	7.62	25	3.81	12.5	1.52	5	7.62	25
Duplex and semi-detached dwellings	7.62	25	3.81	12.5	1.52	5	7.62	25
Multi-unit dwellings	7.62	25	4.57	15	3.05	10	7.62	25
Row or town houses	7.62	25	3.81	12.5	1.52	5	7.62	25
All other uses	As required by the Development Authority							

See Schedule 6 - Definitions

(1) **Secondary Front** (formerly 'Corner Side') means the lot line on a corner lot that has road frontage but is not the lot line from which primary access or development to the building is gained. (See Figure 3.1)

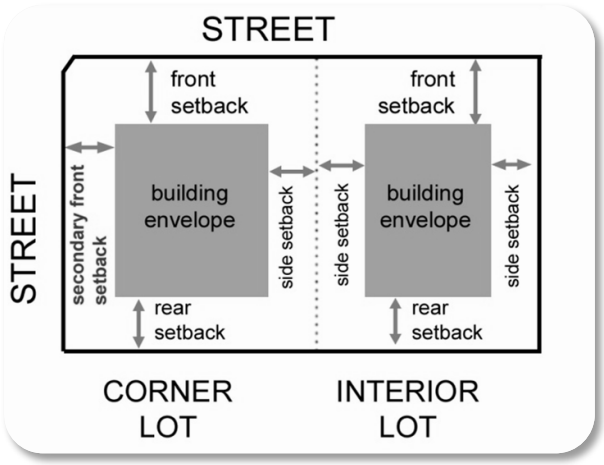


Figure 3.1

(2) Single detached prefabricated and moved-in detached dwellings developed and sited in a like manner shall be treated as conventional single detached dwellings by the Development Authority and subject to the same setback requirements stipulated in Section 3 of this district.

(3) Where a common property line is required for the development of a semi-detached dwelling or townhouse/row dwelling the side yard setback requirement stated in Section 3 of this district is not required along the common property line.

(4) Also refer to Section 5 – Easements; Section 11 – Street Corner Visibility; and Section 12 – Rear Lane Visibility.

(5) Structures that are attached to a principal building, including but not limited to decks, porches, carports, sunroofs, breezeways, are subject to the principal setbacks, except those which are allowed in Section 4 – Permitted Projections Into Setbacks.

(6) Any covered porch shall be considered part of the principal building in the determination of principal setbacks.

(7) The Development Authority may consider minor waivers to the building setback requirements in a well-established residential area if, in the opinion of the Development Authority, the proposed setback blends in with the prevailing yard pattern.

(8) The Development Authority may require varied building setbacks in new residential areas if, in their opinion, the variation in setbacks will enhance the development of that area.

(9) The Development Authority may require increased building setbacks (other than those listed above) if, in their opinion, such setbacks would:

(a) help avoid land use conflicts;

(b) enhance the appearance of the area.

4. PERMITTED PROJECTIONS INTO SETBACKS

(1) 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 not to exceed 0.61 metre (2 ft.) into a side setback or 2.44 metres (8 ft.) into a front or rear setback;

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

(c) fences or walls in accordance with Section 14 of this district;

(d) driveways, curbs and sidewalks;

(e) landscaping, fish ponds, ornaments, flagpoles (less than 4.57 metres (15 ft.) in height), or other similar landscaping features; and

(f) signs, in accordance with Schedule 5.

(2) The portions of and attachments to a principal building which may project over a setback are as follows:

(a) eaves, belt courses, bay windows, cornices, sills or other similar architectural features may project over a side or rear setback a distance not to exceed one-half of the width of the smallest setback required for the site and over a front setback a distance not to exceed 1.22 metres (4 ft.);

(b) an uncovered balcony, cantilever, or other similar feature may project over a side or rear setback a distance not to exceed one-half of the width of the smallest setback required for the site;

(c) a chimney which is not more than 1.22 metres (4 ft.) wide and projects not more than 0.30 metre (1.0 ft.) into a rear or side setback.

(3) In a front yard, cantilevers not exceeding 40 percent of the front wall area may encroach a maximum of 0.61 metre (2 ft.).

(4) In a side yard, cantilevers may encroach a maximum of 0.61 metre (2 ft.) where:

(a) the projection does not exceed 40 percent of one side wall and 20 percent of the other, and

(b) the projection is not immediately beside a projection of an adjacent dwelling.

(5) In a rear yard, cantilevers may encroach a maximum of 0.61 metre (2 ft.).

(6) In all cases, projections into any required setback must comply with the requirements of the *Safety Codes Act*.

5. EASEMENTS

All buildings shall not be located over top of an easement unless otherwise permitted. In the case of a high pressure gas line (or similar) all buildings shall be a minimum of 3.05 metres (10 ft.) from the easement.

6. ACCESSORY BUILDINGS AND STRUCTURES

(1) Minimum setbacks for accessory buildings and structures are as follows:

Front Yard		Side		Rear Yard	
m	ft.	m	ft.	m	ft.
same as principal building		0.61	2	1.52	5

(2) Accessory buildings and structures shall be located a minimum distance of 1.22 metres (4 ft.) from the principal building.

(3) Accessory buildings shall be constructed such that eaves shall be no closer than 0.30 metres (1 ft.) from a side lot line or rear lot line and all drainage is conducted to the appropriate storm drain or grade via the applicant's own property.

(4) Also refer to Sections 5, 11 and 12 of this district for clear vision triangle requirements and setbacks from easements.

(5) Accessory buildings or structures shall not to be located in the front yard in relation to the principal building.

(6) Quonsets, Quonset-style buildings or semicircular metal structures shall not be permitted as accessory buildings in the Residential – R land use district.

7. ACCESSORY USE – AIR CONDITIONERS

A freestanding exterior air conditioner must not be:

(a) located in a front yard;

(b) located less than 1.0 metre (3.3 ft.) from side and rear lot lines.

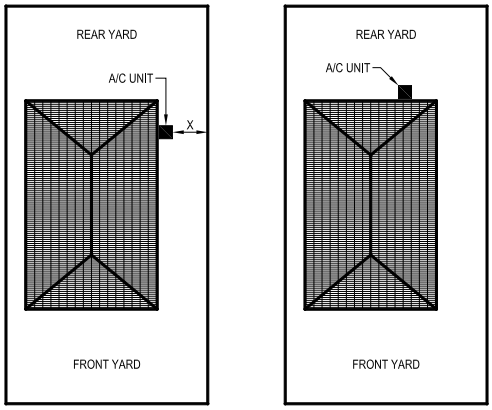


Figure 7.1

(image left) Air conditioner not permitted where 'x' is less than 1.0 metre (3.3 ft.).
(image right) Preferred location in rear.

8. MAXIMUM SITE COVERAGE

Principal building	35%
Accessory buildings and structures	10%
Total site coverage of all buildings	**45%**

Site coverage means the percentage of the lot area which is covered by all buildings and structures on the lot.

Site coverage, principal means the percentage of the lot area which is covered by the principal building including any structure attached to the principal building by an open or enclosed roofed structure, including but not limited to attached garages, carports, verandas, covered balconies, covered decks, and porches.

Site coverage, accessory means the percentage of the lot area which is covered by the combined area of all accessory buildings and structures and includes uncovered decks.

Note: See *Schedule 6 – Definitions* for all applicable definitions.

9. MINIMUM FLOOR AREA

Dwelling type	Area (m^2)	Area (sq. ft.)
Single detached dwellings – site built Single detached dwellings prefabricated Moved-in dwellings	74.32 m^2	800 sq. ft.
Duplex and Semi-detached dwellings	69.68 m^2 / per unit	750 sq. ft. / per unit
Multi-family dwellings	55.74 m^2 / per unit	600 sq. ft. / per unit
All other uses	As required by the Development Authority	

Floor area means the sum of the gross horizontal area of the several floors and passageways of a building not including basements, attached garages and open porches.

Note: See *Schedule 6 – Definitions* for all applicable definitions.

10. MAXIMUM BUILDING HEIGHT

Dwelling type	Height (metres)	Height (feet)
Single detached dwellings	9.14 m	30 ft.
Duplex and Semi-detached dwellings	9.14 m	30 ft.
Accessory buildings	4.88 m	16 ft.
All other uses	As required by the Development Authority	

Building height means the vertical distance between average grade and the highest point of a building, excluding an elevator housing, a roof stairway entrance, a ventilating fan, skylight, steeple, chimney, smoke stack, fire wall or parapet wall, flagpole, or other similar structure.

Note: See *Schedule 6 – Definitions* for all applicable definitions.

11. STREET CORNER VISIBILITY

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 0.91 metre (3 ft.) and 3.05 metres (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 6.10 metres (20 ft.) from the point of intersection. (see Figures 11.1 and 11.2).

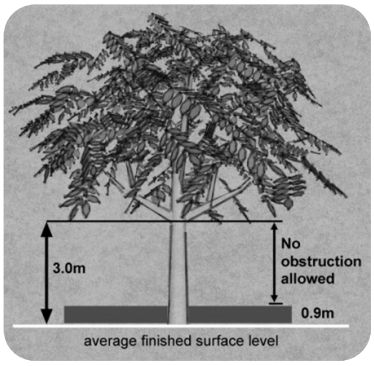


Figure 11.1

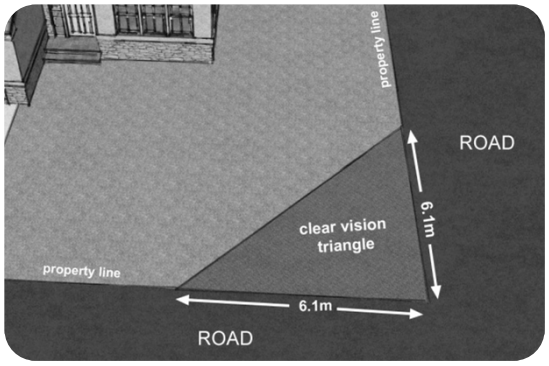


Figure 11.2

12. REAR LANE VISIBILITY

(1) The Development Authority may impose conditions on a development to ensure that adequate visibility and safety of both pedestrians and vehicles is maintained for vehicles entering and exiting rear lanes.

(2) The Development Authority may request that a minimum 1.52 metres (5 ft.) corner visibility triangle be provided for lots backing onto the intersection of a rear lane and public roadway (See Figure 12.1).

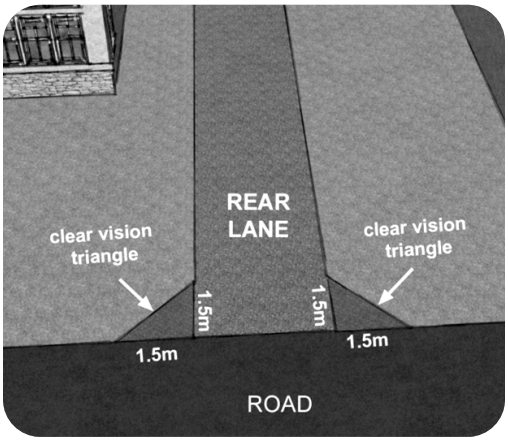


Figure 12.1

13. DRIVEWAYS

(1) Vehicular access for corner lots shall generally be limited to locations along the minor street or cul-de-sac.

(2) In residential districts where a subject property does not provide a side yard sufficient for a driveway, then one off-street parking pad may be permitted in the front yard to a maximum of 7.62 metres (25 ft.) in width.

(3) Only one driveway per lot should be permitted for one unit residential developments, including single-wide and double-wide manufactured homes.

(4) Driveways shall be a minimum of 3.05 metres (10 ft.) and a maximum of 7.62 metres (25 ft.) in width, unless otherwise approved by the Development Authority on the basis of merit.

(5) Driveways shall be a minimum of 3.05 metres (10 ft.) from the entrance to a lane, and 4.57 metres (15 ft.) from the intersection of two public roadways. (See Figure 13.1)

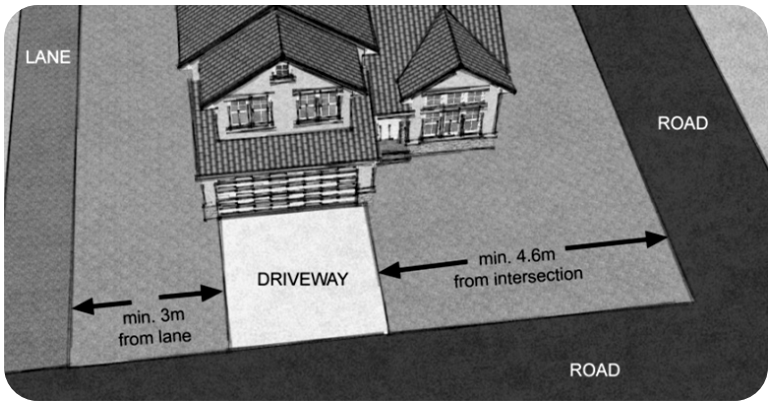


Figure 13.1

(6) Driveways, parking pads or hard surfaced areas (e.g. paving stones, sidewalks) that cover more than 25 percent of the total lot area require a development permit.

14. FENCES

(1) No fence, wall, hedge or any combination thereof shall extend more than 0.91 metre (3 ft.) above the ground in any front yard area as illustrated in Figure 20.1 without a development permit approved by the Development Authority (See Figure 14.1).

(2) Fences in the secondary front, rear and side yards shall be 1.83 metres (6 ft.) or less in height (See Figure 14.1).

(3) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.

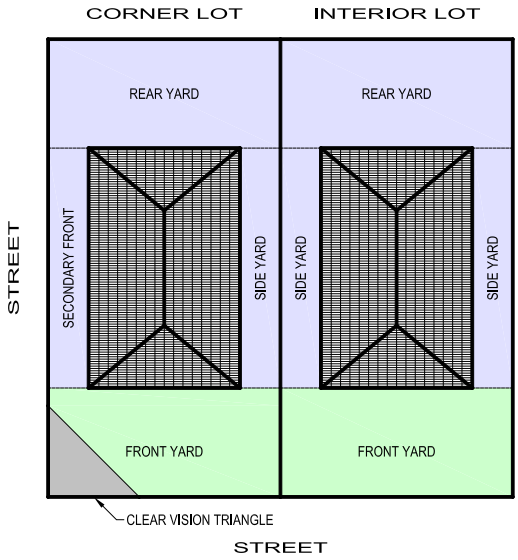


Figure 14.1

Fence Height Provisions
Green area = fence height 3 ft. or less
Blue area = fence height 6 ft. or less

15. DECKS AND AMENITY SPACES

(1) A development permit is required for the construction of a deck if it will be 0.61 metre (2 ft.) or greater in height. Decks 0.61 metre (2 ft.) or greater in height must meet all setback requirements for principal dwellings.

(2) Uncovered decks that are less than 0.61 metre (2 ft.) in height do not require a development permit provided they meet the minimum setback requirements for accessory buildings.

(3) All covered decks require a development permit.

(4) For the purposes of calculating site coverage requirements, where a structure is attached to the principal building by a roof structure (open or closed), it shall be deemed part of the principal building and subject to principal building requirements.

(5) Decks must be located in a manner such as to preserve the privacy of adjacent properties.

(6) Privacy walls/screens associated with decks 0.61 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.

(7) A privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (finished board on top of joist or stone patio surface) of a balcony, deck or patio.

(8) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.

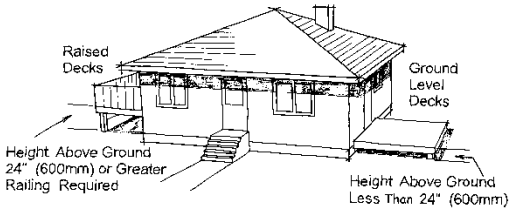


Figure 15.1

16. LANDSCAPING STANDARDS AND SCREENING

(1) The Development Authority may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development.

(2) The front yard and corner side yard on corner lots shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.

(3) Where any parcel or part of a parcel adjacent to a road is used for outdoor storage of goods, machinery, vehicles, buildings or waste materials, the Development Authority may require satisfactory screening by buildings, fences, hedges, trees, berming or other landscaping features (See Figure 16.1).

(4) Parking lots shall be landscaped and/or screened as required by the Development Authority (See Figure 16.1).

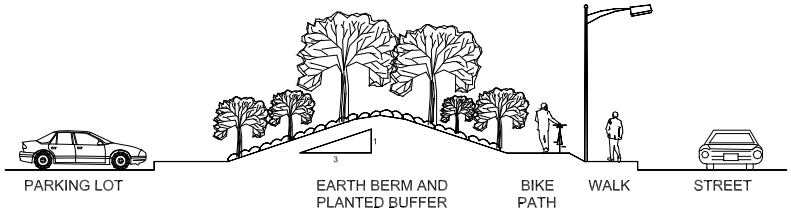


Figure 26.1

17. SATELLITE DISHES, RADIO AND TELEVISION ANTENNAE

(1) Satellite or cable television dishes less than 1.52 metres (5 ft.) in diameter do not require a development permit.

(2) Satellite or cable television dishes of 1.52 metres (5 ft.) or greater in diameter and radio and television antennae are accessory uses which require a development permit and are subject to the following:

(a) a satellite dish, radio antenna or television antenna shall only be located in a rear yard or side yard which does not abut on a street subject to principal setbacks;

(b) a satellite dish, radio antenna or television antenna must comply with the districts required setbacks, including any guide wires and supports;

(c) no advertising shall be allowed on a satellite dish, radio antenna or television antenna;

(d) the illumination of a satellite dish, radio antenna or television antenna is prohibited;

(e) the maximum height for an antennae tower as regulated by the municipality is 9.14 metres (30 ft.).

(3) Radio and television antennas, which are not regulated by Industry Canada, are classified as an accessory structure (Discretionary Use).

18. RETAINING WALLS, GRADING AND DRAINAGE

The Development Authority may require:

(a) the construction of a retaining wall, including submittal of a certified engineered design as a condition of development if significant differences in grade exist or will exist between the lot to be developed and adjacent parcels;

(b) the provision of engineered grading and drainage plans for the development;

(c) special grading and/or paving to prevent drainage problems with neighbouring lots as a condition of a development permit.

19. ROAD ACCESS

All new development must have access to a developed public road to the satisfaction of the Development Authority.

20. EXTERIOR BUILDING FINISHES

The Development Authority may require that specific finishing materials and colour tones be utilized to maintain the compatibility of any:

(a) proposed development with surrounding or adjacent developments;

(b) proposed additions or ancillary structures with existing buildings on the same lot.

21. EXPOSED FOUNDATIONS

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 regulated by the Development Authority.

22. SITE LIGHTING

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 adjacent properties.

23. REFUSE COLLECTION AND STORAGE

(1) Refuse and garbage shall be kept in a suitably-sized enclosure for each use within each land use district.

(2) Refuse and garbage areas shall be effectively screened until such time as collection and disposal is possible.

(3) All refuse on any construction site shall be properly screened or placed in an approved enclosure until removed for disposal.

24. SERVICING

All development shall be required to connect to both the municipal water supply and sewerage system where the municipal services are, in the opinion of the Development Authority, reasonably available.

25. DEVELOPMENT AGREEMENTS

Where a development is proposed in any land use district which would require servicing and additional improvements beyond that which the municipality might normally supply, the Development Authority shall require that a development agreement which would establish the responsibilities of each of the involved parties be entered into by the developer(s) and the municipality, registered by caveat against the title at the expense of the developer.

26. HAZARDOUS CHEMICAL STORAGE

The storage of bulk hazardous chemicals, as defined in the *Occupation Health and Safety Act*, shall not be permitted within residential land use districts.

27. DEMOLITION

(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) A development permit must be obtained for the demolition or removal of any building or structure 18.58 m^2 (200 sq. ft.) or greater in size.

(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.

(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 village property.

(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.

(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.

28. PARKING REQUIREMENTS

Off-Street Parking Area Requirements

(1) Parking areas shall be accessible, designed and delineated in a manner which will provide for orderly parking.

(2) Parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.

(3) The Development Authority may require that parking areas or portions thereof be paved.

(4) Off-street parking may be located in the front yard.

(5) In lieu of providing off-street parking, an owner of land to be developed may, subject to the approval of Development Authority, pay to the municipality such amount of money on such terms as the Development Authority considers reasonable in return for the equivalent public parking space to be provided by the municipality elsewhere in close proximity to the development.

(6) All parking spaces provided shall be on the same lot as the building or use, except that the Development Authority may permit parking spaces to be on a lot within 152.40 metres (500 ft.) of the building or use if determined impractical to provide parking on the same lot with the building or use. Where such other parking space is provided, a caveat approved by the Development Authority shall be registered against the lot.

Specific Requirements

(7) The following shall be used to calculate the off-street parking spaces required for a proposed development:

Use	No. of Stalls Required
Dwellings:	
Single detached (all types)	2 per dwelling unit
Duplex/semi-detached dwelling	2 per dwelling unit
Multi-family dwellings	*2* per dwelling unit
All others	As required by the Development Authority

Notes: For detailed parking requirements for all districts – **See Schedule 4 (Section 21 – Parking and Loading Area Requirements)**

29. DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 1

30. STANDARDS OF DEVELOPMENT (GENERAL) – See Schedule 4

31. SIGN REGULATIONS – See Schedule 5

32. DEFINITIONS – See Schedule 6

USE SPECIFIC STANDARDS

33. Eligible Prefabricated dwellings – See Schedule 4, Section 28
34. Eligible Moved-in dwellings – See Schedule 4, Section 29
35. Home Occupations – See Schedule 4, Section 31
36. Bed and Breakfasts – See Schedule 4, Section 32
37. Child Care and Adult Care facilities – See Schedule 4, Section 33
38. Secondary Suites – See Schedule 4, Section 34
39. Solar Collectors – See Schedule 4, Section 35
40. Small Wind Energy Systems – See Schedule 4, Section 36
41. Sign Regulations – See Schedule 5

RESIDENTIAL SMALL HOME LOT – RSHL

INTENT: *To accommodate quality residential small (tiny) home development on historically smaller sized lots that are serviced, with specific criteria standards and sited in an economical, orderly, and attractive manner, while excluding mobile/trailer type of similar uses.*

1. PERMITTED AND DISCRETIONARY USES

Permitted Uses

Accessory buildings, structures and uses, less than 29.75 m^2 (320 sq. ft.)
Dwelling:
  Small/Tiny Home - Single Detached Site-Built
Home occupation 1 (See Schedule 4, Section 31)
Solar collector (See Schedule 4, Section 35)

Discretionary Uses

Accessory buildings, structures and uses, greater than or equal to 29.75 m^2 (320 sq. ft.)
Dwellings:
  Single detached prefabricated (See Schedule 4, Section 28)
  Moved-in dwelling (See Schedule 4, Section 29)
Home occupation 2 (See Schedule 4, Section 31)
Small wind energy system – Type A (See Schedule 4, Section 36)
Utility

Prohibited Uses

All uses not listed as permitted or discretionary
Shipping containers

Use Standards/Requirements: To allow a Small/Tiny Home to be approved in this district, the residential dwelling must be placed on a permanent foundation to meet National Building Code - 2019 Alberta Edition, and no sitting on skids, blocks, wheels, or trailers is permitted. The dwelling must be a minimum of 37.16 m^2 (400 sq. ft.), in size and constructed to meet all residential dwelling requirements of the National Building Code - 2019 Alberta Edition (or subsequent update).

2. MINIMUM LOT SIZE

	Width		Length		Area	
Use	**m**	**ft.**	**m**	**ft.**	**m^2**	**sq. ft.**
Small/Tiny Home - Single detached dwellings (site built, prefabricated, moved-in)	7.62	25	35.05	115	267.09	2,875
All other uses	As required by the Development Authority					

3. MINIMUM SETBACK REQUIREMENTS – PRINCIPAL

	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
Use	**m**	**ft.**	**m**	**ft.**	**m**	**ft.**	**m**	**ft.**
Single detached dwellings (all types)	7.62	25	1.52	5	1.52	5	7.62	25
All other uses	As required by the Development Authority							

See Schedule 6 - Definitions

(1) **Secondary Front** (formerly 'Corner Side') means the lot line on a corner lot that has road frontage but is not the lot line from which primary access or development to the building is gained. (See Figure 3.1)

(2) Single detached prefabricated and moved-in detached dwellings developed and sited in a like manner shall be treated as conventional single detached dwellings by the Development Authority and subject to the same setback requirements stipulated in Section 3 of this district.

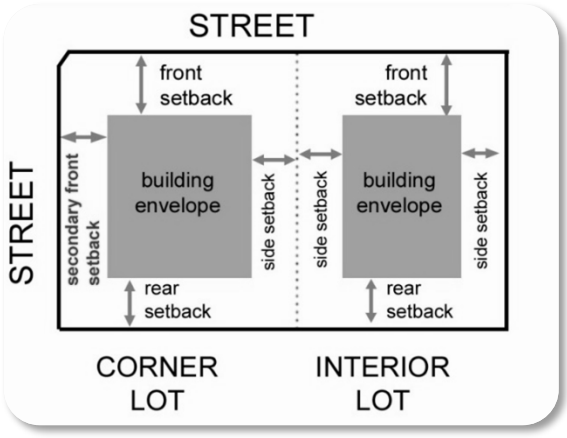


Figure 3.1

(3) Also refer to Section 5 – Easements; Section 11 – Street Corner Visibility; and Section 12 – Rear Lane Visibility.

(4) Structures that are attached to a principal building, including but not limited to decks, porches, carports, sunroofs, breezeways, are subject to the principal setbacks, except those which are allowed in Section 4 – Permitted Projections Into Setbacks.

(5) Any covered porch shall be considered part of the principal building in the determination of principal setbacks.

(6) The Development Authority may consider minor waivers to the building setback requirements in a well-established residential area if, in the opinion of the Development Authority, the proposed setback blends in with the prevailing yard pattern.

(7) The Development Authority may require varied building setbacks in new residential areas if, in their opinion, the variation in setbacks will enhance the development of that area.

(8) The Development Authority may require increased building setbacks (other than those listed above) if, in their opinion, such setbacks would:

(a) help avoid land use conflicts;

(b) enhance the appearance of the area.

4. PERMITTED PROJECTIONS INTO SETBACKS

(1) 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 not to exceed 0.61 metre (2 ft.) into a side setback or 2.44 metres (8 ft.) into a front or rear setback;

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

(c) fences or walls in accordance with Section 14 of this district;

(d) driveways, curbs and sidewalks;

(e) landscaping, fish ponds, ornaments, flagpoles (less than 4.57 metres (15 ft.) in height), or other similar landscaping features; and

(f) signs, in accordance with Schedule 5.

(2) The portions of and attachments to a principal building which may project over a setback are as follows:

(a) eaves, belt courses, bay windows, cornices, sills or other similar architectural features may project over a side or rear setback a distance not to exceed one-half of the width of the smallest setback required for the site and over a front setback a distance not to exceed 1.22 metres (4 ft.);

(b) an uncovered balcony, cantilever, or other similar feature may project over a side or rear setback a distance not to exceed one-half of the width of the smallest setback required for the site;

(c) a chimney which is not more than 1.22 metres (4 ft.) wide and projects not more than 0.30 metre (1.0 ft.) into a rear or side setback.

(3) In a front yard, cantilevers not exceeding 40 percent of the front wall area may encroach a maximum of 0.61 metre (2 ft.).

(4) In a side yard, cantilevers may encroach a maximum of 0.61 metre (2 ft.) where:

(a) the projection does not exceed 40 percent of one side wall and 20 percent of the other, and

(b) the projection is not immediately beside a projection of an adjacent dwelling.

(5) In a rear yard, cantilevers may encroach a maximum of 0.61 metre (2 ft.).

(6) In all cases, projections into any required setback must comply with the requirements of the *Safety Codes Act*.

5. EASEMENTS

All buildings shall not be located over top of an easement unless otherwise permitted. In the case of a high pressure gas line (or similar) all buildings shall be a minimum of 3.05 metres (10 ft.) from the easement.

6. ACCESSORY BUILDINGS AND STRUCTURES

(1) Minimum setbacks for accessory buildings and structures are as follows:

Front Yard		Side		Rear Yard	
m	ft.	m	ft.	m	ft.
same as principal building		0.61	2	1.22	4

(2) Accessory buildings and structures shall be located a minimum distance of 1.22 metres (4 ft.) from the principal building.

(3) Accessory buildings shall be constructed such that eaves shall be no closer than 0.30 metres (1 ft.) from a side lot line or rear lot line and all drainage is conducted to the appropriate storm drain or grade via the applicant's own property.

(4) Also refer to Sections 5, 11 and 12 of this district for clear vision triangle requirements and setbacks from easements.

(5) Accessory buildings or structures shall not to be located in the front yard in relation to the principal building.

(6) Quonsets, Quonset-style buildings or semicircular metal structures shall not be permitted as accessory buildings in the Residential Small Home Lot – RSHL land use district.

7. ACCESSORY USE – AIR CONDITIONERS

A freestanding exterior air conditioner must not be:

(a) located in a front yard;

(b) located less than 1.0 metre (3.3 ft.) from side and rear lot lines.

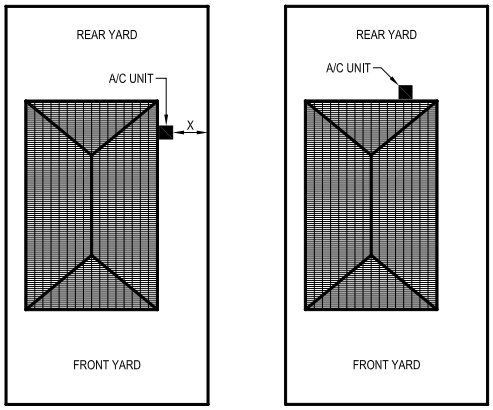


Figure 7.1

(image left) Air conditioner not permitted where 'x' is less than 1.0 metre (3.3 ft.).
(image right) Preferred location in rear.

8. MAXIMUM SITE COVERAGE

Principal building	35%
Accessory buildings and structures	10%
Total site coverage of all buildings	**45%**

Site coverage means the percentage of the lot area which is covered by all buildings and structures on the lot.

Site coverage, principal means the percentage of the lot area which is covered by the principal building including any structure attached to the principal building by an open or enclosed roofed structure, including but not limited to attached garages, carports, verandas, covered balconies, covered decks, and porches.

Site coverage, accessory means the percentage of the lot area which is covered by the combined area of all accessory buildings and structures and includes uncovered decks.

Note: See *Schedule 6 – Definitions* for all applicable definitions.

9. MINIMUM FLOOR AREA

Dwelling type	Area (m^2)	Area (sq. ft.)
Small/Tiny Home - single detached dwellings – site built, prefabricated Moved-in dwellings	37.16 m^2	400 sq. ft.
All other uses	As required by the Development Authority	

Floor area means the sum of the gross horizontal area of the several floors and passageways of a building not including basements, attached garages and open porches.

Note: See *Schedule 6 – Definitions* for all applicable definitions.

10. MAXIMUM BUILDING HEIGHT

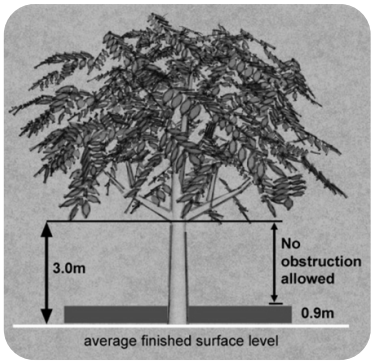
Dwelling type	Height (metres)	Height (feet)
Single detached dwellings	9.14 m	30 ft.
Accessory buildings	4.88 m	16 ft.
All other uses	As required by the Development Authority	

Building height means the vertical distance between average grade and the highest point of a building, excluding an elevator housing, a roof stairway entrance, a ventilating fan, skylight, steeple, chimney, smoke stack, fire wall or parapet wall, flagpole, or other similar structure.

Note: See *Schedule 6 – Definitions* for all applicable definitions.

11. STREET CORNER VISIBILITY

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 0.91 metre (3 ft.) and 3.05 metres (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 6.10 metres (20 ft.) from the point of intersection. (see Figures 11.1 and 11.2).



