

10

TOWN OF HIGH RIVER

IN THE PROVINCE OF ALBERTA

BYLAW 4594/2021 - AMENDING LAND USE BYLAW

A BYLAW OF THE TOWN OF HIGH RIVER TO AMEND BYLAW 4510/2017, BEING A BYLAW TO REGULATE THE DEVELOPMENT AND USE OF LAND WITHIN THE TOWN OF HIGH RIVER IN THE PROVINCE OF ALBERTA.

**WHEREAS** The Municipal Government Act requires that every municipality pass a land use bylaw which may prohibit, regulate and control the use and development of land and buildings in a municipality;


**WHEREAS** Pursuant to the provisions of the Municipal Government Act, Council of the Town of High River, hereinafter called the "Council", has adopted Land Use Bylaw 4510/2017; and

**AND WHEREAS** Council deems it desirable to amend Land Use Bylaw 4510/2017;

**NOW THEREFORE** Be it resolved:

1. That the Council of the Town of High River enacts that Land Use Bylaw 4510/2017 be rescinded;
2. That the Council of the Town of High River enacts that Cannabis Bylaw 4537/2018 be rescinded;
3. That the Council of the Town of High River enacts that Cannabis Bylaw 4576/2020 be rescinded;
4. And that Bylaw 4594/2021, forming Schedule A to this bylaw, comes into full force and effect upon third and final reading.

READ A FIRST TIME this 8<sup>th</sup> day of March, A.D. 2021


  
 \_\_\_\_\_  
 Mayor/Deputy Mayor

  
 \_\_\_\_\_  
 Chief Administrative Officer

DATE OF PUBLIC HEARING: April 12, 2021

APPROVED this 12<sup>th</sup> day of April, A.D. 2021.

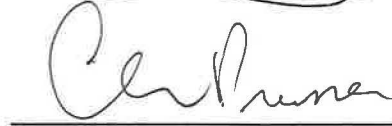
READ A SECOND TIME this 25<sup>th</sup> day of May, A.D. 2021.

  
\_\_\_\_\_  
Mayor/Deputy Mayor

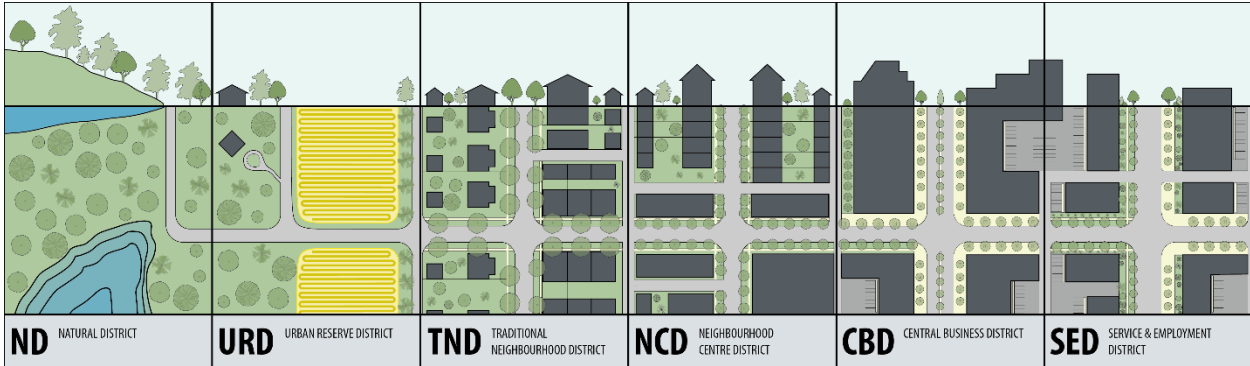
  
\_\_\_\_\_  
Chief Administrative Officer

READ A THIRD AND FINAL TIME this 25<sup>th</sup> day of May A.D. 2021

  
\_\_\_\_\_  
Mayor/Deputy Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

# THE TOWN OF HIGH RIVER LAND USE BYLAW



**BYLAW 4594/2021**

*LEFT BLANK FOR DUPLEX PRINTING*

## TABLE OF CONTENTS

---

### **PART 1: PURPOSE & AUTHORITY**

1.1 General Purpose _____	1
1.2 Authority _____	2
1.3 Applicability _____	2

### **PART 2: MAPS & OVERLAYS**

2.1 Land Use Map _____	3
2.2 Flood Hazard Overlay _____	7
2.3 Restricted Development Area _____	8
2.4 Minimum Development Elevation _____	8

### **PART 3: LAND USE DISTRICTS**

3.1 General Overview _____	13
3.2 Natural District (Nd) _____	15
3.3 Urban Reserve District (Urd) _____	21
3.4 Traditional Neighbourhood District (Tnd) _____	39
3.5 Neighbourhood Centre District (Ncd) _____	81
3.6 Central Business District (Cbd) _____	126
3.7 Service & Employment District (Sed) _____	173
3.8 Direct Control General Provisions _____	217

### **PART 4: PURPOSE & AUTHORITY**

4.1 Development Authority _____	218
4.2 Subdivision Authority _____	219
4.3 Amendments To This Bylaw _____	220
4.4 Forms, Notices, And Fees _____	221
4.5 Application For A Development Permit _____	222
4.6 Issuance Of Development Permits And Notices _____	224
4.7 Development Agreement _____	225
4.8 Conditions Of Approval _____	226
4.9 Development Commencement _____	227

## TABLE OF CONTENTS

---

4.10 Development Permit Revision, Suspension, Or Cancellation _____	227
4.11 Application For Subdivision _____	228
4.12 Subdivision Agreement _____	230
4.13 Municipal Inspection And Right Of Entry _____	231
4.14 Stop Order _____	231
4.15 Offences And Penalties _____	232
4.16 Other Remedies _____	233
4.17 Special Enforcement Relating To Signs _____	233
4.18 Non-Conforming Buildings & Uses _____	234

### **PART 5: DEFINITIONS**

5.1 Definitions _____	236
-----------------------	-----

### **MAPS**

Map 1: Land Use Map _____	5
Map 2: Flood Hazard Overlay Map _____	9
Map 3: Minimum Development Elevation Map _____	11

**1.1 GENERAL PURPOSE**

The purpose of this Bylaw is to allow sustainable development based on Smart Growth Principles as they relate to the surrounding built and un-built environment. To accomplish this, the Bylaw organizes sustainable development patterns along a rural-to-urban sequence based on the pedestrian experience and with the knowledge and expectation that development decisions made today will impact future generations.

In order to ensure this purpose is achieved, all planning applications, including land use, subdivision and development permit applications, will be evaluated using the following Principles:

**A Pedestrian as the Universal Measure of Design:**

*The Town of High River is to be designed based on a scale that is comfortable to people, encourages walking, accommodates a variety of functions, can change, and adapt over time, and will foster an environment that supports and reinforces the social aspects of the Town.*

**Stewardship through Sustainable Design:**

*The Town, the community, and the development industry act as stewards for the High River of tomorrow. All development shall focus on long term quality over short term gains.*

## PART 2: MAPS & OVERLAYS

---

### 1.2 AUTHORITY

- 1.2.1 The action of the Town of High River, hereby known as the "**Town**", in the adoption of this Bylaw is authorized under the *Municipal Government Act*, as amended.
- 1.2.2 The adoption of this Bylaw is necessary to promote the health, safety, convenience, and general welfare of the citizens of the **Town** and to assist in the coordinated, efficient, and economical development of the **Town**. This Bylaw is implemented in order to advance the objectives and policies of the **Town Plan**.
- 1.2.3 This Bylaw shall be referred to as the "Town of High River Land Use Bylaw".

### 1.3 APPLICABILITY

- 1.3.1 This Bylaw shall apply to all lands contained within the municipal limits of the **Town**.
- 1.3.2 Provisions of this Bylaw are activated by "shall" when required; "should" when recommended; and "may" when optional.
- 1.3.3 The provisions of this Bylaw, when in conflict, shall take precedence over those of other local bylaws, regulations, and standards except the *General Engineering and Construction Specifications*.
- 1.3.4 Any Federal and Provincial legislation, regulations, approval processes, licensing or permitting shall be applied to **Development** applications as required, specifically, the *Alberta Safety Codes Act*.
- 1.3.5 If any provision of this Bylaw is held, by court of competent jurisdiction, to be invalid, then the validity of the remaining provisions of this Bylaw shall not in any way be affected or impaired.

- 1.3.6 Words and terms used in this Bylaw shall have the same meaning as given to them in the *Municipal Government Act* unless otherwise defined in Part 5 Definition of Terms. Where no definition is provided in the *Municipal Government Act*, the *Alberta Interpretation Act* or this Bylaw, *Webster's New Collegiate Dictionary* shall be used.
- 1.3.7 Where in conflict, numerical metrics shall take precedence over graphic metrics. Graphics are to support the regulations in this Bylaw.
- 1.3.8 For the purpose of confirming compliance with this Bylaw, measurements shall be rounded off to the same number of significant figures as set out in this Bylaw.
- 1.3.9 A legal **Structure, Use, or Lot** that conformed to all previous Land Use Bylaw requirements prior to the date this Bylaw came into force, but no longer complies with the requirements of this Bylaw, is deemed to be in conformance with this Bylaw.

**2.1 LAND USE MAP**

2.1.1 The **Town** is hereby divided into the following six Land Use Districts with boundaries:

- (a) Natural District (ND)
- (b) Urban Reserve District (URD)
- (c) Traditional Neighbourhood District (TND)
- (d) Neighbourhood Centre District (NCD)
- (e) Central Business District (CBD)
- (f) Service & Employment District (SED)

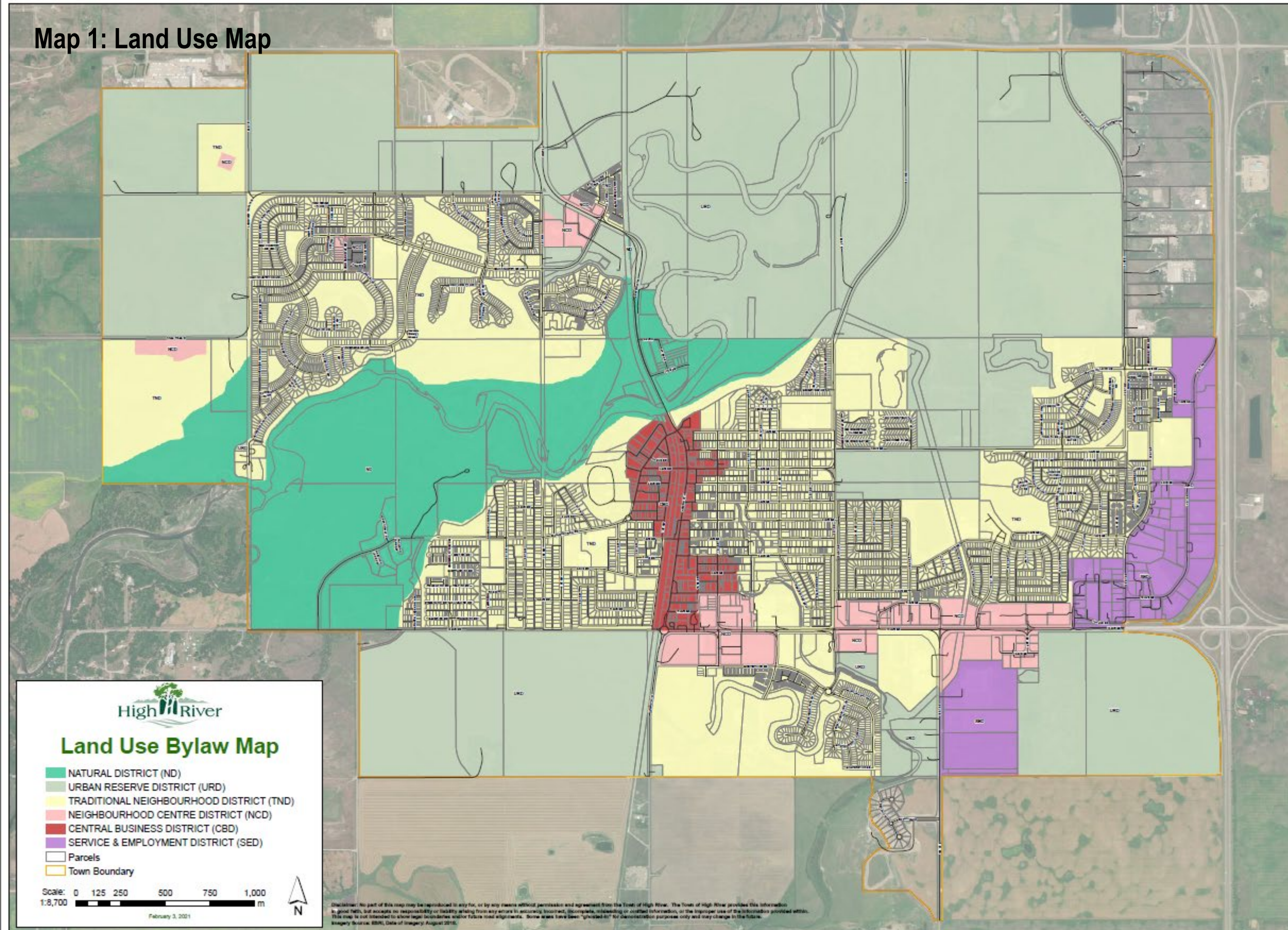
2.1.2 The Land Use Districts listed in Section 2.1.1 are delineated on the map in this Section, which shall be known as the "Land Use Map".

2.1.3 The Land Use Map may be amended or replaced by bylaw from time to time.

2.1.4 In the event that a dispute should arise over the precise location of a boundary of any Land Use District as shown on the Land Use Map, the **Development Authority** shall decide thereon.

*LEFT BLANK FOR DUPLEX PRINTING*

Map 1: Land Use Map



*LEFT BLANK FOR DUPLEX PRINTING*

**2.2 FLOOD HAZARD OVERLAY**

- 2.2.1 The purpose of the Flood Hazard Overlay is to:
- (a) Identify lands within the **Town** that are liable to flooding during high water events; and
  - (b) Provide regulations for lands liable to flooding to ensure **Development** can be undertaken in a safe manner.
- 2.2.2 Lands subject to the Flood Hazard **Overlay** are identified in the Flood Hazard Overlay Map and are further delineated as being subject to either the **Floodway**, or **Restricted Development Area**.
- (a) The Flood Hazard **Overlay** regulations apply in addition to the regulations of the underlying Land Use District.
  - (b) If there is a conflict between the **Overlay** and the Land Use District, the **Overlay** takes precedence.
- 2.2.3 No **Development** shall be allowed within the Flood Hazard **Overlay** that has the potential to increase the obstruction of floodwaters or potential for a detrimental effect on the hydrological system, water quality, or on existing **Development**. For the purpose of the Flood Hazard **Overlay**, **Development** includes the construction of roads.
- 2.2.4 The following shall be the only **Permitted Uses** in the **Floodway** and **Restricted Development Areas**:
- (a) **Essential Public Utility**;
  - (b) **Rural Non-Intensive Agriculture**; and
  - (c) **Passive Recreation**.
- 2.2.5 The following shall be the only **Discretionary Uses** in the **Floodway** and **Restricted Development Areas** and shall require a **Development Permit**:
- (a) **Excavation**, stripping, or grading;
  - (b) Fencing or similar **Structures**; and
  - (c) Landscaping.
- 2.2.6 **Outside Storage** is prohibited.
- 2.2.7 No new **Buildings** or **Structures** shall be allowed except to:
- (a) Accommodate **Essential Public Utilities** or erosion control measures; or
  - (b) Replace an existing **Building** or **Structure** on the same location provided that the flood hazard can be overcome in a manner that is acceptable to the **Town** and Alberta Environment and Parks.

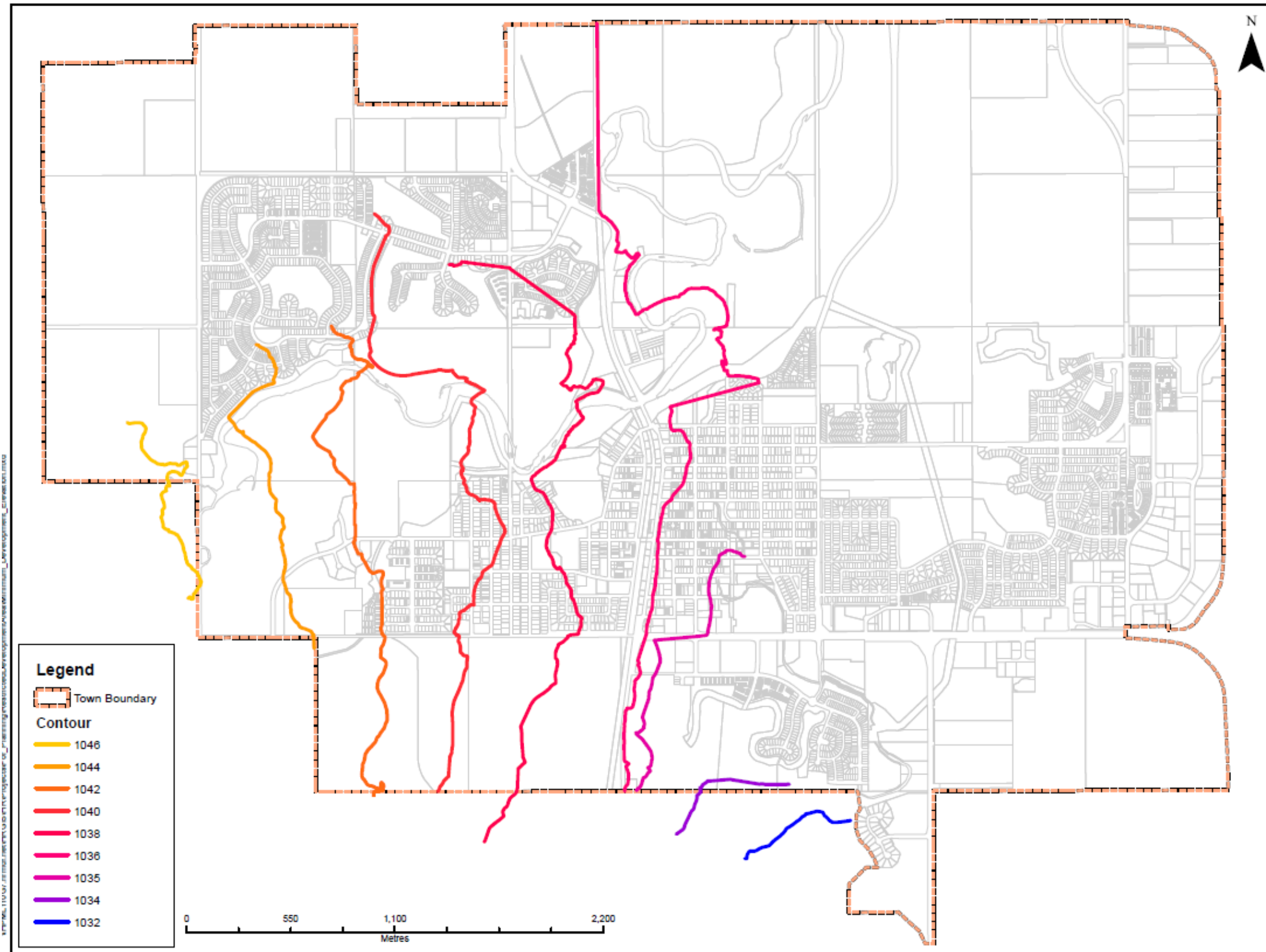
### 2.3 RESTRICTED DEVELOPMENT AREA

- 2.3.1 All **Sites** within a **Restricted Development Area** shall be protected to the **Town's Designated Design Event** plus 1 metre of **Freeboard**. This may be accomplished by one of the following methods:
- (a) Infilling the **Site** with suitable soils to raise the overall grade to the minimum elevation required to withstand the **Designated Design Event**. In addition, all **Buildings** shall be flood proofed to withstand the **Designated Design Event** plus 1 metre of **Freeboard**. For clarity, this includes the lowest building opening, main floor elevation, main electrical panel, and all mechanical equipment in a **Building**.
  - (b) Constructing a dike or berm so that the **Site** is designed to withstand the **Designated Design Event** plus metre of **Freeboard**; or
  - (c) An alternative solution approved by the **Town** at the discretion of the **Development Authority**.
- 2.3.2 Subsequent to flood mitigation measures being constructed to protect a **Site** in accordance with Section 2.3.1, the **Town** shall amend the **Flood Hazard Overlay** Map to remove the **Restricted Development Area** classification.

### 2.4 MINIMUM DEVELOPMENT ELEVATION

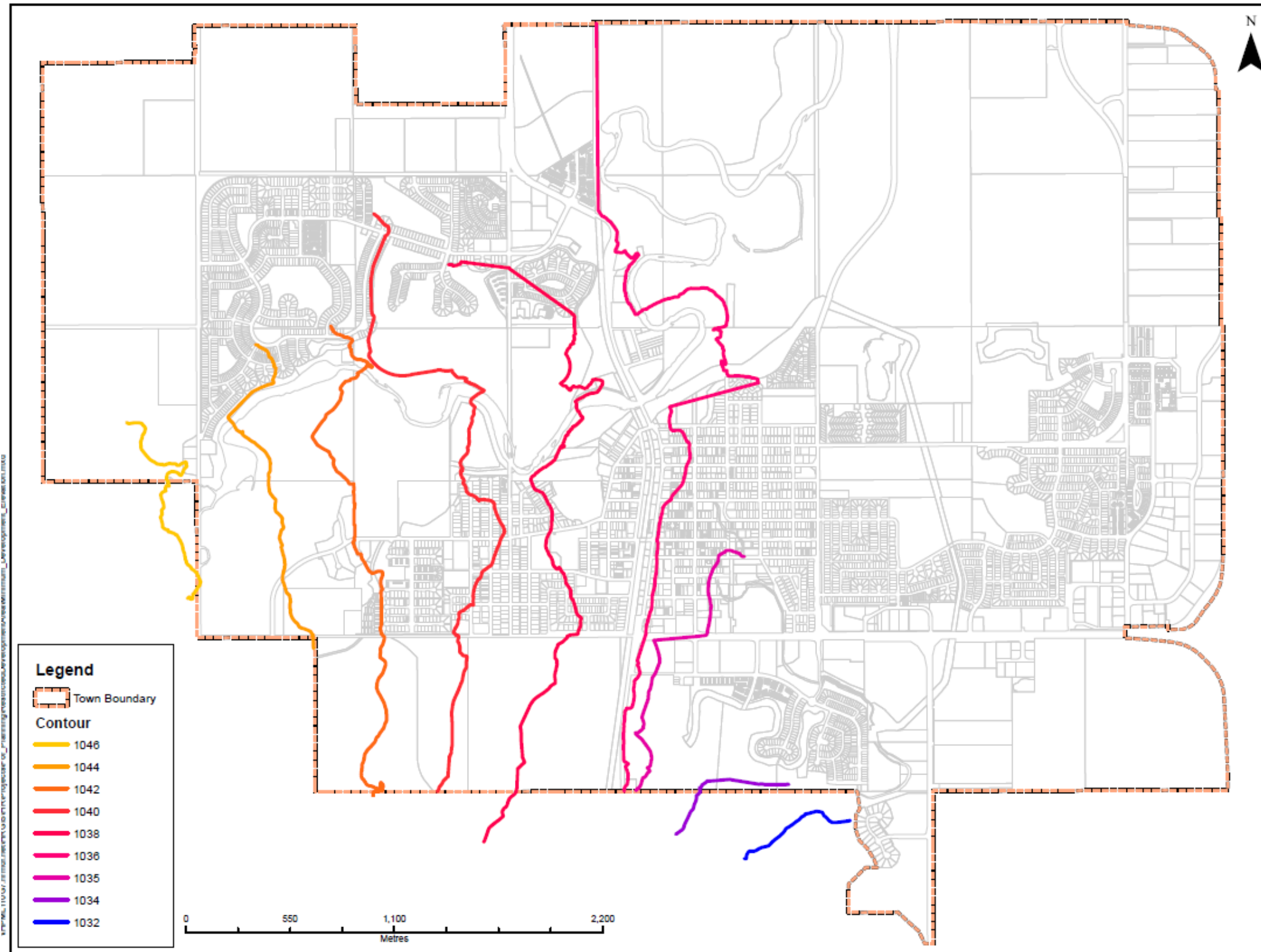
- 2.4.1 The known water elevations that occur in the **Town** during a high-water event are generally shown on the **Minimum Development Elevation** Map.
- 2.4.2 At the discretion of the **Development Authority**, all **Buildings** shall be adequately flood proofed to withstand the **Minimum Development Elevation** plus a minimum of 0.5 metres of **Freeboard**. For clarity, this includes the main floor elevation, main electrical panel, and all mechanical equipment in a **Building**.
- 2.4.3 As a condition of approval and at the discretion of the **Development Authority**, all new **Buildings** that require flood proofing to the **Minimum Development Elevation** may be required to submit:
- (a) A **Flood Protection Commitment Letter** with a Building Permit application; and
  - (b) A **Flood Protection Compliance Letter** prior to occupancy being granted.

Map 2: Flood Hazard Overlay Map



*LEFT BLANK FOR DUPLEX PRINTING*

Map 3: Minimum Development Elevation Map



*LEFT BLANK FOR DUPLEX PRINTING*

## PART 3: LAND USE DISTRICTS

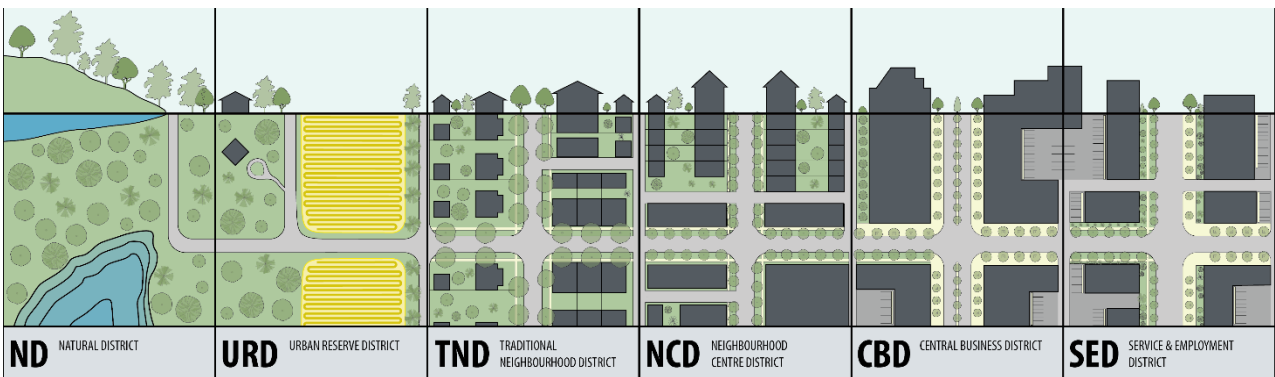
### 3.1 GENERAL OVERVIEW

3.1.1 The Land Use Districts within the **Town** are arranged on a rural to urban sequence and include the following districts:

- (a) Natural District (ND)
- (b) Urban Reserve District (URD)
- (c) Traditional Neighbourhood District (TND)
- (d) Neighbourhood Centre District (NCD)
- (e) Central Business District (CBD)
- (f) Service & Employment District (SED)

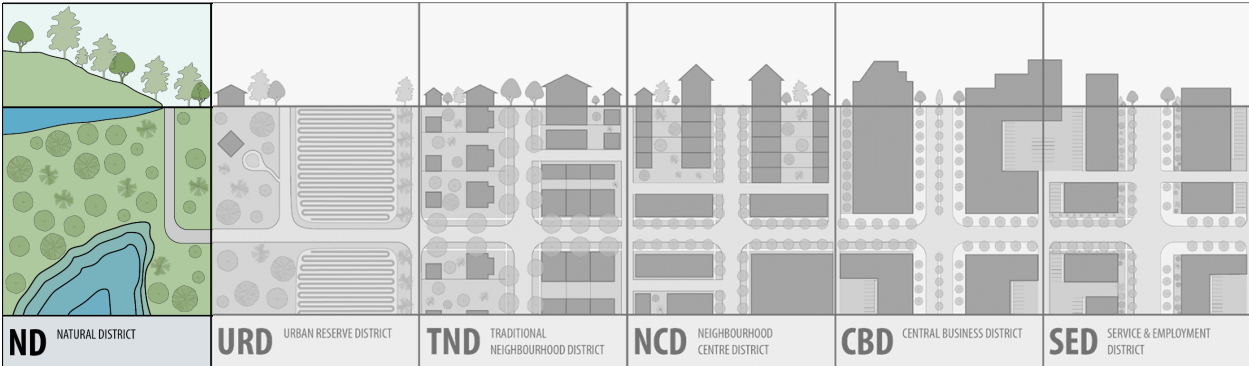
3.1.2 The sequence represents the increasing intensity of form and **Use** from the rural (left side) to urban (right side). Each Land Use District is reflective of a unique physical and social character that are reinforced in each district of this Bylaw. The Land Use District forms are illustrated in the sequence below.

3.1.3 In addition to the regulations specified within each Land Use District, all parts of this Bylaw apply, as appropriate, to all **Sites** within the **Town**.



*LEFT BLANK FOR DUPLEX PRINTING*

## PART 3: LAND USE DISTRICTS



### 3.2 NATURAL DISTRICT (ND)

#### 3.2.1 Intent

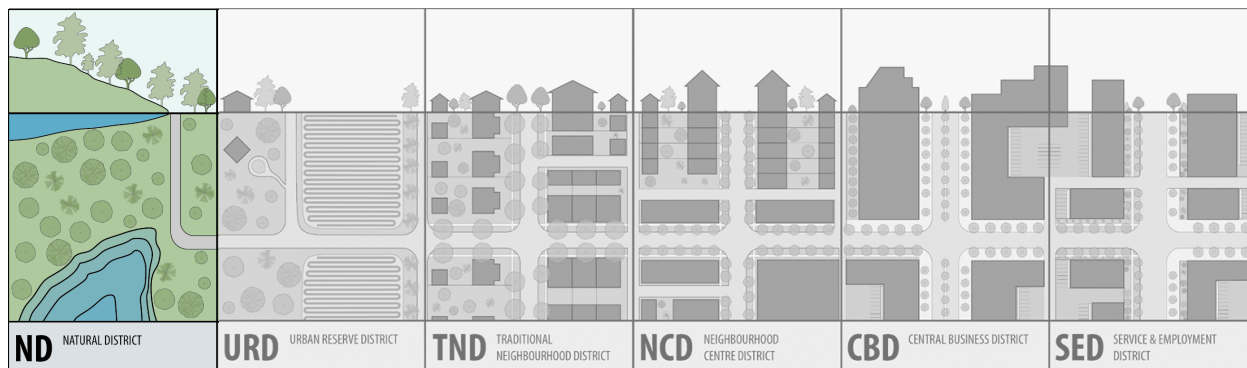
To protect the river corridor from **Development** that may impede the flow of floodwater and to support healthy ecological function of riparian areas.

#### 3.2.2 Uses

The following **Uses** are grouped into Use Categories to add clarity regarding the intent of the form of **Development**. Definitions are in Section 5.1: Use Definitions.

<i>Use Category</i>	<i>Use Category Description</i>	<i>Permitted Uses</i>	<i>Discretionary Uses</i>
(a) <b>Institutional</b>	Premises used by organizations to support the common good including organizations dedicated to religion, arts and culture, education, government, social service, recreation, health, and the like.	<b>Passive Recreation</b>	None
(b) Other	Additional <b>Uses</b> that may be considered in this Land Use District.	<b>Essential Public Utilities</b>	<b>Excavation</b> , stripping and grading; fencing, landscaping, or other similar <b>Structures</b> <b>Accessory Buildings</b>

## PART 3: LAND USE DISTRICTS



### 3.2.3 Specific Use Standards

Element	Standard
(a) <b>Discretionary Uses</b>	Shall only be allowed if there is no detrimental effect on the hydrological system or water quality.
(b) New <b>Buildings</b>	The <b>Development Authority</b> may allow new <b>Buildings</b> on a <b>Temporary</b> basis at their discretion provided that the flood hazard can be overcome by mitigating measures that meet or exceed Provincial requirements and are acceptable to the <b>Town</b> . However, <b>Buildings</b> or <b>Structures</b> intended for <b>Essential Public Utilities</b> or erosion control may be allowed on a permanent basis.
(c) <b>Accessory Uses</b>	<b>Accessory Uses</b> are <b>Permitted</b> or <b>Discretionary</b> in accordance with the <b>Primary Use(s)</b> .
(d) <b>Accessory Buildings</b>	No <b>Accessory Building</b> shall be used as a <b>Dwelling Unit</b> unless the <b>Building</b> meets the requirements of the <i>Alberta Safety Codes Act</i> .

### 3.2.4 Subdivision & Development Standards

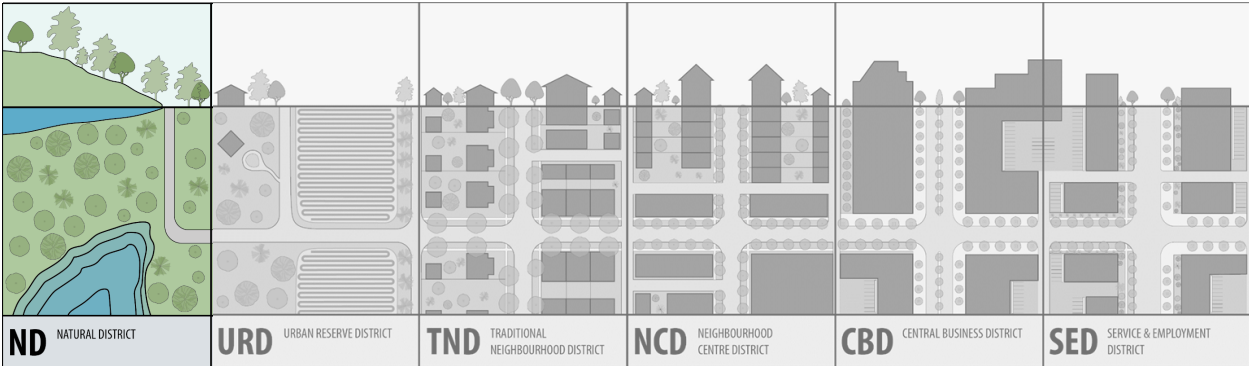
Element	Standard
(a) <b>Discretionary Uses</b>	Shall only be allowed if there is no detrimental effect on the hydrological system or water quality.
(b) <b>Subdivision</b>	No <b>Subdivision</b> is allowed unless proven to the satisfaction of the <b>Development Authority</b> that it is required in order to enhance the protection of the river corridor or to mitigate the flow of floodwater.
(c) New <b>Buildings</b>	No new <b>Buildings</b> are allowed except for replacement of existing <b>Buildings</b> on the same locations provided that the flood hazard can be overcome by mitigating measures that meet or exceed Provincial requirements and are acceptable to the <b>Town</b> . <b>Buildings</b> or <b>Structures</b> intended for <b>Essential Public Utilities</b> or erosion control may be allowed.

## PART 3: LAND USE DISTRICTS



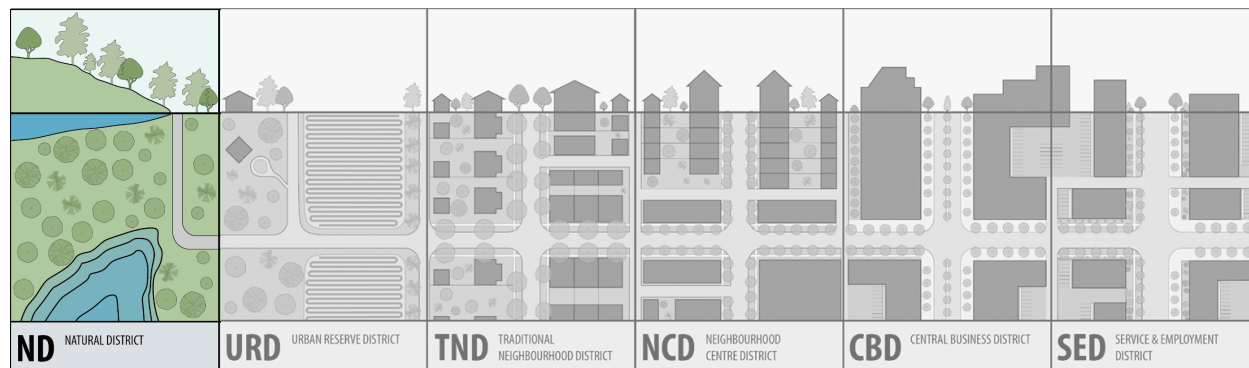
Element	Standard
(d) External <b>Alterations</b> or <b>Additions</b>	No external <b>Alterations</b> or <b>Additions</b> to existing <b>Buildings</b> or <b>Structures</b> that might increase the obstruction of floodwaters or have a detrimental effect on the hydrological system or water quality shall be allowed.
(e) Hazardous Materials	No storage of hazardous materials such as chemicals, explosives, flammable liquids, toxic, or waste material is allowed.
(f) <b>Development</b> not requiring a <b>Development Permit</b>	<p>A <b>Development Permit</b> is not required in respect of the following <b>Developments</b> provided they are in compliance with the standards outlined in this Land Use District and all other provisions of this Bylaw:</p> <ol style="list-style-type: none"> <li>i. Work of maintenance, repair or <b>Alteration</b>, on a <b>Structure</b>, both internal and external, if at the discretion of the <b>Development Authority</b>, such work: <ol style="list-style-type: none"> <li>A. Does not result in an increase in the number of <b>Dwelling Units</b> within the <b>Building</b> or on the <b>Site</b>;</li> <li>B. Does not increase the floor area by more than 25.0 percent of the original <b>Residential Structure</b> or <b>Building</b>;</li> <li>C. Does not change the <b>Use</b> or intensity of the <b>Use</b> of the <b>Structure</b> or <b>Building</b>; and</li> <li>D. Is performed in accordance with obligatory legislation or other government regulations.</li> </ol> </li> <li>ii. The completion of a <b>Building</b> which was lawfully under construction at the date this Bylaw comes into effect;</li> <li>iii. The use of any <b>Building</b> referred to in Subsection 4.6 for the purpose for which construction was commenced;</li> <li>iv. The use of a <b>Building</b>, other than a <b>Non-Conforming Use</b> or <b>Non-Conforming Building</b>, that has been vacant for less than 6 months for a purpose that is, at the discretion of the <b>Development Authority</b>, the same or similar to the previous <b>Use</b>;</li> <li>v. The <b>Change of Use</b> of a <b>Building</b> or <b>Structure</b>, other than a <b>Non-Conforming Use</b> or <b>Non-Conforming Building</b> provided that: <ol style="list-style-type: none"> <li>A. The requirements of the <b>Development Permit</b> for the existing <b>Building</b> have</li> </ol> </li> </ol>

## PART 3: LAND USE DISTRICTS



Element	Standard
	<p>been fulfilled; and</p> <p>B. The <b>Change of Use</b> is from a <b>Permitted</b> or <b>Discretionary Use</b> to a <b>Permitted Use</b> in this Land Use District.</p> <p>vi. The erection, construction, or maintenance of gates, <b>Fences</b>, walls, or other means of enclosure which meet the standards in this Land Use District;</p> <p>vii. The construction and maintenance of <b>Essential Public Utilities</b>;</p> <p>viii. The erection of an <b>Accessory Building</b> in association with an approved <b>Permitted Use</b> when it complies with the standards of this Bylaw;</p> <p>ix. The use of a <b>Building</b> or part thereof as a temporary polling station for a federal, provincial, or municipal election, referendum, or plebiscite;</p> <p>x. The construction, maintenance, and repair of private walkways, private pathways, private driveways, private features, and landscaping details that do not involve retaining walls greater than 0.6 metres in height, and are in compliance with this Land Use District;</p> <p>xi. <b>Excavation</b> of land and stripping of soil provided:</p> <p>A. That the area concerned is less than 1,000 square metres;</p> <p>B. That the stripping or <b>Excavation</b> is part of a <b>Development</b> for which a <b>Development Permit</b> has been issued; or</p> <p>C. That the <b>Applicant</b> has signed a <b>Development Agreement</b> with the <b>Town</b> for the area concerned.</p> <p>xii. Street performers or other vendors having a Business License and written permission from the landowner and are not located fronting on Centre Street S, 5th Street SE or 12th Avenue SE;</p> <p>xiii. Communication <b>Structures</b> that comply with the <i>Federal Radio Communication Act</i>;</p> <p>xiv. <b>Sustainable Renewable Energy</b> systems and <b>Structures</b> providing they are in compliance with the provisions of this Bylaw and any other obligatory legislation or government regulations;</p> <p>xv. <b>Minor Home Occupation(s)</b>;</p>

## PART 3: LAND USE DISTRICTS

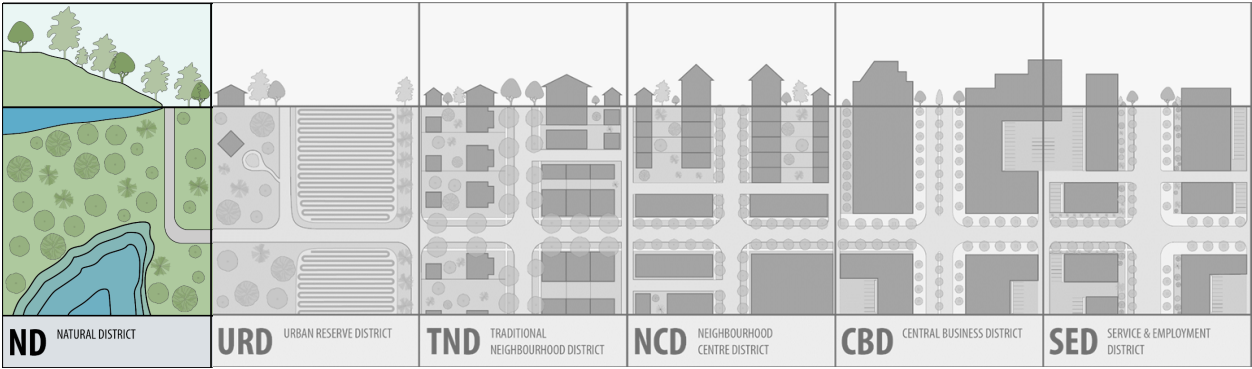


Element	Standard
	<ul style="list-style-type: none"> <li>xvi. <b>Mural(s)</b>;</li> <li>xvii. <b>Day Home(s)</b>; and</li> <li>xviii. <b>Patio(s)</b>.</li> <li>xix. Erection of flagpoles not exceeding 4.5 metres in height for the purpose of flying a <b>Flag</b> but not a <b>Sign</b>.</li> </ul>

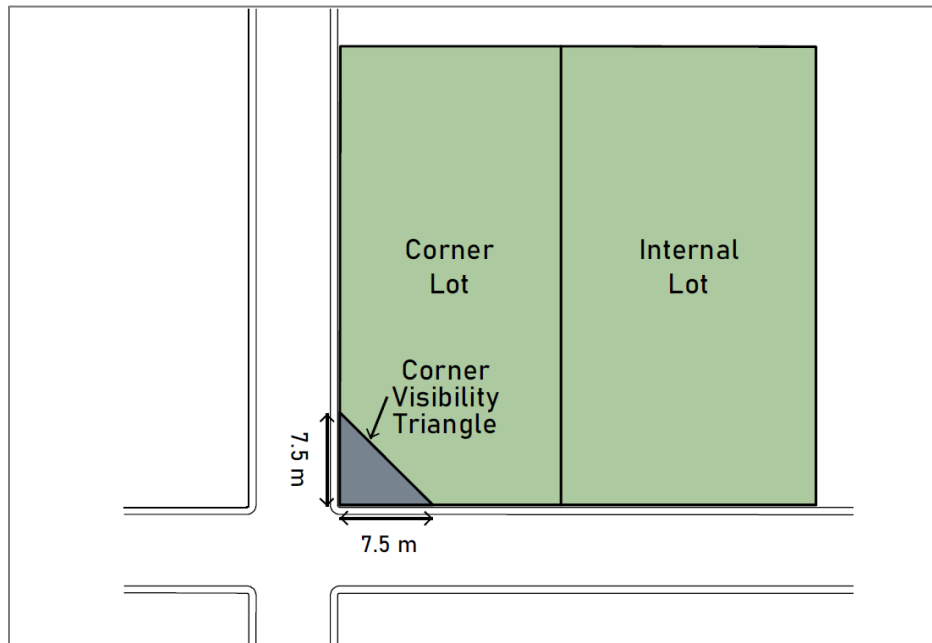
### 3.2.5 Additional Standards

- (a) The **Development Authority** may allow a **Variance** of any or all of the requirements of this Bylaw through an application, where at the discretion of the **Development Authority**, the **Development** would not unduly interfere with the amenities of the neighbourhood, detract from the public realm, or materially interfere with or affect the use, enjoyment, or value of the neighbouring **Lots**, and the **Use** proposed is allowed by this Bylaw.
- (b) Any standard from this Bylaw may be applied to **Development** within this Land Use District at the discretion of the **Development Authority** in order to ensure a high-quality level of design and / or future urban development opportunities.
- (c) When a **Development** cannot be clearly categorized in this Bylaw, the **Development Authority** shall determine all applicable standards.
- (d) All other **Development** proposals shall be at the **Development Authority's** discretion.
- (e) All **Development** shall meet the requirements of the *Alberta Safety Codes Act*.
- (f) All **Development** shall meet the Minimum Development Elevation requirements in Section 2.4 if required by the **Development Authority** as per Section 2.4.3.
- (g) Notwithstanding any other provisions contained in this Bylaw, no vegetation, finished **Lot** grade, **Building**, **Structure**, or **Fence** shall exceed the general elevation of the **Thoroughfare** by more than 0.76 m within the area defined as a **Corner Visibility Triangle**.

### PART 3: LAND USE DISTRICTS



(h) **Sites** with incomplete **Development** must be maintained at all times in accordance with the standards of the Town, including but not necessarily limited to the Good Neighbour Bylaw and the General Engineering and Construction Specifications.



## PART 3: LAND USE DISTRICTS



### 3.3 URBAN RESERVE DISTRICT (URD)

#### 3.3.1 Intent

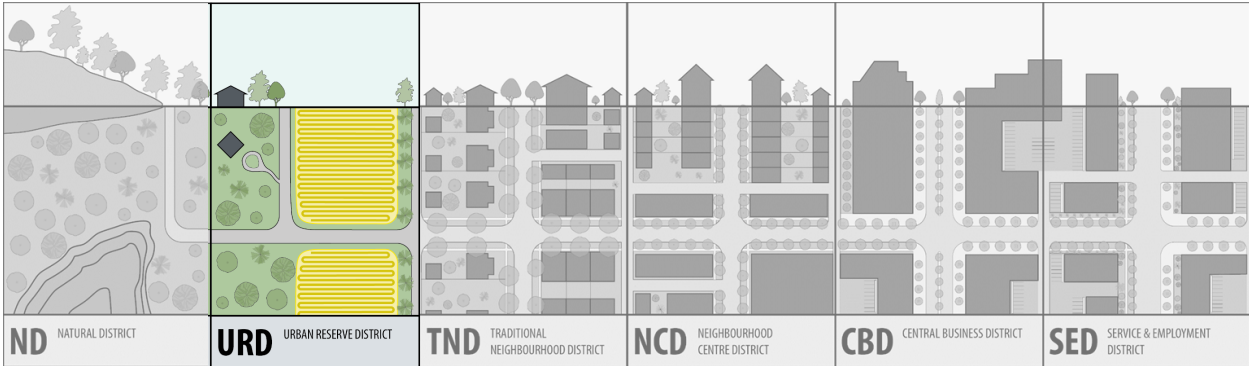
To support rural forms of **Development** and temporary **Uses** prior to transitioning to a more urban form through an Area Structure Plan, Neighbourhood Outline Plan and / or land use redesignation.

#### 3.3.2 Uses

The following **Uses** are grouped into Use Categories to add clarity regarding the intent of the form of **Development**. Definitions are in Section 5.1: Use Definitions.

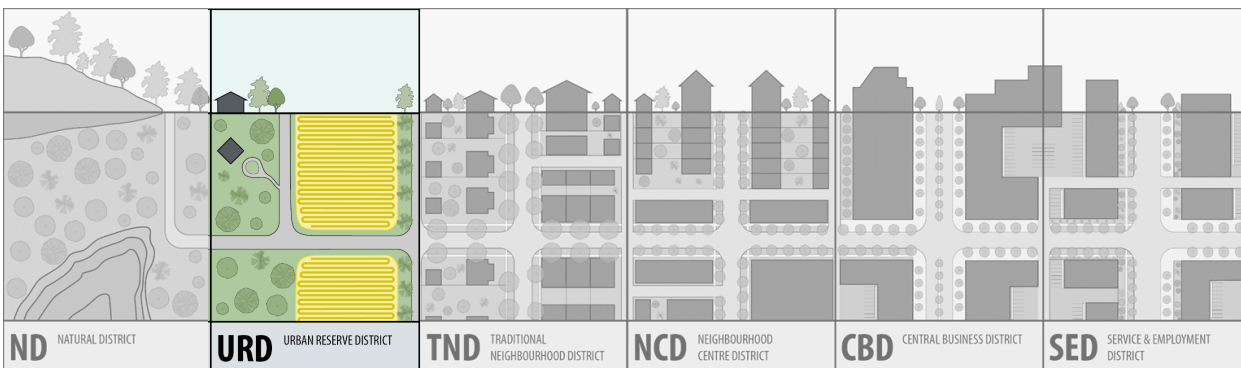
<i>Use Category</i>	<i>Use Category Description</i>	<i>Permitted Uses</i>	<i>Discretionary Uses</i>
(a) <b>Residential</b>	Premises available for long-term human habitation by means of ownership and rental but exclude short-term renting of less than a month's duration.	None	<b>Dwelling Unit(s); Additional Dwelling Unit(s); Temporary Dwelling Unit(s); Temporary Additional Dwelling Unit(s)</b>
(b) <b>Office</b>	Premises available for the transaction of general business.	<b>Major Home Occupation</b>	None
(c) <b>Retail &amp; Entertainment</b>	Premises available for the commercial sale of merchandise and prepared foods.	None	<b>Temporary Café, Temporary Retail &amp; Service, General</b>

## PART 3: LAND USE DISTRICTS



<i>Use Category</i>	<i>Use Category Description</i>	<i>Permitted Uses</i>	<i>Discretionary Uses</i>
(d) <b>Manufacturing</b>	Premises available for the creation, assembly, and repair of artefacts including their retail sale except when such activity creates conditions that may be objectionable to neighbouring property owners.	None	<b>Temporary Cannabis Facility</b> (including <b>Temporary Cannabis Store</b> ) <b>Light Industrial;</b> <b>Outside Storage</b> (temporary)
(e) <b>Institutional</b>	Premises used by organizations to support the common good including organizations dedicated to religion, arts and culture, education, government, social service, recreation, health, and the like.	<b>Passive Recreation</b>	<b>Active Recreation;</b> <b>Temporary Light Industrial;</b> <b>Education;</b> <b>Government</b>
(f) <b>Agriculture</b>	Premises available for growing of plants or raising of livestock for the purpose of food production.	<b>Rural, Intensive Agriculture; Rural, Non-Intensive Agriculture; Urban Agriculture</b>	None

## PART 3: LAND USE DISTRICTS

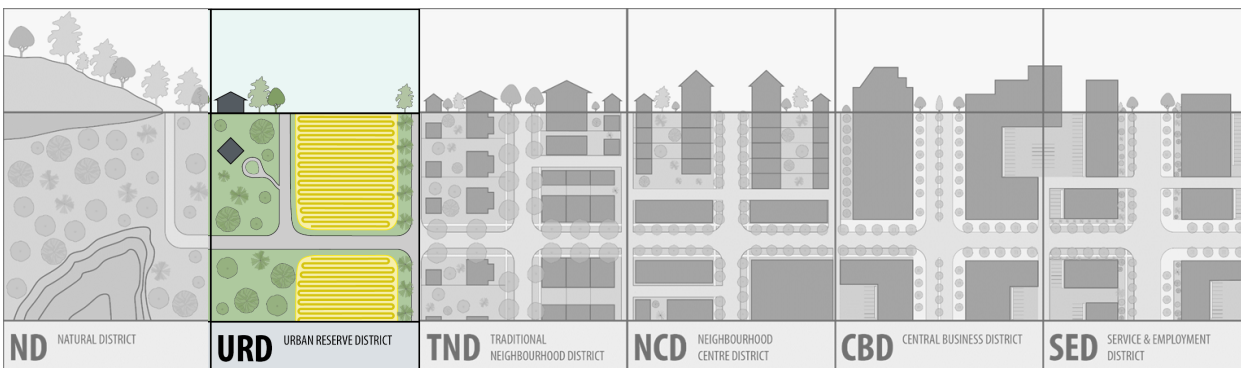


Use Category	Use Category Description	Permitted Uses	Discretionary Uses
(g) Other	Additional <b>Uses</b> that may be considered in this Land Use District.	<p><b>Essential Public Utilities</b></p> <p><b>Signs</b> in association with an approved <b>Use</b> on the <b>Site</b>, unless otherwise specified in Section 3.3.10;</p> <p><b>Pageantry Features</b> in association with an approved <b>Development</b>.</p>	<p><b>Excavation</b>, stripping and grading; fencing, landscaping, or other similar <b>Structures</b></p> <p><b>Sustainable Renewable Energy</b></p> <p><b>Temporary Shipping Containers</b></p>

### 3.3.3 Specific Use Standards

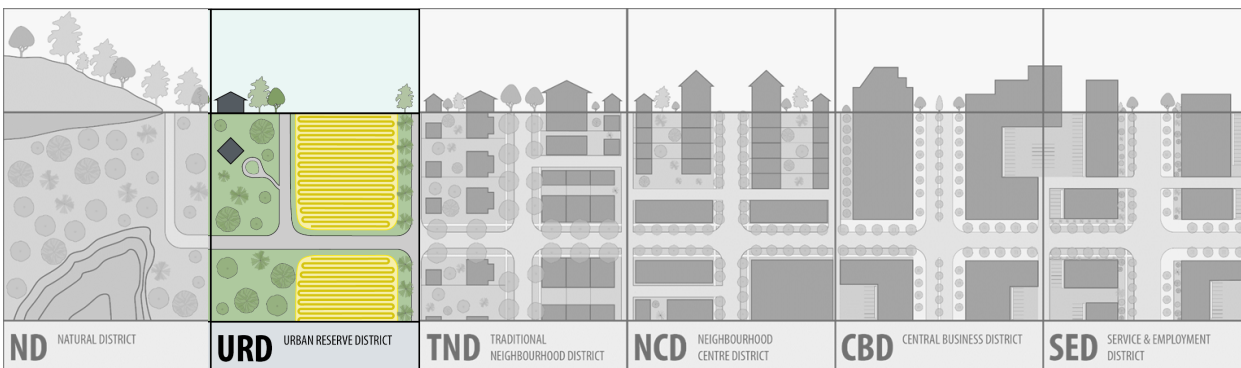
Element	Standard
(a) <b>Discretionary Uses</b>	Shall only be allowed if there is no detrimental effect on the hydrological system or water quality.
(b) New <b>Buildings</b>	The <b>Development Authority</b> may allow new <b>Buildings</b> on a <b>Temporary</b> basis at their discretion provided that the flood hazard can be overcome by mitigating measures that meet or exceed Provincial requirements and are acceptable to the <b>Town</b> . However, <b>Buildings</b> or <b>Structures</b> intended for <b>Essential Public Utilities</b> or erosion control may be allowed on a permanent basis.
(c) <b>Cannabis Facility</b>	<p>At the time of <b>Development Permit</b> application, a <b>Cannabis Facility</b> shall not be located closer than 75.0 metres to any of the following, as measured from the closest point of the proposed <b>Cannabis Facility Bay</b> to the closest point of the <b>Lot</b> boundary of:</p> <ul style="list-style-type: none"> <li>i. Any land zoned Traditional Neighbourhood District.</li> </ul>

## PART 3: LAND USE DISTRICTS



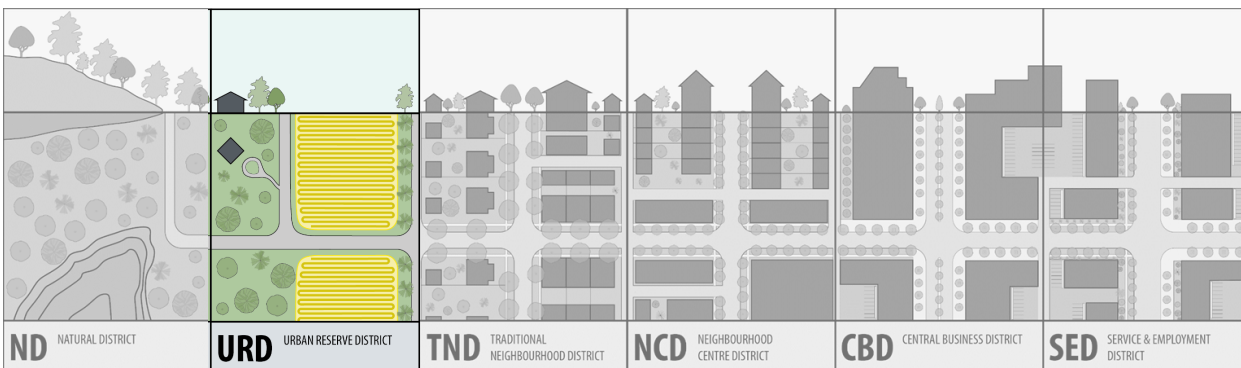
Element	Standard
(d) <b>Cannabis Store</b>	<p>i. At the time of <b>Development Permit</b> application, a <b>Cannabis Store Bay</b> shall not be located closer than 100.0 metres to any of the following, as measured from the closest point of the <b>Cannabis Store Bay</b> to the closest point of the <b>Site</b> boundary of:</p> <ul style="list-style-type: none"> <li>A. A <b>School</b>;</li> <li>B. School reserve or municipal and school reserve (as defined by the <i>Municipal Government Act</i>); or</li> <li>C. A <b>Public Park</b>.</li> </ul> <p>ii. Where a proposed <b>Cannabis Store Bay</b> is within a 150.0 metre radial distance of an existing <b>Cannabis Store Bay</b>, as measured from the closest point of the <b>Cannabis Store Bay</b> to the closest point of the other <b>Cannabis Store Bay</b>, any cumulative impacts of the facilities on existing <b>Development</b> within the area must be considered by the <b>Development Authority</b>.</p>
(e) <b>Change of Use</b>	A <b>Change of Use</b> within an existing <b>Building</b> may be considered, at the discretion of the <b>Development Authority</b> provided the proposed use is listed as permitted or discretionary in this land use district.
(f) Compatibility	No <b>Use</b> or operation shall cause or create any conditions which may be offensive or objectionable beyond the <b>Lot Lines</b> by virtue of noise, odour, vibrations, heat, or light, at the discretion of the <b>Development Authority</b> .
(g) <b>Accessory Uses</b>	<b>Accessory Uses</b> are <b>Permitted</b> or <b>Discretionary</b> in accordance with the <b>Primary Use(s)</b> .
(h) <b>Accessory Buildings</b>	No <b>Accessory Building</b> shall be used as a <b>Dwelling Unit</b> unless the <b>Building</b> meets the requirements of the <i>Alberta Safety Codes Act</i> .
(i) <b>Sustainable Renewable Energy</b>	<b>Sustainable Renewable Energy</b> systems and <b>Structures</b> must be in compliance with the provisions of this Bylaw and any other obligatory legislation or government regulations.

## PART 3: LAND USE DISTRICTS



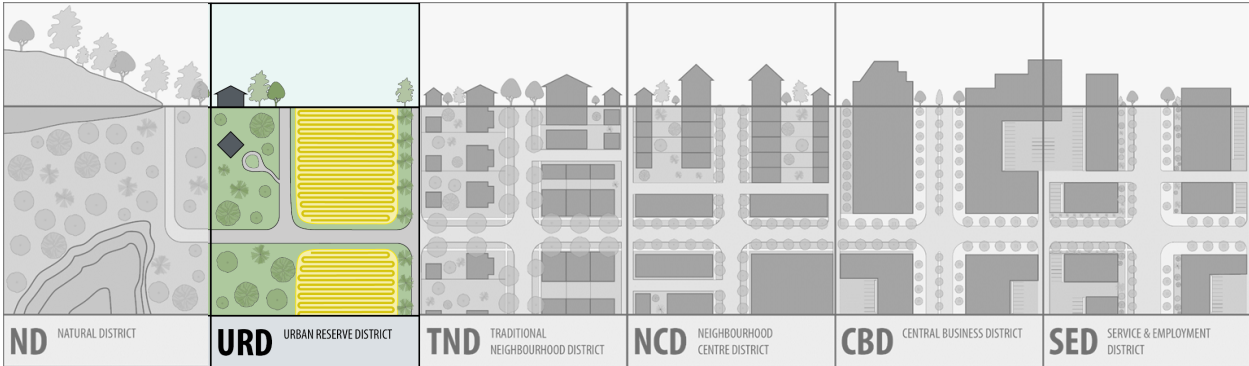
Element	Standard
(j) <b>Temporary Development</b>	<p><b>Temporary Uses, Buildings, or Structures</b> may be permitted in all Districts at the discretion of the <b>Development Authority</b>, provided that <b>Temporary Buildings or Structures</b> are not placed on permanent foundations and provided that the <b>Use, Building or Structure</b> is listed as a <b>Permitted or Discretionary Use</b> in the relevant land use district.</p> <ol style="list-style-type: none"> <li>i. A <b>Development Permit</b> shall only be provided for up to a maximum of five years, at which time a new or renewed <b>Development Permit</b> shall be required.</li> <li>ii. <b>Temporary Buildings or Structures</b> must have the appearance and aesthetic of the <b>Buildings or Structures</b> allowed in the <b>Land Use District</b> at the discretion of the <b>Development Authority</b>.</li> </ol>
(k) <b>Temporary Shipping Containers</b>	<p><b>Temporary Shipping Containers</b> may be used for the storage of equipment and materials during the construction period at the construction site subject to the following:</p> <ol style="list-style-type: none"> <li>i. The <b>Site</b> must have an approved and active <b>Building Permit</b>.</li> <li>ii. The <b>Shipping Container</b> must be placed wholly within the subject <b>Site</b>.</li> <li>iii. The <b>Shipping Container</b> shall be removed from the <b>Lot</b> no later than seven (7) calendar days after completion of the <b>Building Permit</b>.</li> <li>iv. If construction ceases for a period of thirty (30) days, the <b>Shipping Container</b> shall be removed from the <b>Site</b> no later than seven (7) days after notice to remove is issued by the Town.</li> </ol>
(l) <b>Prohibited Uses</b>	<ol style="list-style-type: none"> <li>i. The storage of any <b>Temporary Dwelling Unit</b>;</li> <li>ii. The outdoor storage of unsightly materials including derelict vehicles;</li> <li>iii. The storage of goods, products, or materials in any <b>Frontage</b>; and</li> <li>iv. <b>Gaming Establishments</b>.</li> </ol>
(m) <b>Development not requiring a Development</b>	<p>A <b>Development Permit</b> is not required in respect of the following <b>Developments</b> provided they are in compliance with the standards outlined in this Land Use District and all other provisions of this Bylaw:</p>

## PART 3: LAND USE DISTRICTS



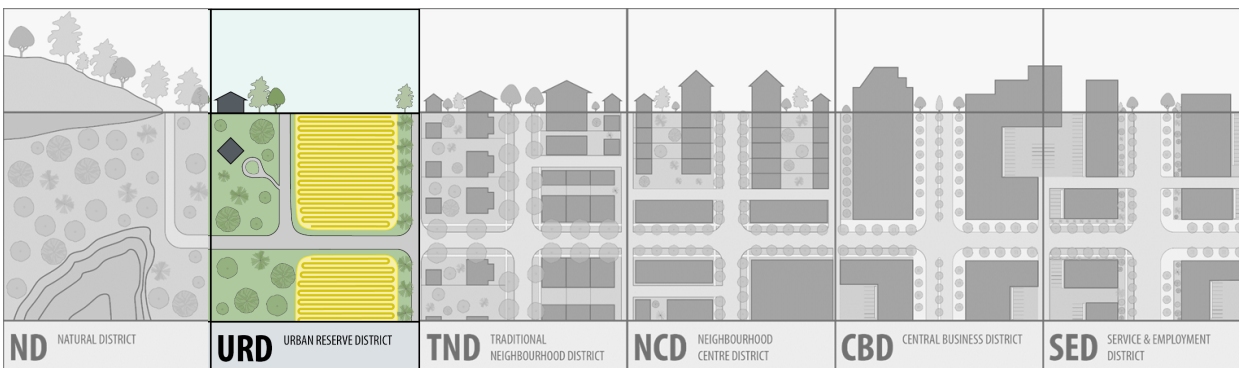
Element	Standard
<b>Permit</b>	<ul style="list-style-type: none"> <li>i. Work of maintenance, repair or <b>Alteration</b>, on a <b>Structure</b>, both internal and external, if at the discretion of the <b>Development Authority</b>, such work: <ul style="list-style-type: none"> <li>A. Does not result in an increase in the number of <b>Dwelling Units</b> within the <b>Building</b> or on the <b>Site</b>;</li> <li>B. Does not increase the floor area by more than 25.0 percent of the original <b>Residential Structure</b> or <b>Building</b>;</li> <li>C. Does not change the <b>Use</b> or intensity of the <b>Use</b> of the <b>Structure</b> or <b>Building</b>; and</li> <li>D. Is performed in accordance with obligatory legislation or other government regulations.</li> </ul> </li> <li>ii. The completion of a <b>Building</b> which was lawfully under construction at the date this Bylaw comes into effect;</li> <li>iii. The use of any <b>Building</b> referred to in Subsection 4.6 for the purpose for which construction was commenced;</li> <li>iv. The use of a <b>Building</b>, other than a <b>Non-Conforming Use</b> or <b>Non-Conforming Building</b>, that has been vacant for less than 6 months for a purpose that is, at the discretion of the <b>Development Authority</b>, the same or similar to the previous <b>Use</b>;</li> <li>v. The <b>Change of Use</b> of a <b>Building</b> or <b>Structure</b>, other than a <b>Non-Conforming Use</b> or <b>Non-Conforming Building</b> provided that: <ul style="list-style-type: none"> <li>A. The requirements of the <b>Development Permit</b> for the existing <b>Building</b> have been fulfilled; and</li> <li>B. The <b>Change of Use</b> is from a <b>Permitted</b> or <b>Discretionary Use</b> to a <b>Permitted Use</b> in this Land Use District.</li> </ul> </li> <li>vi. The erection, construction, or maintenance of gates, <b>Fences</b>, walls, or other means of enclosure shall be permitted at the discretion of the Development Authority;</li> <li>vii. The construction and maintenance of <b>Essential Public Utilities</b>;</li> <li>viii. The erection of an <b>Accessory Building</b> in association with an approved <b>Permitted Use</b> when it complies with the standards of this Bylaw;</li> <li>ix. The use of a <b>Building</b> or part thereof as a temporary polling station for a federal,</li> </ul>

## PART 3: LAND USE DISTRICTS



Element	Standard
	<p>provincial, or municipal election, referendum, or plebiscite;</p> <p>x. The construction, maintenance, and repair of private walkways, private pathways, private driveways, private features, and landscaping details that do not involve retaining walls greater than 0.6 metres in height, and are in compliance with this Land Use District;</p> <p>xi. An outdoor in-ground or above-ground private swimming pool provided:</p> <p style="margin-left: 20px;">A. Not located in a <b>Frontage</b>;</p> <p style="margin-left: 20px;">B. Having a total area not exceeding 15.0 percent of the <b>Lot</b> area; and</p> <p style="margin-left: 20px;">C. That does not have any part of the above <b>Grade</b> component, including a <b>Deck</b>, walkway, supporting member, heater, or mechanical equipment, located within 1.2 metres of any <b>Side Lot Line</b> or <b>Rear Lot Line</b>.</p> <p>xii. <b>Excavation</b> of land and stripping of soil provided:</p> <p style="margin-left: 20px;">A. That the area concerned is less than 1,000.0 square metres;</p> <p style="margin-left: 20px;">B. That the stripping or <b>Excavation</b> is part of a <b>Development</b> for which a <b>Development Permit</b> has been issued; or</p> <p style="margin-left: 20px;">C. That the <b>Applicant</b> has signed a <b>Development Agreement</b> with the <b>Town</b> for the area concerned.</p> <p>xiii. Communication <b>Structures</b> that comply with the <i>Federal Radiocommunication Act</i>;</p> <p>xiv. <b>Minor Home Occupation(s)</b>;</p> <p>xv. <b>Mural(s)</b>;</p> <p>xvi. <b>Day Home(s)</b>; and</p> <p>xvii. <b>Patio(s)</b></p> <p>xviii. Erection of flagpoles not exceeding 4.5 metres in height for the purpose of flying a <b>Flag</b> but not a <b>Sign</b>.</p>

## PART 3: LAND USE DISTRICTS



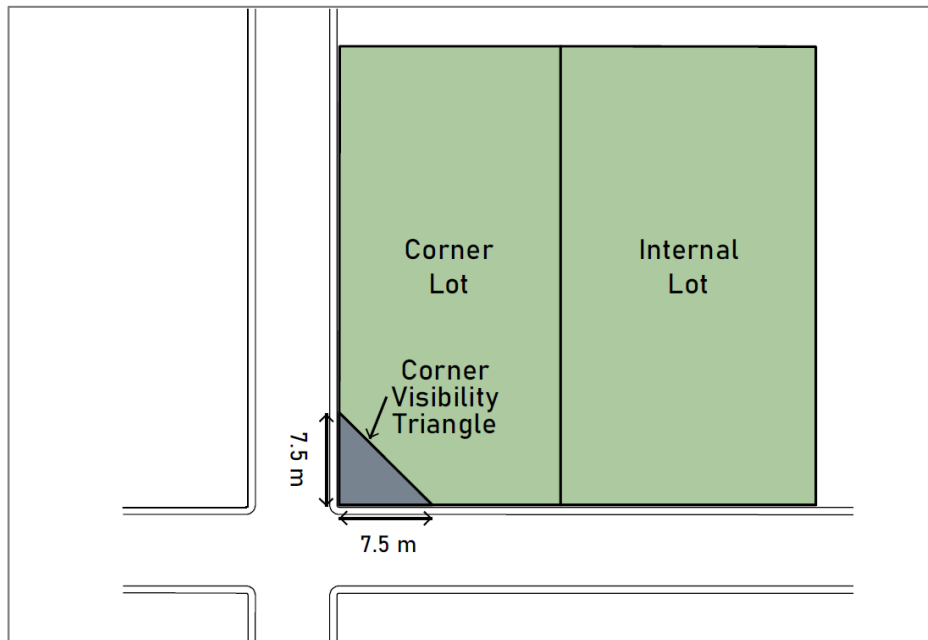
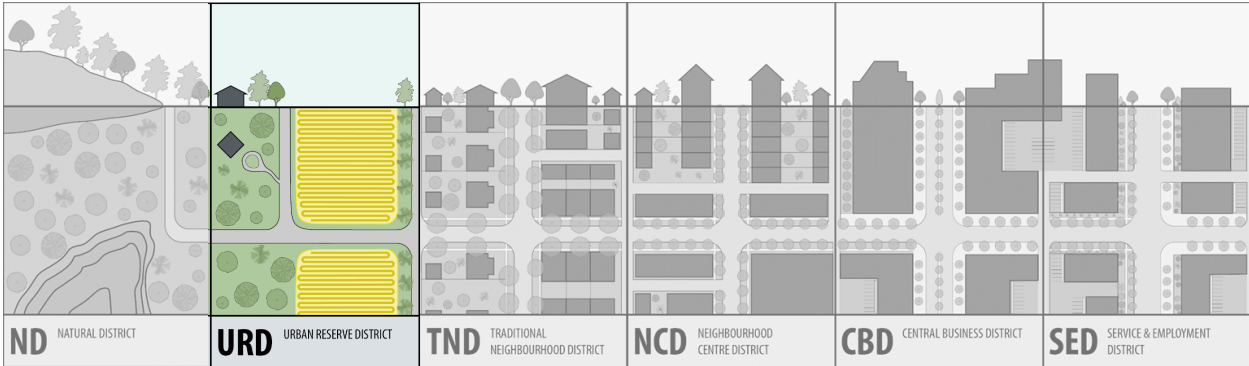
### 3.3.4 Subdivision & Development Standards

- (a) No **Subdivision** is allowed without an approved Area Structure Plan or Neighbourhood Outline Plan and appropriate zoning.

### 3.3.5 Additional Standards

- (a) The **Development Authority** may allow a **Variance** of any or all of the requirements of this Bylaw through an application, where at the discretion of the Development Authority, the Development would not unduly interfere with the amenities of the neighbourhood, detract from the public realm, or materially interfere with or affect the use, enjoyment, or value of the neighbouring **Lots**, and the **Use** proposed is allowed by this Bylaw.
- (b) Any standard from this Bylaw may be applied to **Development** within this Land Use District at the discretion of the **Development Authority** in order to ensure a high-quality level of design and / or future urban development opportunities.
- (c) When a **Development** cannot be clearly categorized in this Bylaw, the **Development Authority** shall determine all applicable standards.
- (d) All **Development** shall meet the requirements of the *Alberta Safety Codes Act*.
- (e) All other **Development** proposals shall be at the **Development Authority's** discretion.
- (f) All **Development** shall meet the Minimum Development Elevation requirements in Section 2.4 if required by the **Development Authority** as per Section 2.4.3.
- (g) Notwithstanding any other provisions contained in this Bylaw, no vegetation, finished **Lot** grade, **Building**, **Structure**, or **Fence** shall exceed the general elevation of the **Thoroughfare** by more than 0.76 m within the area defined as a **Corner Visibility Triangle**.
- (h) **Sites** with incomplete **Development** must be maintained at all times in accordance with the standards of the Town, including but not necessarily limited to the Good Neighbour Bylaw and the General Engineering and Construction Specifications..

## PART 3: LAND USE DISTRICTS



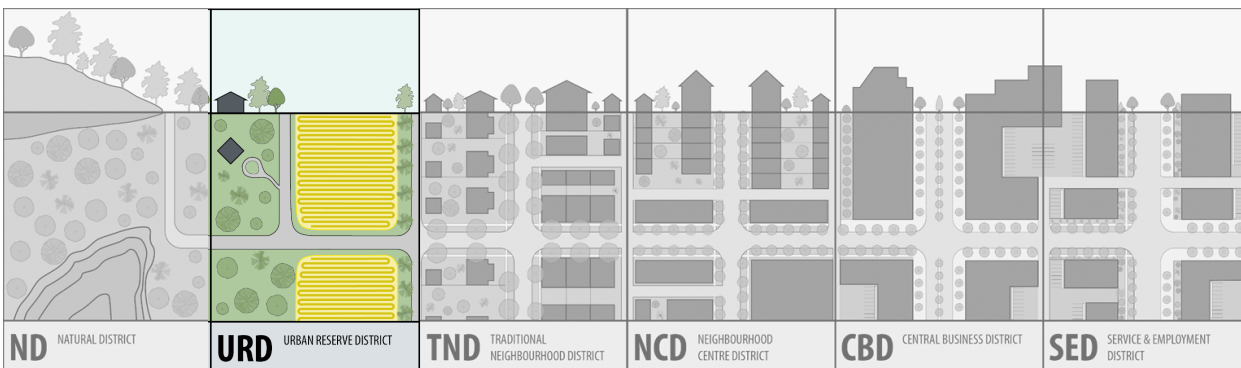
### 3.3.6 Sustainable Energy

- (a) **Sustainable Renewable Energy** systems are encouraged and supported within the **Town**. **Solar Energy Systems** and **Wind Turbines** shall be considered at the discretion of the **Development Authority**.

### 3.3.7 The Design, Character & Appearance of Temporary and Permanent Buildings

- (a) The size, location, design, character and appearance of any **Building** or **Structure** requiring a **Development Permit** shall be acceptable to the **Development Authority** having due regard to:
- i. The policies and objectives contained within the **Town's** Statutory Plans;

## PART 3: LAND USE DISTRICTS



- ii. Any studies adopted as guidelines regarding Heritage Buildings and historic resources, vistas, streetscapes, parking, mobility, public art, and open space;
- iii. The character of existing **Development** in this Land Use District including, but not necessarily limited to, facing materials, **Building** mass and architectural detailing;
- iv. The character of existing **Development** in this Land Use District, as well as the effect on adjacent Land Use District(s) and parcels, unless the **Building** or **Structure**, at the discretion of the **Development Authority**, sets a higher standard of design, character and appearance for this Land Use District, or part of it; and
- v. Other factors such as daylight, sunlight, and privacy.

(b) The exterior finishing materials on the **Façade** of a proposed **Development** shall be those identified on the approved plans for that **Development**.

(c) Once constructed, the **Façade** of the **Building(s)** shall be maintained to the standard shown on the Site Plan and elevation drawings approved by the **Development Authority**.

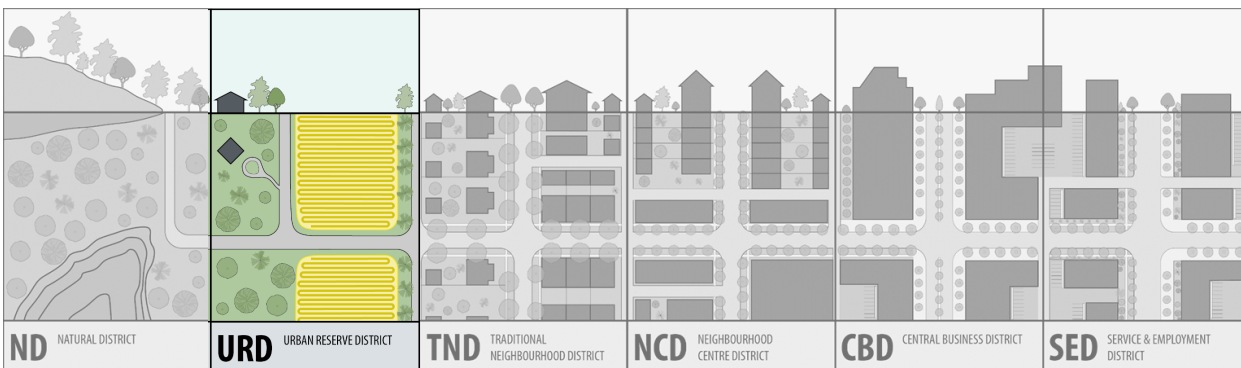
(d) **Additions** to any **Primary Building(s)** and any **Accessory Building(s)** shall be constructed and finished with materials compatible with the **Primary Building(s)**.

(e) Where a proposed **Development** is part of a larger area, the whole of which may eventually be designed and developed, and for which no overall **Development** plan has been prepared, the **Development Authority** may require the submission of a **Master Site Plan** before dealing with the application.

### 3.3.8 Drainage Standards

(a) All roof drainage from a **Structure** or **Building** must be discharged onto the **Lot** on which the **Structure** or **Building** is located. No roof drainage may create any negative impact on adjacent **Sites**. Should any damage occur, the owner shall be responsible for all of the costs of all applicable damages, as determined by a qualified professional (e.g. insurance underwriter) based on the General Engineering and Construction Specifications as applicable.

## PART 3: LAND USE DISTRICTS



### 3.3.9 Pageantry Features

(a) **Pageantry Features** may only be located within or abutting the **Development** that they relate to.

(b) **Pageantry Features** are limited to:

- i. promoting natural and manmade attributes and amenities of the **Development**;
- ii. providing the names of area builders;
- iii. providing directions within the **Development**;
- iv. indicating the general price range of housing products.

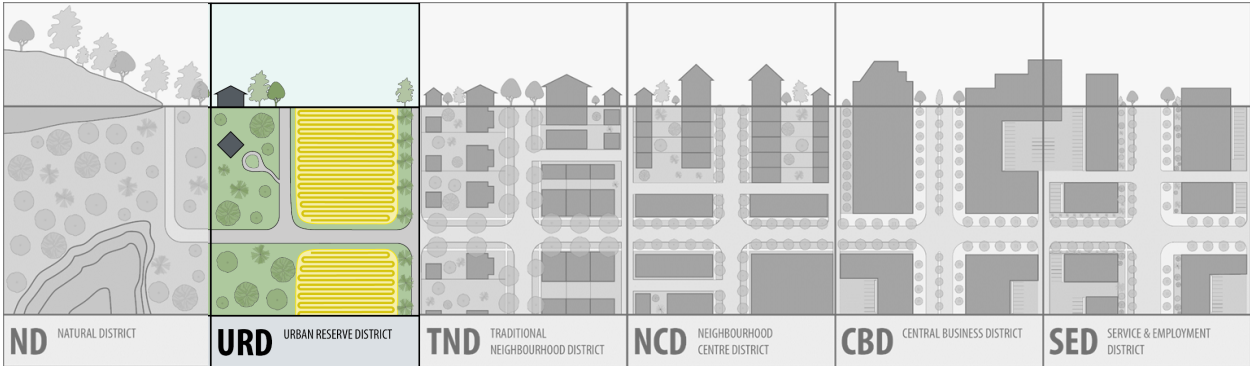
(c) **Pageantry Features** must not:

- i. be installed so as to obstruct or impede free and clear vision for motorists and pedestrians and in so doing create a traffic hazard;
- ii. interfere with, or cause confusion with, any authorized sign, signal or traffic control device and in so doing create a traffic hazard;
- iii. impede pedestrians from using the sidewalk system;
- iv. create any other safety issue under the regulations of the Town of High River Traffic Bylaw or the Traffic Safety Act, RSA 2000; or
- v. cause any damage to any Town owned trees (through installation, placement or removal) or result in any pruning to improve visibility of Pageantry Features.

(d) **Pageantry Features** may include the following types:

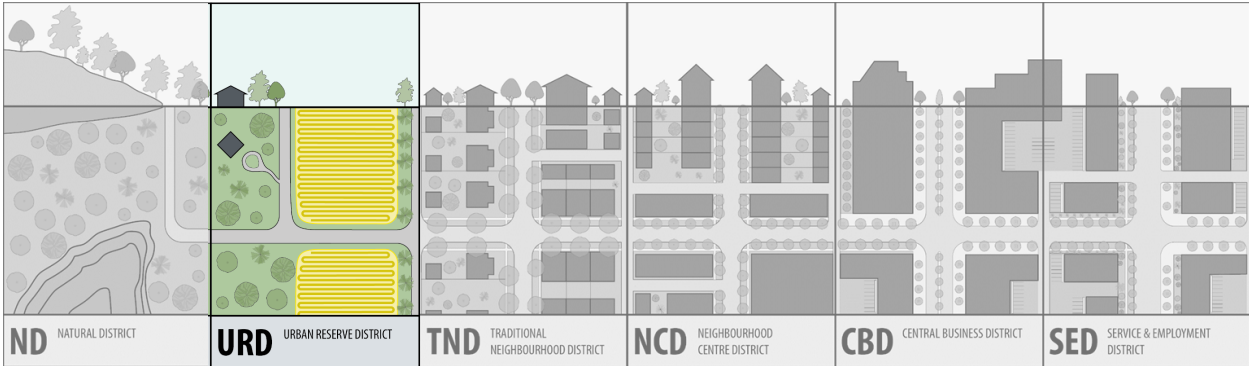
- i. freestanding signs, provided the signs do not exceed 2.0 metres in height and 3.0 square metres in sign area and are securely inserted into the ground (skids, concrete blocks, and similar types of footings will not be permitted);
- ii. flags and flag poles;
- iii. banners and banner poles; or
- iv. any other decorative feature where, in the opinion of the **Development Authority**, the feature is consistent with the intent of these regulations.

