BYLAW NO. 1447-16

OF THE

TOWN OF BONNYVILLE

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

WHEREAS pursuant to Section 639 of the Municipal Government Act, RSA. 2000, Ch. M-26 and any amendments thereto, a Council of a municipality shall pass a land use bylaw in accordance with the Act.

AND WHEREAS the Council of the Town of Bonnyville deems it proper and expedient to pass such a bylaw.

NOW THEREFORE, the Council of the Town of Bonnyville, duly assembled hereby enacts as follows:

1. This Bylaw including the attached Schedule "A" may be cited as the Town of Bonnyville Land Use Bylaw.

2. The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the Town of Bonnyville to achieve the orderly and economic development of land, and for that purpose, amongst other things,

    - To divide the Town into land use districts;
    - To prescribe and regulate for each district the purpose for which land and buildings may be used;
    - To establish the roles and responsibilities of the Development Authority;
    - To establish a method of making decisions on applications for development permits, subdivision applications and the issuance of decisions of such applications;
    - To provide a manner in which notice of the issuance of a development permit is to be given.

3. This Bylaw may be amended by bylaw in accordance with the Municipal Government Act.

4. Land Use Bylaw No. 1262-05, as amended, is hereby repealed on the date of final reading of this Bylaw and Land Use Bylaw No. 1447-16 shall come into force and effect on that date.

INTRODUCED AND GIVEN FIRST READING this 8th day of March, A.D., 2016.

Mayor

Chief Administrative Officer

AS ADVERTISED on the 28th day of March, 2016, the 4th day of April, 2016 and the 11th day of April, 2016 in the Bonnyville Nouvelle.

PUBLIC HEARING HELD AT THE TOWN OF BONNYVILLE COUNCIL CHAMBERS on the 12th day of April, A.D. 2016.

GIVEN SECOND READING this 26th day of April, A.D., 2016.

Mayor

Chief Administrative Officer

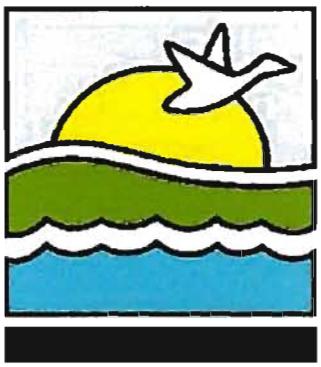
GIVEN THIRD AND FINAL READING this 26th day of April, A.D., 2016.

Mayor

Chief Administrative Officer

Town of Bonnyville

LAND USE BYLAW
NO. 1447-16



Town of Bonnyville
"It's Multi-Natural"

#148161 (PDF version)

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PART I GENERAL CONDITIONS

SECTION 1: ESTABLISHMENT OF GENERAL CONDITIONS

General conditions shall be set forth in Part I of this Bylaw.

SECTION 2: TITLE

This Bylaw is entitled "Town of Bonnyville Land Use Bylaw".

SECTION 3: PURPOSE

The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the Town of Bonnyville to achieve the orderly and economic development of land, and for that purpose, amongst other things:

1. to divide the Town into districts;

2. to prescribe and regulate for each district the purposes for which land and buildings may be used;

3. to establish the roles and responsibilities of the Development Authority and the Development Officer;

4. to establish a method of making decisions on Development Permit Applications including the issuing of Development Permits; and

5. to prescribe a procedure to notify owners of land likely to be affected by the issuance of a Development Permit.

SECTION 4: PREVIOUS MUNICIPAL BYLAWS

No provisions of any other Bylaws with respect to zoning, development control, development schemes and land use classifications shall hereafter apply to any part of the Town of Bonnyville described in this Bylaw. The Town of Bonnyville Land Use Bylaw No. 1262-05, as amended, is repealed upon third reading of the Bylaw.

SECTION 5: TRANSITIONAL PROVISIONS FOR DEVELOPMENT PERMITS IN PROGRESS

A Development Permit Application or Subdivision Application which is received in its complete and final form prior to the effective date of this Bylaw shall be processed and any Development Permit issued or decision shall be in accordance with the Land Use Bylaw No. 1262-05 and the amendments thereto.

SECTION 6: DISTRICTS

The Town is divided into land use districts and the boundaries of those districts are shown on the Land Use District Map which is attached as Schedule "A" to this bylaw.

SECTION 7: USES AND REGULATIONS

Except as otherwise permitted in this bylaw, development and subdivision in each district shall be in accordance with the uses listed in the district for the site on which it is proposed and the regulations and the guidelines of this bylaw.

SECTION 8: CONCEPT OVERLAYS

The purpose of a concept overlay is to provide a means to alter or specify regulations for permitted and discretionary uses, in otherwise appropriate districts, in order to achieve the local planning objectives in specially designated areas.

SECTION 9: EFFECTIVE DATE

This Bylaw is passed in accordance with the provisions of Part 17, Division 5 of the Municipal Government Act and becomes effective upon third reading thereof.

SECTION 10: STATUS OF LAND OR BUILDINGS

The use of land, or the use of a building, is not affected by reason only of a change of ownership, tenancy or occupancy of the land or building. However, should a use be discontinued for a period of six (6) consecutive months or more, any future use of the land or building shall comply with the provisions of this bylaw and a development permit will be required.

SECTION 11: PRIOR SUBDIVISION

A subdivision approved prior to the passing of this bylaw, which does not, with the passing of this bylaw, conform to the site size, site orientation or site dimension regulations, shall, with the passage of this bylaw, be deemed to be conforming.

SECTION 12: SUBDIVISION

a) **Variance to Bylaw**

In accordance with the *Municipal Government Act (s. 654(2), MGA)*, the Subdivision Approving Authority or, on appeal, the Subdivision and Development Appeal Board, may approve a subdivision which does not conform to this bylaw, where the proposed use of the lots is either a permitted use or a discretionary use in the land use district in effect.

b) **Recommendation to Vary the Bylaw**

Council may recommend to the Subdivision Approving Authority or, on appeal, to the Subdivision and Development Appeal Board that either body vary the Land Use Bylaw and approve a subdivision which does not conform to the bylaw.

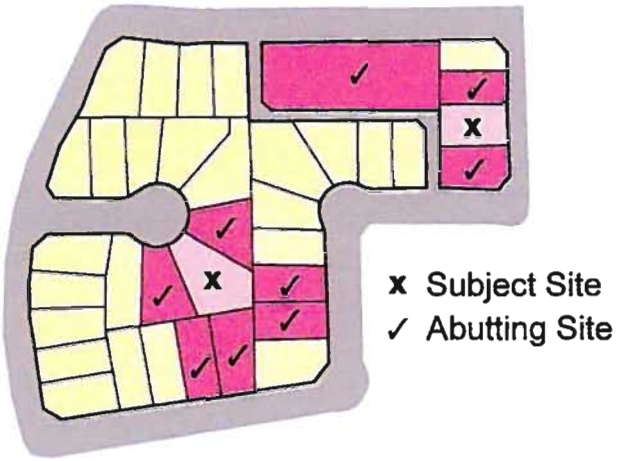
SECTION 13: SEVERABILITY

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

SECTION 14: DEFINITIONS

1. In this Bylaw:

Abut or Abutting means immediately contiguous to or physically touching, and when used with respect to a lot, means that the site physically touches upon another lot and shares a property line with it;



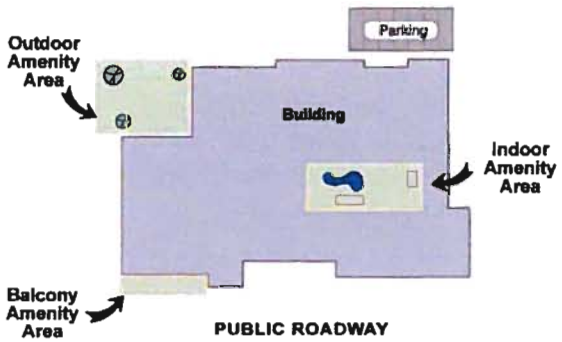
Accessory Building means a building or structure separate and subordinate to the principal building, the use of which is incidental to that of the principal building and is located on the same parcel of land;

Accessory Use means a use customarily incidental and subordinate to the principal use or building, and which is located on the same parcel of land with such principal use or building;

Act means the Municipal Government Act, Statutes of Alberta, 2000, Chapter M-26, and amendments thereto;

Adjacent means land that is bordering the side or boundary of a site and includes land that would be bordering if not for a public roadway, pipeline, power line, or railway;

Amenity Area means an on-site indoor developed space and/or outdoor landscaped area for the personal enjoyment and recreation of the occupants of a residential development;



Amusement Establishment, Indoor means an indoor facility within any building, room or area having table games or electronic games played by patrons for entertainment, typical uses include bingo halls, arcades, pool hall, casinos or similar games;

Amusement Establishment, Outdoor means a development providing facilities for entertainment and amusement activities, which primarily take place out-of-doors, where patrons are primarily participants. Typical uses include amusement parks, go-cart tracks, and miniature golf establishments;

Apartment Building means a single building comprised of four (4) or more dwelling units with shared entrance facilities, where none of the dwelling units are rented or are available for rent or occupation for periods of less than thirty (30) days;

Apartment Hotel means a single building comprised of three (3) or more dwelling units with shared entrance facilities, where the dwelling units are rented or are available for rent or occupation for periods of less than thirty (30) days, and which do not include such facilities or services as restaurants, dining rooms, room service or public convention rooms;

Auctioneering Establishments means a development specifically intended for the auctioning of goods and equipment, including temporary storage of such goods and equipment;

Auto Body Repair and Paint Shop means a development for the repairing and painting of automobiles;

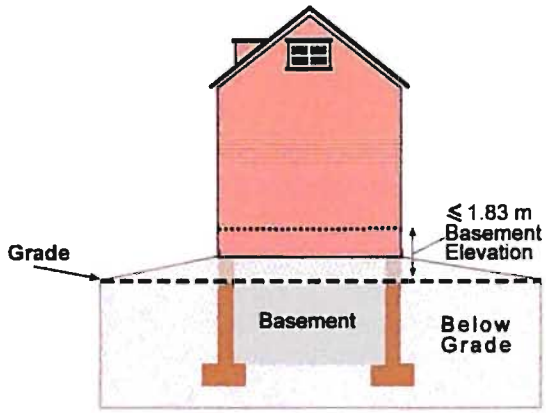
Automotive and Recreation Vehicle Sales and Service means the retail sale and service or rental of new and used automobiles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar recreational vehicles or crafts, together with incidental maintenance services and sale of parts. This includes automobile, truck, motor home and farm irnplement dealerships, car rental agencies and motorcycle dealerships.

Automotive Equipment Repair means the servicing and mechanical repair of automobiles, motorcycles, snowmobiles and similar vehicles or the sale installation or servicing of related accessories and parts. This includes transmission shops, muffler shops, tire shops, automotive glass shops and upholstery shops. This does not include auto body repair and paint shops;

Bachelor Suite and ***Bed Sitting Room*** means a dwelling in which the sleeping and living areas are combined and which is not reasonably capable of being developed as a dwelling containing one or more bedrooms;

Bare Land Condominium means a condominium development containing Bare Land Condominium Units, created specifically through subdivision and registered as a condominium plan in accordance with the Condominium Property Act, RSA 2000, C-22, as amended from time to time.

Basement means the portion of a building or structure which is wholly or partially below grade, having above grade no more than 1.83 metres of its clear height which lies below the finished level of the floor directly above;



Bed and Breakfast, Major means the accommodation, for periods of fourteen (14) days or less, in four (4) or more guest bedrooms with a breakfast meal provided on a daily basis to registered guests only where such meal is prepared in one (1) common room or by means of room service;

Bed and Breakfast, Minor means the accommodation, for periods of fourteen (14) days or less, in three (3) or fewer guest bedrooms with a breakfast meal provided on a daily basis to registered guests only where such meal is prepared in one (1) common kitchen and served in one (1) common room by means of room service;

Boarding and Lodging Houses means a development consisting of a building containing Sleeping Units, which may be in addition to a Dwelling, where lodging or sleeping accommodation with or without meals is provided for remuneration. This Use Class does not include Group Homes. Typical uses include, but not limited to, student co-operative housing and lodges for senior citizens;

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

Business Support Services means support services to businesses that are characterized by one (1) or more of the following features:

a) the use of minor mechanical equipment for printing, duplicating, binding, or photographic processing;

b) the provision of office maintenance or custodial services, the provision of office security, and

c) the sale, rental, repair or servicing of office equipment, furniture and machines.

Typical uses include printing establishment, film processing establishments, janitorial firms and office equipment sales and repair establishments.

Caliper means the trunk diameter of a tree measured at a point 300.0 mm above the top of the root ball;

Campground, Major means an area which has been planned and improved to be used and maintained for a seasonal short-term period (where the maximum occupancy shall not exceed 240 days in one year), for campers locating tents, tent trailers, holiday trailers, campers, motor homes, and similar recreational vehicles within a defined area. A campground is major where the total number of campsites is greater than sixty (60) campsites. This does not include manufactured or mobile home dwellings. Related facilities that are accessory to and support the campground such as an administrative office, washrooms, laundromat, picnic grounds, and playgrounds may be included.

Campground, Minor means an area which has been planned and improved to be used and maintained for a seasonal short-term period (where the maximum occupancy shall not exceed 240 days in one year), for campers locating tents, tent trailers, holiday trailers, campers, motor homes, and similar recreational vehicles within a defined area. A campground is minor where the total number of campsites is sixty (60) or less. This does not include manufactured or mobile home dwellings. Related facilities that are accessory to and support the campground such as an administrative office, washrooms, laundromat, picnic grounds, and playgrounds may be included.

Campsite means a specified area or site within a campground or other recreational area intended for occupancy by tents, tent trailers, holiday trailers, campers, motor homes and similar recreation vehicles on a limited short-term basis. This does not include sites or parcels for manufactured homes, cabins, motels, hotels, or boarding or lodging houses. The area shall not be used as a round storage or accommodation for residential use.

Carnivals means a temporary development providing a variety of shows, games and amusement rides, for a period of less than thirty (30) days, in which the patrons may take part;

Cemeteries means the development of a parcel of land primarily as landscaped open space for the entombment of the deceased, and may include the following accessory developments; crematories, cinerarium, columbarium and mausoleums. Typical uses in this class include memorial parks, burial grounds and gardens of remembrance;

Commercial Schools means training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning the school. This does not include schools defined as public or private education. Typical uses include secretarial, business, hairdressing, beauty culture, dancing or music schools;

Community Recreation means recreational, social or multi-purpose use without fixed seats primarily intended for local community purposes. Typical uses include halls and community centres, operated by local residents or Town organizations;

Contractor Services, General means the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with

the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal general contractor use only. General contractor services do not include limited contractor services;

Contractor Services, Limited means the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sales of goods normally associated with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities or fleet storage of more than (4) vehicles;

Council means the elected officials of the Town of Bonnyville;

Curb Cutting means the cutting or lowering of a curb, sidewalk or boulevard, or any of them, to provide a driveway for vehicular and pedestrian access to a site;

Day Care means any licensed facility where care, protection and supervision are provided:

a) for seven (7) or more children;

b) for periods of more than three (3) but less than twenty-four (24) consecutive hours; and

c) for at least twelve (12) consecutive weeks in the year;

Deck means the paved, wooden or hard-surfaced area adjoining a house, more than 0.6 metre above grade, used for outdoors living;

Density means a quantitative measure of the average number of persons, families or dwelling units per unit of area;

Developer means an owner, agent or any person, firm or company required to obtain or having obtained a Development Permit;

Development means:

a) an excavation, reclamation or stockpile; or

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

c) a change of use of land or 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; or

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

Development Authority means a designated officer, being the Chief Administrative Officer or the Development Officer, the Town of Bonnyville Council, or the Municipal

Planning Commission, all of which are charged with the responsibility of exercising development powers and duties on behalf of the Town;

Development Officer means a person(s) appointed by resolution of Council pursuant to the Development Authority Bylaw, and is responsible for receiving, considering and deciding on applications for development, and such other duties as specified under this Land Use Bylaw;

Development Permit means a permit issued by the Development Officer that authorizes development or the use of a building or site for the purpose stated in the permit, but does not include a Building Permit;

Directional Sign means:

a) a sign which directs the public to or denotes the name or any thoroughfare, route, educational institution, public building, historical site, defined business area, group of businesses or shopping mall;

b) a sign which directs and regulates traffic;

c) a sign denotes any public or transportation facility;

d) a sign located on the site which gives direction to a private premises or its vehicular use area;

Drive-In Service means a development used for drive-through banking services or for eating and drinking services, which are provided in a manner that allows rapid customer service and includes attendant services; drive-through food pick-up services; or parking primarily intended for on-site consumption of food within a motor vehicle. Drive-in services shall not include car washing establishments, drive-in theatres or drive-through vehicle services;

Drive-Through Vehicle Services means rapid cleaning, lubrication, maintenance or repair service to motor vehicles, where the customer typically remains within the vehicle or waits on the premises. Typical uses include automatic or coin operated car washes, rapid lubrication shops, or specialty repair establishments;

Dwelling means any building or structure used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level and includes multiple dwellings, apartments, lodging and boarding houses, but does not include manufactured or mobile homes of any kind whether standing on wheels or supported by blocks, jacks, or any other temporary foundation;

Dwelling, Duplex means a single building containing two (2) dwelling units, one above the other each having a separate entrance. This use does not include secondary suites;

Dwelling, Manufactured Home means any structure, whether ordinarily equipped with wheels or not, that is manufactured to meet or exceed the Canadian Standards Association standard CSA Z-240 and that is used as a residence. This does not include modular homes or mobile homes;

Dwelling, Mobile Home means a dwelling, which is constructed with a chassis that allows for permanent or temporary attachment of a hitch and wheel assembly to enable

the relocation of the dwelling. A mobile home may be a single structure (single-wide) or two part (double-wide) which when put together comprise a complete dwelling. A mobile home does not include a modular home, and single detached dwelling as defined under this Bylaw, nor does it include stick built dwellings, and recreational vehicles.

Dwelling, Modular Home means a home that is constructed from a number of pre-assembled units that are intended for delivery to and assembly at a residential site. Also known as a ready-to-move dwelling (RTM). This does not include manufactured homes, mobile homes, or single detached dwellings.

Dwelling, Row House means development consisting of a building containing a row of three (3) or more dwellings joined in whole or in part at the side only with no dwelling being placed over another in whole or in part. Each dwelling shall have separate, individual and direct access to grade;

Dwelling, Semi-Detached means a building sharing one (1) common wall separating two (2) dwelling units;

Dwelling, Single-Detached means a building containing only one (1) dwelling, but does not include manufactured or mobile homes;

Dwelling Unit means a complete building or self-contained portion of a building, set or suite of rooms for the use of one (1) or more individuals living as a single housekeeping unit, containing sleeping, cooking and separated or shared toilet facilities intended as a permanent or semi-permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms;

Eating and Drinking Establishments, Major means a development where prepared food and beverages are offered for sale to the public from establishments which are characterized by one or more of the following features: the provision of theatre, dancing or cabaret entertainment; facilities primarily intended for the provision and consumption of alcoholic beverages which have a seating capacity for 100 or more persons. Typical uses include beverage rooms, cocktail lounges, cabarets, nightclubs, theatre restaurants and banquet facilities;

Eating and Drinking Establishments, Minor means a development where prepared foods and beverages are offered for sale to the public for consumption within the premises or off the site. This use class includes neighborhood pubs, licensed restaurants, cafes, delicatessens, tearooms, lunchrooms, refreshment stands, take-out restaurants and catering services. This use class does not include drive-in food services or major eating and drinking establishments.

Education Services means development involving public assembly for education, training or instruction purposes, and may include the administration offices required for the provision of such services on the same site. This includes public and separate schools, post-secondary institutions and their administration offices, and life-skill training and education for disabled or handicapped persons.

Enforcement Officer means any person designated by Council or the Chief Administrative Officer to enforce this Bylaw;

Equipment Rentals means a development used for the rental of tools, appliances, recreation craft, office machines, furniture, light construction equipment or similar items. This use does not include the rental of motor vehicles or industrial equipment;

Extended Medical Treatment means the provision of room, board, and surgical or other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences. Typical uses include hospitals, nursing homes, convalescent homes and auxiliary hospitals;

Family Day Home means a private residence where care, protection and supervision are provided:

a) for less than seven (7) children;

b) for periods of more than three (3) but less than twenty-four (24) consecutive hours; and

c) for at least twelve (12) consecutive weeks in the year;

Fitness Centre means a development providing facilities within an enclosed building for sports and active recreation where patrons are predominately participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include athletic clubs, health and fitness clubs, curling, roller-skating and hockey rinks, swimming pools, rifle and pistol ranges, bowling alleys, soccer and racquet clubs;

Fleet Services means using a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long-term lease. This includes trucking companies, ambulance services, taxi services, bus lines, messenger and courier services.

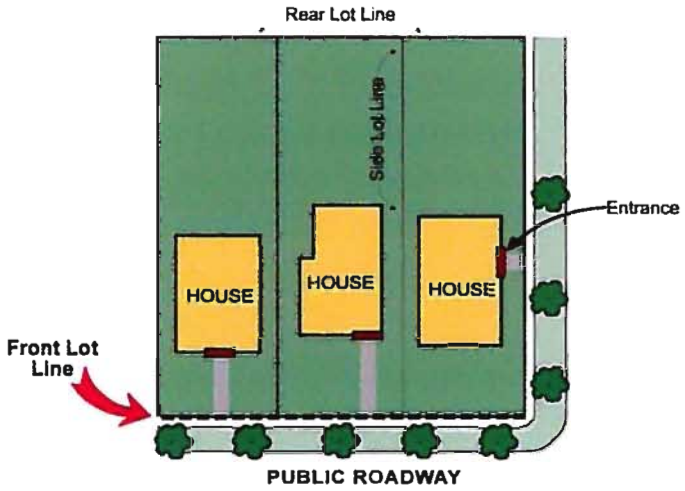
Floor Area means the total area of all floors of all buildings (excluding accessory buildings) located on any parcel, excluding the area of basement floors except that:

a) basement units in apartment buildings shall be included in the calculation;

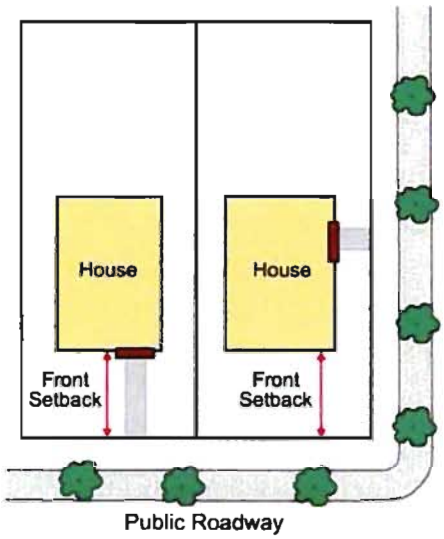
b) in single detached dwelling, duplexes and town houses, the floor area shall be that of the main floor only and shall be calculated using exterior dimensions;

Floor Area Ratio means the numerical value of the gross floor area of the building or structure divided by the area of the site. The gross floor area devoted exclusively to mechanical or electrical equipment servicing the development;

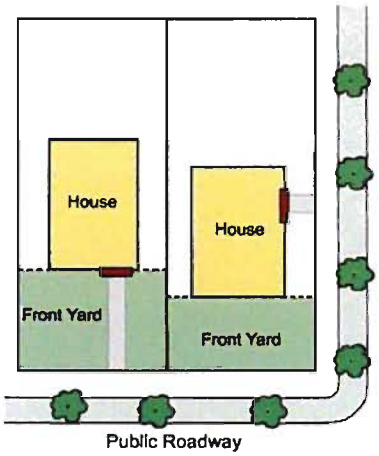
Front Lot Line means the property line separating a lot from an abutting public roadway other than a Lane. In the case of a Corner Lot, the Front Line is the shorter of the property lines abutting a public roadway, other than a Lane. In the case of a Corner Lot formed by a curved corner, the Front Lot Line shall be the shorter of the two segments of the property line lying between the point determined to be the actual corner and the two points at the extremities of that property line;



Front Setback means the distance that a development or a specified portion of it, must be set back from a Front Lot Line. A Front Setback is not a Front Yard, Amenity Space or Separation Space;



Front Yard means the portion of a Site abutting the Front Lot Line extending across the full width of the Site, situated between the Front Lot Line and the nearest wall of the principal building, not including projections;



Fuel Dispensing Station means a development where gasoline, propane or other petroleum products are sold. These may include service stations, gas bars, unmanned gas bars and bulk stations.

Funeral Services means the preparation of the dead for burial or cremation, and the holding of memorial services. This includes funeral homes and undertaking establishments;

Garage Suite means an accessory dwelling located above a detached garage (above grade); or a single-storey accessory dwelling attached to the side or rear of, a detached garage (at grade). A Garage Suite is accessory to a building in which the principal use is Single Detached Housing. A Garage Suite has cooking facilities, food preparation, sleeping and sanitary facilities which are separate from those of the principal dwelling located on the Site. A Garage Suite has an entrance separate from the vehicle entrance to the detached garage, either from a common indoor landing or directly from the exterior of the structure.

Gas Bars means a development that provides the retail sale of gasoline, propane, other petroleum products, and incidental auto accessories;

General Industrial means the following activities:

a) the processing of raw or finished materials;

b) the manufacturing or assembling of goods, products or equipment;

c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts;

d) the storage or transshipping of materials, goods and equipment, including petro-chemical products and supplies;

e) the training of personnel in general industrial operations; and

f) it may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial uses;

Government Services means Town, Municipal District, Provincial or Federal services provided directly to the public. This does not include protective and emergency services, utility services, and public education services. Typical uses include Town Hall, M.D. of Bonnyville, Provincial and Federal offices, courthouse and postal offices;

Grade means the average ground elevation calculated at the perimeter of a site, as determined by a Development Officer;

Greenhouse and Plant Nurseries means a development used for the growing, acclimatizing, propagating, harvesting, displaying and selling of bedding, household and ornamental plants and may include accessory uses related to the storing, displaying and selling of gardening, nursery and related products;

Group Home means the use of one dwelling unit as a care facility licensed by the Provincial Authority to provide room and board for not more than 6 residents with physical, mental, social, or behavioral problems that require professional care, guidance and supervision. A group home may include, to a maximum of 6, any combination of staff, residents requiring care, and residents not requiring care. The character of the use is that the occupants live together as a single housekeeping group and use a common kitchen. This use does not include boarding and lodging houses, congregate care or temporary shelter services. This use may include foster homes.

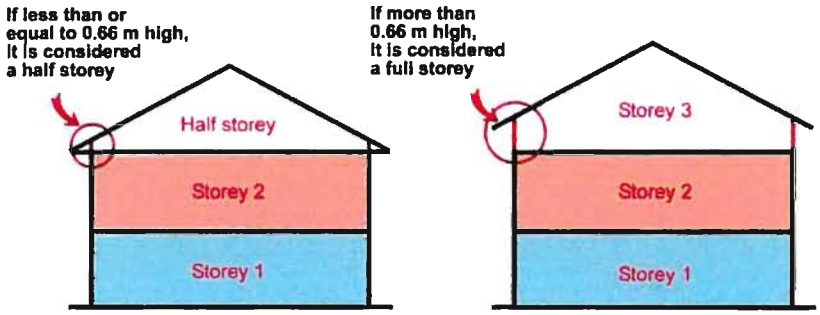
Gross Floor Area means the total area of all floors of all buildings including accessory buildings located on any parcel, excluding the area of basement floors, except the basement suites in apartment buildings shall be included in the calculation of gross floor area;

Gross Floor Area Ratio means the ratio or decimal resulting from dividing the gross floor area of all buildings by the total site area of the parcel on which the buildings are located;

Gross Leasable Floor Area means the total area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floors, if any, corridors, staircases, washrooms and utility rooms used exclusively by one concern, and also areas occupied by non-load bearing partitions. Measurements are made from the centerline of joint partitions to the exterior glass line. Gross leasable floor area is all the area on which the tenants pay rent;

Habitable Room means any room in a dwelling other than a Non-habitable Room;

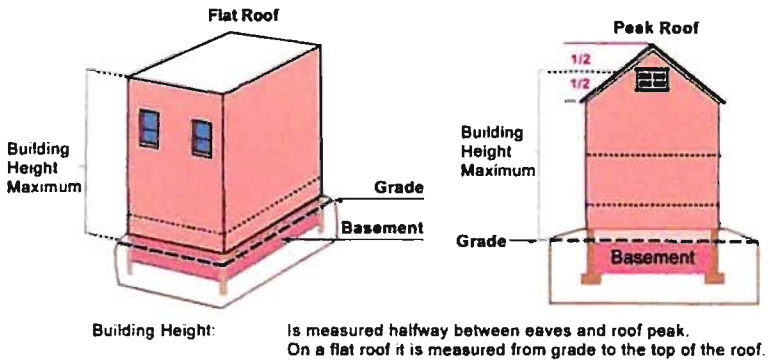
Half Storey means a Storey under a gable, hip, or gambrel roof, the wall plates of which, on at least two opposite walls, are not more than 0.66 m above the floor of such Storey



Hardware and/or Home Improvement Store means a retail store primarily engaged in the sale of basic hardware lines such as lumber, tools, paint, house wares and household supplies. These stores may sell to construction contractors, and/or to the average consumer. If outdoor storage is required, it should be properly screened from public view;

Health Services means the provision of physical and mental health services on an outpatient basis. Services may be of preventative, diagnostic treatment, therapeutic, rehabilitative or counseling nature. Typical uses include medical and dental offices, health clinics and counseling services;

Height, Building means the vertical distance between grade and the highest point of a building, excluding an elevator housing a mechanical penthouse, a roof stairway entrance, a ventilating fan, a skylight, a steeple, a chimney, a smoke stack, an exterior firewall, a parapet wall, a flagpole or similar device not structurally essential to the building;



Home Occupation means any occupation, trade, profession, or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building, and which does not change the character thereof or have any exterior evidence of such secondary use other than a small nameplate not exceeding 1.0 m^2 (10.76 sq. ft.) in area. A home occupation does not include the keeping of a stock-in-trade unless otherwise approved by the Development Authority, and the employment of any employees other than the occupant and the occupant's family. Home occupations are divided into two categories:

a) ***Minor*** – Home Occupations that do not employ any person outside of the home, do not generate more than one business related vehicle trip per day, and do not extend beyond the confines of the residential unit; and

b) ***Major*** – Home Occupations that may utilize accessory buildings and may generate more than one business related vehicle trip per day, but may not include outside storage;

Hostel means an establishment which provides inexpensive food and lodging for a specific group of people, such as students, workers or travelers. Hostels may include Bed and Breakfast and/or Boarding and Lodging House establishments and does not include Work Camps or Relocatable Industrial Camp Facilities.

Hotel means the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and may be equipped with individual kitchen facilities. Hotels may include accessory eating and drinking establishments, meeting rooms, and personal service shops;

Household means:

a) a person; or

b) two or more persons related by blood, marriage or adoption; or

c) a group of not more than five persons who are not related by blood, marriage, or adoption; or

d) a combination of (b) and (c), provided that the total of the combination does not exceed five;

all living together as a single housekeeping group and using cooking facilities shared in common. A Household may also include domestic servants;

Household Repair Services means the provision of repair services to goods, equipment and appliances normally found within the home. Typical uses include radio, television and appliance repair shops, furniture refinishing and upholstery shops;

Industrial Storage means development used exclusively for outdoor storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land. Typical uses include pipe yards, vehicle or heavy equipment storage, auto wrecking, buildings on skids or temporary foundations, storage of: aggregates, building supplies, construction equipment, farm machinery, unoccupied mobile homes, and oil and gas equipment. Industrial storage does not include general industrial uses, warehouse or wholesale sales and operations, industrial vehicle and equipment sales and rentals;

Industrial Vehicle and Equipment Sales and Service means the sale, rental, and/or servicing of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oilfield and mining construction, manufacturing, assembling and processing operations and agricultural production;

Institutional means a development intended primarily for the provision of public and/or semi-public services, which are normally established by government, non-profit or charitable organizations;

Landscaping, Hard means those materials used in the landscaping design for a lot or building that are non-living and include, but are not limited to, paving material, wooden timbers, concrete products, manufactured playground equipment and streetscape furniture.

Landscaping, Soft means to preserve or change the natural features of a site by adding lawns, trees, shrubs, ornamental plantings, and materials as used in modern landscaping architecture.

Land Use Bylaw means the Town of Bonnyville Land Use Bylaw being Bylaw XXX-XX and all amendments thereto;

Libraries and Cultural Facilities means the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use; or a development for the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value. Typical uses include libraries, museums and art galleries;

Lodging Houses – See ***Boarding and Lodging Houses***

Lot means:

a) a quarter section of land; or

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

c) a part of a parcel where the boundaries of the part are described in a certificate of title by reference to a plan of subdivision;

Lot, Corner means a lot or site located at the intersection of two (2) public roadways, other than lanes, or a lot or site located abutting a public roadway, other than a lane, which substantially changes direction at any point where it abuts the lot or site;

Lot Coverage means the total horizontal area of all buildings or structures on a site, which are located at or higher than 1.0 m above grade, including accessory buildings or structures. Lot coverage does not include steps, eaves, cornices, and similar projections; driveways, aisles and parking lots unless they are part of a parking garage which extends more than 1.0 m above grade; or unenclosed inner and outer courts, terraces and patios where these are less than 1.0 m above grade;

Lot Depth means the average horizontal distance between the front and rear lot lines;

Lot Width means the horizontal measurement between the side lot lines measured from the front boundary of the lot, or the mean horizontal measurement on irregular-shaped lots;

Manufactured Home Park means a development on a site under one ownership and managed by a park operator. It is designed to accommodate a multiple of manufactured home dwellings or mobile homes;

Manufactured Home Subdivision means a parcel of land subdivided by a registered plan into individual lots for manufactured homes;

Motel means a building or group of buildings on a site designed and operated to provide temporary accommodation for transient motorists and contains separate sleeping units, where access is from an outside doorway to each unit and is provided with an adjoining or conveniently located parking stall;

Municipal Planning Commission means the Town of Bonnyville Municipal Planning Commission as established by bylaw and amendments thereto;

Mural means a sign that is painted or sculpted onto a building wall and is considered artistic rather than advertising and does not contain any product advertising;

Natural Habitat Areas means development used primarily for the protection, and preservation of public or private lands as habitats for wildlife and native vegetation within a subdivide parcel. Typical uses include water fowl nesting ponds, storm water storage ponds, wildlife sanctuaries, pathways and wildlife observations sites.

Non-Conforming Building means a building that:

a) is lawfully constructed or lawfully under construction, or in respect of which all required permits have been issued, at the date the Land Use Bylaw or any amendment to the Bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and

b) on the date the Land Use Bylaw or any amendment to a Bylaw becomes effective does not, or when constructed will not, comply with the Bylaw;

Non-Conforming Use means a lawfully specific use:

a) being made of land or a building or intended to be made of a building lawfully under construction, or in respect of which all required permits have been issued, at the date the Land Use Bylaw or any amendment to the Bylaw or any amendment to the Bylaw affecting the land of building becomes effective; and

b) that on the date the Land Use Bylaw or any amendment to the Bylaw becomes effective does not, or in the case of a building under construction or in respect of which all required permits have been issued, will not, comply with the Bylaw;

Non-Habitable Room means a space in a dwelling providing a service function and not intended primarily for human occupancy, including bathrooms, entry ways, corridors, or storage areas;

Parcel means the aggregate of the one or more areas of land described in a Certificate of Title or described in a Certificate of Title by reference to a plan filed or registered in a Land Titles Office;

Park means a development specifically designed or reserved for the general public for active or passive recreational use and includes all natural and manmade landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purpose of public parkland, whether or not such recreational facilities are publicly

operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, Bonnyville Wetlands Society facilities related to viewing and promoting wetland resources of Jessie Lake;

Participant Recreation Services, Indoor means facilities for sports and active recreation conducted indoors. Typical uses include swimming pools, ice arenas, curling rinks, indoor track and field facilities.

Participant Recreation Services, Outdoor means facilities for sports and active recreation conducted outdoors. Typical uses include golf course, driving ranges, ski hills, athletic fields, equestrian trails, boating facilities, waterslides, recreational vehicle, motor vehicle and motorbike racecourses, and playing fields for baseball, soccer, and similar sports;

Party Wall means either a wall erected at, or upon, a line separating two parcels of land, each of which is, or is capable of being, a separate legal parcel subdivided under the Municipal Government Act; or a wall separating two dwellings, each of which is, or is capable of being, a separate legal parcel divided under the Condominium Property Act;

Personal Service Shops means the provision of personal services to an individual that are related to the care and appearance of the body, or the cleaning and repair of personal effects. This includes barber shops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, and dry cleaning establishments and laundromats;

Principal Building means a building which:

a) occupies the major or central portions of a site;

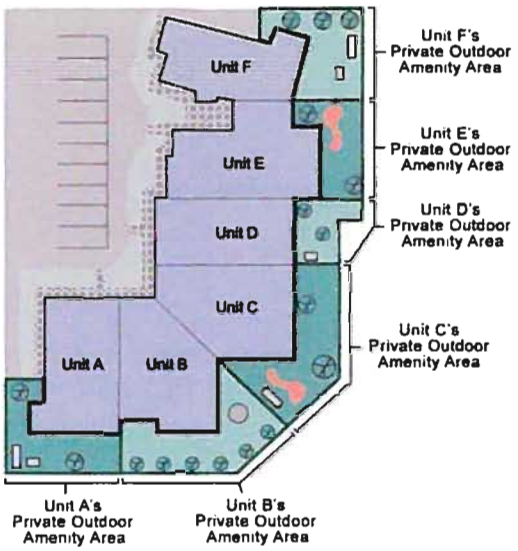
b) is the chief or main building on a site; and

c) constitutes, by reason of its use, the primary purpose of which the site is used;

Principal Use means the main purpose for which a building or site is used;

Private Clubs means a development used for social or recreational activities of members of a non-profit, religious, philanthropic, athletic, business or fraternal organization with or without on-site facilities. Private clubs may include a building with rooms for eating, drinking and assembly purposes;

Private Outdoor Amenity Area means required open space provided and designed for the active or passive recreation and enjoyment of the residents of a particular Dwelling and which is immediately adjacent to and directly accessible from the Dwelling it is to serve;



Professional and Financial Services means the provision of professional, management, administrative, consulting and financial services but does not include health services or government services. Typical uses include the offices of lawyers, accountants, engineers, and architects; offices for real estate, travel agents and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; and banks, credit unions, loan offices and similar financial uses;

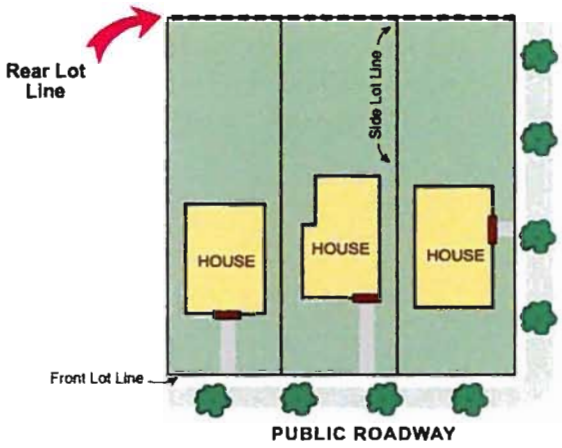
Protective Emergency Services means a development, which is required for public protection of persons and property from injury, harm, or damage together with the incidental storage of emergency development, which is necessary for the local distribution of utility services. Typical uses include gas equipment and vehicle storage, police stations, fire stations, and ancillary training facilities;

Provincial Highway Extension means the major roadway that extends into the Town of Bonnyville from a provincial highway;

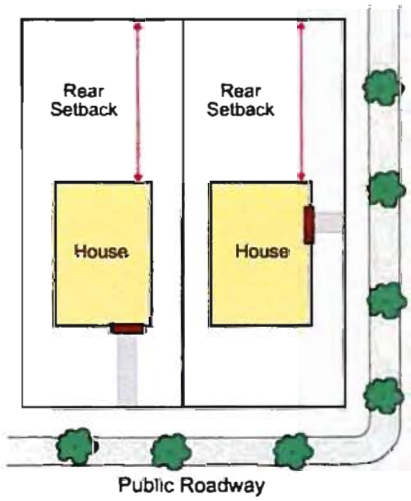
Public Utility Building or Use means a building or use as defined in the Municipal Government Act in which the proprietor of the public utility maintains its office or offices and/or maintains or houses any equipment used in connection with the public utility;

Public Utility Lots means parcels of land used primarily for the protection, and preservation of public or private lands designated as a Public Utility Lot. Typical uses include but are not limited to pathways which may or may not have underground utility services, pathways used for minor storm drainage between neighbouring areas, storm water storage ponds, and locations for water reservoirs and sewer lift stations.