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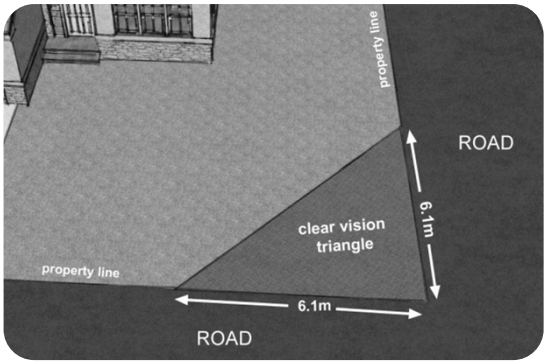


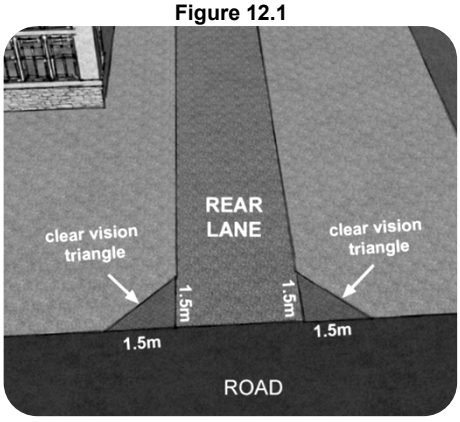
Figure 11.2

12. REAR LANE VISIBILITY

(1) The Development Authority may impose conditions on a development to ensure that adequate visibility and safety of both pedestrians and vehicles is maintained for vehicles entering and exiting rear lanes.

(2) The Development Authority may request that a minimum 1.5 metres (4.9 ft.) corner visibility triangle be provided for lots backing onto the intersection of a rear lane and public roadway (See Figure 12.1).

Figure 12.1



13. DRIVEWAYS

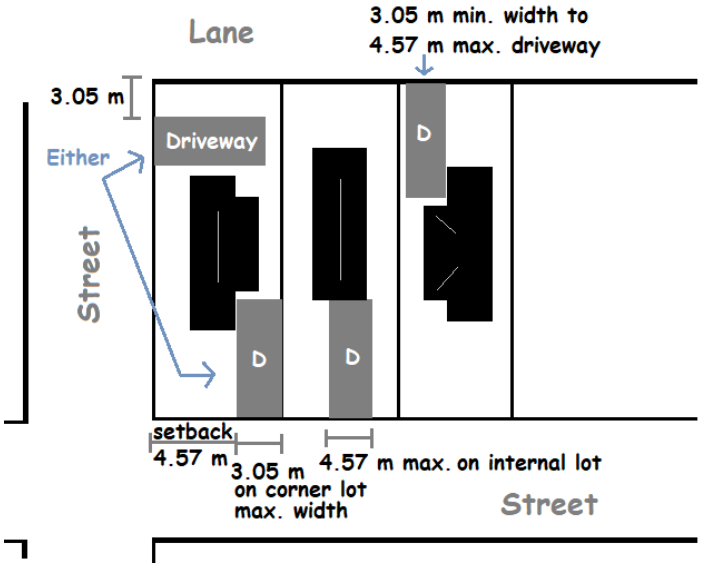
(1) Vehicular access for corner lots shall generally be limited to locations along the minor street or cul-de-sac.

(2) In residential districts where a subject property does not provide a side yard sufficient for a driveway, then one off-street parking pad may be permitted in the front yard to a maximum of 4.57 m (15 ft.) in width. (See Figure 13.1)

(3) Only one driveway per lot should be permitted for one-unit residential developments, including prefabricated homes.

(4) Driveways shall be a minimum of 3.05 metres (10 ft.) and a maximum of 4.57 metres (15 ft.) in width, unless otherwise approved by the Development Authority on the basis of merit.

(5) Driveways shall be a minimum of 3.05 metres (10 ft.) from the entrance to a lane, and 4.57 metres (15 ft.) from the intersection of two public roadways. (See Figure 13.2)



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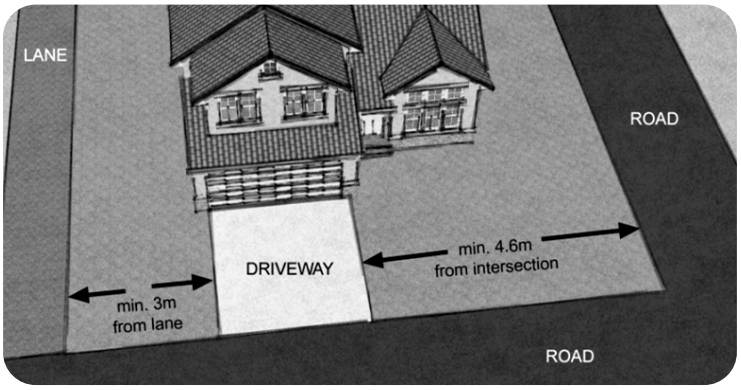


Figure 13.2

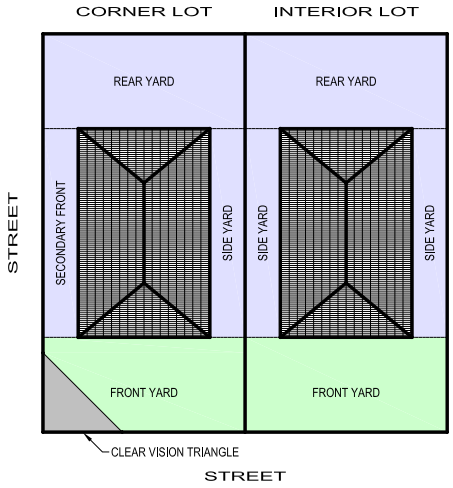
(6) Driveways, parking pads or hard surfaced areas (e.g. paving stones, sidewalks) that cover more than 25 percent of the total lot area require a development permit.

14. FENCES

(1) No fence, wall, hedge or any combination thereof shall extend more than 0.91 metre (3 ft.) above the ground in any front yard area as illustrated in Figure 20.1 without a development permit approved by the Development Authority (See Figure 14.1).

(2) Fences in the secondary front, rear and side yards shall be 1.83 metres (6 ft.) or less in height (See Figure 14.1).

(3) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.



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Fence Height Provisions
Green area = fence height 3 ft. or less
Blue area = fence height 6 ft. or less

15. DECKS AND AMENITY SPACES

(1) A development permit is required for the construction of a deck if it will be 0.61 metre (2 ft.) or greater in height. Decks 0.61 metre (2 ft.) or greater in height must meet all setback requirements for principal dwellings.

(2) Uncovered decks that are less than 0.61 metre (2 ft.) in height do not require a development permit provided they meet the minimum setback requirements for accessory buildings.

(3) All covered decks require a development permit.

(4) For the purposes of calculating site coverage requirements, where a structure is attached to the principal building by a roof structure (open or closed), it shall be deemed part of the principal building and subject to principal building requirements.

(5) Decks must be located in a manner such as to preserve the privacy of adjacent properties.

(6) Privacy walls/screens associated with decks 0.61 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.

(7) A privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (finished board on top of joist or stone patio surface) of a balcony, deck or patio.

(8) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.

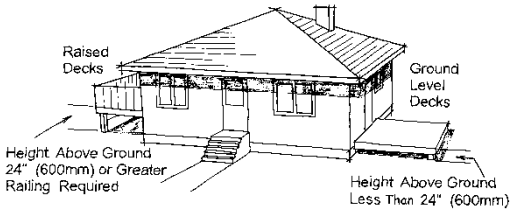

Figure 35.1

16. LANDSCAPING STANDARDS AND SCREENING

(1) The Development Authority may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development.

(2) The front yard and corner side yard on corner lots shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.

(3) Where any parcel or part of a parcel adjacent to a road is used for outdoor storage of goods, machinery, vehicles, buildings or waste materials, the Development Authority may require satisfactory screening by buildings, fences, hedges, trees, berming or other landscaping features (See Figure 16.1).

(4) Parking lots shall be landscaped and/or screened as required by the Development Authority (See Figure 16.1).

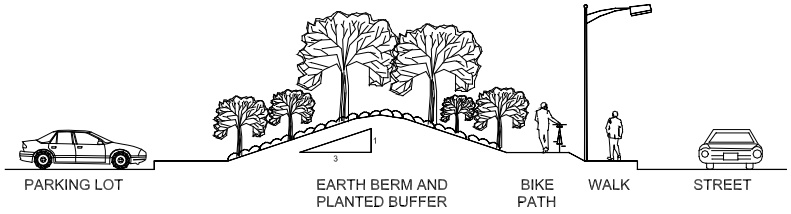

Figure 16.1

17. SATELLITE DISHES, RADIO AND TELEVISION ANTENNAE

(1) Satellite or cable television dishes less than 1.52 metres (5 ft.) in diameter do not require a development permit.

(2) Satellite or cable television dishes of 1.52 metres (5 ft.) or greater in diameter and radio and television antennae are accessory uses which require a development permit and are subject to the following:

(a) a satellite dish, radio antenna or television antenna shall only be located in a rear yard or side yard which does not abut on a street subject to principal setbacks;

(b) a satellite dish, radio antenna or television antenna must comply with the districts required setbacks, including any guide wires and supports;

(c) no advertising shall be allowed on a satellite dish, radio antenna or television antenna;

(d) the illumination of a satellite dish, radio antenna or television antenna is prohibited;

(e) the maximum height for an antennae tower as regulated by the municipality is 9.14 metres (30 ft.).

(3) Radio and television antennas, which are not regulated by Industry Canada, are classified as an accessory structure (Discretionary Use).

18. RETAINING WALLS, GRADING AND DRAINAGE

The Development Authority may require:

(a) the construction of a retaining wall, including submittal of a certified engineered design as a condition of development if significant differences in grade exist or will exist between the lot to be developed and adjacent parcels;

(b) the provision of engineered grading and drainage plans for the development;

(c) special grading and/or paving to prevent drainage problems with neighbouring lots as a condition of a development permit.

19. ROAD ACCESS

All new development must have access to a developed public road to the satisfaction of the Development Authority.

20. DESIGN AND EXTERIOR BUILDING FINISHES

The Development Authority may require that specific building design, roof pitches, finishing materials and colour tones be utilized on small/tiny home dwellings and accessory buildings:

(a) to maintain the compatibility of any proposed development with surrounding or adjacent developments;

(b) to maintain the compatibility of any proposed additions or ancillary structures with existing buildings on the same lot; and

(c) to integrate the design, character and building type with the prevalent streetscape and to ensure the building mass and elevations fit appropriately on the smaller lot aesthetic wise.

21. EXPOSED FOUNDATIONS

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 regulated by the Development Authority.

22. SITE LIGHTING

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 adjacent properties.

23. REFUSE COLLECTION AND STORAGE

(1) Refuse and garbage shall be kept in a suitably-sized enclosure for each use within each land use district.

(2) Refuse and garbage areas shall be effectively screened until such time as collection and disposal is possible.

(3) All refuse on any construction site shall be properly screened or placed in an approved enclosure until removed for disposal.

24. SERVICING

All development shall be required to connect to both the municipal water supply and sewerage system where the municipal services are, in the opinion of the Development Authority, reasonably available.

25. DEVELOPMENT AGREEMENTS

Where a development is proposed in any land use district which would require servicing and additional improvements beyond that which the municipality might normally supply, the Development Authority shall require that a development agreement which would establish the responsibilities of each of the involved parties be entered into by the developer(s) and the municipality, registered by caveat against the title at the expense of the developer.

26. HAZARDOUS CHEMICAL STORAGE

The storage of bulk hazardous chemicals, as defined in the *Occupation Health and Safety Act*, shall not be permitted within residential land use districts.

27. DEMOLITION

(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) A development permit must be obtained for the demolition or removal of any building or structure 18.58 m^2 (200 sq. ft.) or greater in size.

(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.

(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 village property.

(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.

(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.

28. PARKING REQUIREMENTS

Off-Street Parking Area Requirements

(1) Parking areas shall be accessible, designed and delineated in a manner which will provide for orderly parking.

(2) Parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.

(3) The Development Authority may require that parking areas or portions thereof be paved.

(4) Off-street parking may be located in the front yard.

(5) In lieu of providing off-street parking, an owner of land to be developed may, subject to the approval of Development Authority, pay to the municipality such amount of money on such terms as the Development Authority considers reasonable in return for the equivalent public parking space to be provided by the municipality elsewhere in close proximity to the development.

(6) All parking spaces provided shall be on the same lot as the building or use, except that the Development Authority may permit parking spaces to be on a lot within 152.40 metres (500 ft.) of the building or use if determined impractical to provide parking on the same lot with the building or use. Where such other parking space is provided, a caveat approved by the Development Authority shall be registered against the lot.

Specific Requirements

(7) The following shall be used to calculate the off-street parking spaces required for a proposed development:

Use	No. of Stalls Required
Dwellings: Small/Tiny Homes - Single detached (all types)	1 per dwelling unit
All others	As required by the Development Authority

Notes: For detailed parking requirements for all districts – See Schedule 4 (Section 21 – Parking and Loading Area Requirements)

29. DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 1

30. STANDARDS OF DEVELOPMENT (GENERAL) – See Schedule 4

31. SIGN REGULATIONS – See Schedule 5

32. DEFINITIONS – See Schedule 6

USE SPECIFIC STANDARDS

33. Eligible Prefabricated dwellings – See Schedule 4, Section 28
34. Eligible Moved-in dwellings – See Schedule 4, Section 29
35. Home Occupations – See Schedule 4, Section 31
36. Solar Collectors – See Schedule 4, Section 35
37. Sign Regulations – See Schedule 5

COUNTRY RESIDENTIAL – CR

INTENT: *To accommodate existing large lot residential development that may be serviced by water or sewer in limited areas, but is generally unserviced and uses private on-site septic treatment if suitable, in areas identified for such use by Village council.*

1. PERMITTED AND DISCRETIONARY USES

Permitted Uses

Accessory buildings, structures and uses, less than 44.59 m^2 (480 sq. ft.)
Dwelling:
  Single detached site-built
Home occupation 1 (See Schedule 4, Section 31)
Secondary suite (See Schedule 4, Section 34)
Solar collector (See Schedule 4, Section 35)

Prohibited Uses

All uses not listed as permitted or discretionary
Shipping containers

Discretionary Uses

Accessory buildings, structures and uses, greater than or equal to 44.59 m^2 (480 sq. ft.)
Bed and breakfast (See Schedule 4, Section 32)
Dwelling:
  Moved-in (See Schedule 4, Section 29)
  Single detached prefabricated (See Schedule 4, Section 28)
  Home occupation 2 (See Schedule 4, Section 31)
Moved-in building (See Schedule 4, Section 29)
Parks and playgrounds
Small wind energy system – Type A (See Schedule 4, Section 36)
Sportsfields
Utility

2. MINIMUM LOT SIZE

	Width		Length		Area*	
Use	**m**	**ft.**	**m**	**ft.**	**m^2**	**sq. ft.**
Single detached dwellings (site built, moved-in and prefabricated)	30.48	100	60.96	200	1,858.00	20,000
All other uses	As required by the Development Authority					

* The overall lot area size is the most important standard if private sewage systems are permitted to be used.

3. MINIMUM SETBACK REQUIREMENTS – PRINCIPAL

	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
Use	**m**	**ft.**	**m**	**ft.**	**m**	**ft.**	**m**	**ft.**
Single detached dwellings	15.24	50	7.62	25	3.05	10	15.24	50
All other uses	As required by the Development Authority							

See Schedule 6 – Definitions

(1) **Secondary Front** (formerly 'Corner Side') means the lot line on a corner lot that has road frontage but is not the lot line from which primary access or development to the building is gained. (See Figure 3.1)

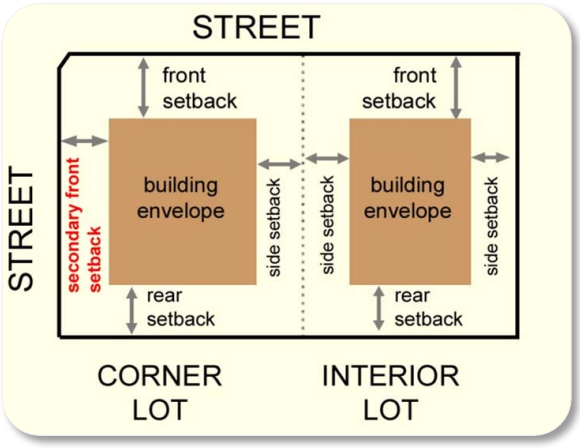

Figure 3.1

(2) Single detached prefabricated and moved-in detached dwellings developed and sited in a like manner shall be treated as conventional single detached dwellings by the Development Authority and subject to the same setback requirements stipulated in Section 3 of this schedule.

(3) Where a common property line is required for the development of a semi-detached dwelling or townhouse / row dwelling the side yard setback requirement stated in Section 3 is not required along the common property line.

(4) Also refer to Section 5 – Easements; Section 11 – Street Corner Visibility; and Section 12 – Rear Lane Visibility.

(5) Structures that are attached to a principal building, including but not limited to decks, porches, sunroofs, breezeways, are subject to the principal setbacks, except those which are allowed in Section 4 – Projections Into Setbacks.

(6) Any covered porch shall be considered part of the principal building in the determination of principal setbacks.

(7) The Development Authority may consider minor waivers to the building setback requirements in a well-established residential area if, in the opinion of the Development Authority, the proposed setback blends in with the prevailing yard pattern.

(8) The Development Authority may require varied building setbacks in new residential areas if, in their opinion, the variation in setbacks will enhance the development of that area.

(9) The Development Authority may require increased building setbacks (other than those listed above) if, in their opinion, such setbacks would:

(a) help avoid land use conflicts;

(b) enhance the appearance of the area.

4. PROJECTIONS INTO SETBACKS

(1) 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 not to exceed 0.61 metre (2 ft.) into a side setback or 2.44 metres (8 ft.) into a front or rear setback;

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

(c) fences or walls in accordance with Section 14 of this district;

(d) driveways, curbs and sidewalks;

(e) landscaping, fish ponds, ornaments, flagpoles (less than 4.57 metres (15 ft.) in height), or other similar landscaping features; and

(f) signs, in accordance with Schedule 5.

(2) The portions of and attachments to a principal building which may project over a setback are as follows:

(a) eaves, belt courses, bay windows, cornices, sills or other similar architectural features may project over a side or rear setback a distance not to exceed one-half of the width of the smallest setback required for the site and over a front setback a distance not to exceed 1.22 metres (4 ft.);

(b) an uncovered balcony, cantilever, or other similar feature may project over a side or rear setback a distance not to exceed one-half of the width of the smallest setback required for the site;

(c) a chimney which is not more than 1.22 metres (4 ft.) wide and projects not more than 0.30 metre (1 ft.) into a rear or side setback.

(3) In a front yard, cantilevers not exceeding 40 percent of the front wall area may encroach a maximum of 0.61 metre (2 ft.).

(4) In a side yard, cantilevers may encroach a maximum of 0.61 metre (2 ft.) where:

(a) the projection does not exceed 40 percent of one side wall and 20 percent of the other, and

(b) the projection is not immediately beside a projection of an adjacent dwelling.

(5) In a rear yard, cantilevers may encroach a maximum of 0.61 metre (2 ft.).

(6) In all cases, projections into any required setback must comply with the requirements of the *Safety Codes Act*.

5. EASEMENTS

All buildings shall not be located over top of an easement unless otherwise permitted. In the case of a high pressure gas line (or similar) all buildings shall be a minimum of 3.05 metres (10 ft.) from the easement.

6. ACCESSORY BUILDINGS AND STRUCTURES

(1) Minimum setbacks for accessory buildings are as follows:

Front Yard		Side		Rear Yard	
m	**ft.**	**m**	**ft.**	**m**	**ft.**
same as principal building		1.52	5	1.52	5

(2) Accessory buildings and structures shall be located a minimum distance of 1.22 metres (4 ft.) from the principal building.

(3) Accessory buildings shall be constructed such that eaves shall be no closer than 0.61 metre (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.

(4) Accessory buildings or structures **shall not** to be located in the front yard in relation to the principal building.

(5) Also refer to Section 5 –Easements; Section 11 – Street Corner Visibility; and Section 12 – Rear Lane Visibility.

7. ACCESSORY USE – AIR CONDITIONERS

A freestanding exterior air conditioner must not be:

(a) located in a front yard;

(b) located less than 1.0 metre (3.3 ft.) from side and rear lot lines.

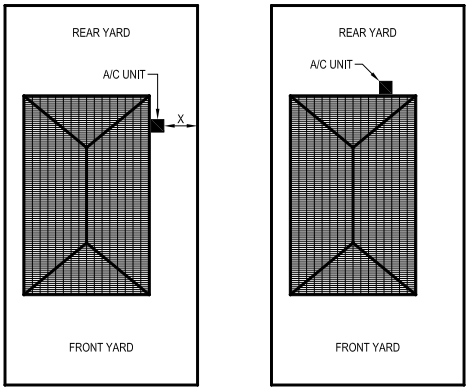

Figure 7.1
(image left) Air conditioner not permitted where 'x' is less than 1.0 metre (3.3 ft.).
(image right) Preferred location in rear.

8. MAXIMUM SITE COVERAGE

Principal building	35%
Accessory buildings and structures	10%
Total site coverage of all buildings	**45%**

Site coverage means the percentage of the lot area which is covered by all buildings and structures on the lot.

Site coverage, principal means the percentage of the lot area which is covered by the principal building including any structure attached to the principal building by an open or enclosed roofed structure, including but not limited to attached garages, carports, verandas, covered balconies, covered decks, and porches.

Site coverage, accessory means the percentage of the lot area which is covered by the combined area of all accessory buildings and structures and includes uncovered decks.

Note: See *Schedule 6 – Definitions* for all applicable definitions.

9. MINIMUM FLOOR AREA

Dwelling type	**Area (m^2)**	**Area (sq. ft.)**
Single detached dwellings – all	96.62 m^2	1,040 sq. ft.
All other uses	As required by the Development Authority	

Floor area means the sum of the gross horizontal area of the several floors and passageways of a building not including basements, attached garages and open porches.

Note: See *Schedule 6 – Definitions* for all applicable definitions.

10. MAXIMUM BUILDING HEIGHT

Dwelling type	Height (metres)	Height (feet)
Single detached dwellings	9.14 m	30 ft.
Duplex and Semi-detached dwellings	9.14 m	30 ft.
Accessory buildings	4.88 m	16 ft.
All other uses	As required by the Development Authority	

Building height means the vertical distance between average grade and the highest point of a building excluding an elevator housing, a roof stairway entrance, a ventilating fan, skylight, steeple, chimney, smoke stack, fire wall or parapet wall, flagpole, or other similar structure.

Note: See *Schedule 6 – Definitions* for all applicable definitions.

11. STREET CORNER VISIBILITY

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 0.91 metre (3 ft.) and 3.05 metres (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 6.10 metres (20 ft.) from the point of intersection. (See Figures 11.1 and 11.2).

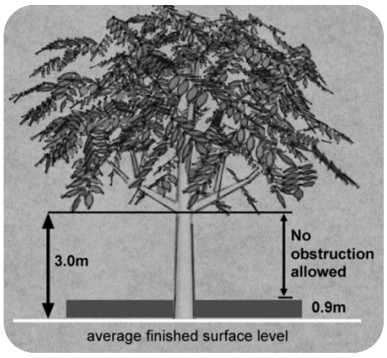

Figure 11.1

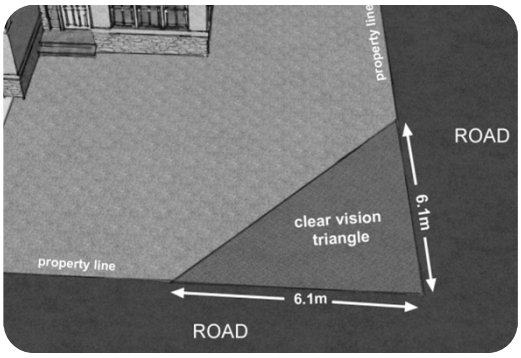

Figure 11.2

12. REAR LANE VISIBILITY

(1) The Development Authority may impose conditions on a development to ensure that adequate visibility and safety of both pedestrians and vehicles is maintained for vehicles entering and exiting rear lanes.

(2) The Development Authority may request that a minimum 1.52 metres (5 ft.) corner visibility triangle be provided for lots backing onto the intersection of a rear lane and public roadway.

13. DRIVEWAYS

(1) Vehicular access for corner lots shall generally be limited to locations along the minor street or cul-de-sac.

(2) In residential districts where a subject property does not provide a side yard sufficient for a driveway, then one off-street parking pad may be permitted in the front yard to a maximum of 7.62 metres (25 ft.) in width.

(3) Only one driveway per lot should be permitted for one unit residential developments.

(4) Driveways shall be a minimum width of 3.05 metres (10 ft.) unless otherwise approved by the Development Authority on the basis of merit.

(5) Driveways shall be a minimum distance of 3.05 metres (10 ft.) from the entrance to a lane, and 4.57 metres (15 ft.) from the intersection of two public roadways.

(6) Driveways, parking pads or hard surfaced areas (e.g. paving stones, sidewalks) that cover more than 25 percent of the total lot area require a development permit.

14. FENCES

(1) No fence, wall, hedge or any combination thereof shall extend more than 0.91 metre (3 ft.) above the ground in any front yard area as illustrated in Figure 20.1 without a development permit approved by the Development Authority (See Figure 14.1).

(2) Fences in the secondary front, rear and side yards shall be 1.83 metres (6 ft.) or less in height (See Figure 14.1).

(3) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.

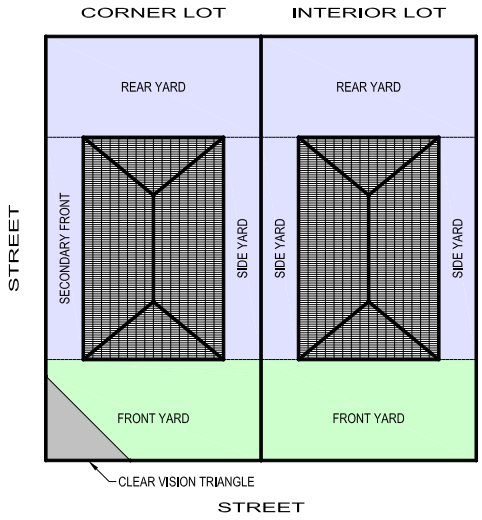

Figure 14.1

Fence Height Provisions
Green area = fence height 3 ft. or less
Blue area = fence height 6 ft. or less

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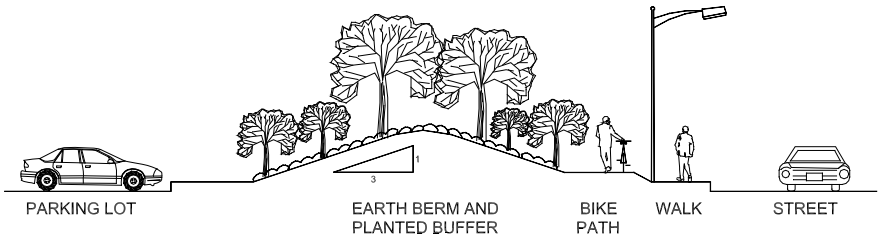

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All development shall be required to connect to both the municipal water supply and sewerage system where the municipal services are, in the opinion of the Development Authority, reasonably available. Where no municipal servicing is reasonably available, development may be approved by the municipality and shall be subject to compliance with Regional Health Authority and Alberta

Labour standards for unserviced parcels. Prior to development approval, the applicant shall be required to submit a professional soils analysis/test and report to demonstrate the suitability of the site for on-site septic, to the satisfaction of the Development Authority.

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(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.

28. PARKING REQUIREMENTS

Off-Street Parking Area Requirements

(1) Parking areas shall be accessible, designed and delineated in a manner which will provide for orderly parking.

(2) Parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.

(3) The Development Authority may require that parking areas or portions thereof be paved.

(4) Off-street parking may be located in the front yard.

(5) In lieu of providing off-street parking, an owner of land to be developed may, subject to the approval of Development Authority, pay to the municipality such amount of money on such terms as the Development Authority considers reasonable in return for the equivalent public parking space to be provided by the municipality elsewhere in close proximity to the development.

(6) All parking spaces provided shall be on the same lot as the building or use, except that the Development Authority may permit parking spaces to be on a lot within 152.40 metres (500 ft.) of the building or use if determined impractical to provide parking on the same lot with the building or use. Where such other parking space is provided, a caveat approved by the Development Authority shall be registered against the lot.

Specific Requirements

(7) The following shall be used to calculate the off-street parking spaces required for a proposed development:

Use	No. of Stalls Required
Dwellings:	
Single detached (all types)	2 per dwelling unit
All others	As required by the Development Authority

Notes: For detailed parking requirements for all districts – **See Schedule 4 (Section 21 – Parking and Loading Area Requirements)**

29. DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 1

30. STANDARDS OF DEVELOPMENT (GENERAL) – See Schedule 4

31. SIGN REGULATIONS – See Schedule 5

32. DEFINITIONS – See Schedule 6

USE SPECIFIC STANDARDS

33. Eligible prefabricated dwellings – See Schedule 4, Section 28
34. Eligible moved-in dwellings – See Schedule 4, Section 29
35. Home occupations – See Schedule 4, Section 31
36. Bed and Breakfasts – See Schedule 4, Section 32
37. Child Care and Adult Care facilities – See Schedule 4, Section 33
38. Secondary Suites – See Schedule 4, Section 34
39. Solar Collectors – See Schedule 4, Section 35
40. Small Wind Energy Systems – See Schedule 4, Section 36
41. Sign Regulations – See Schedule 5

MANUFACTURED HOME – MH

INTENT: *To allow for a variety of housing types in the municipality and accommodate manufactured homes on regular sized residential lots to be developed in an economical, orderly and attractive manner.*

1. PERMITTED AND DISCRETIONARY USES

Permitted Uses

Accessory buildings, structures and uses, less than 44.59 m^2 (480 sq. ft.)
Dwelling:
- Single detached manufactured (See Schedule 4, Section 30)

Home occupations 1 (See Schedule 4, Section 31)
Solar collector (See Schedule 4, Section 35)

Discretionary Uses

Accessory buildings, structures and uses, greater than or equal to 44.59 m^2 (480 sq. ft.)
Home occupations 2 (See Schedule 4, Section 31)
Laundry
Parks and playgrounds
Utilities

Prohibited Uses

All uses not listed as permitted or discretionary
Shipping containers

2. MINIMUM LOT SIZE

	Width		Length		Area	
Use	**m**	**ft.**	**m**	**ft.**	**m^2**	**sq. ft.**
Single detached manufactured dwellings	15.24	50	36.58	120	557.40	6,000
All other uses	As required by the Development Authority					

3. MINIMUM SETBACK REQUIREMENTS – PRINCIPAL

	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
Use	**m**	**ft.**	**m**	**ft.**	**m**	**ft.**	**m**	**ft.**
Single detached manufactured dwellings	7.62	25	3.66	12	1.52	5	3.05	10
All other uses	As required by the Development Authority							

See Schedule 6 – Definitions

(1) **Secondary Front** (formerly 'Corner Side') means the lot line on a corner lot that has road frontage but is not the lot line from which primary access or development to the building is gained. (See Figure 3.1)

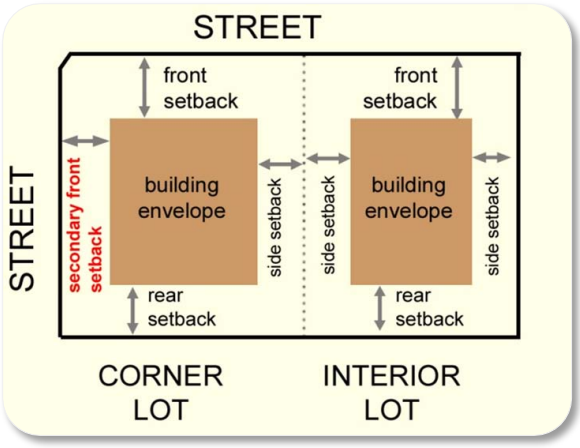


Figure 3.1

(2) Single detached prefabricated and moved-in detached dwellings developed and sited in a like manner shall be treated as conventional single detached dwellings by the Development Authority and subject to the same setback requirements stipulated in Section 3 of this schedule.

(3) Where a common property line is required for the development of a semi-detached dwelling or townhouse/row dwelling the side yard setback requirement stated in Section 3 is not required along the common property line.

