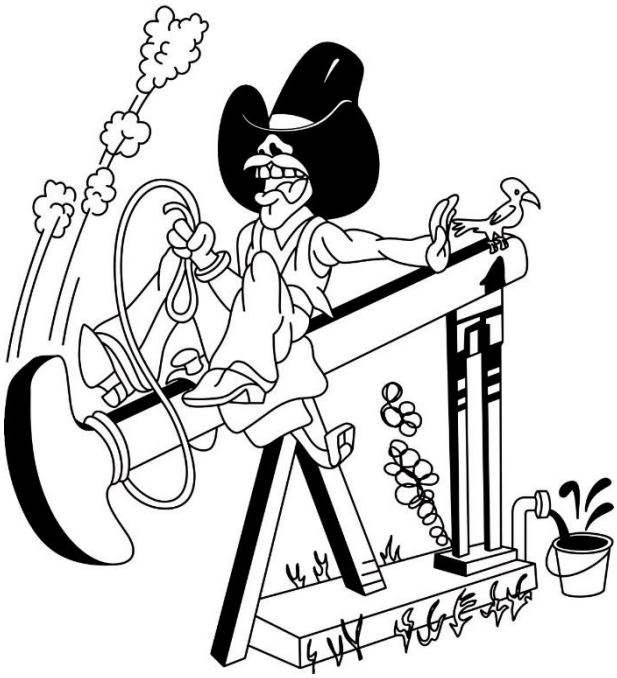

The Village of
LONGVIEW
Land Use Bylaw

PROPOSED BYLAW #400-17
SEPTEMBER 2017

GUIDE TO USING THE LAND USE BYLAW VI

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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 in) in the Village of Longview. Regulations vary depending on the location and types of development. Other Bylaws or regulations of the Municipal District of Foothills, 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. Firstly, 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 various Land Use Districts. Each Land Use District has a designation such as R-1 for RESIDENTIAL SINGLE DETACHED or CB for CENTRAL BUSINESS. 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 in 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 in 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 situation or 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 procedures. 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 DOES NOT FORM PART OF THIS BYLAW.

PART 1 – ADMINISTRATION

1 | TITLE

1) This Bylaw shall be referred to as the 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 of land, 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 when used with respect to a lot or site, means that the lot or site physically touches upon another lot, site, or piece of land, and shares a property line or boundary line with it.
2) Accessory Building means a building which is not attached to, or 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 site which is incidental to 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 M-26.

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 of satisfying **PART 3** of this Bylaw.

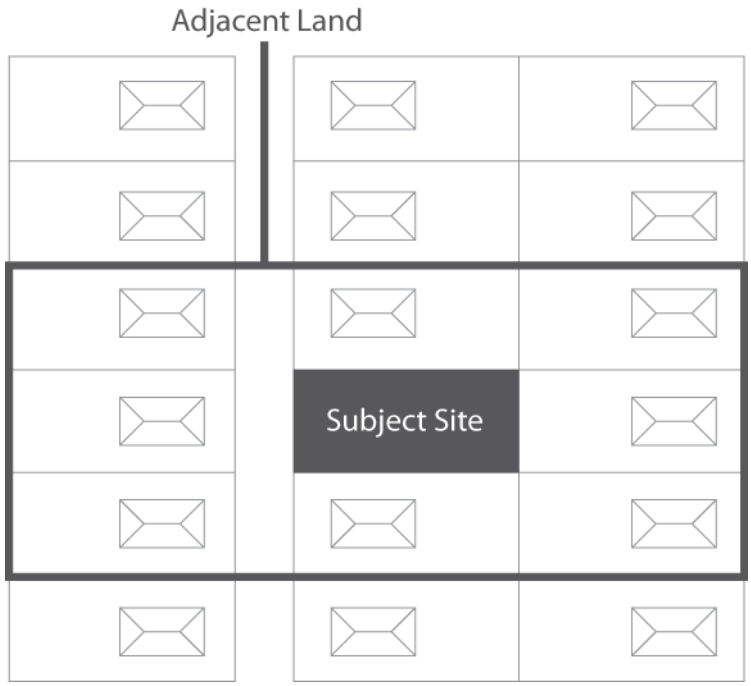


FIGURE 1: ADJACENT LAND

6) **Adult Entertainment** means an establishment which provides live entertainment for its patrons, which includes the 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 or establishment characterized by an emphasis depicting, describing or related to sexual conduct or excitement. For the purposes of this definition an adult use is any use or combination of uses which either have greater than twenty-five percent (25%) of the subject establishment's inventory stock; or twenty-five percent (25%) of the subject premise's gross floor area, or 18.6 m^2 (200 $ft.^2$), 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, seed cleaning and/or processing plants, and grain elevators, but does not include the manufacture 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 the order of 32.4 ha (80.0 ac. or more), but not including intensive agriculture or confined feeding operations.

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

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

public for consumption off premises. This use may include as well as the sale of alcohol the retail 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 and which must be developed for the active or passive recreation and enjoyment of the occupants of 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, patios, balconies, communal lounges, swimming pools, play areas and similar uses but does not include any area occupied at grade by a building's service areas, parking lots, aisles or access driveways.

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 by all occupants of a 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 any area occupied at grade by a building's service areas, parking lots, aisles or access driveways.

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 specific 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 any area occupied at grade by a building's service areas, parking lots, aisles or access driveways.

16) Amusement establishment, indoor means a development providing recreational facilities inside an enclosed building with table games and/or 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-cart tracks, and miniature golf courses. However, outdoor amusement establishments do not include drive-in motion 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 out-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 breeding 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 and large animal veterinary clinics, impounding and quarantining facilities, but does not include the sale of animals.

20) Approving Authority means the Village of Longview's Development Officer and/or Administration.

21) Area of a 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 matter shall not be included in the computation of the area of a sign.

22) Art, Craft, and Photography studios mean a development used for the purpose of small scale on-site production of goods by simple processes or hand manufacturing, primarily involving the use of hand tools. Typical uses include pottery, ceramic and sculpture studios, custom jewellery manufacturing and artist and 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 or more dwelling units separated from each other by a fire wall with each unit having separate entrances from grade level. For purposes of this 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. Light 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 sales/rental establishment, heavy 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. Heavy 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 sales/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. Light 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 of lightweight shelter projecting from a building.

30) **Balcony** means an elevated platform projecting from a wall and having an outer railing or parapet and being greater than 0.61m (2 ft.) in width. Access shall be from the building only, and there shall be no supports or stairway to the ground.

31) **Basement** means that portion of a building or 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 can be 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 co-operative housing, and lodges for senior 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 visual screening, noise abatement and separation between sites, districts, and non-compatible uses.

37) **Building** means anything constructed or placed on, in, over, or under land, but does not include 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 centreline 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.

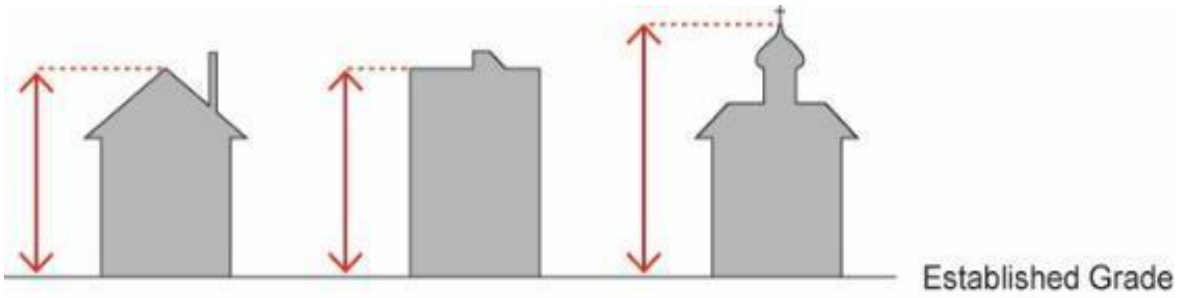


FIGURE 2: BUILDING HEIGHT

40) **Building Permit** means a certificate or document issued by a Building Inspector pursuant to 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, offered, or kept for sale and may include outside storage.

42) **Building, Temporary** means a building constructed or placed without any foundation below grade or any other structure determined by the Development Officer or the Municipal Planning Commission to be temporary as a condition to the issuance 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 a road, or

    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 or 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, film processing establishments, janitorial firms, and office equipment sales and repair establishments.

46) **Campground** means the development of land which has been planned and improved for the short term use of holiday trailers, motor homes, tents, campers, and similar recreational 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 shielding a part of 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 or storage of not more than two private motor vehicles, and consisting of a roof supported on posts or columns and not enclosed on more than two sides whether separated from or attached to the principal building on a site.

50) **Carriageway** means that portion of the road right-of-way available for vehicular movement. Included are the traveling lanes, medians, parking and other auxiliary lanes. Not included are the shoulders, sidewalks and other associated pedestrian areas.

51) **Cemetery** means a development for the entombment of the deceased, which may include the following accessory developments: crematorium, columbarium, and mausoleums. Cemeteries may include memorial parks, burial grounds, chapels, and gardens of remembrance.

52) **Certificate of Compliance** means the endorsement by the Development officer on a survey document indicating that the development on any given parcel of land is in compliance with this 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, by 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 or baby-sitting programs which satisfy this definition. Child care facilities shall not include a day home, a family care facility, a group care facility, or a school operated by a School Division.

55) **Church** see **Religious Institution**.

56) **Clinic** means a public or private medical, surgical, dental, physiotherapeutic or other health establishment regularly staffed by practicing physicians, dentists, veterinarians or other qualified medical practitioners. Hospitals are not included in this category.

57) **Collector road** means a road used primarily for collecting traffic from local roads and channelling it 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 monopoles, lattice towers (self-supported or guyed) or other configurations as well as, although not limited to, shelters, transmitters, receivers, antennas, antenna mounts, transmission lines, waveguides, transmission line supporting equipment and material, aeronautical obstruction lights, antenna de-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 goods 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 ham radios, fleet dispatch systems, or private communications systems. Typical small radio communications towers are short, usually 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 for the division of a parcel of land into lots and common property, and where "joint control" is applied to a parcel of land (as distinct from a building) in which there are a number of individually owned parcels of land (lots) with the joint control being applied to the entire parcel of land owned by those owning a "lot". Condominium title is conferred 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 of the word, also includes:

a. any preliminary operation such as excavation, filling or draining;

b. altering an existing building or structure by addition, enlargement, extension. or other structural change; and

c. any work which requires a Building Permit from the Village of Longview.

68) **Corner** means the intersection of two 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 the two street property lines and a straight line which intersects them 7.5 m (25 ft.) from the corner where they meet.

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

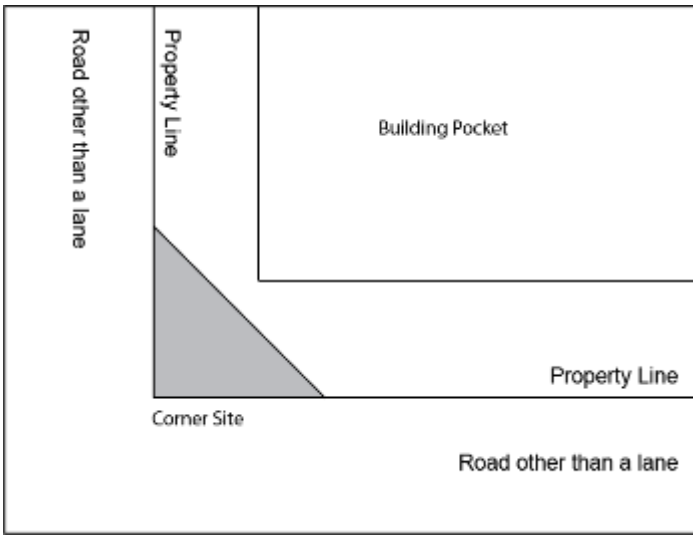


FIGURE 3: CORNER SITE DEFINITION

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 or covered porches or overhang as, covered terraces, and all other spaces within a building, excluding steps, eaves, cornices, and similar projections, and unenclosed inner 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 then include such projection.

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

74) **Date of Issue** means the date a development permit, subdivision application or an order is dated and signed by the designated officer in the course of their 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 regulations approved under 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 to be 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 to be 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 for each 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 either 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 intensity of use of the land or building;

and includes:

e. 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

f. the placing of refuse or waste material on any land, or

g. the use of land for the storage or repair of motor vehicles or other machinery or equipment, or

h. 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

i. the demolition or removal of a building, or

j. the placement of an already constructed or a partially constructed building on a parcel of land, or

k. 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

l. 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 principal 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 its 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 pre-requisite to refunding of a performance deposit, discharge of agreements or letter of credit or bonds.

83) **Development** means the Development Officer established and appointed pursuant to the Act through the municipality's Development Authority Bylaw.

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 not conforming 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 that 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 this Land Use Bylaw.

89) **Domestic pet** see **Pet, domestic**.

90) **Double fronting lot** see **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 their 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 primarily intended to allow for the on-site 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

   a. in which only non-flammable solvents are or can be used which emit no odours or fumes; and

   b. in which no noise or vibration causes a nuisance or inconvenience within 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 along the 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 adjoining 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 rent or occupation for periods of less than 30 days.

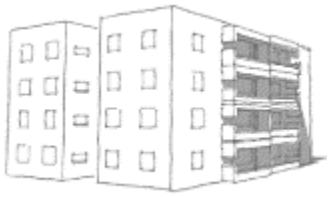


FIGURE 4: DWELLING – APARTMENT

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.

FIGURE 5: DWELLING – ROW HOUSING

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 in this Bylaw, is used for no other purpose. This category does not include a manufactured or mobile home.

FIGURE 6: DWELLING – SEMI DETACHED

102) **Dwelling Unit** means a self-contained portion of a dwelling, or a set or suite of rooms, which contains sleeping, cooking, living and separated or shared toilet facilities, 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 another separate dwelling unit.

FIGURE 7: DWELLING – SINGLE DETACHED

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

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, at an accessory outdoor seating area on the site, or off the site. Eating and drinking establishments include neighbourhood pubs, licensed restaurants, cafes, delicatessens, 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.

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

106) **Entertainment and Cultural Establishment** means use of a building or a part thereof for the provision of entertainment in the form of live performances or motion pictures; or for the display of cultural,

scientific or artistic exhibits and for such meetings and administration ancillary to these uses. An eating and drinking establishment may contain within it an entertainment establishment, but only 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 environmental consultant on the existing conditions of a lot or site with known or suspected site 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 gas, whether natural or artificial,
g. heating systems,
h. sewage system, and
i. any other commodity or service supplied by a public utility.

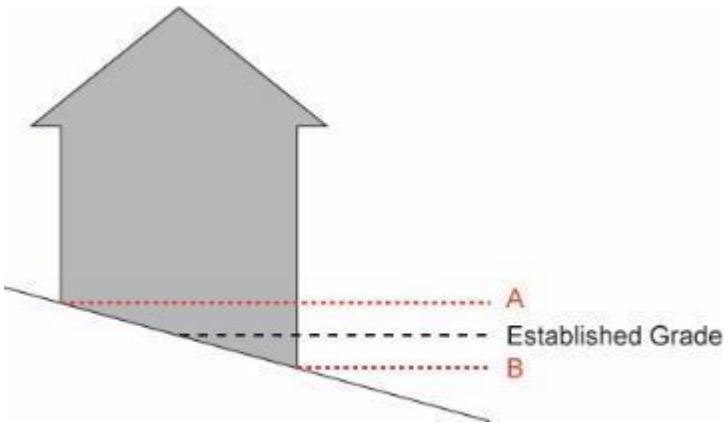


FIGURE 8: ESTABLISHED GRADE

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

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

113) **Exotic pet** see **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 out-patient services and accessory staff residences. Extended medical treatment facilities include hospitals, sanatoriums, nursing homes, convalescent homes, isolation 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, but not including 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 or 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 farming operation. A farmstead's dwelling may be a single detached dwelling, a manufactured home a ready-to-move 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 visual 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 similar establishment.

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 line of 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 footings or 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 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 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, gulley or small, possibly intermittent, watercourse. The determination that such a topographic barrier is a fragmenting 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, the lineal distance measured along the front lot line; and where used with reference to non-residential development, the length of the property line of any side of a separate business development which is parallel to, and abuts, a public roadway, not including a lane, which is directly accessible from the development.

129) **Front yard** see **yard, front.**

130) **Funeral Home** means a development where the dead are prepared for burial or cremation and 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 storage of private motor vehicles, but does not include a carport.

132) **Garage, Public** means a building or portion thereof in which motor vehicles are stored, 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 do not include facilities for the servicing or repairing of motor vehicles and do not include service stations and includes 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 on 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 uses, 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. Any sales, display, office or technical support service areas shall be accessory to 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, electronic 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 services 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.

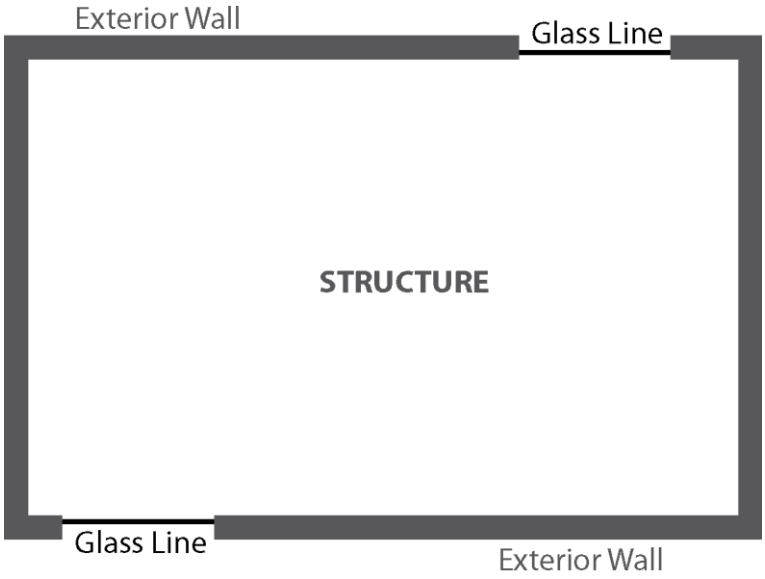


FIGURE 9: GLASS LINE DEFINITION

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 and minor utility services, and public education facilities. Government services may include government administration offices, courthouses, postal distribution offices, manpower and employment offices and social services offices.

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, and 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 walls, including covered porches and verandas, but excluding open decks, patios, steps, cornices, eaves and similar projections. Ground floor area shall include air wells, and all other space within a 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), half-way houses, resident schools, resident facilities and foster or

boarding homes, and psychiatric care facilities. These facilities are not intended to 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 age or a physical 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 instability.

149) **Guest ranches** means a development of a private owner-occupied ranch house which includes sleeping facilities, which are rented on a daily basis to registered guests and meals are prepared in 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) **Half storey** 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) **Hard surfaced** means a surface covered and compacted with asphalt, gravel, stone, concrete, or a similar material.

153) **Health service** means a development where physical or mental health services are provided on an out-patient 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 closely growing bushes or shrubs.

155) **Height** 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 out within a dwelling unit and which is not visible or noticeable in from the outside of the building. Home occupations may be classified as either major home occupations or minor home occupations. **See Home occupation major and 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 or have any exterior evidence of such secondary use other than a small sign as provided for in **PART 12.12** of this Bylaw. A major home occupation may have up to one (1) employee, other than those resident in the dwelling unit 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, millinery 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 described 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 which 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 no outdoor 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 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 occupation for a period of less than seven days and the occupier or renter has no right of renewal. For purposes of this Bylaw, a hotel 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 co-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 by-products such as air or water-born emissions; or the potential to emit 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; rendering 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 co-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 business-oriented. 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. semi-finished or finished goods, products or equipment are manufactured and/or assembled, and/or

c. materials, goods and equipment normally associated with industrial or 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 and/or transhipped, 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 individual customers, 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, which does not produce significant toxic or noxious by-products, and which is compatible with other industrial and commercial uses in a concentrated setting. Light industrial uses include motor vehicle body and paint shops, but do not include the preparation of food and/or beverages for direct sale to the public.

Any indoor display, office, technical or administrative support areas or any retail sale operations shall be accessory and subordinate to the light industrial use activities identified above. The floor area devoted to such accessory activities shall not exceed a total of thirty-three percent (33%) of the total floor area of the building or buildings devoted to the light industrial use, except that this 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 or 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 such retail component is secondary to the principal medium industrial use.

165) Industrial vehicle and equipment sales/rental establishment means a development where new or used heavy vehicles, machinery or mechanical equipment typically used in building, roadway, 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 vehicles sales/rental establishments;

166) Industrial Service Shops means a building used for assembly, fabrication, or repairing of goods or products. Typical uses associated with this category include electrical, heating, metal, plumbing, welding, woodworking, cabinet making, upholstering, furniture repair, painting, and similar uses.