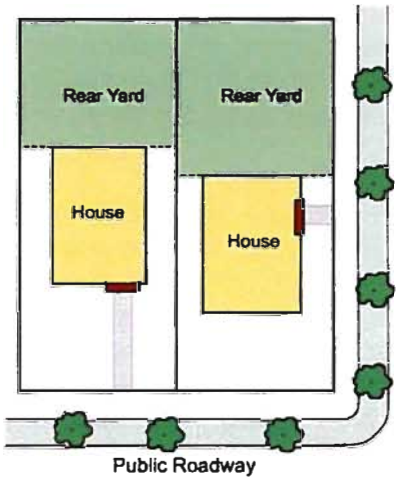
Rear Lot Line means either the property line of a lot which is furthest from and opposite the Front Lot Line, or, where there is no such property line, the point of intersection of any property lines other than a Front Lot Line which is furthest from and opposite the Front Lot Line;



Rear Setback means the distance that a development or a specified portion of it, must be set back from a Rear Lot Line. A Rear Setback is not a Rear Yard, Amenity Space or Separation Space;



Rear Yard means the portion of a Site abutting the Rear Lot Line extending across the full width of the Site, situated between the Rear Lot Line and the nearest wall of the principal building, not including projections



Recreational Vehicle means a vehicle-type unit primarily designed as temporary living quarters for recreational or travel use, which either has its own mode of power or is mounted on or towed by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper, tent trailer and motorhome of such size or weight as not to require special highway movement permits when towed by a motorized vehicle.

Recreational Vehicle Park means a plot of land upon which recreational vehicle sites are located to provide for occupancy by recreational vehicles owned or operated by the general public as temporary living quarters for recreational or vacation purposes.

Recreational Vehicle Repair Shops means a development where motorhomes or trailers with gross weight rating greater than 6,000kg or a length greater than 6.7 metres and similar vehicles are serviced or repaired, including mechanical and body repairs, painting and installation of parts and accessories.

Relocatable Industrial Camp Facility (also see Work Camp) means a building or buildings consisting of one or more transportable modules specifically designed for industrial use, to be readily re-locatable and useable without permanent foundations. The intended use shall be to provide accommodation for a specified industrial workforce living and working in a temporary location but does not apply to manufactured or mobile homes, retro-fitted manufacture or mobile homes, prefabricated single family dwellings units or other types of prefabricated or manufactured buildings. Industrial camp facilities shall be constructed for instant mobility with heavy duty steel frame and may include heavy duty steel bumpers and skid plates. Industrial camp facilities generally do not have residential architectural features such as bay windows, dormers, patio doors, pitched roofs, external chimney stacks, residential doors or vinyl siding. The exterior is of a very basic design, without architectural features, and is sided with metal to ensure that the structure can withstand rugged and harsh environments and tolerate continuous relocation. Industrial camp facilities often have self-contained water storage, pressure systems, and electrical power.

Recycling Depot means a development used for the buying and temporary storage of bottles, cans, newspapers, and similar household goods for reuse where all storage is contained within an enclosed building or designated compound site;

Religious Assembly means a development used by a religious organization for worship and related religious, philanthropic, or social activities and includes accessory rectories, manses, meeting rooms, classrooms, dormitories and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries;

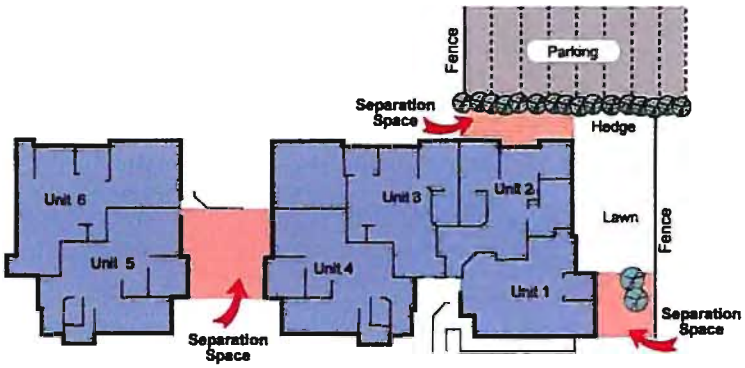
Retail, Convenience means the retail sale of goods required by area residents or employees on a day-to-day basis, from business premises, which do not exceed 310 square metres in gross floor area. Typical uses include small food stores, drug stores, video sales and rentals, and variety stores selling confectionary, tobacco, groceries, beverages, pharmaceutical and personal care items, or printed matter;

Retail, General means the retail sale of groceries, beverages, liquor, household goods, furniture and appliances, hardware, printed matter, confectionery, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary, video sales and rentals, and similar goods from within an enclosed building. Minor government services, such as postal services are permitted within general retail stores;

Rodeo Grounds and Related Facilities means a development consisting of an outdoor rodeo arena, chuckwagon track, corrals, pens, spectator seating, concessions and washroom facilities and on-site parking to be used for rodeo and related spectator events.

Secondary Suite means development consisting of a self-contained dwelling located in a structure in which the principal use is single detached housing. A Secondary Suite has cooking, food preparation, sleeping and bathing facilities, which are separate from those of the principal dwelling within the structure. For the purpose of this clause, "cooking facilities" includes any stove, hotplate, oven, microwave oven, toaster oven or electric griddle, as well as any wiring or piping containing the energy or power source for such facilities. A Secondary Suite also has an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the exterior of the structure. This use class includes conversion of basement space to a dwelling, or the addition of new floor space for a Secondary Suite to an existing Single Detached Dwelling. This use class does not include Duplex Dwellings, Semi-detached Dwellings, or Apartment housing, where the structure was initially designed for two or more dwellings, and does not include Boarding and Lodging Houses or Garage Suites;

Separation Space means open space around Dwellings separating them from adjacent buildings or activities, and providing daylight, ventilation, and privacy. Separation Space is not a Yard;



Service Stations means a development which provides for the washing, servicing and repair of vehicles within a building; and the sale of gasoline, petroleum products, and a limited range of automotive parts and accessories and limited convenience food items;

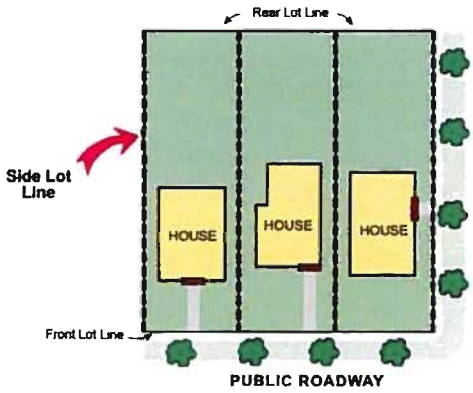
Setback means the distance that a development must be situated from a property line or any other features of a site specified by the Bylaw. A setback is not a yard;

Shopping Centre means a building or group of buildings containing retail commercial operations such as a grocery store, personal service shops, banks, etc. and providing on-site parking;

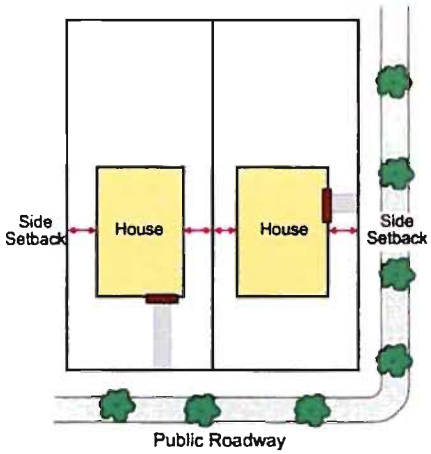
Shopping Centre, Regional means a shopping centre that provides a wide variety of goods and services available to the local and surrounding area residents;

Shopping Centre, Neighborhood means a shopping centre that provides commercial uses to meet the frequent needs of the immediate neighborhood;

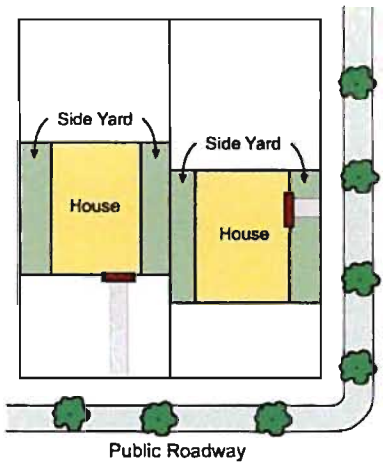
Side Lot Line means the property line of a lot other than a Front Lot Line or Rear Lot Line;



Side Setback means the distance that a development or a specified portion of it, must be set back from a Side Lot Line. A Side Setback is not a Side Yard, Amenity Space or Separation Space.



Side Yard means that portion of a Site abutting a Side Lot Line extending from the Front Yard to the Rear Yard. The Side Yard is situated between the Side Lot Line and the nearest wall of principal building, not including projections;



Sign means a device, structure, or fixture intended for the advertising or calling attention to any person, matter, object, or event;

Sign Area means the entire area of a sign, measured to the outer perimeter of the sign, but does not include the supports and frame;

Site means a lot or larger area of land developed, or intended to be developed, as one unit;

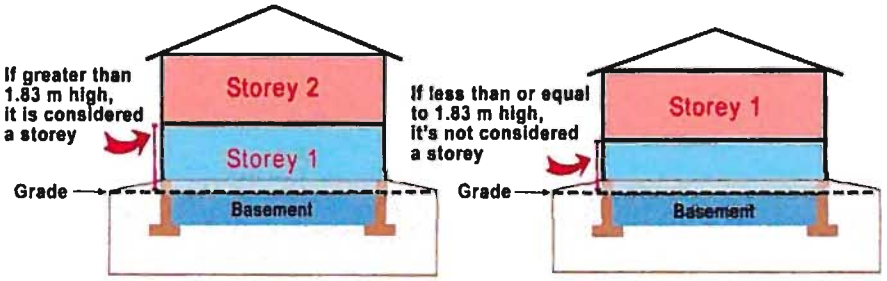
Site Coverage means the total horizontal area of all buildings or structures on a Site which are located at or higher than 1.0 m above grade, including Accessory Buildings or Structures, calculated by perpendicular projection onto a horizontal plane from one point

located at an infinite distance above all buildings and structures on the Site. This definition shall not include:

a. steps, eaves, cornices, and similar projections;
b. driveways, aisles and parking lots unless they are part of a Parking Garage which extends 1.0 m or more above grade; or
c. unenclosed inner and outer courts, terraces and patios where these are less than 1.0 m above grade;

Sleeping Unit means a Habitable Room, or a group of two or more Habitable Rooms, not equipped with self-contained cooking facilities, providing accommodation for not more than two persons;

Storey means that portion of a building that is situated between the top of any floor and the top of the floor next above it. If there is no floor above, the storey in the portion of the building that is situated between the top of any floor and the ceiling above it. If the top of the floor above a basement is more than 1.83 metres above grade, such basement shall be considered a storey;

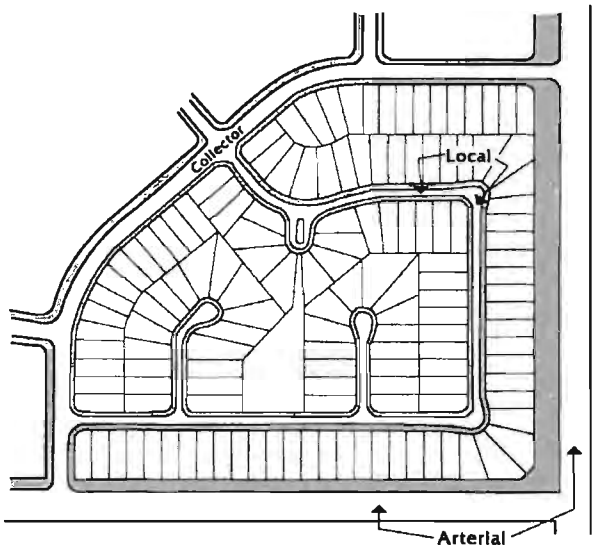


Street - a right-of-way no less than 10.0 metres in width used for a public thoroughfare and designed for the use of vehicular and pedestrian traffic, but does not include a lane;

Street, Arterial - means an intra-municipal street which conveys traffic between quadrants within the town. Efficient movement of vehicles is the primary function of arterial roads; hence private access and frontage should be controlled and limited to developments which are high volume traffic generators.

Street, Collector - means a street serving neighbourhood travel which is designed to collect and distribute traffic between local and arterial streets.

Street, Local - means a street that provides frontage for service and access to private lots. These streets carry only traffic destined for or originating from the street itself.



Subdivision and Development Appeal Board means a Subdivision and Development Appeal Board appointed pursuant to the Municipal Government Act;

Supportive Living Accommodation means buildings or units in buildings that are intended for permanent residential living where an operator also provides or arranges for services in order to assist residents to live as independently as possible.

Surveillance Suite means an area within a commercial or industrial building used for the sole purpose of providing a designated area for employees to rest between shifts or to provide temporary on-site security surveillance for the property. This definition shall not include work camps.

Tandem Parking means two (2) parking spaces, one behind the other, with a common or shared point of access to the maneuvering aisle;

Temporary means a building, structure, or use that is permitted to exist for a maximum of six (6) months, or such period of time as determined by the Development Authority;

Temporary Shelters means a development sponsored by a public authority or non-profit agency for the purpose of providing temporary accommodation for persons requiring immediate shelter and assistance for a short period of time. Typical uses include hostels and overnight shelters;

Theatre means facilities within an enclosed building specifically intended for live theatrical, cultural, musical, or dance performances; or the showing of motion pictures. This does not include entertainment developments associated with eating and drinking establishments. Typical uses include auditoriums and cinemas;

Traffic Generation means the volume of vehicular traffic generated over a prescribed area within a prescribed time frame, which can be directly attributed to a particular development or geographic area;

Use means the purpose or activity for which a site and its buildings are designed, arranged, developed, or intended, or for which it is occupied or maintained;

Uses, Discretionary means those developments or structures for which Development Permits may be decided upon at the discretion of a Development Authority;

Uses, Permitted means those developments for which Development Permits shall be approved with or without conditions by a Development Authority where such developments conform to the provisions of this Bylaw;

Vehicle Rentals means the rental of new or used automobiles and trucks. This includes those establishments that are not strictly office in nature, but include, as an integral part of the operation, minor vehicle servicing, storing, fueling or washing facilities;

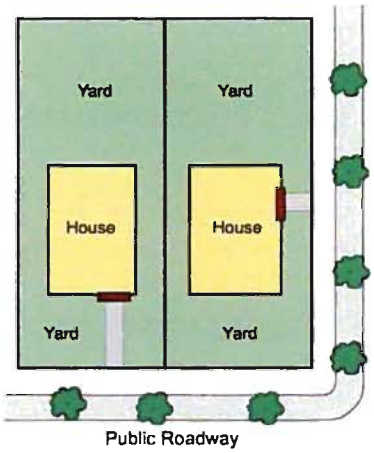
Veterinary Services means development used for the care and treatment of small animals where the veterinary services primarily involve outpatient care and minor medical procedures involving hospitalization for fewer than four days. All animals shall be kept within an enclosed building. This use class includes pet clinics, small animal veterinary clinics and veterinary offices. This use class does not include animal hospitals and shelters;

Warehouse Sales means the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large areas for direct display to the purchaser or consumer. This includes development where principal goods being sold are such bulky items as furniture, carpet, major appliances and building materials;

Waste Management Site means a site used primarily for the storage, processing treatment and disposal of solid and/or liquid wastes, which may have adverse environmental impact on adjacent sites by virtue of potential emissions and/or appearance. Typical uses include sanitary landfills, garbage transfer and compacting stations, recycling facilities, incinerators, sewage lagoons, wrecking and scrap metal yards and similar uses;

Work Camp (also see Relocatable Industrial Camp Facilities) means a temporary residential camp facility located within an un-serviced or serviced non-residential districted parcel to be used by large groups of workers being brought in to the area for the purpose of short-term work projects related to construction and/or the oil and gas industry.

Yard means a part of a parcel upon or over which no main building is erected;



Zero Side Yard means a case in which a development is permitted to be built on the side parcel line, with no required side yard setback on the side to which the development is located;

2. Municipal Government Act Interpretation:

Notwithstanding the meanings above, the Municipal Government Act, RSA 2000, as amended, takes precedence in a case of dispute on the meanings of all words or clauses.

SECTION 15: OTHER LEGISLATIVE AND BYLAW REQUIREMENTS

In addition to the requirements of this Bylaw, an applicant must comply with any federal, provincial or municipal legislation including the requirements of a Development Permit or Agreement. The applicant/landowner must also comply with the conditions of any easement or covenant that affects the development or subdivision.

SECTION 16: METRIC AND IMPERIAL MEASUREMENTS

Whenever dimensions are present or calculations are required, the metric dimensions, values or results shall be used. The imperial equivalents may be provided in parenthesis after each reference to metric units of measurement, are approximate and intended for information only.

PART II ADMINISTRATIVE DUTIES AND RESPONSIBILITIES

SECTION 20: DEVELOPMENT AUTHORITY

1. The Development Authority for the Town of Bonnyville shall be as established by the Development Authority Bylaw.

2. For the purposes of this Bylaw, the Development Authority consists of:

   a) any Development Officer or Designated Officer while carrying out municipal functions or duties under this Bylaw or the Act.

   b) the Municipal Planning Commission while exercising development powers or duties under this Bylaw, the Municipal Planning Commission Bylaw or the Act.

   c) Council in Direct Control Districts.

SECTION 21: DEVELOPMENT OFFICER

1. The Development Officer for the Town of Bonnyville shall be as established by the Development Authority Bylaw.

2. The Development Officer shall receive all development applications and shall review each application to ensure that it is complete in accordance with the requirements of this Bylaw.

3. The Development Officer may require an applicant for a development permit to supply information other than prescribed in this Bylaw if such information is deemed to be necessary for the consideration of the development application.

4. The Development Officer shall not accept a Development Permit Application until it is in a complete and final form and the Development Officer is satisfied that all requirements have been met.

5. The Development Officer, upon receipt of a completed Development Permit Application that conforms to the Bylaw and is for a permitted use, shall issue a Development Permit, with or without conditions.

6. The Development Officer shall refer with appropriate recommendations, to the Municipal Planning Commission, or any other Municipal Committee as deemed necessary, all development applications involving:

   a) developments which could be potentially detrimental to traffic movement;

   b) those matters requiring the specific approval or recommendation of the Municipal Planning Commission pursuant to this Bylaw or the Municipal Planning Commission Bylaw;

c) any other matters which, in the opinion of the Development Officer, does not comply with the intent or provisions of this Bylaw, and should be reviewed by the Municipal Planning Commission;

d) those matters specifically related to Direct Control Districts shall be referred with review recommendations to Council.

7. The Development Officer shall keep and maintain for the inspection by the general public during office hours, a copy of this Bylaw including all amendments, and shall ensure that copies of the same are available to the general public for a fee which has been established by resolution of Council.

8. The Development Officer shall keep on file, and make available for inspection by the general public during office hours, a register of all applications for Development Permits, including decisions thereon.

9. The Development Officer shall maintain this register of development applications in a form that clearly states:

a) name of applicant;

b) name of registered owner of the property;

c) legal description of the affected land;

d) description of proposed development;

e) estimated cost of the proposed development;

f) date on which the application was lodged with the Development Officer;

g) date and decision by the Development Authority;

h) date when applicant was notified of the decision; and

i) fees paid.

SECTION 22: MUNICIPAL PLANNING COMMISSION

1. The Municipal Planning Commission, in conjunction with the Development Officer, shall administer this Bylaw.

2. The Municipal Planning Commission is hereby authorized to make decisions with respect to development applications, in addition to the Development Officer, under the provisions of the Municipal Planning Commission Bylaw.

3. The Municipal Planning Commission shall receive and consider all development applications referred to it by the Development Authority and shall:

a) approve such applications with or without conditions; or

b) refuse such applications stating the reasons therefore; or

c) table such applications stating the reasons therefore.

4. In considering a development application before it, the Municipal Planning Commission shall give due regard to the circumstances and merit of the application and to the purpose, intent and scope of this Bylaw.

SECTION 23: SUBDIVISION AUTHORITY

1. The Subdivision Authority for the Town of Bonnyville shall be established by the Subdivision Authority Bylaw, and shall be made up of members of Council.

2. The Subdivision Officer shall be appointed by the Chief Administrative Officer on behalf of Council and shall not be a member of the Subdivision Authority.

3. The Subdivision Officer shall be responsible for:

   a) ensuring applications to the Subdivision Authority and statutory notices and decisions of the Subdivision Authority are provided to such persons as the Act and Regulations require;

   b) undertake all those responsibilities and functions delegated to the Subdivision Officer by the Subdivision Authority;

   c) signs orders, decisions, approvals, notices, and other items given or done by the Subdivision Authority on its behalf.

4. The Subdivision Authority is not required to hold a hearing in considering an application for subdivision but must consider written submissions of those persons and local authorities to whom an application for subdivision approval or notice of application was given.

5. The Subdivision Authority must not approve an application for subdivision unless:

   a) the land that is proposed to be subdivided is, in the opinion of the Subdivision Authority, suitable for the purpose for which the subdivision is intended;

   b) the proposed subdivision conforms to the provisions of any statutory plan and any land use bylaw that affects the land proposed to be subdivided;

   c) the proposed subdivision complies with the Act and the regulations under the Act;

   d) all outstanding property taxes on the land proposed to be subdivided have been paid to the municipality or arrangements satisfactory to the municipality have been made for their payment pursuant to Part 10 of the Act.

6. The Subdivision Authority may approve an application for subdivision approval even though the proposed subdivision does not comply with the land use bylaw, if, in its opinion:

   a) the proposed subdivision would not:

      i) unduly interfere with the amenities of the neighborhood or

ii) materially interfere with or affect the use, enjoyment, or value of neighbouring parcels of land;

and

b) the proposed subdivision conforms to the use prescribed for that land in this Bylaw.

7. The Subdivision Authority may approve or refuse an application for subdivision approval.

SECTION 24: SUBDIVISION AND DEVELOPMENT APPEAL BOARD

1. The powers, duties and responsibilities of the Subdivision and Development Appeal Board with respect to this Bylaw are those established in the Subdivision and Development Appeal Board Bylaw.

2. The Subdivision and Development Appeal Board shall consist of five (5) members appointed by resolution of Council. These members shall be appointed from the public at large and shall not be members of the Development Authority or Subdivision Authority.

3. Pursuant to the Subdivision and Development Appeal Board, the Secretary of the Subdivision and Development Appeal Board shall:

   a) make and keep record of all of the Subdivision and Development Appeal Board proceedings;

   b) ensure statutory notices and decisions of the Board are provided to such parties as the Act requires;

   c) compiles and provides an agenda and meeting packages to members and makes available to the public;

   d) signs orders, decisions, notices, and other items given by the Board on its behalf.

4. The fees associated with the holding of hearings, and meetings of the Subdivision and Development Appeal Board are set by resolution of Council.

5. Part IV of this Bylaw outlines the procedures of an appeal.

PART III DEVELOPMENT PERMITS RULES AND REGULATIONS

SECTION 30: CONTROL OF DEVELOPMENT

Except as provided in Section 32, no person shall commence any development unless a Development Permit Application has been approved and a Development Permit has been issued.

SECTION 31: PERMIT FEES

All fees and charges under and pursuant to this Bylaw, and any amendments thereto, with respect to development and subdivision shall be as established by resolution of Council.

Any development found to have been commenced prior to the issuance of a development permit shall be subject to an application fee of double the original application fee pursuant to the Planning and Development Fees and Charges as approved by resolution of Council and amended from time to time.

SECTION 32: WHERE A PERMIT IS NOT REQUIRED

The following development shall not require a Development Permit provided that the proposed development is in conformance with the applicable regulations of this Bylaw:

1. The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation as defined in the Alberta Building Code with amendment thereto.

2. The erection or construction of gates, fences, walls or other means of enclosure, in residential districts, (other than on corner lots or where abutting on a road used by vehicular traffic) less than 1.0 metres in height in front yards and less than 2.0 metres in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or wall or other means of enclosure provided height maximums herein prescribed are not exceeded.

3. A temporary building, the sole purpose of which is incidental to the erection or alteration of a building or development, for which a Development Permit has been issued under this Bylaw provided that the temporary building shall be removed within one (1) year of the commencement of construction or upon completion of the building or development where it is completed in a period of less than one (1) year.

4. Accessory structure not greater than 10.0 square metres and/or not exceeding 2.4 metres in height provided that the side and rear setbacks are maintained.

5. The construction of an unenclosed deck or landing not higher than 0.6 metres above grade.

6. The construction, maintenance and repair of public works, services and utilities carried out by or on behalf of a federal, provincial and municipal authority on land that is publicly owned or controlled.

7. Utility connections and maintenance, including television, telephone, electrical, heating installation work to a building, provided that the use or intensity of use of the building does not change.

8. Hard-surfacing of any yard area on a residential parcel for the purpose of providing vehicular access from a public roadway to an on-parcel parking stall, provided that a valid development permit shows the location of an approved driveway/approach and such hard-surfacing does not exceed 7.5 m in width or drain onto adjacent parcels.

9. Landscaping not including excavation or stripping as specified in Section 118 of this Bylaw, where the proposed grades will not adversely affect the subject or adjacent parcel, except where landscaping forms part of a development which requires a development parcel.

SECTION 33: NON-CONFORMING BUILDINGS AND USES

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

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

3. A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations shall be made to it or in it.

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

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

   a) to make it a conforming building;

   b) as the Development Authority considers necessary for the routine maintenance of the building; or

   c) in accordance with this Bylaw where minor variance powers are provided to the Development Authority.

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

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

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

   a) minor in nature; and

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

   c) does not interfere with the use, enjoyment or value of the neighboring properties.

SECTION 34: CERTIFICATION OF COMPLIANCE

1. The Development Authority may at its discretion, issue a certification of compliance, upon request, for properties within the Town of Bonnyville. All requests shall be accompanied by:

   a) an original Real Property Report (RPR) signed by a registered Alberta Land Surveyor,

   b) a copy of the current Land Title, issued within 30 days for the request for compliance, and

   c) the fee established by Council, as amended from time to time.

2. The Real Property Report shall be no older than one (1) year from the date of survey. Real Property Reports exceeding one (1) year may be accepted for review and shall be accompanied by a sworn Statutory Declaration indicating that no additional building or structures have been added to the parcel since the date of survey. In no event will any Real Property Report be considered which is dated more than five (5) years prior to the application date for compliance as per Town policy.

SECTION 35: APPLICATION FOR DEVELOPMENT PERMIT

1. Development Permit Applications shall be made to the Development Officer by submitting the following information:

   a) A completed Development Permit Application with the signature of the registered owner of the land or an agent authorized by the owner to make application;

   b) A site plan, (in metric) in duplicate and to a scale satisfactory to the Development Officer, showing all of the following:

      i) north arrow;

ii) legal description of the parcel and parcel dimensions;

iii) location of the principal building and other structures including accessory buildings, garages, carports, fences, driveways, paved areas and major landscaped areas including buffering and screening and easements areas where provided;

iv) outlines of the roof overhang on all buildings;

v) front, side, and rear yards and their distances;

vi) the provision of off-street loading and vehicle parking with access and egress points to and from the parcel.

c) Floor plans and exterior elevations showing height, horizontal dimensions and finishing materials of all buildings, existing and proposed;

d) statement of use;

e) parcel grading plan with lot elevations and landscape plan;

f) storm drainage plan;

g) location of municipal and private improvements;

h) estimated commencement and completion dates;

i) estimated cost of project or contract price;

j) the approximate location and boundaries of the bed and shore of any stream or water body that is contained or bounds the property;

k) any other pertinent information or test required by the Development Authority respecting the site or adjacent lands; and

l) such fee as is prescribed by resolution of Council from time to time.

An application for a Development Permit shall not be considered complete and final for processing by the Town until the Development Authority determines that all the necessary requirements of Section 35 (1) have been satisfied.

2. Lands Subject to Flooding, Erosion, or Other Hazards:

In addition to the requirements of Section 35(1), when considering a Development Permit Application for a development on lands that may be prone to flooding, erosion, subsidence or other naturally occurring hazards, the Development Authority may require the applicant to provide a site assessment prepared by a qualified professional confirming that the property is suitable for the proposed development or prescribing the preventative engineering and construction measures which can be taken to make the site suitable for the proposed development or the proposed development suitable for the site.

3. In the case of a Development Permit Application made pursuant to a Direct Control District, all requirements and procedures pertaining to the Development Permit Application will be at the direction and to the satisfaction of Council.

4. Home Business Applications:

In addition to the requirements of Section 35(1), an applicant for a Home Business shall complete the Development Permit Application for Home Businesses, and shall include detailed information regarding the scope and nature of the proposed business as follows:

a) a detailed description of the business;

b) the materials, equipment and/or vehicles that will be used and where they will be stored;

c) the number of resident employees;

d) the number of business visits per day to the property;

e) the number of parking spaces on the property; and

f) the type of signage.

SECTION 36: COMPREHENSIVE SITE PLAN

1. All applications for multi-unit project developments, including conventional condominium and Bare Land Condominium projects, must submit a comprehensive Site plan prior to development and subdivision, if applicable.

2. All development shall conform to the comprehensive Site plan.

3. The comprehensive project site plan shall show:

   a) project site dimensions and area;

   b) dimensions of the private Site area associated with each Dwelling, or Bare Land Condominium Unit boundary dimensions, as applicable;

   c) total and individual areas of private Sites associated with Dwelling Units; and all Bare Land Condominium Units in the case of Bare Land Condominium subdivisions;

   d) location of all buildings or structures if part of a development permit application;

   e) building envelopes, including project perimeter Yards for all units, and in the case of Bare Land Condominium subdivisions, all minimum Yards;

   f) area designated public roadway, if applicable;

   g) common areas, including dimensions for the following:

      i) area dedicated to private roadway;

      ii) emergency access routes;

      iii) amenity areas;

      iv) maintenance areas;

      v) waste removal locations;

      vi) common parking areas

   h) such other information as deemed necessary by the Development Officer or Subdivision Authority, as applicable, including any items listed in sections 35(1) or 35(2), as applicable.

SECTION 37: DECISIONS ON DEVELOPMENT PERMIT APPLICATIONS

1. The Development Officer shall:

   a) receive all applications for a development permit;

   b) refer to Council, for their decision, applications for a development permit within the Direct Control (DC) District;

   c) refer to the Municipal Planning Commission, for their decision, all applications for a development permit which, is the opinion of the Development Officer, should be decided by the Municipal Planning Commission; and

   d) consider and decide on all other applications for a development permit, including applications for permitted uses, discretionary uses and applications for development which would require a variance or relaxation of a regulation in this Bylaw;

2. Referrals:

   a) The Development Officer shall refer to the Municipal District of Bonnyville No. 87 for consideration and recommendation any land use related applications or matters located immediately adjacent to the boundary of the Town of Bonnyville as per the Intermunicipal Fringe Agreement;

   b) The Development Authority may refer for comment any matter or Development Permit Application to any authority they deem necessary in accordance with the Act;

   c) The Development Authority may at its discretion provide written notice to adjacent landowners prior to issuing a decision on an application.

3. A Development Permit Application shall be considered by the Development Authority, who shall:

   a) issue a Development Permit, with or without conditions, on a permitted or discretionary land use;

   b) refuse to issue a Development Permit for a discretionary use, where the development does not conform with this Bylaw; or

   c) issue a temporary Development Permit.

4. Variance Provision:

   The Development Authority may conditionally approve a Development Permit Application that does not comply with this Bylaw if, in its opinion:

   a) the proposed development would not:

      i) unduly interfere with the amenities of the neighbourhood, or

      ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties,

and

b) the proposed development conforms to the prescribed use for the land or building in this Bylaw.

c) Notwithstanding Section 37(4)(a) and (b), the Development Officer may, in deciding upon an application for a permitted or discretionary use, allow for a total minor variance to a maximum of 10% (ten percent) of any of the following requirements:

i) setback regulations of front, side or rear yards;

ii) height of buildings; or

iii) floor area.

5. Limitations on Variance Provisions:

In approving an application for a development permit under Section 37(4), the Development Officer or Municipal Planning Commission shall adhere to the general purpose and intent of the appropriate land use district and to the following:

a) A variance shall be considered only in cases of unnecessary hardship or practical difficulties particular to the use, character, or situation of land or building which are not generally common to other land in the same land use district.

b) Except as otherwise provided in this Bylaw, there shall be no variance from the regulations prescribing density regulations.

c) Where the issuance of a development permit for any use involves the exercise of any specified discretion of the Development Officer or the Municipal Planning Commission to relax a regulation of a land use district or any other regulation of this Bylaw, they shall not permit any variance from that regulation other than that contained in Section 37.

6. 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.

7. As a condition of a Development Permit approval, the Development Authority may require that, the applicant enter into a Development Agreement with the municipality to do any or all of the following:

a) to construct or pay for the construction of:

i) a road required to give access to the development;

ii) a pedestrian walkway system to serve the development or to give access to an adjacent development; or both;

iii) off-street or other parking facilities and loading and unloading facilities;

b) to enter into an agreement with the municipality to construct, install or pay for any local improvements and/or utilities which will be needed to serve the development;

c) to pay an off-site levy or redevelopment levy imposed by bylaw;

d) to provide an Irrevocable Letter of Credit to secure performance of the conditions of the approval which will be returned to the Developer upon completion of the conditions of approval;

8. To ensure compliance with a Development Agreement, the Town may register a Caveat under the Land Titles Act against the Certificate of Title of the property being developed. This Caveat shall be discharged when the obligations to be assumed by the applicant under the agreement have been fulfilled.

SECTION 38: NOTICE OF DECISION

1. A decision of the Development Authority on a Development Permit Application shall be given in writing and a copy of it sent to the applicant.

2. If the Development Authority refuses a Development Permit Application, the decision shall contain reasons for the refusal.

3. When a Development Permit has been decided for a discretionary use, a variance to a regulation, or a permitted use where a provision(s) was relaxed, varied or misinterpreted, the Development Authority:

   a) shall immediately publish in a newspaper circulating in the municipality a notice stating the location of the property for which the application has been made, the decision, the right of appeal, and the name of the board to whom the appeal can be made;

   b) may immediately mail a notice in writing to all registered owners of land who in the opinion of the Development Authority may be affected.

4. Where an appeal is made pursuant to Part IV of this Bylaw, a Development Permit that has been approved shall not come into effect until the appeal has been determined.

5. No person shall keep or permit in any district 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.

SECTION 39: EFFECTIVE DATE OF PERMIT

The decision on a Development Permit shall come into effect,

a) on the fifteenth (15) day after the date of issue of the Notice of Decision by the Development Authority on the application for Development Permit, or

b) if it is issued by Council with respect to a development in a Direct Control District, upon the date of its issue.

c) If an appeal is made, on the date that the appeal is finally determined.

ANY DEVELOPMENT CARRIED OUT PRIOR TO THE EFFECTIVE DATE OF THE APPROPRIATE DEVELOPMENT PERMIT IS DONE SOLELY AT THE RISK OF THE APPLICANT.

SECTION 40: VALIDITY OF PERMITS

1. A development permit is valid unless:

   a) it is suspended or cancelled; or

   b) the development that is the subject of the Development Permit is not commenced within twelve(12) months from the date of the issuance of the development permit, or not carried out within reasonable diligence; or

   c) the development that is the subject of the Development Permit is not commenced within a shorter time period than that indicated in Section 40(1)(b) or not carried out with reasonable diligence, if the Development Officer, Municipal Planning Commission or Council has specified that the development permit is to remain in effect for less than twelve (12) months.

2. The Development Authority may extend the period of time that a Development Permit is specified to be valid in accordance with Section 40(1)(b) and (c) if, in their opinion circumstances warrant such a time extension.

3. Temporary development permits shall clearly indicate the expiry date on the Notice of Decision.

SECTION 41: DEEMED REFUSALS

In accordance with Section 684 of the Act, an application for a Development Permit shall, at the option of the applicant, be deemed to be refused when the decision of the Development Authority, as the case may be, is not made within forty (40) days of the completed application being received by the Development Officer unless an agreement to extend the 40-day period herein described is established between the applicant and the Development Authority.

SECTION 42: SUBSEQUENT APPLICATIONS

In the case where a Development Permit Application has been refused, the submission of another Development Permit Application on the same property and for the same or similar use of the land by the same or any other applicant, may not be accepted by the Development Authority for at least six (6) months after the date of the previous refusal unless otherwise approved by the Development Authority.

SECTION 43: SUSPENSION OR CANCELLATION OF DEVELOPMENT PERMITS

1. If, after a Development Permit has been issued, the Development Authority becomes aware that:

   a) the application for the development contains a misrepresentation;

   b) facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered;

   c) the development permit was issued in error;

   d) the requirements of conditions of the development permit have not been complied with;

   e) the applicant requests, by way of written notice to the Development Authority, the cancellation of the Development Permit provided that commencement of the use, development or construction has not occurred

   the Development Authority may suspend or cancel the Notice of Decision or the Development Permit by written notice to the applicant of it.

2. If a person fails to comply with a notice issued under the Act, the Development Authority may suspend or cancel any existing Development Permit by notice, in writing, to the holder of the permit.

SECTION 44: DEVELOPER'S RESPONSIBILITY

1. A person to whom a Development Permit has been issued shall obtain from the appropriate authority, where applicable, permits relating to building, grades, sewers, water mains, electricity and highways, and all other permits required in connection with the proposed development.

2. The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors to any public or private property.

3. The applicant shall prevent excess soil or debris from being spilled on public streets, lanes and sidewalks, and shall not place soil or any other materials on adjacent parcel without written permission from adjacent property owners and/or the municipality.

4. Section 44(2) and (3) may be enforced pursuant to PART V of this Bylaw. Any cost incurred as a result of neglect to public property may be collected where financial guarantees have been required pursuant to Section 37(7)(d).

5. The Development Officer may require a Real Property Report prepared by an Alberta Land Surveyor relating to the building(s) that is (are) the subject of a Development Permit Application.

6. No building or use shall be used or occupied and no change in the existing occupancy classification of a building shall be made until the developer, proposed user or proposed

occupant of said building or use demonstrates that substantial completion, as determined by the Designated Officer, has been undertaken.

7. Further to Section 44(6), a person in receipt of an occupancy permit issued pursuant to the Alberta Building Code is not in receipt of permission to occupy under this Bylaw.

8. A person in receipt of a Development Permit issued pursuant to this Bylaw must obtain a Building Permit issued pursuant to the Alberta Building Code, some of the regulations/provisions of which may not be consistent with the regulations/provisions of this Bylaw.

9. Transfers:

   A development permit is not transferable without the prior consent of:

   a) the Development Officer or Municipal Planning Commission, if the permit was issued by either one, as the case may be; or

   b) Council, if the permit was issued by Council with respect to development in a Direct Control District; or

   c) The Subdivision and Development Appeal Board, if the permit was issued by the Subdivision and Development Appeal Board.

SECTION 45: FAILURE TO COMPLETE DEVELOPMENT

Once development is initiated in relationship to an approval development permit, the permit remains valid until the work is completed. However, if a development is not completed to a standard acceptable to the Development Authority **within two (2) years** of the issuance of the permit, or any extension thereof, the Development Officer may direct that site to be returned to its original condition or state acceptable to the Development Authority.

SECTION 46: OCCUPANCY PERMITS

1. No development that has been undertaken in accordance with a development permit shall be used until an occupancy permit has been obtained.

2. An application for an occupancy permit shall be made to the Development Officer. The Development Officer shall issue an occupancy permit on the prescribe form, if satisfied that

   a) the development has been completed in accordance with the approved plans and development permit,

   b) the development will, subject to such conditions as may be appropriate in the circumstances, be completed in accordance with the approved plans and development permit.