(4) Also refer to Section 5 – Easements; Section 11 – Street Corner Visibility; and Section 12 – Rear Lane Visibility.

(5) Structures that are attached to a principal building, including but not limited to decks, porches, sunroofs, breezeways, are subject to the principal setbacks, except those which are allowed in Section 4 – Projections Into Setbacks.

(6) Any covered porch shall be considered part of the principal building in the determination of principal setbacks.

(7) The Development Authority may consider minor waivers to the building setback requirements in a well-established residential area if, in the opinion of the Development Authority, the proposed setback blends in with the prevailing yard pattern.

(8) The Development Authority may require varied building setbacks in new residential areas if, in their opinion, the variation in setbacks will enhance the development of that area.

(9) The Development Authority may require increased building setbacks (other than those listed above) if, in their opinion, such setbacks would:

(a) help avoid land use conflicts;

(b) enhance the appearance of the area.

4. PROJECTIONS INTO SETBACKS

(1) 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 not to exceed 0.61 metre (2 ft.) into a side setback or 2.44 metres (8 ft.) into a front or rear setback;

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

(c) fences or walls in accordance with Section 14 of this district;

(d) driveways, curbs and sidewalks;

(e) landscaping, fish ponds, ornaments, flagpoles [less than 4.57 metres (15 ft.) in height], or other similar landscaping features; and

(f) signs, in accordance with Schedule 5.

(2) The portions of and attachments to a principal building which may project over a setback are as follows:

(a) eaves, belt courses, bay windows, cornices, sills or other similar architectural features may project over a side or rear setback a distance not to exceed one-half of the width of the smallest setback required for the site and over a front setback a distance not to exceed 1.22 metres (4 ft.);

(b) an uncovered balcony, cantilever, or other similar feature may project over a side or rear setback a distance not to exceed one-half of the width of the smallest setback required for the site;

(c) a chimney which is not more than 1.22 metres (4 ft.) wide and projects not more than 0.30 metre (1 ft.) into a rear or side setback.

5. EASEMENTS

All buildings shall not be located over top of an easement unless otherwise permitted. In the case of a high pressure gas line (or similar) all buildings shall be a minimum of 3.05 metres (10 ft.) from the easement.

6. ACCESSORY BUILDINGS AND STRUCTURES

(1) Minimum setbacks for accessory buildings and structures are as follows:

Front Yard		Side		Rear Yard	
m	ft.	m	ft.	m	ft.
same as principal building		0.91	3	0.91	3

(2) Accessory buildings and structures shall be located a minimum distance of 1.22 metres (4 ft.) from the principal building.

(3) Accessory buildings shall be constructed such that eaves shall be no closer than 0.30 metre (1 ft.) from a side lot line or rear lot line and all drainage is conducted to the appropriate storm drain or grade via the applicant's own property.

(4) Also refer to Sections 5, 10 and 11 of this district for clear vision triangle requirements and setbacks from easements.

(5) Accessory buildings or structures shall not to be located in the front yard in relation to the principal building.

(6) Quonsets, Quonset-style buildings or semi-circular metal structures shall not be permitted as accessory buildings in the Residential – R land use district.

7. MAXIMUM SITE COVERAGE

Manufactured homes, inclusive of all additions	35%
Accessory buildings and structures	10%
Total site coverage of all buildings	**45%**

Site coverage means the percentage of the lot area which is covered by all buildings and structures on the lot.

Site coverage, principal means the percentage of the lot area which is covered by the principal building including any structure attached to the principal building by an open or enclosed roofed structure, including but not limited to attached garages, carports, verandas, covered balconies, covered decks, and porches.

Site coverage, accessory means the percentage of the lot area which is covered by the combined area of all accessory buildings and structures and includes uncovered decks.

Note: See *Schedule 6 – Definitions* for all applicable definitions.

8. MINIMUM FLOOR AREA

Dwelling type	Area (m^2)	Area (sq. ft.)
Single detached dwellings – all	55.74 m^2	600 sq. ft.
All other uses	As required by the Development Authority	

Floor area means the sum of the gross horizontal area of the several floors and passageways of a building not including basements, attached garages and open porches.

Note: See *Schedule 6 – Definitions* for all applicable definitions.

9. MAXIMUM BUILDING HEIGHT

Dwelling type	Height (metres)	Height (feet)
Accessory buildings	4.88 m	16 ft.
All other uses	As required by the Development Authority	

10. STREET CORNER VISIBILITY

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 0.91 metre (3 ft.) and 3.05 metres (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 6.10 metres (20 ft.) from the point of intersection. (See Figures 10.1 and 10.2).

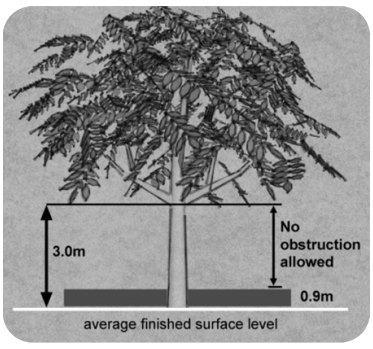


Figure 10.1

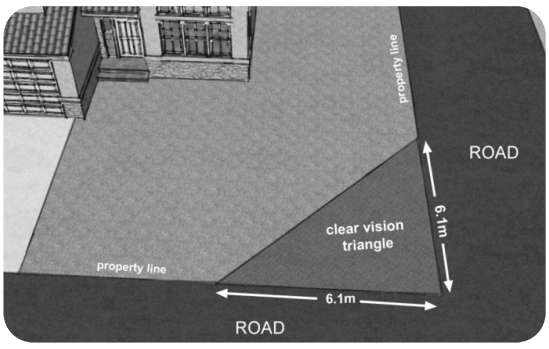


Figure 10.2

11. REAR LANE VISIBILITY

(1) The Development Authority may impose conditions on a development to ensure that adequate visibility and safety of both pedestrians and vehicles is maintained for vehicles entering and exiting rear lanes.

(2) The Development Authority may request that a minimum 1.52 metres (5 ft.) corner visibility triangle be provided for lots backing onto the intersection of a rear lane and public roadway.

12. DRIVEWAYS

(1) Vehicular access for corner lots shall generally be limited to locations along the minor street or cul-de-sac.

(2) In residential districts where a subject property does not provide a side yard sufficient for a driveway, then one off-street parking pad may be permitted in the front yard to a maximum of 7.62 metres (25 ft.) in width.

(3) Only one driveway per lot should be permitted for one unit residential developments, including single-wide and double-wide manufactured homes.

(4) Driveways shall be a minimum width of 3.05 metres (10 ft.) in width unless otherwise approved by the Development Authority on the basis of merit.

(5) Driveways shall be located a minimum distance of 3.05 metres (10 ft.) from the entrance to a lane, and 4.57 metres (15 ft.) from the intersection of two public roadways.

(6) Driveways, parking pads or hard surfaced areas (e.g. paving stones, sidewalks) that cover more than 25 percent of the total lot area require a development permit.

13. FENCES

(1) No fence, wall, hedge or any combination thereof shall extend more than 0.91 metre (3 ft.) above the ground in any front yard area as illustrated in Figure 20.1 without a development permit approved by the Development Authority (See Figure 13.1).

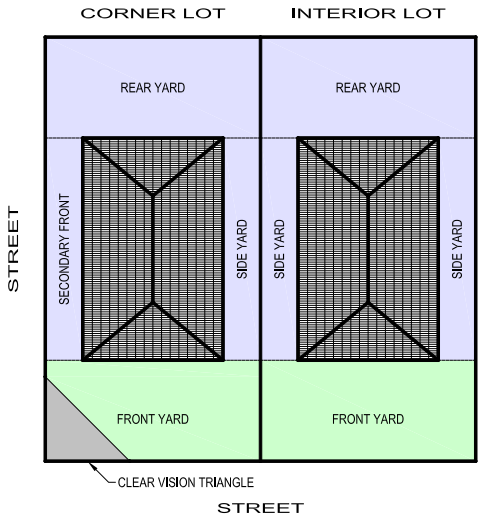


Figure 13.1

Fence Height Provisions
Green area = fence height 3 ft. or less
Blue area = fence height 6 ft. or less

(2) Fences in the secondary front, rear and side yards shall be 1.83 metres (6 ft.) or less in height (See Figure 13.1).

(3) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.

14. DECKS AND AMENITY SPACES

(1) A development permit is required for the construction of a deck if it will be 0.61 metre (2 ft.) or greater in height.

(2) Uncovered decks that are less than 0.61 metre (2 ft.) in height do not require a development permit provided they meet the minimum setback requirements for accessory buildings.

(3) All covered decks require a development permit.

(4) For the purposes of calculating site coverage requirements, where a structure is attached to the principal building by a roof structure (open or closed), it shall be deemed part of the principal building and subject to principal building requirements.

(5) Decks must be located in a manner such as to preserve the privacy of adjacent properties.

(6) Privacy walls/screens associated with decks 0.61 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.

(7) A privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (top of joist with finished board) of a balcony, deck or patio.

(8) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.

15. LANDSCAPING STANDARDS AND SCREENING

(1) The Development Authority may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development.

(2) The front yard and corner side yard on corner lots shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.

(3) Where any parcel or part of a parcel adjacent to a road is used for outdoor storage of goods, machinery, vehicles, buildings or waste materials, the Development Authority may require satisfactory screening by buildings, fences, hedges, trees, berming or other landscaping features (See Figure 15.1).

(4) Parking lots shall be landscaped and/or screened as required by the Development Authority (See Figure 15.1).

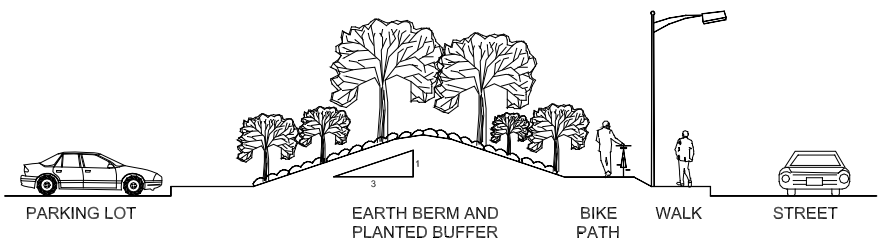


Figure 15.1

16. SATELLITE DISHES, RADIO AND TELEVISION ANTENNAE

(1) Satellite or cable television dishes less than 1.52 metres (5 ft.) in diameter do not require a development permit.

(2) Satellite or cable television dishes of 1.52 metres (5 ft.) or greater in diameter and radio and television antennae are accessory uses which require a development permit and are subject to the following:

(a) a satellite dish, radio antenna or television antenna shall only be located in a rear yard or side yard which does not abut on a street subject to principal setbacks;

(b) a satellite dish, radio antenna or television antenna must comply with the districts required setbacks, including any guide wires and supports;

(c) no advertising shall be allowed on a satellite dish, radio antenna or television antenna;

(d) the illumination of a satellite dish, radio antenna or television antenna is prohibited;

(e) the maximum height for an antennae tower as regulated by the municipality is 9.14 metres (30 ft.).

(3) Radio and television antennas, which are not regulated by Industry Canada, are classified as an accessory structure (Discretionary Use).

17. ROAD ACCESS

All new development must have access to a developed public road to the satisfaction of the Development Authority.

18. RETAINING WALLS, GRADING AND DRAINAGE

The Development Authority may require:

(a) the construction of a retaining wall, including submittal of a certified engineered design as a condition of development if significant differences in grade exist or will exist between the lot to be developed and adjacent parcels;

(b) the provision of engineered grading and drainage plans for the development;

(c) special grading and/or paving to prevent drainage problems with neighbouring lots as a condition of a development permit.

19. EXTERIOR BUILDING FINISHES

The Development Authority may require that specific finishing materials and colour tones be utilized to maintain the compatibility of any:

(a) proposed development with surrounding or adjacent developments;

(b) proposed additions or ancillary structures with existing buildings on the same lot.

20. EXPOSED FOUNDATIONS

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 regulated by the Development Authority.

21. SITE LIGHTING

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 adjacent properties.

22. REFUSE COLLECTION AND STORAGE

(1) Refuse and garbage shall be kept in a suitably-sized enclosure for each use within each land use district.

(2) Refuse and garbage areas shall be effectively screened until such time as collection and disposal is possible.

(3) All refuse on any construction site shall be properly screened or placed in an approved enclosure until removed for disposal.

23. SERVICING

All development shall be required to connect to both the municipal water supply and sewerage system where the municipal services are, in the opinion of the Development Authority, reasonably available.

24. DEVELOPMENT AGREEMENTS

Where a development is proposed in any land use district which would require servicing and additional improvements beyond that which the municipality might normally supply, the Development Authority shall require that a development agreement which would establish the responsibilities of each of the involved parties be entered into by the developer(s) and the municipality, registered by caveat against the title at the expense of the developer.

25. HAZARDOUS CHEMICAL STORAGE

The storage of bulk hazardous chemicals, as defined in the *Occupation Health and Safety Act*, shall not be permitted within the Village.

26. DEMOLITION

No person shall commence or cause to be commenced the removal, relocation, or demolition of any building or structure, or portion thereof, unless a removal, relocation or demolition permit has first been obtained from the authorized jurisdiction.

27. PARKING REQUIREMENTS

Off-Street Parking Area Requirements

(1) Parking areas shall be accessible, designed and delineated in a manner which will provide for orderly parking.

(2) Parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.

(3) The Development Authority may require that parking areas or portions thereof be paved.

(4) Off-street parking may be located in the front yard.

(5) In lieu of providing off-street parking, an owner of land to be developed may, subject to the approval of Development Authority, pay to the municipality such amount of money on such

terms as the Development Authority considers reasonable in return for the equivalent public parking space to be provided by the municipality elsewhere in close proximity to the development.

(6) All parking spaces provided shall be on the same lot as the building or use, except that the Development Authority may permit parking spaces to be on a lot within 152.40 metres (500 ft.) of the building or use if determined impractical to provide parking on the same lot with the building or use. Where such other parking space is provided, a caveat approved by the Development Authority shall be registered against the lot.

Specific Requirements

(7) The following shall be used to calculate the off-street parking spaces required for a proposed development:

Use	No. of Stalls Required
Dwellings: Single detached manufactured dwelling	2 per dwelling unit
All others	As required by the Development Authority

Notes: For detailed parking requirements for all districts – **See Schedule 4 (Section 21 – Parking and Loading Area Requirements)**

28. DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 1

29. STANDARDS OF DEVELOPMENT – See Schedule 4

30. SIGN REGULATIONS – See Schedule 5

31. DEFINITIONS – See Schedule 6

USE SPECIFIC STANDARDS

32. Eligible Manufactured dwellings – See Schedule 4, Section 30
33. Home Occupations – See Schedule 4, Section 31
34. Solar Collectors – See Schedule 4, Section 35
35. Small Wind Energy Systems – See Schedule 4, Section 36
36. Sign Regulations – See Schedule 5

COMMERCIAL – C

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

1. PERMITTED AND DISCRETIONARY USES

Permitted Uses

Accessory buildings, structures and uses, less than 44.59 m^2 (480 sq. ft.)
Business support service
Financial institution
Grocery store
Health service
Hotel/motel
Laundry and dry cleaning shop
Medical and dental office
Office
Personal service
Post office
Restaurant
Retail store
Sign, canopy
Sign, fascia
Sign, portable
Solar collector (See Schedule 4, Section 35)
Workshop

Prohibited Uses

All uses not listed as permitted or discretionary
Shipping containers

Discretionary Uses

Accessory buildings, structures and uses, greater than or equal to 44.59 m^2 (480 sq. ft.)
Automobile sales and service
Child care facility
Farm machinery/industrial sales, rental and service
Funeral home
Liquor establishment
Liquor store
Lumber yard/building supplies
Moved-in building
Nursing home
Restaurant, drive-in/drive through
Residential accommodation in conjunction with an approved commercial use
Seniors housing
Service station / gas bar
Sign, freestanding
Sign, mural
Sign, other
Small wind energy system – Type A
Storage facility, indoor
Storage facility, outdoor
Theatre
Utility
Veterinary clinic – small animal

2. MINIMUM LOT SIZE

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

3. MINIMUM SETBACK REQUIREMENTS

	Front Yard		Side Yard		Rear Yard	
Use	**m**	**ft.**	**m**	**ft.**	**m**	**ft.**
All uses	As required by Development Authority					

4. MAXIMUM SITE COVERAGE

Permitted Uses	80%
All other uses	As required by the Development Authority

Site coverage means the percentage of the lot area which is covered by all buildings and structures on the lot.

Site coverage, principal means the percentage of the lot area which is covered by the principal building including any structure attached to the principal building by an open or enclosed roofed structure, including but not limited to attached garages, carports, verandas, covered balconies, covered decks, and porches.

Site coverage, accessory means the percentage of the lot area which is covered by the combined area of all accessory buildings and structures and includes uncovered decks.

Note: See *Section 6 – Definitions* for all applicable definitions.

5. MAXIMUM BUILDING HEIGHT

All buildings	10.67 metres (35 ft.)

Building height means the vertical distance between average grade and the highest point of a building excluding an elevator housing, a roof stairway entrance, a ventilating fan, skylight, steeple, chimney, smoke stack, fire wall or parapet wall, flagpole, or other similar structure.

Note: See *Section 6 – Definitions* for all applicable definitions.

6. STREET CORNER VISIBILITY

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 0.91 metre (3 ft.) and 3.05 metres (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 6.10 metres (20 ft.) from the point of intersection. (see Figures 6.1 and 6.2).

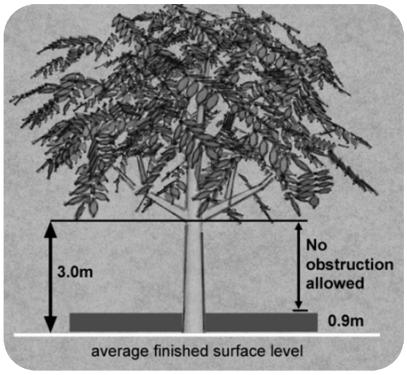


Figure 6.1

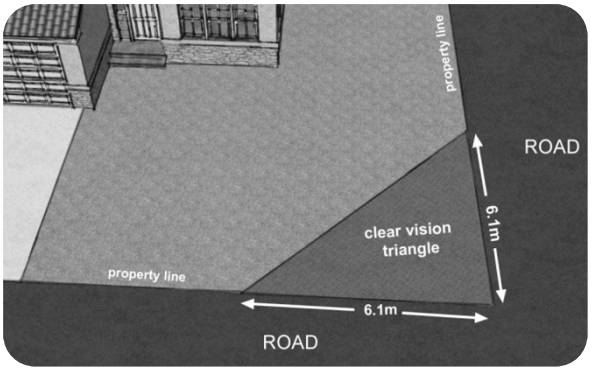


Figure 6.2

7. REAR LANE VISIBILITY

(1) The Development Authority may impose conditions on a development to ensure that adequate visibility and safety of both pedestrians and vehicles is maintained for vehicles entering and exiting rear lanes.

(2) The Development Authority may request that a minimum 1.52 metres (5 ft.) corner visibility triangle be provided for lots backing onto the intersection of a rear lane and public roadway.

8. LANDSCAPING STANDARDS AND SCREENING

(1) The Development Authority may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development.

(2) The front yard and corner side yard on corner lots shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.

(3) Where any parcel or part of a parcel adjacent to a road is used for outdoor storage of goods, machinery, vehicles, buildings or waste materials, the Development Authority may require satisfactory screening by buildings, fences, hedges, trees, berming or other landscaping features (See Figure 8.1).

(4) Parking lots shall be landscaped and/or screened as required by the Development Authority (See Figure 8.1).

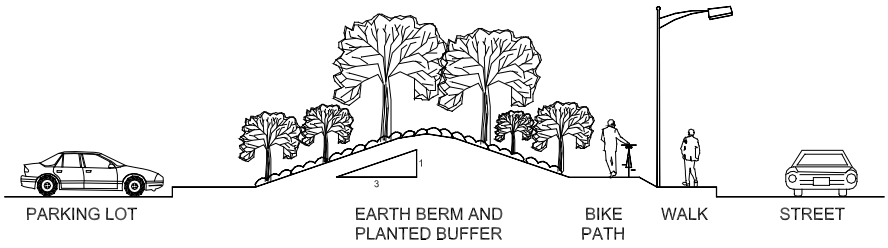


Figure 8.1

9. DECKS AND AMENITY SPACES

(1) A development permit is required for the construction of a deck if it will be 0.61 metre (2 ft.) or greater in height.

(2) Uncovered decks that are less than 0.61 metre (2 ft.) in height do not require a development permit provided they meet the minimum setback requirements for accessory buildings.

(3) All covered decks require a development permit.

(4) For the purposes of calculating site coverage requirements, where a structure is attached to the principal building by a roof structure (open or closed), it shall be deemed part of the principal building and subject to principal building requirements. Decks must be located in a manner such as to preserve the privacy of adjacent properties.

(5) Privacy walls/screens associated with decks 0.61 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.

(6) Privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (top of joist with finished board) of a balcony, deck or patio.

(7) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.

10. FENCES

(1) No fence, wall, hedge or any combination thereof shall extend more than 0.91 metre (3 ft.) above the ground in any front yard area without a development permit approved by the Development Authority (See Figure 10.1).

(2) Fences in the secondary front, rear and side yards shall less than 2.44 metres (8 ft.) in height (See Figure 10.1).

(3) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.

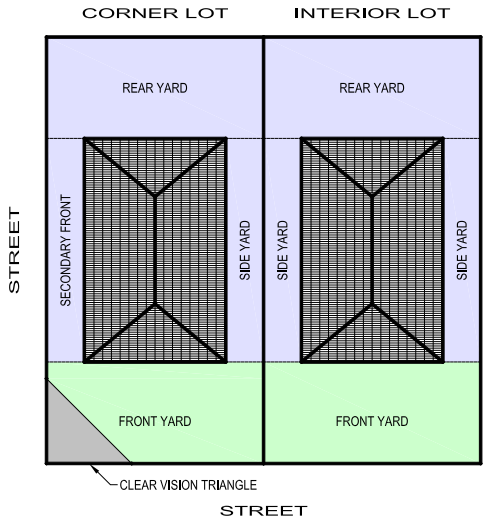


Figure 10.1

Fence Height Provisions
Green area = fence height 3 ft. or less
Blue area = fence height 8 ft. or less

11. SATELLITE DISHES, RADIO AND TELEVISION ANTENNAE

(1) Satellite or cable television dishes less than 1.52 metres (5 ft.) in diameter do not require a development permit.

(2) Satellite or cable television dishes of 1.52 metres (5 ft.) or greater in diameter and radio and television antennae are accessory uses which require a development permit and are subject to the following:

(a) a satellite dish, radio antenna or television antenna shall only be located in a rear yard or side yard which does not abut on a street subject to principal setbacks;

(b) a satellite dish, radio antenna or television antenna must comply with the districts required setbacks, including any guide wires and supports;

(c) no advertising shall be allowed on a satellite dish, radio antenna or television antenna;

(d) the illumination of a satellite dish, radio antenna or television antenna is prohibited;

(e) the maximum height for an antennae tower as regulated by the municipality is 9.14 metres (30 ft.).

(3) Radio and television antennas, which are not regulated by Industry Canada, are classified as an accessory structure (Discretionary Use).

12. RETAINING WALLS, GRADING AND DRAINAGE

The Development Authority may require:

(a) the construction of a retaining wall, including submittal of a certified engineered design as a condition of development if significant differences in grade exist or will exist between the lot to be developed and adjacent parcels;

(b) the provision of engineered grading and drainage plans for the development;

(c) special grading and/or paving to prevent drainage problems with neighbouring lots as a condition of a development permit.

13. ROAD ACCESS

All new development must have access to a public road to the satisfaction of the Development Authority.

14. EXTERIOR BUILDING FINISHES

The Development Authority may require that specific finishing materials and colour tones be utilized to maintain the compatibility of any:

(a) proposed development with surrounding or adjacent developments;

(b) proposed additions or ancillary structures with existing buildings on the same lot.

15. EXPOSED FOUNDATIONS

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 regulated by the Development Authority.

16. SITE LIGHTING

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 adjacent properties.

17. REFUSE COLLECTION AND STORAGE

(1) Refuse and garbage shall be kept in a suitably-sized enclosure for each use within each land use district.

(2) Refuse and garbage areas shall be effectively screened until such time as collection and disposal is possible.

(3) All refuse on any construction site shall be properly screened or placed in an approved enclosure until removed for disposal.

18. SERVICING

All development shall be required to connect to both the municipal water supply and sewerage system where the municipal services are, in the opinion of the Development Authority, reasonably available.

19. DEVELOPMENT AGREEMENTS

Where a development is proposed in any land use district which would require servicing and additional improvements beyond that which the municipality might normally supply, the Development Authority shall require that a development agreement which would establish the responsibilities of each of the involved parties be entered into by the developer(s) and the municipality, registered by caveat against the title at the expense of the developer.

20. HAZARDOUS CHEMICAL STORAGE

The storage of bulk hazardous chemicals, as defined in the *Occupation Health and Safety Act*, shall not be permitted within the Village.

21. DEMOLITION

No person shall commence or cause to be commenced the removal, relocation, or demolition of any building or structure, or portion thereof, unless a removal, relocation or demolition permit has first been obtained from the authorized jurisdiction.

22. PARKING REQUIREMENTS

Off-Street Parking Area Requirements

(1) Parking areas shall be accessible, designed and delineated in a manner which will provide for orderly parking.

(2) Parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.

(3) The Development Authority may require that parking areas or portions thereof be paved.

(4) Off-street parking may be located in the front yard.

(5) In lieu of providing off-street parking, an owner of land to be developed may, subject to the approval of Council, pay to the municipality such amount of money on such terms as the Council considers reasonable in return for the equivalent public parking space to be provided by the municipality elsewhere in close proximity to the development.

(6) All parking spaces provided shall be on the same lot as the building or use, except that the Development Authority may permit parking spaces to be on a lot within 152.40 metres (500 ft.) of the building or use if determined impractical to provide parking on the same lot with the building or use. Where such other parking space is provided, a caveat approved by Council shall be registered against the lot.

Specific Requirements

(7) The following shall be used to calculate the off-street parking spaces required for a proposed development:

Use	No. of Stalls Required
Liquor establishment	1 per 2 seating spaces
Retail stores and personal service shops	1 per 55.74 m^2 (600 sq. ft.) of gross floor area
Banks and offices	1 per 65.03 m^2 (700 sq. ft.) of gross floor area
Service stations	1 per employee and 2 per service bay
Motels, hotels, bed and breakfasts	1 per guest room
Restaurants and cafes	1 per 4 seating spaces
Industrial and heavy commercial uses and public utility structures	1 per 65.03 m^2 (700 sq. ft.) of gross floor area; or 1 per 3 employees whichever is greater with a minimum of 2 spaces per use.
All other uses	As required by the Development Authority

Note: Calculation of parking requirements resulting in a fractional number shall be rounded to the next highest number.

Loading Area Requirements

(8) There shall be a minimum of one off-street loading area per building in the Commercial – C land use district.

(9) The minimum dimensions for a loading space shall be 3.05 metres (10 ft.) by 9.14 metres (30 ft.) with an overhead clearance of 3.96 metres (13 ft.).

(10) All loading areas shall provide a doorway into a building sufficient to meet the needs of the use within the building.

(11) 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.

(12) The Development Authority may consider a joint loading area for two or more uses if, in their opinion, such a loading area would facilitate orderly development or relieve congestion in the immediate area.

(13) The Development Authority may require additional loading areas or doors if, in his or their opinion, such additional areas or doors are deemed necessary.

Notes: For detailed parking requirements for all districts – **See Schedule 4 (Section 21 – Parking and Loading Area Requirements)**.

23. DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 1

24. STANDARDS OF DEVELOPMENT – See Schedule 4

25. SIGN REGULATIONS – See Schedule 5

26. DEFINITIONS – See Schedule 6

USE SPECIFIC STANDARDS

27. Moved-in buildings – See Schedule 4, Section 29
28. Solar Collectors – See Schedule 4, Section 35
29. Small Wind Energy Systems – See Schedule 4, Section 36
30. Sign Regulations – See Schedule 5

PUBLIC – P

INTENT: *To provide for institutional, public and semi-public uses which are compatible with each other and adjoining land use districts.*

1. PERMITTED AND DISCRETIONARY USES

Permitted Uses

Accessory buildings, structures and uses, less than 44.59 m^2 (480 sq. ft.)
Cemetery
Fire hall
Government office and services
Library
Municipal interpretive / Public attraction
Municipal office
Parks and playgrounds
Recreation and sports fields
Religious assembly
School
Sign, canopy
Sign, fascia
Sign, portable
Solar collector (See Schedule 4, Section 35)
Utility

Discretionary Uses

Accessory buildings, structures and uses, greater than or equal to 44.59 m^2 (480 sq. ft.)
All other public and institutional uses
Adult care facility
Child care facility
Clubs and fraternal organizations
Commercial recreation
Community hall or facility
Group home
Hospital
Museum
Private nursing home
Public utility accessory structure
School
Seniors housing
Sign, freestanding
Sign, mural
Sign, other
Small wind energy system – Type A and B

Prohibited Uses

All uses not listed as permitted or discretionary
Shipping containers

2. MINIMUM LOT SIZE

As required by the Designated Officer or the Development Authority.

3. MINIMUM SETBACK REQUIREMENTS

As required by the Designated Officer or the Development Authority.

4. MAXIMUM SITE COVERAGE

As required by the Designated Officer or the Development Authority.

5. MAXIMUM BUILDING HEIGHT

As required by the Designated Officer or the Development Authority.

6. STANDARDS OF DEVELOPMENT – See Schedule 4

7. PARKING STANDARDS – See Schedule 4

8. SIGN REGULATIONS – **See Schedule 5**

9. DEFINITIONS – **See Schedule 6**

RAILWAY – Ry

INTENT: *To provide for the development of railway facilities and related uses while ensuring these are compatible with other land uses in the community.*

1. PERMITTED AND DISCRETIONARY USES

Permitted Uses

All uses and buildings required in the operation of the railway
Grain bins
Grain elevators

Discretionary Uses

Moved-in buildings
Seed cleaning facilities
Shipping containers
Signs
Warehousing and storage
All uses that are permitted or discretionary in the "Industrial" district

Prohibited Uses

All uses not listed as permitted or discretionary

2. MINIMUM LOT SIZE

As required by the Development Authority, with consideration if municipal water and sewer services are required.

3. MINIMUM SETBACK REQUIREMENTS

As required by the Development Authority.

4. MAXIMUM SITE COVERAGE

As required by the Development Authority, to a maximum of 80 percent coverage.

5. STANDARDS OF DEVELOPMENT – See Schedule 4

6. SIGN REGULATIONS – See Schedule 5

7. DEFINITIONS – See Schedule 6

INDUSTRIAL – I

INTENT: *To provide one or more areas attractive to and suited for industrial and heavier commercial development while ensuring any development is compatible with other land uses and the quality of life in the community.*

1. PERMITTED AND DISCRETIONARY USES

Permitted Uses

Automobile sales and service
Business support service
Bulk fuel storage
Contractor / building trade
Farm machinery sales and service outlets
Grain elevator
Office
Public utility accessory structure
Sign, canopy
Sign, fascia
Sign, portable
Solar collector (See Schedule 4, Section 35)
Mini-storage
Warehousing

Prohibited Uses

All uses not listed as permitted or discretionary
Auto wrecker
Noxious or hazardous use

Discretionary Uses

Accessory buildings, structures and uses
Auto body repair and shop
Car and truck washing facility
Equipment sales and service
Food processing
Garden centre
Greenhouse
Landscaping materials sales and service
Livestock sales yard
Lumber yard/building supplies
Mechanical sales and service
Manufactured home sales and service
Manufacturing and processing facilities
Moved-in building
Processing facility
Recycling facility
Salvage wrecking yard
Seed cleaning plant
Service station/gas bar
- Bulk fuel station

Shipping containers
Sign, freestanding
Sign, mural
Sign, other
Small wind energy system – Type A and B
Storage, outdoor
Transportation depot
Veterinary clinic
Warehousing and storage
Welding shop
Workshop
Utility

2. MINIMUM LOT SIZE

Lot width x the length are minimum dimensions and the combination must meet the overall lot area:

	Servicing	Width		Length		Area	
Use		**m**	**ft.**	**m**	**ft.**	**m^2**	**sq. ft.**
All uses (except outdoor storage and public utilities)	sewer/water	22.86	75	30.48	100	929.00	10,000
	water only	30.48	100	30.48	100	1,858.00	20,000
	unserviced	As required by the Development Authority		As required by the Development Authority		1,858.00	20,000

3. MINIMUM SETBACK REQUIREMENTS

Animal care (veterinary) facilities must be setback 304.80 metres (1,000 ft.) from the nearest residence.

