

Bylaw 10:2012

**VILLAGE OF FORESTBURG
PROVINCE OF ALBERTA**

A bylaw of the Village of Forestburg to regulate the development and use of land and buildings.

Pursuant to part 17 of the Municipal Government Act, and having advertised and held a public hearing as required by the Act, the Council of the Village of Forestburg enacts Bylaw 10:2012, Land Use Bylaw as stated in the attached document.

This bylaw comes into effect on the date of third reading.

READ A FIRST TIME this 24th day of October, 2012.

READ A SECOND TIME this 13th day of December, 2012.

READ A THIRD TIME this 13th day of December, 2012.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

Amendments to Bylaw 10:2012 Land Use Bylaw

Bylaw 7:2018	Section 105 and addition of Sections 801A and 801B regarding Cannabis Product and retail sales
Bylaw 4:2017	Part 9 Section 901 Amends affecting Sections 901 through 906 and addition of Section 901A Regulations Applied to All Residential Land Use Districts
Bylaw 5:2016	Fence and Deck Replacement added to Section 302 – Development Not Requiring a Development Permit
Bylaw 5:2015	Add Automotive Body Shops and Paint Shops as a Discretionary Use to C1 Central Commercial
Bylaw 1:2015	Plan 3012BO; Block 2; Lot 12 rezoned to C1 Central Commercial
Bylaw 5:2014	Section 901 New Land Use District RE2 Residential Estate 2 and addition of Section 914

VILLAGE OF FORESTBURG

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VILLAGE OF FORESTBURG

Bylaw 7:2012

A bylaw to regulate the development and use of land and buildings

Pursuant to Part 17 of the Municipal Government Act, the Council of the Village of Forestburg, duly assembled, hereby enacts as follows.

Part 1: General

101 TITLE

101.1 This Bylaw may be cited as the Village of Forestburg Land Use Bylaw.

102 PURPOSE

102.1 The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the Village of Forestburg to achieve the orderly and economic development of land, and for that purpose, among other things,

102.1.1 to divide the municipality into districts,

102.1.2 to prescribe and regulate for each district the purposes for which land and buildings may be used,

102.1.3 to establish the office of Development Authority,

102.1.4 to establish a method of making decisions on applications for development permits including the issuing of development permits,

102.1.5 to prescribe a procedure to notify owners of land likely to be affected by the issue of a development permit,

102.1.6 to establish a procedure for appeals against the decisions of the Development Authority, and

102.1.7 to meet the requirements of Part 17 of the Municipal Government Act.

103 EFFECTIVE DATE

103.1 This Bylaw comes into force and takes effect upon the date of its third reading.

103.2 Bylaw 8:2011 as amended is hereby repealed.

103.3 A condition attached to a development permit, an action started, or an agreement made under Bylaw 2:2009 or its predecessors continues under this Bylaw.

104 OTHER LEGISLATIVE REQUIREMENTS

104.1 Compliance with the requirements of this Bylaw does not exempt any person from the requirements of any statutory plan.

- 104.2 Nothing in this Bylaw exempts a person from obtaining a development permit as required by this Bylaw or to obtain any other permit, license or other authorization required by this or any other Bylaw.
- 104.3 In addition to the requirements of this Bylaw, a person is required to comply with all federal, provincial and other municipal legislation.

105 DEFINITIONS

In this Bylaw:

Abut or abutting means immediately contiguous to or physically touching, and when used in respect of a lot, means that the two abutting lots share a property line.

Accessory building means a building or structure separate and subordinate to the main building, the use of which is incidental to that main building and is located on the same lot.

Accessory use means a use customarily incidental and subordinate to the main use or building and located on the same lot with such main use or building.

Act means the Municipal Government Act, RSA 2000 and the regulations pursuant thereto.

Adjacent land or lot means property that abuts a lot or which would abut if it were not for an intervening highway, road, lane, or public utility lot.

Agriculture means all forms of farming except for intensive livestock facilities.

Apartment building means a building containing at least three separate dwellings which share a common entrance from outside the building.

Applicant means an owner, agent or any person, firm, or company required to obtain or having applied for a development permit.

Bed and breakfast establishment means a business operated in a private house in which up to three rooms within the house are made available for rent to short-term paying guests. This does not include a hotel, motel, boarding or lodging house, or restaurant, as defined herein.

Billboard means a freestanding sign attached permanently and securely to the ground, engineered and maintained to the satisfaction of the Development Authority.

Board means the Village of Forestburg's Subdivision and Development Appeal board.

Boarding or Lodging House means a private house that provides accommodations and meals for paying guests.

Buffer means an area where development is restricted by a row of trees, shrubs, fencing or other similar means to provide visual screening and separation between sites, incompatible land uses, roadways or districts.

Building means anything constructed or placed on, in, over or under land but does not include a highway or a public roadway or a bridge forming part of a highway or public roadway.

(Bylaw 7:2018)

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

“Cannabis Accessory” shall mean cannabis accessory as defined in the Cannabis Act (Canada) and its regulations, as amended from time to time.

“Cannabis Retail Sales” means a development used for the retail sale, promotion, storage, distribution or dispensing of cannabis or cannabis derived products. Incidental uses may include the sale of associated consumer products.

Church means a building used as a place or worship by any religion.

Conventional construction means a building constructed on site using conventional building materials and construction methods, and includes construction using pre-built panels, sections, and trusses, but excludes manufactured houses as defined in this Bylaw.

Council means the duly elected Council of the Village of Forestburg.

Day care facility means a building and program for the provision of care, maintenance, and supervision for children under the age of 15 years, by a person not related to the children by blood or marriage, for periods of less than 24 consecutive hours.

Detached residence or house means a building which contains one dwelling unit and which may also contain one secondary suite.

Development has the meanings listed in Section 616 of the Act:

- i) an excavation or stockpile and the creation of either of them,
- ii) a building or an addition to or replacement or repair of a building and the construction or placing of any of them on, in, over or under land,
- iii) 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
- iv) 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, and also includes demolition.

Development Authority means a development authority established pursuant to the Act and may include one or more of the following: a Designated Officer, a municipal planning commission, an inter-municipal planning commission, or any other person or organization that has been authorized to exercise development powers on behalf of the municipality.

Development Permit means a document issued under this bylaw authorizing development.

Discretionary use means the use of land or a building provided for in this Bylaw for which a development permit **may** be issued upon an application having been made, and against which an appeal may be made by an affected person.

District means Land Use District.

Duplex means a building containing two dwelling units, sharing a common wall, with separate outside entrances for each dwelling unit. This definition does not include a detached house with a secondary suite.

Dwelling unit means a self-contained living premises with cooking, eating, living, sleeping, and sanitary facilities intended as a permanent residence and having an independent entrance either directly from the outside of the building or through a common area inside the building.

Fence and screening means a vertical physical barrier constructed to prevent visual intrusions, unauthorized access, or to provide sound abatement. A fence includes hedges.

Front of a lot means, in the case of a corner lot, the shorter side.

Front yard means that portion of the site extending across the full width of the lot from the front property boundary of the lot to the minimum setback of the principal building as declared in the respective Land Use District, and shall be measured at right angles to the front property boundary.

Garage means an accessory building or part of the principal building designed and used primarily for the storage of non-commercial motor vehicles.

Grade of a lot means the average elevation of the lot corners.

Group care facility means a facility which provides continuing residential services to seven or more individuals, one or more of whom are unrelated, and who require supervision because of their age, disability, or need for rehabilitation, and where qualified staff are present at all times.

Group home means group care facility which provides accommodation for six or less people, but does not include a foster home, day care facility, or family day home.

Hard surfacing of a parking stall means asphalt, concrete, stone, gravel or other all-weather surface treatment.

Height (of a building) means the vertical distance from grade level to the highest point on the roof of the building, but excluding chimneys and aerials.

Home business means a business, trade, craft, occupation, storage activity, or other commercial operation in a residence or accessory building on that site, on a scale greater than a home office, and carried on by the resident of that site, and does not include the repair of motor vehicles.

Home office means an office in a residence which

- i) is not visited by a significant number of clients,
- ii) does not change the external appearance or residential character of the residence or yard; and,
- iii) is carried on only by the residents of that residence.

Hotel means a building designed for the accommodation of the travelling and vacationing public containing guestrooms served by a common entrance as well as general kitchen and dining or other public rooms.

Livestock means domestic animals, such as cattle or horses, raised for home use or for profit.

Lot means an individual lot or parcel or bare land condominium unit for which a title has been issued, or, where two or more lots are "tied" for assessment purposes, or are included in a single title, the area encompassed by the two or more lots.

Main building means a building in which is conducted the main or principal use of the lot on which it is erected, and includes a garage attached to a house.

Manufactured house or home means a new residential building containing one dwelling unit, built in a factory and transported in one or more sections to a suitable site, and does not include "ready-to-move (RTM) home" or "mobile home" or "modular home". The term *manufactured home* has replaced the former term *mobile home*. A manufactured home is typically long and narrow, with a low roof pitch and narrow eaves and is not permanently installed on a foundation.

Modular house or home means a new residential building containing one dwelling unit, but it may include a secondary suite where this is allowed in Part 9 of this Bylaw. Modular homes are built in a factory and transported to a site to be permanently installed on a foundation, and appear indistinguishable in design and finish from a site-built house. The term *modular home* does not include *manufactured home*, *mobile home*, or *RTM*.

Mobile home means a detached dwelling unit built in a factory in one or two sections and designed to be readily moved, and does not include *manufactured home*, *modular home*, or *RTM*. Mobile homes, at one time commonly referred to as trailers, are no longer built in Alberta.

Motel means a building or a group of buildings designed for the accommodation of the travelling or vacationing public containing guestrooms served by separate entrances.

Municipal Development Plan means a plan adopted under Section 632 of the Act.

Municipality means the Village of Forestburg.

Owner means, in addition to the meanings set out in the Act, a purchaser under an agreement for sale that is the subject of a caveat registered against the Certificate of Title of the land, and any assignee of the purchaser's interest that is the subject of a caveat registered against the Certificate of Title.

Parking stall means a hard-surfaced area at least 6 metres in length and 3 metres in width, reserved for the parking of motor vehicles.

Permitted use means the use of land or a building provided for in this Bylaw, and for which, if it complies in every way with this Bylaw, a development permit **shall** be issued with or without conditions as provided for in this Bylaw.

Portable building means a building consisting of a light frame covered by plastic, canvas, or other membrane, and normally used for storage.

(Bylaw 7:2018)

"Public Place" shall mean any place to which the public has access as of right or by invitation, express or implied, and any motor vehicle located in a public place or in any place open to public view.

RTM or Ready-to-move house or home means a house built off-site in the same manner and to the same standards as a site-built house, and then moved to the site and placed on a basement.

Rear yard means that portion of the site extending across the full width of the lot from the rear property boundary of the lot to the nearest portion of the exterior wall of the building, and shall be measured at right angles to the rear property line.

Residence means any building or structure used exclusively or primarily for human habitation and includes multiple dwellings, apartments, lodging, and boarding houses, and (unless more closely defined for the purposes of one section of the Bylaw) includes manufactured and modular homes.

Restaurant means a food establishment where food is sold or distributed in state ready for immediate consumption and that has: seating or standing room designed for food consumption by patrons; or parking space under the control of the owner provided so that a patron may consume food in a vehicle, and includes a canteen, cafeteria, dining room or similar facility provided for employees, staff or students.

Road means the entire width of the right-of-way of a road or lane shown on a township plan, road plan, or plan of subdivision, and not only the built traveling surface.

Row housing means a residential building containing at least 3 dwellings, each with direct outside access at grade.

Sea Cans means a shipping container, originally used for transporting goods, now used as an accessory building for storage.

Secondary suite means a second self-contained dwelling unit that is located within the primary dwelling unit, where both dwelling units are registered under the same land title. Secondary suites do not include garden suites, or suites above detached garages, which are not allowed in this Bylaw.

Service station means a business selling motor fuels to the public, and includes freestanding service stations, gas bars, and the fuel sales component of any automobile supply or repair business, but does not include key lock or bulk fuel sales.

Setback means the distance between the closest part of a building and the front, side, or rear property line of the lot, measured at right angles to that property line.

Side yard means that portion of the site extending from the front yard to the rear yard and lying between the side property boundary of the lot and the nearest portion of the exterior wall of the building, and shall be measured at right angles to the side property boundary.

Sign means an object or device primarily intended to advertise or call attention to any person, matter, thing, or event.

Site means the one or more lots on which a development exists or is proposed, and may include nearby lanes, boulevards, and roads on which associated development exists or is proposed.

Suite means an area within a residence which provides a self contained living area with its own cooking and washing facilities.

Temporary building means a building which will be removed within a year of its being erected. Note that this definition is not the same as that in the Alberta Building Code.

Use means a use of land or a building as determined by the Development Authority or on appeal by the Subdivision and Development Appeal Board.

Utility building means a building in which a utility company houses any equipment used in connection with the utility, but excludes offices.

Yard means the open space between the outside wall of the main building on a lot and the boundaries of that lot.

(Bylaw 7:2018)

“Young Person” shall mean an individual who is under 18 years of age.

All other words have the meanings assigned to them by Sections 1 and 616 of the Act, or common dictionary meanings.

106 INTERPRETATION

106.1 Units of Measurement:

106.1.1 In accordance with Alberta Land Titles practice, all areas and distances in this Bylaw are in metric measure.

106.1.2 Metric Conversions to be utilized by the reader are as follows:

◆ 1.0 metre = 3.281 feet

◆ 1.0 square metre = 10.8 square feet

◆ 1 hectare = 2.47 acres

◆ 1.0 kilogram = 2.2 lbs.

◆ 1.0 cubic metre = 220 gallons

Imperial equivalents are given as a convenience but may not be exact. In case of conflict, the metric measure shall govern.