167) In-law suite see Suite, in-law.

168) **Institutional use** 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 that is 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 non-vegetative 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 sites, 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-serve basis.

174) **Leading wall** means the outermost 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, bison, 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.

178) **Lot** means:

a. a quarter section, or

b. a part of a parcel of land described in a certificate of title if

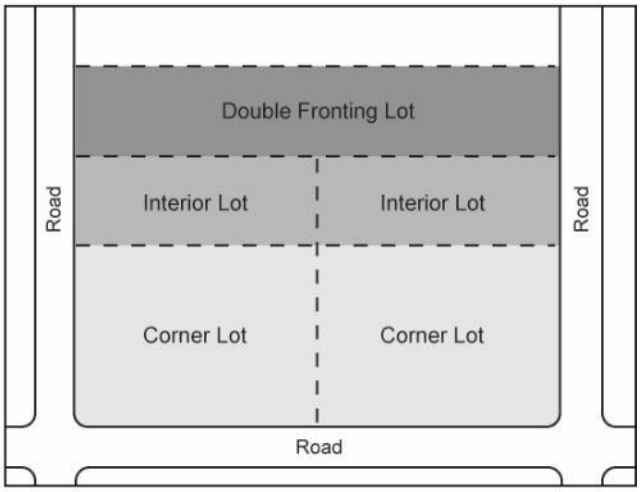


FIGURE 10: ILLUSTRATION OF LOT DEFINITIONS

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 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 direct access to 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 or both where bulk supplies of lumber and other 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 retail 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 current industry standard label AND an Alberta Municipal Affairs label that certifies compliance to the current ABC. Notwithstanding the requirement regarding labels, should a building not have a label, it can still be considered a manufactured home for the purposes of this Bylaw should the inspection and upgrading procedures outlined in **PART 12.14** of this Bylaw be followed. A manufactured home is normally constructed off-site and then transported to its site. Upon arriving at the site for location, apart from incidental operations such as placement on a foundation and connection of utilities, it is ready 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 cm (18 in.), or a ratio of depth vs. width (or width vs. depth) of more than 2.5:1, not including porches or other additions, or not be supported on a permanent foundation or base extending below grade;

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 for use as a part of the equipment of such manufactured home park.

185) **May** is an operative word meaning a choice is 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 uses or 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 the floor above.

188) **Motel** means a development used for the provision of rooms or suites for temporary lodging or light housekeeping for the traveling public; where each room or suite has its own exterior access.

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

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

189) **Multi-Family Dwelling** means apartment, duplexes and/or row housing. See **Dwelling, apartment, Dwelling, semi-detached,** or **Dwelling, row housing** for a more detailed description of the specific use types.

190) **Municipal Government Act,** also 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:

a. the Municipal corporation of the Village of Longview; or

b. where the context requires, means the area of land contained within the boundaries of the municipality's corporate limits at the time of adoption of this Bylaw, or as 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** means 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 the principal building is located, including required off-street parking and landscaped areas, but does not include public road right-of-ways 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:

a. that is lawfully constructed or lawfully under construction at the date a land use Bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective; and

b. that on the date the land use Bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use bylaw.

198) **Non-conforming Use** means a lawful specific use:

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

b. on the date the land use Bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with the land use Bylaw.

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 anything 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 non-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 Codes 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, lessee, 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 non-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 interferes with or 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 uses include golf courses, driving ranges, sports fields, unenclosed ice rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, riding stables 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 Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or

b. in the case of any other land, the person shown as the owner of a parcel of land on the municipality's assessment roll 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 or registered in the Land Titles Office.

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

215) **Parking lot** means a portion of land set aside for the parking 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 a special highway movement permit. The maximum width when being towed is 2.6 m (8.5 ft.). These units are designed for infrequent towing, and are **not** fitted with a 12-volt system for fixtures and appliances. Once on site in the set-up mode it must be connected to the local utilities.

FIGURE 11: PARK MODEL TRAILER 102

This style of recreational vehicle is built on a single chassis mounted on wheels. It usually has one or more slide-outs, but when in set-up mode the gross trailer area does not exceed 37.2 m^2 (400.0 $ft.^2$). It conforms to the current **CSA Z-240** (or similar) Standard for recreational vehicles.

b. **Park Model Recreational Unit** is 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 50.0 m^2 (538.2 $ft.^2$) in the set-up 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 tow 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 Z-241 (or similar) standard for recreational vehicles.

FIGURE 12: PARK MODEL RECREATIONAL UNIT

218) **Patio** means an uncovered open platform or surfaced area, without foundation, and constructed at or not more than 15 cm (6 inches) in height from finished grade used as an extension to the interior of the building for 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-sized animals, but does not include livestock or exotic animals.

222) **Pet, exotic** means any animal not identified in the definition of domestic pets 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 Land Titles Act for the purpose of effecting a subdivision.

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

226) **Principal Building** means a 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 non-profit philanthropic, social service, athletic, business or fraternal organization, without on-site residences. Private clubs may include rooms for eating, drinking and assembly.

229) **Private Recreational Facilities** means any development providing amusement, active or passive recreation, and enjoyment for the residents, guests, or customers or the site on which the development is situated. Typical developments would include but not be limited to athletic facilities such as swimming pools, squash, tennis, and racquetball 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** means a development where the administration of the protection of persons and property from injury, harm or damage takes place, and where the 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** means 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 occurs 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 administration offices, storage, 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 man-made open space and landscaping, facilities, playing fields, and buildings that are consistent with the general purposes of recreation, whether or not such recreational facilities are public operated or operated by other organizations pursuant to arrangements with the public authority owning the public park. Public parks include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, baseball diamonds, football fields, soccer pitches, and similar outdoor sports fields.

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 and operated by the Municipal, Provincial or Federal Government.

236) **Public Thoroughfare** means any pathway, bridge, lane, service road, local street, collector street, arterial street, trail or highway.

237) **Public use** means a development where public services are provided by the municipality, by any 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 utilities or private public utilities.

238) **Public utility** see **Utility, Public.**

239) **Public utility building** see **Utility building, public.**

240) **Public utility, major** see **Utility, major public.**

241) **Ready-to-move home** means a previously unoccupied dwelling constructed at a place other than its permanent location (off-site) which is built to current Alberta Safety Codes Standards and is 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 or Move-in buildings.

242) **Real Property Report** means a codified standard adopted by the Alberta Land Surveyors' Association which contains:

a. The legal description of the property and the municipal address (if available).

b. The dimensions and bearings of all property boundaries as determined by an actual field survey in accordance with the Surveys Act

c. The designation of adjacent properties, roads, lanes, etc.

d. The location and description of all pertinent improvements located on the property along with their dimensions and clearances to the property boundaries. The projections of overhangs or eaves would also be shown.

e. The location of any easements which may affect the property.

f. The location and dimensions of any visible encroachments onto or off of the property.

g. A list of the registered encumbrances as noted on the title to the property at the date of the survey.

h. A certification by an Alberta Land Surveyor duly signed.

243) **Recreational use** means a recreational development conducted on a unified basis on a single site where the prime reason for location is to take advantage of natural physical features including the availability of large areas of land to provide day-to-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 halls, bowling alleys, skating and curling rinks, drop-in centres, 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: duly licensed trailers, motorized homes, slide in campers, chassis mounted campers, and tent trailers.

245) **Recreational 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) **Recreational 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 of three (3) or more recreational vehicles, boats and all-terrain vehicles.

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 an 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 radio, 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 includes storage on or 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 provided by a fence, wall, berm or natural landscaping.

255) **Sea can** means a pre-built 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 which are similar to the principal use of the lot.

257) **Secondary suite** see **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 or within a building for the storage of a customer's goods or wares. Self-service storage facilities do not include any outdoor storage.

259) **Semi-detached dwelling** see **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 citizens' home** means an apartment, a ground-oriented multiple unit dwelling, or an extended medical treatment facility geared to and occupied by senior citizens. A senior citizens' home provides resident care services and supervision to aged individuals in accordance with their individual requirements.

262) **Service Station** means a development where gasoline, lubricating oils, and other automotive fluids and accessories for motor vehicles are bought and sold. Service stations may also include facilities for the servicing or repairing of motor vehicles, and a 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 if specified elsewhere in this Bylaw. All 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** see **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 local goals and objectives it is strongly advised that action be taken.

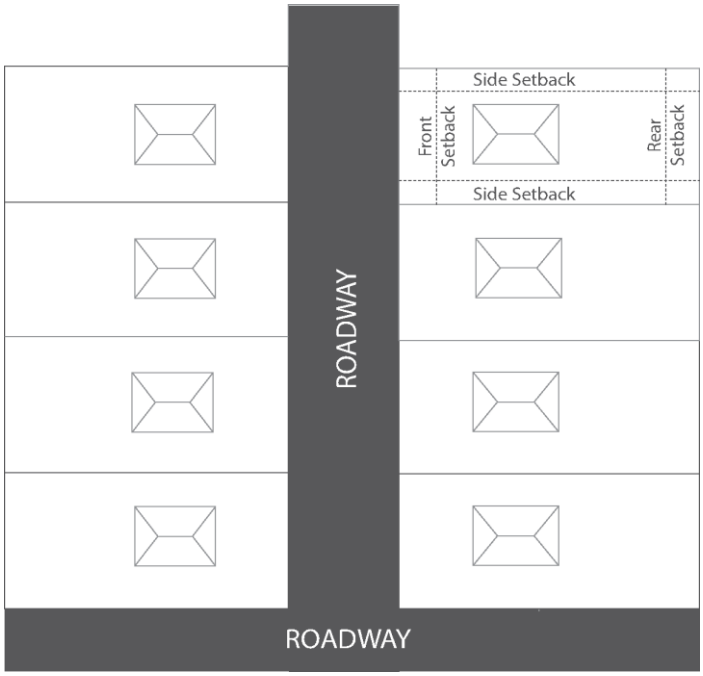


FIGURE 13: SETBACK EXAMPLE FOR REGULAR LOTS

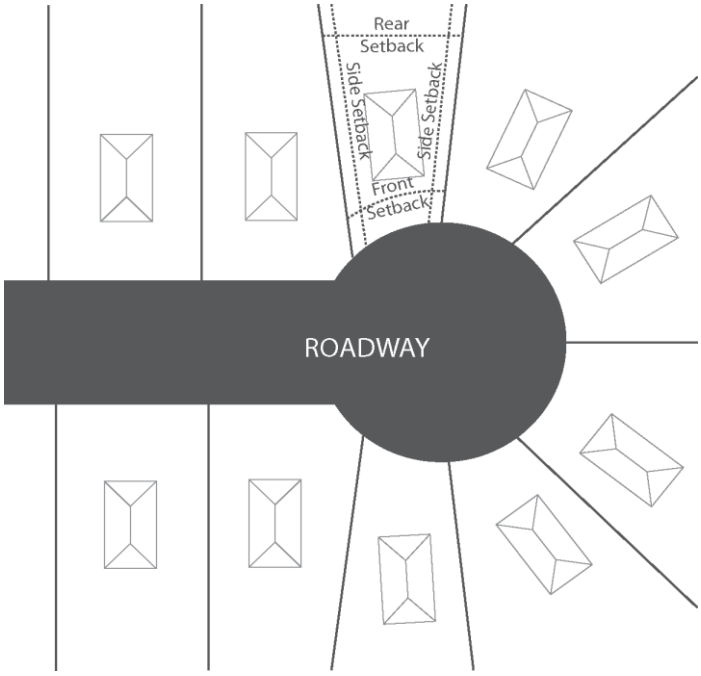


FIGURE 14: SETBACK EXAMPLE FOR IRREGULAR LOTS

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 and

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

269) **Side line** 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 right-of-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 15: SIDEWALK CAFES

273) **Sign** means any visual medium, including its structure 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, place, 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 intended 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 leans on the ground.

275) **Sign, canopy** means a sign which is part of, or attached to, the outside edge 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 made to take on 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 persons to a different location from where the sign is located. Such a sign is not located on the site of the goods, products, services, or facilities advertised.

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

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

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

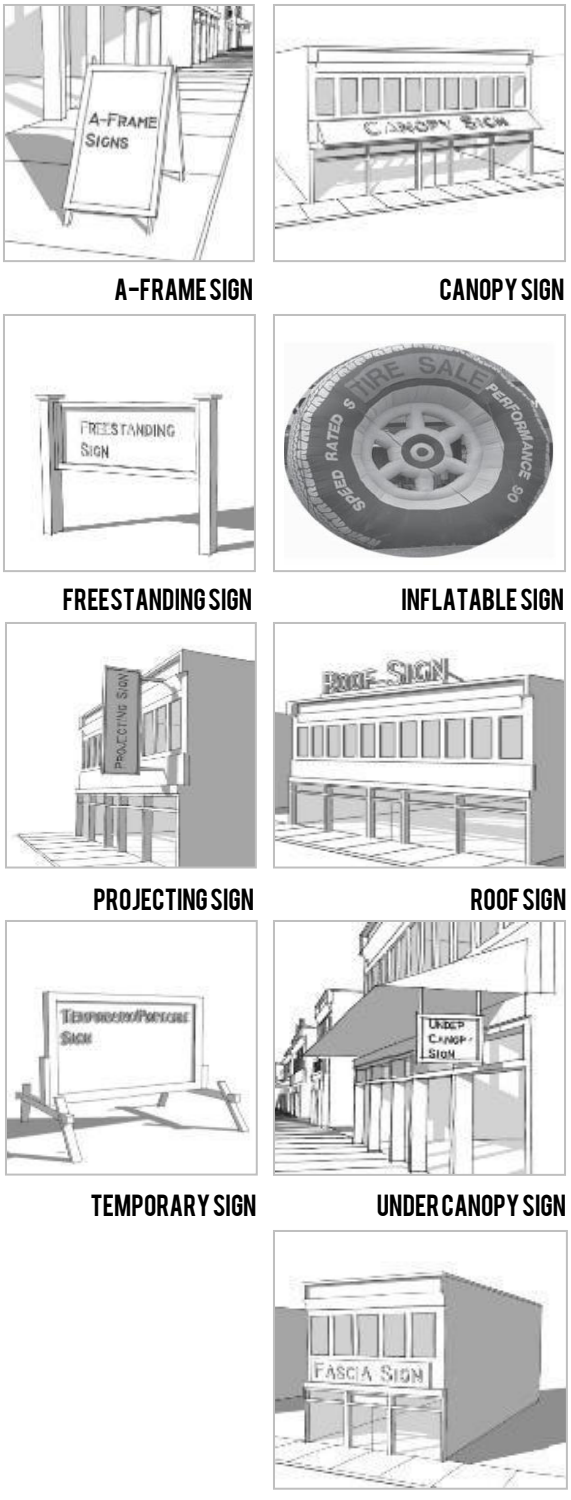
282) **Sign, under canopy** means a sign which is attached to the bottom face of a canopy.

283) **Sign, wall** is a sign attached to or placed flat against the exterior wall or surface of any 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 or parapet. Wall signs are also called Fascia Signs.

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

285) **Single-Detached Dwelling** see **dwelling, single detached.**

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



A-FRAME SIGN | CANOPY SIGN | FREESTANDING SIGN | INFLATABLE SIGN | PROJECTING SIGN | ROOF SIGN | TEMPORARY SIGN | UNDER CANOPY SIGN | WALL SIGN

FIGURE 16: EXAMPLES OF SIGNS

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.

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 and rear lines 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 line.

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 site.

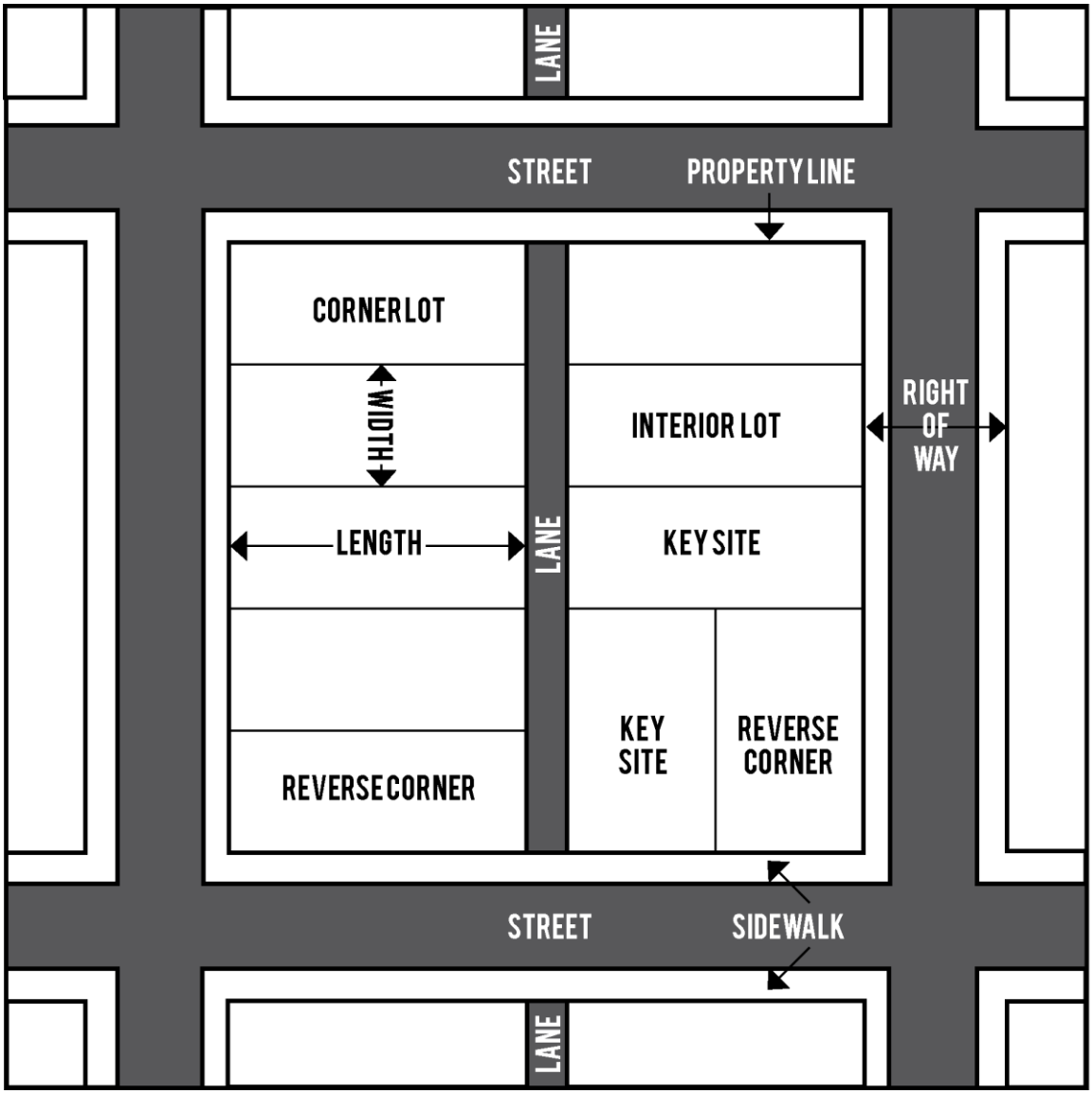


FIGURE 17: SITE DEFINITIONS

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

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 yard setbacks on the side property lines.

298) Small animal breeding and boarding establishment means 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 see 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 and includes solar array, solar panels, free standing, ground and roof mounted.

301) Solar array means multiple solar panels use in conjunction to produce electricity.

302) Solar panel, free standing/ground mounted means a device that is used to convert energy contained within the sun's rays into electricity, which is not mounted or attached to any other structure for support.

303) Solar panels, roof mounted means a device which is used to convert energy contained within the sun's rays into electricity, which is located, mounted, or attached to the roof of a structure.

304) Sound Shadow means the area behind a berm, 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 or 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 multi-storey 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 cellar shall be considered a storey in calculating 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 1.8 m (6 ft.) above grade.

311) Street means a public thoroughfare including a bridge affording 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, Local or Residential** means an undivided roadway where all intersections are at grade, 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 Safety Codes Act, 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 Intermunicipal Subdivision and Development Appeal Board Bylaw.

316) **Subdivision and Development Regulation** means Alberta Regulation 43/2002 as amended.

317) **Subdivision Authority** means the Subdivision Authority established pursuant to the Act through the municipality's 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 18: GARAGE SUITE

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

FIGURE 19: GARDEN SUITE

320) **Suite, garden** means a temporary, portable detached dwelling unit, located on a lot containing an existing single detached dwelling. Garden suites shall not include manufactured homes.

321) **Suite, in-law** means a subordinate, additional dwelling unit located within a single detached dwelling or semi-detached dwelling intended for the sole occupancy of one (1) or two (2) adult persons, which has unfettered access to the adjoining dwelling unit.

