VILLAGE OF GLENWOOD











Land Use Bylaw No. 192-2019

March 2020

Consolidated to Bylaw No. 192-2026, June 2026

Prepared by

OLDMAN RIVER REGIONAL SERVICES COMMISSION

VILLAGE OF GLENWOOD

in the Province of Alberta
BYLAW NO. 192-2019

BEING a bylaw of the Village of Glenwood in the Province of Alberta, to adopt Bylaw No. 192-2019, being the municipal Land Use Bylaw.

WHEREAS the Council of the Village wishes to adopt a new Land Use Bylaw to comply with the land use provisions established in the *Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended*;

AND WHEREAS the Land Use Bylaw provides for the regulation of the use and development of lands, buildings and structures within the Village;

AND WHEREAS the purpose of the proposed bylaw is:

- to incorporate the mandatory changes required for land use bylaws prescribed in the *Municipal Government Act*;
- to incorporate an expanded number of land use definitions;
- to add additional schedules and appendices that will govern development in the municipality;

AND WHEREAS it is deemed expedient and appropriate for the Village of Glenwood to consider Bylaw No. 192-2019 for the above-noted reasons;

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

1. Bylaw No. 218-2006 (Project No. 019-CE-5775A), being the former Land Use Bylaw, and any amendments thereto are hereby rescinded.
2. Bylaw No. 192-2019 shall come into effect upon third and final reading thereof.
3. Bylaw No. 192-2019 is hereby adopted.

READ a first time this 14th day of November, 2019.

David Rolfson
Elected Official

Marilee Campbell
Chief Administrative Officer – Marilee Campbell

READ a second time this 12th day of March, 2020

David Rolfson
Elected Official

Marilee Campbell
Chief Administrative Officer – Marilee Campbell

READ a third time and PASSED this 12th day of March, 2020.

David Rolfson
Elected Official

Marilee Campbell
Chief Administrative Officer – Marilee Campbell

Village of Glenwood Land Use Bylaw No. 192-2019 – Amendments

Bylaw No.	Amendment Description	Legal Description	Passed
192-2024	Increase variance that may be issued by the Development Officer from 10% to 25% to one measurable standard. Addition of policy regarding completeness of subdivision applications. Addition of list of permitted and discretionary uses to each land use district from existing Schedule 2 use Table to Schedule 1 Land Use Districts, including addition and deletion of specific uses from land use districts. Remove Shipping Container, permanent from specific land use districts. Addition of definition for Tourist Home / Short Term Rental, and Multi-purpose Dwellings to Schedule 2, Section 3. Addition of criteria for the development of shipping containers, multi-purpose dwellings, tourist homes / short term rentals, and accessory structures. Various administrative amendments to ensure alignment of the Bylaw.		12-June-2024
192-2026	Clarify and update administrative policies and procedures, revise and add specific land use definitions, add and revise criteria for the development of certain land uses, establish a maximum lot size for designated Residential parcels, revise the allowances for permitted projections into setbacks, and establish timelines for development.		10-June-2026

TABLE OF CONTENTS

ADMINISTRATION

Page

GENERAL

Section 1 Title 1
Section 2 Purpose 1
Section 3 Effective Date 1
Section 4 Repeal of Former Bylaw 1
Section 5 Severability 1
Section 6 Compliance with the Land Use Bylaw 1
Section 7 Compliance with Other Legislation 2
Section 8 Rules of Interpretation 2
Section 9 Measurements and Standards 2
Section 10 Forms, Fees and Notices 2
Section 11 Appendices 3

APPROVING AUTHORITIES

Section 12 Development Authority 3
Section 13 Development Officer – Powers and Duties 4
Section 14 Municipal Planning Commission 5
Section 15 Council 5
Section 16 Subdivision and Development Appeal Board (SDAB) 5

DEVELOPMENT IN GENERAL

Section 17 Land Use Districts 6
Section 18 Suitability of Sites 6
Section 19 Number of Dwelling Units on a Parcel 7
Section 20 Non-Conforming Buildings and Uses 7
Section 21 Development on Non-Conforming Sized Lots 7
Section 22 Non-Conforming Variances 7
Section 23 Development Agreements 7

DEVELOPMENT PERMIT RULES AND PROCEDURES

Section 24 Development Permit – When Required 8
Section 25 Development Not Requiring a Permit 8
Section 26 Development Permit Application 9
Section 27 Determination of Complete Development Permit Application 10
Section 28 Permitted Use Applications 11
Section 29 Discretionary Use Applications 12

Section 30 Similar Use 12
Section 31 Temporary Use 13
Section 32 Applications Requesting Variance of Bylaw Provisions 14
Section 33 Notification of Adjacent Landowners and Persons Likely Affected 14
Section 34 Notice of Decision 15
Section 35 Commencement of Development 15
Section 36 Development Permit Validity 16
Section 37 Transferability of and Minor Changes to an Approved Development Permit 17
Section 38 Failure to Make a Decision – Deemed Refusal 17
Section 39 Reapplication for a Development Permit 17
Section 40 Suspension or Cancellation of a Permit 17
Section 41 Development Appeals 18

ENFORCEMENT

Section 42 Notice of Violation 18
Section 43 Stop Orders 18
Section 44 Enforcement of Stop Orders 19
Section 45 Penalties and Right of Entry 19

AMENDMENTS

Section 46 Amendments to the Land Use Bylaw 20
Section 47 Land Use Redesignation Application Requirements 20
Section 48 Redesignation Criteria 22

SUBDIVISION

Section 49 Application and Decision 22
Section 50 Lot Design 24

RECREATIONAL VEHICLES

Section 51 Recreational Vehicle Requirements 25

ADMINISTRATION DEFINITIONS

Section 52 Administration Definitions 25

Schedule 1 LAND USE DISTRICTS

Section 1 Division of Municipality 37
Section 2 Intent of Land Use Districts 37

Schedule 2 USE REGULATION

Section 1 Use Categories and Specific Uses 41

Section 2 Use Table 42
Section 3 Land Use Definitions 45

Schedule 3 DIMENSIONAL STANDARDS AND SETBACKS

Section 1 Dimensional Standards and Minimum Setbacks 59
Section 2 Minimum Lot Size 59
Section 3 Minimum Setbacks 60
Section 4 Permitted Projections 61
Section 5 Floor Area, Footprint and Building Height 64

Schedule 4 DEVELOPMENT NOT REQUIRING A PERMIT

Section 1 Development Not Requiring A Permit 67

Schedule 5 GENERAL DEVELOPMENT STANDARDS

Section 1 Statutory Plans 71
Section 2 Approval of Access 71
Section 3 Design and Orientation of Buildings, Structures and Signs 71
Section 4 Development of Lands Subject to Subsidence, Undermining or Flooding 71
Section 5 Grading and Stormwater Management 71
Section 6 Shipping Containers 72
Section 7 Telecommunication Antenna Siting Protocols 73

Schedule 6 RESIDENTIAL DEVELOPMENT STANDARDS

Section 1 Accessory Buildings 77
Section 2 Apartments and Multi-Unit Dwellings 77
Section 3 Easements 77
Section 4 Corner Visibility 78
Section 5 Driveways, Off-Street Parking Requirements and Design Standards 78
Section 6 Fences 79
Section 7 Retaining Walls, Grading and Drainage 79
Section 8 Site Lighting 79
Section 9 Refuse Collection and Storage 79
Section 10 Servicing 80
Section 11 Development and Servicing Agreements 80
Section 12 Private Swimming Pools 81
Section 13 Manufactured Homes 81
Section 14 Moved-in Buildings 81
Section 15 Multi-Purpose Dwelling 82
Section 16 Tourist Home / Short-Term Rental 82
Section 17 Secondary Suites 83

Section 18 Home Occupation 84

Schedule 7 COMMERCIAL / INDUSTRIAL DEVELOPMENT STANDARDS

Section 1 Easements 89
Section 2 Corner Visibility 89
Section 3 Fencing 89
Section 4 Retaining Walls, Grading and Drainage 90
Section 5 Outdoor Display and Storage 90
Section 6 Mitigation of Impacts for Noise, Odors, Vibration, and Air Quality 90
Section 7 Accessory Buildings 91
Section 8 Moved-in Buildings 91
Section 9 Gas Bars, Service Stations and Bulk Fuel Stations 91
Section 10 Horticulture or Greenhouses 92

Schedule 8 ALTERNATIVE ENERGY

Section 1 Alternative Energy 95

Schedule 9 CANNABIS REGULATION

Section 1 Definitions 99
Section 2 Cannabis Retail Store 99
Section 3 Cannabis Production Facility 100

APPENDIX A FORMS AND NOTICES

Form A Application for Development Permit
Form B Notice of Decision on Application for a Development Permit
Form C Development Permit – Permitted
Development Permit – Discretionary
Form D Notice of Municipal Planning Commission Meeting
Form E Application for Time Extension
Form F Stop Order
Form G Application for a Land Use Bylaw Amendment

APPENDIX B TELECOMMUNICATION ANTENNA SITING PROTOCOL EXCLUSION LIST

APPENDIX C FEE SCHEDULE

APPENDIX D LAND USE DISTRICTS MAP

ADMINISTRATION

VILLAGE OF GLENWOOD

Land Use Bylaw No. 192-2019

ADMINISTRATION

GENERAL

SECTION 1 TITLE

1.1 This bylaw may be cited as the "Village of Glenwood Land Use Bylaw."

SECTION 2 PURPOSE

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

(a) divide the municipality into districts;

(b) prescribe and regulate the use(s) for each district;

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

(d) provide the manner in which notice of the issuance of a development permit is to be given.

SECTION 3 EFFECTIVE DATE

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

SECTION 4 REPEAL OF FORMER BYLAW

4.1 Village of Glenwood Land Use Bylaw No. 218-2006 (Project No. 019-CE-5775A) and amendments thereto are hereby repealed.

SECTION 5 SEVERABILITY

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

SECTION 6 COMPLIANCE WITH THE LAND USE BYLAW

6.1 No development, other than those designated in Schedule 4 of this bylaw (Development Not Requiring a Permit), shall be undertaken within the Village unless a development application has been approved and a development permit has been issued.

6.2 Notwithstanding subsection 6.1, while a development permit may not be required pursuant to Schedule 4, development shall comply with all regulations of this bylaw.

SECTION 7 COMPLIANCE WITH OTHER LEGISLATION

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

SECTION 8 RULES OF INTERPRETATION

8.1 Unless otherwise required by the context, words used in the present tense include the future tense; words used in the singular include the plural; and the word person includes a corporation as well as an individual. The *Interpretation Act, Chapter I-8, RSA 2000 as amended,* shall be used in the interpretation of this bylaw. Words have the same meaning whether they are capitalized or not.

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

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

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

SECTION 9 MEASUREMENTS AND STANDARDS

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

SECTION 10 FORMS, FEES AND NOTICES

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

10.2 Information pertaining to forms, fees, and notices pertaining to this bylaw may also be found on the official municipal website: https://www.glenwood.ca/.

10.3 Application forms and notices are included in Appendix A.

10.4 Application fees are found in the Village of Glenwood Rates, Fees and Charges Bylaw.

10.5 In any case, where the required fee is not listed in the current Rates, Fees and Charges Bylaw, such fee shall be determined by the Development Authority and shall be consistent with those fees listed in the schedule for similar developments.

10.6 If development is commenced without a valid development permit, a stop order will be issued and an additional fee, in the amount prescribed under the fee schedule, shall be payable upon application for the development permit.

10.7 Refund of application fees requires approval of the Village Council.

SECTION 11 APPENDICES

11.1 Appendices A through C attached hereto are for informational purposes only and may be amended from time to time as they do not form part of the Village of Glenwood Land Use Bylaw.

11.2 Appendix D (Land Use Districts Map) forms part of the Village of Glenwood Land Use Bylaw. A change to Appendix D requires the bylaw process pursuant to section 692 of the *Municipal Government Act*.

APPROVING AUTHORITIES

SECTION 12 DEVELOPMENT AUTHORITY

12.1 The Development Authority is established in accordance with the current Village of Glenwood Subdivision and Development Authority / Municipal Planning Commission Bylaw.

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

(a) Municipal Planning Commission;

(b) Chief Administrative Officer; or

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

12.3 The Development Officer is an authorized person in accordance with section 623 of the *Municipal Government Act*.

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

(a) in the Village of Glenwood Municipal Planning Commission Bylaw;

(b) in this bylaw;

(c) in the *Municipal Government Act*;

(d) where applicable, by resolution of Council.

12.5 Where this Bylaw refers to the Development Authority, it shall mean the Development Officer or the Municipal Planning Commission, as the case may be subject to the relevant provisions of this Bylaw.

SECTION 13 DEVELOPMENT OFFICER – POWERS AND DUTIES

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

13.2 The Development Officer:

(a) shall receive and process all applications for development permits;

(b) shall maintain for the inspection of the public during office hours, a copy of this bylaw and all amendments thereto and ensure that copies of the same are available for public purchase, as outlined in the current Rates, Fees and Charges Bylaw.

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

(d) shall consider and decide on applications for a development permit for:

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

(ii) permitted uses that request one (1) variance of a measurable standard not to exceed 25 percent;

(iii) permitted uses on existing registered lots where the Municipal Planning Commission granted a variance(s) to the minimum lot width, length and/or area requirements as part of a subdivision approval (see Section 21);

(iv) landscaping;

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

(vi) demolition;

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

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

(g) shall notify adjacent landowners and any persons who are likely to be affected by a proposed development in accordance with Section 33 of this bylaw;

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

(i) shall issue the written notice of decision and/or development permit on all development permit applications and any other notices, decisions or orders in accordance with Section 34 of this bylaw;

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

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

(l) shall perform any other powers and duties as are specified in this bylaw, the Municipal Planning Commission Bylaw, the *Municipal Government Act* or by resolution of Council.

SECTION 14 MUNICIPAL PLANNING COMMISSION

14.1 The Municipal Planning Commission may exercise only such powers and duties as are specified in the *Municipal Government Act*, the Municipal Planning Commission Bylaw, this bylaw, or by resolution of Council.

14.2 The Municipal Planning Commission shall be responsible for:

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

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

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

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

(e) processing condominium certificates;

(f) time extensions for subdivision approval endorsements; and

(g) any other powers and duties as are specified in this bylaw, the Municipal Planning Commission Bylaw, the *Municipal Government Act* or by resolution of Council.

SECTION 15 COUNCIL

15.1 Council may be responsible for considering and deciding upon requests for time extensions on subdivision approvals in accordance with section 657 of the *Municipal Government Act*.

SECTION 16 SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB)

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

DEVELOPMENT IN GENERAL

SECTION 17 LAND USE DISTRICTS

17.1 The Village of Glenwood is divided into those land use districts shown in Schedule 1 on the Land Use Districts Map.

17.2 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 listed in Schedule 2 – Use Table 2.2.1.

17.3 A land use that is not listed as a permitted or discretionary use but which is reasonably similar in character and purpose to a permitted or discretionary use in that district may be deemed a similar use by the Development Authority in accordance with Section 30 (Similar Use).

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

SECTION 18 SUITABILITY OF SITES

18.1 Notwithstanding that a use of land may be permitted or discretionary or considered similar in nature to a permitted or discretionary use in a land use district, the Development Authority, may refuse to approve a subdivision or issue a development permit if the Development Authority is made aware of or if in their opinion, the site of the proposed building or use is not safe or suitable based on the following:

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

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

(c) is situated on an unstable slope;

(d) consists of unconsolidated material unsuitable for building;

(e) does not comply with the requirements of the Provincial Land Use Policies, *South Saskatchewan Regional Plan*, *Matters related to Subdivision and Development Regulation* or any other applicable Statutory Plans;

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

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

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

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

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

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

SECTION 19 NUMBER OF DWELLING UNITS ON A PARCEL

19.1 No person shall construct, locate, nor cause to be constructed or located more than one dwelling on a parcel, except where a use providing for more than one dwelling unit is listed in the applicable land use district and is authorized by the Development Authority through the issuance of a development permit.

SECTION 20 NON-CONFORMING BUILDINGS AND USES

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

SECTION 21 DEVELOPMENT ON NON-CONFORMING SIZED LOTS

21.1 Development on an existing registered non-conforming sized lot that does not meet the minimum requirements for lot length, width or area specified in the applicable land use district in Schedule 2 may be permitted at the discretion of the Municipal Planning Commission.

21.2 The Development Officer is authorized to approve development on existing registered non-conforming sized lots for permitted uses where the Municipal Planning Commission issued a variance(s) (including any subdivision approval after March 2020) to the minimum requirements for lot length, width and/or area as part of a subdivision approval. Development proposed on a substandard lot created before March 2020 must be approved by the Municipal Planning Commission.

SECTION 22 NON-CONFORMING VARIANCES

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

SECTION 23 DEVELOPMENT AGREEMENTS

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

(a) to construct or pay for the construction of a road required to give access to the development, including culverts and other drainage;

(b) to install or pay for the installation of public utilities that are necessary to serve the development;

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

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

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

23.2 The Municipal Planning Commission may require, with respect to a subdivision that as a condition of issuing an approval for a subdivision, the applicant enter into an agreement with the municipality, pursuant to section 655(1)(b) of the *Municipal Government Act*.