- 106.2 Where a property boundary is also the boundary of a land use district, and the property boundary is moved by subdivision, the land use district boundary follows the new property boundary.
- 106.3 Words used in the present tense include the other tenses and derivative forms. Words used in the singular include the plural and vice versa. Words have the same meaning whether they are capitalized or not.
- 106.4 The words *shall* and *must* require mandatory compliance except where a variance has been granted pursuant to the Act or this Bylaw.
- 106.5 Words, phrases and terms not defined in this part may be given their definition in existing legislation and regulations, such as the Act or the Alberta Building Code. Other words shall be given their usual and customary meaning.
- 106.6 Where a regulation involves two or more conditions or provisions connected by the conjunction *and* means all the connected items shall apply in combination; *or* indicates that the connected items may apply singly or in combination; and *and/or* indicates the items shall apply singly or in combination.
- 106.7 Any doubt as to the meaning of a word, or the boundaries of a land use district, shall be settled by a resolution of Council.
- 106.8 Roads, lanes, and other land to which no title has been issued are not included in any land use district.

107 FORMS AND FEES

- 107.1 Forms and fees referred to in this Bylaw shall be established by resolution of Council. Where no such resolution has been made under this Bylaw, the forms and fees in effect under Bylaw 11:2009 and any subsequent revisions of Bylaw 11:2009 shall be used.

108 REQUIREMENTS OF OTHER AUTHORITIES

- 108.1 A development authorized under this Bylaw is subject to provincial and federal law, other bylaws, statutory plans, intermunicipal agreements, and any easements, caveats, covenants, and other encumbrances on the title to the land in question, whether or not the development permit refers to these other requirements.
- 108.2 Nothing in this Bylaw removes the obligation of a person to obtain other permits, licences, or approvals required under other legislation.

109 SEVERABILITY

- 109.1 If any part of this Bylaw is found to be invalid, all remaining provisions remain in force and effect.

Part 2: Administration

201 DEVELOPMENT AUTHORITY

- 201.1 The office of Development Authority is hereby established and shall be filled by a person or persons appointed by resolution of Council. If no such person is appointed, the function shall be performed by the Chief Administrative Officer.
- 201.2 The Development Authority shall:
- 201.2.1 maintain a paper copy of this Bylaw as amended, and make it available to any person on a cost recovery basis,
 - 201.2.2 post a copy of this Bylaw on the municipal website in a format that can be downloaded and printed,
 - 201.2.3 maintain a register of all applications, the decisions made on them, and the reasons for those decisions, and make it available to any person at no charge,
 - 201.2.4 review and process all applications for a development permit, and make and issue a decision in accordance with this Bylaw,
 - 201.2.5 issue letters of compliance certifying whether or not a building or land use complies with this Bylaw,
 - 201.2.6 enforce this Bylaw in conformance with the Act, and
 - 201.2.7 carry out the other duties imposed by this Bylaw and the Act.
- 201.3 For the purposes of Section 542 of the Act, the Development Authority is an authorized person of the municipality.
- 201.4 In accordance with common usage, the Development Authority may also be referred to as the Development Officer.

202 SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- 202.1 The Subdivision and Development Appeal Board (SDAB) established by Council shall perform such duties as are specified in the Act.
- 202.2 At the appeal hearing the SDAB:
- 202.2.1 shall hear all those persons that it is required to hear under the Act,
 - 202.2.2 should the SDAB desire legal or technical opinions, it may adjourn the hearing pending receipt of such information, opinions or other assistance the Subdivision and Development Appeal Board as established by this Bylaw.
- 202.3 The Chairperson shall be responsible with respect to all things required to be carried out by the Board under the Act to see that they are carried out in accordance with the provisions of the Act, and;
- 202.3.1 Is empowered to rule that evidence presented is irrelevant to the matter in issue and to direct the members to disregard the evidence;

- 202.3.2 May limit a submission if it is determined to be repetitious; and
- 202.3.3 When a hearing is adjourned, but the time and place for the continuation of the hearing is not fixed, shall announce that notice of continuation of the meeting will be sent to those persons leaving their name and address with the Secretary. Thereafter, only those persons leaving their name and address shall be entitled to notice of the continuation of the hearing.
- 202.4 After hearing all submissions, the SDAB may deliberate and reach its decision in private. In arriving at its decision the majority vote of those members present shall constitute the decision of the SDAB. If the vote results in a tie, the appeal is lost.
- 202.5 The Secretary or Chairperson may make a verbal announcement of the SDAB's decision at the conclusion of the hearing of an appeal, but the verbal decision is neither final or binding on the SDAB, and no rights are conferred upon any party by the SDAB's verbal decision until written notice of the decision has been given in accordance with the Act.
- 202.6 The SDAB shall give its decision and reasons in accordance with the Act to the applicant, the appellant, and those affected persons who gave their name and address to the Secretary during the hearing.
- 202.7 The Secretary shall, under the direction of the SDAB:
- 202.7.1 Notify members of the meetings of the SDAB;
 - 202.7.2 Keep available for public inspection before the commencement of the public hearing, all relevant documents and materials respecting an appeal under the Act, including the application for the development permit or subdivision, and the appeal thereof, or the order of a Development Officer under Section 645 of the Act, as the case may be;
 - 202.7.3 Make and keep a written record of the proceedings of the SDAB which shall include:
 - 202.7.3.1 a summary of the evidence presented at the hearing;
 - 202.7.3.2 the decision of the development approving authority;
 - 202.7.3.3 the notice of Appeal and Hearing of the Appeal;
 - 202.7.3.4 the SDAB's decision, including reasons, for each appeal.
 - 202.7.4 Keep a list of names and addresses of persons who leave their names and addresses with the Secretary; and
 - 202.7.5 Keep a record of all business coming before the SDAB and after the adoption of the minutes of each meeting of the SDAB, transmit a copy of the minutes to Council.

Part 3: Scope

301 DEVELOPMENT PERMIT REQUIRED

- 301.1 No development other than that listed in the following section shall be undertaken within the municipality unless an application for it has been made and a development permit has been issued.

302 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

- 302.1 A Development Permit is not required for the following developments provided that the proposed development complies with all applicable regulations of this Bylaw:

- 302.1.1 any use of land or a building which is exempt under Sections 618 or 619 of the Act or under regulations pursuant to those sections,

(Bylaw 5:2016) A fence or a deck which is being replaced due to deterioration with the following stipulations:

302.1.1.1 Fence Replacement:

- a) The location of the fence is not changing unless it is being moved to be fully located within the owner's property lines; and,*
- b) The height of the fence to be replaced must be in compliance with current requirements.*

302.1.1.2 Deck Replacement:

- a) The size of the deck is not changing; and,*
- b) The location of the existing deck must be in compliance with current requirements.*

- 302.1.2 the continuation of a use for which a permit was issued to a former owner or occupant of land or a building,
- 302.1.3 the completion of any development which has lawfully commenced before the passage of the Land Use Bylaw or any amendment thereof, provided that the development is completed in accordance with the terms of any permit granted in respect of it, and provided that it has commenced within 12 months of the date of approval.
- 302.1.3 the use of a building or property which was authorized under a previous bylaw,
- 302.1.4 the maintenance or repair of any building, provided that such works do not include structural alterations or major works of renovation,
- 302.1.5 Internal alterations to a building, provided these alterations do not result in an increase in the number of dwelling units in the building (note that a permit under the Safety Codes Act may still be required),
- 302.1.6 landscaping and paving, provided that grades and off-site water flows are not altered,
- 302.1.7 the construction or maintenance of any utility, work, or improvement undertaken by the municipality or a utility in a street or utility lot,
- 302.1.8 a temporary building as defined by this Bylaw, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this Bylaw,
- 302.1.9 a deck with a walking surface no more than 30 cm (one foot) above grade.

302.1.10 a sign which is exempt under Section 817 of this Bylaw, and

302.1.11 New single storey buildings, not on permanent foundation, less than 10 square metres (110 sq ft) in size which are accessory to a residential use. These buildings are bound by yard and setback rules.

303 NON-CONFORMING BUILDINGS AND USES

- 303.1 If a building or land use is not allowed in this Bylaw, but was legally in existence at the date of passage of this Bylaw, it may continue legally as a non-conforming use and be maintained pursuant to Section 643 of the Act, but it may not be enlarged or replaced except pursuant to this Bylaw.

Part 4: Development Permits

401 APPLICATION FOR A DEVELOPMENT PERMIT

- 401.1 An application for a development permit shall be made to the Development Authority in writing on the appropriate form, signed by the owner or his authorized agent, and shall be accompanied by:
- 401.1.1 a statement of the former, present, and proposed use of a lot and any buildings on it,
 - 401.1.2 the legal description and municipal address,
 - 401.1.3 a site plan drawn to scale and showing:
 - 401.1.3.1 the boundaries of the lot,
 - 401.1.3.2 the adjacent streets and lanes,
 - 401.1.3.3 the locations of existing and proposed buildings and any roof overhangs,
 - 401.1.3.4 any front, rear, and side yards setbacks,
 - 401.1.3.5 access and egress points to the site,
 - 401.1.3.6 provision for off-street loading and vehicle parking,
 - 401.1.3.7 all easements and utilities and the proposed connections to utilities,
 - 401.1.3.8 existing and proposed fire hydrants, and
 - 401.1.3.9 existing and proposed site grading, drainage, and landscaping.
 - 401.1.4 the estimated commencement and completion dates of any construction,
 - 401.1.5 in the case of a manufactured home, its CSA number or other unique identifier,
 - 401.1.6 the estimated cost of the project or contract price, and
 - 401.1.7 the appropriate fee.
- 401.2 The Development Authority **may** also request:
- 401.2.1 drawings and sections of the proposed building with details of the finish of the building and the landscaping of the lot,
 - 401.2.2 a real property report drawn by an Alberta Land Surveyor, if there is any doubt as to the boundaries of the lot,
 - 401.2.3 engineering and other reports to prove the safety and suitability of the site for the purpose intended, including a declaration that the site is free from contamination,
 - 401.2.4 a copy of the current title to the lot, and
 - 401.2.5 any other information which he deems necessary to make an informed decision on the proposed development.
- 401.3 An application for a development permit is not complete, and the time available to the Development Authority to make a decision under Section 404 of this Bylaw does not commence until the items listed above have been supplied.
- 401.4 Pursuant to Section 640(5) of the Act, when an application for a development permit or change of land use designation has been refused, the Development Authority may refuse to accept another application on the same property and for the same or similar use of the land by the same or any other applicant for six (6)

months after the date of previous refusal, unless the circumstances have changed sufficiently to warrant otherwise.

402 DIRECT CONTROL DISTRICTS

- 402.1 If a proposed subdivision or development in a Direct Control district is consistent with the Municipal Development Plan and other written municipal policies, the Development Authority may approve the application, with or without conditions.
- 402.2 In all other cases, a proposed development in a Direct Control district shall be referred to Council for a decision.

403 PUBLIC CONSULTATION PRIOR TO DECISION

- 403.1 Before deciding on an application for a development permit for a discretionary use, or before relaxing or waiving or interpreting any part of the Bylaw, the Development Authority may at his discretion consult the owners of nearby land by mail or by advertising in the local newspaper, and if the neighbouring landowners reply within fourteen (14) days, the Development Authority shall consider their comments and recommendations before issuing a development permit.

404 DECISION BY THE DEVELOPMENT AUTHORITY

- 404.1 Subject to Section 402 of this Bylaw, the Development Authority shall decide on all applications for a development permit.
- 404.2 The Development Authority shall decide upon an application for a development permit within forty (40) days of receiving a complete application.
- 404.3 An applicant for a development permit may authorize the Development Authority, in writing, to take a longer period of time to make a decision.
- 404.4 An application for a development permit may, at the option of the applicant, be deemed to be refused when a decision is not made on it by the Development Authority within forty (40) days after receipt of the application by the Development Authority, and the applicant may appeal as if the application had been refused.
- 404.5 In the case where a proposed specific use of land or a building is not provided for in any district in this Bylaw, the Development Authority may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that district in Part 9 of this Bylaw, and approve it.
- 404.6 Consistent with Section 640(6) of the Act, the Development Authority may approve an application for a development permit, notwithstanding that the proposed development does not comply with this Bylaw if in his opinion, the proposed development would not:
 - 404.6.1 unduly interfere with the amenities of the neighbourhood, or
 - 404.6.2 materially interfere with or affect the use, enjoyment, or value of neighbouring land, and
 - 404.6.3 the proposed development conforms with the use prescribed for the land or building in this Bylaw,

and this power extends to nonconforming buildings pursuant to Section 643(5)(c) of the Act.

- 404.7 The Development Authority may at his discretion relax any required setback by up to 50%, and any required lot size or building size by up to 20%.
- 404.8 If the amount of the relaxation under Section 404.7 is not more than 10%, the relaxed dimension or area is deemed to meet the requirements of this Bylaw, and the relaxation need not be advertised.
- 404.9 If the amount of the relaxation under Section 404.7 is more than 10%, the relaxation is deemed to be an exercise of discretion and must be advertised under Section 408 of this Bylaw.
- 404.10 The Development Authority may approve an application unconditionally, or impose conditions considered appropriate, either permanently or for a limited period of time, or refuse the application.
- 404.11 The Development Authority may refuse to issue a development permit for an accessory building if no main building exists on the lot.
- 404.12 When the Development Authority refuses an application for a development permit, the decision shall contain reasons for the refusal.
- 404.13 The Development Authority may issue a letter of compliance for a building despite it having insufficient setbacks if in his opinion it is consistent with Section 404.6 of this Bylaw.

405 CONDITIONS ATTACHED TO DEVELOPMENT PERMITS

- 405.1 The Development Authority may issue a development permit subject to the condition that the applicant:
 - 405.1.1 amends the proposal to conform with this or other bylaws, or with any easement, caveat, covenant, or other instrument registered on the title to the land,
 - 405.1.2 pays an off-site levy or redevelopment levy imposed by bylaw,
 - 405.1.3 services the site with utilities, or enters into an agreement with the municipality to do so,
 - 405.1.4 registers an easement to protect a utility line,
 - 405.1.5 fences the site during construction,
 - 405.1.6 repairs any municipal improvements that may be damaged as a result of the development,
 - 405.1.7 submits a real property report when the footings have been poured, but before starting work on the building above grade (but this shall be required only if there is a reasonable doubt as to the location of the footings relative to the property lines),
 - 405.1.8 finishes a building or landscapes or paves a lot, within a stated period of time,
 - 405.1.9 grades a lot to the satisfaction of the municipality,
 - 405.1.10 landscapes a lot to a standard which is compatible to the standards set by surrounding properties.
 - 405.1.11 supplies parking to meet the requirements of this Bylaw,
 - 405.1.12 registers a restrictive covenant concerning architectural controls and landscaping,
 - 405.1.13 meets other requirements of this Bylaw or other municipal bylaws and policies, or

- 405.1.14 deposits cash, a letter of credit, or a performance bond guaranteeing that any of the above conditions are met.

