



The Village of
LONGVIEW
Land Use Bylaw

PROPOSED BYLAW ~~400~~ 17
JUNE 2017

 GUIDE TO USING ~~THE~~ ~~LAND~~ ~~USE~~ ~~BYLAW~~ VI

 PART ~~1~~ ADMINISTRATION 1

1	TITLE	1
2	REPEAL OF BYLAW	1
3	PURPOSE	1
4	INTERPRETATION	1
5	UNITS OF MEASUREMENT	38
6	APPLICATION	38
7	DATE OF RECEIPT	38
8	COMPLIANCE WITH OTHER LEGISLATION	38
9	NON-APPLICABILITY OF LAW	38
10	SEVERABILITY PROVISION	38
11	ATTACHED FIGURES	38

 PART ~~2~~ AGENCIES 39

1	DEVELOPMENT AUTHORITY	39
2	DEVELOPMENT OFFICER	39
3	SUBDIVISION AUTHORITY	39
4	SUBDIVISION OFFICER	39
5	COUNCIL	40
6	SUBDIVISION AND DEVELOPMENT APPEAL BOARD	40
7	DEVELOPMENT OFFICER'S DUTIES AND RESPONSIBILITIES	40
8	SUBDIVISION OFFICER'S DUTIES AND RESPONSIBILITIES	41
9	SUBDIVISION APPROVAL AUTHORITIES RESPONSIBILITIES	42
10	SUBDIVISION AND DEVELOPMENT APPEAL BOARD	42
11	FORMS, NOTICES, AND FEES	42

 PART ~~3~~ DEVELOPMENT PERMITS, USES, AND PROCEDURE 43

1	CONTROL OF DEVELOPMENT	43
2	DEVELOPMENT PERMITS REQUIRED	43
3	DEVELOPMENT PERMITS NOT REQUIRED	43
4	NON-CONFORMING BUILDINGS AND USES	45
5	TYPES OF DEVELOPMENT PERMITS	46
6	APPLICATION REQUIREMENTS	46
7	PERMISSION FOR DEMOLITION	50
8	RELOCATION OF BUILDINGS	51
9	REFERRAL OF APPLICATIONS	52
10	ISSUANCE OF PERMITS	52

11 VARIANCE PROVISIONS	54
12 NOTICE OF DECISION	54
13 EXPIRY, OR CANCELLATION OF A DEVELOPMENT PERMIT	56
PART 4 SUBDIVISION	57
1 APPLICATION REQUIREMENTS	57
2 ISSUANCE OF DECISION	58
PART 5 CONDITIONS OF APPROVAL	60
1 SUBDIVISION AND DEVELOPMENT	60
PART 6 APPEALS	62
1 APPEAL PROCEDURE	62
2 APPEAL HEARING	63
3 APPEAL DECISION	63
PART 7 COMPLIANCE WITH BYLAWS AND REGULATIONS	65
1 COMPLIANCE	65
PART 8 RIGHT OF ENTRY	66
1 MUNICIPAL GOVERNMENT	66
PART 9 BYLAW CONTRAVENTION	67
1 CONTRAVENTION	67
2 VIOLATION TICKETS	67
PART 10 LAND USE BYLAW AMENDMENTS	69
1 INITIATION	69
2 PROCEDURE	69
3 PUBLIC HEARING	71

PART 16 GENERAL REGULATIONS 72

1	AMENITY AREAS	72
2	CONTROLLED APPEARANCE	72
3	CORNER SITE RESTRICTIONS	73
4	CORNER LOTS AND DOUBLE FRONTING LOTS	73
5	COVERAGE OF SITE	74
6	DECKS	74
7	DEMOLITION OF BUILDINGS	74
8	DEVELOPMENT OF A PROJECT	74
9	DRAINAGE	75
10	ENVIRONMENTAL SCREENING	75
11	EMERGENCY ACCESS BUILDINGS	75
12	FENCING	75
13	HAZARDOUS MATERIALS	76
14	HEIGHT OF BUILDINGS	76
15	HIGHWAY 22	77
16	LAND NEAR WATER AND ESCARPMENTS OR SUBJECT TO FLOODING OR SUBSIDENCE	77
17	LANDSCAPING	77
18	NON-CONFORMING BUILDINGS AND USES	77
19	NOISE	78
20	NUISANCE	78
21	OBJECTS PROHIBITED OR RESTRICTED IN A RESIDENTIAL DISTRICT	79
22	ON-SITE AND OFF-SITE SERVICES AND IMPROVEMENTS	79
23	PARKING & LOADING	79
24	PROJECTION INTO YARDS	83
25	RESIDENTIAL BUILDINGS OF THE SAME SITE	84
26	SCREENING, OUTSIDE STORAGE AREAS, AND TRAILER STORAGE	84
27	SETBACKS	85
28	SITE CIRCULATION	85
29	SITE DIMENSIONS	85
30	SITE GRADING AND DRAINAGE	85
31	USE OF SITE	86
32	UTILITIES	86

PART 16S SPECIAL REGULATIONS 87

1	ACCESSORY BUILDINGS IN DISTRICTS OTHER THAN RESIDENTIAL DISTRICTS	87
2	ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS, INCLUDING GARAGES, TENTED STRUCTURES, SHEDS, DETACHED DECKS, ETC.	87
3	ACCESSORY USE REGULATIONS	88
4	ANIMAL CARE AND RELATED USES	89
5	ANIMAL HOSPITAL	89
6	ANIMAL/BIRD REGULATIONS	90

7	BED AND BREAKFAST ACCOMMODATION	90
8	CAR WASHING ESTABLISHMENTS	91
9	CONVERSION OF SINGLE DETACHED DWELLINGS TO OTHER USES	91
10	DAY USE AND PICNIC AREAS	92
11	GROUP HOMES, DAY HOMES AND CHILD CARE FACILITIES	92
12	HOME OCCUPATIONS	93
13	MANUFACTURED HOME PARKS	94
14	MANUFACTURED HOMES	95
15	MOTELS AND HOTELS	96
16	NEIGHBOURHOOD COMMERCIAL DEVELOPMENTS	96
17	PLACES OF WORSHIP	96
18	PRIVATE SWIMMING POOLS AND HOT TUBS	97
19	RECREATIONAL VEHICLE	97
20	RECREATIONAL VEHICLE CAMPGROUNDS	98
21	SEA CANS	100
22	SHOPPING CENTRES	100
23	SHOW HOMES	101
24	SIDEWALK CAFES	101
25	SIGN CONTROL	106
26	SMALL ANIMAL BREEDING AND BOARDING ESTABLISHMENTS AND KENNELS	107
27	SMALL RADIO COMMUNICATIONS TOWERS	108
28	SOLAR ENERGY COLLECTION SYSTEM	108
29	SUITES	109
30	SURVEILLANCE SUITES	111
31	WIND ENERGY CONVERSION SYSTEMS, LARGE	112
32	WIND ENERGY CONVERSION SYSTEMS, MICRO	113
33	WIND ENERGY CONVERSION SYSTEMS, SMALL	114

PART 13 LAND USE DISTRICTS 116

1	ESTABLISHMENT OF DISTRICTS	116
2	DISTRICTS	116
3	LAND USE DISTRICT R1A	116
	RESIDENTIAL SINGLE DETACHED ESTABLISHMENT DISTRICT (R1) LAND USE DISTRICT	117
	RESIDENTIAL RESTRICTED SINGLE DETACHED DISTRICT (R1R) LAND USE DISTRICT	119
	RESIDENTIAL SINGLE DETACHED DISTRICT (R1) LAND USE DISTRICT	121
	RESIDENTIAL MULTIFAMILY DISTRICT (R1M) LAND USE DISTRICT	123
	RESIDENTIAL MANUFACTURED HOME PARK DISTRICT (R1MHP) LAND USE DISTRICT	126
	CENTRAL BUSINESS DISTRICT (CB) LAND USE DISTRICT	130
	CENTRAL BUSINESS RESTRICTED (CBR) LAND USE DISTRICT	134
	HIGHWAY COMMERCIAL DISTRICT (CHWY) LAND USE DISTRICT	136
	GENERAL INDUSTRIAL DISTRICT (G) LAND USE DISTRICT	139
	PUBLIC QUASI PUBLIC DISTRICT (QP) LAND USE DISTRICT	141
	URBAN RESERVE DISTRICT (UR) LAND USE DISTRICT	142

PART 14	EXISTING CONTROLS	144
1	REPEAL	144
2	DATE OF COMMENCEMENT	144
PART 15	LAND USE DISTRICT MA	145
APPENDIX A		146

Guide to Using the Land Use Bylaw

The Land Use Bylaw establishes the regulations on how land can be developed (that is, how land can be used and buildings can be either constructed or moved) within the Village of Longview. Regulations vary depending on the location and types of development. Other Bylaws or regulations of the County of Province or Federal Government must also be followed.

There are several parts of the Land Use Bylaw that need to be examined to understand how it works. First, the Land Use Bylaw maps divide the Village into various Land Use Districts. Secondly, the text of the Land Use Bylaw details the uses that are allowed in each District. Thirdly, the text provides additional regulations that apply to certain uses and/or within certain Districts. The following steps may assist the user:

Locate the subject property on the Land Use District maps. These maps divide the Village into the various Land Use Districts. Each Land Use District has a designation. For example, RESIDENTIAL SINGLE DETACHED OR CB, CENTRAL BUSINESS, etc. Take note of which Land Use District the subject property is located in. Also note if the subject property is affected by an Area Structure Plan which may modify some of the uses and regulations of the Land Use Bylaw or impose additional regulations. PLEASE NOTE: Land Use Districts are often referred to as Zones or Zoning. In order to conform to the language of the Municipal Government Act, this document uses the terms District and Districting.

Check the table of contents and locate the Land Use District you are interested in. Each Land Use District is listed starting with PART 13. In each Land Use District you will find a list of permitted and discretionary uses, subdivision regulations, development regulations and other miscellaneous regulations. This determines how and what can be developed on any given Land Use District. There are definitions in PART 1 that should also be consulted to ensure that words and terms used in the Land Use Bylaw are understood.

Review the table of contents to see if there are any general regulations that apply to the use in question. For example, PART 8 describes Right of Entry procedures, PART 11 contains general regulations about fencing and PART 12 contains regulations about Recreational Vehicles, just to name a few.

Discuss your proposal/concern with Village Administration. Administration is able to assist you with your development/subdivision or general inquiry issues and to explain provisions. Administration can also assist with other situations such as enforcement or a Land Use Bylaw amendment.

NOTE: THIS PAGE IS INTENDED ONLY TO ASSIST USERS AND IS NOT A PART OF THIS BYLAW.

PART 1 administration

1 | Title

- 1) This Bylaw shall be referred to as **VILLAGE OF LONGVIEW LAND USE BYLAW**

2 | REPEAL OF BYLAW

- 1) Bylaw No. 184 and all amendments thereto are hereby repealed and shall cease to have effect on the day this Bylaw is adopted

3 | Purpose

- 1) The purpose of this Bylaw is to regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development, and for that purpose among other things:
 - a. to divide the municipality into districts;
 - b. to prescribe and regulate for each district the purposes for which land and buildings may be used;
 - c. to establish a method of making decisions on applications for development permits including the issuing of development permits;
 - d. to provide the manner in which notice of the issuance of a development permit is to be given; and
 - e. to establish the number of dwelling units permitted on a parcel of land.

4 | Interpretation

In this Bylaw

- 1) **Abut or Abutting** means immediately contiguous to or physically touching, and used with respect to a lot or site, means that the lot or site is physically on another lot, site, or piece of land, and shares a property line boundary with it.
- 2) **Accessory Building** means a building which is not attached part of a main building but which is incidental and subordinate to a main building and located on the same site.
- 3) **Accessory Use** means a use of a building or which is incidental and subordinate to the principal use of the site on which it is located.
- 4) **Act** means the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter 24M

5) **Adjacent Land** means land that is contiguous to a particular parcel of land and includes:

- a. land that would be contiguous if not for a highway, road, river or stream, and
- b. any other land identified in this Bylaw as adjacent for the purpose satisfying PART 3 of this Bylaw.

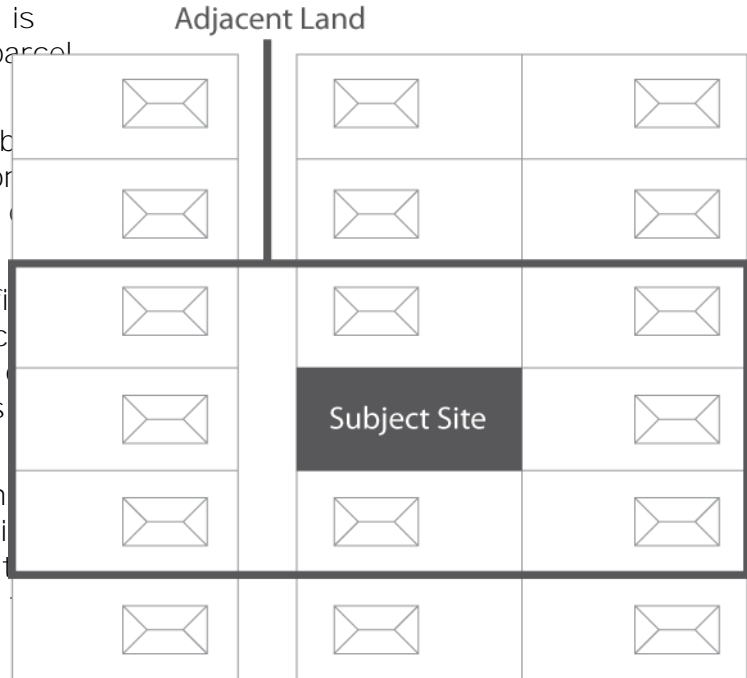


FIGURE 1: ADJACENT LAND

6) **Adult Entertainment** means an establishment which provides live entertainment for its patrons, which includes display of nudity

7) **Adult use** means any of the following: Adult Bookstore, Adult Motion Picture Theatre, Adult Paraphernalia Store, Adult Video Store, and Live Nudity Establishment or any other business establishment characterized by an emphasis depicting, describing or related to sexual conduct or excitement. For the purposes of this definition an use is any use or combination of uses which either have greater than twenty (25%) of the subject establishment's inventory stock; or five percent (25%) of the subject premise's gross floor area, or 18,620 ft², whichever is greater devoted to materials for sale or rent distinguished by or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement

8) **Agricultural industry** means an industrial activity involving the processing, cleaning, packing or storage of agricultural products. Agricultural industry includes, but is not restricted to, cleaning and/or processing plants, and grain elevators, but does not include the manufacturing of processed foods from agricultural products or abattoirs

9) **Agricultural operation** means an agricultural operation as defined in the Agricultural Operation Practices Act, R.S.A. 2000, as amended

10) **Agriculture, extensive** means the use of land or buildings, including the first dwelling or manufactured home, for an agricultural operation which requires large tracts of land (usually in order of 32.4 ha (80.0 acres), but not including intensive agriculture or confined feeding operations

11) **Agriculture, intensive** means an agricultural operation which raises crops on a small land basis. Intensive agriculture includes greenhouses, silviculture and sod farms, but does not include confined feeding operations

12) **Alcohol retail sales** means an establishment operating an establishment possessing a Class D liquor license which is used for the retail sales of any and all types of alcoholic beverages

public consumption off premises. This use may include as well as the sale of alcohol the sales of related products such as soft drinks and snack foods