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

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

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

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

DEVELOPMENT PERMIT RULES AND PROCEDURES

SECTION 24 DEVELOPMENT PERMIT – WHEN REQUIRED

24.1 Except as otherwise provided for in Schedule 4 (Development Not Requiring a Permit), all development shall be required to obtain a development permit.

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

SECTION 25 DEVELOPMENT NOT REQUIRING A PERMIT

25.1 This section does not negate the requirement of obtaining all required permits, as applicable, under the *Safety Codes Act* and any other provincial or federal statute. Applicants shall provide copies of the required permits to the municipality.

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

25.3 Developments not requiring a permit are listed in Schedule 4.

25.4 If there is a question as to whether a development permit is required for a particular use, the matter shall be referred to the Municipal Planning Commission for a determination.

SECTION 26 DEVELOPMENT PERMIT APPLICATION

26.1 An application for a development permit shall be made to the Development Officer by submitting:

(a) a completed development permit application, signed by the registered owner or authorized by the owner pursuant to subsection 26.2;

(b) the prescribed fee, as set by Council in the Village of Glenwood Rates, Fees and Charges Bylaw;

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

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

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

(ii) existing and proposed parking and loading areas, driveways, abutting streets, avenues and lanes, and surface drainage patterns;

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

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

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

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

SECTION 27 DETERMINATION OF COMPLETE DEVELOPMENT PERMIT APPLICATION

27.1 Within 20 days after receiving an application for a development permit, the Development Officer shall determine whether the application is complete. An application is complete if, in the opinion of the Development Officer, it includes all information needed to conduct an adequate review.

27.2 The time period referred to in subsection 27.1 may be extended by an agreement in writing between the applicant and the Development Officer.

27.3 If the Development Officer does not make a determination referred to in subsection 27.1 within the time required under subsection 27.1, the application is deemed to be complete.

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

27.5 If the Development Officer determines that the application is incomplete, the Development Officer shall issue to the applicant a written notice indicating that the application is incomplete and specifying the outstanding documents and information to be provided. A submittal deadline for the outstanding documents and information shall be set out in the notice. A later date may be agreed on between the applicant and the Development Officer in writing to extend the deadline.

27.6 When the Development Officer determines that the information and documents required to be submitted under subsection 26.1 are complete, the Development Officer shall issue to the applicant a written Notice of Completeness acknowledging that the application is complete, delivered by hand, mail or electronic means.

27.7 If the required documents and information under subsection 26.1 have not been submitted to the Development Officer within the timeframe prescribed in the notice issued under subsection 27.6, the Development Officer shall return the application to the applicant accompanied by a written Notice of Refusal stating the application is deemed refused and the reasons for refusal.

27.8 Despite issuance of a Notice of Completeness under subsection 27.6, the Development Officer in the course of reviewing the application may request additional information or documentation from the applicant that the Development Officer considers necessary to review the application.

27.9 The Development Authority may refuse to accept a development permit application where the information required by subsection 26.1 (Development Permit Application) is incomplete or where, in its opinion, the quality of the material supplied is inadequate to properly evaluate the application.

SECTION 28 PERMITTED USE APPLICATIONS

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

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

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

28.2 Upon receipt of a completed application for a permitted use that requests a limited variance not to exceed 25 percent of one measurable standard of this bylaw, the Development Officer:

(a) may grant the limited variance not to exceed 25 percent of one measurable standard of this bylaw and approve the development permit with or without conditions if, in the opinion of the Development Officer, the variance would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; or

(b) may refer the development application involving a request for a limited variance not to exceed 25 percent of one measurable standard of this bylaw to the Municipal Planning Commission for a decision;

(c) is required to notify adjacent landowners or persons likely to be affected prior to issuance of a decision on a development permit granting a limited variance under this section.

28.3 Upon receipt of a completed application for a permitted use that requests more than one limited variance, a variance(s) exceeding 25 percent of any measurable standard of this bylaw, or a variance of any other bylaw provision the Development Officer shall refer the application to the Municipal Planning Commission for a decision pursuant to Section 32 (Applications Requesting Variance of Bylaw Provisions).

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

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

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

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

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

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

(f) easements and/or encroachment agreements;

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

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

(i) to give security to ensure the terms of the permit approval under this section are carried out; as outlined in the Rate, Fees and Charges Bylaw;

(j) time periods stipulating completion of development;

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

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

SECTION 29 DISCRETIONARY USE APPLICATIONS

29.1 Upon receipt of a completed application for a development permit for a discretionary use or a permitted use that requests more than one variance, a variance(s) exceeding 25 percent of any measurable standard of this bylaw, or a variance of any other bylaw provision, the Development Officer shall:

(a) refer the application to the Municipal Planning Commission for a decision pursuant to Section 32 (Applications Requesting Variance of Bylaw Provisions);

(b) notify adjacent landowners and other persons likely to be affected in accordance with Section 33 (Notification of Adjacent Landowners and Persons Likely Affected).

29.2 After consideration of any response to the notifications of adjacent landowners and other persons likely to be affected, including Cardston County, government departments and referral agencies, and after considering the compatibility and suitability of the proposed use and any other relevant matters, the Municipal Planning Commission may:

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

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

29.3 The Municipal Planning Commission may place any of the conditions stipulated in subsection 28.4 (Permitted Use Applications) on a development permit for a discretionary use in any land use district, in addition to any other conditions necessary to ensure the quality, suitability and compatibility of a development with other existing and approved uses in the area.

SECTION 30 SIMILAR USE

30.1 Upon receipt of an application for a development permit for a use that is not specifically listed in any land use district, but which may be similar in character and purpose to other uses of land and structures in the land use district in which such use is proposed, the Development Officer may classify the use as either similar to a permitted use or similar to a discretionary use.

30.2 Where a use has been classified similar to a permitted use, the Development Officer may process the application accordingly as a permitted use or refer the application to the Municipal Planning Commission for a decision. The notice of the decision shall be subject to Section 34.

30.3 Where a use has been classified similar to a permitted use and requests more than one limited variance, a variance(s) exceeding 25 percent of any measurable standard of this bylaw, or a variance of any other bylaw provision, the Development Officer shall:

(a) refer the application to the Municipal Planning Commission for a decision; and

(b) notify adjacent landowners and other persons likely to be affected in accordance with Section 33 (Notification of Adjacent Landowners and Persons Likely Affected).

30.4 Where a use has been classified similar to a discretionary use the Development Officer shall:

(a) refer the application to the Municipal Planning Commission for a decision; and

(b) notify adjacent landowners and other persons likely to be affected in accordance with Section 33 (Notification of Adjacent Landowners and Persons Likely Affected).

30.5 Upon referral of an application by the Development Officer for a use that may be similar in character and purpose to a permitted or discretionary use, the Municipal Planning Commission:

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

(b) if the proposed use is deemed similar to a use in the land use district in which it is proposed, the application shall be reviewed as a discretionary use application;

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

SECTION 31 TEMPORARY USE

31.1 Where in the opinion of the Municipal Planning Commission, a proposed use is of a temporary nature, or is of a nature that it should be subject to a limited term approval, it may approve a temporary development permit valid for a period of up to one year for a use, provided the use is listed as a discretionary use or deemed similar to a discretionary use in the applicable land use district.

31.2 Where this bylaw specifically establishes a use as being one of temporary nature the use shall be subject to the development standards established specifically for that use.

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

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

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

(c) any other conditions as deemed necessary.

31.4 A use deemed temporary in nature or subject to a limited term approval shall be processed in accordance with the corresponding Sections 29-32 of this bylaw. Notification of adjacent landowners and other persons likely to be affected, including Cardston County, government departments and referral agencies shall be in accordance with Section 33 of this bylaw.

SECTION 32 APPLICATIONS REQUESTING VARIANCE OF BYLAW PROVISIONS

32.1 Upon receipt of an application for a development permit that does not comply with this bylaw but in respect of which the Municipal Planning Commission is requested to exercise discretion under subsection 32.3, the Development Officer shall:

(a) refer the application to the Municipal Planning Commission for a decision; and

(b) notify adjacent landowners and other persons likely to be affected, including Cardston County, government departments and any other referral agency in accordance with Section 33 (Notification of Adjacent Landowners and Persons Likely Affected).

32.2 The Municipal Planning Commission is authorized to decide upon an application for a development permit notwithstanding that the proposed development does not comply with this bylaw, if in the opinion of the Municipal Planning Commission, the proposed development would not:

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

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

(c) and the proposed development conforms with the use prescribed for that land or building within Schedule 2 – Use Regulation.

SECTION 33 NOTIFICATION OF ADJACENT LANDOWNERS AND PERSONS LIKELY AFFECTED

33.1 Where notification of adjacent landowners and other persons likely to be affected is required under Sections 29 to 32, and 49, the Development Officer shall:

(a) mail (postal service or electronic) written notice of the application at least ten (10) days before the meeting of the Municipal Planning Commission to:

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

(ii) Cardston County if, in the opinion of 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 departments or referral agency that is deemed to be affected; or

(b) hand deliver written notice of the application at least five (5) days before the meeting of the Municipal Planning Commission to the persons and agencies specified in subsection 33.1(a); or

(c) publish a notice of the application in a newspaper circulating in the municipality or the Village newsletter at least ten (10) days before the meeting of the Municipal Planning Commission to the persons and agencies specified in subsection 33.1(a); or

(d) post a notice of the application in a conspicuous place on the property at least five (5) days before the meeting of the Municipal Planning Commission to the persons and agencies specified in subsection 33.1(a); or

(e) any combination of the above.

33.2 In all cases, notification shall:

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

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

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

SECTION 34 NOTICE OF DECISION

34.1 A decision of the Development Authority on an application for a development permit must be issued:

(a) in writing to the applicant in accordance with subsection 34.2; and

(b) a copy of the decision posted in a prominent place in the Village office for 21 days or posted in a newspaper circulated within the municipality or published on the official municipal website; and/or

(c) a copy of the decision sent by mail (postal service or electronic mail to those originally notified of the development permit application and any other person, government department or agency that may in the opinion of the Development Officer, likely be affected.

34.2 The Development Officer will give or send by mail (postal service or electronic mail) a copy of the decision, which specifies the date on which the decision was made, to the applicant on the same day the decision is made.

34.3 For the purpose of subsection 34.2, the "date on which the decision was made" means:

(a) the date the Development Officer signed the notice of decision or development permit; or

(b) the date the decision is posted in the newspaper, whichever occurs later.

SECTION 35 COMMENCEMENT OF DEVELOPMENT

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

Permitted Uses

(a) where the notice of decision is posted in the Village Office, development shall not commence until 21 days after the date on which the written decision is given under section 642 of the *Municipal Government Act*;

Discretionary Uses or Applications for Variances

(b) where the notice of decision is mailed to adjacent landowners and other persons likely to be affected, development shall not commence until at least 21 days after the date on which the written decision is given under section 642 of the *Municipal Government Act*;

(c) where the notice of decision is published in the newspaper, development shall not commence until at least 21 days from the date of publication.

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

35.3 Any development occurring prior to the dates determined under subsection 35.1 and 35.2 is at the risk of the applicant.

SECTION 36 DEVELOPMENT PERMIT VALIDITY

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

36.2_ A development permit shall be reasonably completed, in the opinion of the Development Authority, within 24 months from the date of approval or a different timeline if expressed in the development permit.

36.3 An application to extend the validity of a development permit may be made at any time prior to the expiration of the approved permit in accordance with subsection 36.3, except for a permit for a temporary use which shall not be extended.

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

(a) the Development Officer or the Municipal Planning Commission if the permit was issued by the Development Officer;

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

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

SECTION 37 TRANSFERABILITY OF AND MINOR CHANGES TO AN APPROVED DEVELOPMENT PERMIT

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

37.2 The Development Officer may accept in writing minor, non-material modifications to an approved development permit. Where minor, non-material modifications are proposed and accepted by the Development Officer, revised drawings shall be submitted to the satisfaction of the Development Officer. Examples of potentially acceptable post-approval changes include the minor relocation of a building or a change of landscaping materials.

SECTION 38 FAILURE TO MAKE A DECISION – DEEMED REFUSAL

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

SECTION 39 REAPPLICATION FOR A DEVELOPMENT PERMIT

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

39.2 If an application was refused solely because it did not comply with the standards of this bylaw, the Development Officer may accept another application on the same parcel of land for the same or similar use before the time period referred to in subsection 40.1 has lapsed, provided the application has been modified to comply with this bylaw.

ENFORCEMENT

SECTION 40 REVOCATION OF A DEVELOPMENT PERMIT

40.1 A development permit may be revoked by the issuance of a subsequent development permit, or, by the issuance of a stop order (in accordance with Section 43 and 44), if after the development permit has been issued the Development Authority becomes aware that:

(a) the development has deviated from what was approved;

(b) the application for the permit contained a misrepresentation, or the applicant withheld information that should have been disclosed and has subsequently become known; or

(c) the permit was issued in error.

40.2 A development permit may be withdrawn in writing by the applicant.

SECTION 41 DEVELOPMENT APPEALS

41.1 Any person applying for a development permit or any other person affected by an order, decision or development permit made or issued by the Development Authority may appeal such an order or decision to the Subdivision and Development Appeal Board within 21 days after the date written notice is provided in accordance with the procedures described in section 678.2 of the *Municipal Government Act*.

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

41.3 The applicant or developer is liable for any costs involved in the cessation or removal of any development when the appeal is denied.

SECTION 42 NOTICE OF VIOLATION

42.1 Where the Development Authority finds that a development or use of land or buildings is not in accordance with the *Municipal Government Act*, the *Matters Related to 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.

42.2 Such notice shall state the following:

(a) nature of the violation;

(b) corrective measures required to comply; and

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

SECTION 43 STOP ORDERS

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

43.2 A person who receives notice pursuant to subsection 43.1 may appeal the order to the Subdivision and Development Appeal Board within 21 days in accordance with section 686 of the *Municipal Government Act*.

SECTION 44 ENFORCEMENT OF STOP ORDERS

44.1 Pursuant to the *Municipal Government Act* section 645, 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.

44.2 The municipality may register a caveat under the *Land Titles Act* in respect of an order referred to in subsection 44.1 against the certificate of title for the land that is the subject of an order.

44.3 If a caveat is registered under subsection 44.2, the municipality must discharge the caveat when the order has been complied with.

44.4 If compliance with a stop order is not voluntarily effected, the municipality may undertake legal action, including but not limited to, seeking injunctive relief from the Alberta Court of King's Bench pursuant to section 554 of the *Municipal Government Act*. In accordance with section 553 of the *Municipal Government Act*, the expenses and costs of carrying out an order under section 646 of the *Municipal Government Act* may be added to the tax roll of the parcel of land.

SECTION 45 PENALTIES AND RIGHT OF ENTRY

45.1 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.

45.2 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 *Municipal Government Act* authorizes anything to be inspected, remedied or enforced or done by a municipality:

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

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

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

45.3 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 543 of the *Municipal Government Act* may obtain a court order.

AMENDMENTS

SECTION 46 AMENDMENTS TO THE LAND USE BYLAW

46.1 Any person or the Village may initiate amendments to the Village of Glenwood Land Use Bylaw by submitting an application to the Development Officer.

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

46.3 The Development Officer may refuse to accept an application if the information supplied is not sufficient to make a proper evaluation of the proposed amendment.

46.4 Council or the Development Officer may refer the application to the Municipal Planning Commission for their recommendation.

46.5 The Development Officer shall forward an application to Council for consideration when satisfied that sufficient information has been provided with the application.

46.6 Public hearing and notification requirements shall be in accordance with section 692 of the *Municipal Government Act*.

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

46.8 Where an application has been significantly changed, Village Council may accept an application prior to the end of the 12-month period specified in subsection 46.7.

SECTION 47 LAND USE REDESIGNATION APPLICATION REQUIREMENTS

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

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

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

(c) a narrative describing the:

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

(ii) consistency of the proposal with the applicable statutory plans;

(iii) compatibility of the proposal with surrounding uses and land use districts;

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

(v) availability of facilities and services (sewage disposal, domestic water, gas, electricity, fire and police protection, schools, etc.) to serve the subject property while maintaining adequate levels of service to existing development;

(vi) any potential impacts on public roads; and

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

(d) conceptual lot design, if applicable;

(e) a geotechnical report as deemed necessary by the Development Authority, or Council addressing the following but not limited to:

(i) slope stability;

(ii) groundwater;

(iii) sewage;

(iv) water table;

(v) flood plain analysis;

(vi) an evaluation of surface drainage which may include adjacent properties; and

(f) any other information deemed necessary by the Development Authority or Council to properly evaluate the application.

47.2 An Area Structure Plan or Conceptual Scheme shall be required in conjunction with a redesignation application when redesignating annexed land to a district, except where an approved Area Structure Plan or Conceptual Scheme defines land use designation(s) for the proposed development area, or unless determined otherwise by Council.

47.3 An Area Structure Plan or Conceptual Scheme shall be required in conjunction with a redesignation application involving:

(a) industrial development;

(b) large-scale commercial development;

(c) manufactured home park;

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

(e) as required by Council.

SECTION 48 REDESIGNATION CRITERIA

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

(a) compliance with applicable standards and provisions of the Village of Glenwood 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 and future developments;

(f) cumulative impact to the Village;

(g) potential impacts on public roads;

(h) setback distances contained in the *Matters Related to Subdivision and Development Regulation*;

(i) supply of suitably designated land;

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

(k) any other matters deemed pertinent.