406 ISSUANCE OF DEVELOPMENT PERMITS

- 406.1 A development permit does not come into effect until fourteen (14) days after the date of issue.
- 406.2 If a valid appeal is made pursuant to this Bylaw, a development permit which has been granted shall be suspended until the appeal has been determined.
- 406.3 A decision of the Development Authority on an application for a development permit shall be given in writing, and a copy of it shall be sent to the applicant and to any person who has expressed an interest in the matter.

407 CANCELLATION OF A DEVELOPMENT PERMIT

- 407.1 If the development authorized by a permit is not commenced within six (6) months and completed within twelve (12) months from the date of issue, and carried out with reasonable diligence, the permit expires, unless an extension has previously been granted by the Development Authority.
- 407.2 If a development permit was issued in error, or was obtained through misrepresentation, the Development Authority may revoke it by sending a notice to the applicant by registered mail or by hand delivery.

408 NOTICE OF DECISION

- 408.1 When a permit has been granted for a discretionary use or pursuant to Sections 404.5 to 404.9 of this Bylaw, the Development Authority:
 - 408.1.1 shall immediately mail a notice in writing to the registered owners of all land within sixty (60) metres of the proposed development, and to any other person who may, in his opinion, be affected, and
 - 408.1.2 shall immediately post a notice of the decision conspicuously on the property for which the application has been made,
 - 408.1.3 may immediately publish in a newspaper circulating in the municipality a notice stating the location of the property for which the application has been made and the use approved, and

the notice shall set out the rights of persons to appeal against the issue of the development permit.

409 RETURN OF SECURITY DEPOSIT

- 409.1 A security deposit made under Section 405.1.14 of this Bylaw shall be returned to the applicant, less any deduction to pay for damages or shortfalls, once the work has been completed to the satisfaction of the municipality.

Part 5: Appeals

501 APPEAL PROCEDURE

- 501.1 An appeal against a decision (or failure to make a decision) by the Development Authority may be made by any person claiming to be affected, and shall be launched by filing notice, with the appropriate fee, with the Secretary of the Subdivision and Development Appeal Board within fourteen (14) days of the date of the decision.
- 501.2 If an appeal is launched by a person other than the applicant, the Development Authority shall immediately advise the applicant that all construction must cease until the appeal has been heard.
- 501.3 In advertising, hearing and determining an appeal, the Board shall follow the procedure set out in Sections 685 to 687 of the Act.
- 501.4 In making its decision, the Subdivision and Development Appeal Board is **bound** by the uses of land set out in this Bylaw, and shall **have regard for** all other parts of this Bylaw and all statutory plans.
- 501.5 Pursuant to Section 641.4 of the Act, a decision by Council under Section 402.2 of this Bylaw may not be appealed to the Subdivision and Development Appeal Board.

502 JUDICIAL REVIEW

- 502.1 A decision of the Subdivision and Development Appeal Board, and a decision of Council under Section 402.2 of this Bylaw, is final and binding on all persons subject only to an appeal upon a question of law or jurisdiction pursuant to Section 688 of the Act.

Part 6: Contravention and Enforcement

601 CONTRAVENTION

- 601.1 No person shall contravene this Bylaw by commencing or undertaking a development, use or sign that is not permitted under this Bylaw.
- 601.2 No person shall authorize or do any development that is at variance with the description, specifications or plans that were the basis for issuing a development permit under this Bylaw.
- 601.3 No person shall contravene a condition of a permit issued under this Bylaw.
- 601.3 If the Development Authority finds that a development or use of land or buildings is not in accordance with the Act, a development permit or subdivision approval, or this Bylaw, he may proceed under Sections 541 to 556 and/or Sections 645 and 646 of the Act.

602 STOP ORDER

- 602.1 If the Development Authority finds that a development, land use or use of a building is not in accordance with the Act, this Bylaw, a development permit or subdivision approval, the Development Authority may issue a written Stop Order to the owner, the person in possession of the land or building, or other person responsible for the contravention, or all or any of them to:
 - 602.1.1 Stop the development or use of the land or building in whole or part as directed by the notice;
 - 602.1.2 Demolish, remove or replace the development; or
 - 602.1.3 Carry out any other actions required by the notice so that the development or use of the land or building complies with the Municipal Government Act or this Bylaw, a development permit or a subdivision approval within the time set out in the notice.
- 602.2 A person may appeal a Stop Order to the Subdivision and Development Appeal Board.
- 602.3 If a person fails or refuses to comply with a Stop Order, the Village may, in accordance with Section 542 of the Municipal Government Act, enter upon the land or building and take such action as is necessary to carry out the order.
- 602.4 The Village may register a caveat with respect to the Stop Order in the Land Titles Office.
- 602.5 If the Village takes action to carry out a Stop Order the Village shall cause the costs and expenses incurred in doing so to be placed on the tax roll of the property concerned.

603 OFFENCES AND PENALTIES

- 603.1 Any person who:
 - 603.1.1 contravenes or fails to comply with any provision of this bylaw or any permit issued hereunder; or
 - 603.1.2 erects or places a sign in contravention of this bylaw; or
 - 603.1.3 obstructs or hinders any person in the performance of his duties under this bylaw; or
 - 603.1.4 fails to comply with any order of the Development Officer;

is guilty of an offence and is liable on a first offence to a penalty up to \$500.00 under Section 566 of the Act. The penalty for a second offence shall be \$1,500.00.

- 603.2 Where a Bylaw Enforcement Officer has reasonable grounds to believe that a person has contravened any provision of this bylaw, he may serve upon such person an offence ticket allowing the payment of the specified penalty to the Village in lieu of prosecution for the offence.
- 603.3 If a person starts construction before obtaining a development permit, the fee for the development permit shall be doubled.
- 603.4 Council may, by resolution, revise penalties for contravention of or non-compliance with the provisions of this Bylaw.

Part 7: Amendment

701 AMENDMENT

- 701.1 An applicant may apply to have this Bylaw amended by submitting the appropriate application to the Development Authority. The application for amendment must be accompanied by the following:
- 702.1.1 the consent of the owner of that land, if different from the applicant,
 - 702.1.2 a certificate of title of the land affected by the proposed development that has been issued by Land Titles within the last thirty days or other documents satisfactory to the Development Authority,
 - 702.1.3 the applicant's name address and interest in the subject property, and
 - 702.1.4 an accurate and fully dimensioned graphic representation of the subject lands affected by the proposed amendment;
 - 702.1.5 a brief written statement by the applicant providing reasons and support for the application;
 - 702.1.6 permission for right-of-entry by the Development Authority and/or other persons authorized by the Village; and
 - 702.1.7 such additional information as the Development Authority may require.
 - 702.1.8 a non-refundable application fee, as determined by resolution of Council from time to time.
- 701.2 Council may at any time, commence an amendment to this Bylaw by directing the Development Authority to initiate an application to amend the Land Use Bylaw.
- 701.3 An amendment to this Bylaw must be consistent with the Act and Regulations, the Municipal Development Plan, and any area structure plan that has been adopted by bylaw.
- 701.4 A proposal to amend this Bylaw must be advertised in the same way as a Notice of Decision as set out in Section 408 of this Bylaw.

702 THE AMENDMENT PROCESS

- 702.1 Upon receipt of a complete application, it shall be referred to:
- 702.1.1 administration for the drafting of a proposed Land Use Bylaw amendment; and
 - 702.1.2 Council for introduction and to establish a Public Hearing date.
- 702.2 A notice of the application shall be published in two (2) issues of a newspaper circulating in the municipality.
- 702.3 The notice shall also be mailed to each owner of land that is the subject of the proposed amendment, as well as all adjacent landowners. The notice shall contain:
- 702.3.1 if the amendment involves the redesignation of land to a different land use District, the legal description of the land and a map illustrating the lands in question;
 - 702.3.2 the purpose of the proposed amendment;
 - 702.3.3 the location where a copy of the proposed amendment may be inspected by the public;

- 702.3.4 the date, place and time that Council will hold a public hearing on the proposed amending Bylaw;
 - 702.3.5 an outline of the procedures to be followed by anyone wishing to be heard at the public hearing; and
 - 702.3.6 an outline of the procedures by which the public hearing will be conducted.
- 702.4 The application may be referred to any agency as deemed necessary for comment and advice.
- 702.5 Council, after considering any representations made at the public hearing; and any municipal development plan, area structure plan or area redevelopment plan affecting the application and the provisions of this Bylaw may:
- 702.5.2.1 make such changes as it considers necessary to the proposed amendment, if any, and proceed to pass the proposed amendment, or
 - 702.5.2.2 defeat the proposed amendment.
- 702.6 Where an application for an amendment has been refused by Council, the Development Authority shall refuse to accept another application on the same land for the same or similar purpose until six (6) months have passed from the date of such refusal.

703 ADDITIONAL REQUIREMENTS

- 703.1 Council may require that an area structure plan or outline plan be prepared for a proposed land use bylaw amendment, subdivision or development of six (6) or more lots within a proposed development site. These plans shall address the following issues to the satisfaction of Council:
- 703.1.1 conformity with this Plan, other statutory and non-statutory plans, if any, and the Land Use Bylaw;
 - 703.1.2 impacts on adjacent uses, environmentally sensitive areas, and recreational uses, including provision for buffers;
 - 703.1.3 detailed site plans indicating proposed land uses, setbacks from environmentally sensitive areas as applicable, existing and proposed vegetation patterns, and proposed access points to environmentally sensitive areas;
 - 703.1.4 proposed methods of water supply, sewage disposal, and storm drainage;
 - 703.1.5 access, internal circulation, and impacts on the transportation network;
 - 703.1.6 allocation of municipal and environmental reserve, if required; and
 - 703.1.7 fire safety and emergency planning.

Part 8: General Regulations

The regulations in Part 8 apply in all land use districts.

801 BOARDERS AND LODGERS

- 801.1 Boarders and lodgers are not permitted in any residence which includes a secondary suite.
- 801.2 Subject to the above, up to two boarders or lodgers may be accommodated in any residence without a development permit, but any larger number requires a permit as a discretionary use.

801A CANNABIS PRODUCTION (Bylaw 7:2018)

801A.1 Cannabis Production will not be permitted in any residential land use district

801A.2 Cannabis Production will be a discretionary use in the following districts:

M – Industrial District

801A.3 An application for a development permit for cannabis production must include proof of approval from the Government of Canada in addition to all other requirements noted in Section 401 of this bylaw.

801B CANNABIS RETAIL SALES

801B.1 Cannabis Retail Sales will not be permitted in any residential land use district.

801B.2 Cannabis Retail Sales will be a discretionary use in the following districts:

C1 – Central Commercial District

C2 – Highway Commercial District

801B.3 Location: No Cannabis Retail Sales will be permitted within 100 metres (328 feet) from any place where young people frequent including, but not limited to: schools, playgrounds, daycare centres, day homes, library, recreational facilities

No Cannabis Retail Sales will be permitted within 50 metres (164 feet) of any place of worship

No Cannabis Retail Sales will be permitted within 500 metres (164 feet) from any existing Cannabis Retail Sales outlets or liquor sales outlets

801B.4 Garbage Control: The site shall be provided with garbage receptacles that have locks to ensure that no unauthorized intrusion into the receptacles is possible. Garbage receptacles containing debris from the cannabis plants or marijuana must be stored inside a building until picked up by the appropriate authorities.

801B.5 An application for a development permit for cannabis retail sales must include proof of approval to conduct sales of recreational marijuana from Alberta Gaming and Liquor Commission in addition to all other requirements noted in Section 401 of this bylaw.

802 CONTAMINATED AND HAZARDOUS SITES

- 802.1 If it appears to the Development Authority that a site may be contaminated as a result of a former use, or if the site appears to be hazardous in any way, the Development Authority may require the applicant for a development permit to supply evidence that the site is free of contamination and suitable for the proposed use, and lacking such information, the Development Authority may refuse the application.

803 DESIGN, CONSTRUCTION, AND TREATMENT OF BUILDINGS

- 803.1 As a condition of issuing a development permit, the Development Authority may require changes to a proposed building or structure if in his opinion the design, construction, or treatment is incompatible with the neighbouring buildings, even if the proposed building is permitted by Part 9 of this Bylaw.

804 DRIVE IN BUSINESSES

- 804.1 Location: Despite their being listed as approved uses in a land use district, drive in businesses are permitted only where passing traffic will not be impeded, and traffic entering and leaving the business will not endanger pedestrians.
- 804.2 Curb cuts: Curb cuts shall be situated at a location approved by the Development Authority, and no closer than 12 metres (40 feet) to the curb intersection of two streets.
- 804.3 Hard surfacing: All parts of the site to which vehicles have access shall be hard surfaced and drained to the satisfaction of the Development Authority.
- 804.4 Parking and stacking: The lot shall be large enough to accommodate all necessary parking, and provide room for vehicles awaiting service so that they do not back up into the adjacent street.
- 804.5 Garbage control: The site shall be provided with adequate garbage receptacles, and shall be fenced to the satisfaction of the Development Authority so garbage is prevented from blowing off the site.
- 804.6 Screening: If the site is adjacent to a residence, the Development Authority may require that the site be screened to his satisfaction. Screening shall be in the form of fences, hedges, landscaped berms or other means along the property lines where such lines are coterminous with a residential property line or are adjacent to lanes that abut a neighbouring residential property. Such screening shall be at least 2.0 m (6.6 ft.) high. Length and width of the screening shall be at the discretion of the Development Authority.