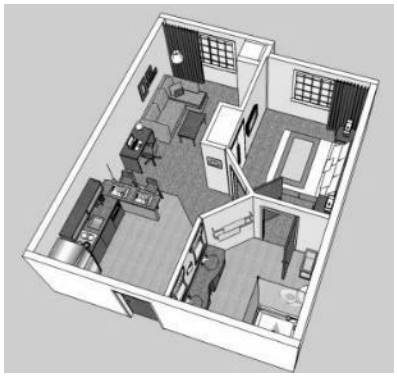


FIGURE 20: IN-LAW / SECONDARY SUITE

322) **Suite, secondary** means a subordinate self-contained dwelling unit located in a structure in which the principal use is a single detached dwelling or semi-detached dwelling. A secondary suite has cooking, food preparation, sleeping and bathing facilities which are separate from those of the principal dwelling within the structure. Secondary suites also must have a separate entrance from the 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 where

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

FIGURE21: SURVEILLANCE SUITE

324) **Supportive living facility** means a licenced facility providing permanent accommodation to four (4) or more adults in which the operator provides or arranges for services related to safety and security of the residents, and provides at least one meal a day or housekeeping services. Residents in a supportive living setting can range from seniors who require support services 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 or operated for a time period specified by a temporary development permit, or for a limited time period where exempted by this 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 or indicated by 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, motor homes, and recreational vehicles with a gross vehicle weight rating of 6000.0 kg (13,227.7 lbs.) or greater or a 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 an integral 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 or storage 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 a lot and any buildings located on it are designed, arranged, developed, or intended, or for which it is occupied or maintained.

334) Use, Change of 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 of 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 generation resulting thereof, 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 conjunction 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 telecommunications 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 but 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, sewage treatment plants, sewage lagoons, sludge disposal beds, garbage transfer and 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 on 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 out-patient care and minor medical procedures involving hospitalisation for fewer than four (4) days. All animals shall be kept within an enclosed building. Veterinary clinics do not include animal hospitals or small animal breeding and 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 out-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 breeding and 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 or consumer. 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 equal to or 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 which has 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 300 kW, and which is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale.

347) **Wind turbine tower** means the guyed or freestanding structure that supports 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 contracting 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, 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. The units may be dismantled and removed from the site from time to time. For the purposes of this definition, temporary means for a period of up to six (6) months in total duration either consecutively or non-consecutively.

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 line, 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 line, 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 or in 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 two 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 all lands contained within its corporate limits.

7 | DATE OF RECEIPT

1) Where a development permit approval or refusal, development appeal notice, notice to re-classify lands 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 double 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 such duties that are specified in this Bylaw.
4) In all instances other than those indicated in PART 2.1(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 all applications for development, the decisions, and the reasons therefore.
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) The Subdivision Authority of the Village of Longview shall be as established by the municipality's Subdivision Authority Bylaw 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 Council.

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 inspection 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 reasonable charge;
    c. keep a register of all applications for development, including the decisions therein 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 their 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 Regulations and this 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, as set out in Part 3.2, 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 or necessary; or
    c. refuse the application.
5) The Development Officer shall not allow the use of land or a building not listed 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 or 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 of same 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 Approving 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 authorities, 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 the 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 receive, consider and decide on applications for subdivision approval.
3) The Subdivision Approval Authority may allow a variance of the requirements of the Bylaw where, 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 requests for time extensions to development permits which have been referred 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 the provisions of 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; any such forms. Notices or fees are deemed to have the full force and effect of this Bylaw in execution of the purpose for which they were designed, authorized, and issued.
2) The forms, notices, and fee schedules authorized by Council pursuant to this Bylaw may be posted, issued, mailed, served or delivered in the course of the Development Officer's or Subdivision Officer's duties.
3) The following forms and notices used for the operation of this Bylaw are contained in Appendix A and 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 agencies, 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 3.3 of this Bylaw, no person shall undertake any development unless:
    a. a Development Permit has first been issued pursuant to this Bylaw; and
    b. the development is proceeded with in accordance with the terms and conditions of the Development Permit issued in respect of the development; or
    c. a Building Permit has been obtained when a Building Bylaw so requires.

3 | DEVELOPMENT PERMITS NOT REQUIRED

1) A Development Permit is not required in respect of the following developments if such developments comply with all applicable provisions of this Bylaw:
    a. works of maintenance, repair or alteration, on a building (both internal and external) if in the opinion 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 any permit granted by the Municipality, subject to the conditions of that permit; and
        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 3.3.1(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 that 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 or equitable owner for a purpose in connection with any public utility carried out by the Municipality;

g. the use of a building or part hereof as a temporary polling station for a Federal, Provincial or Municipal election or referendum or plebiscite;

h. one temporary, on-site freestanding or fascia sign which does not exceed 1 m^2 in area nor 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, private pathways, private driveways and similar works;

l. the construction or installation of public roadways, walkway, utilities or grading of the site or removal or stockpiling of soil when a development agreement has been 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 less than 9.4 m^2 (101 $ft.^2$) 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 0.185 m^2 (2 $ft.^2$) 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 or planters that are less than 0.6 m (2 ft.) from grade, a patio, landscaping features such as planters, gardens, planting of trees and shrubs, or fish ponds;

q. the placement of signs in Commercial or Industrial Districts provided they are inside the window or inside the building and does not exceed 1 m^2 (10 $ft.^2$) 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 the municipality;

t. extensive agriculture on lots 8.08 ha (20.0 ac.) or more in area in the Urban Reserve (UR) District;

u. landscaping where the proposed grades will not adversely affect the subject or adjacent properties, except where landscaping forms part of 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 to 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.) no tank larger than 15.9 kg (35.0 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 the erection of which a development permit would not be required pursuant to PART 3.3.1(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 an amendment thereto comes into effect, and the Bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the Bylaw or the amendment.

2) A non-conforming use of land or a non-conforming 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 non-conforming use of part of a building may, at the discretion of the Development Authority, be extended throughout the building but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made thereto or therein.

4) A non-conforming use of part 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 non-conforming use continues.

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

   a. to make it a conforming building;

b. for the routine maintenance of the building, if the Development Authority considers it necessary; or

c. in accordance with the powers possessed by the Development Authority pursuant to the Act and Part 3.3 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 the use of a 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 an addition or change of use of an existing structure shall be made to the Development Officer using the prescribed form, signed by the owner or their 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, rear 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 off-street loading, vehicle standing, and parking areas;

vi. access and egress points to the site;

vii. all underground utilities, above ground utilities and utilities rights-of-way, and

viii. where required by the Development Authority, a copy of a completed Alberta-one-call sketch including proof of detection in order to verify the utility locations;

b. floor plans, elevation and exterior finishing materials;

c. locations and distances of on-site existing or proposed water and sewer connections, including the elevations of same;

d. site drainage, existing lot grades, finished lot grades, the grades of the roads, streets and sewers servicing the property;

e. the height, dimensions, and relationship to property lines of all existing and proposed buildings and structures including retaining walls, trees, landscaping and other physical features;

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, an illustration of the proposed sign drawn to scale;

i. the estimated commencement and completion dates;

j. a statement of ownership of the land and interest of the applicant therein;

k. the Development Permit fee as prescribed by Council.

2) In addition to the information required under **Part 3.6.1**, the Development Officer may also require additional information in order to assess the conformity of a proposed development with this 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 sewage 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, grassed areas, fences, screenings, and outdoor furniture on the site and on adjacent boulevards within road rights-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 and garage or carport, if the application itself does not include such buildings as 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 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 multi-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 proposed for same; and

    iv. location and approximate dimensions of all existing and proposed trees, shrubs, parks, playgrounds, etc.;

    v. a development impact assessment statement clearly describing how the potential impacts of the proposed development on adjacent lands will 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, slopes 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 the development;

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

4) In addition to the information requirements indicated in **PART 3.6(1)** to **(3)**, the Development Officer may require for a proposed industrial use the provision of environmental assessment information and a risk assessment to assist the municipality in assessing the effect of the proposed development in relation to the natural and human environments, and indicate both if and how any negative matters can be mitigated.

5) In addition to any or all of the information required under **PART 3.6(1)** & **(2)** of this Bylaw, each application for a commercial or recreational development may be required, at the discretion of the Development Officer, to be accompanied by the 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 indicated in **PART 3.6(1)** & **(2)**, each application for a sign may be accompanied by additional information at the discretion of the Development Officer, 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 illuminating the sign 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 copies of the plan and 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 time 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 and Canadian Standards Association Standard S350-M1980, "Code of Practice for Safety in Demolition of Structures" and/or any subsequent Alberta Building Code or Canadian Standards Association Standards.

2) In addition to the requirements of Part 3.6 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 materials are to be stored on site, a site plan will be required indicating the location of such 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 to be 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);

j. an indication that all utility services to the site and/or the building have been disconnected to the satisfaction of the Development Authority;

k. an indication that buildings on adjoining properties have been considered to ensure that damage will not occur to them or their foundations from the demolition;

l. where a fire safety plan is required, an indication that the local Fire Chief has been consulted for determining the fire safety plan required; and

m. an indication that any tanks containing flammable or combustible liquids will be removed before demolition begins and be purged of inert materials to the satisfaction of the Development Authority and any other applicable provincial agencies.

3) Before consideration of a development permit application for demolition, the Development Authority may also require the applicant to complete:

a. a Hazardous Materials Assessment Report, and/or

b. any phase of an environmental site assessment in order to determine whether the site is contaminated and the mitigation measures necessary to eliminate such contamination.

4) As a condition of approving a development permit for the demolition of a building, the Development Authority may, in addition to other requirements, require that the applicant undertake any and all actions the Development Authority deems necessary to ensure the complete and safe demolition of the building, disposal of materials and debris, and site clean-up.

8 | RELOCATION OF BUILDINGS

1) Where a Development Permit is applied for to relocate any building either on the same site or another site, the Development Officer may require the applicant to provide the following in addition to the requirements specified in Part 3.6:

a. a recent photograph of the building to be moved.

b. the existing location of the building to be moved;

c. information regarding the condition of the building;

d. information regarding the method, route and timing of the proposed relocation; and

e. any other information deemed necessary.

2) The Development Authority may require a Safety Codes Officer's inspection and report on the structural soundness and integrity of the building to be submitted prior to considering the application.

3) Where a development permit has been granted for the relocation of a building either on the same site or from another site, the approving authority shall require the applicant to provide a letter of credit of an amount equivalent to the cost of completion of any exterior renovations or $2500, whichever is the greater set out as a condition of approval of a permit.

4) The applicant shall be required to indemnify the municipality against any damages that may occur to any public utilities as a result of the relocation. A performance bond, or deposit of cash or letter of credit in the amount of $5,000 and proof of the moving company's liability insurance will be required prior to the structure entering the Village limits.

5) Whenever relocation is carried out, the person causing the same to be made shall, at their own expense, protect from displacement any wall, sidewalk or roadway liable to be affected by such

relocation, and shall sustain, protect and underpin the same so that they will remain in the same condition as before the relocation was commenced.

6) The applicant shall notify the Village of Longview in writing of the route and times for moving the building at least 24 hours prior to commencing to move the building into the Village.

7) The approved relocated building shall not be moved into the Village of Longview until such time as the new foundation has been inspected and approved by the Safety Codes Officer.

8) The design, character and appearance of the relocated building proposed to be located in a District must be acceptable to the Approving authority in that it shall complement and conform to the character, design, and appearance of existing adjacent development, the existing streetscape and the district as a whole.

9) All exterior renovations and landscaping must be completed within one (1) year of the issuance of the Development Permit.

9 | REFERRAL OF APPLICATIONS

1) Historical Resource

    a. Historical or archaeological sites identified pursuant to the Alberta Historical Resources Act, R.S.A. 2000, as amended shall be protected in accordance with Provincial legislation and regulations.

    b. In addition to any sites identified in PART 3.7, an application for a development permit that may impact any historical or archaeological site identified pursuant to PART 3.7 within the Village should be submitted to Alberta Culture and Tourism for comment prior to a development permit being issued.

2) Development permit applications within 804.7 m (2,640.0 ft.) of the right-of-way of a highway may, at the discretion of the Development Authority, be referred to Alberta Transportation for comments prior to a development permit being issued.

3) Adjacent Municipalities

    a. All subdivision proposals and all applications for discretionary development permits which are, in the opinion of the Development Authority, significant, within 1.6 km (1.0 mile) of adjacent municipalities shall be referred to the adjacent municipality for comment prior to a development permit being issued or a subdivision being approved.

4) Prior to making a decision, the Development Authority may, at its discretion, refer any development permit application to any municipal department or other external agency for comment.

10 | ISSUANCE OF PERMITS

1) A Development Permit issued pursuant to this Bylaw is not a Building Permit and, notwithstanding that plans and specifications for buildings may have been submitted as part of an application for a Development Permit, work or construction shall neither commence nor proceed until permits under the Alberta Building and Safety Codes Act have been issued pursuant to applicable bylaws and regulations.

2) Permitted Use Applications

   a. Upon receipt of a completed application for a development permit for a permitted use, the Development Officer shall review the application and may (prior to making a decision) refer the application to any municipal department or external agency for comment.

   b. The Development Officer shall approve, with or without conditions, an application for a permitted use where the proposed development conforms to this Bylaw. and may:

      i. refuse to issue a development permit for a building or use on any site where it would otherwise be permitted under the Land Use Bylaw if, in the opinion of the Development Authority, satisfactory arrangements have not been made by the developer to provide on and off site servicing improvements required to facilitate the development, giving reasons for the refusal; or

      ii. issue a temporary development permit where, in the opinion of the Development Officer, the proposed use is of a temporary nature. When issuing a temporary development permit, the expiry date for the permit shall be clearly indicated on the notice of decision.

3) Discretionary Use Applications

   a. Upon receipt of a completed application for a development permit for a discretionary use, the Development Officer shall review the application and may (prior to making a decision) refer the application to any municipal department or external agency for comment.

   b. The Development Authority shall approve, with or without conditions, or refuse the application, giving reasons for the refusal; and

   c. Issue a temporary development permit where, in the opinion of the Development Officer, the proposed use is of a temporary nature. When issuing a temporary development permit, the expiry date for the permit shall be clearly indicated on the notice of decision.

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

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

6) The applicant shall prevent excess soil or debris from being spilled on public roads, lanes and sidewalks, and shall not place soil or any other materials on an adjacent parcel without permission in writing from the adjacent property owners.

7) Parts 3.10 may be enforced pursuant to Part 9 of this Bylaw. Any costs incurred as a result of neglect to public property may be collected where financial guarantees have been required pursuant to Part 3 of this Bylaw.

8) No building shall be occupied or utilized until the conditions of the development permit have been satisfied and copies of all required building and safety codes permits have been provided to the Development Officer.

9) Where any use is proposed which is not specifically shown in any land use district but is, in the opinion of the Development Authority, similar in character, intent and purpose to other uses of land and buildings provided by the Bylaw in the land use district in which such use is proposed, the

Development Authority may, if requested by the applicant, rule that the proposed use is a discretionary use in the land use district in which such use is proposed.

10) Where an application for a use which is neither a permitted nor a discretionary use is received by the Development Officer, the Development Officer shall refuse the application stating reasons for the decision.

11 | VARIANCE PROVISIONS

1) The Development Officer may, where specified in the district regulations, approve or conditionally approve an application for a development that does not comply with this Bylaw if, in the opinion of the Development Authority:

    a. the proposed development would not:

        i. unduly interfere with the amenities of the neighbourhood;

        ii. materially interfere with or affect the use, enjoyment, or value of neighbouring properties; and

        iii. the proposed development conforms with the use prescribed for that land or building in this Bylaw.

12 | NOTICE OF DECISION

1) When a development permit has been issued for a permitted use and no variance to any regulation has been granted as provided for by **Part 3.11** of this Bylaw, the Development Authority shall within five (5) working days after a decision on a development permit application send a notice by regular mail of the decision to the applicant and post a notice in a place available to public view in the Village office, indicating the disposition of the application. Mailing the notice is not required when an applicant picks up a copy of the decision.

2) In addition to **Part 3.11(1)**, within five (5) working days after a decision on a development permit application for a discretionary use or after a variance has been granted, the Development Officer shall:

    a. send notice by regular mail (or by electronic mail if agreed to in advance by the applicant) to all affected adjacent land owners, as identified on Village of Longview Assessment Roll, to provide notice of the decision and right of appeal; and

    b. post notice of the decision on the Village's website; and

    c. send notice by regular mail (or by electronic mail if agreed to in advance by the applicant) to any other landowner, business, agency, adjacent municipality, person, group, organization or similar body that the Development Authority deems may be affected to provide notice of the decision and right of appeal; or

    d. within ten (10) days of the date such a development permit is issued, publish a notice of the decision in a newspaper circulating in the municipality for two (2) consecutive weeks.

3) The notice indicated in **Parts 3.12(1) and (2)** shall state:

    a. the legal description and the street address of the site of the proposed development,

b. the uses proposed for the subject development,

c. any discretion that was granted in the approval of the development, whether by use or by interpretation of this Bylaw, and any variation or relaxation in regulation that was made by the Development Authority when the development permit was approved,

d. the date the development permit was issued, and

e. how an appeal might be made to the Subdivision and Development Appeal Board and the deadline for such appeal.

1) When an application for a development permit is refused, the Notice of Decision shall be sent by ordinary mail to the applicant and contain the reasons for the decision.

2) For purposes of this Bylaw, Notice of Decision of the Development Officer on an application for a Development Permit is deemed to have been given and to have been received:

a. by the applicant in the case of a decision of approval or refusal on an application for a development permit, five (5) days from the date that Notice of Decision is sent by ordinary mail to the applicant.

b. by an adjacent land owner in the case of a notice of decision of approval on an application for a development permit, five (5) days from the date of the Notice of Decision sent by ordinary mail, or the date contained on the Notice posted on the site or the date the Notice of Decision appears newspaper, whichever is the latter.

3) Except for a development permit which has been approved without conditions for a permitted use, a development permit for all other approved uses shall not be issued until 19 (14 DAY APPEAL PERIOD + 5 DAYS FOR DELIVERY OF MAIL) days after the Notice of Decision has been given.

4) When an appeal is made pursuant to the Act, a Development Permit which has been approved shall not be issued unless and until the decision of the Development Officer has been upheld by the Subdivision and Development Appeal Board.

5) A completed application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made by the Development Authority within forty (40) days after receipt of the application by the Development Authority unless the applicant has entered into a written agreement with the Development Authority to extend the forty (40) day period. The person claiming to be affected may appeal in writing as provided for in Part 6 of this Bylaw as though they have received a refusal at the end of the forty (40) day period or any agreed-to extension thereof as specified in Part 6 of this Bylaw.

6) When an application for a Development Permit has been refused pursuant to this Bylaw or ultimately after appeal pursuant to the Act, the submission of another application for development permit on the same parcel of land for the same or for a similar use of the land by the same or any other applicant need not be accepted by the Development Office for at least six (6) months after the date of refusal.

13 | EXPIRY, OR CANCELLATION OF A DEVELOPMENT PERMIT

1) A development permit shall lapse after one (1) year from the date of issuance unless the development authorized has been commenced and significant development continues on the site.

1) The Development Officer and the applicant may enter into a written agreement to extend the time period specified in Parts 3.13(1).

2) Where an application for a development permit is submitted whereby the development would occur in stages over a time period exceeding one (1) year, the Development Officer may:

    a. issue a permit for the entire development upon submission of satisfactory information as to the proposed staging and corresponding time frame of each stage;

    b. notwithstanding Parts 3.13(1) or (2), extend the permit on an annual basis up to a maximum period of five (5) years from the original date of permit issue provided:

        i. no change in the original development application as approved is proposed;

        ii. no significant change in the Land Use Bylaw affecting the development is deemed to have occurred; and

        iii. no change in the ownership of those lands proposed to be developed has occurred since the original date of permit issue.

3) Applications for extension must be accompanied by the appropriate fee as determined by Council resolution.

4) Notwithstanding any other provisions of this Bylaw to the contrary, if the Development Authority discovers that a decision made on a development permit application was either:

    a. incorrect, that is, not in compliance with the provisions and requirements of this Bylaw, or

    b. based on information which was subsequently determined to be incorrect or misunderstood by the Development Authority,

5) The Development Authority may rescind the approval of the development permit. In such a circumstance, the appeal period provided for under Part 6 of this Bylaw begins from the date the applicant is advised that the permit approval has been rescinded.

6) Whenever it appears to the Development Officer that a Development Permit has been obtained by fraud or misrepresentation or has been issued in error, the Development Officer may suspend or cancel the Development Permit.

PART 4 – SUBDIVISION

1 | APPLICATION REQUIREMENTS

1) An application for subdivision approval shall be made to the Subdivision Officer using the prescribed form, signed by the owner or their agent.

   The application shall be provided to the Subdivision officer electronically in Adobe PDF format. Additionally, one (1) paper copy bearing an original signature of the completed application shall also be provided.