SUBDIVISION

SECTION 49 APPLICATION AND DECISION

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

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

(b) the applicable fees paid;

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

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

(e) provincial abandoned gas well information;

(f) any such other information as may be required at the discretion of the Subdivision Authority in order to accurately evaluate the application and determine compliance with the Land Use Bylaw or other government regulations. This may include but is not limited to the provision of geotechnical information, soil analysis reports, water reports, soil or slope stability analysis, drainage information, contours and elevations

of the land, engineering studies or reports, wetland reports, environmental impact assessments, utility and servicing information, and/or the preparation of a conceptual scheme or an area structure plan prior to a decision being rendered on a subdivision application to determine the suitability of the land for the proposed use; and

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

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

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

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

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

49.3 Notwithstanding Section 49.2, the applicant and Subdivision Authority may agree and sign a time extension agreement in writing in accordance with section 653.1(3) of the *Municipal Government Act* to extend the 20-day decision time period to determine whether the subdivision application and support information submitted is complete.

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

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

49.6 If the Subdivision Authority makes a determination that the application is refused due to incompleteness, the applicant shall be notified in writing with reasons. The notification shall include for the applicant the required information on the filing of an appeal and to which appeal board body the appeal lies, either the local appeal board or provincial

Municipal Government Board, in accordance with the parameters of the *Municipal Government Act*.

49.7 All applications for subdivision approval shall be evaluated by the Municipal Planning Commission in accordance with the following criteria:

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

(b) adequacy of road access;

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

(d) compatibility with adjacent land uses;

(e) accessibility to emergency services;

(f) site suitability in terms of minimum dimensional standards for lots and all other criterion in this bylaw as specified in the applicable land use district in Schedule 3;(g) any other matters the MPC may consider necessary.

49.8 For the purpose of infill development, an application which proposes to subdivide an accessory building or structure onto a separate lot may be considered by the Municipal Planning Commission where:

(a) the proposed lots meet the provisions of Schedule 3 (Dimensional Standards and Setbacks);

(b) the existing and proposed buildings meet the provisions of Schedule 3 (Dimensional Standards and Setbacks) based on the lot's proposed layout;

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

SECTION 50 LOT DESIGN

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

50.2 No lot or parcel shall be created which does not meet the minimum standards of the applicable land use district, except pursuant to an Area Structure Plan which provides for the perpetual maintenance of such remnants.

50.3 The length and width of blocks shall be sufficient to accommodate two (2) tiers of lots with minimum standards specified by the applicable land use district and this section, except where a single row of lots back up to an arterial street. When reviewing proposed lot and block arrangements, the Municipal Planning Commission shall consider the following factors:

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

(b) Minimum Lot Sizes Established: Land use district requirements defining lot sizes and dimensions shall be accommodated.

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

50.4 At the time of subdivision, all corner lots and interior laneway corner lots shall provide corner cuts.

RECREATIONAL VEHICLES

SECTION 51 RECREATIONAL VEHICLE REQUIREMENTS

51.1 Recreational vehicles, including but not limited to, travel trailers, motor homes, tent trailers, fifth wheels, bus conversions or campers, shall not be considered a permanent residence.

51.2 Where a development permit for a single-unit dwelling has been issued, a landowner seeking to temporarily occupy a recreational vehicle on the subject property while the development is carried out shall be required to obtain approval through the development permit for the single-unit dwelling, or, a separate development permit for this purpose.

51.3 The period of use for a recreational vehicle associated with a development permit approval shall coincide with the development period but not exceed 24 months. A security deposit of $2,000 shall be required as a condition of approval.

ADMINISTRATION DEFINITIONS

SECTION 52 ADMINISTRATION DEFINITIONS

The following definitions shall apply to the entire bylaw.

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

Words used in the singular include the plural.

A

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

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

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

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

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

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

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

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

B

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

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

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

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

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

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

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

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

BUILDING INSPECTOR means the person or persons hired to be the chief building inspector or building inspectors in and for the Village of Glenwood.

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

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

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

BUSINESS means any lawful commercial endeavor to engage in the manufacturing, purchase, sale, lease, or exchange of goods and/or the provision of services.

BYLAW means the Land Use Bylaw of the Village of Glenwood.

C

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

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

COMMON WALL means a vertical separation completely dividing a portion of a building from the remainder of the building and creating in effect a building which, from its roof to its lowest level, is separate and complete unto itself for its intended purpose, such wall being owned by one party but jointly used by two parties, one or both of whom is entitled to such use by prior arrangement.

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

(a) shows the location of any existing or proposed buildings; and

(b) describes the potential effect and/or relationship of the proposed development on the surrounding area and the municipality as a whole; and

(c) provides for access roads, water, sewer, power and other services to the satisfaction of the Municipal Planning Commission or Council.

CONDOMINIUM means a real property ownership structure where units are owned individually and common property is owned collectively by the unit owners, whose interests in the common property are held as tenants in common in shares proportional to the unit factors for their respective units. Management schemes for condominium property are governed by the *Condominium Property Act*, and a condominium plan is registered in a land titles office.

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

CORNER VISIBILITY OR CLEAR VISION TRIANGLE means a triangular area on a corner lot that is comprised of two sides which are measured from the intersection corner for a distance specified in this bylaw. The third side of the triangle is a line joining the ends of the other two sides. Where the lot lines at intersections have rounded corners, the lot lines will be extended in a straight line to a point of intersection.

COUNCIL means Council of the Village of Glenwood.

D

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

DEVELOPER means an individual, partnership or body corporate that locates and secures control of a parcel, conceives a development proposal that is suitable for the parcel and compatible with existing uses in the vicinity, obtains the necessary regulatory approval for that proposal, and undertakes the proposal in accordance with the Village of Glenwood Land Use Bylaw, the conditions attached to the approval, and any applicable federal and provincial regulations.

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

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

(b) a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land;

(c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building; or

(d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or building.

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

DEVELOPMENT AUTHORITY means the body established by Bylaw to act as the Development Authority in accordance with section 623(b) of the *Municipal Government Act*.

DEVELOPMENT OFFICER means a person(s) authorized by Council to act as a development authority pursuant to section 623(b) of the *Municipal Government Act* and in accordance with the Subdivision and Development Authority / Municipal Planning Commission Bylaw.

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

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

DISTRICT – see LAND USE DISTRICT

E

EASEMENT means a right held by one party on land owned by another.

EAVE means the overhang or extension of a roof line beyond the vertical wall of a building.

EXCAVATION means the process of altering the natural elevation of the ground by grading, cutting, stripping, filling or breaking of ground, but does not include common household gardening and ground care, excavation made for the building of basements, structures, landscaping, or parking for which a development permit has been issued, or extensive agriculture. Gravel pit, mineral extraction and any other similar extractive use are not classified as excavation and are a separate use.

F

FENCE means an accessory structure usually made of wood, rails, bricks, or wire intended to mark parcel boundaries and provide yard privacy.

FLOOD ELEVATION, 1:100 YEAR means the water level reached during a 1:100 year flood as determined in accordance with the technical criteria established by Alberta Environment.

FLOOD RISK AREA means the area of land bordering a water course or water body that would be inundated by 1:100 year flood (i.e. a flood that has a 1 percent chance of occurring every year) as determined by Alberta Environment in consultation with the Village and may include both flood fringe and floodway.

FLOOR AREA means the sum of the gross horizontal area of the several floors and passageways of a building, but not including cellars, attached garages and open porches. All dimensions shall be outside dimensions. Basement floor areas shall be included only where the building contains a basement suite.

FLOOR AREA RATIO means the net floor area divided by the gross lot area.

FOOTPRINT means the sum of the gross horizontal area of the ground floor of a building.

FOUNDATION means the supporting base structure of a building.

FULLY SERVICED LOT means a lot that is provided both water and sewer serviced by either:

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

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

G

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

GRADE, LANDSCAPED (as applied to the determination of height of balconies, decks and architectural features and landscape structures) means the average level of finished landscaped ground under the four principal corners of the balcony, deck, architectural feature or landscape structure. For buildings see BUILDING GRADE.

L

LANDOWNER – see REGISTERED OWNER

LANDSCAPING means the modification, beautification and enhancement of a site or development through the use of the following elements:

(a) natural landscaping consisting of vegetation such as trees, shrubs, hedges, grass, flowers and other ground cover or materials;

(b) hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding monolithic concrete and asphalt; and

(c) excludes all areas utilized for driveways and parking.

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

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

LOCK UP STAGE means the point in time respecting a construction project when the walls, roof, windows and doors have been installed so that the structure may be secured.

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

M

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

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

MASS WASTING means a general term describing a variety of processes, including but not limited to slumping, sloughing, fall and flow, by which earth materials are moved by gravity.

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

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

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

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

MUNICIPAL PLANNING COMMISSION (MPC) means the committee authorized by Council to act as the Subdivision and Development Authority pursuant to section 625 of the *Municipal Government Act* and in accordance with the Municipal Planning Commission Bylaw.

N

NON-COMPLIANCE means a development constructed, or use undertaken after the adoption of the current Land Use Bylaw and does not comply with the current Land Use Bylaw.

NON-CONFORMING BUILDING means a building:

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

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

NON-CONFORMING USE means a lawful specific use:

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

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

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

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

O

OCCUPANCY PERMIT means a permit issued by the municipality that authorizes the right to occupy or use a building or structure for its intended use.

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

OFF-STREET LOADING SPACE means an open area, not exceeding 9.1 m (30 ft) in width, located in the rear yard space, designed expressly for the parking of haulage vehicles while loading or unloading.

OFF-STREET PARKING means a lot or portion thereof, excluding a public roadway which is used or intended to be used as a parking area for motor vehicles.

OFF-STREET PARKING SPACE means an off-street area available for the parking of one motor vehicle. Every off-street parking space shall be accessible from a street, lane or other public roadway.

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

P

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

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

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

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

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

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

PERMANENT RESIDENCE means a dwelling that:

(a) has developed legal access,
(b) is situated on a permanent foundation,
(c) is permanent and habitable,
(d) has a kitchen and sleeping area,
(e) has a supply of potable water and a functional sewage disposal system, and
(f) has electrical service available to the site.

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

PLAN OF SUBDIVISION means a plan of survey prepared in accordance with the relevant provisions of the *Land Titles Act* for the purpose of effecting subdivision.

PRINCIPAL BUILDING means a building which:

(a) occupies the major or central portion of a lot;
(b) is the chief or main building on a lot; or
(c) constitutes, by reason of its use, the primary purpose for which the lot is used.

PRINCIPAL USE means the main purpose, in the opinion of the Development Authority, for which a lot is used.

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

PROVINCIAL LAND USE POLICIES means policies established by order of the Lieutenant Governor pursuant to section 622 of the *Municipal Government Act*.

PUBLIC ROADWAY means a right-of-way maintained by the Village and is open to the public for the purpose of vehicular traffic.

PUBLIC OPEN SPACE means land which is not in private ownership and is open to use by the public.

R

REAL PROPERTY REPORT (RPR) means a legal document that illustrates in detail the location of all relevant, visible public and private improvements relative to property boundaries prepared by a registered Alberta Land Surveyor.

REGISTERED OWNER means:

(a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land; or

(b) in the case of any other land:

  (i) the purchase of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the Certificate of Title in the land, and any assignee of the purchaser's interest that is the subject of a caveat registered against the Certificate of Title; or

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

RIGHT-OF-WAY means an area of land not on a lot that is dedicated for public or private use to accommodate a transportation system and necessary public utility infrastructure (including but not limited to water lines, sewer lines, power lines, and gas lines).

ROAD – see PUBLIC ROADWAY

S

SAFETY CODES means a code, regulations, standard, or body of rules regulating things such as building, electrical systems, elevating devices, gas systems, plumbing or private sewage disposal systems, pressure equipment, fire protection systems and equipment, barrier free design and access in accordance with the *Safety Codes Act,* RSA 2000, Chapter S-1, as amended.

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

SETBACK means the minimum distance required between a property line of a lot and the nearest part of any building, structure, development, excavation or use on the lot and is measured at a right angle to the lot line.

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

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

SITE PLAN means a plan drawn to scale illustrating the proposed and existing development prepared in accordance with the requirements of this bylaw.

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

STOREY means the space between the top of any floor and the top of the next floor above it and if there is no floor above it, the portion between the top of the floor and the ceiling above it, but does not include a basement.

STREET means a thoroughfare which is used or intended to be used for passage or travel of motor vehicles and includes the sidewalks and land on each side of and contiguous to the prepared surface of the thoroughfare. It does not include lanes.

STRUCTURE means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, fences, billboards and poster panels.

SUBDIVISION AUTHORITY means the body established by bylaw to act as the subdivision authority in accordance with section 625 of the *Municipal Government Act*.

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

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

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

T

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

U

USE means the purposes for which land or a building is arranged or intended, or for which either land, a building or a structure is, or may be, occupied and maintained.

UTILITIES means any one or more of the following:

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

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

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

(d) storm water drainage facilities;

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

V

VARIANCE means the relaxation of a development standard or other measurable standard as established in this bylaw.

VILLAGE means the Village of Glenwood.

W

WIRE, BARBED means metal cable with perpendicular sharp points at regular intervals in a linear manner and typically used as fencing to retain livestock.

WIRE, RAZOR means metal cable with continuous sharp points, typically oriented in a spherical manner, designed with the potential to inflict serious injury and used as high-security fencing.

Z

ZONING – see LAND USE DISTRICT

Schedule 1

LAND USE DISTRICTS

Schedule 1

LAND USE DISTRICTS

SECTION 1 DIVISION OF MUNICIPALITY

1.1 The municipality is divided into those districts shown on the Land Use Districts Map in Appendix D.

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

RESIDENTIAL	– R
COMMERCIAL	– C
INDUSTRIAL	– I
PUBLIC	– P

SECTION 2 INTENT OF LAND USE DISTRICTS

2.1 **Residential – R**

This district is intended to provide for a residential environment with an appropriate range of housing types that comply with standards outlined in the *Schedule 6 Residential Standards of Development*.

PERMITTED USES
- Accessory building
- Accessory structure
- Accessory use
- Day home
- Dwelling, single-unit
- Home occupation 1
- Solar collector, attached
- Shipping container, temporary (not more than 1)

DISCRETIONARY USES
- Agriculture
- Alternative energy, individual
- Apartment building
- Assisted living facility
- Boarding or lodging house
- Childcare facility
- Dwelling, 2, 3, & 4-unit
- Garden centre or greenhouse
- Group care facility
- Home occupation 2
- Institutional
- Manufactured home
- Moved-in building
- Moved-in dwelling
- Multi-purpose dwelling
- Public recreation
- Private recreation
- Religious assembly facility
- Secondary suite
- Secondary suite (detached)
- Senior housing

DISCRETIONARY USES – cont'd
- Solar collector, freestanding
- Tourist home / short-term rental

2.2 Commercial – C

This district is intended to accommodate a variety of retail, service, and office uses, which primarily cater to the daily needs of the residents of the Village of Glenwood.

PERMITTED USES

Accessory building
Accessory structure
Accessory use
Animal care service, small
Business support service
Club facility
Contractor, limited
Convenience store
Eating establishment
Equipment sales, rental & service
Farmers' market
Financial institution
Fitness facility
Medical / health facility
Office
Personal services
Retail
Shipping container, temporary (not more than 1)
Solar collector, attached
Tourist information

DISCRETIONARY USES

Alternative energy, individual
Amusement facility
Animal care service, large
Autobody and paint shop
Auto sales and service
Cannabis retail store
Campground
Car wash
Childcare facility
Community association building
Drive-in/Drive-through restaurant
Entertainment establishment
Funeral home
Garden centre or greenhouse
Golf course
Government services facility
Group care facility
Hotel / motel
Mixed use building
Moved-in building
Multi-purpose dwelling
Public recreation
Private recreation
Public or private utility
Religious assembly facility
Service Station / gas bar
Solar collector, freestanding
Towing operation
Transportation / delivery service
Truck dispatch / depot
Truck stop
Truck wash

2.3 Industrial – I

This district is intended to accommodate a range of primarily industrial and warehousing uses while allowing uses that may require large lots, special sitting and/or servicing or which may be considered noxious or hazardous.

PERMITTED USES

Accessory building
Accessory structure
Accessory use
Business support service

DISCRETIONARY USES

Agriculture
Alternative energy, individual
Animal care, large
Auctioneering facility

Contractor, general	Autobody and paint shop
Contractor, limited	Auto sales and service
Club facility	Bulk fuel station
Equipment sales, rental & service	Car wash
General warehousing & storage	Convenience store
Light industrial/manufacturing	Entertainment establishment
Lumber yard	Funeral home
Mini-storage	Garden centre or greenhouse
Office	General warehousing and storage
Outdoor storage	Golf course
Public or private utility	Government services facility
Shipping container, temporary	Kennel
Solar collector, attached	Mixed use building
Tourist information	Moved-in building
	Multi-purpose dwelling
	Religious assembly facility
	Seed cleaning plant
	Service Station / gas bar
	Shipping container, permanent
	Solar collector, freestanding
	Towing operation
	Transportation / delivery service
	Truck dispatch / depot
	Truck stop
	Truck wash

2.4 Public – P

This district is intended to assist in the development of government, educational, medical, social and other public and institutional uses.