PART IV DEVELOPMENT AND SUBDIVISION APPEALS

SECTION 50: GENERAL

1. Appeal Procedure:

a) The person applying for the Development Permit, Subdivision or affected by an Order under Section 645 of the Municipal Government Act may appeal to the Subdivision and Development Appeal Board, if a Development Authority:

i) refuses to issue a Development Permit or fails to make a decision on a Development Permit within forty (40) days of receipt of a completed Development Permit Application;

ii) issues a Development Permit subject to conditions; or

iii) issues an Order under Section 61, Enforcement of this Bylaw.

b) In addition to an applicant under Subsection (a), any person affected by an order, decision or Development Permit made or issued by a Development Authority may appeal to the Subdivision and Development Appeal Board.

c) Notwithstanding Subsections (a) and (b), no appeal lies in respect of the issuance of a Development Permit for a permitted use unless the provisions of this Bylaw are relaxed, varied or misinterpreted pursuant to Section 685(3) of the Municipal Government Act.

d) If a decision on a Development Permit is made by the Development Authority, the appeal is limited to whether the Development Authority followed the direction of Council. If the Subdivision and Development Appeal Board finds that the Development Authority did not follow the direction made by Council, it may substitute its decision for that of the Development Authority.

e) An appeal by an applicant may be commenced by filing a Notice of Appeal containing specific reasons, with the Secretary of the Subdivision and Development Appeal Board within fourteen (14) days after:

i) Notice of Issuance of the Development Permit or Notice of Refusal in writing by the Development Authority; or

ii) the forty (40) day period or extension thereof has expired.

f) An appeal by an affected person may be commenced by filing a Notice of Appeal containing reasons, with the Secretary of the Subdivision and Development Appeal Board within fourteen (14) days after the date on which the Notice of Issuance of the Development Permit was published in accordance with Section 38.

g) Each Notice of Appeal shall be accompanied by a fee as established by resolution of Council.

2. Public Hearing:

a) Pursuant to Section 686(2) of the Municipal Government Act, the Subdivision and Development Appeal Board must hold an Appeal Hearing, within thirty (30) days of the receipt of a Notice of Appeal.

b) The Subdivision and Development Appeal Board must give at least five (5) days' notice, in writing, of the Appeal Hearing:

i) to the Appellant;

ii) the Development Authority or Subdivision Authority whose Order, Decision or Development Permit is the subject of the appeal;

iii) those registered owners of land in the municipality who were notified under Section 38 and any other person who in the opinion of the Subdivision and Development Appeal Board, are affected by the order, decision or Development Permit; and

iv) such other persons as the Appeal Board specifies.

c) The Subdivision and Development Appeal Board shall make available for public inspection before the commencement of the hearing all relevant documents and materials respecting the appeal, including:

i) the Development Permit Application, the Decision and the Notice of Appeal; or

ii) the order issued under Part V.

3. Persons to be Heard at the Hearing:

At the hearing, the Subdivision and Development Appeal Board must hear:

a) the Appellant or any person acting on behalf of the Appellant;

b) the Development Authority from whose order, decision or Development Permit the appeal is made, or the person acting on his/her behalf;

c) any other person who was served with the Notice of the Hearing and who wishes to be heard or a person acting on his/her behalf; and

d) any other person who claims to be affected and that the Subdivision and Development Appeal Board agrees to hear or someone acting on those persons' behalf.

4. Decision of the Board:

a) In determining an appeal, the Subdivision and Development Appeal Board:

i) must comply with the land use policies, statutory plans and subject to Section 50(4)(a)(iv) of this Bylaw;

ii) must have regard for, but is not bound by, the Subdivision and Development Regulations;

iii) may confirm, revoke or vary the order, decision or Development Permit or any condition attached to it or may make or substitute an order, decision or Development Permit of its own;

iv) may make an order or decision or issue or conform the issuance of a Development Permit even though the proposed development does not comply with this Bylaw if, in its opinion:

- the proposed development would not:
  - A) unduly interfere with or affect the use, enjoyment or value of neighbouring properties, or
  - B) materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
- the proposed development conforms to the prescribed use for the land or building as defined in this Bylaw.

b) The Subdivision and Development Appeal Board must give its decision, in writing together with reasons for the decision within fifteen (15) days of concluding the hearing.

5. Court of Appeal:

a) Pursuant to Section 688 of the Municipal Government Act, an appeal lies to the Court of Appeal on a question of jurisdiction or law with respect to:

i) a decision of the Subdivision and Development Appeal Board; and

ii) the Municipal Government Board on a decision of an appeal under Section 619 of the Municipal Government Act, an intermunicipal dispute under Division 11 of the Act or a subdivision appeal.

b) An Application for Leave to Appeal pursuant to Subsection (5)(a) must be made to a judge of the Court of Appeal within thirty (30) days after the issue of the decision sought to be appealed, and notice of the application must be given to:

i) the Municipal Government Board or the Subdivision and Development Appeal Board; and

ii) any other person(s) that the judge directs.

SECTION 60: LAND USE BYLAW AMENDMENT PROCEDURE

1. Application for Bylaw Amendment:

   a) Any amendment to this Land Use Bylaw shall be made by an amending bylaw pursuant to Section 692 of the Municipal Government Act, following a public hearing in accordance with Section 230 of the Municipal Government Act. If the proposed amendment is at variance with adopted statutory plans or an area structure plan is required, the Development Authority shall advise the applicant that an amendment must be made to the statutory plans prior to or concurrently with the amendment to the Land Use Bylaw.

   b) An owner of a site, or his authorized agent, or other person(s) having a legal interest in the site may apply in writing to the Development Authority for an amendment using an Application for Amendment to the Land Use Bylaw, and providing the additional information identified in Section 60(2).

   c) Council may initiate an amendment to this Bylaw by directing the Development Officer to initiate an application.

   d) An applicant may be required to submit an Area Structure Plan for approval by the Town of Bonnyville prior to Council considering the redistricting of the land.

   e) Where an amendment to change this Land Use Bylaw is refused another application with respect to the same lot, for a change in land use designation may not be submitted until at least six (6) months after the date of refusal, unless otherwise directed by Council pursuant to Section 640(5) of the Municipal Government Act.

2. Plans and Information Requirements:

   All applications for amendment to the Land Use Bylaw shall be made to the Development Authority in writing and shall be accompanied by the following:

   a) A certified copy of the Certificate of Title for the lands affected, copies of any restrictive covenant(s) or caveats registered by the municipality and any other documents required by the Development Authority to verify that the applicant has a legal interest in the land for at least the period of time necessary to process the application to a final decision on the amendment.

   b) A statement of the reasons for the request to amend the Bylaw;

   c) A properly dimensioned map of an appropriate scale indicating the site to be amended, its relationship to existing land uses within a 1.0 km (0.6 mi.) radius of the boundaries of the site and any prominent geographic or natural features;

   d) The appropriate fee as amended from time to time by Council Resolution; and

   e) Where the applicant is an agent acting for the owner, a letter from the owner(s) verifying the agent's authority to make the application.

3. Advertising Requirements:

a) Pursuant to Section 606 of the Municipal Government Act, on receipt of an Application for Amendment to this Bylaw and prior to second reading of the amending bylaw, the Development Authority shall cause to be published once a week in two (2) consecutive issues of a newspaper circulating in the local municipality, a notice containing:

i) the purpose of the proposed amending bylaw and the purpose of the public hearing;

ii) the address where the proposed amending bylaw may be inspected by the public;

iii) in the case of the public hearing the time, date and place of the public hearing which date shall not be less than five (5) days following the second newspaper publication date.

b) In addition to the notice requirements identified in Subsection (3)(a), the following additional information shall be provided for an amendment to change the district designation of a parcel of land pursuant to Section 692(4) of the Municipal Government Act:

i) the municipal and legal address of the parcel of land;

ii) a map showing the location of the parcel of land;

iii) written notice containing information described in Subsections 3(a) and 3(b) shall be sent to:

- the assessed owner(s) of that parcel of land shown on the assessment roll; and
- each owner of adjacent land at the name and address shown on the assessment roll.

c) Technical Amendment:

Notwithstanding Subsections 3(a) and 3(b), a bylaw referred to in this section may be amended without giving notice or holding a public hearing, if the amendment constitutes a clerical, technical, grammatical or typographical error or does not materially affect the Land Use Bylaw in principle or substance.

4. Public Hearing:

a) Pursuant to Section 230 of the Municipal Government Act, in the public hearing, Council:

i) must hear any person, group of persons or person representing them, who claims to be affected by the proposed bylaw and who has complied with the procedures outlined by the Council, and

ii) may hear any other person who wishes to make representations and whom Council agrees to hear.

b) After considering the representations made to it and any other matter it considers appropriate, the Council may:

i) pass the bylaw;

ii) make an amendment to the bylaw and proceed to pass it without further advertisement or hearing(s); or

iii) defeat the bylaw.

SECTION 61: ENFORCEMENT

1. Right of Entry:

   Pursuant to Section 542 of the Act, if the Development Authority, or designated officer may enter into or upon any land or building within the municipal boundary for the purpose of ensuring compliance with this Bylaw.

2. Contravention:

   a) Pursuant to Section 645 of the Act, if the Development Authority finds that a development or use of land or buildings is not in accordance with Part 17 of the Act, regulations under Part 17 of the Act, a Development Permit, this Bylaw of a subdivision approval, the Development Authority may, by notice in writing, order the owner, the person in possession of the land or buildings or the person responsible for the contravention or all or any of them to:

      i) stop the development or use of the land or buildings in whole or in part as directed by the notice;

      ii) demolish, remove or replace the development; or

      iii) take such other measures as are specified in the notice so that the development or use of the land or buildings complies with Part 17 of the Act, regulations under Part 17 of the Act, a Development Permit, subdivision approval, or this Bylaw, as the case may be, within the time specified by the notice.

   b) A person who receives a notice under Section 61(2)(a) of this Bylaw may appeal to the Subdivision and Development Appeal Board in accordance with Section 685 of the Act.

   c) Where a person fails or refuses to comply with an order given under Section 61(2)(a) of this Bylaw or an order of the Subdivision and Development Appeal Board under the Act the municipality, may, in accordance with the Act, enter upon the land or buildings and take such action as is necessary to carry out the order.

   d) Where the Development Authority, or a person appointed by it, carries out an order, the Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.

   e) The municipality may register a caveat under the Land Titles Act in respect of an order against the Certificate of Title for the land that is the subject of the order pursuant to Section 645 of the Act. The municipality must discharge the Caveat when the order has been compiled with pursuant to Section 646 (3) of the Act.

SECTION 62: OFFENCES AND FINES

1. General:

   The enforcement powers granted to the Development Officer under this Bylaw are in addition to any enforcement powers the Town or any of its officers may have under the Act or any other applicable legislation. The Development Officer may exercise all such powers concurrently.

2. Offences:

   Any owner, lessee, tenant or occupant of land, or a building or structure thereon, who with respect to such land, building or structure,

   a) contravenes; or

   b) causes or permits a contravention of any provision of this Bylaw,

   commits an offence.

3. It is an offence for any person

   a) to construct a building or structure;

   b) to commence a Use or change of intensity of Use;

   c) to make an addition or alteration thereto; or

   d) to place a Sign on land;

   for which a Development Permit is required but for which a Development Permit has not been issued or if issued is neither effective or valid under this Bylaw

4. In accordance with Section 566 of the Act, a person found guilty of an offence shall be subject to a penalty in the form of a fine of not more than $10,000, or to imprisonment for not more than six (6) months, or to both a fine and imprisonment.

5. Any development found to have been commenced prior to the issuance of a development permit shall be subject to an application fee of double the original application fee pursuant to the Planning and Development Fees and Charges as approved by resolution of Council and amended from time to time.

6. Municipal Tag:

   a) A designated officer is hereby authorized and empowered to issue a Municipal Tag to any person who the Development Authority has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

   b) A Municipal Tag may be issued to such person:
      i) either personally, or
      ii) by mailing a copy to such a person at his or her last known post office address; or

iii) by leaving it with a person on the property that is the subject of the Municipal Tag provided that the person has the appearance of being at least eighteen (18) years old.

c) The Municipal Tag shall be in a form approved by the Development Authority and shall state:

i) the name of the person;

ii) a description of the subject property upon which the offence has been committed, it applicable;

iii) a description of the offence and the applicable Bylaw section;

iv) the specified penalty established by this Bylaw for the offence;

v) that to avoid further prosecution the penalty shall be paid within 14 days of the issuance of the Municipal Tag; and

vi) any other information as may be required by the Development Authority.

7. Payment in Lieu of Prosecution

When a Municipal Tag is issued pursuant to this Bylaw, the person to whom the Municipal Tag is issued, may in lieu of being prosecuted for the offence, pay to the Town the penalty specified within the time period indicated on the Municipal Tag.

8. Violation Ticket

a) if a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the Provincial Offences Procedure Act.

b) Notwithstanding any other provision of the Bylaw, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the Provincial Offences Procedure Act to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

9. Voluntary Payment

A person who commits an offence and who wishes to plead guilty may:

a) if a Violation Ticket is issued in respect of the offence; and

b) if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;

make a voluntary payment with respect to the Violation Ticket by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.

PART VI GENERAL PARCEL PROVISIONS

SECTION 100: ESTABLISHMENT OF GENERAL PARCEL PROVISIONS

General parcel provisions shall be set forth in Part VI of this Bylaw.

SECTION 101: SUBDIVISION OF LAND

Where the development of land involves a subdivision of land, no Development Permit shall be issued until the Subdivision Application has been approved with or without conditions by the Subdivision Authority and the Title has been registered.

SECTION 102: EXISTING SUBSTANDARD LOTS

Proposed development on existing lots, which do not meet the provisions of this Bylaw, shall be considered by the Development Authority and Development Permits may be issued.

SECTION 103: DWELLING UNITS ON A PARCEL

1. a) No permit shall be granted for the erection of more than one (1) dwelling unit on a single parcel unless the lot, on which the second dwelling unit is proposed to be constructed, has an area of at least 32.38 ha.

   b) Notwithstanding subsection (a), where permitted in this Bylaw, the Development Authority may issue a Development Permit to a person that would permit the construction or location of more than one (1) dwelling unit on a lot if the second or additional dwelling unit:

      i) is to be occupied by a person who is engaged on a full-time basis for at least six (6) months each year in an agricultural pursuit;

      ii) is contained in a building that, or in buildings each of which, is designed for or divided into two (2) or more dwelling units;

      iii) is a manufactured home forming part of a park for manufactured homes; or

      iv) is a building on-site, as defined in the Condominium Property Act that is the subject of a condominium plan to be registered in a Land Titles Office under that act.

2. Subject to the Act, the Development Authority may, in a Development Permit, permit a person to construct or locate or cause to be constructed or located more than one (1) dwelling unit on a parcel, in accordance with the following:

   a) The approval of a Development Permit for a second dwelling will be at the discretion of the Development Authority but will accommodate circumstances related to family dependency including, but not limited to, old age, health, and physical and mental competency;

b) The second dwelling shall be limited to a temporary structure and shall not have a permanent foundation;

c) The Development Permit for a second dwelling shall be issued and validated for one (1) year only, renewal on an annual basis to January 1;

d) Development Permits for second dwellings shall include a condition that will specify the person(s) eligible to occupy the dwelling;

e) The second dwelling shall be in accordance with the regulations for a Single Detached Dwelling in the applicable district, or as determined by the Development Authority; and

f) The second dwelling should be serviced from the Single Detached Dwelling.

SECTION 104: BOARDERS AND LODGERS

In any residential land use district or any land use district which provides for residential uses, there shall not be more than two (2) boarders or lodgers in any residential development other than in a boarding or lodging home.

SECTION 105: ADDRESS NUMBER

Every principle structures shall have its address number clearly displayed near the main front door entrance which has unobstructed visibility from the fronting street. The numbers shall be easily visible from the street and shall be a minimum height of 100 millimetres.

SECTION 106: DEVELOPMENT ON LANDS SUBJECT TO FLOODING, ADJACENT TO WATER BODIES OR NEAR SLOPES

1. Notwithstanding any other provision of this Bylaw, a permitted use for a site that is located in the flood risk area shall be deemed a discretionary use.

2. New development within the flood risk area shall be subject to the following requirements:

   a) development shall be restricted to buildings or structures which can be adequately protected to minimize potential flood damage;

   b) the first floor and all mechanical and electrical installations within any structures or buildings shall be a minimum of 0.5 m. (1.64 ft.) above the 1:100 year flood elevation level;

   c) buildings shall have no "finished" floor space developed below the 1:100 year flood elevation.

3. The applicant must provide information on the grade elevations of the proposed building site, the building, as well as the building openings and mechanical or electrical equipment all referenced in geodetic elevations.

4. Before a Development Permit is issued, the Development Officer may require that the applicant provide a certificate containing the seal and signature of a registered Professional Engineer indicating that the requirements listed above have been met and that the building or structure is adequately protected against flood damage to the 1:100 year flood elevation.

5. The Development Authority shall consult with Alberta Environment to assist in determining if a property may be subject to environmental constraints within Section 106 of this Bylaw, determining high-water marks, flood risk area, banks and the like of the lake or its tributaries. The 1:100 year flood risk area must take into account the static lake level, wind setup, and wave run-up.

6. For the purposes of this Section, "top of the bank" is as determined by the Development Officer or Municipal Planning Commission in consultation with Alberta Environment.

7. Notwithstanding the yard requirements prescribed in the land use districts, no permanent buildings shall be permitted within 6.0 metres of the top of the bank of any water body and no development shall be permitted within 6.0 metres of the top or bottom of an escarpment bank or slope where the grade exceeds fifteen percent (15%).

8. The Development Officer or Municipal Planning Commission may require a greater setback than is described in Section 106 (7).

9. Notwithstanding that a proposed development conforms in all respects with this Bylaw, including Sections 106 (7) and (8) where the application is for development on lands that are or may be subject to subsidence, the Development Officer or Municipal Planning Commission shall not issue a development permit unless the applicant can demonstrate, by means of an engineering report bearing the seal and signature of a professional engineer registered in the Province of Alberta, that preventive engineering and construction measures can be instituted to make the parcel suitable for the proposed development.

10. Further to Section 106 (9), the Development Officer or Municipal Planning Commission may, at their discretion, require that a professional engineer registered in the Province of Alberta design the development site and buildings.

11. Subject to Sections 106 (9) and (10), the Development Officer or Municipal Planning Commission may, at their discretion, reduce the setback requirements established pursuant to Sections 106 (7) and (8) if the applicant provides satisfactory proof of bank stability.

SECTION 107: LIMITED ACCESS TO MAJOR ROADS

No access for vehicles will be permitted from a major collector or arterial road, as designated in the Municipal Development Plan, Transportation Study or any area structure plans, to:

a) Any residential parcel, unless the access serves more than four dwelling units;

b) Any parcel, unless turning space is provided on the parcel such that vehicles entering upon the parcel may turn before reentering the street; and

c) Any parcel where, in the opinion of the Development Officer or Municipal Planning Commission, there would be an excessive number of access points onto the street.

SECTION 108: EMERGENCY ACCESS TO BUILDINGS

The Development Officer, Municipal Planning Commission or Council, as the case may be, shall ensure that parcels are designed such that safe, unrestricted access for fire fighting vehicles and equipment is afforded to all buildings and parcels in accordance with municipal and provincial fire authorities having jurisdiction.

SECTION 109: CURB CUTS

1. In determining curb cuts, the Development Officer or Municipal Planning Commission in consultation with Public Works or the Town Engineer, shall ensure that the amount of curb space lost for use as on-street parking is kept to an absolute minimum and that curb cuts are located such that they provide for the safe and efficient movement of vehicles and pedestrians.

2. The nearest edge of a proposed curb cut to the nearest curb line of the street intersection shall not be less than 12.0 metres.

3. The maximum width of the curb cut shall not exceed 9.1 metres in commercial and industrial districts and 6.0 metres in all other districts, unless otherwise specified by the Development Authority or Municipal Planning Commission for reasons of public safety or convenience.

SECTION 110: CORNER AND DOUBLE FRONTING PARCELS

1. In the case of an interior lot, the front yard shall be that portion of the site abutting the street, on the same street as the front yards of lots on the same block face.

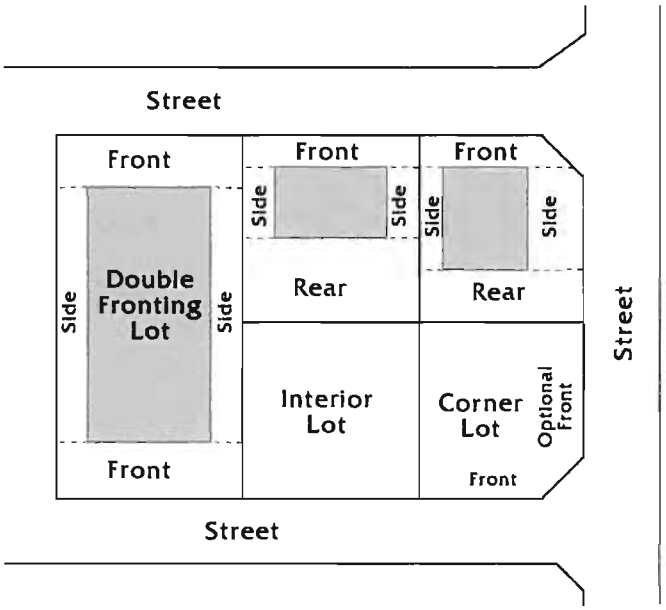
2. In the case of a corner lot, the front yard shall be taken on the same street as the front yard of the abutting properties and shall have regard for the orientation of lots on the same block face.

3. Notwithstanding (b) and (c) above, the Development Authority may require any corner site to provide an additional front yard other than that required, having regard for the orientation of lots on the same block face and access of any development.

4. For lots other than corner lots which have frontage on two streets, the Development Authority shall determine which frontage is the front and rear yards. In reaching its decision, the Development Authority shall take into consideration the orientation of other buildings in the area.

5. The Development Authority may require a double fronting lot to provide a front yard on each street, in accordance with the front yard requirements of the district in which the site is located.

Figure 110.1: Corner and Double Fronting Parcels



For illustrative purposes only; not to scale

SECTION 111: DEVELOPMENT PERMIT FOR TEMPORARY DEVELOPMENT

1. Notwithstanding any provisions of the Bylaw the Development Authority may conditionally approve a development on a temporary basis in any land use district and establish conditions for the removal of the development as it deems appropriate, where the development:

   a) is not permanently connected to municipal water, sewer, electrical power or gas services;

   b) will not conflict with or compromise the intent of the district regulations; and

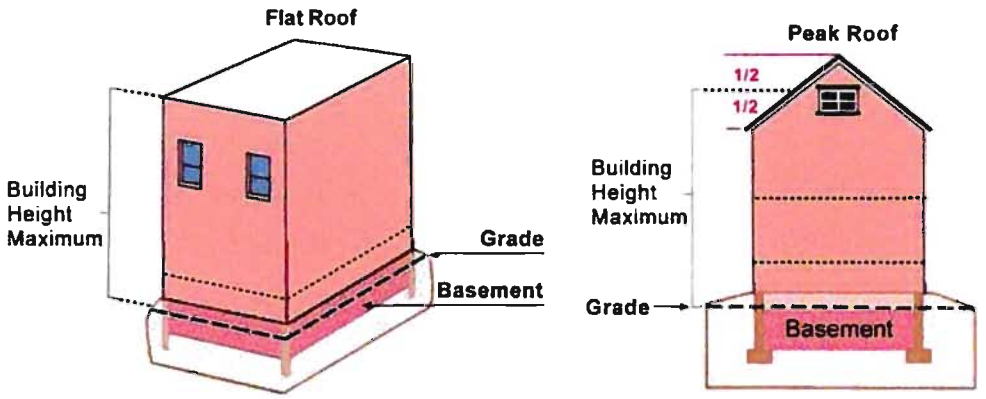
   c) will not, in the opinion of the Development Authority, detract from the amenity, use, or enjoyment of adjacent development.

2. Temporary Development Permits may be granted for a period not to exceed six (6) months, or such period of time as determined by the Development Authority.

SECTION 112: BUILDING HEIGHT

1. The base from which to measure the height of a building or structure shall be from any point on the finished ground elevation adjoining all exterior walls as illustrated in the diagram below.

Figure 112.1: Building Height



Building Height: Is measured halfway between eaves and roof peak.
On a flat roof it is measured from grade to the top of the roof.

2. The height of the building shall not extend above the height requirement for the prescribed land use district.

3. Notwithstanding Section 112(1), in determining the highest points of a building, the following structures shall not be considered to be a part of the building: an elevator housing; mechanical housing; roof stairway entrance; ventilation fans; a skylight; a steeple; a smokestack; a parapet wall; or a flag pole or similar device not structurally essential to the building.

SECTION 113: RELOCATION OF BUILDINGS

1. Applications for development for the purpose of relocating a building shall be considered, on an individual basis, to be discretionary, except that this section may not apply to the relocation of mobile or manufactured home dwellings into or out of a RMHP or RMHS District.

2. Notice of all Development Permit Applications for the relocation of buildings shall be sent to all property owners within 100.0 metres of the proposed site indicating their right of appeal.

3. All Development Permit Applications for the relocation of buildings shall be presented to the Development Officer for review and shall be approved by the Municipal Planning Commission.

4. A condition of the Development Permit Application for relocation of buildings, the developer shall provide:

   a) As-built plans to the satisfaction of the Development Authority;

   b) Current pictures of the building showing all elevations and any visible structure.

   c) An inspection report on the building, as required by the Development Authority, including:

      i) structural;

      ii) electrical;

      iii) plumbing;

      iv) gas; and

      v) any other information deemed necessary by the Development Authority.

   d) Written confirmation of improvements to the building upon relocation including:

      i) siting;

      ii) external finish;

      iii) landscaping;

      iv) conforming and compatibility with existing buildings in the area;

      v) architectural appearance;

      vi) accessory buildings;

      vii) any reconstruction to be undertaken;

      viii) intended use; and

      ix) time frame for completion of relocation/development.

   e) A security/damage deposit as required by the Development Authority. The security deposit refund will be considered upon issuance of an Occupancy Permit, and the completion of development to Town standards and the satisfaction of the Development Authority.

   f) The Development Authority will require the developer to enter into a Development Agreement as a condition of the Development Permit.

   g) The Development Authority may require additional conditions on the Development Agreement to ensure conformity.

SECTION 114: ZERO LOT LINE DEVELOPMENTS

1. Zero-setback development may be permitted in a residential district as part of a comprehensive development plan that meets the following standards and has been approved by the Development Authority.

2. Zero-setbacks refer only to side setbacks on internal lots for principal buildings. All other minimum setbacks of a district shall apply.

3. Only one side setback may be reduced to zero on a lot, and this side is referred to as the "zero-setback side".

4. A private maintenance easement, 1.2 metres in width, shall be provided on the adjacent lot next to the zero-setback side and shall extend from the minimum rear setback to the front property line.

5. An eave and footing encroachment easement, 0.6 metre in width, shall be provided on the adjacent lot next to the zero-setback side and shall extend from the minimum rear setback to the minimum front setback.

6. Notwithstanding the specific land use district designation, a minimum separation distance of 2.4 metres shall be maintained between principal buildings on adjacent lots.

7. No accessory buildings shall project more than 0.6 metre over a 3.0 metre separation space between principal buildings.

8. No accessory building shall project over a private maintenance easement.

9. No principal or accessory building shall have an entrance or exit on the zero-setback side of the lot.

10. The design and orientation of principal buildings shall restrict visual intrusion onto an adjacent lot on the zero-setback side.

11. The comprehensive development plan shall address any other development matter, as required by the Development Authority.

12. Prior to the approval of any zero side yard development, plans showing grading and drainage on adjacent parcels must be submitted and must be acceptable to the Development Authority.

SECTION 115: ON-PARCEL AND OFF-PARCEL SERVICES AND IMPROVEMENTS

1. For the purposes of consistency with the Municipal Government Act, the word "parcel" in this section of the Bylaw has same meaning as the word "site" in the Municipal Government Act as it pertains to "off-site levy".

2. Where on-parcel services or improvements including, but not limited to, water/sewer lines, power and other utility services, or any off-parcel local improvements, relating to but not limited to, infrastructure such as roads, lanes, trunk water and sewer lines, are required to service a proposed development, a person shall not begin the excavation for the foundation nor commence development until the Development Officer or Municipal Planning Commission is satisfied that such services will be provided or the improvements will be undertaken using, as required, the means of securing performance available in this Bylaw.

3. If a development is to be served by private sewer and water systems, approval from the appropriate municipal and provincial authorities having jurisdiction with respect to the

private sewer and water systems shall be a condition of the development permit issued for said development.

SECTION 116: PUBLIC UTILITY BUILDINGS AND EASEMENTS

1. Notwithstanding other regulations in this Bylaw, a person erecting a public utility facility or placing utility equipment on a parcel shall cause it to be placed in a location and with yard setbacks that are satisfactory to the Town of Bonnyville.

2. Utility parcels, utility buildings and publicly owned buildings may be permitted in any district except as specifically regulated elsewhere in this Bylaw.

3. Subject to the conditions of a utility easement, no permanent structure other than a fence shall be constructed or placed on that utility easement unless:

   a) in the opinion of the Town of Bonnyville, the said structure is of a temporary nature and does not restrict access to the utility easement for the purpose of installation and maintenance of the utility; and

   b) written consent has been obtained from the person for whose use the easement has been granted.

SECTION 117: PUBLIC LANDS AND TOWN BOULEVARDS

1. No development shall be erected on lands considered to be "public lands", such as but not limited to, the bed and shore of Jessie Lake or highway right-of-ways held by the Crown, without specific written consent of the governing agency. In addition, no physical structures shall be erected on town boulevards without the consent of the Development Authority.

2. The owner of a lot shall construct the boulevard abutting his property by excavating, backfilling, leveling or consolidating to final grade, and seed or perform other works that may be necessary to construct a turf boulevard provided that all work shall be entirely at the lot owner's expense.

3. Any development other than construction of a turf boulevard under Section 117(2) requires a development permit, and/or a License of Occupation. Any construction, planting, or other development authorized by a development permit shall be done at the owner's risk and any damage to municipal services caused by the construction, growth, removal or maintenance of such development shall be the responsibility of the owner of the development.

4. Every owner or occupant of land shall be responsible for maintaining any development allowed by Section 117(2) and (3) and controlling the weeds on boulevards owned by the Town abutting the property.

5. When subsequent to planting on a boulevard referred to in Section 117(2), the Municipality installs a public utility across or along the boulevard or does other work on the boulevard, the Municipality may not be liable to replace any tree, shrub, lawn or

other constructed improvement which may have had to be removed on the construction of the utility or other work.

6. No person, without authorization from the Development Authority, shall remove or cause to be removed, any tree or shrub on a boulevard, and any person removing or causing to be removed such plant material from a boulevard may be, at the discretion of the Development Authority, liable to pay the cost of the replacement of the material and associated works necessary to restore the boulevard to its original conditions.

7. Where a tree or shrub planted on private property is broken or uprooted and the tree or shrub or portions of them fall on a boulevard or other property owned by the Municipality, the owner of the tree or shrub shall be liable for the removal of the defective material from the boulevard or other property of the Municipality.

SECTION 118: STRIPPING, EXCAVATION AND GRADING

1. For the purposes of this Section, excavation shall include sand and gravel mining, the stripping of topsoil, infilling and the construction of artificial bodies of water.

2. The Development Authority shall consider every application to excavate land as a discretionary use within the designated land use district of this Bylaw which affects the subject land. No person shall commence or continue the removal of topsoil without first obtaining a Development Permit.

3 The Development Authority may require the following additional information to accompany every application to excavate or strip land:

   a) a plan illustrating the location, boundaries of the site, and depth excavation;
   b) a description of the proposed operation;
   c) the existing land use and vegetation;
   d) a storm water drainage plan;
   e) the proposed timing and phasing program;
   f) a plan showing land reclamation proposals, where applicable, upon the eventual completion of the operation; and
   g) an explanation of the precautions to be taken to ensure minimal dust and environmental disturbance

4. Where, in the process of development, areas require leveling or filling, the topsoil shall be removed before work commences, and shall be stockpiled and replaced following the completion of work. Upon occupancy of a development the minimum topsoil coverage of 15 cm shall be provided.

5. Where certain commercial or industrial developments are concerned, replacement of topsoil may not be necessary. However, topsoil shall be removed prior to permanent construction, paving, or graveling operations in areas for loading zones, display or parking lots, and driveways, etc.

SECTION 119: LANDSCAPING

1. a) The requirements of this Section shall apply to every new building and land use except:
   i) semi-detached dwelling units;
   ii) single detached dwelling units;
   iii) duplex dwellings units; and
   iv) where the applicant is able to demonstrate to the Development Authority that the existing landscaping treatment meets the requirements of this Bylaw.

   b) In any district, wherever a development is approved, existing vegetation shall be preserved and protected, or replaced unless the development will be located such that existing trees and shrubs must be removed. Trees that are damaged by development or building operations shall be replaced to the satisfaction of the Development Authority. However, if the original tree is over 116.0 mm for a deciduous tree, then the replacement tree shall be a minimum caliper of 116.0 mm for a deciduous tree.

2. Landscaping General:

   a) Where a landscaped area is required, it shall be provided in accordance with a landscape plan and in conformity with the following requirements and standards:
      i) all areas of a site not covered by buildings, required parking or vehicular maneuvering areas shall be landscaped;
      ii) existing soft landscaping retained on a site may be considered as partial or total fulfillment of the total landscaping requirement;
      iii) the quality and extent of the landscaping established on a site shall be the minimum standard to be maintained on the site for the life of the development. Adequate means of irrigating and maintaining the landscaping shall be provided; and
      iv) all plant materials shall be of a species capable of healthy growth in Bonnyville.

   b) As a condition of the Development Permit, all landscaping must be carried out to the satisfaction of the Development Authority and within one (1) growing season (weather permitting) of occupancy or commencement of operation of the proposed development.

   c) Where a landscaping plan is required by the Development Authority, no landscaping work shall be commenced unless the landscaping plan is approved by the Development Authority.

   d) A landscape plan shall contain the following information for the site:
      i) boundaries and dimensions of the site and adjacent land uses;
      ii) location of adjacent sidewalks, driveway entrances, alleys and the location and name of adjacent streets;

iii) location of existing plant materials to be retained as well as new ones to be planted; and

iv) plant material list identifying the name, quantity and size at planting.

e) All development sites shall be graded and drained as to dispose of all surface water. In no case shall grades be established that would permit drainage to cross site boundaries or sidewalks without the approval of the Development Officer.

f) In the event that planting material required in an approved development is inappropriate or fails to survive, the Development Authority may allow or require alternative materials to be substituted.

g) The owner of the property, or his successors or assignees, shall be responsible for landscaping and proper maintenance. If the landscaping required by this Bylaw does not survive a one (1) year maintenance period, the applicant must replace it with similar plant type and caliper. A Development Authority may require, as a condition of approval, that the applicant provide a security deposit in the form of an Irrevocable Letter of Credit or cash deposit prior to commencement of construction. The condition of the security being that, if the landscaping is not completed in accordance with this Bylaw and the plan within one growing season after the completion of the development, then the amount fixed shall be paid to the Town to undertake the landscaping.

h) A trash collection area, an open storage area, or an outdoor service area including any loading or unloading and vehicular service areas, which are visible from an adjoining site in a residential or commercial district or from a public roadway other than a lane, shall be fenced or have screen planting. The location, length, thickness and height of such fence or screen plantings shall be in accordance with the landscaping plan approved by the Development Authority. Such fence or screen planting shall be maintained to provide effective screening from the ground to a height of 1.82 metres.

i) Except in the C-1 District, a building, structure, object or planting over 1.0 metre in height shall not be located within the triangular area formed by the intersecting street lines and a straight line joining points of the street 6.0 metres from their intersection.

j) Where a parking lot abuts a street, park or residential district, a landscaped strip shall be provided within on-site parking lots. The landscape strip shall include but not be limited to, deciduous trees at a minimum of approximately 11.0 metres on center and one or a combination of shrubs, fencing, grass, decorative hard surface treatment or other ground cover.

k) In all landscaped areas, with the exception of parking lot perimeters, trees shall be planted in the overall minimum ratio of one (1) tree per 45.0 m^2.

l) The boulevard area may, at the discretion of the Development Authority, be used in partial fulfillment of the landscape requirements.

3. Landscaping in Multi-Family Residential Districts:

Pursuant Subsections (1) and (2), in all landscaped areas, trees shall be planted in the overall minimum ratio of one (1) tree per 45.0 m^2.

4. Landscaping in Commercial and Industrial Districts:

Pursuant Section 119(1) and (2), and where front and/or side yards are required, landscaping shall be provided on an area extending:

a) the full width of the front yard to a minimum depth of 1.5 metres measured from the front property line; and

b) the full width of the side yard to a minimum depth of 1.5 metres measured from the side property line, where the side yard abuts a public street or residential district.

5. Pursuant Section 119(1) and (2), landscaping shall be provided on an area extending the full width of those front and side yards that abut a residential district or public street, to a minimum depth of 2.0 metres, measured from the property line.

6. Garbage or trash collection areas shall be screened from view from a public road or adjacent residential district or area planned for residential use.

TABLE 119.01 LOW WATER TREES	
Botanical Name	**Common Name**
Deciduous Trees	
Fraxinus pennsylvanica	Green Ash
Prunus padus commutata	Mayday
Prunus pensylvanica	Pin Cherry
Prunus virginiana var.	Chokecherry
Quercus macrocarpa	Bur Oak
Sorbus aucuparia	Mountain Ash
Crataegus mordenensis	Hawthorne
Populus spp.	Prairie Sky Poplar
Ulmus americana	Brandon Elm
Tilia cordata	Linden
Coniferous Trees	
Pinus spp.	Various pine species
Picea pungens	Colorado Spruce
Picea glauca	White Spruce or Black Hills Spruce

TABLE 119.02 LOW WATER SHRUBS	
Botanical Name	**Common Name**
Amelanchier alnifolia	Saskatoon Berry
Arctostaphylos uva-ursi	Bearberry (perennial ground cover)
Caragana spp.	Caragana (various)
Cotoneaster spp.	Cotoneaster (various)
Hippophae rhamnoides	Sea buckthorn
Juniperus spp.	Juniper (various)
Lonicera spp.	Honeysuckle
Pinus mugo	Mugo Pine
Potentilla fruticosa	
Prinsepia sinensis	Cherry Prinsepia
Prunus fruticosa	European Dwarf Cherry
Prunus tenella	Russian Almond
Prunus tomentosa	Nanking Cherry
Prunus triloba	Double Flowering Plum
Prunus x cistena	Cistena Cherry
Syringa spp.	Lilac
Rosa Hanson	Hansen's Hedge Rose
Rosa Therese Bugnet	Therese Bugnet Shrub Rose
Rosa Pavement spp.	Pavement Roses (various)
Physocarpus spp.	Ninebark
Elaeagnus commutata	Wolf Willow/Silverberry
Spiraea spp.	Spiraea (various)

TABLE 119.03 LOW WATER PERENNIALS	
Botanical Name	**Common Name**
Festuca spp.	Fescue Grass
Calamagrostis spp.	Feather Reed Grass
Bergenia Cordifolia	Bergenia
Delphinium spp.	Delphinium
Convallaria majalis	Lily of the Valley
Viola Tricolor	Johnny-jump-up
Thymus serpyllum	Mother-of-Thyme
Hemerocallis	Daylily
Paeonia lactiflora	Peonies
Achillea	Yarrow
Aquilegia	Columbine
Artemisia spp.	Artemisia (various)
Iris Sibirica	Siberian Iris
Veronica spp.	Speedwell (various)
Pulsatilla vulgaris	Pasque Flower
Cerastium tomentosum	Snow in Summer

SECTION 120: AMENITY SPACE

1. Communal amenity space shall be provided within a site containing ten (10) or more dwelling units.

2. Amenity space shall be designed for the recreational use of all residents of the development. The area shall be indoor or outdoor space, or a combination thereof, including, but not limited to, landscaped courtyards, public seating areas, swimming pools, fitness rooms, party rooms, games rooms and children's play areas complete with equipment.