## PART 3: LAND USE DISTRICTS



- 
- (e) All **Pageantry Features** within a **Development** must be coordinated, cohesive and have a consistent theme.
- 
- (f) All **Pageantry Features** within a **Development** must be kept in good repair at all times.
- 
- (g) There is no limitation to the number of Pageantry Features that can be proposed and approved in a **Development** under a single application. However, the **Development Authority** reserves the right to restrict the number of **Pageantry Features** approved for a **Development** based on the suitability of the location and design of the **Pageantry Features**.
- 
- (h) A **Development Permit** shall only be provided for up to a maximum of 5 years, at which time a new or renewed **Development Permit** shall be required. Pageantry shall be removed within thirty days of the final **Lot** or unit of the **Development** being sold by the developer.
-

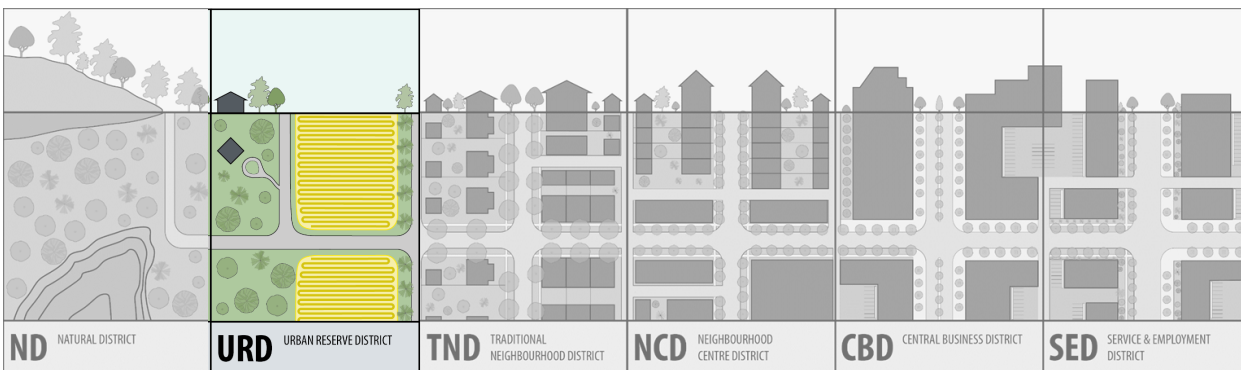
## PART 3: LAND USE DISTRICTS



### 3.3.10 Sign Standards

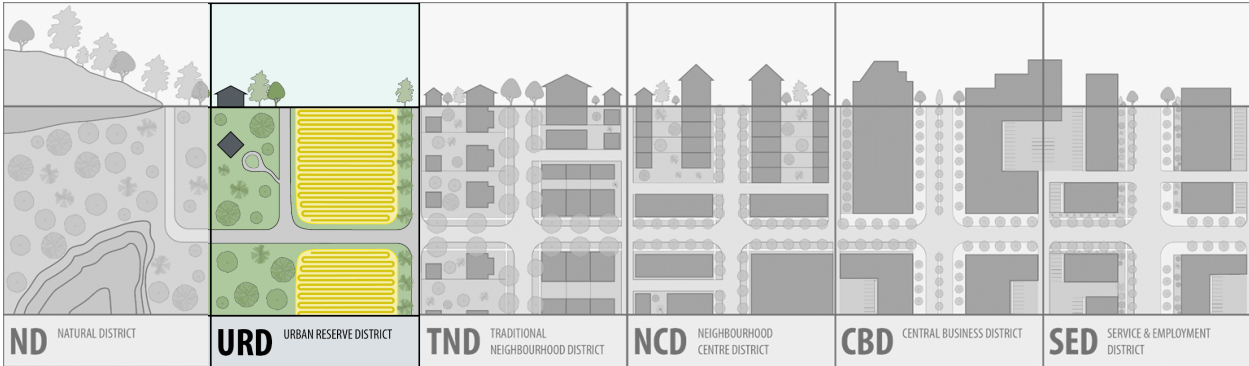
Sign Element	Standard
(a) General <b>Sign</b> Standards	<ul style="list-style-type: none"> <li>i. <b>Signs</b> should be appropriate and integrated with the <b>Building</b> design and character of the neighbourhood.</li> <li>ii. <b>Signs</b> shall be primarily oriented toward pedestrians in both scale and location. <b>Signs</b> oriented towards vehicles are considered secondary.</li> <li>iii. <b>Signs</b> shall not obstruct pedestrian or vehicular visibility or circulation.</li> <li>iv. <b>Signs</b> shall not project above the roofline of a <b>Building</b>.</li> <li>v. The message on the <b>Sign</b> shall relate to the <b>Use</b> of the <b>Site(s)</b> on which it is located.</li> <li>vi. <b>Signs</b> shall not exceed 20.0 percent of the <b>Building Façade</b> to which it is attached.</li> <li>vii. <b>Sign</b> illumination shall be from the top of the <b>Sign</b> and oriented downward and shall be designed to have no direct light emitted above the top of the <b>Sign</b> and / or the <b>Signs</b> support <b>Structure</b>, unless, in the opinion of the <b>Development Authority</b>, the design is enhanced by the addition of light for aesthetic purposes..</li> <li>viii. The vertical clearance from the bottom of a <b>Sign</b> to <b>Grade</b> for a public space shall be: <ul style="list-style-type: none"> <li>A. Minimum 2.5 metres for sidewalks;</li> <li>B. 3.8 metres for driveways, parking spaces and streets; and</li> <li>C. 4.6 metres for <b>Loading</b> areas.</li> </ul> </li> </ul>
	<ul style="list-style-type: none"> <li>ix. <b>Signs</b> shall at all times be maintained in a proper and safe state of repair and shall not be permitted to become dilapidated or unsightly.</li> <li>x. All <b>Signs</b> within the Urban Reserve District shall be <b>Temporary</b> only.</li> </ul>

## PART 3: LAND USE DISTRICTS



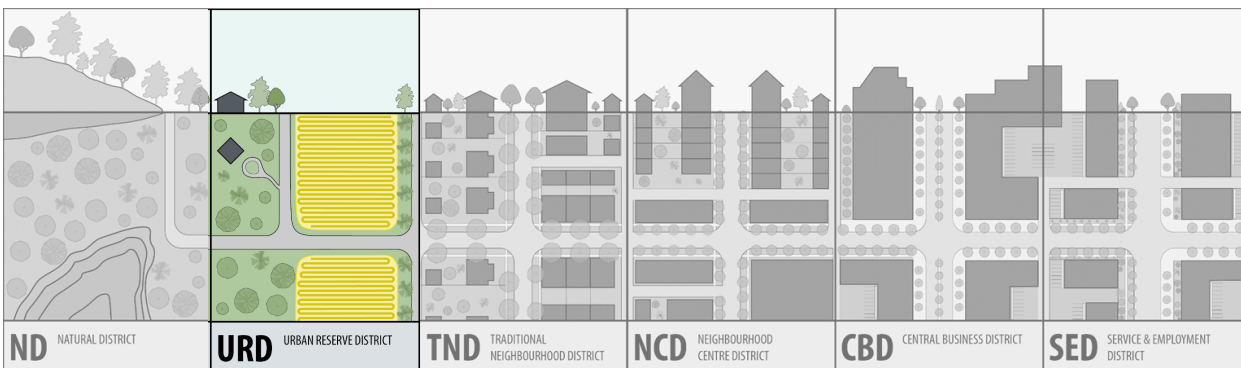
<b>Sign Element</b>	<b>Standard</b>
(b) <b>Sign, Banner</b>	<ul style="list-style-type: none"> <li>i. Shall be limited to 1 banner per business.</li> <li>ii. Shall not cover more than 25.0 percent of the ground floor <b>Façade</b> for a business.</li> <li>iii. Materials shall be weather resistant and minimize glare.</li> </ul>
(c) <b>Sign, Canopy</b>	<ul style="list-style-type: none"> <li>i. Shall not cover more than 25.0 percent of the ground floor <b>Façade</b> for a business.</li> <li>ii. May project into the <b>Public Frontage</b> up to 1.5 metres as long as it maintains a <b>Setback</b> of at least 0.6 metres from the <b>Curb</b>.</li> <li>iii. Shall not be allowed in addition to a <b>Sign, Fascia</b> on the same business <b>Façade</b>.</li> </ul>
(d) <b>Sign, Changeable Message</b>	<ul style="list-style-type: none"> <li>i. Shall only be allowed as part of a <b>Sign, Freestanding</b> or <b>Sign, Fascia</b>.</li> </ul>
(e) <b>Sign, Community Identification</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 3.0 square metres and have a maximum height of 1.5 metres from <b>Grade</b>.</li> <li>ii. Shall be self-supported and shall be permanent and stationary.</li> </ul>
(f) <b>Sign, Fascia</b>	<ul style="list-style-type: none"> <li>i. Shall not cover more than 20.0 percent of the first <b>Storey Façade</b> for a business.</li> <li>ii. The top of a <b>Sign, Fascia</b> shall have a maximum height of 4.5 metres from <b>Grade</b> and shall not extend above the base of a window on any upper <b>Storey</b>.</li> <li>iii. May project into the <b>Public Frontage</b> up to 0.4 metres.</li> <li>iv. Shall not be allowed in addition to a <b>Sign, Canopy</b> on the same business <b>Façade</b>.</li> </ul>
(g) <b>Sign, Flag</b>	<ul style="list-style-type: none"> <li>i. May have a maximum sign area of 2.0 square metres and have a maximum height of 6.0 metres from <b>Grade</b>.</li> <li>ii. A maximum of one <b>Sign</b> is allowed per <b>Frontage</b>.</li> <li>iii. Must not be located on a <b>Roof</b> of a <b>Building</b>.</li> <li>iv. Must be secured to a flagpole which is secured into the ground. Portable <b>Signs, Flag</b> shall not be permitted.</li> <li>v. Shall incorporate landscaping where required by the <b>Development Authority</b></li> </ul>

## PART 3: LAND USE DISTRICTS



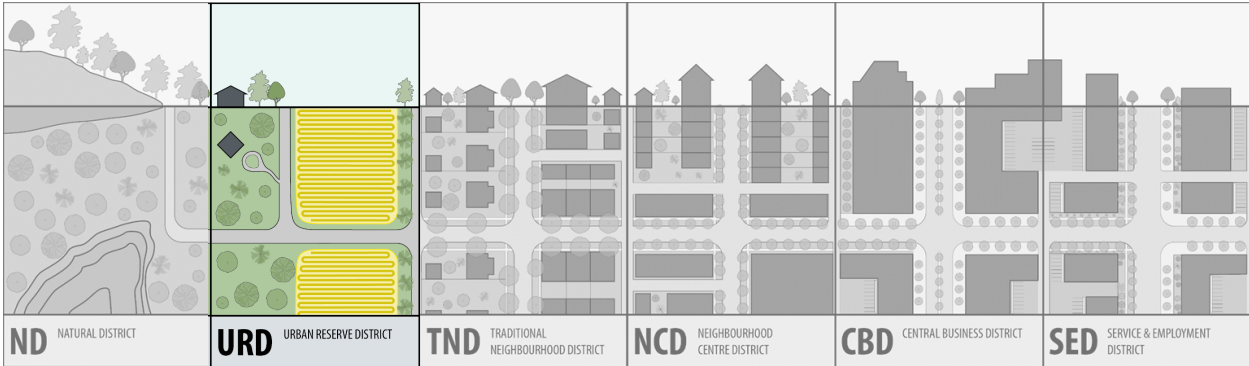
<b>Sign Element</b>	<b>Standard</b>
(h) <b>Sign, Freestanding</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 3.0 square metres and have a maximum height of 4.0 metres from <b>Grade</b>.</li> <li>ii. A maximum of one <b>Sign</b> is allowed per <b>Lot</b>.</li> <li>iii. Shall incorporate landscaping where required by the <b>Development Authority</b></li> </ul>
(i) <b>Sign, Projecting or Hanging</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 1 square metre.</li> <li>ii. May project into the <b>Public Frontage</b> up to 1.0 metre as long as it does not project closer than 0.6 metres to the <b>Curb</b> and shall not extend past a <b>Sign, Canopy</b> on the same <b>Façade</b>.</li> <li>iii. A maximum of one <b>Sign</b> is allowed per business <b>Façade</b>.</li> <li>iv. Shall be located a minimum of 3.0 metres from each other.</li> </ul>
(j) <b>Sign, Sponsorship</b>	<ul style="list-style-type: none"> <li>i. <b>Signs</b> located on <b>Fences</b> shall not cover more than 50.0 percent of the <b>Fence</b> facing the <b>Public Realm</b> and shall not obstruct sight lines, gates or access points to the satisfaction of the <b>Development Authority</b>.</li> <li>ii. <b>Signs</b> shall not protrude past the side edges, above, or below the <b>Fence</b>.</li> <li>iii. Shall not cover more than 20.0 percent of the first <b>Storey Façade</b> of the <b>Building</b> or <b>Structure</b>.</li> </ul>
(k) <b>Sign, Window</b>	<ul style="list-style-type: none"> <li>i. A <b>Development Permit</b> is required for a total <b>Sign</b> area of more than 50.0 percent of the glass surface of the window(s).</li> <li>ii. In the case of a <b>Major Home Occupation</b>, the maximum <b>Sign</b> area shall be 0.2 square metres and a maximum of one <b>Sign</b> per <b>Major Home Occupation</b> shall be permitted.</li> <li>iii. Shall not be illuminated when located in a <b>Residential Building</b>.</li> </ul>

## PART 3: LAND USE DISTRICTS



<b>Sign Element</b>	<b>Standard</b>
(l) <b>Signs</b> not requiring a <b>Development Permit</b>	<ul style="list-style-type: none"> <li>i. An official notice, <b>Sign</b>, placard, or bulletin for Municipal, Provincial, or Federal purposes whether on public or private property.</li> <li>ii. A <b>Sign</b> that is not visible from the <b>Public Realm</b> at the discretion of <b>Development Authority</b>.</li> <li>iii. <b>Signs, Temporary Banner</b> to advertise any <b>Community Group</b> or <b>Community Event</b>, and with a maximum <b>Sign</b> area of 3.0 square metres in accordance with Council approved guidelines.</li> <li>iv. <b>Signs, Temporary</b> associated with an approved <b>Temporary Use</b>, with a maximum area of 1.0 square metre, a maximum height of 2.0 metres, and a maximum of 2 <b>Signs</b> per <b>Lot</b>.</li> <li>v. <b>Signs, Construction</b> located on <b>Site(s)</b> where construction, renovation, or maintenance is occurring, and is removed 7 days following completion of work.</li> <li>vi. <b>Signs, Election</b> with a maximum <b>Sign</b> area of 1.5 square metres, and maximum height of 2 metres, which are placed no sooner than 30 days prior to an election and removed 7 days following.</li> <li>vii. Existing <b>Signs</b> when only the message area of the <b>Sign</b> is being changed to reflect a change in the business name or a replacement sign for an existing business.</li> <li>viii. <b>Signs, Real Estate</b> with a maximum <b>Sign</b> area of 1.0 square metre and a maximum of 1 <b>Sign</b> per <b>Lot Frontage</b>.</li> <li>ix. A <b>Sign, Traffic</b> or <b>Sign, Directional</b> with a maximum <b>Sign</b> area of 1.0 square metre and a maximum height of 2.0 metres authorized by the Municipal, Provincial, or Federal Government(s).</li> <li>x. A <b>Sign</b> for a garage sale or similar event, posted for a maximum of 48 hours.</li> <li>xi. A <b>Sign</b> showing the name or address of a <b>Building</b> that is sculpted or formed from the <b>Building</b> material.</li> <li>xii. <b>Murals</b> or similar public art, providing that no third-party advertising is included.</li> <li>xiii. <b>Signs, A-Board</b>.</li> </ul>

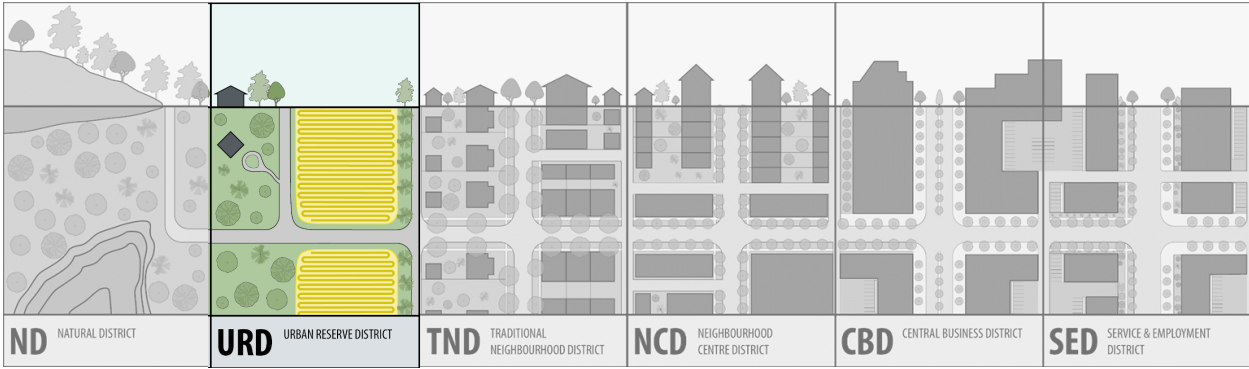
## PART 3: LAND USE DISTRICTS



<i>Sign Element</i>	<i>Standard</i>
---------------------	-----------------

- |                                      |   |
|--------------------------------------|---|
| (m) Prohibited <b>Signs</b>          | <ul style="list-style-type: none"> <li>i. <b>Signs, Inflatable;</b></li> <li>ii. <b>Signs, Searchlight or Laser;</b></li> <li>iii. <b>Signs, Third Party;</b></li> <li>iv. <b>Signs, Vehicle or Trailer</b> on non-motorized vehicles;</li> <li>v. <b>Signs, Portable;</b></li> <li>vi. <b>Signs, Roof;</b></li> <li>vii. <b>Signs, Obsolete;</b> and</li> <li>viii. Moving, flashing, sound-emitting <b>Signs</b>, or <b>Signs, Revolving.</b></li> </ul>  |
| (n) Additional <b>Sign Standards</b> | <ul style="list-style-type: none"> <li>i. Whenever a panel on a multi-tenant <b>Sign</b> is removed, the <b>Sign</b> owner shall replace it with a blank panel until such time as a new tenant requires it.</li> <li>ii. An existing non-conforming <b>Sign</b> may continue to be displayed provided: <ul style="list-style-type: none"> <li>A. The <b>Sign</b> was lawfully erected on or before the day this Bylaw came into effect;</li> <li>B. The <b>Sign</b> continues to comply with the bylaw in effect at the time of its erection;</li> <li>C. Changes to the <b>Sign</b> are limited to normal maintenance; and</li> <li>D. The <b>Sign</b> is not moved or materially altered.</li> </ul> </li> <li>iii. When a <b>Sign</b> cannot be clearly categorized as any of the <b>Signs</b> defined in this Bylaw, the <b>Development Authority</b> shall determine the <b>Sign</b> type and applicable standards.</li> <li>iv. All <b>Signs</b> that require a <b>Development Permit</b> in this district shall be <b>Discretionary</b> and <b>Temporary.</b></li> </ul> |

## PART 3: LAND USE DISTRICTS

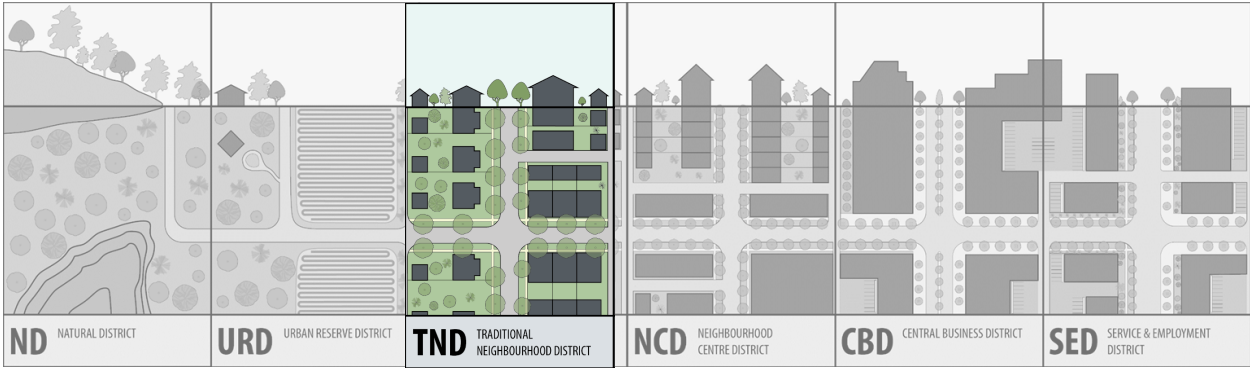


<b>Sign Element</b>	<b>Standard</b>
---------------------	-----------------

- (o) Associated **Uses** In the table below:
- ✓ means a Sign is **Permitted** (and is **Temporary**)
  - means a Sign is **Permitted** and does not require an associated **Use** (and is **Temporary**)
  - means a Sign is not Permitted

	<b>Sign, Banner</b>	<b>Sign, Canopy</b>	<b>Sign, Changeable Message</b>	<b>Sign, Community Identification</b>	<b>Sign, Electronic Messaging</b>	<b>Sign, Fascia</b>	<b>Sign, Freestanding</b>	<b>Sign, Projecting or Hanging Wall</b>	<b>Sign, Window</b>
<b>Residential</b>	●	●	●	○	●	●	●	●	✓
<b>Lodging</b>	✓	✓	✓	○	●	✓	✓	✓	✓
<b>Office</b>	✓	✓	●	○	●	✓	✓	✓	✓
<b>Retail &amp; Entertainment</b>	✓	✓	✓	○	✓	✓	✓	✓	✓
<b>Manufacturing</b>	✓	✓	●	○	●	✓	✓	✓	✓
<b>Institutional</b>	✓	●	✓	○	●	✓	✓	✓	✓
<b>Agriculture</b>	✓	●	●	○	●	●	✓	✓	✓

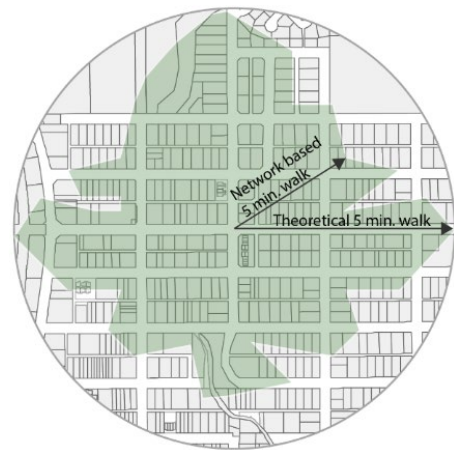
## PART 3: LAND USE DISTRICTS



### 3.4 TRADITIONAL NEIGHBOURHOOD DISTRICT (TND)

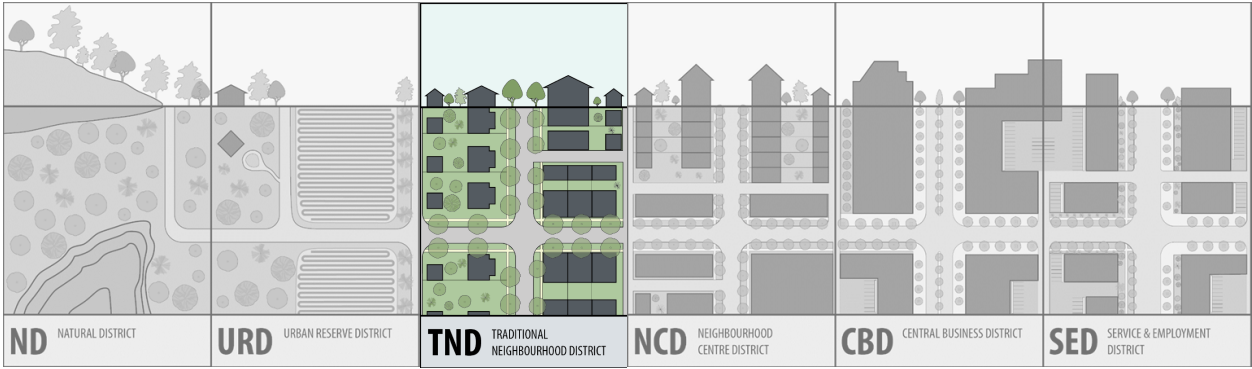
#### 3.4.1 Intent

To allow for primarily ground-oriented **Residential Development** with the integration of local services that serve the daily needs of residents, such as **Cafés**, day care facilities, home occupations, personal services, and small-scale **Professional Offices** in order to enhance and support a walkable neighbourhood, and to primarily serve local residents.



- |                             |  |
|-----------------------------|--|
| (a) General characteristics | <ul style="list-style-type: none"> <li>i. The overall mix of <b>Uses</b> for this Land Use District should strive for 80.0 percent <b>Residential</b> and 20.0 percent business services.</li> <li>ii. <b>Residential</b> forms shall include a variety of <b>Building</b> types that can include one or more <b>Dwelling Units</b>.</li> <li>iii. Business and retail services should meet the daily needs of neighbouring residents within a 5 minute (400.0 metre) pedestrian network rather than a theoretical 5-minute walking radius.</li> <li>iv. All <b>Buildings</b> shall have a <b>Residential</b> form and appearance.</li> <li>v. <b>Buildings</b> along a <b>Block Face</b> should have variable <b>Setbacks</b> while maintaining a relationship with the <b>Public Realm</b> by orienting <b>Buildings</b> and <b>Primary</b> entrances to the <b>Primary Thoroughfare</b>.</li> <li>vi. Sidewalks, pathways, or similar pedestrian infrastructure shall be provided from all entrances to the neighbourhood pedestrian network in order to enhance overall pedestrian connectivity and movement.</li> </ul> |
|-----------------------------|--|

## PART 3: LAND USE DISTRICTS



(b) Vision

The Traditional Neighbourhood District (TND) is intended to transition over time to incorporate a variety of housing forms and local services.



## PART 3: LAND USE DISTRICTS



### 3.4.2 Uses

The following **Uses** are grouped into Use Categories to add clarity regarding the intent of the form of **Development**. Definitions are in Section 5.1: Use Definitions.

<i>Use Category</i>	<i>Use Category Description</i>	<i>Permitted Uses</i>	<i>Discretionary Uses</i>
(a) <b>Residential</b>	Premises available for long-term human habitation by means of ownership and rental, but exclude short-term renting of less than a month's duration.	<b>Dwelling Unit(s)</b> <b>Additional Dwelling Unit(s)</b>	<b>Temporary Dwelling Unit(s);</b> <b>Temporary Additional Dwelling Unit(s)</b>
(b) <b>Lodging</b>	Premises available for short-term human habitation, including daily and weekly renting.	<b>Bed &amp; Breakfast,</b> <b>Short Term Rental</b>	None
(c) <b>Office</b>	Premises available for the transaction of general business.	<b>Major Home Occupation</b>	<b>Professional Office</b>
(d) <b>Retail &amp; Entertainment</b>	Premises available for the commercial sale of merchandise and prepared foods.	<b>Café; Retail &amp; Service, General</b>	<b>Amusement Facility; Drinking Establishment; Gas Station; Restaurant</b>
(e) <b>Manufacturing</b>	Premises available for the creation, assembly, and repair of artefacts including their retail sale except when such activity creates conditions that may be objectionable to neighbouring property owners.	<b>Light Industrial</b>	None

## PART 3: LAND USE DISTRICTS



<i>Use Category</i>	<i>Use Category Description</i>	<i>Permitted Uses</i>	<i>Discretionary Uses</i>
(f) <b><i>Institutional</i></b>	Premises used by organizations to support the common good including organizations dedicated to religion, arts and culture, education, government, social service, recreation, health, and the like.	<b><i>Arts &amp; Culture; After Life Care; Education; Government; Hospital; Human Services; Passive Recreation</i></b>	<b><i>Active Recreation</i></b>
(g) <b><i>Agriculture</i></b>	Premises available for growing of plants or raising of livestock for the purpose of food production.	<b><i>Urban Agriculture</i></b>	None
(h) Other	Additional <b><i>Uses</i></b> that may be considered in this Land Use District.	<b><i>Essential Public Utilities; Signs</i></b> in association with an approved <b><i>Use</i></b> on the <b><i>Site</i></b> , unless otherwise specified in Section 3.4.13.  <b><i>Pageantry Features</i></b> in association with an approved <b><i>Development</i></b> .  <b><i>Temporary Shipping Containers</i></b>	<b><i>Excavation</i></b> , stripping and grading; fencing, landscaping, or other similar <b><i>Structures</i></b>  Permanent <b><i>Shipping Containers</i></b>

## PART 3: LAND USE DISTRICTS



### 3.4.3 Specific Use Standards

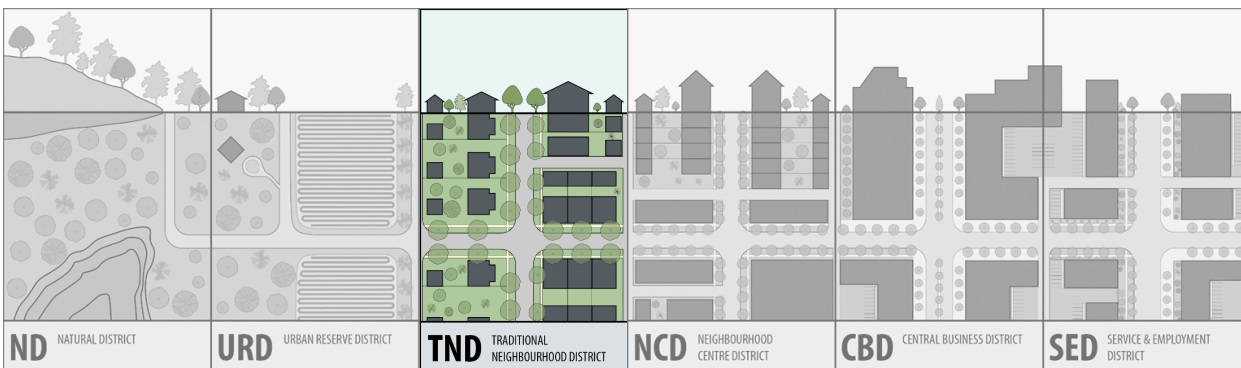
Use	Standard
(a) <b>Accessory Building</b>	No <b>Accessory Building</b> shall be used as a <b>Dwelling Unit</b> unless the <b>Building</b> meets the requirements of the <i>Alberta Safety Codes Act</i> .
(b) <b>Accessory Use</b>	Are <b>Permitted</b> or <b>Discretionary</b> in accordance with the <b>Primary Use(s)</b> .
(c) <b>Café</b>	<ul style="list-style-type: none"> <li>i. A maximum of 20 patrons is allowed.</li> <li>ii. A <b>Café</b> may serve alcoholic beverages for consumption on the premises at the discretion of the <b>Development Authority</b>, in accordance with the <i>Alberta Gaming, Liquor &amp; Cannabis Commission</i>.</li> </ul>
(d) <b>Discretionary Use</b>	Shall only be allowed if there is no detrimental effect on the hydrological system or water quality.
(e) <b>Gas Station</b>	Should locate pumps to the side or rear of the <b>Building</b> , increase the front <b>Setback</b> , or provide additional landscaping in the <b>Private Frontage</b> to better integrate the <b>Gas Station</b> with the <b>Public Realm</b> .
(f) <b>Light Industrial</b>	<ul style="list-style-type: none"> <li>i. Storage shall be within the <b>Building</b> or entirely screened.</li> <li>ii. Deliveries or pick-ups in connection with this <b>Use</b> are limited to parcel and small freight carriers</li> </ul>
(g) <b>Major Home Occupation</b>	<ul style="list-style-type: none"> <li>i. <b>Outdoor Storage</b> is prohibited.</li> <li>ii. Deliveries of pick-ups in connection with the <b>Use</b> are limited to parcel and small freight carriers.</li> <li>iii. <b>Signs</b> shall be limited to one window <b>Sign</b>, shall not be illuminated, and shall not exceed 0.2 square metres in area.</li> <li>iv. Vehicle and equipment service or <b>Repair</b> are not allowed.</li> <li>v. If a <b>Major Home Occupation Development Permit</b> holder relocates within the Municipality, a new <b>Development Permit</b> is required for a new <b>Major Home Occupation</b> at the new location.</li> </ul>

## PART 3: LAND USE DISTRICTS



Use	Standard
	<ul style="list-style-type: none"> <li>vi. No nuisances by way of noise, vibration, smoke, dust, fumes, odours, heat, light, electrical or radio disturbance, detectable beyond the property boundary shall be produced by the <b>Major Home Occupation</b>.</li> <li>vii. Commercial Vehicles used for a <b>Major Home Occupation</b> shall be parked on-site and shall not be located within a <b>Frontage</b> if weight exceeds 4,000.0 kg.</li> <li>viii. A <b>Development Permit</b> for a <b>Major Home Occupation</b> may be revoked if, at the discretion of the <b>Development Authority</b>, the operator of the <b>Major Home Occupation</b> has violated any provisions of this Bylaw and / or the conditions of the <b>Development Permit</b>.</li> </ul>
(h) <b>Outdoor Storage</b>	<ul style="list-style-type: none"> <li>i. Shall not be allowed in a <b>Frontage</b> and shall be screened from any <b>Thoroughfare</b> by means of a solid wall, fencing, landscaping, berming or combination thereof, to the satisfaction of the <b>Development Authority</b>.</li> <li>ii. Shall be kept in a clean and orderly condition at all times.</li> </ul>
(i) <b>Restaurant</b>	Shall not install ventilation systems that terminate on the roof of a <b>Building</b> unless the <b>Applicant</b> can prove that no other feasible alternative is available. To the maximum extent feasible, ventilation systems shall be directed away from adjacent <b>Residential</b> properties.
(j) <b>Retail &amp; Service, General</b>	Shall not exceed 278.0 square metres.
(k) <b>Short Term Rental</b>	<ul style="list-style-type: none"> <li>i. <b>Short Term Rental</b> host must obtain a business license.</li> <li>ii. A host cannot allow more than two adults, not including minors, per room. As the definition of short term rental in the bylaw is 14 days or less, longer term stays are not covered in the bylaw.</li> </ul>
(l) <b>Prohibited Uses</b>	<ul style="list-style-type: none"> <li>i. The storage of any <b>Temporary Dwelling Unit</b>;</li> <li>ii. The parking of any commercial or industrial vehicle with a gross vehicle weight of 4,000.0 kilograms or more;</li> <li>iii. The storage of waste and salvage materials including derelict vehicles;</li> </ul>

## PART 3: LAND USE DISTRICTS



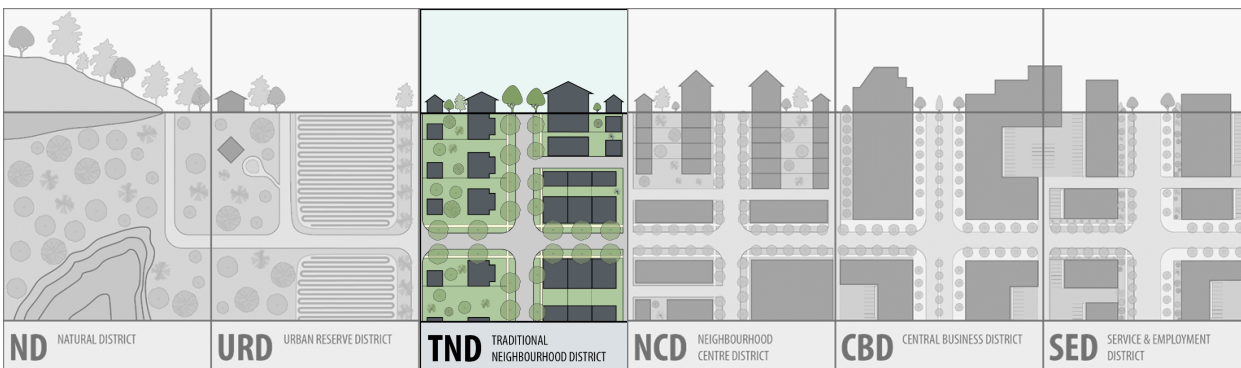
Use	Standard
	<ul style="list-style-type: none"> <li>iv. The storage of goods, products, or materials in any <b>Frontage</b>; and</li> <li>v. <b>Gaming Establishments</b>.</li> </ul>
<p>(m) <b>Development</b> not requiring a <b>Development Permit</b></p>	<p>A <b>Development Permit</b> is not required in respect of the following <b>Developments</b> provided they are in compliance with the standards outlined in this Land Use District and all other provisions of this Bylaw:</p> <ul style="list-style-type: none"> <li>i. Work of maintenance, repair or <b>Alteration</b>, on a <b>Structure</b>, both internal and external, if at the discretion of the <b>Development Authority</b>, such work: <ul style="list-style-type: none"> <li>E. Does not result in an increase in the number of <b>Dwelling Units</b> within the <b>Building</b> or on the <b>Site</b>;</li> <li>F. Does not increase the floor area by more than 25.0 percent of the original <b>Residential Structure</b> or <b>Building</b>;</li> <li>G. Does not change the <b>Use</b> or intensity of the <b>Use</b> of the <b>Structure</b> or <b>Building</b>; and</li> <li>H. Is performed in accordance with obligatory legislation or other government regulations.</li> </ul> </li> <li>ii. The completion of a <b>Building</b> which was lawfully under construction at the date this Bylaw comes into effect;</li> <li>iii. The use of any <b>Building</b> referred to in Subsection 4.6 for the purpose for which construction was commenced;</li> <li>iv. The use of a <b>Building</b>, other than a <b>Non-Conforming Use</b> or <b>Non-Conforming Building</b>, that has been vacant for less than 6 months for a purpose that is, at the discretion of the <b>Development Authority</b>, the same or similar to the previous <b>Use</b>;</li> <li>v. The <b>Change of Use</b> of a <b>Building</b> or <b>Structure</b>, other than a <b>Non-Conforming Use</b> or <b>Non-Conforming Building</b> provided that: <ul style="list-style-type: none"> <li>A. The requirements of the <b>Development Permit</b> for the existing <b>Building</b> have been fulfilled; and</li> </ul> </li> </ul>

## PART 3: LAND USE DISTRICTS



Use	Standard
	<p>B. The <b>Change of Use</b> is from a <b>Permitted</b> or <b>Discretionary Use</b> to a <b>Permitted Use</b> in this Land Use District.</p> <p>vi. The erection, construction, or maintenance of gates, <b>Fences</b>, walls, or other means of enclosure shall be permitted at the discretion of the Development Authority;</p> <p>vii. The construction and maintenance of <b>Essential Public Utilities</b>;</p> <p>viii. The erection of an <b>Accessory Building</b> in association with an approved <b>Permitted Use</b> when it complies with the standards of this Bylaw;</p> <p>ix. The use of a <b>Building</b> or part thereof as a temporary polling station for a federal, provincial, or municipal election, referendum, or plebiscite;</p> <p>x. The construction, maintenance, and repair of private walkways, private pathways, private driveways, private features, and landscaping details that do not involve retaining walls greater than 0.6 metres in height, and are in compliance with this Land Use District;</p> <p>xi. An outdoor in-ground or above-ground private swimming pool provided:</p> <ol style="list-style-type: none"> <li>A. Not located in a <b>Frontage</b>;</li> <li>B. Having a total area not exceeding 15.0 percent of the <b>Lot</b> area; and</li> <li>C. That does not have any part of the above <b>Grade</b> component, including a <b>Deck</b>, walkway, supporting member, heater, or mechanical equipment, located within 1.2 metres of any <b>Side Lot Line</b> or <b>Rear Lot Line</b>.</li> </ol> <p>xii. <b>Excavation</b> of land and stripping of soil provided:</p> <ol style="list-style-type: none"> <li>A. That the area concerned is less than 1,000.0 square metres;</li> <li>B. That the stripping or <b>Excavation</b> is part of a <b>Development</b> for which a <b>Development Permit</b> has been issued; or</li> <li>C. That the <b>Applicant</b> has signed a <b>Development Agreement</b> with the <b>Town</b> for the area concerned.</li> </ol> <p>xiii. Communication <b>Structures</b> that comply with the <i>Federal Radiocommunication Act</i>;</p>

## PART 3: LAND USE DISTRICTS



Use	Standard
	<ul style="list-style-type: none"> <li>xiv. <b>Minor Home Occupation(s);</b></li> <li>xv. <b>Mural(s);</b></li> <li>xvi. <b>Day Home(s);</b> and</li> <li>xvii. <b>Patio(s)</b></li> <li>xviii. Erection of flagpoles not exceeding 4.5 metres in height for the purpose of flying a <b>Flag</b> but not a <b>Sign</b>.</li> </ul>
(n) <b>Temporary Development</b>	<ul style="list-style-type: none"> <li>i. <b>Temporary Uses, Buildings, or Structures</b> may be permitted in all Districts at the discretion of the <b>Development Authority</b>, provided that <b>Temporary Buildings</b> or <b>Structures</b> are not placed on permanent foundations and provided that the <b>Use, Building</b> or <b>Structure</b> is listed as a <b>Permitted</b> or <b>Discretionary Use</b> in the relevant land use district.</li> <li>ii. A <b>Development Permit</b> shall only be provided for up to a maximum of 5 years, at which time a new or renewed <b>Development Permit</b> shall be required.</li> <li>iii. <b>Temporary Buildings</b> or <b>Structures</b> must have the appearance and aesthetic of the <b>Buildings</b> or <b>Structures</b> allowed in the <b>Land Use District</b> at the discretion of the <b>Development Authority</b>.</li> </ul>
(o) <b>Temporary Shipping Containers</b>	<p><b>Temporary Shipping Containers</b> may be used for the storage of equipment and materials during the construction period at the construction site subject to the following:</p> <ul style="list-style-type: none"> <li>i. The <b>Site</b> must have an approved and active <b>Building Permit</b>.</li> <li>ii. The <b>Shipping Container</b> must be placed wholly within the subject <b>Site</b>.</li> <li>iii. The <b>Shipping Container</b> shall be removed from the <b>Site</b> no later than seven (7) calendar days after completion of the <b>Building Permit</b>.</li> <li>iv. If construction ceases for a period of thirty (30) days, the <b>Shipping Container</b> shall be removed from the <b>Site</b> no later than seven (7) days after notice to remove is issued by the Town.</li> </ul>

## PART 3: LAND USE DISTRICTS



<i>Use</i>	<i>Standard</i>
(p) Permanent <b>Shipping Containers</b>	Permanent <b>Shipping Containers</b> may be allowed, however, they must have the appearance and aesthetic of the <b>Buildings</b> or <b>Structures</b> allowed in the <b>Land Use District</b> or be completely hidden from view of the <b>Public Realm</b> at the discretion of the <b>Development Authority</b> .
(q) Additional Standards	No <b>Use</b> or operation shall cause or create any conditions which may be offensive or objectionable beyond the <b>Lot Lines</b> by virtue of noise, odour, vibrations, heat, or light, at the discretion of the <b>Development Authority</b> .

## PART 3: LAND USE DISTRICTS



### 3.4.4 Block Configuration & Subdivision Standards

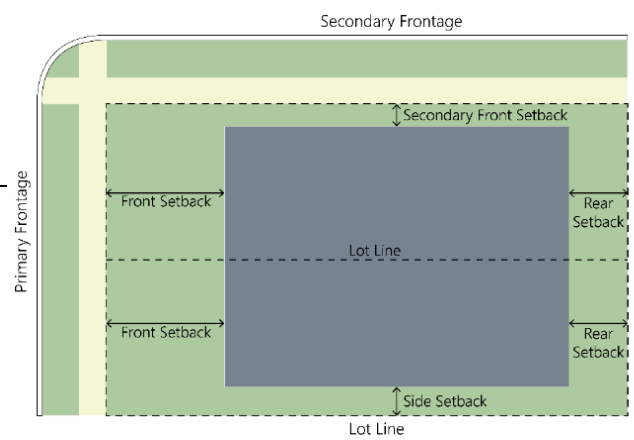
Element	Standard
(a) <b>Block Length</b>	90.0 metres - 180.0 metres.
(b) <b>Block Perimeter</b>	310.0 metres - 600.0 metres.
(c) <b>Block Configuration</b>	Rear <b>Lanes</b> are required for all new or reconfigured <b>Blocks</b> . In all cases, <b>Blocks</b> with existing <b>Lane Access</b> shall retain such <b>Access</b> .
(d) <b>Block Connectivity</b>	All vehicular <b>Rights-of-Way</b> shall terminate at other vehicular <b>Rights-of-Way</b> to form a network.
(e) Pedestrian Connectivity	A mid- <b>Block Passage</b> , dedicated as a <b>Right-of-Way</b> or reserved with a permanent <b>Access</b> easement, may be required where a <b>Block Face</b> is longer than 180.0 metres. If required, the mid- <b>Block Passage</b> shall be generally located in the middle third of the <b>Block Face</b> and shall be designed to ensure pedestrian safety and comfort.
(f) Future <b>Block</b> Connectivity	Where adjoining areas are not developed, vehicular <b>Rights-of-Way</b> in new <b>Subdivisions</b> must be extended to the project boundary to provide for future vehicular <b>Rights-of-Way</b> . Such <b>Rights-of-Way</b> shall be provided at intervals no greater than the maximum <b>Block Length</b> for the Land Use District.
(g) Additional <b>Lot</b> and <b>Subdivision</b> Standards	<ul style="list-style-type: none"> <li>i. <b>Subdivision</b> shall not be allowed where the result creates a through <b>Lot</b>, a landlocked <b>Lot</b>, or additional <b>Lots</b> with no rear <b>Lane Access</b>.</li> <li>ii. <b>Subdivision</b> within a <b>Block</b> should be varied to allow for a variety of <b>Lot</b> sizes.</li> <li>iii. <b>Block</b> standards in Subsections 3.4.4 (a) through (f) may be varied to conform to natural features, transportation <b>Rights-of-Way</b>, parks or open space, or other similar <b>Site</b> constraints.</li> <li>iv. In the event of <b>Subdivision</b> by condominium, <b>Development</b> shall be treated as a multi-unit complex where the required <b>Development Setback</b> for the <b>Front</b>, <b>Rear</b>, and <b>Side</b> yards shall be the same as specified in the appropriate land use district.</li> </ul>

## PART 3: LAND USE DISTRICTS



### 3.4.5 Setbacks for Primary Buildings

Setback Element	Standard
(a) Front <b>Setback</b>	2.0 metres - 6.0 metres, to be varied within a <b>Block Face</b> .
(b) Secondary Front <b>Setback</b>	1.0 metre - 4.0 metres.
(c) Side <b>Setback</b>	Minimum 1.0 metre.
(d) Rear <b>Setback</b>	Minimum 0.5 metres.
(e) Additional Standards for <b>Primary Buildings</b>	<ul style="list-style-type: none"> <li>i. <b>Access</b> shall be provided as deemed appropriate by the <b>Development Authority</b> in consultation with the Fire Department.</li> <li>ii. The following features may project into the <b>Setbacks</b>: <ul style="list-style-type: none"> <li>A. Unenclosed steps and wheelchair ramps;</li> <li>B. <b>Signs</b>;</li> <li>C. <b>Fences</b> or masonry walls;</li> <li>D. Driveways, off-street parking, and pathways;</li> <li>E. An unenclosed <b>Deck, Porch</b>, or other similar <b>Structure</b> below 0.6 metres in height;</li> <li>F. An unenclosed <b>Deck, Porch</b>, or other similar <b>Structure</b> above 0.6 metres in height may project 50.0 percent in a front or rear <b>Setback</b>; and / or</li> <li>G. Balconies, <b>Eaves</b>, chimneys, cantilevers, bay windows, or other similar <b>Architectural Features</b> may project up to 50.0 percent into the side <b>Setback</b> or 50.0 percent of a front <b>Setback</b> and cover no more than 50.0 percent of the <b>Building Façade</b>.</li> </ul> </li> </ul>



## PART 3: LAND USE DISTRICTS



- H. Projections not specifically outlined in section 3.4.5 (e)ii A. through G. may be permitted at the discretion of the **Development Authority**.
- I. Notwithstanding Subsection 3.4.6 (a), attached parking **Structures** with **Frontage** on a **Primary Thoroughfare** shall not project more than 1.0 metre in front of the **Façade** facing the same **Primary Thoroughfare**.

### 3.4.6 Setbacks for Accessory Buildings

Setback Element	Standard
(a) Front <b>Setback</b>	<b>Setback</b> in 3.4.5 (a) plus 1.0 metre.
(b) Secondary Front <b>Setback</b>	Minimum 1.0 metre.
(c) Side <b>Setback</b>	Minimum 1.0 metre.
(d) Rear <b>Setback</b>	Minimum 0.5 metres.

- (e) Additional Standards for **Accessory Buildings**
  - i. **Access** shall be provided for emergency personnel as required.
  - ii. Where an **Accessory Building** is attached to the **Primary Building** by a roof, or an open or enclosed **Structure**, it is considered to be a part of the **Primary Building**, and shall comply with all requirements applicable to the **Primary Building**.
  - iii. Where an **Accessory Building** or **Structure** is built on a foundation or is otherwise unmovable, the building or structure must adhere to the setback standards in Section 3.4.6, regardless of size.

## PART 3: LAND USE DISTRICTS

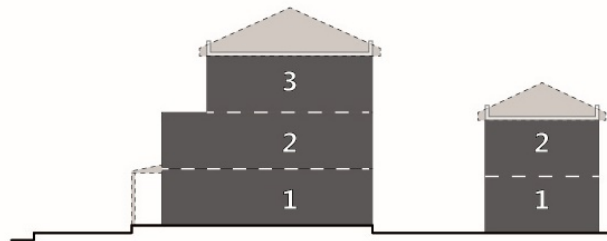


### 3.4.7 Lot Coverage Standards

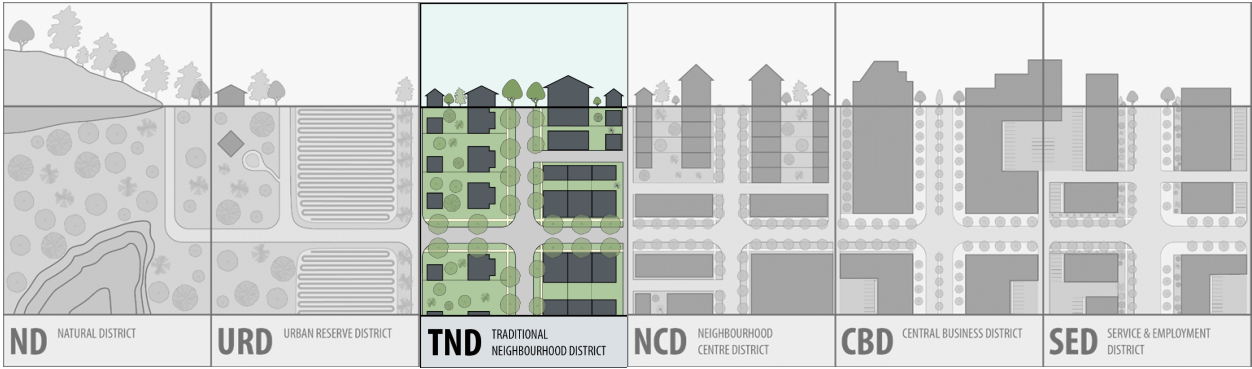
Coverage Element	Standard
(a) <b>Lot Coverage (All Buildings)</b>	Maximum 70.0 percent.
(b) <b>Lot Coverage (Accessory Buildings)</b>	Maximum 20.0 percent.

### 3.4.8 Building Height Standards

Height Element	Standard
(a) <b>Primary Building Height</b>	1 - 3 Storeys.
(b) <b>Accessory Building Height</b>	1 - 2 Storeys.
(c) Additional Building Height Standards	<ul style="list-style-type: none"> <li>i. Floors above the second <b>Storey</b> shall be stepped back for the <b>Primary Frontage</b> or <b>Secondary Frontage</b> for a minimum horizontal distance of 2.5 metres.</li> <li>ii. A ground level <b>Residential</b> or <b>Lodging</b> use with a front <b>Setback</b> of less than 2.0 metres shall be designed in a manner which eliminates privacy concerns.</li> <li>iii. <b>Building Height Standards</b> may be varied for <b>Buildings</b> in the 1st Street Precinct, or for <b>Institutional Uses</b>.</li> </ul>

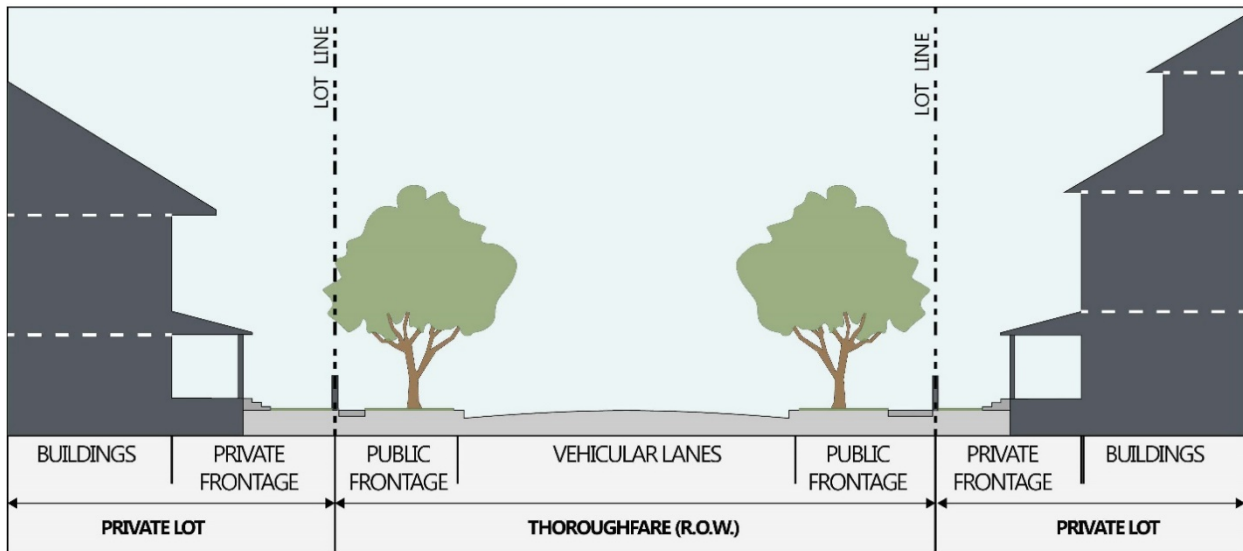


## PART 3: LAND USE DISTRICTS



### 3.4.9 Frontage Standards

Frontage Element	Standard
(a) General Frontage Standards	<ul style="list-style-type: none"> <li>i. The <b>Public Frontage</b> and <b>Private Frontage</b> shall form a seamless space from the <b>Curb</b> to the <b>Building</b> and shall consist of separate zones with a focus on key elements of the <b>Public Realm</b>. Small decorative <b>Fences</b> may divide the <b>Public Frontage</b> and <b>Private Frontage</b> to differentiate between public and privately owned lands, as long as the perception of a seamless space is maintained.</li> <li>ii. Public spaces shall be clear legible public <b>Access</b> and be designed to allow for a variety of public <b>Uses</b>.</li> <li>iii. Improvements to the <b>Public Frontage</b> shall be required for all greenfield and redevelopment scenarios.</li> </ul>



## PART 3: LAND USE DISTRICTS



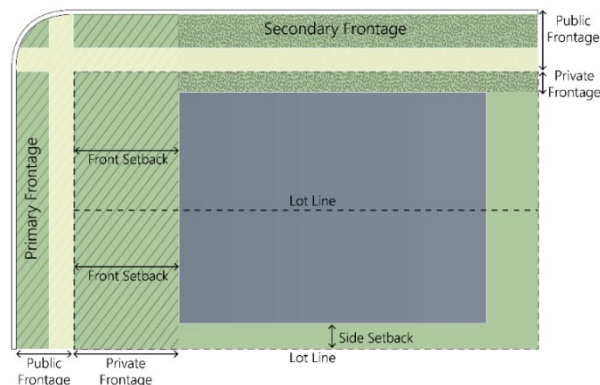
### Definitions:

**Thoroughfare** means a **Right-of-Way**, typically publicly owned, serving primarily pedestrian and vehicular travel, providing **Access** to abutting properties, and which may also be used to provide space for bicycle facilities, **Stormwater Management**, **Shade Trees** and / or utilities. **Lanes** are not considered **Thoroughfares**. A **Thoroughfare** does not have to accommodate vehicular travel.

- (a) **Primary Thoroughfare** means the **Thoroughfare** clearly associated with the front **Façade** of **Primary Buildings** along a **Block Face**. Where a **Corner Lot** abuts more than two **Thoroughfares**, the **Development Authority** may determine that all **Thoroughfares**, except for one, are a **Primary Thoroughfare**, if such a determination is in the interest of protecting the quality of the **Public Realm**.
- (b) **Secondary Thoroughfare** means a **Thoroughfare** that is not a **Primary Thoroughfare**, and is clearly associated with the corner side **Façades** of **Buildings**.

**Frontage** means the area of a **Lot** between a **Building Façade** and a **Curb** inclusive of its built and landscape components. **Frontage** is divided into **Public Frontage** and **Private Frontage**.

- (a) **Private Frontage** means the area between the **Building Façades** and the **Lot Lines**, and applies to the **Primary Frontage** and secondary **Frontage**.
- (b) **Public Frontage** means the area within a **Thoroughfare** between the **Curb** and the **Front Lot Line**, and applies to the primary **Frontage** and secondary **Frontage**.

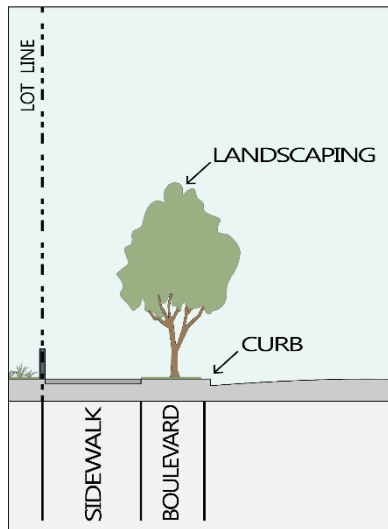


## PART 3: LAND USE DISTRICTS



Frontage Element	Description	Standard
------------------	-------------	----------

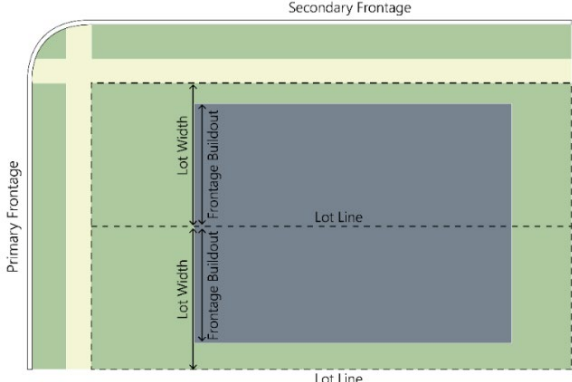
(b) Boulevard	The space between the <b>Curb</b> and the Property Line in the <b>Public Frontage</b> .	Minimum 1.5 metres, except where existing <b>Rights-of-Way</b> conditions require a minor reduction in order to accommodate a sidewalk, as per Subsection 3.4.9 (c) and / or landscaping as per Subsection 3.4.9 (d).
---------------	---	---



(c) Sidewalks	The space for pedestrian circulation in the <b>Public Frontage</b> .	<ul style="list-style-type: none"> <li>i. Minimum 1.5 metres wide, except where existing <b>Rights-of-Way</b> conditions require a minor reduction in order to accommodate landscaping, as per Subsection 3.4.9 (d).</li> <li>ii. Sidewalks shall be adequately illuminated to ensure a high level of pedestrian safety and comfort.</li> <li>iii. Sidewalks within the <b>Public Frontage</b> shall be dedicated for pedestrian travel only. Sidewalks within the <b>Private Frontage</b> may be utilized for patio seating, non-permanent <b>Signs</b>, or landscaping.</li> </ul>
---------------	--	--

## PART 3: LAND USE DISTRICTS



(d) Landscaping	The type and placement of landscaping elements in the <b>Public Frontage</b> .	Landscaping may be a mix of trees and <b>Shrubs</b> and may be grouped together, but shall not hinder pedestrian movement or connectivity. Where trees are considered, they shall consist primarily of <b>Shade Trees</b> .
(e) <b>Frontage Build-Out</b>	The percentage of the <b>Lot Line</b> that is occupied by <b>Building Façade</b> as measured from the Front <b>Setback</b> .	Minimum 65.0 percent. 
(f) <b>Transparency</b>	The area of the <b>Façade</b> composed of windows either within the wall or within doors typically measured as a percentage.	Minimum 50.0 percent on the ground floor and 30 percent on all upper floors for all <b>Office</b> , and <b>Retail &amp; Entertainment</b> Use Categories.
(g) Blank Wall Length	The maximum length of a <b>Façade</b> without any <b>Transparency</b> or <b>Architectural Features</b> .	Maximum 2.0 metres including parking <b>Structures</b> .

## PART 3: LAND USE DISTRICTS



(h) <b>Primary Entrance</b>	The main point of <b>Access</b> for pedestrians to a <b>Building</b> shall be considered the Public Entrance for all non-residential <b>Uses</b> , and residential <b>Uses</b> that <b>Access</b> more than 4 <b>Dwelling Units</b> .	<ul style="list-style-type: none"> <li>i. Every <b>Building</b> shall have at least one <b>Primary</b> entrance.</li> <li>ii. The <b>Primary</b> entrance for residential <b>Buildings</b> with 2 <b>Dwelling Units</b> or less (not including <b>Additional Dwelling Units</b>) shall be oriented to the <b>Primary Frontage</b> unless the <b>Building</b> is on a <b>Corner Lot</b> where the <b>Primary</b> Entrance may be oriented to the <b>Secondary Frontage</b> at the discretion of the <b>Development Authority</b>.</li> <li>iii. The <b>Primary</b> entrance for all non-residential and residential <b>Buildings</b> with more than 2 <b>Dwelling Units</b> (not including <b>Additional Dwelling Units</b>) shall be clearly visible to create identity and a sense of arrival, be universally accessible, provide weather protection, and be identifiable to pedestrians, through the use of <b>Architectural Features</b>, to the satisfaction of the <b>Development Authority</b> if some or all of the <b>Units</b> share a common entrance.</li> </ul>
(i) Additional Entrance(s)	All other points of public <b>Access</b> for pedestrians to a <b>Building</b> , not including service <b>Access</b> .	<ul style="list-style-type: none"> <li>i. Every entrance shall be visible and identifiable to pedestrians similar to the <b>Primary</b> Entrance.</li> <li>ii. Additional entrance(s) shall be provided at important pedestrian connectivity locations, to the satisfaction of the <b>Development Authority</b>.</li> </ul>
(j) Additional Frontage Standards	<ul style="list-style-type: none"> <li>i. <b>Corner Lots</b> shall have a <b>Primary Frontage</b> and a <b>Secondary Frontage</b>.</li> <li>iii. Consistent high quality design shall be evident in the <b>Development</b> on all areas of a property, with particular attention to <b>Frontages</b>.</li> </ul>	

## PART 3: LAND USE DISTRICTS



### 3.4.10 Parking, Loading & Access Standards

Element	Standard
<p>(a) General Parking, Loading &amp; Access Standards</p>	<p>i. <b>Developments</b> should be designed to ensure <b>Access</b> and parking <b>Structures</b> do not visually dominate the <b>Public Realm</b> or create obstructions to the pedestrian network.</p> <p>ii. All <b>Grade</b>-level parking areas adjacent to a <b>Frontage</b> shall be set back a minimum of 3.0 metres and screened from view of the <b>Frontage</b> by landscaping.</p> <p>iii. Parking lots shall incorporate pedestrian-focused infrastructure to ensure safe and comfortable pedestrian <b>Access</b> to <b>Building</b> entrances.</p> <p>iv. Parking lots should incorporate landscaping elements that enhance the pedestrian experience, provide shade to reduce heat islands, and reduce <b>Stormwater</b> run-off.</p> <p>v. Parking areas and / or parking <b>Structures</b> shall integrate pedestrian connectivity with nearby <b>Buildings</b> and / or <b>Lots</b> to support the local pedestrian network.</p> <p>vi. <b>Curb</b> cuts should be eliminated where possible, or reduced if alternative <b>Access</b> is not possible.</p>

## PART 3: LAND USE DISTRICTS



Parking Element	Description	Standard
-----------------	-------------	----------

- |  |   |  |
|--|---|--|
| <p>(b) Bicycle Parking and Bicycle Storage</p> | <p>The provision and location of bicycle parking and bicycle storage.</p> | <ul style="list-style-type: none"> <li>i. Bicycle parking shall be provided for all <b>Development</b> at the discretion of the <b>Development Authority</b> except residential <b>Buildings</b> with 4 <b>Dwelling Units</b> or less.</li> <li>ii. Bicycle parking <b>Structures</b> shall be located close to a <b>Primary</b> entrance, but shall not impede pedestrian circulation or <b>Access</b> to a <b>Building</b>.</li> <li>iii. Bicycle parking <b>Structures</b> shall be highly visible and shall include a permanent rack or hook-up system.</li> <li>iv. Covered bicycle storage or similar consideration shall be provided for all <b>Residential Development</b> with 5 <b>Dwelling Units</b> or more. Individual parking <b>Structures</b> and <b>Accessory Buildings</b> may be considered as bicycle storage</li> <li>v. Creative integration with <b>Building</b> and <b>Site</b> design is encouraged.</li> </ul> |
|--|---|--|



## PART 3: LAND USE DISTRICTS



Parking Element	Description	Standard
(c) Vehicle Parking	The provision and location of vehicular parking.	<ul style="list-style-type: none"> <li>i. No minimum number of parking stalls shall be required for any <b>Development</b>; rather each <b>Development</b> shall consider the appropriate number of parking stalls required to support the proposed <b>Development</b>.</li> <li>ii. Where vehicle parking is provided parking areas, stalls, and <b>Access</b> shall meet the design requirements of this Bylaw and shall be consistent with the <b>Town's Municipal Engineering Standards</b>.</li> <li>iii. Off-site vehicle parking (i.e. street parking) may be considered as a portion of the parking strategy for a given <b>Development</b>, at the discretion of the <b>Development Authority</b>.</li> <li>iv. Parking areas and / or parking <b>Structures</b> shall be located to the side or rear of a <b>Building</b>, or underground, wherever possible.</li> <li>v. Parking areas, including any parking <b>Structures</b>, shall not exceed 50.0 percent of a <b>Site</b>.</li> <li>vi. Surface parking areas and / or parking <b>Structures</b> shall not be allowed unless associated with a <b>Development</b>.</li> </ul>
(d) Accessible Vehicle Parking	The number and location of vehicle parking stalls dedicated for handicap placard or licensed vehicles.	For all parking areas and / or parking <b>Structures</b> with 11 or more vehicle stalls, accessible parking shall be provided in a location with the easiest pedestrian <b>Access</b> to the <b>Primary</b> entrance and shall be provided in accordance with the <i>Barrier Free Design Guide</i> as per the National Building Code

## PART 3: LAND USE DISTRICTS



Parking Element	Description	Standard
(e) <b>Vehicle Access</b>	A vehicular lane or driveway within a <b>Lot</b> , or shared between 2 or more <b>Lots</b> , providing <b>Access</b> to a garage or other parking area and / or <b>Structure</b> .	<ul style="list-style-type: none"> <li>i. Parking shall be accessed by rear <b>Lanes</b> wherever possible. Where no rear <b>Lane</b> exists, <b>Vehicle Access</b> should be located on the <b>Secondary Frontage</b>. Where <b>Access</b> on a <b>Secondary Frontage</b> is not possible, <b>Access</b> may be located on the <b>Primary Frontage</b>.</li> <li>ii. For all <b>Uses</b> except for <b>Institutional Uses</b>, <b>Vehicle Access</b> to parking areas and / or parking <b>Structures</b> shall be no wider than 3.0 metres in any <b>Frontage</b>. <b>Institutional Uses</b> may have a <b>Vehicle Access</b> to parking areas and / or parking <b>Structures</b> no wider than 6.0 metres in any <b>Frontage</b>.</li> <li>iii. The number of <b>Vehicle Access</b> points to a <b>Lot</b> shall be limited to 1.</li> <li>iv. Joint <b>Vehicle Access</b> between 2 or more adjacent <b>Lots</b> may be considered to provide more efficient <b>Vehicle Access</b> arrangements, to reduce <b>Curb</b> cuts, and / or to reduce any negative impact on the <b>Public Realm</b>.</li> </ul>
(f) Additional Parking, Loading & <b>Access</b> Standards		<ul style="list-style-type: none"> <li>i. Vacant land or <b>Buildings</b> shall not be used for parking.</li> <li>ii. Permeable paving materials are encouraged in order to increase on-site <b>Stormwater Infiltration</b>.</li> <li>iii. <b>Bicycle Stair Channels</b> are encouraged where more than 3 stairs are part of the exterior circulation of a <b>Development</b>.</li> <li>iv. Parking is not allowed within rear <b>Lane Rights-of-Way</b>.</li> <li>v. All parking areas shall illustrate, to the satisfaction of the <b>Development Authority</b>, how pedestrian circulation and connectivity meets the intent of the Land Use District and the Guiding Principles Bylaw.</li> </ul>

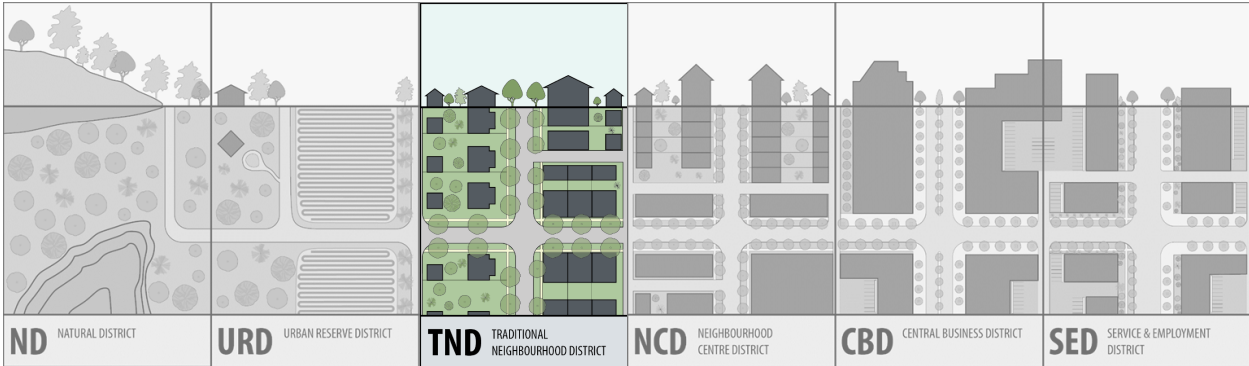
## PART 3: LAND USE DISTRICTS



### 3.4.11 Landscaping Standards

<i>Element</i>	<i>Standard</i>	
(a) General Landscaping Standards	<ul style="list-style-type: none"> <li>i. <b>Developments</b> should preserve and enhance the urban forest.</li> <li>ii. Landscaping should be integrated into a <b>Development</b> to enhance the pedestrian experience and improve the <b>Public Realm</b>.</li> <li>iii. <b>Developments</b> should ensure appropriate conditions for mature tree growth.</li> <li>iv. The spacing and placement of plants shall be adequate and appropriate for the typical size, shape, and habitat of the given plant species at maturity.</li> </ul>	
<i>Landscaping Element</i>	<i>Description</i>	<i>Standard</i>
(b) <b>Landscaped Area</b>	The area where landscaping is primarily located.	The <b>Landscaped Area</b> for all <b>Development</b> other than 2 <b>Dwelling Units</b> or less (not including <b>Additional Dwelling Units</b> ) shall be a minimum of 40.0 percent of the total <b>Lot Area</b> for <b>Residential Uses</b> and 15.0 percent of the total <b>Lot Area</b> for all other <b>Uses</b> .
(c) Tree Size	The size of a tree at the time of planting.	Minimum height of 2.0 metres and / or 50.0 millimetres in <b>Caliper</b> .
(d) <b>Shrub</b> Size	The size of a shrub at the time of planting.	Minimum of a #2 container and / or a minimum height of 19.0 to 23.0 centimetres, as per the <i>Canadian Nursery Landscape Association</i> standards.

## PART 3: LAND USE DISTRICTS



Landscaping Element	Description	Standard
(e) Number of Trees	The minimum number of trees required for both on-site <b>(re)development</b> and for <b>Frontage(s)</b> .	<ul style="list-style-type: none"> <li>i. <b>Residential Development</b> with 2 <b>Dwelling Units</b> or less (not including <b>Additional Dwelling Units</b>) shall provide a minimum of 1 tree per unit.</li> <li>ii. All other <b>Development</b> shall provide a minimum of 1 tree per 35.0 square metres of <b>Landscaped Area</b>.</li> <li>iii. In greenfield areas, the minimum number of street trees located in the <b>Public Frontage</b> is 1 tree for every 7.0 metres of <b>Frontage</b> as measured at the <b>Lot Line</b> and shall be consistent with Section 3.4.9.</li> <li>iv. In addition to the minimum number of trees required for on-site <b>Development</b> in established areas, additional trees may be required by the <b>Development Authority</b> in the <b>Public Frontage</b> if local conditions deem it appropriate.</li> </ul>
(f) Number of <b>Shrubs</b>	The minimum number of shrubs required for on-site <b>(re)development</b> .	<ul style="list-style-type: none"> <li>i. <b>Residential Development</b> with 2 <b>Dwelling Units</b> or less (not including <b>Additional Dwelling Units</b>) shall provide a minimum of 2 shrubs per unit</li> <li>ii. All other <b>Development</b> shall provide a minimum of 1 <b>Shrub</b> per 25.0 square metres of <b>Landscaped Area</b>.</li> </ul>
(g) Soil Requirements	The amount of high-quality soil and growing material required to support mature plant growth.	Minimum 30.0 centimetres for all planting areas.

## PART 3: LAND USE DISTRICTS



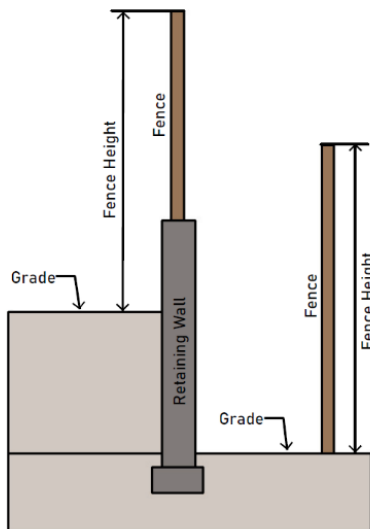
Landscaping Element	Description	Standard
(h) Tree Clearance	The vertical distance between the existing or potential tree canopy overhanging sidewalks, driveways, paths, <b>Lanes</b> , parking spaces, streets, or other public spaces shall be of a type that, at maturity or with minor pruning at installation, provide a clear height for use of a given space.	<ul style="list-style-type: none"> <li>i. Minimum 2.5 metres for sidewalks;</li> <li>ii. 3.8 metres for driveways, parking spaces and streets; and</li> <li>iii. 4.6 metres for <b>Loading</b> areas.</li> </ul>
(i) Tree Preservation	Preservation of on-site and off-site trees is encouraged and may be used to fulfil the landscaping requirements as per Subsection 3.4.9 (d) (See Town's current <i>Tree Protection Bylaw</i> )	Mature, healthy, and non-invasive trees shall not be removed except for essential construction activities.
(j) Additional Landscaping Standards	Hard landscaping and / or xeriscaping may be substituted for soft landscaping, at the discretion of the <b>Development Authority</b> .	

## PART 3: LAND USE DISTRICTS

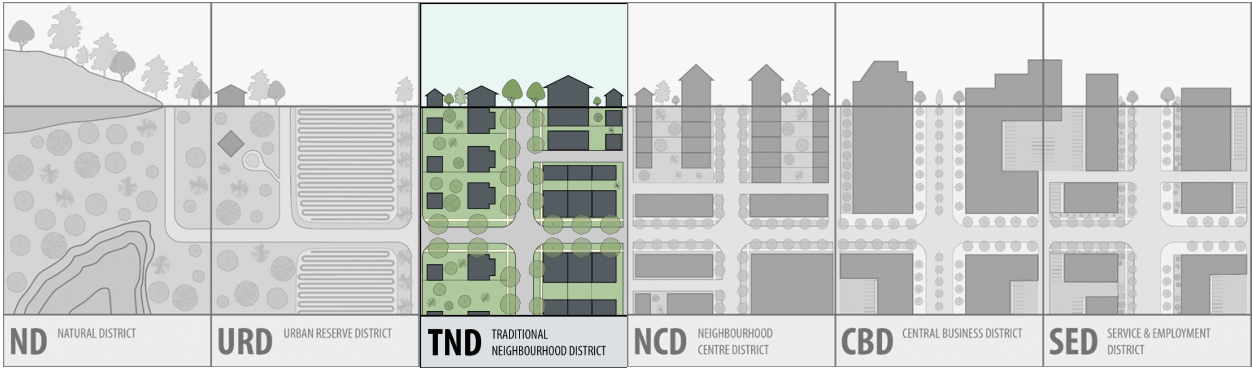


### 3.4.12 Buffers, Screening & Fencing

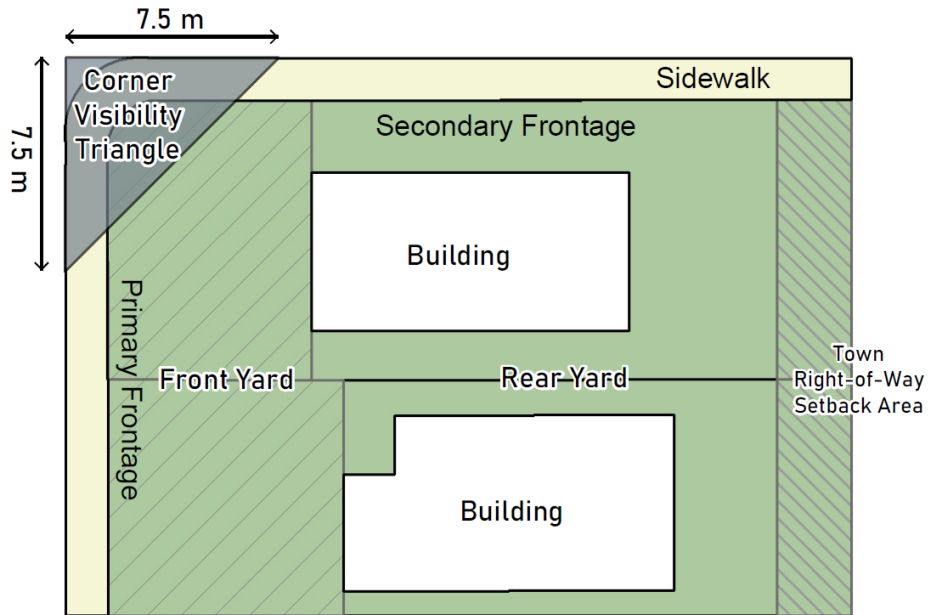
Element	Description	Standard
(a) Buffers & Screening	The use of landscaping or similar elements for <b>Permitted</b> or <b>Discretionary Uses</b> to offset the visual impact of some forms of <b>Development</b> from the <b>Public Realm</b> and / or incompatible adjacent <b>Uses</b> .	<ul style="list-style-type: none"> <li>i. Minimum landscaping requirements in Section 3.4.11 may be placed so as to act as a buffer or screen.</li> <li>ii. Preservation of existing vegetation that could act as a buffer is strongly encouraged.</li> <li>iii. Additional landscaping may be considered in order to maintain or enhance the <b>Public Realm</b>, at the discretion of the <b>Development Authority</b>.</li> </ul>
(b) Fencing	The use and location of fencing, including masonry walls as buffers or transitions.	<ul style="list-style-type: none"> <li>i. Fencing may be used as a decorative transition from one <b>Use</b> to another, as a screening device, or for security purposes.</li> <li>ii. <b>Fences</b> within the <b>Primary Frontage</b> shall be a maximum height of 1.2 metres.</li> <li>iii. All other <b>Fences</b> shall be a maximum height of 1.8 metres.</li> <li>iv. Security fencing shall only be considered for safety, at the discretion of the <b>Development Authority</b> and shall not contain barbed wire.</li> <li>v. <b>Fences</b> containing barbed wire are not permitted except for where the <b>Fence</b> is required in conjunction with <b>Agricultural Uses</b> at the <b>Development Authority's</b> discretion.</li> <li>vi. <b>Fences</b>/screening devices must be designed and erected in a manner that does not pose safety issues to wildlife or the general public.</li> </ul>



### PART 3: LAND USE DISTRICTS



Element	Description	Standard
---------	-------------	----------



(c) Garbage Facilities	The treatment of garbage facilities.	All garbage facilities shall be visually screened from public view, to the satisfaction of the <b>Development Authority</b> .
------------------------	--------------------------------------	---

## PART 3: LAND USE DISTRICTS



### 3.4.13 Sign Standards

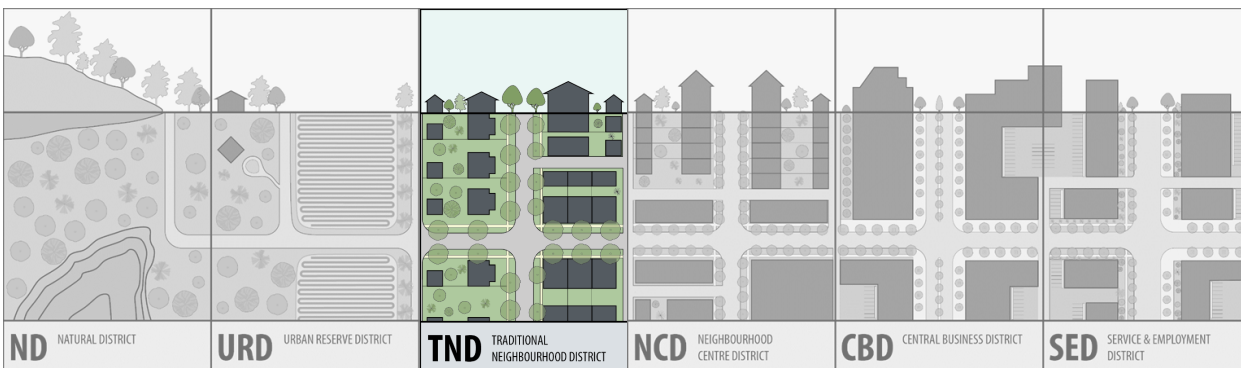
Sign Element	Standard
(a) General <b>Sign</b> Standards	<ul style="list-style-type: none"> <li>i. <b>Signs</b> should be appropriate and integrated with the <b>Building</b> design and character of the neighbourhood.</li> <li>ii. <b>Signs</b> shall be primarily oriented toward pedestrians in both scale and location. <b>Signs</b> oriented towards vehicles are considered secondary.</li> <li>iii. <b>Signs</b> shall not obstruct pedestrian or vehicular visibility or circulation.</li> <li>iv. <b>Signs</b> shall not project above the roofline of a <b>Building</b>.</li> <li>v. The message on the <b>Sign</b> shall relate to the <b>Use</b> of the <b>Site(s)</b> on which it is located.</li> <li>vi. <b>Signs</b> shall not exceed 20.0 percent of the <b>Building Façade</b> to which it is attached.</li> <li>vii. <b>Sign</b> illumination shall be from the top of the <b>Sign</b> and oriented downward and shall be designed to have no direct light emitted above the top of the <b>Sign</b> and / or the <b>Signs</b> support <b>Structure</b>, unless, in the opinion of the <b>Development Authority</b>, the design is enhanced by the addition of light for aesthetic purposes..</li> <li>viii. The vertical clearance from the bottom of a <b>Sign</b> to <b>Grade</b> for a public space shall be: <ul style="list-style-type: none"> <li>A. Minimum 2.5 metres for sidewalks;</li> <li>B. 3.8 metres for driveways, parking spaces and streets; and</li> <li>C. 4.6 metres for <b>Loading</b> areas.</li> </ul> </li> </ul>
	<ul style="list-style-type: none"> <li>ix. <b>Signs</b> shall at all times be maintained in a proper and safe state of repair and shall not be permitted to become dilapidated or unsightly.</li> </ul>

## PART 3: LAND USE DISTRICTS



Sign Element	Standard
(b) <b>Sign, Banner</b>	<ul style="list-style-type: none"> <li>i. Shall be limited to 1 banner per business.</li> <li>ii. Shall not cover more than 25.0 percent of the ground floor <b>Façade</b> for a business.</li> <li>iii. Materials shall be weather resistant and minimize glare</li> <li>iv. Shall only be approved on a <b>Temporary</b> basis.</li> </ul>
(c) <b>Sign, Canopy</b>	<ul style="list-style-type: none"> <li>i. Shall not cover more than 25.0 percent of the ground floor <b>Façade</b> for a business.</li> <li>ii. May project into the <b>Public Frontage</b> up to 1.5 metres as long as it maintains a <b>Setback</b> of at least 0.6 metres from the <b>Curb</b>.</li> <li>iii. Shall not be allowed in addition to a <b>Sign, Fascia</b> on the same business <b>Façade</b>.</li> </ul>
(d) <b>Sign, Changeable Message</b>	Shall only be allowed as part of a <b>Sign, Freestanding</b> or <b>Sign, Fascia</b> .
(e) <b>Sign, Community Identification</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 3.0 square metres and have a maximum height of 1.5 metres from <b>Grade</b>.</li> <li>ii. Shall be self-supported and shall be permanent and stationary.</li> </ul>
(f) <b>Sign, Electronic Messaging</b>	<ul style="list-style-type: none"> <li>i. May be approved on its own, or as part of a <b>Sign, Freestanding</b>.</li> <li>ii. Shall be located in such a manner as to minimize any impacts into any adjacent <b>Residential Uses</b>.</li> <li>iii. Digital display content must not include full motion video, animation, or flashing images. In the case of an electronic message board, the text may scroll or switch messages at a pace deemed acceptable to the <b>Development Authority</b>.</li> <li>iv. If any component of the digital display fails or malfunctions, the permit holder must ensure that the digital display is turned off until all components are fixed and are operating in compliance.</li> </ul>

## PART 3: LAND USE DISTRICTS



Sign Element	Standard
	<ul style="list-style-type: none"> <li>v. Digital display(s) must not exceed the following illumination levels:                             <ul style="list-style-type: none"> <li>A. A maximum of 7,500 Nits from sunrise to sunset;</li> <li>B. A maximum of 500 Nits from sunset to sunrise;</li> </ul> </li> <li>vi. The light levels around the electronic display must not at any time exceed the ambient light level by more than 5.0 LUX.</li> <li>vii. Shall have a maximum <b>Sign</b> area of 3.0 square metres and have a maximum height of 4 metres from <b>Grade</b>.</li> <li>viii. Shall incorporate landscaping where required by the <b>Development Authority</b>.</li> <li>ix. This category of <b>Sign</b> may include, but is not necessarily limited to digital signs, electronic message boards, <b>Gas Station</b> price boards, <b>Drive-Thru</b> menus, and time/temperature displays. There is no limitation to the number <b>Signs, Electronic Messaging</b> that can be proposed and approved in a <b>Development</b> under a single application. However, the <b>Development Authority</b> reserves the right to restrict the number of <b>Signs, Electronic Messaging</b> approved for a <b>Development</b> based on the suitability of the location and design of the <b>Signs, Electronic Messaging</b></li> </ul>
(g) <b>Sign, Fascia</b>	<ul style="list-style-type: none"> <li>i. Shall not cover more than 20.0 percent of the first <b>Storey Façade</b> for a business.</li> <li>ii. The top of a <b>Sign, Fascia</b> shall have a maximum height of 4.5 metres from <b>Grade</b> and shall not extend above the base of a window on any upper <b>Storey</b>.</li> <li>iii. May project into the <b>Public Frontage</b> up to 0.4 metres.</li> <li>iv. Shall not be allowed in addition to a <b>Sign, Canopy</b> on the same business <b>Façade</b>.</li> </ul>
(h) <b>Sign, Flag</b>	<ul style="list-style-type: none"> <li>i. May have a maximum sign area of 2.0 square metres and have a maximum height of 4 metres from <b>Grade</b>.</li> <li>ii. A maximum of one <b>Sign</b> is allowed per <b>Frontage</b>.</li> <li>iii. Must not be located on a <b>Roof</b> of a <b>Building</b>.</li> <li>iv. Must be secured to a flagpole which is secured into the ground. Portable <b>Signs, Flag</b> shall not be permitted.</li> </ul>

## PART 3: LAND USE DISTRICTS



Sign Element	Standard
	v. Shall incorporate landscaping where required by the <b>Development Authority</b>
(i) <b>Sign, Freestanding</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 3.0 square metres and have a maximum height of 4.0 metres from <b>Grade</b>.</li> <li>ii. A maximum of one <b>Sign</b> is allowed per <b>Site</b>.</li> <li>iii. Shall incorporate landscaping where required by the <b>Development Authority</b></li> </ul>
(j) <b>Sign, Projecting or Hanging</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 1 square metre.</li> <li>ii. May project into the <b>Public Frontage</b> up to 1.0 metre as long as it does not project closer than 0.6 metres to the <b>Curb</b> and shall not extend past a <b>Sign, Canopy</b> on the same <b>Façade</b>.</li> <li>iii. A maximum of one <b>Sign</b> is allowed per business <b>Façade</b>.</li> <li>iv. Shall be located a minimum of 3.0 metres from each other.</li> </ul>
(k) <b>Sign, Sponsorship</b>	<ul style="list-style-type: none"> <li>i. <b>Signs</b> located on <b>Fences</b> shall not cover more than 50.0 percent of the <b>Fence</b> facing the <b>Public Realm</b> and shall not obstruct sight lines, gates or access points to the satisfaction of the <b>Development Authority</b>.</li> <li>ii. <b>Signs</b> shall not protrude past the side edges, above, or below the <b>Fence</b>.</li> <li>iii. Shall not cover more than 20.0 percent of the first <b>Storey Façade</b> of the <b>Building</b> or <b>Structure</b>.</li> </ul>
(l) <b>Sign, Window</b>	<ul style="list-style-type: none"> <li>i. A <b>Development Permit</b> is required for a total <b>Sign</b> area of more than 50.0 percent of the glass surface of the window(s).</li> <li>ii. In the case of a <b>Major Home Occupation</b>, the maximum <b>Sign</b> area shall be 0.2 square metres and a maximum of one <b>Sign</b> per <b>Major Home Occupation</b> shall be permitted.</li> <li>iii. Shall not be illuminated when located in a <b>Residential Building</b>.</li> </ul>

## PART 3: LAND USE DISTRICTS



Sign Element	Standard
<p>(m) <b>Signs</b> not requiring a <b>Development Permit</b></p>	<ul style="list-style-type: none"> <li>i. An official notice, <b>Sign</b>, placard, or bulletin for Municipal, Provincial, or Federal purposes whether on public or private property.</li> <li>ii. A <b>Sign</b> that is not visible from the <b>Public Realm</b> at the discretion of <b>Development Authority</b>.</li> <li>iii. <b>Signs, Temporary Banner</b> to advertise any <b>Community Group</b> or <b>Community Event</b> and with a maximum <b>Sign</b> area of 3.0 square metres.</li> <li>iv. <b>Signs, Temporary</b> associated with an approved <b>Temporary Use</b>, with a maximum area of 1.0 square metre, a maximum height of 2.0 metres, and a maximum of 2 <b>Signs</b> per <b>Lot</b>.</li> <li>v. <b>Signs, Construction</b> located on <b>Site(s)</b> where construction, renovation, or maintenance is occurring, and is removed 7 days following completion of work.</li> <li>vi. <b>Signs, Election</b> with a maximum <b>Sign</b> area of 1.5 square metres, and maximum height of 2 metres, which are placed no sooner than 30 days prior to an election and removed 7 days following. Existing <b>Signs</b> when only the message area of the <b>Sign</b> is being changed to reflect a change in the business name.</li> <li>vii. <b>Signs, Real Estate</b> with a maximum <b>Sign</b> area of 1 square metre and a maximum of 1 <b>Sign</b> per <b>Lot Frontage</b>.</li> <li>viii. A <b>Sign, Traffic</b> or <b>Sign, Directional</b> with a maximum <b>Sign</b> area of 1.0 square metre and a maximum height of 2.0 metres authorized by the Municipal, Provincial, or Federal Government(s).</li> <li>ix. A <b>Sign</b> for a garage sale or similar event, posted for a maximum of 48 hours.</li> <li>x. A <b>Sign</b> showing the name or address of a <b>Building</b> that is sculpted or formed from the</li> </ul>

## PART 3: LAND USE DISTRICTS



<b>Sign Element</b>	<b>Standard</b>
(n) Prohibited <b>Signs</b>	<ul style="list-style-type: none"> <li>i. <b>Signs, Inflatable;</b></li> <li>ii. <b>Signs, Searchlight or Laser;</b></li> <li>iii. <b>Signs, Third Party;</b></li> <li>iv. <b>Signs, Vehicle or Trailer</b> on non-motorized vehicles;</li> <li>v. <b>Signs, Portable;</b></li> <li>vi. <b>Signs, Roof;</b></li> <li>vii. <b>Signs, Obsolete;</b> and</li> <li>viii. Moving, flashing, sound-emitting <b>Signs</b>, or <b>Signs, Revolving.</b></li> </ul>
(o) Additional <b>Sign Standards</b>	<ul style="list-style-type: none"> <li>i. Whenever a panel on a multi-tenant <b>Sign</b> is removed, the <b>Sign</b> owner shall replace it with a blank panel until such time as a new tenant requires it.</li> <li>ii. An existing non-conforming <b>Sign</b> may continue to be displayed provided: <ul style="list-style-type: none"> <li>A. The <b>Sign</b> was lawfully erected on or before the day this Bylaw came into effect;</li> <li>B. The <b>Sign</b> continues to comply with the bylaw in effect at the time of its erection;</li> <li>C. Changes to the <b>Sign</b> are limited to normal maintenance; and</li> <li>D. The <b>Sign</b> is not moved or materially altered.</li> </ul> </li> <li>iii. When a <b>Sign</b> cannot be clearly categorized as any of the <b>Signs</b> defined in this Bylaw, the <b>Development Authority</b> shall determine the <b>Sign</b> type and applicable standards.</li> </ul>

## PART 3: LAND USE DISTRICTS



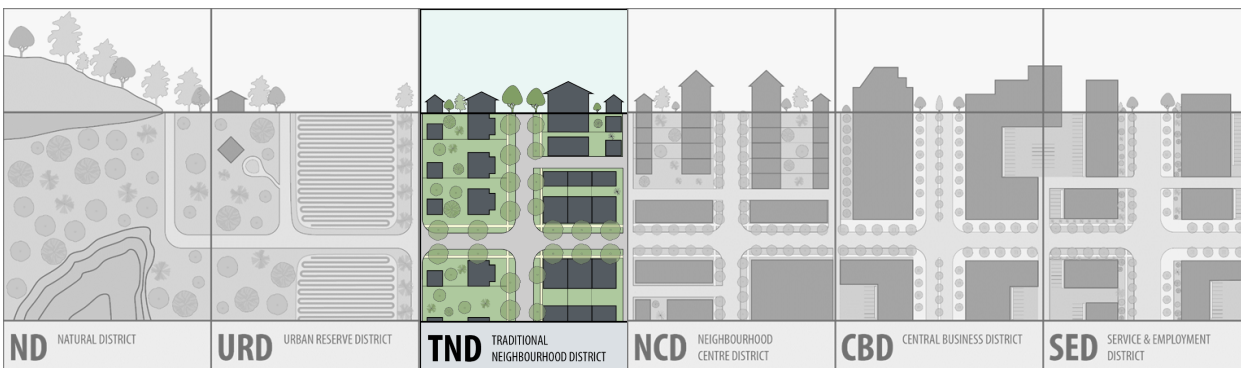
(p) Associated  
**Uses**

In the table below:

- ✓ means a **Sign** is **Permitted**
- means a **Sign** is Permitted and does not require an associated **Use**
- means a **Sign** is not **Permitted**

	<i>Sign, Banner</i>	<i>Sign, Canopy</i>	<i>Sign, Changeable Message</i>	<i>Sign, Community Identification</i>	<i>Sign, Electronic Messaging</i>	<i>Sign, Fascia</i>	<i>Sign, Freestanding</i>	<i>Sign, Projecting or Hanging Wall</i>	<i>Sign, Window</i>
<b>Residential</b>	●	●	●	○	●	●	●	●	✓
<b>Lodging</b>	✓	●	✓	○	●	●	✓	✓	✓
<b>Office</b>	✓	●	●	○	●	✓	●	✓	✓
<b>Retail &amp; Entertainment</b>	✓	●	✓	○	✓	✓	✓	✓	✓
<b>Manufacturing</b>	✓	●	●	○	●	✓	●	✓	✓
<b>Institutional</b>	✓	●	✓	○	●	✓	✓	✓	✓
<b>Agriculture</b>	✓	●	●	○	●	●	✓	✓	✓

## PART 3: LAND USE DISTRICTS



### 3.4.14 Outdoor Lighting Standards

- (a) All outdoor light fixtures shall be aimed downward and shielded in a manner that does not direct illumination on to a street or adjacent **Residential Use**.
- (b) All outdoor light fixtures shall not emit light upwards except where the light fixture is used for accent lighting.
- (c) The provisions for Section 3.4.14 do not apply to roadways or **Traffic Signs**.