PERMITTED USES	DISCRETIONARY USES
Accessory building	Agriculture
Accessory structure	Alternative energy, individual
Accessory use	Campground
Cemetery	Club facility
Childcare facility	Eating establishment
Community association building	Farmers' market
Fitness facility	Golf course
Government services facility	Group care facility
Institutional	Moved-in building
Park and playground	Public or private recreation
Religious assembly facility	Public or private utility
School/educational facility	Solar collector, freestanding
Solar collector, attached	Waste management transfer station
Shipping Container, temporary	Wastewater treatment plant
Tourist information	Water treatment plant

Schedule 2

USE REGULATION

Schedule 2

USE REGULATION

SECTION 1 USE CATEGORIES AND SPECIFIC USES

1.1 The uses allowed within the land use districts are identified in Table 2.2.1. The land use districts are referenced by their one-letter abbreviations.

1.2 All of the use categories listed in the second column of Table 2.2.1 are defined in Section 3 of this schedule.

1.3 A "P" indicates that the listed use is allowed by right within the respective land use district after review and approval by the Development Authority in accordance with *Section 28 Permitted Use Applications* in the Administrative section. Permitted uses are subject to all other applicable standards of the Land Use Bylaw.

1.4 A "D" indicates that the listed use is allowed within in the respective land use district only after review and approval by the Municipal Planning Commission, in accordance with *Section 29 Discretionary Use Applications* in the Administrative section. Discretionary uses are subject to all other applicable standards of the Land Use Bylaw.

1.5 A blank cell (one without a "P" or "D") indicates that the listed use type is not allowed within the respective land use district.

1.6 A use that is not specifically listed in the Specific Use Type column of Table 2.2.1, but which may be similar in character and purpose to other uses of land and structures in the land use district in which such use is proposed, the Development Officer may classify the use as either similar to a permitted use or similar to a discretionary use in accordance with *Section 30 Similar Use* in the Administrative section.

1.7 The provisions of *Schedule 3 Dimensional Standards and Setbacks* apply to all uses in this section.

1.8 The provisions of *Schedule 5 General Development Standards* apply across all land use districts.

SECTION 2 USE TABLE

Table 2.2.1: Use Table

Use Category	Specific Use Type	Land Use Districts				Development Standard
General		**R**	**C**	**I**	**P**	
	Accessory building	P	P	P	P	Schedule 6 Section 1
	Accessory structure	P	P	P	P	
	Accessory use	P	P	P	P	
	Moved-in building	D	D	D	D	
	Shipping container, permanent			D		Schedule 5 Section 6
	Shipping container, temporary	P	P	P	P	Schedule 5 Section 6
Residential		**R**	**C**	**I**	**P**	
Household Living etc.	Apartment building	D				Schedule 6
	Assisted living facility	D				Schedule 6
	Dwelling single-unit	P				Schedule 6
	Dwelling 2-unit, 3-unit, 4-unit	D				Schedule 6
	Dwelling, second	Not listed				
	Home occupation 1	P				Schedule 6
	Home occupation 2	D				Schedule 6
	Manufactured home	D				Schedule 6
	Multi-purpose dwelling	D	D	D		Schedule 6 Section 15
	Moved-in dwelling	D				Schedule 6
	Secondary suite	D				Schedule 6
	Secondary suite (detached)	D				Schedule 6
	Senior housing	D				Schedule 6
	Tourist home / short-term rental	D				Schedule 6 Section 16
Commercial		**R**	**C**	**I**	**P**	
Lodging	Boarding or lodging house	D				
	Hotel/motel		D			
	Mixed use building		D	D		
Offices	Business support service		P	P		
	Financial institution		P			
	Office		P	P		
Recreation & Entertainment	Amusement facility		D			
	Campground		D		D	
	Entertainment establishment		D	D		
	Fitness facility		P		P	
	Gaming or gambling establishment	Not listed				
	Public or private recreation	D	D		D	

Table 2.2.1: Use Table (continued)

Use Category	Specific Use Type	Land Use Districts				Development Standard
Commercial	**(continued)**	**R**	**C**	**I**	**P**	
Retail Sales & Service	Animal care service, small		P			
	Cannabis retail store		D			
	Convenience store		P	D		
	Drive-in/drive-through restaurant		D			
	Eating establishment		P		D	
	Equipment sales, rental & service		P	P		
	Farmers' market		P		D	
	Funeral home		D	D		
	Garden centre or greenhouse	D	D	D		
	Kennel			D		
	Medical/health facility		P			
	Personal services		P			
	Retail		P			
	Service station or gas bar		D	D		
Construction	Contractor, general			P		
	Contractor, limited		P	P		
	Lumber yard			P		
Automotive Related	Auto body and paint shop		D	D		
	Auto wreckage and salvage yard	Not listed				
	Auto sales and service		D	D		
	Car wash		D	D		
	Towing operation		D	D		
Industrial		**R**	**C**	**I**	**P**	
Manufacturing	Light industrial/manufacturing			P		
Warehousing	Bulk fuel station			D		
	General warehousing and storage			D		
	Mini-storage			P		
	Outdoor storage			P		
Truck Transport	Transportation/delivery service		D	D		
	Truck dispatch/depot		D	D		
	Truck stop		D	D		
	Truck wash		D	D		
Other	Animal care service, large		D	D		
	Auctioneering facility			D		

Table 2.2.1: Use Table (continued)

Use Category	Specific Use Type	Land Use Districts				Development Standard
Commercial	**(continued)**	**R**	**C**	**I**	**P**	
Other	Agriculture, urban	D		D	D	
	Seed cleaning plant			D		
Public		**R**	**C**	**I**	**P**	
Community Service	Club facility		P	P	D	
	Community association building		D		P	
	Education facility				P	
	Government services facility		D	D	P	
	Group care facility	D	D		D	
	Institutional	D			P	
	Religious assembly facility	D	D	D	P	
	School				P	
	Tourist information		P	P	P	
Childcare	Childcare facility	D	D		P	
	Day home	P				
Utility	Public or private utility		D	P	D	
	Recycling facility	Not listed				
	Waste management site				D	
	Wastewater treatment plant				D	
	Water treatment plant				D	
Parks & Open Space	Cemetery				P	
	Golf course		D	D	D	
	Park and playground				P	
Other		**R**	**C**	**I**	**P**	
Alternative Energy	Alternative Energy, Individual	D	D	D	D	Schedule 8
	Solar collector, freestanding	D	D	D	D	Schedule 8
	Solar collector, attached	P	P	P	P	Schedule 8

SECTION 3 LAND USE DEFINITIONS

This includes use definitions (and use related definitions) for all uses listed in in Schedule 1 and Section 1 of this Schedule. All other words and expressions not otherwise defined in this Land Use Bylaw have the meaning assigned to them in the *Municipal Government Act*.

Words used in the singular include the plural.

A

ACCESSORY BUILDING means any building that is physically separate from the principal building on the lot on which both are located and which is subordinate and incidental to that of the principal building. The use is subordinate and incidental to that of the principal use of the site on which it is located and examples of a typical accessory building is a private garage, shed, or storage building. No accessory building shall be used for human habitation. A development permit must be approved before construction of an accessory building.

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

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

AGRICULTURE, URBAN means the production of crops or livestock or both by expansive cultivation or open grazing to an extent appropriate in an urban environment. This use does not include agricultural-related industrial buildings or uses such as packaging plants, processing plants, agricultural support services or any other similar uses or buildings.

ALTERNATIVE ENERGY, INDIVIDUAL means energy that is renewable or sustainable that is generally derived from natural sources (for example, the earth, sun, wind, water) and is for the primary consumption of the landowner, resident or occupant. This use definition includes wind energy conversion systems (WECS) and any other alternative energy development unless more specifically defined in the Section.

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

ANIMAL CARE SERVICE, LARGE means any establishment maintained and operated by a licensed veterinarian for the on-site or off-site treatment of animals. The development may also be used for onsite boarding, breeding or training of animals and livestock. The facility may also include outside buildings and pens associated with the service and the supplementary sale of associated animal care products.

Typically, this use will include veterinary offices or hospitals, animal shelters, and facilities for impounding and quarantining animals.

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

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

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

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

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

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

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

B

BED AND BREAKFAST means an accessory use carried out in an owner-occupied dwelling where temporary accommodation is provided to non-residents of the dwelling for remuneration, and where meals, if provided for guests, are prepared in the common kitchen of the principal building. For the purposes of this Bylaw, a Bed and Breakfast is a Tourist Home / Short-Term Rental.

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

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

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

C

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

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

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

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

CLUB FACILITY refers to a physical structure for the assembly of members of non-profit clubs or organizations, including charitable, social service, ethnic, athletic or business organizations. This use may include eating, drinking, entertainment, sports, recreation and amusement facilities as accessory uses but "Campground" is a separate use.

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

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

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

CONVENIENCE STORE means a retail store that sells a limited line of groceries and household goods for the convenience of the neighbourhood. This use does not include cannabis retail store.

D

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

DETACHED GARAGE means an accessory building designed and used primarily for the storage of motor vehicles that is not attached to the principal building.

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

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

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

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

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

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

MANUFACTURED HOME DWELLING means a completely self-contained dwelling unit, designed and constructed entirely off-site, and transported in one or more pieces.

MOVED-IN DWELLING means a previously existing, established and occupied dwelling, which is removed from one site and then transported and re-established on another site. For the purposes of this bylaw, a moved-in building does not include a "manufactured home", "modular home", "ready-to-move home", motor home, travel trailer, recreation vehicle and any similar vehicles that are neither intended for permanent residential habitation nor subject to the current provincial building requirements.

MULTI-PURPOSE DWELLING means a dwelling unit that is contained, wholly or partly, within an accessory building that appears, predominately, as an accessory building and shall be considered the principal dwelling on the parcel.

SECOND DWELLING means a single-unit dwelling developed on a parcel that represents a subsequent dwelling to the first single-unit dwelling, resulting in a total of two single-unit dwellings on the parcel.

SECONDARY SUITE means a facility containing cooking facilities, food preparation area, sleeping and sanitary facilities, located within a principal dwelling (e.g. basement suite), but which is physically separate from those of the principal dwelling within the structure.

SECONDARY SUITE (DETACHED) means a facility containing cooking facilities, food preparation area, sleeping and sanitary facilities, and located on a parcel of land that contains a single-unit dwelling, but that is detached from the principal dwelling unit (e.g. garage suite).

E

EATING ESTABLISHMENT means an establishment where food and beverages are prepared and served on the premises for sale to the public and may include supplementary on or off-premises catering services. This term includes restaurants, cafes, lunch and tea rooms, ice cream parlours, banquet facilities, restaurants and other uses similar in character and nature.

EDUCATIONAL FACILITY means a place of instruction offering continuing education or specialized courses of study. Included in the category may be public, private, and commercial institutions.

ENTERTAINMENT ESTABLISHMENT means an establishment such as a theatre, auditorium, lounge or cabaret providing dramatic, musical or other entertainment indoors or outdoors and may include facilities for supplementary food and beverage consumption but does not include GAMING ESTABLISHMENT.

EQUIPMENT SALES, RENTAL AND SERVICE means the use of land or buildings for the retail sale, wholesale distribution, rental and/or service of: hand tools, small construction, farming, gardening and automotive equipment, small machinery parts and office machinery and equipment.

F

FARMERS' MARKET means the use of land or buildings where fresh farm or garden produce are sold in a retail or wholesale setting and where goods are typically displayed in bulk bins or stalls for customer selection. This use includes vendors of fruit, vegetables, meat products, baked goods, dry goods, spices and non-food products such as handicrafts, provided that the sale of fresh food products remain the primary function.

FINANCIAL INSTITUTION means a development or use primarily for providing the service of banking or lending money, such as a bank, savings and loan institution, or credit union.

FITNESS FACILITY means a development where space, equipment or instruction is provided for people to pursue physical fitness or skills relating to physical activities and may include the incidental sale of products relating to the service provided.

FUNERAL HOME means a development used for the arrangement of funerals, the preparation of the deceased for burial or cremation, and the holding of funeral services.

G

GAMING OR GAMBLING ESTABLISHMENT means a building or structure, or any portion thereof, which is used or intended for the use or purpose of dealing, operating, maintaining or conducting any game played with cards, dice, or any other means, or any mechanical device or machine for money, property or any item of value.

GARAGE means an accessory private building or part of the principal building, designed primarily for the storage of motor vehicles.

GARDEN CENTRE OR GREENHOUSE means a building specially designed and used for commercial or private growing of vegetables, flowers or other plants for transplanting or sale. The use may include accessory retail uses on the premises.

GARDEN SHED means an accessory structure to store household and garden equipment and supplies that is not more than 9.3 m^2 (100 ft^2) in size.

GENERAL WAREHOUSING AND STORAGE means a building used for the storage of goods and merchandise. The building may include administrative offices, loading areas, parking areas, storage rooms and the retail sale of goods stored in the warehouse. No outside storage is permitted with this use.

GOLF COURSE means an outdoor use/establishment of varying size where the land is developed primarily to accommodate the game of golf. Accessory uses include a pro shop, driving range and/or proactive facility, food service, and other commercial uses typically associated with a golf course clubhouse facility.

GOVERNMENT SERVICES FACILITY 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.

GROUP CARE FACILITY means a development which provides residential accommodation and rehabilitative services to persons who are handicapped, disabled or undergoing rehabilitation and are provided care to meet their needs. Persons are typically referred to a group care facility by hospitals, courts, government agencies or recognized social service agencies or health professionals but may also voluntarily request care. This use includes supervised uses such as group homes, half-way houses, and convalescent homes. This use does not include senior housing or assisted living facility which are separate uses in this bylaw.

H

HOME OCCUPATION 1 means an occupation, trade, profession or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the lot, and which does not change the character thereof and is a no impact office or equivalent type use

HOME OCCUPATION 2 means an occupation, trade, profession or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the lot, and which does not change the character thereof and is a low impact use.

HOTEL / MOTEL means the use of a building for sleeping accommodations provided for a fee on a daily basis, accessible only through a central lobby with onsite parking; the building may also contain accessory commercial, and food and beverage service uses.

I

INSTITUTIONAL means a use by or for an organization or society for public or social purposes and, without restricting the generality of the term.

K

KENNEL means a commercial operation or facility where dogs or cats or other domestic pets are maintained, boarded, bred, trained or cared for or kept for the purposes of sale but excludes an animal care service.

L

LIGHT INDUSTRIAL/MANUFACTURING means development used for manufacturing, fabricating, processing, assembly, production or packaging of goods or products, as well as administrative offices and warehousing and wholesale distribution uses which are accessory uses to the above, provided that the use does not generate any detrimental impact, potential health or safety hazard or any nuisance beyond the boundaries of the developed portion of the site or lot upon which it is situated.

LUMBER YARD means a commercial operation where lumber, building materials and supplies, and other building-related goods are stored, displayed and sold.

M

MACHINERY AND EQUIPMENT SALES, RENTAL AND SERVICE means a commercial operation where the land and buildings are used for the sale, service and rental of machinery, vehicles and heavy machinery used in the operation, construction or maintenance of buildings, roadways, pipelines, oil fields, mining or forestry operations, and in freight hauling operations. Cleaning, repairing and sale of parts and accessories may be allowed as part of the principal use. Such a facility may include an administrative office, ancillary structures, outdoor work areas, parking, and outdoor storage areas.

MEDICAL/HEALTH FACILITY means a facility for the provision of human health services without overnight accommodation for patients and may include associated office space. Typical uses include physiotherapy, registered massage therapy, doctor, dentist, optometrist, and chiropractic offices.

MINI-STORAGE means the use of land with compartmentalized buildings or a designated site set up for the storage of equipment, household or business materials, or vehicles, but excludes storage of hazardous goods or materials. Accessory to this use is the exterior screened storage of recreational vehicles, boats, trailers and similar items.

MIXED USE BUILDING means a building used partly for residential and partly for commercial use.

MOVED-IN BUILDING means a previously used or existing, established and working building, which is removed from a site, and then transported and re-established on another site.

MUSEUM means a building or site used for the preservation, collection, restoration, display and/or demonstration of articles of historical significance and may include archival records of a geographic area or of a time period. See INSTITUTIONAL.

O

OFFICE means development primarily for the provision of professional, management, administrative, consulting, or financial services in an office setting. Typical uses include but are not limited to the offices of lawyers, accountants, travel agents, real estate and insurance firms, planners, clerical and secretarial agencies. This excludes government services, the servicing and repair of goods, the sale of goods to the customer on the site, and the manufacturing or handling of a product.

OUTDOOR STORAGE means the use of land with or without attendant buildings for the open, outdoor storage of equipment, materials or vehicles, or processed or unprocessed resources or materials. For the purposes of this bylaw, this definition is limited to those uses that require minimal on-site improvements, service and public amenities or facilities and does not include those goods or materials which are hazardous.

P

PANELIZED DWELLING means a prefabricated dwelling unit consisting of factory built wall panels which are assembled on site. All service systems and connections must comply with Alberta Safety Codes.

PARK MODEL TRAILER means a recreational vehicle that is either:

(a) built on a single chassis mounted on wheels designed for infrequent towing by a heavy-duty tow vehicle but is restricted in size and weight so that it does not require a special highway movement permit and conforms to the CSA-Z-240 standard for recreational vehicles; or

(b) a recreational vehicle intended for temporary residence or seasonal use built on a single chassis mounted on wheels, which may be removed and returned to the factory, requiring a special tow vehicle and highway permit to move on the road and conforms to the CSA Z-241 standard for recreational vehicles.