	Front Yard		Secondary Front (Corner Lots)		Side Yard		Rear Yard	
Use	**m**	**ft.**	**m**	**ft.**	**m**	**ft.**	**m**	**ft.**
All uses	7.62	25	4.57	15	3.05	10	7.62	25

4. MAXIMUM SITE COVERAGE

Principal buildings *and* accessory buildings	60%

Site coverage means the percentage of the lot area which is covered by all buildings and structures on the lot.

Site coverage, principal means the percentage of the lot area which is covered by the principal building including any structure attached to the principal building by an open or enclosed roofed structure, including but not limited to attached garages, carports, verandas, covered balconies, covered decks, and porches.

Site coverage, accessory means the percentage of the lot area which is covered by the combined area of all accessory buildings and structures and includes uncovered decks.

Note: See *Schedule 6 – Definitions* for all applicable definitions.

5. MAXIMUM BUILDING HEIGHT

All buildings	At the discretion of the Development Authority

Building height means the vertical distance between average grade and the highest point of a building excluding an elevator housing, a roof stairway entrance, a ventilating fan, skylight, steeple, chimney, smoke stack, fire wall or parapet wall, flagpole, or other similar structure. ***Note:*** See *Schedule 6 – Definitions* for all applicable definitions.

6. STREET CORNER VISIBILITY

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 0.91 metre (3 ft.) and 3.05 metres (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 6.10 metres (20 ft.) from the point of intersection. (see Figures 6.1 and 6.2).

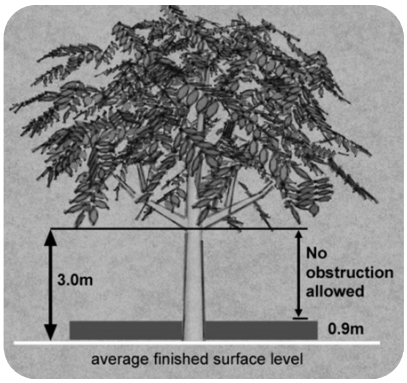


Figure 6.1

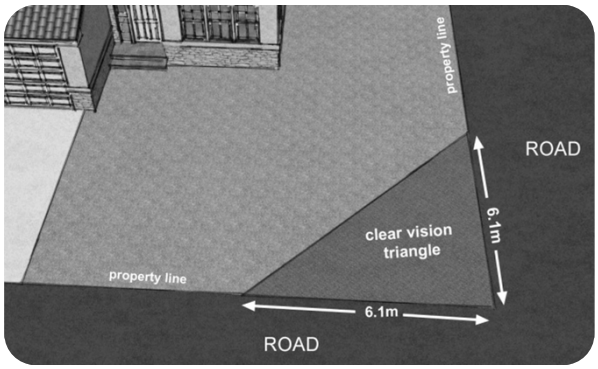


Figure 6.2

7. REAR LANE VISIBILITY

(1) The Development Authority may impose conditions on a development to ensure that adequate visibility and safety of both pedestrians and vehicles is maintained for vehicles entering and exiting rear lanes.

(2) The Development Authority may request that a minimum 1.52 metres (5 ft.) corner visibility triangle be provided for lots backing onto the intersection of a rear lane and public roadway.

8. LANDSCAPING STANDARDS AND SCREENING

(1) The designated officer of Development Authority may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development.

(2) The front yard and corner side yard on corner lots shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.

(3) Where any parcel or part of a parcel adjacent to a road is used for outdoor storage of goods, machinery, vehicles, buildings or waste materials, the Development Authority may require satisfactory screening by buildings, fences, hedges, trees, berming or other landscaping features (See Figure 8.1).

(4) Parking lots shall be landscaped and/or screened as required by the Development Authority (See Figure 8.1).

(5) Outdoor stockpiling or storage of goods is limited to the rear yard, or side yard if effectively screened from view from the street frontage.

(6) Additional storage standards in Section 17 of this district shall also apply.

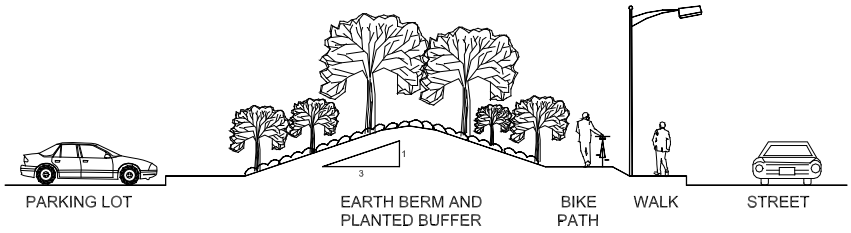


Figure 8.1

9. DECKS AND AMENITY SPACES

(1) A development permit is required for the construction of a deck if it will be 0.61 metre (2 ft.) or greater in height.

(2) Uncovered decks that are less than 0.61 metre (2 ft.) in height, do not require a development permit provided they meet the minimum setback requirements for accessory buildings.

(3) All covered decks require a development permit.

(4) For the purposes of calculating site coverage requirements, where a structure is attached to the principal building by a roof structure (open or closed), it shall be deemed part of the principal building and subject to principal building requirements.

(5) Decks must be located in a manner such as to preserve the privacy of adjacent properties. Privacy walls/screens associated with decks 0.61 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.

(6) A privacy wall/screen shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (top of joist with finished board) of a balcony, deck or patio.

(7) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval.

10. FENCES

(1) No fence, wall, hedge or any combination thereof shall extend more than 0.91 metre (3 ft.) above the ground in any front yard area as illustrated in Figure 10.1 without a development permit approved by the Development Authority (See Figure 10.1).

(2) Fences in the secondary front, rear and side yards shall less than 2.44 metres (8 ft.) in height (See Figure 10.1).

(3) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.

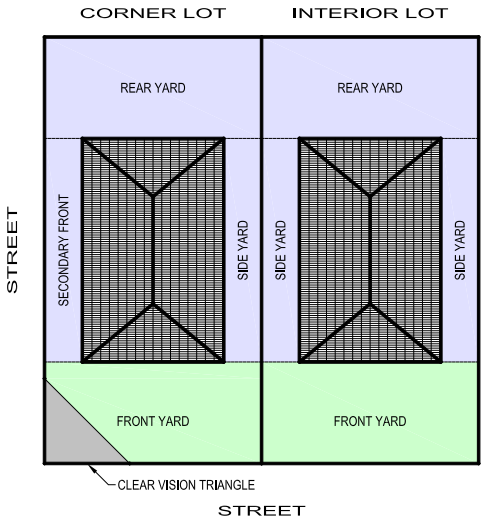


Figure 10.1

Fence Height Provisions
Green area = fence height 3 ft. or less
Blue area = fence height 8 ft. or less

11. SATELLITE DISHES, RADIO AND TELEVISION ANTENNAE

(1) Satellite or cable television dishes less than 1.52 metres (5 ft.) in diameter do not require a development permit.

(2) Satellite or cable television dishes of 1.52 metres (5 ft.) or greater in diameter and radio and television antennae are accessory uses which require a development permit and are subject to the following:

(a) a satellite dish, radio antenna or television antenna shall only be located in a rear yard or side yard which does not abut on a street subject to principal setbacks;

(b) a satellite dish, radio antenna or television antenna must comply with the districts required setbacks, including any guide wires and supports;

(c) no advertising shall be allowed on a satellite dish, radio antenna or television antenna;

(d) the illumination of a satellite dish, radio antenna or television antenna is prohibited;

(e) the maximum height for an antennae tower as regulated by the municipality is 9.14 metres (30 ft.).

(3) Radio and television antennas, which are not regulated by Industry Canada, are classified as an accessory structure (Discretionary Use).

12. RETAINING WALLS, GRADING AND DRAINAGE

The Development Authority may require:

(a) the construction of a retaining wall, including submittal of a certified engineered design as a condition of development if significant differences in grade exist or will exist between the lot to be developed and adjacent parcels;

(b) the provision of engineered grading and drainage plans for the development;

(c) special grading and/or paving to prevent drainage problems with neighbouring lots as a condition of a development permit.

13. ROAD ACCESS

All new development must have access to a public road to the satisfaction of the Development Authority.

14. EXTERIOR BUILDING FINISHES

The Development Authority may require that specific finishing materials and colour tones be utilized to maintain the compatibility of any:

(a) proposed development with surrounding or adjacent developments;

(b) proposed additions or ancillary structures with existing buildings on the same lot.

15. EXPOSED FOUNDATIONS

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 regulated by the Development Authority.

16. SITE LIGHTING

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 adjacent properties.

17. REFUSE COLLECTION AND OUTDOOR STORAGE

(1) Refuse and garbage shall be kept in a suitably-sized enclosure for each use within each land use district.

(2) Refuse and garbage areas shall be effectively screened until such time as collection and disposal is possible.

(3) All refuse on any construction site shall be properly screened or placed in an approved enclosure until removed for disposal.

(4) The designated officer or the Development Authority may refer an application to the Headwaters Regional Health Authority and/or Alberta Environmental Protection for endorsement of its waste management procedures prior to a decision being made on a development application.

(5) No outdoor storage shall be permitted in the required front yard setback of 7.62 metres (25 ft.), nor in the required corner lot side yard setback of 4.57 metres (15 ft.).

(6) Display of vehicles, new machinery and new equipment may be allowed in front of a proposed building, provided such display does not encroach on the required landscaped area.

(7) Other outdoor storage areas may be kept effectively screened from view by buildings, solid fences, trees, landscaped features, or combinations thereof.

18. HAZARDOUS CHEMICAL STORAGE

The storage of bulk hazardous chemicals, as defined in the *Occupation Health and Safety Act*, shall not be permitted within the Village.

19. SERVICING

All development shall be required to connect to both the municipal water supply and sewerage system where the municipal services are, in the opinion of the Development Authority, reasonably available. The development of unserviced parcels of land shall be at the discretion of the Development Authority with consideration for the type of use proposed and whether municipal water and sewer are required.

20. DEVELOPMENT AGREEMENTS

Where a development is proposed in any land use district which would require servicing and additional improvements beyond that which the municipality might normally supply, the Development Authority shall require that a development agreement which would establish the responsibilities of each of the involved parties be entered into by the developer(s) and the municipality, registered by caveat against the title at the expense of the developer.

21. DEMOLITION

No person shall commence or cause to be commenced the removal, relocation, or demolition of any building or structure, or portion thereof, unless a removal, relocation or demolition permit has first been obtained from the authorized jurisdiction.

22. PARKING REQUIREMENTS

Off-Street Parking Area Requirements

(1) Parking areas shall be accessible, designed and delineated in a manner which will provide for orderly parking.

(2) Parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.

(3) The Development Authority may require that parking areas or portions thereof be paved.

(4) Off-street parking may be located in the front yard.

(5) In lieu of providing off-street parking, an owner of land to be developed may, subject to the approval of Council, pay to the municipality such amount of money on such terms as the Development Authority considers reasonable in return for the equivalent public parking space to be provided by the municipality elsewhere in close proximity to the development.

(6) All parking spaces provided shall be on the same lot as the building or use, except that the Development Authority may permit parking spaces to be on a lot within 152.40 metres (500 ft.) of the building or use if determined impractical to provide parking on the same lot with the building or use.

Specific Requirements

(7) The following shall be used to calculate the off-street parking spaces required for a proposed development:

Use	No. of Stalls Required
Service stations	1 per employee and 2 per service bay
Retail stores	1 per 55.74 m^2 (600 sq. ft.) of gross floor area
Offices	1 per 65.03 m^2 (700 sq. ft.) of gross floor area
All other uses	As required by the Development Authority

Note: Calculation of parking requirements resulting in a fractional number shall be rounded to the next highest number

Loading Area Requirements

(8) All loading areas shall provide a doorway into a building sufficient to meet the needs of the use within the building.

(9) The minimum dimensions for a loading space shall be 3.05 metres (10 ft.) by 9.14 metres (30 ft.) with an overhead clearance of 3.96 metres (13 ft.).

(10) 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.

(11) The Development Authority may consider a joint loading area for two or more uses if, in their opinion, such a loading area would facilitate orderly development or relieve congestion in the immediate area.

(12) The Development Authority may require additional loading areas or doors if, in his or their opinion, such additional areas or doors are deemed necessary.

Notes: For detailed parking requirements for all districts – **See Schedule 4 (Section 21 – Parking and Loading Area Requirements)**.

23. CAR AND TRUCK WASH FACILITIES

(1) All washing facilities shall occur within an enclosed building with at least two bay doors.

(2) Vacuuming facilities may be outside the building but shall not be in the front yard and shall not be closer than 15.24 metres (50 ft.) from any residential district.

(3) The building surfaces shall be faced with masonry, porcelainized steel, baked enamel steel or other material equal in durability and appearance.

(4) The building shall be located a minimum of 30.48 metres (100 ft.) from any residential land use district.

(5) All off-street parking areas shall be hard-surfaced and dust-free.

(6) Any lights used to illuminate the area shall be directed away from adjacent residential properties.

(7) A permanent screening fence or wall not less than 1.83 metres (6 ft.) in height shall be constructed along any site property line which abuts a residential land use district.

(8) For parking and stacking requirements, refer to Schedule 4, Standards of Development, General Provisions.

(9) As part of the complete development permit application requirements for a car or truck wash use, the Development Authority may ask the applicant to provide verification, to the satisfaction of the Development Authority, that there is a secure water source sufficient to service the development.

(10) A development permit approval for a car or truck wash may be denied, if in the opinion of the Development Authority, there is not a sufficient water source to service the development.

(11) As a condition of a development permit approval, the Development Authority may require the development to be connected to municipal sewage services at the applicant's expense.

24. DEVELOPMENT NOT REQUIRING A PERMIT – See Schedule 1

25. STANDARDS OF DEVELOPMENT – See Schedule 4

26. PARKING REGULATIONS – See Schedule 4

27. SIGN REGULATIONS – See Schedule 5

28. DEFINITIONS – See Schedule 6

USE SPECIFIC STANDARDS

29. Moved-in buildings – See Schedule 4, Section 29
30. Solar Collectors – See Schedule 4, Section 35
31. Small Wind Energy Systems – See Schedule 4, Section 36
32. Sign Regulations – See Schedule 5

URBAN RESERVE – UR

INTENT: *To limit development of larger parcels, usually on the periphery of existing development, to uses which will not restrict or hinder more intensive urban development in the future.*

1. PERMITTED AND DISCRETIONARY USES

Permitted Uses

Extensive agriculture
Market garden
Nursery
Pasture land
Solar collector (See Schedule 4, Section 35)

Prohibited Uses

All uses not listed as permitted or discretionary
Shipping containers

Discretionary Uses

Accessory buildings, structures and uses
Campground
Golf course
Dwelling:
- Single detached manufactured
- Single detached prefabricated
- Single detached site-built

Moved-in building
Parks and playground
Residential accommodation in conjunction with an approved use
Sign, freestanding
Sign, other
Small wind energy system – Type A and B
Sportsfields
Utility

2. MINIMUM LOT SIZE

2.0 ha (5 acres) – This minimum may be varied by the Development Authority if there is provision of all-weather access and connections to all main services.

3. SPECIAL REQUIREMENT

The Development Authority may require that a discretionary use only be approved when an area structure plan or conceptual design scheme for the site has been adopted by Council.

4. MINIMUM SETBACK REQUIREMENTS

As required by the designated officer or the Development Authority.

5. MAXIMUM SITE COVERAGE

As required by the designated officer or the Development Authority.

6. STANDARDS OF DEVELOPMENT – See Schedule 4

7. SIGN REGULATIONS – See Schedule 5

8. DEFINITIONS – See Schedule 6

Schedule 4

STANDARDS OF DEVELOPMENT

Schedule 4

STANDARDS OF DEVELOPMENT

A. GENERAL PROVISIONS

1. PERMITTED PROJECTIONS

(1) 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 not to exceed 0.61 metre (2 ft.) into a side setback or 2.44 metres (8 ft.) into a front or rear setback;

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

(c) fences or walls in accordance with Section 14 of this schedule;

(d) driveways, curbs and sidewalks;

(e) landscaping, fish ponds, ornaments, flagpoles (less than 4.57 metres (15 ft.) in height), or other similar landscaping features; and

(f) signs, in accordance with Schedule 5.

(2) The portions of and attachments to a principal building which may project over a setback are as follows:

(a) eaves, belt courses, bay windows, cornices, sills or other similar architectural features may project over a side or rear setback a distance not to exceed one-half of the width of the smallest setback required for the site and over a front setback a distance not to exceed 1.22 metres (4 ft.);

(b) an uncovered balcony, cantilever, or other similar feature may project over a side or rear setback a distance not to exceed one-half of the width of the smallest setback required for the site;

(c) a chimney which is not more than 1.22 metres (4 ft.) wide and projects not more than 0.30 metre (1 ft.) into a rear or side setback.

(3) In a front yard, cantilevers not exceeding 40 percent of the front wall area may encroach a maximum of 0.61 metre (2 ft.).

(4) In a side yard, cantilevers may encroach a maximum of 0.61 metre (2 ft.) where:

(a) the projection does not exceed 40 percent of one side wall and 20 percent of the other, and

(b) the projection is not immediately beside a projection of an adjacent dwelling.

(5) In a rear yard, cantilevers may encroach a maximum of 0.61 metre (2 ft.).

(6) In all cases, projections into any required setback must comply with the requirements of the *Safety Codes Act*.

2. EASEMENTS

(1) All buildings shall not be located over top of an easement unless otherwise permitted.

(2) In the case of a high pressure gas line (or similar) all buildings shall be a minimum of 3.05 metres (10 ft.) from the easement.

3. LANDSCAPING STANDARDS AND SCREENING

(1) The designated officer of Development Authority may impose landscaping or screening requirements on a development approval for a permitted or discretionary use if these would serve to improve the quality or compatibility of the proposed development.

(2) The front yard and corner side yard on corner lots shall be comprehensively landscaped, except for those areas occupied by sidewalks or driveways, to the satisfaction of the Development Authority.

(3) Where any parcel or part of a parcel adjacent to a road is used for outdoor storage of goods, machinery, vehicles, buildings or waste materials, the Development Authority may require satisfactory screening by buildings, fences, hedges, trees, berming or other landscaping features (See Figure 3.1).

(4) Parking lots shall be landscaped and/or screened as required by the Development Authority (See Figure 3.1).

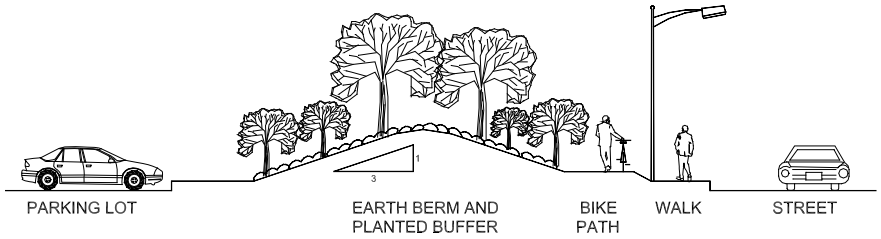


Figure 3.1

4. ROAD ACCESS

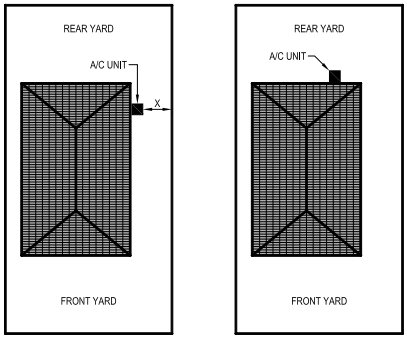
All new development must have access to a public road to the satisfaction of the Development Authority.

5. ACCESSORY USE – AIR CONDITIONERS

A freestanding exterior air conditioner must not be:

(a) located in a front yard;

(b) located less than 1.0 metre (3.3 ft.) from side and rear lot lines



(far left) Air conditioner not permitted where 'x' is less than 1.0 metre (3.3 ft.).

(near left) Preferred location in rear.

Figure 5.1

6. STREET CORNER VISIBILITY

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 0.91 metre (3 ft.) and 3.05 metres (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 6.10 metres (20 ft.) from the point of intersection. (See Figures 6.1 and 6.2).

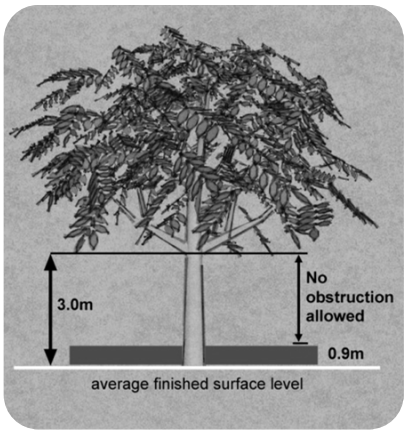


Figure 6.1

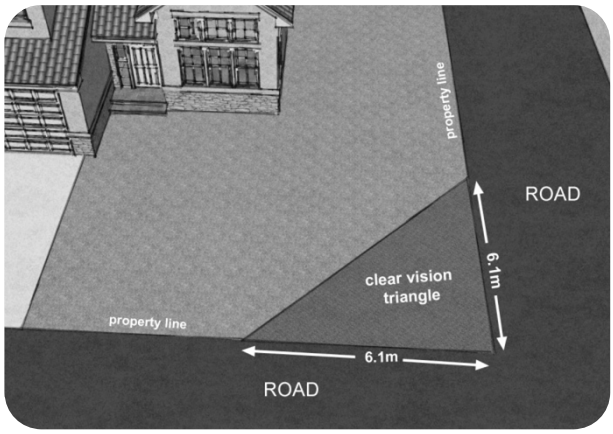


Figure 6.2

7. REAR LANE VISIBILITY

(1) The Development Authority may impose conditions on a development to ensure that adequate visibility and safety of both pedestrians and vehicles is maintained for vehicles entering and exiting rear lanes.

(2) The Development Authority may request that a minimum 1.52 metres (5 ft.) corner visibility triangle be provided for lots backing onto the intersection of a rear lane and public roadway.

8. DRIVEWAYS

(1) Vehicular access for corner lots shall generally be limited to locations along the minor street or cul-de-sac.

(2) In residential districts where a subject property does not provide a side yard sufficient for a driveway, then one off-street parking pad may be permitted in the front yard to a maximum of 7.62 metres (25 ft.) in width.

(3) Only one driveway per lot should be permitted for one unit residential developments, including single-wide and double-wide manufactured homes.

(4) Driveways shall be a minimum width of 3.05 metres (10 ft.) and a maximum of 7.62 metres (25 ft.) in width, unless otherwise approved by the Development Authority on the basis of merit.

(5) Driveways shall be located a minimum distance of 3.05 metres (10 ft.) from the entrance to a lane, and 4.57 metres (15 ft.) from the intersection of two public roadways.

(6) Driveways, parking pads or hard surfaced areas (e.g. paving stones, sidewalks) that cover more than 25 percent of the total lot area require a development permit.

9. SATELLITE DISHES, RADIO AND TELEVISION ANTENNAE

(1) Satellite or cable television dishes less than 1.52 metres (5 ft.) in diameter do not require a development permit.

(2) Satellite or cable television dishes of 1.52 metres (5 ft.) or greater in diameter and radio and television antennae are accessory uses which require a development permit and are subject to the following:

(a) a satellite dish, radio antenna or television antenna shall only be located in a rear yard or side yard which does not abut on a street subject to principal setbacks;

(b) a satellite dish, radio antenna or television antenna must comply with the districts required setbacks, including any guide wires and supports;

(c) no advertising shall be allowed on a satellite dish, radio antenna or television antenna;

(d) the illumination of a satellite dish, radio antenna or television antenna is prohibited;

(e) the maximum height for an antennae tower as regulated by the municipality is 9.14 metres (30 ft.).

(3) Radio and television antennas, which are not regulated by Industry Canada, are classified as an accessory structure (Discretionary Use).

10. FENCES

(1) No fence, wall, hedge or any combination thereof shall extend more than 0.91 metre (3 ft.) above the ground in any front yard area as illustrated in Figure 18.1 without a development permit approved by the Development Authority (See Figure 10.1).

(2) In any residential land use district fences in the secondary front, rear and side yards shall be 1.83 metres (6 ft.) or less in height (See Figure 10.1).

(3) In any commercial or industrial land use district fences in the secondary front, rear and side yards shall be 2.44 metres (8 ft.) or less in height (See Figure 10.1).

(4) Where a permit is required, the Development Authority may regulate the types of materials and colours used for a fence.

(5) Fences are prohibited from encroaching into municipal property, including roads, lanes and right-of-ways, unless permission is granted from the municipality.

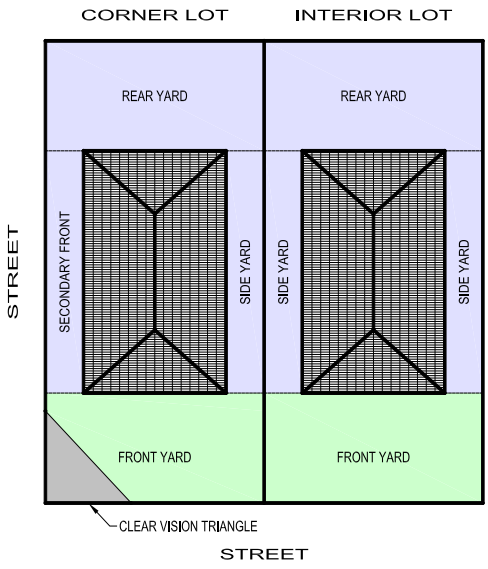


Figure 10.1 – Fence Height Provisions

11. DECKS AND AMENITY SPACES

(1) A development permit is required for the construction of a deck if it will be 0.61 metre (2 ft.) or greater in height. Decks 0.61 metre (2 ft.) or greater in height must meet all setback requirements for principal dwellings.

(2) Uncovered decks that are less than 0.61 metre (2 ft.) in height do not require a development permit provided they meet the minimum setback requirements for accessory buildings.

(3) All covered decks require a development permit.

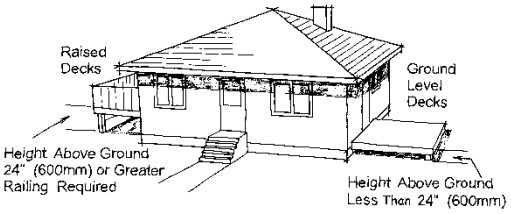
(4) For the purposes of calculating site coverage requirements, where a structure is attached to the principal building by a roof structure (open or closed), it shall be deemed part of the principal building and subject to principal building requirements.

(5) Decks must be located in a manner such as to preserve the privacy of adjacent properties.

(6) Privacy walls/screens associated with decks 0.61 metre (2 ft.) or greater in height require a development permit. If the privacy wall/screen structure is included with a development application made for a deck, then a separate development permit application is not required.

(7) A privacy wall/screen (height) shall be no greater than 2.44 metres (8 ft.) above the finished deck floor elevation (finished board on top of joist or stone patio surface) of a balcony, deck or patio.

(8) The Development Authority may stipulate the type of material and colour of finish for the privacy wall/screen as a condition on a development permit approval. – see Schedule 6 for privacy wall/screen definitions.



12. RETAINING WALLS, GRADING AND DRAINAGE

The Development Authority may require:

(a) the construction of a retaining wall, including submittal of a certified engineered design as a condition of development if significant differences in grade exist or will exist between the lot to be developed and adjacent parcels;

(b) the provision of engineered grading and drainage plans for the development;

(c) special grading and/or paving to prevent drainage problems with neighbouring lots as a condition of a development permit.

13. EXTERIOR BUILDING FINISHES

The Development Authority may require that specific finishing materials and colour tones be utilized to maintain the compatibility of any:

(a) proposed development with surrounding or adjacent developments;

(b) proposed additions or ancillary structures with existing buildings on the same lot.

14. EXPOSED FOUNDATIONS

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 regulated by the Development Authority.

15. SITE LIGHTING

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 adjacent properties.

16. REFUSE COLLECTION AND STORAGE

(1) Refuse and garbage shall be kept in a suitably-sized enclosure for each use within each land use district.

(2) Refuse and garbage areas shall be effectively screened until such time as collection and disposal is possible.

(3) All refuse on any construction site shall be properly screened or placed in an approved enclosure until removed for disposal.

(4) The stockpiling or storage of materials or goods on parcels of land which is not either expressly permitted in accordance with this bylaw or has not been unauthorized through the issuance of a development permit is prohibited, and enforcement may be carried out by the Village through the Land Use Bylaw or other applicable municipal bylaws or provincial regulations.

17. DEMOLITION

(1) No person shall commence or cause to be commenced the removal, relocation, or demolition of any building or structure, or portion thereof, unless a removal, relocation or demolition permit has first been obtained from the Village.

(2) Certain developments may be exempt from the requirement to obtain a demolition permit, see Schedule 1, Development Not requiring A Permit.

18. HAZARDOUS CHEMICAL STORAGE

(1) The storage of bulk hazardous chemicals, as defined in the *Occupation Health and Safety Act*, shall not be permitted within the Village.

(2) The municipality is exempt from Section 18(a) above if the hazardous chemicals are required for public works, services or utilities carried out by or on behalf of the municipality or other public authorities and are stored on land which is publicly owned or controlled.

19. SERVICING

All development shall be required to connect to both the municipal water supply and sewerage system where the municipal services are, in the opinion of the Development Authority, reasonably available. Where no municipal servicing is reasonably available, development may be approved by the municipality and shall be subject to compliance with Regional Health Authority and Alberta Labour standards for unserviced parcels. Prior to development approval, the applicant shall be required to submit a professional soils analysis/test and report to demonstrate the suitability of the site for on-site septic, to the satisfaction of the Development Authority.

20. DEVELOPMENT AGREEMENTS

Where a development is proposed in any land use district which would require servicing and additional improvements beyond that which the municipality might normally supply, the Development Authority shall require that a development agreement which would establish the responsibilities of each of the involved parties be entered into by the developer(s) and the municipality, registered by caveat against the title at the expense of the developer.

21. PARKING AND LOADING AREA REQUIREMENTS

Off-Street Parking Area Requirements

(1) Parking areas shall be accessible, designed and delineated in a manner which will provide for orderly parking.

(2) Parking areas shall be constructed in a manner which will permit adequate drainage, snow removal, and maintenance.

(3) The Development Authority may require that parking areas or portions thereof be paved.

(4) Off-street parking may be located in the front yard.

(5) In lieu of providing off-street parking, an owner of land to be developed may, subject to the approval of Council, pay to the municipality such amount of money on such terms as the

Council considers reasonable in return for the equivalent public parking space to be provided by the municipality elsewhere in close proximity to the development.

(6) To be eligible for the payment-in-lieu provision, the Development Authority may require a minimum of 50 percent of the total parking requirement for the development be provided in accordance with Section 7 of this schedule.