- 13) **Amenity area** means an area which shall be provided subject to the regulations of this bylaw a which must be developed for the active or passive recreation and enjoyment of the occupants a residential development. Such area may be for either private or communal use and may be under either individual or common ownership. Amenity areas may include landscaped areas, balconies, communal lounges, swimming pools, play areas and similar uses but does not include
- 14) **Amenity area, communal** means an amenity area which shall be provided in accordance with the regulations in this Bylaw but which must be developed for the active or passive recreation and enjoyment of all occupants of a building. Such area must be for communal use and accessible to all occupants of building it is intended to serve. Amenity areas may include: landscaped areas, patios, balconies, communal lounges, swimming pools, play areas and similar uses but does not include driveways or access
- 15) **Amenity area, private outdoor** means an amenity area which shall be provided in accordance with the regulations in this Bylaw but which must be developed for the active or passive recreation and enjoyment of the residents of a dwelling unit and which is immediately adjacent to and directly accessible from the dwelling unit it is intended to serve. Amenity areas may include landscaped areas, patios, balconies, communal lounges, swimming pools, play areas and similar uses but does not include driveways or access
- 16) **Amusement establishment, indoor** means a development providing recreational facilities inside an enclosed building with table games and electronic games played by patrons for entertainment. Indoor amusement establishments include billiard parlours and electronic games arcades with tables and/or games and bowling alleys
- 17) **Amusement establishment, outdoor** means a development providing recreational facilities outdoors played by patrons for entertainment. Outdoor amusement establishments include amusement parks, go-kart tracks, and miniature golf courses. However, outdoor amusement establishments do not include drive-in picture theatres, carnivals or circuses
- 18) **Animal hospital** means a development where livestock as well as domestic pets are cared for and treated. Animal hospitals primarily involve patient care, but may include medical procedures involving hospitalisation for more than four (4) days. All animals shall be kept within an enclosed building. Animal hospitals are distinct from veterinary clinics (which serve only domestic pets) and do not include small animal boarding and boarding establishments.
- 19) **Animal services facility** means a development for the purpose of the treatment of animals and includes retail sales of associated products. This may include such uses as veterinary clinics, large animal veterinary clinics, impounding and quarantining facilities, and the sale of animals
- 20) **Approving Authority** means the Village of Development Officer and/or Administration.
- 21) **Area of sign** means the total surface area within the outer edge of a sign, and, in the case of a sign comprised of individual letters, numerals, or symbols, shall be the area of a rectangle enclosing

the letters, numerals, or symbols. Frames and structural members not bearing advertising messages shall not be included in the computation of the area of a sign

- 22) **Art, Craft, and Photography studios** means a development used for the purpose of small scale on site production of goods by simple processes manufacturing, primarily involving the use of hand tools. Typical uses include pottery, ceramic and sculpture studios, jewelry manufacturing and artist photography studios.
- 23) **Arterial road** means a road used primarily for through traffic
- 24) **Attached Housing** means a building designed and built to contain three dwelling units separated from each other by a fire wall with each having separate entrances from grade level. For purposes of Bylaw Garden, Linked, Row and Townhouse units which meet these criteria are considered to be attached houses.
- 25) **Automotive and equipment repair shop, heavy** means a development where automobiles, motorcycles, snowmobiles and similar vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed. Heavy Automotive and equipment repair shops include transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops, (but not body repair or paint shops) which provide services to vehicles and equipment with a gross vehicle weight rating equal to or greater than 4000.0 kg (8,818.5 lbs.), or a length equal to or greater than 6.7 m (22.0 ft.)
- 26) **Automotive and equipment repair shop, light** means a development where automobiles, motorcycles, snowmobiles and similar vehicles are serviced or mechanically repaired and where related accessories and parts are sold and/or installed. Automotive and equipment repair shops include transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops, (but not body repair or paint shops) which provide services to vehicles and equipment with a gross vehicle weight rating less than 4000.0 kg (8,818.5 lbs.), or a length less than 6.7 m (22.0 ft.)
- 27) **Automotive and recreational vehicles/rental establishment, heavy** means a development where new or used automobiles, light trucks, motorcycles, snow trailers, boats, travel trailers, or similar light recreational vehicles or craft are sold or rented together with incidental maintenance services and sale of parts. Automotive and recreational vehicle sales/rental establishments include automobile dealerships, car rental agencies and motorcycle dealerships, and dealerships for the sale of trucks with a gross vehicle weight rating equal to or greater than 4000.0 kg (8,818.5 lbs.). This use also includes the sale of recreational vehicles with either a gross vehicle weight rating equal to or greater than 6000.0 kg (13,227.7 lbs.) or a length equal to or greater than 6.7 m (22.0 ft.)
- 28) **Automotive and recreational vehicles/rental establishment, light** means a development where new or used automobiles, light trucks, motorcycles, snowmobiles, tent trailers, boats, travel trailers, or similar light recreational vehicles or craft are sold or rented, together with incidental maintenance services and sale of parts. Automotive and minor recreational vehicle sales/rental establishments include automobile dealerships, car rental agencies and motorcycle dealerships, and includes dealerships for the sale of trucks with a gross vehicle weight rating less than 4000.0 kg (8818.5 lbs.). This use also includes the sale of recreational vehicles with either a gross vehicle weight rating less than 6000.0 kg (13,227.7 lbs.) or a length less than 6.7 m (22.0 ft.)
- 29) **Awning** means a cloth like or lightweight shelter projecting from a building.

- 30) **Balcony** means an elevated platform projecting from a wall and having a railing or parapet and being greater than 0.61m (2 ft.) in width. Access shall be from only, and there shall be no supports or stairway to the ground.
- 31) **Basement** means that portion of a building structure which is wholly or partially below grade and having not more than one half of its height from finished floor to finished ceiling above finished grade.
- 32) **Bay** means a self-contained unit of part of a building or the whole building which is sold or leased for individual occupancy.
- 33) **Bed and Breakfast Accommodation** means a development within a dwelling which possesses a dwelling unit, where temporary sleeping accommodations, up to a maximum of four (4) bedrooms with or without meals, are provided for remuneration to members of the public.
- 34) **Boarding and lodging house** means a development, with or without a dwelling unit, where temporary sleeping accommodations of three (3) or more bedrooms, with or without meals, are provided for remuneration to members of the public. Boarding and lodging houses may include student cooperative housing, and lodges for citizens, but not group homes.
- 35) **Body shop or paint shop** means a commercial business where the body of vehicles is maintained, painted or repaired on site.
- 36) **Buffer** means a row of trees or shrubs, an earth berm or fencing to provide noise abatement and separation between sites, districts or compatible uses.
- 37) **Building** means anything constructed or placed on, in, overlaid, under, or over a highway or road or a bridge forming part of a highway or road.
- 38) **Building or Bay Area** means the greatest horizontal area of a building above grade within the glassline of exterior walls, or within the glassline of exterior walls and the wall-reline of fire walls.
- 39) **Building Height** means the vertical distance measured from the grade immediately adjacent to the subject building to the highest point of the building, exclusive of any accessory roof construction such as a mechanical housing, an elevator housing, a ventilating fan, a skylight, a smokestack, a flagpole, a fire wall, a parapet wall, a chimney, a steeple, an antenna, or a similar device.

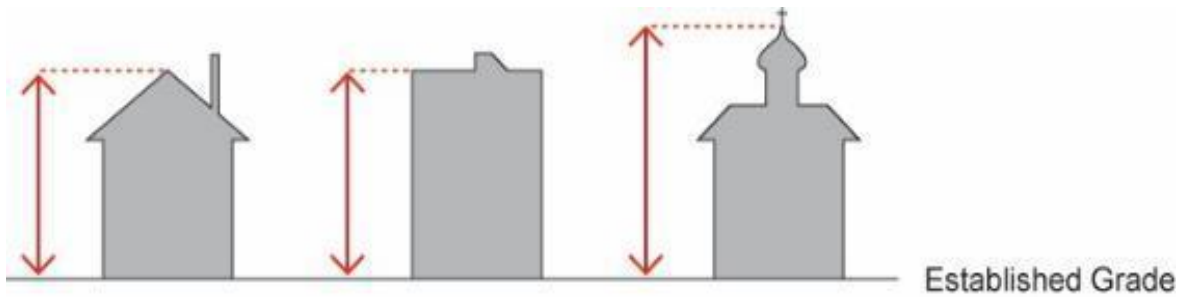


FIGURE 2: BUILDING HEIGHT

- 40) **Building Permit** means a certificate or document issued by a Building Inspector or the Building Permit Bylaw authorizing commencement of construction.

- 41) **Building Supply Centre** means a commercial retail establishment where building materials, household accessories, and other related goods are stored, kept for sale and may include outside storage
- 42) **Building, Temporary** means a building constructed or placed with foundation below grade or any other structure determined by the Development Officer or the Municipal Planning Commission to be temporary as a condition of a Development Permit
- 43) **Bulk Fuel Storage and Distribution Facilities** means a development for the purpose of storing natural gas and petroleum products for distribution to customers.
- 44) **Business frontage** means
 - a. any side of a lot or building which abuts on
 - b. in the case of individual business or tenants within a building, any business which has separate access to a road
- 45) **Business support services establishment** means a development providing support services to businesses. Business support services establishments are characterized by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding, photographic processing; the provision of office maintenance or custodial services; the provision of office security; or the sale, rental, repair or servicing of office equipment, furniture and machines. Business support services establishments include printing establishments, finishing processing establishments, janitorial firms, and office supply and repair establishments.
- 46) **Campground** means the development of land which has been planned and intended for short term use of holiday trailers, motor homes, tents, campers, and seasonal vehicles, and is not used as year round storage or accommodation for residential use. Typical uses include tourist trailer parks, campsites, and tenting grounds.
- 47) **Canopy** means an overhanging projection, shelter or shade covering extending from the outside wall of a building normally for the purpose of shading the building from the sun or demarcating the entrance of a building.
- 48) **Car and Truck Washing Establishment** means a building or a facility for washing vehicles on a commercial basis.
- 49) **Carport** means a structure designed and used for the shelter of storage of more than two private motor vehicles, and consisting of a roof supported by columns and not enclosed on more than two sides whether separated from or attached to a principal building on a site.
- 50) **Carriageway** means that portion of the right-of-way available for vehicular movement. Included are the traveling lanes, medians, parking and other areas. Not included are the shoulders, sidewalks and other associated pedestrian areas.
- 51) **Cemetery** means a development for the entombment of deceased, which may include the following accessory developments: crematorium, columbarium, and mausoleums. Cemetery may include memorial parks, burial grounds, chapels, and gardens of remembrance.
- 52) **Certificate of Compliance** means the endorsement by Development officer on a survey document indicating that the development on any given parcel of land is in compliance with Bylaw
- 53) **Chattel** means a movable item of personal property

- 54) **Child Care Facilities** means a provincially licensed development providing daytime personal care, maintenance and supervision to seven (7) or more children under the age of eleven (11) years persons unrelated to the children by blood or marriage and does not include overnight accommodation. Child care facilities include day care centres, day nurseries, kindergartens, nursery school, and play schools and after school and play programs which satisfy this definition. Child care facilities shall not include a day home, a family care facility, a group facility, or a school operated by a School Division
- 55) **Churches** see **Religious Institution**
- 56) **Clinic** means a public or private medical, surgical, dental, physiotherapeutic or other establishment regularly staffed by practicing physicians, dentists, or other qualified medical practitioners. Hospitals are also included in this category
- 57) **Collector road** means a road used primarily for collecting traffic from local roads and connecting to arterial roads
- 58) **Commercial Floor Area** means the gross floor area defined by the outside dimensions of the building for each floor.
- 59) **Commercial communications (CC) facility** means a facility that provides communication service using RF technology to transmit and receive voice, picture, text and data, in either digital or analogue form, on a system of elevating support structures. These structures include monopole lattice towers (self supported or guyed) or other configurations as well as, although not limited to, shelters, transmitters, receivers, antennas, antenna transmission lines, waveguides, transmission line supporting equipment and material, aeronautical obstruction lights, antenna icing equipment, antenna power dividers and matching equipment, combiners and utility power equipment, conditioners and backup power systems.
- 60) **Commercial storage** means a self contained building or group of buildings containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk of a non-hazardous nature. This use does not include outdoor storage.
- 61) **Commercial uses** means both general commercial uses and highway commercial uses.
- 62) **Communications tower, small radio** means a development that is intended for transmitting or receiving radio communications signals from devices such as radios, fleet dispatch systems, or private communications systems. Typical small radio communications towers are short, up to no more than 3 m (9.8 ft.) taller than the adjacent buildings.
- 63) **Community Buildings and Facilities** means buildings and facilities which are available for the use and enjoyment of the inhabitants of the municipality and surrounding rural area for the purposes of assembly, culture, and recreational activities. Also included are buildings, installations and facilities owned or operated by or for the Municipality, the Provincial Government, the Federal Government, or a corporation under federal or provincial statute, for the purpose of furnishing services or commodities to or for the use of the inhabitants of the municipality and surrounding rural area, Churches are not included in this category
- 64) **Condominium** means housing units administered under the Condominium Property Act, R.S.A. 2000, as amended, which allows for the division of a parcel into units and common elements and the provision of an administrative framework through a condominium corporation which enables owners to manage the property.

65) **condominium, bareland** means housing units administered under the Condominium Property Act, R.S.A. 2000, as amended which allows division of a parcel of land into lots and common areas which there are a number of individually owned parcels of land (lots) with the joint control and management of the common areas apply upon those owning individual lots with the Condominium Association being responsible for the common property.

66) **Confined Feeding operation** means a confined feeding operation as defined in the Agricultural Operation Practices Act, R.S.A. 2000, as amended.

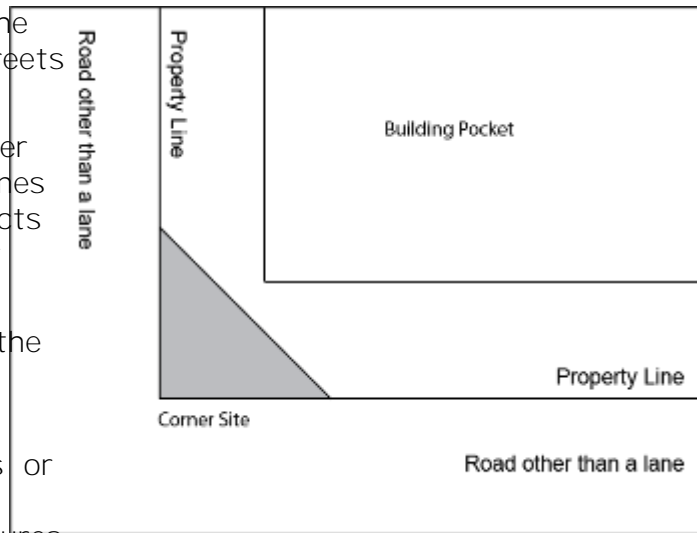
67) **Construct** means to build, rebuild, or relocate and without limiting the generality, also includes:

- a. any preliminary operation such as excavation, drilling;
- b. altering an existing building or structure by addition, enlargement, or other structural changes;
- c. any work which requires a Building Permit from the Village of Longview

68) **Corner** means the intersection of property lines of a site

69) **Corner Site** means a lot at the intersection of two or more streets

70) **Corner Visibility Triangle** means a triangular area formed on the corner site by two street property lines and a straight line which intersects them 5 m (2 ft.) from the corner where they meet.



71) **Council** means the Council of the Village of Longview.

72) **Coverage of Site** means the combined area of all buildings or structures on a site, including accessory buildings or structures, measured at 0.61 m (2 ft.) above grade including open covered porches or overhangs, covered terraces, and spaces

within a building, excluding steps, eaves, cornices, and similar projections, enclosed in and outer courts which are less than 0.61 m (2 ft.) above grade.

Where any building or structure projects beyond the coverage of the building or structure measured at 0.61 m (2 ft.) above grade the coverage shall include such projections.

73) **Cultural Establishments** means developments which are available to the public for the purpose of assembly, instruction, cultural or community activity and includes a library, a museum, an art gallery, and so forth. Churches are not in this category.

74) **Date of Issue** means the date a development permit, subdivision application is dated and signed by the designated officer in the course of his duties.