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, landscaped areas and associated public washrooms. This may include public open space, which is not in private ownership and is open to use by the public.

PERSONAL SERVICES means uses that provide personal services to an individual that are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include but are not limited to barber shops, beauty salons, hairdressers, manicurists, aestheticians, tailors, dress makers, shoe repair shops, dry cleaning establishments, and laundries but does not include health services.

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

PUBLIC OR PRIVATE UTILITY means any one or more of the following:

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

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

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

(d) storm sewage drainage facilities;

(e) telecommunications systems;

(f) systems for the distribution of artificial light or electric power;

(g) facilities used for the storage of telephone, cable, remote weather stations or internet infrastructure;

(h) any other things prescribed by the Lieutenant Governor in Council by regulation.

R

RECREATION, PRIVATE means sports or recreational or retreat activities, use, facilities including associated eating and retail areas, provided by commercial for-profit and non-profit businesses where the

public is admitted for a fee or where admission is limited to members of an organization or limited group. Such uses include, but are not limited to, gymnasiums, athletic/sport fields, shooting ranges, paint-ball, go-cart tracks, golf courses and ranges, outdoor mini-golf, recreation centres, indoor/outdoor ice rinks, , retreats and country clubs.

RECREATION, PUBLIC means sports or recreational or retreat activities, uses or facilities, including associated eating and retail areas, for public use which are public-owned or operated (i.e. municipal, provincial, or federal including local boards, agencies or commissions of the Village). Such uses include, but are not limited to, gymnasiums, athletic/sports fields shooting ranges, paint-ball, go-cart tracks, golf courses and ranges, outdoor mini-golf, recreation centres, indoor/outdoor ice rinks, retreats, and country clubs.

RECREATIONAL VEHICLE / HOLIDAY TRAILER means a transportable living unit, designed to be moved on its own wheels or by other means (including units permanently mounted on trucks), designed or constructed to be used for sleeping or living purposes on a short-term, temporary basis. Such living units are subject to highway safety standards rather than housing standards. Typical units include, but are not limited to motor homes, campers, holiday trailers, travel trailers, fifth wheel trailers, tent trailers and park model trailers. These units are not permitted as permanent dwellings.

RECREATIONAL VEHICLE STORAGE – SEE OUTDOOR STORAGE

RECYCLING FACILITY means a development for the purchasing, receiving and/or temporary storage of discarded articles, provided that the use does not generate a detrimental effect or nuisance beyond the parcel or lot upon which it is situated. This use may involve supplementary production of by-products or materials and includes bottle, can, and paper recycling depots.

RELIGIOUS ASSEMBLY FACILITY means a building whose primary purpose is to facilitate meetings of a group of people for public worship or religious activities.

RETAIL means commercial premises where goods, merchandise, substances, articles, and other materials, are offered for sale to the general public. These uses exclude cannabis retail stores, warehouse sales and the sale of gasoline, heavy agricultural and industrial equipment, alcoholic beverages, or retail stores requiring outdoor storage. Minor government services, such as postal services, are permitted within general retail stores.

S

SCHOOL means a place of instruction offering courses of study. Included in the category are public, private, and separate schools.

SEED CLEANING PLANT means a grain elevator or other facility for the collection, grading, sorting, storage, and/or shipment of grains.

SENIOR HOUSING means a dwelling unit or accommodation sponsored and administered by any public agency or any non-profit organization, either of which obtains its financial assistance from federal, provincial, or municipal governments or agencies or public subscriptions or donation or any combinations

thereof. Senior housing may include lounge, dining, health care, and recreation facilities. Also see ASSISTED LIVING FACILITY.

SERVICE STATION or 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.

SHIPPING CONTAINER means any container that is or was used for transport of goods by means of rail, truck or by sea. These are generally referred to as a C-Container, sea cargo container, sea can or cargo container. Such containers are typically rectangular in shape and are generally made of metal. For the purposes of this bylaw, when such a container is used for any purpose other than transporting freight, it will be considered as a structure, must conform to these regulations and require a development permit.

SIGN means any object, structure, fixture, placard, device and components, or portion thereof, which is used to advertise, identify, communicate, display, direct or attract attention to an object, matter, thing, person, institution, organization, business, product, service, event or location by any means.

SOLAR COLLECTOR, ATTACHED means a structure or combination of structures mounted to a wall or roof of a building that transforms direct solar energy into thermal, chemical, or electrical energy.

SOLAR COLLECTOR, FREESTANDING means a structure or combination of structures not mounted to a wall or roof of a building that transforms direct solar energy into thermal, chemical, or electrical energy, and is not attached to a wall or roof of a building.

SWIMMING POOL means a structure, basin or tank containing or artificially created pool of water greater than 600 mm in depth at any point, and is used for swimming, recreation, bathing, diving, wading, healing or therapy, religious rituals, or other purposes and includes all buildings, equipment, and facilities used in connection with it.

T

TELECOMMUNICATION ANTENNA means a structure and any associated system, including all masts, towers and other antenna supporting structures that is used for the transmission, emission or reception of television, radio, internet, or telecommunication.

TOURIST HOME / SHORT-TERM RENTAL means a dwelling unit operated as a rental or lease accommodation unit, occupied by a guest or guests for a period not to exceed 28 days. The dwelling owner/operator may or may not be residing in the dwelling during the period it is being occupied by the guests. This use includes a Bed and Breakfast as defined in this Bylaw.

TOURIST INFORMATION means a development intended to provide information to the travelling public and may include washroom and picnic facilities and accessory retail sales.

TOWING OPERATION means a business engaged in transporting vehicles to an alternate location which may include the storage of vehicles as an accessory use of expressly approved by the Development Authority.

TRANSPORTATION/DELIVERY SERVICE means development involving the use of one or more vehicles to transport people, mail, currency, documents, packages and articles for compensation such as a mobile catering service, the rental or lease of vans and trucks, taxi service, limousine or bus service and may include limited storage and repair of the vehicles used. This use does not include towing operation.

TRANSPORTATION DISPATCH/DEPOT means a facility for the purpose of storing and/or dispatching trucks, buses, fleet vehicles, and transport vehicles and may include towing operations. The use may also involve the transfer of goods primarily involving the loading and unloading of freight-carrying trucks.

TRUCK STOP means a building, premise or land in which or upon which a business, service or industry involved in the maintenance, servicing, storage or report of commercial vehicles is conducted or rendered including the dispensing of fuel products, the sale of accessories and/or equipment for trucks and similar commercial vehicles. A truck stop may also include convenience stores and restaurant facilities, and may include overnight accommodation facilities solely for the use of truck crews.

TRUCK WASH means a commercial vehicle washing facility associated with large vehicles such as tractor trailers.

U

USE means the purposes for which land or a building is arranged or intended, or for which either land, a building or a structure is, or may be, occupied and maintained.

UTILITIES – see PUBLIC OR PRIVATE UTILITY

V

VETERINARY CLINIC – see ANIMAL CARE SERVICE

W

WASTE MANAGEMENT SITE means a development for the commercial receiving of spent materials, provided that no detrimental effects or nuisances are generated beyond the parcel upon which it is situated. This use includes a dry waste site, a hazardous waste management facility, transfer station and a waste sorting station. This use does not include a RECYCLING FACILITY**.**

WASTEWATER TREATMENT PLANT has the same meaning as referred to in the *Matters Related to Subdivision and Development Regulation* and as in the *Environmental Protection and Enhancement Act*. This definition also includes a wastewater treatment stabilization plant**.**

WATER TREATMENT PLANT means a facility that treats raw water so that it is safe for human consumption and then distributes it for human use.

Schedule 3

DIMENSIONAL STANDARDS AND SETBACKS

Schedule 3

DIMENSIONAL STANDARDS AND SETBACKS

SECTION 1 DIMENSIONAL STANDARDS AND MINIMUM SETBACKS

1.1 Tables 2.2.1, 3.3.1 and 5.4.1 list the dimensional standards and setback requirements that apply to specific uses within each of the land use districts.

SECTION 2 MINIMUM LOT SIZE

2.1 Minimum Dimensions Table

Table 2.2.1: Minimum Lot Size

Land Use District	Specific Use	Minimum Lot Size
Residential – R	All uses	929.4 m^2 (10,000 ft^2)

Land Use District	Uses	Minimum Lot Width		Minimum Lot Length		Minimum Lot Area	
		m	ft	m	ft	m^2	ft^2
Commercial – C	All uses	7.6	25	35.1	115	267.1	2,875
Industrial – I	All uses	30.5	100	35.1	115	1068.4	11,500
Residential – R	All uses	22.9	75	45.2	148	929.4	10,000
Public – P	All uses	As required by the MPC					

2.2 The following definitions apply:

(a) **LOT** in accordance with the *Municipal Government Act*, means

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

(ii) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

(iii) Where a certificate of title contains one or more lots described in a plan of subdivision that was registered in a Land Titles Office before July 1, 1950, lot means parcel.

(b) **LOT WIDTH** means the horizontal distance between the side lot lines measured at a point perpendicular to the front property line.

(c) **LOT LENGTH** means the horizontal distance between the front and the rear lot lines measured along the median between the side lot lines.

(d) **LOT AREA** means the total area of a lot.

(e) **CORNER LOT** means a lot located at the intersection of two or more streets.

(f) **INTERIOR LOT** means a lot situated between two lots or another lot and a lane and having access to not more than one street.

(g) **LOT FRONTAGE** means the front lot line or that side of a lot abutting a public roadway, but does not include any side abutting a lane, unless said lane is the only means of physical access to a lot.

(h) **LOT LINE** means a legally defined boundary of any lot. The term property line and boundary line have the corresponding meaning.

SECTION 3 MINIMUM SETBACKS

3.1 Minimum Setback Table

Table 3.3.1: Minimum Setbacks

Land Use Districts	Specific Use	Minimum Setbacks							
		Front		Secondary Front		Side		Rear	
Residential – R		m	ft	m	ft	m	ft	m	ft
	Single-unit, dwelling	7.6	25	3.8	12.5	1.5	5	7.6	25
	Secondary suite (detached)	Must be located 10 ft. to the rear of principal dwelling		3.8	12.5	2.3	7.5	3.0	10
	2-unit, 3-unit & 4-unit, apartment, senior housing	7.6	25	3.8	12.5	3.0	10	7.6	25
	Row (interior unit)	7.6	25	common wall		common wall		7.6	25
	(end unit)	7.6	25	3.8	12.5	3.0	10	7.6	25
	Accessory building	7.6	25	3.8	12.5	1.5	5	1.5	5
Commercial – C									
	All uses	0	0	0	0	0	0	7.6	25
	Where adjacent to R, P	0	0	0	0	6.1	20	7.6	25
Industrial – I									
	All uses	7.6	25	7.6	25	3.0	10	7.6	25
	Where adjacent to R, P	7.6	25	7.6	25	6.1	20	7.6	25
Public – P									
	All uses	7.6	25	3.8	12.5	3.0	10	7.6	25

3.2 The following definitions apply:

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

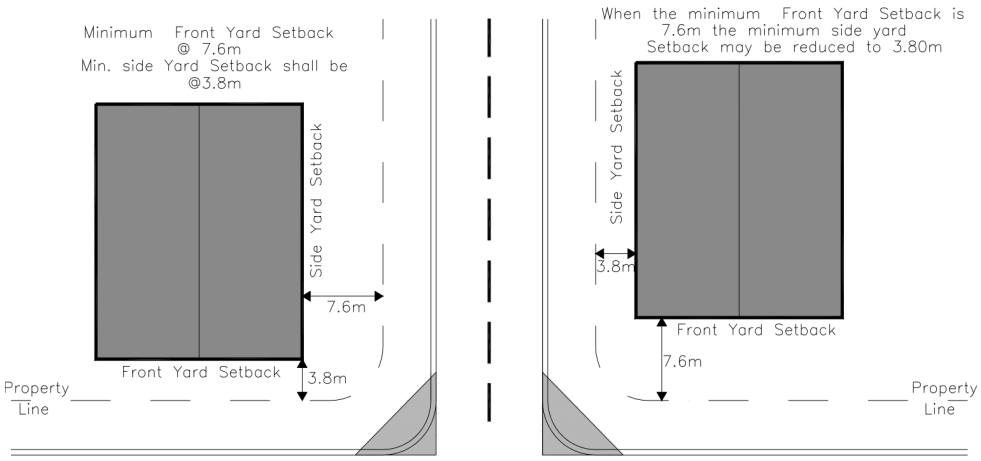
(b) **FRONT YARD** means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the principal buildings.

(c) **SIDE YARD** 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.

(d) **REAR YARD** 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.

(e) **SECONDARY FRONT YARD** means a yard on a corner lot with street frontage but which is not the frontage where the main entrance to the building or development is oriented or is the yard which is designated the secondary front by the Development Authority.

3.3 Where any lot has more than one front yard line, the front setback requirements shall apply to one yard, but only one-half the front yard requirement may apply to the other front yard and that yard shall be considered a secondary front yard.



3.4 The Municipal Planning Commission may require increased building setbacks (other than those listed in Table 3.3.1) for a discretionary use or a permitted use requiring a variance if such setbacks would:

(a) help avoid land use conflict;

(b) enhance the appearance of the area.

SECTION 4 PERMITTED PROJECTIONS

4.1 The permitted projections into setbacks listed in this section do not constitute an exemption from any requirements under the *Safety Codes Act.*

4.2 The permitted projections into setbacks listed in this section do not override the requirement to maintain a clear vision triangle for corner lots.

4.3 In no circumstance shall a building or structure be approved to encroach onto an adjoining parcel.

4.4 The following features may project into the minimum required yard setbacks to an extent as specified (or fully where not specified):

(a) eaves, fireplace chases, bay windows, sills, projecting stones, temporary awnings or other similar architectural features may project:

(i) a maximum of 0.6 m (2 ft) over a side yard; and

(ii) a maximum of 1.2 m (4 ft) over a front or rear yard;

(b) cantilevers not exceeding 40% of the front wall area may project a maximum of 0.9 m (3 ft) into a front yard;

(c) cantilevers not exceeding 40% of one side wall area may project a maximum of 0.6 m (2 ft) into a side yard;

(d) cantilevers may project a maximum of 0.9 m (3 ft) into a rear yard;

(e) unenclosed steps or unenclosed fire escapes to a maximum of 2.0 m (6.5 ft) into a front or rear yard and 0.9 m (3 ft) into one side yard;

(f) a wheelchair ramp into a front yard or one of the side yards;

(g) fences and other enclosures as per the applicable district and Schedule 6;

(h) driveways, curbs and sidewalks;

(i) off-street parking as per Schedule 6;

(j) service meters and mailboxes;

(k) cooling units not to exceed 0.9 m (3 ft.) into a side yard;

(l) flagpoles not exceeding a height of 4.9 m (16 ft);

(m) landscaping, fishponds, dog houses, lawn ornaments, barbeques and similar features ancillary to residential use not exceeding a height of 2.0 m (6 ft);

(n) temporary swimming pools not to exceed 0.9 m (3 ft.) into a side yard;

(o) play houses not exceeding a height of 4.9 m (16 ft);

(p) uncovered decks to a maximum of 2.0 m (6.5 ft) into a rear yard;

(q) balconies that are unenclosed to a maximum of 2.0 m (6.5 ft) into a rear yard; and

(r) privacy walls less than 2.0 m (6.5 ft) above the top of the finished floor elevation of a balcony, deck or patio may project the same distance as the approved balcony, deck or patio.

SECTION 5 FLOOR AREA, FOOTPRINT AND BUILDING HEIGHT

5.1 Floor Area and Building Height Table

Land Use Districts	Specific Use	Minimum Floor Area		Maximum Footprint	Maximum Building Height	
Residential – R		m^2	ft^2		m	ft
	Single-unit, dwelling	55.7	600	n/a	10.1	33

	Secondary suite	30.1	324	Not exceeding footprint of principal dwelling	n/a	n/a
	Secondary suite (detached)	30.1	324	800 ft²	7.6	25
	Multi-purpose, dwelling	74.3	800	n/a	10.1	33
	2-unit, 3-unit & 4-unit dwelling	55.7	600	n/a	10.1	33
	Apartment	As required by the MPC		n/a	As required by the MPC	
	Senior housing	As required by the MPC		n/a	As required by the MPC	
	Accessory building	n/a		n/a	5.0	16.4
Commercial – C / Industrial – I						
	All uses	n/a		n/a	10.7	35
Public – P						
	All uses	n/a		n/a	As required by the MPC	

5.2 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.