805 FENCES AND SCREENING

- 805.1 A fence requires a development permit.
- 805.2 Fences shall complement the character and quality of the principal building.
- 805.2 In residential districts, no fence shall be higher than 2 metres (6.5 feet) in side and rear yards and no higher than 1 metre (3 feet) in front yards.
- 805.4 The maximum fence heights allowed in this section do not apply to swimming pools, which are governed by the Alberta Building Code.
- 805.5 Commercial/industrial buildings adjacent to residential areas must be screened by a fence of not less than 2.0 m (6.6 ft.) in height on those sides of the commercial lot abutting the residential area.
- 805.6 In the case of drive-in businesses, car washing establishments, service stations and gas bars, landscaping shall be provided and maintained to the satisfaction of the Development Authority. Solid fences shall be provided with at least 2.0 m (6.6 ft.) in height adjacent to residential areas.
- 805.7 Barbed wire may be used only:
- 805.7.1 for fences surrounding land on which the grazing of livestock is a permitted or discretionary use,
- 805.7.2 as the top strands of a fence in a commercial or industrial district, and provided the lowest strand of barbed wire is at least 1.75 metres (6 feet) above ground level,

805.7.3 where required by other legislation,

No barbed wire fences shall be permitted in residential areas.

805.8 Notwithstanding 805.2 and 805.7, a higher fence or a fence with barbed or other security features may be approved for public safety, security, privacy or buffering purposes.

805.9 No electric fence shall be constructed except as an internal cross-fence on land on which grazing of livestock is a permitted or discretionary use.

805.10 Fences shall be of a material and design acceptable to the Development Authority.

805.11 Fences constructed on a corner lot, or with a rear lane way shall comply with section 821 with regards to traffic visibility.

805.12 Unless required as part of the sale, promotion or display of the vehicle, equipment or product, all outdoor storage of vehicles, equipment, or products shall be screened from public view to the satisfaction of the Development Authority.

805.13 For bulk outdoor storage, including but not limited to auto wrecking, lumber yards, pipe storage and similar uses, where because of height of materials stored, a screen planting would not be sufficient, a fence, earth berm or combination thereof to the satisfaction of the Development Authority, shall be required.

805.14 A proposal to construct a fence that does not comply with this section shall be advertised as a discretionary use.

806 GRADING OF LOTS

806.1 No land shall be filled or raised, and no grading or drainage affecting adjacent property shall be undertaken, unless a development permit has been issued for the work.

806.2 Any lot grading and drainage must comply with the municipality's engineering standards or, if no such standards have been adopted, with good municipal engineering practice.

807 LIVESTOCK

807.1 No livestock other than normal domestic pets shall be kept in any district except UX or DC.

807.2 This section does not apply to auction marts, slaughterhouses, and veterinary clinics

808 LOADING

808.1 Where a business or a facility is likely to receive large quantities of goods, or frequent deliveries, the Development Authority may require that an off-street loading dock be provided, adequate to accommodate the expected traffic without disrupting the flow of vehicles on adjacent streets.

808.2 *Cannabis Retail Sales and Cannabis Production (Bylaw 7:2018)*

An off-street loading dock must be provided, adequate to accommodate the expected traffic without disrupting the flow of vehicles on adjacent streets.

809 MOVED IN BUILDINGS

- 809.1 A person wishing to move an existing building on to a lot shall make an application for a development permit in the usual way and shall also provide:
- 809.1.1 photographs showing all sides of the building,
 - 809.1.2 a statement from a certified building inspector of the type of construction, condition, and age of the building, and
 - 809.1.3 a statement of proposed improvements with an estimate of costs.
- 809.2 The Development Authority shall inspect the building which is proposed to be moved in, or have another qualified person do so, and in either case the expenses of such inspection, including the inspector's time, shall be paid by the applicant before any development permit is issued.
- 809.3 The Development Authority shall consider whether the building is compatible with the character of the neighbourhood in which it is proposed to be set, and may refuse a development permit if, in his opinion, the building is unsuitable.
- 809.4 The Development Authority may issue a development permit subject to such conditions as he believes necessary to bring the building up to a suitable standard prior to occupancy.
- 809.5 The Development Authority may require a letter of security and/or performance bond of up to \$5,000 to guarantee satisfactory completion of work stipulated in the Development Permit.
- 809.6 This section does not apply to new storage sheds, or to temporary buildings authorized under Section 302 of this Bylaw, or to new manufactured or RTM or modular homes being moved in to a district where they are a permitted or discretionary use.

810 OUTSIDE STORAGE IN RESIDENTIAL AREAS

- 810.1 Except as allowed in the regulations for the RMX district, no person shall keep or store in any part of a yard in a residential land use district any object or chattel which, in the opinion of the Development Authority, is unsafe, unsightly or tends to adversely affect the amenities of the district. This includes, but is not limited to:
- 810.1.1 any dismantled or wrecked motor vehicle,
 - 810.1.2 explosives, flammable liquids, toxic chemicals, diesel fuel or gasoline products,
 - 810.1.3 a loaded or unloaded commercial vehicle with a maximum weight in excess of 5500 kg, or
 - 810.1.4 any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken, and the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

811 OUTSIDE STORAGE IN NON-RESIDENTIAL AREAS

- 811.1 The Development Authority shall regulate the outside storage and display of raw materials, components, unfinished goods and waste products so that they do not reduce the enjoyment or value of adjacent properties, and in order to do this, may require that goods and materials be fenced, screened, or stored in specific locations.

812 OVERHANGS AND ENCROACHMENTS INTO YARDS

- 812.1 Structures attached to a building such as decks less than 30 cm (one foot) above grade, balconies, bay windows, chimneys, eaves, open steps, and sills may encroach into the yard setbacks as required by Part 9 of this Bylaw by the following distances:
- 812.1.1 1.5 metres (5 feet) into yard setbacks of 4 metres (13 feet) or more, and
 - 812.1.2 60 cm (2 feet) into yard setbacks of between 1.5 metres (5 feet) and 4 metres (13 feet).
- 812.2 Encroachments greater than those set out above may be allowed by the Development Authority but are deemed to be discretionary and thus appealable.
- 812.3 A deck which is attached to a main building, and which has a walking surface 30 cm (one foot) or more above grade, is deemed to be a part of the main building, and is subject to the yard, site coverage, and setback requirements for a main building set out in Part 9 of this Bylaw.
- 812.4 For multi-attached dwellings, balconies and decks may be extended to the common lot line or common wall, provided that the common wall is extended for separation or privacy.
- 812.5 No projection will be permitted if, in the opinion of the Development Authority, it may interfere with a loading space, parking area, driveway or other vehicle or pedestrian circulation or access.
- 812.6 No projection will be permitted into the side yard required for vehicular access to the rear yard, unless a minimum vertical height of 3.0 metres (9.8 feet) from finished grade to the lowest point of the projection is maintained.

813 OVERHANGS AND ENCROACHMENTS INTO ROADS

- 813.1 No sign, building, or parking stall may encroach over or onto a road unless the person responsible for the encroaching object:
- 813.1.1 has signed an encroachment agreement with the municipality, and
 - 813.1.2 where required by the municipality, maintains liability insurance naming the municipality as co-insured.
- 813.2 This section does not apply to awning and fascia signs encroaching less than 30 cm over a road.

814 SEA CANS

- 814.1 Sea Cans shall only be permitted in Highway Commercial District (C2) or Industrial Districts (M).
- 814.2 Sea Cans shall be permitted on a discretionary basis in Central Commercial Districts (C1).
- 814.3 A maximum of one (1) Sea Can may be permitted per one hectare of property.
- 814.4 A maximum of one (1) Sea Can may be permitted on properties with less than one (1) hectare.
- 814.5 Sea Cans must comply with sections 810 and 811 with regards to storage of goods.
- 814.6 Sea Cans must either be properly screened or have an exterior finish that compliments the principal building of the lot.

814.7 Modifications to Sea Cans, including but not limited to:

814.7.1 supplementary roofing; or,

814.7.2 permanent attachment to an adjacent structure, including another Sea Can; or,

814.7.3 other alterations as determined by the Development Officer;

may require a Development Permit and additional building permits.

815 SECONDARY SUITES

815.1 Secondary suites shall be restricted to single detached dwellings.

815.2 A maximum of two (2) bedrooms may be permitted per secondary suite.

815.3 A secondary suite shall comply with the Safety Codes Act or its successor.

815.4 One (1) on-site parking stall shall be provided for each bedroom to a maximum of two stalls.

815.5 A secondary suite has an entrance separate from the entrance to the primary dwelling unit, either from a common indoor landing or directly from the exterior of the structure, and may be connected by an interior door directly connecting the primary dwelling unit to the secondary suite. Exterior access to the secondary suite shall be subordinate in both size and appearance to the access of the primary dwelling unit.

815.6 The maximum number of vehicles for secondary suite occupants cannot exceed onsite parking stalls provided for the suite.

816 SEQUENCE OF DEVELOPMENT

816.1 The Development Authority may refuse to issue a development permit for an accessory use if there is no main building on a lot.

817 SERVICE STATIONS

817.1 A lot containing a service station shall have a minimum area of 1,100 square metres (12,000 square feet) and shall have a frontage of at least 30 metres (100 feet).

817.2 Fuel pumps and above-ground fuel storage tanks shall be set back at least 9 metres (30 feet) from the front and side property lines.

817.3 A development permit for a service station does not allow auto-body work, auto wrecking, or the sale of vehicles, unless this is specifically written in the development permit.

817.4 The requirements of Section 804 of this Bylaw, Drive-in Businesses, also apply to service stations.

817.5 If this Bylaw contradicts the Alberta Building Code, the Code shall govern.

818 SIGNS

818.1 General Provisions

- 818.1.1 Signs shall only be erected on sites to which their display relates.
- 818.1.2 A sign shall not obstruct the view of or be liable to be confused with an official traffic sign, signal or device or otherwise pose a potential hazard to traffic.
- 818.1.3 A sign shall not display lights which may be mistaken for the flashing lights customarily associated with danger or those used by police, fire, ambulance or other emergency vehicles.
- 818.1.4 Signs shall be designed, constructed, and maintained so they are compatible with the character of the surrounding landscape or the architecture of nearby buildings,
- 818.1.5 Signs shall not be designed, constructed or maintained so as to create a cluttered appearance.

818.2 No permit is required for a sign which:

- 818.2.1 is not visible from a public road or park, or
 - 818.2.2 is erected by a government or school authority, or
 - 818.2.3 concerns an election, or
 - 818.2.4 identifies the address or function of a building or lot on which the sign stands, or
 - 818.2.5 advertises a sale or event taking place that day, or
 - 818.2.6 offers for sale or rent the lot on which it stands, or
 - 818.2.7 advertises a business or activity taking place on that lot, or
 - 818.2.8 advertises a product, service, or commodity offered for sale or rent on that lot,
- provided the size, style, number, and location of the sign meets the requirements of this Bylaw.

818.3 A development permit is required for all signs other than those listed above.

818.4 Signs on Roads: No sign shall be placed on the right of way of a road without the approval of the municipality unless it:

- 818.4.1 is a temporary sign protected by Section 2(b) of the Constitution Act, 1982 (Canada), and
- 818.4.2 advertises an auction or garage sales taking place that day or the following day, and
- 818.4.3 advertises the adjacent property for sale

but such signs must:

- 818.4.4 not be a danger to public safety, and
- 818.4.5 be removed promptly after the election or event which is the subject of the sign,

and these signs do not require an encroachment agreement or insurance cover under Section 813 of this Bylaw.

818.5 Signs Extending beyond Property Lines

- 818.5.1 The Development Authority shall require that a sign overhanging municipal property be constructed and maintained to such a standard that it is not a hazard to people, traffic, or property.
- 818.5.2 No sign shall overhang or extend closer than 2 metres (6 feet) to the built portion of a road.
- 818.5.3 A sign overhanging a sidewalk shall have a vertical clearance of at least 2.5 metres (8 feet) above the sidewalk.
- 818.5.4 Notwithstanding 817.5.3, where a sign projects into or over a driveway or other area of vehicle movement, a minimum clearance of 4.6 metres (15 feet) above grade level shall be maintained.
- 818.5.5 Signs extending more than 30 cm (1 foot) beyond the property line into the adjacent road allowance require an encroachment agreement, and may require insurance under Section 813 of this Bylaw.

818.6 Signs in Residential Districts

- 818.6.1 Signs shall not exceed 3 square metres (32 square feet) on church property, and 1 square metre (10 square feet) on other property, and shall not be illuminated, fluorescent, or moving.
- 818.6.2 Signs advertising a home occupation or home office shall be attached to the wall of the building in which the office or occupation is carried on.
- 818.6.3 Signs advertising garage and auction sales are permitted one day before and on the actual date of the sale.
- 818.6.4 Signs shall be in good taste and compatible with the character of the neighbourhood.
- 818.6.5 No more than one sign for each of the purposes listed in Section 817.2 shall be erected on a residential lot, except where the lot abuts two or more roads; a sign may be erected facing each road.
- 818.6.6 Signs advertising commercial activities off site are not permitted.

818.7 Signs on Undeveloped Land Adjacent to Highways

818.7.1 No advertising other than

818.7.1.1 signs exempted by Section 818.2, and

818.7.1.2 billboards as defined elsewhere in this Bylaw

shall be placed within 200 metres (650 feet) of highways without the prior approval of Alberta Transportation.

818.7.2 Billboards:

818.7.2.1 A development permit for a billboard shall not be issued unless the billboard is to be located on a lot abutting any Provincial highway right-of-way subject to the approval of Alberta Infrastructure and Transportation.

818.7.2.2 A billboard sign shall not:

- be more than 3.0 metres (9.8 feet) high and not more than 6.0 metres (18.7 feet) long;
- be less than 3.6 metres (11.8 feet) above grade level;

- have a maximum height above grade of more than 6.0 metres (19.7 feet);
- have a maximum area exceeding 18.0 sq metres (194.4 sq feet);
- be less than 200 metres (650 feet) from the nearest billboard; and,
- not be located closer than 3.0 metres (10 feet) to any property line.

818.7.2.3 The land and the sites in and about where the billboards are permitted shall be at all times maintained in a neat and clean manner, free from all loose papers and rubbish. A second face may be required on the billboard where the back of the billboard is visible to pedestrian or vehicle traffic.