Specific Requirements

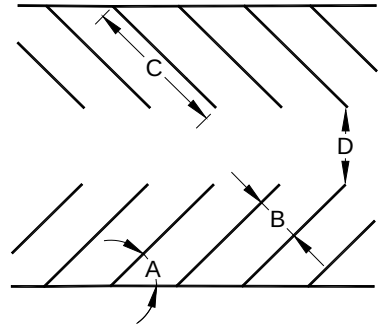
(7) The following shall be used to calculate the off-street parking spaces required for a proposed development:

Use	No. of Stalls Required
Dwellings: Single detached (all types)	2 per dwelling unit
Duplex/semi-detached dwelling	2 per dwelling unit
Multi-unit dwellings	*2* per dwelling unit
Secondary Suite	1 per secondary suite
Licensed premises	1 per 2 seating spaces
Retail and personal service stores	1 per 55.74 m^2 (600 sq. ft.) of gross floor area
Banks and offices	1 per 65.03 m^2 (700 sq. ft.) of gross floor area
Service stations	1 per employee and 2 per service bay
Motels, hotels, bed and breakfasts	1 per guest room
Restaurants and cafes	1 per 4 seating spaces
Religious or public assembly	1 per 6 seating spaces or 1 per 5.11 m^2 (55 sq. ft.) of gross floor area, whichever is greater
Industrial and heavy commercial uses and public utility structures	1 per 65.03 m^2 (700 sq. ft.) of gross floor area; or 1 per 3 employees whichever is greater with a minimum of 2 spaces per use.
All others	As required by the Development Authority

Note: Calculation of parking requirements resulting in a fractional number shall be rounded to the next highest number

Table 1 – Minimum Parking Space Dimensions						
A: Parking Angle	**B: Stall Width**		**C: Stall Depth**		**D: Aisle Width**	
Degrees	Metres	Feet	Metres	Feet	Metres	Feet
0	2.44	8.0	6.71	22	3.66	12
30	2.74	9.0	5.49	18	3.35	11
45	2.59	8.5	6.10	20	3.96	13
60	2.59	8.5	6.40	21	5.49	18
90	2.90	9.5	5.64	18.5	7.32	24

Figure 21.1: Minimum Parking Space Dimensions



Loading Area Requirements

(8) All loading areas shall provide a doorway into a building sufficient to meet the needs of the use within the building.

(9) The minimum dimensions for a loading space shall be 3.05 metres (10 ft.) by 9.14 metres (30 ft.) with an overhead clearance of 3.96 metres (13 ft.).

(10) 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.

(11) The Development Authority may consider a joint loading area for two or more uses if, in their opinion, such a loading area would facilitate orderly development or relieve congestion in the immediate area.

(12) The Development Authority may require additional loading areas or doors if, in his or their opinion, such additional areas or doors are deemed necessary.

22. ARCHITECTURAL CONTROLS

All development must comply with any approved architectural controls if required as part of an area structure plan or subdivision approval. Proof of compliance to the applicable architectural controls is required at the time of submission of a development permit application.

23. SITE PLANS

The Development authority may require a professionally prepared detailed comprehensive site plan as part of the development permit application to illustrate existing and proposed buildings, structures, roads and access points, setbacks, landscaping, parking, and utility easements.

24. HAZARD LANDS

(1) The Subdivision Authority may refuse to approve an application for subdivision or the Development Authority may refuse to approve an application for a development if the proposed development is located in potential hazard land areas (e.g. floodplains, steep or unstable slopes, permanent wetlands) or on other areas where hazard lands are identified, such as coal mining areas, gas wells, abandoned wells, former landfills, or former industrial lands, unless the relevant Approval authority is satisfied the subdivision development can proceed safely.

(2) Prior to making a decision on a subdivision or development application, the Subdivision or Development Authority may:

(a) request that a professionally prepared geotechnical analysis, be submitted at the applicant's expense;

(b) circulate the application proposal and corresponding geotechnical report to any relevant government departments for comment; and,

(c) depending on the nature of the hazard, request that an Environmental Impact Assessment (EIA) as prepared by a certified engineer be submitted at the applicant's expense.

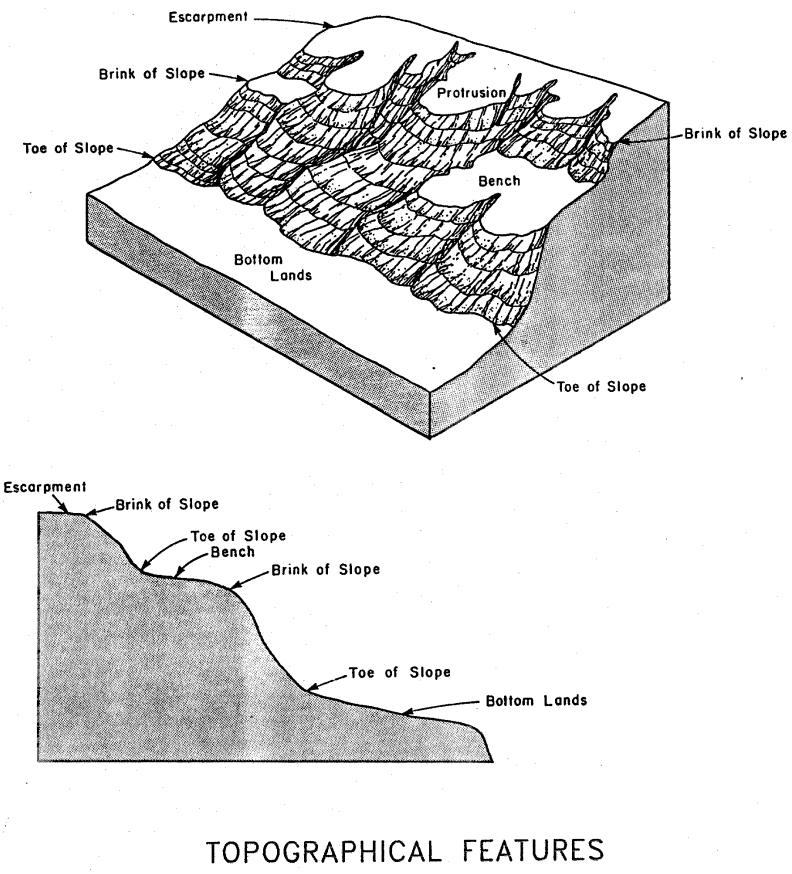
25. DEVELOPMENT SITING FOR COULEE AREAS

Based on the "Interim Guidelines for Subdivision of Land Adjacent to Steep Valley Banks" by Alberta Environmental Protection, it is recommended that the lot boundary setback from the crest of the slope be determined by the slope or grade of the coulee. At the very least, the slope or grade should be calculated by a professional geotechnical engineer so that the lot boundary setback formula can be applied (See Diagram 25.1).

(a) For slopes less than 15 percent grade, in no instance shall the setback of the lot boundary from the brink of slope (crest) be less than 1.5 times the valley bank height of the slope; and

(b) For slopes greater than 15 percent grade, in no instance shall the setback of the lot boundary from the brink of slope (crest) be less than 2.0 times the valley bank height of the slope;

even in circumstances where an engineer's geotechnical report may indicate that it is acceptable to do so.



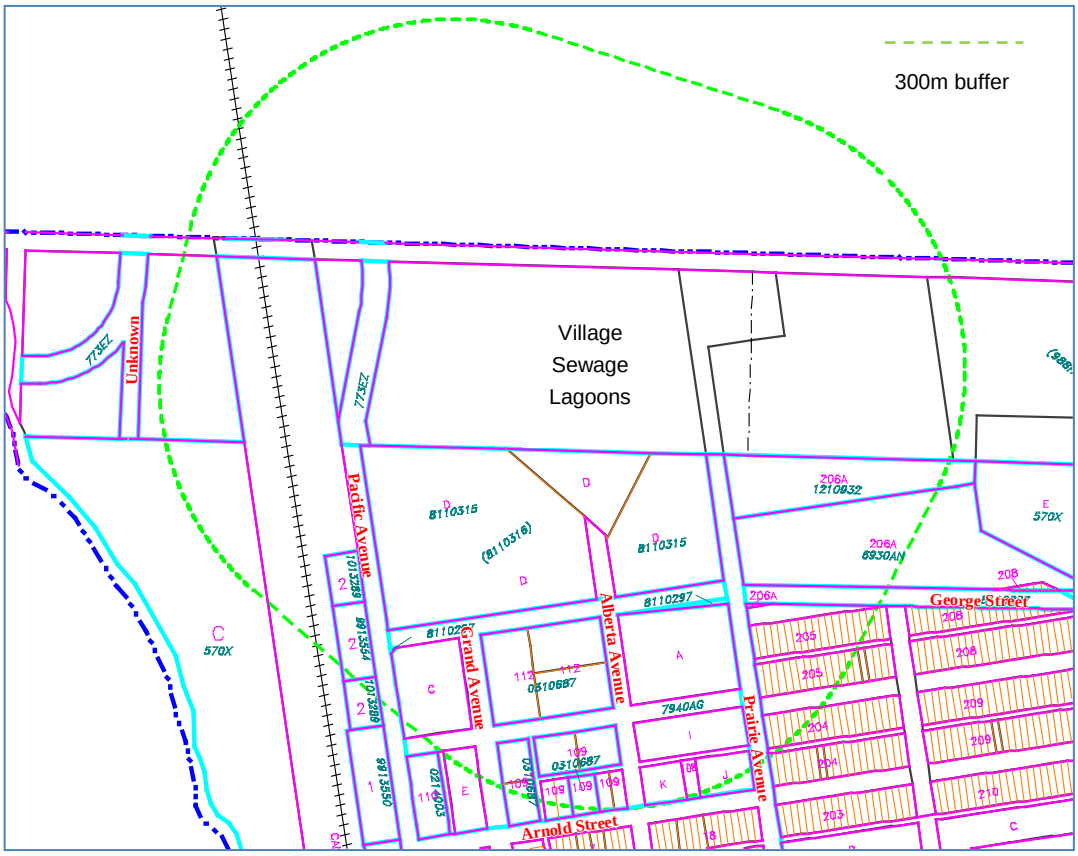
TOPOGRAPHICAL FEATURES

Diagram 25.1

26. SEWAGE LAGOON SETBACKS

(1) The following development and subdivision restrictions apply to parcels of land located within 300 metres of municipal wastewater (sewage) treatment facility.

Figure 26.1 – 300 m Sewage Lagoon Buffer



(2) In accordance with the *Municipal Government Act* Subdivision and Development Regulations (Alberta Regulation 44/2002 as amended), the Subdivision Authority shall not approve a subdivision and the Development Authority shall not approve a development permit, for a school, hospital, food establishment or residential use within 300 metres of the working area of an operating wastewater treatment plant.

(3) Notwithstanding that a use may be permitted or discretionary in a land use district, the Development Authority shall refuse to approve a development permit application for a use described in (a) if it is determined to be located on a parcel of land within the defined 300 metre setback to the Village sewage lagoons.

27. SETBACKS FROM ABANDONED WELLS

The Subdivision and Development Regulation (Alberta Regulation 160/2012) requires municipalities to ensure that applicants include abandoned well information from the ERCB in applications for both subdivisions and development permits. The Village of Carmangay shall meet the legislative requirements of Alberta Regulation 160/2012 regarding subdivision and development by applying the following policies:

(1) It the responsibility of the applicant of the proposed subdivision and/or development to take measures to identify any abandoned wells within that property and to apply the required setback.

(2) The Subdivision or Development Authority shall not deem a subdivision or development permit application complete until the applicant has provided the required abandoned well information from the ERCB.

(3) The applicant shall be required to provide the following information:

(a) the ERCB information, including a map of the search area from the viewer and a statement that there are no wells in the project area or a list and map identifying the location of abandoned wells within the search area (including the surface coordinates, as provided by the viewer or ERCB Information Services); and

(b) if an abandoned well is present, a detailed site plan must be provided that accurately illustrates the actual well location (i.e. latitude, longitude) on the subject parcel as identified in the field and the setback established in the ERCB Directive 079 (a minimum 5 metre radius around the well) in relation to existing or proposed building sites.

(4) If there is an abandoned well located in the area of the proposed surface development, the applicant is advised to contact the well licensee of record for any additional information that may be needed or to physically locate the well, and to discuss the proposed development and abandoned well issue in more detail.

(5) Notwithstanding a use may be a permitted use or discretionary use, surface structures on top of an abandoned well are not permitted and a minimum 5 metre setback radius around the well shall be maintained.

B. USE SPECIFIC PROVISIONS

Eligible Prefabricated dwellings – See Section 28
Eligible Moved-in dwellings – See Section 29
Eligible Manufactured dwellings – See Section 30
Home Occupations – See Section 31
Bed and Breakfasts – See Section 32
Child Care and Adult Care facilities – See Section 33
Secondary Suites – See Section 34
Solar Collectors – See Section 35
Small Wind Energy Systems – See Section 36
Alternative Energy Sources – See Section 37
Swimming Pools – See Section 38
Shipping Containers – See Section 39

28. ELIGIBLE PREFABRICATED DWELLINGS



Single-detached prefabricated dwelling means a dwelling unit or portions of a dwelling unit that is built in a factory or portions of dwelling units that are built in a factory or location other than on the lot intended for occupancy. Single detached dwellings include the following: modular, ready-to-move and panellized. A new factory built structure that is manufactured in accordance with CSA and the Alberta Building Code, is transportable in one or more sections, and is used as a place for human habitation; but which is not constructed with a permanent hitch, chassis or other device allowing transport of the unit other than for the purpose of delivery to a permanent site. This definition does not include manufactured homes, park model recreational units, park model trailers or travel trailers. *See* Schedule 6 for all *Definitions*.

(1) Prefabricated dwellings shall be:

(a) new factory built construction that has not been previously lived in, CSA certified, and built to the Alberta Building Code; or

(b) in the case of ready-to-move dwellings, new construction that has not been previously lived in and built to the current Alberta Building Code.

(2) Colour photographs or plan elevations illustrating the exterior of the dwelling and a set of professional building plans illustrating the exterior design, floor plan, elevations, and foundation type of the home must accompany any development permit for a prefabricated dwelling.

(3) Prefabricated dwellings shall be placed on a conventional, permanent concrete foundation (either a basement foundation or slab-on-grade), unless otherwise approved by the Development Authority.

(4) The design, character and appearance of the home shall be consistent with the intent of the land use district.

(5) The minimum roof pitch shall be at least 4/12.

(6) The Designated Officer or Development Authority may impose conditions regulating the exterior finish and roofline to ensure compatibility of housing types within the land use district.

(7) As a condition of approval the Designated Officer or 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 the opinion of the Designated Officer or Development Authority, they would serve to improve the quality or compatibility of any proposed development.

(8) The Designated Officer or Development Authority may require a bond or irrevocable letter of credit of a minimum of $5,000.00 to a maximum value of up to 50 percent of the assessed value of the building to ensure the conditions of the development permit for a principal building are met.

(9) Return of the posted bond or irrevocable letter of credit is contingent on the Designated Officer or Development Authority verifying the completion of all the conditions of this schedule, posting of the house number and the development permit.

(10) The building, when completed, shall meet or exceed provincial building requirements.

(11) A limit of the time of completion and full compliance with all stipulated requirements shall be established by the Development Authority at the time of the approval of the application.

Notes: The suggested time limit for completion is 120 days from the date of permit approval. Completion shall include, but not be limited to: hook-up of all utilities, completion of landscaping improvements and grading and any necessary skirting of the dwelling.

29. MOVED-IN DWELLINGS AND MOVED-IN BUILDINGS



Moved-in dwelling or moved-in building generally means a conventional, previously occupied dwelling or building which is physically removed from one site, transported and re-established on another site, but does not include modular dwellings, manufactured homes, prefabricated dwellings or ready-to-move dwellings. **Refer to Schedule 6, Definitions**

All moved-in dwellings or buildings shall comply with the following:

(1) Every application to relocate a building shall be accompanied by:

  (a) details of the purpose for which it is to be used;

  (b) details of the building's size, age and structural condition;

  (c) a minimum of four recent colour photographs showing all sides of the building;

  (d) a plan of the proposed site showing the future location of the building;

  (e) a report from a qualified building inspector or engineer that the building meets, or can be readily renovated to meet or exceed Alberta Uniform Building Standards.

(2) 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.

(3) Any costs incurred for building inspections prior to the issuance of a development permit shall be at the expense of the applicant.

(4) The building, when completed, should meet or exceed Alberta Uniform Building Standards.

(5) The building should comply with all provincial and municipal health and fire regulations.

(6) The quality of the completed building shall be equal to or better than the quality of the other buildings in the area.

(7) The Development Authority may require a bond or irrevocable letter of credit of a minimum of 50 percent of the estimated value of the structure or $5,000.00, whichever is greater, to ensure the conditions of the development permit are met.

(8) Return of the posted bond or irrevocable letter of credit is contingent on the Designated Officer or Development Authority verifying the completion of all the conditions of this schedule, posting of the house number and the development permit.

(9) A copy of the occupancy permit shall be submitted to the Village office prior to occupancy.

(10) A limit of the time of completion and full compliance with all stipulated requirements shall be established by the Development Authority at the time of the approval of the application.

Notes: The suggested time limit for completion is 120 days from the date of permit approval. Completion shall include, but not be limited to: hook-up of all utilities, completion of landscaping improvements and grading and any necessary skirting of the dwelling.

30. ELIGIBLE MANUFACTURED DWELLINGS

Single-detached manufactured dwelling means a dwelling unit conforming to CSA standards and/or the Alberta Building Code designed for transportation after fabrication, whether on its own wheels or a trailer, and which arrives at the site where it is to be occupied as a dwelling, complete and ready for occupancy (except for incidental operations such as placing the building on an acceptable foundation). For the purposes of this bylaw, manufactured dwellings do not include prefabricated dwellings, moved-in dwellings, park model recreational units, park model trailers or travel trailers. *See* Schedule 6 for all *Definitions*.



(1) Eligible manufactured dwellings include:

(a) new CSA approved factory built units;

(b) used CSA approved factory built units in a good state of repair, as determined by the Designated Officer or Development Authority, that were manufactured within the last ten (10) years.

(2) Any application for a development permit to locate a used manufactured home shall include:

(a) no less than four recent colour photographs showing all four sides of the complete exterior of the structure;

(b) an inspection report by a building inspector, prepared at the applicant's expense, to determine the unit's stability in terms of its appearance, state of repair and other pertinent features.

(c) documentation demonstrating the age of the manufactured home; and

(d) the home's CSA, model, and serial numbers.

(3) All manufactured homes shall be placed on timber-supports and securely tied-down in accordance with manufacturers standards and Safety Code requirements, continuous concrete or concrete block foundations, capable of supporting the maximum anticipated load in conformity with provincial legislation and federal regulations unless otherwise approved by the Development Authority.

(4) The Development Authority may require a bond or irrevocable letter of credit of a minimum $5,000.00 to a maximum value of up to 50 percent of the assessed value of the building to ensure the conditions of the development permit are met.

(5) The maximum height of the exposed portion of a concrete block foundation shall be not more than 0.61 metre (2 ft.) above the average finished grade level of the surrounding ground. Any portion of a concrete block foundation above grade shall be parged unless otherwise finished with an approved material.

(6) All manufactured dwellings shall be skirted in compatible materials and satisfactorily enclosed to the satisfaction of the Designated Officer or Development Authority.

(7) All manufactured home additions shall be of a design and finish which will complement the unit.

(8) The yard area of each lot shall be developed and landscaped.

(9) Any wheels, hitches or other running gear shall be removed from the manufactured dwelling immediately after the placement of the home.

(10) A limit of the time of completion and full compliance with all stipulated requirements shall be established by the Development Authority at the time of the approval of the application.

Notes: The suggested time limit for completion is 120 days from the date of permit approval. Completion shall include, but not be limited to: hook-up of all utilities, completion of landscaping improvements and grading and any necessary skirting of the dwelling.

31. HOME OCCUPATIONS

Intent

The intent of this section is to provide regulations respecting home occupation in accordance with the following objectives:

(a) to protect residential areas and districts from incompatible non-residential land uses;

(b) to ensure that commercial and industrial uses are located in appropriate commercial or industrial districts;

(c) to facilitate, where appropriate, the establishment of suitable home occupations as a means to foster small-scale business, while ensuring such businesses are relocated to suitable commercial or industrial districts when they become incompatible with a residential area or become unsuitable as a home occupation.

Home occupations may be approved under the following classifications:

Home Occupation 1 – a home-based occupation that involves the establishment of a small-scale business incidental to the primary use of the residence and which does not involve:

(a) outdoor storage and/or display of goods;

(b) non-resident employees; and/or

(c) customer/client visits to the residence.

Home Occupation 2 – a home-based occupation involving the establishment of a small-scale business incidental to the primary use of the residence that does not meet the criteria for a Home Occupation 1 and which may involve:

(a) the use of an accessory building;

(b) outdoor storage and/or display of goods within the residence or accessory building;

(c) one non-resident employee; and/or

(d) customer visits.

Note: Home-based day care (i.e. a day home), providing care and supervision for periods of less than 24 consecutive hours to not more than seven children or adults, may be classified as a Home Occupation 2 in compliance with the applicable standards.

General Standards

The following standards apply to Home Occupations 1 and 2:

(1) The business operator must be a full-time resident of the home.

(2) No variation in the residential character and appearance of the dwelling, accessory building, or land shall be permitted.

(3) The use shall not generate more vehicular or pedestrian traffic and vehicular parking than normal within the district.

(4) No commercial vehicle of a capacity greater than 681 kg (¾ ton) shall be parked or maintained on a public road right-of-way or lane.

(5) No offensive noise, vibration, electrical interference, smoke, dust, odours, heat or glare shall be produced by the use.

(6) 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.

(7) 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.

(8) 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 Authority, the use is or has become detrimental to the residential character or the amenities of the neighbourhood.

(9) Home occupations shall not include:

(a) activities that use or store hazardous materials;

(b) any use that would, in the opinion of the Development Authority, materially interfere with or affect the use, enjoyment or value of neighbouring properties;

(c) any use declared by resolution of Council to be undesirable as a home occupation.

(10) Only one home occupation shall be permitted per dwelling or as otherwise approved by the Development Authority.

(11) Signage advertising a Home Occupation 1 is limited to one sign located in the structure window up to a maximum of 0.74 m^2 (8 sq. ft.) in size. Signage advertising a Home Occupation 2 shall be as approved by the Development Authority.

(12) The development permit for the use shall be valid only for the period of time the property is occupied by the applicant for such approved use.

Home Occupation 2 Standards

In addition to the general standards, the following standards shall apply to Home Occupation 2 permits:

(13) A maximum of one non-resident employee is allowed. For the purposes of this provision, a non-resident employee is someone who does not live at the home.

(14) Outdoor storage shall be screened from adjacent properties and the public view.

(15) Customer and employee parking, in addition to the parking requirements for residential use, may be required.

(16) The number of customer visits and hours of operation may be limited by the Development Authority to minimize impacts on surrounding residential uses.

(17) The home occupation shall not be permitted if, in the opinion of the Development Authority, the use would be more appropriately located within a commercial or industrial district.

32. BED AND BREAKFASTS

(1) **Bed and breakfast** means a use accessory to a single-detached dwelling which involves a home based development in a private owner-occupied dwelling where rooms are rented for short-term accommodation, generally not exceeding 14 days, and a breakfast meal is provided for registered guests.

(2) Bed and Breakfast accommodation shall be an incidental and subordinate use to the principal use and restricted to the dwelling unit, and:

(a) advertising may only be permitted in compliance with Section 31(11) of this schedule, the same as a Home Occupation 1 use;

(b) alterations to the principal building may be permitted but shall not change the principal character or external appearance of the principal building;

(c) an approved development permit will remain in effect, provided the intensity of use does not increase and all requirements of the development permit have been satisfied;

(d) a development permit does not exempt compliance with health regulations or any other provincial and municipal requirements;

(e) employees working in the business shall be limited to the residents of the dwelling unit;

(f) the accommodation shall be limited to a maximum of two (2) guest rooms and a maximum of four (4) guests in addition to the permanent residents;

(g) a development permit is based solely on the location of use. If a permit holder relocates within the municipality, the person must apply for a development permit to continue the use from the new location;

(h) accommodation for each group of guests shall be for a maximum of 14 consecutive days;

(i) guest rooms shall not be permitted to contain cooking or kitchen facilities;

(j) meals may be provided to registered guests only and meals for guests shall be prepared in the common kitchen of the principal residence;

(k) one off-street parking space is required for each guest room in addition to the off-street parking requirements for the dwelling;

(l) the applicant shall be responsible for compliance with the Alberta Health "Bed and Breakfast" Health Standards and Guidelines and the Alberta Building Code requirements for Bed and Breakfast accommodations;

(m) the issuance of a development permit in no way exempts the applicant from obtaining any other Provincial approvals that may be required.

33. CHILD CARE AND ADULT CARE FACILITIES

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

(1) If determined necessary by the Development Authority, the applicant for a day care (child or adult) facility may be required to meet and consult with all adjacent land owners in the vicinity of where the use is proposed.

(2) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.

(3) Signage for day/child or adult care facilities must comply with the following:

(a) a maximum of one sign;

(b) sign must be no greater than 0.74 m^2 (8 sq. ft.) in size; and

(c) sign must be located in the buildings window in a residential land use district.

(d) In a residential land use district a request for more than one sign or a sign greater than 0.74 m^2 (8 sq. ft.) requires a separate development permit application. In a commercial or industrial land use district, one exterior building sign may be permitted in addition to a window sign.

(4) Site lighting must be designed not to "flood or spill" into adjacent property.

(5) The site must allow for secure storage and pick up of garbage and recycling material located away from public areas.

(6) The use shall not generate traffic problems within the district.

(7) The use requires a minimum of one (1) on-site pick-up and drop-off space for every 15 children/clients and the location of passenger loading zones for day care facilities may be specified by a condition of a development permit.

(8) On-site parking for employees is as required at the discretion of the Development Authority.

(9) On-site parking should be separated from pedestrian traffic and outdoor areas for children.

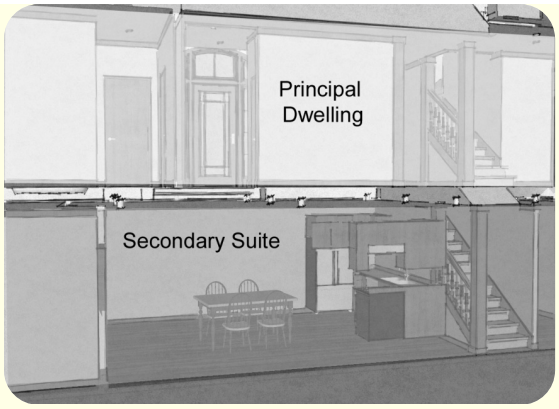
(10) A day (child) care facility/site catering to children must have screening for any outdoor play areas to the satisfaction of the Development Authority.

(11) All applications for day care facilities shall, as a condition of approval, obtain the necessary approvals required from regulatory agencies. All child care facilities must be licensed and operate in accordance with the provincial Child Care Licensing Act.

(12) It is highly encouraged that day (child) care facilities have some sort of secure, outdoor or active play area space available for children on the parcel, which may be stipulated as conditions on a development permit approval.

(13) In considering the suitability of a building or site for a discretionary child care use, the Development Authority may consider the appropriateness of location for child care with regard for the proximity to required services, parks, neighbourhood characteristics, traffic issues or congestion in the neighbourhood, and if the size is adequate to meet program requirements, including outdoor space, parking, and the drop-off zone.

34. SECONDARY SUITES



Example of basement secondary suite

Secondary suite means an accessory development consisting of a second self-contained living unit located within a single-detached home, where both dwelling units are registered under the same land title.

(1) Secondary suites that comply with the Land Use Bylaw do not require a development permit but shall require any applicable permits under the *Safety Codes Act*.

Secondary Suite Standards

(2) A secondary suite shall be located in a principal dwelling unit.

(3) A secondary suite shall have cooking facilities, food preparation area, sleeping and sanitary facilities, which are 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. This does not include duplex, semi-detached dwellings, multi-unit dwellings, apartments, lodging or boarding houses.

A secondary suite shall comply with the following regulations:

(4) The minimum floor area for a secondary suite shall be not less than 30 m^2 (322.93 sq. ft.).

(ii5 A secondary suite shall be developed in such a manner that the exterior of the principal building containing the secondary suite shall appear as a single dwelling.

(6) Only one secondary suite may be developed in conjunction with a principal dwelling.

(7) 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.

(8) The number of persons occupying a secondary suite shall not exceed four (4).

(9) The secondary suite shall not be subject to separation from the principal dwelling through a condominium conversion or subdivision.

(10) The secondary suite shall have full utility services through service connections from the principal dwelling unit.

(11) Development of a secondary suite shall adhere to the Alberta Building Code and Alberta Fire Code as a condition of approval.

(12) Parking requirements: 1 off-street parking stall per secondary suite *(in addition to the requirements of the principal dwelling)*.

35. SOLAR COLLECTORS

(1) 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:

(a) A solar collector mounted on a roof:

(i) may project a maximum of 1.22 metres (4 ft.) from the surface of the roof and shall not exceed the maximum height requirements of the applicable land use district; and

(ii) must not extend beyond the outermost edge of the roof.

(b) A solar collector mounted to a wall:

(i) must be located such that it does not create undue glare on neighbouring property or public roadways;

(ii) must be located a minimum of 2.38 metres (7.8 ft.) above grade;

(iii) may project a maximum of 1.52 metres (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

(iv) may project a maximum of 0.61 metre (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.

(2) 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:

(a) A free-standing solar collector or a solar collector mounted to any structure other than a roof or wall of a building:

(i) must be located such that it does not create undue glare on neighbouring property or public roadways; and

(ii) must not exceed 1.83 metres (6 ft.) in height above existing grade.

36. SMALL WIND ENERGY SYSTEMS

This section establishes standards for the siting and operation of Small Wind Energy Systems. This section is intended to implement the necessary requirements while protecting the scenic and natural resources of the Village of Carmangay and the health, safety and welfare of its residents.

Definitions

The following definitions apply to this schedule:

Blade means an element of a wind energy system rotor, which acts as a single airfoil, thereby extracting kinetic energy directly from the wind.

Blade clearance means, in reference to a horizontal axis rotor, the distance from grade to the bottom of the rotor's arc.

Rotor's arc means the largest circumferential path travelled by a blade.

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 1 kW and which will be used primarily to reduce onsite consumption of utility power and is CSA approved.

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.

Tower means the structure which supports the rotor above grade.

Permit Requirements

(1) 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:

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 12.19 metres (40 ft.) in height.

Type B Small Wind Energy System: This use is defined as a Small Wind Energy System that has a tower which is greater than 12.19 metres (40 ft.) in height but does not exceed 24.38 metres (80 ft.) in height.

Information Requirements

(2) 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:

(i) the SWES rated output in kilowatts;

(ii) safety features and sound characteristics;

(iii) 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;

(g) location of existing buildings or improvements.

Referrals

(3) Prior to making a decision on a development application for a Small Wind Energy System, the Development Authority may refer and consider the input of the following agencies and departments:

(a) Alberta Energy and Utilities Board,

(b) Transport Canada,

(c) Navigation Canada.

Setbacks

(4) A Small Wind Energy System shall comply with all the setbacks that govern the principal use in the district in which it is located.

(5) No part of the wind system structure, including guy wire anchors, may extend closer than 3.05 metres (10 ft.) to the property boundaries of the installation site.

Development Standards

Small Wind Energy Systems shall comply with the following standards:

(6) There shall be a limit of one Small Wind Energy System per parcel.

(7) A Small Wind Energy System generator mounted on a roof:

(a) may project a maximum of 1.22 metres (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; and,

(c) the wind generator must be securely anchored and the roof structure must be able to support the wind and weight load. The applicant may be required to provide engineer's specifications and obtain a building permit.

(8) The system's tower shall be set back a minimum distance equal to the height of the tower from all parcel lines, and a minimum distance of 3.05 metres (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.

(9) The system's tower shall not exceed a maximum height of 12.19 metres (40 ft.) on a parcel of less than 0.4 ha (1 acre), a maximum of 19.81 metres (65 ft.) on a parcel of 0.4 ha (1 acre) to less than 2.0 ha (5 acres), and maximum height of 24.38 metres (80 ft.) on a parcel 2.0 ha (5 acres) or more.

(10) The system's tower shall be located and screened by landforms, natural vegetation or other means to minimize visual impacts on neighbouring residences and public roads, public trails and other public areas.

(11) The system's tower and supporting structures shall be painted a single, neutral, non-reflective, non-glossy (for example, earth-tones, grey, black) that, to the extent possible, visually blends the system with the surrounding natural and built environments.

(12) The system shall be equipped with manual and automatic over speed controls. The conformance of rotor and over speed control design and fabrication to good engineering practices shall be certified by a licensed mechanical, structural or civil engineer.

(13) The system's tower-climbing apparatus and blade tips shall be no closer than 4.57 metres (15 ft.) from ground level unless the system is enclosed by a 1.83-metre (6-ft.) high fence.

(14) The system's utility lines shall be underground where economically practical.

(15) The system shall be operated such that no electro-magnetic interference is caused.

(16) The system's maximum power shall not exceed 3 kW.