### 3.4.15 Sustainable Energy

- (a) **Sustainable Renewable Energy** systems are encouraged and supported within the **Town**.
- (b) **Solar Energy Systems** shall only be located on a **Façade** or roof of a **Building** and should be integrated with the **Building** design and character.
- (c) **Wind Turbines** shall not be allowed within the Traditional Neighbourhood District (TND).

### 3.4.16 Relocation, Demolition, or Removal of Buildings

- (a) **Demolition** or removal of a **Building** is allowed in all Land Use Districts.
- (b) A Demolition Permit shall be required, as per the *Alberta Safety Codes Act*, for the **Demolition** or removal of any **Building**.
- (c) In addition to a Demolition Permit, prior to the **Demolition** or removal of a **Building**, a **Development Permit** must be approved by the **Development Authority** except when a **Demolition** or removal of a **Building** is a result of a **Development** for which a **Development Permit** has already been approved and issued.
- (d) Notwithstanding Subsection 3.4.16 (c), a **Development Permit** is not required for the **Demolition** or removal of a **Building** that does not require a **Development Permit** as per Section 4.6.

## PART 3: LAND USE DISTRICTS



- (e) Applications for a **Development Permit** for the **Demolition** or removal of a **Building** shall include:
- How the safety of the public and adjacent **Buildings** will be ensured;
  - How the **Site** will be cleaned and graded; and
  - How any affected roads, sidewalks, boulevards, or utilities will be protected.
- (f) A **Development Permit** is required when a **Building** is being relocated to a **Site** from elsewhere on the same **Site**, or from another **Site**, and the relocated **Building** shall comply with the provisions of this Bylaw.

### 3.4.17 Historic Buildings

- (a) A **Development Permit** application to demolish, remove, or alter a **Building** that is designated as a Provincial Historic Resource shall be referred to **Council** for comment and shall have the written approval of the Minister responsible for the *Historic Resources Act*.
- (b) A **Development Permit** application to demolish, remove, or alter a **Building** that is designated as a Municipal Historic Resource shall be reviewed by the **Development Authority** and shall comply with the provision of the bylaw designating said **Building**.

### 3.4.18 Common Amenity Space Standards

- (a) **Common Amenity Space** may be provided as indoor or outdoor common amenity space, or a combination thereof.
- (b) **Common Amenity Space** must be provided for all **Residential Development** with 8 or more units (not including **Additional Dwelling Units**).
- (c) **Common Amenity Space** must be accessible from all of the units
- (d) **Common Amenity Space** must cover at least 10.0 percent of the **Site** area.
- (e) **Common Amenity Space** must not be located in a required setback

## PART 3: LAND USE DISTRICTS



### 3.4.19 Recreational Vehicles

- (a) No person shall be allowed to keep or maintain a **Recreational Vehicle** in a **Frontage** between October 30 and April 1.
- (b) No **Recreational Vehicle** shall be used for living, sleeping, or housekeeping purposes other than in designated campgrounds.
- (c) No **Recreational Vehicle** shall have its wheels removed or be affixed to the ground so as to prevent its ready removal.
- (d) No **Recreational Vehicle** shall be connected to any public utility except for required servicing.

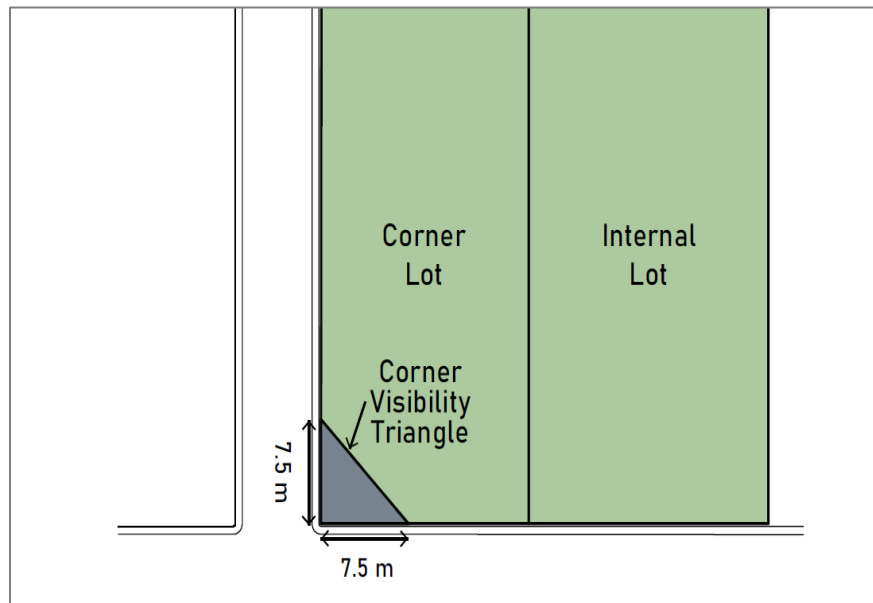
### 3.4.20 Additional Standards

- (a) The **Development Authority** may allow a **Variance** of any or all of the requirements of this Bylaw, through an application, where at the discretion of the **Development Authority**, the **Development** would not unduly interfere with the amenities of the neighbourhood, detract from the public realm, or materially interfere with or affect the use, enjoyment, or value of the neighbouring **Lots**, and the **Use** proposed is allowed by this Bylaw.
- (b) Any standard from this Bylaw may be applied to **Development** within this Land Use District at the discretion of the **Development Authority** in order to ensure a high-quality level of design and / or future urban development opportunities.
- (c) When a **Development** cannot be clearly categorized in this Bylaw, the **Development Authority** shall determine all applicable standards.
- (d) All other **Development** proposals shall be at the **Development Authority's** discretion.
- (e) All **Development** shall meet the requirements of the *Alberta Safety Codes Act*.
- (f) All **Development** shall meet the Minimum Development Elevation requirements in Section 2.4. if required by the **Development Authority** as per Section 2.4.3.

## PART 3: LAND USE DISTRICTS



- (g) Notwithstanding any other provisions contained in this Bylaw, no vegetation, finished **Lot** grade, **Building**, **Structure** or **Fence** shall exceed the general elevation of the **Thoroughfare** by more than 0.76 m within the area defined as a **Corner Visibility Triangle**.



- (h) Sites with incomplete Development must be maintained at all times in accordance with the standards of the Town, including but not necessarily limited to the Good Neighbour Bylaw and the General Engineering and Construction Specifications.

### 3.4.21 The Design, Character & Appearance of Buildings

- (a) The size, location, design, character and appearance of any **Building** or **Structure** requiring a **Development Permit** shall be acceptable to the **Development Authority** having due regard to:
- i. The policies and objectives contained within the **Town's** Statutory Plans;

## PART 3: LAND USE DISTRICTS

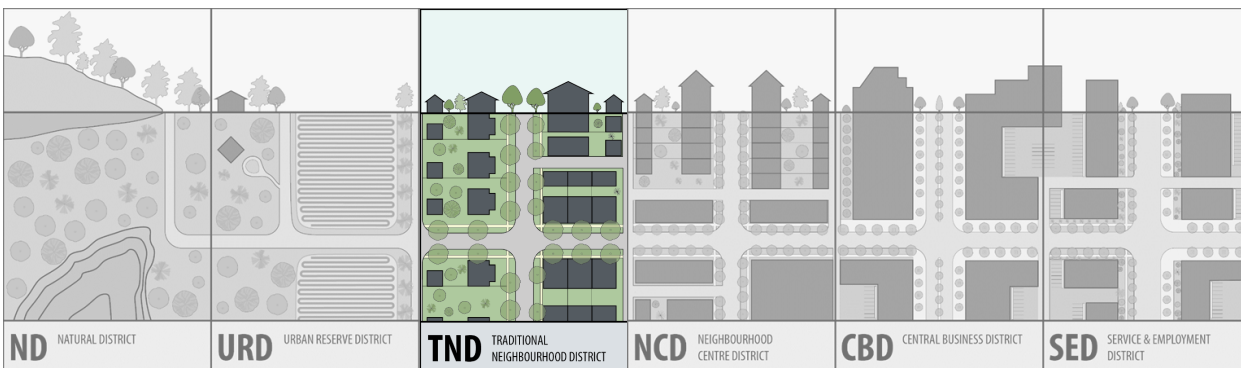


- 
- ii. Any studies adopted as guidelines regarding Heritage Buildings and historic resources, vistas, streetscapes, parking, mobility, public art, and open space;
  - iii. The character of existing **Development** in this Land Use District including, but not necessarily limited to, facing materials, **Building** mass and architectural detailing;
  - iv. The character of existing **Development** in this Land Use District, as well as the effect on adjacent Land Use District(s) and parcels, unless the **Building** or **Structure**, at the discretion of the **Development Authority**, sets a higher standard of design, character and appearance for this Land Use District, or part of it; and
  - v. Other factors such as daylight, sunlight, and privacy.
- 
- (b) The exterior finishing materials on the **Façade** of a proposed **Development** shall be those identified on the approved plans for that **Development**.
- 
- (c) Once constructed, the **Façade** of the **Building(s)** shall be maintained to the standard shown on the Site Plan and elevation drawings approved by the **Development Authority**.
- 
- (d) **Additions** to any **Primary Building(s)** and any **Accessory Building(s)** shall be constructed and finished with materials compatible with the **Primary Building(s)**.
- 
- (e) Where a proposed **Development** is part of a larger area, the whole of which may eventually be designed and developed, and for which no overall **Development** plan has been prepared, the **Development Authority** may require the submission of a **Master Site Plan** before dealing with the application.
- 

### 3.4.22 Drainage Standards

- 
- (a) All roof drainage from a **Structure** or **Building** must be discharged onto the **Lot** on which the **Structure** or **Building** is located. No roof drainage may create any negative impact on adjacent **Sites**. Should any damage occur, the owner shall be responsible for all of the costs of all applicable damages as determined by a qualified professional (e.g. insurance underwriter) based on the General Engineering and Construction Specifications as applicable.
-

## PART 3: LAND USE DISTRICTS



### 3.4.23 Pageantry Features

(a) **Pageantry Features** may only be located within or abutting the **Development** that they relate to.

(b) **Pageantry Features** are limited to:

- i. promoting natural and manmade attributes and amenities of the **Development**;
- ii. providing the names of area builders;
- iii. providing directions within the **Development**;
- iv. indicating the general price range of housing products.

(c) **Pageantry Features** must not:

- i. be installed so as to obstruct or impede free and clear vision for motorists and pedestrians and in so doing create a traffic hazard;
- ii. interfere with, or cause confusion with, any authorized sign, signal or traffic control device and in so doing create a traffic hazard;
- iii. impede pedestrians from using the sidewalk system;
- iv. create any other safety issue under the regulations of the Town of High River Traffic Bylaw or the Traffic Safety Act, RSA 2000; or
- v. cause any damage to any Town owned trees (through installation, placement or removal) or result in any pruning to improve visibility of Pageantry Features.

(d) **Pageantry Features** may include the following types:

- i. Freestanding signs, provided the signs do not exceed 2.0 metres in height and 3.0 square metres in sign area, and are securely inserted into the ground (skids, concrete blocks, and similar types of footings will not be permitted);
- ii. flags and flag poles;
- iii. banners and banner poles; or
- iv. any other decorative feature where, in the opinion of the **Development Authority**, the feature is

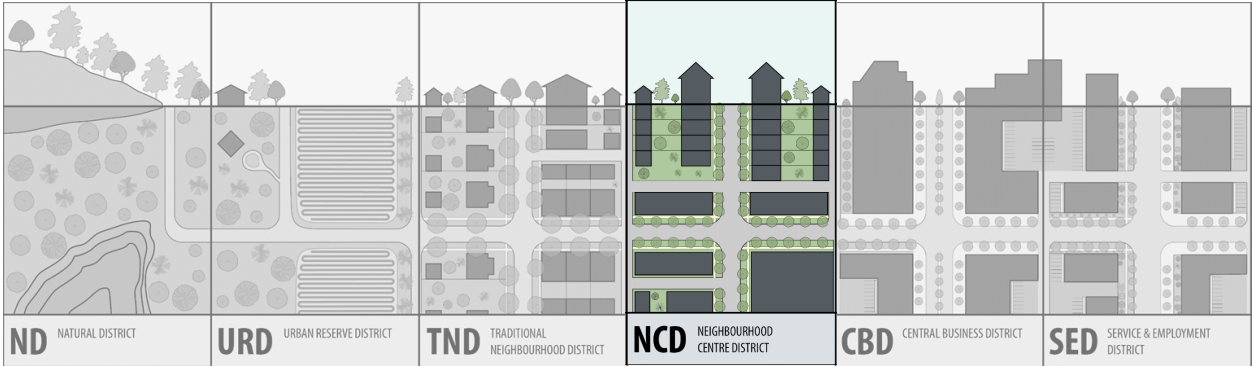
## PART 3: LAND USE DISTRICTS



consistent with the intent of these regulations.

- (e) All **Pageantry Features** within a **Development** must be coordinated, cohesive and have a consistent theme.
- (f) All **Pageantry Features** within a **Development** must be kept in good repair at all times.
- (g) There is no limitation to the number of Pageantry Features that can be proposed and approved in a **Development** under a single application. However, the **Development Authority** reserves the right to restrict the number of **Pageantry Features** approved for a **Development** based on the suitability of the location and design of the **Pageantry Features**.
- (h) A **Development Permit** shall only be provided for up to a maximum of 5 years, at which time a new or renewed **Development Permit** shall be required. Pageantry shall be removed within thirty days of the final **Lot** or unit of the **Development** being sold by the developer.

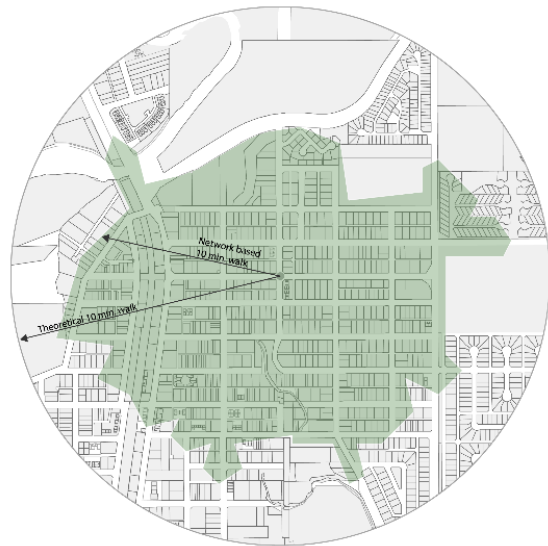
## PART 3: LAND USE DISTRICTS



### 3.5 NEIGHBOURHOOD CENTRE DISTRICT (NCD)

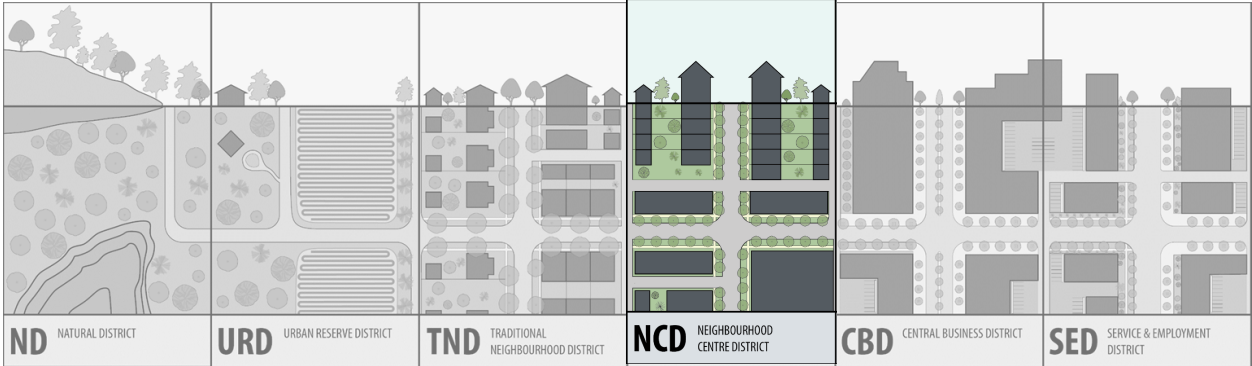
#### 3.5.1 Intent

An area of focused community activity acting as a social and economic centre of a neighbourhood and usually defining the approximate centre of a walkable service area. The built form is characterized by **Buildings** located closer to the street, enhanced public spaces with wide sidewalks, and street trees. High quality pedestrian connectivity to adjacent areas and the broader community are essential.



- |                             |  |
|-----------------------------|--|
| (a) General characteristics | <ul style="list-style-type: none"> <li>i. The overall mix of <b>Uses</b> for this Land Use District should strive for 50.0 percent <b>Residential</b> and 50 percent business and retail services.</li> <li>ii. <b>Residential</b> forms should consist primarily of <b>Building</b> types with multiple <b>Dwelling Units</b>.</li> <li>iii. Business and retail services should meet the daily needs of neighbouring residents within a 10 minute (800.0 metre) pedestrian network rather than a theoretical 5-minute walking radius.</li> <li>iv. Effective pedestrian networks and connectivity shall be provided both within this Land Use District and to adjacent Land Use Districts.</li> <li>v. <b>Buildings</b> should have a minimal setback and be located close to a <b>Thoroughfare</b> and shall have a consistent sidewalk or pathway from the <b>Building</b> entrance(s) to the pedestrian network.</li> </ul> |
|-----------------------------|--|

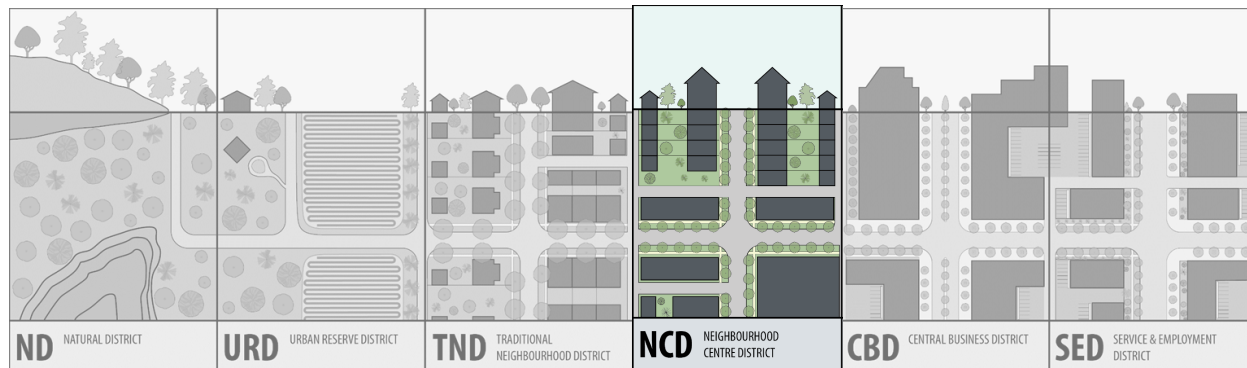
## PART 3: LAND USE DISTRICTS



- (b) Vision      The Neighbourhood Centre District (NCD) is intended to be a higher density mixed **Use** area with a variety of business, retail, and employment opportunities supported by a variety of residential typologies.



## PART 3: LAND USE DISTRICTS

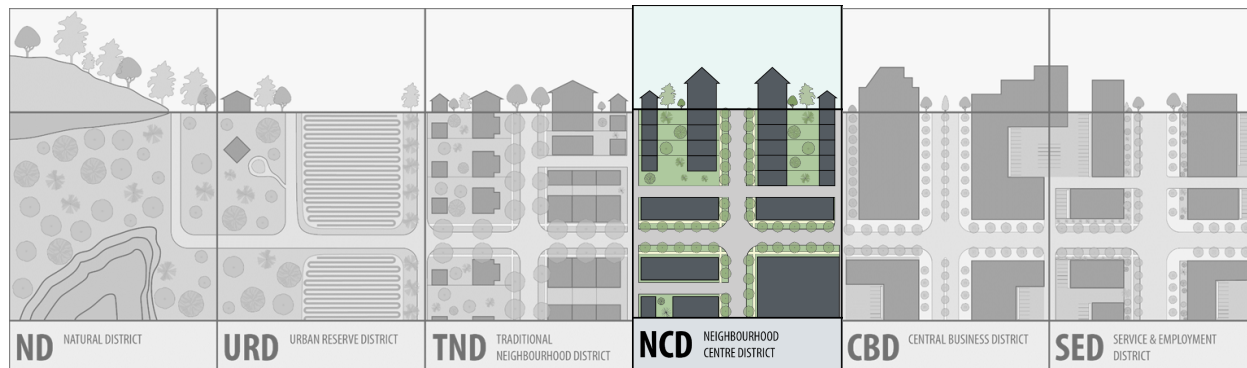


### 3.5.2 Uses

The following **Uses** are grouped into Use Categories to add clarity regarding the intent of the form of **Development**. Definitions are in Section 5.1: Use Definitions.

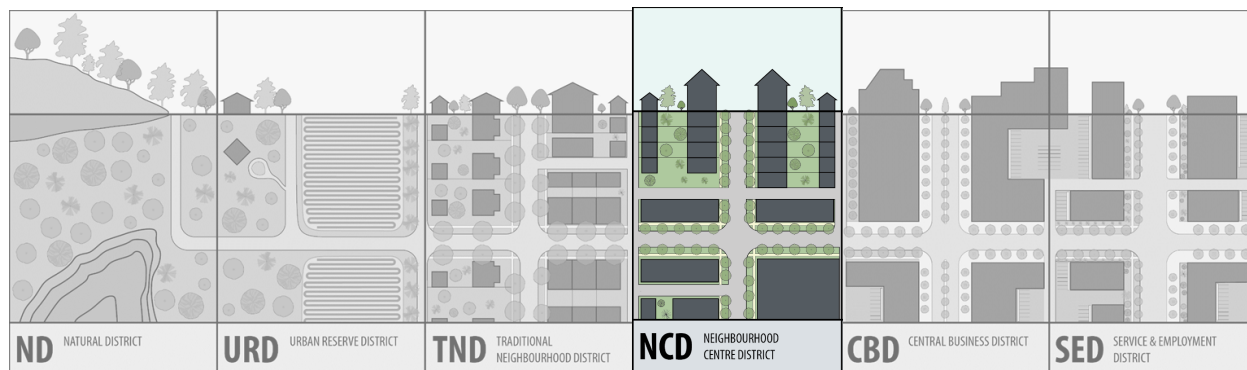
<i>Use Category</i>	<i>Use Category Description</i>	<i>Permitted Uses</i>	<i>Discretionary Uses</i>
(a) <b>Residential</b>	Premises available for long-term human habitation by means of ownership and rental, but exclude short-term renting of less than a month's duration.	<b>Dwelling Unit(s)</b> <b>Additional Dwelling Unit(s)</b>	<b>Temporary Dwelling Unit(s);</b> <b>Temporary Additional Dwelling Unit(s)</b>
(b) <b>Lodging</b>	Premises available for short-term human habitation.	<b>Bed &amp; Breakfast,</b> <b>Short Term Rental</b>	<b>Hotel / Motel</b>
(c) <b>Office</b>	Premises available for the transaction of general business, but excluding <b>Retail &amp; Entertainment</b> and <b>Manufacturing</b> .	<b>Major Home Occupation;</b> <b>Professional Office</b>	None
(d) <b>Retail &amp; Entertainment</b>	Premises available for the commercial sale of merchandise and prepared foods, but excluding <b>Manufacturing</b> .	<b>Amusement Facility;</b> <b>Café; Restaurant or Drinking Establishment; Retail &amp; Service, General</b>	<b>Adult Establishment;</b> <b>Cannabis Store, ; Drive Through Facility; Gas Station; Liquor Store; Retail &amp; Service, Heavy; Vehicle Washing</b>

## PART 3: LAND USE DISTRICTS



<i>Use Category</i>	<i>Use Category Description</i>	<i>Permitted Uses</i>	<i>Discretionary Uses</i>
(e) <b>Manufacturing</b>	Premises available for the creation, assembly, and repair of artefacts including their retail sale except when such activity creates conditions that may be objectionable to neighbouring property owners.	<b>Light Industrial;</b>	<b>Outdoor Storage</b>
(f) <b>Institutional</b>	Premises used by organizations to support the common good including organizations dedicated to religion, arts and culture, education, government, social service, recreation, health, and the like.	<b>After Life Care; Arts &amp; Culture; Active Recreation; Education; Human Services; Government; Passive Recreation</b>	None
(g) <b>Agriculture</b>	Premises available for growing of plants or raising of livestock for the purpose of food production.	<b>Urban Agriculture</b>	None

## PART 3: LAND USE DISTRICTS

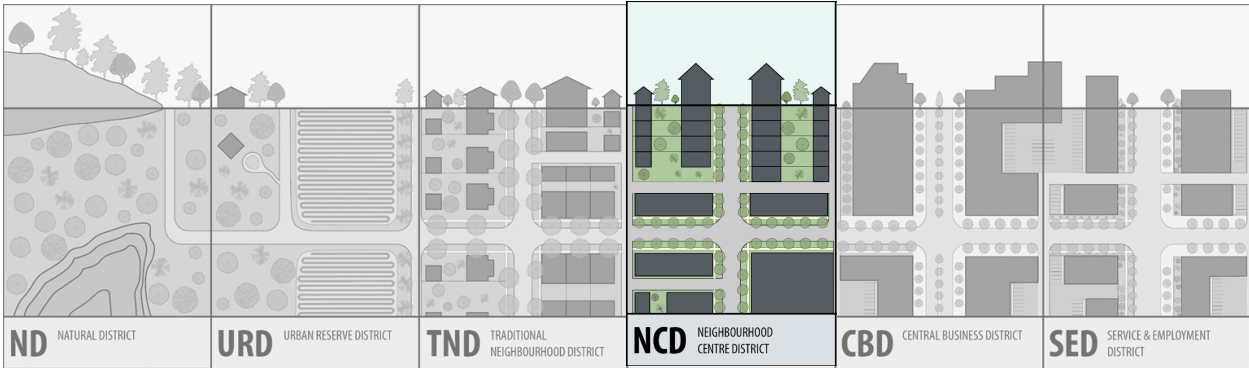


Use Category	Use Category Description	Permitted Uses	Discretionary Uses
(h) Other	Additional <b>Uses</b> that may be considered in this Land Use District.	<p><b>Essential Public Utilities; Signs</b> in association with an approved <b>Use</b> on the <b>Site</b>, or unless otherwise specified in Section 3.5.13.</p> <p><b>Pageantry Features</b> in association with an approved <b>Development</b>;</p> <p><b>Temporary Shipping Containers</b></p>	<p><b>Excavation</b>, stripping and grading; fencing, landscaping, or other similar <b>Structures</b></p> <p><b>Shipping Containers</b></p>

### 3.5.3 Specific Use Standards

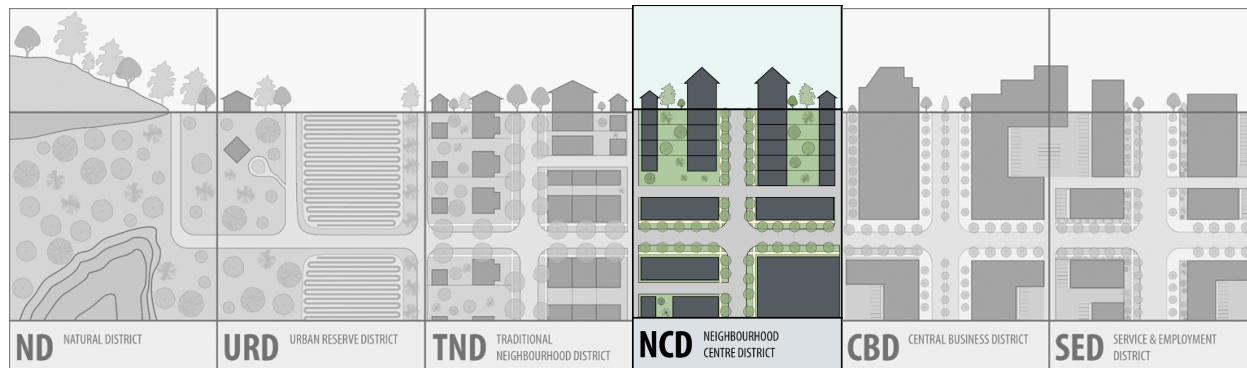
Use	Standard
(a) <b>Accessory Building</b>	No <b>Accessory Building</b> shall be used as a <b>Dwelling Unit</b> unless the <b>Building</b> meets the requirements of the <i>Alberta Safety Codes Act</i> .
(b) <b>Accessory Use</b>	Are <b>Permitted</b> or <b>Discretionary</b> in accordance with the <b>Primary Use(s)</b> .
(c) <b>Adult Establishment</b>	<ul style="list-style-type: none"> <li>i. An <b>Adult Establishment</b> shall not display obscene or indecent images, materials or products in any form or format that are visible from the exterior of the <b>Building</b> or through windows.</li> <li>ii. The <b>Development Authority</b> may determine criteria to limit where and how an <b>Adult Establishment</b> may be located.</li> </ul>
(d) <b>Café</b>	<ul style="list-style-type: none"> <li>i. A maximum of 20 patrons is allowed.</li> <li>ii. A <b>Café</b> may serve alcoholic beverages for consumption on the premises at the discretion of the <b>Development Authority</b>, in accordance with the <i>Alberta</i></li> </ul>

## PART 3: LAND USE DISTRICTS



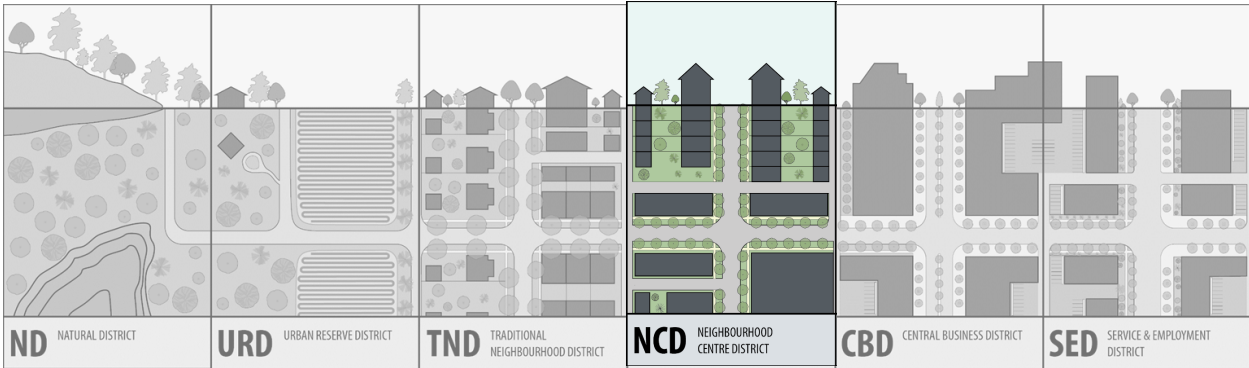
Use	Standard
	<i>Gaming, Liquor &amp; Cannabis Commission.</i>
(e) <b>Cannabis Store</b>	<p>i. At the time of <b>Development Permit</b> application, a <b>Cannabis Store Bay</b> shall not be located closer than 100.0 metres to any of the following, as measured from the closest point of the <b>Cannabis Store Bay</b> to the closest point of the <b>Site</b> boundary of:</p> <p>A. A <b>School</b>;</p> <p>B. School reserve or municipal and school reserve (as defined by the <i>Municipal Government Act</i>);</p> <p>C. A <b>Public Park</b>.</p> <p>ii. Where a proposed <b>Cannabis Store Bay</b> is within a 150.0 metre radial distance of an existing <b>Cannabis Store Bay</b> with valid approval, as measured from the closest point of the proposed <b>Cannabis Store Bay</b> to the closest point of the existing <b>Cannabis Store Bay</b>, any cumulative impacts of the facilities on existing <b>Development</b> within the area must be considered by the <b>Development Authority</b>.</p>
(f) <b>Discretionary Use</b>	Shall only be allowed if there is no detrimental effect on the hydrological system or water quality.
(g) <b>Gas Station</b>	Should locate pumps to the side or rear of the <b>Building</b> , increase the front <b>Setback</b> , or provide additional landscaping in the <b>Private Frontage</b> to better integrate the <b>Gas Station</b> with the <b>Public Realm</b> .
(h) <b>Heavy Industrial</b>	Showrooms or ancillary sales are not allowed.
(i) <b>Light Industrial</b>	Storage shall be within the <b>Building</b> or entirely screened

## PART 3: LAND USE DISTRICTS



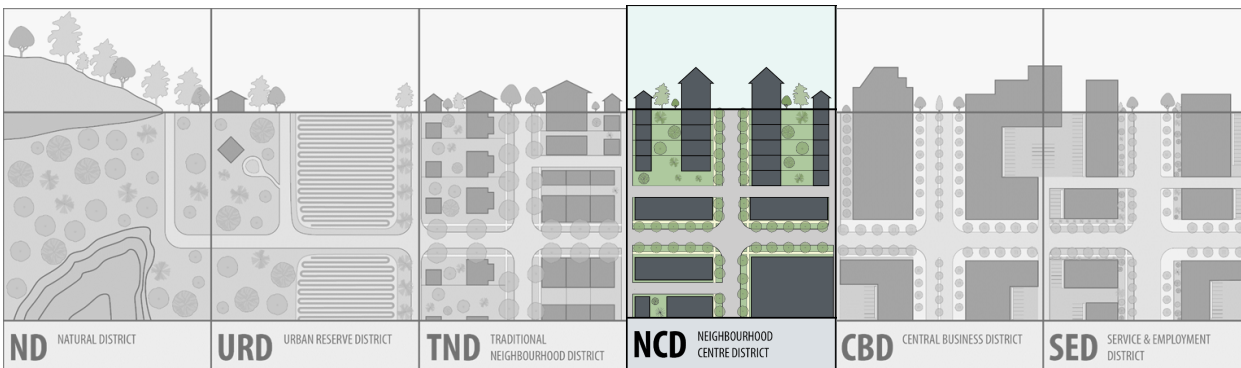
Use	Standard
(j) <b>Liquor Store</b>	<ul style="list-style-type: none"> <li>i. At the time of Development Permit application, a <b>Liquor Store Bay</b> shall not be located closer than 100.0 metres to a <b>School</b> or <b>Public Park</b>, as measured from the closest point of the <b>Liquor Store Bay</b> to the <b>Site</b> boundary of the <b>School</b> or <b>Public Park</b>.</li> <li>ii. Where a proposed <b>Liquor Store Bay</b> is within a 150.0 metre radial distance of an existing <b>Liquor Store Bay</b>, as measured from the closest point of the proposed <b>Liquor Store Bay</b> to the closest point of the existing <b>Liquor Store Bay</b>, any cumulative impacts of the facilities on existing <b>Development</b> within the area must be considered by the <b>Development Authority</b>.</li> </ul>
(k) <b>Major Home Occupation</b>	<ul style="list-style-type: none"> <li>i. <b>Outdoor Storage</b> is prohibited.</li> <li>ii. Deliveries of pick-ups in connection with the <b>Use</b> are limited to parcel and small freight carriers.</li> <li>iii. <b>Signs</b> shall be limited to one window <b>Sign</b>, shall not be illuminated, and shall not exceed 0.2 square metres in area.</li> <li>iv. Vehicle and equipment service or repair are not allowed.</li> <li>v. If a <b>Major Home Occupation Development Permit</b> holder relocates within the Municipality, a new <b>Development Permit</b> is required for a new <b>Major Home Occupation</b> at the new location.</li> <li>vi. No nuisances by way of noise, vibration, smoke, dust, fumes, odours, heat, light, electrical or radio disturbance, detectable beyond the property boundary shall be produced by the <b>Major Home Occupation</b>.</li> <li>vii. Commercial Vehicles used for a <b>Major Home Occupation</b> shall be parked on-site and shall not be located within a <b>Frontage</b> if weight exceeds 4,000.0 kg.</li> <li>viii. A <b>Development Permit</b> for a <b>Major Home Occupation</b> may be revoked if, at the discretion of the <b>Development Authority</b>, the operator of the <b>Major Home Occupation</b> has violated any provisions of this Bylaw and / or the conditions of the <b>Development Permit</b>.</li> </ul>

## PART 3: LAND USE DISTRICTS



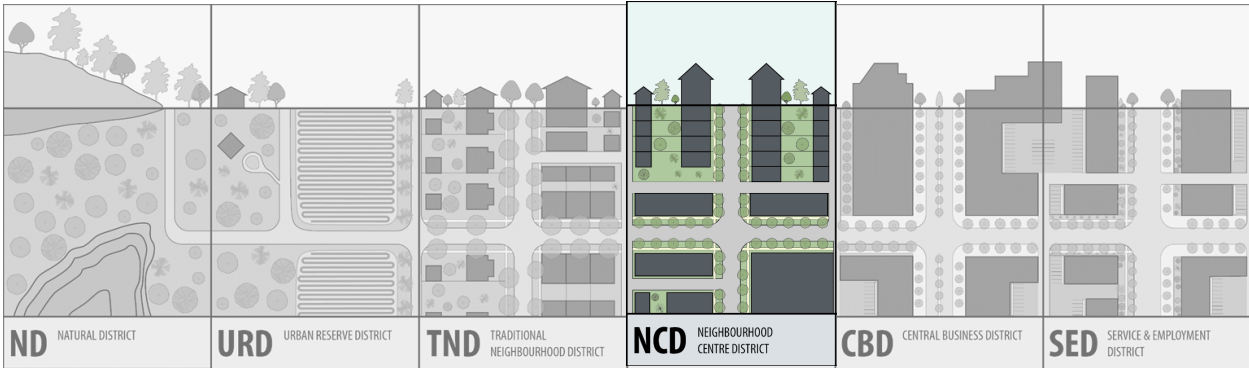
Use	Standard
(l) <b>Outdoor Storage</b>	<ul style="list-style-type: none"> <li>i. Shall not be allowed in a <b>Frontage</b> and shall be screened from any <b>Thoroughfare</b> by means of a solid wall, fencing, landscaping, berming or combination thereof, to the satisfaction of the <b>Development Authority</b>.</li> <li>ii. Shall be kept in a clean and orderly condition at all times.</li> </ul>
(m) <b>Restaurant</b>	Shall not install ventilation systems that terminate on the roof of a <b>Building</b> unless the <b>Applicant</b> can prove that no other feasible alternative is available. To the maximum extent feasible, ventilation systems shall be directed away from adjacent <b>Residential</b> properties.
(n) <b>Short Term Rental</b>	<ul style="list-style-type: none"> <li>i. <b>Short Term Rental</b> host must obtain a business license.</li> <li>ii. A host cannot allow more than two adults, not including minors, per room. As the definition of short term rental in the bylaw is 14 days or less, longer term stays are not covered in the bylaw.</li> </ul>
(o) <b>Vehicle Washing</b>	Shall be limited to the washing of vehicles with a gross vehicle weight of 4,000.0 kilograms or less.
(p) <b>Prohibited Uses</b>	<ul style="list-style-type: none"> <li>i. The storage of any <b>Temporary Dwelling Unit</b>;</li> <li>iii. The storage of waste and salvage materials including derelict vehicles;</li> <li>iv. The storage of goods, products, or materials in any <b>Frontage</b>; and</li> <li>v. <b>Gaming Establishments</b></li> </ul>
(q) <b>Development not requiring a Development Permit</b>	<p>A <b>Development Permit</b> is not required in respect of the following <b>Developments</b> provided they are in compliance with the standards outlined in this Land Use District and all other provisions of this Bylaw:</p> <ul style="list-style-type: none"> <li>i. Work of maintenance, repair or <b>Alteration</b>, on a <b>Structure</b>, both internal and external, if at the discretion of the <b>Development Authority</b>, such work: <ul style="list-style-type: none"> <li>A. Does not result in an increase in the number of <b>Dwelling Units</b> within the <b>Building</b> or on the <b>Site</b>;</li> <li>B. Does not increase the floor area by more than 25.0 percent of the</li> </ul> </li> </ul>

## PART 3: LAND USE DISTRICTS



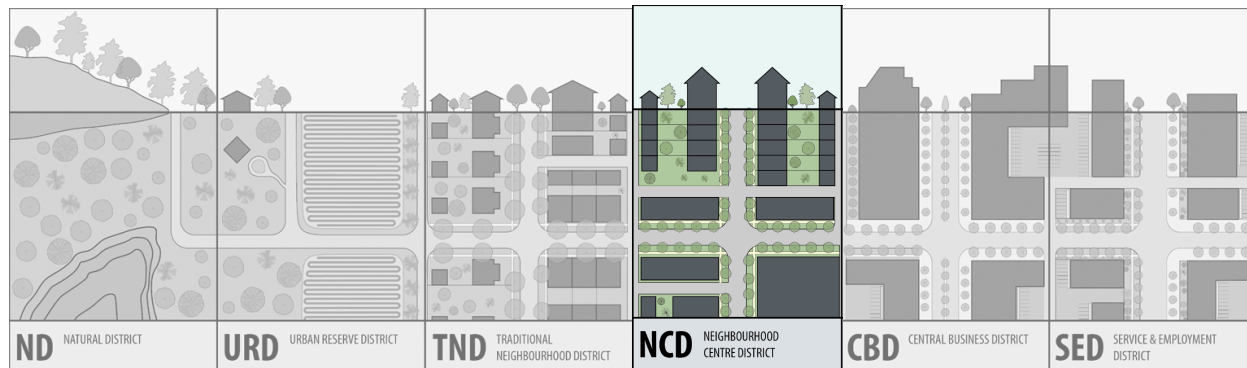
Use	Standard
	<p>original <b>Residential Structure</b> or <b>Building</b>;</p> <p>C. Does not change the <b>Use</b> or intensity of the <b>Use</b> of the <b>Structure</b> or <b>Building</b>; and</p> <p>D. Is performed in accordance with obligatory legislation or other government regulations.</p> <p>ii. The completion of a <b>Building</b> which was lawfully under construction at the date this Bylaw comes into effect;</p> <p>iii. The use of any <b>Building</b> referred to in Subsection 4.6 for the purpose for which construction was commenced;</p> <p>iv. The use of a <b>Building</b>, other than a <b>Non-Conforming Use</b> or <b>Non-Conforming Building</b>, that has been vacant for less than 6 months for a purpose that is, at the discretion of the <b>Development Authority</b>, the same or similar to the previous <b>Use</b>;</p> <p>v. The <b>Change of Use</b> of a <b>Building</b> or <b>Structure</b>, other than a <b>Non-Conforming Use</b> or <b>Non-Conforming Building</b> provided that:</p> <p style="margin-left: 20px;">A. The requirements of the <b>Development Permit</b> for the existing <b>Building</b> have been fulfilled; and</p> <p style="margin-left: 20px;">B. The <b>Change of Use</b> is from a <b>Permitted</b> or <b>Discretionary Use</b> to a <b>Permitted Use</b> in this Land Use District.</p> <p>vi. The erection, construction, or maintenance of gates, <b>Fences</b>, walls, or other means of enclosure which meet the standards in this Land Use District;</p> <p>vii. The construction and maintenance of <b>Essential Public Utilities</b>;</p> <p>viii. The erection of an <b>Accessory Building</b> in association with an approved <b>Permitted Use</b> when it complies with the standards of this Bylaw;</p> <p>ix. The use of a <b>Building</b> or part thereof as a temporary polling station for a federal, provincial, or municipal election, referendum, or plebiscite;</p> <p>x. <b>Signs</b> not requiring a <b>Development Permit</b> as set out in this Land Use District;</p> <p>xi. The construction, maintenance, and repair of private walkways, private pathways, private driveways, private features, and landscaping details that do</p>

## PART 3: LAND USE DISTRICTS



Use	Standard
	not involve retaining walls greater than 0.6 metres in height, and are in compliance with this Land Use District;
xii.	An outdoor in-ground or above-ground private swimming pool provided: <ul style="list-style-type: none"> <li>A. Not located in a <b>Frontage</b>;</li> <li>B. Having a total area not exceeding 15.0 percent of the <b>Lot</b> area; and</li> <li>C. That does not have any part of the above <b>Grade</b> component, including a <b>Deck</b>, walkway, supporting member, heater, or mechanical equipment, located within 1.2 metres of any <b>Side Lot Line</b> or <b>Rear Lot Line</b>.</li> </ul>
xiii.	<b>Excavation</b> of land and stripping of soil provided: <ul style="list-style-type: none"> <li>A. That the area concerned is less than 1,000 square metres;</li> <li>B. That the stripping or <b>Excavation</b> is part of a <b>Development</b> for which a <b>Development Permit</b> has been issued; or</li> <li>C. That the <b>Applicant</b> has signed a <b>Development Agreement</b> with the <b>Town</b> for the area concerned.</li> </ul>
xiv.	Street performers or other vendors having a Business License and written permission from the landowner and are not located fronting on Centre Street S, 5th Street SE or 12th Avenue SE;
xv.	Communication <b>Structures</b> that comply with the <i>Federal Radiocommunication Act</i> ;
xvi.	<b>Sustainable Renewable Energy</b> systems and <b>Structures</b> providing they are in compliance with the provisions of this Bylaw and any other obligatory legislation or government regulations;
xvii.	<b>Minor Home Occupation(s)</b> ;
xviii.	<b>Mural(s)</b> ;
xix.	<b>Day Home(s)</b> ; and
xx.	<b>Patio(s)</b> .
xxi.	Erection of flagpoles not exceeding 6.0 metres in height for the purpose of

## PART 3: LAND USE DISTRICTS



<i>Use</i>	<i>Standard</i>
------------	-----------------

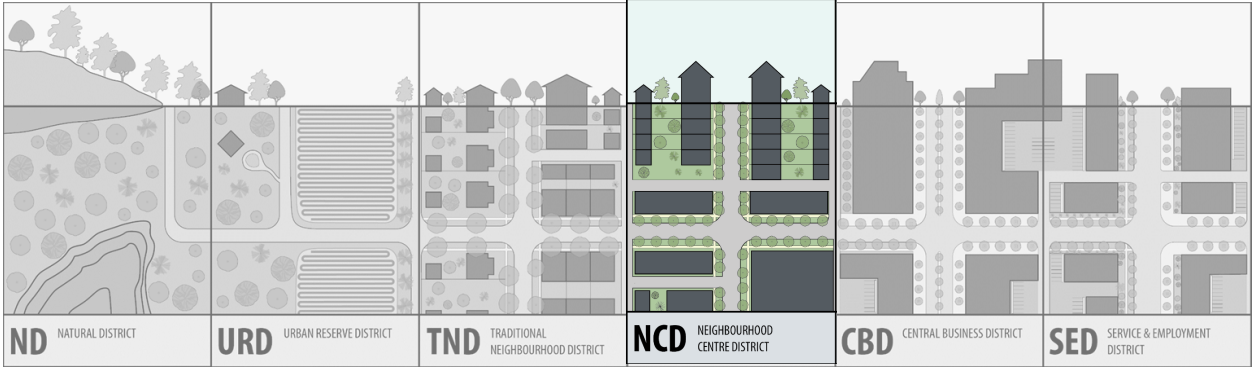
flying a **Flag** but not a **Sign**.

(r) <b>Temporary Developments</b>	<ul style="list-style-type: none"> <li>i. <b>Temporary Uses, Buildings, or Structures</b> may be permitted in all Districts at the discretion of the <b>Development Authority</b>, provided that <b>Temporary Buildings or Structures</b> are not placed on permanent foundations and provided that the <b>Use, Building or Structure</b> is listed as a <b>Permitted or Discretionary Use</b> in the relevant land use district.</li> <li>ii. A <b>Development Permit</b> shall only be provided for up to a maximum of 5 years, at which time a new or renewed <b>Development Permit</b> shall be required.</li> <li>iii. <b>Temporary Buildings or Structures</b> must have the appearance and aesthetic of the <b>Buildings or Structures</b> allowed in the <b>Land Use District</b> at the discretion of the <b>Development Authority</b>.</li> </ul>
-----------------------------------	---

(s) <b>Temporary Shipping Containers</b>	<p><b>Temporary Shipping Containers</b> may be used for the storage of equipment and materials during the construction period at the construction site subject to the following:</p> <ul style="list-style-type: none"> <li>i. The <b>Site</b> must have an approved and active <b>Building Permit</b>.</li> <li>ii. The <b>Shipping Container</b> must be placed wholly within the subject <b>Site</b>.</li> <li>iii. The <b>Shipping Container</b> shall be removed from the <b>Site</b> no later than seven (7) calendar days after completion of the <b>Building Permit</b>.</li> <li>iv. If construction ceases for a period of thirty (30) days, the <b>Shipping Container</b> shall be removed from the <b>Site</b> no later than seven (7) days after notice to remove is issued by the Town.</li> </ul>
--	--

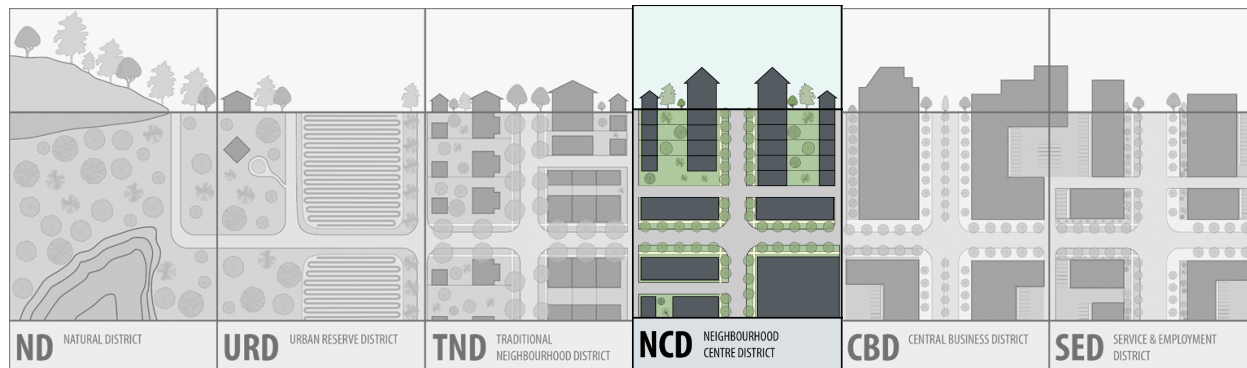
(t) <b>Permanent Shipping Containers</b>	<p>Permanent <b>Shipping Containers</b> may be allowed, however, they must have the appearance and aesthetic of the <b>Buildings or Structures</b> allowed in the <b>Land Use District</b> or be completely hidden from view of the <b>Public Realm</b> at the discretion of the <b>Development Authority</b>.</p>
--	--

## PART 3: LAND USE DISTRICTS



<i>Use</i>	<i>Standard</i>
(u) Additional Standards	<ul style="list-style-type: none"> <li>i. No <b>Use</b> or operation shall cause or create any conditions which may be offensive or objectionable beyond the <b>Lot Lines</b> by virtue of noise, odour, vibrations, heat, or light, at the discretion of the <b>Development Authority</b>.</li> <li>ii. Single <b>Use Buildings</b> are strongly discouraged.</li> </ul>

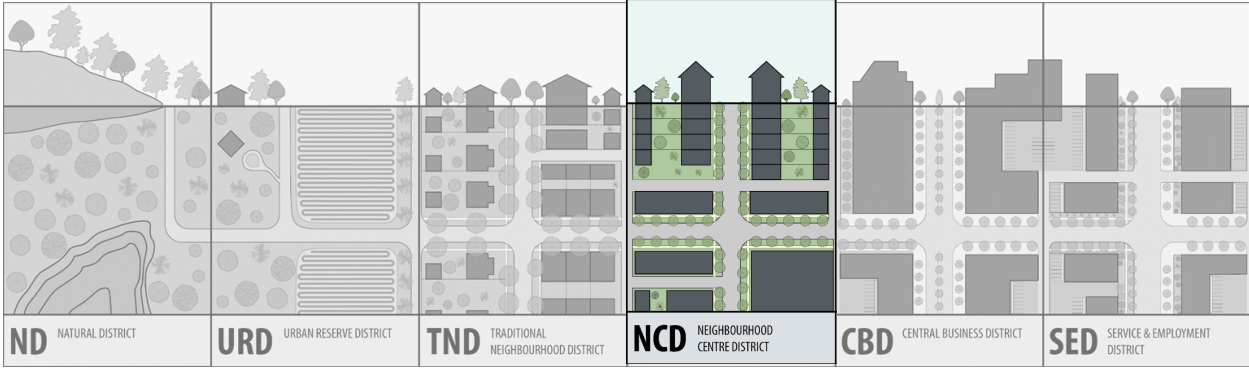
## PART 3: LAND USE DISTRICTS



### 3.5.4 Block Configuration & Subdivision Standards

Element	Standard
(a) <b>Block Length</b>	90.0 metres - 120.0 metres.
(b) <b>Block Perimeter</b>	310.0 metres - 480.0 metres.
(c) <b>Block Configuration</b>	Rear <b>Lanes</b> are required for all new or reconfigured <b>Blocks</b> . In all cases, <b>Blocks</b> with existing <b>Lane Access</b> shall retain such <b>Access</b> .
(d) <b>Block Connectivity</b>	All vehicular <b>Rights-of-Way</b> shall terminate at other vehicular <b>Rights-of-Way</b> to form a network.
(e) Pedestrian Connectivity	A mid- <b>Block Passage</b> , dedicated as a <b>Right-of-Way</b> or reserved with a permanent <b>Access</b> easement, may be required where a <b>Block Face</b> is longer than 120.0 metres. If required, the mid- <b>Block Passage</b> shall be generally located in the middle third of the <b>Block Face</b> and shall be designed to ensure pedestrian safety and comfort.
(f) Future <b>Block Connectivity</b>	Where adjoining areas are not developed, vehicular <b>Rights-of-Way</b> in new <b>Subdivisions</b> must be extended to the project boundary to provide for future vehicular <b>Rights-of-Way</b> . Such <b>Rights-of-Way</b> shall be provided at intervals no greater than the maximum <b>Block Length</b> for the Land Use District.
(g) Additional <b>Lot</b> and <b>Subdivision Standards</b>	<ol style="list-style-type: none"> <li>i. <b>Subdivision</b> shall not be allowed where the result creates a through <b>Lot</b>, a landlocked <b>Lot</b>, or additional <b>Lots</b> with no rear <b>Lane Access</b>.</li> <li>ii. <b>Subdivision</b> within a <b>Block</b> should be varied to allow for a variety of <b>Lot</b> sizes.</li> <li>iii. <b>Block</b> standards in Subsections 3.5.5 (a) through (f) may be varied to conform to natural features, transportation <b>Rights-of-Way</b>, parks or open space, or other similar <b>Site</b> constraints.</li> <li>iv. In the event of <b>Subdivision</b> by condominium, <b>Development</b> shall be treated as a multi-unit complex where the required <b>Development Setback</b> for the <b>Front, Rear, and Side</b> yards shall be the same as specified in the appropriate land use district.</li> </ol>

## PART 3: LAND USE DISTRICTS



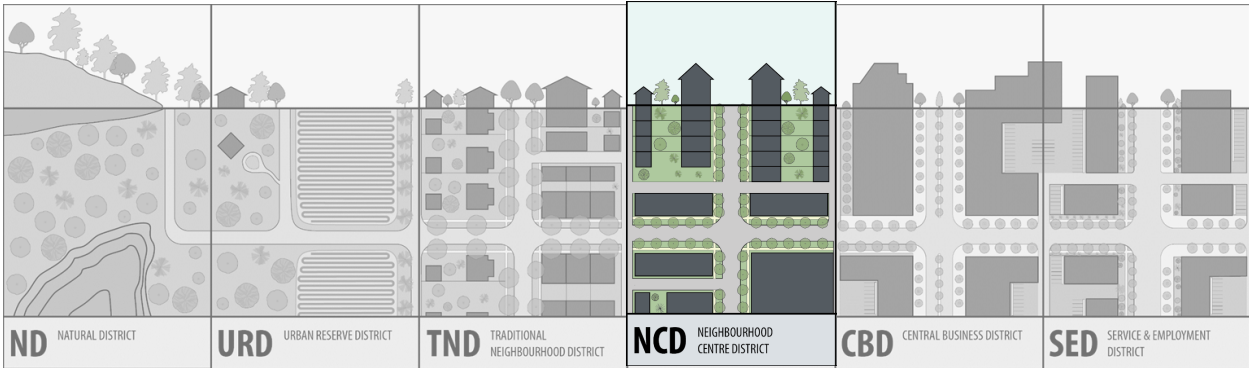
### 3.5.5 Setbacks for Primary Buildings

<b>Setback Element</b>	<b>Standard</b>
(a) Front <b>Setback</b>	0 metres - 3.0 metres.
(b) Secondary Front <b>Setback</b>	0 metres - 4.0 metres.
(c) Side <b>Setback</b>	Minimum 1.0 metre.
(d) Rear <b>Setback</b>	Minimum 0.5 metres.

- (e) Additional Standards for **Primary Buildings**
- i. **Access** shall be provided as deemed appropriate by the **Development Authority** in consultation with the Fire Department.
  - ii. The following features may project into the **Setbacks**:
    - A. Unenclosed steps and wheelchair ramps;
    - B. **Signs**;
    - C. **Fences** or masonry walls;
    - D. Driveways, off-street parking, and pathways;
    - E. An unenclosed **Deck, Porch**, or other similar **Structure** below 0.6 metres in height;
    - F. An unenclosed **Deck, Porch**, or other similar **Structure** above 0.6 metres in height may project 50 percent in a front or rear **Setback**; and / or
    - G. Balconies, **Eaves**, chimneys, cantilevers, bay windows, or other similar **Architectural Features** may project up to 50.0 percent into the side **Setback** or 50.0 percent of a front **Setback** and cover no more than 50.0 percent of the **Building Façade**.

## PART 3: LAND USE DISTRICTS

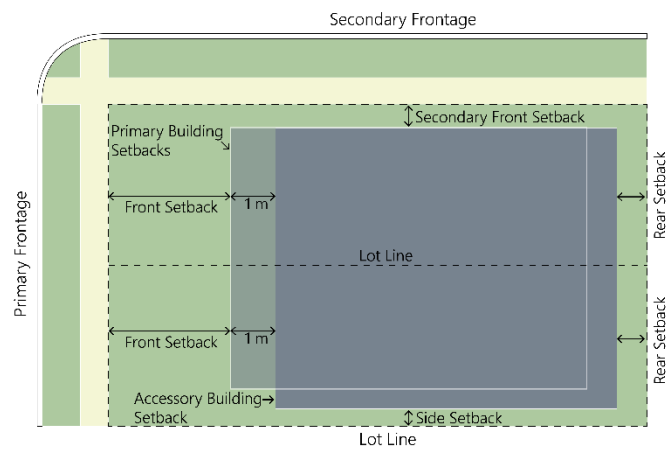


H. Projections not specifically outlined in section 3.5.5 (e) II. A. through G. may be permitted at the discretion of the **Development Authority**.

I. Notwithstanding Subsection 3.5.6 (a), attached parking **Structures** with **Frontage** on a **Primary Thoroughfare** shall not project more than 1.0 metre in front of the **Façade** facing the same **Primary Thoroughfare**.

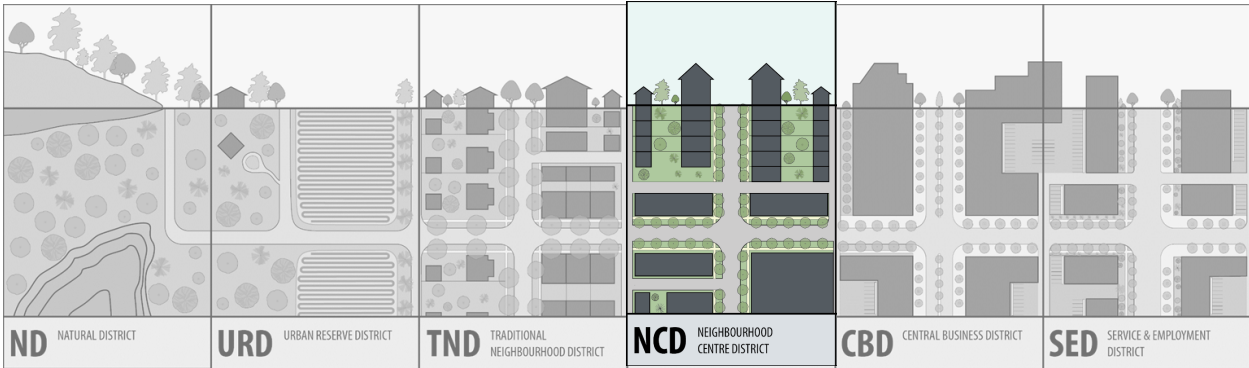
### 3.5.6 Setbacks for Accessory Buildings

Setback Element	Standard
(a) Front <b>Setback</b>	<b>Setback</b> in 3.5.5 (a) plus 1.0 metre.
(b) Secondary Front <b>Setback</b>	0 metres - 4 metres.
(c) Side <b>Setback</b>	Minimum 1.0 metre.
(d) Rear <b>Setback</b>	Minimum 0.5 metres.



- (e) Additional Standards for **Accessory Buildings**
- i. **Access** shall be provided for emergency personnel as required.
  - ii. Where an **Accessory Building** is attached to the **Primary Building** by a roof or an open or enclosed **Structure**, it is considered to be a part of the **Primary Building** and shall comply with all requirements applicable to the **Primary Building**.
  - iii. Where an **Accessory Building** or **Structure** is built on a foundation or is otherwise unmovable, the building or structure must adhere to the setback standards in Section 3.5.6 regardless of size.

## PART 3: LAND USE DISTRICTS

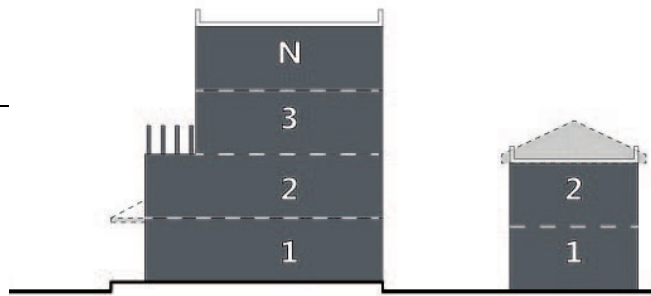


### 3.5.7 Lot Coverage Standards

Coverage Element	Standard
(a) <b>Lot Coverage (All Buildings)</b>	Maximum 80.0 percent.
(b) <b>Lot Coverage (Accessory Buildings)</b>	Maximum 20.0 percent.

### 3.5.8 Building Height Standards

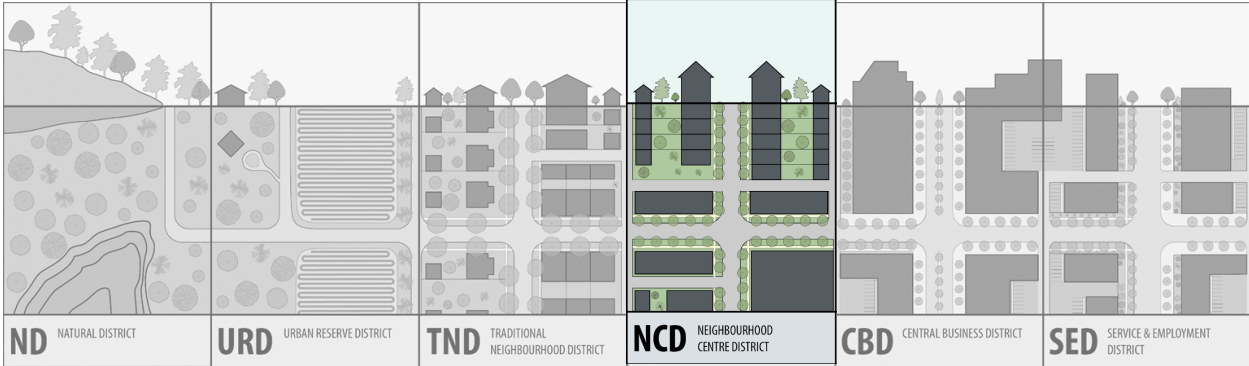
Height Element	Standard
(a) <b>Primary Building Height</b>	2 - 5 <b>Storeys</b> .
(b) <b>Accessory Building Height</b>	1 - 2 <b>Storeys</b> .



"N" stands for any **Storeys** above those shown, up to the maximum

(c) Height Calculations	<ul style="list-style-type: none"> <li>i. The first <b>Storey</b> of a <b>Building</b> or <b>Structure</b> is measured from the finished <b>Ground Floor</b> level to the surface of the second floor in the case of a one-storey <b>Building</b> or <b>Structure</b>. Each upper <b>Storey</b> is measured from the surface of the floor to the surface of the floor above it, or if there is no floor above, from the surface of the floor to the <b>Eave</b> of the roof.</li> <li>ii. When a <b>Lot</b> slopes downward from the <b>Front Lot Line</b> an additional <b>Storey</b> is</li> </ul>
-------------------------	--

## PART 3: LAND USE DISTRICTS



### Height Element

### Standard

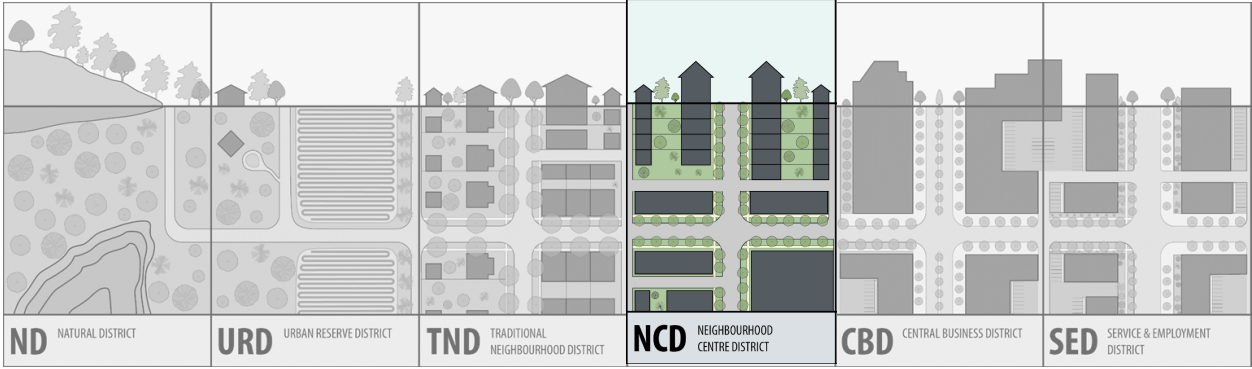
allowed in addition to the maximum number allowed, and only on the lower rear portion of the **Lot**.

- iii. **Storeys** shall not exceed 4.5 metres in height from finished **Ground Floor** to finished ceiling, except for a **Ground Floor Building** in the **Lodging, Professional Office, or Retail & Entertainment Use** Categories, which shall be between 3.5 metres and 7.5 metres in height. Any **Storey** that exceeds this height shall be counted as 2 **Storeys**.
- iv. Mezzanines extending beyond 33 percent of the floor area shall be counted as an additional **Storey**.
- v. In a parking garage or **Structure**, each above-ground level counts as a single **Storey** regardless of its relationship to habitable **Storeys**.

### (d) Additional Building Height Standards

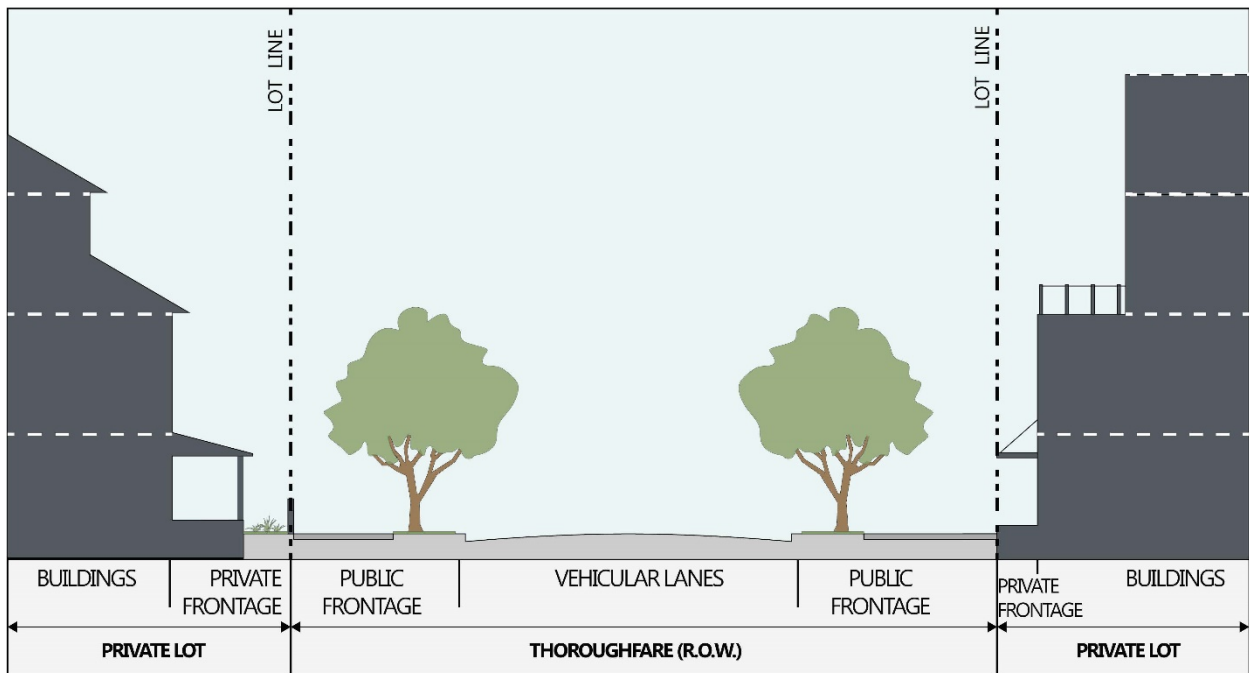
- i. Floors above the second **Storey** shall be stepped back for the **Primary Frontage** or **Secondary Frontage** for a minimum horizontal distance of 2.5 metres.
- ii. A ground level **Residential** or **Lodging** use with a front **Setback** of less than 2.0 metres shall be designed in a manner which eliminates privacy concerns.
- iii. **Building** Height Standards may be varied for **Buildings** in the 1st Street Precinct, or for **Institutional Uses**.
- iv. **Accessory Buildings** with 2 or more **Storeys** shall be designed to reduce privacy concerns for adjacent **Residential Uses**.

## PART 3: LAND USE DISTRICTS

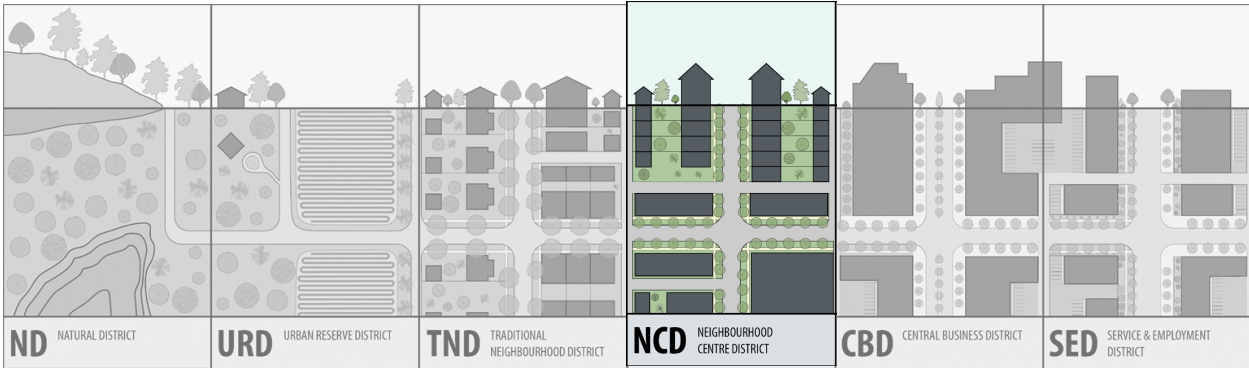


### 3.5.9 Frontage Standards

Frontage Element	Standard
(a) General Frontage Standards	<ul style="list-style-type: none"> <li>i. The <b>Public Frontage</b> and <b>Private Frontage</b> shall form a seamless space from the <b>Curb</b> to the <b>Building</b> and shall consist of separate zones with a focus on key elements of the <b>Public Realm</b>. Small decorative <b>Fences</b> may divide the <b>Public Frontage</b> and <b>Private Frontage</b> to differentiate between public and privately owned lands, as long as the perception of a seamless space is maintained.</li> <li>ii. Public spaces shall be clear legible public <b>Access</b> and be designed to allow for a variety of public <b>Uses</b>.</li> <li>iii. Improvements to the <b>Public Frontage</b> shall be required for all greenfield and redevelopment scenarios.</li> </ul>



## PART 3: LAND USE DISTRICTS



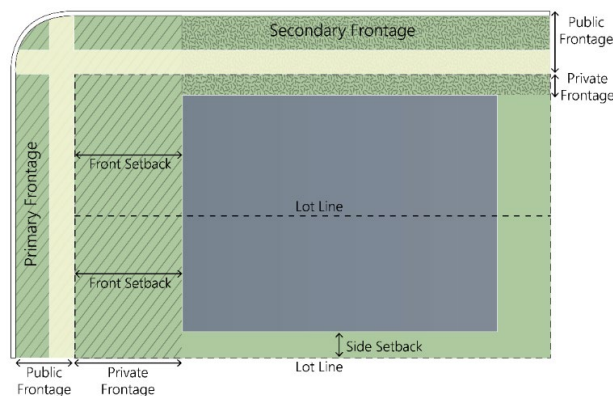
### Definitions:

**Thoroughfare** means a **Right-of-Way**, typically publicly owned, serving primarily pedestrian and vehicular travel, providing **Access** to abutting properties, and which may also be used to provide space for bicycle facilities, **Stormwater Management**, **Shade Trees** and / or utilities. **Lanes** are not considered **Thoroughfares**. A **Thoroughfare** does not have to accommodate vehicular travel.

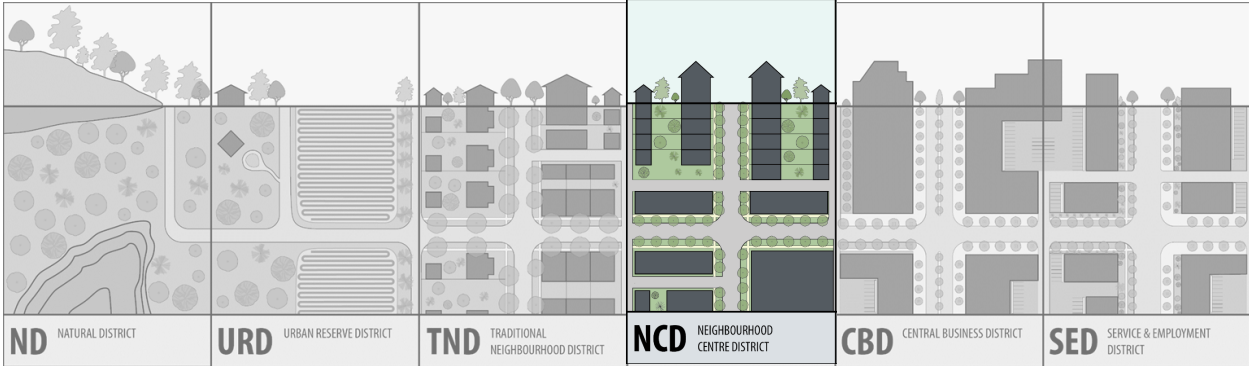
- (a) **Primary Thoroughfare** means the **Thoroughfare** clearly associated with the front **Façade** of **Primary Buildings** along a **Block Face**. Where a **Corner Lot** abuts more than two **Thoroughfares**, the **Development Authority** may determine that all **Thoroughfares**, except for one, are a **Primary Thoroughfare**, if such a determination is in the interest of protecting the quality of the **Public Realm**.
- (b) **Secondary Thoroughfare** means a **Thoroughfare** that is not a **Primary Thoroughfare**, and is clearly associated with the corner side **Façades** of **Buildings**.