   The application shall include the following:

   a. a sketch or plan of the proposed subdivision (drawn to scale) showing the following

      i. the location, dimensions and boundaries of the parcel to be subdivided;

      ii. the proposed lot(s) to be registered in a Land Titles Office;

      iii. the location, dimensions and boundaries of each new lot to be created (drawn to scale), and any reserve land;

      iv. existing rights-of-way of each public utility, or other rights- of-way;

      v. the location, use and dimensions of buildings on the parcel that is the subject of the application and specifying those buildings that are proposed to be demolished or moved;

      vi. the location and boundaries of the bed and shore of any river, stream, watercourse, lake or other body of water that is contained within or bounds the proposed parcel of land;

      vii. the location of any existing or proposed wells, any private sewage disposal systems and the distance from these to existing or proposed buildings and existing or proposed lot lines; and

      viii. existing and proposed access and egress to the proposed lot(s) and the remainder of the parcel.

   b. current title searches or copies of the existing registered titles in the Land Titles Office, showing all ownership interests and easements within the parcel to be subdivided;

   c. a Real Property Report if the parcel contains existing buildings that will remain;

   d. location of active and abandoned pipelines and wells;

   e. an orthophoto of the site and surrounding area; and

   f. any other information requested by the Subdivision Authority for the purpose of assessing the suitability of the site for the proposed use.

2) In addition to the information required under **Part 4.1.1**, the following information for multi-lot residential, commercial, highway commercial, and industrial land uses may be required at the discretion of the Subdivision Officer:

   a. an Area Structure Plan for sites larger than 20 ac. (6.06 ha) at full build out;

b. a phase I and/or phase 2 environmental assessment and if required, a reclamation plan for the site which delineates the area of contamination, the time frame for remediation and the costs of the remediation program.

c. a wetland assessment prepared by a qualified wetland professional

d. a geotechnical assessment, prepared by a qualified professional, on the subsurface characteristics of the site's suitability to:

   i. sustain sewage disposal systems if the intended use is not to be served by a piped municipal wastewater system;

   ii. support building foundations and withstand slumping or subsidence on lands suspected of having foundation problems;

e. statistics in tabular form showing calculations of the gross area of land in the plan area and the allocation of that land to streets, lanes, lots, Municipal Reserve, Municipal and School Reserve, School Reserve, and Environmental Reserve;

f. where a lot is proposed to be subdivided from a larger parcel, the whole of which may eventually be subdivided, and no outline plan or Area Structure Plan has been requested by the Village, the general design of the larger parcel shall be shown;

g. a plan showing resources such as trees, ravines, views and other similar natural features which are influential to the subdivision of the area.

3) An appraisal of the market value of the land when money in place of land dedication for municipal reserve is proposed. The appraisal must be prepared in accordance with the Act and must be submitted with the application.

4) An Historical Resources Impact Assessment on lands that have been identified or suspected as containing a Registered Historical Resource or within 60 metres of public lands set aside for use as historical sites.

2 | ISSUANCE OF DECISION

1) A decision on an application for subdivision approval is not an approval to develop, construct or build on the land. Site grading, earthwork, or any other construction shall not commence nor proceed until a development agreement has been signed or a development permit has been applied for and issued.

2) When an application for a subdivision is approved, with or without conditions, or refused, the Notice of Decision shall be sent by ordinary mail to the applicant and those persons and authorities that are required to be given a copy of the application under the Subdivision and Development Regulations.

3) For purposes of this Bylaw, the date of Notice of Decision of the Subdivision Approval Authority on an application for subdivision is the date the decision was transmitted to the applicant and those persons required to be notified in Part 4.2.2.

4) The applicant or those Government agencies to which the application for subdivision was referred may appeal the decision in accordance with Part 6 of this Bylaw.

5) An application for a subdivision approval shall, at the option of the applicant, be deemed to be refused when a decision therein is not made within twenty-one (21) days for an application described in Section 652(4) of the Act, and sixty (60) days in all other cases after the receipt of the application in its complete and final form by the Subdivision Officer unless the applicant has entered into a written agreement with the Subdivision Authority to extend this period. The applicant may appeal in writing as provided in the Act as though the applicant had received a decision of refusal.

PART 5 – CONDITIONS OF APPROVAL

1 | SUBDIVISION AND DEVELOPMENT

1) In their decision to approve an application for subdivision or development, the Subdivision Approval Authority may apply any or all of the following conditions to ensure the application conforms to this Bylaw, Act or other legislation and to ensure the orderly and economic development of land within the Village:

    a. conditions to ensure compliance with the Act, applicable Regulations, any applicable statutory plan and this bylaw;

    b. conditions requiring the applicant to enter into a development or service agreement or make satisfactory arrangements for the supply of gas, water, electric power, telephone, sanitary sewer service, stormwater, vehicular and pedestrian access any other utility, service, or facility, including payment of installation or construction costs by the applicant;

    c. a condition that the applicant enter into an agreement with the Municipality for any of the following:

        i. to construct or pay for the construction or improvement of a public roadway required to give access to the development or subdivision:

        ii. to construct or pay for the construction of a pedestrian walkway system to serve the development; or a pedestrian walkway that will connect the pedestrian walkway system serving the development or subdivision with a pedestrian walkway system that serves or is proposed to serve an adjacent system that serves or is proposed to serve an adjacent development or subdivision, or both;

        iii. to specify the location, standard, and number of vehicular and pedestrian access locations to a site from public roadways;

        iv. to install or pay for the installation of utilities to municipal standards necessary to serve the development or subdivision;

        v. to construct or pay for utilities, roadways, and improvements with an excess capacity;

        vi. to construct or pay for the construction of off-street or other parking facilities, and garbage, recycling, loading and unloading facilities; and

        vii. to pay an off-site levy or redevelopment levy, or both, imposed by a bylaw adopted pursuant to the Act.

    d. a condition requiring the applicant to repair or reinstate, or to pay for the repair or reinstatement, to original condition any roads, municipal signage, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged, destroyed, or otherwise harmed during construction of the development or subdivision;

    e. a condition requiring security in the form of a letter of credit, performance bond, or cash deposit to carry out the terms of an agreement or any works associated with the installation and construction of streets, utilities, and landscaping or replacement of same for the development of the lot and adjacent public roadways during and after its

development. The amount of at least 50%, of the value of the work which is based upon an independent quotation of the value of the work covered by the agreement or such other amount as the Development Officer, Subdivision Approval Authority or Council may determine. The security is to be paid to the Municipality for its use in completing the terms of the agreement or works in the event of default by the applicant;

f. condition requiring a performance security in the amount of One Thousand ($1000) dollars for the completion of any new residential building, Twenty Five Hundred ($2500) dollars for commercial or industrial building or Five Hundred ($500) for a residential garage, accessory building over 9.3 m2 (100 ft.2) dwelling addition. new deck or balcony in order to ensure completion of either or all of the following: the exterior finish of the buildings, landscaping features and/or paving of the parking areas;

g. conditions respecting the time within which a development or subdivision or any part of it is to be completed; and conditions limiting the length of time that a development permit may continue in effect;

h. a condition requiring the applicant to register a restrictive covenant;

i. the phasing of development or subdivision;

j. the maximum density of dwelling units, persons, or animals that may be allowed to occupy the site;

k. the placement of objects, buildings or structures, material or any other chattel, mechanism or device used in, for or the operation of the development.

2) The Municipality may register a caveat in respect of a development agreement under Part 5.1.1(b) against the parcel that is subject of the development permit or subdivision application. The caveat may be discharged when the agreement has been complied with.

PART 6 – APPEALS

1 | APPEAL PROCEDURE

1) Where the Development Officer, Subdivision Officer or Subdivision Approval Authority:

    a. refuses an application for a development permit, or a subdivision; or

    b. fails to issue or render a decision on an application for a development permit or subdivision within the timeframe mandated within the Subdivision and Development Regulation and no extension to that timeframe has been granted; or

    c. approves an application for a development permit for a permitted use where a variance has been requested or a discretionary use with or without conditions; or

    d. or subdivision, with or without conditions; or

    e. issues an order;

    the following persons may appeal to the Subdivision and Development Appeal Board:

    a. the applicant for development or subdivision approval;

    b. any person affected by an order, or decision on a development permit:

    c. an adjacent landowner that was given notice pursuant to Part 3.9 on a decision to issue a development permit;

    d. a school authority with respect to the allocation of municipal of school reserve on a decision to approve an application for subdivision;

    e. those authorities and agencies to which the application for development permit or subdivision was referred and are entitled to appeal, under the provisions of the Act.

2) Notwithstanding Part 6.1.1, no appeal lies to the Subdivision and Development Appeal Board in respect to:

    a. the issuance of a development permit for a permitted use unless the provisions of this Bylaw were relaxed, varied or misinterpreted; and

    b. the issuance of a development permit by Council in a Direct Control District; and

    c. the decision or deemed refusal on an application for subdivision if the land is located within a distance, as set out in the Subdivision and Development Regulations, of a highway, body of water, sewage treatment or wastewater management facility, in which cases an appeal must be filed with the Municipal Government Board;

3) An appeal must be filed by serving written notice of the appeal to the Secretary of the Subdivision and Development Appeal Board within nineteen (19) days (14 days and 5 days for mail delivery) of:

    a. the date the decision, notice, or order was transmitted, advertised or issued; or

    b. if no decision is made with respect to the application within the 40-day period or within any extension issued under Section 684 of the Act.

4) Each notice of appeal shall be accompanied by a fee as set by Council and shall contain at least one reason for appeal.

2 | APPEAL HEARING

1) Within thirty (30) days of receipt of a notice of appeal, the Subdivision and Development Appeal Board shall hold an appeal hearing respecting the appeal. The thirty (30) day appeal period may be extended, subject to the written consent of the appellant, the development permit applicant (if different than the appellant), and the Development Officer.
2) The Subdivision and Development Appeal Board shall give at least five (5) days' notice in writing of the appeal hearing to:
    a. the appellant;
    b. the Development Officer from whose order, decision or development permit the appeal is made;
    c. the applicant and/or landowner(s);
    d. those adjacent land owners who were notified under this Bylaw and any other person who, in the opinion of the Subdivision and Development Appeal Board, are affected by the order, decision or permit; and
    e. such other persons as the Subdivision and Development Appeal Board specifies.
3) All relevant documents and materials respecting the appeal including the application for the subdivision or development permit, the Subdivision or Development Authority's decision, the letter of appeal, or the order of the Development Officer, shall be made available for public inspection.
4) At the appeal hearing referred to in Part 6, the Subdivision and Development Appeal Board shall hear:
    a. the appellant or any other person acting on their behalf;
    b. the Development Officer from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Officer, that person;
    c. any other person who was served with notice of the hearing pursuant to Part 6.1 and who wishes to be heard or a person acting on their behalf; and
    d. any other person who claims to be affected by the order, decision or permit and that the Subdivision and Development Appeal Board agrees to hear or a person acting on their behalf.

3 | APPEAL DECISION

1) In determining an appeal, the Subdivision and Development Appeal Board:
    a. must have due regard for any applicable statutory plans;
    b. must conform to the use of land referred to in the land use bylaw;
    c. must be consistent with the Province's Land Use Policies, the South Saskatchewan Regional Plan, and any other approved regional plan (if applicable);
    d. must have regard for, but is not bound by, the Subdivision and Development Regulation;

e. may confirm, revoke or vary the approval or decision or any condition imposed by the subdivision or development authority or make or substitute an approval, decision or condition of its own;

f. may make and order or decision or issue or confirm the issue of a development permit even though the proposed development does not comply with the land use bylaw if, in its opinion:

i. the proposed development would not:

1. Unduly interfere with the amenities of the neighbourhood; or

2. Materially interfere with the use, enjoyment or value of neighbouring parcels of land; and

3. The proposed development conforms to the use prescribed for that land or building in the land use bylaw.

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

3) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to the Act. An application for leave to the Court of Appeal shall be made:

a. to a judge of the Court of Appeal; and

b. within thirty (30) days after the issuance of the order, decision, permit or approval sought to be appealed.

PART 7 – COMPLIANCE WITH OTHER BYLAWS AND REGULATIONS

1 | COMPLIANCE

1) Compliance with the requirements of this Bylaw or the issuance of a Development Permit or an approval of a subdivision pursuant to this Bylaw does not afford relief from compliance with the Act or other Federal or Provincial Government legislation or other bylaws and regulations affecting the development or subdivision in question. It is the applicant's responsibility to ensure that all required permits, licenses and authorizations from affected authorities are in place prior to the commencement of the development.

PART 8 – RIGHT OF ENTRY

1 | MUNICIPAL GOVERNMENT ACT

1) Right of Entry procedures are governed by the Municipal Government Act and must be consulted for full details. The following extract of Section 541 is provided for information purposes only:

542(1) If this or any other enactment or a bylaw authorizes or requires anything to be inspected, remedied, enforced or done by a municipality, a designated officer of the municipality may, after giving reasonable notice to the owner or occupier of land or the structure to be entered to carry out the inspection, remedy, enforcement or action,

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

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

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

(1.1) A consent signed under section 653 is deemed to be a reasonable notice for the purposes of subsection (1).

(2) The designated officer must display or produce on request identification showing that the person is authorized to make the entry.

(3) In an emergency or in extraordinary circumstances, the designated officer need not give reasonable notice or enter at a reasonable hour and may do the things in subsection (1)(a) and (c) without the consent of the owner or occupant.

(4) Nothing in this section authorizes the municipality to remedy the contravention of an enactment or bylaw.

2) The Administrator, Bylaw Enforcement Officer, Development Officer, Subdivision Officer, or such other designated person, is the designated person for the purposes of Part 8.1.1.

PART 9 – BYLAW CONTRAVENTION

1 | CONTRAVENTION

1) If the Development Officer finds that a development or use of land or buildings is not in accordance with:

   a. the Act or the regulations made thereunder, or;

   b. a development permit or subdivision approval, or

   c. the Village of Longview Land Use Bylaw;

   the Development Officer may, by notice in writing, order the owner, the person in possession of the land or buildings, or the person responsible for the contravention, or all or any of them to:

      i. stop the development or use of the land or buildings in whole or in part as directed by the notice, and/or

      ii. demolish, remove or replace the development, and/or

      iii. take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Act, the regulations made thereunder, a development permit, subdivision approval or this Bylaw, as the case may be.

2) A person who receives an order referred to in Part 9.1, may appeal to the Subdivision and Development Appeal Board, pursuant to the Act.

3) If a person fails or refuses to comply with an order directed to him under Part 9.1, or an order of a Subdivision and Development Appeal Board within the time specified, the Development Officer may, in accordance with Section 542 of the Municipal Government Act, enter on the land or building and take any action as is necessary to carry out the order.

4) A person found guilty of an offence is liable to a fine of not more than $10,000.00 or to imprisonment for not more than one (1) year, or to both fine and imprisonment, pursuant to Section 566 of the Act.

5) When the Development Officer carries out an order, Council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned, and that amount shall be collected in the same manner as taxes on land.

6) In addition to the process and penalties described above, the Development Authority or any other person identified as a designated officer by the Council for the purposes of this Part, shall be authorized to issue violation tickets in respect to any contravention of this Bylaw.

2 | VIOLATION TICKETS

1) The Development Authority or any other person identified as a designated officer by the Council for the purposes of this Part, may issue a violation ticket to any person alleged to have breached any provision of this Bylaw.

2) The violation ticket shall specify the alleged offence committed by the person to whom the violation ticket is issued and require payment, within 21 days from the date of issue of the violation ticket, of a fine to the municipality.

3) Persons contravening any provision of this Bylaw to whom violation tickets are issued shall be liable for a penalty of one hundred ($100.00) dollars for the first offence and two hundred ($200.00) dollars for second and subsequent offences, such fine to be paid to the Village of Longview. Each day that a breach of the Bylaw has occurred may be considered to be a separate offence.

4) The violation ticket shall be served upon the alleged offender personally or by single registered mail. If payment is made within the time limit, then such payment shall be accepted in lieu of prosecution for the offence.

5) If a person who has been served with a violation ticket fails to pay the fine specified therein, then the right of the alleged offender to settle the alleged offence without a court appearance shall no longer apply and prosecution for the alleged offence shall proceed.

6) If the person who was served with the violation ticket is thereafter prosecuted and convicted of the offence specified in the violation ticket, the fine imposed shall not be less than $125.00, plus court costs, for each offence.

7) The Violations Ticket shall be in the form prescribed by Alberta Regulation 233/1989 (Procedures Regulation), as amended, pursuant to the Provincial Offences Procedures Act, R.S.A. 2000, as amended.

PART 10 – LAND USE BYLAW AMENDMENTS

1 | INITIATION

1) The Council may initiate amendments to this Bylaw.
2) A person may request an amendment to this Bylaw by applying in writing, furnishing reasons in support of the application and paying the fee in accordance with a fee schedule as prescribed by Council.

2 | PROCEDURE

1) All applications for amendment to the Land Use Bylaw shall be made to Council through the Administrator and shall be accompanied by the following:
    a. the prescribed form;
    b. an application fee for each application;
    c. current Certificate of Title for the land affected or other documents satisfactory to the Administrator including evidence of the applicant's interest in the said land;
    d. any drawing(s) required to be submitted shall be drawn to scale and accurately dimensioned to the satisfaction of the Administrator;
    e. properly dimensioned vicinity maps of appropriate scale indicating the site to be amended, its relationship to existing land uses within a 90 metre (295 ft.) radius of the boundaries of the site and any prominent geographic or natural features;
    f. a statement of the purpose and reasons for the proposed amendments;
    g. where the applicant is an agent acting for the owner, a letter from the owner(s) must be provided verifying the agent's authority to make the application;
    h. authorization for right of entry onto the land by designated officers;
    i. any other information deemed necessary by the Development Authority or by Council
2) In addition to the information provided in Part 10.2.1, the Administrator, at their sole discretion, may request the applicant to provide:
    a. an Area Structure Plan or Outline Plan as part of the application requirements that must be formally considered and adopted at the discretion of Council prior to formal adoption of the proposed bylaw amendment;
    b. supporting engineering studies such as but not limited to:
        i. a Traffic Impact Assessment;
        ii. geophysical or hydrological report;
        iii. wetland assessment;
        iv. environmental assessment;
        v. slope stability study and/or flood hazard study;

vi. biophysical report

vii. historic resources assessment

3) Prior to giving a proposed bylaw to amend or repeal this Bylaw second reading the Council shall hold a public hearing in accordance with the Act.

4) Council shall refer significant Land Use Bylaw amendments to adjacent municipal authorities when the subject land is within 15 m (50 ft.) of their boundary.

5) Council may refer the application to any municipal, federal, provincial authority, or to any other agency or body it deems appropriate.

6) Where an amendment proposes to change the land use designation of a parcel of land, Council shall, in accordance with Section 692(4) of the Act, provide written notice of the proposed changes to the owner of the affected land and to each owner of adjacent land as defined by the Act or any other land owner that Council deems affected.

7) Payment and Undertaking

    a. A person making an application to amend this Bylaw for a purpose other than the clarification of an existing provision of this Bylaw shall:

        i. be responsible for all costs incurred by the municipality in their review of the application including professional consulting fees; and

        ii. undertake in writing on a form provided by the municipality to be liable for, and pay on demand, all expenses made necessary by the processing of the proposed amendment which the municipality may incur, whether it be enacted or not, including but not limited to map printing and reproduction costs, surveys and advertising charges.

8) Consideration by Council

    a. An application for an amendment to this Bylaw shall be referred to the Development Officer for a recommendation. The recommendations of the Development Officer shall be presented to Council prior to Council's decision on the proposed amendment.

9) Investigation by Development Officer

    a. Upon receipt of an application to amend the Land Use Bylaw, the Development Officer shall:

        i. initiate or carry out any necessary investigation or analysis of the problems involved in or related to the amendment, including circulating the application to such agencies as s/he considers necessary for comment;

        ii. prepare a detailed report for the Council on the proposed amendment; and

        iii. submit a copy of the report, maps and all material relevant thereto to the Council.

10) Preliminary Examination

    a. The Development Officer shall:

        i. examine the proposed amendment for content; and

        ii. advise the applicant that:

1. they are prepared to recommend the amendment to the Council without further investigations, or
2. they are prepared to recommend an alternative amendment either at once or after due investigation, or
3. they are not prepared to recommend the amendment with reasons provided.

11) Procedure by Applicant

a. Upon receiving the preliminary advice of the Development Officer or an agent thereof, the applicant shall advise the Development Authority if:

i. they wish the Council to proceed with the amendment as submitted by the person, or

ii. an alternative amendment proposed by the Development Officer; or

iii. they wish to withdraw their application for an amendment.