(17) The system shall be located in the rear yard.

(18) Small wind turbines shall not exceed 60 dB(A), or in excess of 5 dB(A) above the background noise, whichever is greater. The level, however, may be exceeded during short-term events including utility outages and severe windstorms.

(19) Brand names or advertising associated with the system or the system's installation shall not be visible from any public place.

(20) Upon abandonment or termination of the system's use, the entire facility, including the system's tower, turbine, supporting structures and all equipment, shall be removed and the site shall be restored to its pre-construction condition.

Review of Permits

(21) Village Council shall review the impacts of issuance of permits for Small Wind Energy Systems after the issuance of five (5) development permits for this specific use within the municipality.

37. ALTERNATIVE ENERGY SOURCES

The Development Authority is authorized to issue development approvals for alternative energy sources such as, but not limited to, solar collectors, 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.

38. SWIMMING POOLS

(1) Private swimming pools shall be classified as an accessory structure.

(2) Any private swimming pool with a design depth greater than 0.61 metre (2 ft.) shall be constructed and fenced in accordance with Safety Codes requirements.

(3) Temporary above ground swimming pools and above ground hot tubs 11.15 m^2 (120 sq. ft.) or less in size do not require a development permit, but are subject to Safety Codes and may require a building permit.

(4) Construction of an in-ground swimming pool, pools larger than 11.15 m^2 (120 sq. ft.) 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.

39. SHIPPING CONTAINERS

(1) Shipping containers shall only be allowed in land use districts where listed as a Permitted or Discretionary Use within Schedule 3 (Land Use District Regulations). Shipping containers are prohibited in all other districts.

(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.

(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.

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

(a) temporary shipping containers are subject to the standards in Section 39(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.

40. RECREATIONAL VEHICLES

(1) A recreational vehicle is not considered a habitable dwelling unit and is not to be used for permanent residential living accommodation on any parcel within any land use district in the municipality.

(2) A recreational vehicle is not allowed to be used or stored on undeveloped parcels that do not have a principle building on the site. The exception to this may be made in instances where:

(a) the parcel is designated Commercial (C), Industrial (I), or Railway (R) and the parcel has an approved development permit for storage use and the intent is the recreational vehicles are strictly being stored on the property, or as a commercial business that rents or leases a space to the public to store their units off-site when not in use; or

(b) the construction circumstances are present to subject to the criteria stipulated in subsection (8).

(3) No more than two licensed recreational vehicles may be stored on a commercial or industrial parcel which contains a principal building, which may not be part of a storage use development permit and without the requirement for a development permit, but the recreational vehicle shall not be used as a residential living accommodation or as a permanent dwelling.

(4) No more than two licensed personal recreational vehicles may be stored on the owner's residential parcel which contains a habitable dwelling without the requirement for a development permit, but the recreational vehicle shall not be used as residential living accommodation or as a permanent dwelling. A personal recreational vehicle in the property owner's driveway or backyard may temporarily be used for occasional overnight accommodation for family or guests to the residence not staying long term, provided no fee is collected and it does not occur more than 21 days in a given calendar year and the temporary use is not being disruptive or a nuisance to neighbours. For the purpose of this provision, temporary means not exceeding 72 hours, consecutively or cumulatively with a 7 day period and for a combined total of not more than 21 days in a given calendar year.

(5) In no instance shall recreational vehicles be parked or stored on vacant lots designated as Residential (R) under the land use bylaw that do not contain a habitable residential dwelling, with the exception of the circumstances subject to the criteria stipulated in subsection (8).

(6) A municipal or commercial Campground or RV Park within the Village operating with an approved development permit is allowed to have guests to temporary stay more than 21 days in a given calendar year as seasonal use, but the recreational vehicles are not permitted to be used for long-term use (defined at more than 150 days in a given calendar year) or as permanent residence or dwelling.

(7) In no instance shall any recreational vehicle openly discharge sewage waste or grey water onto land, laneways, or public road rights-of-way within the municipality.

(8) No more than two licensed personal recreational vehicles may be allowed to temporarily house construction works or lot owners actively engaged on a construction project that has an approved development permit within the Village of Carmangay subject to the following criteria:

   (a) the recreational vehicle(s) shall not be placed on site until the issued permit for the construction takes effect;

   (b) the period of use shall not exceed 9-months unless otherwise authorized by the Municipal Planning Commission. The 9-months starts on the issued permit's specific date of effect;

   (c) sewage waste and grey water must properly be disposed of to a municipally approved sani-dump station and no open discharge shall be allowed; and

   (d) the recreational vehicles used by the workers or owners for accommodation use must be removed without delay from the lot once the construction has completed or after 9-months, whichever event occurs first. For the purpose of this provision, construction completion is defied as occupancy being granted by the Building Inspector.

Schedule 5

SIGN REGULATIONS

Schedule 5

SIGN REGULATIONS

1. ADMINISTRATION

(1) Unless otherwise provided for, this schedule applies to all signs within the Village of Carmangay.

(2) No one shall erect, place, or alter a sign without having first obtained a development permit from the Development Authority in accordance with the provisions of this bylaw, unless otherwise exempted in Section 2 of this schedule.

2. SIGNS NOT REQUIRING A DEVELOPMENT PERMIT

No development permit is required for the following types of signs, provided they otherwise comply with the standards of the bylaw:

(a) 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 0.37 m^2 (4 sq. ft.) in area;

(b) signs approved in conjunction with a home occupation permit;

(c) construction signs which do not exceed 3.0 m^2 (32.39 sq. ft.), provided such signs are removed within 14 days of the completion of construction;

(d) memorial signs;

(e) political poster signs that do not exceed 1.1 m^2 (11.84 sq. ft.) in area and 1.2 metres (3.9 ft.) in height, provided all such signs are removed within 14 days after the completion of the relevant election or plebiscite;

(f) real estate signs, provided all such signs are removed within 30 days after the sale or lease of the premises upon which the sign is located;

(g) garage sale signs less than 1.0 m^2 (10.76 sq. ft.) in area, provided the owner of the property upon which the sign is located has approved its placement and the sign is removed immediately upon the conclusion of the sale;

(h) signs, notices, or bulletins required to be displayed in accordance with federal, provincial, or municipal legislation or by or on behalf of the federal, provincial or municipal government;

(i) any traffic or directional and informational signs erected by the Village of Carmangay, the Alberta government or the federal government;

(j) any community service bulletin board erected by the Village of Carmangay and any notices posted on the bulletin board;

(k) any window sign provided that no more than 50 percent of the window area is covered;

(l) any sign appearing on street furniture, such as benches or garbage containers, that are located on public land if an agreement to locate the street furniture has been reached with Council; provided all such signage is maintained to the satisfaction of the Designated Officer or Development Authority; or

(m) banner signs which are displayed for a period of time not exceeding 30 days.

3. PROHIBITED SIGNS

The following signs are prohibited:

(a) signs which employ revolving, flashing or intermittent lights, or lights resembling emergency services, traffic signals, railway crossing signals, hazard warning devices or other similar lighting but does not include changeable content, sign projection styles or animation;

(b) signs which emit amplified sounds or music;

(c) in any residential district, signs that employ animation or changeable content as the projection style;

(d) 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;

(e) any signs located within the public right-of-way or on public property, except for signs approved by the Village of Carmangay or signs approved by the Province of Alberta or Federal Government;

(f) 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 excepting thereout signs for special events organized by a non-profit association, group or organization for a display time period not to exceed 24 hours;

(g) 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 2 of this schedule – *Signs Not Requiring a Development Permit*).

4. APPLICATION REQUIREMENTS

All development permit applications for a sign shall:

(a) be submitted to the Designated Officer;

(b) include a description of the proposal and a plan drawn to a suitable scale and photographs, if available, illustrating:

  (i) the location of all existing and proposed sign(s);

  (ii) the size, height, and other dimensions of the proposed sign(s), including any supporting structures;

  (iii) the location of the property boundaries of the parcel upon which the proposed sign(s) are to be located;

  (iv) details with respect to sign content (i.e. wording/lettering, text, message, graphics, etc.);

  (v) the materials and finish proposed for the sign(s);

  (vi) type of illumination, animation, and/or changeable content, if any, and details with respect to the proposed luminosity intensity and/or interval; and

  (vii) if a sign is to be attached to a building, the details regarding the extent of projection must be provided.

5. GENERAL SIGN STANDARDS

(1) All signs shall be maintained in a safe and tidy manner to the satisfaction of the Designated Officer and/or the Development Authority.

(2) No more than two signs shall be installed on the premises.

(3) All signs adjacent to a provincial highway require approval of Alberta Transportation.

6. SIGN CONTENT, ANIMATION AND ILLUMINATION

(1) Signs containing off-premise sign content shall not be permitted, except for public and institutional uses which may be permitted at the discretion of the Development Authority.

(2) Any sign containing animation, electronic/digital changeable content or movement shall be at the discretion of the Development Authority.

7. FREESTANDING SIGNS

Freestanding signs may be permitted in all non-residential districts subject to obtaining a development permit *and* the following limitations:

(1) Not more than two freestanding signs shall be installed on the premises.

(2) No sign shall exceed 11.15 m^2 (120 sq. ft.) in area.

(3) No sign shall be illuminated unless the source of light is steady and suitably shielded.

(4) The maximum height of any freestanding sign shall be 6.10 metres (20 ft.).

(5) The maximum height of any lawn sign shall be 1.52 metres (5 ft.).

(6) The location of any lawn sign shall be such that it does not become a visual obstruction to traffic.

8. FASCIA SIGNS

Fascia signs may be permitted in all non-residential districts subject to obtaining a development permit *and* the following limitations:

(1) No sign shall exceed 11.15 m^2 (120 sq. ft.) in area.

(2) No sign shall be illuminated unless the source of light is steady and suitably shielded.

(3) No sign shall project more than 0.30 metre (1 ft.) from the face of the building.

(4) No sign shall project over a street, sidewalk or public property unless the fascia sign maintains a minimum clearance from grade of 2.44 metres (8 ft.).

(5) At the discretion of the Development Authority the number of fascia signs permitted on a building may be limited.

9. CANOPY SIGNS

Canopy signs may be permitted in all non-residential districts subject to obtaining a development permit *and* the following limitations:

(1) No part of the canopy, excluding that portion which is used for support and which is free of advertising shall be less than 2.44 metres (8 ft.) above the ground or sidewalk grade.

(2) No part of the canopy shall project more than 0.49 metre (1.6 ft.) above the top of the vertical face of the wall to which it is attached.

(3) No part of the canopy shall project more than 1.22 metres (4 ft.) over public property, or come within 0.61 metre (2 ft.) of the curb or edge of a roadway.

(4) Approval of any canopy signage projecting over public land is conditional upon the applicant and/or owners entering into an encroachment and hold harmless agreement with the Village of Carmangay. The agreement may be registered on title.

10. PORTABLE SIGNS

Portable signs may be permitted in all non-residential districts subject to obtaining a development permit *and* the following limitations:

(1) The copy area of a portable sign shall not exceed 3.72 m^2 (40 sq. ft.).

(2) Portable advertising signs shall not be displayed for more than 120 days in one calendar year.

(3) All portable signs shall be located within the property lines of the location address shown on the development permit application.

(4) Variances may be considered by the Development Authority only in exceptional circumstances.

11. MURAL SIGNS

Mural signs may be permitted in all non-residential districts subject to obtaining a development permit *and* the following limitations:

(1) The mural must be a painting or other decorative work and no mural shall be created to solely display a commercial message or depiction.

(2) The location, theme, construction materials and size associated with the mural shall be to the satisfaction of the Development Authority. The Development Authority may require the mural content reflect the Village's heritage.

12. OTHER SIGNS

When a sign cannot be clearly categorized as one of the abovementioned sign types (canopy, fascia, freestanding, portable, or mural) as defined in this bylaw, the Development Authority shall determine the sign type in consultation with Section 13 – Sign Definitions and any and all applicable controls and limitations.

13. SIGN DEFINITIONS

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

A-BOARD means a portable sign which is set on the ground, built of two similar pieces of material and attached at the top by a hinge(s) so as to be self supporting when the bottom edges are separated from each other and designed and built to be easily carried by one person. See Section 10 – *Portable Signs*.

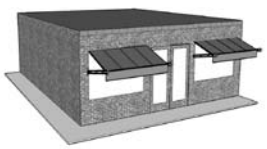


ABANDONED SIGN means a sign which advertises or identifies an activity, business, owner, product, lessee or service which no longer exists or a sign for which no legal owner can be found.

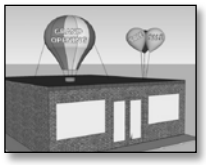
ANIMATION means a projection style where action or motion is used to project sign content, including lighting changes, special effects or pictures, but does not include changeable content.



AWNING means an adjustable or temporary roof-like covering fitted over windows and doors and used for either 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 either 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.



Mechanical



Electronic

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 0.30 metre (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 provisions of the Land Use Bylaw.

LUMINOSITY means the measurement of brightness.

MULTI-TENANT SIGN means any type of sign that may contain sign content that advertises more than one tenant and/or business. See Sections 6 through 12 of this schedule for applicable sign type: e.g. freestanding sign, billboard sign, portable sign, etc.

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.

OTHER SIGN means any sign that is not defined as a canopy sign, fascia sign, freestanding sign or portable sign.

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 and does not include A-Board signs as defined in this bylaw.

PROJECTING SIGN means a sign other than a canopy sign or fascia sign which is attached to and projects, more than 0.30 metre (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 Sections 7 through 10 of this schedule for applicable sign type requirements: e.g. freestanding sign, billboard sign, portable sign.

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.

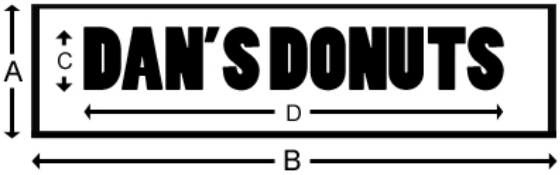
SIGN means a lettered board or other public display intended for the advertising or calling attention to any person, business, matter, object or event.

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. See figure below.

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 area = length of A x length of B
Sign content area = length of C x length of D

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, portable, etc.) used to convey sign content.

TEMPORARY SIGN means any sign permitted, designed or intended to be displayed for a short period of time (not to exceed 30 days), not including portable signs, however including 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.

VEHICLE SIGN means a sign attached to, painted on or installed on a vehicle other than a public transportation vehicle, taxi cab or school bus.

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

Schedule 6

DEFINITIONS

DEFINITIONS

A

Accessory Building or structure means a building or structure that is incidental or subordinate to and customarily found in connection with a primary structure or use, located on the same lot as the principal building or use, but does not include a building or structure used for human habitation. (See Figure 6.1)

Accessory Use means a use of a building or land, which is incidental to and subordinate to the principal use of the site on which it is located.

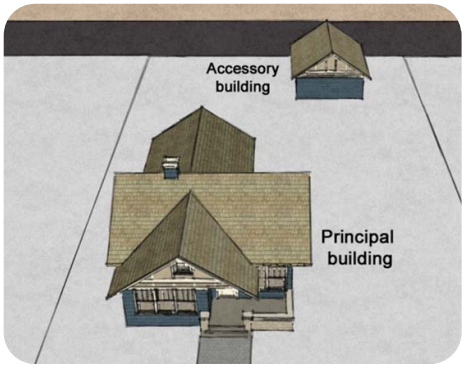


Figure 6.1

Adult Care Center means a facility providing care for the elderly and/or functionally impaired adults in a protective setting for a portion of a 24-hour day.

Amenity Space means a space, natural or developed, that has aesthetic, or other characteristics that increase its desirability or marketability to the public. This may include but is not limited to wetlands, playgrounds, and gardens.

Amusement Facility means development for amusement pastimes, and may incorporate eating facilities as an accessory use. This includes amusement arcades, billiard parlours, bingo halls, bowling alleys, theatres and any other uses the Development Authority considers similar.

Animal Grooming Facility means a facility that provides a service for the care and appearance of domestic animals but does not include the breeding and/or overnight boarding of such animals.

Apartment – see **Dwelling, Apartment**

Applicant means the registered owner of the land or his/her representative or agent certified as such.

Approved Use means a use of land and/or building for which a development permit has been issued by the Designated Officer or the Development Authority.

Area Redevelopment Plan means a statutory plan accepted or adopted by Council as an area redevelopment plan pursuant to the *Municipal Government Act*.

Area Structure Plan means a statutory plan in accordance with the *Municipal Government Act* and for the purpose of providing a framework for subsequent subdivision and development of an area of land in the municipality.

Attached Garage means a building or portion of a building that is used for the storage of motor vehicles, which is attached to the principal building by sharing a common wall with the dwelling, and usually

contains an access doorway into the principal building. For the purpose of calculating setbacks and site coverage requirements, an attached garage is deemed to be part of the principal building.

Auto Body Repair Shop means a facility for the painting, repair or sanding of motor vehicle bodies and chassis but does not include facilities for the sale of gas or lubricating oil, or an automotive repair service. Auto detailing may be included as a use.

Automobile Sales means a development used for the retail sale, lease, and rental of new or used automobiles and/or recreation vehicles.

Automobile Service means a facility for the repair and servicing of motor vehicles including, but not limited to, mufflers, oil changes, transmissions, engine replacement services and glass repair. Such facilities do not include the sale of gas.

Auto Wreckage and Salvage Yard – see **Wreckage and Salvage Yard**

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 story, normally surrounded by a baluster railing and used as an outdoor porch or sundeck with access only from within the building.

Balcony, Covered means a balcony that has a full or partial roof structure including open beam and/or lattice work.

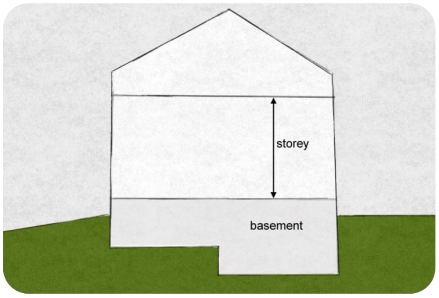
Balcony, Uncovered means balcony that completely lacks an overhead structure.



Balcony, uncovered above

Bank means a financial institution that is open to the public and engaged in deposit banking and other closely related functions such as loans, investments, and facilitating the transmission of funds.

Basement means the lowest storey of a building, partly or wholly below grade and having its floor below grade by a distance greater than one-half the distance from floor to ceiling.

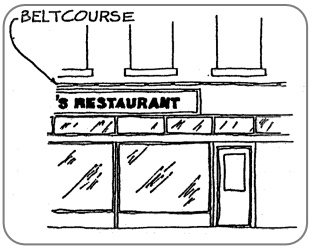


Bay window means a window space projecting outward from the main walls of a building and forming a bay in a room.



Bed and Breakfast means a use accessory to a single-detached dwelling which involves a home based development in a private owner-occupied dwelling where rooms are rented for short-term accommodation, generally not exceeding 14 days, and a breakfast meal is provided for registered guests.

Belt Course means a narrow horizontal band projecting from the exterior walls of a building, usually defining the interior floor levels.



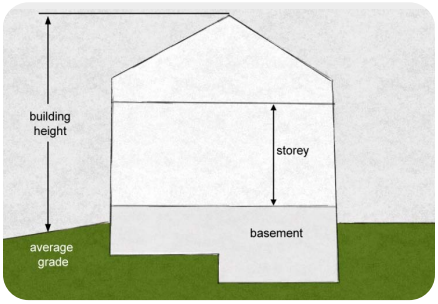
Berm means a dyke-like form used to separate incompatible areas or uses, or constructed to protect the site or district from vehicular road or other noise.

Boarding House means a building (other than a hotel or motel) containing not more than 15 sleeping rooms where means or lodging for five (5) or more persons are provided for compensation pursuant to previous arrangements or agreement.

Breezeway means a covered or roofed open passage connecting two buildings, physically attached to each building.

Building has the same meaning as in the *Municipal Government Act*.

Building Height means the vertical distance between average grade and the highest point of a building excluding elevator housing, a roof stairway entrance, a ventilating fan, skylight, steeple, chimney, smoke stack, fire wall or parapet wall, flagpole, or other similar structure.



Building Inspector means the person or persons appointed by the municipality to be the chief building inspector(s) in and for the Village of Carmangay.

Bulk Fertilizer Storage (including Anhydrous Ammonia) means an establishment where fertilizer goods are received and stored for the purpose of distribution.

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.

Bulk Oil Stations means the storage and transportation of large quantities of refined or crude oil products with the intent of delivery to appropriate markets and eventual sale and use.

Business Support Services means services provided to businesses such as clerical, secretarial, employment, telephone answering, photocopying, reproduction processes and similar uses.

C

Cafe means an informal restaurant primarily offering coffee, tea, and other beverages, and where light refreshments and limited menu meals may also be sold.

Campground means any area that is occupied or intended or designed or improved for occupancy by transients using recreational vehicles, motor homes, or mobile trailers for dwelling, lodging, or sleeping purposes and is held out as such to the public in which money is exchanged for overnight use of the area. Campground does not include any manufactured housing community.

Cantilever means a beam or structure supported on only one end.

Carport means a partially-enclosed structure intended for the shelter of one or more motor vehicles.



Car Wash means the use of a structure or area providing for the cleaning of motor vehicles but does not include truck washes or service stations/gas bars.

Cemetery means land used or dedicated to the burial of the dead, including crematoriums, mausoleums, necessary sales, and maintenance facilities.

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 (7) or more children, by persons unrelated to the children by blood or marriage, for periods not exceeding 24 consecutive hours and includes all day care centres, nurseries and after-school or baby-sitting programs which meet the conditions of this definition.

Church means a building used for non-profit purposes by a recognized and legally established sect for the purpose of worship, but may also be used to house community events.

Clear Vision Triangle means a triangular area on a corner lot formed by an imaginary line starting at the point of intersection of the two street property lines and extending 6.10 metres (20 ft.) from their point of intersection.

Closed Roof Structure means a structure built in accordance with any applicable safety and/or building code and has a permanent overhead covering of any type, including lattice work and open beams.

Clubs and Fraternal Organizations means development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, and athletic, business or fraternal organization, without on-site residences. Clubs and fraternal organizations may include rooms for eating, drinking and assembly.

Commercial Recreation means a facility or building that charges a fee and is not operated by a public body that is used for recreational activities. This use includes commercial campgrounds.

Community Hall or Facility means a non-commercial building established primarily for the benefit and service of the population of the community in which it is located and is typically operated by an association, community group or non-profit society or organization.

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.

Contractor means an individual or company who contracts on predetermined terms to provide labour and materials and to be responsible for the performance of a construction job in accordance with established specifications or plans.

Corner Lot means a lot located at the intersection or junction of two or more streets (not including lanes).

Corner Side – see **Yard, Secondary Front**

Cornice means the top course of a wall when treated as a finish or crowning member.



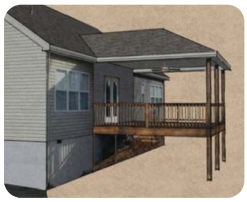
Council means the Council of the Village of Carmangay in the Province of Alberta.

Curb means a stone, concrete, or other improved boundary marking the edge of the roadway or paved area.

D

Deck means a paved, wooden, or other hard-surfaced area generally adjoining a principal building intended for outdoor living space that is 0.61 metre (2 ft.) or greater above grade.

Deck, Covered means any deck that is either completely or partially roofed, even by open beams or lattice work. A covered deck shall have no enclosure other than the side(s) of the principal building to which the deck is attached, the minimum required supports for the roof and a railing.



Covered deck.

Deck, Uncovered means any deck that lacks a complete or partial roof, including overhead open beams or lattice work.



Uncovered deck

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

Designated Officer means a person authorized by Council to act as a Development Authority pursuant to section 624(2) of the *Municipal Government Act* and in accordance with the municipality's Development Authority and Subdivision and Development Authority Bylaw.

Development means:

(a) an excavation or stockpile and the creation 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 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.

Development Agreement means an agreement between the developer and the municipality to:

(a) construct or pay for the construction of public roadways or parking areas;

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

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

Development Authority means the Development Authority or the Designated Officer as provided for within this Bylaw.

Development Permit means a permit issued pursuant to this Bylaw authorizing a development. A development permit does not constitute a building permit.

Discretionary Use – see **Use, Discretionary**

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

Drive-In / Drive-Through Restaurant means an establishment where food is prepared and served on the premises for sale to the public and includes car attendant and/or drive-through, pick-up service.

Driveway means a minor private access road, either paved or unpaved, that is of an approved minimum width for the designated use of the lot as prescribed in Schedule 2 of this Bylaw and provides access to a single lot or facility for the purpose of parking and/or loading.

Dry Cleaning Shop means an establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry without the maintenance or operation of any laundry or dry-cleaning equipment or machinery on the premises.

Dwelling (Unit) means a self-contained premise designed for human habitation which includes provisions for cooking, sleeping and sanitary facilities.

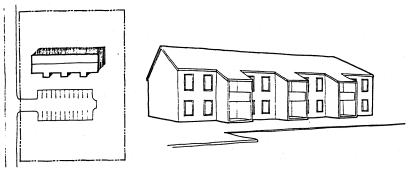
Apartment means a building containing three (3) or more dwelling units sharing a common hall and common entrance at grade.

Duplex means a building containing two separate dwelling units connected by a common floor/wall or ceiling, but not legally subdivided by a property line.

Modular or Modular Construction 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 over a conventional, permanent concrete foundation (either a basement foundation, slab-on-grade or crawl space).

Moved-in means a conventional, previously occupied building which is physically removed from one site, transported and re-established on another site for use as a residence, but does not include modular dwellings, manufactured homes, prefabricated dwellings or ready-to-move dwellings.

Multi-unit means a building other than a townhouse/row dwelling containing three or more separate dwelling units.



Panelized means a dwelling unit constructed at the site intended for occupancy using prebuilt exterior/interior wall panels and building components that are delivered to the site as a package ready for assembly over a conventional, permanent concrete foundation (either a basement foundation, slab-on-grade or crawl space).

Ready-to-Move means a dwelling unit built to the current Alberta Building Code that would normally be constructed on the site intended for occupancy, but for various reasons, is constructed at an off-site manufacturing facility, construction site, plant site or building yard. It is then loaded and transported as one unit onto the proper moving equipment and delivered to the site intended for occupancy and placed on a conventional, permanent concrete foundation (either a basement, slab-on-grade or crawl space).

Single-Detached Manufactured Dwelling means a dwelling unit conforming to CSA standards and the Alberta Building Code designed for transportation after fabrication, whether on its own wheels or a trailer, and which arrives at the site where it is to be occupied as a dwelling, complete and ready for occupancy (except for incidental operations such as placing the building on an acceptable foundation). For the purposes of this bylaw, manufactured dwellings do not include prefabricated dwellings, moved-in dwellings, or travel trailers.



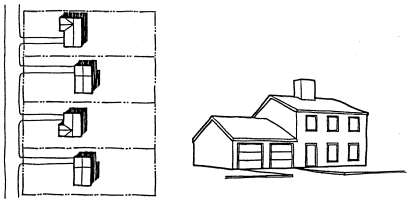
Single Detached Manufactured Dwelling, Double-Wide means a manufactured home consisting of two sections, moved separately, that are joined together into one integrated dwelling unit on site.

Single Detached Manufactured Dwelling, Single-Wide means a manufactured home consisting of a single section designed to stand alone as a single dwelling unit.

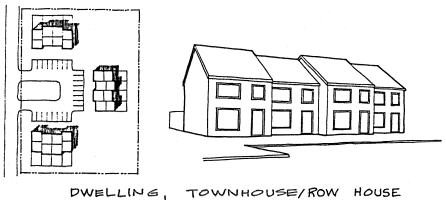
Single-Detached Prefabricated Dwelling means a dwelling unit that is built in a factory or portions of dwelling units that are built in a factory or location other than on the lot intended for occupancy. A new factory built structure that is manufactured in accordance with CSA and the Alberta Building Code, is transportable in one or more sections, and is used as a place for human habitation; but which is not constructed with a permanent hitch, chasis or other device allowing transport of the unit other than for the purpose of delivery to a permanent site. This definition does not include manufactured homes, park model homes or travel trailers. Single-detached prefabricated dwellings include the following:



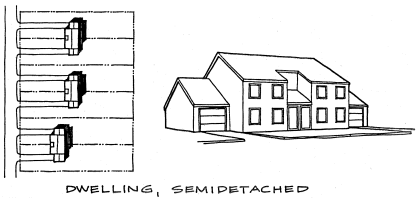
Single Detached Site-Built Dwelling means a building constructed on the lot intended for occupancy containing a single dwelling which is not attached to any other dwelling by any means. For the purposes of this bylaw, site-built dwelling does not include manufactured homes, modular dwellings, prefabricated dwellings, moved-in dwellings, or ready-to-move dwellings.



Townhouse / Row means a building containing three (3) or more separate dwelling units with each unit placed side by side and each having a separate front and rear entrance.



Semi-Detached or Two-Unit Dwelling means a building containing two (2) separate dwelling units connected by a common wall or ceiling and may be legally subdivided by a property line.



E

Easement means a right held by one part in land owned by another.

Eaves means the projecting lower edges of a roof overhanging the wall of a building.

Equipment Sales and Services means establishments primarily engaged in the sale or maintenance including but not limited to tools, construction equipment, and other similar industrial equipment that is not included in the term **Farm Machinery/Industrial Machinery Sales, Rental and Service** as defined in this Bylaw.

Extensive Agriculture / Horticulture means cultivation and production of crops, including the production of specialty crops within greenhouses or other enclosures, for off-site commercial sales. Examples include but are not limited to row crops, greenhouses, nurseries, hydroponic gardens, tree farms.

F

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 land.

Farm Machinery / Industrial Machinery Sales, Rental and Service means the use of land or buildings for the sale, service and/or rental of agricultural implements and/or vehicles over 5,900 kg (13,000 lbs.) tare weight and heavy machinery used in the operation, construction or maintenance of buildings, roadways, pipelines, oil fields, mining, or forestry operations, and in freight hauling operations. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use or as accessory uses.

Fence means a structure usually made of wood, rails, bricks or wire used as an enclosure, to mark parcel boundaries or for screening purposes about all or part of a lot.

Fertilizer Storage and Sales means a development used to store bulk fertilizer for distribution. This use class does not include the sales of bagged fertilizer in a retail shop. See bulk fertilizer storage and sales.

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.

Fire Hall means a facility developed to house and dispatch fire fighters and fire equipment owned and operated by the municipality, or other duly authorized volunteer fire authority.

Fish Pond means a body of water developed for the sole purpose of being a habitat for domestic fish and other legal aquatic pets and does not constitute the use of swimming by humans.

Floor Area means the sum of the gross horizontal area of the several floors and passageways of a building not including basements, attached garages and open porches.

Front Yard – see **Yard, Front**

Food Processing means a development that consists of the processing of raw materials into a semi-finished or finished food and/or beverage product that may be stored on site prior to the distribution of the product. Any indoor display, office or administrative support areas shall be considered an accessory use.

Foundation means the supporting base structure of a building.

Funeral Home means a development used for the arrangement of funerals, the preparation of the deceased for burial or cremation, the holding of funeral services and the carrying out of cremations.

G

Garden Centre means a development designed and used for the commercial growing of vegetables, flowers or other plants for transplanting or sale. Retail uses accessory to the use and on-site, in-ground growing of plants or trees may be allowed.

Garage (Residential) means an accessory building designed and used for storage of motor vehicles.

Gas Bar – see **Service Station**

Golf Course means an outdoor recreational development or parcel of land of varying sizes designated primarily for 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 Office and 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, combined service and office.

Grade means the average elevation of the finished ground or street surface.

Grain Elevator means a facility for the collection, grading, sorting, storage, and transshipment of grains.

Greenhouse means a building used for the growing of plants, all or part of which are sold at retail or wholesale.

Grocery Store means the use of a building for the sale of foodstuffs and household goods. It does not include service stations/gas bars or liquor stores.

Group Home means a development using a dwelling unit for a provincially-approved residential social care facility providing rehabilitative and supportive care for four (4) or more persons. A group home may incorporate accommodation for resident staff as an accessory use.