**Frontage** means the area of a **Lot** between a **Building Façade** and a **Curb** inclusive of its built and landscape components. **Frontage** is divided into **Public Frontage** and **Private Frontage**.

- (a) **Private Frontage** means the area between the **Building Façades** and the **Lot Lines**, and applies to the **Primary Frontage** and secondary **Frontage**.
- (b) **Public Frontage** means the area within a **Thoroughfare** between the **Curb** and the **Front Lot Line**, and applies to the primary **Frontage** and secondary **Frontage**.

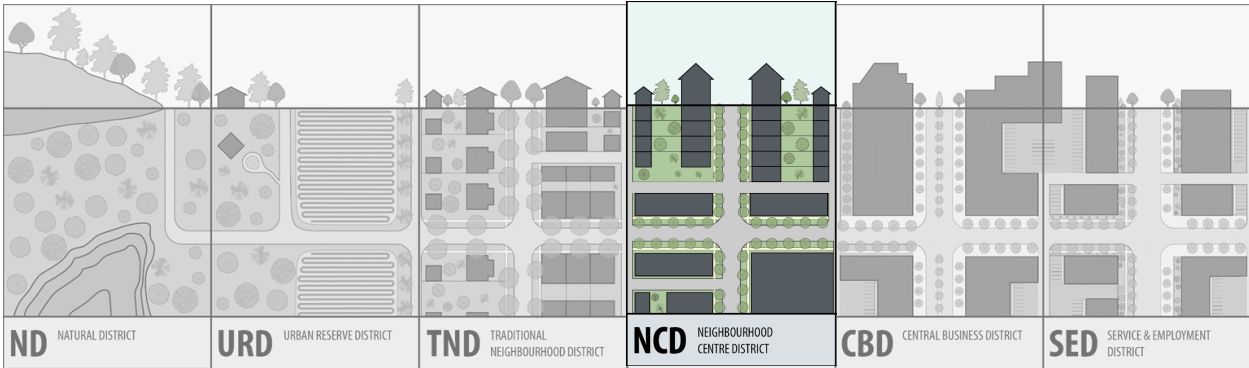


## PART 3: LAND USE DISTRICTS



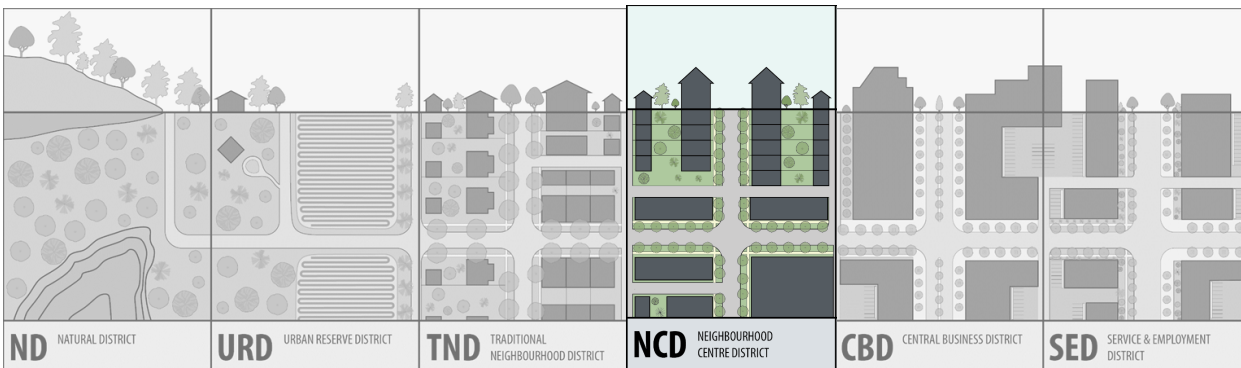
Frontage Element	Description	Standard
<p>(b) Boulevard</p> <div style="text-align: center; margin-top: 10px;"> </div>	<p>The space between the <b>Curb</b> and the Property Line in the <b>Public Frontage</b>.</p>	<ul style="list-style-type: none"> <li>i. Minimum 1.8 metres, except where existing <b>Rights-of-Way</b> conditions require a minor reduction in order to accommodate a sidewalk, as per Subsection 3.5.10 (c) and / or landscaping as per Subsection 3.5.10 (d).</li> <li>ii. Appropriate uses in the boulevard include public furniture, transit stops, and street trees.</li> </ul>
<p>(c) Sidewalks</p>	<p>The space for pedestrian circulation in the <b>Public Frontage</b>.</p>	<ul style="list-style-type: none"> <li>i. 2.0 metres - 4.0 metres wide, except where existing <b>Rights-of-Way</b> conditions require a minor reduction in order to accommodate a Boulevard with street trees, as per Subsection 3.5.10 (b) and Subsection 3.5.10 (d).</li> <li>ii. Sidewalks shall be adequately illuminated to ensure a high level of pedestrian safety and comfort.</li> <li>iii. Sidewalks within the <b>Public Frontage</b> shall be dedicated for pedestrian travel only. Sidewalks within the <b>Private Frontage</b> may be utilized for patio seating, non-permanent <b>Signs</b>, or landscaping.</li> </ul>

## PART 3: LAND USE DISTRICTS



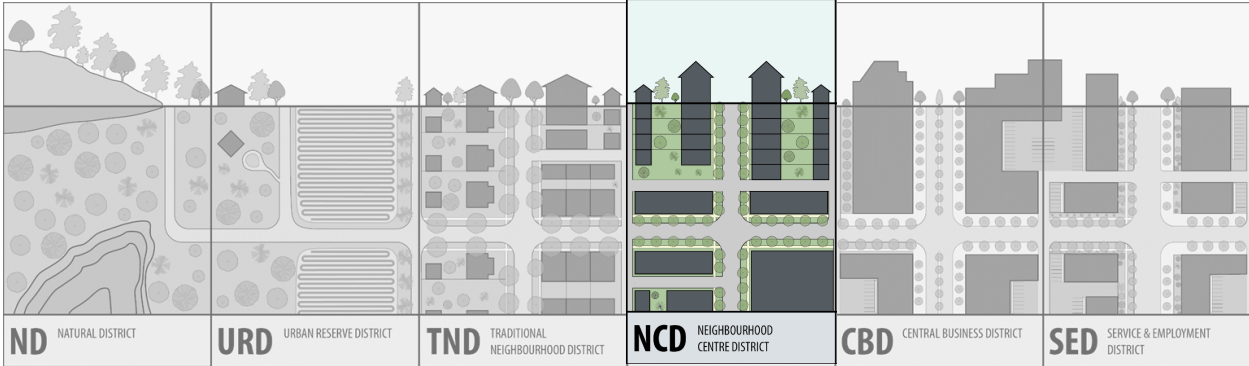
<b>Frontage Element</b>	<b>Description</b>	<b>Standard</b>
(d) Landscaping	The type and placement of landscaping elements in the <b>Public Frontage</b> .	Landscaping should consist primarily of <b>Shade Trees</b> and may be grouped together, but shall not hinder pedestrian movement or connectivity. The number of trees required for the <b>Public Frontage</b> shall be consistent with Subsection 3.5.11 (d).
(e) <b>Frontage Build-Out</b>	The percentage of the <b>Lot Line</b> that is occupied by <b>Building Façade</b> as measured from the <b>Front Setback</b> .	Minimum 70.0 percent.
(f) <b>Transparency</b>	The area of the <b>Façade</b> composed of windows either within the wall or within doors and doors, typically measured as a percentage.	<ul style="list-style-type: none"> <li>i. Minimum 50.0 percent on the ground floor for all <b>Professional Office</b>, and <b>Retail &amp; Entertainment</b> Use Categories.</li> <li>ii. Minimum 30.0 percent for all other Use Categories.</li> <li>iii. Minimum 30.0 percent for all upper floors.</li> </ul>
(g) Blank Wall Length	The maximum length of a <b>Façade</b> without any <b>Transparency</b> or <b>Architectural Features</b> .	Maximum 4.0 metres including parking <b>Structures</b> .

## PART 3: LAND USE DISTRICTS



<b>Frontage Element</b>	<b>Description</b>	<b>Standard</b>
(h) <b>Primary Entrance</b>	The main point of <b>Access</b> for pedestrians to a <b>Building</b> shall be considered the Public Entrance for all non-residential <b>Uses</b> , and residential <b>Uses</b> that <b>Access</b> more than 4 <b>Dwelling Units</b> .	<ul style="list-style-type: none"> <li>i. Every <b>Building</b> shall have at least one <b>Primary</b> entrance.</li> <li>ii. The <b>Primary</b> Entrance shall be oriented to the <b>Primary Frontage</b> unless the <b>Building</b> is on a <b>Corner Lot</b> where the <b>Primary</b> entrance may be oriented to the <b>Secondary Thoroughfare</b>.</li> <li>iii. The <b>Primary</b> Entrance for all non-residential and residential <b>Buildings</b> with more than 2 <b>Dwelling Units</b> (not including <b>Additional Dwelling Units</b>) where some or all of the units share an entrance shall be clearly visible to create identity and a sense of arrival, be universally accessible, provide weather protection, and be identifiable to pedestrians, through the use of <b>Architectural Features</b>, to the satisfaction of the <b>Development Authority</b>.</li> </ul>
(i) Additional Entrance(s)	All other points of public <b>Access</b> for pedestrians to a <b>Building</b> , not including service <b>Access</b> .	<ul style="list-style-type: none"> <li>i. Every entrance shall be visible and identifiable to pedestrians similar to the <b>Primary</b> Entrance.</li> <li>ii. Additional entrance(s) shall be provided at important pedestrian connectivity locations, to the satisfaction of the <b>Development Authority</b>.</li> </ul>
(j) Additional Frontage Standards	<ul style="list-style-type: none"> <li>i. <b>Corner Lots</b> shall have a <b>Primary Frontage</b> and a <b>Secondary Frontage</b>.</li> <li>ii. Consistent high quality design shall be evident in the <b>Development</b> on all areas of a property, with particular attention to <b>Frontages</b>.</li> </ul>	

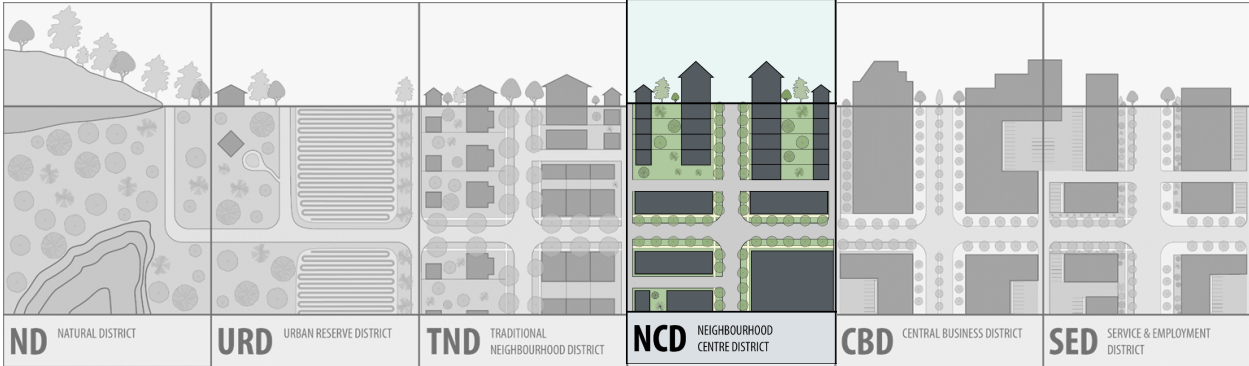
## PART 3: LAND USE DISTRICTS



### 3.4.10 Parking, Loading & Access Standards

Element	Standard
<p>(a) General Parking, Loading &amp; Access Standards</p>	<p>i. <b>Developments</b> should be designed to ensure <b>Access</b> and parking <b>Structures</b> do not visually dominate the <b>Public Realm</b> or create obstructions to the pedestrian network.</p> <p>ii. All <b>Grade</b>-level parking areas adjacent to a <b>Frontage</b> shall be set back a minimum of 3.0 metres and screened from view of the <b>Frontage</b> by landscaping.</p> <p>iii. Parking lots shall incorporate pedestrian-focused infrastructure to ensure safe and comfortable pedestrian <b>Access</b> to <b>Building</b> entrances.</p> <p>iv. Parking lots should incorporate landscaping elements that enhance the pedestrian experience, provide shade to reduce heat islands, and reduce <b>Stormwater</b> run-off.</p> <p>v. Parking areas and / or parking <b>Structures</b> shall integrate pedestrian connectivity with nearby <b>Buildings</b> and / or <b>Lots</b> to support the local pedestrian network.</p> <p>vi. <b>Curb</b> cuts should be eliminated where possible, or reduced if alternative <b>Access</b> is not possible.</p>

## PART 3: LAND USE DISTRICTS

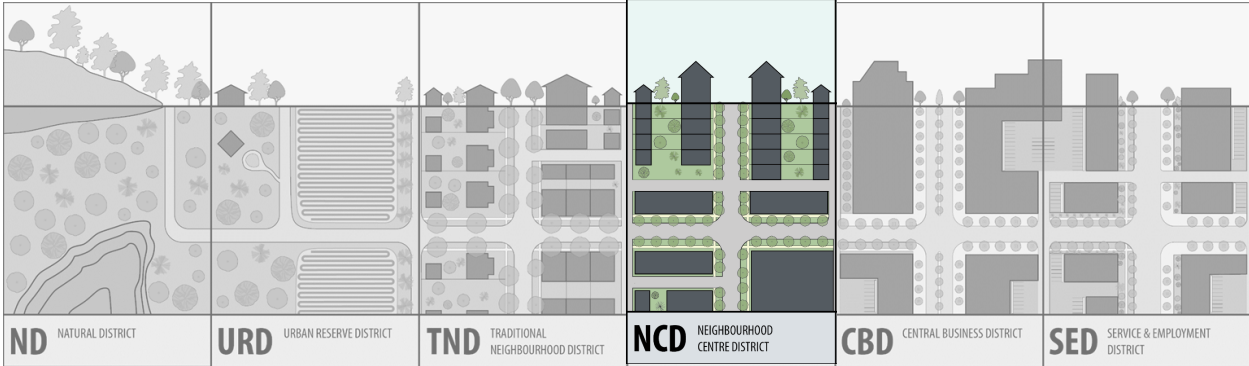


Parking Element	Description	Standard
-----------------	-------------	----------

- |  |   |  |
|--|---|--|
| <p>(b) Bicycle Parking and Bicycle Storage</p> | <p>The provision and location of bicycle parking and bicycle storage.</p> | <ul style="list-style-type: none"> <li>i. Bicycle parking shall be provided for all <b>Development</b> at the discretion of the <b>Development Authority</b> except residential <b>Buildings</b> with 4 <b>Dwelling Units</b> or less.</li> <li>ii. Bicycle parking <b>Structures</b> shall be located close to a <b>Primary</b> entrance, but shall not impede pedestrian circulation or <b>Access</b> to a <b>Building</b>.</li> <li>iii. Bicycle parking <b>Structures</b> shall be highly visible and shall include a permanent rack or hook-up system.</li> <li>iv. Covered bicycle storage or similar consideration shall be provided for all <b>Residential Development</b> with 5 <b>Dwelling Units</b> or more. Individual parking <b>Structures</b> and <b>Accessory Buildings</b> may be considered as bicycle storage</li> <li>v. Creative integration with <b>Building</b> and <b>Site</b> design is encouraged.</li> </ul> |
|--|---|--|

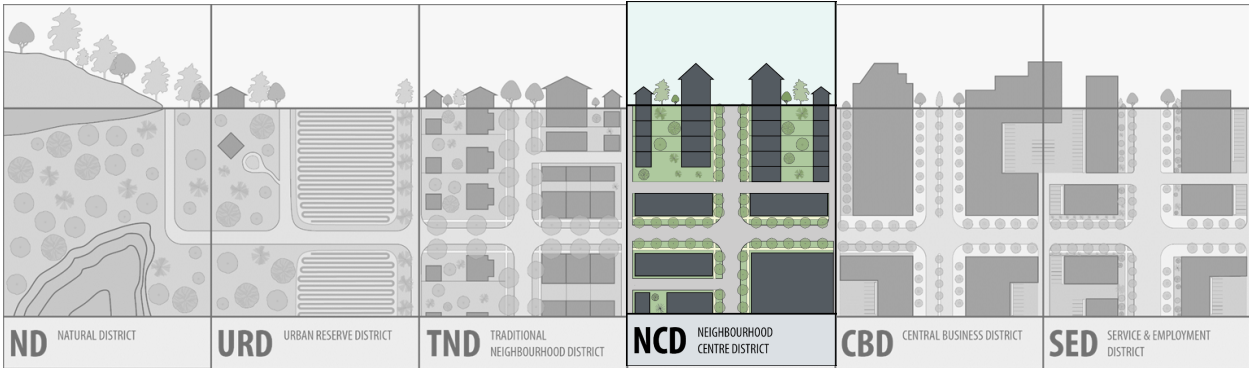


## PART 3: LAND USE DISTRICTS



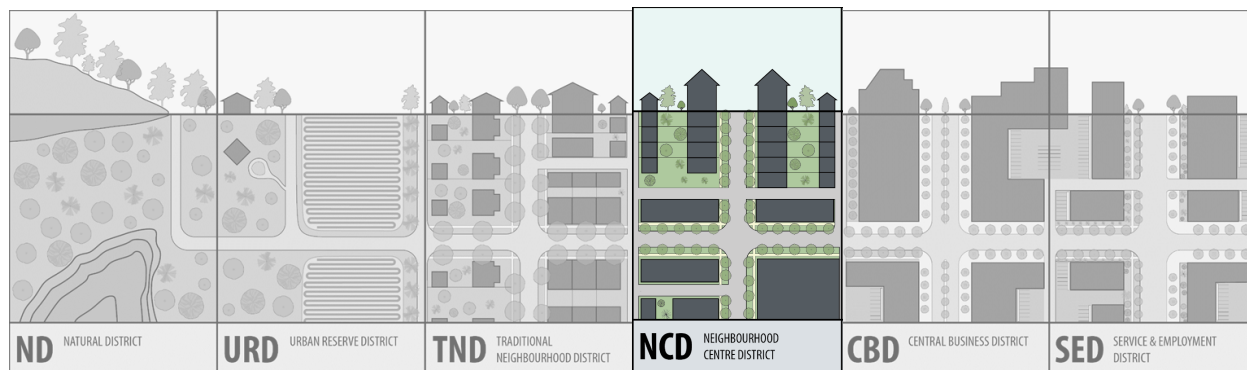
Parking Element	Description	Standard
(c) Vehicle Parking	The provision and location of vehicular parking.	<ul style="list-style-type: none"> <li>i. No minimum number of parking stalls shall be required for any <b>Development</b>; rather each <b>Development</b> shall consider the appropriate number of parking stalls required to support the proposed <b>Development</b>.</li> <li>ii. Where vehicle parking is provided parking areas, stalls, and <b>Access</b> shall meet the design requirements of this Bylaw and shall be consistent with the <b>Town's Municipal Engineering Standards</b>.</li> <li>iii. Off-site vehicle parking (i.e. street parking) may be considered as a portion of the parking strategy for a given <b>Development</b>, at the discretion of the <b>Development Authority</b>.</li> <li>iv. Parking areas and / or parking <b>Structures</b> shall be located to the side or rear of a <b>Building</b>, or underground, wherever possible.</li> <li>v. Parking areas, including any parking <b>Structures</b>, shall not exceed 50.0 percent of a <b>Site</b>.</li> <li>vi. Surface parking areas and / or parking <b>Structures</b> shall not be allowed unless associated with a <b>Development</b>.</li> </ul>
(d) Accessible Vehicle Parking	The number and location of vehicle parking stalls dedicated for handicap placard or licensed vehicles.	For all parking areas and / or parking <b>Structures</b> with 11 or more vehicle stalls, accessible parking shall be provided in a location with the easiest pedestrian <b>Access</b> to the <b>Primary</b> entrance and shall be provided in accordance with the <i>Barrier Free Design Guide</i> as per the National Building Code

## PART 3: LAND USE DISTRICTS



Parking Element	Description	Standard
(e) <b>Vehicle Access</b>	A vehicular lane or driveway within a <b>Lot</b> , or shared between 2 or more <b>Lots</b> , providing <b>Access</b> to a garage or other parking area and / or <b>Structure</b> .	<ul style="list-style-type: none"> <li>i. Parking shall be accessed by rear <b>Lanes</b> wherever possible. Where no rear <b>Lane</b> exists, <b>Vehicle Access</b> should be located on the <b>Secondary Frontage</b>. Where <b>Access</b> on a <b>Secondary Frontage</b> is not possible, <b>Access</b> may be located on the <b>Primary Frontage</b>.</li> <li>ii. For all <b>Uses</b> except for <b>Institutional Uses</b>, <b>Vehicle Access</b> to parking areas and / or parking <b>Structures</b> shall be no wider than 3.0 metres in any <b>Frontage</b>. <b>Institutional Uses</b> may have a <b>Vehicle Access</b> to parking areas and / or parking <b>Structures</b> no wider than 6.0 metres in any <b>Frontage</b>.</li> <li>iii. The number of <b>Vehicle Access</b> points to a <b>Lot</b> shall be limited to 1.</li> <li>iv. Joint <b>Vehicle Access</b> between 2 or more adjacent <b>Lots</b> may be considered to provide more efficient <b>Vehicle Access</b> arrangements, to reduce <b>Curb</b> cuts, and / or to reduce any negative impact on the <b>Public Realm</b>.</li> </ul>
(f) Additional Parking, Loading & <b>Access</b> Standards	<ul style="list-style-type: none"> <li>i. Vacant land or <b>Buildings</b> shall not be used for parking.</li> <li>ii. Permeable paving materials are encouraged in order to increase on-site <b>Stormwater Infiltration</b>.</li> <li>iii. <b>Bicycle Stair Channels</b> are encouraged where more than 3 stairs are part of the exterior circulation of a <b>Development</b>.</li> <li>iv. Parking is not allowed within rear <b>Lane Rights-of-Way</b>.</li> <li>v. All parking areas shall illustrate, to the satisfaction of the <b>Development Authority</b>, how pedestrian circulation and connectivity meets the intent of the Land Use District and the Guiding Principles Bylaw.</li> </ul>	

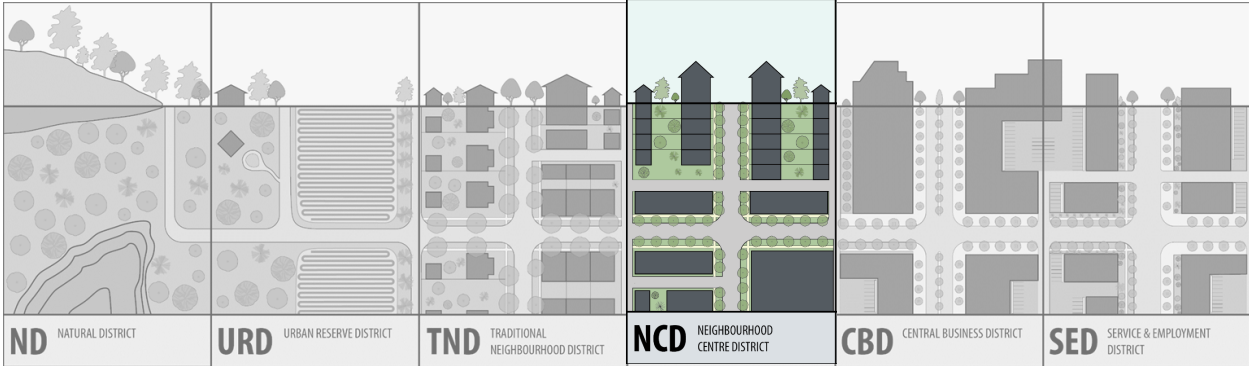
## PART 3: LAND USE DISTRICTS



### 3.5.11 Landscaping Standards

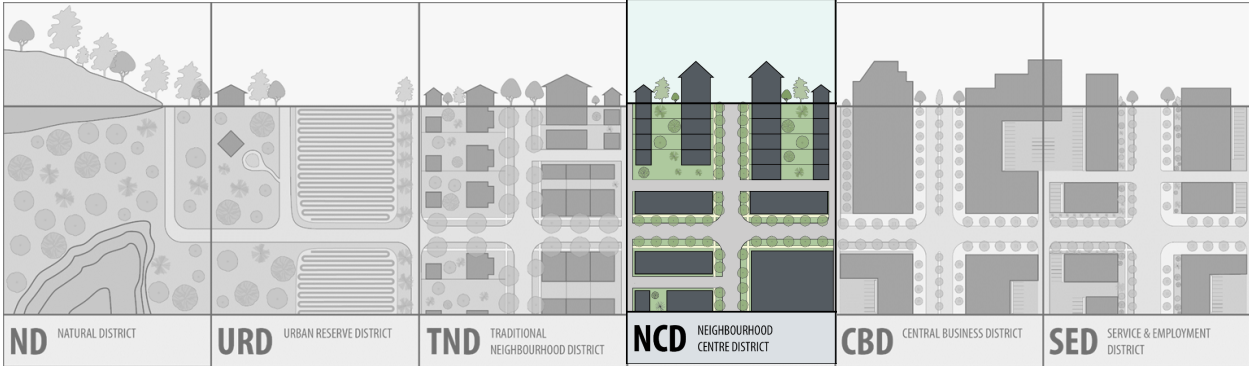
<i>Element</i>	<i>Standard</i>	
(a) General Landscaping Standards	<ul style="list-style-type: none"> <li>i. <b>Developments</b> should preserve and enhance the urban forest.</li> <li>ii. Landscaping should be integrated into a <b>Development</b> to enhance the pedestrian experience and improve the <b>Public Realm</b>.</li> <li>iii. <b>Developments</b> should ensure appropriate conditions for mature tree growth.</li> <li>iv. The spacing and placement of plants shall be adequate and appropriate for the typical size, shape, and habitat of the given plant species at maturity.</li> </ul>	
<i>Landscaping Element</i>	<i>Description</i>	<i>Standard</i>
(b) <b>Landscaped Area</b>	The area where landscaping is primarily located.	The <b>Landscaped Area</b> for all other <b>Development</b> other than 2 <b>Dwelling Units</b> or less (not including <b>Additional Dwelling Units</b> ) shall be 40.0 percent of the total <b>Lot Area</b> for <b>Residential Uses</b> and 15.0 percent of the total <b>Lot Area</b> for all other <b>Uses</b>
(c) Tree Size	The size of a tree at the time of planting.	Minimum height of 2.0 metres and / or 50.0 millimetres in <b>Caliper</b> .
(d) <b>Shrub</b> Size	The size of a shrub at the time of planting.	Minimum of a #2 container and / or a minimum height of 19.0 to 23.0 centimetres, as per the <i>Canadian Nursery Landscape Association</i> standards

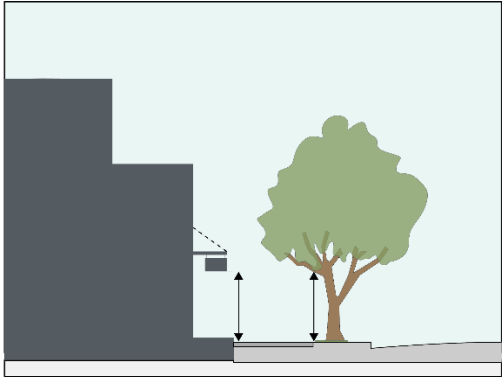
## PART 3: LAND USE DISTRICTS



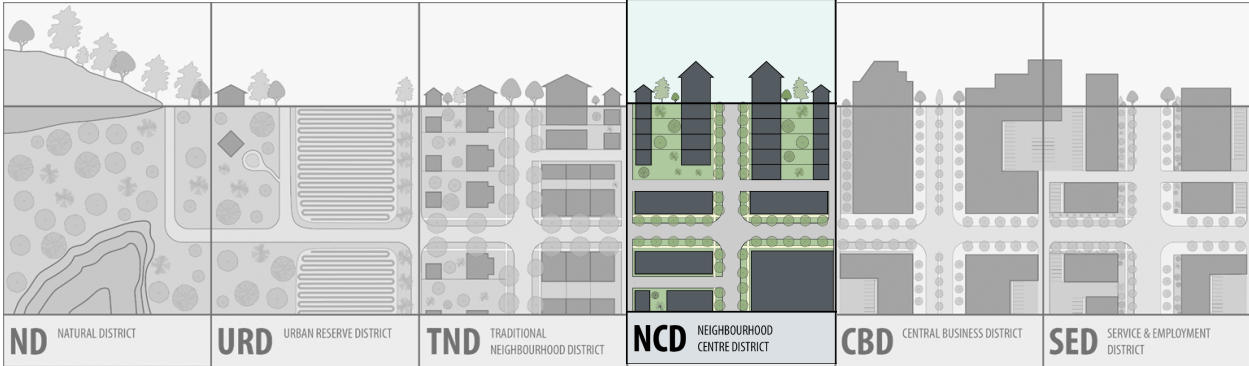
(e) Number of Trees	The minimum number of trees required for both on-site <b>(re)development</b> and for <b>Frontage(s)</b> .	<ul style="list-style-type: none"> <li>i. <b>Residential Development</b> with 2 <b>Dwelling Units</b> or less (not including <b>Additional Dwelling Units</b>) shall provide a minimum of 1 tree per unit.</li> <li>ii. All other <b>Development</b> shall provide a minimum of 1 tree per 35.0 square metres of <b>Landscaped Area</b>.</li> <li>iii. In greenfield areas, the minimum number of street trees located in the <b>Public Frontage</b> is 1 tree for every 7.0 metres of <b>Frontage</b> as measured at the <b>Lot Line</b> and shall be consistent with Section 3.5.10.</li> <li>iv. In addition to the minimum number of trees required for on-site <b>Development</b> in established areas, additional trees may be required by the <b>Development Authority</b> in the <b>Public Frontage(s)</b> if local conditions deem it appropriate.</li> </ul>
(f) Number of Shrubs	The minimum number of shrubs required for on-site <b>(re)development</b> .	<ul style="list-style-type: none"> <li>i. <b>Residential Development</b> with 2 <b>Dwelling Units</b> or less shall provide a minimum of 2 shrubs per unit.</li> <li>ii. All other <b>Development</b> shall provide a minimum of 1 <b>Shrub</b> per 25.0 square metres of <b>Landscaped Area</b>.</li> </ul>
(g) Soil Requirements	The amount of high quality soil and growing material required to support mature plant growth.	Minimum 30.0 centimetres for all planting areas.

## PART 3: LAND USE DISTRICTS



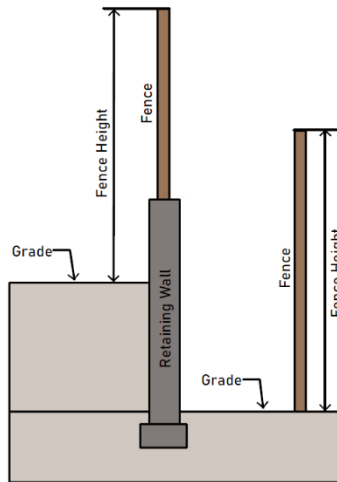
<p>(h) Tree Clearance</p>	<p>The vertical distance between the existing or potential tree canopy overhanging sidewalks, driveways, paths, <b>Lanes</b>, parking spaces, streets, or other public spaces shall be of a type that, at maturity or with minor pruning at installation, provide a clear height for use of a given space.</p>	<ul style="list-style-type: none"> <li>i. Minimum 2.5 metres for sidewalks;</li> <li>ii. 3.8 metres for driveways, parking spaces and streets; and</li> <li>iii. 4.6 metres for <b>Loading</b> areas.</li> </ul> 
<p>(i) Tree Preservation</p>	<p>Preservation of on-site and off-site trees is encouraged and may be used to fulfil the landscaping requirements as per Subsection 3.5.9 (d) (See Town's current <i>Tree Protection Bylaw</i>)</p>	<p>Mature, healthy, and non-invasive trees shall not be removed except for essential construction activities.</p>
<p>(j) Additional Landscaping Standards</p>	<p>Hard landscaping and / or xeriscaping may be substituted for soft landscaping, at the discretion of the <b>Development Authority</b>.</p>	

## PART 3: LAND USE DISTRICTS

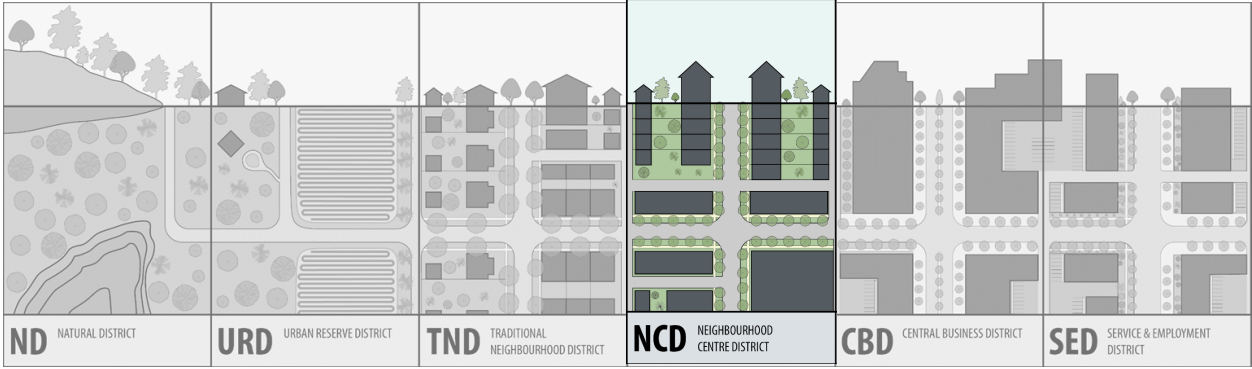


### 3.5.12 Buffers, Screening & Fencing

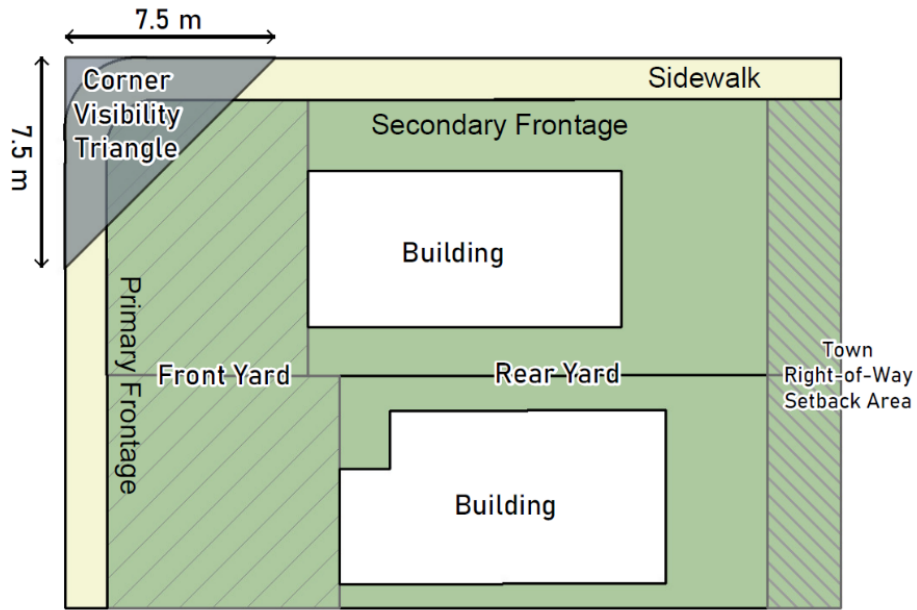
Element	Description	Standard
(a) Buffers & Screening	The use of landscaping or similar elements for <b>Permitted</b> or <b>Discretionary Uses</b> to offset the visual impact of some forms of <b>Development</b> from the <b>Public Realm</b> and / or incompatible adjacent <b>Uses</b> .	<ul style="list-style-type: none"> <li>i. Minimum landscaping requirements in Section 3.5.11 may be placed so as to act as a buffer or screen.</li> <li>ii. Preservation of existing vegetation that could act as a buffer is strongly encouraged.</li> <li>iii. Additional landscaping may be considered in order to maintain or enhance the <b>Public Realm</b>, at the discretion of the <b>Development Authority</b>.</li> </ul>
(b) Fencing	The use and location of fencing, including masonry walls as buffers or transitions.	<ul style="list-style-type: none"> <li>i. Fencing may be used as a decorative transition from one <b>Use</b> to another, as a screening device, or for security purposes.</li> <li>ii. <b>Fences</b> within the <b>Primary Frontage</b> shall be a maximum height of 1.2 metres.</li> <li>iii. All other <b>Fences</b> shall be a maximum height of 1.8 metres.</li> <li>iv. Security fencing shall only be considered for safety, at the discretion of the <b>Development Authority</b>, and shall not contain barbed wire.</li> <li>v. <b>Fences</b> containing barbed wire are not permitted except where the is required in conjunction with <b>Agricultural Uses</b> at the <b>Development Authority's</b> discretion.</li> <li>vi. <b>Fences</b>/screening devices must be designed and erected in a manner that does not pose safety issues to wildlife or the general public.</li> </ul>



## PART 3: LAND USE DISTRICTS

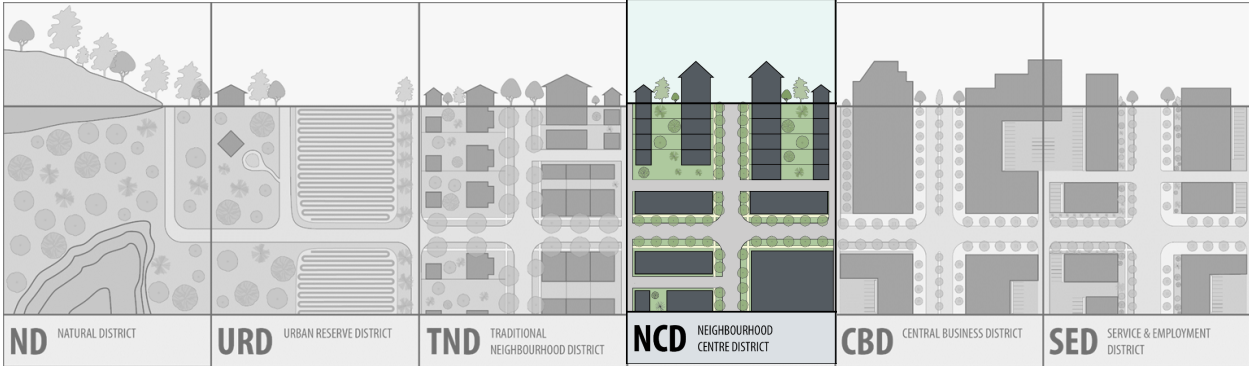


Element	Description	Standard
---------	-------------	----------



(c) Garbage Facilities	The treatment of garbage facilities.	All garbage facilities shall be visually screened from public view, to the satisfaction of the <b>Development Authority</b> .
------------------------	--------------------------------------	---

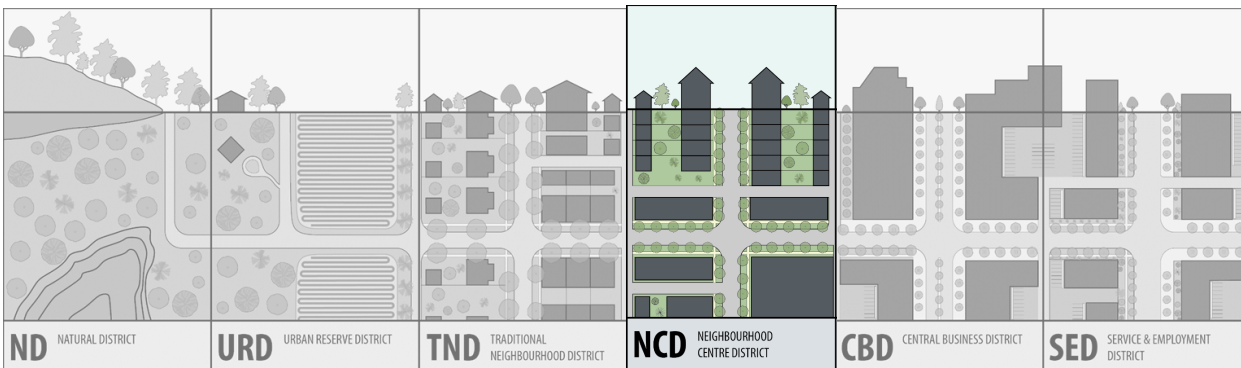
## PART 3: LAND USE DISTRICTS



### 3.5.13 Sign Standards

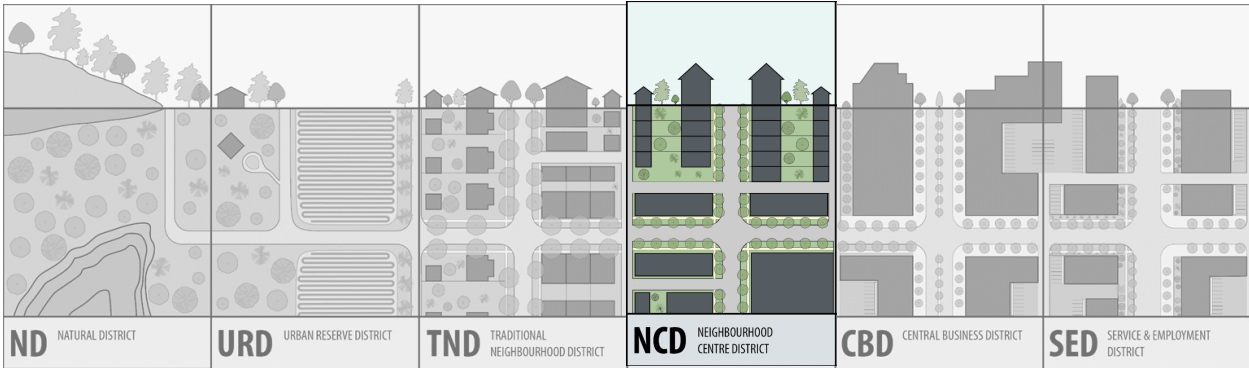
Sign Element	Standard
(a) General <b>Sign</b> Standards	<ul style="list-style-type: none"> <li>i. <b>Signs</b> should be appropriate and integrated with the <b>Building</b> design and character of the neighbourhood.</li> <li>ii. <b>Signs</b> shall be primarily oriented toward pedestrians in both scale and location. <b>Signs</b> oriented towards vehicles are considered secondary.</li> <li>iii. <b>Signs</b> shall not obstruct pedestrian or vehicular visibility or circulation.</li> <li>iv. <b>Signs</b> shall not project above the roofline of a <b>Building</b>.</li> <li>v. The message on the <b>Sign</b> shall relate to the <b>Use</b> of the <b>Site(s)</b> on which it is located.</li> <li>vi. <b>Signs</b> shall not exceed 20.0 percent of the <b>Building Façade</b> to which it is attached.</li> <li>vii. <b>Sign</b> illumination shall be from the top of the <b>Sign</b> and oriented downward and shall be designed to have no direct light emitted above the top of the <b>Sign</b> and / or the <b>Signs</b> support <b>Structure</b>, unless, in the opinion of the <b>Development Authority</b>, the design is enhanced by the addition of light for aesthetic purposes..</li> <li>viii. The vertical clearance from the bottom of a <b>Sign</b> to <b>Grade</b> for a public space shall be: <ul style="list-style-type: none"> <li>A. Minimum 2.5 metres for sidewalks;</li> <li>B. 3.8 metres for driveways, parking spaces and streets; and</li> <li>C. 4.6 metres for <b>Loading</b> areas.</li> </ul> </li> </ul>
	<ul style="list-style-type: none"> <li>ix. <b>Signs</b> shall at all times be maintained in a proper and safe state of repair and shall not be permitted to become dilapidated or unsightly.</li> </ul>

## PART 3: LAND USE DISTRICTS



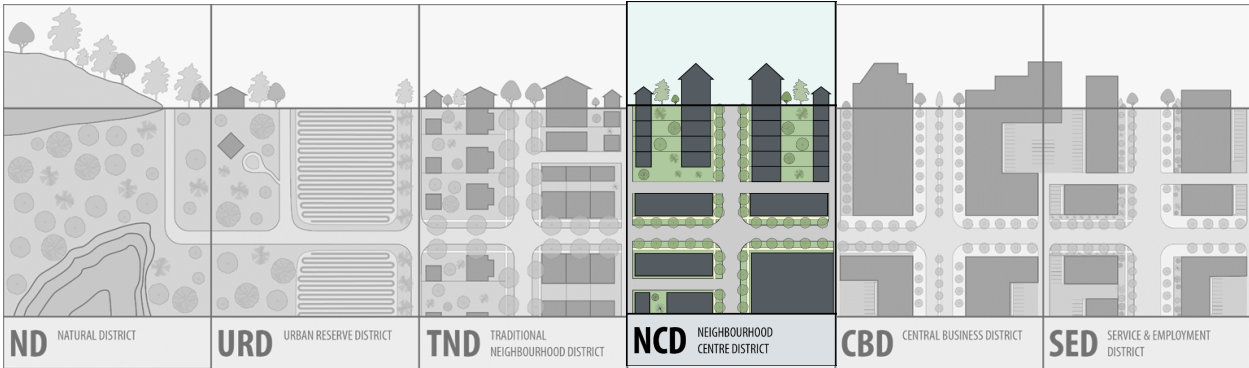
<b>Sign Element</b>	<b>Standard</b>
(b) <b>Sign, Banner</b>	<ul style="list-style-type: none"> <li>i. Shall be limited to 1 banner per business.</li> <li>ii. Shall not cover more than 25.0 percent of the ground floor <b>Façade</b> for a business.</li> <li>iii. Materials shall be weather resistant and minimize glare</li> <li>iv. Shall only be approved on a <b>Temporary</b> basis.</li> </ul>
(c) <b>Sign, Canopy</b>	<ul style="list-style-type: none"> <li>i. Shall not cover more than 25.0 percent of the ground floor <b>Façade</b> for a business.</li> <li>ii. May project into the <b>Public Frontage</b> up to 1.5 metres as long as it maintains a <b>Setback</b> of at least 0.6 metres from the <b>Curb</b>.</li> <li>iii. Shall not be allowed in addition to a <b>Sign, Fascia</b> on the same business <b>Façade</b>.</li> </ul>
(d) <b>Sign, Changeable Message</b>	<ul style="list-style-type: none"> <li>i. Shall only be allowed as part of a <b>Sign, Freestanding</b> or <b>Sign, Fascia</b>.</li> </ul>
(e) <b>Sign, Community Identification</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 3.0 square metres and have a maximum height of 1.5 metres from <b>Grade</b>.</li> <li>ii. Shall be self-supported and shall be permanent and stationary.</li> </ul>
(f) <b>Sign, Electronic Messaging</b>	<ul style="list-style-type: none"> <li>i. May be approved on its own, or as part of a <b>Sign, Freestanding</b>.</li> <li>ii. Shall be located in such a manner as to minimize any impacts into any adjacent <b>Residential Uses</b>.</li> <li>iii. Digital display content must not include full motion video, animation, or flashing images. In the case of an electronic message board, the text may scroll or switch messages at a pace deemed acceptable to the <b>Development Authority</b>.</li> <li>iv. If any component of the digital display fails or malfunctions, the permit holder must ensure that the digital display is turned off until all components are fixed and are operating in compliance.</li> <li>v. Digital display(s) must not exceed the following illumination levels: <ul style="list-style-type: none"> <li>C. A maximum of 7,500 Nits from sunrise to sunset;</li> </ul> </li> </ul>

## PART 3: LAND USE DISTRICTS



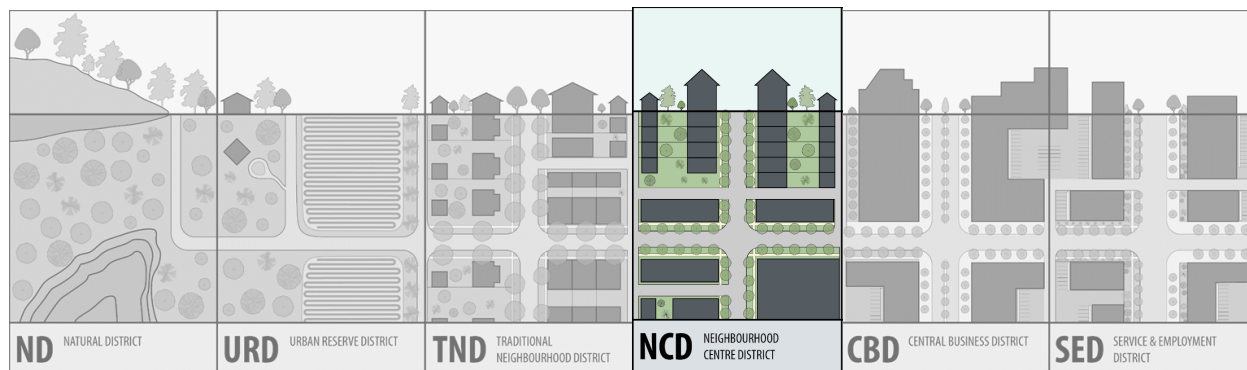
Sign Element	Standard
	<p>D. A maximum of 500 Nits from sunset to sunrise;</p> <p>vi. The light levels around the electronic display must not at any time exceed the ambient light level by more than 5.0 LUX.</p> <p>vii. Shall have a maximum <b>Sign</b> area of 3.0 square metres and have a maximum height of 4 metres from <b>Grade</b>.</p> <p>viii. Shall incorporate landscaping where required by the <b>Development Authority</b>.</p> <p>ix. This category of <b>Sign</b> may include, but is not necessarily limited to digital signs, electronic message boards, <b>Gas Station</b> price boards, <b>Drive-Thru</b> menus, and time/temperature displays. There is no limitation to the number <b>Signs, Electronic Messaging</b> that can be proposed and approved in a <b>Development</b> under a single application. However, the <b>Development Authority</b> reserves the right to restrict the number of <b>Signs, Electronic Messaging</b> approved for a <b>Development</b> based on the suitability of the location and design of the <b>Signs, Electronic Messaging</b></p>
(g) <b>Sign, Fascia</b>	<p>i. Shall not cover more than 20.0 percent of the first <b>Storey Façade</b> for a business.</p> <p>ii. The top of a <b>Sign, Fascia</b> shall have a maximum height of 4.5 metres from <b>Grade</b> and shall not extend above the base of a window on any upper <b>Storey</b>.</p> <p>iii. May project into the <b>Public Frontage</b> up to 0.4 metres.</p> <p>iv. Shall not be allowed in addition to a <b>Sign, Canopy</b> on the same business <b>Façade</b>.</p>
(h) <b>Sign, Flag</b>	<p>i. May have a maximum sign area of 2.0 square metres and have a maximum height of 4 metres from <b>Grade</b>.</p> <p>ii. A maximum of one <b>Sign</b> is allowed per <b>Frontage</b>.</p> <p>iii. Must not be located on a <b>Roof</b> of a <b>Building</b>.</p> <p>iv. Must be secured to a flagpole which is secured into the ground. Portable <b>Signs, Flag</b> shall not be permitted.</p> <p>v. Shall incorporate landscaping where required by the <b>Development Authority</b></p>

## PART 3: LAND USE DISTRICTS



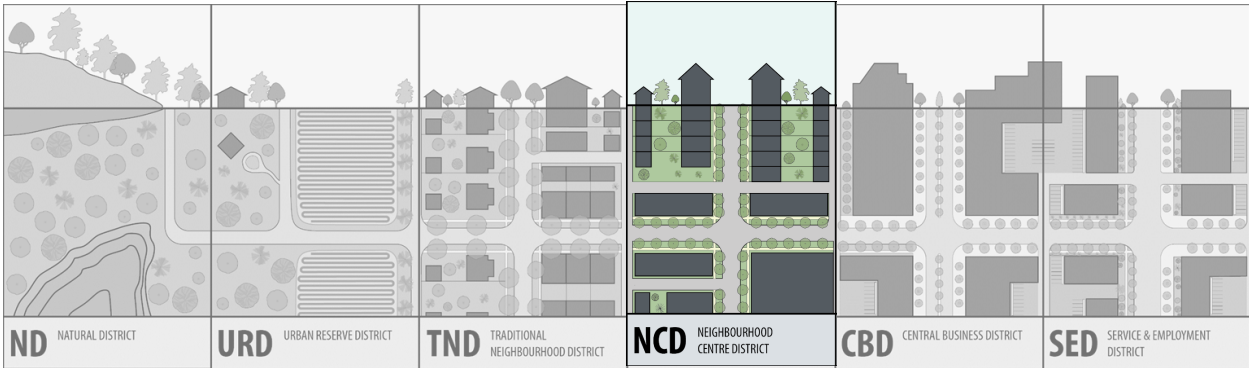
Sign Element	Standard
(i) <b>Sign, Freestanding</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 3.0 square metres and have a maximum height of 4.0 metres from <b>Grade</b>.</li> <li>ii. A maximum of one <b>Sign</b> is allowed per <b>Site</b>.</li> <li>iii. Shall incorporate landscaping where required by the <b>Development Authority</b></li> </ul>
(j) <b>Sign, Projecting or Hanging</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 1 square metre.</li> <li>ii. May project into the <b>Public Frontage</b> up to 1.0 metre as long as it does not project closer than 0.6 metres to the <b>Curb</b> and shall not extend past a <b>Sign, Canopy</b> on the same <b>Façade</b>.</li> <li>iii. A maximum of one <b>Sign</b> is allowed per business <b>Façade</b>.</li> <li>iv. Shall be located a minimum of 3.0 metres from each other.</li> </ul>
(k) <b>Sign, Sponsorship</b>	<ul style="list-style-type: none"> <li>i. <b>Signs</b> located on <b>Fences</b> shall not cover more than 50.0 percent of the <b>Fence</b> facing the <b>Public Realm</b> and shall not obstruct sight lines, gates or access points to the satisfaction of the <b>Development Authority</b>.</li> <li>ii. <b>Signs</b> shall not protrude past the side edges, above, or below the <b>Fence</b>.</li> <li>iii. Shall not cover more than 20.0 percent of the first <b>Storey Façade</b> of the <b>Building</b> or <b>Structure</b>.</li> </ul>
(l) <b>Sign, Window</b>	<ul style="list-style-type: none"> <li>i. A <b>Development Permit</b> is required for a total <b>Sign</b> area of more than 50.0 percent of the glass surface of the window(s).</li> <li>ii. In the case of a <b>Major Home Occupation</b>, the maximum <b>Sign</b> area shall be 0.2 square metres and a maximum of one <b>Sign</b> per <b>Major Home Occupation</b> shall be permitted.</li> <li>iii. Shall not be illuminated when located in a <b>Residential Building</b>.</li> </ul>

## PART 3: LAND USE DISTRICTS



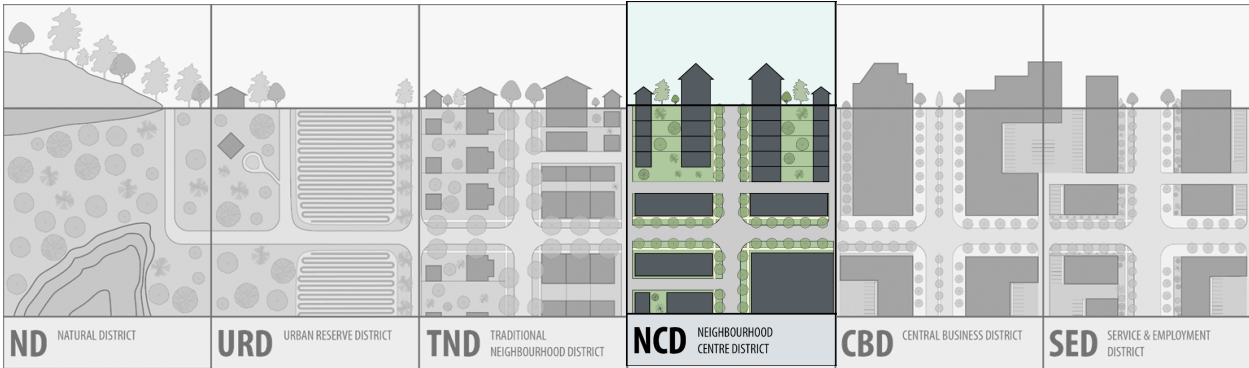
Sign Element	Standard
<p>(m) <b>Signs</b> not requiring a <b>Development Permit</b></p>	<ul style="list-style-type: none"> <li>i. An official notice, <b>Sign</b>, placard, or bulletin for Municipal, Provincial, or Federal purposes whether on public or private property.</li> <li>ii. A <b>Sign</b> that is not visible from the <b>Public Realm</b> at the discretion of <b>Development Authority</b>.</li> <li>iii. <b>Signs, Temporary Banner</b> to advertise any <b>Community Group</b> or <b>Community Event</b> and with a maximum <b>Sign</b> area of 3.0 square metres.</li> <li>iv. <b>Signs, Temporary</b> associated with an approved <b>Temporary Use</b>, with a maximum area of 1.0 square metre, a maximum height of 2.0 metres, and a maximum of 2 <b>Signs</b> per <b>Lot</b>.</li> <li>v. <b>Signs, Construction</b> located on <b>Site(s)</b> where construction, renovation, or maintenance is occurring, and is removed 7 days following completion of work.</li> <li>vi. <b>Signs, Election</b> with a maximum <b>Sign</b> area of 1.5 square metres, and maximum height of 2 metres, which are placed no sooner than 30 days prior to an election and removed 7 days following. Existing <b>Signs</b> when only the message area of the <b>Sign</b> is being changed to reflect a change in the business name.</li> <li>vii. <b>Signs, Real Estate</b> with a maximum <b>Sign</b> area of 1 square metre and a maximum of 1 <b>Sign</b> per <b>Lot Frontage</b>.</li> <li>viii. A <b>Sign, Traffic</b> or <b>Sign, Directional</b> with a maximum <b>Sign</b> area of 1.0 square metre and a maximum height of 2.0 metres authorized by the Municipal, Provincial, or Federal Government(s).</li> <li>ix. A <b>Sign</b> for a garage sale or similar event, posted for a maximum of 48 hours.</li> <li>x. A <b>Sign</b> showing the name or address of a <b>Building</b> that is sculpted or formed from the</li> </ul>

## PART 3: LAND USE DISTRICTS



Sign Element	Standard
(n) Prohibited Signs	<ul style="list-style-type: none"> <li>i. <b>Signs, Inflatable;</b></li> <li>ii. <b>Signs, Searchlight or Laser;</b></li> <li>iii. <b>Signs, Third Party;</b></li> <li>iv. <b>Signs, Vehicle or Trailer</b> on non-motorized vehicles;</li> <li>v. <b>Signs, Portable;</b></li> <li>vi. <b>Signs, Roof;</b></li> <li>vii. <b>Signs, Obsolete;</b> and</li> <li>viii. Moving, flashing, sound-emitting <b>Signs</b>, or <b>Signs, Revolving.</b></li> </ul>
(o) Additional Sign Standards	<ul style="list-style-type: none"> <li>i. Whenever a panel on a multi-tenant <b>Sign</b> is removed, the <b>Sign</b> owner shall replace it with a blank panel until such time as a new tenant requires it.</li> <li>ii. An existing non-conforming <b>Sign</b> may continue to be displayed provided: <ul style="list-style-type: none"> <li>A. The <b>Sign</b> was lawfully erected on or before the day this Bylaw came into effect;</li> <li>B. The <b>Sign</b> continues to comply with the bylaw in effect at the time of its erection;</li> <li>C. Changes to the <b>Sign</b> are limited to normal maintenance; and</li> <li>D. The <b>Sign</b> is not moved or materially altered.</li> </ul> </li> <li>iii. When a <b>Sign</b> cannot be clearly categorized as any of the <b>Signs</b> defined in this Bylaw, the <b>Development Authority</b> shall determine the <b>Sign</b> type and applicable standards.</li> </ul>

## PART 3: LAND USE DISTRICTS



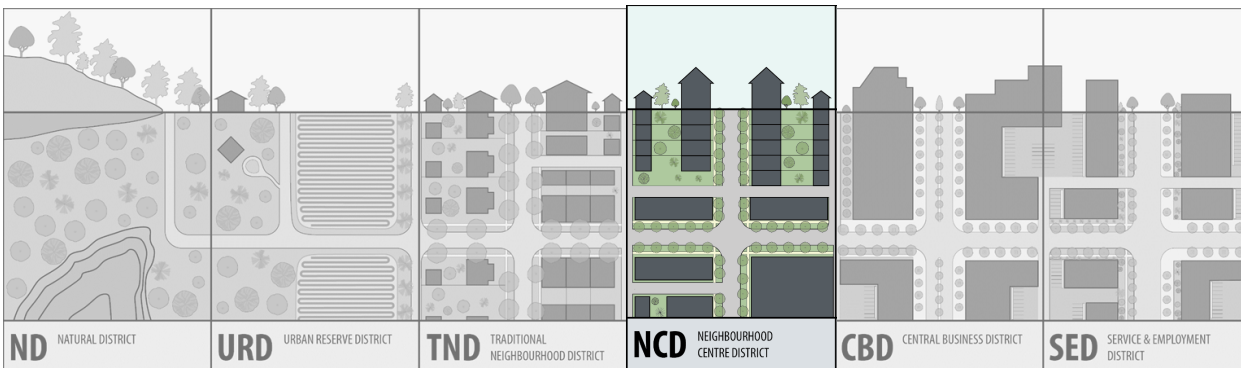
(p) Associated  
**Uses**

In the table below:

- ✓ means a **Sign** is **Permitted**
- means a **Sign** is **Permitted** and does not require an associated **Use**
- means a **Sign** is not **Permitted**

	<i>Sign, Banner</i>	<i>Sign, Canopy</i>	<i>Sign, Changeable Message</i>	<i>Sign, Community Identification</i>	<i>Sign, Electronic Messaging</i>	<i>Sign, Fascia</i>	<i>Sign, Freestanding</i>	<i>Sign, Projecting or Hanging Wall</i>	<i>Sign, Window</i>
<i>Residential</i>	●	●	●	○	●	●	●	●	●
<i>Lodging</i>	✓	✓	✓	○	●	✓	✓	✓	✓
<i>Office</i>	✓	✓	●	○	●	✓	✓	✓	✓
<i>Retail &amp; Entertainment</i>	✓	✓	✓	○	✓	✓	✓	✓	✓
<i>Manufacturing</i>	✓	✓	●	○	●	✓	✓	✓	✓
<i>Institutional</i>	✓	●	✓	○	●	✓	✓	✓	✓
<i>Agriculture</i>	✓	●	●	○	●	●	✓	✓	✓

## PART 3: LAND USE DISTRICTS



### 3.5.14 Outdoor Lighting Standards

- (a) All outdoor light fixtures shall be aimed downward and shielded in a manner that does not direct illumination on to a street or adjacent **Residential Use**.
- (b) All outdoor light fixtures shall not emit light above the bottom of the light fixture except where the light fixture is used for accent lighting.
- (c) The provisions for Section 3.5.14 do not apply to roadways or **Traffic Signs**.

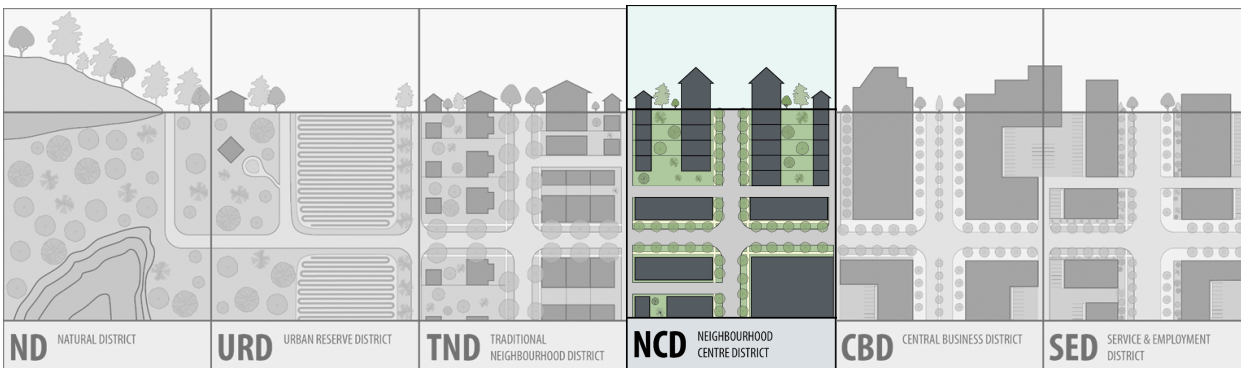
### 3.5.15 Sustainable Energy

- (a) **Sustainable Renewable Energy** systems are encouraged and supported within the **Town**.
- (b) **Solar Energy Systems** shall only be located on a **Façade** or roof of a **Building** and should be integrated with the **Building** design and character.
- (c) **Wind Turbines** shall not be allowed within the Neighbourhood Centre District (NCD).

### 3.5.16 Relocation, Demolition, or Removal of Buildings

- (a) **Demolition** or removal of a **Building** is allowed in all Land Use Districts.
- (b) A Demolition Permit shall be required, as per the *Alberta Safety Codes Act*, for the **Demolition** or removal of any **Building**.
- (c) In addition to a Demolition Permit, prior to the **Demolition** or removal of a **Building**, a **Development Permit** must be approved by the **Development Authority** except when a **Demolition** or removal of a **Building** is a result of a **Development** for which a **Development Permit** has already been approved and issued.
- (d) Notwithstanding Subsection 3.5.16 (c), a **Development Permit** is not required for the **Demolition** or removal of

## PART 3: LAND USE DISTRICTS



a **Building** that does not require a **Development Permit** as per Section 4.6.

(e) Applications for a **Development Permit** for the **Demolition** or removal of a **Building** shall include:

- i. How the safety of the public and adjacent **Buildings** will be ensured;
- ii. How the **Site** will be cleaned and graded; and
- iii. How any affected roads, sidewalks, boulevards, or utilities will be protected.

(f) A **Development Permit** is required when a **Building** is being relocated to a **Site** from elsewhere on the same **Site**, or from another **Site**, and the relocated **Building** shall comply with the provisions of this Bylaw.

### 3.5.17 Historic Buildings

(a) A **Development Permit** application to demolish, remove, or alter a **Building** that is designated as a Provincial Historic Resource shall be referred to **Council** for comment and shall have the written approval of the Minister responsible for the *Historic Resources Act*.

(b) A **Development Permit** application to demolish, remove, or alter a **Building** that is designated as a Municipal Historic Resource shall be reviewed by the **Development Authority** and shall comply with the provision of the bylaw designating said **Building**.

### 3.4.18 Common Amenity Space Standards

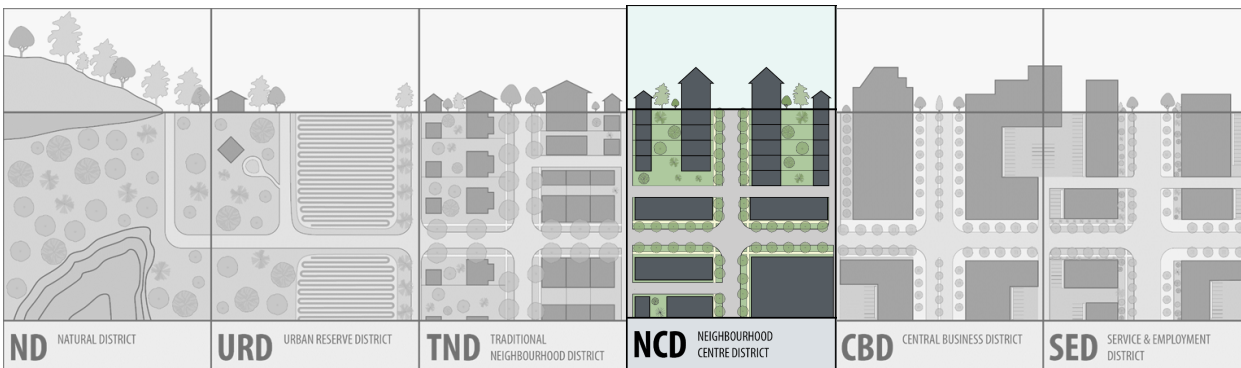
(a) **Common Amenity Space** may be provided as indoor or outdoor common amenity space, or a combination thereof.

(b) **Common Amenity Space** must be provided for all **Residential Development** with 8 or more units (not including **Additional Dwelling Units**).

(c) **Common Amenity Space** must be accessible from all of the units

(d) **Common Amenity Space** must cover at least 10.0 percent of the **Site** area.

## PART 3: LAND USE DISTRICTS



(e) **Common Amenity Space** must not be located in a required setback

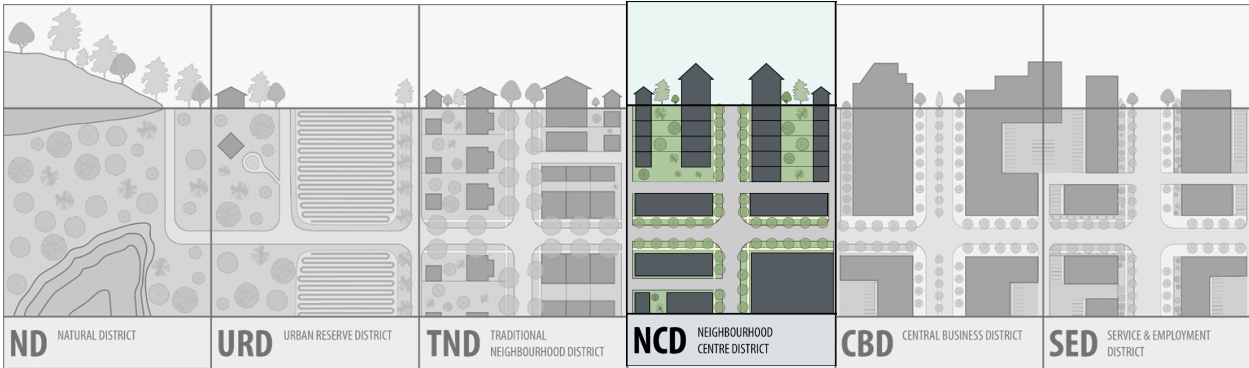
### 3.5.19 Recreational Vehicles

- (a) No person shall be allowed to keep or maintain a **Recreational Vehicle** in a **Frontage** between October 30 and April 1.
- (b) No **Recreational Vehicle** shall be used for living, sleeping, or housekeeping purposes other than in designated campgrounds.
- (c) No **Recreational Vehicle** shall have its wheels removed or be affixed to the ground so as to prevent its ready removal.
- (d) No **Recreational Vehicle** shall be connected to any public utility except for required servicing.

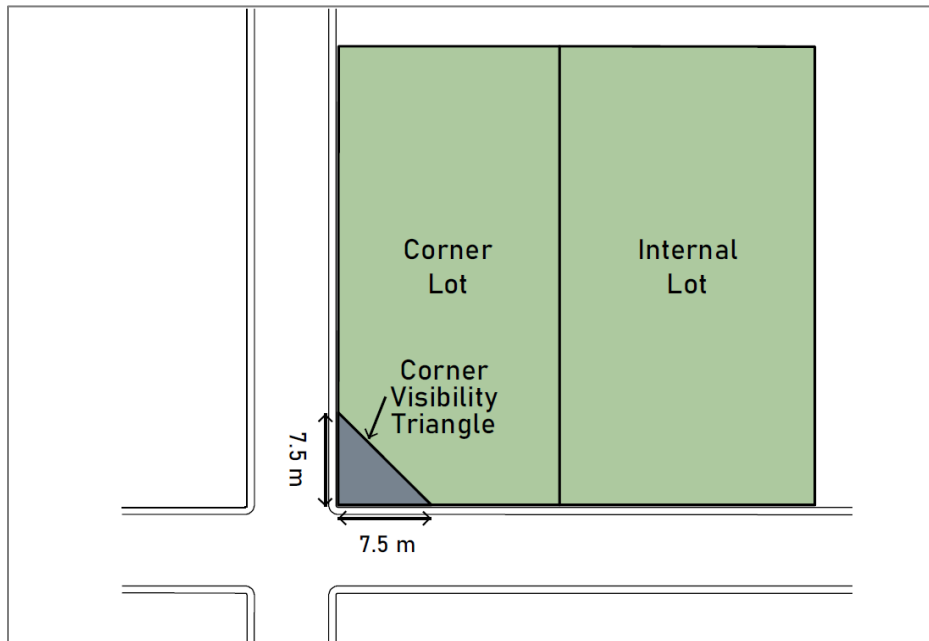
### 3.5.20 Additional Standards

- (a) The **Development Authority** may allow a **Variance** of any or all of the requirements of this Bylaw through an application, where at the discretion of the **Development Authority**, the **Development** would not unduly interfere with the amenities of the neighbourhood, detract from the public realm, or materially interfere with or affect the use, enjoyment, or value of the neighbouring **Lots**, and the **Use** proposed is allowed by this Bylaw.
- (b) Any standard from this Bylaw may be applied to **Development** within this Land Use District at the discretion of the **Development Authority** in order to ensure a high-quality level of design and / or future urban development opportunities.
- (c) When a **Development** cannot be clearly categorized in this Bylaw, the **Development Authority** shall determine all applicable standards.
- (d) All other **Development** proposals shall be at the **Development Authority's** discretion.

## PART 3: LAND USE DISTRICTS

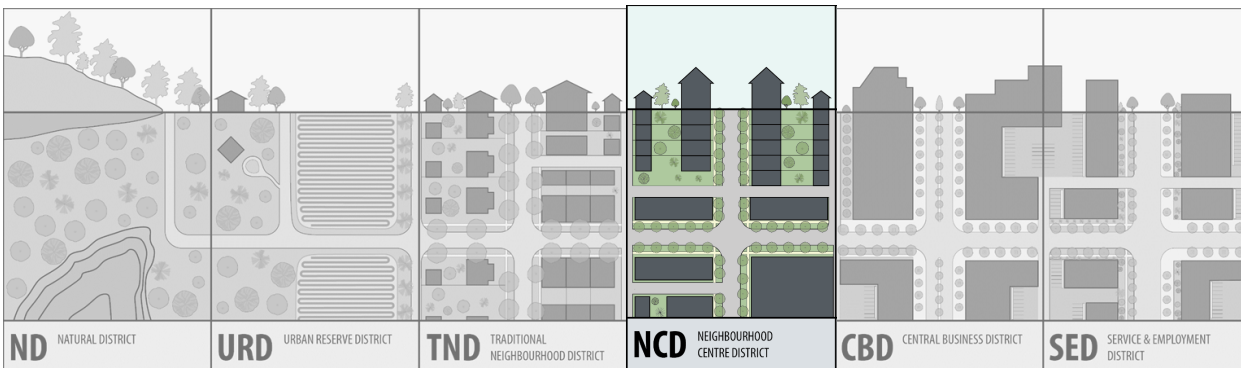


- (e) All **Development** shall meet the requirements of the *Alberta Safety Codes Act*.
- (f) All **Development** shall meet the Minimum Development Elevation requirements in Section 2.4 if required by the **Development Authority** as per Section 2.4.3.
- (g) Notwithstanding any other provisions contained in this Bylaw, no vegetation, finished **Lot** grade, **Building** or **Structure** shall exceed the general elevation of the street by more than 0.76 m within the area defined as a **Corner Visibility Triangle**.



- (h) Sites with incomplete Development must be maintained at all times in accordance with the standards of the Town, including but not necessarily limited to the Good Neighbour Bylaw and the General Engineering and Construction Specifications.

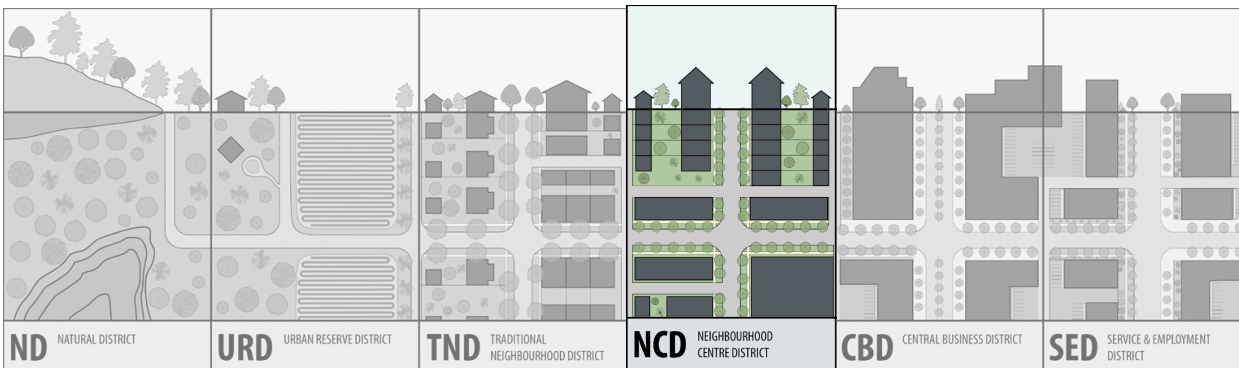
## PART 3: LAND USE DISTRICTS



### 3.5.21 The Design, Character & Appearance of Buildings

- (a) The size, location, design, character and appearance of any **Building** or **Structure** requiring a **Development Permit** shall be acceptable to the **Development Authority** having due regard to:
- The policies and objectives contained within the **Town's** Statutory Plans;
  - Any studies adopted as guidelines regarding Heritage Buildings and historic resources, vistas, streetscapes, parking, mobility, public art, and open space;
  - The character of existing **Development** in this Land Use District including, but not necessarily limited to, facing materials, **Building** mass and architectural detailing;
  - The character of existing **Development** in this Land Use District, as well as the effect on adjacent Land Use District(s) and parcels, unless the **Building** or **Structure**, at the discretion of the **Development Authority**, sets a higher standard of design, character and appearance for this Land Use District, or part of it; and
  - Other factors such as daylight, sunlight, and privacy.
- (b) The exterior finishing materials on the **Façade** of a proposed **Development** shall be those identified on the approved plans for that **Development**.
- (c) Once constructed, the **Façade** of the **Building(s)** shall be maintained to the standard shown on the Site Plan and elevation drawings approved by the **Development Authority**.
- (d) **Additions** to any **Primary Building(s)** and any **Accessory Building(s)** shall be constructed and finished with materials compatible with the **Primary Building(s)**.
- (e) Where a proposed **Development** is part of a larger area, the whole of which may eventually be designed and developed, and for which no overall **Development** plan has been prepared, the **Development Authority** may require the submission of a **Master Site Plan** before dealing with the application.

## PART 3: LAND USE DISTRICTS



### 3.5.22 Drainage Standards

- (a) All roof drainage from a **Structure** or **Building** must be discharged onto the **Lot** on which the **Structure** or **Building** is located. No roof drainage may create any negative impact on adjacent **Sites**. Should any damage occur, the owner shall be responsible for all of the costs of all applicable damages as determined by a qualified professional (e.g. insurance underwriter) based on the General Engineering and Construction Specifications.

### 3.5.23 Pageantry Features

- (a) **Pageantry Features** may only be located within or abutting the **Development** that they relate to.

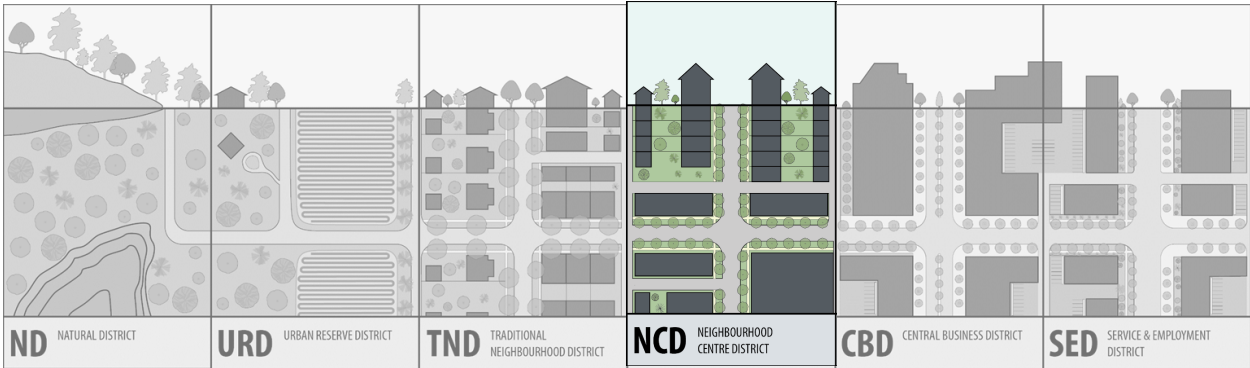
- (b) **Pageantry Features** are limited to:

- i. promoting natural and manmade attributes and amenities of the **Development**;
- ii. providing the names of area builders;
- iii. providing directions within the **Development**;
- iv. indicating the general price range of housing products.

- (c) **Pageantry Features** must not:

- i. be installed so as to obstruct or impede free and clear vision for motorists and pedestrians and in so doing create a traffic hazard;
- ii. interfere with, or cause confusion with, any authorized sign, signal or traffic control device and in so doing create a traffic hazard;
- iii. impede pedestrians from using the sidewalk system;
- iv. create any other safety issue under the regulations of the Town of High River Traffic Bylaw or the Traffic Safety Act, RSA 2000; or
- v. cause any damage to any Town owned trees (through installation, placement or removal) or result in any pruning to improve visibility of Pageantry Features.

## PART 3: LAND USE DISTRICTS



(d) **Pageantry Features** may include the following types:

- i. freestanding signs, provided the signs do not exceed 2.0 metres in height and 3.0 square metres in sign area, and are securely inserted into the ground (skids, concrete blocks, and similar types of footings will not be permitted);
- ii. flags and flag poles;
- iii. banners and banner poles; or
- iv. any other decorative feature where, in the opinion of the **Development Authority**, the feature is consistent with the intent of these regulations.

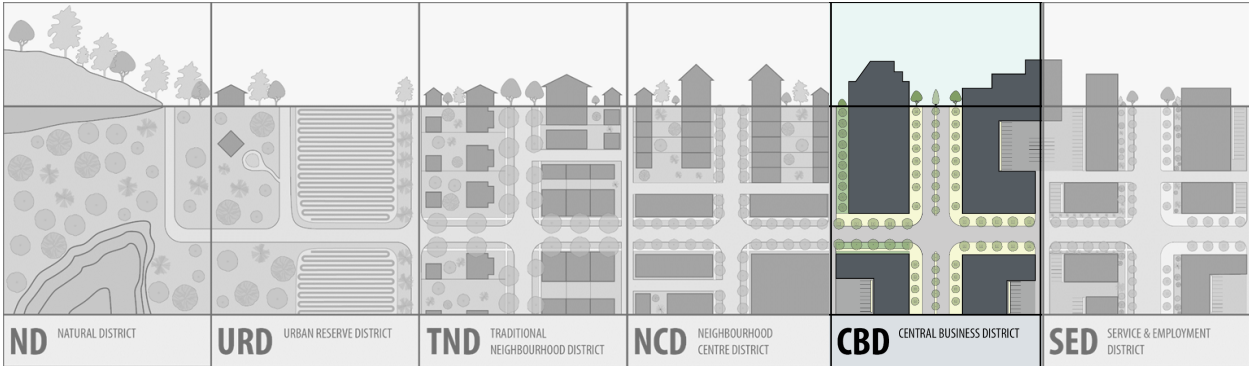
(e) All **Pageantry Features** within a **Development** must be coordinated, cohesive and have a consistent theme.

(f) All **Pageantry Features** within a **Development** must be kept in good repair at all times.

(g) There is no limitation to the number of Pageantry Features that can be proposed and approved in a **Development** under a single application. However, the **Development Authority** reserves the right to restrict the number of **Pageantry Features** approved for a **Development** based on the suitability of the location and design of the **Pageantry Features**.

(h) A **Development Permit** shall only be provided for up to a maximum of 5 years, at which time a new or renewed **Development Permit** shall be required. Pageantry shall be removed within thirty days of the final **Lot** or unit of the **Development** being sold by the developer.

## PART 3: LAND USE DISTRICTS



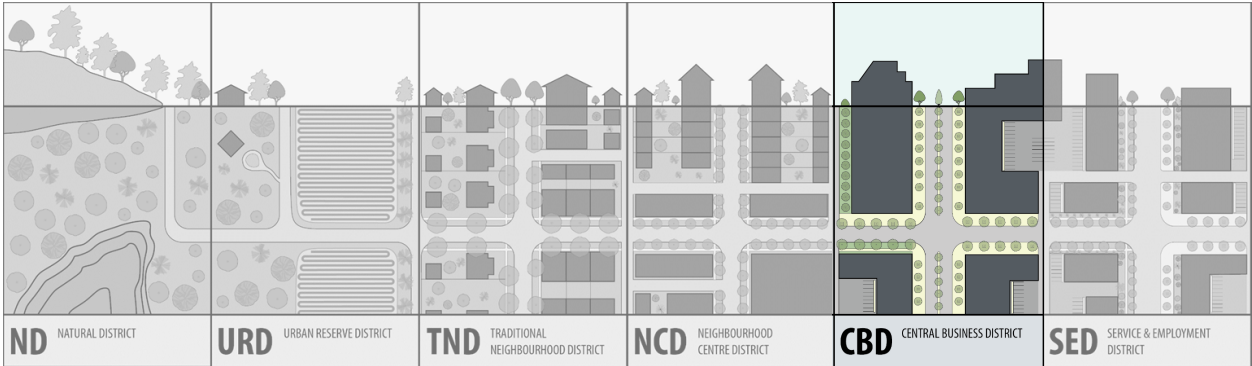
### 3.6 CENTRAL BUSINESS DISTRICT (CBD)

#### 3.6.1 Intent

To support a cluster of mixed **Use Buildings** and high quality spaces with wide sidewalks, pedestrian connectivity, and street-level activity. Businesses and services should support the entire **Town**, and **Residential** forms should support the business activity in the Land Use District. The Central Business District (CBD) is intended to act as a destination for residents and visitors where patrons can either walk to or park once and walk around.