Schedule 4

DEVELOPMENT NOT REQUIRING A PERMIT

Schedule 4

DEVELOPMENT NOT REQUIRING A PERMIT

SECTION 1 DEVELOPMENT NOT REQUIRING A PERMIT

1.1 The following developments shall not require a development permit:

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

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

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

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

1.2 The following developments shall not require a development permit, but must **otherwise comply with all other provisions of this bylaw**:

(a) the maintenance or repair of any building provided that the work does not include structural alterations or additions;

(b) interior renovations to a building which do not:
  (i) create another dwelling unit,
  (ii) increase parking requirements, or
  (iii) result in the change of use of a building;

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

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

(e) one accessory building or structure placed on a lot which is 10 m² (107 ft²) or less in area that is not on a permanent foundation;

(f) in all districts the erection, maintenance or alteration of a fence, gate, wall, hedge or other means of enclosure that does not exceed 1.2 m (ft) in height in any front yard and 2.0 m (6.5 ft) in height in any secondary front, rear or side yard;

(g) in the Industrial land use district, the erection, maintenance or alteration of a fence, gate, wall, hedge, or other means of enclosure;

(h) landscaping that was not required as part of the original development permit;

(i) any satellite dish less than 0.9 m (3 ft) in diameter;

(j) temporary outdoor swimming pools and above ground hot tubs; must meet provincial Safety Codes;

(k) the installation of cement or other hard surface material that is not to be covered or partially covered by a roof or other shelter;

(l) excavation, grading, stripping, or stockpile provided it is part of a development for which a development permit has been issued or is addressed in a signed Development Agreement with the Village of Glenwood;

(m) the construction of uncovered decks or patios 0.6 m (2 ft) or lower to ground level (a covered deck shall require a development permit);

(n) the replacement of any existing structures or buildings;

(o) urban agriculture, including cultivation or grazing, but not including any buildings associated with agriculture;

(p) a home occupation 1.

If there is a doubt to whether a development is of a kind listed above, the matter shall be decided by the Municipal Planning Commission.

Schedule 5

GENERAL DEVELOPMENT STANDARDS

Schedule 5

GENERAL DEVELOPMENT STANDARDS

Except for more specific, alternative or contradictory standards as may be set forth within the Residential Standards found in Schedule 6 or the Commercial / Industrial Standards found in Schedule 7, the following standards apply to all uses in all districts.

SECTION 1 STATUTORY PLANS

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

SECTION 2 APPROVAL OF ACCESS

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

SECTION 3 DESIGN AND ORIENTATION OF BUILDINGS, STRUCTURES AND SIGNS

3.1 Subject to the requirements of the Safety Codes, the Municipal Planning Commission may require that buildings be physically accessible to disabled persons.

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

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

SECTION 5 GRADING AND STORMWATER MANAGEMENT

5.1 The Municipal Planning Commission may require as a condition of development approval:

(a) engineered grading and drainage plans for the development and legal survey demonstrating that engineered grades have been met;

(b) grading and other measures, as appropriate, to control surface drainage, reduce or eliminate grade difference between adjacent lots, and minimize erosion or slope instability;

(c) the final grades of the development must be approved by the Municipal Planning Commission before the issuance of a development permit;

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

5.2 The construction of a retaining wall whenever, in the opinion of the Development Authority, significant differences in grade exist or will exist between the lot being developed and any adjacent lot or roadway. Where a retaining wall is required, the applicant shall submit to the Development Officer plans identifying the design and specifications of development for review and approval by the accredited Safety Codes Officer.

5.3 Roof and surface drainage shall be directed either to the public roadway fronting the property, or as approved by the Development Authority, to a rear or side property boundary or as approved in an engineered storm water management plan.

5.4 When discharging, storm water connections or sump hoses must be greater than 1.8 m (6 ft) from the front property line.

SECTION 6 SHIPPING CONTAINERS

6.1 A shipping container may be placed temporarily on a construction site for the period of associated with construction or moving, with an approved development permit, subject to the following provisions:

(a) Temporary shipping containers are subject to the standards in subsection 6.1, 6.2 and 6.3 of this schedule.

(b) The construction or moving site is active (i.e. has commenced and is on-going or is about to commence within one week) and may only remain on site until the building is to lock-up stage, or by the date stated for removal on the development permit, whichever comes first unless an extension has been applied for and granted; placement of a shipping container on an inactive construction site is prohibited.

(i) in no case shall a temporary permit be valid for over 12 months, unless an extension is applied for and approved by the Development Authority prior to the original date for removal.

(c) Setbacks for a temporary shipping container shall be as required by the Development Authority.

(d) The temporary shipping container shall be removed immediately upon completion of construction or sooner as may be required by the Development Authority.

6.2 A temporary shipping container in a district where is it is listed as a use is subject to the following additional provisions:

(a) Only 1 container to a maximum of 40 ft (12.2 m) in length or 2 containers not exceeding a total of 40 ft (12.2 m) in length, is allowable on a parcel of land. Note that “not more than 1 container” is to be interpreted as up to 2 containers with a cumulative length not exceeding 40 ft. (12.2 m).

(b) The maximum lot coverage and setback requirements for accessory structures in the applicable land use district.

(c) The shipping container may only be permitted in the secondary front, rear, or side yard.

(d) The shipping container shall not display advertising, company logos, names or other marketing.

6.3 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 four recent colour photographs of each container (one of each side view).

(b) There shall be a legally existing or approved primary use on the property where the shipping container is proposed.

(c) A $2500.00 deposit will be required as a condition of the development permit to ensure compliance with the conditions of approval. The deposit must be submitted prior to the placement of the shipping container on the site. This is applicable to both temporary and permanent shipping containers.

(d) The Development Authority may regulate the maximum number of shipping containers permitted on a lot.

(e) 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.

(f) 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.

(g) 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.

SECTION 7 TELECOMMUNICATION ANTENNA SITING PROTOCOLS (also see APPENDIX B)

7.1 Telecommunication, radio communication and broadcast antenna systems are regulated by Industry Canada. An applicant proposing to locate a telecommunication, radio communication or broadcast antenna system within the Village which does not meet the exclusion criteria in Appendix B shall be subject to the following siting protocols:

(a) **Co-utilization**

The applicant shall be requested to identify any other similar antenna systems within a radius of 500 m (1,640 ft) of the proposed location and to provide documentary evidence that co-utilization of the existing antenna systems is not a viable alternative to the proposed antenna.

(b) **Siting Options**

The applicant shall be requested to identify siting options and any alternative locations considered.

(c) **Appearance**

Antenna systems which are visible from residential areas are encouraged to employ innovative design measures such as a monopole construction to mitigate the visual impact of the antenna system.

(d) **Landscaping**

The landscaping requirement of the land use district in which the development is proposed should be integrated into the site design, except where existing site vegetation is deemed comparable by the Municipal Planning Commission to the land use district requirements.

(e) **Lighting and Signage**

(i) Lighting in addition to that which is required by applicable federal agencies shall be avoided. Security lighting may be considered provided it meets the requirements of the applicable land use district.

(ii) Only signage that is required by applicable federal agencies is permitted. No advertising signage shall be permitted.

(f) **Municipal Concurrence**

(i) The applicant shall be required to present the proposed development to the Municipal Planning Commission at a public meeting and submit the following plans at least two weeks before the scheduled meeting: site plan identifying the location of the proposed development, access, distance from property lines, easements, rights-of-way or any other development constraint on the property, proposed fencing or other security measures, and landscaping plan; and antenna height, type, design, material, appearance and lighting.

(ii) Upon conclusion of the public consultation process, the Municipal Planning Commission will issue a response to the applicant in writing indicating either concurrence of the proposed development or specific concerns or comments relating to the antenna system.

(g) **Public Consultation**

(i) The applicant shall be required to hold a public meeting before the Municipal Planning Commission at the Village office or another location approved by the Village administration to explain all aspects of the proposed development, including but not limited to siting, technology and appearance of the structure.

(ii) The Village will notify all land owners within a distance of 500 m (1,640 ft) of the proposed structure at the expense of the applicant.

Schedule 6

RESIDENTIAL DEVELOPMENT STANDARDS

Schedule 6

RESIDENTIAL DEVELOPMENT STANDARDS

The following standards are applicable to residential development.

SECTION 1 ACCESSORY BUILDINGS

1.1 The first accessory building, which is 10 m² (107 ft²) or less in area, placed on a parcel does not require a development permit, but any second or subsequent accessory building regardless of size shall require a development permit and the Municipal Planning Commission may limit the number of accessory buildings on a lot.

1.2 Accessory buildings shall be located at least 1.2 m (4 ft) from the principal building.

1.3 Accessory buildings shall be constructed such that eaves shall be no closer than 0.6 m (2 ft) from a side lot line or rear lot line and all drainage is conducted to the appropriate storm drain via the applicant's own property.

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

1.5 No accessory building, structure and/or use shall be allowed in the Village unless a principal building, structure or use is in existence on the property or a duly issued permit has been approved by the Village for the construction of the principal building, structure or use.

1.6 The maximum height for an accessory building or structure shall be 5.0 m (16.4 ft).

SECTION 2 APARTMENTS AND MULTI-UNIT DWELLINGS

Apartment and multi-unit dwellings are subject to the following additional standards:

2.1 A site plan shall be submitted with the development permit application as referred to in Section 26 of the Administration component of this Land Use Bylaw.

2.2 A minimum 1.5 m (5 ft) wide landscaped buffer strip is required between a parking lot and an adjacent residential lot.

SECTION 3 EASEMENTS

3.1 No structures shall be located within a registered easement or utility right-of-way unless allowed by the provisions of the specific document or agreement.

SECTION 4 CORNER VISIBILITY

4.1 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 0.9 m (3 ft) and 3.0 m (10 ft) above the centre line grades of the intersecting streets in the area bounded by the property lines of such corner lots and a line joining points along the said property line 6.1 m (20 ft) from the point of intersection (see Figures 6.1 and 6.2).

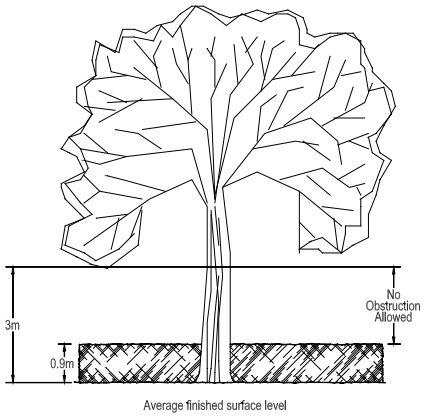


Figure 6.1

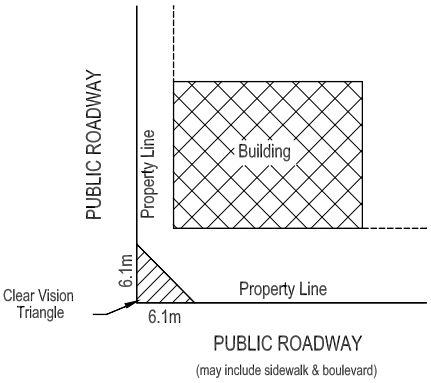


Figure 6.2

SECTION 5 DRIVEWAYS, OFF-STREET PARKING REQUIREMENTS AND DESIGN STANDARDS

5.1 Driveways shall be a minimum of 3.0 m (10 ft) from the entrance to a lane, and 4.6 m (15 ft) from the intersection of two public roadways (see Figure 6.3).

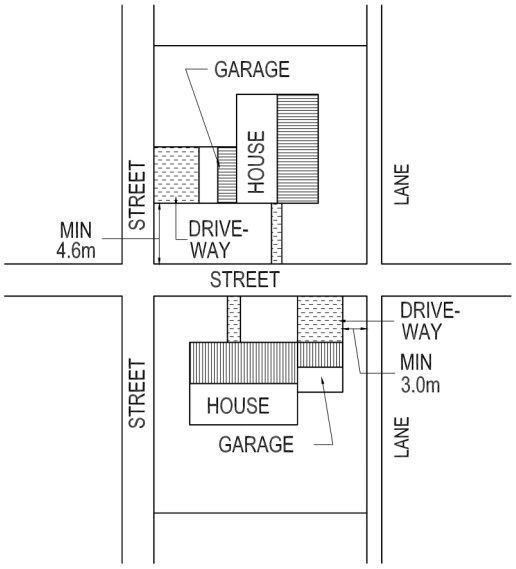


Figure 6.3

SECTION 6 FENCES

6.1 No fence exceeding 2.0 m (6.5 ft) in height may be placed in any secondary front, side or rear yard.

6.2 No fence exceeding 1.2 m (4 ft) in height shall be placed in a front yard. This provision excludes side yard enclosures exceeding 1.2 m (4 ft) in height, which may project into the front yard up to a maximum of 2.4 m (8 ft) beyond the furthest projection of the principal building and must located on the side property line.

6.3 A fence exceeding 1.2 m (4 ft) in height may be placed in a front yard if a development permit has been issued to vary the standard, provided that the enclosure is at least 75% transparent, thereby allowing for adequate passage of light and air.

6.4 The use of razor wire is not permitted.

6.5 The use of electric or electrified fencing is permitted only upon the condition that safety signage is properly and prominently placed.

6.6 A fence shall not be erected or maintained on a property or separating adjoining properties unless it is:

(a) upright;

(b) sufficiently sturdy so as to not present a hazard of toppling or collapsing; and

(c) made of materials of good quality and suitable for the purpose.

SECTION 7 RETAINING WALLS, GRADING AND DRAINAGE

7.1 The Development Authority may require:

(a) the construction of a retaining wall, including submittal of an 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.

7.2 The discharge of sump hoses into the Village's sanitary sewer system is prohibited.

SECTION 8 SITE LIGHTING

8.1 Site lighting may be required as a condition of development and shall be located, oriented and shielded so that it does not adversely affect adjacent properties.

SECTION 9 REFUSE COLLECTION AND STORAGE

9.1 Refuse and garbage shall be kept in an enclosure for each use within each land use district.

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

SECTION 10 SERVICING

10.1 Development shall be required to connect to both the municipal water supply and sewage system.

10.2 Any development that is not currently connected to the municipal water and sewage system must pay for the cost to install those services to the specified Village standards with the understanding that the newly installed services and associated infrastructure to the property line belongs to the Village, or wait until a servicing project is identified as a capital priority of Council.

SECTION 11 DEVELOPMENT AND SERVICING AGREEMENTS

11.1 The Municipal Planning Commission may require, with respect to a development, that as a condition of issuing a development permit, the applicant enter into an agreement with the municipality, pursuant to section 650(1) of the *Municipal Government Act*, to do any or all of the following:

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

(b) to construct or pay for the construction of off-street, or other parking facilities and/or loading and unloading facilities in commercial and industrial districts;

(c) to install or pay for the installations of public utilities, including but not limited to underground electrical and fibre optic services, that are necessary to the development;

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

(e) to give security to ensure that the terms of the agreement under this section are carried out as outlined in the current Rates, Fees and Charges Bylaw.

11.2 The Municipal Planning Commission may require, with respect to a subdivision that as a condition of issuing an approval for a subdivision, the applicant enter into an agreement with the municipality, pursuant to section 655(1)(b) of the *Municipal Government Act*.

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

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

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

SECTION 12 PRIVATE SWIMMING POOLS

12.1 Private swimming pools shall be classified as an accessory structure.

12.2 Any private swimming pool with a design depth greater than 0.6 m (2 ft) shall be constructed and fenced in accordance with Safety Codes requirements.

12.3 Temporary above ground swimming pools and above ground hot tubs do not require a development permit, but are subject to Safety Codes and may require a building permit.

SECTION 13 MANUFACTURED HOMES

A manufactured home is a single-unit prefabricated dwelling 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;
- includes modular, ready-to-move and panelized dwellings;
- manufactured in accordance with CSA standards and Safety Codes ,
- 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, park model recreational units, park model trailers or travel trailers.

Requirements for Manufactured Homes	
A unit that meets CSA standards (CSA A-277) and Safety Codes	✓
Dwelling is securely fastened and placed on:	
Basement	✓
Concrete slab	✓
Concrete strip footing	✓
Pile or pier footing	✓
Minimum floor area shall not be less than 55.74 m^2 (600 ft^2)	✓

13.1 As a condition of approval the Municipal Planning Commission, at their discretion, may place other conditions on a development permit including the requirement that the developer provide fencing, address drainage issues, or other such matters it considers necessary.

13.2 A limit of the time completion and full compliance with all stipulated requirements shall be established by the Municipal Planning Commission at the time of the application.

SECTION 14 MOVED-IN BUILDINGS

14.1 The building and the land upon which it is to be located shall be subject to all conditions and regulations specified for the particular land use district.

14.2 The building shall comply with all provincial, municipal, health, and fire regulations. A report by a building inspector regarding each application shall be filed before any such application shall be considered by the Municipal Planning Commission.

14.3 The requirements of the building inspector's report shall form a part of the conditions of the development permit where required by the Municipal Planning Commission.

14.4 A limit of the time completion and full compliance with all stipulated requirements shall be established by the Municipal Planning Commission at the time of the application.

14.5 The application should be accompanied by recent colour photographs of all elevations of the moved-in building.

14.6 The Development Authority shall require a security bond, as referred to in the current Rates, Fees and Charges Bylaw, to ensure the conditions of the development permit are met. If the cost to complete the work in the conditions of the approval is greater than the security bond, construction may be completed by the Village and additional costs may be charged against the property tax.

14.7 All moved-in buildings shall obtain any necessary building inspections, fire code requirements, and/or any municipal, provincial, or federal approvals that are necessary for the relocation of the said structure.

SECTION 15 MULTI-PURPOSE DWELLINGS

15.1 The combined building may have the dwelling unit located on the main or second floor and shall have an entrance separate from the entrance to the accessory building either from a common indoor landing or from the exterior of the structure.