H

Hazardous Chemical Storage means the storage of bulk hazardous chemicals, as defined in the *Occupation Health and Safety Act.*

Health Service- means any service, whether public or private, principally engaged in providing health maintenance, diagnosis or treatment of human diseases, pain, injury, deformity, or physical condition, including but not limited to a pharmacy, general hospital, diagnostic center, treatment center, rehabilitation center, extended care center, nursing home, intermediate care facility, outpatient laboratory, or central services facility serving one or more such institutions.

Heavy Commercial Use means the development for commercial use on a large scale where there may be external effects from the activities such as smoke, noise, or odour, or other similar nuisances.

Heavy Manufacturing and Industrial Processes means a development for manufacturing, assembling or fabricating activities on a large scale, where there may be external effects from the activity such as smoke, noise or odour or other similar nuisances.

Home Occupation 1 – a home-based occupation that involves the establishment of a small-scale business incidental to the primary use of the residence and which does not involve:

(a) outdoor storage and/or display of goods,

(b) non-resident employees, and/or

(c) customer/client visits to the residence.

Home Occupation 2 – a home-based occupation involving the establishment of a small-scale business incidental to the primary use of the residence that does not meet the criteria for a Home Occupation 1 and which may involve:

(a) the use of an accessory building,

(b) outdoor storage and/or display of goods within the residence or accessory building,

(c) one non-resident employee, and/or

(d) customer visits.

Hospital means a building providing medical treatment on both an in-patient and an out-patient basis and may include provision for outdoor amenity areas, laundry facilities, maintenance buildings and air transport facilities.

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

I

Illumination means the lighting of a building, structure, landscaping, or sign by artificial means.

Indoor Storage means the enclosed storage of goods, merchandise, materials or equipment within a **building**.

Industrial Use – see **Use, Industrial**

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 centers, 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 a veterinary clinic.

L

Landscaping Materials Sales means a commercial business that specializes in the sale and/or installation of landscaping materials such as, but not limited to trees, shrubs, rock, bark, mulch, gravel and paving stones.

Lane means a public roadway, not exceeding 9.14 metres (30 ft.) in width which provides a secondary means of access to a lot.

Laundry means a facility for the cleaning and pressing of clothing or other fabric goods.

Libraries and Museums means a public facility for the use, but not sale of literary, musical, artistic, or reference materials. A collection of natural, scientific, or literary curiosities displayed for viewing by the public. With or without an admission charge, and which may include as an accessory the sale of goods to the public.

Licensed Premises means a commercial establishment licensed and regulated pursuant to provincial legislation where alcoholic beverages are served for consumption on the premises, and typically includes a bar, pub, tap-house, lounge or restaurant.

Light Industry 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 Establishment means an establishment licensed under provincial authority for the sale of any or all of beer, wine or spirits for consumption on-premises and typically includes a bar, pub, tap-house, lounge or restaurant.

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.

Livestock means grazing animals kept either in open fields or structures for training, boarding, home use, sales, or breeding and production; including but not limited to: cattle, riding and draft horses, hogs, sheep, goats, miniature horses, llamas, and alpacas.

Livestock Sales Yard means any development done with the purpose of facilitating the selling and buying of livestock as a primary use and does not include feed lots.

Loading means an unobstructed area provided and maintained for the temporary parking of trucks and other motor vehicles for the purpose of loading and unloading goods, wares, materials, and merchandise.

Lodging House – see **Boarding House**

Lot means an area of land, the boundaries of which are shown on a plan registered in a Land Titles Office, or are described in the Certificate of Title to the land, and that has not been divided into smaller areas by any plan or instrument registered in the Land Titles Office. The words **site** and **parcel** shall have the same meaning as the word **lot**.

Lot, Corner means a lot located at the intersection or junction of two or more streets. (see Figure 6.2)

Lot Area means the total area contained within the lot lines of a lot.

Lot, Double Fronting means a lot which abuts two parallel or approximately parallel streets. (see Figure 6.2)

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 6.2)*

Lot Length means the distance between the front and rear lot lines *measured along the median between the side property boundaries*. (see Figure 6.3)

Lot Line means the legally defined *boundary* of any lot. The term property line shall have the same meaning. (see Figures 6.2, 6.3)

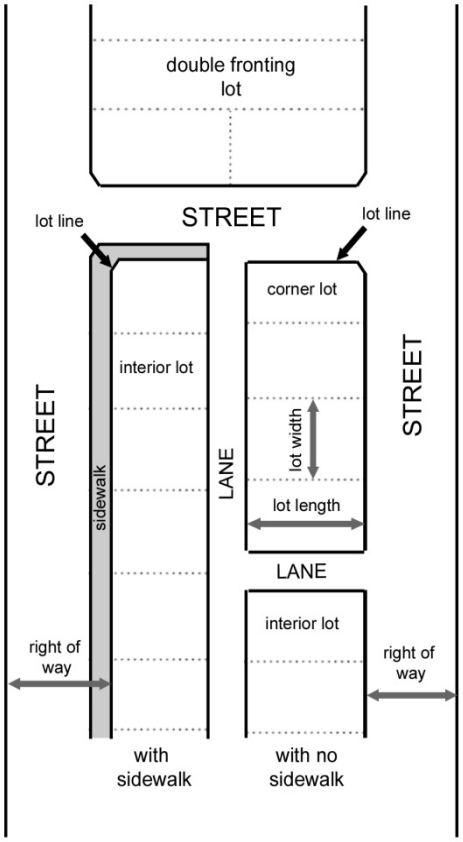


Figure 6.2

Lot Width means the measurement between the side lot lines measured at the front setback line. *(see Figure 6.3)*

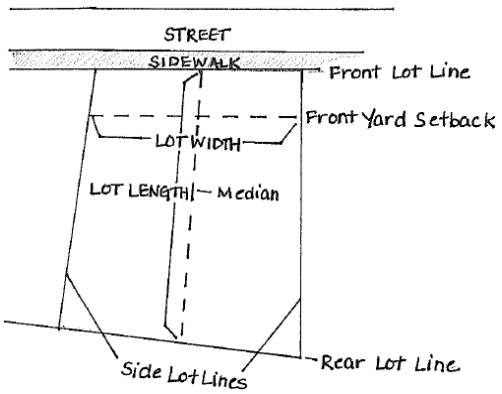


Figure 6.3

Lumber Yard / Building Supplies means a commercial retail store where lumber, building materials, hardware and household accessories and other related goods are stored, offered or kept for sale and may include outdoor storage.

M

Manufactured Home Park means an unsubdivided parcel of land where *space(s) are provided*, maintained and operated by an owner or a manager for the long-term parking and occupancy of manufactured homes *including any accessory services* and ancillary facilities including recreation area.

Manufactured Home Sales and Services means a place of business were dwelling units classified as manufactured homes as per the definition in this bylaw are bought, sold and/or maintained either by service, or through the provision of parts and/or materials conforming to CSA standard is carried out. For the purpose of this bylaw this use does not include the construction, or fabrication of manufactured homes.

Manufacturing and Processing Facility means the fabrication, construction, and/or processing of dwelling units classified as manufactured homes as defined in this bylaw, including the storage and operation of required equipment, parts and/or materials.

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.

Mechanical Sales and Services – see **Equipment Sales and Services**

Medical and Dental Office means development providing medical, health, or dental care on an outpatient basis. **Dispensaries** are considered a **Retail Store** for the purposes of this bylaw.

Mini storage means a development which includes a series of enclosed storage bays or lockers, and may include outside storage sites for recreation vehicles on the same parcel, all of which are intended for rental or lease to the general public.

Motel – see **Hotel / Motel**

Moved-In Building means a conventional, pre-constructed, previously occupied building which is physically removed from one site, transported and re-established on another site and does not include manufactured homes, modular homes, or ready-to-move homes.

Museum – see **Library**

Multi-Unit – see **Dwelling, Multi-Unit**

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

Municipal Interpretive / Public Attraction means a public amenity, building, structure, exhibit or site provided or owned by the local municipal government to recognize or display a local feature, attribute or attraction, which may include but is not limited to a natural feature native to the area, artwork, commemorative display, memorial, static community display, monument, cenotaph, cultural tribute, historical site, educational presentation, interpretive or tourist centre or attraction, but does not include a private or commercially operated business, use or attraction. Public visibility, access or assembly may be part of the use.

Municipal Office means development primarily for the provision of professional, managerial, administration, or consulting traditionally provided by local government; including water, sewer, roads, parks, schools, and police and fire protection.

Municipal Reserve means the land specified to be municipal reserve by a subdivision approving authority pursuant to the *Municipal Government Act*.

Municipal and School Reserve means the land specified to be municipal and school reserve by a subdivision approving authority pursuant to the *Municipal Government Act*.

Municipality means the Village of Carmangay in the Province of Alberta.

N

Non-Conforming Building, in accordance with the *Municipal Government Act*, means a building:

(a) that is lawfully constructed of 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 of 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 – see **Use, Non-Conforming**

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.

Nudity means the complete or partial visibility of one or more parts of the human body that may be considered to be sexually explicit due to a lack of any covering of those parts of the body or the presence of covering that is other than opaque.

Nuisance means any use, prevailing condition or activity which adversely affects the use or enjoyment of property or endangers personal health or safety.

Nursery means a retail business whose principal activity is the selling of plants grown on the site and having outside storage, growing, or display.

Nursing Home means a facility, profit or non-profit, providing bed care, meals, and inpatient services 24 hours per day for two or more persons requiring regular medical attention but excluding a facility providing surgical or emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease.

O

Office means development primarily for the provision of professional, managerial or consulting services; the administrative needs of businesses, trades, contractors and other organizations; and service-related businesses such as travel agents and insurance brokers. This excludes government services, the servicing and repair of goods, the sale of goods to the customer on the site, and the manufacturing or handling of a product.

Off-Street Parking means a space consisting of one or more parking stalls and developed in conjunction with approved access to a public road or lane.

Open Roof Structure means a structure built in accordance with any applicable safety and/or building codes with a minimum of two sides that does not have an overhead covering of any type.

Organization – see **Clubs and Fraternal Organizations**

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

Outdoor Storage means the open storage of goods, merchandise, materials or equipment outside a building.

Owner means the Crown or the person(s) registered under the *Land Titles Act* as the owner(s) of the fee simple estate in the land.

P

Parcel – see **Lot**

Park and Playground means land developed for public recreational activities that do not require major buildings or facilities, and includes picnic areas, playgrounds, pedestrian and bicycle paths, outdoor courts, landscaped areas and associated public washrooms and may include equipment for play purposes usually for children and any associated structures and uses.

Parking Lot means an off-street, ground level open area, authorized for the temporary parking of vehicles in relation, or in conjunction to an approved non-residential use including home occupations where required by the development authority.

Parking Pad means an area constructed for private vehicle storage on a residential parcel, either paved or unpaved, and is of minimum size as required for the designated residential use as described in this bylaw.

Parking Space means the number of parking stalls as required by the designated use, or as required by Council.

Parking Stall means a designated space that conforms the dimensional requirements in this bylaw for the parking of one motor vehicle.

Pasture Land means an open land area that is seasonally suitable for providing the majority of vegetation required to sustain grazing confined livestock.

Patio means a paved, wooden, or other hard-surfaced area intended for outdoor living space that is less than 0.61 metre (2 ft.) above grade. A patio is not included in site coverage calculations.

Permitted Use – see **Use, Permitted**

Personal Services means a development used for the provision of services related to personal care and appearance or the cleaning and repair of personal effects and may include the retail sale of associated products. Typical uses include but are not limited to beauty salons, barber shops, health spas, tailors and dressmakers, dry cleaners, laundry shops and shoe repair shops but excludes household equipment repair establishments and the provision of medical or health services.

Planning Advisor means the person or organization retained by the Village of Carmangay to provide planning-related advice and services.

Porch means a roofed, open structure projecting from the exterior wall of a building with walls which are open or screened to facilitate use as an outdoor living area. A porch shall be included in site coverage calculations.



Post Office means a facility developed for services regarding mailing packages and letters, the sales and storage of mailing supplies and the related offices, vehicle storage areas, and sorting and distribution facilities for mail.

Principal Building or Use means the building or use of land or buildings that constitutes the dominant structure or activity on the lot.

Privacy wall or screen means any upright structure or type of wall typically projecting from or attached to the exterior wall of a dwelling or building, but is not part of the structural support of the building itself, serving to enclose, divide, screen or protect a private space area such as a deck or patio, and whether constructed of solid or lattice wood, concrete, masonry, metal, plastic, or other building material.



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

Processing Facility means any industrial building, facility or enclosed space used for the collection, sorting, separating, adding or processing of manufactured, agricultural, food, raw or recycled material.

Protective Services include fire halls, police stations and ambulance services.

Provincial Land Use Policies means policies established by order of the Lieutenant Governor in Council pursuant to section 622 of the *Municipal Government Act*.

Public and Institutional Use means a use of land or buildings for any of the following public or semi-public developments:

(a) a school or educational facility whether public or private, including preschools;

(b) places of worship;

(c) medical facilities which provide both in-patient and out-patient services including hospitals, nursing homes and sanitoriums;

(d) government and municipal offices;

(e) libraries, museums and similar developments;

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

(g) cemeteries;

(h) community halls or centres; and

such other uses as are considered similar in nature and character by the Development Authority to any of these uses.

Public Park means a natural or landscaped area, buildings, or structures, provided by a unit of government, to meet the active or passive recreational needs of people.

Public Roadway means:

(a) the right-of-way of all or any of the following:

  (i) a local road;

  (ii) a service road;

  (iii) a street;

  (iv) an avenue; or

  (v) a lane;

  that is or is intended for public use; or

(b) a road, street or highway pursuant to the *Public Highways Development Act*.

Public Utility Structure means facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency, or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.

R

Ready-To-Move (RTM) – see **Dwelling, Ready-To-Move**

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.

Recreation and Sports Fields means development providing facilities that are available to the public at large for sports and active recreation conducted outdoors. Typical facilities would include golf courses, driving ranges, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, Scout/Guide camps, religious outdoor retreat camps and parks, outdoor swimming pools, bowling greens, riding stables and fitness trails. This may include public or private (for-profit) development and may include eating and retails sales ancillary to the use for recreation or sports.

Recreation Vehicle means a transportable vehicle or trailer built on a single chassis and designed to be self-propelled, mounted on, or towed by another vehicle, and which is not normally more than 2.6 m (8.5 ft) in width and 37.16 m^2 (400 sq.ft.) in area, and conforms to the CSA Z240 standard for RVs. A recreational vehicle is not designed or intended for use as a permanent dwelling, but as temporary living quarters for recreational camping, travel, vacation, or seasonal use and shall not be used as a permanent dwelling unless certified by a Safety Codes Officer and approved by the Development Authority. Examples of recreational vehicles include but are not limited to a travel trailer, camping trailer, truck camper, tent trailer, holiday trailer, motor home, fifth-wheel trailer, or van. Utility or cargo trailers are not included in this recreational vehicle definition

Recycling Facility means development used for the buying, collection, sorting and temporary storage of bottles, cans, newspapers, and similar household goods for reuse where most of the storage is contained within an enclosed building but may include limited outdoor storage.

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

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

Residential Accommodation in Conjunction with an Approved Commercial Use means a residential unit that is part of a commercial building so that the dwelling unit is a supplementary use to that principal use. Typical uses include residential units on the second storey above a main floor commercial use.

Restaurant means an establishment where food is prepared and served on the premises for sale to the public and may include supplementary alcoholic beverage service and 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 to any one of these.

Retail Store means a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles or things, sufficient only to service such a store.

Retail Use – see **Use, Retail**

Retaining Wall means any fence, wall, or terraced combination of walls built or designed to retain or restrain lateral forces of soil or other materials, with said materials being similar in height to the height of the wall; and not used to support, provide foundation for, or provide a wall for a building or structure.

Riding Arena means an improved area, generally fenced, of at least 30 feet in width or length that may be either enclosed or open within which equestrian activities involving horse riding, training, or driving occurs.

Road – see **Street**

Road Access – means access to a single parcel from a public road by vehicle exists. The access road itself may be either public or private and must meet the road quality standards of the municipality.

Row House – see **Dwelling, Townhouse / Row House**

Q

Quonset or Quonset-Style Building means a structure made from metal having a semicircular roof and/or cross section and end walls.



S

Salvage Yard – see **Wreckage and Salvage Yard**

School means a place of instruction offering courses of study operated with public or private funds pursuant to the *School Act*.

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

Secondary Front – see **Yard, Secondary Front**

Secondary Suite means an accessory development consisting of a second self-contained living unit located within a single-detached home, where both dwelling units are registered under the same land title.

Seed Cleaning Plant means a facility for the collection, cleaning, and transshipment of grains.

Semi-Detached – see **Dwelling, Semi-Detached**

Seniors Housing means development, including lodges, which is used as a residence for elderly individuals not requiring constant or intensive medical care and complies with the *Alberta Housing Act*, as amended.

Service Station / Gas Bar 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 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 6.4)

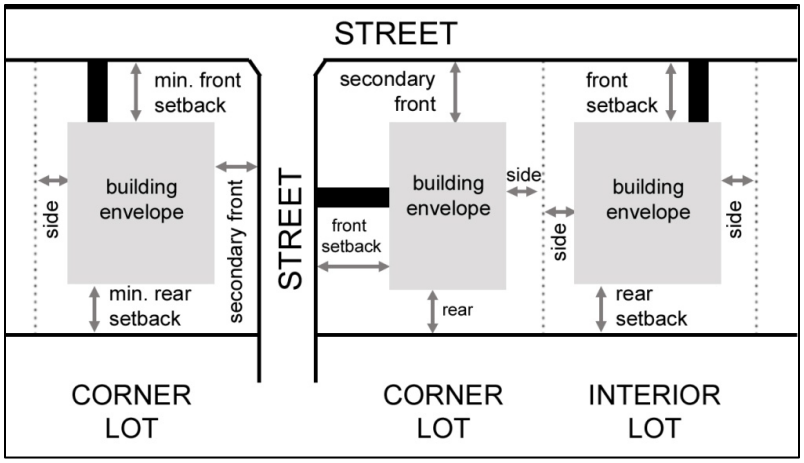


Figure 6.4

Shipping Container (c-container or sea-container) means any container that was used for transport of goods by means of rail, air, truck or by sea. These containers are rectangular in shape and are generally made of metal. When used for any purpose other than transporting freight, a shipping container shall be considered a building and subject to the standards and requirements of the Land Use Bylaw.

Sidewalk means any improved pedestrian surface that is typically located adjacent to a road and is publicly owned and maintained.

Sign means any object, device, display or structure, or part thereof, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means.

> **Canopy sign** means a sign attached to a non-retractable structure completely enclosed overhead, which is intended to be used for business identification or protection against the weather and which is not supported independently of any other building or structure.
>
> **Fascia sign** means a sign attached to or erected against the wall of a building with the exposed display surface of the sign in a plane approximately parallel to the plane of the said wall.
>
> **Freestanding sign** means any sign supported by a freestanding column(s) or structure placed in or on the ground and not attached to any building or other structure.
>
> **Mural sign** means a painting or other decorative work applied to and made integral with an outside wall surface of a building.
>
> **Portable sign** means a sign that is not permanently affixed to a building, structure or the ground and is supported on a structure allowing it to be readily moved from one location to another.

Similar Use – see **Use, Similar**

Single Detached; **Manufactured** – see **Dwelling, Single Detached; Manufactured**

Single Detached; **Prefabricated** – see **Dwelling, Single Detached; Prefabricated**

Single Detached; **Site Built** – see **Dwelling, Single Detached; Site Built**

Site – see **Lot**

Site Coverage means the percentage of the lot area which is covered by all buildings and structures on the lot.

Site Coverage, Accessory means the percentage of the lot area which is covered by the combined area of all accessory buildings and structures and includes uncovered decks.

Site Coverage, Principal means the percentage of the lot area which is covered by the principal building including any structure attached to the principal building by an open or enclosed roofed structure, including but not limited to attached garages, verandas, covered balconies, covered decks, and porches.

Site, Density means the average number of families, persons or dwelling units per unit of land.

Small (tiny) home means a small single-unit residential building intended for habitable occupancy constructed on a lot on a permanent foundation to meet National Building Code – 2019 Alberta Edition, a minimum of 37.16 m^2 (400 sq. ft.) in size and typically not exceeding 65.03 m^2 (700 sq. ft.) and containing a single unit dwelling which is not attached to any other dwelling by any means. For the purposes of this Bylaw, small (tiny) homes include site-built dwellings, prefabricated dwellings, and stick-framed moved-in dwellings as defined in this Bylaw, but does not include manufactured homes, modular dwellings, mobile homes, or homes built on a chassis or trailer to meet CSA standards (including recreational vehicles or park model trailers).

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 1 kW and which will be used primarily to reduce onsite consumption of utility power and is CSA approved.

> **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 12.19 metres (40 ft.) in height.
>
> **Type B Small Wind Energy System**: This use is defined as a Small Wind Energy System that has a tower which is greater than 12.19 metres (40 ft.) in height but does not exceed 24.38 metres (80 ft.) in height.

Solar collector means a device or combination of devices, structures, or part of a device or structure that transforms direct solar energy into thermal, chemical, or electrical energy.

Sports Field- see **Recreation / Sports Field**

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

Storage, Outdoor means an area on a commercial or industrial parcel which stores equipment, products, vehicles or items sold by or associated with the business use located on the subject site and may contain the display area, which must not be located within any required setback, or located on any required and approved landscaping area.

Storey means that portion of a building included between the *top* of any floor and the *top* of the floor next above, or of the ceiling if there is no floor above it.

Street means a public thoroughfare affording the primary means of access to abutting parcels. For the purpose of this bylaw the terms street and road are synonymous and do 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, and signs.

Subdivision means the division of a parcel by an instrument. Subdivide has a corresponding meaning.

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

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

Subdivision Authority means the body established by bylaw to act as the Subdivision Authority in accordance with section 623 of the *Municipal Government Act*.

T

Temporary Development means a use and/or structure maintained for a designated time period as specified in a temporary development permit and ceased after that time.

Theatre means a structure, building, or part thereof used for dramatic, operatic, motion pictures, or other performance, including the related rehearsal or research, or other related activities. Such areas may or may not be open to the general public.

Townhouse – see **Dwelling, Townhouse / Row**

Transportation Depot means any facility developed for the primary purpose of storing and dispatching trucks, cars, and any other mode of transportation for the transporting of goods, or people and does not have any related retail use. This term does not include use were the storage of private vehicles is a primary service, or where the storage of vehicles is secondary to an on-site service including recreational trailers and post offices.

Travel Trailer or Holiday Trailer means a trailer used to provide temporary accommodation and shelter from the weather elements intended for vacation or recreational use, with the unit being licensed and equipped to travel on a public road. This use is not considered as a habitable or permanent dwelling unit.

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.

Use, Commercial means a business use or activity at a scale greater than home occupation involving retail or wholesale marketing of goods and services. Examples of commercial uses include offices and retail shops.

Use, Discretionary means the one or more uses of land or buildings in a land use district from which a development permit may be approved at the discretion of the Development Authority or Subdivision and Development Appeal Board with or without conditions.

Use, Industrial means of, relating to, concerning, or arising from the assembling, fabrication, finishing, manufacturing, packaging, or processing of goods, or mineral extraction.

Use, Non-Conforming, in accordance with the *Municipal Government Act,* means a lawful specific use:

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

Use, Permitted means those uses as prescribed in Schedule 2 of this Bylaw for which a Development Permit shall be issued with or without conditions by the Development Authority upon application having been made to the Development Authority if the proposed development conforms to this Bylaw.

Use, Principal means the main purpose or primary activity, for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

Use, Retail means the selling of goods, wares, or merchandise directly to the ultimate consumer or persons with no intention of resale.

Use, Similar 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 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.

Utility means any one or more of the following:-

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

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

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

(d) storm sewage drainage facilities;

(e) telecommunications systems;

(f) systems for the distribution of artificial light or electric power;

(g) facilities used for the storage of telephone, cable, remote weather stations or internet infrastructure; and

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

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

V

Variance – see **Waiver or Variance**

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

Veterinary Clinic means a medical facility which treats animals of all sizes and can consist of inside and outside pens and may include associated office space and the supplementary sale of associated products.

W

Waiver or Variance means a relaxation of the numerical standard(s) required of a development as established in the Land Use Bylaw. A waiver cannot be granted for use.

Warehousing and storage means the use of a building or portion thereof for the storage and distribution of materials, products, goods and merchandise but does not include a retail component.

Welding Shop means a business engaged in the fabrication, assembly or repair of machinery or equipment by heating materials to a fluid state and uniting or consolidating them at a common point known as a weld.

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

Wreckage and Salvage Yard means development, such as auto wreckers, salvage and scrap yards, garbage container services and effluence tanker services, for the purchasing, receiving, resale or transportation of spent materials or substances which may generate a detrimental impact or nuisance beyond the boundaries of the lot or parcel on which it is situated. Such a facility may include a central office and work area.

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 6.5)

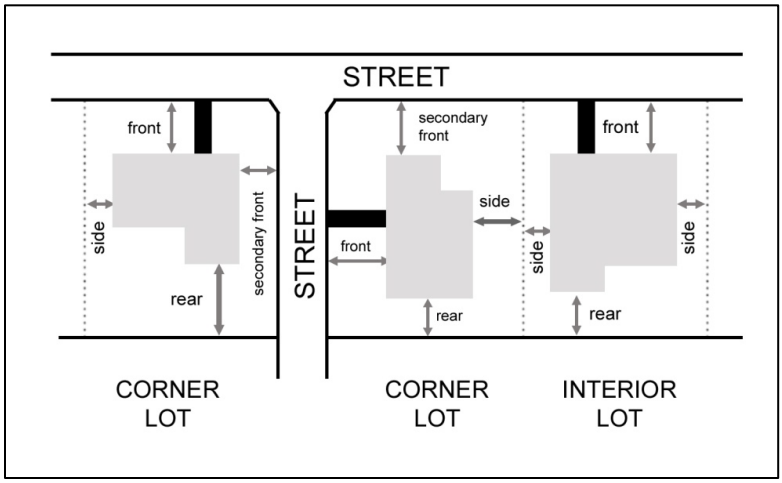
Yard, Front means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal buildings. On a corner lot, it is the yard associated with the front lot line. (See Figure 6.5)

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 6.5)

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 is oriented. (see Figure 6.5)

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 6.5)

Figure 6.5



All other words and expressions, not otherwise defined, have the same meaning as in the *MGA*.

APPENDIX A

LAND USE BYLAW FEE SCHEDULE

Appendix A – Land Use Bylaw Fee Schedule (2013)

Fee Schedule	Permitted Uses	Discretionary Use *or* Use Requesting Waiver Greater than 10%	Fee for undertaking development without an approved development permit
Residential:			
Dwellings	$100	$200	$1000
Additions	$50	$150	$750
Accessory Buildings 200 sq. ft. or greater	$50	$150	$500
Home Occupations	$50	$150	$500
Commercial:			
Change of Use	$200	$300	$1000
Commercial buildings or uses	$300	$400	$2000
All other development	$300	$400	$2000
Industrial:			
Change of Use	$200	$300	$1000
Single tenancy buildings	$300	$400	$2000
Multi-tenancy buildings or complexes	$500	$600	$3000
All other development	$500	$600	$3000
All other uses	$200	$300	$1000
Sign Permit:	$50	$150	$500

Letter of Compliance:	$50
Demolition Permit:	$25
Recirculation Fee:	50% of the original application fee
Land Use Bylaw Amendments:	$500
Other Statutory Plans and Amendments To:	$500
Request to convene a special meeting of the Development Authority:	$150
Appeal to the Subdivision and Development Appeal Board (portion of fee refundable upon successful appeal)**:**	$300

Additional fees will be required for building permits and inspections.

Whenever an application is received for a development or use not listed in this schedule, the amount of the fee shall be determined by the Designated Officer or the Development Authority and shall be consistent with those fees listed herein. Fees are set by Council may be adjusted from time to time.

APPENDIX B

FORMS

Village of Carmangay

BOX 130 CARMANGAY, ALBERTA T0L 0N0 PHONE: (403) 643-3595

RESIDENTIAL
DEVELOPMENT PERMIT APPLICATION

Date of Application: _____

Development Permit Application No.	
Date Deemed Complete:	

***IMPORTANT NOTICE**: This application **does not** permit you to commence construction until such time as a permit has been issued by the Development Authority. If approval has not been received within 40 days of the date the application is deemed complete, you have the right to file an appeal to the Subdivision and Development Appeal Board.*

THIS DOES NOT CONSTITUTE A BUILDING PERMIT.
A SEPARATE BUILDING PERMIT MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS.

APPLICANT INFORMATION

Name of Applicant (please print): _____
Mailing Address: _____
_____
Municipality: _____
Postal Code: _____

Phone (primary): _____
Phone (alternate): _____
Fax: _____
Email: _____

❑ Check this box if you would like to receive documents through email.

Is the applicant the owner of the property? ❑ Yes ❑ No

IF "NO" please complete box below

Name of Owner: _____
Mailing Address: _____
_____
Municipality: _____
Postal Code: _____

Phone: _____

Applicant's interest in the property:
- ☐ Agent
- ☐ Contractor
- ☐ Tenant
- ☐ Other _____

PROPERTY INFORMATION

Municipal Address: _____

Legal Description: Lot(s) _____ Block _____ Plan _____

Land Use District: _____

Existing use of parcel: _____

DEVELOPMENT INFORMATION

This application is to: (Check all that apply)

- ❑ Construct a new dwelling

  The dwelling is a:

  - ❑ Single-detached site built dwelling
  - ❑ Single-detached prefabricated dwelling
  - ❑ 2-unit dwelling
  - ❑ Multi-unit – please specify the number of dwelling units _____
  - ❑ Other _____

- ❑ Alter/renovate the existing building

  The renovation is a:

  - ❑ Addition
  - ❑ Attached garage
  - ❑ Deck(s)
  - ❑ Other _____

- ❑ Construct an accessory building / structure

  The accessory building is a:

  - ❑ Garage (detached)
  - ❑ Shed/workshop
  - ❑ Other _____

- ❑ Moved-in dwelling
- ❑ Demolish existing building (attach completed ***Demolition Form***)
- ❑ Other

Describe the proposed use, any changes from existing use, and any work to be done.

BUILDING REQUIREMENTS

	Principal Building	Accessory Building	*Office Use*
Parcel Size	❑ m^2 ❑ ft^2	❑ m^2 ❑ ft^2	
Building Size	❑ m^2 ❑ ft^2	❑ m^2 ❑ ft^2	
Height of Building	❑ m ❑ ft.	❑ m ❑ ft.	
Proposed Setbacks from Property Lines			
Front	❑ m ❑ ft	❑ m ❑ ft	
Rear	❑ m ❑ ft	❑ m ❑ ft	
Side	❑ m ❑ ft	❑ m ❑ ft	
Side	❑ m ❑ ft	❑ m ❑ ft	
Parcel Type:	❑ Interior Lot	❑ Corner Lot	

Details of VEHICLE PARKING and ACCESS:

Show **location** and **number** of all existing and proposed **parking spaces**, **loading spaces** and **driveways** on the PLOT PLAN.

Details of EXTERIOR BUILDING FINISH:

Describe the type(s) _____ and colour(s) _____ of all material used to finish the existing and proposed structure exteriors.

Details of SERVICES: Indicate as follows: **(A)** = available **(R)** = required

( ) water ( ) sewer ( ) septic field ( ) natural gas ( ) electricity ( ) telephone

ABANDONED WELL INFORMATION

This applies to developments that require a new permit from the municipality for:

- new buildings larger than 500 sq. ft. (47 m^2), or
- additions to buildings that will result in the building being this size or larger.

If your development proposal fits the criteria above, you are <u>required</u> to do the following:

1. Obtain map and well information

Please go to the ERCB's Abandoned Well Viewer (viewer) on the ERCB website at www.ercb.ca. The viewer will provide a map identifying all recorded abandoned well surface locations in the selected area and list any additional details that are available, including the licensee(s) of record and the latitude and longitude of each well's surface location.

If you do not have Internet access or have questions about the information provided by the viewer, you may contact:

- the ERCB Customer Contact Centre by telephone at: **1-855-297-8311 (toll-free),** or
- by e-mail at: Inquiries@ercb.ca, or
- the ERCB Information Services by mail at: **Suite 1000, 250 – 5 Street SW, Calgary, Alberta T2P 0R4**.