3. A minimum communal amenity space of 2.5 m^2 per dwelling shall be provided and shall be aggregated into areas of not less than 50.0 m^2.

SECTION 121: HISTORICAL AND ARCHEOLOGICAL SITES

Historical sites or archeological sites identified pursuant to the Alberta Historical Resources Act shall be protected in accordance with the guidelines and regulations established in that Act.

SECTION 122: PROJECTIONS INTO REQUIRED YARDS

1. Except as provided in Section 122 (3), no person shall permit any portion of the principal building on a parcel to project over or onto a front yard, side yard or rear yard.

2. Yards Not Required:

   The minimum distances required for yards do not apply to:

   a) construction wholly beneath the surface of the ground;

   b) unenclosed patios, sidewalks and steps provided:

      (i) their floor surface does not rise more than 0.6 metres above the finished ground elevation;

      (ii) no portion of the development creates an obstruction for emergency access around the perimeter of the building.

   c) retaining walls, provided that no portion of the wall creates an obstruction for emergency access around the perimeter of the building, or encroaches onto public or neighbouring property.

3. Permitted Projections into Required Yards:

   a) In all districts, projections over or into a required yard shall:

      (i) be at the discretion of the Development Authority; and

      (ii) meet the requirements of the Alberta Building Code.

   b) In residential districts, portions of buildings located above ground may project over or into a required yard as shown in Table 122.01

4. On a parcel in a commercial land use district, the parts of and attachments to a principal building that may project over or onto a front, side or rear yard are:

   a) a canopy or extension over a front yard or side yard if the projection complies with the sign regulations contained in Part IX of this Bylaw.

   b) a canopy or extension over a rear yard if the projection is at least 4.0 metres above the surface of the yard and does not obstruct the normal use of the yard.

Table 122.01 Projections Into Required Yards

Structure	Front Yard	Rear Yard	Side Yard	Conditions
Sills, Eaves, Gutter	0.60 m	0.60 m	0.60 m	These structures shall be at least 2.4 m above grade.
Exterior unenclosed steps, staircases or landings	1.2 m	1.2 m	0.60 m	These structures in a side yard shall not cause obstruction for emergency access to the rear yard.
Chimneys, chimney chase	None	0.60 m	0.60 m	These structures shall be constructed to meet the Alberta Building Code.
Cantilevers	None	1.2 m	None	All cantilevers shall meet the minimum required front and side yard.
Bay windows, bow windows no more than 2.5 m in width	0.60 m	0.60 m	None	Bay and bow windows shall not be permitted in any required side yard.
Decks 0.61 m above grade and higher	None	1.5 m	None	These structures are part of the overall site coverage which may not exceed the maximum site coverage for the respective Land Use District
Decks 0.61 m above grade and higher within R1, R2, R2A, R2B districts	None	Foundation shall be no closer than required setback; and deck projects no more than 3.0 m; and no closer than 5.0 m, or 4.5 m for corner lot, to rear lot line	None	
Verandas, Balconies	None	None	None	These structures are part of the overall site coverage which may not exceed the maximum site coverage for the respective Land use District.
Wheelchair Ramp	Up to property line	Up to property line	None	These structures shall not cause obstruction for emergency access to the rear yard.
Accessory Buildings	None	No closer than 1.0 m from property line	No closer than 1.0 m from property line	See Section 201

Eaves of Accessory Buildings	None	One half of width of required side yard or 0.5 m whichever is less	One half of width of required side yard or 0.5 m whichever is less	
Rear Attached Garages	N/A	No closer than 6.0 m from the property line	Same as principle building	

SECTION 123: OBJECTS PROHIBITED OR RESTRICTED IN YARDS

1. Subject to Section 123(2) and the regulations of the Town of Bonnyville Nuisance Bylaw, as amended, no person shall keep or permit in any part of a yard in a residential land use district:

   a) any dismantled or wrecked vehicle;

   b) any object or chattel which, in the opinion of the Development Officer or Municipal Planning Commission, is unsightly or tends to adversely affect the amenities of the district;

   c) 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;

   d) No person shall park a recreational vehicle, as defined in the Motor Vehicles Act, or a commercial vehicle exceeding 5000 kg GVW or a length exceeding 6.3 metres including trailers and attachments, on a public street or closer to the street than the building line facing the street for a period exceeding five (5) days.

   e) Television satellite dishes where, in the opinion of the Development Officer or Municipal Planning Commission, they would create a disturbance, nuisance or other undue effect on adjacent landowners or the aesthetic appearance of the surrounding area.

2. In all land use districts, garbage shall be stored in weather-proof containers screened from adjacent parcels and public thoroughfares to the satisfaction of the Development Officer or Municipal Planning Commission and shall be in a location easily accessible for pickup.

3. Recreational Vehicles in Residential Districts

   a) Between the dates of April 1 and October 31 (inclusive) for any given year, recreational vehicles shall not be kept on private property within a residential district for a period exceeding five (5) days unless they are located entirely within the area of:

      i) the driveway, or

      ii) the rear yard, or

iii) a recreational vehicle parking space shown on the site plan for an approved development permit for the site, or

iv) an area designated for recreational vehicle storage on the site plan for an approved development permit for the site.

b) From November 1 to March 31 (inclusive) for any given year, recreational vehicles shall not be kept on private property within a residential district for a period exceeding seven (7) days unless they are located entirely within the area of:

i) the rear yard, or

ii) a recreational vehicle parking space shown on the site plan of an approved development permit for the site where the recreational vehicle parking space is located, or

iii) an area designated for recreational vehicle storage on the site plan of an approved development permit for the site where the recreational vehicle storage is located.

c) A recreational vehicle parking space shall only be approved on a development permit provided the recreational vehicle parking space:

i) is an accessory use to a principle residence unless otherwise approved by the Development Authority, and

ii) would not impede emergency access to any area on the site, and

iii) would not encroach into any required setbacks for the front or side yard within the Land Use District that the parking space would be located.

d) At no time shall any recreational vehicle be kept so that the recreational vehicle encroaches on a sidewalk, roadway or impede a sight triangle of a parcel.

e) At no time shall a recreational vehicle be used as a dwelling without permission by the Development Authority as under the regulation for Temporary Living Accommodations.

SECTION 124: TEMPORARY LIVING ACCOMMODATIONS

1. At no time may a recreational vehicle, holiday trailer, motor home, camper, or tent trailer/tent be situated on a residential parcel unless that parcel is developed with a single family dwelling or unless otherwise approved by the Development Authority.

2. Notwithstanding subsection (1), a maximum of one (1) recreational vehicle, holiday trailer, motor home, camper or tent trailer be situated and occupied on an undeveloped residential parcel during periods of single family dwelling construction when approved by the Development Authority.

3. For the purpose of storage of the vehicle, a maximum of one (1) unoccupied recreational vehicle, holiday trailer, motor home, camper or tent trailer may be situated on a residential parcel that is developed with a single family dwelling.

4. On a residential parcel that is developed with a single family dwelling, a maximum of one (1) recreational vehicle, holiday trailer, motor home, camper or tent trailer may be situated and occupied on a residential parcel provided that it:

a) is occupied for no longer than seventy-two (72) hours total within a thirty (30) day period, or extended periods as authorized by the Development Authority; and

b) is located within a required parking stall or on the site in a manner satisfactory to the Development Authority.

SECTION 125: KEEPING OF ANIMALS

1. No person shall keep, or cause, or suffer to be kept any livestock within the limits of the municipality unless previously approved by Council or its respective delegates.

2. Animals in town parades, carnivals, or exhibitions, under the care and supervision of competent persons, are not subject to the provisions established in this Section of the Bylaw.

3. No person shall keep, or cause, or suffer to be kept save as hereinafter specified any chicken, turkey, goose, guinea, fowl or poultry of any kind within the limits of the municipality unless such bird or poultry are part of any commercial undertaking previously approved by Council or its respective delegate.

4. The keeping of pigeons and rabbits is not permitted in numbers greater than four (4) in any district, providing they are kept in a clean and sanitary condition to the satisfaction of the municipality. If damage is proven on another property, the municipality may direct the person owning such animals to restrain them, remove them or destroy them.

5. The keeping or harbouring of cats and/or dogs in the municipality is not permitted in numbers greater than:
   a) Dogs – two (2), aged six (6) months or older; or
   b) Cats – two (2), three (3) months or more,

   in any building or property located in any district. If complaints of damage, noise, and/or odour are proven on another property, the municipality may direct the person owning such animals to restrain them, remove them or destroy them.

SECTION 126: POLLUTION CONTROL

In any land use district, no use of land or a development may be undertaken in a manner that would, in the opinion of the Development Officer or Municipal Planning Commission:

a) unduly interfere with the amenities of the district; or

b) materially interfere with or affect the use, enjoyment or value of neighboring parcels;

by reason of potential for contamination of the water supply for the Town of Bonnyville, excessive noise, smoke, steam, odors, glare, dust, vibration, refuse matter or other noxious emissions or containments of hazardous materials.

SECTION 127: FENCES AND SCREENING

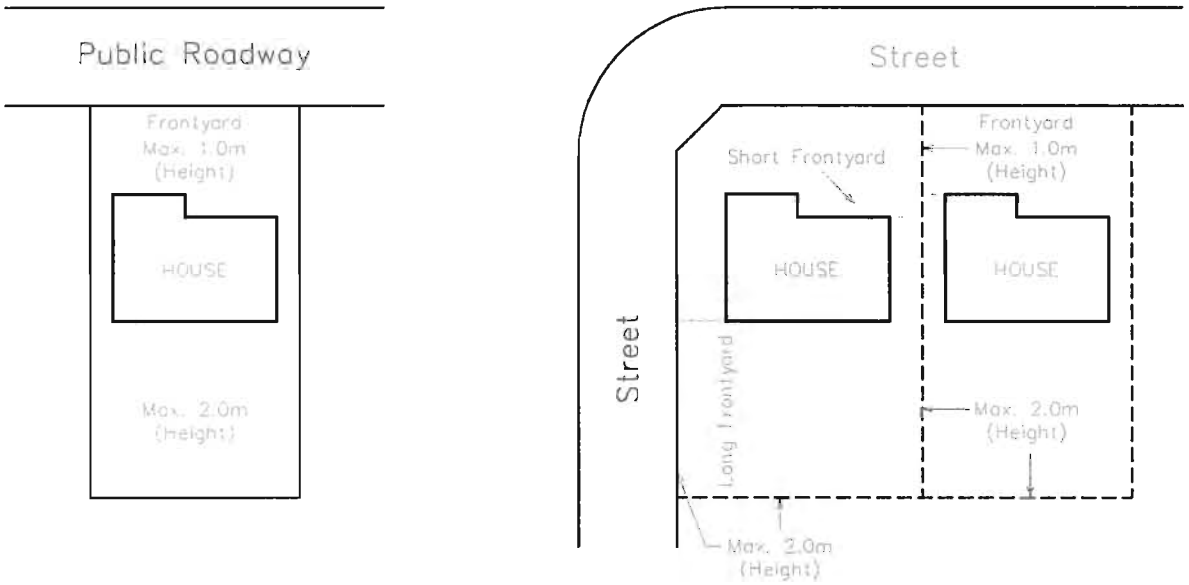
For the purposes of this Section, fences, walls or hedges shall be measured from the highest point of the abutting street or lane.

1. In any land use district, except as herein provided, no fence shall be constructed that is:

    a) higher than 2.0 metres for that portion of the fence that does not extend beyond the foremost portion of the principal building on the parcel; and

    b) higher than 1.0 metre for that portion of the fence that does extend beyond the foremost portion of the principal building on the parcel.

Figure 127.1: Siting of Fences

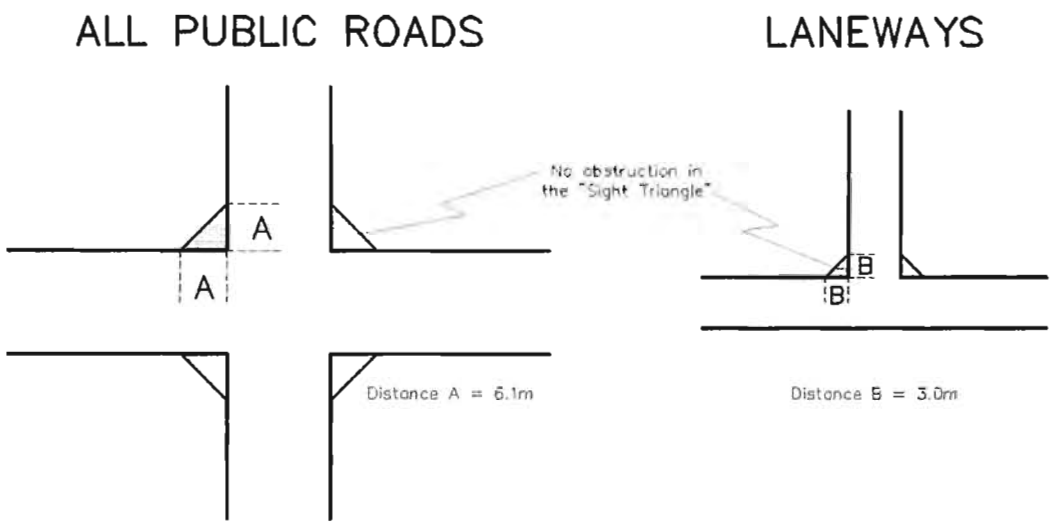


2. In the case of corner parcels in all land use districts, regardless of whether or not a corner cut-off has been taken:

    a) No person shall construct a fence or other screening within the portion of the parcel facing the fronting street that extends beyond the foremost portion of any principal or accessory building, as illustrated in the diagram following Section 127(2)(b).

    b) There shall be no obstruction of the sight triangle by fencing or other screening, including landscaping. For the purposes of this Bylaw, the sight triangle, in the case of laneways, is the triangle formed by a straight line drawn between two points on the exterior boundaries of the subject parcel 3.0 metres from the point where they intersect. In the case of all other roadways the sight triangle is the triangle formed by a straight line drawn between two points on the exterior boundaries of the subject parcel 6.1 metres from the point where they intersect.

Figure 127.2: Sight Triangles



3. Where parcels have both their front and rear yards facing onto a street, special approval of the Development Officer must be obtained prior to the erection of any fences on such parcel. Size and specifications for fences in these areas must conform to the overall standard set for the area by the Town of Bonnyville.

4. Where hedges, trellises, arbors, and similar things are located on or adjacent to a parcel line, they shall comply with the height requirements for fences.

5. Multiple family dwellings adjacent to a single detached dwelling shall provide a wooden fence, or other such screening approved by the Development Officer or Municipal Planning Commission, of not less than 1.5 metres or more than 2.0 metres in height along the side abutting the single-detached dwelling.

6. In the case of commercial, industrial, public and quasi-public uses abutting a residential area, a solid or chain link fence with slats shall be provided of not less than 1.5 metres or more than 2.0 metres in height along the sides abutting the residential area.

7. Notwithstanding Sections 127(1) and 127(2)(a) and (b), in the Industrial District or Urban Reserve District, the maximum height of a fence and the location of fencing and other screening within the parcel, including landscaping, shall be determined by the Development Officer or Municipal Planning Commission who shall consider the requirements of Section 127(1) and 127(2)(a) and (b) in determining fence height and location within the parcel. Where a fence has been permitted to be higher than 2.0 metres in the above-noted land use districts, no barbed wire fences shall be permitted below a height of 2.0 metres. This requirement may not be relaxed by the Development Officer or Municipal Planning Commission in an area where residences would be in close proximity to the fence proposed.

8. No electrification of fences will be permitted.

9. No barbed wire fences will be permitted in residential land use districts.

10. The Development Officer or Municipal Planning Commission shall ensure that all fences are made of material, and constructed and maintained in such a manner, so as not to pose a hazard to the public.

SECTION 128: DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS AND STRUCTURES

1. The purpose of this Section is to provide the Town of Bonnyville with controls and guidance so that aesthetically attractive and compatible development is provided throughout the Town of Bonnyville.

2. The design, siting, external finish and architectural appearance of all land, buildings, including any accessory building or structure, and signs, shall be to the satisfaction of the Development Officer for a permitted use and the Municipal Planning Commission for a discretionary use, in order that there shall be general conformity in such manners with respect to adjacent buildings and that there may be adequate protection afforded to the amenities of adjacent parcel.

3. Pursuant to Sections 128(1) and (2), the Development Officer or Municipal Planning Commission shall consider all of the following when reviewing development proposals in all districts:

   a) The design, character and appearance of all buildings must be compatible with any other buildings existing in the vicinity unless the building is setting a new standard of design and character for the land use district or a particular location within it.

   b) The design of the building must conform to the prescribed setback requirements.

   c) The siting of buildings must conform to the prescribed setback requirements.

   d) The height, massing, size and shape of the buildings should be consistent relative to existing adjacent buildings.

   e) The external finish of the principal and accessory buildings should be reviewed for consistency with respect to color, finish and texture.

   f) The impact of a proposed building on the existing streetscape should be considered in order to maintain conformity of sight lines, and to reduce any extreme and distracting variations.

   g) The use of landscaping should be encouraged to enhance the appearance of a development.

   h) The existing trees and natural features should be preserved in new subdivisions and developments.

   i) The building or structure shall comply with any provisions of a statutory plan, which sets out specific guidelines as to the design, character, appearance or building materials to be used within a district or area, or any architectural control guidelines adopted by Council.

4. Further to Section 128(3), the Development Officer or Municipal Planning Commission shall consider, but not be limited to, the following criteria when evaluating the design, character and appearance of development proposals:

a) Guidelines for Commercial and Industrial Development:

i) The harsh contrasts of very large buildings, mixed with small buildings can be softened by using similar sizes and shapes of massing elements like roof lines, exterior design and treatment.

ii) Blank, unfinished walls give a very bland appearance to the streetscape. Particular attention should be given to reduce large vacant spaces between buildings that are left open to public view.

iii) Rooftop mechanical equipment should be hidden from view from public streets and from adjacent buildings.

iv) Utility installations and buildings should be located in such a manner so as to be compatible with adjacent buildings and development. This may be achieved by placing utility installations within buildings wherever possible, or develop utility buildings which blend into the surrounding area.

v) Natural features are an important part of the urban environment and should be given a high priority in developing a parcel. This may be achieved by, for example, preserving existing trees wherever possible.

vi) Corner parcels at the intersection of major streets should be given special consideration. Sight lines for drivers and more pedestrian space are features that should be incorporated into the design of buildings on corner parcels.

vii) Buildings should provide weather protective overhangs at outdoor pedestrian areas and at building entrances. The overhangs can be achieved through the use of cantilevers, awnings and canopies.

viii) Long buildings along the street front should include a public route through the building that can be used by pedestrians to access parking areas or simply to avoid having to walk around the building.

ix) Pedestrian areas in parking lots should be designed for safety and at a pedestrian scale. The combination of landscaping and pedestrian walkway connections from the parking area to the shopping area can act as a windbreak, slow the traffic in the parking area and soften the harsh visual impact of large asphalt areas.

x) The illumination of commercial and industrial parcels should not shine into residential windows.

xi) On-parcel parking, loading and shipping areas are less attractive elements of a streetscape and should be hidden from public roadways by buildings, screening and landscaping.

xii) Outdoor storage and garbage collection areas are generally unsightly and undesirable elements from public roadways and should be screened or hidden behind buildings. Existing storage and garbage collection areas should be screened from roadways by using berms, walls and landscaping.

xiii) Signage on the building façade should be integrated with signage in the immediate vicinity and the district as a whole to avoid the creation of

visual cluttering, clashing or detraction from the appearance of the area or street.

b) Guidelines for Residential Development:

i) Visual privacy of internal living space and areas should be maintained in new and existing developments. The use of berms, landscaping and the orientation of the dwellings and the living space windows can improve the visual privacy between developments.

ii) Identical or similar housing styles, models, designs and colors should be discouraged. The same housing color, design or treatment should not be used for any more than three adjacent dwellings.

iii) The intensity of colors should be restricted while encouraging the use of earth tone and pastel colors with natural finishes like wood and brick.

iv) Corner parcel houses should be generally lower lying houses as height and mass is emphasized beside a void such as a road.

v) Any accessory building built on a parcel, such as a detached garage or garden shed, should be similar to the principal building in terms of proportional mass, roof line and exterior treatment.

vi) Developments should be encouraged to possess good proportion in the front elevations through the use of such elements as dormers, bay windows, shutters, brickwork, rooflines and variations of window sizes.

SECTION 129: ARCHITECTURAL CONTROL GUIDELINES

1. Further to Section 128, Council may adopt more detailed architectural control guidelines where Council wished to achieve a higher standard of design and appearance within a specific development, subdivision or neighborhood.

2. Where Council adopts architectural control guidelines for a specific subdivision or neighborhood, the following elements shall be contained in the document in order to ensure the aesthetic and functional quality of development:

   a) the compatibility of parcel grading and drainage requirements within the parcel; the placement of the structure/building on the parcel to ensure proper utilization of the land and compatibility with surrounding structures/buildings;

   b) the styling and type of structure/building to ensure compatibility with surrounding structures/buildings; and

   c) the compatibility of exterior finish and coordination of color relationships.

3. Where Council adopts architectural control guidelines, the Development Officer or Municipal Planning Commission shall ensure the controls are adhered to using, but not limited to, the regulations and mechanisms contained in Parts III and V as well as Section 128 of this Bylaw.

4. The Town of Bonnyville may require that the developer register a restrictive covenant against the parcel or subdivision in order to ensure ongoing conformance with the architectural control guidelines.

PART VII SPECIAL LAND USE PROVISIONS

SECTION 200: ESTABLISHMENT OF SPECIAL LAND USE PROVISIONS

Special land use provisions shall be set forth in Part VII of this Bylaw.

SECTION 201: GARAGES, ACCESSORY BUILDINGS AND STRUCTURES

1. Where an accessory building is attached to the principal building on a parcel by a roof or an open or enclosed structure, except carports where vehicular access to the rear yard is not obstructed, said accessory building it is to be considered part of the principal building and not as an accessory building and shall, therefore, adhere to the setback requirements for principal buildings as specified in the land use districts.

2. **In Residential Land Use Districts:**

   a) Accessory buildings include garages, carports, sheds, storage buildings, decks, patios or balconies, permanently installed private swimming pools and hot tubs and other accessory structures such as television and radio antennas, poles, satellite dishes and towers.

   b) Height:

      i) The height of an accessory building shall be at the discretion of the Development Officer or Municipal Planning Commission who shall have regard for the following in determining height:

         - The topography of the parcel upon which the accessory building is or is to be situated as well as the topography of immediately adjacent parcels and the surrounding area shall be considered to ensure that the sight lines and view angles of the subject parcel and adjacent parcel are not unduly obstructed by the height of the accessory building.
         - The height of an accessory building shall be in proportion with the principal and accessory buildings on immediately adjacent parcels as well as in keeping with the neighborhood itself.
         - The height of an accessory building shall be such that the accessory building, in relation to the principal building, does not visually dominate the parcel.

      ii) An accessory structure, as referred to in Section 201(2)(a), shall not exceed 5 metres, the height of the structure being measured from the average grade of the parcel.

   c) Parcel Coverage:

      The total combined floor area of accessory buildings shall be as prescribed in the land use district regulations.

d) Siting of Buildings:

Unless otherwise provided in this Bylaw, detached garages, carports and other accessory buildings shall be located:

i) a minimum of 3.0 metres in a laneless subdivision, and a minimum of 2.1 metres in a laned subdivision, from the dwelling provided that both buildings meet the requirements of the Alberta Building Code and any amendments made from time to time;

ii) no closer than the front line of the principal building. This regulation may be relaxed for garages and carports only where, at the discretion of the Development Officer, insufficient setbacks exist to place the building in the rear yard or side yard. In no case however, shall the building encroach beyond the front yard setback;

iii) no closer than 1.0 metre to the rear parcel line provided there is no encroachment of any part of the building onto public utility easements or onto adjacent property maintenance easements. Where the vehicle approach faces the lane, the garage or carport shall be no closer than 6.1 metres from the lane;

iv) no closer than 1.0 metre to the side parcel line excepting where an agreement exists between the owners of adjoining parcels to have built or build their garages using a common parcel line, in which case a fire wall will be constructed to the requirements of the Alberta Safety Codes Act, and regulations pursuant thereto, and any amendments made from time to time;

v) no closer than 1.0 metre from the side parcel line and 1.0 metre from the rear parcel line in the case of an angular or curved approach from a lane; and

vi) accessory buildings, at the discretion of the Development Officer or Municipal Planning Commission, may be constructed on a zero side yard setback, provided they are located on the same zero side yard as the principal building, and provided the provisions under Section 114 of this Bylaw are adhered to.

e) Decks, Patios and Balconies:

i) which are higher than 0.6 metre above grade at any point shall adhere to the siting requirements under Section 201(1), where attached to the principal building, and to the siting requirements of Section 201(2)(d) where detached;

ii) which are higher than 0.6 metre above grade at any point shall be in accordance with Section 201(2)(c) in terms of parcel coverage requirements;

iii) which do project more than 0.6 metre above grade, subject to Section 122(2)(f) if at grade, shall adhere to the siting requirements under Sections 201(2)(d)(ii through vi), whether attached or detached, except that such structures may be allowed within the required front yard, but not closer than 1.5 metres from the front parcel line and shall be subject to Section 127 of this Bylaw with respect to fences and screening.

f) Private Swimming Pools and Hot Tubs:

i) Every private swimming pool or hot tub shall be secured against entry to the public other than owners, tenants or their guests.

ii) No privately owned outdoor swimming pool or hot tub shall be constructed unless fenced; except that a wall of a building may be considered to provide adequate protection for its length when substituted for any portion of the fence.

iii) Every fence enclosing an outdoor swimming pool or hot tub shall be at least 1.7 metres in height above the level of the grade outside the enclosure and shall be of approved design such that it will deter children from climbing over or crawling through or under it to gain access. Gates in the fence shall provide protection equivalent to the fence and shall be equipped with a self-latching device located on the inside of the gate.

iv) A private swimming pool shall be provided with at least one exit ladder or stair from the deepest part of the pool where the greatest dimension of the pool does not exceed 9.0 metres. An additional ladder or stair is to be provided at the opposite end of the pool where the pool exceeds 9.0 metres.

v) Swimming pools and hot tubs shall be sited as per Section 201(2)(d).

g) Additional Requirements:

i) Notwithstanding any provision in this Section, no accessory building or structure shall be permitted that, in the opinion of the Development Officer or Municipal Planning Commission, will serve to restrict access to the rear yard where a parcel has vehicular access from the front yard only and one side yard setback of 3.0 metres has been provided to accommodate a driveway for vehicular passage and general access to the rear of the parcel.

ii) Accessory buildings shall not be used as dwellings.

iii) Subject to Section 201(2)(g)(iv), accessory structures, as referred to in Section 201(2)(a), shall satisfy the siting requirements as established in Section 201(2)(d).

iv) Flagpoles may be located in the front yard to the satisfaction of the Development Officer or Municipal Planning Commission, as the case may be.

v) Temporary structures, such as tarpaulin garages, shall be located and constructed as per the requirements of the Alberta Building Code and will require development and building permits. Tarpaulin structures shall be maintained in such a manner as to not be allowed to become unsightly or neglected structures.

3. In all other land use districts, unless otherwise specified in this Bylaw, the provisions for accessory buildings and structures will be at the discretion of the Development Officer or Municipal Planning Commission who shall have regard for the siting requirements applicable to principal buildings in the land use district in which the subject parcel is located. Temporary structures, such as tarpaulin garages, shall be located and constructed as per the requirements of the Alberta Building Code and will require

development and building permits. Tarpaulin structures shall be maintained in such a manner as to not be allowed to become unsightly or neglected structures.

4. Inter-modal Containers (Sea Cans):

(a) Inter-modal containers, otherwise known as sea cans (or C-Cans) shall be considered discretionary uses within the commercial, industrial and institutional land use districts. The containers shall be considered an accessory structure to a principle use of the land and will be required to have development and building permit approvals. The permits will be valid for the duration of the use of the container on the property for which the permits were obtained. The size of containers shall be limited to no larger than 2.44 metres by 12.19 metres (8 feet by 40 feet) or 29.73 square metres (320 square feet) within the central commercial and fringe commercial districts. No more than one (1) container shall be permitted in a central and fringe commercial and institutional districts.

(b) Inter-modal containers are prohibited from use in all residential, park and urban reserve districts unless related to a valid renovation or construction permit. The containers shall be considered an accessory structure to a principle use of the land and will be required to have development and building permit approvals. The permits will be valid for the duration of the use of the container on the property for which the permits were obtained.

(c) Temporary permits will be issued for uses related to renovations to permanent structures with a defined length of use timeframe ("temporary" under the land use definitions is a maximum of 6 months with a one-time extension available for an additional 6 months upon request).

(d) The applicant for a permit for an inter-modal container shall provide the Development Authority with information on the nature of materials being stored within the container to determine appropriate setback requirements. Reference to determine the setbacks will be in conjunction to the Land Use Bylaw and Albert Building Codes.

(e) Within all Land Use Districts, regardless of duration of use, inter-modal containers:

i. shall be painted or sided to match or compliment the principle building;

ii. shall be located within the appropriate setback requirements of the permit approval;

iii. shall not eliminate or interfere with parking, loading or vehicle/pedestrian maneuvering areas and shall not interfere with any site lines for vehicle or pedestrians.

5. Radio and Telecommunication Structures and Satellite Dishes:

(a) No person shall construct or cause to be constructed a radio or telecommunication structure unless a development permit for such a use has been issued;

(b) A radio or telecommunication facility shall comply with the provisions of the Bylaw and any statutory or outline plan pertaining to the site of the facility, all Canadian Radio and Telecommunications Standards, Industry Canada, all CSA standards and Safety Code regulations.

(c) The Town will encourage the co-location (sharing) of radio and telecommunications structures;

(d) The notification of landowners in the vicinity and public consultation are required if the structure is to be located in a residential area or within 600 metres of the nearest residence and the tower has a height of 15 metres or higher.

(e) Radio Communications Structures:

i. In a residential district, no person shall erect any radio communication structure that is located in a front yards, that is less than 1.5 metres from side and rear property boundaries, that exceeds 10.0 metres in height measured from finished grade at the site of installation, or that is used for commercial purposes.

ii. No person shall erect more than one freestanding antenna or two roof top antennas on a residential lot.

iii. In commercial districts, radio communication structures shall meet the setback requirements of the district, or meet setback requirements that are satisfactory to the Development Authority, not be located in the front yard between the principle building and the street, and not exceed 20.0 metres in height.

(f) Additional Regulations for Satellite Dishes:

i. No satellite dish shall be located in or encroach on any front yard or side yard which abuts a street.

ii. Not more than one (1) satellite dish is permitted per dwelling unit.

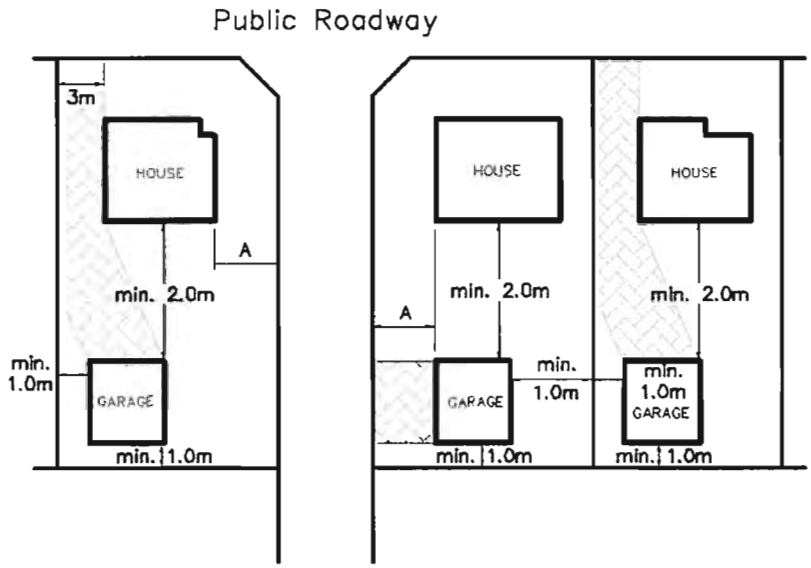
iii. A satellite dish in a residential district shall be erected so that, where the dish is mounted on the ground the elevation of the lowest edge (base) of the dish does not exceed the elevation of the underside of the lowest eaves on the principle building.

iv. Satellite dishes may be located on a roof if screened or incorporated into the roof structure in a manner satisfactory to the Development Authority. If not completely screened, the satellite dish must be painted to match the main colour of the principle building or the roof.

v. The satellite dish shall not be illuminated and shall not include any advertising words or graphics for the sole purpose of advertising a product for sale or a service.

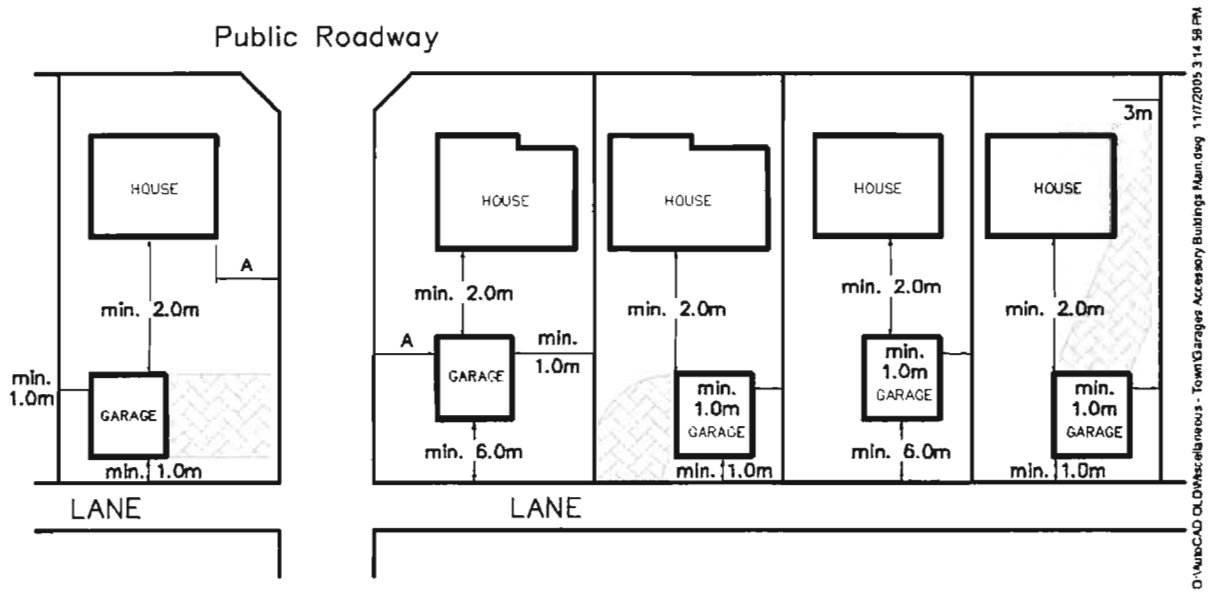
Figure 201.1:

LANELESS SUBDIVSION



A – No closer than Principal Dwelling

LANE SUBDIVSION



SECTION 202: HOME OCCUPATION (HOME BUSINESS):

1. General Provisions:

   a) A home business shall be operated as a secondary use only and shall not change the principal character and external appearance of the dwelling in which it is located. The Development Authority has the discretion to refuse a Home Occupation permit application if the proposed use would be better suited in a commercial or industrial land use district.

   b) The home business shall not include the manufacture or repair of automobiles, internal combustion engines, industrial equipment, major appliances and other durable goods determined by the Development Authority to be detrimental to the neighborhood.

   c) There shall be no mechanical or electrical equipment used which creates visual, audible or electrical interference in radio or television reception.

   d) A home business, whether or not a Development Permit has been required/issued, shall be reviewed by the Town of Bonnyville when complaints are registered against the home business by an affected landowner. A Development Permit issued for a home business is liable for recall on the basis of non-compliance on thirty (30) days' notice.

   e) A home business permit does not exempt compliance with health regulations or any other municipal, provincial, or federal regulations.

   f) Home business permits are valid for a period of twelve (12) months upon which reapplication at the time of business license renewal will occur and review will be required. Renewal of the permit will be at the discretion of the Development Officer.

   g) Uses that are not considered Home Occupations include, but are not limited to:

      a. Adult Entertainment Facilities;
      b. Automotive, industrial or recreational vehicle sales, rentals, brokering, storage, services or repairs;
      c. Dating and escort services;
      d. Veterinary services

      Notwithstanding Table 202.1, personal care services will only be considered as Major Home Occupations.

   h) All Home Occupation customer vehicle trips shall be restricted to:

      a. Monday to Saturday – 7:00 am to 7:00 pm; and
      b. Sunday and Statutory holidays – 10:00 am to 6:00 pm.

Table 202.1 HOME BUSINESS REGULATIONS

Regulation	Home Occupation, Minor	Home Occupation, Major
Maximum Area	30% of the gross floor area of dwelling	30% of the gross floor area of dwelling, plus the area of one accessory building or 50% of the area within an attached or detached garage
Structural Alterations	None	If they comply with this Bylaw and the Alberta Building Code
Exterior Impact	Shall not create any nuisance and shall preserve the privacy and the enjoyment of adjacent residences and the neighbourhood	Shall not create any nuisance and shall preserve the privacy and the enjoyment of adjacent residences and the neighbourhood
Equipment Storage and/or Material Storage	Indoor storage shall be limited to inside the dwelling unit and is not permitted within accessory structures. No exterior storage of equipment or any other materials associated with the business	No exterior storage of equipment or any other materials associated with the business
Customer Traffic Generation	None	Limited to a maximum of six (6) persons in attendance at any one time
Parking Spaces	Per the requirements under Part XIII of the Land Use Bylaw	One (1) on-site parking space in addition to those required under Part XIII of the Land Use Bylaw.
Employees	Only the residents of the dwelling shall be employees of the Minor Home Occupation	The residents of the dwelling plus one (1) on-site non-resident employee. Other employees may be employed off-site but shall not be employed within the residence.
Business-related Vehicles	One (1) passenger vehicle without a commercial license. Such vehicles shall be limited to: car, passenger van or an un-modified truck or cargo van up to one (1) ton.	One (1) passenger vehicle without a commercial license. Such vehicles shall be limited to: car, passenger van or an un-modified truck or cargo van up to one (1) ton. One (1) single axle, commercially licensed vehicle up to 8,000kg (17,636lb) (GVW) that is 6.1 metres or less in length and is parked and maintained on-site.
Signage	One (1) non-illuminated identification sign or plaque, no larger than 0.725 square metres in area, placed flat within or against the dwelling unit. No off-site signage is permitted	One (1) non-illuminated identification sign or plaque, no larger than 0.725 square metres in area, placed flat within or against the dwelling unit. No off-site signage is permitted.

SECTION 203: BED AND BREAKFAST OPERATIONS

In addition to all other provisions and requirements of Section 202 of the Bylaw, the following additional requirements shall apply to home occupations in the form of bed and breakfast operations, as defined in Section 7 of this Bylaw:

a) Persons wishing to operate a bed and breakfast operation shall be required to apply for a development permit from the Town of Bonnyville.

b) A bed and breakfast operation shall be limited to residential land use districts and shall be contained entirely within the principal building.

c) A bed and breakfast operation shall be limited to one meal provide on a daily basis to registered guest only with such meal being prepared in one common kitchen and served in one common room.

d) In addition to the off-street parking requirements for the dwelling/dwelling unit itself, as stipulated in Part VIII of this Bylaw, one (1) off-street parking space per rented guest room shall be required for a bed and breakfast operation.

SECTION 204: MANUFACTURED HOMES

1. All manufactured homes shall provide skirting around the base of the unit that is of a manufactured or similar type to harmonize with the unit within thirty (30) days of the placement of the unit on the lot.

2. The hitch and wheels shall be removed within thirty (30) days of the placement of the manufactured home on the lot.

3. Every manufactured home within the RMHS District shall be attached to a permanent foundation or basement, which is constructed in accordance to the CSA requirements for the manufactured homes dwelling unit.

4. All additions, porches, garages, and accessory structures shall be of an equivalent quality and appearance as the manufactured home and shall compliment the exterior.