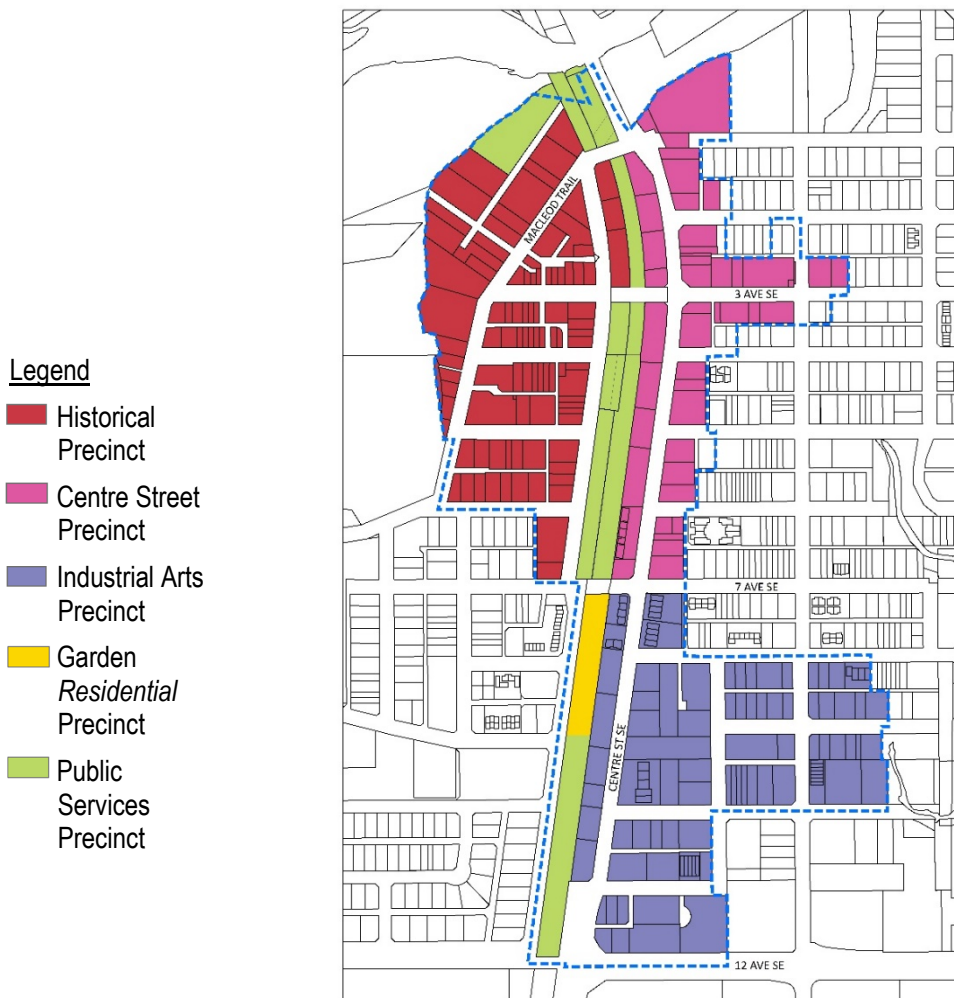
- |                             |   |
|-----------------------------|---|
| (a) General characteristics | <ul style="list-style-type: none"> <li>i. The overall mix of <b>Uses</b> for this Land Use District should strive for 30.0 percent <b>Residential</b> and 70.0 percent business and retail services.</li> <li>ii. Ground floors should primarily be occupied with business and retail services, with <b>Residential Uses</b> located on upper floors.</li> <li>iii. <b>Residential</b> forms should consist primarily of <b>Buildings</b> with multiple <b>Dwelling Units</b>.</li> <li>iv. Business and retail services should meet the daily needs and serve the whole <b>Town</b>.</li> <li>v. <b>Buildings</b> should be oriented to the <b>Primary Thoroughfare</b> and should have a consistent sidewalk from any entrance to the overall pedestrian network.</li> <li>vi. <b>Buildings</b> should be strongly articulated with appropriate levels of <b>Transparency</b> to create an active <b>Public Realm</b>.</li> </ul> |
|-----------------------------|---|

## PART 3: LAND USE DISTRICTS

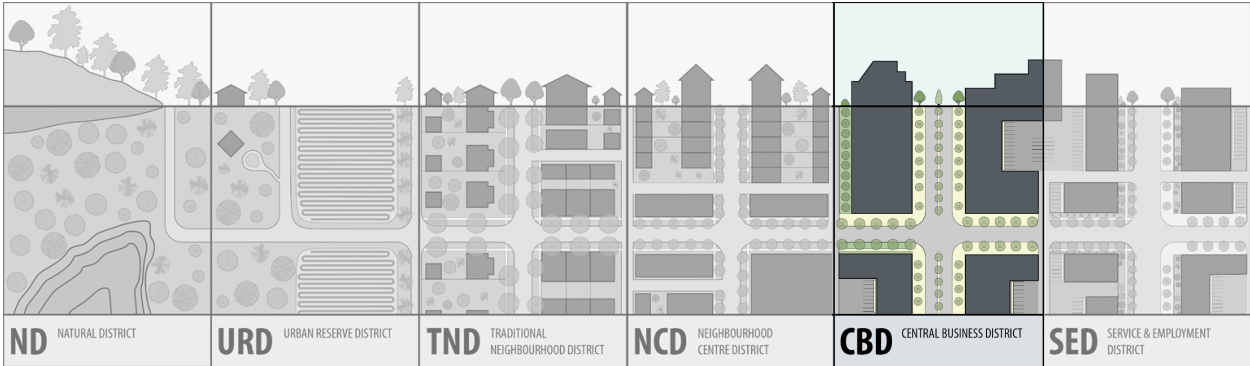


### 3.6.2 Precincts

Intent The majority of the Central Business District (CBD) is divided into Precincts that identify additional Standards for **Development** in order to reflect the unique character of each area as well as the *Downtown Revitalization Area Redevelopment Plan*.



## PART 3: LAND USE DISTRICTS



### ■ Historical Precinct

As both the historical and contemporary centre of commerce and business in the community, this Precinct experiences a high volume of pedestrian and vehicle activity, and is characterized by commercial, retail, and **Office Development** contained within both heritage and modern **Buildings**. Many of the **Town's** heritage and cultural resources are located in this Precinct including built heritage resources, cultural facilities in civic **Buildings**, and commercial venues that support cultural activities. Redevelopment will respect the small-scale business and **Lot** pattern, while ensuring it remains the cultural, commercial, and pedestrian focus of the **Town**.



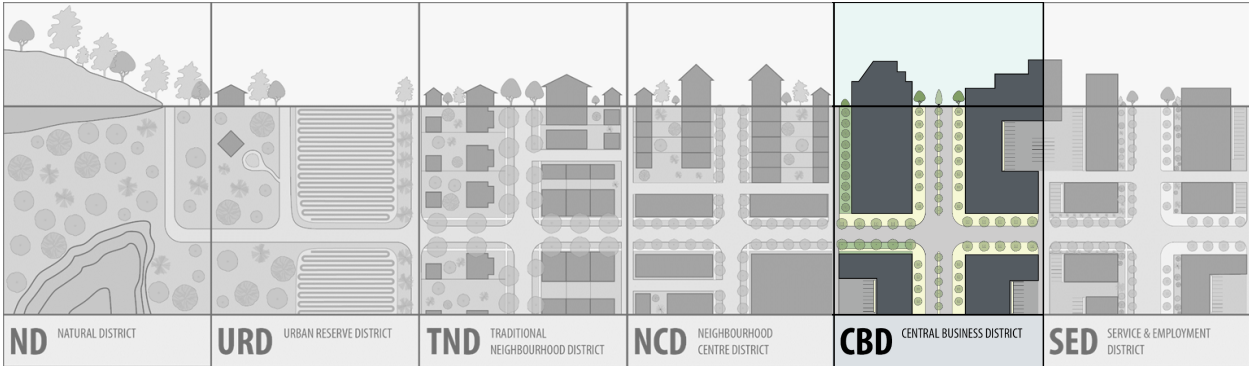
### ■ Centre Street Precinct

The Centre Street Precinct has been a central location for commerce and business over the **Town's** history and continues to see a significant volume of traffic, although it is generally more vehicle-oriented than pedestrian. The area is characterized by a range of commercial, **Office**, and retail **Development** at a lower scale contained largely within **Buildings** of a more modern nature.

While providing for a mix of **Uses** similar to the Historical Precinct, the Centre Street Precinct supports **Buildings** with larger floor plates with parking provided at the rear or sides of **Buildings**. Architectural articulation is used to ensure larger **Buildings** transition to their context and provide a pedestrian-friendly experience at street-level.



## PART 3: LAND USE DISTRICTS



### ■ Industrial Arts Precinct

This area has developed over the years as an area for light industrial, small-scale **Manufacturing** and **Office Uses**, while also supporting workshops and studios of local artisans. This area is encouraged to continue to grow as a **Manufacturing** and arts hub that is better integrated into the surrounding community. A more concentrated and organized pattern of industrial **Development** is encouraged - with an emphasis on street orientation and creation of a consistent street wall and a de-emphasis on the physical separation of **Buildings** - and adds the option for live-work **Residential Development**. The architectural palette acknowledges the agricultural-industrial heritage of the **Town** while recognizing its future potential as a modern working Precinct characterized by local artisanal workshops.



### ■ Garden Residential Precinct

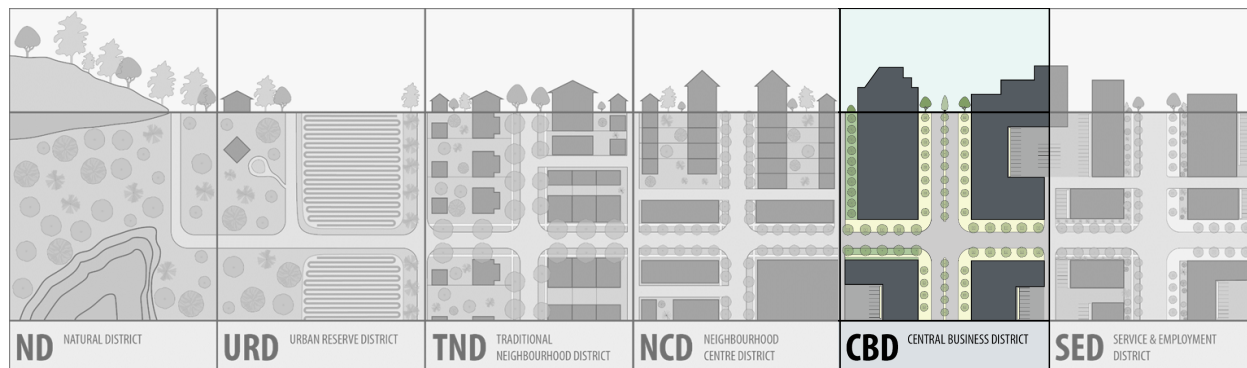
The Garden Residential Precinct provides the opportunity for **Residential Development**, at a scale that maintains compatibility with **Residential Uses** to the west and the north-south pathway connection. The area is envisioned with clusters of small footprint multi-**Residential Development** characterized by a generous landscape interface with 1st Street SW.



### ■ Public Services Precinct

The Public Services Precinct is a critical location for a continuous linkage of park and pedestrian-focused amenities, as well as landmark civic **Buildings** and cultural facilities that serve the broader community and benefit from the centrality and visibility of this corridor. This area may also accommodate public utilities, as required.

## PART 3: LAND USE DISTRICTS

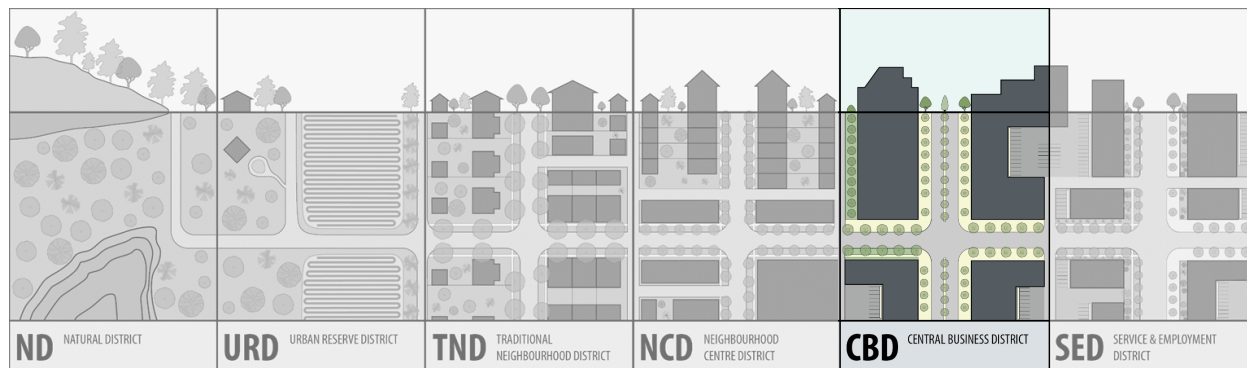


### 3.6.3 Uses

The following **Uses** are grouped into Use Categories to add clarity regarding the intent of the form of **Development**. Definitions are in Section 5.1: Use Definitions.

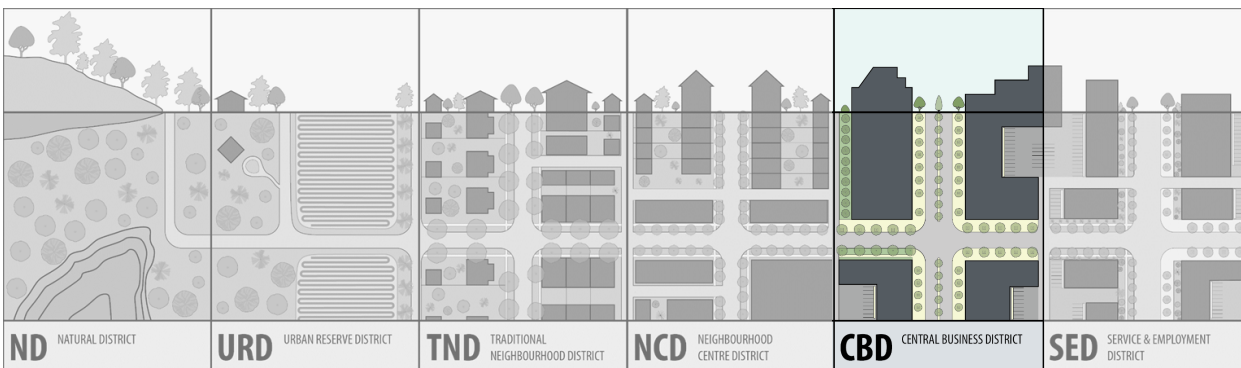
<i>Use Category</i>	<i>Use Category Description</i>	<i>Permitted Uses</i>	<i>Discretionary Uses</i>
(a) <b>Residential</b>	Premises available for long-term human habitation by means of ownership and rental, but exclude short-term renting of less than a month's duration.	<b>Dwelling Unit(s); Additional Dwelling Unit(s)</b>	<b>Temporary Dwelling Unit(s); Additional Dwelling Unit(s)</b>
(b) <b>Lodging</b>	Premises available for short-term human habitation.	<b>Bed &amp; Breakfast; Hotel / Motel, Short Term Rental</b>	None
(c) <b>Office</b>	Premises available for the transaction of general business.	<b>Major Home Occupation; Professional Office</b>	None
(d) <b>Retail &amp; Entertainment</b>	Premises available for the commercial sale of merchandise and prepared foods.	<b>Amusement Facility; Café; Restaurant; Drinking Establishment; Retail &amp; Service, General</b>	<b>Adult Establishment; Cannabis Store, Drive Through Facility; Liquor Store; Gas Station; Vehicle Washing</b>

## PART 3: LAND USE DISTRICTS



<i>Use Category</i>	<i>Use Category Description</i>	<i>Permitted Uses</i>	<i>Discretionary Uses</i>
(e) <b>Manufacturing</b>	Premises available for the creation, assembly, and repair of artefacts including their retail sale except when such activity creates conditions that may be objectionable to neighbouring property owners.	<b>Light Industrial</b>	None
(f) <b>Institutional</b>	Premises used by organizations to support the common good including organizations dedicated to religion, arts and culture, education, government, social service, recreation, health, and the like.	<b>Arts &amp; Culture; Active Recreation; After Life Care; Education; Human Services; Government; Passive Recreation</b>	None
(g) <b>Agriculture</b>	Premises available for growing of plants or raising of livestock for the purpose of food production.	<b>Urban Agriculture</b>	None

## PART 3: LAND USE DISTRICTS

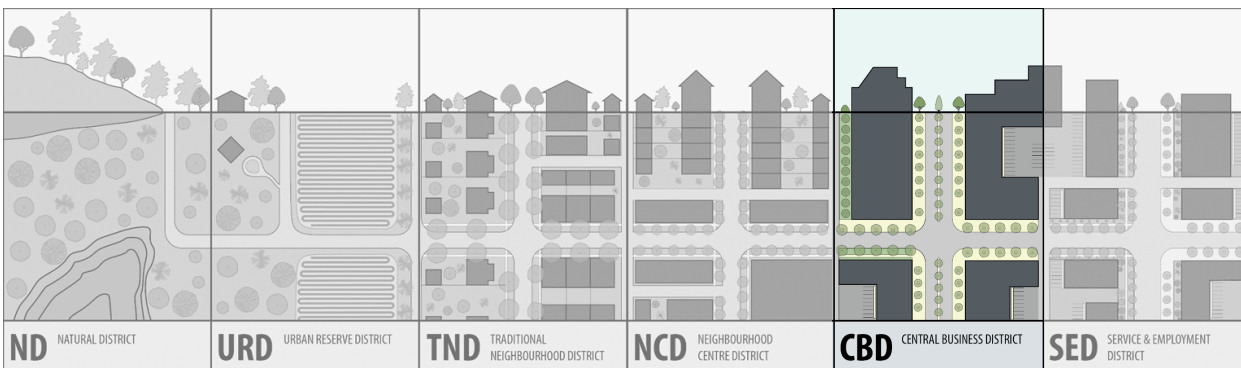


Use Category	Use Category Description	Permitted Uses	Discretionary Uses
(h) Other	Additional <b>Uses</b> that may be considered in this Land Use District.	<p><b>Essential Public Utilities; Signs</b> in association with an approved <b>Use</b> on the <b>Site</b>, unless otherwise specified in Section 3.6.14;</p> <p><b>Pageantry Features</b> in association with an approved <b>Development</b>;</p> <p><b>Temporary Shipping Containers.</b></p>	<p><b>Excavation</b>, stripping and grading; fencing, landscaping, or other similar <b>Structures</b>;</p> <p><b>Shipping Containers.</b></p>

### 3.6.4 Specific Use Standards

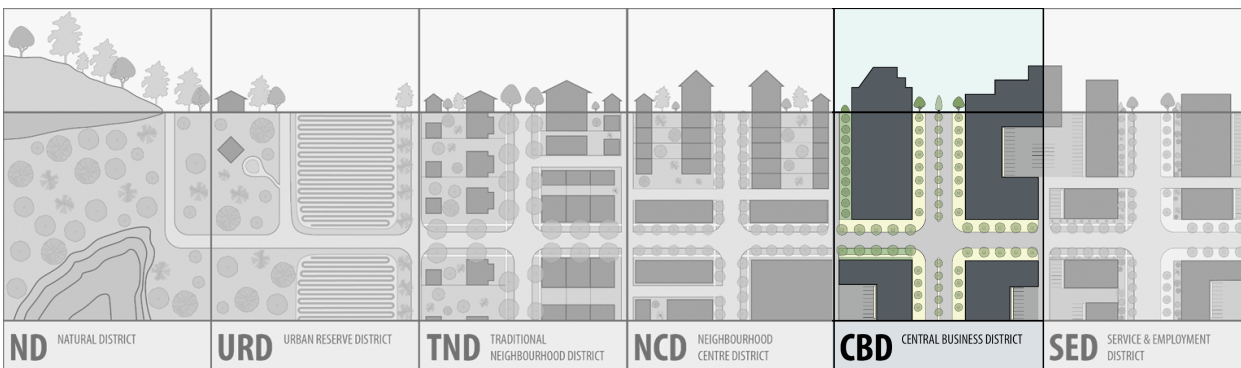
Use	Standard
(a) <b>Accessory Building</b>	No <b>Accessory Building</b> shall be used as a <b>Dwelling Unit</b> unless the <b>Building</b> meets the requirements of the <i>Alberta Safety Codes Act</i> .
(b) <b>Accessory Use</b>	Is <b>Permitted</b> or <b>Discretionary</b> in accordance with the <b>Primary Use</b> .
(c) <b>Adult Establishment</b>	<ul style="list-style-type: none"> <li>i. An <b>Adult Establishment</b> shall not display obscene or indecent images, materials or products in any form or format that are visible from the exterior of the <b>Building</b> or through windows.</li> <li>ii. The <b>Development Authority</b> may determine criteria to limit where and how an <b>Adult Establishment</b> may be located.</li> </ul>

## PART 3: LAND USE DISTRICTS



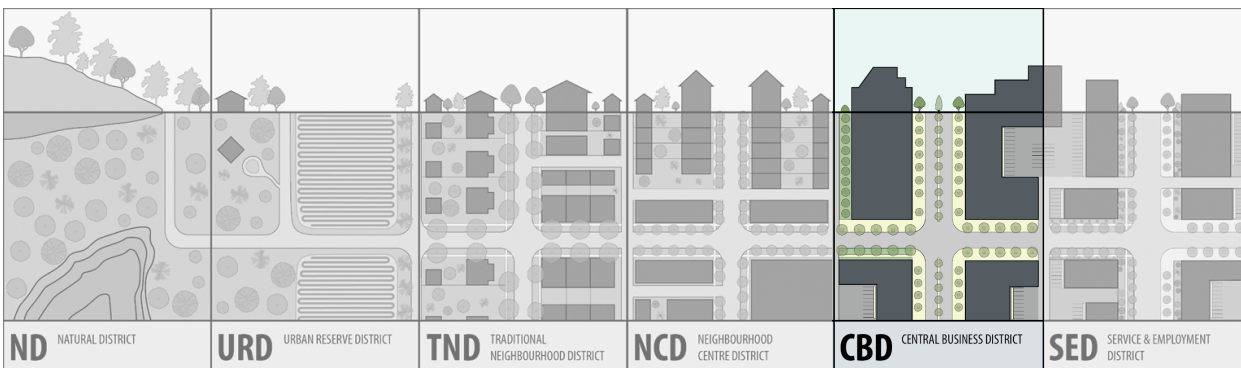
Use	Standard
(d) <b>Café</b>	<ul style="list-style-type: none"> <li>i. A maximum of 20 patrons is allowed.</li> <li>ii. A <b>Café</b> may serve alcoholic beverages for consumption on the premises at the discretion of the <b>Development Authority</b>, in accordance with the <i>Alberta Gaming, Liquor &amp; Cannabis Commission</i>.</li> </ul>
(e) <b>Cannabis Store</b>	Where a proposed <b>Cannabis Store Bay</b> is within a 150.0 metre radial distance of an existing / approved <b>Cannabis Store Bay</b> , as measured from the closest point of the <b>Cannabis Store Bay</b> to the closest point of the other <b>Cannabis Store Bay</b> , any cumulative impacts of the facilities on existing <b>Development</b> within the area must be considered by the <b>Development Authority</b> .
(f) <b>Discretionary Uses</b>	Shall only be allowed if there is no detrimental effect on the hydrological system or water quality.
(g) <b>Gas Station</b>	Should locate pumps to the side or rear of the <b>Building</b> , increase the front <b>Setback</b> , or provide additional landscaping in the <b>Private Frontage</b> to better integrate the <b>Gas Station</b> with the <b>Public Realm</b> .
(h) <b>Heavy Industrial</b>	Showrooms or ancillary sales are not allowed.
(i) <b>Light Industrial</b>	Storage shall be within the <b>Building</b> or entirely screened.
(j) <b>Liquor Store</b>	<ul style="list-style-type: none"> <li>i. Where a proposed <b>Liquor Store Bay</b> is within a 150.0 metre radial distance of an existing / approved <b>Liquor Store Bay</b> as measured from the closest point of the proposed <b>Liquor Store Bay</b> to the closest point of the existing <b>Liquor Store Bay</b>, any cumulative impacts of the facilities on existing <b>Development</b> within the area must be considered by the <b>Development Authority</b>.</li> </ul>
(k) <b>Major Home Occupation</b>	<ul style="list-style-type: none"> <li>i. <b>Outdoor Storage</b> is prohibited.</li> <li>ii. Deliveries of pick-ups in connection with the <b>Use</b> are limited to parcel and small freight carriers.</li> <li>iii. <b>Signs</b> shall be limited to one window <b>Sign</b>, shall not be illuminated, and shall</li> </ul>

## PART 3: LAND USE DISTRICTS



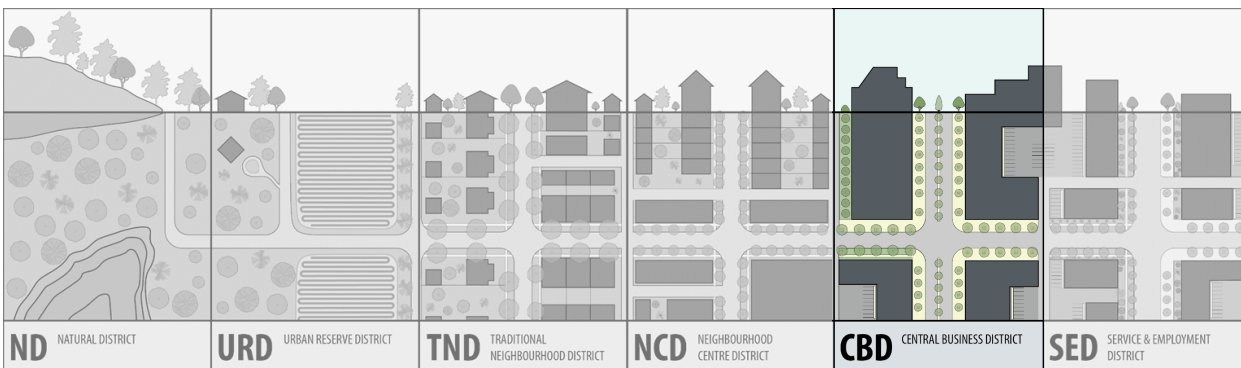
Use	Standard
	<p>not exceed 0.2 square metres in area.</p> <p>iv. Vehicle and equipment service or <b>Repair</b> are not allowed.</p> <p>v. If a <b>Major Home Occupation Development Permit</b> holder relocates within the Municipality, a new <b>Development Permit</b> is required for a new <b>Major Home Occupation</b> at the new location.</p> <p>vi. No nuisances by way of noise, vibration, smoke, dust, fumes, odours, heat, light, electrical or radio disturbance, detectable beyond the property boundary shall be produced by the <b>Major Home Occupation</b>.</p> <p>vii. Commercial Vehicles used for a <b>Major Home Occupation</b> shall be parked on-site and shall not be located within a <b>Frontage</b> if weight exceeds 4,000.0 kg.</p> <p>viii. A <b>Development Permit</b> for a <b>Major Home Occupation</b> may be revoked if, at the discretion of the <b>Development Authority</b>, the operator of the <b>Major Home Occupation</b> has violated any provisions of this Bylaw and / or the conditions of the <b>Development Permit</b>.</p>
(l) <b>Outdoor Storage</b>	<p>i. Shall not be allowed in a <b>Frontage</b> and shall be screened from any <b>Thoroughfare</b> by means of a solid wall, fencing, landscaping, berming or combination thereof, to the satisfaction of the <b>Development Authority</b>.</p> <p>ii. Shall be kept in a clean and orderly condition at all times.</p>
(m) <b>Restaurant</b>	Shall not install ventilation systems that terminate on the roof of a <b>Building</b> unless the <b>Applicant</b> can prove that no other feasible alternative is available. To the maximum extent feasible, ventilation systems shall be directed away from adjacent <b>Residential</b> properties.
(n) <b>Short Term Rental</b>	<p>i. <b>Short Term Rental</b> host must obtain a business license.</p> <p>ii. A host cannot allow more than two adults, not including minors, per room. As the definition of short term rental in the bylaw is 14 days or less, longer term stays are not covered in the bylaw.</p>
(o) <b>Vehicle Wash</b>	Shall be limited to the washing of vehicles with a gross vehicle weight of ,000 kilograms or less.

## PART 3: LAND USE DISTRICTS



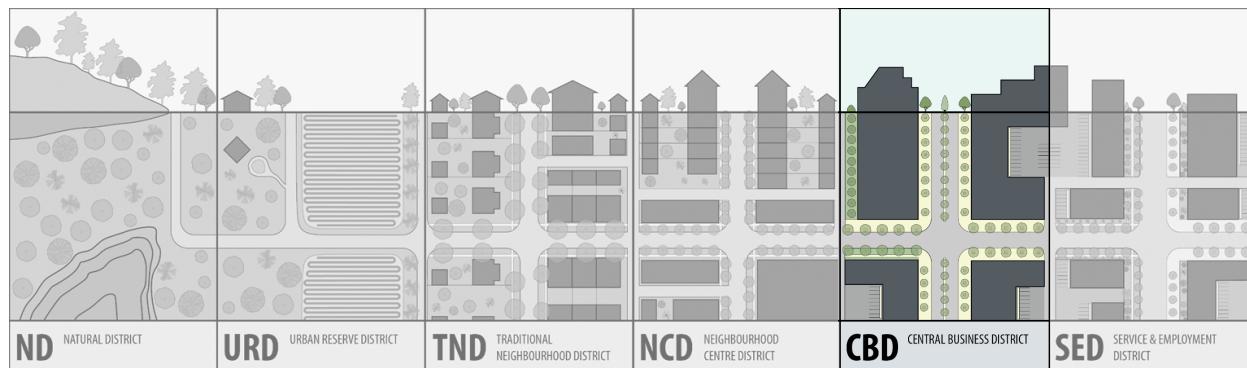
Use	Standard
<p>(p) Prohibited <b>Uses</b></p>	<ul style="list-style-type: none"> <li>i. The storage of any <b>Temporary Dwelling Unit</b>;</li> <li>ii. The storage of waste and salvage materials including derelict vehicles;</li> <li>iii. The storage of goods, products, or materials in any <b>Frontage</b>; and</li> <li>iv. <b>Gaming Establishments</b>.</li> </ul>
<p>(q) <b>Development</b> not requiring a <b>Development Permit</b></p>	<p>A <b>Development Permit</b> is not required in respect of the following <b>Developments</b> provided they are in compliance with the standards outlined in this Land Use District and all other provisions of this Bylaw:</p> <ul style="list-style-type: none"> <li>i. Work of maintenance, repair or <b>Alteration</b>, on a <b>Structure</b>, both internal and external, if at the discretion of the <b>Development Authority</b>, such work: <ul style="list-style-type: none"> <li>A. Does not result in an increase in the number of <b>Dwelling Units</b> within the <b>Building</b> or on the <b>Site</b>;</li> <li>B. Does not increase the floor area by more than 25.0 percent of the original <b>Residential Structure</b> or <b>Building</b>;</li> <li>C. Does not change the <b>Use</b> or intensity of the <b>Use</b> of the <b>Structure</b> or <b>Building</b>; and</li> <li>D. Is performed in accordance with obligatory legislation or other government regulations.</li> </ul> </li> <li>ii. The completion of a <b>Building</b> which was lawfully under construction at the date this Bylaw comes into effect;</li> <li>iii. The use of any <b>Building</b> referred to in Subsection 4.6 for the purpose for which construction was commenced;</li> <li>iv. The use of a <b>Building</b>, other than a <b>Non-Conforming Use</b> or <b>Non-Conforming Building</b>, that has been vacant for less than 6 months for a purpose that is, at the discretion of the <b>Development Authority</b>, the same or similar to the previous <b>Use</b>;</li> <li>v. The <b>Change of Use</b> of a <b>Building</b> or <b>Structure</b>, other than a <b>Non-Conforming Use</b> or <b>Non-Conforming Building</b> provided that:</li> </ul>

## PART 3: LAND USE DISTRICTS



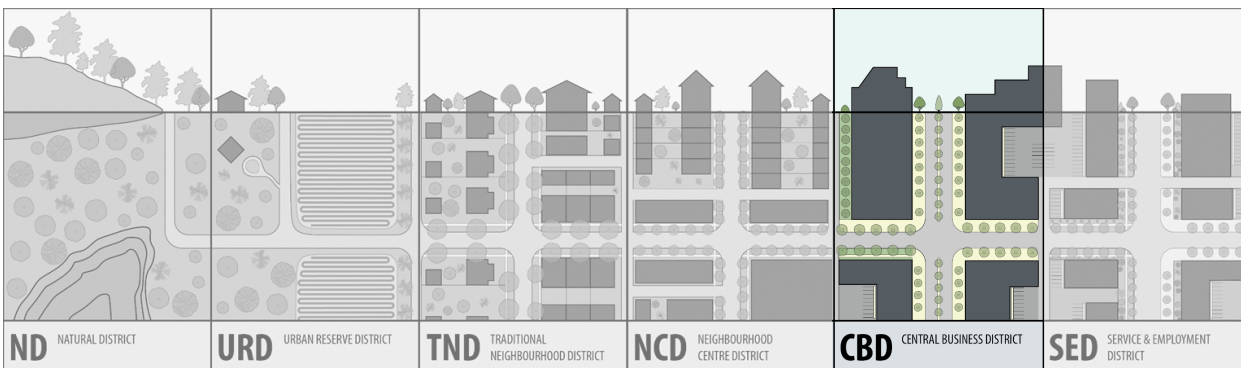
Use	Standard
	<ul style="list-style-type: none"> <li>A. The requirements of the <b>Development Permit</b> for the existing <b>Building</b> have been fulfilled; and</li> <li>B. The <b>Change of Use</b> is from a <b>Permitted</b> or <b>Discretionary Use</b> to a <b>Permitted Use</b> in this Land Use District.</li> </ul>
vi.	The erection, construction, or maintenance of gates, <b>Fences</b> , walls, or other means of enclosure which meet the standards in this Land Use District;
vii.	The construction and maintenance of <b>Essential Public Utilities</b> ;
viii.	The erection of an <b>Accessory Building</b> in association with an approved <b>Permitted Use</b> when it complies with the standards of this Bylaw;
ix.	The use of a <b>Building</b> or part thereof as a temporary polling station for a federal, provincial, or municipal election, referendum, or plebiscite;
x.	<b>Signs</b> not requiring a <b>Development Permit</b> as set out in this Land Use District;
xi.	The construction, maintenance, and repair of private walkways, private pathways, private driveways, private features, and landscaping details that do not involve retaining walls greater than 0.6 metres in height, and are in compliance with this Land Use District;
xii.	An outdoor in-ground or above-ground private swimming pool provided: <ul style="list-style-type: none"> <li>A. Not located in a <b>Frontage</b>;</li> <li>B. Having a total area not exceeding 15.0 percent of the <b>Lot</b> area; and</li> <li>C. That does not have any part of the above <b>Grade</b> component, including a <b>Deck</b>, walkway, supporting member, heater, or mechanical equipment, located within 1.2 metres of any <b>Side Lot Line</b> or <b>Rear Lot Line</b>.</li> </ul>
xiii.	<b>Excavation</b> of land and stripping of soil provided: <ul style="list-style-type: none"> <li>A. That the area concerned is less than 1,000 square metres;</li> <li>B. That the stripping or <b>Excavation</b> is part of a <b>Development</b> for which a <b>Development Permit</b> has been issued; or</li> <li>C. That the <b>Applicant</b> has signed a <b>Development Agreement</b> with the <b>Town</b> for the area concerned.</li> </ul>

## PART 3: LAND USE DISTRICTS



Use	Standard
	<ul style="list-style-type: none"> <li>xiv. Street performers or other vendors having a Business License and written permission from the landowner and are not located fronting on Centre Street S, 5th Street SE or 12th Avenue SE;</li> <li>xv. Communication <b>Structures</b> that comply with the <i>Federal Radiocommunication Act</i>;</li> <li>xvi. <b>Sustainable Renewable Energy</b> systems and <b>Structures</b> providing they are in compliance with the provisions of this Bylaw and any other obligatory legislation or government regulations;</li> <li>xvii. <b>Minor Home Occupation(s)</b>;</li> <li>xviii. <b>Mural(s)</b>;</li> <li>xix. <b>Day Home(s)</b>; and</li> <li>xx. <b>Patio(s)</b>.</li> <li>xxi. Erection of flagpoles not exceeding 6.0 metres in height for the purpose of flying a <b>Flag</b> but not a <b>Sign</b>.</li> </ul>
(r) <b>Temporary Development</b>	<ul style="list-style-type: none"> <li>i. <b>Temporary Uses, Buildings, or Structures</b> may be permitted in all Districts at the discretion of the <b>Development Authority</b>, provided that <b>Temporary Buildings or Structures</b> are not placed on permanent foundations and provided that the <b>Use, Building or Structure</b> is listed as a <b>Permitted or Discretionary Use</b> in the relevant land use district.</li> <li>ii. A <b>Development Permit</b> shall only be provided for up to a maximum of 5 years, at which time a new or renewed <b>Development Permit</b> shall be required.</li> <li>iii. <b>Temporary Buildings or Structures</b> must have the appearance and aesthetic of the <b>Buildings or Structures</b> allowed in the <b>Land Use District</b> at the discretion of the <b>Development Authority</b>.</li> </ul>
(s) <b>Temporary Shipping</b>	<b>Temporary Shipping Containers</b> may be used for the storage of equipment and materials during the construction period at the construction site subject to the

## PART 3: LAND USE DISTRICTS



Use	Standard
<b>Containers</b>	<p>following:</p> <ol style="list-style-type: none"> <li>i. The <b>Site</b> must have an approved and active <b>Building Permit</b>.</li> <li>ii. The <b>Shipping Container</b> must be placed wholly within the subject <b>Site</b>.</li> <li>iii. The <b>Shipping Container</b> shall be removed from the <b>Site</b> no later than seven (7) calendar days after completion of the <b>Building Permit</b>.</li> <li>iv. If construction ceases for a period of thirty (30) days, the <b>Shipping Container</b> shall be removed from the <b>Site</b> no later than seven (7) days after notice to remove is issued by the Town.</li> </ol>
(t) Permanent <b>Shipping Containers</b>	<p>Permanent <b>Shipping Containers</b> may be allowed, however, they must have the appearance and aesthetic of the <b>Buildings</b> or <b>Structures</b> allowed in the <b>Land Use District</b> or be completely hidden from view of the <b>Public Realm</b> at the discretion of the <b>Development Authority</b>.</p>
(u) Additional Standards	<ol style="list-style-type: none"> <li>i. No <b>Use</b> or operation shall cause or create any conditions which may be offensive or objectionable beyond the <b>Lot Lines</b> by virtue of noise, odour, vibrations, heat, or light, at the discretion of the <b>Development Authority</b>.</li> <li>ii. Single <b>Use Buildings</b> shall not be allowed in any Precinct except the Centre Street Precinct where they are <b>Permitted</b> as per the <i>Downtown Area Redevelopment Plan</i> when the maximum floor area is less than 2,500.0 square metres.</li> <li>iii. In addition to the <b>Uses</b> identified in Section 3.6.3, <b>Light Industrial</b> and <b>Outdoor Storage</b> located at the rear of the <b>Primary Building</b> are <b>Discretionary</b> in the Industrial Arts Precinct:</li> <li>iv. Auto-oriented <b>Uses</b> shall only be allowed in the Industrial Arts Precinct.</li> <li>v. <b>Residential Development</b> on the ground floor is not allowed in the Historical Precinct.</li> <li>vi. The conservation and adaptive re-use of existing heritage <b>Buildings</b> is strongly encouraged.</li> </ol>

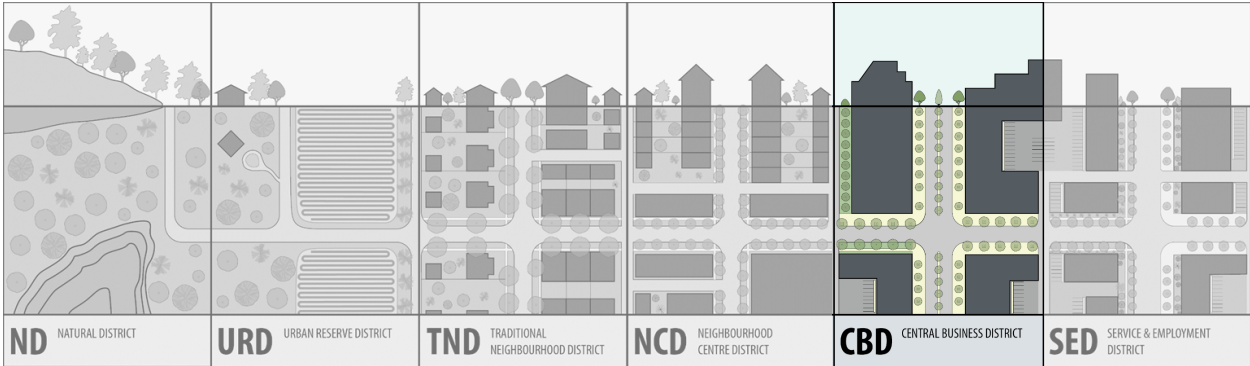
## PART 3: LAND USE DISTRICTS



### 3.6.5 Block Configuration & Subdivision Standards

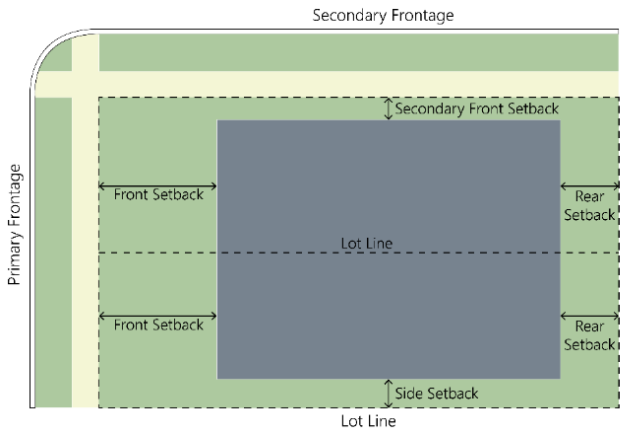
Element	Standard
(a) <b>Block Length</b>	90.0 metres - 120.0 metres.
(b) <b>Block Perimeter</b>	310.0 metres - 480.0 metres.
(c) <b>Block Configuration</b>	Rear <b>Lanes</b> are required for all new or reconfigured <b>Blocks</b> . In all cases, <b>Blocks</b> with existing <b>Lane Access</b> shall retain such <b>Access</b> .
(d) <b>Block Connectivity</b>	All vehicular <b>Rights-of-Way</b> shall terminate at other vehicular <b>Rights-of-Way</b> to form a network.
(e) Pedestrian Connectivity	A mid- <b>Block Passage</b> , dedicated as a <b>Right-of-Way</b> or reserved with a permanent <b>Access</b> easement, may be required where a <b>Block Face</b> is longer than 120.0 metres. If required, the mid- <b>Block Passage</b> shall be generally located in the middle third of the <b>Block Face</b> and shall be designed to ensure pedestrian safety and comfort.
(f) Future <b>Block Connectivity</b>	Where adjoining areas are not developed, vehicular <b>Rights-of-Way</b> in new <b>Subdivisions</b> must be extended to the project boundary to provide for future vehicular <b>Rights-of-Way</b> . Such <b>Rights-of-Way</b> shall be provided at intervals no greater than the maximum <b>Block Length</b> for the Land Use District.
(g) Additional <b>Lot and Subdivision Standards</b>	<ul style="list-style-type: none"> <li>i. <b>Subdivision</b> shall not be allowed where the result creates a through <b>Lot</b>, a landlocked <b>Lot</b>, or additional <b>Lots</b> with no rear <b>Lane Access</b>.</li> <li>ii. <b>Block</b> standards in Subsections 3.6.5 (a) through (f) may be varied to conform with natural features, transportation <b>Rights-of-Way</b>, parks or open space, or other similar <b>Site</b> constraints.</li> <li>iii. In the event of <b>Subdivision</b> by condominium, <b>Development</b> shall be treated as a multi-unit complex where the required <b>Development Setback</b> for the <b>Front, Rear, and Side</b> yards shall be the same as specified in the appropriate land use district.</li> </ul>

## PART 3: LAND USE DISTRICTS

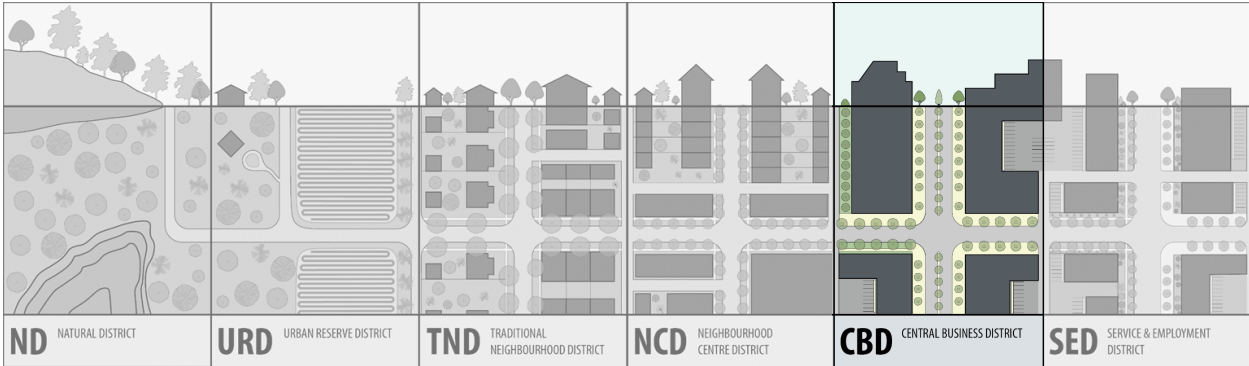


### 3.6.6 Setbacks for Primary Buildings

Setback Element	Standard
(a) Front <b>Setback</b>	0 metres in all Precincts except Garden Residential Precinct where the Front <b>Setback</b> is 3.0 metres.
(b) Secondary Front <b>Setback</b>	0 - 1.0 metres.
(c) Side <b>Setback</b>	Minimum 0 metres.
(d) Rear <b>Setback</b>	Minimum 0 metres.
(e) Additional Standards for <b>Primary Buildings</b>	<ul style="list-style-type: none"> <li>i. <b>Access</b> shall be provided as deemed appropriate by the <b>Development Authority</b> in consultation with the Fire Department.</li> <li>ii. Additional <b>Setbacks</b> up to 3.0 metres may be considered to provide outdoor amenity space or to accommodate accessibility features.</li> </ul>

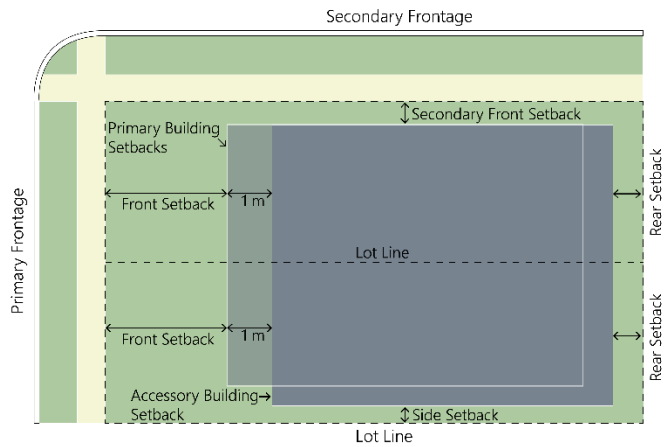


## PART 3: LAND USE DISTRICTS

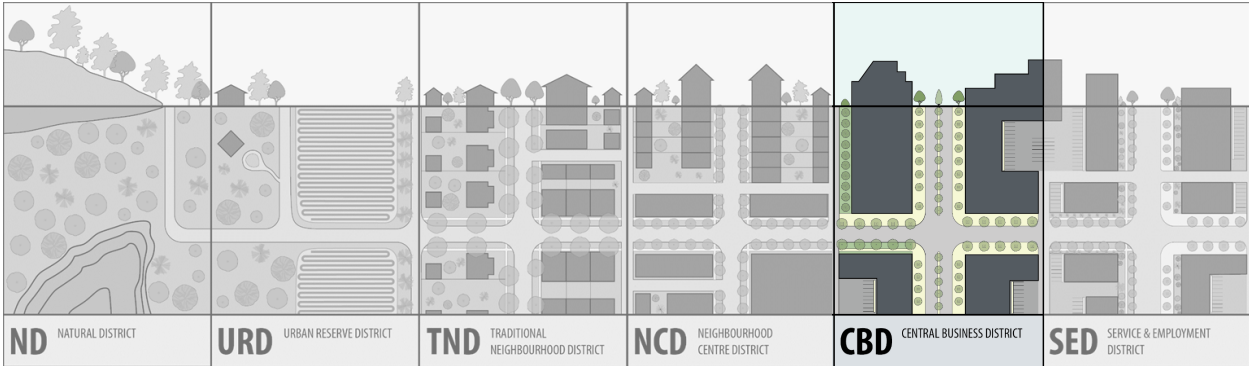


### 3.6.7 Setbacks for Accessory Buildings

Setback Element	Standard
(a) Front <b>Setback</b>	Minimum 0 metre.
(b) Secondary Front <b>Setback</b>	Minimum 1.0 metre.
(c) Side <b>Setback</b>	Minimum 0 metres.
(d) Rear <b>Setback</b>	Minimum 0 metres.
(e) Additional Standards for <b>Accessory Buildings</b>	<ul style="list-style-type: none"> <li>i. <b>Access</b> shall be provided for emergency personnel as required.</li> <li>ii. Where an <b>Accessory Building</b> is attached to the <b>Primary Building</b> by a roof, or an open or enclosed <b>Structure</b>, it is considered to be a part of the <b>Primary Building</b>, and shall comply with all requirements applicable to the <b>Primary Building</b>.</li> <li>iii. Notwithstanding Subsection 3.6.7 (a), attached <b>Buildings</b> shall not project more than 1.0 metre in front of the <b>Primary Façade</b>.</li> <li>iv. <b>Accessory Buildings</b> shall be screened from any <b>Thoroughfare</b>.</li> <li>v. Where an <b>Accessory Building</b> or <b>Structure</b> is built on a foundation or is otherwise unmovable, the <b>Building</b> or <b>Structure</b> must adhere to the setback standards in Section 3.6.7 regardless of size.</li> </ul>



## PART 3: LAND USE DISTRICTS



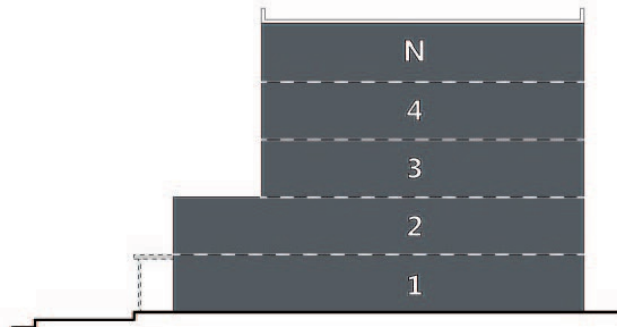
### 3.6.8 Lot Coverage Standards

Coverage Element	Standard
<b>Lot Coverage (All Buildings)</b>	Maximum 90.0 percent.

### 3.6.9 Building Height & Size Standards

Height Element	Standard
----------------	----------

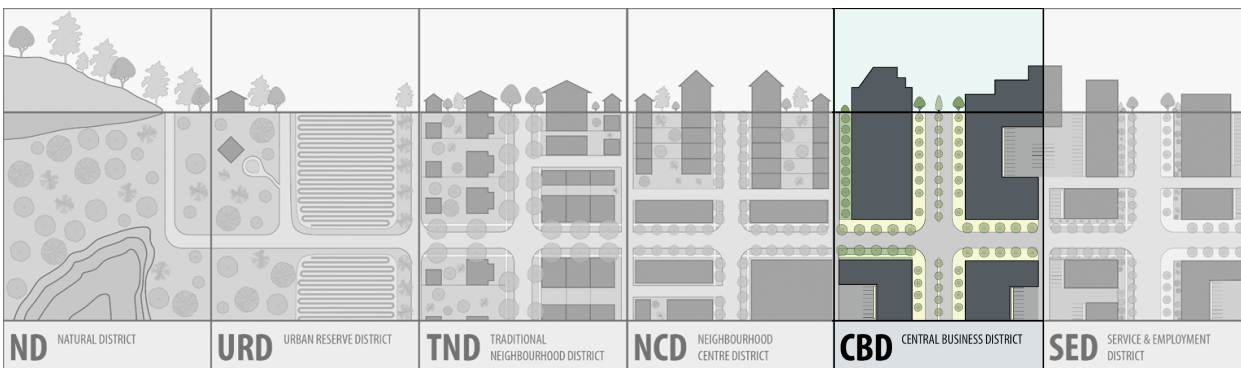
- |                            |  |
|----------------------------|--|
| (a) <b>Building</b> Height | <p>2 - 6 <b>Storeys</b>.</p> <p>5 <b>Storey</b> maximum for the Historical Precinct.</p> <p>3 <b>Storey</b> maximum for the Garden Residential Precinct.</p> |
| (b) Floor Area             | 1,000.0 square metres maximum for the Historical Precinct.   |



"N" stands for any **Storeys** above those shown, up to the maximum

- |                         |  |
|-------------------------|--|
| (c) Height Calculations | <p>i. The first <b>Storey</b> of a <b>Building</b> or <b>Structure</b> is measured from the finished <b>Ground Floor</b> level to the surface of the second floor in the case of a one-storey <b>Building</b> or <b>Structure</b>. Each upper <b>Storey</b> is measured from the surface of the floor to the surface of the floor above it, or if there is no floor above, from the surface of the floor to the <b>Eave</b> of the roof.</p> <p>ii. When a <b>Lot</b> slopes downward from the <b>Front Lot Line</b> an additional <b>Storey</b> is allowed in addition to the maximum number allowed, and only on the lower rear portion of the <b>Lot</b>.</p> |
|-------------------------|--|

## PART 3: LAND USE DISTRICTS

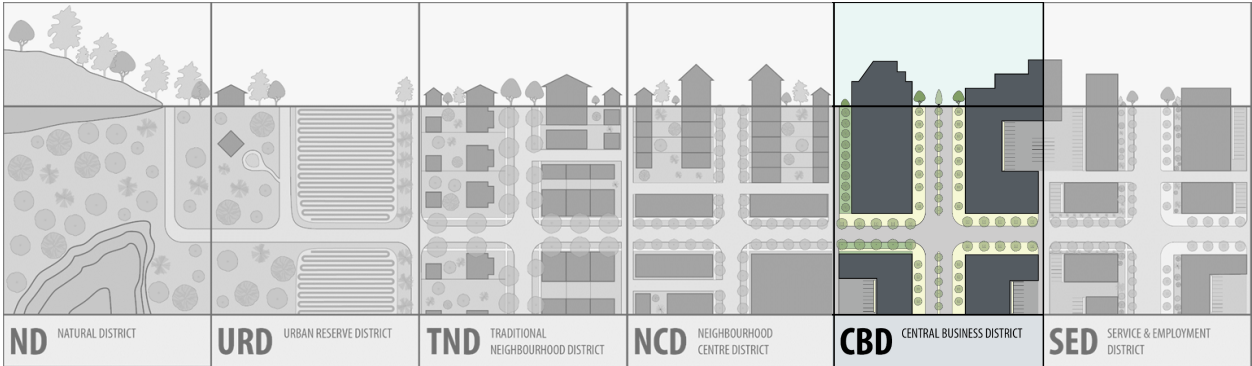


- iii. **Storeys** shall not exceed 4.5 metres in height from finished **Ground Floor** to finished ceiling, except for a **Ground Floor Building** in the **Lodging, Professional Office, or Retail & Entertainment Use** Categories, which shall be between 3.5 metres and 7.5 metres in height. Any **Storey** that exceeds this height shall be counted as 2 **Storeys**.
- iv. Mezzanines extending beyond 33.0 percent of the floor area shall be counted as an additional **Storey**.
- v. In a parking garage or **Structure**, each above-ground level counts as a single **Storey** regardless of its relationship to habitable **Storeys**.

(d) Additional **Building Height Standards**

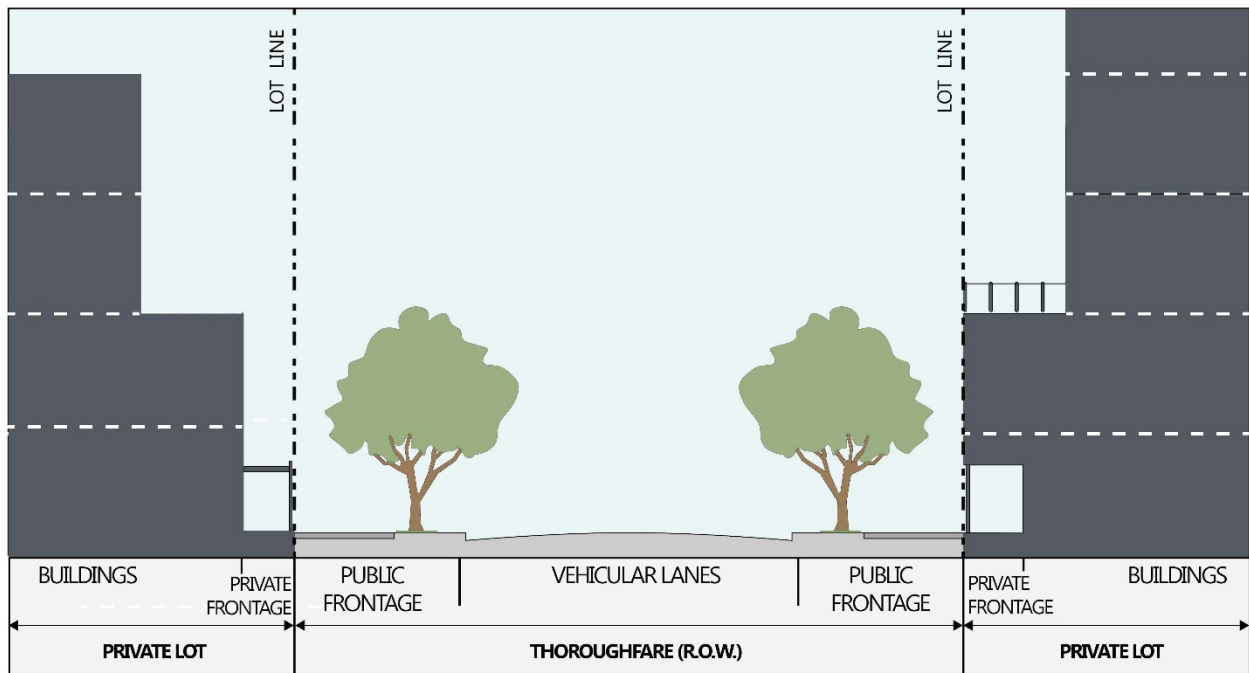
- i. Floors above the second **Storey** shall be stepped back for the **Primary Frontage** or **Secondary Frontage** for a minimum horizontal distance of 2.0 metres or the distance required to not overshadow a sidewalk on the opposite side of the street between the hours of 10 am and 2 pm during the days between the Spring and Fall equinoxes. A rear **Stepback** of the same distance shall be required in the Centre Street Precinct for **Development** adjacent to existing **Residential Development**.
- ii. A ground level **Residential** or **Lodging Use** with a front **Setback** of less than 2.0 metres shall be designed in a manner which eliminates privacy concerns, except in the Historical Precinct where ground level **Residential Uses** are not allowed.
- iii. **Accessory Buildings** in the Garden Residential Precinct shall have a maximum height of 1 **Storey**.
- iv. **Accessory Buildings** with 2 or more **Storeys** shall be designed to reduce privacy concerns for adjacent **Residential Uses**.
- v. **Building Height Standards** may be varied for **Institutional Uses**.

## PART 3: LAND USE DISTRICTS

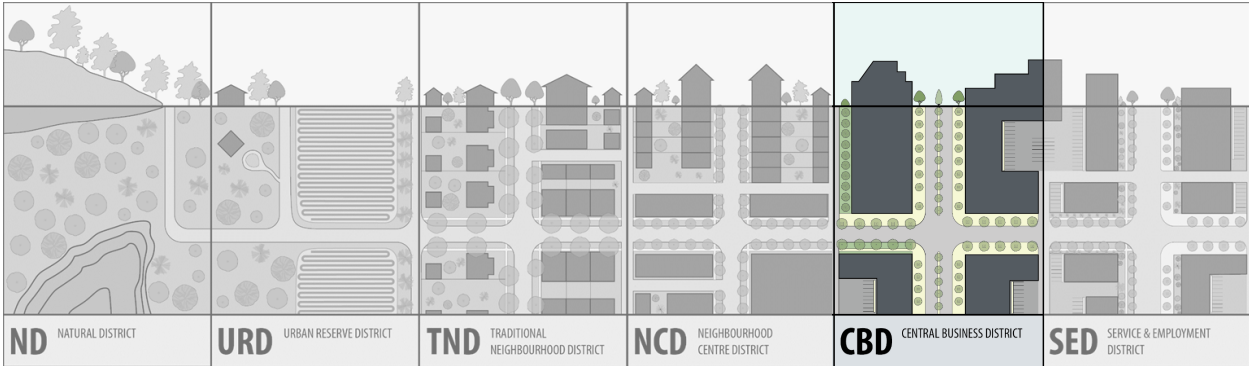


### 3.6.10 Frontage Standards

Frontage Element	Standard
(a) General <b>Frontage Standards</b>	<ul style="list-style-type: none"> <li>i. The <b>Public Frontage</b> and <b>Private Frontage</b> shall form a seamless space from the <b>Curb</b> to the <b>Building</b> and shall consist of separate zones with a focus on key elements of the <b>Public Realm</b>. Small decorative <b>Fences</b> may divide the <b>Public Frontage</b> and <b>Private Frontage</b> to differentiate between public and privately owned lands, as long as the perception of a seamless space is maintained.</li> <li>ii. Public spaces shall be clear legible public <b>Access</b> and be designed to allow for a variety of public <b>Uses</b>.</li> <li>iii. Improvements to the <b>Public Frontage</b> shall be required for all greenfield and redevelopment scenarios.</li> </ul>



## PART 3: LAND USE DISTRICTS



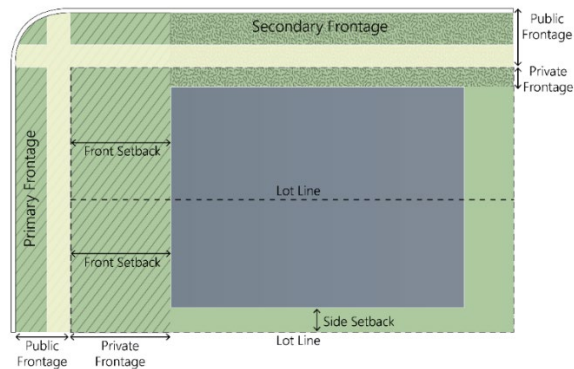
### Definitions:

**Thoroughfare** means a **Right-of-Way**, typically publicly owned, serving primarily pedestrian and vehicular travel, providing **Access** to abutting properties, and which may also be used to provide space for bicycle facilities, **Stormwater Management**, **Shade Trees** and / or utilities. **Lanes** are not considered **Thoroughfares**. A **Thoroughfare** does not have to accommodate vehicular travel.

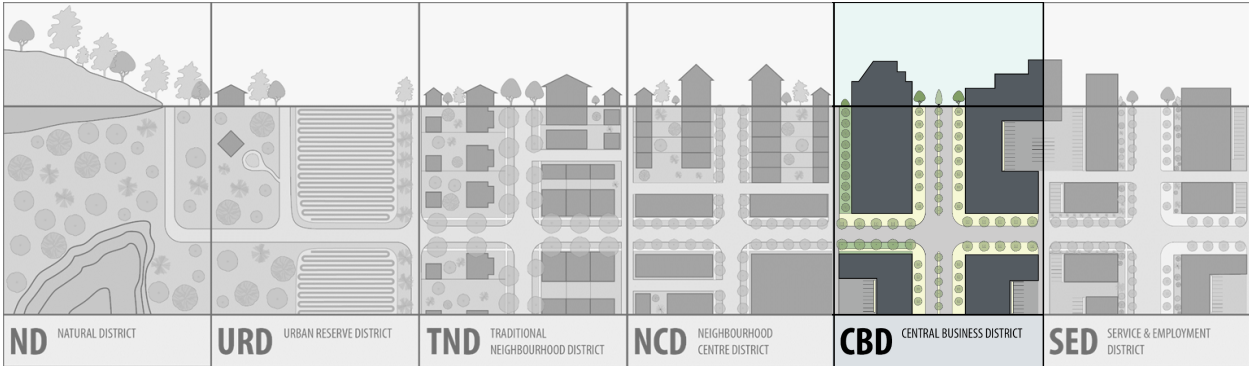
- (a) **Primary Thoroughfare** means the **Thoroughfare** clearly associated with the front **Façade** of **Primary Buildings** along a **Block Face**. Where a **Corner Lot** abuts more than two **Thoroughfares**, the **Development Authority** may determine that all **Thoroughfares**, except for one, are a **Primary Thoroughfare**, if such a determination is in the interest of protecting the quality of the **Public Realm**.
- (b) **Secondary Thoroughfare** means a **Thoroughfare** that is not a **Primary Thoroughfare**, and is clearly associated with the corner side **Façades** of **Buildings**.

**Frontage** means the area of a **Lot** between a **Building Façade** and a **Curb** inclusive of its built and landscape components. **Frontage** is divided into **Public Frontage** and **Private Frontage**.

- (a) **Private Frontage** means the area between the **Building Façades** and the **Lot Lines**, and applies to the **Primary Frontage** and secondary **Frontage**.
- (b) **Public Frontage** means the area within a **Thoroughfare** between the **Curb** and the **Front Lot Line**, and applies to the primary **Frontage** and secondary **Frontage**.

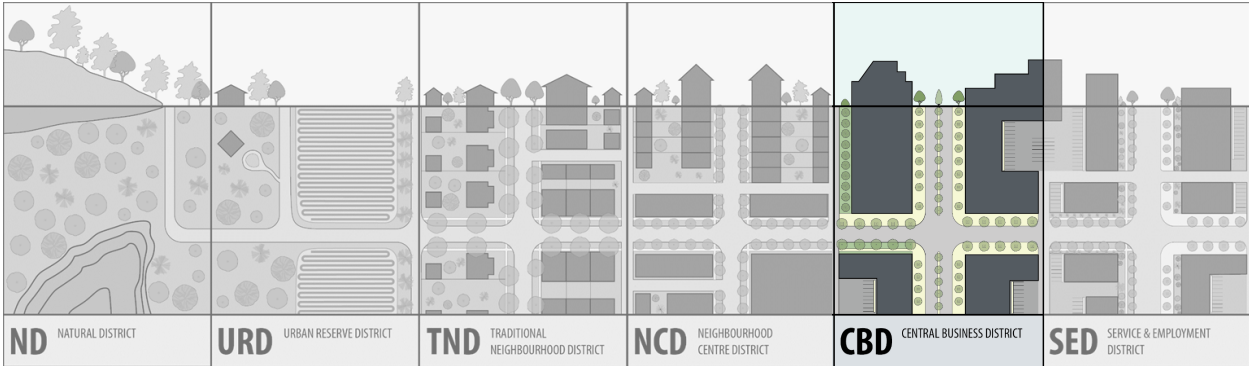


## PART 3: LAND USE DISTRICTS



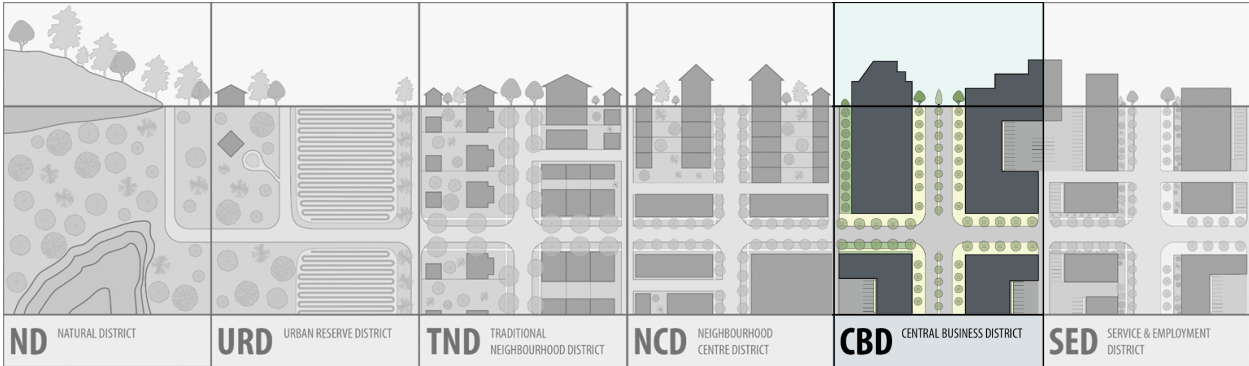
Frontage Element	Description	Standard
<p>(b) Boulevard (also called the Greenway / Furnishing Zone in the Downtown ARP)</p>	<p>The space for street trees and separation between vehicular and pedestrian travel lanes as measured from the <b>Curb</b> to the sidewalk. This space shall consider pedestrian access from on-street parking and shall be integrated as part of a seamless paving <b>Structure</b> as measured from the <b>Curb</b> to the <b>Building</b>.</p>	<p>i. 1.8 metres - 5.25 metres wide. ii. Appropriate <b>Uses</b> in include public furniture, transit stops, and street trees.</p> <div style="text-align: center;"> </div>
<p>(c) Sidewalks</p>	<p>The space for pedestrian circulation and enjoyment within the <b>Public Frontage</b> and <b>Private Frontage</b> as measured from the Boulevard or <b>Curb</b> to the <b>Building</b>.</p>	<p>i. 2.0 metres - 4.0 metres wide, except where existing <b>Rights-of-Way</b> conditions require a minor reduction in order to accommodate a Boulevard with street trees, as per Subsection 3.6.10 (b) and Subsection 3.6.10 (d). ii. Sidewalks shall be adequately illuminated to ensure a high level of pedestrian safety and comfort. iii. Sidewalks within the <b>Public Frontage</b> shall be primarily dedicated for pedestrian travel Where deemed to appropriate by the <b>Development Authority</b>, sidewalks within the <b>Public Frontage</b> may be utilized for patio seating, non-permanent <b>Signs</b>, retail display, or landscaping. Sidewalks within the <b>Private</b></p>

## PART 3: LAND USE DISTRICTS



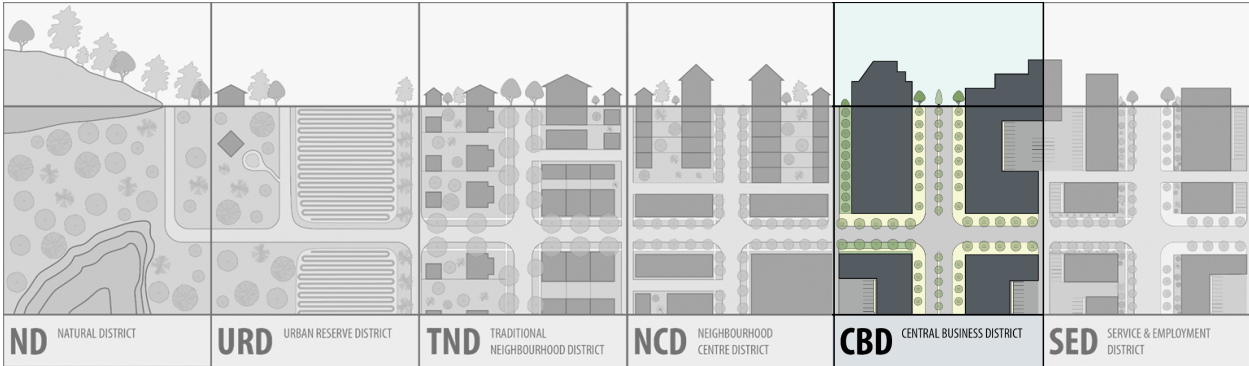
<i>Frontage Element</i>	<i>Description</i>	<i>Standard</i>
		<b>Frontage</b> may be utilized for patio seating, non-permanent <b>Signs</b> , retail display, or landscaping.
(d) Landscaping	The type and placement of landscaping elements in the <b>Public Frontage</b> .	Landscaping should consist primarily of <b>Shade Trees</b> , be regularly spaced in a consistent pattern, but shall not hinder pedestrian movement or connectivity. The number of trees required for the <b>Public Frontage</b> shall be consistent with Subsection 3.6.11 (d).
(e) <b>Frontage Build-Out</b>	The percentage of the <b>Lot Line</b> that is occupied by <b>Building Façade</b> as measured from the Front <b>Setback</b>	Minimum 90.0 percent.
(f) <b>Façade Length</b>	The maximum length of a <b>Building Façade</b> as measured from corner to corner and is perpendicular to the <b>Lot Line</b> .	15.0 metres for the Historical Precinct.