2. Submit the following as part of your development permit application

- the ERCB information, including a map of the search area from the viewer and a statement that there are no wells in the project area or a list and map identifying the location of abandoned wells within the search area (including the surface coordinates, as provided by the viewer or ERCB Information Services); and
- if an abandoned well is present, a detailed site plan must be provided that accurately illustrates the actual well location (i.e. latitude, longitude) on the subject parcel as identified in the field and the setback established in the ERCB Directive 079 (a minimum 5 m radius around the well) in relation to existing or proposed building sites.

If there is an abandoned well located in the area of the proposed surface development, the applicant is advised to contact the well licensee of record for any additional information that may be needed or to physically locate the well, and to discuss the proposed development and abandoned well issue in more detail.

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

APPLICANT	Registered Owner (if not the same as applicant)

VILLAGE OF CARMANGAY
RESIDENTIAL DEVELOPMENT PERMIT APPLICATION

DEVELOPMENT APPLICATION SUBMISSION REQUIREMENTS

The following items shall be attached to all Development Permit Applications for new buildings or exterior changes to existing buildings. This is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

- ❑ **Copy of Site Plan.** Site plan shall provide the following information:
  (May be provided on a survey plan or sketch)
  - ❑ Legal description and municipal address of subject property
  - ❑ Scale and north arrow
  - ❑ Adjacent roadways and lanes
  - ❑ Lot dimensions, lot area, and percentage of lot coverage for all structures
  - ❑ Existing residence and/or any other buildings with dimensions of foundation and projections including decks
  - ❑ Proposed residence and/or any other buildings with dimensions of foundation and projections including decks
  - ❑ The proposed distances from the foundation of the building to the front, side, and rear property lines
  - ❑ Location of lot access, existing sidewalk(s) and curbs
  - ❑ Location of any registered utility right of ways or easements
  - ❑ Location and number of off-street parking spaces
- ❑ **Copy of Building Plans.** Plans shall be to scale and contain the following information:
  - ❑ Scale and dimensions of exterior walls and interior rooms
  - ❑ Floor plan of all living space proposed to be developed
  - ❑ Building elevations including front, sides, and rear elevations, building height (from finished grade), roofing material, and roof pitch
- ❑ **Copy of map or additional information from the ERCB regarding location of abandoned wells.**
- ❑ **If applicant is not the registered owner**, a written statement (or this application) signed by the registered owner consenting to this application.
- ❑ **Application fee payable to the Village of Carmangay.**
- ❑ Security or performance bond if required by **the Village of Carmangay** (for prefabricated [manufactured] dwellings, moved-in buildings, etc.).

Village of Carmangay

BOX 130 CARMANGAY, ALBERTA T0L 0N0 PHONE: (403) 643-3595

NON-RESIDENTIAL
DEVELOPMENT PERMIT APPLICATION

Date of Application: _____

Development Permit Application No.	
Date Deemed Complete:	

***IMPORTANT NOTICE**: This application **does not** permit you to commence construction until such time as a notice of decision has been issued by the Development Authority. If a decision has not been received within 40 days of the date of application and no extension agreement has been entered into, you have the right to deem the application refused and file an appeal to the Subdivision and Development Appeal Board.*

THIS DOES NOT CONSTITUTE A BUILDING PERMIT.
A SEPARATE BUILDING PERMIT MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS.

APPLICANT INFORMATION

Name of Applicant: _____

Mailing Address: _____ **Phone:** _____

_____ **Phone (alternate):** _____

Municipality: _____ **Fax:** _____

Postal Code: _____

Is the applicant the owner of the property? ❑ Yes ❑ No

IF "NO" please complete box below

Name of Owner: _____ **Phone:** _____

Mailing Address: _____ **Applicant's interest in the property:**

_____ ☐ Agent

Municipality: _____ ☐ Contractor

☐ Tenant

Postal Code: _____ ☐ Other _____

PROPERTY INFORMATION

Municipal Address of Development: _____

Legal Description: Lot(s) _____ Block _____ Plan _____

Land Use District: _____

Existing use of parcel: _____

DEVELOPMENT INFORMATION

This application is to: (Check all that apply)

- ❑ Construct a new building

  The building is for:

  - ❑ Commercial Use
  - ❑ Industrial Use
  - ❑ Public/Institutional Use
  - ❑ Other, specify _____

- ❑ Alter/renovate the existing building
- ❑ Construct an accessory building
- ❑ Demolish existing building (attach completed ***Demolition Form***)
- ❑ Change or intensification of use (e.g. new type of business in existing building)

Describe the proposed use, any changes from existing use, and any work to be done.

BUILDING REQUIREMENTS

	Principal Building	Accessory Building	*Office Use*
Parcel Size	❑ m^2 ❑ ft^2	❑ m^2 ❑ ft^2	
Building Size	❑ m^2 ❑ ft^2	❑ m^2 ❑ ft^2	
Height of Building	❑ m ❑ ft	❑ m ❑ ft	
Proposed Setbacks From Property Lines			
Front	❑ m ❑ ft	❑ m ❑ ft	
Rear	❑ m ❑ ft	❑ m ❑ ft	
Side	❑ m ❑ ft	❑ m ❑ ft	
Side	❑ m ❑ ft	❑ m ❑ ft	
Parcel Type:	❑ Interior Lot	❑ Corner Lot	

Details of VEHICLE PARKING and ACCESS:

Show **location** and **number** of all existing and proposed **parking spaces**, **loading spaces** and **driveways** on the PLOT PLAN.

Details of EXTERIOR BUILDING FINISH:

Describe the type(s) _____ and colour(s) _____ of all material used to finish the existing and proposed structure exteriors.

Details of SERVICES: Indicate as follows: **(A)** = available **(R)** = required

( ) water ( ) sewer ( ) septic field ( ) natural gas ( ) electricity ( ) telephone

ABANDONED WELL INFORMATION

This applies to developments that require a new permit from the municipality for:

- new buildings larger than 500 sq. ft. (47 m^2), or
- additions to buildings that will result in the building being this size or larger.

If your development proposal fits the criteria above, you are <u>required</u> to do the following:

1. Obtain map and well information

Please go to the ERCB's Abandoned Well Viewer (viewer) on the ERCB website at www.ercb.ca. The viewer will provide a map identifying all recorded abandoned well surface locations in the selected area and list any additional details that are available, including the licensee(s) of record and the latitude and longitude of each well's surface location.

If you do not have Internet access or have questions about the information provided by the viewer, you may contact:

- the ERCB Customer Contact Centre by telephone at: **1-855-297-8311 (toll-free),** or
- by e-mail at: Inquiries@ercb.ca, or
- the ERCB Information Services by mail at: **Suite 1000, 250 – 5 Street SW, Calgary, Alberta T2P 0R4**.

2. Submit the following as part of your development permit application

- the ERCB information, including a map of the search area from the viewer and a statement that there are no wells in the project area or a list and map identifying the location of abandoned wells within the search area (including the surface coordinates, as provided by the viewer or ERCB Information Services); and
- if an abandoned well is present, a detailed site plan must be provided that accurately illustrates the actual well location (i.e. latitude, longitude) on the subject parcel as identified in the field and the setback established in the ERCB Directive 079 (a minimum 5 m radius around the well) in relation to existing or proposed building sites.

If there is an abandoned well located in the area of the proposed surface development, the applicant is advised to contact the well licensee of record for any additional information that may be needed or to physically locate the well, and to discuss the proposed development and abandoned well issue in more detail.

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

APPLICANT	Registered Owner (if not the same as applicant)

VILLAGE OF CARMANGAY
NON-RESIDENTIAL DEVELOPMENT PERMIT APPLICATION

DEVELOPMENT APPLICATION SUBMISSION REQUIREMENTS

The following items shall be attached to all Development Permit Applications for new buildings or exterior changes to existing buildings. This is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

- ☐ **Copy of Site Plan.** Site plan shall provide the following information:
  (May be provided on a survey plan or sketch)
  - ☐ Legal description and municipal address of subject property
  - ☐ Scale, north arrow and land use district
  - ☐ Adjacent roadways and lanes
  - ☐ Lot dimensions, lot area, and percentage of lot coverage for all structures
  - ☐ Any buildings with dimensions of foundation and projections
  - ☐ The proposed distance from the front, side, and rear property lines
  - ☐ Location of lot access, existing sidewalk(s) and curbs
  - ☐ Number and location of parking spaces, both on and off-street
  - ☐ Location of any registered utility rights-of-way and easements
  - ☐ Landscaping plan
  - ☐ Lighting plan
  - ☐ Location of fire hydrant, street light, power/telephone/cable pedestal(s) (if located within property frontage)

- ☐ **Copy of Building Plans.** Plans shall be to scale and contain the following information:
  - ☐ Scale and dimensions of exterior walls and interior rooms
  - ☐ Floor plan of the space proposed to be developed
  - ☐ Building elevations including front, sides, and rear elevations, building height (from finished grade), roofing material, and roof pitch

- ☐ **Copy of map or additional information from the ERCB regarding location of abandoned wells.**

- ☐ **If applicant is not the registered owner**, a written statement (or this application) signed by the registered owner consenting to this application.

- ☐ **Application fee payable to the Village of Carmangay.**

- ☐ Security or performance bond if required by **the Village of Carmangay** (for moved-in buildings, etc.).

Village of Carmangay

BOX 130 CARMANGAY, ALBERTA T0L 0N0 PHONE: (403) 643-3595

HOME OCCUPATION
DEVELOPMENT PERMIT APPLICATION

Date of Application: _____

Development Permit Application No.	
Date Deemed Complete:	

***IMPORTANT NOTICE**: This application **does not** permit you to operate the business until such time as a notice of decision has been issued by the Development Authority. If a decision has not been received within 40 days of the date of application and no extension agreement has been entered into, you have the right to deem the application refused and file an appeal to the Subdivision and Development Appeal Board.*

APPLICANT INFORMATION

Name of Applicant: _____

Mailing Address: _____ **Phone:** _____

_____ **Phone (alternate):** _____

Municipality: _____ **Fax:** _____

Postal Code: _____

Is the applicant the owner of the property? ❑ Yes ❑ No

IF "NO" please complete box below

Name of Owner: _____ **Phone:** _____

Mailing Address: _____ **Applicant's interest in the property:**

- ☐ Agent
- ☐ Contractor
- ☐ Tenant
- ☐ Other _____

_____

Municipality: _____

Postal Code: _____

PROPERTY INFORMATION

Municipal Address of Home Occupation: _____

Legal Description: Lot(s) _____ Block _____ Plan _____

BUSINESS DESCRIPTION

(1) Describe the primary function of your business. What goods and/or services are provided? Attach an additional sheet describing the business.

(2) Is there another home occupation already operating out of the residence? ❑ Yes ❑ No

(3) Where will the business operate from? ❑ In-home ❑ Accessory building

(4) How will you interact or do business with your clients or customers?

❑ **In person.** Clients/customers will come to the residence. On average, how many clients will come to the residence?

❑ Less than 1 per day ❑ 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 ❑ Internet/Email

(5) How many on-site parking spaces for any client visits, deliveries, etc. will be available? _____

(6) What will the days of operation be? ❑ Mon-Fri ❑ Weekends ❑ 7 days/wk ❑ Part-time

(7) What will be the hours of operation? _____

(8) Will there be any employees that are not residents of the dwelling? ❑ Yes ❑ No

If YES:

How many employees will come to the residence? _____

Will more than 1 employee come to the residence at a time? ❑ Yes ❑ No

(9) Will there be any equipment or materials stored outside the dwelling that will be used in conjunction with the business?

❑ Yes (list materials & quantities) _____

❑ No

(10) Will any vehicles/machinery/tools be used to operate the business? Please list.

_____

(11) Will there be any flammable or hazardous materials on the premises as a result of the business?

❑ Yes (list materials & quantities) _____

❑ No

(12) Will any goods be displayed at the residence? ❑ Yes ❑ No

(13) Will there be a sign for the business? ❑ Yes ❑ No

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Home Occupation. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

IMPORTANT: This personal information is being collected under the authority of the Village of Carmangay for development. It is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act. For more information contact the Village of Carmangay FOIP Coodinator at 403-643-3595.

_____ _____

APPLICANT Registered Owner (if not the same as applicant)

Village of Carmangay

BOX 130 CARMANGAY, ALBERTA T0L 0N0 PHONE: (403) 643-3595

SIGN PERMIT APPLICATION

Date of Application: _____

Sign Permit Application No.	
Date Deemed Complete:	

***IMPORTANT NOTICE**: This application **does not** permit you to install the sign until such time as a notice of decision has been issued by the Development Authority. If a decision has not been received within 40 days of the date of application and no extension agreement has been entered into, you have the right to deem the application refused and file an appeal to the Subdivision and Development Appeal Board.*

APPLICANT INFORMATION

Name of Applicant: _____

Mailing Address: _____ **Phone:** _____

_____ **Phone (alternate):** _____

Municipality: _____ **Fax:** _____

Postal Code: _____

Is the applicant the owner of the property? ❑ Yes ❑ No

IF "NO" please complete box below

Name of Owner: _____ **Phone:** _____

Mailing Address: _____ **Applicant's interest in the property:**

_____ ☐ Agent

Municipality: _____ ☐ Contractor

☐ Tenant

Postal Code: _____ ☐ Other _____

SIGN INFORMATION

TYPE OF WORK: ❑ New Permanent Sign ❑ Changes to Existing Sign ❑ Temporary Sign

Sign Location (Civic Address): _____

Are there any other signs at this location? ❑ Yes ❑ No

If yes, please state how many:

_____

SIGN TYPE*:	**PROJECTION STYLE:** *Mark any or all that apply*	**ILLUMINCATION:** *Mark any or all that apply*
☐ Temporary ☐ Canopy ☐ Window ☐ Freestanding ☐ Fascia ☐ Mural ☐ Projecting ☐ Other	☐ Lettering / logo ☐ Manual changeable lettering content ☐ Electronic changeable lettering content ☐ Animation ☐ Movement / rotation	☐ No illumination ☐ Direct illumination ☐ Internal illumination ☐ Flashing

		Office Use
Length of Sign:	❑ m^2 ❑ ft^2	
Height of Sign:	❑ m^2 ❑ ft^2	
Sign Face Area (length x height):	❑ m ❑ ft	
Top of Sign Height:		
from Grade:	❑ m ❑ ft	
from Roof:	❑ m ❑ ft	

If the sign is only for **temporary** use:

For how many days is the sign proposed to be displayed? _____ days

SITE PLAN

**Please attach a plan drawn to a suitable scale and photographs, if available, illustrating:

- ☐ Location of all existing and proposed sign(s) on the property
- ☐ Size, height, and other dimensions of the proposed sign(s), including any supporting structures
- ☐ Details of sign content (wording, lettering, graphics, colour and design scheme, materials, etc.)
- ☐ Location of the property boundaries of the parcel upon which the proposed sign(s) are to be located
- ☐ Setbacks from property lines of proposed sign(s) and existing building(s)

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Sign.

APPLICANT

Registered Owner (if not the same as applicant)

Village of Carmangay

BOX 130 CARMANGAY, ALBERTA T0L 0N0 PHONE: (403) 643-3595

DEMOLITION PERMIT APPLICATION

Date of Application: _____

Application No.	
Date Deemed Complete:	

APPLICANT INFORMATION

Name of Applicant: _____

Mailing Address: _____ **Phone:** _____

_____ **Phone (alternate):** _____

Municipality: _____ **Fax:** _____

Postal Code: _____

PROPERTY INFORMATION

Municipal Address of Development: _____

Legal Description: Lot(s) _____ Block _____ Plan _____

Land Use District: _____

Existing use: _____

DEMOLITION/REMOVAL INFORMATION

A development permit is required to demolish or remove a building or structure from a site. The demolition/removal permit process ensures that buildings are dismantled and removed in a safe manner and that the land will be left in a suitable state after removal. The following is not an exhaustive list and the Designated Officer may request additional information that is required to assess the application.

STRUCTURES TO BE REMOVED

Description of Building/Structure(s) _____

_____

Type of Work ❑ Removal to another site (no demolition) ❑ Demolition of building/structure

Building/Structure Size _____ ❑ m^2 ❑ ft^2

Height of Building _____ ❑ m ❑ ft # of storeys _____

DEMOLITION PLAN

Timeframe — Expected start date: _____ Expected completion date: _____

Method of Demolition — ❑ Manual (no heavy equipment) ❑ Using heavy equipment ❑ Other – please explain _____

Dump/Landfill Site Location _____

Note: Construction debris should be dumped in an approved certified site whenever possible. If that is not possible, approval must be obtained from Alberta Environment.

Name of Contractor responsible for removal/demolition _____

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application for a Development Permit. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

_____ _____

APPLICANT Registered Owner (if not the same as applicant)

APPLICANT IS RESPONSIBLE FOR:

- ❑ **Disconnection of all services** including (if applicable): Signature from agency verifying services disconnected (or attach letter):
  - ❑ Electrical power _____
  - ❑ Natural gas _____
  - ❑ Oil lines _____
  - ❑ Telephone cables _____
  - ❑ Communications cables (includes cable TV) _____
  - ❑ Water lines _____
  - ❑ Storm & sanitary sewer _____
  - ❑ Septic _____

- ❑ **On-site consultation with Public Works Director**. The applicant shall schedule a consultation with the Public Works Director a minimum of 48 hours prior to demolition or removal commencing to determine the state of affected public property.

- ❑ **Final plan for property after building removed or demolished and reclamation complete.** As applicable:
  - ❑ **Copy of grading plans** if property will be vacant after removal or demolition
  - ❑ **Complete development application for new development** where building is being replaced

- ❑ **A completed Development Application**. This form shall accompany a complete development application with the consent of the registered owner and any other required documentation.

- ❑ **Application Fee and any applicable deposit or security required payable to the Village of Carmangay.**

**NOTE: A building permit is also required before proceeding with demolition.

Village of Carmangay
BOX 130 CARMANGAY, ALBERTA T0L 0N0 PHONE: (403) 643-3595

TELECOMMUNICATION SITING PROTOCOL APPLICATION & CHECKLIST

Date of Application: _____

APPLICANT INFORMATION

Name of Applicant (please print): _____
Mailing Address: _____
_____
Municipality: _____
Postal Code: _____

Phone (primary): _____
Phone (alternate): _____
Fax: _____
Email: _____

❑ Check this box if you would like to receive documents through email.

Is the applicant the owner of the property? ❑ Yes ❑ No

IF "NO" please complete box below

Name of Owner: _____
Mailing Address: _____
_____
Municipality: _____
Postal Code: _____

Phone: _____

Applicant's interest in the property:
- ☐ Agent
- ☐ Contractor
- ☐ Tenant
- ☐ Other _____

PROPERTY INFORMATION

Municipal Address: _____
Legal Description: Lot(s) _____ Block _____ Plan _____
Land Use District: _____
What is the existing use? _____

DETAILS OF THE PROPOSED DEVELOPMENT

What currently exists on the parcel?

What will the tower be used for?

TOWER SIZE

Overall tower height _____ ❑ m ❑ ft Commencement Date: _____

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

IMPORTANT: This personal information is being collected under the authority of the Village of Carmangay for development. It is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act. For more information contact the Village of Carmangay FOIP Coodinator at 403-643-3595.

APPLICANT

Registered Owner (if not the same as applicant)

VILLAGE OF CARMANGAY
TELECOMMUNICATION SITING
PROTOCOL APPLICATION & CHECKLIST

TELECOMMUNICATION SITING PROTOCOL CHECKLIST

A COMPLETED APPLICATION REQUIRES:

1. A completed checklist
2. Non-refundable application fee
3. Signature of ALL landowners
4. Any additional information requested by the Development Authority

CHECKLIST INFORMATION:

- Failure to complete the Application or supply the required information, plans or fees may cause delays in application processing.
- The Development Authority may refuse to accept your application if the required information has not been supplied or if the quality of the information is inadequate to properly evaluate the application.
- Once the information has been reviewed, the Village of Carmangay will either:
    - Issue a municipal concurrence letter to the applicant, or
    - Issue a letter which outlines the municipality's concerns and/or conditions to the applicant and Industry Canada
- Construction permits may be required for buildings/tower foundations, plumbing, private sewage systems, and gas or electrical installations.

FEES		
Copying and distribution of required notification letters	$1.50/letter	Payment required for distribution of letters will be the application fee
Distribution of required notification letters	$1.00/letter	
If the applicant can prove that notification to all required adjacent landowners has been done, then no fee is required.		
For fees not listed here, please see the full Fee Schedule		

CHECKLIST

Please attach a description of the project summarizing the information required in the following table.

REQUIREMENT	IS THIS REQUIRED? YES OR NO	SUBMITTED? YES, NO OR N/A
Co-utilization: Are there any other such structures within a radius of 500 m (1640 ft.) of the proposed location?		
If YES, please provide a site plan showing the locations of these and provide documentary evidence that co-utilization of the existing structure(s) is not a viable alternative to a second structure		
Stealth Structure Options/Screening: If this structure will be visible from residential areas stealth structure options must be used and a description of the stealth structure options must be submitted to the satisfaction of the Village.		
Lighting and Signage: Is there additional lighting planned in addition to what is required by federal agencies? Please provide a description of all lighting, required or not required.		
What signage will be used? Please describe. No advertising signage shall be permitted.		
Notification & Public Consultation Process: All landowners within a distance of 3.2 km (2 miles) from the proposed structure must be notified. Please provide a letter that the Village can circulate on your behalf.		
The fee for copying and distributing these letters is $1.50/letter. _____ x $1.50/letter = _____ total The fee for only distributing these letters is $1.00/letter _____ x $1.00/letter = _____ total		

Village of Carmangay
BOX 130 CARMANGAY, ALBERTA T0L 0N0 PHONE: (403) 643-3595

APPLICATION FOR A LAND USE BYLAW AMENDMENT

Date of Application: _____

Bylaw No.	
Date Deemed Complete:	

A refusal is **not** appealable and a subsequent application for amendment involving the same lot and/or the same or similar use may not be made for at least 6 months after the date of refusal.

IMPORTANT NOTE: Although the Designated Officer is in a position to advise on the principle or details of any proposals, such advice must not be taken in any way as official consent.

APPLICANT INFORMATION

Name of Applicant: _____

Mailing Address: _____ **Phone:** _____

_____ **Phone (alternate):** _____

Municipality: _____ **Fax:** _____

Postal Code: _____

Is the applicant the owner of the property? ❑ Yes ❑ No

IF "NO" please complete box below

Name of Owner: _____ **Phone:** _____

Mailing Address: _____

_____

Municipality: _____

Postal Code: _____

Applicant's interest in the property:
- ☐ Agent
- ☐ Contractor
- ☐ Tenant
- ☐ Other _____

PROPERTY INFORMATION

Municipal Address: _____

Legal Description: Lot(s) _____ Block _____ Plan _____

OR Quarter _____ Section _____ Township _____ Range _____

AMENDMENT INFORMATION

What is the proposed amendment? ❑ Text Amendment ❑ Land Use Redesignation

IF TEXT AMENDMENT:

For text amendments to the *Land Use Bylaw*, **attach** a description including:

- The section to be amended;
- The change(s) to the text; and
- Reasons for the change(s).

IF LAND USE REDESIGNATION:

Current Land Use Designation: _____

Proposed Land Use Designation (if applicable): _____

❑ **Map Attached**

Section 20 of the *Land Use Bylaw* regulates the information required to accompany an application for redesignation. Please attach a descriptive narrative detailing:

- the proposed designation and future land use(s);
- if and how the proposed redesignation is consistent with applicable statutory plans;
- the compatibility of the proposal with surrounding uses and zoning;
- the development suitability or potential of the site, including identification of any constraints and/or hazard areas (e.g. easements, soil conditions, topography, drainage, etc.);
- availability of facilities and services (sewage disposal, domestic water, gas, electricity, fire and police protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development; and
- Any potential impacts on public roads.

In addition to the descriptive narrative, an Area Structure Plan or Conceptual Design Scheme may be required in conjunction with this application where:

- redesignating land from Urban Reserve 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 or the Subdivision and Development Authority.

The Designated Officer or the Subdivision and Development Authority may also require a:

- geotechnical report; and/or
- evaluation of surface drainage and any other information

if deemed necessary.

SITE PLAN

Plans and drawings, in sufficient detail to enable adequate consideration of the application, must be submitted in **duplicate** with this application, together with a plan sufficient to identify the land. It is desirable that the plans and drawings should be on a scale appropriate to the development. However, unless otherwise stipulated, it is not necessary for plans and drawings to be professionally prepared. Council may request additional information.

DECLARATION OF APPLICANT/AGENT

The information given on this form is full and complete and is, to the best of my knowledge, a true statement of the facts in relation to the application. I also consent to an authorized person designated by the municipality to enter upon the subject land and buildings for the purpose of an inspection during the processing of this application.

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).

APPLICANT	Registered Owner (if not the same as applicant)

APPENDIX C

SUBDIVISION AND DEVELOPMENT AUTHORITY BYLAW

VILLAGE OF CARMANGAY
IN THE PROVINCE OF ALBERTA
SUBDIVISION AND DEVELOPMENT AUTHORITY BYLAW NO. 731

BEING a bylaw of the Village of Carmangay in the Province of Alberta, to establish a municipal Subdivision and Development Authority, rescinding all previous Subdivision and Development Authority and/or a Municipal Planning Commission bylaws;

AND WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended requires the municipality to adopt a bylaw to establish a municipal Subdivision Authority and a municipal Development Authority;

AND WHEREAS, the Subdivision and Development Authority is authorized to make decisions on applications for development approval in accordance with the administrative procedures, land uses and schedules established in the municipal land use bylaw;

AND WHEREAS, the Subdivision and Development Authority is authorized to make decisions on applications for subdivision approval in accordance with the provincial land use policies, the subdivision and development regulations, the local land use bylaw and statutory plans;

AND WHEREAS, the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26 as amended permits the municipality to establish a Municipal Planning Commission to act as the municipal Subdivision and Development Authority;

AND WHEREAS, this bylaw may be cited as the Village of Carmangay Subdivision and Development Authority Bylaw;

NOW THEREFORE, the Council of the Village of Carmangay in the Province of Alberta duly assembled, enacts as follows:

1. DEFINITIONS:
   (a) **Municipal Government Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended from time to time.
   (b) **Municipality** means the Village of Carmangay in the Province of Alberta.
   (c) **Council** means the Municipal Council of the Village of Carmangay.
   (d) **Subdivision and Development Authority** means the person or persons appointed, by bylaw, to exercise only such powers and perform duties as are specified:
      (i) in the Act; or
      (ii) in the Village of Carmangay Land Use Bylaw; or
      (iii) in this bylaw; or
      (iv) by resolution of council.
   (e) **Municipal Planning Commission** means the person or persons appointed to act as the municipal Subdivision and Development Authority.
   (f) **Designated officer** means a person or persons authorized to act as the designated officer for the municipality as established by bylaw.
   (g) **Members** means the members of the Subdivision and Development Authority.
   (h) **Secretary** means the person or persons appointed by council to act as secretary of the Development Authority.
   (i) **Authorized persons** means a person or organization authorized by the council to which the municipality may delegate any of its Subdivision and Development Authority powers, duties or functions.

(j) All other terms used in this bylaw shall have the meaning as is assigned to them in the Municipal Government Act, as amended from time to time.

2. This bylaw establishes a Municipal Planning Commission in accordance with the Municipal Government Act, hereby known as the Subdivision and Development Authority.

3. For the purpose of this bylaw, the Subdivision and Development Authority for the municipality shall be the Municipal Planning Commission, except in such instances whereby the designated officer may be the Development Authority in accordance with the land use bylaw.

4. This bylaw establishes the Municipal Planning Commission acting as the Subdivision and Development Authority to aid Council with the implementation of the Village of Carmangay Land Use Bylaw; to advise and assist Council with regards to the planning of orderly and economical development within the Village of Carmangay, including making decision on subdivision applications.

5. The Subdivision and Development Authority shall be comprised of not more than five (5) persons, two (2) of whom shall be elected members of Council and two (2) of whom shall be appointed by Council from the citizens of the Village of Carmangay at large, and the person occupying the position of Development Officer of the Village of Carmangay.

6. Council may appoint as many alternate members as deemed appropriate by Council from the citizens of the Village at large to the Subdivision and Development Authority.

7. Appointments to the Subdivision and Development Authority shall be made by resolution of Council.

8. Members of the Subdivision and Development Authority shall be appointed for a term of three (3) years.

9. Council may remove, and/or reappoint a member of the Subdivision and Development Authority at their sole discretion.

10. When a person ceases to be a member of the Subdivision and Development Authority before the expiration of his/her term, Council may, by resolution, appoint another person for the unexpired portion of that term.

11. Should an elected official not remain as a member of Council then he/she ceases to be a member of the Subdivision and Development Authority, unless reappointed by Council to fill a position as a citizen at large.

12. Vacancies in the Subdivision and Development Authority membership caused by retirement, resignation, or death shall be filled for a new three (3) year term by resolution of Council within 60 days of receiving notice of the vacancy.

13. After the organizational meeting of Council each year, the members of the Subdivision and Development Authority shall elect one of themselves as Chairman, and one of themselves as Vice-Chairman to hold office for a term of one year.

14. Council may, by resolution, appoint a person(s) to fill the role of secretary. The secretary shall be an employee of the municipality and shall attend all meetings of the Subdivision and Development Authority, but shall not vote on any matter before the Subdivision and Development Authority

15. The Subdivision and Development Authority shall hold special meetings at any time at the call of the Chairman or Vice-Chairman if the Chairman is absent.

16. Three (3) members of the Subdivision and Development Authority shall constitute a quorum for making of all decision and for carrying out any action required or permitted to be carried out by the Subdivision and Development Authority.

17. The decision of the majority of the members present at a meeting shall be deemed to be the decision of the whole Subdivision and Development Authority.

18. Only those members of the Subdivision and Development Authority present at a meeting of the Subdivision and Development Authority shall vote on any matter before it.

19. The Subdivision and Development Authority may make orders, decisions, development permits, and approvals, and may issue notices with or without conditions.

20. The Subdivision and Development Authority may make rules to govern its hearings.

21. Members of the Subdivision and Development Authority shall not be members of the Subdivision and Development Appeal Board.

22. The secretary of the Subdivision and Development Authority shall attend all meetings of the Subdivision and Development Authority and shall keep the following records with respect thereto:
    (a) the minutes of all meetings;
    (b) all applications;
    (c) records of all notices of meetings and or persons to whom they were sent;
    (d) copies of all written representations to the Subdivision and Development Authority;
    (e) notes as to each representation;
    (f) the names and addresses of those making representations at the meeting;
    (g) the decision of the Subdivision and Development Authority;
    (h) the reasons for the decision of the Subdivision and Development Authority;
    (i) the vote of the members of the Subdivision and Development Authority on the decision;
    (j) records of all notices of decision and of persons to whom they were sent;
    (k) all notices, decisions and orders made on appeal from the decision of the Subdivision and Development Authority;
    (l) such other matters as the Subdivision and Development Authority may direct.

23. The municipality may by bylaw delegate any of its subdivision authority or development authority powers, duties or functions to an authorized persons or a regional services commission.

24. The Subdivision and Development Authority shall perform on behalf of the Council, all functions assigned to it in the Village of Carmangay Land Use Bylaw.

25. The Subdivision and Development Authority shall ensure that any proposal, outline plan, design scheme, or development is in accordance with the purpose, scope and intent of the Village of Carmangay Land Use Bylaw.

26. The Subdivision and Development Authority may make comments to be forwarded to the Oldman River Regional Services Commission on any proposed subdivision where the land is situated within the Village of Carmangay.

27. The Subdivision and Development Authority shall work in liaison and in consultation with the appointed Planner from the Oldman River Regional Services Commission or his representative.

28. All previous municipal bylaws which established a Subdivision and Development Authority and/or a Municipal Planning Commission and amendments thereto are hereby rescinded with the adoption of this bylaw.

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

READ a **first** time this 28 day of FEBRUARY, 2011.

READ a **second** time this 28 day of FEBRUARY., 2011.

READ a **third** time and final time and finally PASSED unanimously

this 21st day of MARCH, 2011.

Municipality of the Village of Carmangay

Kym Nichols

Mayor – Kym Nichols

Carolyn Erb

***Municipal Administrator** – Carolyn Erb*