12) Decision by Council

a. As soon as reasonably convenient and regardless of its recommendation, the Development Officer may submit the proposed amendment as originally applied for, or as alternatively chosen by the applicant, as the case may be, to the Council, accompanied by the recommendation of the Development Officer, the report of the Development Officer and other relevant material, if any, and the Council shall then consider the proposed amendment.

13) Where an application for an amendment to this Bylaw has been refused by Council, another application for the same or substantially the same amendment may not be submitted within six (6) months of the date of the refusal unless Council otherwise direct.

3 | PUBLIC HEARING

1) All amendments to this Bylaw shall be made by Council by bylaw and in conformity with the Act regarding the notification process and holding of a public hearing.

2) Notwithstanding Part 10.3.1, proposed bylaw amendments which are deemed not to result in a shift of direction of the Land Use Bylaw, meet the spirit and intent of the Land Use Bylaw, and are of a clerical nature (clarification, typo correction, etc.) may be processed as a technical amendment and not require a formal public hearing at the discretion of Council.

PART 11 – GENERAL REGULATIONS

1 | AMENITY AREAS

Where required in any District, private outdoor and/or communal amenity areas shall be provided in accordance with the following:

1) Private outdoor amenity areas shall be designed for the occupants of an individual dwelling unit and shall:
    a. be located immediately adjacent to land with direct access from the dwelling it is intended to serve,
    b. be located in a yard other than a front yard,
    c. be landscaped and surfaced for convenient use for outdoor activities,
    d. be of a width and depth of at least 4.0 m (13.2 ft.), and
    e. be developed as open space unencumbered by any accessory buildings or future additions.
2) Notwithstanding PART 11.1(1)(d), balconies may be considered private outdoor amenity areas provided they are unenclosed and have a minimum depth of 2.0 m (6.6 ft.).
3) Communal amenity areas shall be designed for the recreational use of all residents of the development or for the use and enjoyment of the public in the case of a non-residential development. The area shall be indoor or outdoor space, or a combination thereof, including but not limited to landscaped courtyards, public seating areas, swimming pools, fitness rooms, party rooms, games rooms, and children's play areas complete with equipment.
4) In multi-family dwelling developments of fifteen (15) dwelling units or more, a minimum communal amenity area of 2.5 m^2 (26.9 ft. ^{2}) per dwelling unit shall be provided and be developed as children's play space or other communal recreation space, and be aggregated into areas of not less than 50.0 m^2 (528.2 ft. ^{2}).
5) In multi-family dwelling developments, at least ten percent (10%) of the amenity area required on the site shall be provided for recreational purposes; and in multi-family dwelling developments of fifteen (15) units or more, recreational equipment shall be provided on this area to the satisfaction of the Development Authority. This requirement may be relaxed at the discretion of the Development Authority where indoor recreational facilities are provided.

2 | CONTROLLED APPEARANCE

1) The design, character, and appearance of any building, structure, or sign, proposed to be erected or located in district, must be acceptable to the Development Officer, having due regard to the amenities and the character of existing development in the district, as well as to its effect.

3 | CORNER SITE RESTRICTION

1) Notwithstanding any other provision contained in this Bylaw, no person shall place or maintain any object, structure, fence, hedge, shrub or tree in or on that part of a corner site which lies within a triangle formed by a straight line drawn between two points on the exterior boundaries of said site, 7.5 m (24 .6 ft.) from the point where they intersect.

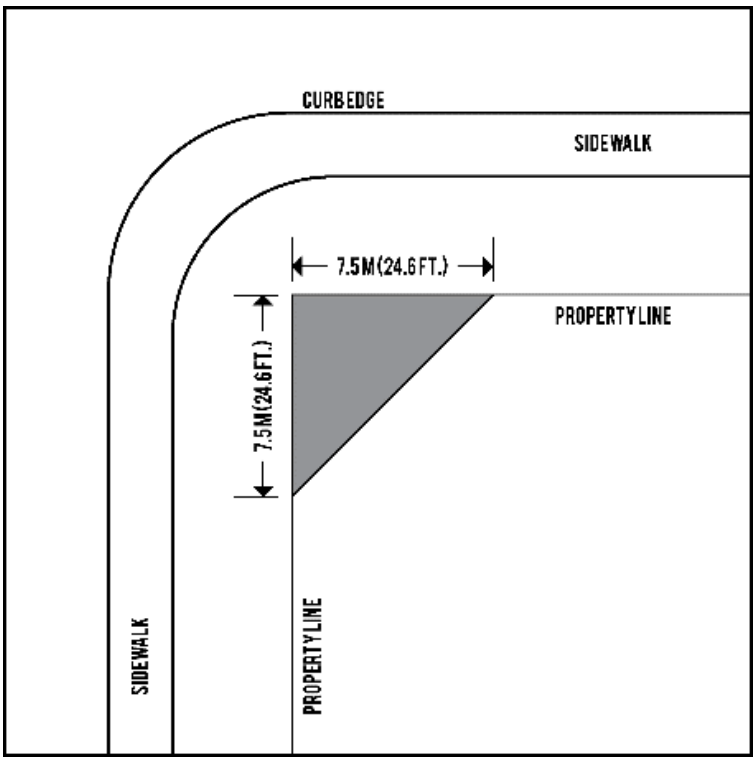


FIGURE 22: CORNER SITE RESTRICTIONS

4 | CORNER LOTS AND DOUBLE FRONTING LOTS

1) In the case of double fronting lots, the front yard shall be that portion of the site abutting the road on which the front yards of adjacent lots face. If adjacent lots have front yards facing both roads, front yards shall be considered to be on both roads and the lot may thus have no rear yard.

2) Notwithstanding any other provision of this Bylaw to the contrary, the Development Authority may require that a development on a corner site or on a double fronting site provide two minimum required front yards, after having regard to the orientation of adjacent lots and to the location of accesses to the development.

3) Notwithstanding any other provision of this Bylaw to the contrary, in residential areas, where a second minimum front yard is not required on a corner site, the minimum required side yard on the side adjacent to the road shall not be less than 3.8 m (12.6 ft.).

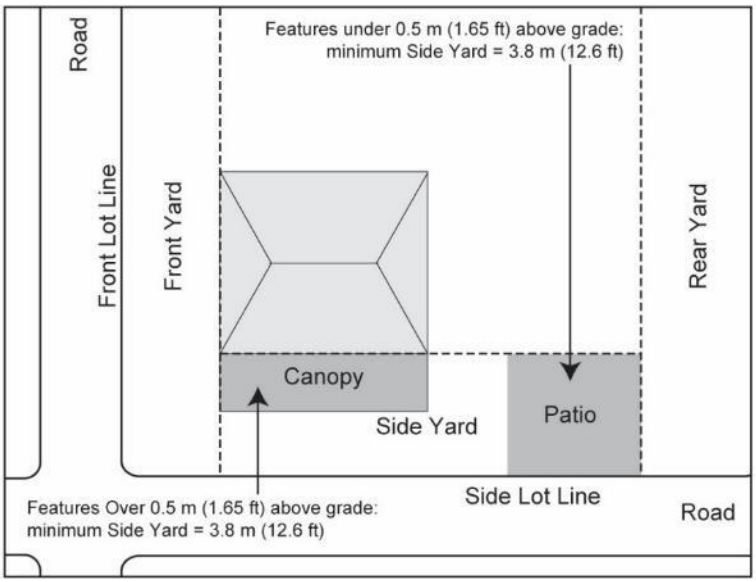


FIGURE 23: SIDE YARD SETBACKS AND HEIGHT RESTRICTIONS ON CORNER LOTS

4) Notwithstanding **Part 11.4 (3)**, in residential areas, features under 0.5 m (1.65 ft.) above grade may project to the side line where a second minimum front yard is not required on a corner site.

5 | COVERAGE OF SITE

1) The maximum area of a site that may be covered with either principal buildings or accessory buildings, or both, shall not be greater than the maximum limits prescribed for the district in which the site is located.

6 | DECKS

1) Balconies and decks may project up to 2.0 m into required yards with a minimum depth of 4.0 m, and 0.5 m for required yards less than 4.0 m provided they do not encroach over an easement or right-of-way.

2) No person shall construct or allow the construction of an enclosed deck that:

   a. encroaches into a required front yard;

   b. is less than 1.0 (3 ft.) from a side property line in a front yard;

   c. is less than 0.5 (1.6 ft.) from a property line in a side yard;

   d. in a rear yard, is less than 1.0 (3 ft.) from the side and rear property lines;

   e. notwithstanding **Parts 11.1(c) and (d)** less than 3.0 (10 ft.) from the property line if the structure is abutting a public road in a side yard on a corner lot; and

   f. is not placed upon a permanent foundation.

7 | DEMOLITION OF BUILDINGS

1) Where a Development Permit is to be approved for the demolition of a building the Development Officer shall require the applicant to provide a performance bond in the minimum amount as determined by a Resolution of Council to cover costs of reclamation and damage to public - quasi public utilities.

2) Where a demolition is carried out the person causing the same to be made, shall, at their own expense, protect from displacement any wall, sidewalk, roadway, or other utility liable to be affected by such demolition and shall sustain, protect and underpin the same so that they will remain in the same condition as before the demolition was commenced and that adequate measures shall be taken by way of fencing and screening as determined by the Development Officer to ensure the general public's safety.

3) Whenever a Development Permit is issued for the demolition of building it shall be a condition of the permit that the site shall be properly cleaned with all debris removed and left in a graded condition.

8 | DEVELOPMENT OF A PROJECT

1) Prior to the granting of approval of a multi-lot subdivision application or a development permit for a large project, as the case may be, the developer shall provide the municipality with a proposed

site development and landscaping plan and enter into an agreement with the municipality specifying the respective obligations of the developer and the municipality.

9 | DRAINAGE

1) Any area requiring landscaping or topographic reconstruction shall be landscaped or reconstructed so that the finished surface contours do not direct surface drainage onto an adjoining lot.

10 | ENVIRONMENTAL SCREENING

1) Where the potential for prior contamination of a site exists, the Development Authority may require that a Phase 1 Environmental Site Assessment be conducted according to applicable provincial requirements and/or guidelines prior to a development permit being issued. Should the Phase 1 Assessment indicate that a Phase 2 Assessment should be undertaken, the Development Authority may require that a Phase 2 Assessment be conducted and submitted prior to consideration of the development permit application. Any follow-up assessment or remedies that may be required may be incorporated into conditions for the approval of the development permit.

11 | EMERGENCY ACCESS TO BUILDINGS

1) Sites shall be so designed that, in the opinion of the Development Officer, appropriate access for fire-fighting equipment is afforded to all buildings.
2) On at least two sides (one of which shall be the longest side) of any building used as an apartment building and which exceeds two storeys in height, there shall be firm level areas accessible from the road for firefighting equipment for at least 75% of the length of each of the two sides of the building. Such areas shall not be less than 4.5 m (15 ft.) in width and not more than 3 m (10 ft.) from the building, and no permanent building or vehicular parking, or substantial landscaping that would interfere with the use of the area for emergency access, shall be permitted thereon.
3) A lane or lanes for the purpose of permitting the access of the fire-fighting equipment to all major access points of building and to all fire risk utilities on the site shall be provided, and no permanent building or vehicular parking may be provided thereon.

12 | FENCING

1) Except as hereinafter provided, a person shall not construct a fence in any district which is higher than:
    a. 1.2 m (3.93 ft.) in the front yard, or
    b. 2.0 m (6.56 ft.) in the side or rear yard,
    c. Notwithstanding clauses (a) and (b), the height of a fence in an industrial or urban reserve district shall be determined by the Development Officer.
    d. No fence shall be of barbed wire construction below a height of 2.0 m (6.56 ft.)
    e. Fences with barbed wire construction shall not be permitted in any Residential District or Urban Reserve District. Utility lots in these districts may be exempt from this regulation at the discretion of the Development Officer.

13 | HAZARDOUS MATERIALS

1) No anhydrous ammonia storage shall be allowed within the municipality.
2) Liquefied petroleum gas tanks with a storage capacity exceeding 2,000 lbs may only be allowed within the Industrial District at the discretion of the Development Authority.
3) All developments which store, manufacture or utilize materials or products which may be hazardous due to their flammable or explosive characteristics will comply with Provincial and Federal legislation and regulations.
4) No development in any District shall emit air or water contaminants in excess of the standards prescribed Provincial and Federal legislation and regulations.
5) All commercial or industrial developments involving the following hazardous materials shall submit a written description of the materials and operations being undertaken on the site to the Development Authority for review prior to development approval at the time of development permit application, or at the time the operation begins using or producing any of the following materials:
    a. poisonous and infections agents,
    b. pesticides,
    c. corrosives and explosives,
    d. flammable and combustible liquids,
    e. manures,
    f. silica, asbestos and carcinogens, and/or
    g. radiation.
6) No development shall create or discharge toxic materials and/or air or water contaminants in amounts or quantities that exceed the levels prescribed by Provincial and Federal legislation and regulations.
7) No development shall discharge toxic or noxious materials and/or air or water contaminants:
    a. across the boundaries of a site,
    b. through infiltration into the soil,
    c. into the municipal sewage disposal system, or
    d. into a water body, any surface water channel, or any below surface water course.

14 | HEIGHT OF BUILDINGS

1) No building shall be erected to a greater height than the maximum height prescribed for buildings in the district in which the building is to be located.
2) The base from which to measure the height of a building shall be the average elevation of the finished ground level adjoining a building at all exterior walls.
3) The finished ground level shall be established to the satisfaction of the Development Officer.

15 | HIGHWAY 22

1) Notwithstanding Part 11.24, all buildings along Highway 22 shall be in conformity with the Central Business District Land Use Rules, excepting those lands in Plan 2398 1K, which shall have a building setback distance of 12.8 m (41.99 ft.) from the nearest limit of the Highway 22 right-of-way.

16 | LAND NEAR WATER AND ESCARPMENTS OR SUBJECT TO FLOODING OR SUBSIDENCE

1) Development on land that is subject to flooding or subsidence or that is marshy or unstable shall be discouraged, but when such development is allowed, the developer shall hold the Municipality harmless from any damage to or loss of the development caused by flooding, subsidence, or other cause.
2) Setbacks in excess of the minimum requirements may be required when deemed necessary by the Development Officer.
3) All watercourses, as defined by the Department of Environment, shall be sited at least 30 m (98.42 ft.) from the said watercourse.
4) All escarpment having a slope of 15% or greater shall be sited:
    a. at least 30 m (98.42 ft.) from the top of the escarpment; and
    b. at least 30m (98.42 ft.) from the top of the escarpment.

17 | LANDSCAPING

1) Any area required to be landscaped may, at the discretion of the Development Officer be left in its natural state or be loamed and planted with grass, trees, shrubs, and/or flowers, or similar materials or a combination thereof which enhance the appearance of the site and which complement the development thereon. All portions of a site not covered by structures, parking or vehicular areas shall be landscaped.
2) Any trees or shrubs which die must be replaced during the next planting season on a continuing basis.

18 | NON-CONFORMING BUILDINGS AND USES

1) If a development permit has been issued on or before the day on which a land use bylaw or a land use amendment bylaw comes into force in a municipality and the bylaw would make the development in respect of which the permit was issued a non-conforming use or non-conforming building, the development permit continues in effect in spite of the coming into force of the bylaw.
2) In accordance with Section 643 of the Act, a non-conforming use of land or a building may be continued, but if that use is discontinued for a period of 6 consecutive months or more, any future use of the land or building must conform with the land use bylaw then in effect.
3) A non-conforming use of part of a building may be extended throughout the building, but the building, whether or not it is a non-conforming building, may not be enlarged or added to and no structural alterations may be made to it or in it.

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

5) Except for Part 11.18.8 a non-conforming building may continue to be used, but the building may not be enlarged, added to, rebuilt or structurally altered except:

    a. to make it a conforming building; or

    b. for routine maintenance of the building, if the approving authority considers it necessary.

6) If a non-conforming building is damaged or destroyed to the extent of more than 75% of the value of the building above its foundation, the building may not be repaired or rebuilt except in accordance with the land use bylaw.

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

8) When a building is a non-conforming building solely by reason of its encroachment into a required front, side, or rear yard, or inadequate parking, the designated officer, at their discretion, may allow an extension of, or an addition to, the building, if such extension or such addition will not in itself constitute an encroachment into any required yard, and if such extension or addition complies with the provisions of this Bylaw.

9) A building that encroaches into a required front, side or rear yard by reason of conversion from imperial unit of measurement, as contained within Bylaw 184 to metric units, as contained within this Bylaw, the building is considered to be a conforming building.

10) Notwithstanding the provisions of the Residential Single Detached (R-1) Land Use District, a new use or a new building that is in conformity with the land use district for the lot may be allowed to be occupied or be constructed on the lot while a non-conforming use or building occupies the lot.

19 | NOISE

1) No use or operation shall create noise levels which exceed those requirements and restrictions with the Village's community standards or noise bylaws.

20 | NUISANCE

1) No activity may be undertaken which, in the opinion of the Development Authority, constitutes a nuisance on a private or public site by reason of the generation of vibration, heat, humidity, glare, smoke, dust, other particulate matter, or odour.

2) Sites and buildings in all Districts shall be maintained in a clean and tidy condition, free from all rubbish and debris.

3) Garbage shall be stored in weather-proof and animal-proof containers, shall be placed in a location or screened from adjacent sites and roads in a manner that is to the satisfaction of the Development Authority, and shall be in a location easily accessible for pick-up.

4) Further provisions relating to the control of nuisances may be found in the municipality's Community Standards Bylaw.

21 | OBJECTS PROHIBITED OR RESTRICTED IN A RESIDENTIAL DISTRICT

1) No person shall be allowed to keep or maintain on a street:
    a. a commercial vehicle with a gross vehicle weight (gvw) rating in excess of 4,083 kg. (9,001.48 lbs.) for longer than is reasonably necessary to load or unload the vehicle; and
    b. an industrial or construction vehicle except when such a vehicle is required pursuant to a development or building permit for that site.

    These regulations do not apply to the storage or parking of in-service school buses used to transport primary or secondary students.
2) No person shall be allowed to keep or maintain on a site or street:
    a. an unlicensed, dismantled or derelict vehicle for more than 48 hours;
    b. any object or chattel which, in the opinion of the Development Officer, is unsightly or tends to adversely affect the amenities of the district; and
    c. any storage of debris or excessive growth of weeds on an lot which, in the opinion of the Development Officer is unsightly or tends to adversely affect the amenities of the District.

22 | ON-SITE AND OFF-SITE SERVICES AND IMPROVEMENTS

1) Where any on-site services or improvements or any off-site local improvements, are required to service a proposed development, a person shall not begin the excavation for the foundation or commence the development until the Development Officer is satisfied that such services or improvements will be undertaken.
2) All future development areas must be serviced to the satisfaction of the Development Authority and be consistent with the requirements of the municipality's public works department.

23 | PARKING & LOADING

1) When a building is enlarged , altered, or a change in the use occurs in such a manner as to cause an intensification of the use of that building, provisions shall be made for the additional parking spaces required under the parking provisions of this Bylaw. The calculation shall be based on the number of additional parking spaces required as a result of the enlargement, alteration, change in use, or intensification of the use of the building.
2) In any District, when a new development is proposed including a change of use of existing development, provision shall be made for onsite vehicular parking in accordance with the regulations and standards contained in Part 11.23.
3) A parking space shall be located on the same site as the building or the use for which it is required and shall be designed, located and constructed to the Municipality's standards so that:
    a. it is easily accessible to the vehicle intended to be accommodated there;
    b. it can be properly maintained; and
    c. it is satisfactory to the Development Officer in size. shape, location, grading and construction.

4) Parking spaces shall not be less than 2.5m (8.20 ft.) in width, 6m (19.68 ft.) in length and 15 m' (161.45 ft.^{2}) in area.

5) Any parking space provided shall be developed and surfaced to the satisfaction of the Development Officer.

6) Parking Spaces shall be provided on site in accordance with the following table:

    a. unless additional spaces are required by the Development Officer;

    b. unless otherwise stated, shall be calculated on the basis of gross floor area and where a fractional figure occurs shall be rounded to the next higher figure.

TYPE OF USE	MINIMUM PARKING REQUIREMENT
RESIDENTIAL USES	
Dwellings	1 space/dwelling unit
COMMERCIAL USES	
Motels and Hotels	1 space/guest unit
Business, Administrative, Professional Offices	1 space/46 sq. metres plus 1 space/employee
Restaurants	1 space/6 seats
Retail Stores & Services Repair Shops	1 space/46 sq. metres plus 1 space/employee
PUBLIC USES	
Community Buildings, School	1 space/27 sq. metres plus 1 space/classroom
Churches	1 space/15 seats
Churches	1 space/9 sq. metres
INDUSTRIAL USES	
Manufacturing Plants	1 space/74 sq. metres
Mill Shops	1 space/74 sq. metres
Warehouses	1 space/92 sq. metres

7) The on-site parking shall be provided in the manner shown on the approved site plan with the entire area to be graded and surfaced so as to ensure that drainage will be confined to the site and disposed of in a manner satisfactory to the Development Officer.