## PART 3: LAND USE DISTRICTS



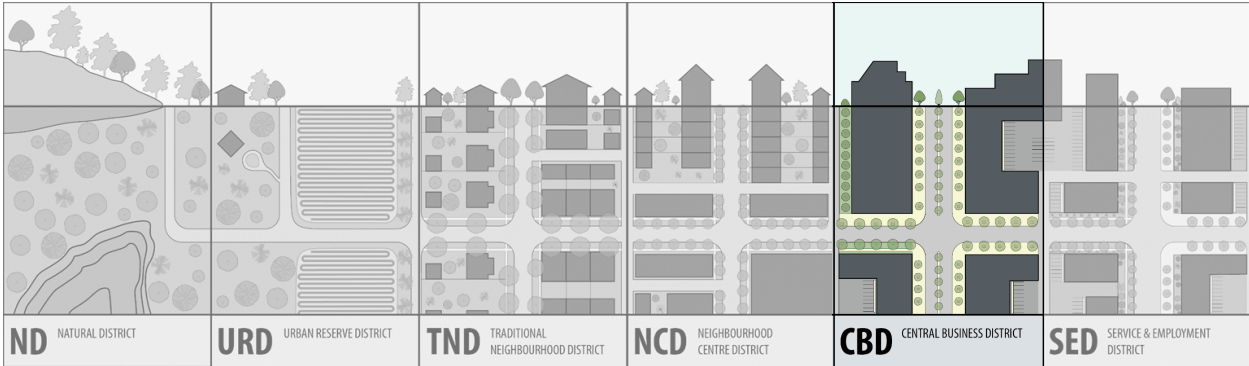
<i>Frontage Element</i>	<i>Description</i>	<i>Standard</i>
(g) <b>Transparency</b>	The area of the <b>Façade</b> composed of windows either within the wall or within doors, typically measured as a percentage.	<ul style="list-style-type: none"> <li>i. Minimum 70.0 percent on the ground floor for all , <b>Professional Office</b>, and <b>Retail &amp; Entertainment Use</b> Categories.</li> <li>ii. Minimum 30.0 percent for all other <b>Use</b> Categories.</li> <li>iii. Minimum 30.0 percent for all upper floors.</li> </ul>
(h) Blank Wall Length	The maximum length of a <b>Façade</b> without any <b>Transparency</b> or <b>Architectural Features</b> .	Maximum 2.0 metres including parking <b>Structures</b> .
(i) <b>Primary Entrance</b>	The main point of <b>Access</b> for pedestrians to a <b>Building</b> shall be considered the public entrance for all non- <b>Residential Uses</b> , and <b>Residential Uses</b> that <b>Access</b> more than 4 <b>Dwelling Units</b> (not including <b>Additional Dwelling Units</b> ).	<ul style="list-style-type: none"> <li>i. Every <b>Building</b> shall have at least one <b>Primary</b> entrance.</li> <li>ii. The <b>Primary Entrance</b> shall be oriented to the <b>Primary Frontage</b> unless the <b>Building</b> is on a <b>Corner Lot</b> where the <b>Primary</b> entrance may be oriented towards the <b>Secondary Frontage</b>.</li> <li>iii. The <b>Primary Entrance</b> for all non-residential and residential <b>Buildings</b> with more than 2 <b>Dwelling Units</b> (not including <b>Additional Dwelling Units</b>) where the entrance is serving at least 2 <b>Units</b> shall be clearly visible to create identity and a sense of arrival, be universally accessible, provide weather protection, and be identifiable to pedestrians, through the use of <b>Architectural Features</b>, to the satisfaction of the <b>Development Authority</b>.</li> </ul>

## PART 3: LAND USE DISTRICTS



Frontage Element	Description	Standard
(j) Additional Entrance(s)	All other points of public <b>Access</b> for pedestrians to a <b>Building</b> , not including service <b>Access</b> .	<ul style="list-style-type: none"> <li>i. Every entrance shall be visible and identifiable to pedestrians similar to the <b>Primary</b> entrance.</li> <li>ii. Additional entrance(s) shall be provided at important pedestrian connectivity locations, to the satisfaction of the <b>Development Authority</b>.</li> </ul>
(k) Additional Frontage Standards	<ul style="list-style-type: none"> <li>i. <b>Corner Lots</b> shall have a <b>Primary Frontage</b> and a <b>Secondary Frontage</b>.</li> <li>ii. Balconies shall not project beyond the <b>Front Lot Line</b>, or 1.0 metre beyond the <b>Façade</b>.</li> <li>iii. Any <b>Structure</b> or feature facilitating accessibility to <b>Buildings</b>, such as ramps or stairs, shall be located in the <b>Private Frontage</b>.</li> <li>iv. Businesses may apply for the sidewalk café or patio in the <b>Public Frontage</b> if pedestrian travel ways can be adequately maintained.</li> <li>v. Consistent high-quality design shall be evident in the <b>Development</b> on all areas of a property, with particular attention to <b>Frontages</b>.</li> <li>vi. External product display area shall be focused on quality over quantity.</li> </ul>	

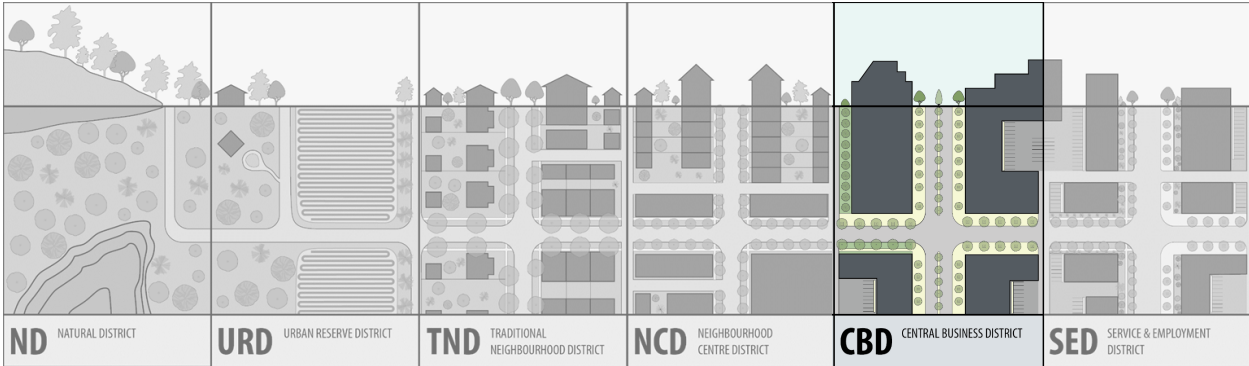
## PART 3: LAND USE DISTRICTS



### 3.6.11 Parking, Loading & Access Standards

Element	Standard
(a) General Parking, Loading & Access Standards	<ul style="list-style-type: none"> <li>i. <b>Developments</b> should be designed to ensure <b>Access</b> and parking <b>Structures</b> do not visually dominate the <b>Public Realm</b> or create obstructions to the pedestrian network.</li> <li>ii. All <b>Grade</b>-level parking areas adjacent to a <b>Frontage</b> shall be set back a minimum of 3.0 metres and screened from view of the <b>Frontage</b> by landscaping.</li> <li>iii. Parking lots shall incorporate pedestrian-focused infrastructure to ensure safe and comfortable pedestrian <b>Access to Building</b> entrances.</li> <li>iv. Parking lots should incorporate landscaping elements that enhance the pedestrian experience, provide shade to reduce heat islands, and reduce <b>Stormwater</b> run-off.</li> <li>v. Parking areas and / or parking <b>Structures</b> shall integrate pedestrian connectivity with nearby <b>Buildings</b> and / or <b>Lots</b> to support the local pedestrian network.</li> <li>vi. <b>Curb</b> cuts should be eliminated where possible, or reduced if alternative <b>Access</b> is not possible.</li> </ul>

## PART 3: LAND USE DISTRICTS

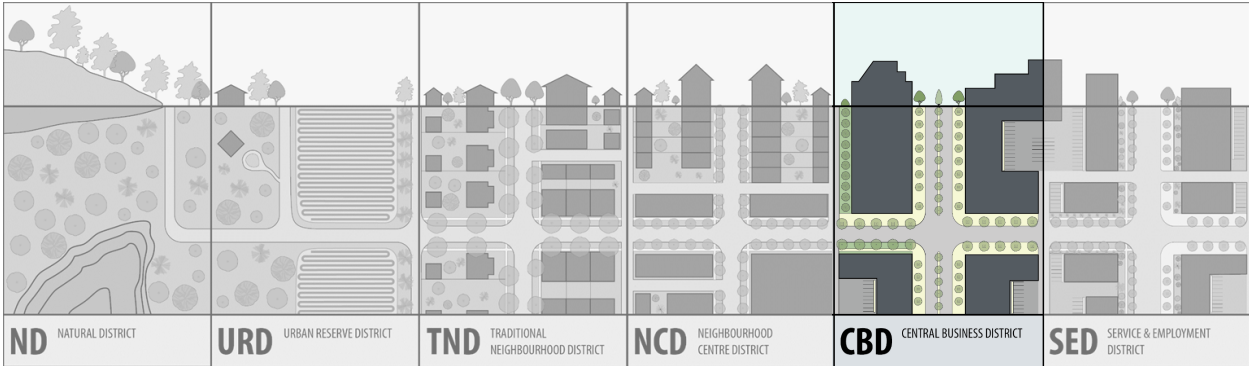


Parking Element	Description	Standard
-----------------	-------------	----------

- |   |  |  |
|---|--|--|
| (b) Bicycle Parking and Bicycle Storage | The provision and location of bicycle parking and bicycle storage. | <ul style="list-style-type: none"> <li>i. Bicycle parking shall be provided for all <b>Development</b> at the discretion of the <b>Development Authority</b> except residential <b>Buildings</b> with 4 <b>Dwelling Units</b> or less.</li> <li>ii. Bicycle parking <b>Structures</b> shall be located close to a <b>Primary</b> entrance, but shall not impede pedestrian circulation or <b>Access</b> to a <b>Building</b>.</li> <li>iii. Bicycle parking <b>Structures</b> shall be highly visible and shall include a permanent rack or hook-up system.</li> <li>iv. Covered bicycle storage or similar consideration shall be provided for all <b>Residential Development</b> with 5 <b>Dwelling Units</b> or more. Individual parking <b>Structures</b> and <b>Accessory Buildings</b> may be considered as bicycle storage</li> <li>v. Creative integration with <b>Building</b> and <b>Site</b> design is encouraged.</li> </ul> |
|---|--|--|

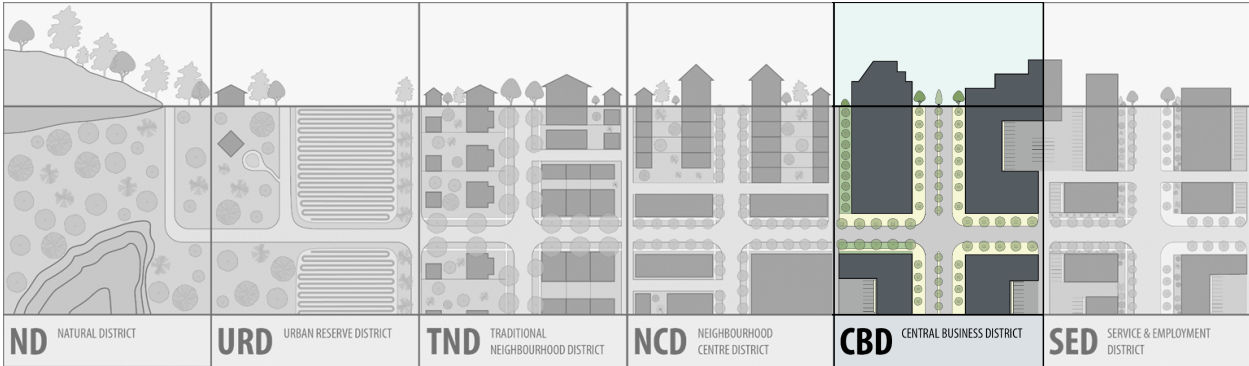


## PART 3: LAND USE DISTRICTS



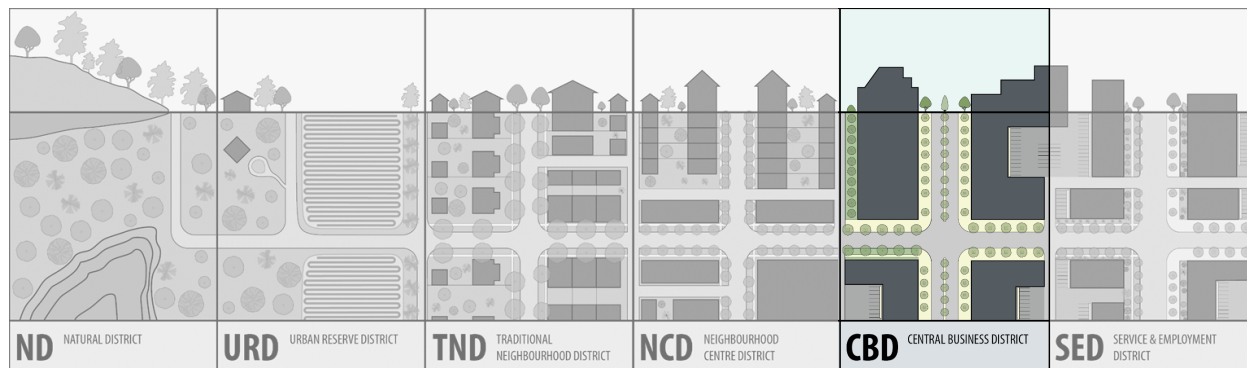
Parking Element	Description	Standard
(c) Vehicle Parking	The provision and location of vehicular parking.	<ul style="list-style-type: none"> <li>i. No minimum number of parking stalls shall be required for any <b>Development</b>; rather each <b>Development</b> shall consider the appropriate number of parking stalls required to support the proposed <b>Development</b>.</li> <li>ii. Where vehicle parking is provided parking areas, stalls, and <b>Access</b> shall meet the design requirements of this Bylaw and shall be consistent with the <b>Town's Municipal Engineering Standards</b>.</li> <li>iii. Off-site vehicle parking (i.e. street parking) may be considered as a portion of the parking strategy for a given <b>Development</b>, at the discretion of the <b>Development Authority</b>.</li> <li>iv. Parking areas and / or parking <b>Structures</b> shall be located to the side or rear of a <b>Building</b>, or underground, wherever possible.</li> <li>v. Parking areas, including any parking <b>Structures</b>, shall not exceed 50.0 percent of a <b>Site</b>.</li> <li>vi. Surface parking areas and / or parking <b>Structures</b> shall not be allowed unless associated with a <b>Development</b>.</li> </ul>
(d) Accessible Vehicle Parking	The number and location of vehicle parking stalls dedicated for handicap placard or licensed vehicles.	For all parking areas and / or parking <b>Structures</b> with 11 or more vehicle stalls, accessible parking shall be provided in a location with the easiest pedestrian <b>Access</b> to the <b>Primary</b> entrance and shall be provided in accordance with the <i>Barrier Free Design Guide</i> as per the National Building Code

## PART 3: LAND USE DISTRICTS



Parking Element	Description	Standard
(e) <b>Vehicle Access</b>	A vehicular lane or driveway within a <b>Lot</b> , or shared between 2 or more <b>Lots</b> , providing <b>Access</b> to a garage or other parking area and / or <b>Structure</b> .	<ul style="list-style-type: none"> <li>i. Parking shall be accessed by rear <b>Lanes</b> wherever possible. Where no rear <b>Lane</b> exists, <b>Vehicle Access</b> should be located on the <b>Secondary Frontage</b>. Where <b>Access</b> on a <b>Secondary Frontage</b> is not possible, <b>Access</b> may be located on the <b>Primary Frontage</b>.</li> <li>ii. For all <b>Uses</b> except for <b>Institutional Uses</b>, <b>Vehicle Access</b> to parking areas and / or parking <b>Structures</b> shall be no wider than 3.0 metres in any <b>Frontage</b>. <b>Institutional Uses</b> may have a <b>Vehicle Access</b> to parking areas and / or parking <b>Structures</b> no wider than 6.0 metres in any <b>Frontage</b>.</li> <li>iii. The number of <b>Vehicle Access</b> points to a <b>Lot</b> shall be limited to 1.</li> <li>iv. Joint <b>Vehicle Access</b> between 2 or more adjacent <b>Lots</b> may be considered to provide more efficient <b>Vehicle Access</b> arrangements, to reduce <b>Curb</b> cuts, and / or to reduce any negative impact on the <b>Public Realm</b>.</li> </ul>
(f) Additional Parking, Loading & <b>Access</b> Standards	<ul style="list-style-type: none"> <li>i. Vacant land or <b>Buildings</b> shall not be used for parking.</li> <li>ii. Permeable paving materials are encouraged in order to increase on-site <b>Stormwater Infiltration</b>.</li> <li>iii. <b>Bicycle Stair Channels</b> are encouraged where more than 3 stairs are part of the exterior circulation of a <b>Development</b>.</li> <li>iv. Parking is not allowed within rear <b>Lane Rights-of-Way</b>.</li> <li>v. All parking areas shall illustrate, to the satisfaction of the <b>Development Authority</b>, how pedestrian circulation and connectivity meets the intent of the Land Use District and the Guiding Principles Bylaw.</li> </ul>	

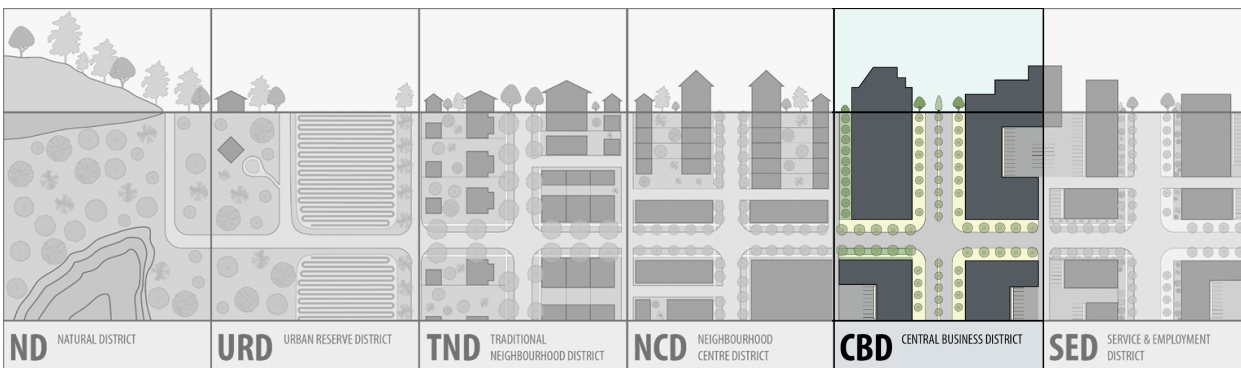
## PART 3: LAND USE DISTRICTS



### 3.6.12 Landscaping Standards

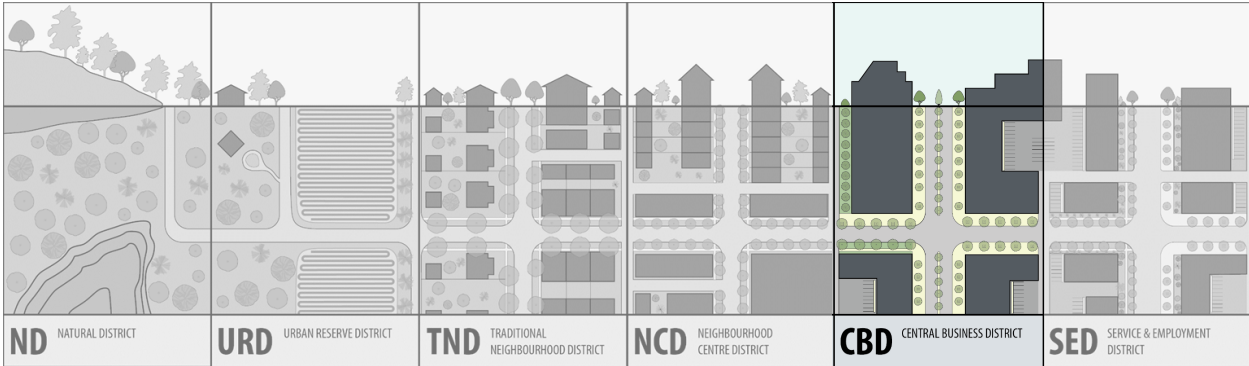
<i>Element</i>	<i>Standard</i>	
(a) General Landscaping Standards	<ul style="list-style-type: none"> <li>i. <b>Developments</b> should preserve and enhance the urban forest.</li> <li>ii. Landscaping should be integrated into a <b>Development</b> to enhance the pedestrian experience and improve the <b>Public Realm</b>.</li> <li>iii. <b>Developments</b> should ensure appropriate conditions for mature tree growth.</li> <li>iv. The spacing and placement of plants shall be adequate and appropriate for the typical size, shape, and habitat of the given plant species at maturity.</li> </ul>	
<i>Landscaping Element</i>	<i>Description</i>	<i>Standard</i>
(b) <b>Landscaped Area</b>	The area where landscaping is primarily located.	The <b>Landscaped Area</b> for all other <b>Development</b> other than 2 <b>Dwelling Units</b> or less (not including <b>Additional Dwelling Units</b> ) shall be 40.0 percent of the total <b>Lot Area</b> for <b>Residential Uses</b> and 15.0 percent of the total <b>Lot Area</b> for all other <b>Uses</b>
(c) Tree Size	The size of a tree at the time of planting.	Minimum height of 2.0 metres and / or 50.0 millimetres in <b>Caliper</b> .
(d) <b>Shrub</b> Size	The size of a shrub at the time of planting.	Minimum of a #2 container and / or a minimum height of 19.0 to 23.0 centimetres, as per the <i>Canadian Nursery Landscape Association</i> standards

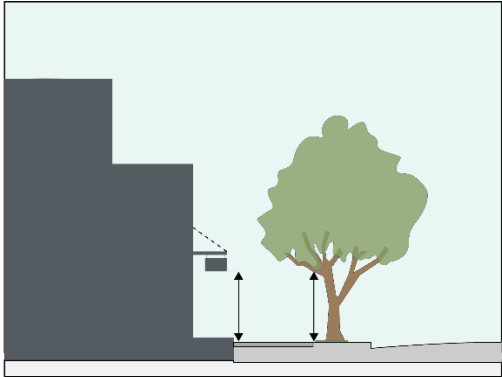
## PART 3: LAND USE DISTRICTS



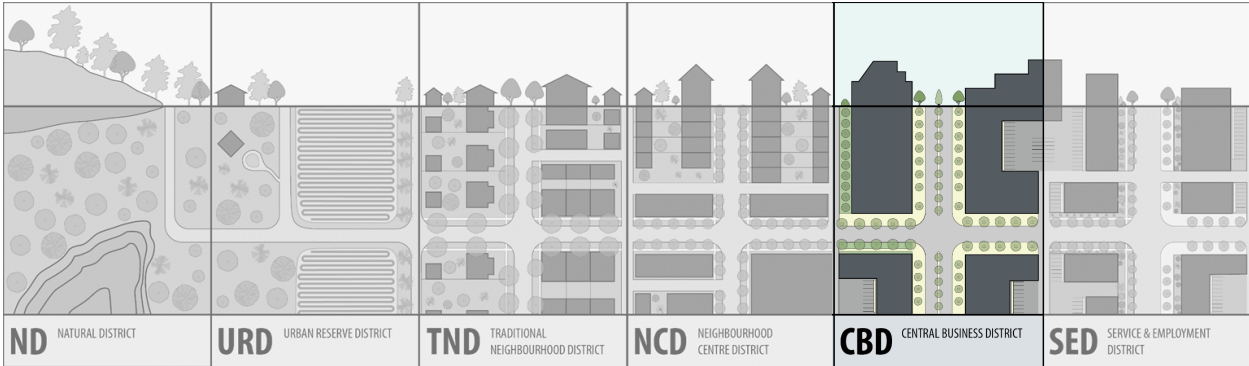
(e) Number of Trees	The minimum number of trees required for both on-site <b>(re)development</b> and for <b>Frontage(s)</b> .	<ul style="list-style-type: none"> <li>i. <b>Residential Development</b> with 2 <b>Dwelling Units</b> or less (not including <b>Additional Dwelling Units</b>) shall provide a minimum of 1 tree per unit.</li> <li>ii. All other <b>Development</b> shall provide a minimum of 1 tree per 35.0 square metres of <b>Landscaped Area</b>.</li> <li>iii. In greenfield areas, the minimum number of street trees located in the <b>Public Frontage</b> is 1 tree for every 7.0 metres of <b>Frontage</b> as measured at the <b>Lot Line</b> and shall be consistent with Section 3.5.10.</li> <li>iv. In addition to the minimum number of trees required for on-site <b>Development</b> in established areas, additional trees may be required by the <b>Development Authority</b> in the <b>Public Frontage(s)</b> if local conditions deem it appropriate.</li> </ul>
(f) Number of Shrubs	The minimum number of shrubs required for on-site <b>(re)development</b> .	<ul style="list-style-type: none"> <li>i. <b>Residential Development</b> with 2 <b>Dwelling Units</b> or less shall provide a minimum of 2 shrubs per unit.</li> <li>ii. All other <b>Development</b> shall provide a minimum of 1 <b>Shrub</b> per 25.0 square metres of <b>Landscaped Area</b>.</li> </ul>
(g) Soil Requirements	The amount of high quality soil and growing material required to support mature plant growth.	Minimum 30.0 centimetres for all planting areas.

## PART 3: LAND USE DISTRICTS



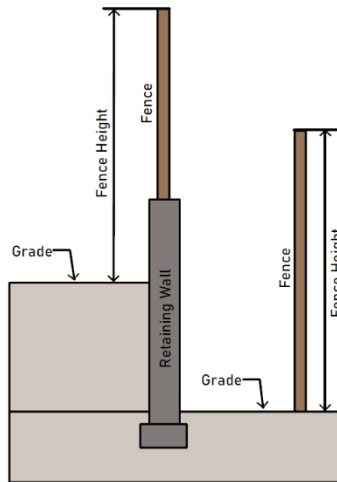
<p>(h) Tree Clearance</p>	<p>The vertical distance between the existing or potential tree canopy overhanging sidewalks, driveways, paths, <b>Lanes</b>, parking spaces, streets, or other public spaces shall be of a type that, at maturity or with minor pruning at installation, provide a clear height for use of a given space.</p>	<ul style="list-style-type: none"> <li>i. Minimum 2.5 metres for sidewalks;</li> <li>ii. 3.8 metres for driveways, parking spaces and streets; and</li> <li>iii. 4.6 metres for <b>Loading</b> areas.</li> </ul> 
<p>(i) Tree Preservation</p>	<p>Preservation of on-site and off-site trees is encouraged and may be used to fulfil the landscaping requirements as per Subsection 3.6.10 (d) (See Town's current <i>Tree Protection Bylaw</i>)</p>	<p>Mature, healthy, and non-invasive trees shall not be removed except for essential construction activities.</p>
<p>(j) Additional Landscaping Standards</p>	<p>Hard landscaping and / or xeriscaping may be substituted for soft landscaping, at the discretion of the <b>Development Authority</b>.</p>	

## PART 3: LAND USE DISTRICTS

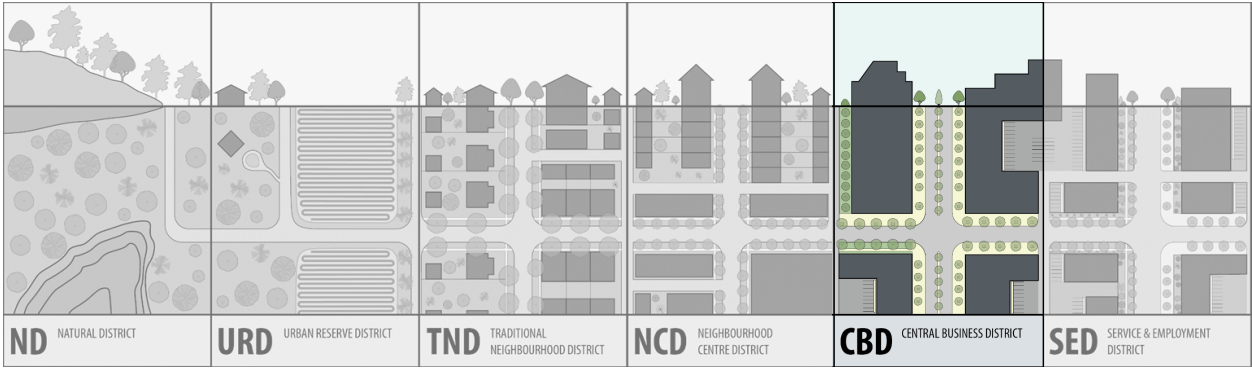


### 3.6.13 Buffers, Screening & Fencing

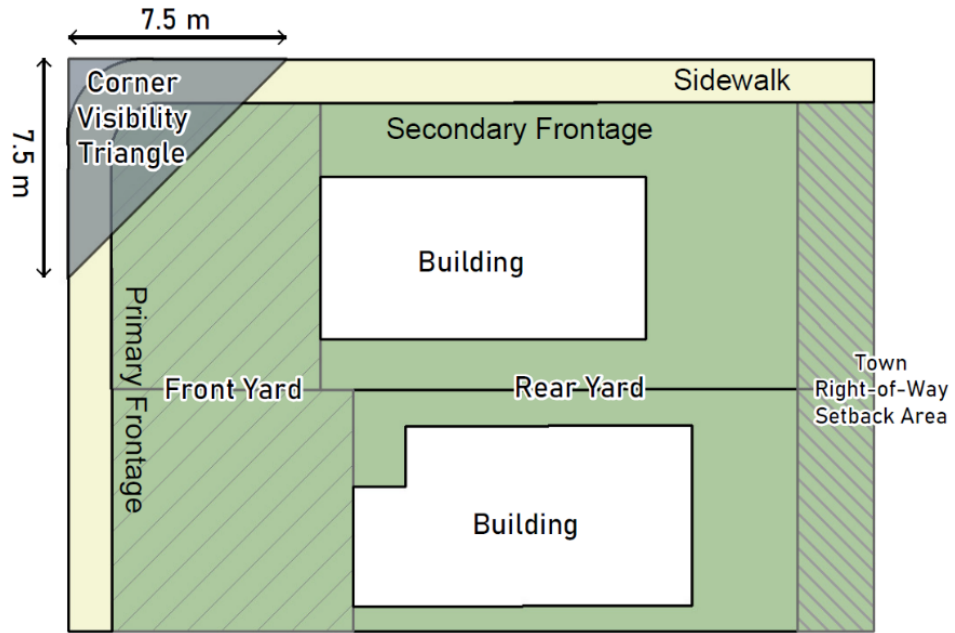
Element	Description	Standard
(a) Buffers & Screening	The use of landscaping or similar elements for <b>Permitted</b> or <b>Discretionary Uses</b> to offset the visual impact of some forms of <b>Development</b> from the <b>Public Realm</b> and / or incompatible adjacent <b>Uses</b> .	<ul style="list-style-type: none"> <li>iv. Minimum landscaping requirements in Section 3.6.12 may be placed so as to act as a buffer or screen.</li> <li>v. Preservation of existing vegetation that could act as a buffer is strongly encouraged.</li> <li>vi. Additional landscaping may be considered in order to maintain or enhance the <b>Public Realm</b>, at the discretion of the <b>Development Authority</b>.</li> </ul>
(b) Fencing	The use and location of fencing, including masonry walls as buffers or transitions.	<ul style="list-style-type: none"> <li>vii. Fencing may be used as a decorative transition from one <b>Use</b> to another, as a screening device, or for security purposes.</li> <li>viii. <b>Fences</b> within the <b>Primary Frontage</b> shall be a maximum height of 1.2 metres.</li> <li>ix. All other <b>Fences</b> shall be a maximum height of 1.8 metres.</li> <li>x. Security fencing shall only be considered for safety, at the discretion of the <b>Development Authority</b>, and shall not contain barbed wire.</li> <li>xi. <b>Fences</b> containing barbed wire are not permitted except where the is required in conjunction with <b>Agricultural Uses</b> at the <b>Development Authority's</b> discretion.</li> <li>xii. <b>Fences</b>/screening devices must be designed and erected in a manner that does not pose safety issues to wildlife or the general public.</li> </ul>



### PART 3: LAND USE DISTRICTS

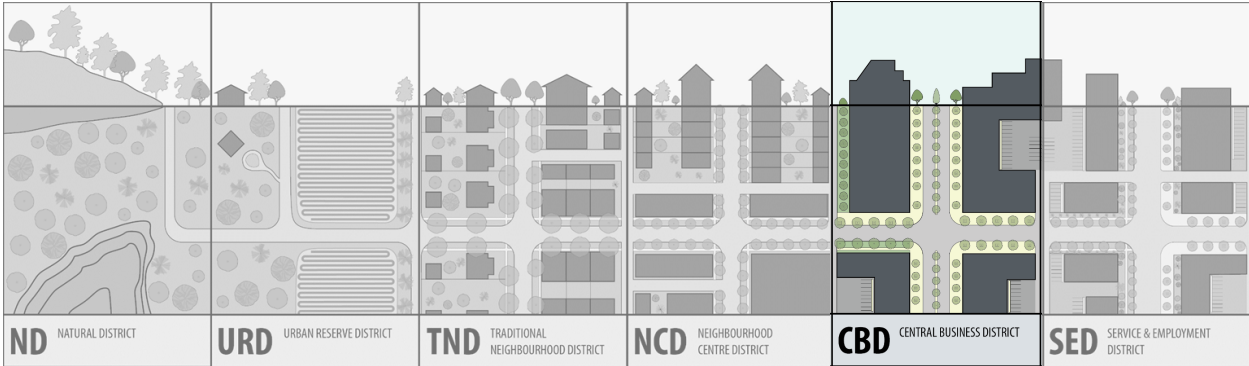


Element	Description	Standard
---------	-------------	----------



(c) Garbage Facilities	The treatment of garbage facilities.	All garbage facilities shall be visually screened from public view, to the satisfaction of the <b>Development Authority</b> .
------------------------	--------------------------------------	---

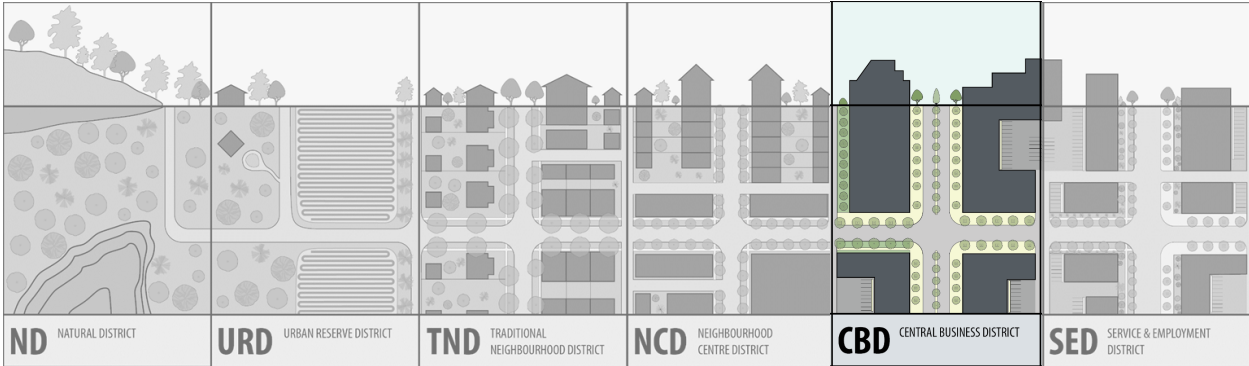
## PART 3: LAND USE DISTRICTS



### 3.6.14 Sign Standards

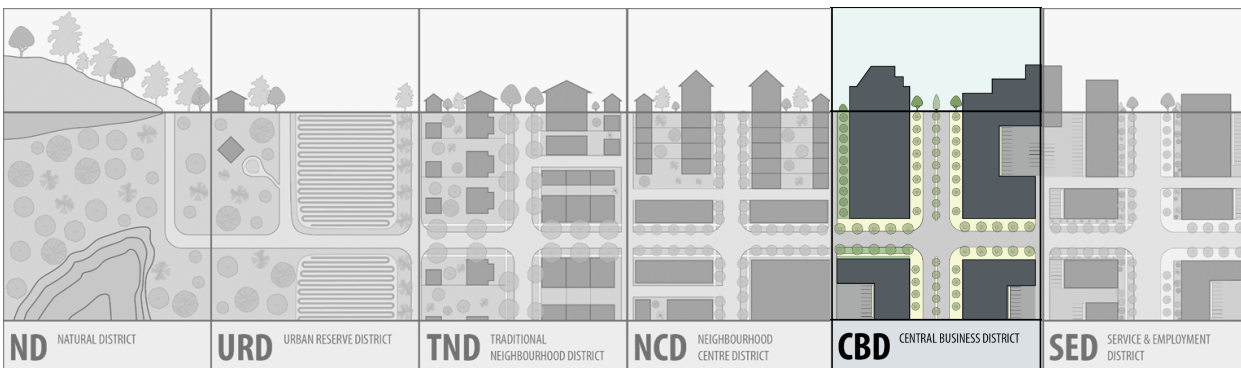
Sign Element	Standard
(a) General <b>Sign</b> Standards	<ul style="list-style-type: none"> <li>i. <b>Signs</b> should be appropriate and integrated with the <b>Building</b> design and character of the neighbourhood.</li> <li>ii. <b>Signs</b> shall be primarily oriented toward pedestrians in both scale and location. <b>Signs</b> oriented towards vehicles are considered secondary.</li> <li>iii. <b>Signs</b> shall not obstruct pedestrian or vehicular visibility or circulation.</li> <li>iv. <b>Signs</b> shall not project above the roofline of a <b>Building</b>.</li> <li>v. The message on the <b>Sign</b> shall relate to the <b>Use</b> of the <b>Site(s)</b> on which it is located.</li> <li>vi. <b>Signs</b> shall not exceed 20.0 percent of the <b>Building Façade</b> to which it is attached.</li> <li>vii. <b>Sign</b> illumination shall be from the top of the <b>Sign</b> and oriented downward and shall be designed to have no direct light emitted above the top of the <b>Sign</b> and / or the <b>Signs</b> support <b>Structure</b>, unless, in the opinion of the <b>Development Authority</b>, the design is enhanced by the addition of light for aesthetic purposes..</li> <li>viii. The vertical clearance from the bottom of a <b>Sign</b> to <b>Grade</b> for a public space shall be: <ul style="list-style-type: none"> <li>A. Minimum 2.5 metres for sidewalks;</li> <li>B. 3.8 metres for driveways, parking spaces, and streets; and</li> <li>C. 4.6 metres for <b>Loading</b> areas.</li> </ul> </li> </ul>
	<ul style="list-style-type: none"> <li>ix. <b>Signs</b> shall at all times be maintained in a proper and safe state of repair and shall not be permitted to become dilapidated or unsightly.</li> </ul>

## PART 3: LAND USE DISTRICTS



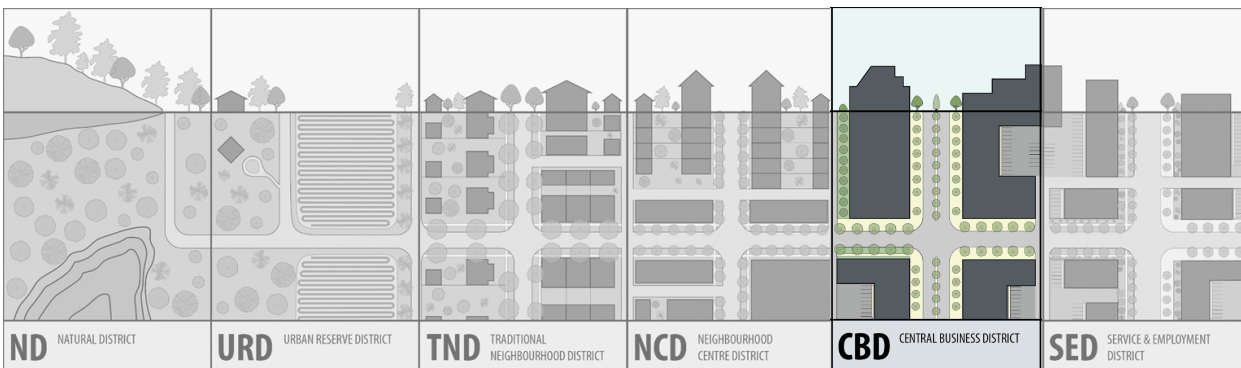
Sign Element	Standard
(b) <b>Sign, Banner</b>	<ul style="list-style-type: none"> <li>i. Shall be limited to 1 banner per business.</li> <li>ii. Shall not cover more than 25.0 percent of the ground floor <b>Façade</b> for a business.</li> <li>iii. Materials shall be weather resistant and minimize glare</li> <li>iv. Shall only be approved on a <b>Temporary</b> basis.</li> </ul>
(c) <b>Sign, Canopy</b>	<ul style="list-style-type: none"> <li>i. Shall not cover more than 25.0 percent of the ground floor <b>Façade</b> for a business.</li> <li>ii. May project into the <b>Public Frontage</b> up to 1.5 metres as long as it maintains a <b>Setback</b> of at least 0.6 metres from the <b>Curb</b>.</li> <li>iii. Shall not be allowed in addition to a <b>Sign, Fascia</b> on the same business <b>Façade</b>.</li> </ul>
(d) <b>Sign, Changeable Message</b>	<ul style="list-style-type: none"> <li>i. Shall only be allowed as part of a <b>Sign, Freestanding</b> or <b>Sign, Fascia</b>.</li> </ul>
(e) <b>Sign, Community Identification</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 3.0 square metres and have a maximum height of 1.5 metres from <b>Grade</b>.</li> <li>ii. Shall be self-supported and shall be permanent and stationary.</li> </ul>
(f) <b>Sign, Electronic Messaging</b>	<ul style="list-style-type: none"> <li>i. May be approved on its own, or as part of a <b>Sign, Freestanding</b>.</li> <li>ii. Shall be located in such a manner as to minimize any impacts into any adjacent <b>Residential Uses</b>.</li> <li>iii. Digital display content must not include fill motion video, animation, or flashing images. In the case of an electronic message board, the text may scroll or switch messages at a pace deemed acceptable to the Development Authority.</li> <li>iv. If any component of the digital display fails or malfunctions, the permit holder must ensure that the digital display is turned off until all components are fixed and are operating in compliance.</li> <li>v. Digital display(s) must not exceed the following illumination levels:</li> <li>vi. A maximum of 7,5000 Nits from sunrise to sunset;</li> </ul>

## PART 3: LAND USE DISTRICTS



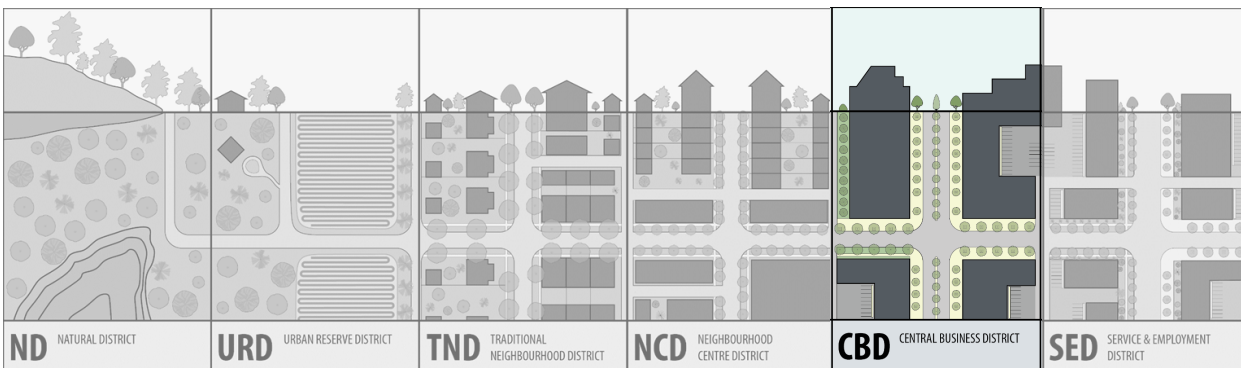
Sign Element	Standard
	<ul style="list-style-type: none"> <li>vii. A maximum of 500 Nits from sunset to sunrise;</li> <li>viii. The light levels around the electronic display must not at any time exceed the ambient light level by more than 5.0 LUX. vi. vi. Shall have a maximum <b>Sign</b> area of 3.0 square metres and have a maximum height of 5.0 metres from <b>Grade</b>.</li> <li>ix. Shall incorporate landscaping where required by the <b>Development Authority</b></li> <li>x. This category of <b>Sign</b> may include, but is not necessarily limited to digital signs, electronic message boards, <b>Gas Station</b> price boards, <b>Drive-Thru</b> menus, and time/temperature displays. There is no limitation to the number <b>Signs, Electronic Messaging</b> that can be proposed and approved in a <b>Development</b> under a single application. However, the <b>Development Authority</b> reserves the right to restrict the number of <b>Signs, Electronic Messaging</b> approved for a <b>Development</b> based on the suitability of the location and design of the <b>Signs, Electronic Messaging</b></li> </ul>
(g) <b>Sign, Fascia</b>	<ul style="list-style-type: none"> <li>i. Shall not cover more than 20.0 percent of the first <b>Storey Façade</b> for a business.</li> <li>ii. The top of a <b>Sign, Fascia</b> shall have a maximum height of 4.5 metres from <b>Grade</b> and shall not extend above the base of a window on any upper <b>Storey</b>.</li> <li>iii. May project into the <b>Public Frontage</b> up to 0.4 metres.</li> <li>iv. Shall not be allowed in addition to a <b>Sign, Canopy</b> on the same business <b>Façade</b>.</li> </ul>
(h) <b>Sign, Flag</b>	<ul style="list-style-type: none"> <li>i. May have a maximum sign area of 2.0 square metres and have a maximum height of 4.0 metres from <b>Grade</b>.</li> <li>ii. A maximum of one <b>Sign</b> is allowed per <b>Frontage</b>.</li> <li>iii. Must not be located on a <b>Roof</b> of a <b>Building</b>.</li> <li>iv. Shall incorporate landscaping where required by the <b>Development Authority</b></li> </ul>

## PART 3: LAND USE DISTRICTS



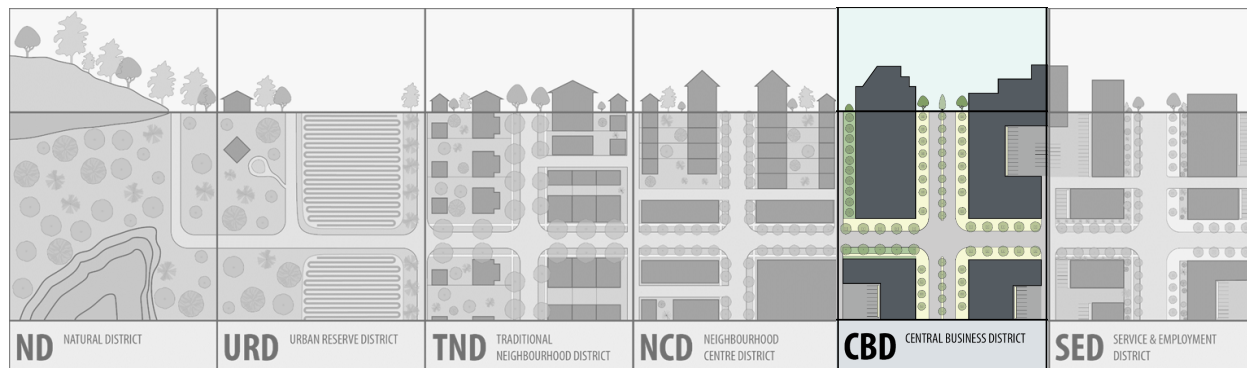
Sign Element	Standard
(i) <b>Sign, Freestanding</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 3.0 square metres and have a maximum height of 5.0 metres from <b>Grade</b>.</li> <li>ii. A maximum of one <b>Sign</b> is allowed per <b>Lot</b>.</li> <li>iii. Shall incorporate landscaping where required by the <b>Development Authority</b></li> </ul>
(j) <b>Sign, Projecting or Hanging</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 1.0 square metre.</li> <li>ii. May project into the <b>Public Frontage</b> up to 1 metre as long as it does not project closer than 0.6 metres to the <b>Curb</b> and shall not extend past a <b>Sign, Canopy</b> on the same <b>Façade</b>.</li> <li>iii. A maximum of one <b>Sign</b> is allowed per business <b>Façade</b>.</li> <li>iv. Shall be located a minimum of 3.0 metres from each other.</li> </ul>
(k) <b>Sign, Sponsorship</b>	<ul style="list-style-type: none"> <li>i. <b>Signs</b> located on <b>Fences</b> shall not cover more than 50.0 percent of the <b>Fence</b> facing the <b>Public Realm</b> and shall not obstruct sight lines, gates or access points to the satisfaction of the <b>Development Authority</b>.</li> <li>ii. <b>Signs</b> shall not protrude past the side edges, above, or below the <b>Fence</b>.</li> <li>iii. Shall not cover more than 20.0 percent of the first <b>Storey Façade</b> of the <b>Building</b> or <b>Structure</b>.</li> </ul>
(l) <b>Sign, Window</b>	<ul style="list-style-type: none"> <li>i. A <b>Development Permit</b> is required for a total <b>Sign</b> area of more than 50.0 percent of the glass surface of the window(s).</li> <li>ii. In the case of a <b>Major Home Occupation</b>, the maximum <b>Sign</b> area shall be 0.2 square metres and a maximum of one <b>Sign</b> per <b>Major Home Occupation</b> shall be permitted.</li> <li>iii. Shall not be illuminated when located in a <b>Residential Building</b>.</li> </ul>

## PART 3: LAND USE DISTRICTS



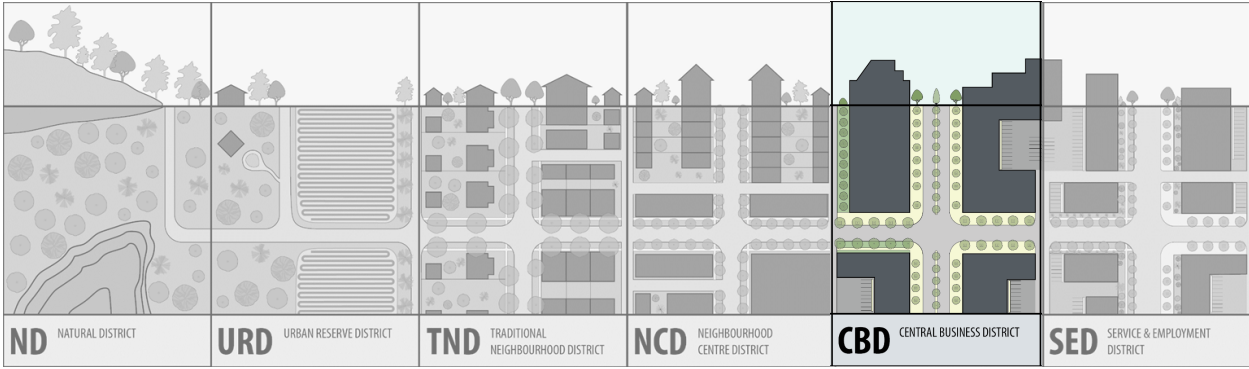
Sign Element	Standard
<p>(m) <b>Signs</b> not requiring a <b>Development Permit</b></p>	<ul style="list-style-type: none"> <li>i. An official notice, <b>Sign</b>, placard, or bulletin for Municipal, Provincial, or Federal purposes whether on public or private property.</li> <li>ii. A <b>Sign</b> that is not visible from the <b>Public Realm</b> at the discretion of <b>Development Authority</b>.</li> <li>iii. <b>Temporary Signs</b> to advertise any <b>Community Group</b> or <b>Community Event</b> community event, and with a maximum <b>Sign</b> area of 3.0 square metres.</li> <li>iii. <b>Construction Signs</b> located on <b>Site(s)</b> where construction, renovation, or maintenance is occurring, and is removed 7 days following completion of work.</li> <li>iv. <b>Election Signs</b> with a maximum <b>Sign</b> area of 1.5 square metres, and maximum height of 2.0 metres, which are placed no sooner than 30 days prior to an election and removed 7 days following.</li> <li>vi. Existing <b>Signs</b> when only the message area of the <b>Sign</b> is being changed to reflect a change in the business name or a replacement sign for an existing business.</li> <li>v. <b>Real Estate Signs</b> with a maximum <b>Sign</b> area of 1.0 square metre and a maximum of 1 <b>Sign</b> per <b>Lot Frontage</b>.</li> <li>vi. A <b>Traffic Sign</b> or <b>Directional Sign</b> authorized by the Municipal, Provincial, or Federal Government(s).</li> <li>vii. A <b>Sign</b> for a garage sale or similar event, posted for a maximum of 48 hours.</li> <li>viii. A <b>Sign</b> showing the name or address of a <b>Building</b> that is sculpted or formed from the <b>Building</b> material.</li> <li>ix. <b>Murals</b> or similar public art, providing that no third-party advertising is included.</li> <li>x. <b>A-Board Signs</b>.</li> </ul>

## PART 3: LAND USE DISTRICTS



<b>Sign Element</b>	<b>Standard</b>
(n) Prohibited <b>Signs</b>	<ul style="list-style-type: none"> <li>i. <b>Inflatable Signs;</b></li> <li>ii. <b>Searchlight or Laser Signs;</b></li> <li>iii. <b>Third Party Signs;</b></li> <li>iv. <b>Vehicle or Trailer Signs</b> on non-motorized vehicles;</li> <li>v. <b>Portable Signs;</b></li> <li>vi. <b>Roof Signs;</b></li> <li>vii. <b>Obsolete Signs;</b> and</li> <li>viii. Moving, flashing, sound-emitting <b>Signs</b>, or <b>Revolving Signs</b>.</li> </ul>
(o) Additional <b>Sign Standards</b>	<ul style="list-style-type: none"> <li>i. Whenever a panel on a multi-tenant <b>Sign</b> is removed, the <b>Sign</b> owner shall replace it with a blank panel until such time as a new tenant requires it.</li> <li>ii. An existing non-conforming <b>Sign</b> may continue to be displayed provided: <ul style="list-style-type: none"> <li>A. The <b>Sign</b> was lawfully erected on or before the day this Bylaw came into effect;</li> <li>B. The <b>Sign</b> continues to comply with the bylaw in effect at the time of its erection;</li> <li>C. Changes to the <b>Sign</b> are limited to normal maintenance; and</li> <li>D. The <b>Sign</b> is not moved or materially altered.</li> </ul> </li> <li>iii. When a <b>Sign</b> cannot be clearly categorized as any of the <b>Signs</b> defined in this Bylaw, the <b>Development Authority</b> shall determine the <b>Sign</b> type and applicable standards.</li> </ul>

## PART 3: LAND USE DISTRICTS



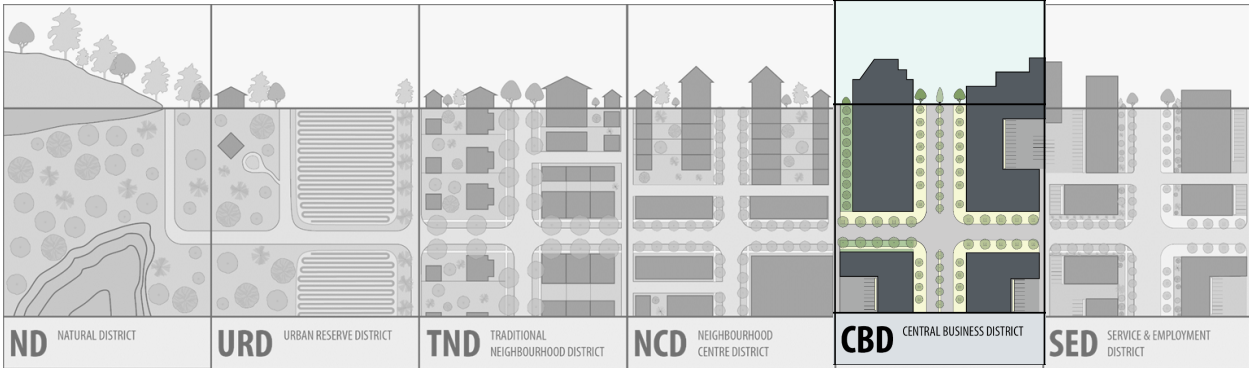
(p) Associated **Uses**

In the table below:

- ✓ means a **Sign** is **Permitted**
- means a **Sign** is **Permitted** and does not require an associated **Use**
- means a **Sign** is not **Permitted**

	<b>Sign, Banner</b>	<b>Sign, Canopy</b>	<b>Sign, Changeable Message</b>	<b>Sign, Community Identification</b>	<b>Sign, Electronic Messaging</b>	<b>Sign, Fascia</b>	<b>Sign, Freestanding</b>	<b>Sign, Projecting or Hanging Wall</b>	<b>Sign, Window</b>
<b>Residential</b>	●	●	●	○	●	●	●	○	●
<b>Lodging</b>	✓	✓	✓	○	●	✓	✓	✓	✓
<b>Office</b>	✓	✓	●	○	●	✓	✓	✓	✓
<b>Retail &amp; Entertainment</b>	✓	●	✓	○	✓	✓	✓	✓	✓
<b>Manufacturing</b>	✓	✓	●	○	●	✓	✓	✓	✓
<b>Institutional</b>	✓	●	✓	○	●	✓	✓	✓	✓
<b>Agriculture</b>	✓	●	●	○	●	●	✓	✓	✓

## PART 3: LAND USE DISTRICTS



### 3.6.15 Outdoor Lighting Standards

- (a) All outdoor light fixtures shall be aimed downward and shielded in a manner that does not direct illumination on to a street or adjacent **Residential Use**.
- (b) All outdoor light fixtures shall not emit light above the bottom of the light fixture except where the light fixture is used for accent lighting.
- (c) The provisions for Section 3.6.15 do not apply to roadways or **Traffic Signs**.

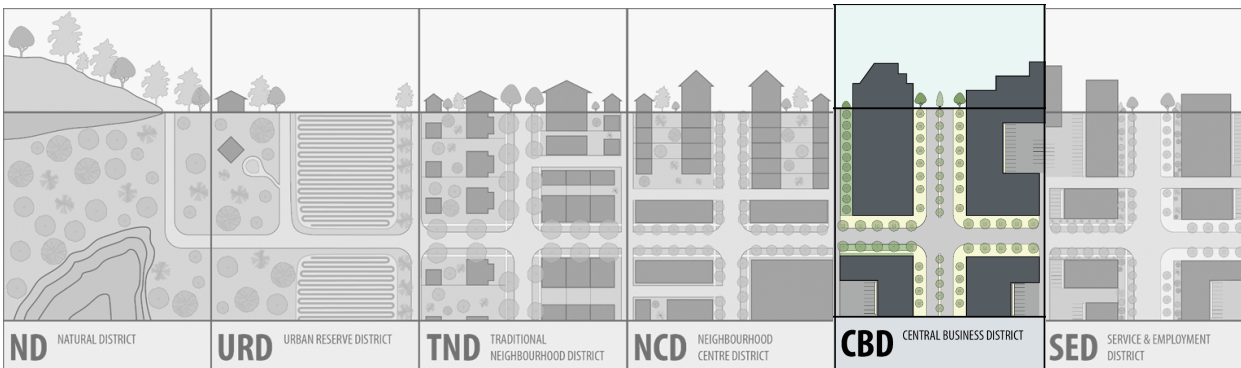
### 3.6.16 Sustainable Energy

- (a) **Sustainable Renewable Energy** systems are encouraged and supported within the **Town**.
- (b) **Solar Energy Systems** shall only be located on a **Façade** or roof of a **Building** and should be integrated with the **Building** design and character.
- (c) **Wind Turbines** shall not be allowed within the Centre Business District (CBD).

### 3.6.17 Relocation, Demolition, or Removal of Buildings

- (a) **Demolition** or removal of a **Building** is allowed in all Land Use Districts.
- (b) A Demolition Permit shall be required, as per the *Alberta Safety Codes Act*, for the **Demolition** or removal of any **Building**.
- (c) In addition to a Demolition Permit, prior to the **Demolition** or removal of a **Building**, a **Development Permit** must be approved by the **Development Authority** except when a **Demolition** or removal of a **Building** is a result of a **Development** for which a **Development Permit** has already been approved and issued.
- (d) Notwithstanding Subsection 3.6.17 (c), a **Development Permit** is not required for the **Demolition** or removal of

## PART 3: LAND USE DISTRICTS



a **Building** that does not require a **Development Permit** as per Section 4.6.

- (e) Applications for a **Development Permit** for the **Demolition** or removal of a **Building** shall include:
- How the safety of the public and adjacent **Buildings** will be ensured;
  - How the **Site** will be cleaned and graded; and
  - How any affected roads, sidewalks, boulevards, or utilities will be protected.

- (f) A **Development Permit** is required when a **Building** is being relocated to a **Site** from elsewhere on the same **Site**, or from another **Site**, and the relocated **Building** shall comply with the provisions of this Bylaw.

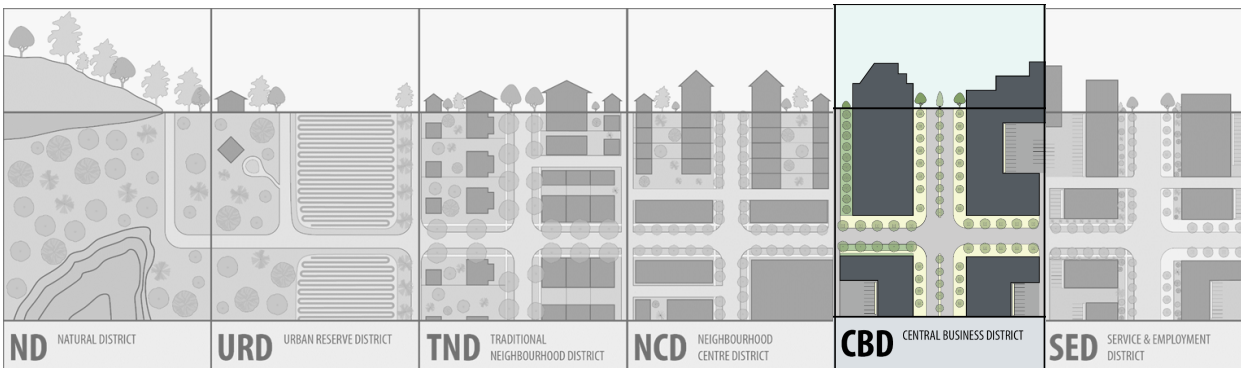
### 3.6.18 Historic Buildings

- (a) A **Development Permit** application to demolish, remove, or alter a **Building** that is designated as a Provincial Historic Resource shall be referred to **Council** for comment and shall have the written approval of the Minister responsible for the *Historic Resources Act*.
- (b) A **Development Permit** application to demolish, remove, or alter a **Building** that is designated as a Municipal Historic Resource shall be reviewed by the **Development Authority** and shall comply with the provision of the bylaw designating said **Building**.

### 3.6.19 Common Amenity Space Standards

- (a) **Common Amenity Space** may be provided as indoor or outdoor common amenity space, or a combination thereof.
- (b) **Common Amenity Space** must be provided for all **Residential Development** with 8 or more units (not including **Additional Dwelling Units**).
- (c) **Common Amenity Space** must be accessible from all of the units
- (d) **Common Amenity Space** should cover at least 10.0 percent of the **Site** area.
- (e) **Common Amenity Space** must not be located in a required setback

## PART 3: LAND USE DISTRICTS



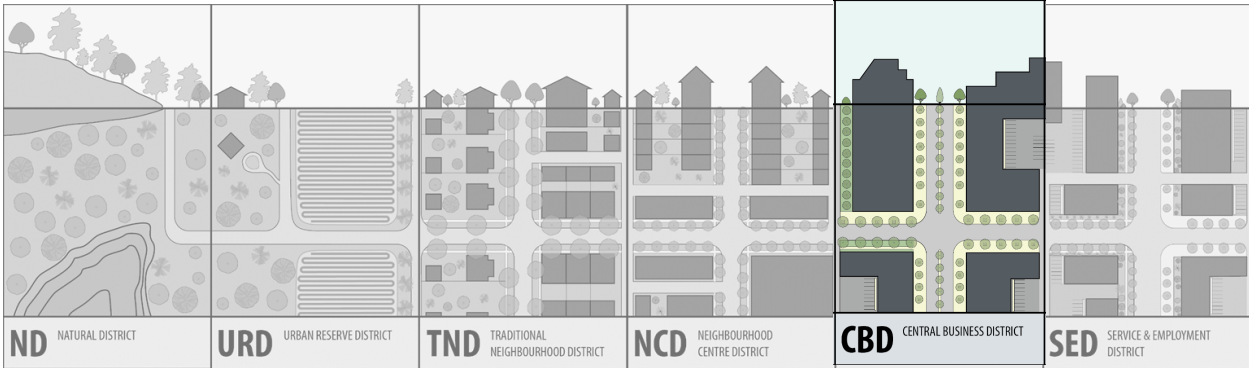
### 3.6.20 Recreational Vehicles

- (a) No person shall be allowed to keep or maintain a **Recreational Vehicle** in a **Frontage** between October 30 and April 1.
- (b) No **Recreational Vehicle** shall be used for living, sleeping, or housekeeping purposes other than in designated campgrounds.
- (c) No **Recreational Vehicle** shall have its wheels removed or be affixed to the ground so as to prevent its ready removal.
- (d) No **Recreational Vehicle** shall be connected to any public utility except for required servicing.

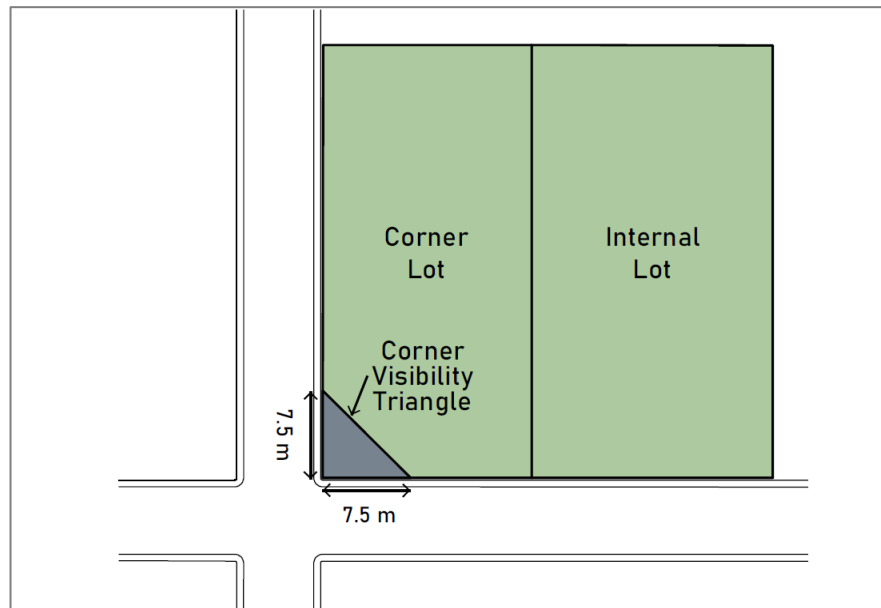
### 3.6.21 Additional Standards

- (a) The **Development Authority** may allow a **Variance** of any or all of the requirements of this Bylaw, through an application, where at the discretion of the **Development Authority**, the **Development** would not unduly interfere with the amenities of the neighbourhood, detract from the public realm, or materially interfere with or affect the use, enjoyment, or value of the neighbouring **Lots**, and the **Use** proposed is allowed by this Bylaw.
- (b) Any standard from this Bylaw may be applied to **Development** within this Land Use District at the discretion of the **Development Authority** in order to ensure a high-quality level of design and / or future urban development opportunities.
- (c) When a **Development** cannot be clearly categorized in this Bylaw, the **Development Authority** shall determine all applicable standards.
- (d) All **Development** shall meet the requirements of the *Alberta Safety Codes Act*.
- (e) All other **Development** proposals shall be at the **Development Authority's** discretion.
- (f) All **Development** shall meet the Minimum Development Elevation requirements in Section 2.4. if required by the **Development Authority** as per Section 2.4.3.

## PART 3: LAND USE DISTRICTS



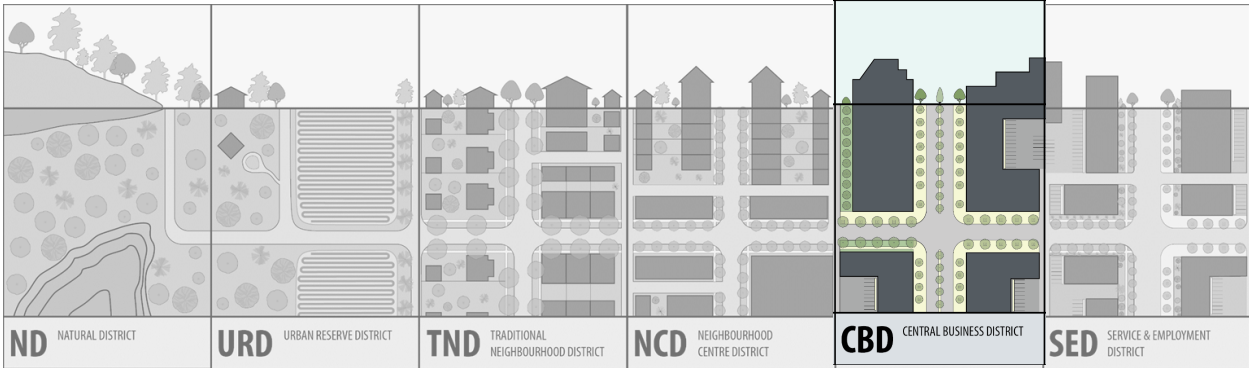
- (g) Notwithstanding any other provisions contained in this Bylaw, no vegetation, finished **Lot** grade, **Building**, **Structure**, or **Fence** shall exceed the general elevation of the **Thoroughfare** by more than 0.76 m within the area defined as a **Corner Visibility Triangle**.
- (h) **Sites** with incomplete **Development** must be maintained at all times in accordance with the standards of the Town, including but not necessarily limited to the Good Neighbour Bylaw and the General Engineering and Construction Specifications.



### 3.6.22 The Design, Character & Appearance of Buildings

- (a) The size, location, design, character and appearance of any **Building** or **Structure** requiring a **Development Permit** shall be acceptable to the **Development Authority** having due regard to:
- i. The policies and objectives contained within the **Town's** Statutory Plans;
  - ii. Any studies adopted as guidelines regarding Heritage Buildings and historic resources, vistas,

## PART 3: LAND USE DISTRICTS

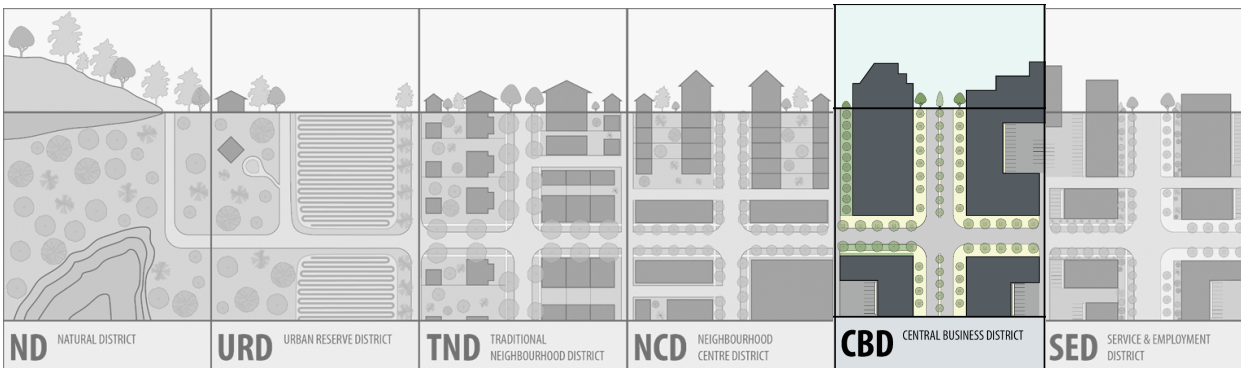


- 
- streetscapes, parking, mobility, public art, and open space;
- iii. The character of existing **Development** in this Land Use District including, but not necessarily limited to, facing materials, **Building** mass and architectural detailing;
  - iv. The character of existing **Development** in this Land Use District, as well as the effect on adjacent Land Use District(s) and parcels, unless the **Building** or **Structure**, at the discretion of the **Development Authority**, sets a higher standard of design, character and appearance for this Land Use District, or part of it; and
  - v. Other factors such as daylight, sunlight, and privacy.
- 
- (b) The exterior finishing materials on the **Façade** of a proposed **Development** shall be those identified on the approved plans for that **Development**.
- 
- (c) Once constructed, the **Façade** of the **Building(s)** shall be maintained to the standard shown on the Site Plan and elevation drawings approved by the **Development Authority**.
- 
- (d) **Additions** to any **Primary Building(s)** and any **Accessory Building(s)** shall be constructed and finished with materials compatible with the **Primary Building(s)**.
- 
- (e) Where a proposed **Development** is part of a larger area, the whole of which may eventually be designed and developed, and for which no overall **Development** plan has been prepared, the **Development Authority** may require the submission of a **Master Site Plan** before dealing with the application.
- 

### 3.6.23 Drainage Standards

- 
- (a) All roof drainage from a **Structure** or **Building** must be discharged onto the **Lot** on which the **Structure** or **Building** is located. No roof drainage may create any negative impact on adjacent **Sites**. Should any damage occur, the owner shall be responsible all the cost of all applicable damages as determined by a qualified professional (e.g. insurance underwriter) based on the General Engineering and Construction Specifications.
-

## PART 3: LAND USE DISTRICTS



### 3.6.24 Pageantry Features

(a) **Pageantry Features** may only be located within or abutting the **Development** that they relate to.

(b) **Pageantry Features** are limited to:

- i. promoting natural and manmade attributes and amenities of the **Development**;
- ii. providing the names of area builders;
- iii. providing directions within the **Development**;
- iv. indicating the general price range of housing products.

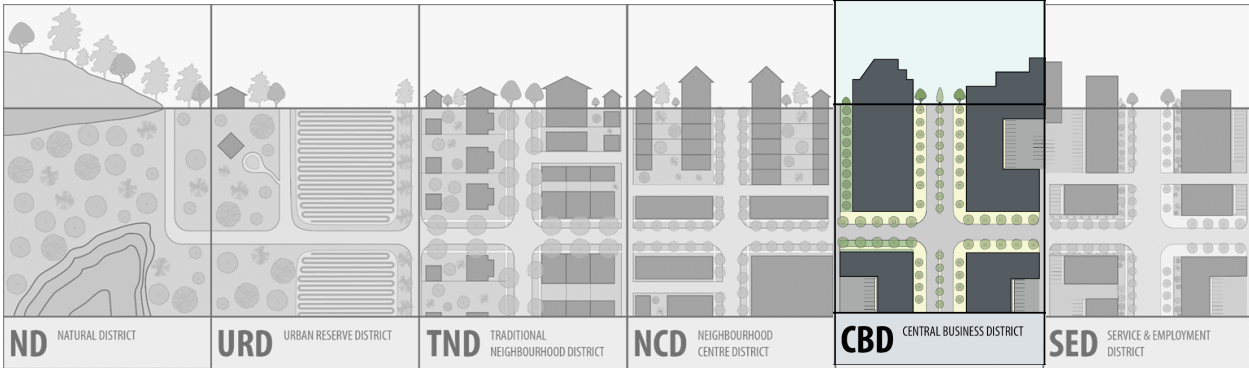
(c) **Pageantry Features** must not:

- i. be installed so as to obstruct or impede free and clear vision for motorists and pedestrians and in so doing create a traffic hazard;
- ii. interfere with, or cause confusion with, any authorized sign, signal or traffic control device and in so doing create a traffic hazard;
- iii. impede pedestrians from using the sidewalk system;
- iv. create any other safety issue under the regulations of the Town of High River Traffic Bylaw or the Traffic Safety Act, RSA 2000; or
- v. cause any damage to any Town owned trees (through installation, placement or removal) or result in any pruning to improve visibility of Pageantry Features.

(d) **Pageantry Features** may include the following types:

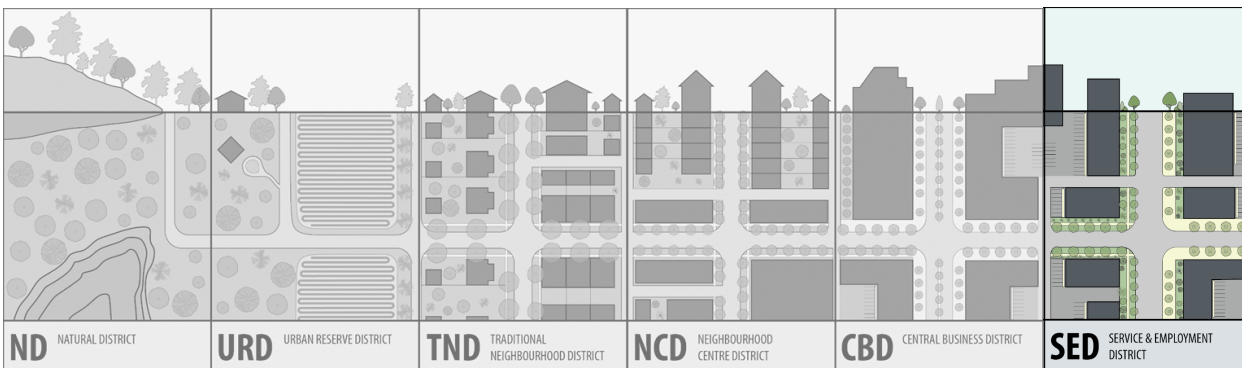
- i. freestanding signs, provided the signs do not exceed 2.0 metres in height and 3.0 square metres in sign area, and are securely inserted into the ground (skids, concrete blocks, and similar types of footings will not be permitted);
- ii. flags and flag poles;
- iii. banners and banner poles; or
- iv. any other decorative feature where, in the opinion of the **Development Authority**, the feature is consistent with the intent of these regulations.

### PART 3: LAND USE DISTRICTS



- 
- (e) All **Pageantry Features** within a **Development** must be coordinated, cohesive and have a consistent theme.
- 
- (f) All **Pageantry Features** within a **Development** must be kept in good repair at all times.
- 
- (g) There is no limitation to the number of Pageantry Features that can be proposed and approved in a **Development** under a single application. However, the **Development Authority** reserves the right to restrict the number of **Pageantry Features** approved for a **Development** based on the suitability of the location and design of the **Pageantry Features**.
- 
- (h) A **Development Permit** shall only be provided for up to a maximum of 5 years, at which time a new or renewed **Development Permit** shall be required. Pageantry shall be removed within thirty days of the final **Lot** or unit of the **Development** being sold by the developer.
-

## PART 3: LAND USE DISTRICTS



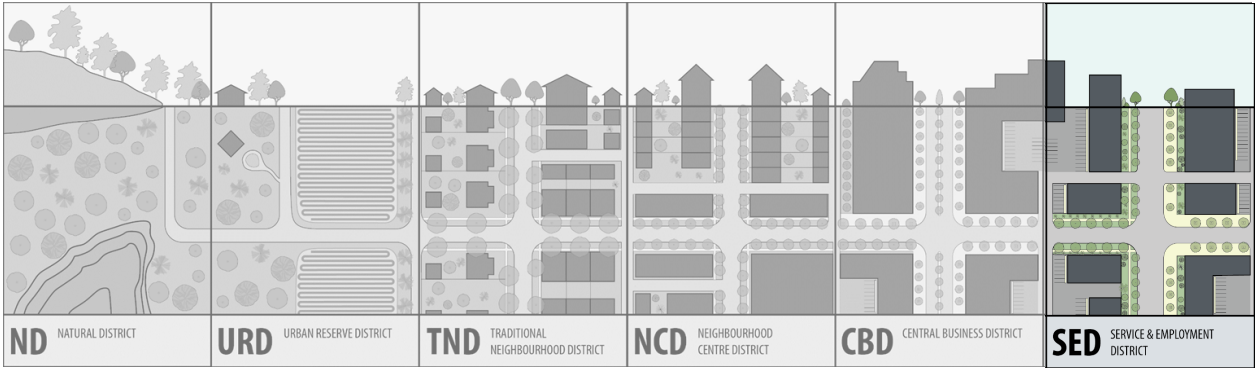
### 3.7 SERVICE & EMPLOYMENT DISTRICT (SED)

#### 3.7.1 Intent

To support a mix of local and regional service and employment opportunities with integrated **Industrial**, **Institutional**, recreational, and **Residential Uses** that require larger **Lots**. The **Public Realm** within this Land Use District should include both local and regional pedestrian connectivity opportunities, as well as alternative modes of transportation to support employment and civic **Uses**.

- |                             |  |
|-----------------------------|--|
| (a) General characteristics | <ul style="list-style-type: none"> <li>i. This Land Use District should consist primarily of local and regional <b>Uses</b> that require larger <b>Lots</b>. <b>Residential Uses</b> may be considered where appropriate to support employment opportunities.</li> <li>ii. Where <b>Residential Uses</b> are considered, <b>Building</b> forms shall include multiple <b>Dwelling Units</b>.</li> <li>iii. <b>Buildings</b> shall be oriented to the <b>Primary Thoroughfare</b> rather than the regional transportation network.</li> <li>iv. Any <b>Lots</b> adjacent to the regional transportation, such as Highway 2, shall contribute to the high quality visual perception of the <b>Town</b> by focusing product displays and <b>Signs</b> to quality over quantity, and by integrating landscaping and / or decorative fencing for buffering.</li> <li>v. Landscaping, fencing, <b>Setbacks</b>, and similar buffering and screening mechanisms, or a combination thereof, shall be used between <b>Industrial Uses</b> and / or <b>Buildings</b> and any other <b>Use</b>, as deemed appropriate by the <b>Development Authority</b>.</li> <li>vi. Sidewalks, pathways, or similar pedestrian infrastructure shall be provided from all entrances to the neighbourhood pedestrian network in order to enhance overall pedestrian connectivity and movement.</li> </ul> |
|-----------------------------|--|

## PART 3: LAND USE DISTRICTS

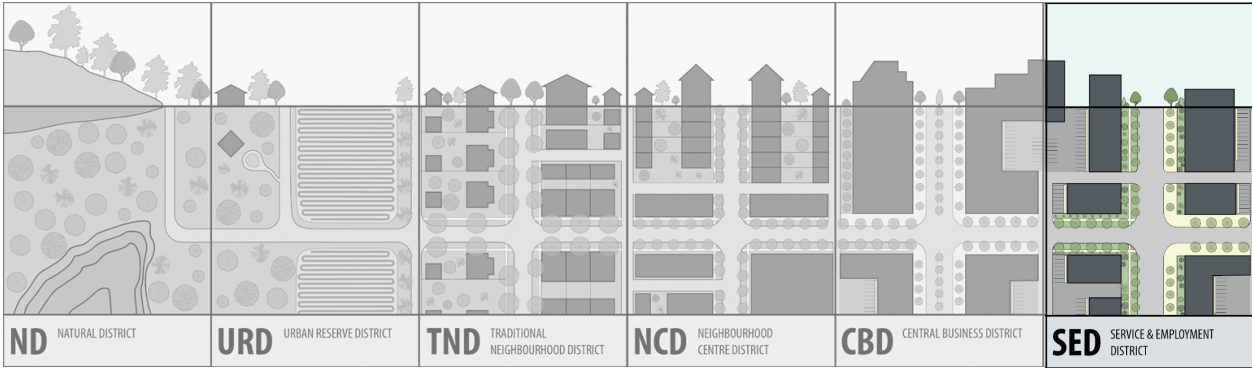


(b) Vision

The Service & Employment District (SED) is intended to be for a variety of **Uses** that require larger **Lots**. These **Uses** can vary from **Industrial Uses** with supporting **Residential** to civic or **Institutional Uses**. This Land Use District is intended to be an integral part of the **Town** with high quality pedestrian environments and connectivity.



## PART 3: LAND USE DISTRICTS

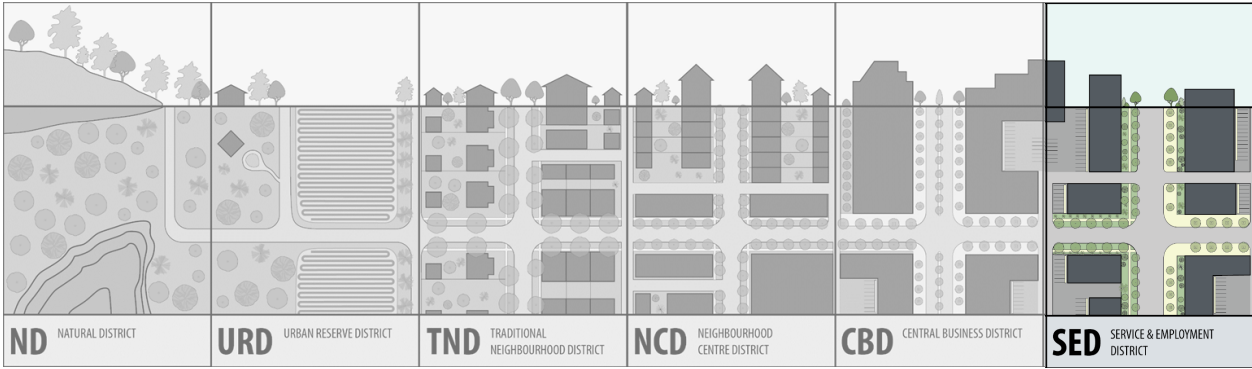


### 3.7.2 Uses

The following **Uses** are grouped into Use Categories to add clarity regarding the intent of the form of **Development**. Definitions are in Section 5.1: Use Definitions.

<i>Use Category</i>	<i>Use Category Description</i>	<i>Permitted Uses</i>	<i>Discretionary Uses</i>
(a) <b>Residential</b>	Premises available for long-term human habitation by means of ownership and rental, but exclude short-term renting of less than a month's duration.	None	<b>Dwelling Unit(s); Additional Dwelling Unit(s); Temporary Dwelling Unit(s); Temporary Additional Dwelling Unit(s)</b>
(b) <b>Lodging</b>	Premises available for short-term human habitation.	None	<b>Bed &amp; Breakfast; Motel / Hotel, Short Term Rental</b>
(c) <b>Office</b>	Premises available for the transaction of general business.	<b>Professional Office</b>	<b>Major Home Occupation</b>
(d) <b>Retail &amp; Entertainment</b>	Premises available for the commercial sale of merchandise and prepared foods.	<b>Amusement Facility; Café; Drinking Establishment; Restaurant; Retail &amp; Service, General; Retail &amp; Service, Heavy</b>	<b>Drive Through Facility; Gas Station; Vehicle Washing, Liquor Store</b>
(e) <b>Manufacturing</b>	Premises available for the creation, assembly, and repair of artefacts including their retail	<b>Light Industrial; Repair, Outdoor Storage</b>	<b>Heavy Industrial, Cannabis Facility (which may include</b>

## PART 3: LAND USE DISTRICTS



Use Category	Use Category Description	Permitted Uses	Discretionary Uses
	sale except when such activity creates conditions that may be objectionable to neighbouring property owners.		<b>Cannabis Store)</b>
(f) <b>Institutional</b>	Premises used by organizations to support the common good including organizations dedicated to religion, arts and culture, education, government, social service, recreation, health, and the like.	<b>Active Recreation;</b> <b>Arts &amp; Culture;</b> <b>Education;</b> <b>Government;</b> <b>Passive Recreation</b>	<b>After Life Care</b>
(g) <b>Agriculture</b>	Premises available for growing of plants or raising of livestock for the purpose of food production.	<b>Rural, Non-Intensive Agriculture; Urban Agriculture</b>	None
(e) Other	Additional <b>Uses</b> that may be considered in this Land Use District.	<b>Essential Public Utilities; Signs</b> in association with an approved <b>Use</b> on the <b>Site</b> , unless otherwise specified in Section 3.7.13.  <b>Pageantry Features</b> in association with an approved <b>Development;</b>  <b>Shipping Containers</b> (Temporary or Permanent)	<b>Excavation</b> , stripping and grading; fencing, landscaping, or other similar <b>Structures</b>

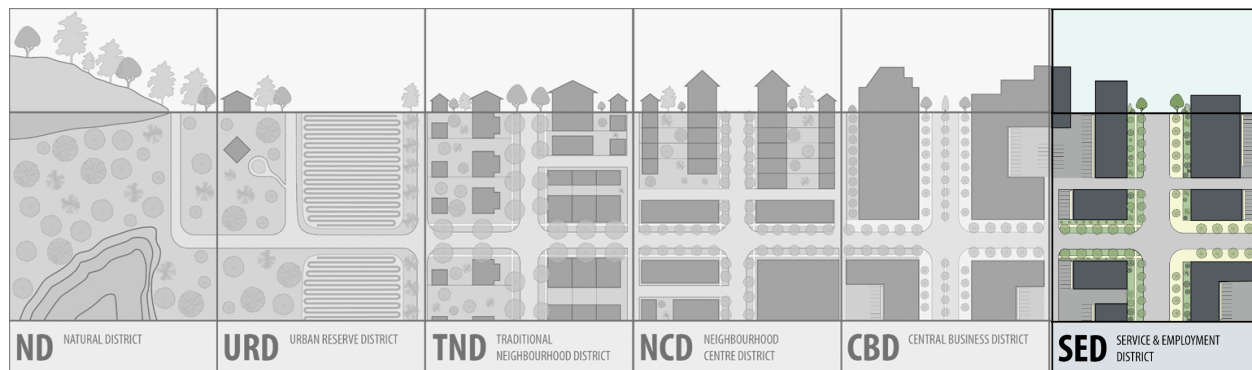
## PART 3: LAND USE DISTRICTS



### 3.7.3 Specific Use Standards

Use	Standard
(a) <b>Accessory Building</b>	No <b>Accessory Building</b> shall be used as a <b>Dwelling Unit</b> unless the <b>Building</b> meets the requirements of the <i>Alberta Safety Codes Act</i> .
(b) <b>Accessory Use</b>	Are <b>Permitted</b> or <b>Discretionary</b> in accordance with the <b>Primary Use(s)</b> .
(c) <b>Adult Establishment</b>	<ul style="list-style-type: none"> <li>i. An <b>Adult Establishment</b> shall not display obscene or indecent images, materials or products in any form or format that are visible from the exterior of the <b>Building</b> or through windows.</li> <li>ii. The <b>Development Authority</b> may determine criteria to limit where and how an <b>Adult Establishment</b> may be located.</li> </ul>
(d) <b>Café</b>	<ul style="list-style-type: none"> <li>i. A maximum of 20 patrons is allowed.</li> <li>ii. A <b>Café</b> may serve alcoholic beverages for consumption on the premises at the discretion of the <b>Development Authority</b>, in accordance with the <i>Alberta Gaming and Liquor Commission</i>.</li> </ul>
(e) <b>Cannabis Facility</b>	<ul style="list-style-type: none"> <li>i. At the time of <b>Development Permit</b> application, a <b>Cannabis Facility</b> shall not be located closer than 75.0 metres to any of the following, as measured from the closest point of the proposed <b>Cannabis Facility Bay</b> to the closest point of the <b>Site</b> boundary of: <ul style="list-style-type: none"> <li>A. Any land zoned Traditional Neighbourhood District.</li> </ul> </li> </ul>
(f) <b>Cannabis Store</b>	<ul style="list-style-type: none"> <li>i. At the time of <b>Development Permit</b> application, a <b>Cannabis Store Bay</b> shall not be located closer than 100.0 metres to any of the following, as measured from the closest point of the <b>Cannabis Store Bay</b> to the closest point of the <b>Site</b> boundary of: <ul style="list-style-type: none"> <li>A. A <b>School</b>;</li> </ul> </li> </ul>

## PART 3: LAND USE DISTRICTS



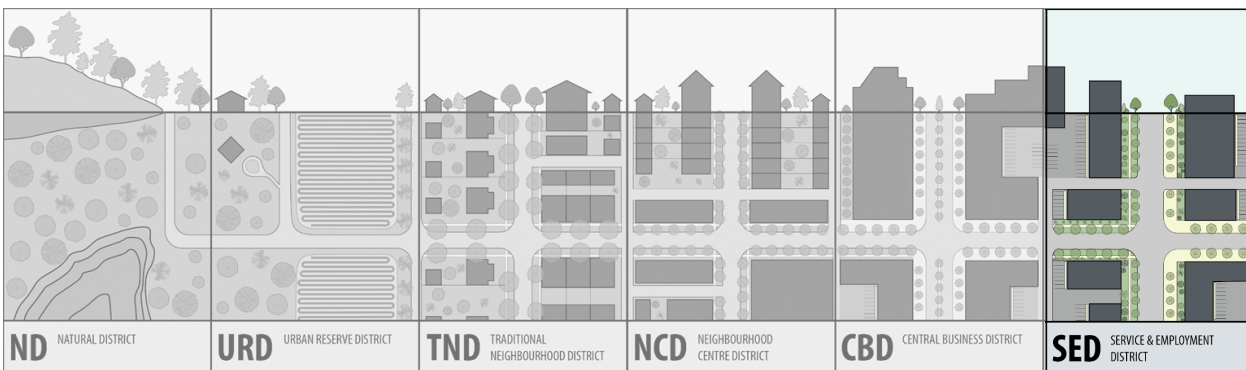
Use	Standard
	<p>B. School reserve or municipal and school reserve;</p> <p>C. A <b>Public Park</b>.</p> <p>ii. Where a proposed Cannabis Store is within a 150.0 metre radial distance of an existing / approved <b>Cannabis Store Bay</b>, as measured from the closest point of the <b>Cannabis Store Bay</b> to the closest point of the other <b>Cannabis Store Bay</b>, any cumulative impacts of the facilities on existing <b>Development</b> within the area must be considered by the <b>Development Authority</b>.</p>
(g) <b>Discretionary Use</b>	Shall only be allowed if there is no detrimental effect on the hydrological system or water quality.
(h) <b>Gas Station</b>	Should locate pumps to the side or rear of the <b>Building</b> , increase the front <b>Setback</b> , or provide additional landscaping in the <b>Private Frontage</b> to better integrate the <b>Gas Station</b> with the <b>Public Realm</b> .
(i) <b>Light Industrial</b>	Storage shall be within the <b>Building</b> or entirely screened.
(j) <b>Liquor Store</b>	<p>i. i. At the time of <b>Development Permit</b> application, a <b>Liquor Store</b> shall not be located closer than 150.0 metres to any <b>School</b> or <b>Public Park</b> as measured from the closest point of the <b>Liquor Store Bay</b> to the closest point of the <b>School</b> or <b>Public Park Site</b> boundary.</p> <p>ii. ii. Where a proposed <b>Liquor Store</b> is within a 150.0 metre radial distance of an existing <b>Liquor Store</b>, as measured from the closest point of the proposed <b>Liquor Store Bay</b> to the closest point of the existing <b>Liquor Store Bay</b>, any cumulative impacts of the facilities on existing <b>Development</b> within the area must be considered by the <b>Development Authority</b>.</p>
(k) <b>Major Home Occupation</b>	<p>i. <b>Outdoor Storage</b> is prohibited.</p> <p>ii. Deliveries of pick-ups in connection with the <b>Use</b> are limited to parcel and small freight carriers.</p> <p>iii. <b>Signs</b> shall be limited to one window <b>Sign</b>, shall not be illuminated, and shall not exceed 0.2 square metres in area.</p>

## PART 3: LAND USE DISTRICTS



Use	Standard
	<ul style="list-style-type: none"> <li>iv. Vehicle and equipment service or <b>Repair</b> are not allowed.</li> <li>v. If a <b>Major Home Occupation Development Permit</b> holder relocates within the Municipality, a new <b>Development Permit</b> is required for a new <b>Major Home Occupation</b> at the new location.</li> <li>vi. No nuisances by way of noise, vibration, smoke, dust, fumes, odours, heat, light, electrical or radio disturbance, detectable beyond the property boundary shall be produced by the <b>Major Home Occupation</b>.</li> <li>vii. Commercial Vehicles used for a <b>Major Home Occupation</b> shall be parked on-site and shall not be located within a <b>Frontage</b> if weight exceeds 4,000.0 kg.</li> <li>viii. A <b>Development Permit</b> for a <b>Major Home Occupation</b> may be revoked if, at the discretion of the <b>Development Authority</b>, the operator of the <b>Major Home Occupation</b> has violated any provisions of this Bylaw and / or the conditions of the <b>Development Permit</b>.</li> </ul>
(l) <b>Outdoor Storage</b>	<ul style="list-style-type: none"> <li>i. Shall not be located adjacent to a <b>Primary Thoroughfare</b>, and should not be located adjacent to a <b>Secondary Thoroughfare</b>.</li> <li>ii. Where <b>Outdoor Storage</b> is located adjacent to a <b>Secondary Thoroughfare</b> or <b>Residential Use</b>, it shall be entirely screened from view and shall be <b>Setback</b> a minimum of 3.0 metres from the <b>Lot Line</b> separating the <b>Outdoor Storage</b> from the <b>Secondary Thoroughfare</b> or <b>Residential Use</b>.</li> <li>iii. In any other case, <b>Outdoor Storage</b> shall be screened from the <b>Public Realm</b>, to the satisfaction of the <b>Development Authority</b>.</li> <li>iv. Shall be kept in a clean and orderly condition at all times.</li> </ul>
(m) <b>Restaurant</b>	Shall not install ventilation systems that terminate on the roof of a <b>Building</b> unless the <b>Applicant</b> can prove that no other feasible alternative is available. To the maximum extent feasible, ventilation systems shall be directed away from adjacent <b>Residential</b> properties.
(n) <b>Short Term Rental</b>	<ul style="list-style-type: none"> <li>i. <b>Short Term Rental</b> host must obtain a business license.</li> <li>ii. A host cannot allow more than two adults, not including minors, per room. As the</li> </ul>

## PART 3: LAND USE DISTRICTS



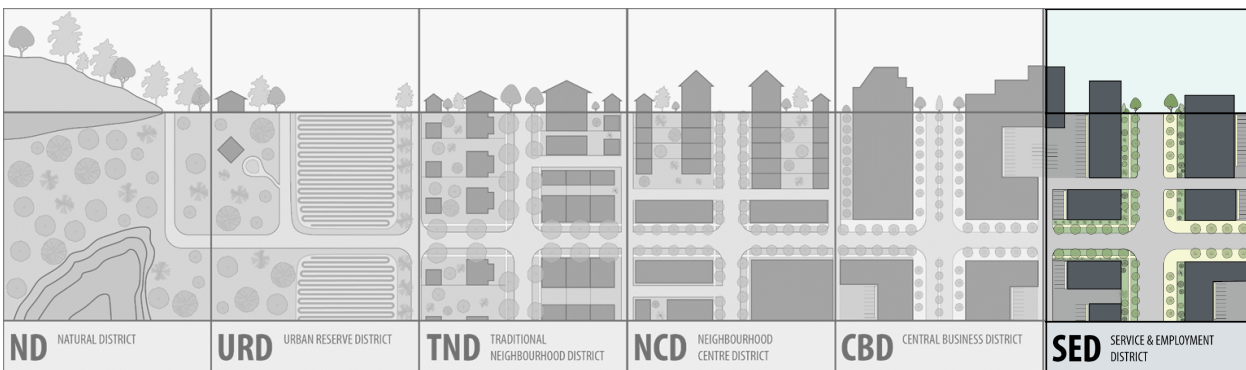
Use	Standard
	definition of short term rental in the bylaw is 14 days or less, longer term stays are not covered in the bylaw.
(o) <b>Prohibited Uses</b>	<ul style="list-style-type: none"> <li>i. The storage of any <b>Temporary Dwelling Unit</b>;</li> <li>ii. The storage of waste and salvage materials including derelict vehicles;</li> <li>iii. The storage of goods, products, or materials in any <b>Frontage</b>; and</li> <li>iv. <b>Gaming Establishments</b>.</li> </ul>
(p) <b>Development not requiring a Development Permit</b>	<p>A <b>Development Permit</b> is not required in respect of the following <b>Developments</b> provided they are in compliance with the standards outlined in this Land Use District and all other provisions of this Bylaw:</p> <ul style="list-style-type: none"> <li>i. Work of maintenance, repair or <b>Alteration</b>, on a <b>Structure</b>, both internal and external, if at the discretion of the <b>Development Authority</b>, such work: <ul style="list-style-type: none"> <li>A. Does not result in an increase in the number of <b>Dwelling Units</b> within the <b>Building</b> or on the <b>Site</b>;</li> <li>B. Does not increase the floor area by more than 25.0 percent of the original <b>Residential Structure</b> or <b>Building</b>;</li> <li>C. Does not change the <b>Use</b> or intensity of the <b>Use</b> of the <b>Structure</b> or <b>Building</b>; and</li> <li>D. Is performed in accordance with obligatory legislation or other government regulations.</li> </ul> </li> <li>ii. The completion of a <b>Building</b> which was lawfully under construction at the date this Bylaw comes into effect;</li> <li>iii. The use of any <b>Building</b> referred to in Subsection 4.6 for the purpose for which construction was commenced;</li> <li>iv. The use of a <b>Building</b>, other than a <b>Non-Conforming Use</b> or <b>Non-Conforming Building</b>, that has been vacant for less than 6 months for a purpose that is, at the discretion of the <b>Development Authority</b>, the same or similar to the previous <b>Use</b>;</li> <li>v. The <b>Change of Use</b> of a <b>Building</b> or <b>Structure</b>, other than a <b>Non-Conforming</b></li> </ul>

## PART 3: LAND USE DISTRICTS



Use	Standard
	<p><b>Use</b> or <b>Non-Conforming Building</b> provided that:</p> <ul style="list-style-type: none"> <li>A. The requirements of the <b>Development Permit</b> for the existing <b>Building</b> have been fulfilled; and</li> <li>B. The <b>Change of Use</b> is from a <b>Permitted</b> or <b>Discretionary Use</b> to a <b>Permitted Use</b> in this Land Use District.</li> </ul> <ul style="list-style-type: none"> <li>vi. The erection, construction, or maintenance of gates, Fences, walls, or other means of enclosure which meet the standards in this Land Use District;</li> <li>vii. The construction and maintenance of <b>Essential Public Utilities</b>, with the exception of flood mitigation infrastructure, such as a dike or berm, proposed by a private landowner;</li> <li>viii. The erection of an <b>Accessory Building</b> in association with an approved <b>Permitted Use</b> when it complies with the standards of this Bylaw;</li> <li>ix. The use of a <b>Building</b> or part thereof as a temporary polling station for a federal, provincial, or municipal election, referendum, or plebiscite;</li> <li>x. <b>Signs</b> not requiring a <b>Development Permit</b> as set out in this Land Use District;</li> <li>xi. The construction, maintenance, and repair of private walkways, private pathways, private driveways, private features, and landscaping details that do not involve retaining walls greater than 0.6 metres in height, and are in compliance with this Land Use District;</li> <li>xii. An outdoor in-ground or above-ground private swimming pool provided: <ul style="list-style-type: none"> <li>A. Not located in a <b>Frontage</b>;</li> <li>B. Having a total area not exceeding 15.0 percent of the <b>Lot</b> area; and</li> <li>C. That does not have any part of the above <b>Grade</b> component, including a <b>Deck</b>, walkway, supporting member, heater, or mechanical equipment, located within 1.2 metres of any <b>Side Lot Line</b> or <b>Rear Lot Line</b>.</li> </ul> </li> <li>xiii. <b>Excavation</b> of land and stripping of soil provided: <ul style="list-style-type: none"> <li>A. That the area concerned is less than 1,000.0 square metres;</li> <li>B. That the stripping or <b>Excavation</b> is part of a <b>Development</b> for which a</li> </ul> </li> </ul>

## PART 3: LAND USE DISTRICTS



Use	Standard
-----	----------

**Development Permit** has been issued; or

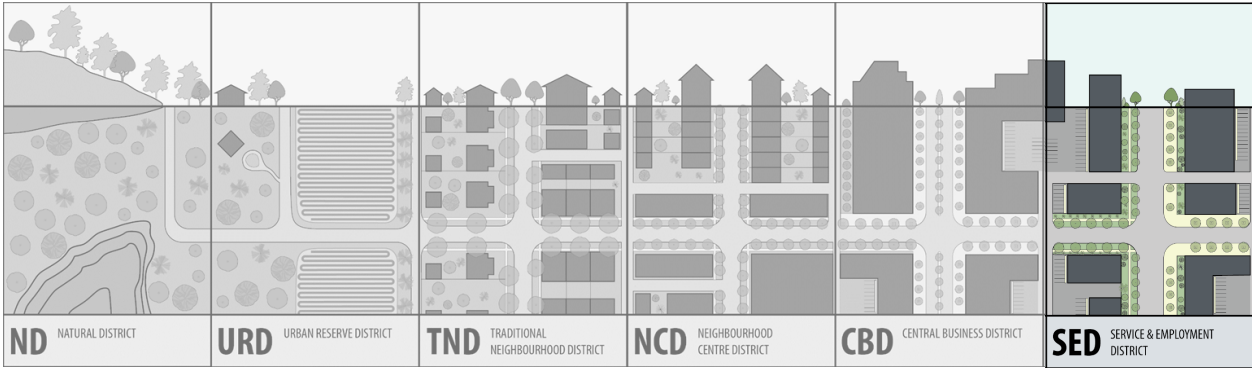
C. That the **Applicant** has signed a **Development Agreement** with the **Town** for the area concerned.