- 75) **Deck** means any open structure attached to a building having a height greater than 0.6 m (2.0 ft.) above grade, and thereby requiring stairs and railings as outlined in the Safety Codes Act, R.S.A. 2000, as amended. A deck shall not have walls higher than 1.25 m (4.1 ft.) and/or a roof. If the structure has a roof, it shall be considered part of the principal building and not a deck.
- 76) **Deck enclosed** means a structure intended for seasonal use that is attached to a building having a height greater than 0.6 m (2.0 ft.) above grade that has walls higher than 1.25 m (4.1 ft.). An enclosed deck shall not have a roof. If the structure has a roof, it shall be considered part of the principal building and not a deck.
- 77) **Density** means the number of dwelling units on a site expressed in units per acre or hectare. Density may be further defined by:
 - a. dwelling units per gross acre (hectare) means the maximum number of dwelling units permitted for each acre (hectare) of land and includes all lands within the site: it does not include environmental reserve lands as defined in the Act;
 - b. dwelling units per net acre (hectares) means the number of dwelling units allowed per acre (hectare) of land, and it does not include those lands within the site required for public roads, public utility lots, environmental reserve, and municipal and school reserve.
- 78) **Development** means:
 - a. an excavation or stockpile and the creation of them, or
 - b. a building or an addition to or replacement or repair of a building and the construction or placing of any of them in, on, over or under land, or
 - c. a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or
 - d. a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building;
 and includes:
 - a. any increase in the number of households occupying and living in any building or on any site, and any construction or alterations or additions which would provide for an increase in the number of households which could occupy and live in any building or on any site, including any increase in the number of dwelling units in a building or on a site, or
 - b. the placing of refuse or waste material on any land, or
 - c. the use of land for the storage or repair of motor vehicles or other machinery or equipment, or
 - d. the continued use of land or of a building for any purpose for which it is being used unlawfully when this Bylaw comes into effect, or
 - e. the demolition or removal of a building, or
 - f. the placement of an already constructed or a partially constructed building on a parcel of land, or

- g. the use of land for the parking of trailers, bunk houses, portable dwellings, skid shacks or any other type of portable building whatsoever, whether or not the same has been placed or affixed to the land in any way, or
 - h. the removal of topsoil.
- 79) **Designated Officer(s)** means those persons designated by bylaw under the Act and for purposes of this Bylaw, are the Development Officer, Subdivision Officer, Chief Administrative Officer and Bylaw Enforcement Officer of the Village of Longview.
- 80) **Developed Site** means, in the case of:
- a. residential districts or parcel, the parcel has a habitable dwelling constructed on it;
 - b. industrial, commercial and recreational districts or parcel. The lot has a building constructed on the parcel or the parcel is occupied by its prime use as specified in the development permit issued for the parcel.
 - c. agricultural parcel, the parcel is used for extensive or intensive agricultural purposes or the parcel is occupied by prime use as specified in the development permit issued for the parcel.
- 81) **Development Authority** means the Development Authority of the Village of Longview established pursuant to the Act.
- 82) **Development Completion Certificate** means a certificate issued by the Development Authority to certify that all conditions have been met and the development has been completed as per approved plans and to the satisfaction of the Development Authority. The certificate is a requisite to refunding of a performance, discharge of agreements or letter of credit or bonds.
- 83) **Development Officer** means the Development Officer established and appointed pursuant to the Act.
- 84) **Development Permit** means a document issued by a Development Officer pursuant to this Bylaw authorizing a development and includes the plans and conditions of approval
- 85) **Discontinued** means the time at which, in the opinion of the Development Authority, substantial construction activity or use, whether conforming or nonconforming to this Bylaw, has ceased.
- 86) **Direct control district** means a district in the Land Use Bylaw which details guidelines established by Council which control the use and development of lands pursuant to the Municipal Government Act. Direct control districts are generally used if there are specific features of a site or a project which would require unique rules and regulations.
- 87) **Discretionary Use** means a use of land or of a building which is listed in the columns captioned Discretionary Uses in the lists of Permitted and Discretionary uses appearing in this Bylaw and for which, subject to the provisions of this Bylaw, a Development Permit may be issued.
- 88) **District** means Land Use District as per Land Use Bylaw.
- 89) **Domestic pet** means pet, domestic
- 90) **Double fronting lot** means lot, double fronting

- 91) **Drinking Establishment** means a development possessing a Class A Minors Prohibited liquor license, where the sale and consumption of liquor on site occurs and where liquor is the primary source of business.
- 92) **Drive in business** means an establishment which services customers traveling in motor vehicles driven onto the site where such business is carried on, where normally the customer either remains in the vehicle for service or parks his vehicle for a short period for the purpose of doing business at the premises, and includes service stations. Drive in businesses include service stations, gas bars, drive in restaurants, and drive through vehicle service establishments such as lubrication shops, recycling depots, and car washes.
- 93) **Drive in Restaurant** means an eating and drinking establishment which is designed as a drive in business. Drive in restaurants may have one or more of the following features: car attendant services, drive through food pickup services, or parking intended to allow for site on consumption of food within a motor vehicle.
- 94) **Driveway** means a vehicle access route between the carriageway of a public road and a development on a site.
- 95) **Dry Cleaning Establishment** means a building where dry cleaning, dry dyeing, cleaning or pressing of articles or clothing is carried on, and
- in which only non-flammable solvents are or can be used which emit no odours or fumes; and
 - in which no noise or vibration causes a nuisance or inconvenience with or without the premises.
- 96) **Duplex** means a dwelling containing two (2) dwelling units which are joined side by side or one above the other by a common wall with each dwelling unit having a separate exterior entrance. A duplex may be on one (1) lot or may be split across a common wall onto two (2) lots.
- 97) **Dwelling Group** means two or more buildings each containing two or more dwelling units located on a site or a number of adjacent sites where all buildings, recreation areas, vehicular areas, landscaping, and all other features have been planned as an integrated development.
- 98) **Dwelling, Apartment** means a single building comprised of three or more dwelling units with shared entrance facilities, where none of the dwelling units are rented or are available for rental or occupation for periods of less than 30 days.
- 99) **Dwelling, Row Housing** means a building consisting of at least three dwelling units with each unit having direct access to the outside grade, but shall not mean apartment.
- 100) **Dwelling, Semi Detached** means a building designed and built to contain two side by side dwelling units, of which the common wall is separated by a fire rated party wall extending from the foundation to the roof and a length of not less than 6 metres (20 ft.). With attached garages, the common wall between the living space and the individual unit's garage space must be no less than 50 % of the common wall.

101) **Dwelling, Single Detached** means a building which contains only one dwelling unit, and except as otherwise allowed by this Bylaw is used for no other purpose. This category does not include a manufactured or mobile home.

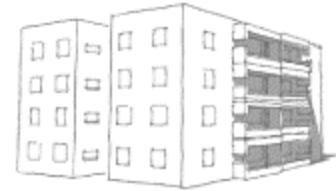


FIGURE 2: dwelling- APARTMENT

102) **Dwelling Unit** means a self-contained portion of a dwelling, or a set or suite of room which contains sleeping, cooking, living and separated or shared toilet facilities, and intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for one (1) household, and which except for a secondary suite, is not separated from direct access to the outside by a separate dwelling unit.



FIGURE 5: Dwelling- ROW HOUSE

103) **Easement** means a right to use land, generally for access to other property or as a right-of-way for a public utility.



FIGURE 6: dwelling- SEMI DETACHED

104) **Eating and drinking establishment** means a development, which is not a drive-in restaurant, where food and/or beverages are prepared and offered for sale to the public for consumption within the premises, accessory outdoor seating area on the site, or off the site. Eating and drinking establishments include neighbourhood pubs, licensed restaurants, cafes, delicatessen, tea rooms, lunch rooms, refreshment stands and take-out restaurants, but shall not include drive-in restaurants. Eating and drinking establishments shall not contain within them an entertainment establishment unless otherwise provided for in an approved development permit.



FIGURE 7: dwelling- SINGLE DETACHED

105) **Eave line** means the line formed by the intersection of the wall and roof of a building.

106) **Entertainment and Cultural Establishment** means the use of a building or part thereof for the provision of entertainment in the form of live performances or motion pictures, or the display of cultural, scientific or artistic exhibits and for such meetings and administration and ancillary to these uses. An eating and drinking establishment may contain within it an entertainment establishment, but if specifically provided for in an approved development permit. An adult entertainment establishment is not considered an entertainment establishment for the purposes of this Bylaw.

107) **Environmental Impact Assessment (EIA)** means a statement prepared in accordance with the Alberta Environmental Protection legislation on the effect of development proposals and other major actions which significantly affect the environment.

108) **Equipment rental establishment** means a development where tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items are rented and/or serviced. Equipment rental establishments do not include developments where motor vehicles or industrial equipment are rented and/or serviced.

109) **Environmental Site Assessment** means a report prepared by qualified professional engineering or environmental consultant on the existing conditions of a lot or site with known or suspected contamination from previous land uses in the vicinity of or on the site.

110) **Essential Utilities** mean any utility which is necessary for the health, safety, or welfare of the municipality and its residents, and may include:

- a. Telephone or internet system,
- b. electrical system
- c. waterworks system,
- d. transportation systems,
- e. irrigation system,
- f. systems for the distribution of water, whether natural or artificial. (g)
- g. heating systems,
- h. sewage system,
- i. any other commodity or service supplied by public utility.

111) **Established grade** means the average of the highest (A) and lowest (B) elevation of finished surface of the ground where the exterior main walls of a building meet the ground or the average elevation of the finished grade of the ground immediately surrounding a structure, exclusive in both cases of any artificial embankment or entrenchment.

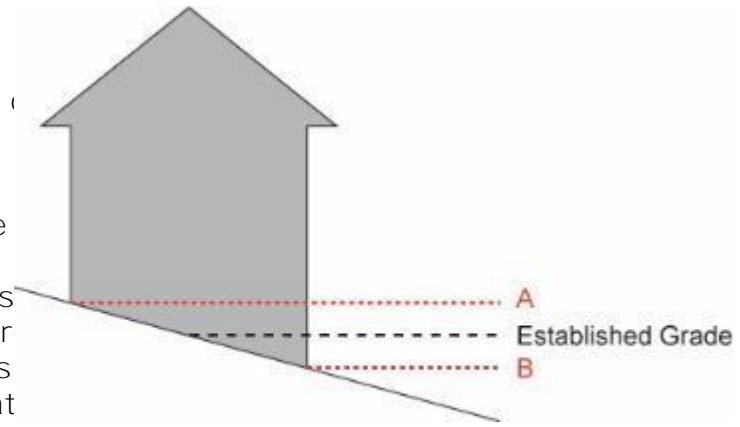


Figure 8: Established grade

112) **Excavation** means any breaking of ground, except for common household gardening, ground care and agricultural pursuit.

113) **Exotic pet** means pet, exotic.

114) **Existing** means existing as of the date of adoption of this Bylaw.

115) **Extended medical treatment facility** means a development which provides room, board and surgical or other medical treatment for the sick, injured, or infirm, and which may include outpatient services and accessory staff residences. Extended medical treatment facilities include hospitals, sanatoriums, nursing homes, convalescent homes, skilled nursing facilities, psychiatric hospitals, auxiliary hospitals, and detoxification centres.

- 116) **Exterior wall** means the outermost point of a building projection, including, but not limited to, bay windows, oval windows, bow windows, chimneys and verandas, ~~and roof overhangs~~ less than 0.6 m (2.0 ft.).
- 117) **Family care facility** means a facility which provides resident care service in a private residence to six or fewer individuals who are not related to the resident household. These individuals may be handicapped, aged, disabled, or in need of adult supervision and are provided services and supervision in accordance with their individual needs. Family care facilities include foster care and boarding homes for children, but do not include group homes.
- 118) **Farmstead** means the dwelling and other improvements used in connection with extensive or intensive agriculture or a confined feeding operation, situated on a parcel of land used in connection with such operation, including a detached dwelling, a manufactured home, or a duplex. In exceptional circumstances, at the discretion of the Subdivision Authority, a farmstead may be the former site of a dwelling.
- 119) **Fence** means a vertical physical barrier constructed to provide screening or to prevent unauthorized access. This does not include the development of artificial embankments such as retaining walls or landscaping features such as hedges.
- 120) **Financial Institution** means a bank, trust company, credit union, or other financial institution.
- 121) **Fire Separation** means a construction assembly that acts as a barrier against the spread of fire, and may be required to have a fire resistance rating.
- 122) **Fire Wall** means a type of fire separation of non-combustible construction which subdivides a building or separates adjoining buildings to resist the spread of fire and which has a fire resistance rating.
- 123) **Floor Area** means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the glass exterior walls and the centre line of fire walls but not including the floor areas of basements, attached garages, sheds, open porches, or breeze ways, except that all dwelling units in an apartment shall be included in the calculation of floor area.
- 124) **Foundation, permanent** means the lower portion of a building constructed of concrete, masonry, or pressure treated wood, and is designed separately from the building to include the footing and piles which transfer the weight of and loads from a building to the ground. The connections are integrated with the building structure, and are designed to prevent the building from being separated from the foundation.
- 125) **Foundation, temporary** means the lower portion of a building constructed of concrete, masonry or pressure treated wood, and is designed separately from the building and will serve to support the building for a short period of time. The connections are not integrated with the building structure and are designed to allow the building to be separated from the foundation.
- 126) **Fourplex** means a separate building containing only four (4) dwelling units which are divided vertically and horizontally into four parts, with each unit having its own direct access to the ground floor.
- 127) **Fragmented parcel** means a parcel of land that is separated from the balance of the parcel of land by a natural barrier such as a river, a permanent or naturally occurring water body, a railroad, or a road, but not an undeveloped road on a Road Plan, or a barrier to the crossing of cultivation equipment created by substantial topography, such as a ravine, gully or small, possibly seasonal stream.

intermittent, watercourse. The determination that such a topographic barrier is a fragmentary feature for the purpose of subdivision shall be at the discretion of the Subdivision Authority.

- 128) **Frontage** means, where used with reference to residential development, distance measured along the front lot line; and where used with reference to commercial development, the length of the property line of any side of business development which is parallel to, and abuts, a public roadway, including a lane, which is directly accessible from the development.
- 129) **Front yard** ~~deyard, front~~
- 130) **Funeral Home** means a development where the dead are prepared for burial and cremation where funeral services may be held. Funeral services include funeral homes and undertaking establishments.
- 131) **Garage, Private** means an accessory building designed and used for private motor vehicles, but does not include a carport.
- 132) **Garage, Public** means a building or portion thereof in which motor vehicles are repaired, washed, or serviced.
- 133) **Gas Bars** means a development where gasoline, lubricating oils, and other automotive fluids and automobile accessories are bought and sold. Gas bars include facilities for the servicing or repairing of motor vehicles and do not include car washes.
- 134) **General advertising** means advertising which relates to goods or services other than those produced, offered for sale or obtainable at the site which the sign is displayed.
- 135) **General commercial use** means a development through which products or services are available to consumers but does not include the manufacturing of products, secondary commercial or highway commercial uses.
- 136) **General contractor service** means a development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which may require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service, sales, display, office or technical support service areas ~~shall be the~~ principal use only.
- 137) **General retail establishment** means a development where groceries, beverages, household goods, furniture, appliances, home improvement supplies, hardware, printed matter, confectionary, tobacco, pharmaceutical, personal care items, automotive parts and accessories, equipment, recordings, office equipment, stationary, second hand goods, and similar goods are bought, rented, and/or sold from within a building. Minor public services, such as postal service and film processing depots may also be provided. General retail establishments include convenience retail stores but does not include warehouse sales establishments, or developments where gasoline, new or used motor vehicles, alcohol, heavy agricultural and/or industrial equipment are sold or rented.

138) **Glass line** means the line created within the wall of a building measured from the centre of the windowpane glass.

139) **Government services** means a development where municipal, provincial, or federal government services are provided directly to the public. Government services do not include protective and emergency services, major utility services, and public education facilities. Government services may include government administration offices, courthouses, postal distribution offices, manpower employment offices and social services offices.