15.2 The dwelling unit portion of a multi-purpose dwelling shall:

(a) have a minimum floor area of 74.3 m^2 (800 $ft.^2$), and

(b) appropriate separation between the dwelling unit and accessory building shall be maintained in accordance with the *Safety Codes Act*.

15.3 The maximum height of the doors in the accessory portion of the building should not exceed 4.2 m (14 ft.)

15.4 A multi-purpose dwelling shall only be approved where the proposed building is of a style (ie. design, building materials, window placement etc.) that is, in the opinion of the Municipal Planning Commission, appropriate in a residential district.

SECTION 16 TOURIST HOME / SHORT-TERM RENTAL

16.1 Where approved, tourist homes shall be developed and operated in accordance with the following regulations in order to ensure that the impacts of this commercial use do not unduly affect the amenities of the residential neighbourhood in which they are located:

(a) Tourist homes require a development permit. A permit may be revoked at any time if, in the opinion of a designated officer, the operator has violated any provision of this bylaw or the conditions of a permit.

(b) The Development Authority may establish a maximum number of guests that are allowed as a condition of approval for a Tourist home.

(c) Tourist homes shall not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood.

16.2 The operator of the tourist home shall:

(a) keep and maintain a guest register;

(b) provide 1 on-site (ie. off-street) parking stall per bedroom. Parking stalls may be allowed in a tandem arrangement at the discretion of the Development Authority;

(c) not display any form of advertising related to the tourist home except as provided for in this bylaw and subsequent to the issuance of a development permit;

(d) ensure that all parts of the dwelling conform to the *Safety Codes Act*.

SECTION 17 SECONDARY SUITES

GENERAL REQUIREMENTS

17.1 Only one secondary suite may be developed in conjunction with a principal dwelling unit.

17.2 A secondary suite shall not be subdivided from the principal dwelling unit.

17.3 A secondary suite consisting of a single bedroom shall provide a minimum of one parking space, while units with 2-bedrooms or more shall provide a minimum of two parking spaces.

SECONDARY SUITES (within principal dwelling unit)

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

17.5 A secondary suite shall have a separate entrance from the principal dwelling unit, either directly from the exterior of the building or from a common indoor landing.

17.6 A secondary suite shall have facilities for sleeping, sanitation and food preparation that are physically separate from those of the principal dwelling unit.

17.7 In the case of a secondary suite located completely below the first storey of a single-unit dwelling, the floor area shall not exceed the floor area of the first storey of the associated principal dwelling unit (excluding stairways).

17.8 In the case of a secondary suite developed completely or partially above grade, the floor area shall not exceed 40 percent of the total floor area above grade of the building containing the associated principal dwelling unit.

SECONDARY SUITES (detached)

17.9 A secondary suite located on a corner lot shall not take access from the street but shall instead share the principal front access or take access from the lane, unless otherwise approved by the Development Authority.

17.10 A secondary suite shall be situated to the rear of the principal dwelling unit and oriented so as to clearly indicate its subordinance to the principal dwelling unit.

17.11 If a secondary suite is attached to a garage, the entrance to the suite shall be separate from that of the garage, either via direct access from the exterior or from a common indoor landing.

17.12 A secondary suite shall be situated no closer than 3.1 m (10 ft) to the principal dwelling unit.

17.13 A secondary suite shall have full utility services through service connections from the principal dwelling, or, at the discretion of the Development Authority, independent service connections, at the cost of the developer.

17.14 In order to preserve the privacy of adjacent properties the following design measures shall be integrated to the satisfaction of the Development Authority:

(a) placement of larger windows in such a way that limits overlook into neighbouring properties;

(b) translucency (i.e. allowing the transport of light but not to the extent where image formation can be realized) of windows where appropriate;

(c) placement of balconies on a backyard suite to face the rear lane or the larger side yard; and

(d) balconies shall not project into a required setback.

SECTION 18 HOME OCCUPATIONS

18.1 Home occupations are defined and divided into categories as follows:

HOME OCCUPATION 1

(a) the use involves phone and office or equivalent low-intensity operation only;

(b) the use involves no outdoor storage;

(c) there is no display of goods on the exterior of the residence;

(d) all sales and/or customer interaction occur off the premises; and

(e) any proposal that exceeds or doesn't clearly fit any of the criteria for a Home Occupation 1 is a Home Occupation 2.

HOME OCCUPATION 2

(a) there are no more than five (5) business related trips to the residence per day;

(b) any outdoor storage is not exposed to public view;

(c) there is a limited display proposed for the inside of the building; and

(d) number of employees, business related vehicles and equipment, parking etc. is at the discretion of the Development Authority.

GENERAL REQUIREMENTS

18.2 A home occupation shall be operated as a secondary or subordinate use to the principal residential use of the dwelling unit.

18.3 A home occupation shall not be allowed where, in the opinion of the Development Authority, the use would be more appropriately located in a commercial or industrial land use district.

18.4 No offensive noise, vibration, smoke, dust, odours, heat or glare discernible beyond the property lines shall be produced by the use.

18.5 The development permit shall be applicable only for the period of time the property is occupied by the applicant. Any permit issued is non-transferable.

18.6 A development permit may be issued temporarily in accordance Section 42 of the Administration Section.

18.7 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) one (1) sign may be approved as part of a Home Occupation 2 development permit application and shall be limited to 0.72 m2 (8 ft2) in size and attached to a window, wall or fence.

Schedule 7

COMMERCIAL / INDUSTRIAL DEVELOPMENT STANDARDS

Schedule 7

COMMERCIAL / INDUSTRIAL DEVELOPMENT STANDARDS

The following standards are applicable to commercial and industrial development.

SECTION 1 EASEMENTS

1.1 No structures shall be located within a registered easement or utility right-of-way unless allowed by the provisions of the specific document or agreement..

SECTION 2 CORNER VISIBILITY

2.1 **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 0.9 m (3 ft) and 3.0 m (10 ft) above the centre line grades of the intersecting streets in the area bounded by the property lines of such corner lots and a line joining points along the said property line 6.1 m (20 ft) from the point of intersection (see Figures 7.1 and 7.2).

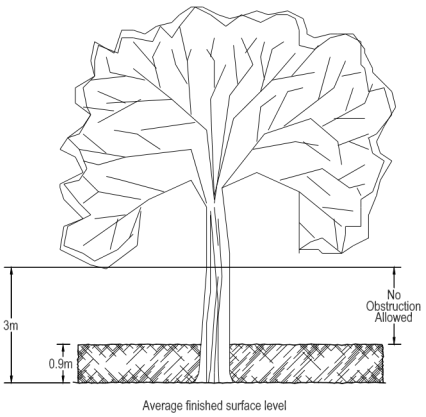


Figure 7.1

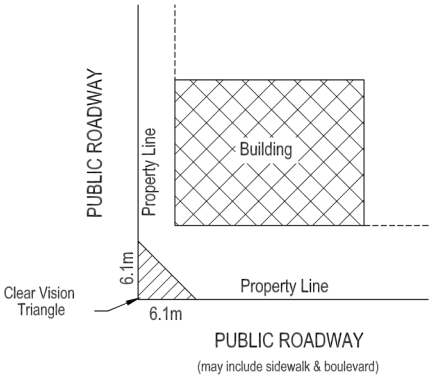


Figure 7.2

SECTION 3 FENCING

3.1 The use of razor wire is not permitted.

3.2 Fencing within a road allowance shall only be allowed where approved by the Council and reviewed on a case-by-case basis.

3.3 The use of electric or electrified fencing is permitted only upon the condition that safety signage is properly and prominently placed.

3.4 A fence shall not be erected or maintained on a property or separating adjoining properties unless it is:

(a) upright;

(b) sufficiently sturdy so as not to present a hazard of toppling or collapse; and

(c) made of materials of good quality and suitable for the purpose.

SECTION 4 RETAINING WALLS, GRADING AND DRAINAGE

4.1 The Development Authority may require:

(a) the construction of a retaining wall, including submittal of an 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.

4.2 The discharge of sump hoses into the Village's sanitary sewer system shall be prohibited.

SECTION 5 OUTDOOR DISPLAY AND STORAGE

5.1 Temporary outdoor display of goods, materials, and equipment for advertising and sale purposes may be permitted in the front yard provided the display does not present a safety hazard.

5.2 The Development Authority may impose conditions related to screening, buffering or landscaping of any outdoor display areas.

5.3 Outdoor storage areas shall not be permitted within the front yard.

5.4 Outdoor storage areas adjacent to a residential lot shall be effectively screened by an opaque fence of at least 1.8 m (6 ft) in height or other suitable screening to the satisfaction of the Development Authority.

SECTION 6 MITIGATION OF IMPACTS FROM NOISE, ODOR, VIBRATION AND AIR QUALITY

6.1 Where, in the opinion of the Development Authority, a development has the potential to create negative impacts on adjacent uses and/or nearby residential development in the form of noise, odor, vibration and/or air quality, the applicant may be required to submit a mitigation plan demonstrating how impacts will be mitigated prior to a decision being made on the application.

6.2 A mitigation plan is required as a condition of approval as well as any other measures deemed necessary by the Development Authority to mitigate impacts pursuant to subsection 6.1 above.

SECTION 7 ACCESSORY BUILDINGS

7.1 Accessory buildings shall be located at least 1.2 m (4 ft) from the principal building.

7.2 Accessory buildings shall be constructed such that eaves shall be no closer than 0.6 m (2 ft) from a side lot line or rear lot line and all drainage is conducted to the appropriate storm drain via the applicant's own property.

7.3 Accessory buildings or structures should not to be located in the front yard in relation to the principal building unless authorized by the Development Authority.

SECTION 8 MOVED-IN BUILDINGS

8.1 The building and the land upon which it is to be located shall be subject to all conditions and regulations specified for the particular land use district.

8.2 The building shall comply with all provincial and municipal health and fire regulations prior to occupancy and release of cash deposit. A report by a building inspector regarding each application shall be filed before any such application shall be considered by the Municipal Planning Commission.

8.3 The requirements of the building inspector's report shall form a part of the conditions of the development permit where required by the Municipal Planning Commission.

8.4 A limit of the time of completion and full compliance with all stipulated requirements shall be established by the Municipal Planning Commission at the time of the approval of the application.

8.5 The application should be accompanied by recent colour photographs of all elevations of the moved-in building.

8.6 The Development Authority shall require a security bond, as referred to in the current Rates, Fees and Charges Bylaw, to ensure the conditions of the development permit are met. If the cost to complete the work in the conditions of the approval is greater than the security bond, construction may be completed by the Village and additional costs may be charged against the property tax.

8.7 All moved-in buildings shall obtain any necessary building inspections, fire code requirements, and/or any municipal, provincial, or federal approvals that are necessary for the relocation of the said structure.

SECTION 9 GAS BARS, SERVICE STATIONS AND BULK FUEL STATIONS

9.1 Notwithstanding the District Regulations, a use pursuant to this section shall not be located on sites, which, in the opinion of the Municipal Planning Commission, would be considered unsafe in terms of vehicle circulation, and access and egress from the site.

9.2 **Site Area (Minimum)**

(a) Gas Bar: ¼ acre (1,012 m^2 / 10,890 ft^2)

(b) Service Station: ¼ acre (1,012 m^2 / 10,890 ft^2)

(c) Gas Bar or Service Station including Car Wash: ½ acre (2,023 m^2 / 21,780 ft^2)

(d) Where a service station or gas bar is combined with a convenience store: ½ acre (2,023 m^2 / 21,780 ft^2)

(e) Bulk Fuel Station: ½ acre (2,023 m^2 / 21,780 ft^2)

9.3 **Site and Building Requirements**

All parts of the site to which vehicles may have access shall be hard-surfaced if the property is accessed from a paved public road or lane, and drained to the satisfaction of the Municipal Planning Commission.

9.4 The maximum building coverage for a use under this section shall be 25 percent of the site area unless authorized by the Municipal Planning Commission.

SECTION 10 HORTICULTURE OR GREENHOUSES

Horticulture or Greenhouses may be permitted if they meet the requirements generally provided within this bylaw for Commercial/Industrial zones:

10.1 Only doors that can open completely without violating the minimum setback distances to property lines, roadways, rights-of-way and easements shall be permitted.

10.2 No outdoor storage is permitted on the lot unless it is screened by a minimum 1.8 m (6 ft) high opaque screening or to the satisfaction of the Municipal Planning Commission.

10.3 If the lot is directly adjacent to a residential zone, a minimum 1.8 m (6 ft) high opaque screening must be erected along the border with the residential zone unless lesser requirements are agreed to by both the Municipal Planning Commission and the adjacent residential property owner.

10.4 Greenhouse structure drawings must be approved by a qualified engineer and provided with the development application.

Schedule 8

ALTERNATIVE ENERGY

Schedule 8

ALTERNATIVE ENERGY

SECTION 1 ALTERNATIVE ENERGY

1.1 All alternative energy sources must follow the *Alberta Micro-Generation Regulation* .

1.2 Alternative energy projects shall be sized predominantly for personal consumption.

1.4 All alternative energy sources must obtain a development permit.

1.5 Roof or wall mounted solar panels (solar collector, attached) are allowed as a permitted use. Any other type of non-attached solar generation (solar collector, freestanding) is allowable as a discretionary use. Freestanding solar collectors must obtain approval from the Municipal Planning Commission with the following stipulations and any others as deemed necessary by the Municipal Planning Commission:

(a) site plan indicating the location of the development on the parcel and all buildings, structures, registered easements, or rights-of-way, dimensioned to the property lines and draw to satisfactory scale;

(b) existing and proposed parking, loading areas, abutting streets, avenues and lanes;

(c) photographs and plans of the proposed project indicating:

(i) rated kilowatt output,

(ii) safety features,

(iii) estimated life span,

(iv) specifications on the anchor and guy wire design,

(v) engineer plans prepared by a professional for units mounted or attached to a building, demonstrating that the building can support the equipment.

1.6 Alternative energy sources may include, but are not limited to:

(a) solar panels;

(b) bladeless wind turbine;

(c) blade windmill maximum 1.5 m (5 ft) blade – blades larger than 1.5 m are not permitted;

(d) geothermal conductors;

(e) any other deemed suitable by the Development Authority.

Schedule 9

CANNABIS REGULATION

Schedule 9

CANNABIS REGULATION

SECTION 1 DEFINITIONS

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

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

CANNABIS PRODUCTION FACILITY means development where medical cannabis is grown, processed, packaged, tested, destroyed, stored or loaded for shipping.

CANNABIS RETAIL STORE means a development for the retail sale of cannabis and cannabis accessories but does not include cannabis production facility. The use is defined by its separation from other uses (as defined) as follows:

(a) 25.0 m from the property line of a cannabis retail store to the property line of any residential district;

(b) 100.0 m from the property line of a cannabis retail store to the property line of a hospital or school.

SECTION 2 CANNABIS RETAIL STORE

All cannabis retail stores are subject to the following requirements:

2.1 Prior to applying for a development permit for a cannabis retail store, the applicant is required to apply to the Alberta Gaming and Liquor Commission (AGLC) for a determination of eligibility to obtain a license, and submit verification of the AGLC eligibility as part of the development application.

2.2 As part of the development application, the applicant shall demonstrate how the building location and design comply with all requirements under the *Alberta Gaming, Liquor and Cannabis Regulation*.

2.3 That the developer or applicant or owner provide copies of all approved Alberta Gaming and Liquor Commission licenses as a condition of the development permit.

2.4 The hours of operation for the business shall be limited to 10 a.m. to 5 p.m. daily.

2.5 All signage for the cannabis retail store use shall be in accordance with the *Alberta Gaming, Liquor and Cannabis Regulation*.

SECTION 3 CANNABIS PRODUCTION FACILITY

All cannabis production facilities shall meet the following requirements:

3.1 The owner or applicant must provide as a condition of development a copy of the current license for all activities associated with cannabis production as issued by Health Canada.

3.2 The owner or applicant must obtain any other approval, permit, authorization, consent or license that may be required to ensure compliance with applicable federal, provincial or other municipal legislation.

3.3 The development must be done in a manner where all of the processes and functions are fully enclosed within a stand-alone building including all loading stalls and docks, and garbage containers and waste material.

3.4 The development shall not operate in conjunction with another approved use.

3.5 The development shall not include an outdoor area for storage of goods, materials or supplies.

3.6 The development must include equipment designed and intended to remove odours from the air where it is discharged from the building as part of a ventilation system.

3.7 The development must not be within 75.0 metres of a residential or a public district, measured from the building foundation containing the use to the nearest property line of a parcel designated as a residential or a public district.

3.8 The Development Authority may require, as a condition of a development permit, a public utility and waste management plan, completed by a qualified professional that includes detail on:

(a) the incineration of waste products and airborne emissions, including smell;

(b) the quantity and characteristics of liquid and waste material discharged by the facility; and

(c) the method and location of collection and disposal of liquid and waste material.

APPENDIX A

FORMS AND NOTICES

Village of Glenwood
Development Application

FORM A

OFFICE USE ONLY

Application #: _____ Land Use Zone: _____

Received By: _____ Required Information Attached?: **Y** ☐ **N** ☐

Application Fee: _____ (Non-Refundable) Paid?: ☐

Applicant will complete the rest of the form:

I/WE hereby make application under the provisions of the LAND USE BYLAW No. 192-2019 to develop or use land and/or buildings in accordance with the plans and information submitted, which form a part of this application.