- xiv. Street performers or other vendors having a Business License and written permission from the land owner and are not located fronting on Centre Street S, 5th Street SE or 12th Avenue SE;
- xv. Communication **Structures** that comply with the *Federal Radiocommunication Act*;
- xvi. **Sustainable Renewable Energy** systems and **Structures** providing they are in compliance with the provisions of this Bylaw and any other obligatory legislation or government regulations;
- xvii. **Minor Home Occupation(s)**; and
- xviii. **Mural(s)**.
- xix. Erection of flagpoles not exceeding 6.0 metres in height for the purpose of flying a **Flag** but not a **Sign**.

(q) Temporary **Development**

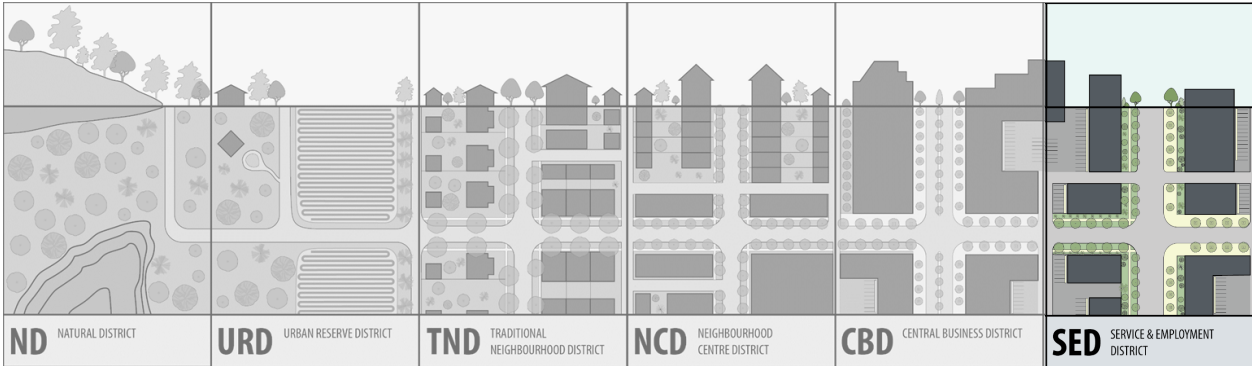
- i. **Temporary Uses, Buildings, or Structures** may be permitted in all Districts at the discretion of the **Development Authority**, provided that **Temporary Buildings or Structures** are not placed on permanent foundations and provided that the **Use, Building or Structure** is listed as a **Permitted or Discretionary Use** in the relevant land use district.
- ii. A **Development Permit** shall only be provided for up to a maximum of 5 years, at which time a new or renewed **Development Permit** shall be required.
- iii. **Temporary Buildings or Structures** must have the appearance and aesthetic of the **Buildings or Structures** allowed in the **Land Use District** at the discretion of the **Development Authority**.

## PART 3: LAND USE DISTRICTS



(r) <b>Temporary Shipping Containers</b>	<p><b>Temporary Shipping Containers</b> may be used for the storage of equipment and materials during the construction period at the construction site subject to the following:</p> <ol style="list-style-type: none"> <li>i. The <b>Site</b> must have an approved and active <b>Building Permit</b>.</li> <li>ii. The <b>Shipping Container</b> must be placed wholly within the subject <b>Site</b>.</li> <li>iii. The <b>Shipping Container</b> shall be removed from the <b>Site</b> no later than seven (7) calendar days after completion of the <b>Building Permit</b>.</li> <li>iv. If construction ceases for a period of thirty (30) days, the <b>Shipping Container</b> shall be removed from the <b>Site</b> no later than seven (7) days after notice to remove is issued by the Town.</li> </ol>
(s) <b>Permanent Shipping Containers</b>	<p>Permanent <b>Shipping Containers</b> may be allowed, however, they must have the appearance and aesthetic of the <b>Buildings</b> or <b>Structures</b> allowed in the <b>Land Use District</b> or be completely hidden from view of the <b>Public Realm</b> at the discretion of the <b>Development Authority</b>.</p>
(t) <b>Additional Standards</b>	<p>No <b>Use</b> or operation shall cause or create any conditions which may be offensive or objectionable beyond the <b>Lot Lines</b> by virtue of noise, odour, vibrations, heat, or light, at the discretion of the <b>Development Authority</b>.</p>

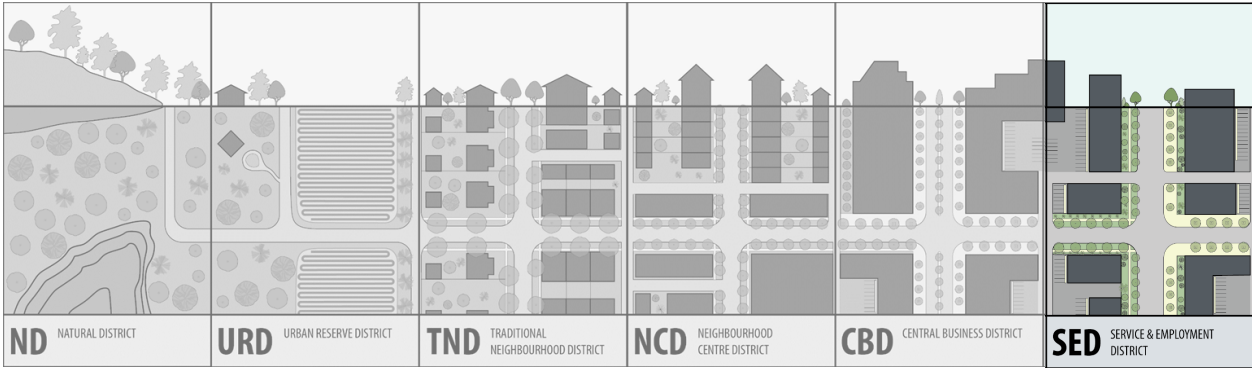
## PART 3: LAND USE DISTRICTS



### 3.7.4 Block Configuration & Subdivision Standards

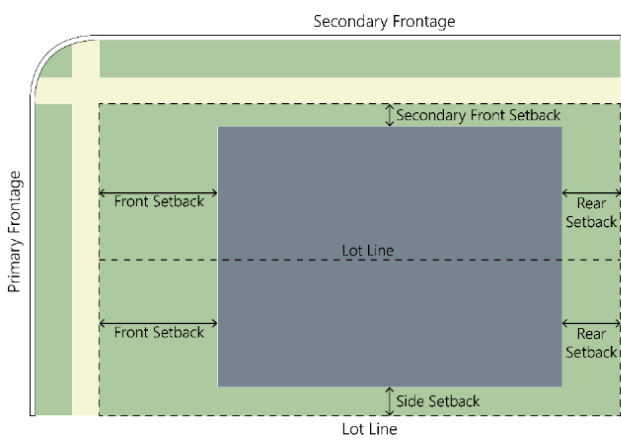
Element	Standard
(a) <b>Block</b> Connectivity	All vehicular <b>Rights-of-Way</b> shall terminate at other vehicular <b>Rights-of-Way</b> to form a network.
(b) Future <b>Block</b> Connectivity	Where adjoining areas are not developed, vehicular <b>Rights-of-Way</b> in new <b>Subdivisions</b> must be extended to the project boundary to provide for future vehicular <b>Rights-of-Way</b> .
(c) Additional <b>Lot</b> and <b>Subdivision</b> Standards	<ul style="list-style-type: none"> <li>i. <b>Subdivision</b> within a <b>Block</b> should be varied to allow for a variety of <b>Lot</b> sizes.</li> <li>ii. <b>Block</b> standards in Subsections 3.7.5 (a) and (b) may be varied to conform with natural features, transportation <b>Rights-of-Way</b>, parks or open space, or other similar <b>Site</b> constraints.</li> <li>iii. In the event of <b>Subdivision</b> by condominium, <b>Development</b> shall be treated as a multi-unit complex where the required <b>Development Setback</b> for the <b>Front</b>, <b>Rear</b>, and <b>Side</b> yards shall be the same as specified in the appropriate land use district.</li> </ul>

## PART 3: LAND USE DISTRICTS



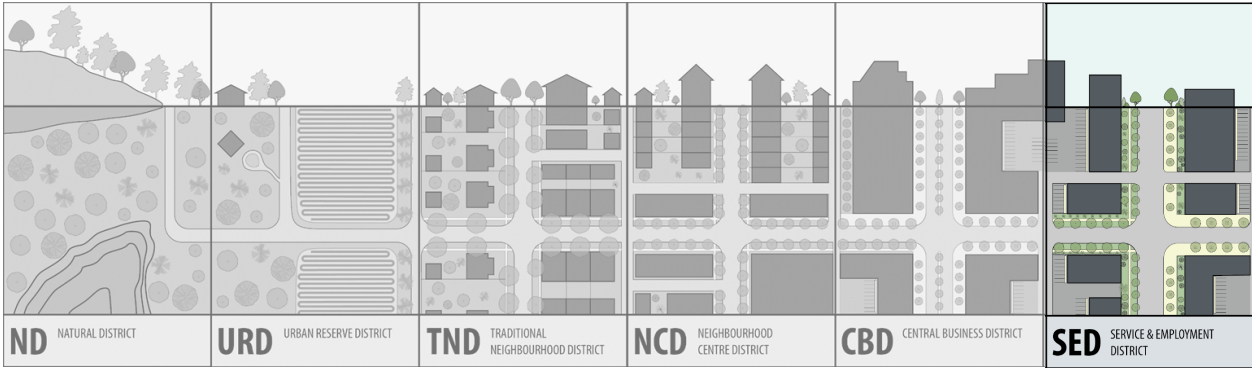
### 3.7.5 Setbacks for Primary Buildings

<b>Setback Element</b>	<b>Standard</b>
(a) Front <b>Setback</b>	3.0 metres - 6.0 metres.
(b) Secondary Front <b>Setback</b>	3.0 metres - 6.0 metres.
(c) Side <b>Setback</b>	Minimum 1.0 metre.
(d) Rear <b>Setback</b>	Minimum 0.5 metres.



- (e) Additional Standards for **Primary Buildings**
- i. **Access** shall be provided as deemed appropriate by the **Development Authority** in consultation with the Fire Department.
  - ii. The following features may project into the **Setbacks**:
    - A. Unenclosed steps and wheelchair ramps;
    - B. **Signs**;
    - C. **Fences** or masonry walls;
    - D. Driveways, off-street parking, and pathways;
    - E. An unenclosed **Deck, Porch**, or other similar **Structure** below 0.6 metres in height;
    - F. An unenclosed **Deck, Porch**, or other similar **Structure** above 0.6 metres in height may project 50 percent in a front or rear **Setback**; and / or
    - G. Balconies, **Eaves**, chimneys, cantilevers, bay windows, or other similar **Architectural Features** may project up to 50.0 percent into the side **Setback** or 50.0 percent of a front **Setback** and cover no more than 50.0 percent of the **Building Façade**.
    - H. Projections not specifically outlined in section 3.7.5 (e) ii. A. through G. may be permitted at the discretion of the **Development Authority**.

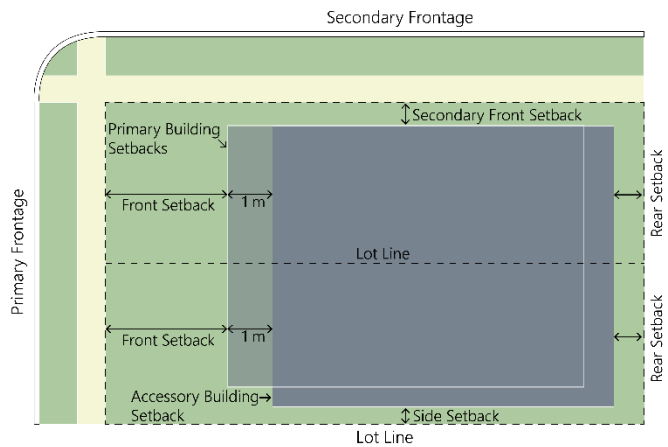
## PART 3: LAND USE DISTRICTS



- I. Notwithstanding Subsection 3.7.6 (a), attached parking **Structures** with **Frontage** on a **Primary Thoroughfare** shall not project more than 1.0 metre in front of the **Façade** facing the same **Primary Thoroughfare**.

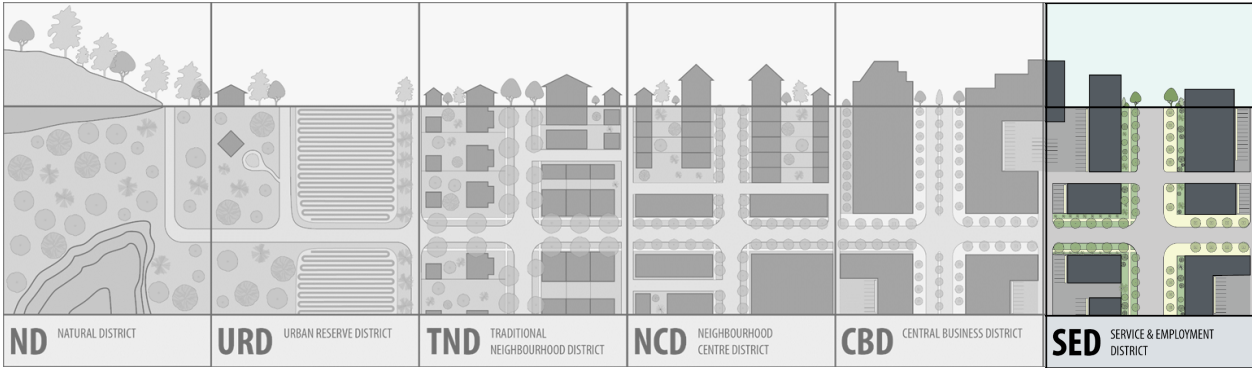
### 3.7.6 Setbacks for Accessory Buildings

Setback Element	Standard
(a) Front <b>Setback</b>	<b>Setback</b> in 3.7.5 (a) plus 3.0 metres.
(b) Secondary Front <b>Setback</b>	<b>Setback</b> in 3.7.5 (b) plus 3.0 metres.
(c) Side <b>Setback</b>	Minimum 1.0 metre.
(d) Rear <b>Setback</b>	Minimum 0.5 metres.



- (e) Additional Standards for **Accessory Buildings**
- i. **Access** shall be provided for emergency personnel as required.
  - ii. Where an **Accessory Building** is attached to the **Primary Building** by a roof or an open or enclosed **Structure**, it is considered to be a part of the **Primary Building** and shall comply with all requirements applicable to the **Primary Building**.
  - iii. Where an **Accessory Building** or **Structure** is built on a foundation or is otherwise unmovable, the building or structure must adhere to the setback standards in Section 3.7.6 regardless of size.

## PART 3: LAND USE DISTRICTS



### 3.7.7 Lot Coverage Standards

Coverage Element	Standard
(a) <b>Lot Coverage</b> (All <b>Buildings</b> )	Maximum 80.0 percent.

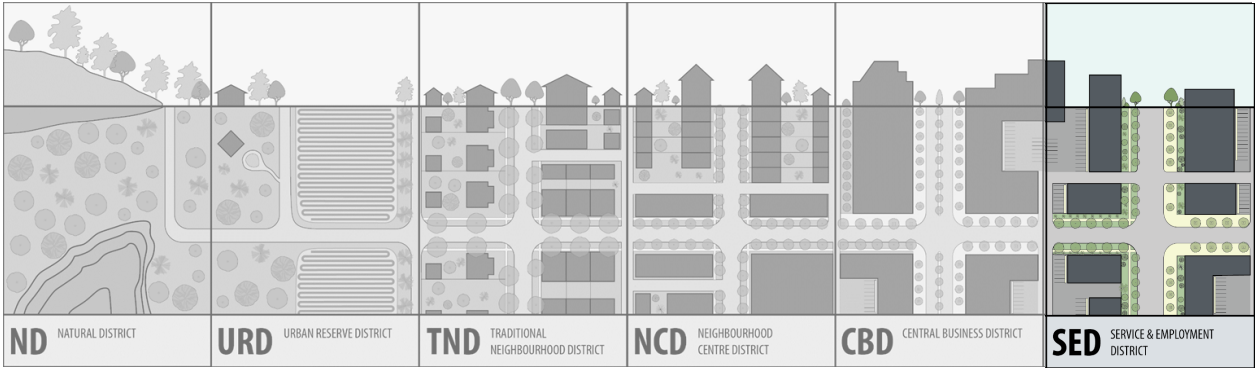
### 3.7.8 Building Height Standards

Height Element	Standard
(a) <b>Primary Building</b> Height	1 - 3 <b>Storeys</b> .
(b) <b>Accessory Building</b> Height	1 - 2 <b>Storeys</b> .

"N" stands for any **Storeys** above those shown, up to the maximum

(c) Height Calculations	<ul style="list-style-type: none"> <li>i. The first <b>Storey</b> of a <b>Building</b> or <b>Structure</b> is measured from the finished <b>Ground Floor</b> level to the surface of the second floor in the case of a one-storey <b>Building</b> or <b>Structure</b>. Each upper <b>Storey</b> is measured from the surface of the floor to the surface of the floor above it, or if there is no floor above, from the surface of the floor to the <b>Eave</b> of the roof.</li> <li>ii. When a <b>Lot</b> slopes downward from the <b>Front Lot Line</b> an additional <b>Storey</b> is allowed in addition to the maximum number allowed, and only on the lower rear portion of the <b>Lot</b>.</li> <li>iii. <b>Storeys</b> shall not exceed 4.5 metres in height from finished <b>Ground Floor</b> to finished ceiling, except for a <b>Ground Floor Building</b> in the <b>Lodging, Professional Office, or Retail &amp; Entertainment</b> Use Categories, which shall be between 3.5 metres and 7.5 metres in height. Any <b>Storey</b> that exceeds this height shall be counted as 2 <b>Storeys</b>.</li> </ul>
-------------------------	--

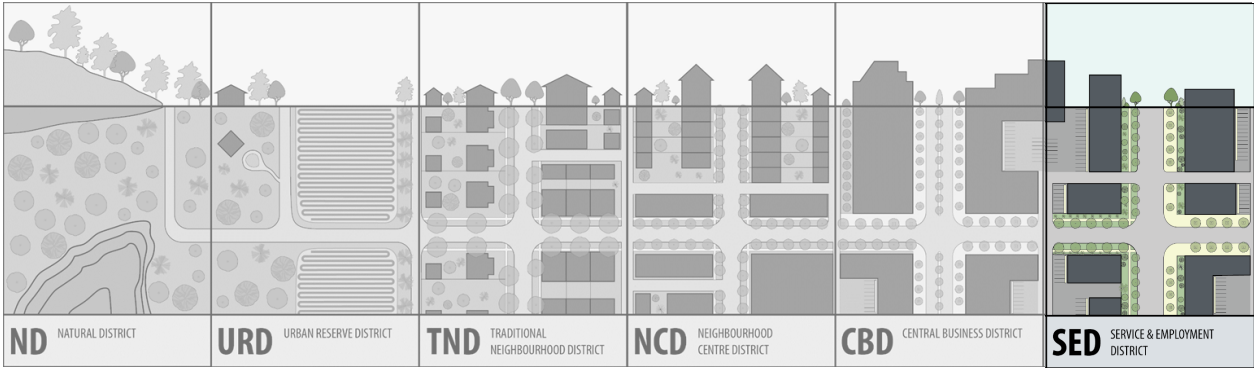
## PART 3: LAND USE DISTRICTS



- iv. Mezzanines extending beyond 33.0 percent of the floor area shall be counted as an additional **Storey**.
- v. In a parking garage or **Structure**, each above-ground level counts as a single **Storey** regardless of its relationship to habitable **Storeys**.

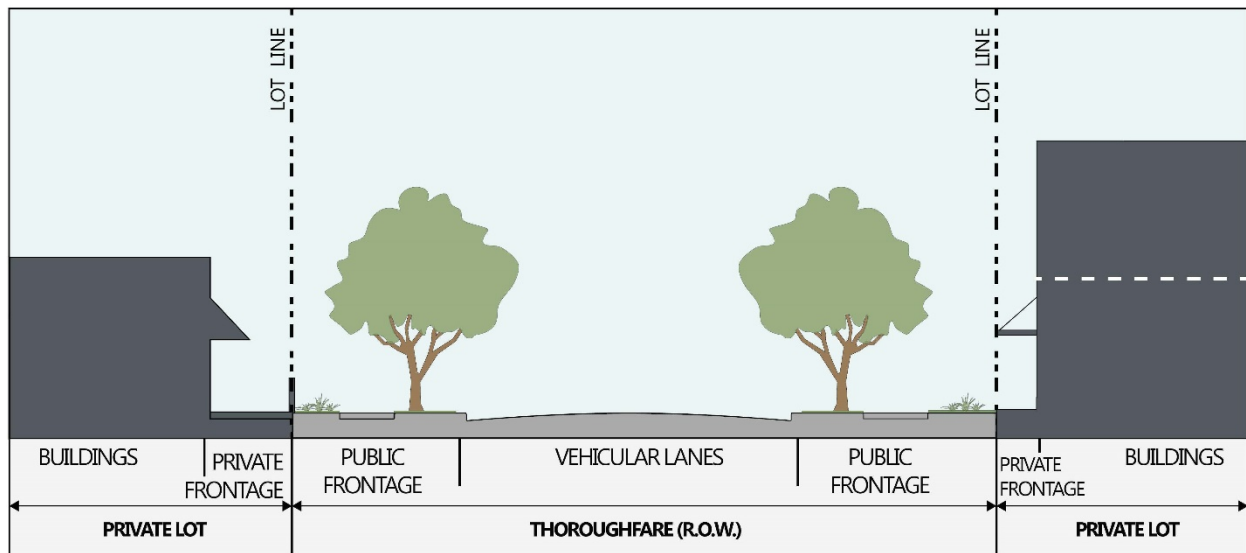
- (d) Additional **Building** Height Standards
- i. Floors above the second **Storey** shall be stepped back for the **Primary Frontage** or **Secondary Frontage** for a minimum horizontal distance of 2.5 metres.
  - ii. **Accessory Buildings** with 2 or more **Storeys** shall be designed to reduce privacy concerns for adjacent **Residential Uses**.

## PART 3: LAND USE DISTRICTS

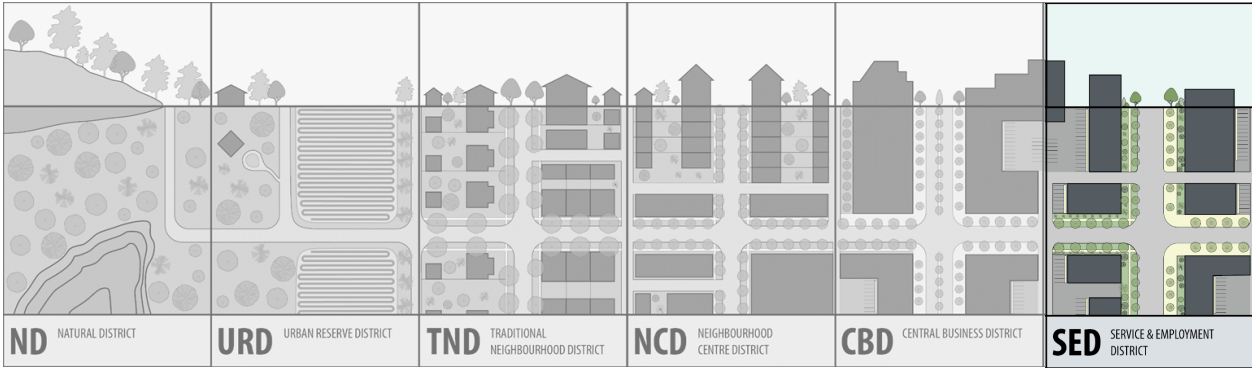


### 3.7.9 Frontage Standards

Frontage Element	Standard
(a) General Frontage Standards	<ul style="list-style-type: none"> <li>i. The <b>Public Frontage</b> and <b>Private Frontage</b> shall form a seamless space from the <b>Curb</b> to the <b>Building</b> and shall consist of separate zones with a focus on key elements of the <b>Public Realm</b>. Small decorative <b>Fences</b> may divide the <b>Public Frontage</b> and <b>Private Frontage</b> to differentiate between public and privately owned lands, as long as the perception of a seamless space is maintained.</li> <li>ii. Public spaces shall be clear legible public <b>Access</b> and be designed to allow for a variety of public <b>Uses</b>.</li> <li>iii. Improvements to the <b>Public Frontage</b> shall be required for all greenfield and redevelopment scenarios.</li> </ul>



## PART 3: LAND USE DISTRICTS



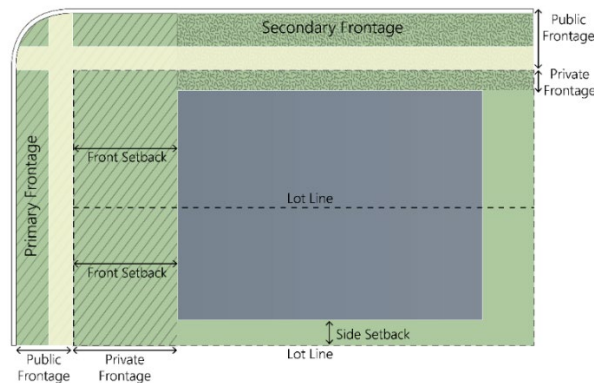
### Definitions:

**Thoroughfare** means a **Right-of-Way**, typically publicly owned, serving primarily pedestrian and vehicular travel, providing **Access** to abutting properties, and which may also be used to provide space for bicycle facilities, **Stormwater Management**, **Shade Trees** and / or utilities. **Lanes** are not considered **Thoroughfares**. A **Thoroughfare** does not have to accommodate vehicular travel.

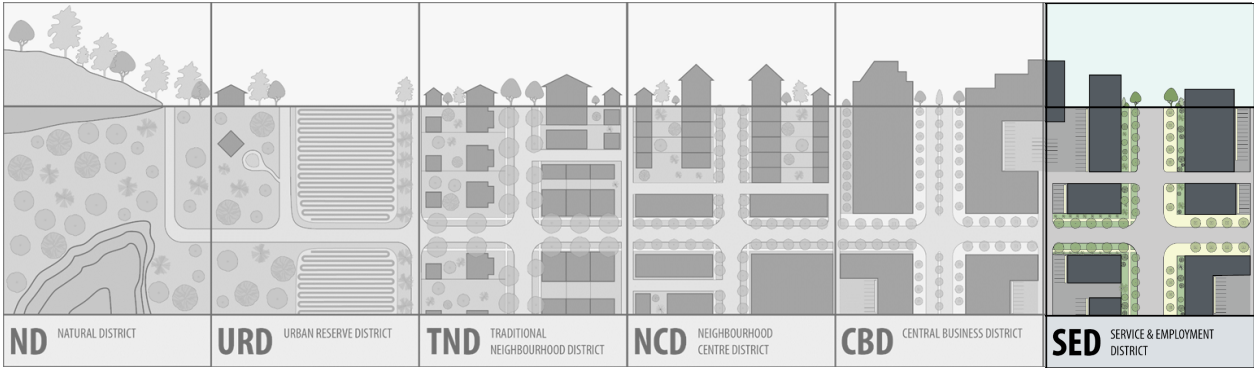
- (a) **Primary Thoroughfare** means the **Thoroughfare** clearly associated with the front **Façade** of **Primary Buildings** along a **Block Face**. Where a **Corner Lot** abuts more than two **Thoroughfares**, the **Development Authority** may determine that all **Thoroughfares**, except for one, are a **Primary Thoroughfare**, if such a determination is in the interest of protecting the quality of the **Public Realm**.
- (b) **Secondary Thoroughfare** means a **Thoroughfare** that is not a **Primary Thoroughfare**, and is clearly associated with the corner side **Façades** of **Buildings**.

**Frontage** means the area of a **Lot** between a **Building Façade** and a **Curb** inclusive of its built and landscape components. **Frontage** is divided into **Public Frontage** and **Private Frontage**.

- (a) **Private Frontage** means the area between the **Building Façades** and the **Lot Lines**, and applies to the **Primary Frontage** and secondary **Frontage**.
- (b) **Public Frontage** means the area within a **Thoroughfare** between the **Curb** and the **Front Lot Line**, and applies to the primary **Frontage** and secondary **Frontage**.

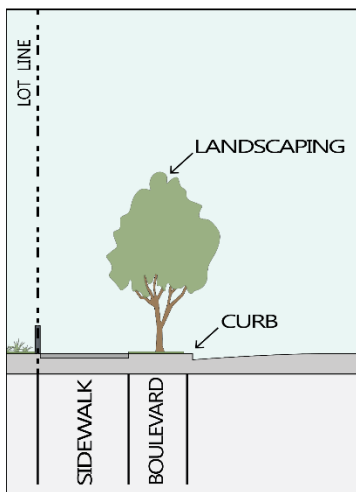


## PART 3: LAND USE DISTRICTS



Frontage Element	Description	Standard
------------------	-------------	----------

(b) Boulevard	The space between the <b>Curb</b> and the Property Line in the <b>Public Frontage</b> .	Minimum 2.0 metres wide, except where existing <b>Rights-of-Way</b> conditions require a minor reduction in order to accommodate a sidewalk, as per Subsection 3.7.9 (c) and / or landscaping as per Subsection 3.7.9 (d).
---------------	---	--



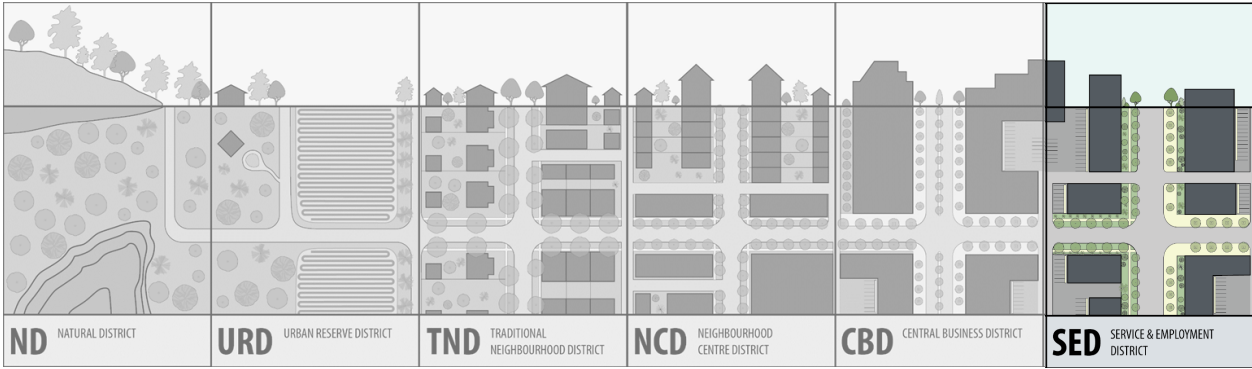
(c) Sidewalks	The space for pedestrian circulation in the <b>Public Frontage</b> .	<ul style="list-style-type: none"> <li>i. 2.0 metres - 4.0 metres wide, except where existing <b>Rights-of-Way</b> conditions require a minor reduction in order to accommodate landscaping, as per Subsection 3.7.9 (d).</li> <li>ii. Sidewalks shall be adequately illuminated to ensure a high level of pedestrian safety and comfort.</li> <li>iii. Sidewalks within the <b>Public Frontage</b> shall be dedicated for pedestrian travel only. Sidewalks within the <b>Private Frontage</b> may be utilized for patio seating, non-permanent <b>Signs</b>, retail display, and / or landscaping.</li> </ul>
---------------	--	---

## PART 3: LAND USE DISTRICTS



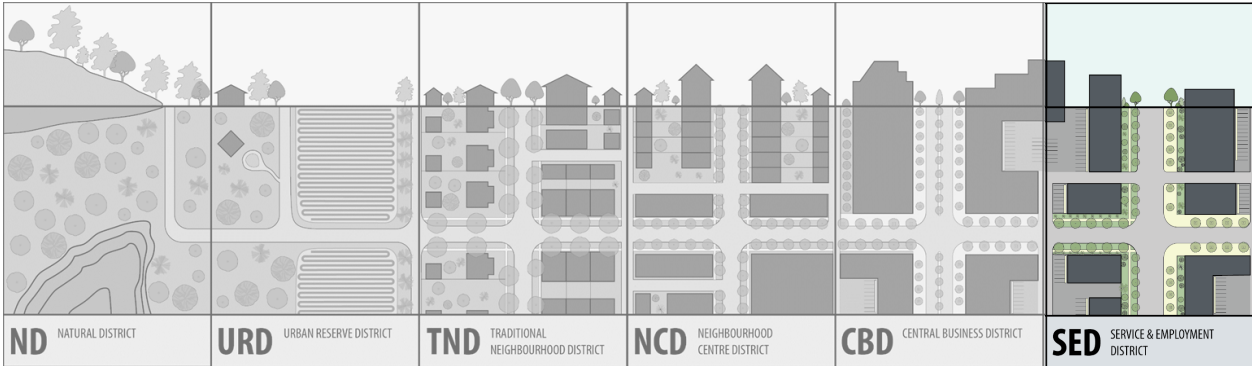
<b>Frontage Element</b>	<b>Description</b>	<b>Standard</b>
(d) Landscaping	The type and placement of landscaping elements in the <b>Public Frontage</b> .	Landscaping may be a mix of trees and <b>Shrubs</b> and may be grouped together, but shall not hinder pedestrian movement or connectivity. Where trees are considered, they shall consist primarily of <b>Shade Trees</b> .
(e) <b>Transparency</b>	The area of the <b>Façade</b> composed of windows either within the wall or within doors, typically measured as a percentage.	Minimum 50.0 percent on the ground floor for all <b>Uses</b> adjacent to a <b>Thoroughfare</b> or public space.
(f) Blank Wall Length	The maximum length of a <b>Façade</b> without any <b>Transparency</b> or <b>Architectural Features</b> .	Maximum 5.0 metres including parking <b>Structures</b> .
(g) <b>Primary Entrance</b>	The main point of <b>Access</b> for pedestrians to a <b>Building</b> shall be considered the Public Entrance for all non- <b>Residential Uses</b> , and <b>Residential Uses</b> that <b>Access</b> more than 4 <b>Dwelling Units</b> .	<ul style="list-style-type: none"> <li>i. Every <b>Building</b> shall have at least one <b>Primary</b> entrance.</li> <li>ii. The <b>Primary</b> entrance shall be oriented to the <b>Primary Frontage</b> unless the <b>Building</b> is on a <b>Corner Lot</b> where the <b>Primary</b> entrance may be oriented to the intersection.</li> <li>iii. The <b>Primary</b> entrance for all non-residential and residential <b>Buildings</b> with more than 2 <b>Dwelling Units</b> (not including <b>Additional Dwelling Units</b>) shall be clearly visible to create identity and a sense of arrival, be universally accessible, provide weather protection, and be identifiable to pedestrians, through the use of <b>Architectural Features</b>, to the satisfaction of the <b>Development Authority</b>.</li> </ul>

## PART 3: LAND USE DISTRICTS



<b>Frontage Element</b>	<b>Description</b>	<b>Standard</b>
(h) Additional Entrance(s)	All other points of public <b>Access</b> for pedestrians to a <b>Building</b> , not including service <b>Access</b> .	<ul style="list-style-type: none"> <li>i. Every entrance shall be visible and identifiable to pedestrians similar to the <b>Primary</b> entrance.</li> <li>ii. Additional entrance(s) shall be provided at important pedestrian connectivity locations, to the satisfaction of the <b>Development Authority</b>.</li> </ul>
(i) Additional <b>Frontage</b> Standards	<ul style="list-style-type: none"> <li>i. <b>Corner Lots</b> shall have a <b>Primary Frontage</b> and a <b>Secondary Frontage</b>.</li> <li>ii. Consistent high-quality design shall be evident in the <b>Development</b> on all areas of a property, with particular attention to <b>Frontages</b>.</li> <li>iii. Product display area shall be focused on quality over quantity.</li> </ul>	

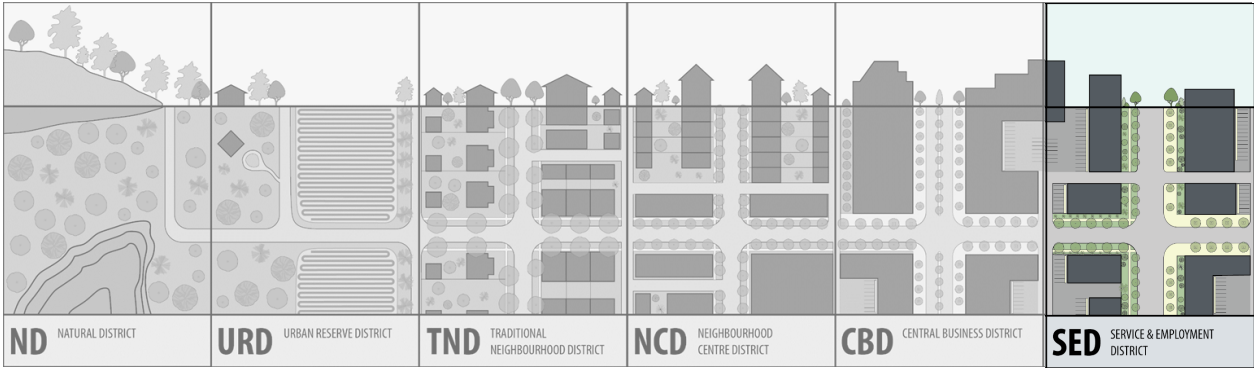
## PART 3: LAND USE DISTRICTS



### 3.7.10 Parking, Loading & Access Standards

Element	Standard
<p>(a) General Parking, Loading &amp; Access Standards</p>	<ol style="list-style-type: none"> <li>i. <b>Developments</b> should be designed to ensure <b>Access</b> and parking <b>Structures</b> do not visually dominate the <b>Public Realm</b> or create obstructions to the pedestrian network.</li> <li>ii. All <b>Grade</b>-level parking areas adjacent to a <b>Frontage</b> shall be set back a minimum of 3.0 metres and screened from view of the <b>Frontage</b> by landscaping.</li> <li>iii. Parking lots shall incorporate pedestrian-focused infrastructure to ensure safe and comfortable pedestrian <b>Access</b> to <b>Building</b> entrances.</li> <li>iv. Parking lots should incorporate landscaping elements that enhance the pedestrian experience, provide shade to reduce heat islands, and reduce <b>Stormwater</b> run-off.</li> <li>v. Parking areas and / or parking <b>Structures</b> shall integrate pedestrian connectivity with nearby <b>Buildings</b> and / or <b>Lots</b> to support the local pedestrian network.</li> <li>vi. <b>Curb</b> cuts should be eliminated where possible, or reduced if alternative <b>Access</b> is not possible.</li> </ol>

## PART 3: LAND USE DISTRICTS

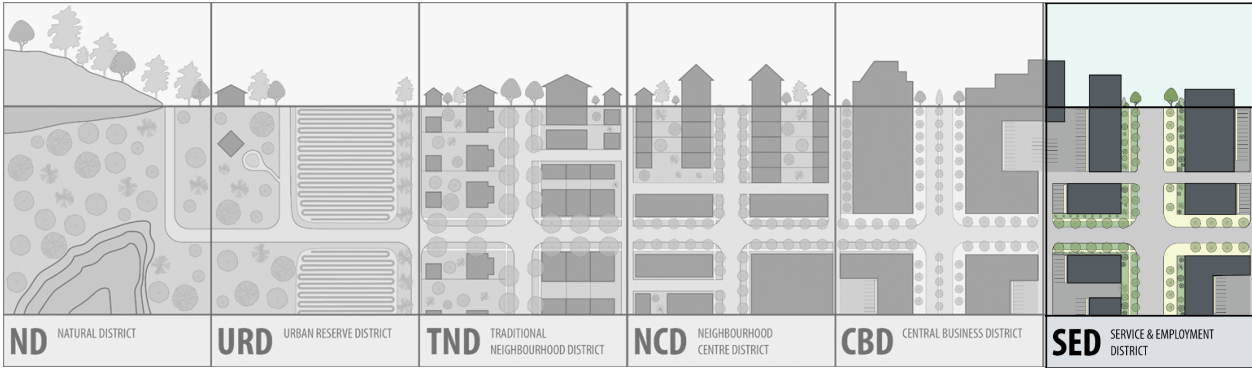


Parking Element	Description	Standard
-----------------	-------------	----------

- |  |   |  |
|--|---|--|
| <p>(b) Bicycle Parking and Bicycle Storage</p> | <p>The provision and location of bicycle parking and bicycle storage.</p> | <ul style="list-style-type: none"> <li>i. Bicycle parking shall be provided for all <b>Development</b> at the discretion of the <b>Development Authority</b> except residential <b>Buildings</b> with 4 <b>Dwelling Units</b> or less.</li> <li>ii. Bicycle parking <b>Structures</b> shall be located close to a <b>Primary</b> entrance, but shall not impede pedestrian circulation or <b>Access</b> to a <b>Building</b>.</li> <li>iii. Bicycle parking <b>Structures</b> shall be highly visible and shall include a permanent rack or hook-up system.</li> <li>iv. Covered bicycle storage or similar consideration shall be provided for all <b>Residential Development</b> with 5 <b>Dwelling Units</b> or more. Individual parking <b>Structures</b> and <b>Accessory Buildings</b> may be considered as bicycle storage</li> <li>v. Creative integration with <b>Building</b> and <b>Site</b> design is encouraged.</li> </ul> |
|--|---|--|

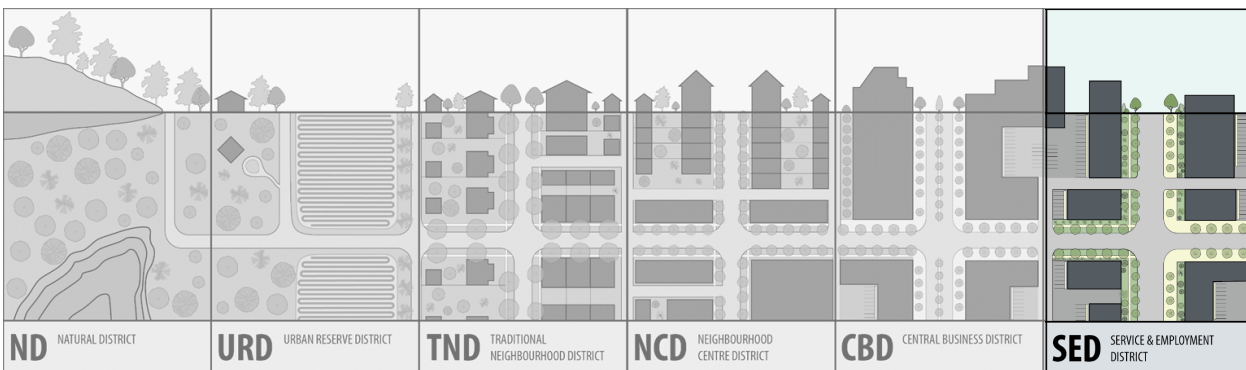


## PART 3: LAND USE DISTRICTS



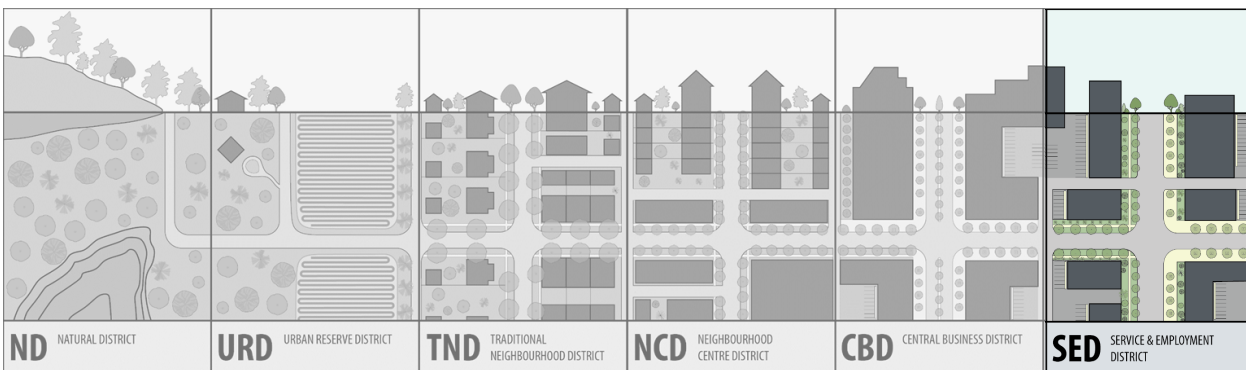
Parking Element	Description	Standard
(c) Vehicle Parking	The provision and location of vehicular parking.	<ul style="list-style-type: none"> <li>i. No minimum number of parking stalls shall be required for any <b>Development</b>; rather each <b>Development</b> shall consider the appropriate number of parking stalls required to support the proposed <b>Development</b>.</li> <li>ii. Where vehicle parking is provided parking areas, stalls, and <b>Access</b> shall meet the design requirements of this Bylaw and shall be consistent with the <b>Town's Municipal Engineering Standards</b>.</li> <li>iii. Off-site vehicle parking (i.e. street parking) may be considered as a portion of the parking strategy for a given <b>Development</b>, at the discretion of the <b>Development Authority</b>.</li> <li>iv. Parking areas and / or parking <b>Structures</b> shall be located to the side or rear of a <b>Building</b>, or underground, wherever possible.</li> <li>v. Parking areas, including any parking <b>Structures</b>, shall not exceed 50.0 percent of a <b>Site</b>.</li> <li>vi. Surface parking areas and / or parking <b>Structures</b> shall not be allowed unless associated with a <b>Development</b>.</li> </ul>
(d) Accessible Vehicle Parking	The number and location of vehicle parking stalls dedicated for handicap placard or licensed vehicles.	For all parking areas and / or parking <b>Structures</b> with 11 or more vehicle stalls, accessible parking shall be provided in a location with the easiest pedestrian <b>Access</b> to the <b>Primary</b> entrance and shall be provided in accordance with the <i>Barrier Free Design Guide</i> as per the National Building Code

## PART 3: LAND USE DISTRICTS



Parking Element	Description	Standard
(e) <b>Vehicle Access</b>	A vehicular lane or driveway within a <b>Lot</b> , or shared between 2 or more <b>Lots</b> , providing <b>Access</b> to a garage or other parking area and / or <b>Structure</b> .	<ul style="list-style-type: none"> <li>i. Parking shall be accessed by rear <b>Lanes</b> wherever possible. Where no rear <b>Lane</b> exists, <b>Vehicle Access</b> should be located on the <b>Secondary Frontage</b>. Where <b>Access</b> on a <b>Secondary Frontage</b> is not possible, <b>Access</b> may be located on the <b>Primary Frontage</b>.</li> <li>ii. For all <b>Uses</b> except for <b>Institutional Uses</b>, <b>Vehicle Access</b> to parking areas and / or parking <b>Structures</b> shall be no wider than 3.0 metres in any <b>Frontage</b>. <b>Institutional Uses</b> may have a <b>Vehicle Access</b> to parking areas and / or parking <b>Structures</b> no wider than 6.0 metres in any <b>Frontage</b>.</li> <li>iii. The number of <b>Vehicle Access</b> points to a <b>Lot</b> shall be limited to 1.</li> <li>iv. Joint <b>Vehicle Access</b> between 2 or more adjacent <b>Lots</b> may be considered to provide more efficient <b>Vehicle Access</b> arrangements, to reduce <b>Curb</b> cuts, and / or to reduce any negative impact on the <b>Public Realm</b>.</li> </ul>
(f) Additional Parking, Loading & <b>Access</b> Standards		<ul style="list-style-type: none"> <li>i. Vacant land or <b>Buildings</b> shall not be used for parking.</li> <li>ii. Permeable paving materials are encouraged in order to increase on-site <b>Stormwater Infiltration</b>.</li> <li>iii. <b>Bicycle Stair Channels</b> are encouraged where more than 3 stairs are part of the exterior circulation of a <b>Development</b>.</li> <li>iv. Parking is not allowed within rear <b>Lane Rights-of-Way</b>.</li> <li>v. All parking areas shall illustrate, to the satisfaction of the <b>Development Authority</b>, how pedestrian circulation and connectivity meets the intent of the Land Use District and the Guiding Principles Bylaw.</li> </ul>

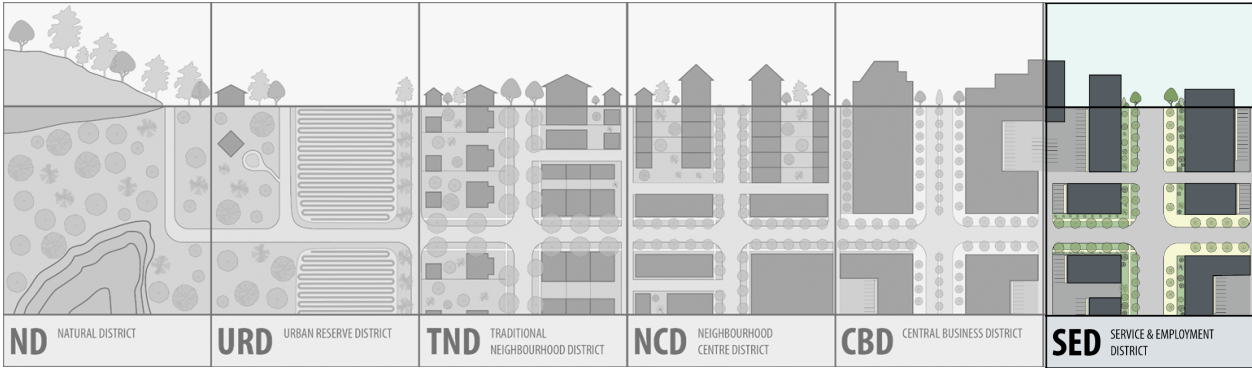
## PART 3: LAND USE DISTRICTS



### 3.7.11 Landscaping Standards

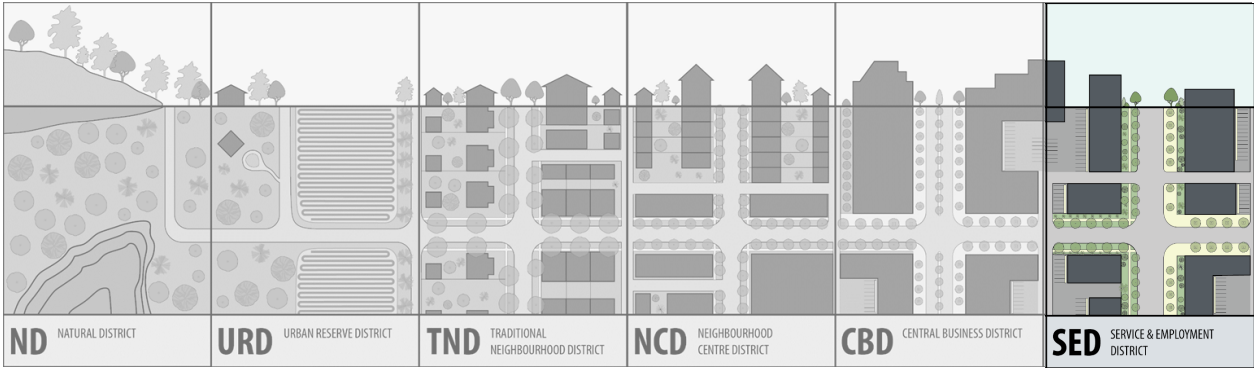
<i>Element</i>	<i>Standard</i>	
(a) General Landscaping Standards	<ul style="list-style-type: none"> <li>i. <b>Developments</b> should preserve and enhance the urban forest.</li> <li>ii. Landscaping should be integrated into a <b>Development</b> to enhance the pedestrian experience and improve the <b>Public Realm</b>.</li> <li>iii. <b>Developments</b> should ensure appropriate conditions for mature tree growth.</li> <li>iv. The spacing and placement of plants shall be adequate and appropriate for the typical size, shape, and habitat of the given plant species at maturity.</li> </ul>	
<i>Landscaping Element</i>	<i>Description</i>	<i>Standard</i>
(b) <b>Landscaped Area</b>	The area where landscaping is primarily located.	The <b>Landscaped Area</b> for all other <b>Development</b> other than 2 <b>Dwelling Units</b> or less (not including <b>Additional Dwelling Units</b> ) shall be 40.0 percent of the total <b>Lot Area</b> for <b>Residential Uses</b> and 15.0 percent of the total <b>Lot Area</b> for all other <b>Uses</b>
(c) Tree Size	The size of a tree at the time of planting.	Minimum height of 2.0 metres and / or 50.0 millimetres in <b>Caliper</b> .
(d) <b>Shrub</b> Size	The size of a shrub at the time of planting.	Minimum of a #2 container and / or a minimum height of 19.0 to 23.0 centimetres, as per the <i>Canadian Nursery Landscape Association</i> standards

## PART 3: LAND USE DISTRICTS



(e) Number of Trees	The minimum number of trees required for both on-site <b>(re)development</b> and for <b>Frontage(s)</b> .	<ul style="list-style-type: none"> <li>v. <b>Residential Development</b> with 2 <b>Dwelling Units</b> or less (not including <b>Additional Dwelling Units</b>) shall provide a minimum of 1 tree per unit.</li> <li>vi. All other <b>Development</b> shall provide a minimum of 1 tree per 35.0 square metres of <b>Landscaped Area</b>.</li> <li>vii. In greenfield areas, the minimum number of street trees located in the <b>Public Frontage</b> is 1 tree for every 7.0 metres of <b>Frontage</b> as measured at the <b>Lot Line</b> and shall be consistent with Section 3.7.9.</li> <li>viii. In addition to the minimum number of trees required for on-site <b>Development</b> in established areas, additional trees may be required by the <b>Development Authority</b> in the <b>Public Frontage(s)</b> if local conditions deem it appropriate.</li> </ul>
(f) Number of Shrubs	The minimum number of shrubs required for on-site <b>(re)development</b> .	<ul style="list-style-type: none"> <li>iii. <b>Residential Development</b> with 2 <b>Dwelling Units</b> or less shall provide a minimum of 2 shrubs per unit.</li> <li>iv. All other <b>Development</b> shall provide a minimum of 1 <b>Shrub</b> per 25.0 square metres of <b>Landscaped Area</b>.</li> </ul>
(g) Soil Requirements	The amount of high quality soil and growing material required to support mature plant growth.	Minimum 30.0 centimetres for all planting areas.

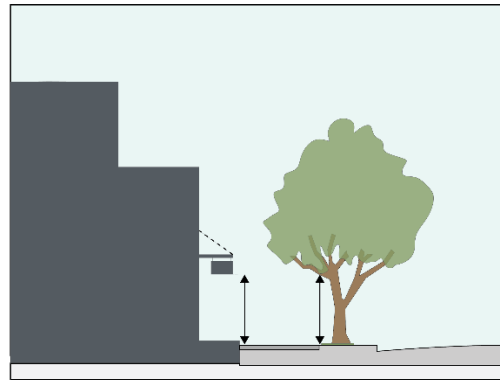
## PART 3: LAND USE DISTRICTS



(h) Tree Clearance

The vertical distance between the existing or potential tree canopy overhanging sidewalks, driveways, paths, **Lanes**, parking spaces, streets, or other public spaces shall be of a type that, at maturity or with minor pruning at installation, provide a clear height for use of a given space.

- i. Minimum 2.5 metres for sidewalks;
- ii. 3.8 metres for driveways, parking spaces and streets; and
- iii. 4.6 metres for **Loading** areas.



(i) Tree Preservation

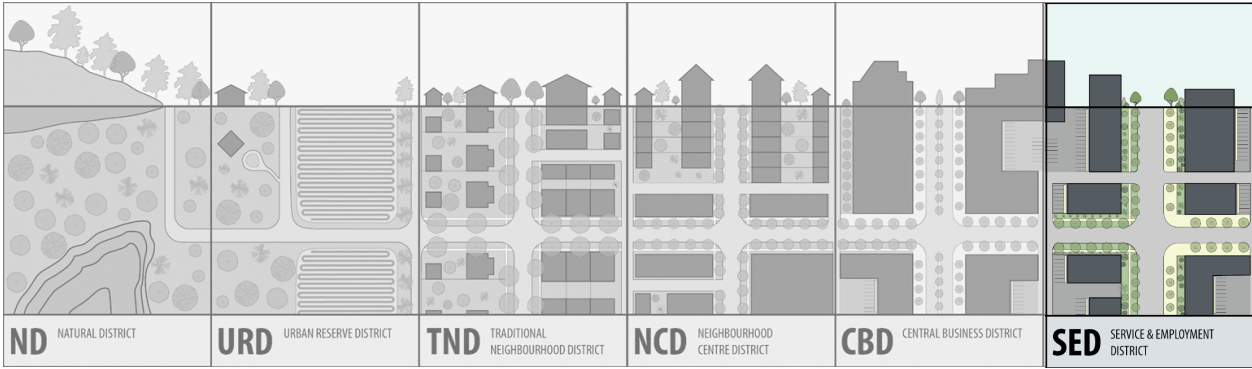
Preservation of on-site and off-site trees is encouraged and may be used to fulfil the landscaping requirements as per Subsection 3.7.9 (d) (See Town's current *Tree Protection Bylaw*)

Mature, healthy, and non-invasive trees shall not be removed except for essential construction activities.

(j) Additional Landscaping Standards

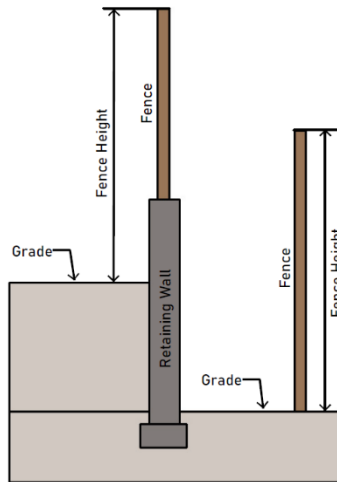
- i. Hard landscaping and / or xeriscaping may be substituted for soft landscaping, at the discretion of the **Development Authority**.
- ii. Where sites are adjacent to the Traditional Neighbourhood District, a screening feature / transitioning buffer shall be installed along the Lot line.

## PART 3: LAND USE DISTRICTS

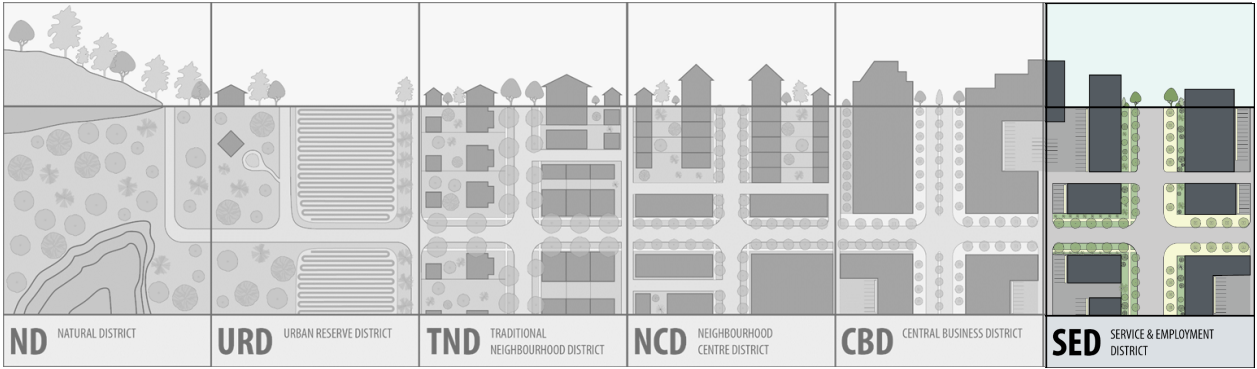


### 3.7.12 Buffers, Screening & Fencing

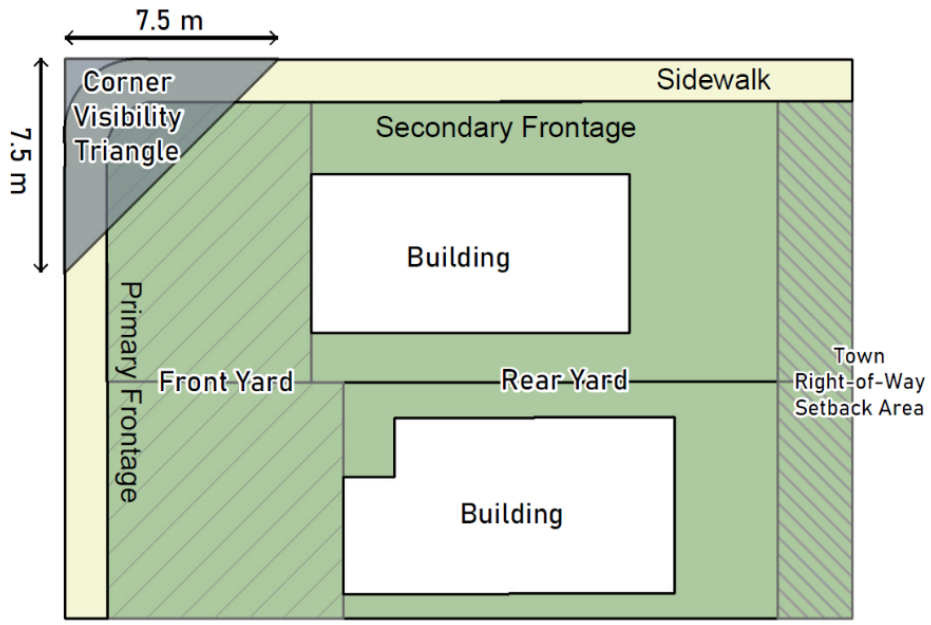
Element	Description	Standard
(a) Buffers & Screening	The use of landscaping or similar elements for <b>Permitted</b> or <b>Discretionary Uses</b> to offset the visual impact of some forms of <b>Development</b> from the <b>Public Realm</b> and / or incompatible adjacent <b>Uses</b> .	<ul style="list-style-type: none"> <li>i. Minimum landscaping requirements in Section 3.7.11 may be placed so as to act as a buffer or screen.</li> <li>ii. Preservation of existing vegetation that could act as a buffer is strongly encouraged.</li> <li>iii. Additional landscaping may be considered in order to maintain or enhance the <b>Public Realm</b>, at the discretion of the <b>Development Authority</b>.</li> </ul>
(b) Fencing	The use and location of fencing, including masonry walls as buffers or transitions.	<ul style="list-style-type: none"> <li>i. Fencing may be used as a decorative transition from one <b>Use</b> to another, as a screening device, or for security purposes.</li> <li>ii. <b>Fences</b> within the <b>Primary Frontage</b> shall be a maximum height of 1.2 metres.</li> <li>iii. All other <b>Fences</b> shall be a maximum height of 1.8 metres.</li> <li>iv. Security fencing shall only be considered for safety, at the discretion of the <b>Development Authority</b>, and shall not contain barbed wire.</li> <li>v. <b>Fences</b> containing barbed wire are not permitted except where the is required in conjunction with <b>Agricultural Uses</b> at the <b>Development Authority's</b> discretion.</li> <li>vi. <b>Fences</b>/screening devices must be designed and erected in a manner that does not pose safety issues to wildlife or the general public.</li> </ul>



### PART 3: LAND USE DISTRICTS

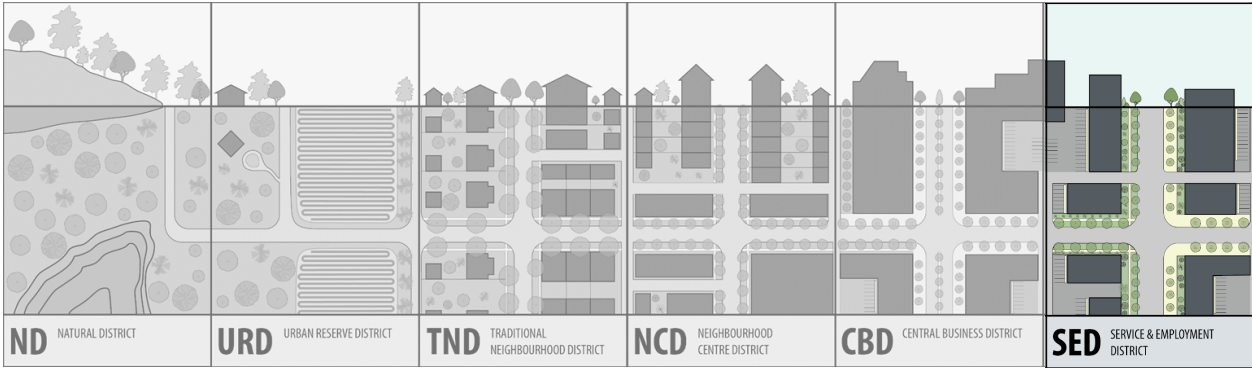


Element	Description	Standard
---------	-------------	----------



(c) Garbage Facilities	The treatment of garbage facilities.	All garbage facilities shall be visually screened from public view, to the satisfaction of the <b>Development Authority</b> .
------------------------	--------------------------------------	---

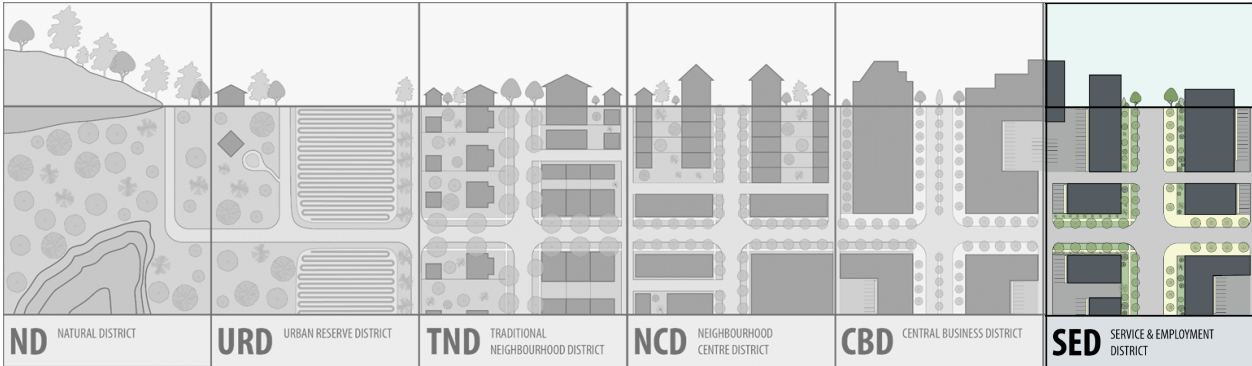
## PART 3: LAND USE DISTRICTS



### 3.7.13 Sign Standards

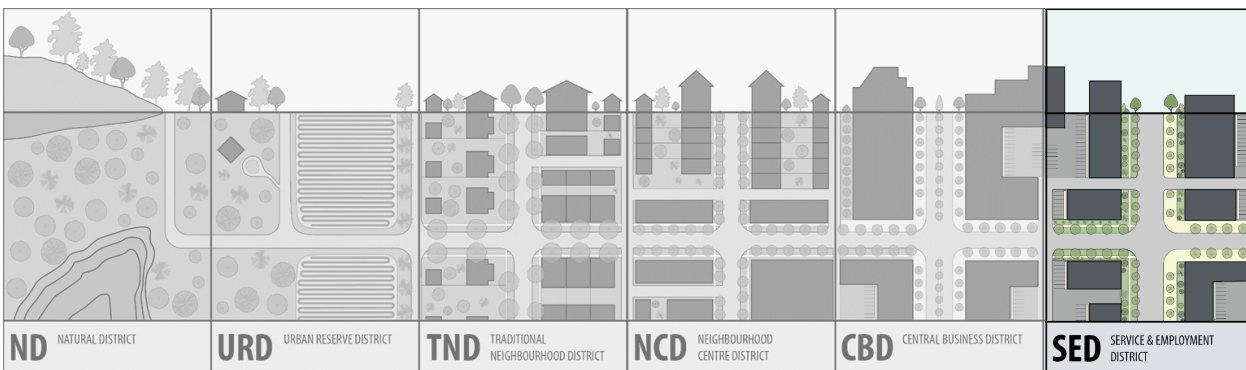
Sign Element	Standard
(a) General <b>Sign</b> Standards	<ul style="list-style-type: none"> <li>i. <b>Signs</b> should be appropriate and integrated with the <b>Building</b> design and character of the neighbourhood.</li> <li>ii. <b>Signs</b> shall be primarily oriented toward pedestrians in both scale and location. <b>Signs</b> oriented towards vehicles are considered secondary.</li> <li>iii. <b>Signs</b> shall not obstruct pedestrian or vehicular visibility or circulation.</li> <li>iv. <b>Signs</b> shall not project above the roofline of a <b>Building</b>.</li> <li>v. The message on the <b>Sign</b> shall relate to the <b>Use</b> of the <b>Site(s)</b> on which it is located.</li> <li>vi. <b>Signs</b> shall not exceed 20.0 percent of the <b>Building Façade</b> to which it is attached.</li> <li>vii. <b>Sign</b> illumination shall be from the top of the <b>Sign</b> and oriented downward and shall be designed to have no direct light emitted above the top of the <b>Sign</b> and / or the <b>Signs</b> support <b>Structure</b>, unless, in the opinion of the <b>Development Authority</b>, the design is enhanced by the addition of light for aesthetic purposes..</li> <li>viii. The vertical clearance from the bottom of a <b>Sign</b> to <b>Grade</b> for a public space shall be: <ul style="list-style-type: none"> <li>A. Minimum 2.5 metres for sidewalks;</li> <li>B. 3.8 metres for driveways, parking spaces and streets; and</li> <li>C. 4.6 metres for <b>Loading</b> areas.</li> </ul> </li> </ul>
	<ul style="list-style-type: none"> <li>ix. <b>Signs</b> shall at all times be maintained in a proper and safe state of repair and shall not be permitted to become dilapidated or unsightly.</li> </ul>

## PART 3: LAND USE DISTRICTS



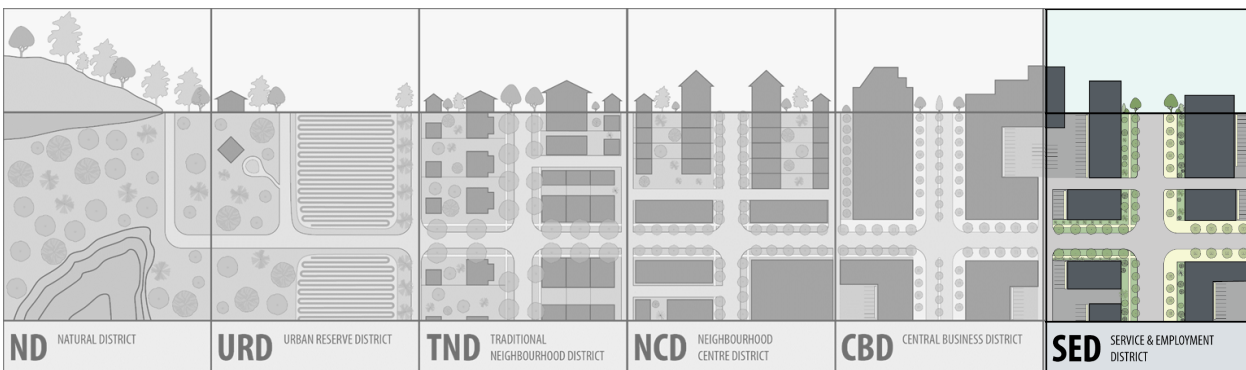
<b>Sign Element</b>	<b>Standard</b>
(b) <b>Sign, Banner</b>	<ul style="list-style-type: none"> <li>i. Shall be limited to 1 banner per business.</li> <li>ii. Shall not cover more than 25.0 percent of the ground floor <b>Façade</b> for a business.</li> <li>iii. Materials shall be weather resistant and minimize glare</li> <li>iv. Shall only be approved on a <b>Temporary</b> basis.</li> </ul>
(b) <b>Sign, Canopy</b>	<ul style="list-style-type: none"> <li>i. Shall not cover more than 25.0 percent of the ground floor <b>Façade</b> for a business.</li> <li>ii. May project into the <b>Public Frontage</b> up to 1.5 metres as long as it maintains a <b>Setback</b> of at least 0.6 metres from the <b>Curb</b>.</li> <li>iii. Shall not be allowed in addition to a <b>Sign, Fascia</b> on the same business <b>Façade</b>.</li> </ul>
(c) <b>Sign, Changeable Message</b>	<ul style="list-style-type: none"> <li>i. Shall only be allowed as part of a <b>Sign, Freestanding</b> or <b>Sign, Fascia</b>.</li> </ul>
(d) <b>Sign, Community Identification</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 3.0 square metres and have a maximum height of 1.5 metres from <b>Grade</b>.</li> <li>ii. Shall be self-supported and shall be permanent and stationary.</li> </ul>
(e) <b>Sign, Electronic Messaging</b>	<ul style="list-style-type: none"> <li>i. May be approved on its own, or as part of a <b>Sign, Freestanding</b>.</li> <li>ii. Shall be located in such a manner as to minimize any impacts into any adjacent <b>Residential Uses</b>.</li> <li>iii. Digital display content must not include fill motion video, animation, or flashing images. In the case of an electronic message board, the text may scroll or switch messages at a pace deemed acceptable to the Development Authority.</li> <li>iv. If any component of the digital display fails or malfunctions, the permit holder must ensure that the digital display is turned off until all components are fixed and are operating in compliance.</li> <li>v. Digital display(s) must not exceed the following illumination levels: <ul style="list-style-type: none"> <li>A. A maximum of 7,500 Nits from sunrise to sunset;</li> <li>B. A maximum of 500 Nits from sunset to sunrise;</li> </ul> </li> </ul>

## PART 3: LAND USE DISTRICTS



Sign Element	Standard
	<ul style="list-style-type: none"> <li>vi. The light levels around the electronic display must not at any time exceed the ambient light level by more than 5.0 LUX.</li> <li>vii. Shall have a maximum <b>Sign</b> area of 3.0 square metres and have a maximum height of 6.0 metres from <b>Grade</b>.</li> <li>viii. Shall incorporate landscaping where required by the <b>Development Authority</b></li> <li>ix. This category of <b>Sign</b> may include, but is not necessarily limited to digital signs, electronic message boards, <b>Gas Station</b> price boards, <b>Drive-Thru</b> menus, and time/temperature displays. There is no limitation to the number <b>Signs</b>, <b>Electronic Messaging</b> that can be proposed and approved in a <b>Development</b> under a single application. However, the <b>Development Authority</b> reserves the right to restrict the number of <b>Signs</b>, <b>Electronic Messaging</b> approved for a <b>Development</b> based on the suitability of the location and design of the <b>Signs</b>, <b>Electronic Messaging</b></li> </ul>
(f) <b>Sign, Fascia</b>	<ul style="list-style-type: none"> <li>i. Shall not cover more than 20.0 percent of the first <b>Storey Façade</b> for a business.</li> <li>ii. The top of a <b>Sign, Fascia</b> shall have a maximum height of 4.5 metres from <b>Grade</b> and shall not extend above the base of a window on any upper <b>Storey</b>.</li> <li>iii. May project into the <b>Public Frontage</b> up to 0.4 metres.</li> <li>iv. Shall not be allowed in addition to a <b>Sign, Canopy</b> on the same business <b>Façade</b>.</li> </ul>
(g) <b>Sign, Flag</b>	<ul style="list-style-type: none"> <li>i. May have a maximum sign area of 2.0 square metres and have a maximum height of 4.0 metres from <b>Grade</b>.</li> <li>ii. A maximum of one <b>Sign</b> is allowed per <b>Frontage</b>.</li> <li>iii. Must not be located on a <b>Roof</b> of a <b>Building</b>.</li> <li>iv. Must be secured to a flagpole which is secured into the ground. Portable <b>Signs</b>, <b>Flag</b> shall not be permitted.</li> <li>v. Shall incorporate landscaping where required by the <b>Development Authority</b></li> </ul>

## PART 3: LAND USE DISTRICTS



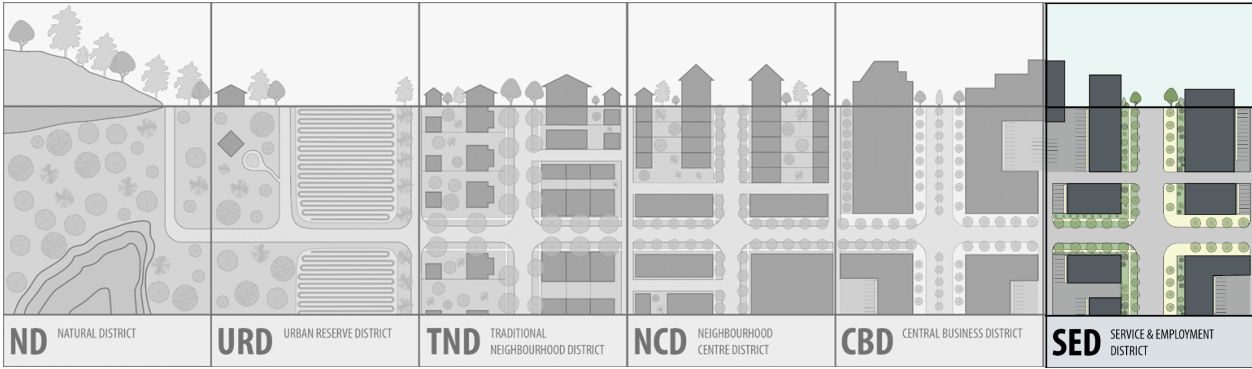
Sign Element	Standard
(h) <b>Sign, Freestanding</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 3.0 square metres and have a maximum height of 6.0 metres from <b>Grade</b>.</li> <li>ii. A maximum of one <b>Sign</b> is allowed per <b>Lot</b>.</li> <li>iii. Shall incorporate landscaping where required by the <b>Development Authority</b></li> </ul>
(i) <b>Sign, Projecting or Hanging</b>	<ul style="list-style-type: none"> <li>i. Shall have a maximum <b>Sign</b> area of 1.0 square metre.</li> <li>ii. May project into the <b>Public Frontage</b> up to 1.0 metre as long as it does not project closer than 0.6 metres to the <b>Curb</b> and shall not extend past a <b>Sign, Canopy</b> on the same <b>Façade</b>.</li> <li>iii. A maximum of one <b>Sign</b> is allowed per business <b>Façade</b>.</li> <li>iv. Shall be located a minimum of 3.0 metres from each other.</li> </ul>
(j) <b>Sign, Sponsorship</b>	<ul style="list-style-type: none"> <li>i. <b>Signs</b> located on <b>Fences</b> shall not cover more than 50.0 percent of the <b>Fence</b> facing the <b>Public Realm</b> and shall not obstruct sight line, gates or access points to the satisfaction of the <b>Development Authority</b>.</li> <li>ii. <b>Signs</b> shall not protrude past the side edges, above, or below the <b>Fence</b>.</li> <li>iii. Shall not cover more than 20.0 percent of the first <b>Storey Façade</b> of the <b>Building</b> or <b>Structure</b>.</li> </ul>
(k) <b>Sign, Window</b>	<ul style="list-style-type: none"> <li>i. A <b>Development Permit</b> is required for a total <b>Sign</b> area of more than 50.0 percent of the glass surface of the window(s).</li> <li>ii. In the case of a <b>Major Home Occupation</b>, the maximum <b>Sign</b> area shall be 0.2 square metres and a maximum of one <b>Sign</b> per <b>Major Home Occupation</b> shall be permitted.</li> <li>iii. Shall not be illuminated when located in a <b>Residential Building</b>.</li> </ul>

## PART 3: LAND USE DISTRICTS



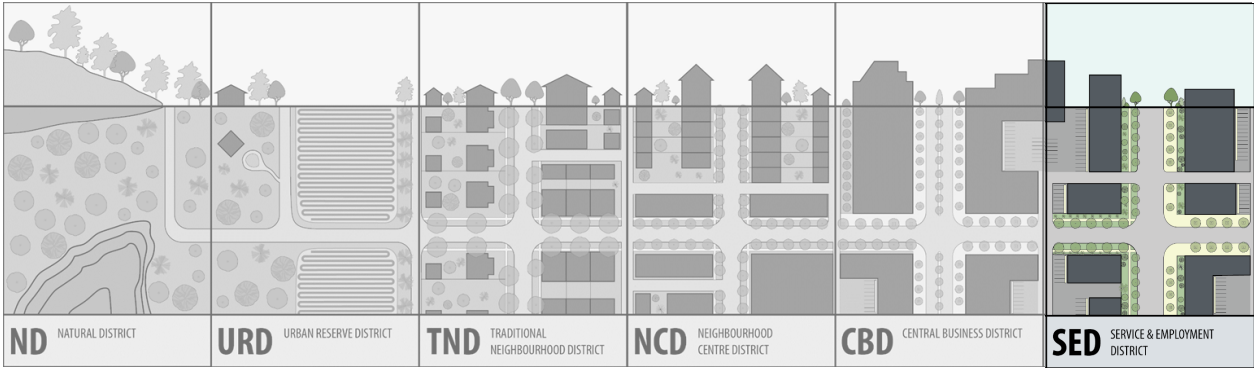
Sign Element	Standard
<p>(l) <b>Signs</b> not requiring a <b>Development Permit</b></p>	<ul style="list-style-type: none"> <li>i. An official notice, <b>Sign</b>, placard, or bulletin for Municipal, Provincial, or Federal purposes whether on public or private property.</li> <li>ii. A <b>Sign</b> that is not visible from the <b>Public Realm</b> at the discretion of <b>Development Authority</b>.</li> <li>iii. <b>Signs, Temporary Banner</b> to advertise any <b>Community Group</b> or <b>Community Event</b>, and with a maximum <b>Sign</b> area of 3.0 square metres. .</li> <li>iv. <b>Signs, Temporary</b> associated with an approved <b>Temporary Use</b>, with a maximum area of 1.0 square metre, a maximum height of 2.0 metres, and a maximum of 2 <b>Signs</b> per <b>Lot</b>.</li> <li>v. <b>Signs, Construction</b> located on <b>Site(s)</b> where construction, renovation, or maintenance is occurring, and is removed 7 days following completion of work.</li> <li>vi. <b>Signs, Election</b> with a maximum <b>Sign</b> area of 1.5 square metres, and maximum height of 2.0 metres, which are placed no sooner than 30 days prior to an election and removed 7 days following.</li> <li>vii. Existing <b>Signs</b> when only the message area of the <b>Sign</b> is being changed to reflect a change in the business name or a replacement sign for an existing business..</li> <li>viii. <b>Signs, Real Estate</b> with a maximum <b>Sign</b> area of 1 square metre and a maximum of 1 <b>Sign</b> per <b>Lot Frontage</b>.</li> <li>ix. A <b>Sign, Traffic</b> or <b>Signs, Directional</b> with a maximum <b>Sign</b> area of 1.0 square metre and a maximum height of 2.0 metres authorized by the Municipal, Provincial, or Federal Government(s).</li> <li>x. A <b>Sign</b> for a garage sale or similar event, posted for a maximum of 48 hours.</li> </ul>

## PART 3: LAND USE DISTRICTS



<b>Sign Element</b>	<b>Standard</b>
(m) Prohibited <b>Signs</b>	<ul style="list-style-type: none"> <li>i. <b>Signs, Inflatable;</b></li> <li>ii. <b>Signs, Searchlight or Laser;</b></li> <li>iii. <b>Signs, Third Party;</b></li> <li>iv. <b>Signs, Vehicle or Trailer</b> on non-motorized vehicles;</li> <li>v. <b>Signs, Portable;</b></li> <li>vi. <b>Signs, Roof;</b></li> <li>vii. <b>Signs, Obsolete;</b> and</li> <li>viii. Moving, flashing, sound-emitting <b>Signs</b>, or <b>Signs, Revolving.</b></li> </ul>
(n) Additional <b>Sign Standards</b>	<ul style="list-style-type: none"> <li>i. Whenever a panel on a multi-tenant <b>Sign</b> is removed, the <b>Sign</b> owner shall replace it with a blank panel until such time as a new tenant requires it.</li> <li>ii. An existing non-conforming <b>Sign</b> may continue to be displayed provided: <ul style="list-style-type: none"> <li>A. The <b>Sign</b> was lawfully erected on or before the day this Bylaw came into effect;</li> <li>B. The <b>Sign</b> continues to comply with the bylaw in effect at the time of its erection;</li> <li>C. Changes to the <b>Sign</b> are limited to normal maintenance; and</li> <li>D. The <b>Sign</b> is not moved or materially altered.</li> </ul> </li> <li>iii. When a <b>Sign</b> cannot be clearly categorized as any of the <b>Signs</b> defined in this Bylaw, the <b>Development Authority</b> shall determine the <b>Sign</b> type and applicable standards.</li> </ul>

## PART 3: LAND USE DISTRICTS



(o) Associated **Uses**

In the table below:

- ✓ means a **Sign** is **Permitted**
- means a **Sign** is **Permitted** and does not require an associated **Use**
- means a **Sign** is not **Permitted**
- ★ means a **Sign** is **Discretionary**

	<b>Sign, Banner</b>	<b>Sign, Canopy</b>	<b>Sign, Changeable Message</b>	<b>Sign, Community Identification</b>	<b>Sign, Electronic Messaging</b>	<b>Sign, Fascia</b>	<b>Sign, Freestanding</b>	<b>Sign, Projecting or Hanging Wall</b>	<b>Sign, Window</b>
<b>Residential</b>	●	●	●	○	●	●	●	●	✓
<b>Lodging</b>	✓	●	✓	○	●	✓	✓	✓	✓
<b>Office</b>	✓	✓	●	○	●	✓	✓	✓	✓
<b>Retail &amp; Entertainment</b>	✓	●	✓	○	★	✓	✓	✓	✓
<b>Manufacturing</b>	✓	●	●	○	●	✓	✓	✓	✓
<b>Institutional</b>	✓	●	✓	○	●	✓	✓	✓	✓
<b>Agriculture</b>	✓	●	●	○	●	●	✓	✓	✓

## PART 3: LAND USE DISTRICTS



### 3.7.14 Outdoor Lighting Standards

- (a) All outdoor light fixtures shall be aimed downward and shielded in a manner that does not direct illumination on to a street or adjacent **Residential Use**.
- (b) All outdoor light fixtures shall not emit light above the bottom of the light fixture except where the light fixture is used for accent lighting.
- (c) The provisions for Section 3.7.14 do not apply to roadways or **Traffic Signs**.