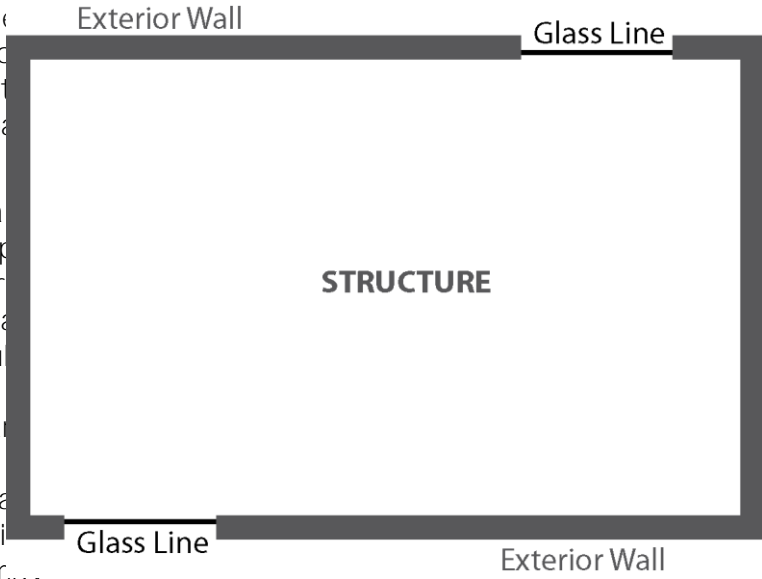


FIGURE 2 GLASS LINE DEFINITION

- 140) **Gradient** means the relationship of the vertical distance of the slope to its horizontal distance.
- 141) **Grade plan** means a drawing or specification prepared by a professional engineer or a member of a similar professional discipline which specifies elevations for building floors and foundations, streets, lanes, walks and the finished ground level of the site.
- 142) **Greenhouse, Commercial** means a development where bedding, household and ornamental plants are raised, stored and sold, together with incidental accessories such as garden equipment, fertilizers and garden care products.
- 143) **Greenhouse, Private** means an accessory building designed and used for growing plants for domestic use only.
- 144) **Gross Floor Area** means the total area of the first floor of a building above grade within the outside surface of exterior walls or within the glassline of exterior walls and the centreline of fire escapes, including covered porches and verandas, but excluding open decks, patios, steps and similar projections. Ground floor area shall include air wells, and all other space within the building except inner or outer courts.
- 145) **Gross leasable area** means the total floor area of the building contained within the outside surface of the exterior and basement walls and includes enclosed and heated malls but excludes mechanical and utility rooms, public washrooms, stairwells, and elevators.
- 146) **Ground Cover** means vegetation, other than grass, commonly used for landscaping purposes and includes herbaceous perennials and flowers.
- 147) **Group care facility** means a facility which provides resident services to seven (7) or more individuals of whom one or more are unrelated. These individuals may be aged, disabled, or are undergoing rehabilitation and are provided services to meet their needs. This use includes supervised facilities such as group homes (all ages), day care centres, residential care homes, resident schools, resident facilities and foster or

boarding homes, and psychiatric care facilities. These facilities include major institutional care facilities such as hospitals.

- 148) **Group home** means a building or portion of a building used for the care or rehabilitation of children, adolescents or adults which is not predominantly related to aged disability or the care or rehabilitation of the aged or the physically disabled. Group homes include halfway houses, addiction rehabilitation centres, care which is an alternative to legal incarceration, or treatment for mental illness or mental disability.
- 149) **Guest ranches** means a development of a private-occupied ranch house which includes sleeping facilities, which are rented on a daily basis to registered guests equipped with a residential kitchen.
- 150) **Habitable Floor Area** means any finished floor area intended primarily for human occupancy and meets the Alberta Safety Codes Act and the regulations thereunder and for the avoidance of doubt includes: kitchen, bathroom, hallways, stairways and closets but does not include porches.
- 151) **Halfstorey** means that part of any dwelling, wholly or partly within the framing of the roof, where the habitable floor area is not more than seventy percent (70%) of that of the ground floor.
- 152) **Hardsurfaced** means a surface covered and compacted with asphalt, gravel, concrete, or a similar material.
- 153) **Health services** means a development where physical or mental health services are provided on an outpatient basis. Such services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Health services include medical, chiropractic, massage, acupuncture, holistic services and dental offices, health clinics and counselling services. Health services do not include adult uses.
- 154) **Hedge** means a fence or boundary formed by growing bushes or shrubs.
- 155) **Heights** see **Building Height**
- 156) **Highway** means a highway or proposed highway that is designated as a highway pursuant to the Public Highways Development Act, R.S.A. 2000, as amended.
- 157) **Home occupation** means an occupation carried on within a dwelling unit and which is not visible or noticeable from the outside of the building. Home occupations may be classified as either major home occupations or minor home occupations. See **Home occupation major home occupation minor**.
- 158) **Home occupation, major** means a business, occupation, trade, profession, or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the dwelling, and which does not change the character of the building in which it is located, and there is no exterior evidence of such secondary use other than a small sign as provided in this Bylaw. A major home occupation may have up to one (1) employee, other than those resident in the dwelling working on site at any time. A major home occupation may also have more than five (5) client visits per week, and a limited amount of outdoor storage of goods. A major home occupation may include, but is not restricted to, hairdressing and cutting, garment making, tailoring and similar domestic crafts, stamp and coin sales, music and/or dance instruction, minor repairs to household equipment and tutoring, or professional consulting services. The distinctions between major home occupations and minor home occupations are more fully defined in **PART 12.12** of this Bylaw.

159) **Home occupation, minor** means any business, occupation, trade, profession, or craft carried on by an occupant of a dwelling unit as a use secondary to the residential use of the dwelling, and does not change the character of the building in which it is located or have any exterior evidence of such secondary use. A minor home occupation will have no employees, other than those residing in the dwelling unit, and no more than five (5) client visits per week, and storage of any goods. A minor home occupation may include, but is not restricted to, offices of accountants, doctors, business and professional consultants, contractors, lawyers, bookkeepers, architects, catalogue sales, and minor repair shops, but it does not include any development that may, in the opinion of the Development Authority, be considered to be a major home occupation. The distinctions between minor home occupations and major home occupations are more fully described in **PART 12.12** of this Bylaw.

160) **Hotel** means a building used primarily for sleeping accommodation and ancillary services provided in rooms or suites or rooms, which may contain bar or kitchen facilities or both where such rooms or suites of rooms are rented or are available for a period of less than seven days and the occupier or renter has no right of renewal. For purposes of this Bylaw, hotels may contain, where permitted, a restaurant, or public convention facilities. Hotels may include a manager's suite/dwelling accommodation.

161) **Industrial use, heavy** means a development which would be considered to be a medium industrial use except that, in the opinion of the Development Authority, the development may not be able to exist compatibly in proximity to other uses or population concentrations due to:

- a. the potential for an adverse environmental impact beyond the immediate site of the heavy industrial use;
- b. the potential for significant toxic or noxious products such as air or water emissions; or the potential for significant noise, smoke, dust, odour, vibration, etc., which may be offensive or hazardous to human health, safety or well-being.

Heavy industrial uses also include: the storage of toxic, flammable or explosive products in significant quantities; steel making plants; and natural resource or agricultural product processing plants or large scale outdoor storage that is unsightly or visually offensive. Heavy industrial uses do not include heavy petrochemical industrial uses.

162) **Industrial use, heavy petrochemical** means a development involved in the processing and manufacturing of petrochemicals, including oil and gas refining, which, in the opinion of the Development Authority, may emit a significant level of noise, smoke, dust, odour, vibration, etc., and which may not be compatible with the surrounding land use.

163) **Industrial use, light** means a development which, in the opinion of the Development Authority, may be able to exist compatibly in proximity to other uses or population concentrations. Light industrial uses are usually less capital intensive than medium and heavy industrial uses, and may be more consumer-oriented than businesses. Light industrial uses often require only a small amount of raw materials, area and power.

For further clarification, light industrial uses include developments where:

- a. raw materials are processed, and/or
- b. semifinished or finished goods, products or equipment are manufactured and/or assembled, and/or

- c. materials, goods and equipment normally associated with industrial and commercial business are cleaned, serviced, repaired, salvaged, and/or tested, and/or
- d. goods and equipment associated with personal or household use are cleaned, serviced and/or repaired, and/or
- e. materials, goods and equipment are stored indoors, restocked, and/or
- f. materials, goods and equipment are distributed and/or sold to institutions and/or industrial and commercial businesses for their direct use and/or to general retail establishments and/or other retail establishments for resale to individuals and/or
- g. personnel are trained in all industrial operations,

in such a manner, in the opinion of the Development Authority, that an adverse environmental impact is not created beyond the immediate site of the light industrial use, and which does not produce significant toxic or noxious products, and which is compatible with other industrial and commercial uses in a concentrated setting. Light industrial uses include motor vehicle body paint shops, but do not include the preparation of food and beverages for direct sale to the public.

Any indoor display, office, technical or administrative support areas or any retail sale operation shall be accessory and subordinate to the light industrial use activities identified above. The area devoted to such accessory activities shall not exceed a percentage (33%) of the total floor area of the building or buildings devoted to the light industrial use, except that restriction shall not apply where, in the opinion of the Development Authority, a significant portion of the industrial activity naturally and normally takes place out of doors.

- 164) **Industrial use, medium** means a development which involves the manufacturing, processing, fabrication, storage, transportation, distribution, wholesaling of goods and services, and which does may emit a small amount of noise, smoke, odour, dust or vibration beyond the boundaries of the lot on which the medium industry is located. For the purpose of this bylaw, dust refers to that which is produced as a result of the land use of the lot, rather than that which is produced as a result of travelling to and from the lot. A medium industrial use may also include the retail of goods and/or services to the general public, so long as any component is secondary to the principal medium industrial use.
- 165) **Industrial vehicle and equipment sales/rental establishments** a development where new or used heavy vehicles, machinery or mechanical equipment typically used in building, roadwork, pipeline, oilfield, and mining construction, manufacturing, assembling, and processing operations and/or agricultural operations are sold or rented, together with incidental maintenance services and sale of parts. Industrial vehicle and equipment sales/rental establishments do not include truck and recreational vehicle sales/rental establishments or automotive and minor recreational vehicle sales/rental establishments;
- 166) **Industrial Service Shops** means a building used for assembly, fabrication, or repairing of goods and products. Typical uses associated with this category include electrical, heating, metal, plumbing, welding, woodworking, cabinet making, upholstery, furniture repair, painting, and similar uses.
- 167) **In-law suite** Suite, in-law

- 168) **Institutional** means a development of governmental, religious, social, health care, or cultural facilities serving the municipality, area, or region.
- 169) **Issue or Issued** means the date a Development Permit or an order is dated and signed by the Development Officer in the course of their duties.
- 170) **Landscaped Area** means that portion of a site required to be landscaped pursuant to a Development Permit.
- 171) **Landscaping** means the modification and enhancement of a site through the use of any or all of the following elements:
 - a. soft landscaping: consisting of vegetation such as trees, shrubs, hedges, grass, and ground cover; and
 - b. hard landscaping: consisting of decorative materials such as brick, stone, concrete, tile and wood.
- 172) **Lane** means a public thoroughfare with a right-of-way width of not greater than 9.14m (30 ft.) and not less than 6.10 m (20 ft.) which provides a secondary means of vehicle access to a site or as defined as an alley in the Traffic Safety Act, R.S.A. 2000, as amended, as amended.
- 173) **Laundromat** means a development used for the purposes of cleaning clothing or other goods made of fabrics on a self-service basis.
- 174) **Leading wall** means the outer part of a wall, including any bay window or cantilevered section of wall, the outer wall of a fireplace chase, etc.
- 175) **Livestock** means livestock as defined in the Agricultural Operation Practices Act, R.S.A. 2000, as amended. This includes, but is not limited to poultry, horses, cattle, sheep, swine, goats, birds and fur-bearing animals.
- 176) **Loading Space** means an off-street space, on the same site as a building or group of buildings, for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded.

- 177) **Local Authority** means:
 - a. a council of a municipal authority;
 - b. a regional health authority under the Regional Health Authorities Act;
 - c. a regional services commission and
 - d. the board of trustees of a district or division as defined in the School Act.

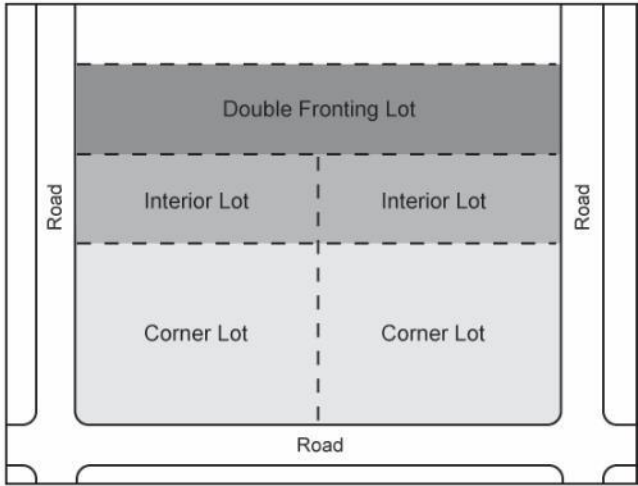


FIGURE 10 ILLUSTRATION OF LOT DEFINITIONS

- 178) **Lot** means:
 - a. a quarter section, or
 - b. a part of a parcel of land described in a certificate of title in

the boundaries of the part are separately described in the certificate of title other than by reference to a legal subdivision, or

- c. a part of a parcel of land described in a certificate of title if the boundaries of the part are separately described in a certificate of title by reference to a plan of subdivision.

179) **Lot, double fronting** means a lot which abuts two roads (except alleys or lanes as defined in the Traffic Safety Act, R.S.A. 2000, as amended), which are parallel or nearly parallel where abutting the lot, but does not include a corner lot

180) **Local Roadway or Street** means a street or roadway that provides unrestricted access and connects with collectors and other local roadways.

181) **Lot Line** means a legally defined limit of any lot.

182) **Lumber Yard** means a lot or building both where bulk supplies of lumber and building materials are stored, offered, or kept for retail sale and may include storage on or about the premises of such material. Not included in this category are sales of furniture, appliances or other goods not ordinarily used in building and construction

183) **Manufactured Home** means a single detached dwelling, manufactured in full compliance with current Canadian Standards Association (CSA), MH National Mobile Home Standard and the Alberta Building Code (ABC), bearing a prominently displayed industry standard label AND an Alberta Municipal Affairs label that certifies compliance to the current ABC. Notwithstanding any requirement regarding labels, should a building not have a label, it is considered a manufactured home for the purposes of this Bylaw should the inspection and upgrade procedures outlined in PART 214 of this Bylaw be followed. A manufactured home is normally constructed off site and then transported to its site for location at the site for local use, from incidental operations such as placement on a foundation and connection of utilities, it is not for year round use as a dwelling for one household. A manufactured home may be assembled on site out of multiple pieces. Additionally, to be considered a manufactured home, a dwelling with one dwelling unit shall have a roof pitch of less than 1:4, or a depth of eaves of less than 45 in.), or a ratio of depth vs. width (or width vs. depth) of more than 2:1.5, porches or other additions, or not be supported on a permanent foundation or base extending below ground level.

184) **Manufactured home park** means any site on which two (2) or more occupied manufactured homes are harboured or are permitted to be harboured without regard to whether a fee or charge is paid or made, and shall include any building, structure, tent, vehicle or enclosure used or intended use as part of the equipment of such manufactured home park

185) **May** is an operative word meaning a choice available with no particular direction or guidance intended

186) **Medical Clinic** means a facility for the provision of human health services without overnight accommodation for patients and may include associated office space

187) **Mixed Use Development** means a development with at least two major components, one of which must, for the purposes of this Bylaw be residential. An example would be a building in the downtown area having a commercial retail or office component on the first floor and a residential component on floor above.