5. All manufactured homes shall have current Canadian Standards Association (CSA) certification or the equivalent thereof as determined by the Development Authority.

6. Additional requirements for the siting and development of the manufactured home dwelling locations shall be found in the land use district in Part X of this Bylaw.

SECTION 205: MODULAR HOMES

1. All modular homes shall be attached to a permanent foundation or basement.

2. All additions, porches, garages and accessory structures shall be of an equivalent quality and appearance as the modular home and shall compliment the exterior.

3. All modular homes shall be constructed to meet the requirements of the Canadian Standards Association, National Building Code and the Alberta Building Code.

4. Additional requirements for the siting and development of the modular home dwelling shall be found in the land use district in Part X of this Bylaw.

SECTION 206: SURVEILLANCE SUITES

1. The issuance of a development permit for a surveillance suite, as defined in this Bylaw, shall be in accordance with the following criteria and regulations:

   a) A development permit for a surveillance suite will only be issued if a surveillance suite, as defined in this Bylaw, is provided for either as a permitted or discretionary use in the land use district in which the subject parcel is located.

   b) A development permit for a surveillance suite will only be issued if the surveillance suite is clearly compatible with and subordinate to the principal use of the subject parcel.

   c) Where a surveillance suite is allowed in accordance with this Bylaw, the Development Officer or Municipal Planning Commission, as the case may be, may issue a development permit for one surveillance suite per associated development or parcel.

   d) Where a surveillance suite is attached to the principal building on a site by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the principal building.

   e) Detached surveillance suites shall be sited in accordance with siting regulations specified in the land use district which the subject parcel is located or in accordance with the following requirements, whichever are more stringent:

      i) a minimum of 2.0 metres from any buildings; and

      ii) a minimum of 2.0 metres from the rear and side property lines; and

      iii) no closer than the front line of the principal building.

   f) Where a surveillance suite is a mobile home unit, the following shall also apply:

      i) the unit shall have C.S.A. certification or equivalent. Proof of this shall accompany the development permit application; and

      ii) the unit shall be secured and properly skirted to the satisfaction of the Development Officer or Municipal Planning Commission, as the case may be.

   g) The minimum and maximum floor area of any non-basement surveillance suite, as defined in this Bylaw, shall be 50.0 m^2 and 102.0 m^2, respectively.

   h) The quality of exterior treatment and design of any surveillance suite shall be to the satisfaction of the Development Officer or Municipal Planning Commission, as the case may be, who shall ensure that the design, character and appearance of any surveillance suite is compatible with the development(s)/use(s) with which the suite is associated as well as all development(s)/use(s) on adjacent properties.

SECTION 207: DAY CARE FACILITIES AND HOME DAY CARE

1. In considering a day care facility or a home day care operation, the Development Officer or Municipal Planning Commission shall, among other factors, consider if the development would be suitable for the parcel, taking into account the size of the parcel required given the intended use, appropriate yard setbacks in relation to adjacent land uses, isolation of the proposed parcel from residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of neighboring parcel, and consistency with other development in the surrounding area and land use districts in terms of nature and intensity of use.

2. In the case of a day care facility, the Municipal Planning Commission shall establish the maximum number of children for whom care may be provided, having regard for provincial regulations, the nature of the facility, the density of the district in which it is located, and potential impacts on the uses in the vicinity of the development.

SECTION 208: FAMILY CARE AND GROUP CARE FACILITIES

1. General Provisions:

   a) In reviewing an application for a family care or group care facility, the Municipal Planning Commission shall, among other factors, consider if the development would be suitable for the parcel taking into account the size of the parcel required given the intended use, appropriate yard setbacks in relation to adjacent land uses, potential traffic generation, isolation of the proposed parcel from residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of neighboring parcel, and consistency with other development in the surrounding area/land use districts in terms of nature and intensity of use.

   b) Notwithstanding any other provisions contained in this Bylaw, family care or group care facilities shall be located no closer than 300.0 metres from one another.

2. Group Care Facilities:

   a) The Municipal Planning Commission shall establish the maximum number of persons for which care may be provided having regard for provincial regulations, the nature of the facility, the density of the land use district in which it is located, and potential impacts such as traffic and interference with or effect on other adjacent land uses.

   b) The group care facility shall not change the character of the land use district in which it is located.

SECTION 209: PLACES OF WORSHIP

1. Parcel Width and Area:

   The parcel width and area requirements for a place of worship shall be at the discretion of the Development Officer or Municipal Planning Commission, as the case may be, who shall consider the uses to which the place of worship/parcel will be put in addition to the worship-related uses proposed, and, as an absolute minimum, that the parcel upon which the place of worship is to be located should have a frontage of not less than 30.0 metres and an area of not less than 930.0 m^2 except where a building for a clergyman's residence is to be erected on the same parcel. The combined area of the parcel in this latter case should not be less than 1400.0 m^2.

2. Additional Parcel/Building Requirements:

   Parking areas, where adjacent to residential districts must be screened by a wall, fence, earth berm or hedge constructed or maintained at not less than 1.2 metres in height.

SECTION 210: SECONDARY SUITES

1. Secondary suites are discretionary uses within the R1 – Single Family Residential, R2 – Single Family Small Lot Residential, R2A – Single Family Small Lot (A) Residential and R2B – Compact Single Family Small Lot Residential Districts.

2. Types of Secondary Suites:

   In residential districts, a secondary suite may be located within either:

   a) a suite below the main floor of a dwelling (basement suite); or

   b) a suite above the main floor of a dwelling; or

   c) a suite above a rear detached garage (garage suite).

3 A Secondary Suite shall comply with the following regulations:

   a) the floor area occupied by a secondary suite shall be considered as part of the principal use of the structure for the purpose of calculating site coverage;

   b) there shall be no more than one (1) secondary suite developed in conjunction with a principal dwelling;

   c) in developing a secondary suite, the owner shall comply with all relevant requirements of the Alberta Building Code, as amended from time to time, which may include but not be limited to, fire separations, accesses and heating systems for each dwelling unit;

   d) on-site parking shall be required in accordance with Part VIII of this Bylaw;

   e) the number of unrelated persons occupying a secondary suite shall not exceed three; and

   f) where the secondary suite is located within the principal building (i.e. dwelling), the principle residential use in the structure intended to contain the secondary

suite shall exist prior to the application for the Development Permit for the secondary suite.

g) Where the secondary suite is located within a detached garage the following is applicable:

i) In no instance shall two separate accessory buildings be developed on a single site where one is a detached garage and the other contains a secondary suite.

ii) A rear detached garage containing a secondary suite shall be located a minimum of 3.0 metres from the principal dwelling, and shall have the same side yard setback as the principal building on the site, or meet the minimum setback requirements and construction standards of the Alberta Building Code.

iii) A secondary suite shall only be permitted above a garage where the height of the garage does not exceed the height of the principal building, but in no case shall a garage with a secondary suite exceed 7.0 metres in height.

h) **Design Guidelines**

(i) All buildings on the site shall be compatible in scale to the dwellings in the immediate vicinity.

(ii) The portion of the principal building or accessory building containing the suite shall reflect the design of the principal building, incorporating similar features such as window and door detailing, exterior cladding materials and colours and roof lines.

SECTION 211: MULTIPLE FAMILY DWELLING DEVELOPMENTS

1. General Provisions:

a) At the discretion of the Development Officer or Municipal Planning Commission, the applicant for a multiple family dwelling building or development shall provide with the application for development, parcel plans, design plans and working drawings including elevations which have been endorsed by a registered architect or professional engineer registered in the Province of Alberta.

b) The parcel plan shall indicate:

i) the location and position of all buildings and structures on the parcel;

ii) the location and design of signage on the parcel, including any "for rent" signs;

iii) the location and number of parking spaces, access and egress onto the parcel from public thoroughfares;

iv) the location of refuse storage areas as well as access to/egress from refuse storage areas;

v) the location of exterior lighting including that in the parking lot and landscaped areas;

vi) the location and design of fencing on the parcel; and

vii) detailed landscaping plans for the parcel.

2. Separation Space/Setback Requirements:

Applications shall be reviewed in relation to meeting the criteria of the Alberta Building Code.

SECTION 212: MIXED COMMERCIAL AND RESIDENTIAL USES:

1. The following shall apply to commercial developments containing residential dwelling units:

a) Both the residential and commercial portions of the development will have separate and direct access to the outside street level.

b) The residential dwelling units shall not be located on the ground floor nor shall commercial uses be located on the same level as the residential dwelling units.

c) The minimum floor area for a dwelling unit shall be 50.0 m^2 for a bachelor unit and an additional 11.0 m^2 for each bedroom in the dwelling unit included thereafter.

d) The relationship of the residential dwelling units to each other, to the commercial portion of the development, to the parcel as a whole and to the adjacent parcel with respect to adequate light, ventilation and privacy, or visibility of principle living room windows and habitable room windows shall be fully shown on the parcel plans for the whole development and shall be to the satisfaction of the Development Officer or Municipal Planning Commission

SECTION 213: SHOPPING CENTRE DEVELOPMENTS

1. The Development Authority may require that a Traffic Impact Assessment study be conducted for a shopping centre as part of the development permit application if it appears that traffic volumes or vehicular turnover may create a significant negative impact on surrounding development. This traffic impact study shall be prepared to the satisfaction of the municipality.

2. The size of individual shopping centres may vary depending upon the specific land use district.

3. Signage should be integrated as part of the building(s) design and be complementary to the exterior finishes and meet the requirements of Part IX of this Bylaw.

SECTION 214: MOTELS AND HOTELS

A person applying to develop a site as a motel or hotel shall comply with the following specific provisions:

1. For the purposes of this Section, a rentable unit means a separate unit in a motel/hotel site used or intended to be used for the temporary dwelling accommodations of one or more persons.

2. Site Requirements:

Table 214.01

	Minimum Site Area/Unit	***Minimum Building Setbacks***	***Space Between Buildings***	***Parking On-Site***	***Minimum Floor Area/Unit***
One Storey	140.0 m^2	Front Yard 7.6 m. Side Yard 3.0 m Rear Yard 3.0 m	3.5 m.	One stall per rental unit and one per 3 staff	25.0 m^2
Two Storey	93.0 m^2	Same as Above	Same as Above	Same as Above	Same as Above

3. Each rentable unit shall face onto or abut a driveway not less than 6.1 metres (20 feet) in width and shall have unobstructed access thereto.

4. The owner, tenant, operator or person in charge of a motel or hotel shall at all times:

   a) maintain the site and the buildings, structures, and improvements thereon in a clean, tidy, and attractive condition and free from all rubbish and debris;

   b) maintain garbage facilities to the satisfaction of the Development Authority;

   c) maintain an appropriate fence where required around the boundaries of the site and keep the site well maintained.

5. Entrances and Exits:

   Not more than one (1) motor vehicle entrance and one (1) motor vehicle exit to a street, each of a minimum width of 7.5 m. measured at its minimum dimension shall be permitted, provided that one (1) combined motor vehicle entrance and exit shall be permitted, not less than 9.0 m. in width.

6. Accessory Buildings and Uses:

   The siting of an accessory building or use shall be at the discretion of the Development Authority.

7. Access:

   All access locations and curb crossings shall require the approval of the Development Authority. Public roadways carrying heavy volumes of traffic shall not be accessed unless there is no other practical alternative.

SECTION 215: DRIVE - THROUGH BUSINESSES

1. Minimum Site Area Requirements:

   a) Combination Service Station and Car Wash
      - 1110.0 m^2

   b) All Other Uses
      - 560.0 m^2

2. Minimum Floor Area for any Building shall be:

   37.0 m^2

3. Site and Building Requirements:

   a) Provision of points of access and egress shall be located to the satisfaction of the Development Authority;

   b) all parts of the site to which vehicles may have access shall be hard surfaced and drained to the satisfaction of the Development Authority;

   c) the site and all improvements thereon shall be maintained in clean and tidy condition, free from rubbish and debris.

   d) receptacles for the purpose of disposing of rubbish and debris shall be provided as required by the Development Authority.

   e) the owner/operator of a drive through vehicle service shall be responsible for the safe and orderly operation of vehicular traffic utilizing the site.

4. Queuing Space Requirements:

   a) For drive-through food services and other similar developments having one queuing lane, a minimum of six (6) in-bound queuing spaces shall be provided for vehicles approaching the service window. A minimum of one (1) out-bound space shall be provided on the exit side of the service window and shall not interfere with other vehicular movements;

   b) For financial services or similar developments having one queuing lane, a minimum of three (3) stacking spaces shall be provided for vehicles approaching the service window. A minimum of one (1) out-bound space shall be provided on the exit side of the service window and shall not interfere with other vehicular movements.

   c) For car washing and other establishments with more than one bay, a minimum of three (3) stacking spaces shall be provided per bay. A minimum of two (2) out-bound space shall be provided on the exit side of the service bay and shall not interfere with other vehicular movements

   d) all queuing spaces shall be a minimum of 6.5 metres long and 3.0 metres wide and the queuing lanes shall provide sufficient space for turning and maneuvering.

SECTION 216: FUEL DISPENSING STATIONS AND BULK PLANTS

1. Applications for development permits for Fuel Dispensing Stations and Bulk Plants shall be referred to:

   a) the Town of Bonnyville Public Works Department for comments in terms of siting and access; and

   b) the Bonnyville Regional Fire Authority for comments in terms of the Alberta Fire Code.

2. Confirmation of application and approval from the Petroleum Tank Management Association of Alberta (PTMAA) shall be provided to the Development Authority as may be required by individual projects.

3. Site Location:

   Notwithstanding the land use district regulations, a use pursuant to this section shall not be located on sites that, in the opinion of the Development Authority, would be considered unsafe in terms of vehicle circulation, and access and egress from the site.

4. Site Area:

   a) the minimum site area for a service station shall be 1500.0 m^2 (16,146 sq. ft.);

   b) the minimum site area for a gas bar shall be 1200.0 m^2 (12,917 sq. ft.);

   c) the minimum site area for a gas bar or service station including a car wash shall be 2700.0 m^2 (29,063 sq. ft.)

   d) where a gas bar forms part of a commercial complex or centre, the minimum site area containing gas bar buildings and pump areas shall in no case be less than 1000.0 m^2 (10,764 sq. ft.);

   e) where a service station or gas bar is combined with a convenience store, the minimum site area for the total site shall in no case be less than 1500.0 m^2 (16,146 sq. ft.); and

   f) the minimum site area for bulk oil stations shall be 2700.0 m^2 (29,063 sq. ft.).

5. Setback of Buildings and Structures:

   a) the proposed location(s) and plans, drawings and specifications of all storage tank systems used at fuel dispensing stations and bulk plants shall be reviewed by the Bonnyville Regional Fire Authority prior to application for a development permit;

   b) the plans, drawings and specifications referred to in Section 216(5)(a) shall bear the stamp and seal of a professional engineer licensed to practice in the Province of Alberta;

c) every storage tank system for the storage of flammable liquids or combustible liquids shall be located in conformance with Part 4 of the Alberta Fire Code with respect to property lines or buildings on the same property.

6. Site and Building Requirements:

a) all parts of the site to which vehicles may have access shall be hard-surfaced and drained to the satisfaction of the Development Authority; and

b) a minimum of ten percent (10%) of the site area of a gas bar and service station under this Section shall be landscaped to the satisfaction of the Development Authority.

7. Site Coverage:

The maximum building coverage for a use under this Section shall be twenty-five percent (25%) of the site area.

SECTION 217: VEHICLE WASHING ESTABLISHMENTS

1. Access:

Points of access and egress shall be located to the satisfaction of the Development Authority.

2. Site Location:

In addition to the locations permitted in the Land Use Districts, a car wash operation may be allowed as a discretionary use as part of a shopping centre if the Development Authority is satisfied that it will not adversely affect adjoining land uses or the function of the shopping centre in relation to traffic and pedestrian circulation.

3. Site Area:

The minimum site area shall be 555 square metres and shall contain queuing space for three (3) vehicles prior to their entry into any part of the cleaning process, and two (2) outbound queuing spaces shall be provided for each bay.

4. Site and Building Requirements:

a) All site and building requirements that pertain to drive-in businesses shall also apply to car wash operations.

b) The storage and disposal of dirt and silt shall comply with any Town bylaw regulations or guidelines and shall be to the satisfaction of the Development Authority.

SECTION 218: CHEMICAL STORAGE AND HANDLING

1. Parcel Location:

   Notwithstanding the regulations prescribed in the Land Use Districts, industrial and commercial uses which involve storing, handling, distributing or disposing of chemical materials or products shall not be located on parcels which, in the opinion of the Municipal Planning Commission would be considered unsafe or may have potential for contaminating the Town of Bonnyville's water supply, unduly interfere with, or affect the use, enjoyment or value of neighboring parcels by reason of the storage or containment of the product or the potential release of the product.

2. Parcel and Building Requirements:

   At the discretion of the Municipal Planning Commission, the applicant applying for a use pursuant to this Section shall provide an approved parcel plan from the appropriate provincial agencies prior to a development permit being reviewed or issued by the Municipal Planning Commission.

3. Other Provisions:

   Fuel Dispensing Stations and Bulk Plants: refer to Section 216.

SECTION 219: ADULT ENTERTAINMENT ESTABLISHMENTS

1. Unless otherwise approved by Council, an adult entertainment establishment shall not be located on a parcel having a minimum radial separation distance of less than 225 metres from the boundary of:

   a) a parcel accommodating a public, separate, or private school;
   b) a child care centre or children's recreation centre;
   c) a residential land use district;
   d) a religious assembly facility;
   e) public parks or playgrounds; or
   f) any other adult entertainment facility.

2. The separation distance shall be a straight line measures from the nearest point of that portion of a lot proposed to be used, either wholly or partially, as an Adult Entertainment Facility to the nearest point of:

   a) A lot used in whole or in part for another Adult Entertainment Facility;
   b) A lot used in whole or in part for any of the uses described in Section 219(1); or
   c) A residential land use district

3. Any Adult Entertainment Facility that exists when this Bylaw is passed shall be subject to the non-conforming use provisions of the Act.

SECTION 220: RELOCATABLE INDUSTRIAL CAMP FACILITIES (WORK CAMPS)

1. All applications for Relocatable Industrial Camp Facilities (Work camps) shall be reviewed and decided on by the Municipal Planning Commission unless otherwise specified under a Direct Control District then Council shall review and decide upon it. Referrals to internal and external agencies as well as adjacent property owners or other effected parties, shall be done prior to the MPC review.

2. All development permit applications for work camp facilities shall be accompanied by:

   a) a dimensioned site diagram indicating but not limited to proposed building locations, the provisions being made for water/sanitary and power services, garbage disposal, parking and access/egress from the property;

   b) a statement specifying the need for the establishment of such a camp;

   c) the number of persons proposed to live in the camp;

   d) the location of any propane tanks, or other petroleum storage on site;

   e) the start date for development, date of occupancy by residents, and projected removal date for the camp;

   f) the reclamation measures once the camp is no longer needed;

   g) letter of support from the adjacent landowners or relevant agencies when required by the Development Authority.

3. Minimum front yard setback shall be 7.5 metres, or as per the Land Use District in which the Relocatable Industrial Camp Facility is located or as determined by the Development Authority taking into consideration the requirements of the Alberta Safety Codes whichever it the greater.

4. Minimum side yard setbacks shall be 3.0 metres or as per the Land Use District in which the Relocatable Industrial Camp Facility is located or as determined by the Development Authority taking into consideration the requirements of the Alberta Safety Codes, whichever is the greater.

5. Minimum rear yard setback shall be 3.0 metres or as per the Land Use District in which the Relocatable Industrial Camp Facility is located or as determined by the Development Authority taking into consideration the requirements of the Alberta Safety Codes, whichever is the greater.

6. Minimum separation distance between Relocatable Industrial Camp Facilities and other structures shall be in accordance with the applicable Provincial Codes.

7. Outdoor living and amenity areas are to maintain minimum 2.0 metres width for the entire length of the Camp Facility.

8. Industrial Camp Facilities shall not be approved unless adequate on-site parking can be accommodated for potential occupants of the facility.

9. Each Camp Facility shall be separately services with water, sanitary sewer, power and heat.

10. Occupancy of the Camp Facility will not be permitted until the facility has been inspected and approved by all authorities.

11. No person shall keep or permit in the Camp Facility any object or chattel which, in the opinion of the Development Authority is unsafe, unsightly, or adversely affects the amenities of the Camp Facility.

12. The location of Camp Facilities in relation to any fuel storage facility or tank shall be in accordance with applicable Provincial Codes.

13. All Camp Facilities shall be subject to inspections by the Planning and Development Officer, Fire Chief, Health Inspector and Safety Codes representatives.

14. All Camp Facilities may be subject to quarterly inspections by the Town of Bonnyville as deemed necessary.

15. All Camp Facilities shall have a CSA (Canadian Standards Association) Label Number.

16. A specified time frame for the length of approval of the Camp Facility shall be applied to the application as determined by the requirements of the applicant and as per the Municipal Planning Commission. Extensions of permit approvals may be applied for at least 2 months prior to the expiry of the development permit and may be approved at the discretion of the Development Authority.

17. Reclamation of Camp Facility sites must be to a standard satisfactory to the Town of Bonnyville. The following standards shall apply to the reclamation of Camp Facility sites:

    a) All garbage, building materials and equipment must be removed from the site;

    b) The site must be adequately leveled and re-contoured to ensure adequate site drainage;

    c) The developers of the work camp will be responsible for weed control on the site for the duration of the location of the camp and for as long a period as any weed infestation, attributable to the operator, remains uncontrolled.

SECTION 221: BARE LAND CONDOMINIUM

1. A Bare Land Condominium project must comply with all the general regulations of this Bylaw and with the regulations of the applicable district such that each Bare Land Condominium Unit is to be treated in the same respect as a lot.

2. An application for a Bare Land Condominium project shall include a Comprehensive Site Plan, in accordance with Section 36 of this Bylaw.

3. In the case where a Bare Land Condominium subdivision is served by a private roadway, the following shall apply:

a. a private roadway includes a Lot, Bare Land Condominium Unit, Common Property or portion of Common Property that may be created pursuant to the Condominium Property Act, RSA 2000, c. C-22, as amended, created for the purpose of vehicular access and circulation throughout the subdivision or development, including a bridge and any structure incidental to the roadway;

b. for the sole purpose of applying the regulations of this Bylaw, a private roadway, as described in Section 221(3)(a), shall be deemed to be the same as a "public roadway";

c. the private roadway must allow for the safe and efficient movement of emergency vehicles and be designed to a standard acceptable to the Development Authority or Subdivision Authority;

d. where the physical parameters of the private roadway exceed the legally prescribed boundary of private roadway, the boundary of the private roadway shall be deemed to be the edge of the carriageway or sidewalk parallel with the carriageway.

PART VIII ACCESS, PARKING AND LOADING PROVISIONS

SECTION 300: ESTABLISHMENT OF PARKING AND LOADING PROVISIONS

Parking and loading provisions shall be set forth in Part VIII of this Bylaw.

SECTION 301: OFF STREET PARKING DEVELOPMENT REGULATIONS

1. General Regulations:

a) In any district, when any new development is proposed including a change of use of existing development, or when any existing development is substantially enlarged or increased in capacity, provision shall be made for off-street vehicular parking or garage spaces in accordance with the regulations set out in this Section;

b) Where the number of parking spaces is determined by reference to a unit such as the number of seats or floor area, or the like, the next higher number shall be taken where the calculation results in a fractional number of 0.5 or more;

c) In the case of different uses or mixed uses on the same site, off-street parking facilities shall be determined as the sum of the requirements for the uses computed separately, except in the case of shopping centers exceeding 9,000 square metres off-street parking facilities for one use shall not be considered as providing required facilities for any other use;

d) Adequate access to and exit from individual parking spaces is to be provided at all times by means of unobstructed maneuvering aisles, except where otherwise indicated in this Bylaw;

e) To facilitate the determination of parking requirements, a parking assessment prepared to a professional standard acceptable to the Development Officer, may be required to document the parking demand and supply characteristics associated with the proposed development. The Town shall not be bound by any recommendations of such a parking assessment, but may consider such recommendations in exercising discretion to allow a reduction of the minimum number of spaces specified

f) Each parking space in the parking area shall have the limits of the parking space clearly marked and shall be regularly maintained;

g) All curb crossings, entrances and exits shall conform to the Town of Bonnyville Design Standards;

h) Parking facilities used at night shall have adequate lighting for the entire parking surface. Any lighting proposed to illuminate off-street parking areas shall be located and arranged so that all direct rays of light are directed upon the parking area only and not on any adjoining properties;

i) Off-street parking spaces shall not be located within 1.0 metre of a lot line abutting a road right-of-way;

j) Off-street parking spaces may be allowed, at the discretion of the Development Authority, on a site other than the site proposed for the development whereby the

Town shall enter into an agreement with the developer and property owner and may caveat the land on which the parking space is located to ensure that it is used for parking as long as is required under this Bylaw.

2. Permitted Access to Streets and Lanes:

a) Highways

All access onto a highway must be approved by the Provincial Highway Authority, or when approved within an Area Structure Plan prior to the passing of this Bylaw.

b) Arterial Routes

i) A collector may be allowed access onto an arterial street.
ii) Access to an arterial street is permitted when approved within an Area Structure plan prior to the passing of this Bylaw.

c) Collector Routes

A high density residential, comprehensively planned medium density residential, commercial, institutional, or industrial development may be allowed access onto a collector street.

d) Local Streets

Private residential access is permitted onto a local street as approved by the Development Authority during the development permit review process.

e) Lanes

i) All uses are permitted access onto a lane;
ii) Except for commercial uses, no direct access shall be permitted from a lane to a parking stall in a parking facility of more than three (3) stalls unless special circumstances are judged by the Development Authority to warrant it;
iii) Where any parking stall(s) has direct access from a lane, the front of the stall shall be no less than 7.5 metres from the closest boundary of the lane.

3. Location and Number of Driveway Crossings:

Private Residential Driveways:

a) A residential development shall be permitted only one (1) access or driveway at either the front, rear or side of the lot unless otherwise authorized by the Development Authority.
b) For new single detached, semi-detached dwellings and duplex dwellings, the required parking stalls shall:
   i. Be accessible from a public road;
   ii. All required parking areas accessing a public road, except a lane, shall be surfaced with asphalt, concrete or a similar material within one year of completion of the development; and
   iii. Unless otherwise authorized by the Development Authority, only those areas approved for parking shall be paved and/or utilized for parking of motor vehicles.

c) In the event seasonal conditions prohibit the completion of paving, the lot shall be compacted and maintained in a manner to allow access by emergency vehicles and all paving shall be completed prior to July 1st of the following year.

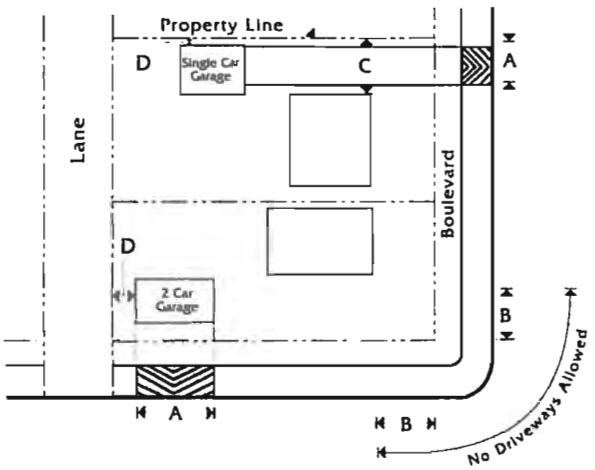
d) In no case should a private residential driveway crossing be situated:

   i) Closer than **8.0** metres from a corner lot property line adjacent to an intersection; and

   ii) Closer than **1.0** metres from a corner lot property line adjacent to a lane.

e) The width and location of private residential driveway crossing shall be as specified in Figure 301 .1.

Figure 301.1 Private Residential Driveway Crossings



	SINGLE DRIVEWAY	DOUBLE DRIVEWAY
A (Max)	5.3 m	6.7 m
B (Min)	8 m	8 m
C (Min)	3.2 m	
D (Min)	1 m	1 m

Uses Other than Private Residential:

a) For all uses other than private residential, a development shall normally be permitted a maximum of two (2) one way or one (1) two-way driveway crossing per frontage. Additional accesses may be allowed at the discretion of the Development Authority, given the nature and size of the development, anticipated traffic generation and the designs and configuration of the adjacent municipal roadway where access is proposed.

b) Provision of a shared two-way access between two adjacent sites is encouraged, and shall be obtained through a written shared access agreement between the landowners of the subject sites.

c) Necessary curb cuts shall be located and flared to the satisfaction of the Development Authority and shall be constructed to the following standards:

(i) A driveway crossing shall not be situated:

(A) closer than 10.0 metres from a corner lot property line adjacent to an intersection; and

(B) closer than 3.0 metres from a side property line or lane.

(ii) Two-way driveway crossings should be positioned at ninety (90) degrees to the street. The minimum distance from a two-way driveway crossing to the top of the flare shall be 1.5 metres.

(iii) One-way driveway crossings should be angled in the direction of entry or exit and shall be properly signed. The angle between the curb and the edge of the driveway shall not be less than thirty (30) degrees or more than sixty (60) degrees.

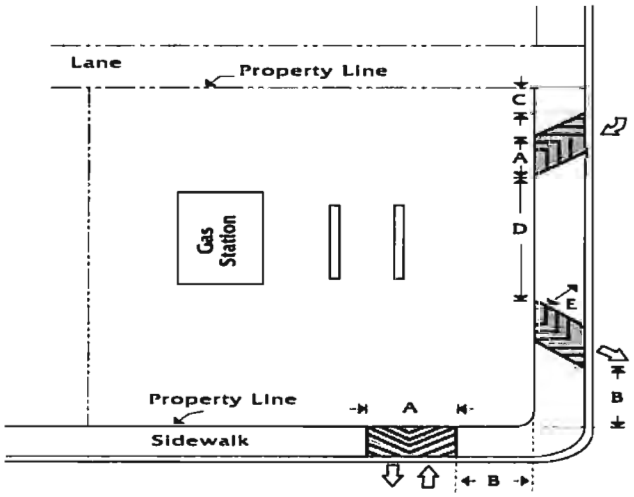
(iv) The minimum distance between driveway crossings on the same boundary of the site shall not be less than 6.0 metres. This distance may be reduced when, in the opinion of the Development Authority, a shorter distance would be necessary for reasons of public safety or convenience.

d) Unless otherwise stated in this Bylaw, parking areas required for non-residential uses shall be paved prior to occupancy.

e) In the event seasonal conditions prohibit the completion of paving, the lot shall be compacted and maintained in a manner to allow access by emergency vehicles and all paving shall be completed prior to July 1st of the following year.

f) The width and location of driveway crossings for all uses other than private residential shall be as specified in Figure 301.2.

Figure 301.2 – Other Non-Residential Driveway Crossings



NOTE: Measurements are to top of flare.

	ONE WAY DRIVEWAY	TWO WAY DRIVEWAY
A (Min)	4.0 m	7.5 m
A (Max)	7.6 m	10.6 m
B (Min)	10.0 m	10.0 m
C (Min)	3.0 m	3.0 m
D (Min)	6 m	6 m
E (angle)	30° - 60°	90°

4. Design of Parking Facilities:

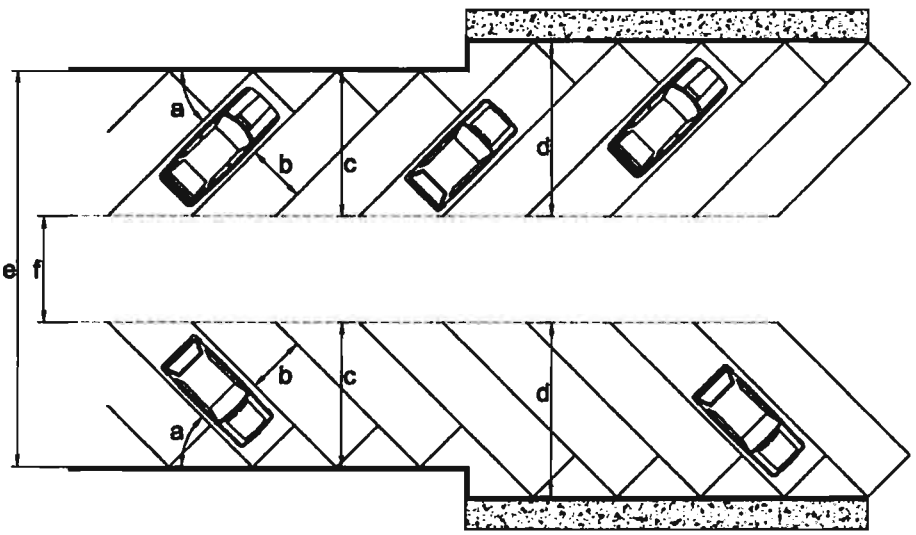
All parking areas shall conform to the Minimum Parking Standards for the Design of Parking Facilities described in Table No. 301.01.

TABLE NO. 301.01
MINIMUM PARKING STANDARDS FOR THE DESIGN OF PARKING FACILITIES

(a)	(b)	(c)	(d)	(e)	(f)
Parking Angle in Degrees	Width of Space	Depth of Space Perpendicular to Maneuvering Aisle	Width of Space Parallel to Maneuvering Aisle	Overall Depth	One Way Maneuvering Aisle Width
0°	2.7 m	2.7 m	6.0 m	9.1 m	3.6 m
30°	2.7 m	5.2 m	5.5 m	14.0 m	3.6 m
45°	2.7 m	5.9 m	4.0 m	15.4 m	3.6 m
60°	2.7 m	6.1 m	3.1 m	18.3 m	6.0 m
90°	2.7 m	6.1 m	2.7 m	19.5 m	7.3 m

For further Clarification see Figure 301-3.

FIGURE 301-3:



a) Where parking spaces are located with access directly off a lane, the required width of the aisle may be reduce by the width of the lane, but the entire parking space must be provided on the site;

b) Where the use of a parking space is limited on both sides by a wall, column or fence, the unobstructed width from face to face of the obstruction shall be 3 metres and if in this case a building door opens into the parking space on its long side, the unobstructed width shall be 3.3 metres;

c) Where the use of a parking space is limited on one side by a wall or a column, the unobstructed width of the parking space shall be 2.7 metres and if in this case a building door opens into the parking space on its long side, the unobstructed width shall be 3 metres.

5. Barrier Free Parking:

a) Parking spaces shall be provided for the physically disabled for all public and quasi-public buildings, buildings designed or intended for use as a place of public assembly, education, recreation or entertainment with or without a charge for admission, buildings designed or intended for a use which includes business or commercial purposes, and transportation terminals or depots;

b) The minimum number of parking spaces designated for persons with physical disabilities in parking lots shall be as follows:

i) where the total number of parking spaces is from 1 to 10, one (1) parking space shall meet the requirements of Subsection 2(c);
ii) where the total number of parking spaces is from 11 to 400, two (2) spaces or two percent of the total provided, whichever is greater;
iii) where the total number of parking spaces is above 401, eight (8) spaces plus 1 percent of the total spaces provided above 401;
iv) where parking is being provided for special facilities for persons with physical disabilities, or for health care institutions, an increased number or parking spaces for the physically disabled may be required at the discretion of Development Authority.

c) Parking space dimensions for the physically disabled:

Parking spaces for persons with physical disabilities shall be at least 3.66 metres wide and 6.10 metres long. Where two adjacent spaces are planned, and entry can be gained by the car going in forward or reverse, the width of both spaces plus access aisle shall be a minimum of 6 metres, with the access aisle located between the two (2) spaces. If entry can only be gained by going forward, each space for persons with physical disabilities shall have an access aisle. The access aisles shall be at least 1.2 metres wide and preferably be level, but may have a slope for drainage not exceeding 1:50.

d) Barrier free parking spaces shall be located as close as possible to building entrances and shall be clearly designated as such.

6. Surfacing and Drainage:

a) Every off-street parking space provided, and the access thereto shall be hard surfaced if the number of parking spaces exceeds two (2) and if the access is from a street or lane which is hard surfaced; parking areas must be paved;

b) Each parking area shall be graded and drained as to dispose of all storm water runoff. A Storm Water Management Plan may be required for review and approval prior to the commencement of improvements on the parcel.

7. Landscaping:

a) Perimeter Landscaping
   i) Where a parking lot abuts a street, park or residential district, a landscaped stripe of at least 2.0 metres shall be provided around the perimeter of the parking lot. The landscaped strip shall include, but not be limited to, deciduous trees spaced a minimum of eleven (11) metres between trunk and a combination of shrubs, grass, decorative hard surface treatment or other ground cover.
   ii) Fencing or decorative bollards shall be installed to eliminate vehicle encroachment on to pedestrian sidewalks.

b) Interior and Median Landscaping

In addition, landscaping of at least one deciduous tree for every 100 m^2 of parking lot area shall be provided within on-site parking lots of 700 m^2 or greater.

(i) The required landscaping shall be placed within the parking area so as to delineate entrance routes and provide visual relief.

(ii) An appropriate planting island shall be provided to protect the landscaping to the satisfaction of the Development Authority

SECTION 302: NUMBER OF OFF-STREET PARKING STALLS REQUIRED

1. The minimum number of off-street parking spaces required shall be in accordance with Table No. 302. In the case of a use not specifically mentioned, the required number of off-street parking spaces shall be the same as for a similar use as determined by the Development Authority. Where a development falls within more than one (1) class, the required number of spaces shall be the sum of the requirements of this Bylaw.

2. In the C-1 District, parking requirements shall be as per Section 305 Downtown Area Redevelopment Plan District Overlay unless otherwise determined by the Development Authority based on the requirements of the proposed new development.

3. Where a fractional number of parking spaces are required by this Bylaw, the next highest number of stalls shall be provided.

TABLE 302 – OFF STREET PARKING REQUIREMENTS

TABLE: 302.1 OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL USES	
Use of Building or Lot	**Minimum Number of Parking Spaces**
All street-oriented dwellings, including: - Duplexes - Manufactured or mobile home units - Row houses - Single detached dwellings - Semi-detached dwellings	2.0 spaces per dwelling Unit Tandem parking is permitted which may include one (1) garage space.
Multi-Family Dwellings within: - Apartments - Comprehensively planned medium density districts - Four-plexes and above - Stacked row houses	1.5 spaces per dwelling unit, and at least one (1) stall shall be assigned to each dwelling unit.
Visitor Parking within: - Adult care residences - Apartments - Comprehensively planned medium density districts - Four-plexes and above - Mobile Home Park - Senior Citizen Self-Contained Dwelling units - Stacked Row house	One (1) space per four (4) dwelling units and stalls shall not be tandem stalls.
Accessory Uses: - Bed and Breakfasts - Home Occupations, Major - Secondary Suites	One (1) additional space per dwelling or sleeping unit.
- Adult Care Residences - Senior Citizen Self-Contained Dwelling Units	0.6 per dwelling unit 1.0 space per dwelling unit
- Group Homes	One (1) space per four beds; plus, where applicable, one (1) space for every two (2) employees.