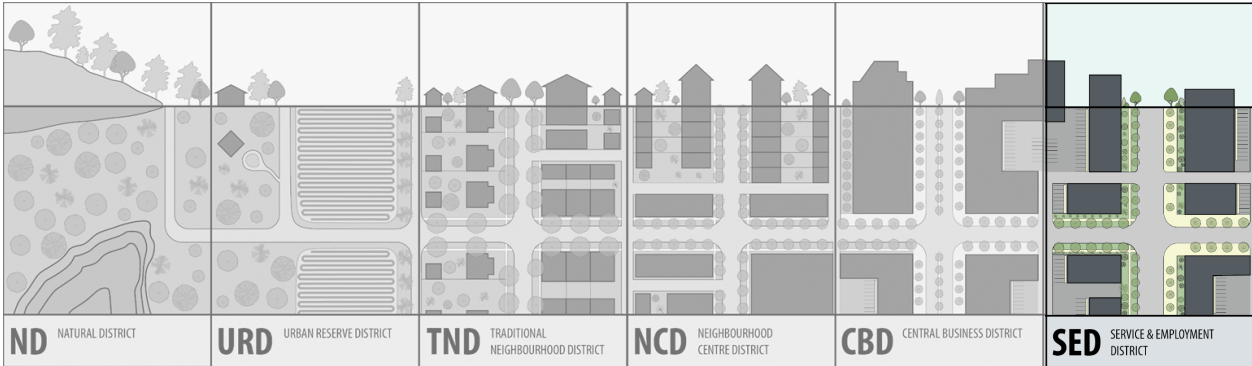
### 3.7.15 Sustainable Energy

- (a) **Sustainable Renewable Energy** systems are encouraged and supported within the **Town**.
- (b) **Solar Energy Systems** shall only be located on a **Façade** or roof of a **Building** and should be integrated with the **Building** design and character.
- (c) **Wind Turbines** shall not be allowed within the Service & Employment District (SED).

### 3.7.16 Relocation, Demolition, or Removal of Buildings

- (a) **Demolition** or removal of a **Building** is allowed in all Land Use Districts.
- (b) A Demolition Permit shall be required, as per the *Alberta Safety Codes Act*, for the **Demolition** or removal of any **Building**.
- (c) In addition to a Demolition Permit, prior to the **Demolition** or removal of a **Building**, a **Development Permit** must be approved by the **Development Authority** except when a **Demolition** or removal of a **Building** is a result of a **Development** for which a **Development Permit** has already been approved and issued.
- (d) Notwithstanding Subsection 3.7.16 (c), a **Development Permit** is not required for the **Demolition** or removal of a **Building** that does not require a **Development Permit** as per Section 4.6.

## PART 3: LAND USE DISTRICTS



- (e) Applications for a **Development Permit** for the **Demolition** or removal of a **Building** shall include:
- How the safety of the public and adjacent **Buildings** will be ensured;
  - How the **Site** will be cleaned and graded; and
  - How any affected roads, sidewalks, boulevards, or utilities will be protected.
- (f) A **Development Permit** is required when a **Building** is being relocated to a **Site** from elsewhere on the same **Site**, or from another **Site**, and the relocated **Building** shall comply with the provisions of this Bylaw.

### 3.7.17 Historic Buildings

- (a) A **Development Permit** application to demolish, remove, or alter a **Building** that is designated as a Provincial Historic Resource shall be referred to Council and shall have the written approval of the Minister responsible for the *Historic Resources Act*.
- (b) A **Development Permit** application to demolish, remove, or alter a **Building** that is designated as a Municipal Historic Resource shall be reviewed by the **Development Authority** and shall comply with the provision of the bylaw designating said **Building**.

### 3.7.18 Recreational Vehicles

- (a) No person shall be allowed to keep or maintain a **Recreational Vehicle** in a **Frontage** between October 30 and April 1.
- (b) No **Recreational Vehicle** shall be used for living, sleeping, or housekeeping purposes other than in designated campgrounds.
- (c) No **Recreational Vehicle** shall have its wheels removed or be affixed to the ground so as to prevent its ready removal.
- (d) No **Recreational Vehicle** shall be connected to any public utility except for required servicing.

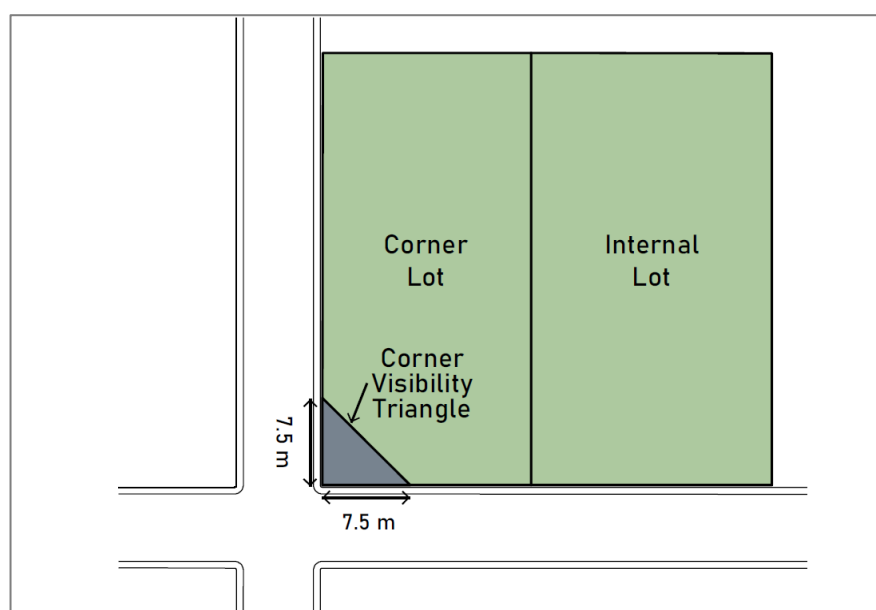
## PART 3: LAND USE DISTRICTS



### 3.7.19 Additional Standards

- (a) The **Development Authority** may allow a **Variance** of any or all of the requirements of this Bylaw, through an application, where at the discretion of the **Development Authority**, the **Development** would not unduly interfere with the amenities of the neighbourhood, detract from the public realm, or materially interfere with or affect the use, enjoyment, or value of the neighbouring **Lots**, and the **Use** proposed is allowed by this Bylaw.
- (b) Any standard from this Bylaw may be applied to **Development** within this Land Use District at the discretion of the **Development Authority** in order to ensure a high-quality level of design and / or future urban development opportunities.
- (c) When a **Development** cannot be clearly categorized in this Bylaw, the **Development Authority** shall determine all applicable standards.
- (d) (All **Development** shall meet the requirements of the *Alberta Safety Codes Act*.)
- (e) All other **Development** proposals shall be at the **Development Authority's** discretion.
- (f) All **Development** shall meet the Minimum Development Elevation requirements in Section 2.4. if required by the **Development Authority** as per Section 2.4.3.
- (g) Notwithstanding any other provisions contained in this Bylaw, no vegetation, finished **Lot** grade, **Building** or **Structure** shall exceed the general elevation of the street by more than 0.76 m within the area defined as a **Corner Visibility Triangle**.
- (h) Sites with incomplete Development must be maintained at all times in accordance with the standards of the Town, including but not necessarily limited to the Good Neighbour Bylaw and the General Engineering and Construction Specifications. .

## PART 3: LAND USE DISTRICTS



### 3.7.20 The Design, Character & Appearance of Buildings

- (a) The size, location, design, character and appearance of any **Building** or **Structure** requiring a **Development Permit** shall be acceptable to the **Development Authority** having due regard to:
- i. The policies and objectives contained within the **Town's** Statutory Plans;
  - ii. Any studies adopted as guidelines regarding Heritage Buildings and historic resources, vistas, streetscapes, parking, mobility, public art, and open space;
  - iii. The character of existing **Development** in this Land Use District including, but not necessarily limited to, facing materials, **Building** mass and architectural detailing;
  - iv. The character of existing **Development** in this Land Use District, as well as the effect on adjacent Land Use District(s) and parcels, unless the **Building** or **Structure**, at the discretion of the **Development Authority**, sets a higher standard of design, character and appearance for this Land Use District, or part of it; and
  - v. Other factors such as daylight, sunlight, and privacy.

## PART 3: LAND USE DISTRICTS



- (b) The exterior finishing materials on the **Façade** of a proposed **Development** shall be those identified on the approved plans for that **Development**.
- (c) Once constructed, the **Façade** of the **Building(s)** shall be maintained to the standard shown on the Site Plan and elevation drawings approved by the **Development Authority**.
- (d) , **Additions** to any **Primary Building(s)** and any **Accessory Building(s)** shall be constructed and finished with materials compatible with the **Primary Building(s)**.
- (e) Where a proposed **Development** is part of a larger area, the whole of which may eventually be designed and developed, and for which no overall **Development** plan has been prepared, the **Development Authority** may require the submission of a **Master Site Plan** before dealing with the application.

### 3.7.21 Drainage Standards

- (a) All roof drainage from a **Structure** or **Building** must be discharged onto the **Lot** on which the **Structure** or **Building** is located. No roof drainage may create any negative impact on adjacent **Sites**. Should any damage occur, the owner shall be responsible all the cost of all applicable damages as determined by a qualified professional (e.g. insurance underwriter) based on the General Engineering and Construction Specifications.

### 3.7.22 Pageantry Features

- (a) **Pageantry Features** may only be located within or abutting the **Development** that they relate to.
- (b) **Pageantry Features** are limited to:
- promoting natural and manmade attributes and amenities of the **Development**;
  - providing the names of area builders;
  - providing directions within the **Development**;
  - indicating the general price range of housing products.
- (c) **Pageantry Features** must not:
- be installed so as to obstruct or impede free and clear vision for motorists and pedestrians and in so

## PART 3: LAND USE DISTRICTS



doing create a traffic hazard;

- ii. interfere with, or cause confusion with, any authorized sign, signal or traffic control device and in so doing create a traffic hazard;
- iii. impede pedestrians from using the sidewalk system;
- iv. create any other safety issue under the regulations of the Town of High River Traffic Bylaw or the Traffic Safety Act, RSA 2000; or
- v. cause any damage to any Town owned trees (through installation, placement or removal) or result in any pruning to improve visibility of Pageantry Features.

(d) **Pageantry Features** may include the following types:

- i. freestanding signs, provided the signs do not exceed 2.0 metres in height and 3.0 square metres in sign area and are securely inserted into the ground (skids, concrete blocks, and similar types of footings will not be permitted);
- ii. flags and flag poles;
- iii. banners and banner poles; or
- iv. any other decorative feature where, in the opinion of the **Development Authority**, the feature is consistent with the intent of these regulations.

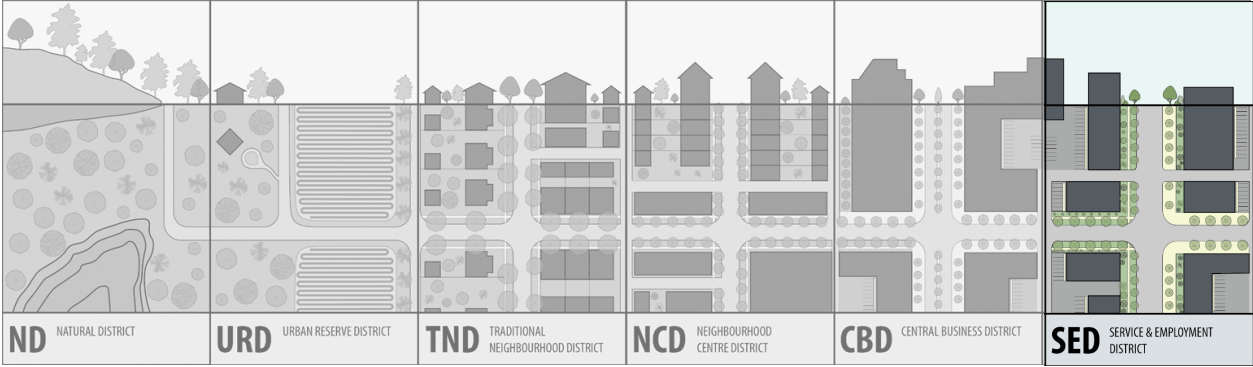
(e) All **Pageantry Features** within a **Development** must be coordinated, cohesive and have a consistent theme.

(f) All **Pageantry Features** within a **Development** must be kept in good repair at all times.

(g) There is no limitation to the number of Pageantry Features that can be proposed and approved in a **Development** under a single application. However, the **Development Authority** reserves the right to restrict the number of **Pageantry Features** approved for a **Development** based on the suitability of the location and design of the **Pageantry Features**.

(h) A **Development Permit** shall only be provided for up to a maximum of 5 years, at which time a new or renewed **Development Permit** shall be required. Pageantry shall be removed within thirty days of the final **Lot** or unit of the **Development** being sold by the developer.

**PART 3: LAND USE DISTRICTS**



**3.8 DIRECT CONTROL GENERAL PROVISIONS**

3.8.1 Direct Control Districts are for the purpose of providing for **Developments** that, due to their unique characteristics, innovative ideas or unusual **Site** constraints, require specific regulation unavailable in other Land Use Districts.

3.8.2 An **Applicant** for a Direct Control District must provide a written statement indicating why, in the **Applicant's** opinion, a Direct Control District is necessary and why the same result cannot be achieved through the use of a Land Use District in this Bylaw.

3.8.3 In evaluating an application for a Direct Control District, **Council** shall take into account the objectives and policies contained in the **Town Plan** and any Area Structure or Area Redevelopment Plans that relate to the area.

3.8.4 **Council** shall establish appropriate **Development** standards in the bylaw approving a Direct Control District and shall also identify whether **Council** or the Town Manager will be the **Development Authority** to decide on subsequent **Development Permit** applications.

3.8.5 In Direct Control Districts where **Council** is the **Development Authority**, decisions on minor

**Development Permit** applications are hereby delegated to the Chief Administrative Official or his / her delegate. For the purposes of this Section, minor **Development Permits** shall be:

- (a) **Signs**;
- (b) **Home Occupations, Major**, and
- (c) Changes of **Use** or Intensifications of **Use** that comply with the Bylaw and require minimal or no **Variance**.

3.8.6 Where a **Site** is designated a Direct Control District:

- (a) Pursuant to this Bylaw, a reference to a Section of this Bylaw within the Direct Control bylaw is deemed to be a reference to the Section as amended from time to time, unless a contrary intent is stated in the Direct Control bylaw;
- (b) Pursuant to a previous land use bylaw and where such designation is continued pursuant to this Bylaw, the Direct Control bylaw, as approved by **Council** at the time such designation was made, will continue to apply, unless a contrary intent is set out in the Bylaw designating the **Site** Direct Control.

4.1 DEVELOPMENT AUTHORITY

4.1.1 The Development Authority shall administer this Bylaw and decide upon all Development Permit applications except those in Direct Control Districts where Council is authorized to be the Development Authority.

4.1.2 The **Development Authority**:

- (a) Shall keep and maintain for inspection by the public during office hours, a copy of this Bylaw and all amendments thereto and ensure that copies of same are available to the public at reasonable charge;
- (b) Shall maintain an up-to-date version of this Bylaw on the **Town's** website;
- (c) Shall make available for inspection by the public during office hours and post on the **Town's** website all applications and decisions for **Development Permits**;
- (d) May refuse to accept a **Development Permit** application where insufficient information is provided or the quality of the information provided is inadequate to properly evaluate the application or the applicable application fee has not been paid;
- (e) May mail a notice to all landowners within 40.0 metres of the subject **Site** or post a notice on the **Site** of an application for a **Development Permit** to request comments from persons who may be affected, prior to rendering a decision;
- (f) Shall consider and decide on applications for **Development Permits** within forty days of the receipt of the application in its complete and final form or within such time as may be agreed to, in writing, by the **Applicant**;

- (g) Shall approve all **Development Permit** applications for a "**Permitted Use**" with or without conditions, if the application conforms in all respects to the provisions of this Bylaw;
- (h) Shall not approve any **Development Permit** application for the **Use** of land or a **Building** not listed as a "**Permitted Use**" or "**Discretionary Use**" in the district in which the **Building** or **Site** is situated;
- (i) Shall not approve an application for a **Development Permit** that is not in conformity with the **Town's** Statutory Plans.

4.1.3 In making a decision on a **Development Permit** application for a "**Discretionary Use**," the **Development Authority** may:

- (a) Approve the application; or
- (b) Approve the application subject to conditions and restrictions considered appropriate or necessary; or
- (c) Refuse the application.

4.1.4 Notwithstanding Subsections 4.1.2 (f) and 4.1.3, the **Development Authority** may allow a **Variance** of any or all of the requirements of this Bylaw, through an application, where at the discretion of the **Development Authority**, the **Development** would not unduly interfere with the amenities of the neighbourhood, detract from the public realm, or materially interfere with or affect the use, enjoyment, or value of the neighbouring parcels of land and the **Use** proposed is allowed by this Bylaw.

4.1.5 Typical associated uses of a **Residential Use** are **Permitted** and do not require a **Development Permit** including, but not limited to backyard agriculture, beekeeping, and / or chicken husbandry. Any additional bylaws or

standards are still applicable.

**4.2 SUBDIVISION AUTHORITY**

- 4.2.1 The **Subdivision Authority** shall administer this Bylaw in matters relating to **Subdivision** and must decide on all **Subdivision** applications.
- 4.2.2 The **Subdivision Authority**:
- (a) Shall make available for inspection by the public during office hours and post on the **Town's** website all applications and decisions for **Subdivision** approval;
  - (b) Shall refer for comment, applications for **Subdivision** to those authorities and agencies prescribed within the *Subdivision and Development Regulation* and this Bylaw;
  - (c) Shall request comments from adjacent property owners on applications for **Subdivision** only when the **Site** is not within an approved Area Structure Plan or an approved Area Concept Plan;
  - (d) Shall refer for comment an application for **Subdivision** to the Foothills County when the **Site** is within 800.0 metres of the **Town** boundaries;
  - (e) Shall prepare, sign, and transmit all notices of decisions on applications for **Subdivision**;
  - (f) Shall review instruments for Land Titles registration for conformity with the **Subdivision Authority's** decision;
  - (g) May endorse Land Titles instruments in order to effect the registration of the **Subdivision** of land.
- 4.2.3 After the specified time period from the date of referral to authorities, agencies, or landowners, the application may be dealt with by the **Subdivision Authority**, whether or not

## PART 4: ADMINISTRATION

---

- comments have been received, unless an extension is agreed upon.
- 4.2.4 The **Subdivision Authority** shall not approve an application for **Subdivision** for a **Use** which is not listed as a "**Permitted Use**" or "**Discretionary Use**" in this Bylaw.
- 4.2.5 The **Subdivision Authority** may refuse to accept an application for **Subdivision** if the information specified in Section 4.11 has not been provided.
- 4.2.6 In making a decision on a **Subdivision** application the **Subdivision Authority** may:
- (a) Approve the application; or
  - (b) Approve the application subject to conditions and restrictions considered appropriate or necessary; or
  - (c) Refuse the application.
- 4.2.7 The **Subdivision Authority** may approve the application for **Subdivision** even though the proposed **Subdivision** does not comply with this Bylaw if, at its discretion, the proposed **Subdivision** would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land, and the proposed **Use** is allowed in the applicable Land Use District.
- 4.2.8 The **Subdivision Authority** shall appear at **Appeal** hearings of the Municipal Government Board and the **Subdivision and Development Appeal Board** to explain decisions relating to applications for **Subdivision**.
- 4.3 **AMENDMENTS TO THIS BYLAW**
- 4.3.1 **Council** may, by bylaw, amend or repeal this Bylaw.
- 4.3.2 Prior to granting second reading to a proposed bylaw that amends or repeals this Bylaw, **Council** shall hold a public hearing in accordance with the *Municipal Government Act*.
- 4.3.3 Any amendments to this Bylaw shall comply with the **Town's** statutory plans.
- 4.3.4 An application to amend this Bylaw may be made by any person by submitting the following to the **Development Authority**:
- (a) The prescribed application form, properly completed and signed;
  - (b) The fee, as established by **Council** resolution;
  - (c) In the case of a redesignating amendment:
    - i. Plan(s) showing the lands which are the subject of the amendment,
    - ii. Written authorization from the registered owner(s) of the said lands, and
    - iii. A current copy of the Certificate of Title for the said lands;
  - (d) A written statement of the **Applicant's** reason for the application; and
  - (e) Any other supporting information which, at the discretion of the **Development Authority**, is necessary to assess the application.
- 4.3.5 When the **Town** initiates a change in land use designation for land which it does not own, the **Town** must, in accordance with the requirements of the *Municipal Government Act*,

## PART 4: ADMINISTRATION

---

- give notice to the owners of the land that is the subject of the proposed amendment.
- 4.3.6 When an application for a change in land use designation has been refused, the **Development Authority** may refuse to accept an application until six months has lapsed from the date of the refusal.
- 4.4 FORMS, NOTICES, AND FEES**
- 4.4.1 For the purposes of administering the provisions of this Bylaw, various forms and notices may be prepared by the **Development Authority** and **Subdivision Authority** and the use of such forms and notices are deemed to have the full force and effect of this Bylaw in execution of the purpose for which they were designed, authorized, and issued.
- 4.4.2 Fees to be charged for the processing of applications required by this Bylaw are approved annually by **Council** resolution.
- 4.4.3 The forms, notices, and fee schedules authorized pursuant to this Bylaw may be posted, issued, mailed, emailed, served, or delivered in the course of the **Development Authority's** or **Subdivision Authority's** duties.

**4.5 APPLICATION FOR A DEVELOPMENT PERMIT**

4.5.1 Except as provided in Section 4.6 of this Bylaw, no person shall undertake any **Development** unless:

- (a) A **Development Permit** has first been issued pursuant to this Bylaw; and
- (b) The **Development** is proceeded with in accordance with the terms and conditions of the **Development Permit** issued in respect of the **Development**.

4.5.2 An application for a **Development Permit** for **Development** shall be made to the **Development Authority** using the prescribed form and required checklist signed by the owner or the agent and accompanied by the following items unless otherwise agreed with the **Development Authority**:

- (a) Copies of the **Site**, floor, elevation, and landscaping plans in accordance with the checklist, drawn to scale, in metric dimensions which show the following:
  - i. Legal description of the **Site** with north arrow;
  - ii. Area and dimensions of the land to be developed including **Lot Coverage**, **Setbacks**, **Frontage Build-Out**, and / or parking;
  - iii. Exterior finishing materials, architectural design features and all locations and dimensions of **Frontage** elements including **Transparency**, entrances, and landscaping;
  - iv. The height, dimensions, and relationship to property lines of all existing and proposed **Buildings** and **Structures** including retaining walls,

trees, landscaping, and other physical features;

- v. The removal of trees if applicable;
  - vi. Existing and proposed **Access** to and from the **Site**;
  - vii. **Site** drainage, finished **Lot Grades**, and the **Grades** of the roads, streets, and sewers servicing the property;
  - viii. Locations and distances of on-site existing or proposed water and sewer connections, septic tanks, disposal fields, water wells, culverts, and crossings; and
  - ix. Information on the method to be used for the supply of potable water and disposal of waste along with supporting documentation.
- (b) A copy of the Certificate of Title;
  - (c) If the **Applicant** is not the owner of the land, a letter from the owner authorizing the **Applicant** to act on his / her behalf; and
  - (d) The **Development Permit** fee as prescribed by **Council**.
  - (e) Number of units proposed;
  - (f) Loading and parking provisions;
  - (g) Location of any fire hydrants;
  - (h) Garbage and storage areas and the fencing and screening proposed for same;
  - (i) Location and approximate dimensions of all existing and proposed trees, **Shrubs**, parks, playgrounds, etc.;
  - (j) A statement clearly describing how the positive and / or negative potential impacts of the proposed **Development** on adjacent lands will be dealt with and how the

- proposed facilities have been designed to address those impacts;
- 4.5.3 In addition to the information required under Section 4.5.2, the following information may be required by the **Development Authority** depending on the scale, type, and location of the proposed **Development**:
- (a) Information describing any noxious, toxic, radioactive, flammable, or explosive materials that may be included in the proposed **Development**;
  - (b) In relation to a special event or temporary **Use**, the duration and time periods for the operation of the facility or event;
  - (c) Methods to control traffic, dust, and noise;
  - (d) Method(s) for providing on-site security;
  - (e) Hydrological study detailing water sources for domestic consumption and irrigation purposes, method(s) for managing on- and off-site drainage and irrigation systems and the effects the drainage and irrigation systems will have on the **Site**, adjacent lands and water courses;
  - (f) Information and documentation on proposed methods of maintaining landscaped areas or golf course **Development** including the use of herbicides, pesticides, fungicides and other chemicals, their impacts on the environment, and mitigating measures that will be employed to minimize any adverse effects;
  - (g) Environmental Impact Analysis on the effects the **Development** would have on the existing vegetation, water courses, wildlife habitats, migration patterns; and / or
  - (h) A Geotechnical Assessment, prepared by a qualified professional, on the subsurface characteristics of the **Site's** suitability to:
    - i. Sustain sewage disposal systems if the intended **Use** is not to be served by a piped municipal wastewater system; and
    - ii. Support **Building** foundations and withstand slumping or subsidence on lands suspected of having foundation problems; and / or
- (i) The estimated commencement and completion dates.
- 4.5.4 The **Development Authority** may require additional information or additional copies of the plans and specifications as is deemed necessary.
- 4.5.5 The application shall not be deemed to be in its complete and final form until all required details have been submitted to the satisfaction of the **Development Authority**.
- 4.5.6 If, at the discretion of the **Development Authority**, land upon which **Development** is proposed has the potential for subsidence, the **Development Authority** may require the **Applicant** to submit one or more of the following documents prepared and sealed by a qualified professional engineer in order to demonstrate that any potential hazards can be mitigated to an acceptable level:
- (a) A structural building plan;
  - (b) A slope stability analysis;
  - (c) A geotechnical report; and / or
  - (d) A flood mapping analysis

**4.6 ISSUANCE OF DEVELOPMENT PERMITS AND NOTICES**

4.6.1 A **Development Permit** issued pursuant to this Bylaw is not a **Building Permit** and, notwithstanding that plans and specifications for **Buildings** may have been submitted as part of an application for a **Development Permit**, work or construction shall neither commence nor proceed until a **Building Permit** has been issued pursuant to applicable bylaws and regulations.

4.6.2 When an application for a **Development Permit** is approved for:

- (a) A **Permitted Use** that complies in all respects to the provisions of this Bylaw and without conditions, the notice of decision shall be sent by electronic mail or ordinary mail to the **Applicant**, or
- (b) A **Permitted Use** that requires a **Variance** or has been approved with conditions or the approval is for a **Discretionary Use**, the notice of decision shall be posted on the **Town's** website and shall be sent by electronic mail or ordinary mail to the **Applicant** and at the discretion of the **Development Authority**, a notice stating the civic address and the nature of the **Use** or **Development** may be:
  - i. Published in a local media circulating within High River; or
  - ii. Sent by electronic mail or ordinary mail to adjacent land owners; or
  - iii. Posted conspicuously on the property.

4.6.3 When an application for a **Development Permit** is refused, the notice of decision shall be sent by electronic mail or ordinary mail to the **Applicant** and shall be posted on the **Town's** website.

4.6.4 For purposes of this Bylaw, the notice of decision of the **Development Authority** on an application for a **Development Permit** is deemed to have been given and to have been received:

- (a) In the case of a decision of refusal on an application for a **Development Permit**, five days from the date that the notice of decision is sent by electronic mail or ordinary mail to the **Applicant**;
- (b) In all other cases, on the date the notice of decision is published or posted on the property, or five days from the date that notice of decision is sent by electronic mail or ordinary mail to adjacent landowners.

4.6.5 When a **Development Permit** has been issued but an **Appeal** to the **Subdivision Development and Appeal Board** or Court of Appeal has been commenced, any action taken by the permit holder in proceeding with the **Development** is at the sole risk of the permit holder.

4.6.6 An application for a **Development Permit** shall, at the option of the **Applicant**, be deemed to be refused when a decision therein is not made within forty days after the receipt of the application in its complete and final form by the **Development Authority**. The **Applicant** may **Appeal** in writing as though he had received a decision of refusal.

4.6.7 When an application for a **Development Permit** has been refused pursuant to this Bylaw or ultimately after **Appeal** pursuant to the **Municipal Government Act**, the submission of another application for a **Development Permit** on the same parcel of land for the same or for a similar **Use** of the land, by the same or any other **Applicant**, may be refused

- by the **Development Authority** for at least six months after the date of refusal.
- 4.6.8 If the **Development** authorized by a **Development Permit** is not commenced within 12 months from the date of its issue and completed within 24 months of the issue, the permit is deemed to be cancelled, unless an extension to this period shall first have been granted by the **Development Authority**.
- 4.7 DEVELOPMENT AGREEMENT**
- 4.7.1 The **Development Authority** may conditionally approve any **Development Permit**, subject to a **Development Agreement**.
- 4.7.2 If a **Development Agreement** is required, it must be entered into between the **Town** and the developer / **Applicant** as per Section 650 of the *Municipal Government Act*. The **Development Agreement** shall be registered on the Certificate of Title to the satisfaction of the **Town**.
- 4.7.3 A **Development Agreement** may contain provisions requiring a security in an amount to be determined by the **Town** and in a form acceptable to the **Town** to guarantee the execution of the items listed in the **Development Agreement**.

**4.8 CONDITIONS OF APPROVAL**

4.8.1 In a decision to approve an application for **Development**, the **Development Authority** may apply any or all of the following conditions to ensure the application conforms to this Bylaw, *Municipal Government Act*, or other legislation:

- (a) A condition that the **Applicant** enter into a **Development Agreement** with the **Town** for any of the following:
  - i. To construct or pay for the construction of a pedestrian walkway system to serve the **Development**;
  - ii. To construct or pay for utilities, roadways, and improvements with an excess capacity;
  - iii. To construct or pay for the construction of off-street or other parking facilities, garbage, recycling, loading, and unloading facilities; and
  - iv. To pay an off-site levy or redevelopment levy, or both, imposed by a bylaw adopted pursuant to the *Municipal Government Act*.
- (b) A condition requiring the **Applicant** to repair or reinstate, or to pay for the repair or reinstatement, to original condition any roads, municipal signage, curbing, sidewalk, or boulevard landscaping, street furniture and tree planting which may be damaged, destroyed, or otherwise harmed during construction of the **Development**;
- (c) Conditions respecting the time within which a **Development** is to be completed;
- (d) Conditions limiting the length of time that a **Development Permit** may continue in effect and the phasing of **Development**;

- (e) The placement of **Buildings** or **Structures** material or any other chattel, mechanism, or device used in, or for the operation of the **Development**;
- (f) Conditions respecting design, character, or appearance of a **Development**, as per each Land Use District; and
- (g) Conditions respecting landscaping, tree preservation, and screening.

4.8.2 In addition to the conditions that the **Development Authority** may impose under Section 4.8.1, the **Development Authority** may impose other conditions as are considered necessary to ensure that this **Development** complies with this Bylaw, any Statutory Plan, or other applicable bylaw.

## PART 4: ADMINISTRATION

---

### 4.9 DEVELOPMENT COMMENCEMENT

- 4.9. **Development** shall not commence before the date of validity on the **Development Permit** unless the **Applicant** has signed the "Voluntary Waiver of Claims" form.

### 4.10 DEVELOPMENT PERMIT REVISION, SUSPENSION, OR CANCELLATION

- 4.10.1 Revisions to approved **Development Permit** drawings prior to **Development Permit** issuance are allowed, subject to the discretion of the **Development Authority**.
- 4.10.2 Applications for a plan revision after **Development Permit** issuance shall be made in writing to the **Development Authority** in the form of an Amending Agreement and shall state the reasons for the revision.
- 4.10.3 Applications for a plan revision after **Development Permit** issuance shall be accompanied by the required fee. If revisions to the related **Development Agreement** are required, the application shall be accompanied by the required fee.
- 4.10.4 The decision on applications for plan revisions after **Development Permit** issuance shall be made by the **Development Authority**.
- 4.10.5 The approval of applications for plan revisions after **Development Permit** issuance may be subject to additional conditions, at the discretion of the **Development Authority**.
- 4.10.6 If requests for plan revisions are, at the discretion of the **Development Authority**, significant enough to amount to a material change in the nature of the **Development**, a new **Development Permit** application must be submitted.
- 4.10.7 Requests for suspension or cancellation of a **Development Permit** shall be made in writing to the **Development Authority** and shall state the reasons for the suspension or cancellation.
- 4.10.8 Whenever it appears to the **Development Authority** that a **Development Permit** has been obtained by fraud or misrepresentation or has been issued in error, the **Development Authority** may suspend or cancel the

**Development Permit.**

**4.11 APPLICATION FOR SUBDIVISION**

- 4.11.1 An application for **Subdivision** approval shall be made to the **Subdivision Authority** using the prescribed form, signed by the owner or agent and accompanied by:
- (a) Copies bearing an original signature and photocopies of the application form and copies of either a sketch or plan drawn to scale in metric dimensions showing the following:
    - i. The location, dimensions and boundaries of the parcel to be subdivided;
    - ii. The proposed **Lot(s)** to be registered in a Land Titles Office;
    - iii. The location, dimensions, and boundaries of each new **Lot** to be created and any reserve land;
    - iv. Existing **Rights-of-Way** of each public utility or other **Rights-of-Way**;
    - v. The location, **Use**, and dimensions of **Buildings** on the parcel that is the subject of the application and specifying those **Buildings** that are proposed to be demolished or moved;
    - vi. The location and boundaries of the bed and shore of any river, stream, watercourse, lake, or other body of water that is contained within or bounds the proposed parcel of land;
    - vii. The location of any existing or proposed wells, any private sewage disposal systems, and the distance from these to existing or proposed **Buildings** and existing or proposed **Lot Lines**; and

- viii. Existing and proposed **Access** to the proposed **Lot(s)** and the remainder of the parcel.
  - (b) Current title searches or photocopies of the existing registered Certificates of Title in a Land Titles Office showing all ownership interests and easements within the parcel to be subdivided; and
  - (c) A **Real Property Report** if the **Lot** contains existing **Buildings** that will remain.
- 4.11.2 In addition to the information required under Section 4.12.1, the following information may be required by the **Subdivision Authority** depending on the scale, type, and location of the proposed **Development**:
- (a) Ground water information and information regarding the supply of potable water if the intended **Uses** are not served by a piped municipal system;
  - (b) A Geotechnical Assessment, stamped by a qualified professional, on the subsurface characteristics of the **Site's** suitability to:
    - i. Sustain sewage disposal systems if the intended **Use** is not to be served by a piped municipal wastewater system; and / or
    - ii. Support **Building** foundations and withstand slumping or subsidence on lands.
  - (c) Statistics in tabular form showing calculations of the gross area of land in the plan area and the allocation of that land to streets, **Lanes**, **Lots**, Municipal Reserve, Municipal and School Reserve, School Reserve, and Environmental Reserve;
  - (d) Where a **Lot** is proposed to be subdivided from a larger **Lot**, the whole of which may eventually be subdivided and no Neighbourhood Outline Plan has been provided, the general design of the larger **Lot** shall be shown;
  - (e) A plan showing resources, such as trees, ravines, views, and other similar natural features which are influential to the **Subdivision** of the area;
  - (f) An appraisal of the market value of the land when money in place of land dedication for Municipal Reserve is proposed. The appraisal must be prepared in accordance with the *Municipal Government Act* and must be submitted with the application; and
  - (g) An Historical Resources Impact Assessment on lands that have been identified or suspected as containing a Registered Historical Resource or within 60 metres of public lands set aside for **Use** as historical **Sites**.
- 4.11.3 If an application for **Subdivision** is refused, the **Subdivision Authority** may refuse to accept another application for **Subdivision** for the same or part of the same land within a 6-month period of the refusal.
- 4.11.4 A decision on an application for **Subdivision** approval is not an approval to develop, construct, or build on the land. **Site** grading, earthwork, or any other construction shall not commence nor proceed until a **Development Agreement** has been signed or, where applicable, a **Development Permit** has been applied for and issued.
- 4.11.5 When an application for a **Subdivision** is approved, with or without conditions, or refused, the transmittal of decision shall be

- sent by electronic mail or ordinary mail to the **Applicant** and those persons and authorities that are required to be given a copy of the application under the *Subdivision and Development Regulation*.
- 4.11.6 For purposes of this Bylaw, the date of the transmittal of decision of the **Subdivision Authority** on an application for **Subdivision** is the date the decision was transmitted to the **Applicant** and those persons required to be notified.
- 4.11.7 The **Applicant** or those Government Agencies to which the application for **Subdivision** was referred may **Appeal** the decision in accordance with the *Municipal Government Act*.
- 4.11.8 At the option of the **Applicant** an application for a **Subdivision** approval shall be deemed to be refused when a decision therein is not made within 21 days for an application described in Section 652 (4) of the *Municipal Government Act* and 60 days in all other cases after the receipt of the application in its complete and final form by the **Subdivision Authority**. The **Applicant** may **Appeal** to the **Subdivision and Development Appeal Board** as though the **Applicant** had received a decision of refusal.
- 4.11.9 Notwithstanding Section 4.11.8, the **Applicant** may agree in writing, to extend the time period for making a decision on an application for **Subdivision**.
- 4.12 SUBDIVISION AGREEMENT**
- 4.12.1 The **Subdivision Authority** may conditionally approve a **Subdivision** application subject to a **Subdivision Agreement**.
- 4.12.2 If a **Subdivision Agreement** is required in accordance with Section 4.12.1, it must be entered into between the **Town** and the landowner / **Applicant**, as per Section 650 of the *Municipal Government Act*. The **Subdivision Agreement** may be registered on Title to the satisfaction of the **Town**.
- 4.12.3 A **Subdivision Agreement** may contain provisions requiring a security in an amount to be determined by the **Town** and in a form acceptable to the **Town** to guarantee the execution of the items listed in the **Subdivision Agreement**.

**4.13 MUNICIPAL INSPECTION AND RIGHT OF ENTRY**

4.131 The **Development Authority, Subdivision Authority, Bylaw Enforcement Officer**, or such other designated person, is the "Officer" for the purposes of Section 4.14 to Section 4.17 inclusive.

4.13.2 Pursuant to Section 542 of the *Municipal Government Act*, an Officer may enter land or a **Building** if:

- (a) Reasonable notice has been given to the owner or occupier; or
- (b) The entry is authorized by an Order of the Court of Queen's Bench;

and then only for the purpose of ensuring compliance with the *Municipal Government Act* and the Regulations thereunder, or this Bylaw.

**4.14 STOP ORDER**

4.14.1 If an Officer finds that a **Development** or **Use** of land or **Buildings** is not in accordance with the *Municipal Government Act*, a **Development Permit**, a **Subdivision** approval, or this Bylaw, the Officer may, by notice in writing, order the registered owner, the person in possession of the land or **Buildings**, the person responsible for the contravention, or any or all of them to:

- (a) Stop the **Development** or **Use** of the land or **Building** in whole or part as directed by the notice;
- (b) Demolish, remove, or replace the **Development**; or
- (c) Take other measures as specified in the notice so that the **Development** or **Use** of the land or **Building** is in accordance with the *Municipal Government Act*, and the Regulations thereunder, a **Development Permit**, **Subdivision** approval, or this Bylaw, within the time specified by the notice.

**4.15 OFFENCES AND PENALTIES**

- 4.15.1 Any person who contravenes any provisions of this Bylaw by doing any act or thing which the person is prohibited from doing or by failing to do any act or thing the person is required to do is guilty of an offence.
- 4.15.2 Any person who makes use of land or a **Development** in a manner contrary to the provisions of this Bylaw is guilty of an offence.
- 4.15.3 Any person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine and in default of payment of any fine imposed, to a period of imprisonment.
- 4.15.4 Where an Officer believes that a person has contravened any provision of this Bylaw, the Officer may commence proceedings against the person by issuing a violation ticket pursuant to the *Provincial Offences Procedures Act*.
- 4.15.5 Specified penalties for offences in relation to this Bylaw shall be as approved by **Council** in the current Bylaw regulating the rates for services, sale of goods, fines, and other charges.
- 4.15.6 If a person is convicted twice of the same provision of this Bylaw the specified penalty for the second conviction is twice the amount of the specified penalty for a first offence.
- 4.15.7 If a person is convicted three or more times of the same provision of this the specified penalty for the third and subsequent convictions is three times the amount of the specified penalty for a first offence.
- 4.15.8 This Section does not prevent any Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the *Provincial Offences Procedures Act*, or from providing information in lieu of issuing a violation ticket.

## PART 4: ADMINISTRATION

---

### 4.16 OTHER REMEDIES

- 4.16.1 Nothing in this Bylaw diminishes or in any way affects the powers of an Officer to issue Orders for compliance or in any way affects any person's rights to **Appeal** an Order.
- 4.16.2 Nothing in this Bylaw diminishes or in any way affects the provisions of the *Municipal Government Act* relating to offences and penalties.
- 4.16.3 Nothing in this Bylaw diminishes or in any way affects the rights of the **Town** pursuant to the *Municipal Government Act*, or at common law to seek an entry order, order for compliance, injunction, or any other order to obtain compliance with this Bylaw.
- 4.16.4 The levying and payment of any fine or the imprisonment for any period provided in this Bylaw does not relieve a person from the necessity of paying any fees, charges, or costs for which that person is liable under the provisions of this Bylaw, any other bylaw or other enactment.

### 4.17 SPECIAL ENFORCEMENT RELATING TO SIGNS

- 4.17.1 Every Sign owner must ensure that their Signs are in compliance with all applicable regulations. More than one Sign owner may be subject to enforcement respecting the same Sign.
- 4.17.2 When a **Sign** subject to this Bylaw no longer fulfils its function under the terms of the **Development Permit**, an Officer may issue an Order for the removal of the **Sign** to the **Sign** owner or property owner, and the person to whom the Order is issued must:
- (a) Within thirty days from the receipt of the Order, remove the **Sign** and all related structural components including removing or screening exposed base and foundations to the satisfaction of the Officer;
  - (b) Restore the immediate area around the **Sign** to the satisfaction of the Officer including the ground or any **Building** to which the **Sign** was attached, as close as possible to its original form prior to the installation of the **Sign**; and
  - (c) Bear all the costs related to the removal and restoration.
- 4.17.3 Where an Officer believes that any **Sign** is not authorized or in compliance with this Bylaw and the Officer has made every reasonable attempt to obtain compliance, the Officer may enter onto the property and remove the **Sign** without prior notice to any person.
- 4.17.4 Immediately following the impoundment of a **Sign** pursuant to Section 4.17.3, the impounding Officer must provide written notice of the impoundment to the **Sign** owner when the identity of such person is ascertainable.

## PART 4: ADMINISTRATION

---

- 4.17.5 The impounding Officer may cause the **Sign** to be destroyed or disposed of without incurring any obligation to compensate any party for the destruction or disposal of the **Sign**:
- (a) Within fourteen days of issuing the notice referred to in Section 4.17.4, if the **Sign** owner is ascertainable; or
  - (b) Within fourteen days of the **Sign** being impounded, prior to its destruction, if the **Sign** owner is not ascertainable.
- 4.17.6 Prior to the destruction of a **Sign** contemplated by Section 4.17.5, a **Sign** owner may reclaim a **Sign** that has been impounded, but the **Sign** will not be returned to the **Sign** owner unless and until payment for all impoundment and storage fees is made.
- 4.17.7 The fees for impoundment referred to in Section 4.17.6 shall be determined by **Council** resolution.
- 4.18 NON-CONFORMING BUILDINGS & USES**
- 4.18.1 If a **Development Permit** has been issued on or before the date on which this Bylaw, or a Land Use Amendment bylaw comes into force within the **Town**, and the bylaw would make the **Development** in respect of which the **Development Permit** was issued a **Non-Conforming Building** or **Non-Conforming Use**, the **Development Permit** continues in effect in spite of the coming into force of the bylaw.
- 4.18.2 A **Non-Conforming Building** or **Non-Conforming Use** may be continued, but if that **Use** is discontinued for a period of 6 consecutive months or more, any future **Use** of the land or **Building** must conform with this Bylaw.
- 4.18.3 A **Non-Conforming Use** or part of a **Building** may be extended through 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 may be made to it or in it.
- 4.18.4 A **Non-Conforming Use** or 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.
- 4.18.5 A **Non-Conforming Building** may continue to be used but the **Building** may not be enlarged, added to, rebuilt, or structurally altered except:
- (a) As may be necessary to make it a conforming building; or
  - (b) As may be deemed necessary by the **Development Authority** for the routine maintenance of the **Building**, or

- (c) In accordance with this Bylaw that provides minor **Variance** powers to the **Development Authority** for the purposes of this Section.
- 4.18.6 If a **Non-Conforming Building** is damaged or destroyed by fire or other causes to an extent of more than 75.0 percent of the value of the **Building** above its foundation, the **Building** shall not be repaired or rebuilt except in conformity with the provisions of this Bylaw. A value estimate shall be provided by a qualified professional, including but not necessarily limited to a real estate appraiser or a professional engineer, to the satisfaction of the **Development Authority**.
- 4.18.7 When a **Building** is a **Non-Conforming Building**, the **Development Authority** may allow an extension of, or an **Addition** to, the **Building**, if such extension or such **Addition** will not in itself create or add to the non-conformance, and if such extension or **Addition** complies with the provisions of this Bylaw.
- 4.18.8 The **Use** of land or of a **Building** is not affected by reason of a change of ownership, tenancy, or occupancy of the land or **Building**.

## 5.1 DEFINITIONS



**Accessory** means a **Structure** or **Use** that provides support to the **Primary Structure** or **Use**. Where an **Accessory Structure** is attached to a **Primary Structure** by a roof or an open or enclosed **Structure**, it is considered to be part of the **Primary Structure**, and shall comply with all requirements applicable to the **Primary Structure**.

**Active Recreation** means leisure activities that require the **Development** of a **Site**, including indoor and / or outdoor facilities. **Uses** may include, but are not limited to, parks, swimming pools, gyms, field sports, arenas, batting cages, golf courses.

**Addition** means any construction that increases the size of a **Structure** in terms of **Site** coverage, or height.

**Additional Dwelling Unit** means a **Dwelling Unit** attached to, created within, or detached from the **Primary Dwelling Unit**, where both **Dwelling Units** are located on the same **Lot**.

**Adult Establishment** means a business that sells or disseminates explicit sexual material, and at which access to the public display of explicit sexual material is restricted by law to persons eighteen years of age or older.

**Afterlife Care** means a facility where the deceased are prepared for burial display and / or for rituals before burial or cremation. Such facilities may include chapels, crematoriums, and showrooms for the display and sale of caskets, vaults, urns, and other items related to burial services. Cemeteries requiring land and / or **Structures** dedicated for the interment of human and / or animal remains may be included.

**Agriculture** means a category of **Uses** that include premises available for growing of plants or raising of livestock for the purpose of commercial food production.

**Alteration** means any construction that changes the size or appearance of a **Structure**.

**Amusement Facility** means an indoor or outdoor facility for spectator and participatory **Uses** including, but not limited to, movie theatres, bowling alleys, pool halls, fairgrounds, etc.

**Appeal** means a method for obtaining review of a decision, determination, order, or failure to act.

**Applicant** means a property owner, a person holding an option or contract to purchase a property, or any other person authorized in writing to act for such persons, who submits an application under the provisions of this Bylaw.

**Architectural Feature** means a design feature utilized to create articulation and visual interest on a **Building Façade** and can include, but is not necessarily limited to colour and/or material changes, recesses, overhangs, projections, offsets, balconies, bays, porches, porticos, or similar elements.

**Arts & Culture** means a facility or space operated by one or more organizations and used for arts, religion, and / or cultural activities.

**B**

**Balcony** means a horizontal platform that is attached to a **Building** above the first **Storey** level and is intended for use as an outdoor amenity space.

**Basement** means that portion of a **Building** which is located below the main floor and is either partially or fully below **Grade**.

**Bay** means a self-contained unit of part of a building or the whole building which can be sold or leased for individual occupancy

**Bed & Breakfast** means a **Dwelling Unit** that provides **Lodging** for a nightly fee in guest rooms with no in-room cooking facilities where the Owner or Manager is a resident of the **Dwelling Unit** and Guest stays are limited to a maximum of 14 consecutive days.

**Bicycle Stair Channel** means a pedestrian stairway which also has a channel alongside it to facilitate walking a bicycle up or down the stairway and is intended to be sufficient to guide a variety of bicycle tires without binding or causing damage.

**Block** means all contiguous lots, **Passages**, and **Lanes** bounded by **Thoroughfares**, **Rights-of-Way**, or **Public Parks**.

**Block Face** means the aggregate of all the **Primary Frontages** on one side of a **Block**.

**Block Length** means the length of one **Block**.

**Block Perimeter** means the aggregate of all **Block Side** lengths.

**Building** means anything 10.0 square metres and greater constructed or placed in, on, over, or under land, but does not include a highway or a public roadway, or bridge forming part of a highway or public roadway.

**Building Height** means the height of a **Building** as measured in **Storeys** up to the **Eave** and does not include the roof, attic, raised basement, or other **Accessory Structure**.

**Building Permit** means a permit issued by a designated Safety Codes Officer within the building discipline pursuant to the *Municipal Building Permit Bylaw* authorizing the commencement of a **Use**, occupancy, relocation, renovation, construction, or **Demolition** of any **Building**.

**Bylaw Enforcement Officer** means a person appointed by the Town to enforce the provisions of this Bylaw, and includes a member of the Royal Canadian Mounted Police and a Community Peace Officer.



**Café** means a business where food and beverages are prepared for and served to patrons for consumption on-premises or off-premises, but does not include a **Drive Through Facility**.

**Caliper** means the diameter of a tree trunk as measured fifteen centimetres above the root collar, which is at the base of the tree where the tree's roots join the trunk.

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

**Cannabis Store** means an establishment licensed by the Province of Alberta where **Cannabis** is sold for consumption off the premises that may include ancillary retail sales of merchandise and where counselling on **Cannabis** may be provided.

**Cannabis Counselling Business** means an establishment where counselling on **Cannabis** is provided, where consumption of **Cannabis** must not occur, where the dispensing or sale of **Cannabis** must not occur and may include the ancillary retail sale or rental of merchandise.

**Cannabis Facility** means a use where **Cannabis** is grown, processed, packaged, tested, stored, or destroyed where a license for all activities associated with **Cannabis** growing, processing, packaging, testing, storage, or destruction has been issued by Health Canada and must include odour mitigation measures to the satisfaction of the Development Authority. A **Cannabis Facility** may

include a **Cannabis Store** as an ancillary use. This definition does not apply to a registered person as defined in the Access to Cannabis for Medical Purposes Regulations Act and its regulations, as amended from time to time.

**Change of Use** means a change in the purpose or function of a **Structure** or land from one **Use** to another.

**Common Amenity Space** means an area comprised of on-site communal indoor / outdoor space, designated for active or passive recreational use by the users of the **Lot**.

**Community Group** means a non-profit organization, society, charity, sports league, place of worship, **School** board, government body, or organized group of citizens.

**Community Event** means an event hosted by a non-profit organization, society, charity, sports league, place of worship, **School** board, government body, or organized group of citizens whose main intention is not for the purposes of promoting a for-profit business. A **Community Event** may occur on private property or within the **Public Realm**.

**Condominium** and **Bareland Condominium** means a **Condominium** plan registered in a Land Titles Office that complies with the requirement of the *Condominium Property Act*. A **Bareland Condominium** is considered to be a unit within a **Bareland Condominium** plan and in this Bylaw, is considered to be a **Site**.

**Corner Lot** means a **Lot** situated at the junction of two intersecting **Thoroughfares**.

D

**Corner Visibility Triangle** means a triangular area formed on a corner **Lot** by the two curb lines and a straight line which intersect them 7.5 metres from the corner where they meet.

**Council** means the **Council** of the Town of High River.

**Curb** or **Curbline** means a line formed by the face of an existing **Curb**, or, in its absence, the outer edge of the shoulder, along which curbing may be located. The **Curbline** is the boundary between the vehicular way and pedestrian way, if separated.

**Day Home** means a child care facility operated from a private residence for up to and including 6 children between the ages of 0 and 12 and complies with the *Alberta Family Day Home Standards*.

**Deck** means an uncovered horizontal **Structure** with a surface height greater than 0.6 metres above **Grade** at any point that is intended for use as an outdoor amenity space, but does not include a **Balcony**.

**Demolition** means the tearing down, wrecking, destroying, or removal of a **Building** and is deemed to be a form of **Development**.

**Designated Design Event** refers to the event of the 2013 flood and the requirement to be flood-proofed to withstand a flooding event with a minimum flowrate of 1,820 m<sup>3</sup>/s.

**Development** means:

- (a) An **Excavation** or stockpile and the creation of either of them; or
- (b) A **Building** or an addition to, or replacement or repair of a **Building**, or the construction, **Demolition**, removal, or placing in, on, over, or under, land of any of them; or
- (c) A **Change of Use** of land or a **Building**, on an act done in relation to land or a **Building**, that results in, or is likely to result in, a change in the **Use** of the land or **Building**; or

E

- (d) A change in the intensity 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**.

**Development Agreement** means a legal agreement between the **Applicant** for a **Development Permit** and the **Town** committing to the provision of utility and infrastructure services and any other matter required by a condition of the **Development Permit**.

**Development Permit** means the document, issued by a **Development Authority**, pursuant to this Bylaw, and the provision of the *Municipal Government Act*, and includes the plans and conditions of approval.

**Discretionary Use** means a **Use** of land or of a **Building** which is listed as discretionary in a Land Use District and for which a **Development Permit** may be issued, with or without conditions, by the **Development Authority**.

**Drive Through Facility** means a **Building** with a drive through window and queuing lanes.

**Dwelling Unit** means a single unit providing complete, independent living facilities, including permanent provisions for living, sleeping, eating, cooking and sanitation. **Dwelling Units** shall be serviced by connection to the **Town's** sewer and water lines.

**Eave** means the junction of a **Building** wall and an overhanging roof.

**Education** means public and private places of learning for any age including licensed child care facilities.

**Essential Public Utility** means systems and facilities associated with water, sewage, power, heating and cooling, energy, waste, transportation, telecommunications, wildlife corridor and any municipal flood prevention infrastructure such as berms, dykes and retaining walls.

**Excavation** means the space created by the removal of soil, rock, or fill for the purposed of construction.



**Façade** means the exterior wall of a **Building**.

**Fence** shall mean a vertical barrier constructed for the purpose of marking a boundary, providing visual screening, sound attenuation, or preventing unauthorized access.

**Fence Height** shall be measured from the top of the fence to the **Grade** and shall include the height of any retaining wall which represents a logical vertical extension of the **Fence**.

**Flag** means a typically rectangular piece of fabric of distinctive design that is used as a symbol of a jurisdiction such as a town, province, or country but does not include a **Sign**.

**Flood Mitigation Compliance Certificate** means a certificate issued by the **Town** prior to occupancy of a **Building** which confirms that the **Building** meets all applicable Flood Hazard Overlay requirements of this Bylaw.

**Flood Protection Commitment Letter** means a letter stamped by a professional engineer and submitted with a Building Permit application that details which design measures are to be taken to ensure the proposed **Building** complies with Section 2.4 of this Bylaw.

**Floodway** means a river or other channel and adjoining lands that would likely provide a pathway for floodwaters in the event of a flood of a magnitude likely to occur once in 100 years.

**Freeboard** means the minimum height that is in addition to the elevation required by the **Designated Design Event** in order to provide adequate flood protection in the event of a flood of similar magnitude to the one experienced in 2013

should re-occur.

**Frontage** means the area of a **Lot** between a **Building Façade** and a **Curb** inclusive of its built and landscape components. **Frontage** is divided into **Public Frontage** and **Private Frontage**.

**Front Lot Line** means the **Lot Line** that abuts a **Primary Thoroughfare**.

**Frontage Build-Out** means the minimum required percentage of the **Lot Width** that shall have a **Building Façade** at the front **Setback**.

**G**

**Gaming Establishment** means the use of a **Building** or room where the principal **Use** is gambling such as a casino, bingo games, and the like.

**Gas Station** means a business engaged in the sale of vehicle fuel and ancillary products.

**Government** means **Offices** owned, operated, or occupied by a government agency, including, but not limited to, government officials and departments, social service facilities, public works facilities, and / or courthouses.

**Grade** means ground level, or the elevation at any given point.

**Ground Floor** means the **Storey** of a **Building** closest to the **Curb** level.

**H**

**Heavy Industrial** means the processing, manufacturing, or compounding of materials, products, or any industrial activities which because of their scale or method of operation regularly produce noise, heat, glare, dust, smoke, fumes, odours, vibration, or other external impacts detectable beyond the **Lot Lines** of the property. This use does not include **Cannabis**.

**Hospital** means a facility that provides health, medical and / or surgical care to the sick or injured. **Hospitals** may include related **Accessory Uses** including, but not limited to, laboratories, outpatient clinics, cafeterias, gift shops, training facilities, classrooms, central service facilities, human services, and **Offices** integral to the function of the facility.

**Hotel / Motel** means a facility that offers **Lodging**, is not within a **Dwelling Unit**.

**Human Services** means an establishment that provides services to persons in need of assistance due to age, physical or mental disability, addiction, illness, or injury. **Uses** may include, but are not limited to, assisted living facilities, **Cannabis Counselling Business**, treatment centre, and community support services.



***Infiltration*** means the process of percolating stormwater into the subsoil.

***Institutional*** means a category of ***Uses*** that include premises used by organizations to support the common good including organizations dedicated to religion, arts and culture, education, government, social service, recreation, health, and the like.





**Landscaped Area** means:

- (a) The **Private Frontage(s)** for **Residential Development** with 2 **Dwelling Units** or less (not including **Additional Dwelling Units**).
- (b) For other **Residential Uses**, it shall be a minimum of 40.0 percent of the total **Site Area**. For all other **Uses**, it shall be 15.0 percent of the total **Site Area** for

**Lane** means a secondary vehicular **Access** located to the side or rear of a **Lot**, and provides **Access** to service areas, parking, **Accessory Structures**, and / or containing utility easements.

**Light Industrial** means the manufacturing, fabrication, assembly, distribution, disposal, warehousing or bulk storage, trucking and equipment facilities, or any industrial activities primarily within a **Building** and does not produce noise, heat, glare, dust, smoke, fumes, odours, vibration, or other external impacts. Retail & Service, General is allowed. This use does not include **Cannabis**.

**Liquor Store** means an establishment which sells alcoholic beverages for consumption off-site.

**Lodging** means a category of **Uses** that include premises available for short-term human habitation.

**Lot** means an area 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 and includes a **Bareland Condominium** unit created under a **Condominium** plan.

**Lot Area** means the area contained within the boundaries of a **Lot** as shown on a Plan of Subdivision or described in a Certificate of Title.

**Lot Coverage** means that portion of the **Lot Area** covered by all covered **Structures**.

**Lot Line** means the boundary that legally and geometrically demarcates a **Lot**.



**Major Home Occupation** means the incidental use of a **Dwelling Unit** and /or **Accessory Structure** by residents for business activities that do not affect the **Residential** character of the property and may have a limited number of clients.

**Master Site Plan** means a document created to support a **Development Application** on a **Mixed-Use Commercial** or **Industrial Site**, intended to address how the **Development** related and interfaces with its surrounding area, and how it meets any planning policies and standards applicable to the site.

**Manufacturing** means a category of **Uses** that include premises available for the creation, assembly, and repair of artefacts including their **Retail** sale except when such activity creates conditions that may be objectionable to neighbouring property owners.

**Minimum Development Elevation** means the requirement for **Buildings** to include design measures for flood mitigation if they are constructed at or below the elevations generally shown on the **Minimum Development Elevation** Map.

**Minor Home Occupation** means the incidental **Use** by a resident of a **Dwelling Unit** for business activities that do not affect the **Residential** character of the property, does not require the use of an **Accessory Structure**, and has no client visits to the property.

**Mural** means any piece of artwork painted or applied directly to a wall, ceiling, or other large permanent surface and does not include third party advertising.



**Non-Conforming Building** means a **Building**:

- (a) That is lawfully constructed or lawfully under construction at the date this Bylaw becomes effective; and
- (b) That on the date this Bylaw becomes effective does not, or when constructed will not, comply with this Bylaw.

**Non-Conforming Use** means a lawful specific **Use**:

- (a) Being made of land or a **Building** or intended to be made of land or a **Building** lawfully under construction at the date this Bylaw becomes effective; and
- (b) That on the date this Bylaw becomes effective does not, or in the case of a **Building** under construction, will not, comply with this Bylaw.



**Office** means a category of **Uses** that include premises available for the transaction of general business.

**Outdoor Storage** means the keeping of materials, goods, or inoperable vehicles on-site for a timeframe exceeding 24 hours.

**Overlay** means an area which is applied over one or more underlying districts, establishing additional or stricter standards and criteria for covered properties in addition to those of the underlying district. An **Overlay** is introduced to address a special situation or achieve specific goals.

- (a) Where a regulation in a district and an **Overlay** do not agree, the regulation in the **Overlay** shall apply.



**Pageantry Feature** means a **Sign**, flag, or other decorative element intended to attract potential purchasers to a **Development**.

**Passage** means a pedestrian connector passing between or through a **Building**, providing shortcuts through long **Blocks**, and / or sometimes connecting rear parking areas with **Frontages**.

**Passive Recreation** means leisure activities that require little to no **Alteration** or formal **Development** of a **Site** for public or private enjoyment.

**Patio** means an uncovered horizontal **Structure** with a surface height, at any point, no greater than 0.6 metres above **Grade** intended for use as an outdoor amenity space.

**Permitted Use** means a **Use** of land or of a **Building** which is listed as **Permitted** in a Land Use District and for which a **Development Permit** must be issued with or without conditions by the **Development Authority** if the proposed **Development** meets all requirements of this Bylaw.

**Porch** means an unenclosed covered **Structure** forming an entry to a **Building**.

**Primary** means the main **Use** or **Building** on a **Lot**. **Primary Uses** may be located within a **Building**, or portion of a **Building** that is separated structurally from other **Uses** within the same **Building**. One or more **Primary Uses** may occur on a single **Lot**.

**Primary Thoroughfare** means the **Thoroughfare** clearly associated with the front **Façade** of **Primary Buildings** along a **Block Face**. Where a **Corner Lot** abuts more than two **Thoroughfares**, the **Development Authority** may determine that all

**Thoroughfares**, except for one, are a **Primary Thoroughfare**, if such a determination is in the interest of protecting the quality of the **Public**.

**Public Park** means a **Site** owned by the Town designed or reserved for **Active Recreation** or **Passive Recreation Use**, including all natural and man-made open space and landscaping, facilities, playing fields, and **Buildings** that are consistent with the general purposes of **Recreation**, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the **Public Park**. **Public Parks** include, but are not necessarily limited to, tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches, and similar outdoor sports fields.

**Realm**. If the position of the **Primary Thoroughfare** in relation to the **Corner Lot** is unclear, the **Development Authority** will make a determination on this matter, taking into account the following factors:

- (a) The orientation of **Primary Buildings** at the intersection, Where **Primary Buildings** at the intersection are oriented toward one of the **Thoroughfares**, this **Thoroughfare** will generally be considered the **Primary Thoroughfare**.
- (b) The width of the **Lot Line**. Among the **Lot Lines** that abut the **Thoroughfares**, the **Lot Line** with the narrowest width will generally be associated with the **Primary Thoroughfare**.



- (c) The width of the **Thoroughfares**. The widest **Thoroughfare**, or the **Thoroughfare** with the widest pedestrian way, will generally be considered the **Primary Thoroughfare**.
- (d) Pedestrian Counts. The **Thoroughfare** with the highest weekday, peak-hour pedestrian counts will generally be considered the **Primary Thoroughfare**.

**Private Frontage** means the area between the **Building Façades** and the **Lot Lines**, and applies to the **Primary Frontage** and secondary **Frontage**.

**Professional Office** means a facility for the processing, manipulation, or application of business information or professional expertise, and which may or may not offer services to the public. A **Professional Office** is not materially involved in fabricating, assembling, or warehousing of physical products for the retail or wholesale market.

**Projection** means any structural or architectural element, **Building** feature or other object that juts out, overhangs, or protrudes into the prescribed **Setback**.

**Public Frontage** means the area within a **Thoroughfare** between the **Curb** and the **Front Lot Line**, and applies to the **Primary Frontage** and secondary **Frontage**.

**Public Realm** means all exterior places, linkages, and built form elements that are physically accessible regardless of ownership. The **Public Realm** includes, but is not limited to, **Rights-of-Way**, greens, squares, plazas, courtyards, paths, and sidewalks.

**R**

**Real Property Report** means a codified standard adopted by the Alberta Land Surveyor's Association that indicates the location of **Buildings** and / or **Structures** on a **Lot**.

**Rear Lot Line** means a **Lot Line** that is opposite the **Front Lot Line**, and does not abut a **Thoroughfare**.

**Recreational Vehicle** means a vehicle that provides temporary accommodation for recreational or travel purposes and includes, but is not limited to, motor homes, travel trailers, fifth wheel travel trailers, campers located on a vehicle or not, tent trailers and boats.

**Repair** means the repair and service of goods, equipment and / or vehicles.

**Residential** means a category of **Uses** that include premises available for long-term human habitation by means of ownership and rental, but exclude short-term renting of less than a month's duration.

**Restaurant / Drinking Establishment** means a business where food and beverages are prepared for and served to patrons for consumption either on-premises or off-premises and may include ancillary live entertainment. If the business serves alcoholic beverages, it must be licensed pursuant to provincial legislation **Restricted Development Area** refers to lands that were impacted by the 2013 flood and require mitigation measures to be constructed to withstand a flooding event of similar magnitude.

**Retail & Entertainment** means a category of **Uses** that include premises available for the commercial sale of merchandise and prepared foods.

**Retail & Service, General** means a business that provides goods or services directly to the consumer, and where such goods or services are available for immediate purchase on the premises by the purchaser. This use does not include **Cannabis Store**.

**Retail & Service, Heavy** means a **Retail** or service business with permanent outdoor display, service and / or storage areas, including, but not limited to vendors of lumber and building supplies, landscaping supplies and equipment, industrial equipment, vehicles, watercraft, and / or outdoor **Structures** such as prefabricated sheds, **Decks**, and **Patios**, swimming pools and play equipment. This use does not include **Cannabis Store**.

**Right-of-Way** means the total width of any land reserved or dedicated as a **Thoroughfare, Lane**, pedestrian way, or utility line.

**Rural Intensive Agriculture** means **Agriculture** conducted at the rural scale that requires intensive use of resources such as land or water. This use does not include **Cannabis**.

**Rural Non-Intensive Agriculture** means **Agriculture** conducted at the rural scale that does not require intensive use of resources such as land or water. his use does not include **Cannabis**.



**School** means a **Use** where any of the following teaches students the education curriculum from kindergarten to grade 12 pursuant to the School Act: a school district, a school division, or a society or company named within a charter approved by the Minister of Education operating a charter school.

**Secondary Thoroughfare** means a **Thoroughfare** that is not a **Primary Thoroughfare**, and is clearly associated with the corner side **Façades** of **Buildings**.

**Setback** means the distance between the point of a **Building Façade** closest to the adjacent **Lot Line**.

**Shade Tree** means a large deciduous tree that is utilized for its broad leaf canopy and ability to cast a shadow upon a large area.

**Short Term Rental** means a business providing temporary accommodation for compensation, in a **Dwelling Unit** or portion of a **Dwelling Unit** for periods of up to 14 consecutive days. Businesses that have been issued a permit for a **Bed & Breakfast** are not classified as **Short Term Rentals**.

**Shipping Container** means an **Accessory** sealed unit used for the land and sea transport of goods and materials which may also be used for storage. Also called a Sea Can.

**Shrub** means a woody deciduous or evergreen plant, smaller than a tree, consisting of several stems from the ground or small branches near the ground.

**Side Lot Line** means the **Lot Line** other than the **Front Lot Line** or **Rear Lot Line**.

**Sign** means a visual medium used to convey information by way of words, pictures, images,

graphics, emblems or symbols, or any device used for the purpose of providing direction, identification, advertisement, business promotion, or the promotion of a person, product, activity, service, event or idea.

**Sign, A-Board** means a self-supporting **Sign** with no more than two faces joined at the top of the **Sign**, that is intended for temporary **Use** during the hours of the business to which it applies, and that is constructed in a manner and of materials such that it can be placed and moved manually by a person without mechanical aid. **A-Board Signs** shall not be placed more than 300,0 metres from the business that they are advertising. **A-Board** signs that display messages that do not relate to a local business shall not be permitted.

**Sign, Banner** means a **Sign** constructed of flexible material that can be affixed to a **Fence, Building, or Structure**.

**Sign, Bench** means a sign which is painted on or affixed flat to a bench.

**Sign, Canopy** means a **Sign** attached to or constructed on the face of a canopy which is the **Primary** identification for a **Building** or premises.

**Sign, Changeable Message** means a **Sign** which contains lettered messaging and changes through mechanical or manual means.

**Sign, Community Identification** means a **Sign** which states the name of a community or neighbourhood, usually found at entrances to subdivisions or **Condominiums**.

**Sign, Construction** means a temporary sign erected on a **Site** where construction is taking place.

**Sign, Directional** means a **Sign** erected on a property to identify an entrance, exit, or area for the purpose of directing pedestrians and / or vehicles.

**Sign, Election** means a non-illuminated **Sign** announcing or supporting political candidates or issues in connection with any vote or referendum pursuant to municipal, provincial, or federal legislation.

**Sign, Electronic Messaging** means a **Sign** which contains electronic messaging and may be electronically changeable. This includes, but is not necessarily limited to digital signs, electronic message boards, **Gas Station** price boards, **Drive-Thru** menus, and time/temperature displays.

**Sign, Fascia** means a **Sign** that is mounted on and parallel to the face of a **Building** and is the **Primary** identification for a **Building** or premise.

**Sign, Flag** means a **Sign** that is made of fabric or flexible material attached to or designed to be flown from a permanently constructed flagpole or light standard.

**Sign, Sign, Flashing** means a **Sign** which contains an intermittent or flashing light source.

**Sign, Flutter** means a **Sign** that is made of lightweight, flexible material attached to a pole or **Structure** placed on the ground.

**Sign, Freestanding** means a **Sign** supported independently of the face of a **Building** or **Structure** and attached permanently to the ground.

**Sign Height** means the vertical distance measured at right angles from the highest point of the **Sign** or **Sign Structure** to the finished **Grade** directly below.

**Sign, Inflatable** means an inflated three-dimensional device which incorporates a **Sign**, and is anchored, or affixed to a **Building** or **Site**.

**Sign, Lawn** is a temporary double-or single-faced sign inserted into the Town's boulevard following issuance of a permission letter from Town

administration for a specified period of time to temporarily mark a walk/run route. The maximum sign area is 1.0 square metre.

**Sign, Obsolete** means a **Sign** located on premises which becomes vacant and unoccupied for a period of 90 days or more, or any **Sign** that pertains to a business or occupancy that no longer exists, or that pertains to a time, event, or purpose that no longer applies.

**Sign, Portable** means a **Sign** mounted on a **Structure** which is not permanently or structurally affixed to the ground, excluding **Sign, A-board**, and is typically designed for the rearrangement of the **Sign's** display surface, and which is capable of being readily moved from place to place. For clarity, this category may include, but is not necessarily limited to **Sign, Lawn, Sign, Portable Changeable Message Board, Sign, Portable Billboard**, and **Sign, Flutter**.

**Sign, Portable Billboard** means a **Sign** mounted on a **Structure** which is not permanently or structurally affixed to the ground.

**Sign, Portable Changeable Message Board** means a **Sign** mounted on a **Structure** which is not permanently or structurally affixed to the ground, and is designed for the rearrangement of the **Sign's** display surface.

**Sign, Projecting or Hanging** means a **Sign** that projects from a **Structure** or **Building** face that is usually secondary to other permanent **Signs** such as **Canopy Signs** or **Fascia Signs**.

**Sign, Real Estate** means a non-illuminated **Sign** advertising real estate that is for sale, lease, or rent.

**Sign, Revolving** means a **Sign** or portion thereof which moves in a revolving manner.

**Sign, Roof** means a **Sign** or portion thereof which is erected upon or above a roof of a **Building**.

**Sign, Searchlight or Laser** means a **Sign** used for

## PART 5: DEFINITIONS

---

advertising and / or entertainment purposes containing a light source projecting high intensity beams of light.

**Sign, Sponsorship** means a **Sign** located on fencing, an **Accessory Building**, or **Structure** such as dugouts, or bleachers, or as a **Sign, Freestanding** that displays the sponsor's name and may include one or more of the following: an expression of thanks, the sponsor's brand, logo, tagline, or contact information.

**Sign, Temporary** means a **Sign** that is not permanently affixed to a **Building**, other immovable **Structure**, or the ground, and is typically used to announce or promote specific special events or celebrations of a public nature, such as festivals, concerts, the opening of new commercial premises, sporting events, and public activities of a similar nature

**Sign, Third Party** means a **Sign** that contains advertising by a third party. This does include **Sign, Bench**. This does not include **Sign, Sponsorship**.

**Sign, Traffic** means a **Sign** that is used to direct or manage the movement of traffic. **Sign, Vehicle** or **Trailer** means a **Sign** which is painted on or affixed to a motor vehicle or trailer which is parked and visible from a public **Right-of-Way** and its intended use as a **Sign**, unless said vehicle or trailer is used in the normal day-to-day operation of the business.

**Sign, Window** means a **Sign** which is painted on, attached to, or installed behind a window for the purpose of being viewed from outside the premises.

**Site** means an area of land on which a **Building** or **Use** exists or for which an application for a **Development Permit** is made and can comprise more than one **Lot**.

**Solar Energy System** means a panel or solar energy device which is utilized for the collection, storage and distribution of solar energy resources.

**Stepback** means a recess in the upper **Storeys** of a

**Building** from the lower **Storeys**, designed to reduce the **Building's** mass and allow more light and air to reach the ground.

**Storey** means the space between the top of any floor and the top of the next floor above it, and if there is no floor above it, to the ceiling above it or to the base of the **Eave**, but does not include a **Basement**.

**Stormwater** means rainwater, surface runoff, snowmelt, and drainage.

**Stormwater Management** means the use of structural or non-structural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources, and the environment.

**Structure** means anything constructed or erected, the use of which requires more or less permanent location on the ground, or attached to something having permanent location on the ground. Can include a **Building**.

**Subdivision** means any change in the shape or size of a parcel of land registered in a Land Titles Office so as to require a new Certificate of Title issued pursuant to the *Land Titles Act*.

**Subdivision Agreement** means a legal agreement between the **Applicant** for a **Subdivision** and the Town committing to the provision of utility and infrastructure services, and any other matter required by a condition of the **Subdivision** approval.

**Subdivision Authority** means the Town Manager or their designate(s) appointed as the **Subdivision Authority** in accordance with the *Municipal Government Act*.

**Subdivision and Development Appeal Board** means the body established by **Council** pursuant to the *Municipal Government Act* to act as the **Appeal** body for **Appeals** against **Development Permit** decisions, **Subdivision** decisions and Stop Orders.

T

**Sustainable Renewable Energy** means a **Use** the produces energy fuelled in ways that not use up natural resources. Energy may be derived from natural and / or non-traditional sources including, but not limited to, geothermal, solar, water, or waste.

**Temporary Development** means a **Development** for which a **Development Permit** has been issued for a limited time only.

**Temporary Dwelling Unit** means a **Dwelling Unit** built on a frame that allows it to be moved from time to time and not intended for permanent habitation. A **Temporary Dwelling Unit** does not include **Recreational Vehicles**.

**Thoroughfare** means a **Right-of-Way**, typically publicly owned, serving primarily pedestrian and vehicular travel, providing **Access** to abutting properties, and which may also be used to provide space for bicycle facilities, **Stormwater Management**, **Shade Trees** and / or utilities. **Lanes** are not considered **Thoroughfares**. A **Thoroughfare** does not have to accommodate vehicular travel.

**Town** means that Town of High River, a municipal corporation in the Province of Alberta, or the area within the corporate limits of the Town of High River, as the context requires.

**Town Plan** means the Municipal Development Plan adopted by **Council** in accordance with the **Municipal Government Act**.

**Transparency** means the area of a **Façade** composed of windows (either within the wall or within door(s)), typically measured as a percentage.

U

**Use** means the utilization of a parcel of land for a particular development activity.

**Urban Agriculture** means community-oriented **Agriculture** including, but not limited to, community gardens or orchards. This use does not include **Cannabis**.

V

**Variance** means the amount by which the **Development Authority** may adjust a standard of this Bylaw.

**Vehicle Access** means the place, means or way by which vehicles shall have adequate ingress and egress to a property.

**Vehicle Wash** means an establishment for the washing of motor vehicles, which may employ production-line methods, mechanical devices, staffed hand wash facilities, or unstaffed self-wash facilities, and may include washing stations for pets.

**Vehicular Way** means the public **Right-of-Way** between **Curbs**, including parking lanes and travel lanes for personal vehicles, commercial vehicles, transit vehicles and bicycles. Medians, turn lanes, **Curb** and gutter, and loading zones are including in the **Vehicular Way**.



**Wind Turbine** means a **Structure** that relies on wind as an energy source and is capable of collecting it, converting it to electrical energy and distributing it for beneficial use.