188) **Motel** means a development used for the provision of rooms or suites for temporary light housekeeping for the traveling public; where each room is accessible from the exterior.

Rooms or suites are rented or available for occupation for a period of less than seven days and the renter occupier has no right of renewal.

Motels may include accessory Restaurants and Drinking Establishments, Personal Service Shop and a Manager's Suite/Dwelling Accommodation

- 189) **Multi-Family Dwelling** means apartment, duplexes and/or row housing **Dwelling, apartment, Dwelling, semi-detached or Dwelling, row housing** a more detailed description of the specific use types.
- 190) **Municipal Government Act**, as referred to in this bylaw as the Act, means the Municipal Government Act, R.S.A. 2000, CM 26, as amended. UPDATE WHEN MGA REVIEW IS COMPLETED
- 191) **Municipality** means:
- the Municipal corporation of the Village of Longview; or
 - where the context requires, means the area of land within the boundaries of the municipality's corporate limits at the time of adoption of this Bylaw or that included by any subsequent annexations.
- 192) **Municipal Reserve Parcel** means the land specified to be municipal reserve by a subdivision approving authority pursuant to the Municipal Government Act.
- 193) **Natural Resource Extraction Industries** industries engaged in the extraction of natural resources such as timber, clay, sand and gravel, limestone, shale, coal, and other minerals including petroleum and natural gas which may include bringing these together with other elements such as power or water into integrated processes for the purpose of primary treatment into a marketable form of the resource being treated.
- 194) **Net Area** means an area of land upon which principal building is located, including required off street parking and landscaped areas, but does not include public roads or utilities.
- 195) **Net Floor Area** means the gross floor area defined by the outside dimensions for each floor minus the horizontal floor area on each floor used for corridors, elevators, stairways, mechanical rooms and workrooms.
- 196) **Noise Attenuation Device** means any berm, hedge, fence, or similar feature which deflects or reduces sound.
- 197) **Non-conforming Building** means a building:
- that is lawfully constructed or lawfully under construction at the time a Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and
 - that on the date the Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use bylaw.
- 198) **Non-conforming Use** means a lawful specific use:
- being made of land or a building or intended to be made of a building lawfully under construction, at the time a land use Bylaw or any amendment thereof affecting the land or building becomes effective; and

- b. on the date the land use or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with law
- 199) **Nuisance** means any act or deed, or omission, or thing, which is or could reasonably be expected to be annoying, or troublesome, or destructive or harmful, or inconvenient, or injurious to another person and/or their property, or any troublesome or bothersome to other people, and for which complaints are received either by the municipality or the Royal Canadian Mounted Police whether or not such act or deed or omission or thing constitutes nuisance at common law;
- 200) **Obnoxious** means a development which by its nature, or from the manner of carrying on the same may, in the opinion of the Development Authority, create noise, vibration, smoke, dust or other particulate matter, odour, toxic or toxic matter, radiation, fire, or explosive hazard, heat, humidity, or glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become a nuisance or which adversely affects the amenities of the neighbourhood, or which may interfere with the normal enjoyment of any land or building;
- 201) **Occupancy** means the utilization of a building or land for the use for which it has been approved;
- 202) **Occupancy Permit** means a permit issued under the Alberta Safety Act for the right to occupy or use the bay, building or structure for the use intended.
- 203) **Occupant** means any person occupying or having control over the condition of any property and the activities conducted on the property, and includes the owner, tenant or agent of the owner.
- 204) **Off-grid** refers to a stand alone power generating system not connected to any commercial utility.
- 205) **Off-site sign** means a sign that advertises goods, products, services or facilities located on a site which is in a different location from where the sign is located or which directs persons to a different site.
- 206) **Off-street parking** means an off-street facility for parking three or more motor vehicles
- 207) **Offensive** means a development which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise, vibration, smoke, dust or other particulate matter, odour, toxic or toxic matter, radiation, fire, or explosive hazard, heat, humidity, or glare, or unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which, in the opinion of the Development Authority, may be or may become hazardous or injurious to health or safety, or which adversely affects the amenities of the neighbourhood, or which may interfere with the normal enjoyment of any land or building
- 208) **Office use** means a development where government, professional, management, administrative, consulting, and financial services may be provided. Office uses include the offices of lawyers, accountants, engineers, architects, and realtors. Office uses also include insurance firms; clerical, secretarial, employment and telephone answering and similar office support services; banks, credit unions, loan offices and similar financial institutions and the offices of governmental and public agencies.
- 209) **Outdoor Athletic/Recreational Facilities** means a development providing facilities which are available to the public at large for sports and active recreation conducted outdoors. Typical facilities include golf courses, driving ranges, sports unenclosed ice rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens and fitness trails.

210) **Outside Storage** means a development where, in the opinion of the Development Authority, goods, materials, or equipment are or may be placed outside of a building on a more or less permanent or continuous basis. This does not include vehicles, waste materials, debris or garbage.

211) **Owner** means:

- a. in the case of land owned by the Government of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or
- b. in the case of any other land, the person shown as the owner of a parcel of land on the municipality's assessment prepared under the Act.

212) **Parapet** means a low wall or railing to protect the edge of a roof.

213) **Parcel** means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed in the Land Titles Office.

214) **Park** means a parcel of land intended, through design or natural function, to provide opportunity for passive and/or active recreation, and including natural conservation areas.

215) **Parking lot** means a portion of land set aside for the use of motor vehicles.

216) **Parking space** means an area set aside for the parking of one (1) vehicle.

217) **Park model** means a temporary or recreational unit. There are two types of park models which are recognized by the industry. They are:

- a. **Park Model Trailer**

102 is a unit of restricted size and weight so that it does not require special highway movement permits. The maximum width when being towed is 2.6 m (8.5 ft.). The units are designed for infrequent



Figure 1 PARK MODEL TRAILER

towing, and are not fitted with a lift system for fixtures and appliances. Once on site in the set up mode it must be connected to the local utilities.

This style of recreational vehicle is built on a single chassis mounted on wheels. It usually has one or more slides, but when in use mode the gross trailer area does not exceed 37.2m² (400.ft²). It conforms to the current CSA Z240 (or similar) Standard for recreational vehicles.

- b. **Park Model Recreational Unit** designed to facilitate occasional relocation, with living quarters for a temporary residence or seasonal use, and must be connected to those utilities necessary for the operation of installed fixtures and appliances.

It has a gross floor area, including lofts, not exceeding 500 (538.2ft²) in the set mode and has a width greater than 2.6 m (8.5 ft.) in the transit mode. Park Model Recreational Units always require a special vehicle and a special permit to move on the road as the width of the unit is greater than 2.6 m (8.5 ft.). It conforms to the current CSA Z241 (or similar standard) for recreational vehicles.



FIGURE 2 PARK MODEL RECREATION/

218) **Patio** means an uncovered open platform or surfaced area, without foundation, located at or not more than 15 cm (6 inches) in height from finished grade as an extension to the interior of the building for indoor or outdoor leisure activities.

219) **Permitted Use** means the use of land or a building provided for in this Bylaw for which a development permit shall be issued, with or without conditions, upon an application having been made provided that the proposed development complies in all respects with this Bylaw.

220) **Personal Service Shops** means a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This includes barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops and laundromats.

Not included in this definition are dry cleaning establishments where items are cleaned (drop off/pick up establishments may be included).

221) **Pet domestic** means an animal which is normally kept inside a dwelling. Domestic pets include dogs, cats, parrots, and similar animals, but does not include livestock or exotic animals.

222) **Pet exotic** means any animal not identified in the definition of domestic or livestock.

223) **Place of worship** means a development where worship and related religious, philanthropic, and social activities occur. Accessory developments include rectories, manses, classrooms and dormitories. Places of worship include churches, chapels, mosques, temples, synagogues, parishes, and halls.

224) **Plan of Subdivision** means a plan of survey prepared in accordance with the Act for the purpose of effecting a subdivision.

225) **Primary Access** means the principal means of vehicular access to and exit from a site or building.

226) **Principal Building** means building which, in the opinion of the Development Officer:
a. occupies the major central portion of a site;
b. is the chief or main building among one or more buildings on the site, or,
c. constitutes by reason of its use the primary purpose for which the site is used;

227) **Principal Use** means the main purpose for which a building or site is used.

- 228) **Private Club** means development used for the meeting, social or recreational activities of members of a nonprofit philanthropic, social service, athletic, business or fraternal organization, without on site residences. Private clubs may include for eating, drinking and assembly.
- 229) **Private Recreational Facilities** means any development providing amusement or passive recreation, and enjoyment for the residents, guests, or customers or the site on which development is situated. Typical developments would include but not be limited to athletic facilities such as swimming pools, squash, tennis, and basketball courts, golf courses, and similar recreational activities. Not included are table or electronic games, or bowling alleys.
- 230) **Property line** means a legal boundary of a lot.
- 231) **Protective and emergency services** a development where the administration of protection of persons and property from injury, harm or damage takes place, and where equipment necessary for such activities is stored, maintained, and supplied. Protective and emergency services include police stations, detention centres, fire stations, and ancillary training facilities.
- 232) **Public and Quasi-Public Buildings, Installations and Facilities** a development owned or operated by or for the Municipality, the Provincial Government, the Federal Government or a corporation which is an agent of the Crown under federal or provincial statute for the purpose of furnishing services or commodities to or for the use of the inhabitants of the municipality.
- 233) **Public education facility** means a development where educational, training, or instruction is provided under the auspices of a School Division or under the auspices of an organization authorized by the Province to provide education similar to that which would be provided by a School Division. Public education facilities include the administrative offices, and maintenance operations of the School Division. Public education facilities include public and separate schools, community colleges, universities, technical and vocational schools, and private academies or charter schools and their administrative offices and maintenance facilities.
- 234) **Public park** means a development designed or reserved for active or passive recreational use including all natural and 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 public operated or operated by other organizations pursuant to arrangements with the public authority owning the public park. Public parks include tot lots, shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches, and outdoor sports fields.
- 235) **Public Recreational Facilities** means any development providing amusement, active or passive recreation and enjoyment to the citizens of a municipality and any such facility is owned or operated by the Municipal, Provincial or Federal Government.
- 236) **Public Thoroughfare** means any pathway, bridge, lane, service road, collector street, arterial street or highway.
- 237) **Public use** means a development where public services are provided by the municipality, by a local board or agency of the municipality, by any department, commission or agency of the Government of Alberta or of Canada, or by a public utility. However, public uses shall not include office uses, protective and emergency services, and major public or private public utilities.
- 238) **Public utility** see Utility, public

- 239) **Public utility building** means a utility building, public
- 240) **Public utility, major** means a utility, major public
- 241) **Ready to move home** means a previously unoccupied dwelling constructed at a place other than its permanent location (or) which is built to current Alberta Safety Codes standards transported in whole or in parts, complete with paint, cabinets, floor covering, lighting and plumbing fixtures, to a site and placed on a permanent wood or concrete basement foundation. For purposes of this Bylaw, a Ready to Move home does not include a Manufactured home Move-in buildings.
- 242) **Real Property Report** means a codified standard adopted by the Alberta Land Surveyors' Association which contains:
- The legal description of the property and the municipal address (if available).
 - The dimensions and bearings of all property boundaries as determined by an actual field survey in accordance with the Surveys Act
 - The designation of adjacent properties, roads, lanes, etc.
 - The location and description of all pertinent improvements located by a long pro with their dimensions and clearances to the property boundaries. The projections of overhangs or eaves would also be shown.
 - The location of any easements which may affect the property.
 - The location and dimensions of any visible encroachments to the property.
 - A list of the registered encumbrances as noted on the title to the property at the date of the survey.
 - A certification by an Alberta Land Surveyor duly signed.
- 243) **Recreational use** means a recreational development conducted on a single site where the prime reason for location is to take advantage of natural physical features including availability of large areas of land to provide day sporting and athletic facilities and the structures incidental thereto. This includes ski slopes, golf courses, archery, trap and rifle ranges, race tracks, boating, riding, picnicking, and sports grounds, swimming pools, community hall, bowling alleys, skating and curling rinks, camps, and similar uses, and may include a refreshment stand incidental to the primary use.
- 244) **Recreation vehicle** means a vehicle or a trailer that is designed, constructed and equipped, either temporarily or permanently, as a temporary accommodation for travel, vacation or recreational use and includes but is not limited to: licensed trailers, motorized homes, slide in campers, chassis mounted campers, and tent trailers.
- 245) **Recreation vehicle campground** means a development consisting of stalls or sites for the location of more than three (3) recreational vehicles, for not normally more than twenty (20) days in a year and may include sites for the erection of tents for similar time frames.
- 246) **Recreation vehicle campground, seasonal** means a development consisting of stalls or sites for the location of more than three (3) recreational vehicles, normally for no longer than an entire season operating between April to October.

- 247) **Recreational vehicle storage** means a commercial development which provides fenced or indoor, secure, onsite storage for (3) or more recreational vehicles, boats and trailers.
- 248) **Recycling Depot** means a development used for the buying and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within enclosed building but excludes scrap yards.
- 249) **Relocated Building** means development consisting of an existing structure which is moved by transport and relocated to a site in the Village of Longview where it is placed on a permanent foundation, as defined in the Alberta Building Safety Code. The term does not apply to a Ready to Move Dwelling.
- 250) **Repair and Service Shops** means a development used for the provision of repair services to goods, equipment and appliances normally found within the home. This includes television and appliance repair shops, furniture refinishing and upholstery shops.
- 251) **Retail Store** means a building where goods, wares, merchandise, substances, articles, or things are stored, offered or kept for retail sale or rental and include stores about the store premises of limited quantities of such goods, wares, merchandise, substances, articles, or things sufficient only to service such store.
- 252) **Roof** means the top of any enclosure, above or within the vertical walls of a building.
- 253) **School** means a place of instruction offering courses of study. Included in this category are commercial schools, trade schools, public, private, and separate schools.
- 254) **Screening** means a visual separation between site, districts, or land use activities as provided by fence, wall, berm or natural landscaping.
- 255) **Sea can** means a prebuilt metal container or structure originally designed and/or constructed for the purpose of the storage and/or transportation of cargo.
- 256) **Secondary commercial use** means a commercial use, which is subordinate in nature to the principal use of a lot. A secondary commercial use is not limited to uses similar to the principal use of the lot.
- 257) **Secondary suite** Suite, secondary
- 258) **Self-service storage facility** means a development where varying sizes of individual, compartmentalized, and controlled access lockers are provided within a fenced compound -service storage facilities do not include any outdoor storage.
- 259) **Semi-detached dwelling** Dwelling, semi-detached
- 260) **Senior Citizen** means a person who is eligible to obtain senior citizen benefits, allowances and pensions, as defined by Federal and Provincial legislation and policy.
- 261) **Senior** means an apartment, ground-oriented multiple unit dwelling, or an individual home provides resident care services and supervision to aged individuals with their individual.

262) **Service Station** means a development where gasoline, lubricating oils, other automotive fluids and accessories for motor vehicles are bought and sold. Service stations may also include facilities for servicing or repairing of motor vehicles, and towing service dispatch point, but do not include body repair or paint shops.

263) **Setbacks Front Rear Side Yard** means the minimum horizontal distance between the site boundary and the nearest point on the exterior wall or chimney of the building or another part of the building as specified elsewhere in this Bylaw for exterior projects including, but not limited to, bay windows, oval windows, bow windows, and chimneys, shall be considered as the exterior wall of the building and shall conform to pertinent side yard setback requirements within the required side yard setback. A setback is not a yard or amenity area.

264) **Shall** is an operative word, which means the action is obligatory.

265) **Shipping container or sea can**

266) **Shopping Centre** means a development consisting of a building or a group of buildings, comprising general retail stores, personal service shops, office uses, and similar uses with shared off-street parking facilities, and which may be managed as a single unit.

267) **Should** means that in order to achieve lot goals and objectives, it is strongly advised that action be taken.