TABLE: 302.2 OFF-STREET PARKING REQUIREMENTS FOR COMMERCIAL USES	
Use of Building or Lot	**Minimum Number of Parking Spaces**
- Offices - Health Clinics - Neighbourhood Shopping Centres - Personal Services	One (1) per 75 square metres of Gross Floor Area
- Personal Service – Hair Salons, Spa, Esthetic service (combined facility or separate facility)	One (1) per personal service provider plus one (1) per 3 employees.
Eating and Drinking Establishments including: - Restaurants - Bars and neighbourhood pubs - Drive-in food service	One (1) space per four (4) seating spaces, plus one (1) space for every three (3) employees on maximum shift
- Private Clubs	One (1) space for each 10 square metres of gross floor area use by patrons
- Automotive and minor Recreational Vehicle Repair and Sales - Car Washes - Gas Bars - Service Stations - Wholesale Stores	One (1) space for each 100 square metres of gross floor area, provided this is not less than three (3) spaces per establishment.
- Business Support Services - Neighbourhood Convenience Retail - Household Repair Services - General Retail	One (1) space per 75 square metres of Gross Floor Area (GFA)* *area required for warehousing of stock and that is inaccessible to the public shall not be included in the GFA calculation
- Community Shopping Centres - Strip Commercial Centres - Major Retail Stores	One (1) spaces per 40 square metres of Gross Floor Area *area required for warehousing of stock and that is inaccessible to the public shall not be included in the GFA calculation
Commercial Accommodations **without** banquet or food service (restaurant) facilities - Hotels - Motels - Apartments Hotels - Work Camp	One (1) space per sleeping unit plus one (1) space for every three employees on maximum shift

Commercial Accommodations **with** banquet or food service (restaurant) facilities - Hotels - Motels	One (1) space per sleeping unit plus one (1) space for every three employees on maximum shift PLUS one (1) space per every four (4) seats of maximum Occupancy Load Capacity as determined by the Fire Authority
Places of Public Assembly: - Auditoriums - Amusement establishments - Gymnasiums - Halls - Library Facility - Museums - Private Recreational Establishments - Swimming Pools - Theatres - Other Community Recreation or Amusement Places	One (1) space per five (5) seating spaces or one(1) space per 10 square metres Gross Floor Area used by patrons, whichever is the greater

TABLE: 302.3 OFF-STREET PARKING REQUIREMENTS FOR INDUSTRIAL, INSTITUTIONAL and OTHER URBAN SERVICE USES	
Use of Building or Lot	Minimum Number of Parking Spaces
Industrial: - Any permitted or discretionary development within the industrial land use districts unless otherwise noted within this section	One (1) space per 100 square metres of Gross Floor Area; provided not less than three (3) parking spaces per tenant or establishment.
Institutional: - Places of Worship	One (1) space per five (5) seating spaces
- Government Services	One (1) space per 75 square metres of Gross Floor Area PLUS 1 space per 10 square metres used by the public
- Public or Private Elementary or Junior High Schools	One (1) space per employee plus five (5) spaces
- Public or Private Senior High Schools which do not include an auditorium, gymnasium, or swimming pool	One (1) space per employee on maximum shift plus three (3) spaces for every classroom
- Public or Private Senior High Schools which include an auditorium, gymnasium, or swimming pool	As above PLUS As provided for under places of public assembly and may be reduced accordingly to accommodate joint use and peak use activity
- Adult Education/ Training Facilities and Commercial Schools	One (1) space per 3 students plus one (1) space per employee
- Day Care Facilities	One (1) space per 75 square metres plus one (1) space per employee on maximum shift
- Extended Medical Treatment Facilities (excluding nursing homes and sanitariums)	One (1) space per 100 square metres of Floor Area plus one (1) space for every two (2) employees on maximum shift.
- Nursing homes - Sanatoriums	One (1) space per four (4) beds, plus one (1) space for every two (2) employees on maximum work shift
- Protective and Emergency Services	One (1) space per employee on maximum work shift

SECTION 303: COMMUNAL PARKING FACILITIES

1. Parking may be supplied at a site other than the site of the principal use, provided that it is in accordance with the following regulations:

   a) On other than residential property and subject to the approval of the Development Authority, an owner of land or a group of such owners may pool his or their required off-street parking stalls within one (1) or more communal parking facilities and may thereby collectively fulfill the requirements of Table 302.2 and 302.3;

   b) Where a group of uses is served by a communal parking facility, the requirement for such facility shall be the sum of the off-street parking requirements for each of the uses served by the parking facility, unless the Development Authority is satisfied that the parking required by the various users of a site will vary according to time so that all needs as defined in this Bylaw can be met at any given time by a reduced number of stalls. This provision does not apply to lots fronting on 50 Avenue.

   c) A registerable agreement providing for the shared use of parking shall be executed between the owner of the lot on which the parking is provided and the owners of the lot for which the shared parking is required.

   d) The agreement executed pursuant to subsection (d) shall be binding on the owner and his heirs and successors and restrict the use of the lot to parking so long as the uses for which the shared parking was provided exists.

SECTION 304: OFF-STREET LOADING REGULATIONS

1. Where a proposed development will, from time to time, require pick-up or delivery of commodities, adequate space for the loading and unloading of same shall be provided and maintained on the site and shall not encroach onto a public road or lane. Each loading space shall be designed so that the loading activity does not cause interference in the movement of traffic or pedestrians on adjacent public roadways, lanes or sidewalks.

2. Pursuant to Subsection (1), the Development Authority shall consider the following criteria when reviewing off-street loading requirements:

   a) off-street loading spaces shall have dimensions of not less than 4.0 metres in width and 8.0 metres in length;

   b) have overhead clearance of not less than 5.3 metres above grade;

   c) have vehicular access to and exit from a street or lane either directly or by a clearly defined traffic aisle;

   d) be sited at an elevation or elevations convenient to a major floor level in the building or to a utility elevator serving each major floor level;

   e) be graded and drained as to dispose of all surface water. In no case shall grades be established that would permit drainage to cross site boundaries or sidewalks without the approval of the Development Officer;

f) be paved or hard-surfaced where an off-street parking facility is required to be paved or hard-surfaced;

g) be clearly signed as a loading space only; and

i) have adequate lighting.

SECTION 305: DOWNTOWN AREA REDEVELOPMENT PLAN PARKING OVERLAY

1. The purpose of the Downtown Area Redevelopment Plan Parking Overlay is to enhance the pedestrian-oriented environment of the Town's central business district through:

   a) reducing on-site parking requirements; and

   b) providing an option for payment–in-lieu of on-site parking for the Town to develop alternate parking opportunities.

2. Application

   a) The regulations of this section apply to development on sites located within the area identified on Figure 305.1 Downtown Area Redevelopment Plan Parking Overlay as per the Town of Bonnyville Downtown Area Redevelopment Plan Bylaw No.1337-09, as amended from time to time.

   b) These regulations are to be satisfied as a condition of a development permit for any redevelopment, new development or due to a change in use.

   c) Notwithstanding the above, the regulations of the Downtown Area Redevelopment Plan Parking Overlay shall not apply in the case of:

      (i) residential dwellings;

      (ii) barrier free parking requirements;

      (iii) hotels and/or motels; and

      (iv) loading areas

      which shall be provided in the amount cited in *Part VIII –Access, Parking and Loading Provisions*

3. Regulations

   a) Where viable, the Development Authority shall promote the construction of underground park facilities for new development within the Downtown Area Redevelopment Plan Parking Overlay area.

   b) Surface parking shall only be provided at the rear of the property.

   c) Rear building entrances and pedestrian walkways connecting the business and parking shall adhere to the Crime Prevention Through Environmental Design (CPTED) principles as outlined in the Municipal Development Plan.

   d) The Development Authority may allow an applicant to provide a lesser number of spaces if it can be shown that the standard is not applicable to the project. The applicant will be required to pay to the municipality a payment equal to the cost of

an equivalent public parking space, provided elsewhere in the district as determined by the Development Authority based on the following calculation:

$$\frac{\text{market value of lot}}{\text{lot area}} \times \text{stall area} = \text{cost per stall}$$

e) The parking stall requirements for a development within the Downtown Area Redevelopment Plan Parking Overlay shall be calculated by multiplying the number of stalls required in *Section 302 – Off-Street Parking Requirements* by a factor of 0.66. Where a fractional number of parking spaces are required, the next highest number of stalls shall be provided.

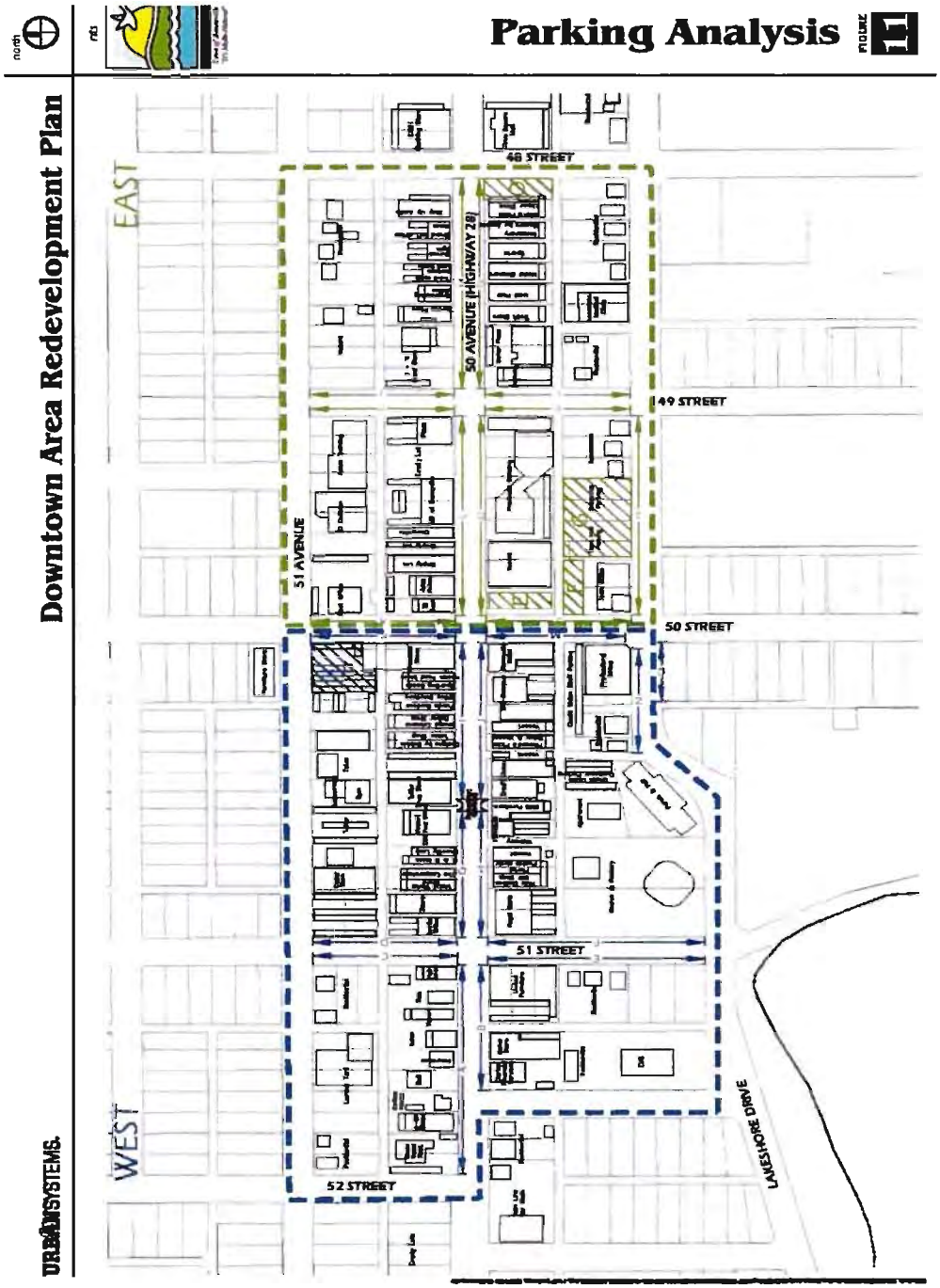
f) Council or the Municipal Planning Commission may, at its discretion, waive all or part of the parking requirements for a development in the Downtown Area Redevelopment Plan Parking Overlay area in exchange for payment-in-lieu of these spaces.

   i) The amount and terms of payment to the Town of Bonnyville shall be based upon a Resolution of Council, or may be established specifically for each development under an agreement between the Town and the applicant, otherwise;

   ii) The payment-in-lieu shall be calculated by determining the cost of the land for the waived parking stalls plus the cost of developing the parking stalls as noted above.

g) Landscaping requirements for parking areas, as specified in *Section 301 – Off Street Parking Development Regulations*, shall be applicable for developments within the area of the Downtown Area Redevelopment Plan Parking Overlay.

Figure 305.1 Downtown Area Redevelopment Plan Parking Overlay



SECTION 306: PARKING GARAGES

1. Parking garages shall be developed in accordance with the following:

    a) In any commercial district, a parking garage with queuing access shall provide a minimum of 30.48m (100 feet) for queuing of motor vehicles on site before any control device is reached;

    b) No dangerous goods, or flammable or combustible liquids, shall be permitted within a parking garage, other than as contained within, or permanently installed or connected to the fuel system of a motor vehicle using the parking garage;

    c) Parking garages and interior stairwells shall be designed for visual accessibility. Machine rooms, heating systems, elevators and stairwell shafts, building columns and other major visual obstructions shall be located to enable visual supervision of the parking spaces and stairwells;

    d) Entrapment spots in a Parking Garage shall be eliminated wherever possible. Potential entrapment areas such as storage rooms shall be provided with locking mechanisms. Entrapment areas can be closed with chain link fence or other types of intrusion resistant material.

    e) Clear safety glass panels shall be incorporated in all doors leading to stairwells, corridors and entrances including elevator lobbies to allow for clear sightlines;

    f) sharp blind corners on stairs or corridors in a Parking Garage shall be eliminated wherever possible. If blind corners cannot be avoided, security mirrors or others devices such as video cameras shall be utilized;

    g) Landscaping around the parking garage shall be of a type that permits the widest possible view from the street of all pedestrian entry and exit areas; and,

    h) Directional and information signage consistent in design, colour, symbols and graphics shall be provided to:

        i. direct patrons to pedestrian exits;

        ii. direct patrons to vehicular exits;

        iii. identify areas so that patrons can locate their vehicles;

        iv. advise patrons to lock their vehicles and remove all valuables;

        v. direct patrons to the nearest intercom system;

        vi. advise patrons of the presence of security patrols; and

        vii. advise patrons of the presence of CCTV security cameras.

SECTION 400: ESTABLISHMENT OF SIGN PROVISIONS

Sign provisions shall be set forth in Part IX of this Bylaw.

SECTION 401: DEFINITIONS RELATED TO SIGNS

Address Sign means a sign displaying the municipal address of a dwelling unit, commercial or industrial tenant, or lot as per the Address Signage Bylaw, as amended from time to time.

A-Frame Sign means an A-shaped sign, which is set upon the ground and has no external supporting structure. Also known as a sandwich board

Animated Sign means a sign, which uses movement or change of lighting to depict action or create special effects or a pictorial scene but does not include a clock

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

Banner means a sign of lightweight, flexible fabric or material mounted to a pole, structure or building and does not include national, provincial or municipal flags

Billboard Sign means a sign which advertises or calls attention to:

a) a product other than a product sold or offered for sale on the property on which the sign is located;
b) a business, organization of facility other than a business, organization or facility located on the property on which the sign is located;
c) iii) a service other than a service provided on the property on which the sign is located;
d) an activity or event other than an activity or event carried out or taking place on the property on which the sign is located;
e) a property other than the property on which the sign is located.

Typical billboards include, but are not limited to, signs on which advertising copy is pasted, glued, painted or otherwise attached so as to permit its periodic replacement. Billboards can include: advertising billboards, truck trailer signs, portable signs, painted structures and temporary signs.

Billboard Sign, Double Faced means a billboard having two message faces with each face located on the billboard structure so as to be parallel, opposite to, and facing away from the other.

Campaign Sign means a temporary sign used for the purpose of announcing or supporting candidates or issues in any Federal, Provincial, Municipal or school board election.

Canopy means a permanent projection extending from the outside wall of a building normally for the purpose of shielding part of the building from the sun.

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

Changeable Copy Component means a sign or portion of a sign which the copy; consisting only of letters, numbers or simple symbols, can be changed manually or electronically in a prearranged sequence. This includes time and temperature displays.

Construction Sign means a temporary sign erected on a site where construction is taking place to provide guidance or warning to persons, or to identify the construction project and those parties having a role or interest in the construction and shall be removed after the completion of work.

Directional Sign means:

a) a sign which directs the public to or denotes the name or any thoroughfare, route, educational institution, public building, historical site, defined business area, group of businesses or shopping mall;

b) a sign which directs and regulates traffic;

c) a sign denotes any public or transportation facility;

d) a sign located on the site which gives direction to a private premises or its vehicular use area;

Electronic Digital Message Sign means a network of customizable digital displays that can be controlled electronically using a computer to allow the content to be altered remotely. Examples of digital signs include indoor and outdoor LED signs and displays, moving message boards i.e. chasing borders, letters and symbols, variable message signs and electronic message centres. Digital signs may contain animated and motion graphics. A digital sign can mean a component of a sign or the entire sign.

Entrance Sign means a sign which marks the entrance into a residential subdivision or business park.

Fascia Sign means a sign attached flush to, or marked, painted or inscribed on a building wall, but does not include a billboard or a mural/painted wall sign, canopy sign or projecting sign.

Flag Sign means a sign of fabric or other material that is attached to a pole and may be used for decorative or advertising purposes.

Flashing Sign means a sign, which contains an intermittent or flashing light source but does not include an automatic changeable copy sign

Freestanding Sign means a sign supported by one or more upright poles, columns, or braces permanently fixed in or on the ground and not attached to any buildings. This sign advertises goods and services which are sold or offered at the site on which the sign is located. Also known as a pylon sign; does not include temporary portable signs.

Home Occupation Sign means a sign placed flat and parallel to the face of the main building and not exceeding 1.0 square metre in size.

Inflatable Sign means an inflated, three-dimensional device that is affixed or anchored to the ground or a structure; and is supported by air or gas pressure.

Mural means a sign that is painted or sculpted onto a building wall and is considered artistic rather than advertising and does not contain any product advertising

Overhanging Sign means a sign which is attached to the bottom face of a canopy or awning, or affixed above the level of any sidewalk so as to overhang any portion of a public place.

Portable Temporary Sign means any sign not permanently attached to the ground or other permanent structure, or a sign designated to be transported, including but not limited to, signs designed to be moved on wheels, balloons, inflatable devices used as signs, and signs attached to or painted on vehicles parked and visible from a public right-of-way unless said vehicles are used in the normal day-to-day operation of a business;

Projecting Sign means a sign which horizontally projects from a structure or a building face but does not include a canopy sign or an awning sign.

Property Management Sign means a sign used for the purpose of identifying the property management organization responsible for the construction, development, repair or maintenance of a commercial or residential site.

Property Marketing Sign means a temporary sign or flag erected for the purpose of marketing and providing direction to a residential subdivision or business park.

Real Estate Sign means a sign pertaining to the sale or lease of the premises or a portion of the premises on which the sign is located.

Real Estate Open House Sign means a temporary sign with a copy area of less than 0.7 m_2 and a height of less than 1.0 metre which is used to advertise and direct traffic to a real estate open house event and shall be located for no longer than 48 hours of the event.

Revolving Sign means a sign which revolves three hundred and sixty degrees but does not exceed six (6) revolutions per minute and is controlled by an electrical mechanical device.

Roof Sign means a sign which projects above the top eaves or is erected upon or above a roof of a building to which the sign is attached

Sign means a device, structure, or fixture intended for the advertising or calling attention to any person, matter, object, or event

Sign Area means the entire area of a sign, measured to the outer perimeter of the sign, but does not include the supports and frame.

Temporary Sign means any sign not permanent in structural nature and intended to be on site for more than twenty-four (24) hours before an event and removed from site within seventy-two (72) hours of being installed. Examples of such temporary signs are yard sale, garage sale, and other special events.

Third-Party Sign means any sign which advertises or otherwise identifies a service, product or activity conducted, sold or offered at a location other than the premises on which the sign is located. A third party sign does not include portable signs.

Wall Sign means a sign or image that may be painted or fastened to a wall or fence, in which the primary purpose of the sign is the promotion, identification or description of a commercial enterprise. A wall sign does not include a mural as defined in this bylaw.

Window Sign means any permanent sign either painted on or attached to a window for the purpose of being viewed from outside the premises, and does not include a home occupation sign.

SECTION 402: GENERAL SIGN PROVISIONS

1. The purpose of this section is to:

   a) balance the need for signage and advertising with concerns of safety and aesthetics;

   b) provide opportunities for the effective identification of businesses and buildings; and

   c) regulate the proliferation of signs, to ensure the effectiveness of information and identification signs by minimizing visual clutter.

2. Sign Classifications

   All signs shall be classified as per Table 402.1. Where a sign does not conform to any of the sign types defined in this bylaw, the Development Authority shall consider an application for such a sign on its merits.

Table 402.1 Sign Classification				
Class A*	**Class B**	**Class C**	**Class D**	**Class E**
Address Sign	A-Frame Sign*	Entrance Sign	Any type of sign that does not fit within Sign Classes A, B, C or E	Billboard Sign
Banner	Canopy Sign	Property Marketing Sign		Third Party Sign
Campaign Sign	Directional Sign, Commercial			
Construction Sign	Fascia Sign		Electronic Message Sign	
Directional Sign, Community	Overhanging Sign		Freestanding Sign	
Flag Sign	Projecting Sign		Portable Sign	
Home Occupation Sign	Window Sign*		Revolving Freestanding Sign	
Mural			Roof Sign	
Property Management Sign			Wall Sign	
Real Estate Sign				
Real Estate Open House Sign				
Temporary Sign*				
Show Home Sign				

* No sign permit required subject to signs meeting the regulations of the Land Use Bylaw

3. Development Permits Required:

a) Except as otherwise provided for in this Bylaw, a sign or any enlargement, relocation, construction, or alteration of an existing sign requires a Development Permit;

b) Where a Development Permit for a sign is required, the Development Authority shall consider and process it in accordance with the requirements of this Bylaw;

c) Notwithstanding any other section of this Bylaw, signs shall be deemed to be Discretionary Uses on all sites designated Direct Control District, unless stated to be a Permitted Use under the conditions of the Direct Control District, and shall require a Development Permit.

4. Signs not Requiring a Development Permit:

The following signs do not require a sign development permit but must comply with the regulations of this Bylaw and shall not be construed as relieving the owner of the sign from the responsibility for its erection and maintenance:

a) official notices, signs, placards, or bulletins required to be displayed pursuant to the provisions of federal, provincial or municipal legislation or displayed by or on behalf of the Town, a department, a commission, a board, a committee or an official of the federal, provincial, or municipal government;

b) any sign within Sign Class A, provided the sign complies with the regulations in *Section 404(1)- Sign Class A*

c) A-frame and window signs, provided the sign complies with the regulations in *Section 404(2) – Sign Class B*;

d) signs or notices for the guidance, direction, warning or restraint of persons in respect of the premises in which it is displayed;

e) the incorporation of an additional panel or panels on a freestanding identification sign which conforms to this Bylaw provided:

   i) the additional panel or panels are the same length as existing panels and are located within the limits of the existing sign, do not increase the height of the sign and do not encroach on the minimum clearance requirement of the sign. This does not include the tenant panels for a multi-tenant freestanding sign pursuant to Section 404(4)(b)(x);

   ii) the total sign area and height of the sign does not exceed the maximum set out in this Bylaw or conflict with the conditions of the original Development Permit approval for the freestanding sign;

f) temporary signs for the purpose of advertising yard sales, garage sales and other special events provided:

   i) they are located on private property only and do not interfere with any vehicular or pedestrian right-of-way;

   ii) are no larger than 0.55 square metres; and

   iii) shall be placed not more than twenty-four (24) hours before the event and is removed from the parcel within 72 hours of it being erected on the parcel.

g) non-profit group signage in the form of A-frame signs, provided:

   i) upon approval of the Development Officer, non-profit groups or organizations may place A-frame signs for function events or programs on public right-of-ways in such a manner that they do not interfere in any way with traffic (both vehicular or pedestrian) or interfere in any way with residential, commercial, industrial or institutional property;

ii) all signs shall be no larger than one (1) square metre (10.76 square feet) per side;

iii) all signs shall be placed no more than twenty-four (24) hours before the event and shall be removed within 24 hours of conclusion of the event.

5. Sign Development Permit Requirements:

a) An application for a Development Permit for a sign shall be made to the Development Authority by the lawful owner of the sign or its authorized agent on the appropriate form supplied by the Town;

b) An application for a permit to alter or erect a sign shall be made to the development authority and shall include the following:

(i) letter of consent from the property or building owner;

(ii) two copies of the sign drawings with dimensions, thickness and copy area of the sign;

(iii) materials, finishes, colours, size of lettering and graphics;

(iv) method of illumination, if applicable;

(v) mounting details or method of support;

(vi) mounting height or clearance to grade;

(vii) the amount of projection of the sign from the building, if any;

(viii) a site plan showing all other existing signs and the proposed sign location in relationship to property lines, parking areas and buildings;

(ix) in the case of freestanding signs, an elevation plan is required showing the height of the sign in relationship to the height of the principal building taking into account the gradient of the site; and

(x) the appropriate fee as amended from time-to-time by Council Resolution

6. The maximum number of temporary and permanent signs, excluding fascia signs, per business or occupancy shall be three (3).

7. A sign shall not be erected, operated, used, and maintained, if in the opinion of the Development Authority:

a) its position, share, color, format, or illumination obstructs the view of, or may be confused with an official traffic sign, signal, or device or other official sign; or

b) it displays light that may be mistaken for the flashing lights customarily associated with danger or with those used by police, fire, ambulance, or other emergency vehicles.

8. At the discretion of the Development Authority, and as per the Public Highways Development Act, a sign proposed to be located on lands within 300 metres of the right-of-way of Highway 28 or Highway 41 or within 800 metres of the intersection of these highways may require prior written approval from Alberta Transportation.

9. Any sign placed in or on a required parking area or loading space shall be placed so as not to reduce the number of parking stalls or loading spaces required pursuant to an approved Development Permit.

10. General Regulations:

a) Only three (3) types of signs shall be allowed on a site, unless otherwise permitted by the Development Authority.

b) The message of any permanent sign shall relate to the use of the parcel on which the sign is located, except for billboard and third party signs.

c) All signs shall be maintained in good and safe structural condition and shall be periodically repainted as deemed necessary by the Development Authority.

d) A sign shall not be located within the sight line triangle if any part of the sign is between 1.0 metre and 4.0 metres above grade.

e) A sign, or sign structure, shall be set back a minimum of 1.0 metres from any property line, unless otherwise stated, and no part of the sign itself shall encroach onto the adjacent property or right of ways, with the exception of projecting signs and canopy signs.

f) A sign shall be integrated with the building on which it is to be located and compatible with the general architectural lines and forms of the nearby buildings.

g) Where, in the opinion of the Development Authority, a proposed sign in a commercial or industrial district might be objectionable to a resident in an adjacent residential district, the Development Authority may impose such other regulations as it feels would protect the interests of the residents.

h) Signs may be illuminated but shall not flash nor have flashing lights.

i) Electrical power supply to any sign or base landscaping shall be located underground.

11. Signs on Municipal Property:

a) Campaign and construction signs may be located on municipal property provided they comply with the regulations specified in *Section 404(1) Sign Class A*.

b) Community directional signs, community group signs, and event signs may be located on municipal property.

c) The Development Authority may approve placement of entrance signs and property marketing signs on public property subject to the conditions as specified in *Section 404(3) – Sign Class C*.

d) Signs erected by the Town of Bonnyville are permitted on public property.

SECTION 403: ENFORCEMENT RELATED TO SIGNS

a) When a sign no longer fulfills its function under the terms of the Development Permit, the Development Authority may order the removal of such a sign, and the owner of the sign shall:

   i) remove such a sign and all related structural components including removing or screening exposed base and foundations to the satisfaction of the Development Authority within a specific period of time from receipt of such a removal notice;

   ii) restore the immediate area around the sign, to the satisfaction of the Development Authority, including the ground or any building to which the sign was affixed, as close as possible to its original form prior to the sign installation;

   iii) bear all costs related to such removal or restoration;

   iv) if the owner fails to remove a sign within the time specified to remove the sign, an Enforcement Officer may remove the sign and destroy it without compensation to the owner.

b) When a sign is placed on a site without an approved Development Permit, the Development Authority may order the removal of such a sign, and the owner of the sign shall:

   i) remove the sign and all related structural component including removing or screen exposed base and foundations to the satisfaction of the Development Authority within a specified period of time from receipt of such removal notice.

   ii) restore the immediate area around the sign, to the satisfaction of the Development Authority, including the ground or any building to which the sign was affixed, as close as possible to its original form prior to the sign installation;

   iii) bear all costs related to such removal or restoration;

   iv) if the owner fails to remove a sign within the time specified to remove the sign, an Enforcement Officer may remove the sign and destroy it without compensation to the owner.

   v) if another sign if placed on a site without an approved Development Permit after the first offence, the Development Authority may have the sign removed immediately.

1 SIGN CLASS A

The following signs do not require a development permit, and are allowed in Land Use Districts where Sign Class A is listed as a discretionary use. Sign Class A signs must also meet the following regulations.

a) Address Signs

Address signs shall conform to the *Address Signage Bylaw*, as amended from time to time.

b) Banner Signs

Community groups may require an event banner sign to be installed across 50 Avenue in the downtown core from time to time. All banner signs shall be designed as follows:

(i) banner signs shall be no larger than 0.914 metres (3.0 feet) wide and 9.14 metres (30 feet) long;

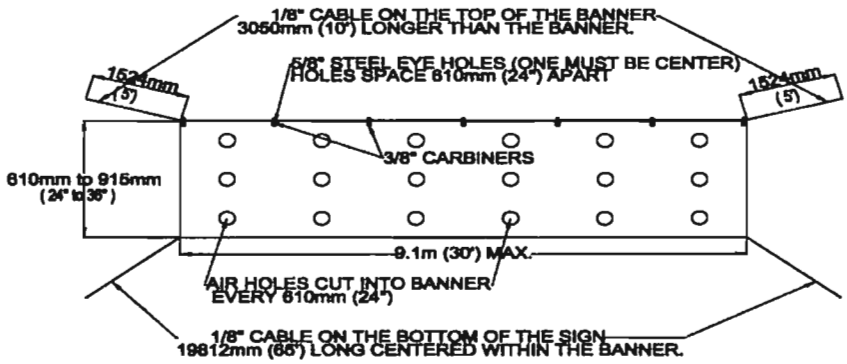
(ii) all banner signs shall be vented with air holes located a 0.61 metre (2.0 foot) intervals;

(iii) banners must be equipped with 3/8 inch carabiners and 5/8 inch steel eye holes with one eye hole located at the centre of the banner and spaced at 0.61 metre (2.0 foot) intervals for the length of the banner for hanging purposes;

(iv) banners shall have a 1/8 inch cable on the top portion of the banner measuring an overall length of 12.192 metres (40 feet); and

(v) banners shall have a 1/8 inch cable on the bottom portion of the banner measuring an overall length of 19.812 metres (65 feet).

Figure 404-1: Example Banner Sign



c) **Campaign Signs**

Campaign signs for federal, provincial, municipal or school board elections provided that such signs:

(i) are placed for no more than thirty (30) days and removed within three (3) days after the election date;

(ii) are located to a maximum of two (2) signs per frontage on a private property in which the consent of the property owner or occupant shall be obtained;

(iii) are not attached to municipal trees, utility poles or other such properties;

(iv) are not placed on a road median; and

(v) indicate the name and address of the person responsible for removal.

d) **Community Directional Signs**

Community directional signs shall be designed to direct pedestrian or vehicular traffic to tourism attractions or Town owned facilities, subject to the *Directional and Community Group Signage Policy*, as amended from time to time.

e) **Construction Signs**

Construction signs relating to an undeveloped site or a site which is being developed in accordance with a development permit, which shall:

(i) not exceed a sign copy area of 5.0 m^2; and

(ii) be removed within seven (7) days following the time of development completion.

f) **Flag Signs**

Flag signs may be decorative or promote goods or services, and shall:

(i) not have support structures that exceed 7.0 metres in height;

(ii) not exceed 1.0 square metre;

(iii) not be located on a roof of a building or structure; and

(iv) be limited to three (3) signs per frontage where the frontage is 30.0 metres or less; and

(v) limited to six (6) signs per frontage where the frontage is 30.0 metres or greater.

g) **Home Occupation Signs**

Home occupation signs may indicate the address, owner and the name of a home occupation within a residence, provided:

(i) the sign copy area does not exceed 1.0 square metre; and,

(ii) the sign is placed outside against the wall of the dwelling or displayed from the inside of a window of the dwelling.

h) **Murals**

(i) Murals shall provide strictly an amenity, not an advertising purpose.

(ii) A mural may encompass up to one hundred (100) percent of the wall to which it is applied, provided that the wall to which the mural will be attached:

A) is expected to be permanent for at least five (5) years,

B) has an unobstructed view from the street, sidewalk, or other public space,

C) is structurally sound and able to adequately support the mural panels.

(iii) Murals may be painted on crezone panels, or attached to the wall in such a way as to be able to be moved to another location if the wall to which the mural is attached is demolished.

i) **Property Management Signs**

Property management signs may be:

(i) attached to a building, provided the sign copy area is less than 1.5 m^2 and the entire sign is less than 3.5 metres above grade, or

(ii) incorporated into a subdivision entrance sign, provided the sign copy area of the property management sign is less than twenty (20) percent of the total sign copy area, or

(iii) incorporated into a freestanding sign provided the sign copy area of the property management sign does not exceed thirty (30) percent of the total sign copy area, or 1.5 m^2, whichever is less.

j) **Real Estate Signs**

Real estate signs shall:

(i) only be displayed on the property to which it pertains during the time the property is being offered for sale or rent, and

(ii) be removed within twenty-one (21) days after the sale or rental agreement has been entered into, and

(iii) be located at least 1.0 metre from the property line, and

(iv) have a copy area that does not exceed 1.0 m^2 if located on a residential property; or 6.0 m^2 if located on a non-residential property.

k) **Real Estate Open House Signs**

Real estate open house signs shall:

(i) only be displayed on the day(s) of the event being advertised, and never for longer than two days at a time, and

(ii) have a copy area that does not exceed 0.7 m^2 for each face, and

(iii) be less than 1.0 metre in height, and

(iv) shall not be placed in the direct line of pedestrian traffic, nor within any part of a street, lane, access or driveway.

l) **Temporary Signs**

Temporary signs for the purpose of advertising yard sales, garage sales and other special events provided:

i) they are located on private property only and do not interfere with any vehicular or pedestrian right-of-way;

ii) are no larger than 0.55 square metres; and

iii) shall be placed not more than twenty-four (24) hours before the event and is removed from the parcel within 72 hours of it being erected on the parcel.

2 SIGN CLASS B:

a) A-Frame Signs

(i) A-frame signs shall:

A) have a maximum area of each sign face of 1.0 square metre, and;

B) have a maximum height of 1.0 metre, and;

C) be placed on private property, and;

D) be allowed on the public sidewalk only where the building is not setback from the property line, provided the signs are not within the direct line of pedestrian traffic, and;

E) be displayed for less than twelve (12) hours per day.

(ii) Only one (1) A-frame sign shall be displayed per business frontage,

(iii) Non-profit groups or organizations signage, in the form of an A-frame sign, may place the sign for function events or programs on the public right-of-ways in such a manner that they do not interfere in any way with traffic (vehicular or pedestrian) or interfere in any way with private property unless written permission is obtained from the landowner. Signs shall not be placed on site for more than twenty-four (24) hours before the start of the event and shall be removed within twenty-four (24) hours of conclusion of the event. Any signage found to cause distraction of to be a nuisance to traffic shall be immediately removed by direction of the Development Authority.

b) Canopy Signs

Canopy signs shall:

(i) have a vertical clearance of 2.5 metres, measured from the extreme lower limits of the sign to the grade level, and;

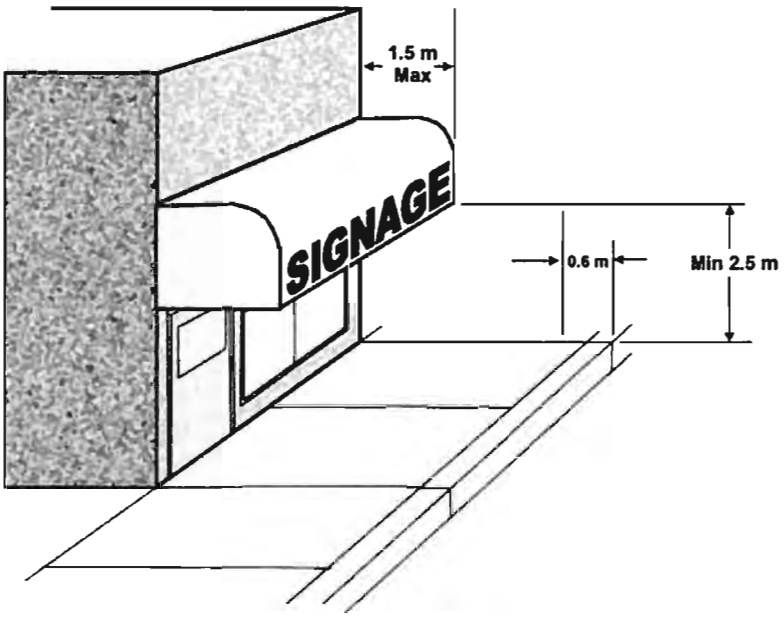
(ii) not project more than 1.5 metres over the public property or come within 0.6 metres of the curb or edge of the roadway, and;

(iii) have a vertical dimension of less than 1.5 metres, and;

(iv) have a copy area that does not exceed fifty (50) percent of the canopy area which is calculated as product of the vertical and horizontal dimensions of the canopy, not including the support structure, and;

(v) be erected in such a manner that the structural support elements are designed or concealed, to appear as an integral part of the overall sign design and such that no angle iron bracing, guide wires or similar support elements are visible from a public roadway.

Figure 404-2: Example Canopy Sign



c) **Commercial Directional Signs**

Commercial directional signs shall:

(i) have a sign copy area that does not exceed 1.0 m^2, and;

(ii) be less than one (1.0) metre in height, and;

(iii) be located outside the sight line triangle, and;

(iv) not interfere with pedestrian traffic, and;

(v) not be located in the road right of way, except at the discretion of the Development Authority.

d) **Fascia Signs**

(i) Fascia signs shall have a sign copy area that does not exceed:

A) 1.5 metres in height and the width of the bay to which the sign is attached in a multi-occupant development, or;

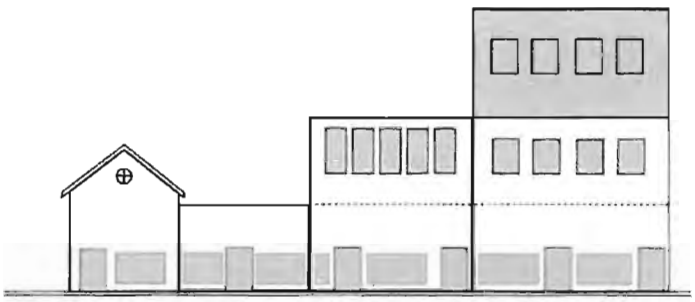
B) twenty (20) percent of the building façade for a single-occupant development, whichever is greater.

(ii) Fascia signs shall:

A) be used for identification purposes only, and;

B) not be permitted on or above the sill of third storey windows, offices and bays (see Figure 404-3), and;

Figure 404-3: Signage Area for Fascia Signs is illustrated in white



(C) not to be used in conjunction with roof signs.

(iii) Notwithstanding Section 404(2)(d)(ii)(B) above, a fascia sign may be located above the third storey window sill provided:

(A) the sign states no more than the name of the building or principal tenant, and;

(B) there is no more than one (1) sign per building face above the third storey.

(C) Any other location for a fascia sign shall be at the discretion of the Development Authority, who shall have consideration for the aesthetic quality and compatibility with adjacent developments.

(iv) Only one (1) fascia sign may be permitted for each occupant within the development, except for double fronting sites, which may have a second fascia sign for the second fronting building face.

(v) Fascia signs shall not cover windows or doors nor conceal architectural detailing of the building to which the sign is attached.

c) **Overhanging Signs**

Overhanging signs suspended under a canopy shall have a vertical clearance of 2.5 metres and shall be spaced 5.0 metres from each other.

f) **Projecting Signs**

(i) No part of any projecting sign shall project more than 2.0 metres over the public property or come within 0.6 metres of the curb or edge of a roadway unless otherwise determined by the Development Authority.

(ii) Projecting signs shall have a vertical clearance of at least 3.0 metres and extend no more than 2.0 metres above the parapet of the building and shall be spaced 5.0 metres from each other.

(iii) Supports and structures for a projecting sign must not be visible, or must be in the same style and character of the building to which it is attached.

g) **Window Signs**

(i) A window sign shall not exceed a maximum sign copy area of twenty-five (25) percent of the window in which it is located.

(ii) Only one sign per window shall be permitted.