818.7.3 For the purposes of this Bylaw, vehicles or trailers parked for more than seven days on private land adjacent to a highway, and bearing advertising material, are deemed to be signs but not billboards.

818.8 Portable and Inflatable Signs

818.8.1 The Development Authority must not issue a development permit for a portable sign unless the sign is owned by:

818.8.1.1 The owner or lessee of the land on which it stands, or

818.8.1.2 a person holding a current business licence.

818.8.2 A portable or inflatable sign shall be installed, serviced, removed and accessed from the property on which the sign is located.

818.8.3 No more than one portable or inflatable sign may be placed on a lot for each 100 metres (325 feet) of frontage.

818.8.4 No portable sign shall be illuminated or employ any flashing or sequential lights or any mechanical or electronic device to produce or simulate motion, or be confused with traffic signs.

818.8.5 Portable signs are not permitted in residential districts.

818.8.6 A portable sign shall be stabilized but shall not use unsightly or potentially hazardous methods.

818.8.7 An inflatable sign shall be tethered or anchored and shall be touching the surface to which it is anchored.

818.8.8 An inflatable sign may be placed on a site twice within a calendar year, but not for more than thirty (30) days at a time.

818.8.9 A portable or inflatable sign shall be removed immediately on ceasing to be in use.

818.8.10 A portable or inflatable sign in use, shall at all times be maintained in good condition and, specifically shall contain lettering and signage which is secure and complete. Any damaged or missing sign must be repaired within twenty-four (24) hours of knowledge of same coming to the attention of the permit holder.

818.8.11 Council may by resolution set an annual fee to be paid in respect of every portable sign displayed in the municipality.

818.9 Public Safety

818.9.1 A sign which is not attached to a building shall be set back from a road or lane the same distance as if it were a building, unless the Development Authority is satisfied that it will not interfere with sight lines for drivers.

- 818.9.2 Notwithstanding any other part of this Bylaw, the Development Authority may refuse to issue a development permit for any sign which in his opinion would be a danger to traffic, property, or public safety.
- 818.9.3 If in the opinion of the Development Authority a sign is a danger to traffic, property, or public safety, he may demand the immediate removal of the sign, and if he is unable to identify the person responsible for the sign, he may invoke Section 542(3) of the Act, enter the property, and remove the sign.

818.10 Situations Not Covered by This Bylaw

- 818.10.1 Where this Bylaw provides no regulations governing the size, style, number, purpose, content, or location of sign, or if the regulations appear to be contradictory, a permit may be issued by the Development Authority, but the use shall be deemed a discretionary use, and shall be advertised in the usual manner, and may be appealed to the Subdivision and Development Appeal Board, which may confirm, amend, or revoke the permit.

819 SOLAR ENERGY COLLECTORS

- 819.1 Rooftop solar collector panels are a permitted use in all land use districts.
- 819.2 Solar collector panels not mounted on a roof are a discretionary use in all land use districts.
- 819.3 No development permit shall be issued for the construction or enlargement of any structure which would significantly reduce the amount of sunlight falling on any solar radiation collector which is complete or under construction at the time of application for that development permit.

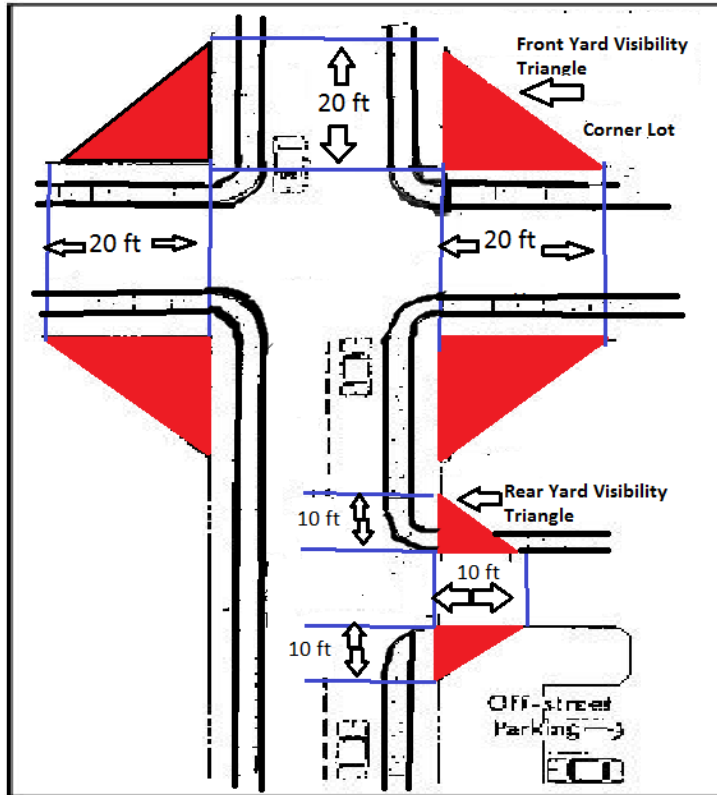
820 UTILITY BUILDINGS AND EQUIPMENT

- 820.1 The Development Authority may waive or relax siting and yard regulations where this is necessary for the efficient operation of a public utility system.

821 VISIBILITY AT CORNERS

- 821.1 The Development Authority may require the removal of any fence or vegetation if it is considered to be a hazard to traffic, either vehicular or pedestrian, because it obstructs visibility.
- 821.2 Measurement of visibility area:
 - 821.2.1 A traffic safety visibility area is a triangle measured as follows, and may include private property and/or public right-of-way.
 - 821.2.1.1 Front Yard Visibility Triangle: The visibility area shall be defined by measuring twenty (20) feet from the intersection of the front and street side right-of-way lines (i.e., edge of pavement or curb), and connecting the lines across the property.
 - 821.2.1.2 Rear Alley/Street intersections. The visibility area shall be defined by measuring ten (10) feet from the intersection of the rear and side street right-of-way lines (i.e., edge of pavement, gravel or curb), and connecting the lines

across the property.



822 WINDMILLS

822.1 Windmills are a discretionary use in all land use districts.

822.2 A windmill shall be set back from the property line by a distance equal to or greater than the overall height of the structure, including blades which extend above the top of the tower.

823 YARDS

823.1 Where a lot abuts two or more roads, the Development Authority may require that front yard setbacks be observed from more than one road.

823.2 Where land is likely to be re-subdivided in future, the Development Authority may require that any new building be located as if the subdivision was already registered, with appropriate setbacks from future property lines.

Part 9: Regulations for Land Use Districts

901 Establishment of Land Use Districts (Bylaw 4:2017)

901.1 For the purposes of this Bylaw the Village of Forestburg is divided into the following districts:

R1	Low Density Residential
R2	General Residential
RMS	Residential Manufactured Housing Subdivision
RE	Residential Estate
RE2	Residential Estate 2 (Bylaw 5:2014)
RMX	Residential Mixed Use
C1	Central Commercial
C2	Highway Commercial
M	Industrial
IPU	Institutional and Public Use
P	Park
UX	Urban Expansion
DC	Direct Control

901.2 The boundaries of the districts listed in this Bylaw are as defined in Part 10, Map of Land Use Districts.

901.3 Where uncertainty exists as to the boundaries of districts as delineated on the Map of Land Use Districts, the following rules shall apply:

901.3.1 Where a boundary is shown as following a street or lane, it shall be deemed to follow the centre line thereof.

901.3.2 Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.

901.3.3 Where land use districts have been established in accordance with a proposed subdivision of land, the districts shall be understood to conform to the Certificate of Title or the Plan of Survey when registered with Alberta Land Titles. Prior to the registration, the district boundary shall be determined on the basis of the scale of the map.

901.4 The district standards of this Bylaw do not apply to roads, lanes, or other public thoroughfares.

901A Regulations Applied to All Residential Land Use Districts

901A.1 Accessory Buildings

901A.1.1 No accessory building or any portion thereof shall be erected or placed within the front yard of a parcel.

901A.1.2 An accessory building on an interior parcel shall be situated so that the exterior wall is at least 1 metre (3.3 ft) from the side and rear boundaries of the parcel.

901A.1.3 An accessory building on a corner parcel shall not be situated closer to the street than the main building. It shall not be closer than 1 metre (3.3 ft) to the other side parcel boundary or the rear parcel boundary.

901A.1.4 The height of an accessory building shall not be more than:

901A.1.4.1 On a permanent foundation:

Land Use District R1, R2, RMS - 4.5 metres (14.76 ft) in height, and shall not exceed the height of the main building

Land Use District RE, RMX – 6.1 metres (20 ft) in height, and shall not exceed the height of the main building

901A.1.4.2 *Not on a permanent foundation – 3 metres (10 ft)*

901A.1.5 *In the rear yards of the following types of houses, the maximum total area that may be developed for accessory buildings are as follows:*

901A.1.5.1 *Detached houses:*

Land Use District R1, R2, RMS – 78 m² (840 sq ft)

Land Use District RE, RMX – 130 m² (1400 sq ft)

901A.1.5.2 *Attached houses in all Residential Land Use Districts – 53.5 m² (576 sq ft)*

Notwithstanding section 901A.1.5.1, where a parcel area exceeds 700 m² (7,535 sq ft), the maximum total area which can be developed for an accessory building may be increased up to a maximum of 110m² (1,184 sq ft), but the size of the accessory building shall not exceed the total area of the primary dwelling.

901A.1.6 *Aesthetics*

The exterior finish of an Accessory Building shall be consistent or compatible with the exterior finish of the main building with respect to colour, finish, materials and texture.

901A.2 *Distances Between Buildings*

901A.2.1 *All main buildings and garages shall be separated by 3 metres (10 feet) from all other buildings whether on the same or a different lot, or such greater distance as may be required by the Alberta Building Code.*

901A.2.2 *Accessory Buildings:*

901A.2.2.1 *Less than 110 sq ft shall have no minimum setback requirements when placed adjacent to a main building or a garage*

901A.2.2.2 *Greater than 110 sq ft but less than 170 sq ft shall have a minimum setback of 1.5 metres (5 feet) from main buildings or garages or such greater distance as may be required by the Alberta Building Code.*

901A.2.2.3 *Greater than 170 sq ft shall be separated by 3 metres (10 feet) from all other buildings on the same or different lot or such greater distance as may be required by the Alberta Building Code.*

901A.3 *Building Demolition*

An application to demolish a building shall not be approved without a statement or plan which indicates:

901A.3.1 *how the operation will be carried out so as to create a minimum of dust or other nuisance; and*

901A.3.2 *the final reclamation of the parcel*

which is satisfactory to the development authority.

901A.4 *Objects Prohibited or Restricted in Residential Yards*

901A.4.1 *No person shall allow a motor vehicle that is in a dilapidated or unsightly condition, or a derelict vehicle to remain or to be parked on a parcel in a residential district, unless it is suitably housed or screened to the sole satisfaction of the development authority.*

901A.4.2 *No person shall have exterior storage of piles of wood or metal, or other salvage materials that are in an unsightly condition on a parcel in any district, unless it is suitably housed or screened to the sole satisfaction of the development authority.*

901A.4.3 *No person shall allow a vehicle of more than 5,443 kg (12,000 lbs) (GVW) and/or a length of more than 9 metres (29.5 ft) other than a recreational vehicle or camper, to be parked or stored in a residential district and/or area of residential use. A vehicle is more than 5,443 kg GVW when a gross allowable maximum vehicle weights in excess of 5,443 kg (as listed on the official Government registration certificate, regardless of the vehicle's actual weight at a specific time).*

901A.5 *Other Controls*

901A.5.1 *A site abutting two streets or more shall have a front yard on each street and two side yards in accordance with the setback requirements of this Bylaw.*

901A.5.3 *The requirements of Section 108 and Part 8 apply to all residential districts*

902 R1 Low Density Residential District

902.1 *The purpose of the R1 Low Density Residential District is to provide land for the development of quality detached residences on individual, fully serviced lots.*

902.2 *Usage:*

<i>Permitted Uses: The following uses are permitted:</i>	<i>Discretionary Uses: The following uses may be allowed at the discretion of the Development Authority:</i>
<i>New detached residences</i>	<i>Moved-in single family, detached residences (excluding manufactured and mobile homes)</i>
<i>New Detached modular and RTM homes (excluding manufactured and mobile homes)</i>	<i>Churches</i>
<i>Home Offices</i>	<i>Day care facilities</i>
<i>Public parks and recreation areas</i>	<i>Group Homes</i>
<i>Buildings and uses accessory to the above</i>	<i>Home businesses</i>
	<i>Bed and breakfast establishments</i>
	<i>Portable buildings</i>
	<i>Secondary suites, limited to one per residence</i>
	<i>Utility installations</i>
	<i>Buildings and uses accessory to the above</i>

902.3 *Number of Residences on a Lot*

902.3.1 *Only one residence shall be constructed on a lot, but this shall not prevent the construction and use of one secondary suite within a detached residence.*

902.4 *Lot Size Requirements*

902.4.1 *Lot area:*

902.4.1.1 *All residential lots shall have an area of at least 475 m² (5,113 square feet) if bordered on one side by a lane, or 555 m² (5,974 square feet) if the lots have no lane.*

902.4.1.2 *Lots for other uses shall have an area satisfactory to the Development Authority.*

902.4.2 *Lot width:*

902.4.2.1 *Residential lots which have lane or road access to the rear yard shall have a mean width of at least 15.25 metres (50 feet).*

902.4.2.2 *Residential lots which do not have lane or road access to the rear yard shall have a mean width of at least 18.3 metres (60 feet).*

902.4.2.3 *Non-rectangular residential lots shall have a front width of at least 10 metres (33 feet)*

902.4.2.4 *Where oversized lots are being re-subdivided, the required lot widths may be relaxed to accommodate existing buildings.*

902.4.2.5 *Lots for other uses shall have a width satisfactory to the Development Authority.*

902.5 *Building Height*

902.5.1 *A residence shall not exceed 7.5 metres (24.5 feet) above grade.*

902.5.2 *If the Development Authority exercises the discretion allowed by Section 404.6 of this Bylaw, and allows a building higher than set out in Sections 902.5.1 or 901A.1.4, that decision may be appealed under Section 501.1 of this Bylaw by any person claiming to be affected.*

902.6 Site Coverage

902.6.1 Buildings shall cover no more of a residential lot than 40% of the first 550 m² (6,000 sq ft) of the lot, plus 20% of any area greater than 550 m² (6,000 sq ft).