268) **Show home** means a dwelling unit which is used temporarily for the purpose of illustrating to the public the type and character of dwelling units to be constructed in other parts of the municipality. Show homes may contain offices for the sale of other lots or dwelling units in the municipality.

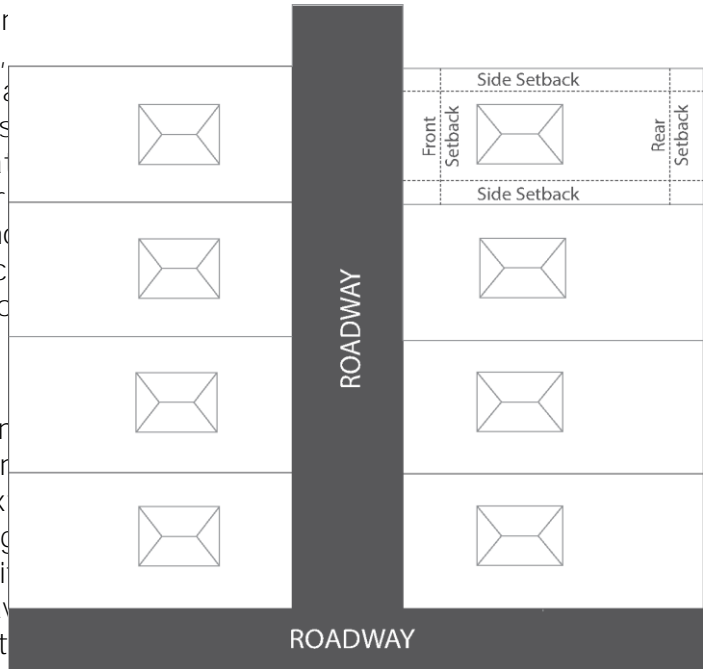


FIGURE 13 SETBACK EXAMPLE FOR REGULAR LOT

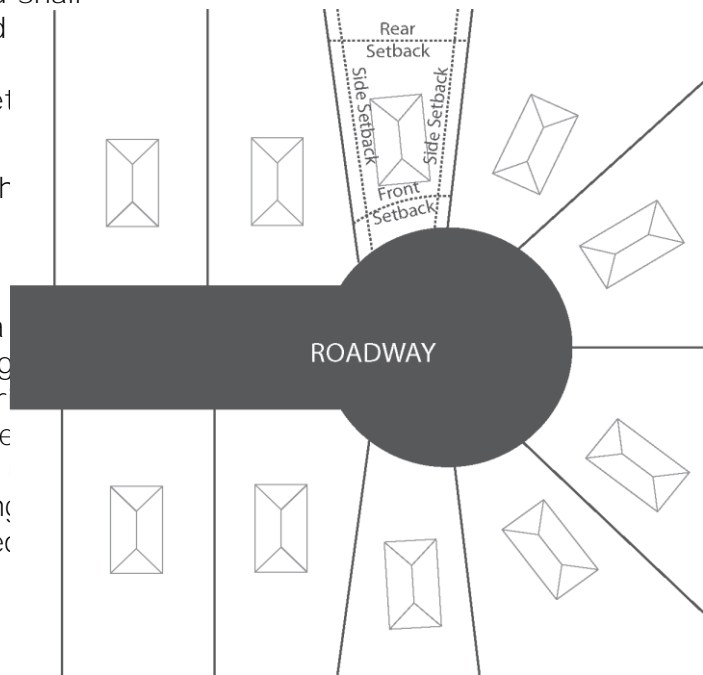


FIGURE 14 SETBACK EXAMPLE FOR IRREGULAR LOT

must be located within a dwelling which is either a permitted or a discretionary use in the District in which they are located.

269) **Sideline** means the boundary line of a site lying between a front line and a rear line of a site. In the case of a corner site, the longer of the two boundary lines adjacent to the road shall be considered a side line.

270) **Side yard** see **Yard, side**

271) **Sidewalk** means a pathway or high-way for pedestrian traffic.

272) **Sidewalk café** means a temporary outdoor area located and maintained by an adjoining eating and drinking establishment for the sale and consumption of food and beverages.



FIGURE 5 SIDEWALK CAFES

273) **Sign** means any visual medium, including its use and other component parts, illuminated or not illuminated, which is used or capable of being used, on a permanent or temporary basis to identify or convey information, or to advertise or attract attention to a product, service, person, activity, person, institution or business. Without limiting the generality of the foregoing, signs shall include banners, placards, and painted messages, but not national flags, interior window displays of merchandise, or signs painted on or attached to a motor vehicle for use on a road.

274) **Sign, A-frame** means a type of sign commonly referred to as sandwich boards, composed of two hinged or otherwise joined boards which lean on the ground.

275) **Sign, canopy** means a sign which is part of, or attached to, the outside of a canopy but which does not extend below the bottom edge or surface of the canopy.

276) **Sign, freestanding** means a sign supported by one or more uprights, braces, or pylons and which stands independently of another structure.

277) **Sign, inflatable** means a sign made of flexible material or fabric that is taken into a three dimensional shape (to blow up like a balloon) when filled with a sufficient volume of air or gas. Inflatable signs are commonly used as a temporary sign for special events or promotions.

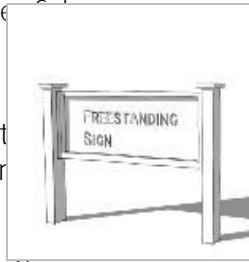
278) **Sign off site** means a sign that advertises goods, products, services or facilities or directs to a different location from where the sign is located. Such a sign is not located on the same site as the goods, products, services, or facilities advertised.



A-FRAME SIGN

CANOPY SIGN

279) **Sign projecting** means a sign which is affixed to any building or part thereof and extends beyond the building wall or parts thereof more than 0.3 m (1.0 ft.). This does not include a sign attached to the ground.

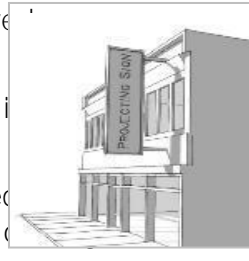


FREESTANDING SIGN

INFLATABLE SIGN

280) **Sign, roof** means any sign erected upon, against or directly above a roof or on top of or attached to the parapet wall of a building.

281) **Sign, temporary/portable** means a sign on a standard or column fixed to its own contained base and capable of being moved manually.

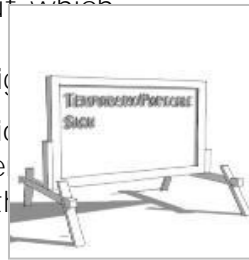


PROJECTING SIGN

ROOF SIGN

282) **Sign, under canopy** means a sign which is attached to the bottom face of a canopy.

283) **Sign wall** is a sign attached to or placed against the exterior wall or surface of a building, no portion of which projects more than 0.1 m (4 inches) from the wall, but which may or may not project above the roof parapet. Wall signs are also called Fascia Signs.



TEMPORARY SIGN

UNDER CANOPY SIGN

284) **Similar Use** means a use which, in the opinion of the Development Authority, closely resembles another specified use with respect to the nature of activity, structure and its compatibility with the surrounding environment.

285) **Single Detached Dwelling** means a detached dwelling, single detached

286) **Single Detached Housing, Moved** means a development consisting of a building containing only one dwelling unit, which is separate from any other dwelling unit and is relocated from an off-site location in accordance with this bylaw.



WALL SIGN

287) **Site** means an area of land on which a development exists or for which an application for a development permit is made.

288) **Site area** means the total area of the site.

FIGURE 6 EXAMPLES OF SIGN TYPES

- 289) **Site boundaries** means the boundaries of a site which enclose the site at its perimeter
- 290) **Site corner** means a lot at the intersection of two or more streets.
- 291) **site coverage** means the sum of the ground floor areas of all buildings on a site, divided by the area of the site, usually expressed as a percentage
- 292) **Site depth** means the average horizontal distance between the front line and rear line of a site measured either perpendicular to the front line, or perpendicular to the tangent on a curve from the midpoint of a curved front
- 293) **Site interior** means a site which is bounded by one street.
- 294) **Site key** means an interior site lying immediately to the rear of a reversed corner site or corner

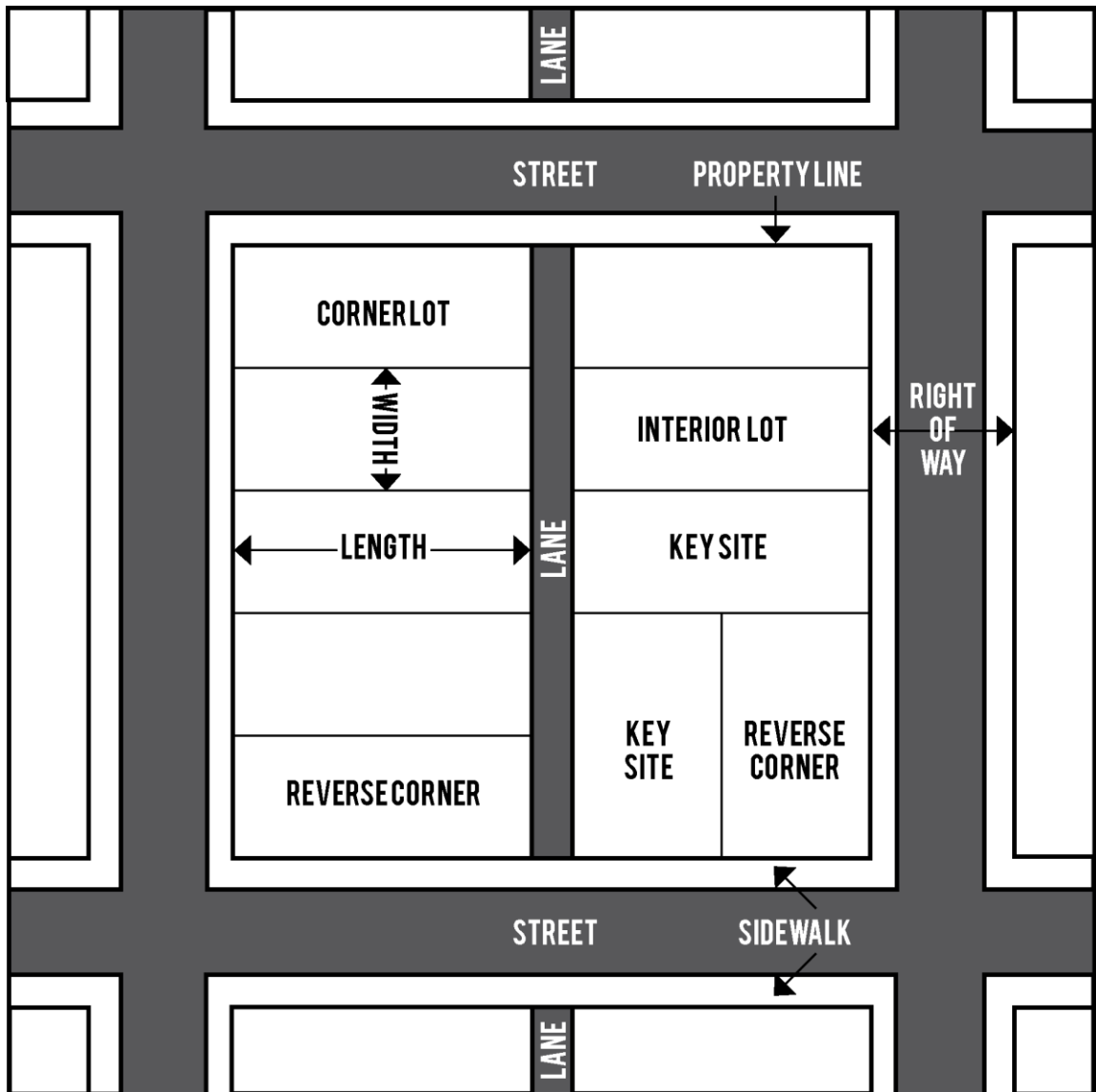


Figure 17 SITE DEFINITION

- 295) **Site plan** means a plan drawn to scale showing the boundaries of the site of the existing and proposed buildings upon that site, and the use or the intended use of the portions of the

on which no buildings are situated, and showing fencing, screening, grassed areas, and the location and species of all existing and proposed shrubs and trees within the development.

- 296) **Site reversed corner** means a corner site, the rear of which abuts the side of the site immediately to its rear, with or without a lane or an alley intervening.
- 297) **Site width** means the distance between the side property lines of the lot calculated as the average between the length of two straight lines connecting points located at the front and rear setbacks on the side property lines.
- 298) **Small animal breeding and boarding establishment** a development where domestic pets are bred, boarded, or trained. Small animal breeding and boarding establishments include kennels but do not include animal hospitals or veterinary clinics.
- 299) **Small radio communications tower** radio communications tower, small radio
- 300) **Solar energy collection system (small and large)** means a system of one or more buildings or accessories to buildings designed to convert solar energy into mechanical or electrical energy includes solar array, solar panels, free standing/ground and roof mounted.
- 301) **Solar array** means multiple solar panels use junction to produce electricity.
- 302) **Solar panel, free standing/ground mounted** a device that is used to convert energy contained in sunlight into another structure for support.
- 303) **Solar panels, roof mounted** means a device which is used to convert energy contained within the sunlight into another structure attached to the roof of a structure.
- 304) **Sound shadow** means the area behind a barrier, or singular noise attenuation device, so fanned by a line originating at the noise source to the height of the attenuating device.
- 305) **Staging area** means a location where people, vehicles, equipment or material are assembled for the purpose of transporting the assembled group, vehicles, equipment to another location.
- 306) **Stall** means an area of land upon which a manufactured home is to be located within a manufactured home park, and which is reserved for the exclusive use of the residents of that particular manufactured home.
- 307) **Storey** means the space between one floor of a story building and the next floor above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement or crawlspace shall be considered a storey if the height of a building if the upper limit of the basement or cellar is greater than 1.8m (6.0 ft.) above grade.
- 308) **Stick built buildings** means structures or buildings that are built on site with one piece of lumber at a time.
- 309) **Storage yard** means the use of a site for the storage of materials, products, goods or equipment.
- 310) **Storey First** means the storey with its floor closest to grade and having its ceiling more than 1.8m (6 ft.) above grade.
- 311) **Street** means a public thoroughfare including a bridge, the principal means of access to abutting sites and includes the sidewalks and the land on each side of and contiguous to the prepared surface of the thoroughfare.

- 312) **Street** means an undivided roadway where all intersections are having direct access permitted from adjacent properties and designed to permit low speed travel within a neighbourhood.
- 313) **Structure** means anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground.
- 314) **Structural alteration** means an addition to, deletion from, or change to any building which requires a permit other than a plumbing permit or an electrical permit pursuant to the Act Safety Code R.S.A. 2000, as amended.
- 315) **Subdivision and Development Appeal Board** means the Subdivision and Development Appeal Board established pursuant to the Act through the municipal Subdivision and Development Appeal Board Bylaw.
- 316) **Subdivision and Development Regulations** means Alberta Regulation 43/2002 as amended.
- 317) **Subdivision Authority** means the Subdivision Authority established pursuant to the Act through the Subdivision Authority Bylaw.

318) **Substandard lot** means any lot which is smaller, in area or in any dimension, than the minimum area or dimension stipulated in the regulations of the District in which the lot is located.



FIGURE 8 GARAGE SUITE

319) **Suite garage** means a self-contained dwelling unit located above a detached garage which is located in a rear yard which is accessory to a single detached dwelling. Garage suites have an entrance which is separated from the entrance to the detached garage, either from an indoor landing or directly from the exterior of the building.



FIGURE 9 GARDEN SUITE

320) **Suite garden** means a temporary, portable detached dwelling unit, located on a lot containing an existing detached dwelling. Garden suites shall include manufactured homes.

321) **Suite, in-law** means a subordinate, additional dwelling located within a single detached dwelling or detached dwelling intended for the sole occupancy of one (1) or two adult persons, which has unfettered access to an adjoining dwelling unit.