3 SIGN CLASS C:

a) Entrance Signs

(i) Entrance signs shall:

A) have a copy area that does not exceed 5.0 m^2, and;

B) identify the name of a residential subdivision, apartment building, comprehensively planned development, mobile home court, or a business park, and;

C) no closer than 1.0 metre from the property line and

D) not be located within the sight line triangle

(ii) The quantity, location, design, character, dimensions, materials and finishing of all entrance signs shall be approved by the Development Authority.

(iii) An entrance sign may be lit, but shall not be internally illuminated.

b) Property Marketing Signs

(i) Property Marketing Signs may be permitted provided that:

A) the copy area of property marketing signs shall not exceed 3.0 m^2, and;

B) the maximum duration of display for each property marketing sign shall be three (3) years, after which time re-application for a sign permit shall be made, and;

C) the location and design of all property marketing signs is approved by the Development Authority, and;

D) no property marketing signs advertising the same development shall be located within 800 metres of each other.

(ii) Notwithstanding the above, property marketing signs may be permitted in the form of flag signs provided that:

A) the copy area of the flag sign shall not exceed 1.0 m^2 when laid flat, and;

B) signs advertising the same development shall be at least 200 metres apart, and;

C) the height of the sign and any support structures shall not exceed 7.0 metres.

4 SIGN CLASS D:

a) Electronic Message Signs

(i) Signs with an electronic message display that is between 1.0 m^2 and 2.3 m^2 shall be spaced a minimum of 100.0 m from any other sign with an electronic message display. Signs with an electronic message display that is larger than 2.3 m^2 shall be spaced a minimum of 200.0 metres from any other sign with an electronic message display;

(ii) No part of an electronic message display shall be less than 3.0 metres above grade;

(iii) The location of any electronic message display shall be subject to review by the Development Authority, Public Works, and Alberta Transportation where required;

(iv) In the case of a one-sided electronic message display, or where the rear of the display is visible to the public, it shall be finished with a material suitable to the Development Authority;

(v) All electronic message displays must include a dimming feature that will automatically reduce the brightness level to adapt to the ambient light level;

(vi) An electronic message display shall only be allowed on a freestanding sign or a billboard and shall adhere to all other additional regulations for that sign type.

b) Freestanding Signs

(i) One freestanding sign per business frontage may be erected on sites having a business frontage of at least 15.0 metres.

(ii) Where a site has more than 90 metres frontage, one additional freestanding sign may be erected for each additional 90 metre frontage or portion thereof.

(iii) On a double fronting site, each frontage may have freestanding signs provided that the signs are no closer than 90 metres from each other.

(iv) Any support structure for a freestanding sign shall be set back a minimum of 2.0 metres from any property line and no part of the sign itself shall encroach onto or overhang an adjacent property or road right-of-way. The freestanding sign shall not project within 2.0 metres of overhead utility lines and shall have a minimum vertical clearance of 3.0 metres from the underside of the sign structure.

(v) Revolving freestanding signs may not rotate more than six (6) revolutions per minute.

(vi) The total sign copy area of all freestanding signs on each site shall not exceed 0.3 square metres for each lineal metre of street frontage of the developed site, to a maximum of 17 square metres for each sign.

(vii) The maximum height for freestanding signs shall be as follows:

C1, C2, and CRX districts: 7.0 metres

C3, C4, M1, M2, M3 districts: 9.75 metres

All other districts: at the discretion of the Development Authority

(viii) One (1) freestanding sign shall be permitted to be erected on a parcel occupied by a place of worship, public institution or school provided the sign does not exceed 2.5 square metres in sign copy area and 2.5 metres in height.

(ix) Electronic message signs may be permitted if they are integrated into a freestanding sign and provided the electronic message sign portion:

(A) is less than 2.0 metre high, and;

(B) is located 200 metres or more from another electronic message sign facing the same direction.

(x) For multi-tenant freestanding signs, a separate sign permit application and approval is required by the tenant/business for the individual sign panels prior to installation.

Figure 404-4: Example Freestanding Sign (Multi-tenant)

c) **Portable (Temporary) Signs**

(i) Portable signs shall only be used to advertise the business or organization on or directly adjacent to, and no more than 30 metres from, the site where the portable sign is located, and;

A) not more than one (1) portable sign shall be displayed on a site at a time,

B) notwithstanding (A) above, a portable sign shall be permitted for each business in a multiple occupancy development provided that

no portable sign is located within 30 metres of another portable sign.

(ii) Portable signs shall:

A) be double-faced

B) not exceed a height of 2.5 metres above grade.

C) not be placed on a site so as to conflict with parking, loading or walkway areas or required sight lines

(iii) Any support structure for a portable sign shall be set back a minimum of 0.3048 metres from any property line and no part of the sign itself shall encroach onto an adjacent private property, public property or road right-of-way.

(iv) The Development Authority shall specify, in the development permit for the sign, the period of time during which a portable sign is permitted to be exhibited, but the period shall not exceed one (1) year.

(v) Community organizations may be issued approval for a portable sign permit for periods not exceeding thirty (30) days, and may be permitted to locate such signs on public property or private property with written permission by the property owner or their representative at the discretion of the Development Authority.

Figure 404-5: Example Portable Sign

d) **Roof Signs**

Roof signs shall:

(i) be set back at least 1.0 metre from the edge of the building, and;

(ii) have a copy area with a maximum height of 3.0 metres or one-fifth of the height of the building, whichever is the lesser, and;

(iii) not exceed the maximum height limit of the land use district in which it is located, measured from grade to the top of the sign, and;

(iv) not be used in conjunction with fascia signs, and;

(v) be erected in such a manner that the structural support elements are not visible from a public roadway, and;

(vi) only be allowed after, due consideration has been taken for appearance and safety to the satisfaction of the Development Authority,

e) **Wall Signs**

(i) A wall sign may be permitted to be painted or fastened on any wall surface of any structure, and may encompass up to twenty-five (25) percent of the surface to which it is applied, subject to the discretion of the Development Authority.

(ii) Wall signs shall not:

A) be allowed to become faded, chipped or peeled;

B) interfere with the amenities of the neighbourhood; or

C) affect the use, enjoyment or value of neighbouring properties.

(iii) A wall sign which faces an adjacent residential development shall not be illuminated.

(iv) If a business to which the wall sign relates to ceases to be located in the building or on the site in which the sign is painted or attached, the sign shall be removed and the wall refinished to be consistent with the rest of the structure.

5. SIGN CLASS E:

a) Billboard Signs

(i) Billboard signs must be compatible with the general architectural lines and forms of adjacent billboard signs and are not permitted except along Highway 28 between the east and west municipal boundaries of the Town of Bonnyville.

(ii) A billboard shall not conflict with the development and land use guidelines of the surrounding streetscape or the architecture of any nearby buildings and adjacent land uses.

(iii) In approving the placement of billboards, the proximity of other roadway signs such as regulatory signs, town entrance signs, informational, directional and guide signs require consideration in the context of traffic safety, message continuity and signing clutter at town boundaries.

(iv) In approving the placement of billboards, the presence of scenic viewpoints, scenic vistas and parkland require careful and special consideration of the visual impact and impressions formulated in the motorist's eyes.

(v) The utilization of billboards located in a V-shaped configuration or a three-sided configuration shall be discouraged.

(vi) The maximum sign copy area, exclusive of the base, apron, supports or other structural members of a billboard sign, shall be 65 square metres; an additional allowance of up to 2.5 square metres over and above the 65 square metres, may be made for sign extensions, cut-outs and other projections.. The maximum size of the billboard applies to each facing of the billboard structure and facings may be placed back to back. The rear of single faced billboards shall be covered with wooden slats affixed against the read face of the vertical supports and painted.

(vii) The maximum height of a billboard sign shall be 8 metres above finished grade of the site upon which it is situated; an additional allowance of up to 1.6 meters may be made for sign extensions or projections above the main part of the billboard.

(viii) The vertical clearance beneath a billboard shall be a minimum of 3.0 metres from the underside of the sign structure to the average ground elevation.

(ix) No part of any billboard sign shall project beyond the property boundary of the parcel upon which it is located.

(x) Spacing and Location of billboard signs:

A) adjacent to Provincial highway extensions having regulatory speed limits of 70 km/hr or less, the minimum distance between billboards on the same side of the roadway shall be 300 metres;

B) adjacent to Provincial highway extensions having a regulatory speed limit of 80 km/hr, the minimum distance between billboards on the same side of the roadway shall be 600 metres;

C) adjacent to Provincial highway extensions having regulatory speed limits of 90 km/hr or 100 km/hr, the minimum distance between billboards shall be 1,000 metres.

D) the minimum radial distance between two billboards located on opposite sides of a highway extension shall be 300 metres.

E) a minimum setback of 6.0 metres from the highway right-of-way to the nearest part of the billboard shall be provided.

(xi) Billboard signs shall be removed from a site once subdivision and permanent development of the site occurs as deemed necessary by the Development Authority.

b) **Third Party Signs**

(i) The maximum sign copy area of a third party sign face shall be at the discretion of the Development Authority, but shall not exceed 4.0 m^2.

(ii) Third party signs on the same street and facing the same direction of traffic flow shall be placed at least 100 metres apart. Double faced signs shall be considered to face both directions of traffic flow.

(iii) The design, materials and character of the sign shall be at the discretion of the Development Authority. When the back of a Third Party sign is visible, it shall be suitably painted or otherwise covered to present a neat and clean appearance.

(iv) The Development Authority shall specify, in the development permit for the sign, the period of time during which a Third Party sign is permitted to be exhibited, but the period shall not exceed one (1) years.

PART X LAND USE DISTRICT PROVISIONS AND REGULATIONS

SECTION 500: ESTABLISHMENT OF DISTRICTS AND DISTRICT REGULATIONS

The land use districts and land use regulations are hereby established in Part X of this Bylaw.

SECTION 501: LAND USE DISTRICTS

The Town of Bonnyville is hereby divided into the following land use districts:

R1	–	Single Family Residential
R2	–	Single Family (Small Lot) Residential
R2A	–	Single Family (Small Lot) Residential A
R2B	–	Compact Single Family Small Lot Residential
R3	–	Medium Density Residential
R4	–	High Density Residential
RMHS	–	Residential, Manufactured Home Subdivision
RMHP	–	Residential, Manufactured Home Park
CRX	–	Commercial Residential Transition
C1	–	Central Commercial
C2	–	Fringe Commercial
C3	–	Highway Commercial
M1	–	General Industrial
M2	–	Heavy Industrial
M3	–	Limited Service Industrial
P	–	Parks, Recreation and Open Spaces
I	–	Institutional
UR	–	Urban Reserve
ERP	–	Environmental Reserve and Public Utility Lot
DC	–	Direct Control

SECTION 502: LAND USE DISTRICT MAP

1. Land Use Districts specified under Section 501 are described in the short form on the Land Use District Map, being Schedule "A", which is an integral part of this Bylaw.

2. The Land Use District boundaries are delineated on the Land Use District Map where uncertainty arises as to the precise location on the boundary of any district, the following rules shall apply:

   RULE 1: Where a boundary is shown as following a street, lane, stream or canal, it shall be deemed to follow the centerline thereof.

   RULE 2: Where a boundary is shown as approximately following a parcel line, it shall be deemed to follow the parcel line.

RULE 3: In circumstances not covered by Rules 1 and 2, the location of the land use district boundary shall be determined by:

a) where dimensions are set out on the Land Use District Map, by the dimensions so set; or

b) where dimensions are set out on the Land Use District Map with respect to such boundary, by measurements of and use of the scale shown on the Land Use District Map.

3. Where a boundary cannot be determined by any of the preceding rules, the exact location of the boundary shall be decided by Council either on its own motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary.

4. After Council has fixed a land use district boundary pursuant to the provisions of Section 502(3), the portion of the boundary so fixed shall not be thereafter altered except by an amendment to this Bylaw.

5. The Council shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

SECTION 510: R1 – SINGLE FAMILY RESIDENTIAL DISTRICT

1. Purpose:

   The purpose of this district is to provide for the development of single detached dwellings.

2. Permitted Uses:

   Family Day Home
   Minor Home Businesses
   Modular Homes
   Single Detached Dwellings

   Discretionary Uses:

   Accessory Buildings and Structures
   Day Care
   Group Home
   Major Home Businesses
   Minor Bed and Breakfast
   Parks
   Public Utility Buildings
   Secondary Suites
   Signs – Class A and Class C

3. Minimum Lot Size:

   Minimum lot size shall be 502.5 square metres.

4. Minimum Lot Depth:

   Minimum lot depth shall be 33.5 metres.

5. Minimum Lot Width:

   a) Mid-Block Lot: 15 metres
   b) Corner Lot: 18 metres
   c) Pie-Shaped Lot: 15 metres measured 7.5 metres back from the front property line

6. Minimum Setbacks:

   a) Principal Building:

Mid-Block Lots:	Front	7.5 metres
	Rear	7.62 metres
	Side	1.5 metres, or

   Where a parcel has vehicular access from the front only, one side yard setback shall be a minimum of 3.0 metres to accommodate access to the rear of the lot.

Corner Lots:	Front	7.5 metres
	Rear	4.5 metres
	Side	1.5 metres
	Flanking	3.5 metres

b) Where the shape of a lot or other circumstances is such that the above rules cannot be applied, the Development Authority shall determine the setbacks.

7. Maximum Site Coverage:

The maximum site coverage, including accessory buildings shall not exceed forty percent (40%).

8. Maximum Building Height:

The maximum building height shall not exceed 10.0 metres nor 2 ½ storeys.

9. Minimum Floor Area:

a) One storey dwellings: 90 square metres

b) One and one-half storey dwellings: 110 square metres

c) Two storey dwellings: 150 square metres

Minimum floor area does not include attached garages and basements (i.e.: that part of a building which is more than 1.0 metre below the finished mean grade level of a prepared site).

10. The Development Authority may exercise discretion in considering secondary suite development having regard to:

a) compatibility of the use with the siting, grade elevations, height, building types and materials characteristic of surrounding Single Detached housing and development, where a Secondary Suite is developed in whole or in part as an above grade addition to an existing residential structure;

b) the effect on the privacy of adjacent properties; and

c) the policies and guidelines for secondary suite housing contained in Section 210 and/or in any statutory plan document.

11. Landscaping:

The following standards of landscaping shall be required for all areas of a parcel not covered by buildings, driveways and sidewalks:

a) The conservation of existing trees and shrubs to the maximum extent possible;

b) A minimum of 50% of the front yard area shall be landscaped;

c) A minimum of 40% of the front yard area on pie shaped or irregular shaped lots shall be landscaped;

d) A maximum of 50% of the front yard landscaped area may be hard landscaped;

e) A sufficient depth of topsoil to facilitate growth in the soft landscaped area, with area not planted to trees and shrubs being seeded to grass or sodded to the turf standard;

f) Completion of the landscaping by the end of the first growing season following completion of construction or the commencement of use;

g) The landscaping areas shown on the landscaping plan approved by the Development Authority must be maintained on the parcel as long as the development exists.

12. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

SECTION 511: R2 – SINGLE FAMILY SMALL LOT RESIDENTIAL DISTRICT

1. Purpose:

The purpose of this district is to provide for detached single family residential dwellings on smaller sized lots than are found in the R1 – Single Family Residential District.

2. Permitted Uses:

Family Day Home
Minor Home Business
Modular Home
Single Detached Dwellings

Discretionary Uses:

Accessory Buildings or Structures
Day Care
Group Home
Major Home Business
Minor Bed and Breakfast
Parks
Public Utility Buildings
Secondary Suites
Signs – Class A and Class C

3. Minimum Lot Size:

Minimum lot size shall be 402 square metres.

4. Minimum Lot Depth:

Minimum lot depth shall be 33.5 metres.

5. Minimum Lot Width:

a) Mid-Block: 12 metres
b) Corner Lot: 15 metres
c) Pie-Shaped Lot: 12 metres measured 7.5 metres back from the front property line.

6. Minimum Setbacks:

a) Principal Building:

Mid-Block Lots:	Front	6.1 metres
	Rear	5.0 metres
	Side	1.5 metres, or

Where a parcel has vehicular access from the front only, one side yard setback shall be a minimum of 3.0 metres to accommodate access to the rear of the lot.

Corner Lots:	Front	7.5 metres
	Rear	4.5 metres
	Side	1.5 metres
	Flanking	3.5 metres

b) Where the shape of a lot or other circumstances is such that the above rules cannot be applied, the Development Authority shall determine the setbacks.

7. Maximum Site Coverage:

The maximum site coverage, including accessory buildings shall not exceed forty percent (40%).

8. Maximum Building Height:

The maximum building height shall not exceed 10.0 metres nor 2 ½ storeys.

9. Minimum Floor Area:

a) One storey dwellings: 70 square metres

b) One and one-half storey dwellings: 100 square metres

c) Two storey dwellings: 110 square metres

Minimum floor area does not include attached garage and basements (i.e.: that part of a building which is more than 1.0 metre below the finished mean grade level of a prepared site).

10. The Development Authority may exercise discretion in considering secondary suite development having regard to:

a) compatibility of the use with the siting, grade elevations, height, building types and materials characteristic of surrounding Single Detached housing and development, where a Secondary Suite is developed in whole or in part as an above grade addition to an existing residential structure;

b) the effect on the privacy of adjacent properties; and

c) the policies and guidelines for secondary suite housing contained in Section 210 and/or in any statutory plan document.

11. Landscaping:

The following standards of landscaping shall be required for all areas of a parcel not covered by buildings, driveways and sidewalks:

a) The conservation of existing trees and shrubs to the maximum extent possible;

b) A minimum of 50% of the front yard area shall be landscaped;

c) A minimum of 40% of the front yard area on pie shaped or irregular shaped lots shall be landscaped;

d) A maximum of 50% of the front yard landscaped area may be hard landscaped;

e) A sufficient depth of topsoil to facilitate growth in the soft landscaped area, with area not planted to trees and shrubs being seeded to grass or sodded to the turf standard;

f) Completion of the landscaping by the end of the first growing season following completion of construction or the commencement of use;

g) The landscaping areas shown on the landscaping plan approved by the Development Authority must be maintained on the parcel as long as the development exists.

12. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

SECTION 512: R2A – SINGLE FAMILY SMALL LOT RESIDENTIAL (A) DISTRICT

1. Purpose:

The purpose of this district is to provide for detached single family residential dwellings on smaller sized lots than are found in the R1 – Single Family Residential District developed in accordance with an approved Area Structure Plan or Outline Plan.

2. Permitted Uses:

Family Day Home
Minor Home Business
Single Detached Dwellings with attached garages

Discretionary Uses:

Accessory Buildings and Structures
Day Care
Group Home

Major Home Business
Minor Bed and Breakfast
Parks
Public Utility Buildings
Secondary Suites
Signs – Class A and Class C
Single detached garages, without attached garages

3. Location:

Properties described within the Beau Vista Area Structure Plan Bylaw No. 1296-07 for part of the NE 8-61-5-W4M.

4. Minimum Lot Size:
Minimum lot size shall be 402 square metres.

5. Minimum Lot Depth:
Minimum lot depth shall be 33.5 metres.

6. Minimum Lot Width:
a) Mid-Block: 12 metres,
b) Corner Lot: 15 metres
c) Pie-Shaped Lot: 12 metres measured 7.5 metres back from the front property line.

7. Minimum Setbacks:
a) Principal Building:
Mid-Block Lots:

Front	6.9 metres from front attached garage
	6.1 from dwelling with no front attached garage
Rear	5.0 metres
Side	1.5 metres with no side yard projections

or

Where a parcel has vehicular access from the front only and a front attached garage is not provided, then one side yard setback shall be a minimum of 3.0 metres to accommodate access to the rear of the lot.

Corner Lots:	Front	7.5 metres
	Rear	4.5 metres
	Side	1.5 metres
	Flanking	3.5 metres

b) Where the shape of a lot or other circumstances is such that the above rules cannot be applied, the Development Authority shall determine the setbacks.

8. Maximum Site Coverage:
The maximum site coverage, including accessory buildings shall not exceed forty percent (40%).

9. Maximum Building Height:
The maximum building height shall not exceed 10.0 metres.

10. Minimum Floor Area:
a) One storey dwellings: 70 square metres
b) One and one-half storey dwellings: 100 square metres
c) Two storey dwellings: 110 square metres

Minimum floor area does not include attached garage and basements (i.e.: that part of a building which is more than 1.0 metre below the finished mean grade level of a prepared site).

11. The Development Authority may exercise discretion in considering secondary suite development having regard to:
a) compatibility of the use with the siting, grade elevations, height, building types and materials characteristic of surrounding single detached housing and development, where a Secondary Suite is developed in whole or in part as an above grade addition to an existing residential structure;
b) the effect on the privacy of adjacent properties; and
c) the policies and guidelines for secondary suite housing contained in Section 100, in any statutory plan document and/or as prescribed by the Alberta Building Code, as amended from time to time

12. Architectural Guidelines:

Architectural guidelines shall be determined by the subdivision developer and may be registered as a covenant on the properties. These guidelines may include, but are not limited to roofing specifications, fencing standards, color schemes, architectural designs, features and the like.

13. Landscaping Provisions:

Landscaping guidelines shall be determined by the developer and may be registered as a covenant on the properties. Guidelines may include, but are not limited to, minimum standards for front grass, trees shrubbery, and the like.

14. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.
b) General Parcel Provisions: refer to Part VI.
c) Special Land Use Provisions: refer to Part VII.
d) Parking and Loading Regulations: refer to Part VIII.

SECTION 513: R2B – COMPACT SINGLE FAMILY SMALL LOT RESIDENTIAL DISTRICT

1. Purpose:
The purpose of this district is to provide for compact detached single family residential dwellings on smaller sized lots than are found in the R2A – Single Family Small Lot Residential(A) District developed in accordance with an approved Area Structure Plan or Outline Plan.

2. Permitted Uses:
Single Detached Dwelling with detached garages

Discretionary Uses:
Accessory Structures

Family Day Home
Group Home
Major Home Business
Minor Home Business
Parks
Public Utility Buildings
Secondary Suites

3. Location:
Properties described within the Beau Vista Area Structure Plan Bylaw No. 1296-07 for part of the NE 8-61-5-W4M.

4. Minimum Lot Size:
Minimum lot size shall be 327.6 square metres.

5. Minimum Lot Depth:
Minimum lot depth shall be 31.5 metres.

6. Minimum Lot Width:
a) Mid-Block: 10.4 metres;
b) Corner Lot: 12 metres;
c) Pie-Shaped Lot: 11 metres measured 7.5 metres back from the front property line.

7. Minimum Setbacks:
a) Principal Building:

Mid-Block Lots:	Front	5.5 metres
	Rear	6.1 metres
	Side	1.5 metres
Corner Lots:	Front	6.0 metres
	Rear	4.5 metres
	Side	1.5 metres
	Flanking	3.5 metres

b) Where the shape of a lot or other circumstances is such that the above rules cannot be applied, the Development Authority shall determine the setbacks.

8. Maximum Site Coverage:
The maximum site coverage, including accessory buildings shall not exceed forty five percent (45%).

9. Maximum Building Height:
The maximum building height shall be 10 metres.

10. Minimum Floor Area:
a) One storey dwellings: 70 square metres
b) One and one-half storey dwellings: 80 square metres
c) Two storey dwellings: 110 square metres

11. The Development Authority shall exercise discretion in considering secondary suite development having regard, but not limited, to:
a) compatibility of the use with the siting, grade elevations, height, building types and materials characteristic of surrounding Single Detached housing and development, where a Secondary Suite is developed in whole or in part as an above grade addition to an existing residential structure;
b) the effect on the privacy of adjacent properties; and
c) the policies and guidelines for secondary suite housing contained within the Land Use Bylaw as amended from time to time, the Alberta Building Code requirements and/or in any statutory plan document.

12. Other Provisions:
a) Administrative Procedures and Regulations: refer to Part II.
b) General Parcel Provisions: refer to Part VI.
c) Special Land Use Provisions: refer to Part VII.
d) Parking and Loading Regulations: refer to Part VIII.

SECTION 514: R3 – MEDIUM DENSITY RESIDENTIAL DISTRICT

1. Purpose:

This land use district is intended to provide a variety of low to medium density multiple-family housing types, ranging from semi-detached and duplex dwellings to row housing. The dwelling forms shall be of a low profile/elevation thereby making such developments compatible with adjacent single family residential neighborhoods. All units within this land district will be designed to have direct access to street level.

2. Permitted Uses:

Duplex Dwellings
Minor Home Business
Semi-Detached Dwellings

Discretionary Uses:

Accessory Buildings or Structures
Boarding House
Day Care
Family Day Home
Group Home
Major Home Business
Minor Bed and Breakfast
Parks
Public Utility Buildings
Row Housing
Signs – Class A and Class C
Single Detached Dwellings

3. Minimum Lot Size:

a) Minimum lot size shall be 335 square metres per dwelling unit for semi-detached dwellings.

b) Minimum lot size shall be 402 square metres per dwelling unit for duplex dwellings.

c) Minimum lot areas for other discretionary uses shall be determined by the Development Authority.

4. Minimum Lot Depth:

Minimum lot depth shall be 33.5 metres.

5. Minimum Lot Width:

a) Single Detached Dwelling: same as R2

b) Duplex Dwelling: same as R2

c) Row Houses, Mid-Block: 6.0 m metres

f) Row Houses, Corner Lot: 8.0 metres

g) Semi-Detached Dwellings: 10 metres

6. Minimum Setbacks:

a)	Semi-Detached Dwelling, Duplex Dwellings, Row House Dwellings:	Front Rear Side Flanking	6.1 metres 7.5 metres 1.5 metres 3.5 metres
b)	Single Detached Dwelling:	As per R2	

c) Where the shapes of the lot or other circumstances are such that the above rules cannot be applied, the Development Authority shall determine the setback.

7. Maximum Site Coverage:

The maximum site coverage, including accessory buildings shall not exceed forty-five percent (45%).

8. Maximum Building Height:

The maximum building height shall not exceed 10.0 metres nor 2 ½ storeys.

9. Minimum Floor Area:

a) Minimum ground floor area for semi-detached and single-detached dwellings shall be 70.0 square metres, excluding attached garage.

b) Minimum floor area for duplex dwellings shall be 70.0 square metres per dwelling unit.

10. General Provisions:

a) Every dwelling unit shall have its own separate entry and every principal entry shall be directly accessible to the ground level to the satisfaction of the Development Authority.

b) The design and appearance of buildings shall ensure compatibility with surrounding development to the satisfaction of the Development Authority. This may require the use of a diversity of exterior materials, colors, textures, roof lines and heights, recessed or articulated entry design, including the use of porches, and variations in the shape, size, and placement of windows between adjacent buildings.

c) Design techniques including, but not limited to, the use of slope roofs, variation in building setbacks, and articulation of building facades, shall be employed in order to minimize the perception of massing of the building where viewed from adjacent residential areas and roadways, to the satisfaction of the Development Authority.

d) Density shall conform to the density guidelines as prescribed by any applicable area structure plan.

e) There shall be sufficient variation in the appearance of side-by-side duplexes to ensure individuality.

11. Landscaping:

The following standards of landscaping shall be required for all areas of a parcel not covered by buildings, driveways and sidewalks:

a) The conservation of existing trees and shrubs to the maximum extent possible;

b) A minimum of 50% of the front yard area shall be landscaped;

c) A minimum of 40% of the front yard area on pie shaped or irregular shaped lots, semi-detached and duplex lots shall be landscaped;

d) A maximum of 50% of the front yard landscaped area may be hard landscaped;

e) A sufficient depth of topsoil to facilitate growth in the soft landscaped area, with area not planted to trees and shrubs being seeded to grass or sodded to the turf standard;

f) Completion of the landscaping by the end of the first growing season following completion of construction or the commencement of use;

g) The landscaping areas shown on the landscaping plan approved by the Development Authority must be maintained on the parcel as long as the development exists.

12. Other Provisions

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

SECTION 515: R4 – HIGH DENSITY RESIDENTIAL DISTRICT

1. Purpose:

   The purpose of this district is to provide for apartments.

2. Permitted Uses:

   Apartment Buildings
   Apartment Hotels

   Discretionary Uses:

   Accessory Buildings or Structures
   Boarding Houses
   Day Care
   Duplex Dwelling
   Family Day Home
   Minor Home Businesses
   Parks
   Public Utility Buildings
   Row Housing
   Signs – Class A and Class C

3. Minimum Lot Size:

   The minimum lot size shall be determined by the Development Authority, taking into consideration the maximum density of 100 apartment units per hectare.

4. Minimum Lot Depth:

   To be determined by the Development Authority.

5. Minimum Lot Width:

   To be determined by the Development Authority.

6. Minimum Setbacks:

   Apartment Buildings, Apartment Hotels:
   Front 9.0 metres
   Rear 7.5 metres
   Side 4.0 metres or 40% of the building height, whichever is greater.

   Duplex and Row Housing:

Front	6.1 metres
Rear	7.5 metres
Side	1.5 metres
Flanking	3.5 metres

7. Maximum Site Coverage:

   The maximum site coverage shall be forty-seven percent (47%).

8. Maximum Building Height:

Maximum building height shall not exceed 15.0 metres or as approved by the Development Authority with consideration to the requirements of the Alberta Building Code and consultation with the Building Safety Codes Officer and Fire Department.

9. Landscaping:

The following standards of landscaping, notwithstanding the requirements under Section 119, shall be required for all areas of a parcel not covered by buildings, driveways and sidewalks:

a) The conservation of existing trees and shrubs to the maximum extent possible;

b) A minimum of 50% of the front yard area shall be landscaped;

c) A sufficient depth of topsoil to facilitate growth in the soft landscaped area, with area not planted to trees and shrubs being seeded to grass or sodded to the turf standard;

d) Completion of the landscaping by the end of the first growing season following completion of construction or the commencement of use;

e) The landscaping areas shown on the landscaping plan approved by the Development Authority must be maintained on the parcel as long as the development exists.

10. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

SECTION 516: RMHS – RESIDENTIAL MANUFACTURED HOME SUBDIVISION DISTRICT

1. Purpose:

   The purpose of this district is to provide for low-density residential housing in the form of manufactured homes on separately registered titled lots.

2. Permitted Uses:

   Manufactured Home Dwellings
   Single Detached Dwellings

   Discretionary Uses:

   Accessory Buildings or Structures
   Day Care
   Major Home Businesses
   Minor Home Businesses
   Parks
   Public Utility Buildings
   Signs – Class A

3. Minimum Lot Size:

   Minimum lot size shall be 502.5 square metres.

4. Minimum Lot Depth:

   Minimum lot depth shall be 33.5 metres.

5. Minimum Lot Width:

a)	Mid-Block	15 metres
b)	Corner Lot	18 metres
c)	Pie-Shaped Lot	15 metres measured 6.1 metres back from the front property line.

6. Minimum Setbacks:

Mid-Block:	Front:	5.0 metres
	Rear:	3.0 metres
	Side:	3.0 metres to the adjacent parcel line from either one of the long sides containing the main entrance door and 1.5 metres on the other side.
Corner Lots:	Front:	6.5 metres
	Rear:	1.5 metres
	Side:	1.5 metres
	Flanking:	3.5 metres

7. Maximum Site Coverage:

   The maximum site coverage shall not exceed forty percent (40%).

8. Maximum Building Height:

The maximum building height shall not exceed 9 metres.

9. Minimum Building Width:

The minimum building width of a manufactured home shall be 4.2 metres.

10. Minimum Floor Area:

The minimum floor area shall be 75 square metres.

11. General Provisions:

a) Manufactured homes shall be placed on a basement, a foundation or a pile foundation. If the home is placed on a foundation or a pile foundation, the foundation shall be approved by a Professional Engineer authorized to practice in the areas of soils and foundations.

b) Dwellings shall be finished from floor level to ground level within thirty (30) days of being placed on the lot. All finish materials used as cladding between the floor level and the ground shall be factory fabricated or of equivalent quality or parged and be pre-finished so that the design and construction compliments the dwelling.

c) Equipment used for transportation of the home shall be removed from the site within thirty (30) days of placement.

d) All manufactured homes shall be CSA approved and shall comply with the Alberta Building Code and all other applicable laws and regulations.

e) Any additions to the manufactured home dwelling shall be similar in design, construction and appearance to the unit itself, and shall be approved at the discretion of the Development Authority.

f) Accessory buildings shall not be located on the front half of the lot. Where allowed, they shall be similar in design and appearance to the manufactured home dwelling.

g) Each unit shall be provided with two (2) off-street parking stalls. The parking stalls shall be hard surfaced. Where possible, the parking stalls shall not be located directly in front of the dwelling. In the event that the parking stalls cannot be wholly located within the side-yard, the front yard setback of the manufactured home shall not be less than 6.0 metres.

12. Landscaping:

The following standards of landscaping shall be required for all areas of a parcel not covered by buildings, driveways and sidewalks:

a) The conservation of existing trees and shrubs to the maximum extent possible;

b) A minimum of 50% of the front yard area shall be landscaped;

c) A minimum of 40% of the front yard area on pie shaped or irregular shaped lots shall be landscaped;

d) A maximum of 50% of the front yard landscaped area may be hard landscaped;

e) A sufficient depth of topsoil to facilitate growth in the soft landscaped area, with area not planted to trees and shrubs being seeded to grass or sodded to the turf standard;

f) Completion of the landscaping by the end of the first growing season following completion of construction or the commencement of use;

g) The landscaping areas shown on the landscaping plan approved by the Development Authority must be maintained on the parcel as long as the development exists.

13. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

SECTION 517: RMHP – RESIDENTIAL MANUFACTURED HOME PARK DISTRICT

1. Purpose:

   The purpose of this district is to provide serviced lots for lease or rent within a manufactured home park.

2. Permitted Uses:

   Manufactured Home Dwellings

   Discretionary Uses:

   Accessory Buildings or Structures
   Major Home Businesses
   Minor Home Businesses
   Parks
   Public Utility Buildings
   Residential commercial uses as determined by the Development Authority
   Signs – Class A and Class C

3. Minimum Manufactured Home Park Size:

   a) Minimum Site Area shall be 2.0 hectares.
   b) Minimum number of units shall be 35.

4. Maximum Density:

   The maximum density of a manufactured home park shall be twenty (20) dwelling units per hectare (eight (8) units per acre) at each stage of development.

5. Minimum Stall Site Area:

   a) Single Wide: 370 square metres
   b) Double Wide: 420 square metres

6. Minimum Stall Width:

   a) Single Wide: 12 metres
   b) Double Wide: 14 metres

7. Minimum Stall Length:

   The minimum stall length shall be 34 metres.

8. Minimum Unit Size:

   Each manufactured home in a manufactured home park shall have a minimum floor area of 65 square metres.

9. Minimum Setbacks:

a)

Front:	3.0 metres
Rear:	3.0 metres
Side:	3.0 metres to the adjacent parcel line from either one of the long sides containing the main entrance door and 1.5 metres on the side containing the utility hook-up.
Flanking:	4.5 metres

b) Manufactured home dwellings shall be separated from each other by at least 6.0 metres. Any part of an addition is to be regarded as part of the unit.

10. Maximum Site Coverage:

The maximum site coverage for all buildings, including accessory buildings, shall be thirty-seven percent (37%).

11. Minimum Standards for Roads:

a) Every stall in a Manufactured Home Park shall front onto an internal access road rather than a public street.

b) All internal roads shall have a minimum paved carriageway of 6.0 metres with parking (one-side) and 4.5 metres if no parking.

c) Internal roads shall be properly drained and maintained by the property owner to the satisfaction of the Development Authority.

d) All manufactured home stalls, streets, and facilities shall be connected by an all-season pedestrian walkway with a minimum width of 1.0 metre.

12. General Provisions:

a) All utilities shall be provided underground to all stalls.

b) Fire hydrants are required to be installed to Town of Bonnyville Design Standards.

c) The location and screening of refuse collection points and common storage areas shall be to the satisfaction of the Development Authority.

d) A minimum of 10.0 square metres per manufactured home stall or ten percent (10%) of the total area of the manufactured home park shall be provided for the recreation use and enjoyment of the park residents. This area shall be developed in locations convenient to all park residents. Buffer strips shall not be considered as amenity area or developed for active recreational use.

e) All uses of a manufactured home park not developed or occupied by roads, walkways, driveways, buildings or other facilities shall be landscaped to the satisfaction of the Development Authority. A landscape plan shall be submitted at the initial development stage.

f) Visitor parking shall be provided in conveniently located parking lots throughout the park. A minimum of one (1) off-street parking space for every four (4) manufactured home units shall be provided. The spaces shall not be used for common storage.

g) Each manufactured home stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges. Each stall shall be permanently addressed with a lot number.

h) Street lighting in a manufactured home park shall be to the same standard as that in a conventional residential subdivision.

i) Only one (1) main, freestanding, identification sign of residential character and appearance shall be erected at the entrance to a manufactured home park unless the Development Authority is of the opinion that a further and similar sign shall be allowed.

j) Directional signs within a manufactured home park must be integrated in design and appearance, be kept in scale with the immediate surroundings and constructed of durable material.

k) A recreational vehicle shall not be considered a manufactured home and shall not be placed on a site in a manufactured home park and used as a residence.

l) A greenbelt buffer strip of 3.0 metres minimum width surrounding the park site on all sites shall be provided. No structures, manufactured home dwellings, or parking areas shall be permitted thereon. The greenbelt buffer strip shall be landscaped with at least one row of deciduous and/or evergreen trees, spaced not more than 12 metres apart.

m) A manufactured home park shall be provided with storage areas for recreational vehicles and other similar items. Storage facilities shall be located within the park boundaries and be visually concealed from public thoroughfares. Their size and location shall be to the satisfaction of the Development Authority.

n) Dwellings shall be finished from floor level to ground level within thirty (30) days of being placed on the lot. All finish materials used as cladding between the floor level and the ground shall be factory fabricated or of equivalent quality or parged and be pre-finished so that the design and construction complement the dwelling.

o) Equipment used for transportation of the home shall be removed from the site within thirty (30) days of placement.

p) All manufactured homes shall be CSA approved and shall comply with the Alberta Building Code and all other applicable laws and regulations.

q) Any additions to the manufactured home dwelling shall be similar in design, construction and appearance to the unit itself.

r) Accessory buildings shall not be located on the front half of the lot. Where allowed, they shall be similar in design and appearance to the manufactured home dwelling.

s) Each unit shall be provided with two (2) off-street parking stalls. The parking stalls shall be hard surfaced. Where possible, the parking stalls shall not be located directly in front of the dwelling. In the event that the parking stall cannot be wholly located with the side yard, the front yard setback of the manufactured home shall not be less than 6.0 metres.

13. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

SECTION 520: C1 – CENTRAL COMMERCIAL DISTRICT

1. Purpose:

   The purpose of this district is to provide for the development of intensive commercial, residential, and public services uses, individually or mixed, in the downtown area of Bonnyville.

2. Permitted Uses:

   Commercial Buildings
   Eating and Drinking Establishment, Minor
   General Retail
   Government Services
   Health Services

   Personal Service
   Professional & Financial Services

   Discretionary Uses:

   Accessory Buildings or Structures
   Business Support Services
   Commercial Schools
   Convenience Retail
   Dwelling units above the ground floor, with a minimum floor area of 47 m^2
   Fitness Centres
   Fuel Dispensing Stations
   Hotels
   Parking Facilities
   Retail Liquor Store and Sales
   Sign – Class A, Class B, Class C, Class D
   Single detached dwellings in existence prior to December 31, 2000
   Theatres
   Other uses, which in the opinion of the Development Authority are similar to the above listed permitted and discretionary uses

3. Minimum Lot Size:

   Minimum lot size shall be 270 square metres.

4. Minimum Lot Depth:

   Minimum lot depth shall be 30 metres.

5. Minimum Lot Width:

   Minimum lot width shall be 9 metres.

6. Minimum Setbacks:

   Front: none, except where the Development Authority deems that such is necessary to conform or complement existing or adjacent development.

   Rear: 7.5 metres or as required by the Development Authority.

Side: no setbacks provided that the structure meets the Alberta Building Code requirements for fire separation; except where the parcel is adjacent to a residential district then the side yard setback shall be at least 1.5 metres.

Flanking: 1.5 metres

7. Maximum Site Coverage:

The maximum site coverage shall not exceed eighty percent (80%) provided that provision has been made for on-site parking, loading, storage and waste disposal to the satisfaction of the Development Authority.