902.6.2 The minimum floor area for a dwelling unit shall be 75 m² (800 sq ft)

902.7 Yards and Setbacks:

902.7.1 Main Buildings (See Figure 1)

Front Property Line	6 metres (20 feet)
Rear Property Line	6 metres (20 feet)
Side Property Line	3 metres (10 feet) on one side if no road or lane access to the rear yard
	1.5 metres (5 feet) in all other cases, but this shall be increased by 0.3 metres for each 1 metre of building height above 7.5 metres

902.7.2 Garages - Garages shall be located so that there is a clear space of at least 6 metres (20 feet) between the vehicle access door and the road or lane which is used for access.

Front Property Lines	6 metres (20 feet)
Rear Property Line	1 metre (3 feet)
Side Property Line	1 metre (3 feet)

The requirements of Section 901.A apply to this Land Use District.

903 R2 General Residential District

903.1 *The purpose of the R2 district is to provide land for the development of higher density housing as well as for single detached residences.*

903.2 *Usage:*

<i>Permitted Uses: The following uses are permitted:</i>	<i>Discretionary Uses: The following uses may be allowed at the discretion of the Development Authority:</i>
<i>New detached residences</i>	<i>Moved-in residences</i>
<i>New Modular and RTM homes (excluding manufactured and mobile homes)</i>	<i>Manufactured homes, no more than 5 years old at the time of placement, on subdivided lots</i>
<i>Duplex residences</i>	<i>Triplex and fourplex residences</i>
<i>Secondary suites in detached houses</i>	<i>Row housing</i>
<i>Home offices</i>	<i>Group homes</i>
<i>Public parks and recreation areas</i>	<i>Apartment buildings</i>
<i>Buildings and uses accessory to the above</i>	<i>Bed and breakfast establishments</i>
	<i>Utility installations</i>
	<i>Churches</i>
	<i>Day care facilities</i>
	<i>Home businesses</i>
	<i>Portable buildings</i>
	<i>Buildings and uses accessory to the above</i>

903.3 *Number of Residences on a Lot*

903.3.1 *Detached houses: A maximum of one residence shall be constructed on a lot, but this shall not prevent the construction and use of one secondary suite within a detached residence.*

903.3.2 *Duplexes: A maximum of two residences shall be constructed on a lot; secondary suites within duplex units are not permitted.*

903.3.3 *Other Residences: The maximum number of residences on the lot shall be as determined by the Development Authority.*

903.4 *Lot Size Requirements*

903.4.1 *Detached houses: A lot for a detached house shall have an area of at least 445 square metres (4,800 square feet), a mean width of at least 12.2 metres (40 feet), and a street frontage of at least 7.5 metres (25 feet).*

903.4.2 *Duplexes:*

903.4.2.1 *A subdivided lot for one side of a duplex shall have an area of at least 250 m² (2,690 square feet), a mean width of 7.5 metres (25 feet), and a street frontage of at least 5 metres (16.5 feet).*

903.4.2.2 *An un-subdivided lot shall have an area of at least 500 m² (5,382 square feet), a mean width of 15 metres (50 feet), and a street frontage of at least 10 metres (33 feet).*

903.4.3 *Other residences: A lot for other styles of residences shall be large enough to accommodate the proposed buildings with the required yards, site coverage, setbacks, parking, and landscaping as determined by the Development Authority.*

903.4.4 *Non-residential uses: Lots for non-residential uses shall have an area and width satisfactory to the Development Authority.*

903.5 *Site Coverage*

903.5.1 *Single detached dwellings, including accessory buildings, shall cover no more than 40% of the area of a residential lot.*

903.5.2 *Attached dwelling units, including accessory buildings, shall cover no more than 50% of the area of a residential lot.*

903.5.3 *The minimum floor area for a single detached dwelling unit shall be 75 m² (800 sq ft)*

903.5.4 *The minimum floor area for an attached dwelling unit shall be 60 m² (650 sq ft)*

903.6 *Yards and Setbacks: Main Buildings (See Figure 1)*

903.6.1 *Main Buildings (See Figure 1)*

<i>Front Property Line</i>	<i>6 metres (20 feet)</i>
<i>Rear Property Line</i>	<i>6 metres (20 feet)</i>
<i>Side Property Line</i>	<i>3 metres (10 feet) on one side if no road or lane access to the rear yard</i>
	<i>1.5 metres (5 feet) in all other cases, except in the case of a subdivided attached residence which may be built straddling the adjoining side property line</i>

903.6.2 *Garages*

903.6.2.1 *Garages shall be located so that there is a clear space of at least 6 metres (20 feet) between the vehicle access door and the road or lane which is used for access.*

903.6.2.2 *A shared garage serving two attached duplexes may be constructed straddling the property line provided that there is a fireproof dividing wall at the property line.*

<i>Front Property Lines</i>	<i>6 metres (20 feet)</i>
<i>Rear Property Line</i>	<i>1 metre (3 feet)</i>
<i>Side Property Line</i>	<i>1 metre (3 feet)</i>

903.7 *Height of buildings*

903.7.1 *An apartment building shall not exceed 10 metres (32 feet) above grade.*

903.7.2 *Other residences shall not exceed two and a half storeys or 7.5 metres (24.5 feet) above grade.*

903.8 *Lanes Required*

903.9.1 *A new subdivision intended to be classified R2 shall contain lanes serving every residential lot.*

903.9 *Emergency Vehicle Access*

903.9.1 *In developments containing multiple dwellings within one lot, the internal circulation routes must be at least 7.75 metres (25 feet) wide and with curvatures able to accommodate emergency vehicles.*

903.9.2 *Along the sides of an apartment building exceeding two storeys above grade, emergency vehicle access must conform to the side and rear yard setbacks required by the Alberta Building Code. There shall be a firm, level fire access area, accessible from the road by emergency response equipment. This requirement may increase the setbacks beyond those required by Sections 903.6.*

903.9.3 *No buildings, vehicles, or other obstructions shall be placed or allowed in a fire access area.*

The requirements of Section 901.A apply to this Land Use District.

904 RMS Residential Manufactured Housing Subdivision District

904.1 *The purpose of the RMS district is to provide land where manufactured homes may be placed on titled lots which are dimensioned to fit the unique size and shape of this style of housing.*

904.2 *Usage:*

<i>Permitted Uses: The following uses are permitted:</i>	<i>Discretionary Uses: The following uses may be allowed at the discretion of the Development Authority:</i>
<i>New manufactured homes</i>	<i>Manufactured homes no more than five (5) years old when moved to the site</i>
<i>New conventionally built detached residences</i>	
<i>Modular and RTM homes</i>	<i>Moved-in conventionally built residences</i>
<i>Duplex residences</i>	<i>Churches</i>
<i>Home offices</i>	<i>Day care facilities</i>
<i>Public parks and recreation areas</i>	<i>Group homes</i>
<i>Buildings and uses accessory to the above</i>	<i>Home businesses</i>
	<i>Portable buildings</i>
	<i>Utility installations</i>
	<i>Buildings and uses accessory to the above</i>

904.3 *Number of Residences on a Lot*

904.3.1 *Detached houses: A maximum of one residence shall be constructed on a lot, but this shall not prevent the construction and use of one secondary suite within a conventionally built detached residence.*

904.3.2 *Duplexes: A maximum of two residences shall be constructed on a lot; secondary suites within duplex units are not permitted.*

904.4 *Lot Size Requirements*

904.4.1 *Residential uses: Lots shall be at least 12 metres (40 feet) wide, with a street frontage of at least 9 metres (30 feet), and at least 33 metres (108 feet) deep.*

904.4.2 *Residential corner lots: Residential corner lots shall be at least 15 metres (50 feet) wide.*

904.4.3 *Lane-less lots: If a residential lot is not served by a lane it shall be at least 15 metres (50 feet) wide.*

904.4.4 *Non-residential uses: Lots for non-residential uses shall have an area and width satisfactory to the Development Authority.*

904.5 *Site Coverage*

904.5.1 *Buildings shall cover no more than 50% of the area of a residential lot.*

904.5.2 *The minimum floor area of a single detached dwelling unit shall be 75 m² (800 sq ft).*

904.5.3 *The minimum floor area of an attached dwelling unit shall be 60 m² (650 sq ft).*

904.6 *Yards and Setbacks*

904.6.1 *Main Buildings (See Figure 2)*

<i>Front Property Line</i>	<i>4.5 metres (15 feet)</i>
<i>Rear Property Line</i>	<i>4.5 metres (15 feet)</i>
<i>Side Property Line</i>	<i>3 metres (10 feet) on one side if no road or lane access to the rear yard</i>
	<i>1.5 metres (5 feet) in all other cases</i>

904.6.2 *Garages*

904.6.2.1 *Garages shall be located so that there is a clear space of at least 6 metres (20 feet) between the vehicle access door and the road or lane which is used for access.*

904.6.2.2 *A shared garage serving two attached duplexes may be constructed straddling the property line provided that there is a fireproof dividing wall at the property line.*

<i>Front Property Lines</i>	<i>6 metres (20 feet)</i>
<i>Rear Property Line</i>	<i>1 metre (3 feet)</i>
<i>Side Property Line</i>	<i>1 metre (3 feet)</i>

904.7 *Height of Buildings*

904.8.1 *Residential buildings shall not exceed two and a half storeys or 7.5 metres (24.5 feet) above grade.*

904.8 *Lanes*

904.8.1 *Where lanes are not provided, the width of the lots must be sufficient to provide side yards as required by Sections 904.6 and 904.7 of this Bylaw.*

904.9 *Aesthetics*

904.9.1 *The undercarriage of manufactured homes shall be completely screened from view by the foundation, skirting, or by other such means satisfactory to the Development Authority.*

904.9.2 *All accessory buildings, additions, porches and skirting shall be of a quality and appearance equivalent to the manufactured home*

The requirements of Section 901.A apply to this Land Use District.

905 RE Residential Estate District

905.1 *The purpose of the Residential Estate district is to allow high quality residential development on large lots.*

905.2 *Usage:*

<u>Permitted Uses:</u> <i>The following uses are permitted:</i>	<u>Discretionary Uses:</u> <i>The following uses may be allowed at the discretion of the Development Authority:</i>
<i>New site built detached residences of conventional construction</i>	<i>Moved in residences, excluding manufactured and mobile homes</i>
<i>Home offices</i>	<i>Modular and RTM residences</i>
<i>Public parks and recreation areas</i>	<i>Secondary suites</i>
<i>Buildings and uses accessory to the above (if less than 60 m²)</i>	<i>Day care facilities</i>
	<i>Group Homes</i>
	<i>Home businesses</i>
	<i>Bed and breakfast establishments</i>
	<i>Portable buildings</i>
	<i>Utility installations</i>
	<i>Buildings and uses accessory to the above</i>

905.3 *Number of Residences on a Lot*

905.3.1 *Only one residence shall be constructed on a lot, but this shall not prevent the construction and use of one secondary suite within a main building.*

905.4 *Minimum Floor Area*

905.4.1 *The minimum floor area for a dwelling unit shall be 110 m² (1,180 sq ft)*

905.5 *Lot Size Requirements*

905.5.1 *Lot area:*

905.5.1.1 *All residential lots shall have an area of at least 2,000 m² (0.5 acres).*

905.5.1.2 *Lots for other purposes shall have an area satisfactory to the Development Authority.*

905.5.2 *Lot width:*

905.5.2.1 *All residential lots shall have a width of at least 30 metres (100 feet) at the building line, and a road frontage of at least 15 metres (50 feet).*

905.5.2.2 *Lots for other purposes shall have a width satisfactory to the Development Authority.*

905.6 *Yards and Setbacks*

905.6.1 *Main Buildings*

<i>Front Property Line</i>	<i>8 metres (26 feet)</i>
<i>Rear Property Line</i>	<i>10 metres (33 feet)</i>
<i>Side Property Line</i>	<i>3 metres (10 feet)</i>
	<i>3 metres (10 feet) from any other building</i>

905.7 *Maximum Height of Buildings*

905.7.1 *A residence shall not exceed 7.5 metres (24.5) above grade.*

905.8 *Development Standards*

905.8.1 *All residential lots shall be connected to the municipal water system.*

905.8.2 *All other development standards shall be negotiated between the developer and the municipality and specified in the overall plan governing the subdivision, and shall be suitable for a high quality residential development.*

905.9 *Development Agreement to be Registered*

905.9.1 *If, at the time of subdivision a residential lot is not served by a paved road, and/or is not connected to all municipal services, a development agreement shall be registered on the title to the lot, and under the terms of this agreement the owner and his successors shall accept financial responsibility for installing or upgrading services or paving the road, and shall release the municipality from any financial responsibility for such installation or upgrading or paving.*

905.10 *Sewage Treatment*

905.10.1 *If residential lots are not to be served by a piped municipal sewer system, the method of sewage treatment must be acceptable to Alberta Safety Codes Council, the Regional Health Authority, and the municipality.*

905.11 *Building Quality*

905.11.1 *In order to ensure a high standard of building and design, architectural controls may be registered on the title of each lot at the time of subdivision.*

The requirements of Section 901.A apply to this Land Use District.