FIGURE 20 IN-LAW/SECONDARY SUITE

322) **Suite secondary** means a subordinate self-contained dwelling unit located in a structure in which the principal use is a detached dwelling or semi-detached dwelling. A secondary suite has cooking, food preparation, sleeping and bathroom facilities which are separate from those of the principal dwelling within the structure. Secondary suites also must have a separate entrance from the principal dwelling. This use includes conversion of basement space to a dwelling, or the addition of new floor space for a secondary suite to an existing dwelling. This use does not include duplexes, row housing, or apartments with

the structure was initially designed for two or more dwellings, and does not include boarding and lodging houses. Garden suites, garage suites and in suites are not considered secondary suites.

323) **Suite surveillance** means a dwelling unit used to accommodate a person or persons whose function is to provide surveillance for the maintenance and safety of the development. Surveillance suites do not include manufactured homes.



FIGURE 21 SURVEILLANCE SUITE

324) **Supportive living facility** means a licensed facility providing permanent accommodation for two to four (4) or more adults, which the operator provides or arranges for services related to safety and security of the residents, such as housekeeping services. Residents in a supportive living facility can range from seniors who require support due to age, chronic conditions and frailty to young adults with mental health or physical disabilities.

325) **Surveillance suite** see Suite, surveillance

326) **Tavern or Lounge** see Drinking Establishment

327) **Temporary development** means a use and/or building maintained and operated for a time period specified by a temporary development permit, or for a limited time period where exempted by bylaw from requiring development approval.

328) **Townhouse** means a Rowhouse (See, Dwelling, Rowhousing)

329) **Triplex** means a building comprised of three dwelling units, each having a separate, direct entrance from ground level.

330) **Traffic island** means an area or space officially set aside within a street, lane, or parking lot prohibited for use by motor vehicles and which is marked by official construction as to be plainly visible at all times and may be defined by curbing.

331) **Truck and recreational vehicle sales/rental establishment** means a development where new or used trucks with a gross vehicle weight rating of 4000 kg (8,818.5 lbs.) or greater, and recreational vehicles with a gross vehicle weight rating of 6000.0 kg (13,227.7 lbs.) or greater and length greater than 6.7 m (22.0 ft.) are sold or rented, together with incidental maintenance services and sale of parts. Truck and recreational vehicle sales/rental establishments include truck dealerships, recreational vehicle dealerships, and truck and recreational vehicle rental agencies and may include refuelling and/or washing facilities as part of the operation.

332) **Trucking and cartage establishment** means a development where goods shipped by truck are transferred from one truck to another, or where trucks are dispatched to pick up and/or deliver goods. Trucking and cartage establishments may include dispatch offices, compounds for the temporary storage of goods, and include moving or cartage firms involving vehicles with a gross vehicle weight of more than 3000.0 kg (6,613.9 lbs.).

333) **Use** means the purpose or activity for which a site, a parcel of land, or any buildings located on it are designed, arranged, developed, or intended, built, or occupied or maintained.

- 334) **Use Change** means the conversion of land or building, or portion thereof from one land use activity to another in accordance with the permitted or discretionary uses as listed in each land use district.
- 335) **Use Intensity** means the degree or scale of operation of use or activity in relation to the amount of land and buildings associated with the use, vehicular traffic resulting therefrom, amount of parking facilities required for the particular land use activity, etc.
- 336) **Utility** see **Utility, public**
- 337) **Utility building, public** means a building in which the proprietor of the public utility maintains an office or offices and/or maintains or houses any equipment used in connection with the public utility.
- 338) **Utility, public** means the right-of-way and facilities for one or more of the following: sanitary and stormwater sewerage, telecommunications systems (excluding telecommunication towers), water works systems, irrigation systems, systems for the distribution of gas, whether natural or artificial, systems for the distribution of artificial light or electric power and heating systems; does not include major public utility uses.
- 339) **Utility major public** means a development of a public utility or a public utility building or a government service function. Major utility services include sanitary land fill sites, sewer treatment plants, sewage lagoons, sludge disposal beds, garbage compacting stations, power generating stations, cooling plants, incinerators, waste recycling plants, vehicle, equipment and material storage yards for utilities and services; snow dumping sites; surface reservoirs; water towers, water treatment plants, power terminal and distributing substations; communication towers; and gate stations for natural gas distribution.
- 340) **Vacant parcel** means a parcel of on which no development is located. A vacant parcel can be agricultural land that is or is not used for agriculture.
- 341) **Veterinary clinic** means a development where domestic pets are cared for and treated. Veterinary clinics primarily involve patient care and minor medical procedures involving hospitalisation for fewer than four (4) days. All animals shall be kept in an enclosed building. Veterinary clinics do not include animal hospitals or small animal boarding establishments.
- 342) **Veterinary clinic, large animal** means a development where large animals, including livestock, are cared for and treated. Large animal veterinary clinics primarily involve patient care and minor medical procedures involving hospitalisation for fewer than four (4) days. Large animal veterinary clinics do not include animal hospitals or small animal boarding establishments.
- 343) **Warehouse sales establishment** means a development where bulky goods are sold from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser. Warehouse sales establishments include furniture stores, carpet stores, major appliance stores and building materials stores.
- 344) **Wind energy conversion system, large** means a system of one or more buildings designed to convert wind energy into mechanical or electrical energy and which has a rated capacity greater than 300 kW.
- 345) **Wind energy conversion system, micro** means a system of one or more buildings designed to convert wind energy into mechanical or electrical energy with a rated capacity of less than

0.5 kW. Micro wind energy conversion systems are small in height and diameter and may be installed on the roof of a building.

- 346) **Wind energy conversion system, small** means a system of one or more buildings designed to convert wind energy into mechanical or electrical energy which has a rated capacity of not more than 0.5 kW, and which is intended to provide electrical power for a site (either on or offgrid) and is not intended or used to produce power for resale.
- 347) **Wind turbine tower** means the guyed or freestanding structure supporting a wind turbine generator.
- 348) **Wind turbine tower height** means the height above grade of the fixed portion of the wind turbine tower, excluding the wind turbine and rotor.
- 349) **Warehousing** means the use of a building for the storage of materials, products, goods or merchandise but does not include sale of merchandise.
- 350) **Work camp** means a temporary residential complex used to house camp workers for a contractor or firm or project on a temporary basis of more than six (6) months and up to three (3) years. The camp is usually made up of a number of manufactured units, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities.
- 351) **Work camp, short term** means a residential complex used to house camp workers by various contracting firms on a temporary basis, and without restricting the generality of the above definition, a camp is usually made up of a number of manufactured units, clustered in such fashion as to provide sleeping, eating, recreation, and other basic living facilities. The units may be dismantled and removed from the site from time to time. For the purposes of this definition, temporary means a period of up to six (6) months in total duration, consecutively or nonconsecutively.
- 352) **Works** means any fence, landscaping, landscape vegetation, sidewalks, pathways, roads or other public or private utilities associated with and required for a development.
- 353) **Yard** means a part of a site which is unoccupied and unobstructed by any building or portion of a building above the ground level, unless otherwise allowed by this Bylaw.
- 354) **Yard front** means that portion of the lot extending across the full width of the site from the front line of the site to the exterior wall of the building. In the case of a curved front lot, the front yard will also form a curve.
- 355) **Yard rear** means that portion of the lot extending across the full width of the site from the rear line of the site to the exterior wall of the building. In the case of a curved rear lot, the rear yard will also form a curve.
- 356) **Yard side** means that portion of the site extending from the front yard to the rear yard and lying between the side line of the site and the nearest portion of the exterior wall of the building. In the case of a curved side line, the side yard will also form a curve.

and all other words and expressions have the meanings respectively assigned to them in the Act and other Acts of the Legislature or in common law.

5 UNITS OF Measurement

- 1) All units of measure contained within this Bylaw are metric standards. Approximate imperial measures are provided for the convenience of the user only.
- 2) Where a measurement is provided in this Bylaw in both imperial and metric units, and the measurements do not correspond precisely, the metric measurement shall take precedence for purposes of interpretation of this Bylaw.

6 Application

- 1) This Bylaw shall apply to the whole of the Village of Longview being contained within its corporate limits.

7 Date of Receipt

- 1) Where a development permit approval or refusal, development appeal notice, notice to re-land or notice of appeal hearing is sent, given, or served by mail and the document is properly addressed and sent by prepaid mail other than registered for certified mail, unless the contrary is proved, the service shall be presumed to be effected five (5) days from the date of mailing if the document is mailed in Alberta to an address in Alberta.

In the event of a dispute, the Interpretation Act, R.S.A. 2000, as amended, shall apply.

8 Compliance with Other Legislation

- 1) Compliance with the requirements of this bylaw does not exempt a person from:
 - a. The requirements of any federal, provincial, or municipal legislation; and
 - b. Complying with any easement, covenant, agreement, or contract affecting the development

9 Non-applicability of Bylaw

- 1) This Bylaw does not apply to roads or lanes.

10 Severability Provision

- 1) It is the intention of the Council that each separate provision of this Bylaw shall be deemed independent of all other provisions, and it is further the intention of Council that if any provision of this Bylaw be declared invalid, that provision shall be deemed to be severed and all other provisions of the Bylaw shall remain in force and effect.

11 Attached Figures

- 1) Various Figures are included within this Bylaw for information purposes, but they do not form part of this Bylaw unless specifically referenced in the text of the Bylaw.

PART 2 AGENCIES

1 | Development authority

- 1) The Development Authority is hereby established.
- 2) The Development Authority shall be:
 - a. The Development Officer; and
 - b. Council for all development decisions within Direct Control Districts, unless otherwise delegated within the provisions of that District.
- 3) The Development Authority shall perform duties that are specified in this Bylaw.
- 4) In all instances other than those indicated in PART 2 in (2) of this section when used in this Bylaw, the term Development Authority shall be the Development Officer.

2 | Development Officer

- 1) Council hereby establishes the Office of the Development Officer, which is authorized to act on behalf of Council on those matters delegated to it by this Bylaw. The Office of the Development Officer shall be filled by the person or persons designated by Bylaw.
- 2) The Development Officer shall perform such duties that are specified in this bylaw.
- 3) The Development Officer may sign, on behalf of the Development Authority, any order, decision, approval, notice or other thing made or given by the Development Authority or by the Development Officer.
- 4) The Development Officer shall keep and maintain for the inspection of the public during normal office hours, a copy of this Bylaw and all amendments thereto, and keep a register of applications for development, the decisions, and the reasons therefor.
- 5) For the purposes of Section 542 of the Act, the Development Officer is hereby declared to be a designated officer.

3 | Subdivision authority

- 1) Council hereby establishes the Subdivision Authority to act on behalf of Council in those matters delegated to it by this Bylaw and the Subdivision Authority Bylaw.
- 2) The Subdivision Authority shall be appointed by resolution of Council

4 | Subdivision Officer

- 1) Council hereby establishes the Office of the Subdivision Officer, which is authorized to act on behalf of Council on those matters delegated to it by this Bylaw. The Office of the Subdivision Officer shall be filled by the person or persons designated by Bylaw.

5 | Council

- 1) Council shall perform such duties as are specified for it in this Bylaw.

6 | Subdivision and Development Appeal Board

- 1) The appeal board of the Village of Longview shall be the appeal board as established by the Village of Longview Subdivision and Appeal Board Bylaw.
- 2) The Subdivision and Development Appeal Board shall perform such duties as are specified in this Bylaw.

7 | Development Officers Duties and Responsibilities

- 1) The Development Officer shall:
 - a. receive all applications for Development Permits;
 - b. keep and maintain for the convenience of 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 a reasonable charge;
 - c. keep a register of all applications for development, including the decisions thereon and the reasons therefore, and all orders, for a minimum period of seven (7) years;
 - d. consider and decide on applications for a Development Permit, and be governed in his consideration and decision on the application by this Bylaw and amendments thereto;
 - e. receive, consider and decide on applications for a development permit for all permitted and discretionary uses;
 - f. shall refer for comment applications for development permits to those authorities and agencies prescribed within the Subdivision and Development Appeal Board Bylaw; and
 - g. sign and issue all Development Permits.
- 2) When, in the opinion of the Development Officer, sufficient details of the proposed development have not been included with the application for a Development Permit, the Development Officer may return the application to the applicant for further details.
- 3) The Development Officer shall approve all applications for a Permitted Use with or without conditions, upon the application conforming in all respects to the provisions of this Bylaw.
- 4) In making a decision on an application for a Discretionary Use, the Development Officer may:
 - a. approve the application; or
 - b. approve the application subject to conditions and restrictions considered appropriate and necessary; or
 - c. refuse the application.
- 5) The Development Officer shall not allow the use of land or a building permitted as a Permitted Use or Discretionary Use in the district in which the building or land is situated.

- 6) The Development Officer shall not approve an application for a Development Permit that is not in conformity with the Municipality's Statutory Plans.
- 7) The Development Officer shall consider and decide on applications for Development Permits within forty (40) days of the receipt of the application in its complete and final form and within such time as granted by the applicant.

8 | Subdivision Officers Duties and Responsibilities

- 1) The subdivision officer shall:
 - a. keep and maintain for the inspection of the public during office hours, copies of all decisions and ensure that copies are available to the public at reasonable charge;
 - b. keep a register of all applications for subdivision, including the decisions therein and the reasons therefore;
 - c. refer for comment applications for subdivision to those authorities and agencies prescribed within the Subdivision and Development Regulations and this Bylaw;
 - d. shall solicit comments from adjacent property owners on applications for subdivision;
 - e. refer for comment an application for subdivision to an adjacent municipality when the site is within 60 meters of the Municipal boundaries;
 - f. shall prepare, sign, and transmit all notices of decision and the application for subdivision;
 - g. shall review instruments for Land Titles registration for conformity with the Subdivision Officer or Subdivision Approval Authorities decision;
 - h. may endorse Land Titles instruments in order to effect the registration of the subdivision of land.
- 2) The Subdivision Officer shall forward the application for subdivision together with a report and recommendation to the Subdivision Approval Authority for decision.
- 3) After thirty (30) days from the date of referral to the relevant agencies, or landowners, the application may be dealt with by the Subdivision Officer, whether or not comments have been received.
- 4) In preparation of the report and recommendation, the Subdivision Officer shall give due consideration to the comments received from any authority or agency.
- 5) When sufficient details of the proposed subdivision have not been included with the application for a subdivision, as set out in Part 4.1, the Subdivision Officer may return the application to the applicant for further details.
- 6) The Subdivision Officer shall advise the Council, Subdivision Approval Authority and Subdivision and Development Appeal Board on matters relating to subdivision of land.
- 7) The Subdivision Officer shall appear before and represent the Subdivision Approval Authority at appeal hearings of the Municipal Government Board and Subdivision and Development Appeal Board on decisions on applications for subdivision.

9 | Subdivision Approval Authorities Responsibilities

- 1) The Subdivision Approval Authority shall consider and decide on applications for subdivision approval which have been referred to it by the Subdivision Officer.
- 2) The Subdivision Approval Authority shall, consider and decide on applications for subdivision approval.
- 3) The Subdivision Approval Authority may allow a variance of the requirements of the Bylaw when, in their opinion, the subdivision would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or effect use, enjoyment or value of the neighbouring parcels of land.
- 4) The Subdivision Approval Authority shall consider and decide on time extensions to development permits which have been referred to it by the Subdivision Officer.

10 | Subdivision and Development Appeal Boards

- 1) The Subdivision and Development Appeal Board shall perform such duties as are specified in Part 6 of this Bylaw.