8. Maximum Building Height:

Maximum building height shall not exceed 15.0 metres or as approved by the Development Authority with consideration to the requirements of the Alberta Building Code and consultation with the Building Safety Codes Officer and Fire Department.

9. Where groups of uses are to be established on a single lot, specific requirements shall be determined by the Development Authority who shall consider the development on an overall scheme basis by taking into account the location of buildings, access, parking and the nature of the proposed combined commercial uses.

10. Residential Development:

Notwithstanding the above rules, the following shall apply to residential units:

a) No dwelling unit shall be constructed below the second storey of a building.

b) No dwelling unit shall be located on the same floor as a non-residential use.

c) Dwelling units shall have a separate and/or common entrance that has direct access to street level.

d) When reviewing applications to renovate an existing detached residential dwelling, the Development Authority should consider the impact that continued residential use of the building will have on the commercial development of the district. They should also consider the condition of the present structure and whether the architectural appearance and design of the building will negatively impact commercial development of the area.

e) Existing detached residential dwellings constructed prior to December 31, 2000 may be renovated but shall not be enlarged, replaced or totally reconstructed.

11. Vehicular Access:

a) Access to any property shall be established by the Development Authority having due regard to the nature of the development proposal and the requirements of ***Section 305 Downtown Area Redevelopment Plan Parking Overlay***.

b) No entry or exit shall be closer than ten (10) metres to any public intersection.

12. General Provisions:

a) Orientation shall have minimum adverse effects on surrounding properties.
b) Facades shall be designed to create architectural order and harmony in the townscape.
c) Garbage containers shall be visually concealed and located to the satisfaction of the Development Authority.

13. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.
b) General Parcel Provisions: refer to Part VI.
c) Special Land Use Provisions: refer to Part VII.
d) Parking and Loading Regulations: refer to Part VIII.
e) Sign Regulations: refer to Part IX.

SECTION 521: C2 – FRINGE COMMERCIAL DISTRICT

1. Purpose:

   This district is generally intended to provide for existing Single Detached Dwellings in areas where a transition to commercial use is intended.

2. Permitted Uses:

   Business Support Services
   Commercial Buildings
   Convenience Retail
   Eating and Drinking Establishments
   Health Services

   Household Appliance Repair
   Parking Facilities
   Professional & Financial Services

   Discretionary Uses:

   Accessory Buildings or Structures
   Apartment Hotel
   Day Care
   Drive-In Food Service
   Dwelling units above the ground floor with a minimum floor area of 47 m^2
   Fitness Centre
   Fuel Dispensing Stations
   Funeral Services
   Gas Bars
   General Retail
   Hotels
   Indoor Amusement Establishments
   Motels
   Personal Services
   Private Clubs
   Protective & Emergency Services
   Sign – Class A, Class B, Class C, Class D
   Single Detached Dwelling in existence prior to December 31, 2000
   Theatres
   Other uses, which in the opinion of the Development Authority are similar to the above listed permitted and discretionary uses

3. Minimum Lot Size:

   Minimum lot size shall be 301.5 square metres.

4. Minimum Lot Depth:

   Minimum lot depth shall be 33.5 metres.

5. Minimum Lot Width:

   Minimum lot width shall be 9.0 metres.

6. Minimum Setbacks:

Front: none, except where the Development Authority deems that such is necessary to conform or complement existing or adjacent development.

Rear: 7.5 metres or as required by the Development Authority.

Side: no setbacks provided that the structure meets the Alberta Building Code requirements for fire separation; except where the parcel is adjacent to a residential district, then the side yard setback shall be at least 1.5 metres.

Flanking: 1.5 metres

7. Maximum Site Coverage:

The maximum site coverage shall not exceed eighty percent (80%) provided that provision has been made for on-site parking, loading, storage and waste disposal to the satisfaction of the Development Authority.

8. Maximum Building Height:

Maximum building height shall not exceed 15.0 metres or as approved by the Development Authority with consideration to the requirements of the Alberta Building Code and consultation with the Building Safety Codes Officer and Fire Department..

9. Where groups of uses are to be established on a single lot, specific requirements shall be determined by the Development Authority who shall consider the development on an overall scheme basis by taking into account the location of buildings, access, parking and the nature of the proposed combined commercial uses.

10. Residential Development:

Refer to C1 – Central Commercial District.

11. Vehicular Access:

Refer to C1 – Central Commercial District.

12. General Provisions:

a) Building orientation shall have minimum adverse effects on surrounding properties as determined by the Development Authority.

b) The Development Authority shall have regard to Sections 87 and 88 with respect to the design, character and appearance of new commercial buildings that replace housing stock in the C2 Fringe Commercial District. New structures shall create a visually pleasing transition between existing residential and new commercial uses.

13. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

e) Sign Regulations: refer to Part IX.

SECTION 522: C3 – HIGHWAY COMMERCIAL DISTRICT

1. Purpose:

The purpose of this district is to provide for businesses requiring highway visibility and large site area and which are vehicle-oriented. Industrial uses that are or will become obnoxious by way of noise, odour, dust or fumes would not be considered appropriate within the district.

2.

Permitted Uses:	Discretionary Uses:
Automotive & Recreational Vehicle Sales and Service	Accessory Buildings or Structures
Business Support Services	Amusement Establishments, Indoor
Commercial Buildings	Amusement Establishments, Outdoor
Drive-In Food Services	Auto Body Repair and Paint Shops
Drive Through Vehicle Services	Bus Depot
Eating and Drinking Establishments	Convenience Retail Stores
Fleet Services	Funeral Services
Fuel Dispensing Stations	Parking Facilities
General Retail	Private Clubs
Hardware and/or Home Improvement Store	Professional and Financial Offices
Hotels	Protective and Emergency Services
Household Appliance Repair	Sign – Class A, Class B, Class C, Class D
Limited Contractor Services	Single detached dwellings in existence prior to December 31, 2000
Motels	Theatres
	Warehouse Sales
	Other uses, which in the opinion of the Development Authority are similar to the above listed permitted and discretionary uses

3. Minimum Lot Size:

Minimum lot size shall be 697.0 square metres.

4. Minimum Lot Width:

Minimum lot width shall be 15.2 metres.

5. Minimum Setbacks:

a) Front: 6.0 metres
Rear: 6.0 metres
Side: i) 2.0 metres or 10% of the lot width, whichever is greater.

ii) structures may be built to the property line only with fireproof material as per the Alberta Building Code and as approved by the Development Authority.

b) Any yard that abuts the lot line of a residential district shall have a minimum yard of 6 metres.

6. Maximum Site Coverage:

The maximum site coverage shall not exceed forty percent (40%) of the lot area.

7. Maximum Building Height:

The maximum building height shall be 15.0 metres or as approved by the Development Authority with consideration to the requirements of the Alberta Building Code and consultation with the Building Safety Codes Officer and Fire Department..

8. General Provisions:

a) Existing dwellings constructed prior to December 31, 2000 may be renovated but shall not be enlarged, replaced or totally reconstructed.

b) Setbacks from a highway shall be to the satisfaction of the Development Authority in consultation with the Provincial Authority.

c) A high standard of building design, signage, and landscaping is encouraged for commercial developments in proximity to the highway.

d) Development permits may be required from the Provincial Authority. Applicants shall be responsible for obtaining such approval if required. Access to municipally controlled roadways shall be to the satisfaction of the municipality, the Town Engineer and of the District Highway Engineer (if required). The Development Authority may require the provision of a service road or right-of-way dedication.

e) One hundred percent (100%) of parking shall be provided on-site.

f) Facades shall be designed to create architectural order and harmony in the townscape. Exterior finishes must be as shown in the approved plan unless as otherwise varied by the Development Authority.

9. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

e) Sign Regulations: refer to Part IX.

SECTION 523: C4 – SHOPPING CENTRE COMMERCIAL DISTRICT

1. Purpose:

The purpose of this district is to provide for shopping centre developments in a form compatible with adjacent land use districts and to serve areas beyond the immediate community.

2.

Permitted Uses:	Discretionary Uses:
Commercial Building	Accessory Buildings or Structures
Eating and Drinking Establishments	Amusement Establishment, Indoor
Drive-In Food Service	Amusement Establishment, Outdoor
General Retail	Automotive and Recreational Vehicle Sales and Service
Hardware and/or Home Improvement Store	Business Support Services
Health Services	Convenience Retail
Hotels	Drive-Thru Vehicle Services
Motels	Gas Bars & Service Station
Personal Service Shops	Government Services
Professional and Financial Services	Household Appliance Repair
	Parking Facilities
	Protective and Emergency Services
	Sign – Class A, Class B, Class C, Class D
	Theatres
	Warehouse Sales
	Other uses, which in the opinion of the Development Authority are similar to the above listed permitted and discretionary uses

3. Minimum Lot Size:

As determined by the Development Authority having due regard to the merits of the proposed development.

4. Minimum Setbacks:

Front: 6 metres

Rear: no setbacks provided that the structure meets the Alberta Building Code requirements for fire separation; except where loading, parking or waste disposal provisions are required.

Side: no setbacks provided that the structure meets the Alberta Building Code requirements for fire separation; except where loading, parking or waste disposal provisions are required.

5. Maximum Site Coverage:

The maximum site coverage shall be forty percent (40%).

6. Maximum Building Height:

The maximum building height shall be 15.0 metres or as approved by the Development Authority with consideration to the requirements of the Alberta Building Code and consultation with the Building Safety Codes Officer and Fire Department..

7. General Provisions:

a) Setbacks from a highway shall be to the satisfaction of the Development Authority in consultation with the Provincial Authority.

b) A high standard of building design, signage, and landscaping is encouraged for commercial developments in proximity to the highway.

c) Development permits may be required from the Provincial Authority. Applicants shall be responsible for obtaining such approval if required. Access to municipally controlled roadways shall be to the satisfaction of the municipality, the Town Engineer and of the District Highway Engineer (if required). The Development Authority may require the provision of a service road or right-of-way dedication.

d) One hundred percent (100%) of parking shall be provided on-site.

e) Facades shall be designed to create architectural order and harmony in the townscape. Exterior finishes must be as shown in the approved plan unless as otherwise varied by the Development Authority.

8. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.
b) General Parcel Provisions: refer to Part VI.
c) Special Land Use Provisions: refer to Part VII.
d) Parking and Loading Regulations: refer to Part VIII.
e) Sign Regulations: refer to Part IX.

SECTION 524: CRX – COMMERCIAL TRANSITION DISTRICT

1. Purpose:

This district is intended to allow for future infill development on vacant lots and future replacement of older housing stock with small scale commercial uses similar in nature to the permitted uses in the C2 – Fringe Commercial District. In fill with low to medium density residential development will be encouraged to maintain the viability of the downtown core commercial area. Mixed use development offering ground level commercial with residential uses above are encouraged.

2.

Permitted Uses:	Discretionary Uses:
Minor Home Businesses	Accessory Buildings or Structures
Single Detached Dwellings in existence prior to December 31, 2000	Boarding House
	Business Support Services
	Commercial Building
	Convenience Retail
	Day Care
	Health Services
	Household Appliance Repair
	Major Home Businesses
	Minor Eating and Drinking Establishments
	Parking Facilities
	Professional and Financial Services
	Row Housing
	Sign – Class A, Class B in conjunction with commercial use
	Single Detached Dwellings

3. Minimum Lot Size:

Minimum lot size shall be 634.69 square metres

4. Minimum Lot Depth:

Minimum lot depth shall be 42.7 metres.

5. Minimum Lot Width:

Minimum lot width shall be 14.87 metres.

6. Minimum Setbacks:

Residential Use:	Front:	Same as R3
	Side:	Same as R3
	Rear	Same as R3

Commercial Use:	Front:	Same as C2
	Side:	Same as C2
	Rear:	Same as C2

7. Maximum Site Coverage:

The maximum site coverage, including accessory buildings, shall not exceed forty five percent (45%).

8. Maximum Building Height:

Residential: Same as R3
Commercial: Same as C2

9: Minimum Floor Area:

Residential: Same as R3

10. General Provision:

Refer to the General Provision sections within the R3 and C2 Districts

11. Landscaping for Residential Development:

The following standards of landscaping shall be required for all areas of a parcel not covered by buildings, driveways and sidewalks:

h) The conservation of existing trees and shrubs to the maximum extent possible;

i) A minimum of 50% of the front yard area shall be landscaped;

j) A minimum of 40% of the front yard area on pie shaped or irregular shaped lots shall be landscaped;

k) A maximum of 50% of the front yard landscaped area may be hard landscaped;

l) A sufficient depth of topsoil to facilitate growth in the soft landscaped area, with area not planted to trees and shrubs being seeded to grass or sodded to the turf standard;

m) Completion of the landscaping by the end of the first growing season following completion of construction or the commencement of use;

n) The landscaping areas shown on the landscaping plan approved by the Development Authority must be maintained on the parcel as long as the development exists.

12. Other Provisions:

a) Administrative Procedures and Regulations: Refer to Part II.

b) General Parcel Provisions: Refer to Part VI.

c) Special Land Use Provisions: Refer to Part VII.

d) Parking and Loading Regulations: Refer to Part VIII.

SECTION 530: M1 – GENERAL INDUSTRIAL DISTRICT

1. Purpose:

The purpose of this district is to provide for a variety of light and medium industrial and manufacturing uses, which are not expected to have negative impacts beyond the boundaries of the site.

2. Permitted Uses:

Accessory Buildings or Structures
Animal Hospitals and Shelters
Auction Yards
Automotive & Recreational Vehicle Repair
Automotive & Recreational Vehicle Sales and Service
Business Support Services
Fleet Services
General Contractor Services
Greenhouses and Plant Nurseries
Industrial Vehicles and Equipment Sales and Service
Manufacturing, Processing, Packaging, and/or Assembly of Goods or Materials
Outdoor Storage
Parking Facilities
Recycling Depots
Veterinary Clinics
Warehousing

Discretionary Uses:

Amusement Establishment, Indoor
Amusement Establishment, Outdoor
Bulk Fuel Storage & Distribution
General Industrial
Public Utility Service

Sign – Class B, Class C, Class D
Surveillance Suites
Temporary Sales Centres
Other uses, which in the opinion of the Development Authority are similar to the above listed permitted and discretionary uses

3. Minimum Lot Size:

As determined by the Development Authority, having due regard to the merits of the proposed development.

4. Minimum Lot Width:

Minimum lot width shall be 30.0 metres.

5. Minimum Setbacks:

a) Front: 7.5 metres
Rear: 3.0 metres
Side: 3.0 metres or 20% of the lot width, whichever is greater

b) Any development immediately adjacent to a residential district shall have a setback of 6.0 metres to all yard setbacks adjacent to the residential district.

6. Maximum Site Coverage:

The maximum site coverage by all buildings shall not exceed sixty percent (60%) provided that provision has been made for on-site parking, loading, storage and waste disposal to the satisfaction of the Development Authority.

7. Maximum Building Height:

The maximum building height shall not exceed 15.0 metres or as approved by the Development Authority with consideration to the requirements of the Alberta Building Code and consultation with the Building Safety Codes Officer and Fire Department.

8. General Provisions:

a) Storage yards and all outside storage areas shall be screened from all adjacent sites and thoroughfares to the satisfaction of the Development Authority.

b) No industrial activities shall be carried out which would produce glare, heat, noise or vibration so as to be offensive beyond the boundary of the site.

c) Where industrial uses are adjacent to, or visible from residential areas, a solid fence and/or landscaped buffer shall be provided to the satisfaction of the Development Authority.

d) All on-site lighting shall be located, oriented and shielded so as to restrict the unnecessary illumination of adjacent properties.

e) Uses that cause or may cause contamination, damage or disturbance to the surround environment are restricted in accordance with federal, provincial and/or municipal provisions.

9. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

e) Sign Regulations: refer to Part IX.

SECTION 531: M2 – HEAVY INDUSTRIAL DISTRICT

1. Purpose:

The purpose of this district is to provide for a wide variety of heavy industrial uses. This district is not intended to be applied adjacent to any residential district.

2. Permitted Uses:

Accessory Buildings or Structures
Asphalt Plants
Concrete Ready Mix Plants
General Industrial
Heavy Trucking Service
Oil Field Equipment Service

Discretionary Uses:

Sign – Class B, Class C, Class D
Surveillance Suite
Other uses, which in the opinion of the Development Authority are similar to the above listed permitted and discretionary uses

3. Minimum Lot Size:

As determined by the Development Authority, having due regard to the merits of the proposed development.

4. Minimum Lot Width:

Minimum lot width shall be 30.0 metres.

5. Minimum Setbacks:

Front: 7.5 metres
Rear: 3.0 metres
Side: 3.0 metres, or 20% of the lot width whichever is greater.
Flanking: 7.5 metres

6. Maximum Site Coverage:

The maximum site coverage by all buildings shall not exceed sixty percent (60%) provided that provision has been made for on-site parking, loading, storage and waste disposal to the satisfaction of the Development Authority.

7. Maximum Building Height:

The maximum building height shall not exceed 15.0 metres or as approved by the Development Authority with consideration to the requirements of the Alberta Building Code and consultation with the Building Safety Codes Officer and Fire Department.

8. General Provisions:

a) Storage yards and all outside storage areas shall be screened from all adjacent sites and thoroughfares to the satisfaction of the Development Authority.

b) No industrial activities shall be carried out which would produce glare, heat, noise, or vibration so as to be offensive beyond the boundary of the site.

c) Where industrial uses are adjacent to, or visible from residential areas, a solid fence and/or landscaping buffer shall be provided to the satisfaction of the Development Authority.

d) All on-site lighting shall be located, oriented and shielded so as to restrict the unnecessary illumination of adjacent properties.

e) Uses that cause or may cause contamination, damage, or disturbance to the surrounding environment are restricted in accordance with federal, provincial and municipal provisions.

9. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

e) Sign Regulations: refer to Part IX.

SECTION 532: M3 – UNSERVICED INDUSTRIAL DISTRICT

1. Purpose:

   The purpose of this district is to provide for uses requiring large parcels of land with minimal servicing requirements. Land uses are characterized by the need for outside storage or outside processing, limited building area, generation of low traffic volumes and no significant water and sanitary sewer needs.

2. Permitted Uses:

   Accessory Buildings or Structures

   Auction Yards
   Automotive and Recreational Vehicle Sales and Service
   Contractor Services

   Natural Resource Developments
   Outdoor Storage

   Discretionary Uses:

   Sign – Class A, Class B, Class C, Class D, Class E
   Surveillance Suite
   Relocatable Industrial Camp Facilities (Work Camps)
   Uses listed as permitted or discretionary uses in the M1 – General Industrial District

3. Minimum Lot Size:

   As determined by the Development Authority, having due regard to the merits of the proposed development.

4. Minimum Lot Width:

   Minimum lot width shall be 30.0 metres.

5. Minimum Setbacks:

   As per M1 – General Industrial District

6. Maximum Site Coverage:

   The maximum site coverage by all buildings shall not exceed sixty percent (60%) provided that provision has been made for on-site parking, loading, storage and waste disposal to the satisfaction of the Development Authority.

7. Maximum Building Height:

   The maximum building height shall not exceed 15.0 metres or as approved by the Development Authority with consideration to the requirements of the Alberta Building Code and consultation with the Building Safety Codes Officer and Fire Department.

8. General Provisions:

   As per M1 – General Industrial District

9. The Development Authority may exercise discretion in considering work camp development having regard to:

a) the length of time the work camp will be required.

b) the number of structures to be placed on the parcel and the site coverage requirements of the M3 District.

c) provisions of temporary servicing requirements.

d) requirements of any other federal, provincial or municipal agencies with respect to safe accommodation provisions.

10. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

e) Sign Regulations: refer to Part IX.

SECTION 540: P – PARKS, RECREATION AND OPEN SPACES DISTRICT

1. Purpose:

   The purpose of this district is to establish an area for the use and development of public areas to meet the active and passive recreational and leisure pursuits as the local, neighborhood, municipal and district level.

2. Permitted Uses:

   Carnivals
   Community Recreation
   Fitness Centres
   Parks

   Discretionary Uses:

   Accessory Buildings or Structures
   Indoor and Outdoor Participant Recreation
   Public Utility Installations and Uses
   Rodeo Grounds and Related Facilities
   Sign – Class A, Class B, Class D
   Theatres

3. Minimum Lot Size:

   The minimum lot size shall be at the discretion of the Development Authority.

4. Minimum Setbacks:

   Front: 7.5 metres
   Rear: 7.5 metres
   Side: 6.0 metres

5. Maximum Site Coverage:

   The maximum site coverage shall not exceed sixty percent (60%).

6. General Provisions:

   All parcel and development regulations shall be at the discretion of the Development Officer or Municipal Planning Commission. In reviewing applications, the Development Officer or Municipal Planning Commission, as the case may be, shall consider the design, siting, landscaping and screening of the proposed development to minimize any objectionable aspects or incompatibilities such as traffic and patrons using the parcel, increased noise, dust, odors or refuse and any other factors which would interfere with or affect the use and enjoyment of adjacent land uses and land use districts.

7. Other Provisions:

   a) Administrative Procedures and Regulations: refer to Part II.
   b) General Parcel Provisions: refer to Part VI.
   c) Special Land Use Provisions: refer to Part VII.
   d) Parking and Loading Regulations: refer to Part VIII.
   e) Sign Regulations: refer to Part IX.

SECTION 550: I – INSTITUTIONAL DISTRICT

1. Purpose:

The purpose of this district is intended to establish an area for the development of publicly owned institutions or community services.

2. Permitted Uses:

Accessory Buildings or Structures
Education Services
Extended Medical Treatment
Government Services
Libraries and Cultural Facilities
Protective and Emergency Services
Religious Assembly

Discretionary Uses:

Cemeteries
Community Recreation
Day Care
Health Services
Public Utility Uses and Installations
Sign – Class A, Class D
Supportive Living Accommodation
Other uses, which in the opinion of the Development Authority are similar to the above listed permitted and discretionary uses

3. Minimum Lot Size:

The minimum lot size shall be at the discretion of the Development Authority.

4. Minimum Setback:

Front: 7.5 metres
Rear: 7.5 metres
Side: 5.0 metres

5. Maximum Site Coverage:

The maximum site coverage shall not exceed sixty percent (60%) provided that provision has been made for on-site parking, loading, storage and waste disposal to the satisfaction of the Development Authority.

6. Maximum Height:

The maximum building height shall not exceed 10.0 metres or as approved by the Development Authority with consideration to the requirements of the Alberta Building Code and consultation with the Building Safety Codes Officer and Fire Department..

7. General Provisions:

All parcel and development regulations shall be at the discretion of the Development Officer or Municipal Planning Commission. In reviewing applications, the Development Officer or Municipal Planning Commission, as the case may be, shall consider the design,

siting, landscaping and screening of the proposed development to minimize any objectionable aspects or incompatibilities such as traffic and patrons using the parcel, increased noise, dust, odors or refuse and any other factors which would interfere with or affect the use and enjoyment of adjacent land uses and land use districts.

8. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

e) Sign Regulations: refer to Part IX.

SECTION 560: RVP – RECREATIONAL VEHICLE PARK DISTRICT

1. Purpose:

The purpose of this district is for the establishment of an area for use by recreational vehicle users for overnight accommodations. The area will consist of campsites, small pocket parks and associated accessory service facilities such as an administrative office, washrooms and laundry facilities.

2.

Permitted Uses:	Discretionary Uses:
Campsites	Accessory buildings or structures
Campground, Major	Parks
Campground, Minor	Surveillance Suite
	Sign – Class A and Class C
	Work camp Facilities
	Other uses as determined accessory and related to the operation of the permitted use of the site

3. Minimum Recreational Vehicle Park Area:

As determined by the Development Authority

4. Minimum Open Space Area and Landscaping:

A minimum of ten percent (10%) of the total area of the recreational vehicle park shall be set aside in a location suitable to the Development Authority as a common open space/recreation area(s). Landscaping of the Recreational Vehicle Park shall be provided to the satisfaction of the Development Authority.

5. Minimum Roadway Width:

a) 3.75 metre width for one-way traffic

b) 7.25 metre width for two-way traffic

c) Surfacing and construction standards shall be determined by the Development Authority taking into consideration the Minimum Design Standards for the Town of Bonnyville.

6. Utilities and Services:

a) All utility services and all utility wires and conduits shall be provided by the developer as required by the Development Authority and the franchise utility companies.

b) Water and sewer connection shall be to the satisfaction of the Development Authority, and shall be constructed as per the Town standards.

7. Stall Boundaries:

All stall boundaries shall be clearly defined on the ground by permanent flush stakes or markers with a stall number or other identification system. Any fencing erected within the recreational vehicle park shall be maintained in a uniform standard throughout. A site/location map shall be posted at the entrance to the campground area clearly identifying roadways, trails, campsite numbers and parking areas.

8. Minimum Recreational Vehicle Stall Size:

a) 6.0 metres minimum width

b) 16 metres minimum depth

9. Minimum Distance Between Recreational Vehicle Stalls:

3.0 metres

10. Minimum Recreational Vehicle Park Setbacks:

Front Yard	3.0 metres
Side Yard	3.0 metres
Rear Yard	3.0 metres

11. Accessory Development:

The location, design standards and site requirements of any common accessory uses and services such as washrooms, laundromat, recreational buildings, fire pits, fire wood storage, lighting, water supply, sewage disposal facilities, solid waste collection facilities and any other similar uses or services that may be associated with or required within a Recreational Vehicle Park shall be required and approved at the discretion of the Development Authority.

12. General Provisions:

a) A recreational vehicle shall not be used as a principal residence.

b) Where a campground proposal will exceed sixty (60) campsites and is located on a parcel greater than 6.0 ha, a master plan or conceptual plan for the development of the entire tract of land shall be submitted and approved by the Development Authority prior to submitting a development permit application for any site specific development. The master pan or conceptual plan shall include detailed plans and specifications (i.e. servicing, traffic, environmental considerations, etc.) for the initial stage, as well as any subsequent stages of development.

c) Each campsite shall provide for two parking spaces on site. Visitor parking shall be provided in common areas within a campground area to the satisfaction of the Development Authority.

d) Any adjoining residential area(s) and/or Institutional Districts shall be screened by a solid fence with a minimum height of 2.0 metres and/or year round vegetation and berm to the satisfaction of the Development Authority.

e) The storage, collection and disposal of solid waste in campgrounds shall be so conducted as to create no health hazards, rodent harbourage, insect breeding areas, or accident or fire hazards. Individual or grouped refuse containers must be screened to the satisfaction of the Development Authority.

f) Any recreational vehicles which are to be located on a site for a period of more than 90 days will require a temporary development permit from the Town.

13. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

e) Sign Regulations: refer to Part IX.

SECTION 570: UR – URBAN RESERVE DISTRICT

1. Purpose:

The purpose of this district is intended to reserve those areas within the Town of Bonnyville that are rural in character or land uses for development that is urban in character and density. When development on lands within this land use district is proposed, other than for the uses and development prescribed in this land use district, and at any time subdivision on lands within this district is proposed, such development or subdivision will require redistricting the subject lands to the appropriate land use district.

2.

Permitted Uses:	Discretionary Uses:
Public Park and Recreational Area Public Utility and Public Utility Building	Accessory Buildings or Structures Cemeteries Farming and cultivation of land, excluding intensive agricultural uses such as feedlots, hog barns, poultry farms and fur farms Greenhouse and Plant Nurseries Natural Resource Development Single Detached Dwellings Boarding and Lodging Houses on parcels Lot 4, Plan 6382MC being associated with the former Duclos Hospital site and Lot 7, Block 1, Plan 062 0033

3. Development Regulations:

a) Unless the associated impacts on the general purpose and intent of this land use district are considered to be minimal or non-existent by the Development Officer, Municipal Planning Commission or Council, as the case may be, all subdivision applications, reclassification of land from UR – Urban Reserve District into any other land use district, or development proposals other than for the permitted or discretionary uses above, shall be accompanied by an outline plan or area structure plan satisfactory to the Town. This outline plan or area structure plan should include but not be limited to identifying the following:

i) municipal service distribution systems (i.e., water, sewer, storm sewer, fire protection, street lighting, utilities and so on);

ii) roads, walkways and easements;

iii) allocation of municipal reserve requirements;

iv) periods of time for completion of construction or installation of facilities;

v) densities,

vi) the incorporation of natural topography, vegetation and drainage into the design of the development and subdivision; and

vii) any other matters as may be deemed necessary by Council.

b) All siting, parcel coverage, densities, yard setbacks and height of buildings shall be at the discretion of the Development Officer or Municipal Planning Commission.

c) In deciding upon applications involving the keeping of livestock, the Municipal Planning Commission will ensure that such use is compatible with the uses occurring or proposed/expected to occur on adjacent parcels by limiting number, scale and intensity and by requiring proper screening.

d) Water supply and sewage disposal shall be provided in accordance with the Public Health Act Regulations.

e) An applicant may be required to enter into a legal land use agreement with the Town to ensure that the use and development of land and buildings on the parcel complies with the approved development plan, as a condition of a development permit issued pursuant to the UR – Urban Reserve District.

f) The land use agreement shall run as a restrictive covenant against the title of the parcel and shall serve to restrict the development of land in accordance with the approved development plan.

g) The land use agreement may also provide that the applicant post security in such form and amount as may be approved by Council to ensure performance with the terms of the agreement.

h) A land use agreement made pursuant to this land use district may specify a time period for which it is to remain in effect.

i) The Development Officer or Municipal Planning Commission may specify the length of time a use is permitted in this land use district having regard to the future servicing and development of the subject land.

4. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

e) Sign Regulations: refer to Part IX.

SECTION 580: ERP – ENVIRONMENTAL RESERVE AND PUBLIC UTILITY LOT DISTRICT

1. Purpose:

The purpose of this district is to provide for clear designation of environmental reserve lands (ER) and public utility lots (PUL) within the Town boundaries which may be under the control of the Town and or the Province of Alberta. Developments on these parcels are restricted to ensure the preservation of any environmental sensitivity of the area and that the intended purpose of the public utility lot is maintained. Other uses of the PUL parcels by adjacent landowners will be at the discretion of the Development Authority.

2. Permitted Uses:

Natural Habitat Area
Parks
Public Utility Lot
Storm Water Storage Ponds
Walkways

Discretionary Uses:

Fencing
Public Utility Buildings
Sanitary Lift Station
Water Reservoir

3. Minimum Lot Size:

At the discretion of the Development Authority and/or as outlined in a Certificate of Title registered with the Alberta Land Titles Office.

4. Minimum Lot Width:

At the discretion of the Development Authority and or as outlined in a Certificate of Title registered with the Alberta Land Titles Office.

5. Minimum Setbacks:

At the discretion of the Development Authority

6. Maximum Building Height:

The maximum building height shall be determined by the Development Authority.

7. Minimum Floor Area:

At the discretion of the Development Authority

8. Architectural Guidelines:

Architectural guidelines shall be determined by the Development Authority and may be registered as a covenant on the properties. These guidelines may include, but are not limited to roofing specifications, fencing standards, color schemes, architectural designs, features and the like.

9. Landscaping Provisions:

Landscaping guidelines shall be determined by the Development Authority and may be registered as a covenant on the properties. Guidelines may include, but are not limited to, minimum standards for low impact landscaping with respect to grass, rock, trees, shrubbery, and the like.

10. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

SECTION 590: DC 1 – DIRECT CONTROL #1 DISTRICT

1. Purpose:

The purpose of this district is to enable land use and development to occur which are similar in nature to the C3 – Highway Commercial District. Proposed developments are subject to the regulations below and such other regulations with respect to land generally or specifically as Council may make from time to time and as described within policies of the Municipal Development Plan and Railway Area Structure Plan.

2. Permitted Uses: Discretionary Uses:

None As prescribed by Council

3. Location:

Properties described as Plan 112 0639, Lot 9 (formerly Plan 992 6365, Lots 8 and 9); Plan 952 0604, Areas 1 to 3, inclusive; Plan 942 2711 (ROW) and Plan 1210EO (ROW lying within the Town boundary) and Lot 8, Block 8, Plan 40HW shall be applied the DC 1 – Direct Control #1 District.

4. General Development Regulations:

a) All development and parcel regulations, including but not limited to general parcel provisions, special land use provisions, parking and loading regulations and sign regulations, shall be at the discretion of Council.

b) The design, siting, landscaping, screening and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility with development in this land use district or abutting land use districts.

c) For those parcels of land that are adjacent to 54 Avenue, the Development Authority shall require that all development provide a front yard setback sufficient to allow for the development of a service road adjacent to 54 Avenue.

d) In evaluating a proposed land use or a development, Council:

i) shall have regard for, but not be limited to:

- the existing use of the land,
- the uses, regulations and development criteria specified in the land use district superseded by this land use district,
- the general and special regulations as contained elsewhere in this Bylaw, and
- the land use regulations of adjoining land use districts; and

ii) shall comply with the Municipal Government Act, Subdivision Regulations, Municipal Development Plan and any statutory plan in effect for this parcel.

5. Land Use Agreement:

a) An applicant may be required to enter into a legal land use agreement with the Town to ensure that the use and development of land and buildings on the parcel complies with the approved development plan, as a condition of a development permit issued pursuant to the Direct Control District.

b) The land use agreement shall run as a restrictive covenant against the title of the parcel and shall serve to restrict the development of land in accordance with the approved development plan.

c) The land use agreement may also provide that the applicant post security in such form and amount as may be approved by Council to ensure performance with the terms of the agreement.

d) An agreement made pursuant to this Direct Control District may specify a time period for which it is to remain in effect.

6. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

e) Sign Regulations: refer to Part IX.

SECTION 591: DC 2 – DIRECT CONTROL #2 DISTRICT

1. Purpose:

The purpose of this district is to enable land use and development to occur which are similar in nature to the C2 – Fringe Commercial District. The proposed developments are subject to the regulations with respect to land generally or specifically as Council may make from time to time and as described within policies of the Municipal Development Plan or any other statutory plan in effect.

2.

Permitted Uses:	Discretionary Uses:
None	As prescribed by Council

3. Location:

Properties described as Plan 435 EO, Lots 1 and 2; Plan 042 4297, Block 21, Lot 23; and all that portion of legal subdivision 14 of Section 7, Township 61, Range 5, West of 4th Meridian described as follows: Commencing at a point on the North boundary of Blais Street as Plan 1189 CL twenty (20) feet West of the South West corner of Lot Nine (9) in Block Six (6) as shown on said plan thence West parallel to the North boundary of the land subdivided under the said plan a distance of one hundred and forty (140) feet thence North parallel to the East Boundary thereof a distance of three hundred and eleven and one seventh (311 1/7) feet, thence East parallel to the North boundary thereof a distance of one hundred and forty (140) feet thence South parallel to the East boundary thereof a distance of three hundred and eleven and one seventh (311 1/7) feet to the point of commencement.
Excepting thereout: The most northerly seventy-five (75) feet in width throughout.

4. General Development Regulations:

a) All development and parcel regulations, including but not limited to general parcel provisions, special land use provisions, parking and loading regulations and sign regulations, shall be at the discretion of Council.

b) The design, siting, landscaping, screening and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility, with development in this land use district or abutting land use districts.

c) In evaluating a proposed land use or a development, Council:

i) shall have regard for, but not be limited to:

- the existing use of the land,
- the uses, regulations and development criteria specified in the land use district superseded by this land use district,
- the general and special regulations as contained elsewhere in this Bylaw, and
- the land use regulations of adjoining land use districts; and

ii) shall comply with the Municipal Government Act, Subdivision Regulations, Municipal Development Plan and any statutory plan in effect for this parcel.

5. Land Use Agreement:

a) An applicant may be required to enter into a legal land use agreement with the Town to ensure that the use and development of land and buildings on the parcel complies with the approved development plan, as a condition of a development permit issued pursuant to the Direct Control District.

b) The land use agreement shall run as a restrictive covenant against the title of the parcel and shall serve to restrict the development of land in accordance with the approved development plan.

c) The land use agreement may also provide that the applicant post security in such form and amount as may be approved by Council to ensure performance with the terms of the agreement.

d) An agreement made pursuant to this Direct Control District may specify a time period for which it is to remain in effect.

6. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

e) Sign Regulations: refer to Part IX.

SECTION 592: DC 3 - DIRECT CONTROL #3 DISTRICT

1. Purpose:

The purpose of this district is to enable land use and development to occur which are similar in nature to the RVP – Recreational Vehicle Park District. Proposed developments are subject to the regulations below and such other regulations with respect to land generally or specifically as Council may make from time to time and as described within policies of the Municipal Development Plan and Vincent Area Structure Plan.

2.

Permitted Uses:	Discretionary Uses:
None	As prescribed by Council and similar in nature to the RVP District permitted and discretionary uses, as amended from time to time

3. Location:
Properties described as Lot 2, Block 8, Plan 792 3162, Lot 3MSR, Block 8, Plan 822 1378 and Part of the NW Section 12, Township 61, Range 6, West of the 4th Meridian shall be applied the DC 3 – Direct Control # 3 District.

4. General Development Regulations:

a) All development and parcel regulations, including but not limited to general parcel provisions, special land use provisions, parking and loading regulations and sign regulations, shall be at the discretion of Council.

b) The design, siting, landscaping, screening and buffering shall minimize and compensate for any objectionable aspects or potential incompatibility, with development in this land use district or abutting land use districts.

c) In evaluating a proposed land use or a development, Council:

i) shall have regard for, but not be limited to:

- the existing use of the land,
- the uses, regulations and development criteria specified in the land use district superseded by this land use district,
- the general and special regulations as contained elsewhere in this Bylaw, and
- the land use regulations of adjoining land use districts; and

ii) shall comply with the Municipal Government Act, Subdivision Regulations, Municipal Development Plan and any statutory plan in effect for this parcel.

5. Land Use Agreement:

a) An applicant may be required to enter into a legal land use agreement with the Town to ensure that the use and development of land and buildings on the parcel complies with the approved development plan, as a condition of a development permit issued pursuant to the Direct Control District.

b) The land use agreement shall run as a restrictive covenant against the title of the parcel and shall serve to restrict the development of land in accordance with the approved development plan.

c) The land use agreement may also provide that the applicant post security in such form and amount as may be approved by Council to ensure performance with the terms of the agreement.

d) An agreement made pursuant to this Direct Control District may specify a time period for which it is to remain in effect.

8. Architectural Guidelines:

Architectural guidelines shall be determined by the Development Authority and may be registered as a covenant on the properties. These guidelines may include, but are not limited to roofing specifications, fencing standards, color schemes, architectural designs, features and the like.

9. Landscaping Provisions:

Landscaping guidelines shall be determined by the Development Authority and may be registered as a covenant on the properties. Guidelines may include, but are not limited to, minimum standards for low impact landscaping with respect to grass, rock, trees, shrubbery, and the like.

10. Other Provisions:

a) Administrative Procedures and Regulations: refer to Part II.

b) General Parcel Provisions: refer to Part VI.

c) Special Land Use Provisions: refer to Part VII.

d) Parking and Loading Regulations: refer to Part VIII.

e) Sign Regulations: refer to Part IX.

PART XI SCHEDULES

SCHEDULE A: LAND USE DISTRICT MAP

Town of Bonnyville
Land Use District Map
Bylaw no. 1447-16

N

W E

S

0 50 100 200 300 400 Meters

0 155 310 620 930 1,240 Feet

Disclaimer:
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Zoning

- Residential - Single Family (R1)
- Residential - Single Family Small Lot (R2)
- Residential - Single Family Small Lot (R2A)
- Residential - Compact Single Family Small Lot (R2B)
- Residential - Medium Density (R3)
- Residential - High Density (R4)
- Residential - Manufactured Home Park (RMHP)
- Residential - Manufactured Home Subdivision (RMHS)
- Commercial - Central (C1)
- Commercial - Fringe (C2)
- Commercial - Highway (C3)
- Commercial - Shopping Centre (C4)
- Commercial - Transition (CRX)
- Industrial - General (M1)
- Industrial - Heavy (M2)
- Industrial - Unserviced (M3)
- Direct Control #1 (DC1)
- Direct Control #2 (DC2)
- Direct Control #3 (DC3)
- Parks, Recreation, Open Spaces (P)
- Institutional (I)
- Environmental Reserve, Public Utility (ER)
- Urban Reserve (UR)
- Recreational Vehicle Park (RVP)