8) Notwithstanding **Part 11.23.6** when a development application has shown deficient parking, the Development Officer shall refer the development application to Council for its recommendation as to the manner in which the deficiency shall be provided in order to have the development conform to the parking requirements of this Bylaw.

9) Notwithstanding **Part 11.23.6**, Council in deciding on development applications deficient in parking may:

    a. require the developer to provide the required off-street parking on land other than that to be developed provided that:

        i. the alternate parking site is within 122 m (400.26 ft.) of the site where the principal building or approved use is located and is not within a residential district;

ii. the person wishing to use an alternate parking site must have absolute control of it for a length of time equal to the life of the approved use of the building or site, and will use that site for no other purpose than to provide alternate parking;

iii. the absolute control is established to the satisfaction of Council;

iv. should the alternate parking site cease to be available, another parking site must be provided which meets the above criteria or the approved use of the building or the site must be discontinued.

b. accept a payment in lieu, on the number of on-site parking spaces deficient, which payment shall be based on the amount of money Council considers reasonable in lieu of the equivalent parking space to be provided by the Municipality elsewhere in the district in which the development is proposed.

c. require that all parking spaces be provided on site.

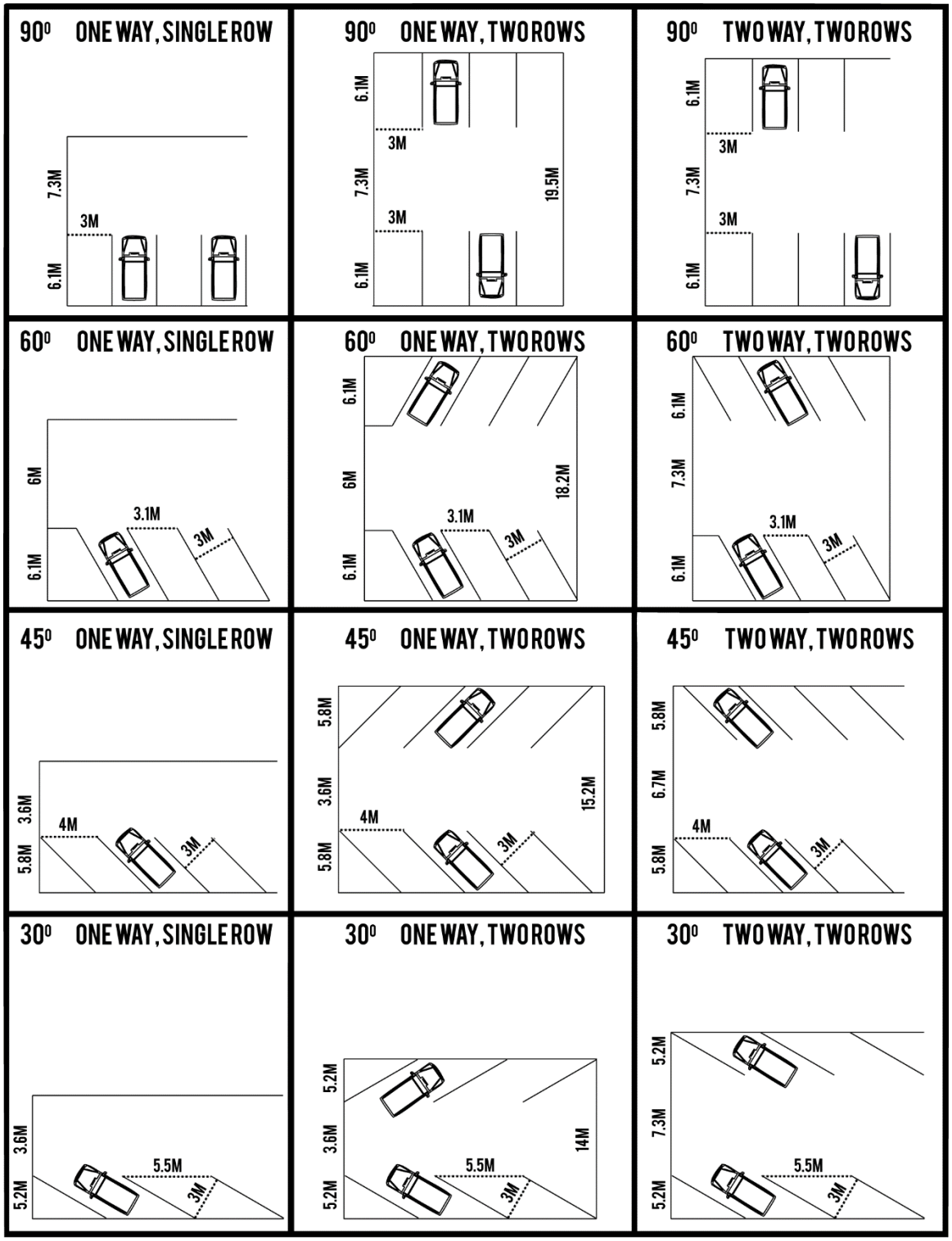
10) The Development Officer may, where deemed necessary, require the installation of curbs, bumpers, fences, walls or other such protective devices in or around parking and loading areas.

11) The location and construction of curb cuts and driveways shall be to the satisfaction of the Development Officer.

12) Parking Dimensions

a. Parking spaces shall be provided in accordance with the following table:

WIDTH OF STALL		ANGLE OF PARKING	WIDTH OF AISLE		DEPTH OF STALL PERPENDICULAR TO AISLE	
M	Ft.	Degree	M	Ft.	M	Ft.
2.5	8.0	30	3.5	11.5	5.2	17
2.5	8.0	45	3.5	11.5	6.1	20
2.5	8.0	60	5.5	18	6.4	21
2.5	8.0	90	7.0	23	6.1	20
*See Figure 24 on the following page						



*PLEASE NOTE – FIGURES NOT TO SCALE

FIGURE 24: PARKING STALL DIMENSIONS

13) Loading and Unloading Facilities

a. When any new development is proposed including a change of use of existing development, or when any existing development is, in the opinion of the Development Officer, substantially enlarged or increased in capacity, off-street vehicular loading and unloading spaces shall be provided in accordance with **Part 11.23.14** below.

14) Loading and Unloading Spaced

USE OF BUILDING OR SITE	TOTAL GROSS FLOOR AREA OF BUILDING	SPACE(S) REQUIRED
Any development within the Commercial District	Less than 929 m^2 (10,000 $ft.^2$)	None
Any development within the Commercial District	More than 929 m^2 (10,000 $ft.^2$)	1
Grocery Store (Development Officer's Discretion)		1
Industrial Service Shops and Warehouses	1858 m^2 (20,000 $ft.^2$)	1
Arena		2
Community Building		1

15) All loading and unloading spaces shall be located on the site and access so arranged that no backing or turning movements of vehicles going to or from the site causes interference with traffic on the adjoining or abutting public roadways, lanes, sidewalks or boulevards.

16) All loading zones provided shall be developed and surfaced to the satisfaction of the Development Officer.

17) A loading space shall have an area of not less than 28 m^2 (301.38 $ft.^2$) or be less than 3.5 m (11.48 ft.) in width, or have less than 3.5 m (11.48 ft.) overhead clearance.

24 | PROJECTION INTO YARDS

1) Except as provided in this **Part** and **Part 11.4** of this Bylaw, and except for fences as noted in **Part 11.12** of this Bylaw, no portion of a building shall be located or project into a required minimum yard.

2) The following features may project into a required minimum front yard:

a. steps, eaves, gutters, sills, and chimneys, or other similar projections, with the amount of the projection to be as allowed by the Development Authority;

b. canopies over entrances to buildings, provided such projections are cantilevered and do not encroach more than 1.0 m (3.3 ft.) in the required front yard;

c. exterior balconies on apartments provided that:

i. they are cantilevered and not enclosed, and designed as an integral part of the building, and

ii. they do not project more than 2.0 m (6.6 ft.) into the required minimum front yard;

d. any other features which, in the opinion of the Development Authority, are similar to the foregoing.

3) The following features may project into a required minimum side yard; except where a side yard of 3.0 m (9.8 ft.) is required for vehicular passage:

   a. steps and chimneys, provided such projection does not exceed fifty percent (50%) of the width of the required minimum side yard;

   b. patios, which can project to the side line;

   c. eaves, gutters, sills, bay or oval windows, or other similar projections, provided such projections do not encroach more than 0.6 m (2.0 ft.) into the required side yard;

   d. canopies over entrances to buildings, provided such projections are cantilevered and do not exceed 1.0 m (3.3 ft.);

   e. exterior balconies on apartments provided that:

      i. they are cantilevered and not enclosed, and designed as an integral part of the building, and

      ii. they do not project more than 1.0 m (3.3 ft.) into a required side yard and in no case are closer than 2.0 m (6.6 ft.) to a side line;

   f. any other features which, in the opinion of the Development Authority, are similar to the foregoing.

4) On a lot in a commercial land use district, the parts of an attachments to a principal building which may project over or on to a front yard, side yard, or rear yard are:

   a. a canopy or extension over a front yard or side yard if the projection complies with the sign regulations contained in PART 13.26.

   b. a canopy or extension over a rear yard if the projection is at least 4 m (13 ft.) above the surface of the yard and does not obstruct the normal use of the yard.

25 | RESIDENTIAL BUILDINGS OF THE SAME SITE

1) No person shall erect more than one principal building on a lot in any Residential Land Use District.

2) No person shall erect or maintain a residential building on a lot on which another residential building is already located.

26 | SCREENING, OUTSIDE STORAGE AREAS, AND GARBAGE STORAGE

1) Garbage shall be stored in weatherproof and animal proof containers and screened from adjacent sites and public thoroughfares and be in a location easily accessible for pickup

2) Outside storage areas shall be screened, from adjacent sites and thoroughfares.

27 | SETBACKS

1) Front, Side and Rear Yard:
    a. On each site there shall be established and maintained front, side and rear yards of such dimensions as will meet the minimum requirements of this Bylaw. Sites other than corner sites which have frontages on two streets are recognized as having two front yards and the development shall comply with the setbacks for the respective district.
2) Additional Setback:
    a. Notwithstanding any specific provisions, yards in excess of the minimum requirements may be required when deemed necessary by the Development Officer.
3) Below Surface Level:
    a. The minimum distances required for yards do not apply to construction wholly beneath the surface of the ground
4) Semi-Detached or Attached Housing:
    a. Where the site is to be developed for Semi-Detached or Attached Housing Complexes the following exceptions apply:
        i. where each half of a semi-detached house is to be contained on a separate parcel or title no side yard shall be required on the side of the dwelling unit which abuts the adjacent dwelling unit by means of a fire separation.
        ii. where the dwelling units of an Attached Housing Complex are to be contained on separate parcels or titles, no side yards shall be required on either side in the case of an internal dwelling unit and no side yard shall be required on the interior side of the end dwelling unit.

28 | SITE CIRCULATION

1) The space for the manoeuvring and circulation of vehicles on a parcel shall be sufficient to ensure that vehicles do not drive onto roads, other than lanes, or onto adjacent parcels when manoeuvring and circulating, except where an easement is registered for these purposes against the title to the adjacent parcels.

29 | SITE DIMENSIONS

1) No permit shall be issued for any development on a site, the area or width of which is less than the minimum prescribed for the district in which the site is located, except that a lot of separate record in the Land Titles Office containing less than the required minimum area or width may be used subject to the discretion of the Development Officer if all other requirements of this Bylaw and amendments hereto are observed.

30 | SITE GRADING AND DRAINAGE

1) In all cases, site grades shall be established to not allow one site to drain onto an adjacent site except where drainage conforms to an acceptable local or subdivision drainage plan. Further

provisions relating to site grading and drainage may be found in the municipality's Community Standards Bylaw.

31 | USE OF SITE

1) A person shall not use a building or land unless or until a Development Permit has been issued.

32 | UTILITIES

1) When any services or facilities are required, a person shall not begin the excavation for the foundation nor commence the development until provision has been made for such services or facilities to the satisfaction of the Development Officer.
2) No development permit shall be issued for a development to be served by private sewer and water systems until the systems have been accepted by Council and approved by the appropriate Municipal and Provincial Departments.
3) Each unit of a semi-detached dwelling shall be serviced by separate utility lines for water, sewer and gas.

PART 12 – SPECIAL REGULATIONS

1 | ACCESSORY BUILDINGS IN DISTRICTS OTHER THAN RESIDENTIAL DISTRICTS

1) In Districts other than Residential Districts, regulations governing the development of accessory buildings shall be at the discretion of the Development Authority, unless otherwise indicated in this Bylaw.

2) At the discretion of the Development Authority, a development permit may be issued for the temporary erection of a factory-manufactured building or tented structure for use as an accessory building provided that the following additional conditions are met:

    a. the development permit approval shall not be for a period of more than one (1) year,

    b. if an extension to the one (1) year period is desired by the applicant, the applicant must submit a written extension request to locate the building for a further six (6) months.

2 | ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS, INCLUDING GARAGES, TENTED STRUCTURES, SHEDS, DETACHED DECKS, ETC.

1) Unless otherwise provided, in Residential Districts:

    a. an accessory building shall not exceed one (1) storey or 4.5 m (14.8 ft.) in height, whichever is the lesser; and

    b. notwithstanding **Part 12.3(1)**, the Development Authority may allow a garage which exceeds 4.5 m (14.8 ft.) in height. This maximum height can under no circumstances exceed the height of the principal dwelling; and

    c. where a carport is attached to a dwelling, the minimum required side yard may, at the discretion of the Development Authority, be reduced to 1.2 m (3.9 ft.).

2) Accessory buildings in Residential Districts shall be located:

    a. a minimum of 2.0 m (6.6 ft.) from the dwelling;

    b. no closer to the front line than the front of the principal building except in the case of double fronting or corner sites, in which case the minimum required yard may be reduced to 4.5 m (14.76 ft.) from one front line, and the minimum required side yard adjacent to the side line may be reduced to 1.5 m (24.6 ft.) where, in the opinion of the Development Authority, any adjacent developments would not be adversely affected;

    c. no closer than 1.2 m (3.9 ft.) to the rear line, providing there is no encroachment of any part of the building beyond the rear line, except that where the vehicle doors of a garage face a lane abutting the site, the garage shall be no closer than 5.0 m (16.4 ft.) from the rear line;

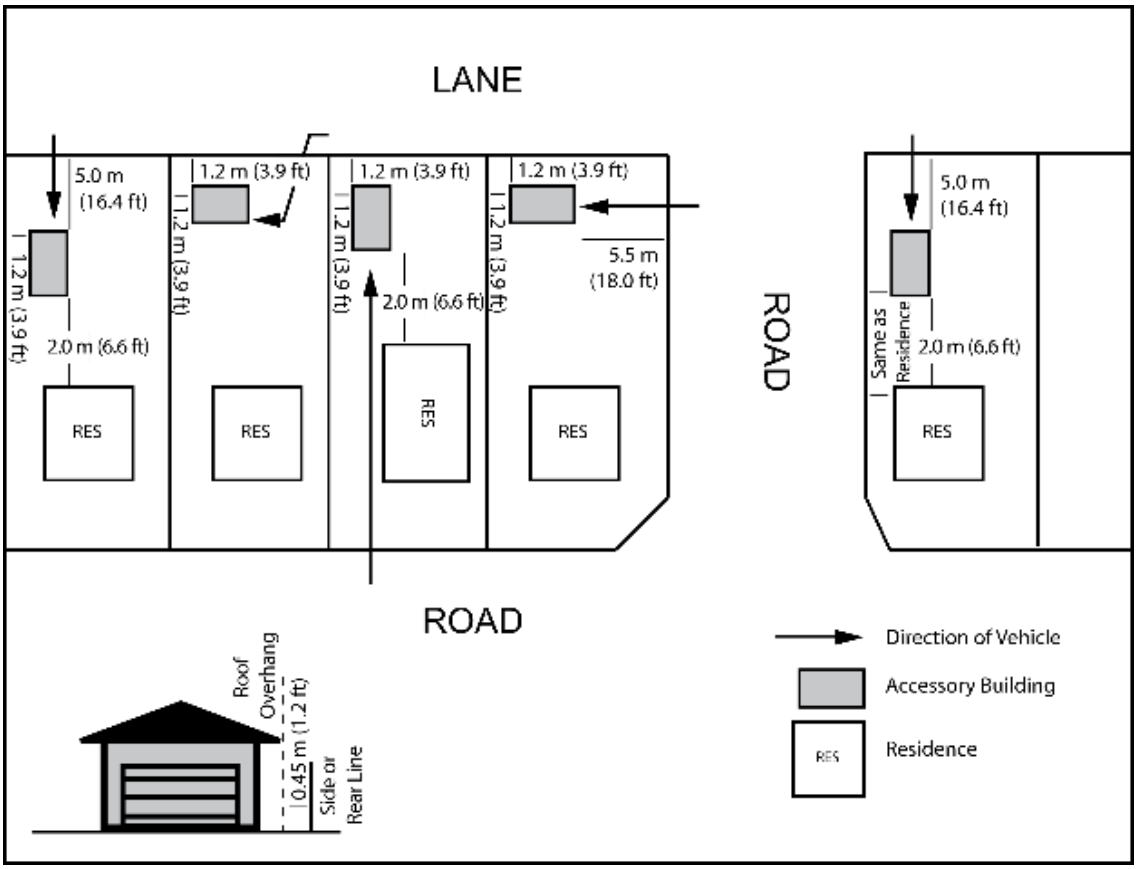


FIGURE 25: SITING OF ACCESSORY BUILDINGS IN THE RESIDENTIAL DISTRICTS

d. no closer than 1.2 m (3.9 ft.) from the side line, excepting where a fire wall is constructed along the boundary line between two garages located within one building, or where both garages have appropriate fire walls. In such cases, accessory buildings may be built within 1.0 m (3.3 ft.) of the side line;

e. such that no roof overhang is located within 0.45 m (1.2 ft.) of a side or rear line.

3) All decks and verandas in Residential Districts may be located such that they do not project into minimum required yards.

4) Notwithstanding Part 12.4 any deck or veranda which the Development Authority allows, at their discretion, to project into a minimum required front yard in a Residential District, may be roofed but shall not be enclosed.

3 | ACCESSORY USE REGULATIONS

1) All accessory buildings and uses shall comply with all relevant provisions of this Bylaw.

2) No person shall use, or permit an accessory building to be used as a dwelling unit, except as a surveillance suite or garage suite where allowed pursuant to this Bylaw.

3) All accessory buildings which are more than 9.3 m^2 (100 $ft.^2$) in area or have one dimension which exceeds 3.0 m (10 ft.), require a development permit and must be placed upon a foundation that complies with the Alberta Building Code.

4) Accessory buildings shall be constructed either simultaneously with, or after, the construction of the principal building on a site or the commencement of the principal use on a site, and not before the principal building is constructed or the principal use commences.

5) Where a building is attached to a principal building by a breezeway, a roofed passage or an open or enclosed structure above grade, it is to be considered a part of the principal building and not an accessory building, and all the minimum yard requirements of the principal building shall apply. For the purposes of determining the site coverage percentage, buildings which are attached to a principal building will be considered part of the principal building.

6) No person shall construct or permit the construction of an accessory building or group of accessory buildings such that, individually or collectively, the gross floor area would:

    a. along with the principal building, exceed the maximum site coverage allowed on the site;

    b. exceed the gross floor area of the principal building on the site;

    c. exceed twelve percent (12%) of the site area unless otherwise indicated within the District Provisions.

7) In the event of accessory building construction over a gas service line, the Development Officer shall require a letter from the natural gas utility operator indicating its requirements have been met prior to the issuance of a development permit.

8) Accessory buildings shall not be located in a front yard.

9) Accessory buildings shall not be located on an easement or a utility right-of-way.

4 | ANIMAL CARE AND RELATED USES

1) These regulations shall apply to all animal care and related uses, including: animal hospitals and veterinary clinics.

2) The Development Authority shall require that development of these uses pay particular attention to **Parts 12.12, 12.18, and 12.19** (Hazardous Materials and Noise, Nuisance) of this Bylaw, specifically noise and odour which may cause nuisance or negative external impact. Pens, rooms, and runs shall be adequately soundproofed.

3) Facilities which house animals overnight shall be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed.

4) A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other developments.

5 | ANIMAL HOSPITAL

1) Pens, rooms, exercise runs and holding stalls may be required to be soundproofed to the satisfaction of the Development Authority.

2) All development permit applications may be referred to the local Health Authority or animal control agency for comment.

3) No facility or exterior exercise runs that are used to accommodate the animals may be located within 6.1 m (20.0 ft.) of any property line adjacent to a dwelling or residential property.

4) All exterior exercise areas (runs) may be required to be enclosed with a fence acceptable to the Development Authority.