11 | Forms, Notices, and Fees

- 1) For the purposes of administering this Bylaw, Council, by resolution, may authorize the preparation and the use of such forms, notices and fee schedules as in its discretion it may deem necessary. Notices and fees are deemed to have the full force and effect of this Bylaw upon execution for the purpose for which they were designed, authorized, and issued.
- 2) The forms, notices, and fee schedules authorized by Council pursuant to this Bylaw shall be posted, issued, mailed, served or delivered in the course of the Development Officer or Subdivision Officer's duties.
- 3) The following forms and notices used for the operation of this Bylaw are provided for information. The forms may be reproduced or photocopied for the purposes of submitting applications for development and subdivision, appeals, time extensions or amendments to this Bylaw to the Municipality, its agents, boards, and designated officers.
 - a. Development Permit Application
 - b. Subdivision Application
 - c. Stop Work Order
 - d. Notice of Appeal to the Village of Standard Subdivision
 - e. Circulation Transmittal
 - f. Bylaw Amendment Form

PART 3 DEVELOPMENT PERMITS RULES, and PROCEDURES

1 | Control of development

- 1) No development other than that indicated in Part 3.3 of this Bylaw shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

2 | Development Permits Required

- 1) Except as provided in Part 3 of this Bylaw, no person shall undertake 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 conditions and terms of the Development Permit issued in respect of the development; or
 - c. a Building Permit has been obtained under a Building Bylaw so requires.

3 | Development Permits Not Required

- 1) A Development Permit is not required in respect of the following developments if the developments comply with applicable provisions of this Bylaw:
 - a. works of maintenance, repair or alteration of a building (both internal and external) if in the opinion of the Development Officer, such work :
 - i. does not include structural alterations; and
 - ii. does not change the use or intensity of the use of the structure; and
 - iii. is performed in accordance with obligatory legislation or other government regulations; and
 - b. the completion of a building which was lawfully under construction at the date this Bylaw comes into full force and effect, provided that:
 - i. the building is completed in accordance with the terms of a permit granted by the Municipality, subject to the conditions of that permit;
 - ii. the building, whether or not a permit was granted in respect of it, is completed within a period of twelve (12) months from the date this Bylaw comes into full force and effect;
 - c. the use of any building referred to in Part 3.1(b) for the purpose for which construction was commenced;
 - d. the erection or installation of machinery needed in connection with operations for which a Development Permit has been issued, for the period of the construction;
 - e. the construction and maintenance of a part of a public utility placed in or upon a public thoroughfare or public utility easement;
 - f. the use by the Municipality of land which the Municipality is the legal owner of for a purpose connected with any public utility carried by the Municipality;

- g. the use of a building or part thereof as a temporary polling station for a Federal, Provincial or Municipal election or referendum or plebiscite;
- h. one temporary, site freestanding or fascia sign which does not exceed for 1 m, in height and is intended for:
 - i. advertising the sale or lease of a dwelling unit, or property for which a Development Permit has been issued for the development on the said property or
 - ii. identifying a construction or demolition project for which a Development Permit has been issued for such a project; or
 - iii. advertising a campaign or drive which has been approved by Council: such a sign may be posted for a maximum period of fourteen (14) days;
- i. the erection of campaign signs for federal, provincial, municipal, or school board elections on private properties for no more than thirty (30) days, or such other time as regulated under provincial or federal legislation provided that:
 - i. such signs are removed within one (1) day of the election date;
 - ii. the consent of the property owner or occupant is obtained;
 - iii. such signs do not obstruct or impair vision or traffic; and
 - iv. such signs are not attached to fences, trees, or utility poles;
- j. municipal signs used to indicate street names and traffic control;
- k. the construction, maintenance and repair of private walkways, pathways, private driveways and similar works;
- l. the construction or installation of public roadways, walkway, utilities or grading of the or removal or stockpiling of soil when a development agreement is signed as a condition of subdivision approval, or the undertaking of any or all of the aforementioned works that has been authorized by Council;
- m. the construction of an accessory building having an area of 10 m² (101 ft²) which meets the setback requirements in this bylaw
- n. satellite dishes and other forms of communication structures for private use;
- o. one on-site fascia sign which does not exceed 0.7 m² (2 ft²) in area for any of the following buildings: single detached dwelling, semi-detached or duplex, row house or townhouse and states no more than:
 - i. the name and address of the building;
 - ii. the name of the person(s) occupying the building.
- p. the erection or construction or replacement of a deck or retaining wall that are less than 0.6 m (2 ft.) from grade, a patio, landscaping features such as planters, garden planting of trees and shrubs, porches
- q. the placement of signs in Commercial or Industrial Districts provided they are inside the window or inside the building and does not exceed 0.1 m² (10 ft²) in area;

- r. the erection or placement of signs posted or exhibited in or on an operating motor vehicle if the vehicle is not temporarily or permanently parked solely for the purpose of displaying the sign;
- s. the erection or placement of a statutory or official notice or notice of a function of a municipality;
- t. extensive agriculture on lots 8.08 ha (20.0 ac.) or more in area in the Urban Reserve District;
- u. landscaping where the proposed grades will not affect the subject or adjacent properties, except where landscaping forms a development which requires a development permit;
- v. the demolition or removal of fences;
- w. above ground pools and hot tubs; however, all private swimming pools or hot tubs equal or greater than 60.96 cm (24.0 inches) in height will require building and safety code approval.
- x. the storage or use of up to a maximum of 43.3 kg (95.0 lbs.) of propane on a residential parcel for residential use. Of the 43.3 kg (95.0 lbs.) of propane, a maximum of 35.0 kg (77 lbs.) will be allowed without a development permit. The placement of more than 43.3 kg (95.0 lbs.) of propane on a residential parcel requires a development permit;
- y. the demolition or removal of any building or structure for which a development permit would not be required pursuant to **PART 3.3(a) to (x)**

4 | Non-Conforming Buildings and Uses

- 1) If a development permit has been issued on or before the day on which this Land Use Bylaw or amendment thereto comes into effect, the Bylaw would make the development in respect of which the permit was issued a conforming use or a conforming building, the development permit continues in effect in spite of the coming into force of the Bylaw or the amendment.
- 2) A nonconforming use of land or a nonconforming use of a building may be continued, but if that use is discontinued for a period of six (6) consecutive months or more, any future use of the land or building must conform to this Bylaw.
- 3) A nonconforming use of a building may, at the discretion of the Development Authority, be extended throughout the building but the building, whether or not a conforming building, may not be enlarged or added to and no structural alterations may be made therein.
- 4) A non-conforming use of a lot or site may not be exceeded or transferred in whole or in part to any other part of the lot or site and no additional buildings may be constructed upon the lot or site while the conforming use continues.
- 5) A nonconforming building may continue to be used but the building may not be enlarged, added to, rebuilt or structurally altered except:
 - a. to make it a conforming building;

- b. for the routine maintenance of the building, if the Development Authority considers necessary;
 - c. in accordance with the powers possessed by the Development Authority pursuant to Act and Part 33 of this Bylaw to approve a development permit notwithstanding any non-compliance with the regulations of this Bylaw.
- 6) If a non-conforming building is damaged or destroyed to the extent of more than 75 percent (75%) of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with this Bylaw.
- 7) Except as noted in this Bylaw, the land use or building is not affected by a change of ownership, tenancy, or occupancy of the land or building.

5 | Types of Development Permits

- 1) A development permit may be either permanent or temporary. A temporary permit must be issued for a specific length of time, after which the permit will become void.

6 | Application Requirements

- 1) An application for a Development Permit for new construction or change of use of an existing structure shall be made to the Development Officer using the prescribed form, signed by the owner or his agent and accompanied by:
 - a. three (3) copies of the application form and site plan, drawn to scale, which show the following:
 - i. legal description of the site with north arrow;
 - ii. area and dimensions of the land to be developed including the front and side yards if any;
 - iii. the boundaries of the site including any lots that may make up the site;
 - iv. all of the existing and proposed buildings on the site;
 - v. any provision for street loading, vehicle standing, and parking areas;
 - vi. access and egress to the site;
 - vii. all underground utilities, above ground utilities and utility easements;
 - viii. where required by the Development Authority, a copy of a completed Alberta call sketch including proof of detection in order to verify utility locations;
 - b. floor plans, elevation and exterior finishing materials;
 - c. locations and distances of existing or proposed water and sewer connections, including the elevations of same;
 - d. site drainage, existing lot grades, finished lot grades, the grades of streets and sewers servicing the property;

- e. the height, dimensions, and relationship by lines of an existing and proposed buildings and structures including retaining walls, trees, landscaping and other physical features
 - f. information on the method to be used for the supply of potable water and disposal of wastes along with supporting documentation; and
 - g. where applicable, the cutting down or removal of trees;
 - h. on applications for signs, a demonstration of the proposed sign drawn to
 - i. scale;
 - j. the estimated commencement and completion dates;
 - k. a statement of ownership of the land and interest of the applicant
 - l. the Development Permit fee as prescribed by Council.
- 2) In addition to the information required by Part 3.6.1, the Development Officer may also require additional information in order to assess the conformity of a proposed development with Bylaw before consideration of the development permit application shall commence. Such information may include:
- a. for a relocated building or a manufactured home, pictures of the exterior of the building;
 - b. the location of existing and proposed municipal and private storm and sanitary sewer collection and disposal, and water supply and distribution utilities, landscaped areas and buffering and screening;
 - c. post construction site and building elevations;
 - d. landscaping plans, including the location of existing and proposed trees, shrubs, grass areas, fences, screenings, and outdoor furniture on the site and on adjacent boulevard within road right-of-way and further;
 - e. drainage plans;
 - f. the provision of parking and loading areas, including all dimensions and whether parking requirements as per Part 11.23 of the Bylaw can be met on site;
 - g. in a Residential District, the suggested location for a future driveway or carport, if the application itself does not include such a part of the proposal;
 - h. future development plans for a site which is to be partially developed through the applicable development permit;
 - i. in the case of a proposed home occupation information concerning the number of employees, the location of any goods to be kept or stored, and an estimate of the number of client visits to be expected to the site each week;
 - j. in the case of the placement of an already constructed or partially constructed building on a site, including a manufactured home, information relating to the age and condition of the building and its compatibility with the District in which it is to be located, including photographs of the building;

- k. any other information or tests required by the Development Authority, at their discretion, respecting the site or adjacent lands, including an environmental screening of the site;
 - l. a statutory declaration indicating that the information supplied is accurate; and
 - m. a Real Property Report, signed by an Alberta Land Surveyor, along with a signed authorization form or letter from the Alberta Land Surveyor stating that the Development Authority may utilize the Surveyor's Real Property Report for evaluating the compliance of the proposed and existing development against all land use regulations relating to the use and building(s) that is (are) the subject of the development permit application. The Real Property Report will not be accepted if it is dated earlier than 6 months unless it is accompanied by an Affidavit, signed by legal counsel or an Alberta Land Surveyor, stating that the Real Property Report accurately represents the existing developments on the lands.
 - n. In addition to the information requirements indicated in above, each application for a development permit for family, commercial, industrial, recreational and institutional uses:
 - i. loading and parking provisions;
 - ii. access locations to and from the site;
 - iii. garbage and storage areas and the fencing and screening for proposed and existing trees;
 - iv. location and approximate dimensions of all existing and proposed shrubs, parks, playgrounds, etc.;
 - v. a development impact assessment statement clearly describing the potential impacts of the proposed development on adjacent lands to be dealt with and how the proposed facilities have been designed to minimize such disturbance.
- 3) In addition to the information requirements indicated in above, each application for industrial development may be requested, at the discretion of the Development Officer to be accompanied by the following information:
- a. type of industry;
 - b. estimated number of employees;
 - c. estimated water demand and anticipated source;
 - d. estimated gas demand and anticipated source;
 - e. type of effluent and method of treatment;
 - f. type of air emissions and method of abatement;
 - g. estimated noise generated by the development and method of abatement;
 - h. estimated light generated by the development and (if necessary) method of abatement;
 - i. transportation routes to be used and estimated traffic impact;
 - j. reason for specific location;
 - k. means of solid waste disposal;
 - l. any accessory works required (pipeline, railway spurs, power lines, etc.);
 - m. anticipated residence location of employees;

- n. municipal servicing costs associated with the development;
- o. physical suitability of site with respect to soils and drainage;
- p. if a subdivision is involved, the size and number of parcels and proposed phasing (if any);
- q. servicing requirements and provisions for meeting them; and
- r. costs associated with providing new or upgraded municipal services associated with development;

and/or any other information as may be reasonably required by the Development Authority.

- 4) In addition to the information requirements in ~~PART 3 (1) to (3)~~ **PART 3 (1) to (3)**, the Development Officer may require for a proposed industrial use the provision of environmental assessment information and a risk assessment to ~~assess the~~ **assess the** effect of the proposed development in relation to the natural and human environments, and indicate both if and how negative matters can be ~~attenuated~~ **attenuated**
- 5) In addition to any or all of the information required in ~~PART 3 (1) & (2)~~ **PART 3 (1) & (2)** of this Bylaw, each application for a commercial or recreational development ~~required~~ **required**, at the discretion of the Development Officer, to be accompanied by the ~~following~~ **following** information:
 - a. physical suitability of site with respect to soils, slopes and drainage;
 - b. the size and number of parcels and proposed phasing (if any);
 - c. servicing requirements and provisions for meeting them;
 - d. estimated water demand and anticipated source;
 - e. estimated gas demand and anticipated source;
 - f. type of air emissions and method of abatement;
 - g. estimated noise generated by the development and method of abatement;
 - h. estimated light generated by the development and (if necessary) method of abatement;
 - i. costs associated with providing new or upgraded municipal services associated with the development;
 - j. the requirements and provisions for employee and customer parking and for site access;
 - k. a landscaping plan;
 - l. cross-sections and elevations for each building;
 - m. a list of proposed uses; and
 - n. transportation routes and estimated traffic impact.
- 6) In addition to the information requirements in ~~PART 3 (1) & (2)~~ **PART 3 (1) & (2)** each application for a sign may be accompanied by additional information at the discretion of the ~~Development~~ **Development** Authority, including, but not limited to:
 - a. the location of the sign, by elevation drawing, or lot plan as is required by the Development Officer;
 - b. all dimensions of the sign, including height and any projections from a structure;

- c. the manner of illumination and the form of animated or intermittent lights, if any, that may be embodied in, on, under, over, or around the sign;
 - d. the appropriate fee as established by Council
- 7) The Development Officer may require additional information or additional specifications as is deemed necessary.
 - 8) Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority may refuse to accept an application for a development permit where, in their opinion, the information supplied by the applicant in accordance with Part 3.6 is insufficient or of insufficient quality to properly evaluate the application. If this is the case, the Development Authority shall notify the applicant in writing of any deficiencies in the application. The period for consideration of a development permit application shall not commence until the Development Authority is satisfied, in their opinion, that the development permit application is complete.
 - 9) Notwithstanding any other provisions of this Bylaw to the contrary, the Development Authority may make a decision on a development permit application without all of the information required by Part 3.6 or where, in their opinion, the information supplied by the applicant is sufficient to properly evaluate the application.

7 | Permission for Demolition

- 1) The demolition of any structure must be done in accordance with the Alberta Building Code or Canadian Standards Association Standard S350 or subsequent Alberta Building Code or Canadian Standards Association Standards.
- 2) In addition to the requirements of this Bylaw, an application for a development permit for the demolition of a building shall include the following information:
 - a. the value of the building;
 - b. the alternatives to demolition if the building is of historic or architectural value;
 - c. the purpose of the building demolition and the type of structure to replace the demolished building, if applicable;
 - d. a work schedule of the demolition and site clean up (the sequence of demolition must be such that at no time will a wall or a portion of a wall be left standing unsupported in an unstable condition or in danger of accidental collapse);
 - e. the destination of debris materials;
 - f. where redevelopment of the site is proposed, the length of time before the site is to be redeveloped and treatment of the site after demolition but prior to development (if debris materials are to be stored on site, a site plan will be required indicating the location of debris materials in relation to property lines and other buildings);
 - g. a copy of the original development approval including building permits where applicable;
 - h. the form of demolition to be used (heavy equipment or by hand);
 - i. the method whereby public safety is protected (normally a fence that is at least 1.8 m (5.9 ft.) in height is required around the excavation or structure to be demolished);