906 RMX Residential Mixed-Use District

906.1 *The purpose of the Residential Mixed Use district is to allow large lot single family housing and, as a secondary or associated use, small workshops and the storage of goods, vehicles, machinery, and equipment used in the business of the occupant of the lot.*

906.2 *Usage:*

<i>Permitted Uses: The following uses are permitted:</i>	<i>Discretionary Uses: The following uses may be allowed at the discretion of the Development Authority:</i>
<i>New detached residences</i>	<i>Manufactured homes, no more than five (5) years old when moved to the site and set on permanent foundations</i>
<i>New Modular and RTM homes (excluding manufactured and mobile homes)</i>	
<i>Buildings and uses accessory to the above</i>	<i>Portable buildings</i>
	<i>Public parks</i>
	<i>Agriculture</i>
	<i>Bed and breakfast establishments</i>
	<i>Day care facilities</i>
	<i>Utility installations</i>
	<i>Buildings and uses accessory to the above</i>
	<i>Light industrial uses such as small workshops and the storage of goods, vehicles, machinery, and equipment used in the business of the occupant of the lot, where these uses are secondary to the main residential purpose of the lot, hereinafter referred to as 'secondary industrial uses'</i>

906.3 *Minimum Lot Dimensions*

906.3.1 *Each lot shall have a width of at least 20 metres (66 feet) and a depth of at least 50 metres (165 feet).*

906.4 *Minimum Floor Area*

906.4.1 *The minimum floor area for a dwelling unit shall be 110 m² (1,180 sq ft)*

906.5 *Building Setbacks*

906.5.1 *Main Buildings*

<i>Front Property Line</i>	<i>10 metres (33 feet)</i>
<i>Rear Property Line</i>	<i>10 metres (33 feet)</i>
<i>Side Property Line</i>	<i>5 metres (17 feet)</i>

906.5.2 *Garages - Garages shall be located so that there is a clear space of at least 10 metres (33 feet) between the vehicle access door and the road or lane which is used for access.*

<i>Front Property Lines</i>	<i>10 metres (33 feet)</i>
<i>Rear Property Line</i>	<i>3 metre (10 feet)</i>
<i>Side Property Line</i>	<i>3 metre (10 feet)</i>

906.6 *Building Height*

906.6.1 *No residence shall exceed 10 metres (33 feet) in height.*

906.8 *Site Coverage*

906.8.1 *The area of land covered by buildings shall not exceed 30% of the area of the lot.*

906.9 *Special Provisions for Secondary Industrial Uses*

906.9.1 *A permit for a secondary industrial use shall be issued only to the owner of a lot who is also resident on that lot.*

906.9.2 *A secondary industrial use shall not involve the display or sale of any goods on the lot.*

906.9.3 *A secondary industrial use shall not generate traffic in excess of what is acceptable in a residential neighbourhood.*

906.9.4 *No hazardous materials shall be stored on the lot, and no offensive or intrusive noise, vibration, smoke, dust, odour, heat, glare, or electrical or radio disturbance shall be produced by any secondary industrial use.*

906.9.5 *At all times the privacy and enjoyment of nearby residences shall be preserved and, subject to the purpose of the district, a secondary industrial use shall not unreasonably affect the residential amenities of the neighbourhood.*

906.9.6 *Exterior storage of goods and supplies may be permitted provided that the storage area is screened to the satisfaction of the Development Authority.*

906.9.7 *Secondary industrial uses shall be restricted to the rear yard.*

906.9.8 *All industrial and storage buildings shall be sited at least 10 metres (33 feet) from residences.*

906.9.9 *No more than two unlicensed or inoperative vehicles shall be stored on a lot at any time.*

906.9.10 *The maximum number of non-resident employees who may work on a lot shall be set by the Development Authority and noted in the development permit, but in no case shall exceed two (2).*

906.10 *Development Density*

906.10.1 *Only one residence shall be constructed on each lot, but this shall not prevent the construction and use of a single secondary suite within the main residence on a lot.*

The requirements of Section 901.A apply to this Land Use District.

907 C1 Central Commercial District (Bylaw 7:2018)

907.1 *The C1 district provides land for pedestrian-oriented commercial land uses in the core of the municipality.*

907.2 *Usage*

<i>Permitted Uses: The following uses are permitted:</i>	<i>Discretionary Uses: The following uses may be allowed at the discretion of the Development Authority:</i>
<i>Retail businesses, except those listed as discretionary</i>	<i>Establishments selling or servicing motor vehicles</i>
<i>Hotels and motels, except those listed as discretionary</i>	<i>Establishments selling or dispensing alcohol or cannabis</i>
<i>Professional, financial and service businesses, except those listed as discretionary</i>	<i>Establishments selling or dispensing alcohol or cannabis for consumption on the premises</i>
<i>Clubs, associations, churches and lodges except those listed as discretionary</i>	<i>Establishments providing “adult” entertainment or products</i>
<i>Government, police and emergency services operations</i>	<i>Businesses selling lumber or other flammable products</i>
<i>Public parks and recreation areas</i>	<i>Pawn shops</i>
<i>Residences above the main floor</i>	<i>Establishments where gambling is conducted</i>
<i>Buildings and uses accessory to the above</i>	<i>Amusement arcades</i>
	<i>Day Care facilities</i>
	<i>Drive in businesses</i>
	<i>Group care facilities</i>
	<i>Portable buildings</i>
	<i>Residences at street level</i>
	<i>Utility installations</i>
	<i>Sea Can Storage Units</i>
	<i>Trade Workshops</i>
	<i>Wholesaling and warehousing</i>
	<i>Buildings and uses accessory to the above</i>

Note: Auto wreckers and unattended fuel sales are neither permitted nor discretionary uses in the C1 district.

907.3 *Yards and Setbacks*

907.3.1 *All buildings shall be set back at least 6 metres (20 feet) from a rear lane, unless space is provided elsewhere for parking, loading, and garbage containers.*

907.3.2 *No front or side yard setbacks are required.*

907.4 *Height of buildings*

907.4.1 *The maximum height of buildings shall be as required by the Fire Chief.*

907.5 *Other Controls*

907.5.1 *The requirements of Section 108 and Part 8 and Part 11 apply in this district.*

908 C2 Highway Commercial District

908.1 The purpose of the C2 district is to provide land for services to the travelling public, for businesses which generate or benefit from exposure to large volumes of vehicle traffic, and for retail and service businesses which need larger lots than can reasonably be provided in the C1 area.

908.2 Usage:

<u>Permitted Uses: The following uses are permitted:</u>	<u>Discretionary Uses: The following uses may be allowed at the discretion of the Development Authority:</u>
All uses listed as permitted in the C1 district	All uses listed as discretionary in the C1 district
Gasoline and other fuel sales	Residences associated with the business on the site
Trade workshops	Travel trailer campsites
Churches	Automotive body shops and paint shops
Automobile, recreation vehicle, boat, manufactured housing and farm equipment sales, leasing, service and repair businesses, but excluding body shops, paint shops and bulk and unattended gasoline sales	Bulk and unattended fuel sales, provided that the tanks and loading areas are at least 50 metres (164 feet) from any residence
	Warehousing and storage
	Fertilizer storage and sales
Sea Can Storage Units	Portable buildings
Buildings and uses accessory to the above	Utility installations
	Buildings and uses accessory to the above

Note: Auto wreckers are neither a permitted nor a discretionary use in the C2 district.

908.3 Highway Access

908.3.1 The Development Authority shall not approve a direct access from a lot to a highway without the approval of Alberta Transportation.

908.4 Lot Size Requirements

908.4.1 Lots for commercial operations shall have an area of at least 1,000 square metres (10,750 square feet) and a mean width of at least 30 metres (100 feet).

908.4.2 The size of lots for other uses shall be as required by the Development Authority.

908.5 Yards and Setbacks

All buildings shall be set back at least

908.5.1 5 metres (6.6 feet) from any road or, if used as part of a service station or a drive in business, 12 metres (40 feet) from any road,

908.5.2 3 metres (10 feet) from the rear property line, and

908.5.3 3 metres (10 feet) from the side property line, but no less than half the height of the building from a side property line which abuts a residential area.

908.6 Height of buildings

908.6.1 The maximum height of buildings shall be as required by the Fire Chief.

908.7 Other Controls

908.7.1 The requirements of Section 108 and Part 8 apply in this district.

909 M Industrial District

909.1 Purpose

909.1.1 The purpose of the Industrial district is to provide land for industrial and commercial uses which will not damage or interfere with adjacent land uses by reason of noise, dust, odour, vibration, heavy traffic, or other objectionable conditions.

909.2 Usage

<u>Permitted Uses:</u> <i>The following uses are permitted provided that these uses comply with the purpose of this district as regards objectionable conditions, noted in 909.1 above</i>	<u>Discretionary Uses:</u> <i>The following uses may be allowed at the discretion of the Development Authority:</i>
Manufacturing, processing, repairing and fabrication	Auto body and paint shops
Grain handling	Auto wreckers
Services and sales to agriculture	Portable buildings
Lumber yards	Agriculture
Warehousing and storage	Bulk fuel and fertilizer storage and sales
Railway operations	Slaughterhouses and meat processing plants
Automobile, truck and farm equipment sales and service	Restaurants, clubs and other establishments serving alcoholic drinks
Car and truck washing establishments	Hatcheries
Veterinary Clinics	Liquor stores
Transportation, communications and utility industries	Recycling industries including auto wreckers
Auction markets, but excluding animal sales	Amusement arcades
Wholesale distributors	Livestock auction markets
Utility Installations	Casinos and bingo halls
Retail businesses, excepting those listed as discretionary	Residences associated with the main business on the site, to a maximum of one per lot
Service businesses, excepting those listed as discretionary	Buildings and uses accessory to the above
Clubs, associations and lodges, except those listed as discretionary	
Government, police and emergency services operations	
Sea Can Storage Units	
Buildings and uses accessory to the above	

When approving a discretionary use, the Development Authority may require that appropriate measures are taken to mitigate any objectionable conditions listed in Section 909.1.

909.3 Highway Access

909.3.1 The Development Authority shall not approve a direct access from a lot to a highway without the approval of Alberta Transportation.

909.4 Lot size

909.4.1 Lots served by municipal water and sewer shall have a minimum area of 1,000 m² (10,750 square feet)

909.4.2 Lots not served by municipal water and sewer shall have a minimum area of 1,850 m² (20,000 sq feet)

909.5 Yards and Setbacks

909.5.1 All buildings shall be set back at least:

909.5.1.1 8 metres (26 feet) from any road or, if used as part of a service station or a drive in business, 12 metres (40 feet) from any road,

909.5.1.2 6 metres (20 feet) from the rear property line, and

909.5.1.3 3 metres (10 feet) from the side property line.

909.6 Flammable materials

909.6.1 Where flammable or explosive materials are stored on site, the Development Authority shall consult the fire department and may increase the required lot size, building setbacks, or other requirements to minimize the danger to the public and to adjacent properties.

909.7 Screening

909.7.1 The Development Authority may require that areas used for open storage of unsightly material are screened from public view by means of suitable fencing or landscaping.

909.8 Height of buildings

909.8.1 The maximum height of buildings shall be as required by the Fire Chief.

909.9 Other Controls

909.9.1 The requirements of Section 108 and Part 8 apply in this district.

910 IPU Institutional and Public Uses District

910.1 Purpose

910.1.1 The purpose of the IPU district is to provide land for schools, hospitals, and other community service facilities, both publicly and privately owned.

910.2 Usage

<u>Permitted Uses:</u> <i>The following uses are permitted</i>	<u>Discretionary Uses:</u> <i>The following uses may be allowed at the discretion of the Development Authority:</i>
Schools	Campgrounds
Hospitals, hospices, nursing homes and long term care facilities	Privately owned athletic, sporting and recreational facilities
Halls and auditoriums	Residences for staff of a permitted use
Churches	Portable buildings
Day care facilities	Public works yards
Group homes (<i>up to six clients</i>)	Buildings and uses accessory to the above
Group care facilities (<i>more than six clients</i>)	
Libraries	
Police stations	
Cemeteries and crematoriums	
Golf courses	
Municipally owned athletic and sporting facilities	
Storm water detention areas	
Utility installations	
Buildings and uses accessory to the above	

910.3 Yards and Setbacks

910.3.1 Residences in the IPU district require the same yards and setbacks as in the adjacent residential district or, if there is no adjacent residential district, the same yards and setbacks as in the R1 district.

910.3.2 Yards and setbacks for other land uses shall be as required by the Development Authority.

910.4 Other Controls

910.4.1 The requirements of Section 108 and Part 8 apply in this district.

911 P Park District

911.1 Purpose

911.1.1 The purpose of the Park district is to provide land for public parks, playgrounds, and buffer strips.

911.2 Usage

<u>Permitted Uses:</u> <i>The following uses are permitted</i>	<u>Discretionary Uses:</u> <i>The following uses may be allowed at the discretion of the Development Authority:</i>
Golf courses	Campgrounds
Public parks, playgrounds, trails and buffer strips	Privately owned athletic, sporting and recreational facilities
Municipally owned athletic and sporting facilities	
Storm water detention areas	Residences for staff of a permitted use
Buildings and uses accessory to the above	Utility installations
	Portable buildings
	Public works yards
	Buildings and uses accessory to the above

911.3 Site Regulations:

911.3.1 All site and development regulations shall be at the discretion of the Development Authority. The design, siting, landscaping, screening and buffering shall be considered in order to minimize and compensate for any objectionable aspect or potential incompatibility with development in adjoining districts and land uses.

911.3 Other Controls

911.3.1 The requirements of Section 108 and Part 8 apply in this district.

914 Residential Estate 2 (Bylaw 5:2014)

914.1 *The purpose of the Residential Estate district 2 is to provide land for the development of quality detached residences on individual, fully serviced lots but where the lots are greater than 871 m² (9,375 sq feet) and less than 2,000m² (0.5 acres).*

914.2 *Usage:*

<u>Permitted Uses:</u> <i>The following uses are permitted:</i>	<u>Discretionary Uses:</u> <i>The following uses may be allowed at the discretion of the Development Authority:</i>
<i>New site built detached residences of conventional construction</i>	<i>New Moved in Module or RTM residences, excluding manufactured and mobile homes</i>
<i>Home offices</i>	<i>Home businesses</i>
<i>Public parks and recreation areas</i>	<i>Secondary suites</i>
<i>Buildings and uses accessory to the above (if less than 60 m²)</i>	<i>Bed and breakfast establishments</i>
	<i>Utility installations</i>
	<i>Buildings and uses accessory to the above</i>

914.3 *Number of Residences on a Lot*

914.3.1 *Only one residence shall be constructed on a lot, but this shall not prevent the construction and use of one secondary suite within a main building.*

914.4 *Lot Size Requirements*

914.4.1 *Lot area:*

914.4.1.1 *All residential lots shall have an area of at least 871 m² (9,375 sq ft or .21 acres).*

914.4.1.2 *Lots for other purposes shall have an area satisfactory to the Development Authority.*

914.4.2 *Lot width:*

914.4.2.1 *All residential lots shall have a width of at least 22.86 metres (75 feet) at the building line, and a road frontage of at least 10 metres (33 feet).*

914.4.2.2 *Lots for other purposes shall have a width satisfactory to the Development Authority.*

914.5 *Building Height*

914.5.1 *A building shall not exceed two and a half storeys or 7.5 metres (24.5 feet) above grade.*

914.5.2 *No accessory building shall have a wall height exceeding 3 metres (10 feet).*

914.5.3 *If the Development Authority exercises the discretion allowed by Section 404.6 of this Bylaw, and allows a building higher than set out in Sections 914.6.1 and 914.6.2, the decision may be appealed under Section 501.1 of this Bylaw by any person claiming to be affected.*

914.6 *Site Coverage*

914.6.1 *Buildings shall cover no more of a residential lot than:*

- 914.6.1.1 40% of the first 740 m² (7,965 sq ft) of the lot, plus
- 914.6.1.2 20% of any area greater than 740 m² (7,965 sq ft).