5) All dog facilities, including buildings and exterior exercise areas, may be required to be sited to the satisfaction of the Development Authority.

6) The Development Authority may regulate the hours that dogs are allowed outdoors.

7) Facilities which house animals overnight shall be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed.

8) A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other developments.

6 | ANIMAL/BIRD REGULATIONS

1) On any non-residential parcel in any District, no more than three (3) adult dogs shall be allowed unless a permit for a small animal breeding and boarding establishment or a kennel has been granted pursuant to PART 12.26 of this Bylaw.

7 | BED AND BREAKFAST ACCOMMODATION

1) Bed and Breakfast accommodations shall not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. Bed and Breakfast accommodations shall be an incidental and subordinate use and shall be restricted to the dwelling unit and shall not:

    a. require any alterations to the principal building unless the alterations are approved by the Approving Authority;

    b. create a nuisance by way of noise, parking or traffic generation;

    c. occupy more than fifty percent (50%) of the dwelling unit or provide for more than four (4) guestrooms in addition to what is required by the family of the owner;

    d. display any on site advertising save an unlighted sign to identify the use conducted on the site may be placed in a window or attached to the exterior of the residence and the size of the sign shall be limited to 0.9 m^2 (9.7 ft. ^{2});

    e. employ any more than one (1) person other than the occupant of the principal residential building;

    f. provide more than one (1) meal on a daily basis to registered guests only. Meals are to be prepared in one common kitchen and served in one common room.

2) At any time the after the Development Permit is issued, the Development Officer at their discretion may revoke the Development Permit if (a) through (f) are not met.

8 | CAR WASHING ESTABLISHMENTS

1) Site Location

    a. A car washing establishment may be located only where it can be shown, to the satisfaction of the Development Authority, that safe traffic movement would not be inhibited.

    b. In addition to those locations pursuant to this Bylaw, a car washing establishment may be allowed as a discretionary use in a commercial development if the Development Authority is satisfied that it will not contravene other regulations of this Bylaw or adversely affect the function of the commercial development in relation to traffic circulation.

2) Site Area

    a. The minimum site area shall be 600 m^2 (6459 $ft.^2$) and the site shall contain storage space for at least 10 vehicles or a minimum of three vehicles per wash bay, whichever is greater, prior to their entry into any part of the cleaning process for which they are bound. In the case of service stations, including car washes, the minimum site area shall be 1,120 m^2 (12,056 $ft.^2$).

3) Site and Building Requirements

    a. All site and building requirements pertaining to drive-in businesses shall also apply to car washes.

    b. If a car wash is located on a site which abuts a residential use or a Residential District, noise attenuation shall be provided to the satisfaction of the Development Authority.

9 | CONVERSION OF SINGLE DETACHED DWELLINGS TO OTHER USES

1) In considering any application for the conversion of a single detached dwelling into another use, the Development Authority shall ensure that the Development complies with the following requirements:

    a. The use shall be listed as a permitted or a discretionary use in the District in which the single detached dwelling is located.

    b. Parking shall be provided in accordance with this Bylaw, except that on-street parking may be taken into account and the number of available on-street parking spaces may be subtracted from the number of off-street parking spaces required, at the discretion of the Development Authority.

    c. Where the conversion involves exterior renovation, such renovation shall be of a nature which maintains height, exterior finish, design and coverage to the satisfaction of the Development Authority.

    d. Existing healthy vegetation should be retained whenever possible and to the satisfaction of the Development Authority.

    e. All signs shall be in keeping with PART 12.25 of this Bylaw.

10 | DAY USE AND PICNIC AREAS

1) A sufficient number of picnic tables, fire pits and garbage cans shall be provided to accommodate the design capacity of the site. Exact numbers shall be at the discretion of the Development Authority.
2) The facility shall be designed and landscaped in order to minimize disturbance to the natural environment and to protect heavy use areas from damage.
3) Where the day use area directly adjoins a residential development, adequate screening or fencing, to the satisfaction of the Development Authority, will be required between the uses.
4) Parking areas should be physically separated from the rest of the day use or picnic areas.

11 | GROUP HOMES, DAY HOMES AND CHILD CARE FACILITIES

1) All group homes, day homes, and child care facilities shall conform to regulations under the Safety Codes Act, R.S.A. 2000, as amended and any other relevant Provincial legislation and regulations.
2) In making a decision on a development permit for a group home, a day home, or a child care facility, the Development Authority shall consider, among other matters, if the development would be suitable for the location proposed, taking into account: potential traffic generation, proximity to park or other open or recreation areas, isolation of the proposed location from other residential uses, buffering or other techniques designed to limit any interference with other uses or the peaceful enjoyment of their properties by nearby residents, and consistency in terms of intensity of use with other development in the area.
3) In addition to all other regulations of this Bylaw, a group home development shall comply with the following regulations:
    a. The maximum number of residents shall be established by the Development Authority who shall have regard for the nature of the group home and the density of the District in which it is located.
    b. The group home shall not generate pedestrian or vehicular traffic or parking in excess of that which is characteristic of the District in which it is located.
4) In addition to all other regulations of this Bylaw, a child care facility development and a day home development shall comply with the following regulations:
    a. The maximum number of children for which care may be provided in a child care facility shall be established by the Development Authority who shall have regard for the nature of the facility, the density of the District in which it is located, potential increases in traffic, and the location of the use in relation to other uses in the area of the development.
    b. The maximum number of children for which care may be provided in a day home shall be established by the Development Authority who shall have regard for the nature of the day home, the density of the District in which it is located, potential increases in traffic, and the location of the use in relation to other uses in the area of the development.
    c. Notwithstanding PART 12.11(4)(b), the number of children within a day home established within a dwelling unit in any Residential District shall not exceed six (6).

d. A child care facility shall not normally be the principal use of a building within any Residential District.

e. A child care facility in any non-residential District shall be in a separate facility, either within the principal building on the lot or in an accessory building, with a separate access to ground level and an adjacent playground area.

12 | HOME OCCUPATIONS

1) Home occupations shall be limited to those uses that do not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. These activities shall be an incidental and subordinate use to the principal residential building and accessory building. Home occupations are divided into categories: major and minor, and are guided by the following provisions:

2) Minor Home Occupations

   a. The home occupation shall be operated as a secondary use only, and shall not change the principal character or external appearance of the dwelling or accessory building in which it is located.

   b. The home occupation shall not employ any person who lives outside of the home.

   c. Home occupations shall not generate traffic uncharacteristic to the residential area.

   d. The home occupation may not extend beyond the confines of the primary residential dwelling nor utilize accessory buildings. There shall be no outside storage of materials, goods, or equipment on the site.

   e. There shall be no form of advertising relating to the occupation discernible from outside the building.

   f. One onsite parking stall shall be provided for each vehicle used by the occupation, plus the requirements of the dwelling.

3) Major Home Occupations

   a. A major home occupation shall be operated as a secondary use only, and shall not change the principal character or external appearance of the dwelling or accessory building in which it is located.

   b. The home occupation may employ up to two persons who do not live on the site or within the primary residence.

   c. The home occupation should not generate traffic more than five (5) vehicle trips per day.

   d. One onsite parking stall shall be provided for each employee and each vehicle used by the occupation, plus those required for the residential use.

   e. There shall be no visible outside storage of materials, goods or equipment on the site, but the utilization of accessory buildings may be acceptable.

   f. Advertising relating to the home occupation and discernible from the outside of the building shall be limited to one non-illuminated sign which does not exceed 1,000 cm^2 (155 sq. in.).

4) General Regulations Governing Home Occupations

a. There shall be no mechanical or electrical equipment used which creates visual, audible or electrical interference with radio or television reception.

b. Any vehicles parking on-street or off-street as a result of the home occupation shall, in the opinion of the Approving Authority, not be a source of inconvenience to adjacent land owners or tenants, or exceed 6,000 kg (13,227.5 lbs).

c. The home occupation shall not, in the opinion of the Approving Authority, be a source of inconvenience, materially interfere with or affect the use, enjoyment or value of neighbouring properties, by way of excessive noise smoke, steam, odour, dust, vibration or refuse matter which would not commonly be found in the neighbourhood.

d. If at any time any of the requirements for a home occupation have not, in the opinion of the Approving Authority, been complied with, or the use is not in keeping with the terms of the approved application, the Approving Authority may suspend or cancel the development permit for the home occupation, pursuant to the provisions under the Municipal Government Act or request the applicant to submit a new application to the approving authority for consideration.

e. The occupation shall be operated only as a secondary use to the residential use of the site for which the permit is issued. The permit shall only be valid for the period of time the site is occupied by the applicant.

f. A permit for an occupation in a Residential Site does not exempt compliance with health regulations or any other permit requirements.

13 | MANUFACTURED HOME PARKS

1) The following regulations also apply to manufactured home parks:

a. manufactured home stalls shall be located at least 3.0 m (10.0 ft.) from a property line. This 3.0 m (10.0 ft.) wide strip shall be landscaped and/or fenced to the satisfaction of the Development Authority;

b. all roadways shall be constructed and maintained to the satisfaction of the Development Authority. Minimum right-of-way width shall be 9.1 m (30.0 ft.);

c. a safe, convenient, all-season pedestrian walkway of at least 0.9 m (3.0 ft.) in width shall be provided for access between individual manufactured homes, the park roadways, and all community facilities provided for park residents;

d. Visitor parking shall be provided as per Part 11.23 of this Bylaw. The visitor parking shall be located at convenient locations throughout the manufactured home park, and shall not be used for the storage of boats, trailers, etc.;

e. the design of manufactured home parks shall be to the satisfaction of the Development Authority;

f. all utilities shall be provided underground to stalls;

g. a minimum of ten percent (10%) of the gross lot area shall be devoted to recreational use;

h. all areas not occupied by manufactured homes and their additions, internal roadways, footpaths, driveways, permanent buildings and any other developed facilities shall be fully landscaped to the satisfaction of the Development Authority. Screen fences or walls shall be erected where deemed necessary by the Development Authority around maintenance yards, refuse collection points and playgrounds;

i. no part of the park shall be used for non-residential purposes except for home occupations and such uses as are required for the direct servicing and wellbeing of the park residents and for the management and maintenance of the park;

j. each stall shall be clearly marked off by means of stakes, countersunk steel posts, fences, curbs or hedges;

k. street lighting shall be to the same standard as that in a conventional residential neighbourhood;

l. the maximum permissible density for a manufactured home park shall be fifteen (15) manufactured homes per net developable ha (6 per ac.) of the lot being developed at each stage of development; and

m. the minimum area for a manufactured home stall shall be 371.6 m^2 (4000 $ft.^2$).

14 | MANUFACTURED HOMES

1) Manufactured homes shall have Canadian Standards Association Z-240 Certification.

2) All accessory structures, such as patios, porches, additions and skirtings, shall be:

   a. designed and erected as to harmonize with the manufactured homes,

   b. considered as part of the principal building, and

   c. erected only after obtaining a Development Permit.

3) A manufactured home shall be skirted from the floor level to the ground level. The skirting shall match the external finish of the manufactured home.

4) The maximum allowed floor area of porches and additions shall not exceed the floor area of the manufactured home.

5) No accessory building or use, other than parking spaces, shall be located in the front yard of a manufactured home stall or a lot on which a manufactured home is located.

6) The storage of any furniture, domestic equipment, or seasonally used equipment shall be adequately covered or screened, either individually on the mobile home stall or communally, and said storage shall conform to the Safety Codes Act, R.S.A. 2000, as amended.

7) The following regulations apply to manufactured homes located in all subdivisions:

   a. the hitch and wheels are to be removed from the manufactured home;

   b. all manufactured homes shall be placed on a foundation or base. The manufactured home is to be attached by means of bolting or otherwise to the foundation or base pursuant to the Alberta Building Code; and

c. the lot is to be fully landscaped within one (1) year from the date the development is available for occupancy or use.

15 | MOTELS AND HOTELS

1) Notwithstanding the provisions of the district in which it is located, a motel or hotel shall, in no case, have a minimum front yard of less than 6 m (20 ft.).

2) Notwithstanding any other provisions of this Bylaw to the contrary, a minimum of 10% of the site area of a motel or hotel development shall be landscaped in accordance with Part 11.17 of this Bylaw and to the satisfaction of the Development Authority.

16 | NEIGHBOURHOOD COMMERCIAL DEVELOPMENTS

1) Neighbourhood commercial developments located entirely within a standalone building or located within a building that also contains residential use may be allowed to locate in the residential and commercial districts provided the development meets all of the other regulations of this Bylaw and, further, that the development:

FIGURE 26: EXAMPLE OF A NEIGHBOURHOOD COMMERCIAL BUILDING

   a. does not include a part of its operation a gas bar or vehicular servicing component, and/or

   b. is situated on a corner lot with safe access to a collector road.

2) The façade of a building containing a neighbourhood commercial development that is located in a Residential District must be integrated with the surrounding residential area.

3) The height of a building containing a neighbourhood commercial development in a Residential District may not exceed twice the height and massing of adjacent building.

17 | PLACES OF WORSHIP

1) The site on which a place of worship is situated shall have a frontage of not less than 30 m (100 ft.) and an area of not less than 900 m^2 (9,688 $ft.^2$) except where a building for a minister's residence is to be erected on the same site. The combined area of the site in this case shall not be less than 1,440 m^2 (15,500 $ft.^2$).

2) Minimum front, side, and rear yards shall be those required within the district in which the place of worship is located except where the height restriction of the district is exceeded. In this case, the yard setback requirement shall be at the discretion of the Development Officer.

3) A place of worship may be located in any District if it is an accessory use to a permitted or discretionary use in that District.

4) Notwithstanding any other provision of this Bylaw to the contrary, a portion of the required minimum number of parking spaces may be located on a site other than that of the subject place of worship if it is demonstrated to the satisfaction of the Development Authority that such off-site parking spaces are available for the use of the patrons of the place of worship.

18 | PRIVATE SWIMMING POOLS AND HOT TUBS

1) Notwithstanding any other provision of this Bylaw to the contrary, a development permit is required prior to the commencement of the installation or construction of a private in ground swimming pool or hot tub. All private swimming pools and hot tubs with a depth equal to or great than 60.96 cm (24.0 in.) do require building and safety code approval(s). Private swimming pools and hot tubs shall not be located within any required minimum front yard.

2) Entry Restrictions

    a. Every private swimming pool and hot tubs shall be secured against entry by the public other than owners, tenants, or their guests.

    b. No privately owned outdoor swimming pool shall be constructed unless fenced, except that a wall of a building may be considered to replace any part of the required fence provided that the wall is a minimum of 1.8 m (6.0 ft.) in height for the length that it replaces the fence.

    c. Every fence enclosing an outdoor swimming pool shall be at least 1.8 m (6.0 ft.) in height above the level of the grade outside the enclosure or, at the discretion of the Development Authority, higher, and shall be of appropriate design to limit the ability of persons to use the fence parts to climb the fence or to crawl through or under the fence. Gates shall be equipped with a self-latching device and a lock mechanism located on the inside of the gate.

    d. No barbed wire or electrification of any part of a fence or gate enclosing a swimming pool or hot tub shall be permitted. All private swimming pools and hot tubs equal to or great than 60.96 cm (24.0 in.) require building and safety code approval.

3) Safety Requirements

    a. A private swimming pool shall be provided with at least one exit ladder or stair from the deepest part of the pool where the greatest dimension of the pool does not exceed 9.0 m (30.0 ft.). An additional ladder or stair is to be provided at the opposite end of the pool where the pool exceeds 9.0 m (30.0 ft.).

19 | RECREATIONAL VEHICLES

1) For this purpose of this Land Use Bylaw, Recreational Vehicles do not include all-terrain vehicles, motorized boats, and all-terrain vehicle and/or boat trailers that do not also include space designed specifically for temporary travel accommodations. A definition for Recreational Vehicles is provided in Part 1.4 of this Land Use Bylaw.

2) No more than one (1) recreational vehicle may be stored or occupied on a lot less than 2,023.43 m^2 (21,789.0 ft^2) (0.2 hectares (0.5 acres))in area without a development permit.

3) Notwithstanding **PART 12.19(1)** a development permit may be issued, for a maximum of one (1) additional recreational vehicle on a residential lot if the applicant can demonstrate that parking and lot coverage provisions can be satisfied.

4) Notwithstanding any other provision of this Bylaw to the contrary, no person may occupy a recreational vehicle for a period longer than 14 consecutive days in a calendar year on any lot unless a development permit has been received for the placement and use of the recreational vehicle.

5) If the intention of the placement of a recreational vehicle on a parcel is to rent the recreational vehicle for any consideration (whether for money or for goods or service in kind), a development permit for a recreational vehicle campground must be approved. Such a permit may only be approved in Districts where recreational vehicle campgrounds are listed as a permitted or a discretionary use.

6) A maximum of one recreational vehicle may be stored within a front yard on a residential lot under the following conditions. The recreational vehicle is:

    a. Entirely contained within the lot;

    b. Located on a hard surfaced driveway;

    c. Located in the front yard exclusively between during the regular summer season (between April 15 and October 15); and

    d. Removed from the front yard or relocated between October 16 and April 14 of each calendar year.

7) On residential lots with no real lane access, Recreational Vehicles may be stored in yards other than rear yards, subject to the following conditions:

    a. The Recreational Vehicle must be contained entirely within the lot;

    b. The Recreational Vehicle must be setback a minimum of 3.3 m (10.0 ft.) from any sidewalk or curb adjacent to the lot. In instances where no sidewalk or curb is present, the required setback of 3.3 m (10.0 ft.) shall be measured from the front lot line. This distance may be reduced at the discretion of the Development Authority Officer; and

    c. The Recreational Vehicle must be located on a hard surfaced or gravel pad.

8) In no instance will the placement of an RV on a lot be allowed where the RV would impede or obstruct the safety of pedestrians or vehicle traffic on adjacent sidewalks or roadways.

20 | RECREATIONAL VEHICLE CAMPGROUNDS

1) Provisions in this part apply to both recreational vehicle campgrounds and recreational vehicle campgrounds-seasonal.

2) Each recreational vehicle parking space shall have a minimum width of 10.0 m (32.8 ft.) and a minimum area of 250.0 m^2 (2,691.0 $ft.^2$).

3) As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction, including any necessary approvals pursuant to the Safety Codes Act, R.S.A. 2000, as amended that may be applicable.

4) As a condition of approval, the Development Authority may require that the developer construct, upgrade, or pay to construct or upgrade any necessary municipal infrastructure to service to the development.

5) All internal roads shall be the responsibility of the Developer for both construction and future maintenance. Also, internal roads shall have a minimum of a 6.0 m (20.0 ft.) usable top, except for one-way roads, which shall have a minimum of a 3.65 m (12.0 ft.) usable top.

6) The developer shall provide on-site potable water supply which meets all applicable Provincial water requirements.

7) The developer shall provide sewage disposal facilities which all applicable Provincial regulations.

8) All spaces for recreational vehicles designated for year round use must have on-site connections to municipal sewer and water systems.

9) As a condition of approval, the Development Authority shall require the developer to obtain any necessary permits and approvals from all regulatory authorities and agencies having jurisdiction over this type of development.

10) The developer shall be required to enter into a development agreement with the municipality as a condition of development approval. The development agreement will include provisions requiring the developer to construct, upgrade, or pay to construct or upgrade the necessary municipal roads to access the development when determined necessary by the Development Authority.

11) The developer shall designate an area equivalent to ten percent (10%) of the total recreational vehicle campground area as a playground or recreational area. This area is to be clearly marked and free from all traffic hazards.

12) All spaces for recreational vehicles or tents shall maintain a minimum set back of 30.0 m (98.4 ft.) from the shoreline of any body of water.

13) The maximum number of recreational vehicles allowed per space shall be one (1).

14) A site plan detailing the protection of existing treed areas and site topography is required prior to issuance of a development permit.

15) Spaces for day use, picnicking and similar activities shall be suitably organized, clearly marked and constructed to the satisfaction of the Development Authority.

16) All other site requirements shall be as required by the Development Authority.

17) Minimum Yard Setbacks:

    Front, side, corner and rear yard setbacks on the site shall be 7.6 m (25.0 ft.) or 10% of the lot width, whichever is lesser.