Applicant's Name: _____ Phone: _____

Street Address: _____

Mailing Address: _____

Email Address: _____

Registered Owner's Name: _____ Alt Phone: _____

(Continue on reverse side of page)

Village of Glenwood
PO Box 1084, 59 Main Avenue
Glenwood, AB, T0K 2R0

403-626-3233 (T)
403-626-3234 (F)
admin@glenwood.ca

Proposed Development

(Fill out all that apply)

Street Address (if different from above): _____

Legal Description: Plan _____ Block _____ Lot _____

Proposed Development: _____

For Principal Building: Height _____ Percentage of lot occupied _____

Setback from: Front yard _____ Rear yard _____ Side Yard _____

Square Footage:

Main Floor _____ Upper Floor _____ Basement _____ (If developed)

Garage _____ Decks _____ Other _____ (Specify)

Accessory Building 1: Height _____ Percentage of lot occupied _____

Setback from: Front yard _____ Rear yard _____ Side Yard _____

Accessory Building 2: Height _____ Percentage of lot occupied _____

Setback from: Front yard _____ Rear yard _____ Side Yard _____

Additional Application Requirements:

☐ Site Plan (two sets) ☐ Drainage Plan ☐ Building Plans (three sets)

Note: If approved development may proceed only on that portion which has been accounted for herein.

Declaration:

I hereby apply for permission to carry out the development described above and/or on the attached plans and specifications. I agree to comply with any other bylaws that are applicable. I am aware that I will be required to pay for all local improvement costs, which include drainage, sidewalks, road base preparation, street lighting, water & sewer main extensions, utility connection fees and installation cost at the established rate. I further certify that the owner of the land described above is aware and approves of this application.

_____ _____

Signature of Applicant *Date*

Village of Glenwood

Notice of Decision on Application for a Development Permit

FORM B **DEVELOPMENT APPLICATION NO.** _____

NAME: _____

ADDRESS: _____

In the matter of development of property located at _____

_____

The development as specified in Application No. _____ has been:

☐ APPROVED

☐ APPROVED subject to the following conditions:

☐ REFUSED for the following reasons:

DATE: _____ **SIGNED:** _____
Development Officer

NOTES:

1. You may appeal this decision by written notice to the Secretary of the Subdivision and Development Appeal Board within 21 days after date on which the written decision is given under section 642 of the *Municipal Government Act*.
2. A development permit becomes effective 21 days after the date it is issued, unless an appeal is lodged pursuant to section 683 of the *Municipal Government Act*. If an appeal is lodged, then a permit will only become effective upon a Subdivision and Development Appeal Board decision confirming it.
3. Approval of a development in no way removes the need to obtain any permit or approval required under any federal, provincial or municipal legislation, order and/or regulations pertaining to the development including a building permit.

Village of Glenwood

Permitted

Land Use Bylaw No. 192-2019

Development Permit

FORM C

Permit No.: _____

Applicant Permit Holder(s): _____

Development Address: _____

Land Description: _____

Mailing Address: _____

Phone No.(s): _____

This *Development Permit* is hereby issued subject to the following conditions:

1. That any outstanding permit fees owing be paid in full before commencement of construction.
2. That the construction of the development be implemented as described in the site and building plans presented at the time of application.
3. The applicant/developer must contact Alberta 1st Call (1-800-242-3447) to locate any utility lines prior to construction.
4. The development must be implemented in conjunction with the existing landscaping grades of neighboring lots. All drainage must either be retained on your property or flow street side. The developer is responsible for implementing a drainage plan to deal with the drainage issues that will or may arise from this development. NOTE: If the drainage plan fails to properly address the existing collection of storm drainage on and from this lot as determined by the Chief Administrative Officer, an alternate drainage solution is required to be implemented to the satisfaction of the Chief Administrative Officer at the developer's expense.
5. If applicable and in the interest of public safety and as required by the *Safety Codes Act*, the applicant/developer is responsible for obtaining a Building Permit and any other applicable safety codes permits (i.e. electrical, plumbing, gas). These are processed through the Safety Code Inspection Agency of your choice.
6. Refuse and garbage during construction shall be kept in appropriate containers and shall be properly screened and placed in an approved enclosure until removed for disposal. The applicant/developer is responsible for all construction waste and garbage, and is financially responsible for the clean-up of the same. Note: Those who fail this condition may be subject to a development fine, as well as associated clean-up costs.

IMPORTANT NOTE: Those who are found in violation of any of these conditions risk having this permit made null and void, thereby causing this development to be deemed illegal. All illegal developments may be subject to a stop work order, a development fine, demolition of said development at the developer's expense, or any combination thereof.

You are hereby authorized to proceed with the development specified 21 days after the date on which this permit has been issued, provided that:

a) any stated conditions are complied with,
b) the development is in accordance with the application and plans as approved, and
c) any applicable safety code permits are also acquired.

Signed: _____ Date: _____

Development Officer

TERMS APPLICABLE TO DEVELOPMENT PERMIT

CONDITIONS OF DECISION	The decision on this application applies only to the use and development described in the decision. A separate application is required for the extension or amendment of a development permit, or any other development (e.g. signs) not included in this application.
PERMIT EXPIRY	A development for which a permit has been issued must be commenced or carried out with reasonable diligence within 12 months from the date of its issuance, and completed within 24 months.
PERMIT NOT TRANSFERABLE	A development permit is valid only for the location and project for which it was issued.
PERMIT AUTHORITY	A development permit indicates that only the development to which it relates is authorized in accordance with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw or any other bylaw of the municipality or any applicable provincial or federal legislation.
OTHER PERMITS AND LICENCES	A development permit is not a building permit, plumbing permit, electrical permit, a permit to install underground or above-ground fuel tanks, a permit issued by a Public Health Inspector, or a business license. Other separate permits or licenses may be required by municipal, provincial or federal authorities.

Village of Glenwood

Discretionary

Land Use Bylaw No. 192-2019

Development Permit

FORM C

Permit No.: _____

Applicant Permit Holder(s): _____

Development Address: _____

Land Description: _____

Mailing Address: _____

Phone No.(s): _____

This *Development Permit* is hereby issued subject to the following conditions:

1. That any outstanding permit fees owing be paid in full before commencement of construction.
2. That the construction of the development be implemented as described in the site and building plans presented at the time of application.
3. The applicant/developer must contact Alberta 1st Call (1-800-242-3447) to locate any utility lines prior to construction.
4. The development must be implemented in conjunction with the existing landscaping grades of neighboring lots. All drainage must either be retained on your property or flow street side. The developer is responsible for implementing a drainage plan to deal with the drainage issues that will or may arise from this development. NOTE: If the drainage plan fails to properly address the existing collection of storm drainage on and from this lot as determined by the Chief Administrative Officer, an alternate drainage solution is required to be implemented to the satisfaction of the Chief Administrative Officer at the developer's expense.
5. If applicable and in the interest of public safety and as required by the *Safety Codes Act*, the applicant/developer is responsible for obtaining a Building Permit and any other applicable safety codes permits (i.e. electrical, plumbing, gas). These are processed through the Safety Code Inspection Agency of your choice.
6. Refuse and garbage during construction shall be kept in appropriate containers and shall be properly screened and placed in an approved enclosure until removed for disposal. The applicant/developer is responsible for all construction waste and garbage, and is financially responsible for the clean-up of the same. Note: Those who fail this condition may be subject to a development fine, as well as associated clean-up costs.

IMPORTANT NOTE: Those who are found in violation of any of these conditions risk having this permit made null and void, thereby causing this development to be deemed illegal. All illegal developments may be subject to a stop work order, a development fine, demolition of said development at the developer's expense, or any combination thereof.

There is a 21 day appeal period whereby affected individuals may appeal either the granting of this permit or conditions placed upon it. Therefore, if no appeal has been made, this permit takes effect on: _____ .

At that time you are hereby authorized to proceed with the development specified, provided that:

a) any stated conditions are complied with,
b) the development is in accordance with the application and plans as approved, and
c) any applicable safety code permits are also acquired.

If such an appeal is made then this permit shall be null and void.

Signed: _____ Date: _____
Development Officer

TERMS APPLICABLE TO DEVELOPMENT PERMIT

CONDITIONS OF DECISION	The decision on this application applies only to the use and development described in the decision. A separate application is required for the extension or amendment of a development permit, or any other development (e.g. signs) not included in this application.
APPEALS	This Permit is granted as a *Discretionary Use Permit* based on the regulations outlined in the Land Use Bylaw. Therefore, you may appeal this order to the Subdivision and Development Appeal Board according to section 685.2 of the *Municipal Government Act* (Chapter M-26). If you wish to exercise this right, then written notice of appeal with reasons and the applicable fee must be served to the Secretary of the Subdivision and Development Appeal Board, Village of Glenwood Office, PO Box 1084, 59 Main Avenue, Glenwood, AB, T0K 2R0 within 21 days following the date of issuance of this permit.
PERMIT EXPIRY	A development for which a permit has been issued must be commenced or carried out with reasonable diligence within 12 months from the date of its issuance, and completed within 24 months.
PERMIT NOT TRANSFERABLE	A development permit is valid only for the location and project for which it was issued.
PERMIT AUTHORITY	A development permit indicates that only the development to which it relates is authorized in accordance with the provisions of the Land Use Bylaw and in no way relieves or excuses the applicant from complying with the Land Use Bylaw or any other bylaw of the municipality or any applicable provincial or federal legislation.
OTHER PERMITS AND LICENCES	A development permit is not a building permit, plumbing permit, electrical permit, a permit to install underground or above-ground fuel tanks, a permit issued by a Public Health Inspector, or a business license. Other separate permits or licenses may be required by municipal, provincial or federal authorities.

Village of Glenwood

Notice of Municipal Planning Commission Meeting

FORM D **APPLICATION NO.** _____

Notice is hereby given that an application is being made for a development permit with regard to the following:

NAME OF APPLICANT:

TYPE OF DEVELOPMENT:

LEGAL DESCRIPTION OF SITE:

PLACE OF MEETING: _____

TYPE OF MEETING: _____

DATE OF MEETING: _____

Any person affected by the said proposal has the right to present a written brief prior to the hearing and/or to be present and be heard at the meeting.

Persons requesting to be heard at the meeting shall submit a written request to be heard to the Village of Glenwood not later than:

_____

DATE: _____ SIGNED: _____

Development Officer
Village of Glenwood

Village of Glenwood
Application for Time Extension

FORM E **APPLICATION NO.** _____

I/We _____ being the registered owner

or person authorized to act on behalf of the registered owner with respect to:

Application No. _____

For: _____

Located on (legal description): _____

_____

Do hereby agree to a time extension of: _____ days, until _____

on the understanding that if a decision has not been made by this time, I may deem the application refused and appeal to the Subdivision and Development Appeal Board in accordance with the provisions of the *Municipal Government Act*.

DATE: _____ _____

Signature of Registered Owner/Person Acting on behalf of:

_____

Signature of Witness

DATE: _____ _____

Signature of Development Officer – Village of Glenwood

_____

Signature of Witness

Village of Glenwood

STOP ORDER

FORM F **APPLICATION NO.** _____

TO THE REGISTERED OWNER: _____

ADDRESS: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

Quarter_____ Section_____ Township _____ Range _____

PLEASE TAKE NOTICE that in accordance with the *Municipal Government Act*, section 645, you are HEREBY ORDERED TO:

_____

_____

_____

_____

_____

_____

BE ADVISED that pursuant to sections 557 and 566 of the *Municipal Government Act*, a person who contravenes an order under section 645, is guilty of an offense and is liable to a fine of not more than $10,000 or to imprisonment for not more than one year, or to both fine and imprisonment; and be FURTHER ADVISED that pursuant to section 685 of the *Municipal Government Act*, you may appeal this order to the Subdivision and Development Appeal Board. If you wish to exercise this right, then written notice of appeal with reasons and the applicable fee must be served to the Secretary of the Subdivision and Appeal Board, Village of Glenwood Office, PO Box 1084, 59 Main Avenue, Glenwood, AB, T0K 2R0 within 21 days following the date of issuance of this notice.

DATE: _____ **SIGNED:** _____

Development Officer
Village of Glenwood

Village of Glenwood

Application for a Land Use Bylaw Amendment

FORM G **APPLICATION NO.** _____

APPLICANT: _____

ADDRESS: _____

REGISTERED OWNER: _____

ADDRESS: _____

EMAIL ADDRESS: _____

LEGAL DESCRIPTION: Lot(s) _____ Block _____ Plan _____

Quarter_____ Section_____ Township _____ Range _____

PROPOSED AMENDMENT:

FROM: _____

TO: _____

APPLICANT'S SUBMISSION:

Please state your reasons for applying for this amendment. Attach a separate sheet if necessary.

_____

_____

REGISTERED OWNER OR PERSON ACTING ON BEHALF OF:

I certify that I am the registered owner or that the registered owner(s) of the land described above is aware of this application.

Fees Submitted $ _____

Receipt No. _____

DATE: _____ **SIGNED:** _____

Applicant

APPENDIX B

TELECOMMUNICATION ANTENNA SITING PROTOCOL EXCLUSION LIST

APPENDIX B

TELECOMMUNICATION ANTENNA SITING PROTOCOL EXCLUSION LIST

Industry Canada has determined that certain antenna structures are considered to have minimal impact on the local surroundings and do not require consultation with the Land Use Authority or the public. The following excerpt from Industry Canada's publication, "Radiocommunication and Broadcasting Antenna Systems CPC-2-0-03" lists the types of antenna installations exempted from the requirement to consult with the local land use authority and the public. The installations listed are therefore excluded from Schedule 5 Section 7, Telecommunication Antenna Siting Protocol in the Village of Glenwood Land Use Bylaw.

Section 6. Exclusions

For the following types of installations, proponents are excluded from the requirement to consult with the land use authority and the public, but must still fulfill the General Requirements outlined in section 7 [of CPC-2-0-03]:

- maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;
- addition or modification of an antenna system (including improving the structural integrity of its integral mast to facilitate sharing), the transmission line, antenna-supporting structure or other radio apparatus to existing infrastructure, a building, water tower, etc. provided the addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height;
- maintenance of an antenna system's painting or lighting in order to comply with Transport Canada's requirements;
- installation, for a limited duration (typically not more than 3 months), of an antenna system that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during the emergency, and is removed within 3 months after the emergency or special event; and
- new antenna systems, including masts, towers or other antenna-supporting structure, with a height of less than 15 metres above ground level. Individual circumstances vary with each antenna system installation and modification, and the exclusion criteria above should be applied in consideration of local circumstances. Consequently, it may be prudent for the proponents to consult the Land Use Authority and the public even though the proposal meets an exclusion noted above. Therefore, when applying the criteria for exclusion, proponents should consider such things as:
    - the antenna system's physical dimensions, including the antenna, mast, and tower, compared to the local surroundings;
    - the location of the proposed antenna system on the property and its proximity to neighbouring residents;

- the likelihood of an area being a community-sensitive location; and
- Transport Canada marking and lighting requirements for the proposed structure. Proponents who are not certain if their proposed structure is excluded, or whether consultation may still be prudent, are advised to contact the land-use authority and/or Industry Canada for guidance.

APPENDIX C

FEE SCHEDULE

APPENDIX C

FEE SCHEDULE (AS PER RATES, FEES & CHARGES BYLAW)

1. The following fees shall accompany all applications for developments made with respect to this Land Use Bylaw:

   (a) **Residential**

   - single-unit dwelling ..... $100 .00
   - garages ..... $50 .00
   - modular/manufactured homes ..... $100 .00
   - residential additions ..... $100 .00
   - multi-unit dwelling (per unit) ..... $100 .00
   - special residential uses including half-way houses, group homes day care, nursing homes, etc. ..... $100 .00
   - decks, carports ..... $50 .00

   (b) **Commercial**, including government office buildings

   - all commercial buildings ..... $300 .00
   - car lots, trailer sales, parking garages, etc. ..... $300 .00

   (c) **Industrial**

   - all industrial and warehouse buildings ..... $300 .00

   (d) **Miscellaneous**

   - all public service buildings .....$300 .00
   - Land Use Bylaw amendments (per title) $500.00
   - request to convene a special meeting of the Subdivision and Development Appeal Board or the Municipal Planning Commission $300.00
   - appeal to the Subdivision and Development Appeal Board (of which $150.00 will be refunded if appeal is successful).....$300.00

2. Whenever an application is received for a development for a use not listed in this schedule, the amount of the fee shall be determined by consulting the current Village of Glenwood Rates, Fees and Charges Bylaw. In the event the required fee is not listed in the current Rates, Fees and Charges Bylaw, the fee shall be determined by the Development Authority and shall be consistent with those fees listed herein for similar developments.

3. Whenever, in the opinion of the Development Officer, an application is substantially revised after it has been submitted, the applicant shall pay a supplementary fee equal to 50 percent of the initial application fee. Such a supplementary fee shall not be required if changes suggested by the Development Authority resulted in the revisions.

4. Where a development has been commenced prior to a development application being approved, or where a stop order has been issued pursuant to the Land Use Bylaw, the fee for any subsequent application for that development shall be twice the amount specified in this schedule for that use.

5. The Development Authority reserves the right to waive any of the above-noted fees given the circumstances associated with the development application.

APPENDIX D

LAND USE DISTRICTS MAP