914.6.2 The minimum floor area for a dwelling unit shall be 140 m² (1,500 sq ft)

914.7 Yards and Setbacks:

914.7.1 Main Buildings (See Figure 1)

Front Property Line	6 metres (20 feet)
Rear Property Line	6 metres (20 feet)
Side Property Line	3 metres (10 feet) on one side if no road or lane access to the rear yard
	1.5 metres (5 feet) in all other cases, but this shall be increased by 0.3 metres for each 1 metre of building height above 7.5 metres

914.7.2 Garages - Garages shall be located so that there is a clear space of at least 6 metres (20 feet) between the vehicle access door and the road or lane which is used for access.

Front Property Lines	6 metres (20 feet)
Rear Property Line	1 metre (3 feet)
Side Property Line	1 metre (3 feet)

914.7.3 Accessory Buildings (not including garages)

Front Property Line	No accessory buildings shall be located in a front yard
Rear Property Line	1 metre (3 feet)
Side Property Line	1 metre (3 feet) no accessory building shall be located between a main building and a flanking street or lane

914.7.4 A site abutting two streets or more shall have a front yard on each street and two side yards in accordance with the setback requirements of this Bylaw.

914.8 Distances Between Buildings

914.8.1 All main buildings shall be separated by at least 3 metres (10 feet) from all other buildings on the same lot, or such greater distance as may be required by the Alberta Building Code.

914.9 Development Standards

914.9.1 All residential lots shall be connected to the municipal water system.

914.9.2 All other development standards shall be negotiated between the developer and the municipality and specified in the overall plan governing the subdivision, and shall be suitable for a high quality residential development.

914.10 Building Quality

914.10.1 In order to ensure a high standard of building and design, architectural controls may be registered on the title of each lot at the time of subdivision.

914.11 Other Controls

914.11.1 *The requirements of Section 108 and Part 8 apply in this district.*

912 UX Urban Expansion District

912.1 Purpose

912.1.1 The purpose of the UX district is to identify land which in future will probably be converted to urban use, but which can be used for agriculture as long as the owner elects to do so. An outline plan acceptable to council must normally be prepared before the land will be considered for reclassification to another use.

912.2 Usage

<u>Permitted Uses:</u> <i>The following uses are permitted</i>	<u>Discretionary Uses:</u> <i>The following uses may be allowed at the discretion of the Development Authority:</i>
Agriculture, excluding intensive livestock operations	Uses which are compatible with the long term plans for the land as set out in the Municipal Development Plan and any area structure plan or outline plan affecting the land
Single detached dwellings on existing parcel	
Buildings and uses accessory to the above	
	Buildings and uses accessory to the above

912.3 Number of Residences on a Lot

912.3.1 No more than one residence shall be established on a lot, but this shall not prevent the construction and use of a secondary suite within a detached residence.

912.4 Yards and Setbacks

912.4.1 Buildings, utility connections, and other improvements shall be established in locations compatible with the long term plans for the land as set out in the Municipal Development Plan and any area structure plan or outline plan affecting the land.

912.5 Site Regulations

912.5.1 No confined feeding operations as defined by the Agricultural Operations Practices Act shall be permitted within this district.

912.5.2 No manure spreading will be permitted within this district.

912.5.3 No livestock other than horses and normal domestic pets shall be kept within this district.

912.5.4 All site regulations shall be at the discretion of the Development Authority.

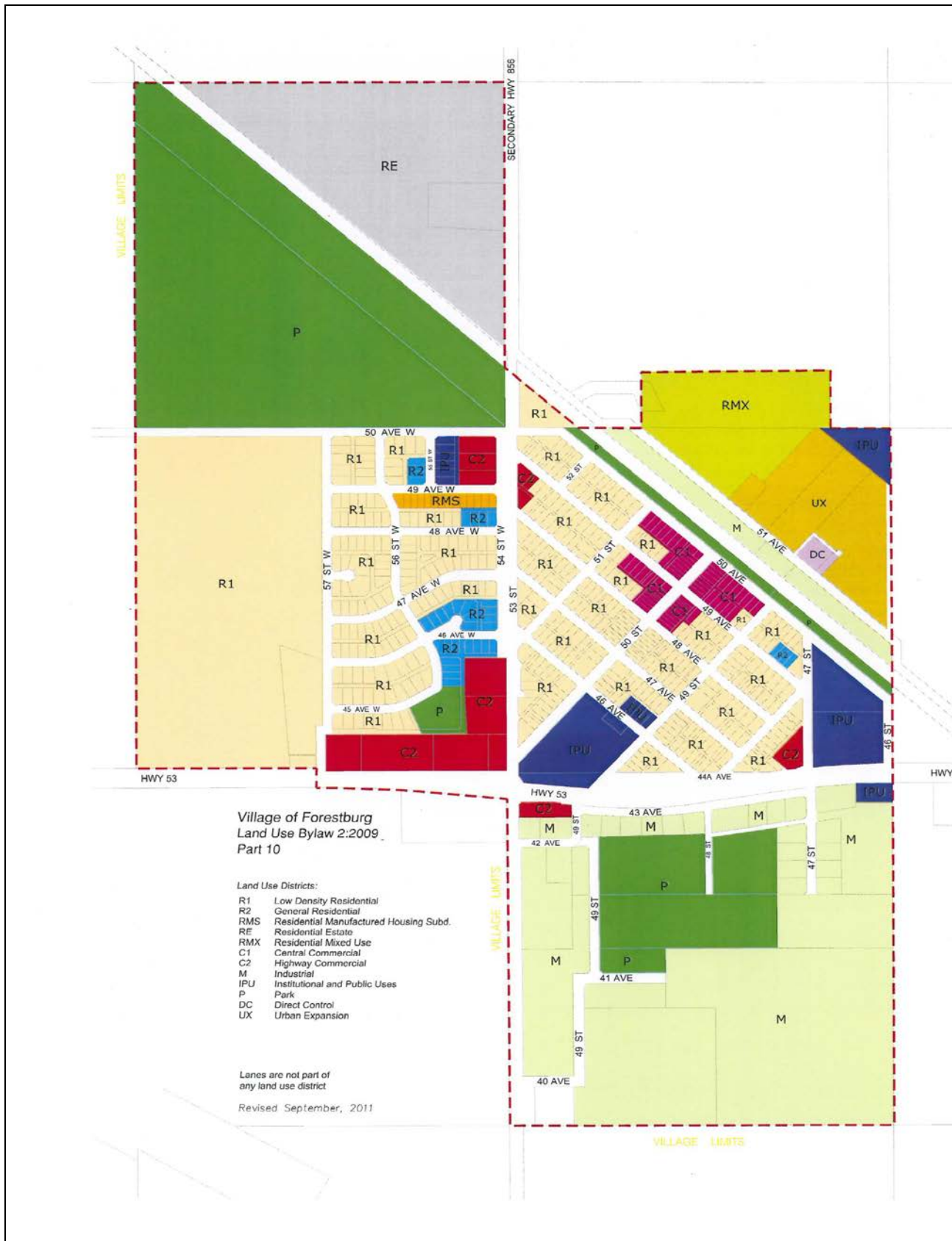
912.6 Other Controls

912.6.1 The requirements of Section 108 and Part 8 apply in this district.

913 DC Direct Control District

913.1 Pursuant to Section 402 of this Bylaw and Section 641 of the Act, and subject to any statutory plan, Council may directly regulate and control the use or development of land and buildings in a DC district in any manner it considers necessary.

Part 10: Map of Land Use Districts



Part 11: Parking

1101 Parking Requirements for New Development

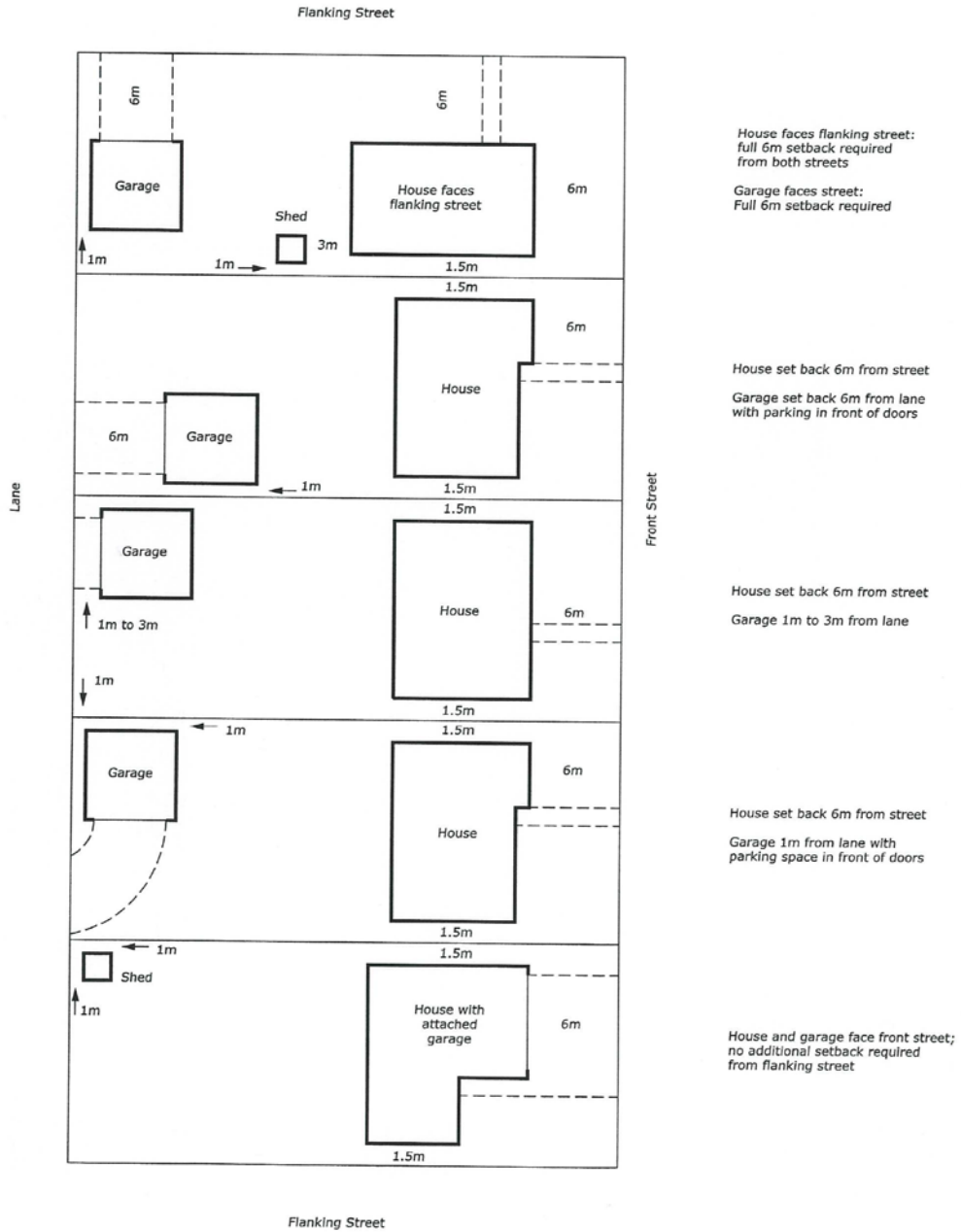
Type of Development	Number of Stalls
<i>Residential (a stall for residential use may be inside a garage or outside the building but entirely on the lot and may include a driveway)</i>	
Detached residence	2
Plus per secondary suite	1
Duplex, triplex, fourplex or row housing	2 per living unit
Condo with units having individual at-grade entrances	1.5 per unit
Apartment	1.5 per unit
Manufactured house on subdivided lot	2
<i>Non-Residential (the following shall have sufficient on-site parking for all employees plus client/customer parking at the following rates)</i>	
Retail stores	1 per 100m ² (1,075 sq ft) gross leasable area
Offices and financial institutions	1 per 100m ² (1,075 sq ft) gross leasable area
Hotels and motels	1 per room, plus stalls required for the entertainment component of the business at 1 per 10 seats
Restaurants, bars and clubs	1 per 10 seats
Churches, halls and theatres	1 per 10 seats
Industrials plants	1 per employee at maximum shift
Schools	1 per 10 students over 16 years of age
Hospitals	1 per 4 beds
Other	Sufficient that client parking does not congest nearby streets

- 1101.1 Where a business is likely to attract a high volume of traffic with high turnover, the Development Authority may require more parking.
- 1101.2 On-site parking requirements for non-residential uses may be relaxed where in the opinion of the Development Authority:
- 1101.2.1 sufficient on-street parking is available without causing congestion, or
 - 1101.2.2 sufficient parking is available in public parking lots, or
 - 1101.2.3 private parking can be shared because peak use times are different.

VILLAGE OF FORESTBURG

LAND USE BYLAW
Figure 1

Village of Forestburg
Land Use Bylaw ____
Figure 1
Locations of Buildings on Residential Lots



VILLAGE OF FORESTBURG

LAND USE BYLAW FIGURE 2

Village of Forestburg
Land Use Bylaw #
Figure 2
Locations of Buildings on Residential Manufactured Housing Subdivision District