18) Developers will be encouraged to include on their site plan an overflow area which provides that may be used temporarily, on an overflow basis, for a maximum of four (4) consecutive nights to accommodate recreational events which may result in a need for temporary additional tenting or recreational vehicle spaces

21 | SEA CANS

1) The placement of a sea can on any lot in the municipality requires a development permit.
2) A maximum of one (1) sea can may be allowed, at the discretion of the Development Authority on residential parcels.
3) The maximum number of sea cans that may be placed on a lot in the commercial and industrial districts is at the discretion of the Development Authority.
4) Notwithstanding any other provision in this Bylaw, in the Urban Reserve District a maximum of two (2) sea cans may be placed on a lot without a development permit.
5) If a temporary development permit for a sea can has been approved by the Development Authority, then the sea can will be allowed to be placed on a site for a period of 6 months. After that period has expired the developer will be required to apply to the Village for an extension for the permit. Extensions may be issued for up to six (6) month intervals at the discretion of the Development Authority.
6) Sea cans may not be stacked. The maximum height for a sea can allowed on a parcel is 3.0 m (10.0 ft.).
7) Sea cans located in a Residential District may be a maximum of 6.0 m (20.0 ft.) in length.
8) The exterior finish of a sea can sited within a Commercial or Residential District must be consistent with the finish of the primary building.
9) Sea cans cannot be used as a dwelling, or a guest house within the municipality, except where used as a construction material in full compliance with applicable provincial and national building codes.
10) No human or animal habitation will be allowed within a sea can.

22 | SHOPPING CENTRES

1) The maximum building height shall be 10.7 m (35.1 ft.) or two (2) storeys, whichever is greater.
2) The maximum floor area shall be equal to the site area; however, all other regulations of this Bylaw, such as required yards, parking and loading requirements, etc. shall be adhered to.
3) Part 12.26 of this Bylaw contains additional provisions relating to shopping centre signs.
4) All shopping centres shall satisfy the Development Authority as to:
    a. the orientation, exterior design, and architectural appearance of buildings,
    b. the location of development in relation to adjacent land uses,
    c. vehicular traffic flow patterns within and access to and from the site,
    d. safe pedestrian access and egress within the site and from any pedestrian way, and
    e. the location of exterior signs.
5) A shopping centre shall only contain those uses listed as permitted or discretionary uses within the District in which the shopping centre is located.

6) The Development Authority may require any other matters, regulations, or conditions relating to the development as, in their opinion, are necessary, having regard to the nature of the proposed shopping centre development and adjacent land uses.

23 | SHOW HOMES

1) In addition to the requirements of Part 3.6 of this Bylaw, a development permit application for a show home shall be accompanied by information indicating:
    a. the location and area intended as the site for the show home,
    b. proposed parking, exterior lighting and signs.
2) Development permits shall be issued for a maximum of one (1) year only, and if the operator wishes to continue the use, must be renewed on an annual basis.
3) The appearance of the building shall, in the opinion of the Development Authority, be compatible with the character of other buildings in the vicinity.

24 | SIDEWALK CAFES

1) A sidewalk café permit is valid from the date of issuance for one (1) year and may be renewed annually. In order to renew the permit, the developer must provide the municipality with a request indicating that there will be no changes to the sidewalk café. If any changes are required, the developer must make application for a new permit.
2) If the applicant is not the owner of the property, authorization and written permission of the property owner is required and must accompany the application.
3) A development permit will authorize only the consumption of food within the sidewalk seating area and not liquor:
    a. A permit holder who intends to serve alcohol inside any temporary sidewalk seating area requires a separate license from the Alberta Gaming and Liquor Commission. A copy of that license is to be provided to the municipality.
    b. A copy of any approval from any involved Health Authority is to be provided to the municipality.
4) The area designated for the sidewalk café shall be considered an extension of the principal building and business; therefore, the location of the sidewalk café must be directly in front of the building.
5) The following information must be provided with the application:
    a. details of the proposed furniture or manufacturers' brochures,
    b. site plan showing all existing buildings, proposed café area and setbacks,
    c. layout of the furniture including signage, tables, chairs, placement and number of planters and all other accessories,
    d. location, structure and dimensions of any portable walls/barriers,
    e. location of all doorways, windows and service openings,
    f. length of restaurant/café frontage,

g. distance from property line to curb,

h. proposed width and length of sidewalk seating/café, and

i. proposed total area of sidewalk seating/café.

6) Furniture

a. Applicants are encouraged to select furniture that is compatible with the outdoor environment. The furniture should be strong, durable, waterproof and weather resistant, designed for commercial outdoor use.

b. The furniture must fold or stack for storage, and if located on public right-of-way, be readily removed and stored within the associated indoor premises during non-business hours.

c. The number of tables and chairs placed within a sidewalk area must allow unobstructed access and circulation for patrons and staff.

d. The permit holder is responsible for ensuring that all furniture remains within the approved sidewalk seating area. No fixed tables or chairs may be used. Developers of sidewalk cafes shall be mindful of the rights of pedestrians travelling past their sidewalk café at all times during the operation of the sidewalk café. In order to ensure this, a sidewalk café is required to maintain a clear path of at least 1.5 m (5.0 ft.) minimum at all times. In areas of higher pedestrian traffic or activity or in conditions that suggest the need for additional clearance, a clear pedestrian path greater than 1.5 m (5 ft.) may be required by the Development Authority.

7) Use of Umbrellas

a. Umbrellas should be secured to ensure that they can withstand the effects of wind.

b. Umbrellas shall be removed or closed in extremely windy conditions and be removed when the outdoor seating area is not in use (off season).

c. Umbrellas shall not be attached to railings.

d. Umbrellas shall not encroach on, or interfere with pedestrian movement, and at least 2.0 m (6.6 ft.) in height.

e. Umbrellas shall be manufactured from fire retardant material.

f. Umbrellas shall be market style (not beach umbrellas).

8) Lighting

a. Lighting for sidewalk cafes may be utilized if approved by the Development Authority. Any such lighting shall compliment the exiting building and sidewalk café design and shall not cause a glare to passing pedestrians or vehicles.

9) Outdoor Heaters

a. Outdoor heaters may be utilized upon the approval of the Development Authority.

10) Limitations on use

a. No portion of a sidewalk seating/café area may be used for any purpose other than seating, dining or circulation.

b. No portion of a sidewalk seating/café area may be used for the storage of and sale of merchandise or objects other than those intended for seating, dining or circulation.

c. The permit holder will bear all financial responsibility for any and all improvements necessary to the public space, both within and surrounding the sidewalk seating area.

d. Smoking is prohibited at all sidewalk/café locations. The Tobacco Reduction Act, S.A. 2005, as amended, requires that managers or owners strictly enforce this requirement or be liable to fines.

11) Operations

a. Hours of operation of an outdoor sidewalk seating area/café are 8:00 a.m. to 10:00 p.m. or as stated in the approved Development Permit.

b. Sidewalk seating areas must conform to noise regulations of the current municipal Bylaw and shall be prohibited from playing amplified music, whether live or recorded.

12) Business Licensing

a. The principal establishment for each approved sidewalk seating area shall have a valid municipal Business License.

13) Waste Management

a. The permit holder will ensure sidewalk seating areas are maintained in a clean and hygienic state at all times and the following requirements will apply:

i. Tables and chairs shall be kept clean and litter shall be removed from in and around the seating area and disposed of within the commercial garbage provisions on site.

ii. Furniture, barriers and/or planters shall be clean, in good order and well presented.

iii. Sidewalk seating debris must not be swept or allowed to enter into gutters, parking or traffic lanes, storm-water, catch-basins or pedestrian walkways.

14) Reinstatement of a Public Place

a. Every sidewalk seating area shall be temporary in nature and designed so that the entire structure including chairs, tables, fencing, and planters can be easily removed during periods of non-use.

15) Insurance Requirements

a. The permit holder will be required to hold valid comprehensive general liability insurance to the satisfaction of the municipality but the limit shall not be less than $1,000,000 per occurrence, $1,000,000 in the aggregate combined single limit, for bodily injury, personal injury and property damage liability.

b. The municipality shall be named as an additional insured for any liability arising directly or indirectly from the operation of a sidewalk café located on a public right-of-way.

16) Renewals and Amendments

a. Development permits must be renewed annually. The permit holder shall submit their request for renewal in writing.

b. A permit holder will be required to submit an application in writing to the Development Authority for any amendment to their existing sidewalk seating plan.

17) Approval of a sidewalk café permit will require, as a conditional of approval, that the Development Authority and the Fire Chief conduct a site inspection of the approved sidewalk café and all elements placed therein after construction to ensure that the sidewalk café and all sidewalk café elements are in compliance with the approved permit and that the developer is in compliance with all other requirements of the permit before any use of the sidewalk café may commence.

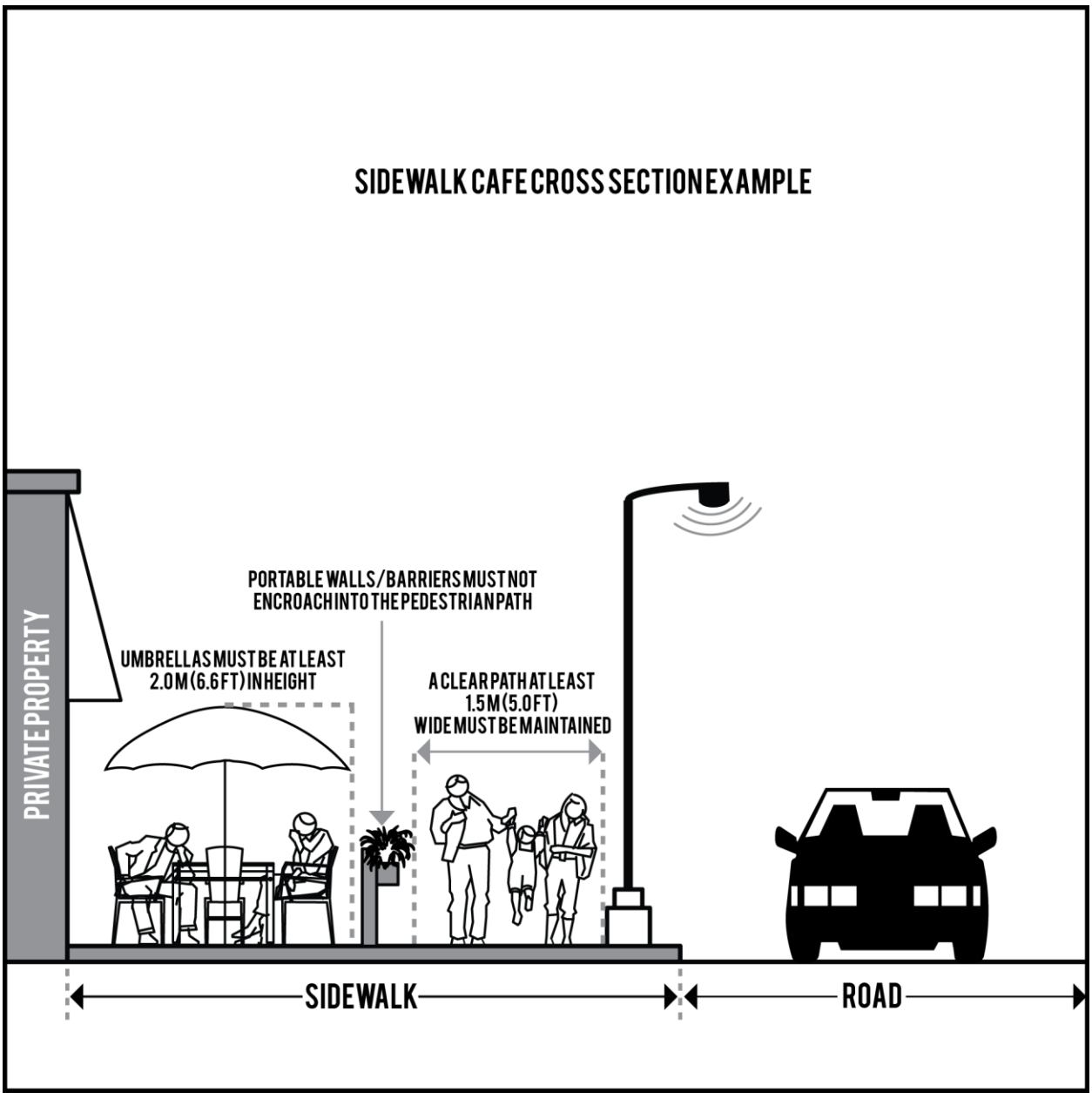


FIGURE 27: SIDEWALK CAFE CROSS SECTION

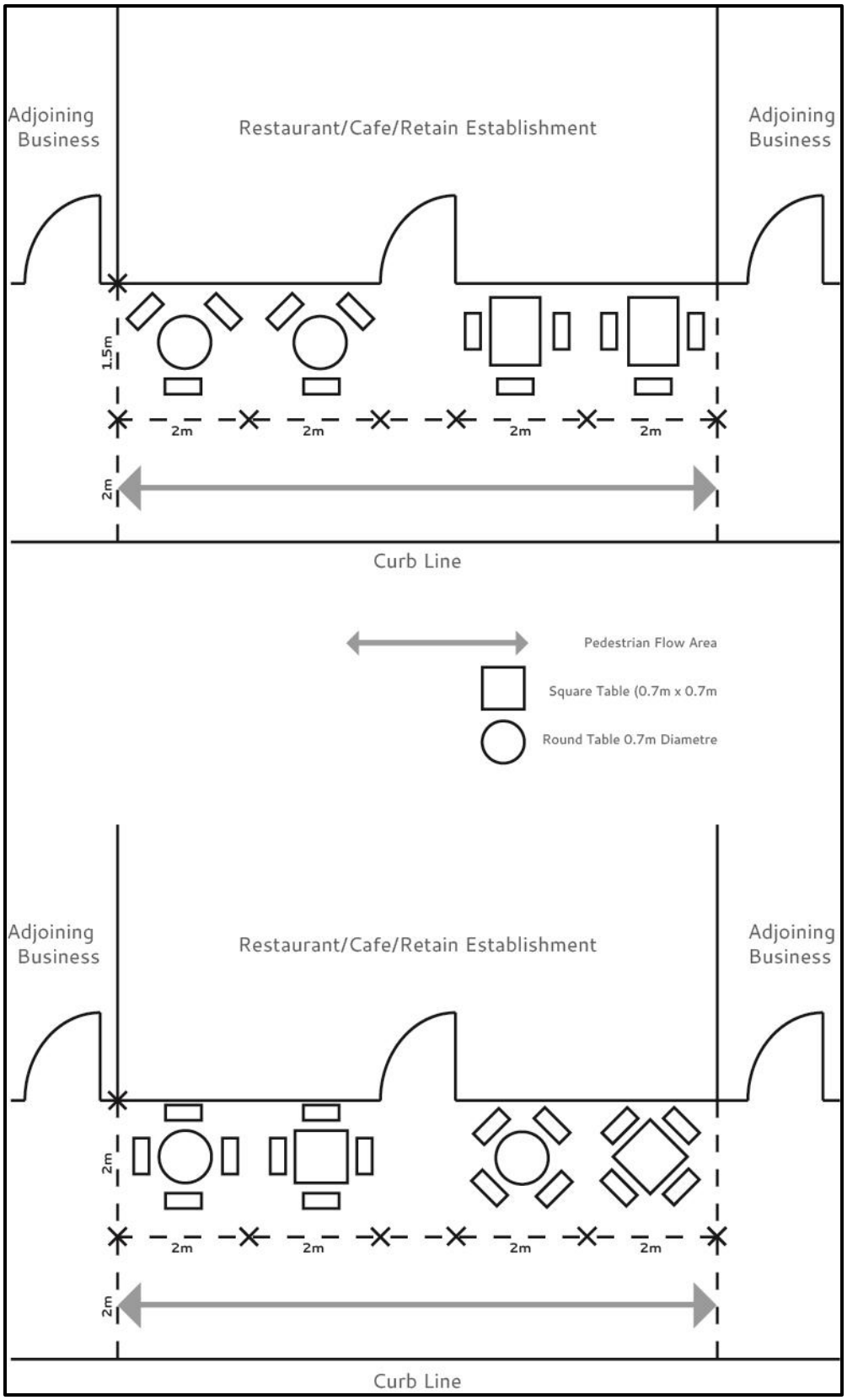


FIGURE 28: EXAMPLE SIDEWALK CAFE SITE PLANS

25 | SIGN CONTROL

1) No sign of an advertising, directional or informational nature shall be erected on land or affixed to any exterior surface of any building or structure unless an application for this purpose has been approved by the Development Officer.

2) Excepting traffic control signs and those temporary signs outlined in **Part 3.3,** all signs shall comply with the provisions set out for the district in which the sign is to be located.

3) No sign shall be erected so as to obstruct free and clear vision of vehicular traffic, or be located, or display a light intensity or colour where it may interfere with, or be confused with any authorized traffic sign, signal or device and in so doing create a traffic hazard.

4) Signs which overhang any municipal, provincial, or federal property are prohibited.

5) In considering a development application for a sign, the Development Officer shall have due regard to the amenities of the district in which the sign is located and the design of the proposed sign.

6) Sign Regulations for Residential Districts

    a. Within a residential district one identification sign per site may be permitted as follows :

        i. a fascia sign which does not exceed 0.9 m^2 (9.7 $ft.^2$) in area to identify a home occupation;

    b. a free-standing or fascia sign which does not exceed 1.5 m^2 (16.14 $ft.^2$) in area nor 3.5 m (11.48 ft.) in width nor 3.5m (11.48 ft.) in height to identify an apartment building, a mobile home park or a non-commercial use.

7) Sign Regulations for Commercial and Industrial Districts

    a. Within a Commercial and Industrial District, advertising, identification or directional signs may be allowed as follows:

        i. free-standing signs provided that:

            1. the maximum height shall not exceed 9.0 m (29.52 ft.);

            2. the maximum total sign area for each face shall be 9.29 m^2 (99.99 $ft.^2$);

            3. a sign shall not project within 0.6 m (1.96 ft.) back from a property line;

            4. where a sign is located in a Commercial District or on a site with frontage on a service road in any other district, the base of the sign

            shall be located within the site and not closer than 1.5 m (4.92 ft.) to a lot property line.

        ii. fascia signs provided that the total copy area of a sign shall not exceed 20% of the face of the building or bay to which the sign is attached;

        iii. projecting signs provided that:

            1. the maximum area shall be 9.29 m^2 (99.99 $ft.^2$);

            2. a sign shall not rise more than 30 cm (11.81 in.) above a parapet;

8) Sign Regulations for Urban Reserve

    a. Within an Urban Reserve District identification or directional signs may be allowed as follows:

        i. one fascia sign per site which does not exceed 1,000 cm^2 (155.87 in^2) in area to identify a home occupation;

        ii. one free-standing directional sign per site which does not exceed 1.1 m^2 (11.84 $ft.^2$) in area nor 3.5 m (11.48 ft.) in height;

        iii. one free-standing or fascia sign per site which does not exceed 3.7 m^2 (39.82 $ft.^2$) in area nor 6 m (19.68 ft.) in height to identify the permissible use in the district.

9) Billboards are prohibited within the Municipality's boundaries.

10) When an illuminated sign is located in a District adjacent to a Residential District, the illumination from that sign shall be deflected away from the Residential District.

26 | SMALL ANIMAL BREEDING AND BOARDING ESTABLISHMENTS AND KENNELS

1) A small animal breeding and boarding establishment or kennel which is to be located closer than 305.0 m (1,000 ft.) from a dwelling which is not related to the proposed development shall be considered a discretionary use notwithstanding the use provisions contained within this Bylaw.

2) No small animal breeding or boarding establishment for dogs shall be permitted on a residential parcel less than 2.02 ha (5.0 ac.) in area.

3) Pens, rooms, exercise runs and holding stalls may be required to be soundproofed to the satisfaction of the Development Authority.

4) All development permit applications may be referred to the appropriate Health Authority or animal control agency for comment prior to the Development Authority making a decision.

5) No building, use, or exterior exercise areas or runs that are used to accommodate the animals may be located within 6.1 m (20.0 ft.) of any property line adjacent to a dwelling or a residential parcel.

6) All exterior exercise areas or runs may be required to be enclosed with a fence acceptable to the Development Authority.

7) All dog facilities, including buildings and exterior exercise areas or runs, may be required to be sited to the satisfaction of the Development Authority.

8) The Development Authority may regulate the hours that dogs are allowed outdoors.

9) The Development Authority may regulate the number of animals based on size and type of animals, size of parcel and proximity to dwellings. Dogs under six (6) months in age shall not be included in the number.

10) Developments which house animals overnight shall be equipped with an adequate number of indoor exercise runs relative to the maximum number of animals that can be housed.

11) A separate air extractor system shall be provided in the animal holding area where heating and air conditioning is shared with other developments.

27 | SMALL RADIO COMMUNICATIONS TOWERS

1) Small radio communication towers, where allowed as a discretionary use under this Bylaw, shall require an application for a Development Permit and may be approved provided that the structure and apparatus:

    a. have Industry Canada approval;

    b. are camouflaged and, as far as possible, have the appearance and aesthetic of other buildings allowed in the District;

    c. meet the setback requirements of the District or meets setback requirements that are satisfactory to the Development Authority;

    d. be limited to a maximum height of 18.0 m (59.0 ft.) at its highest point. The height of a ground-mounted antenna and support structure shall be determined by measurement from the point at which the support structure enters the typical ground surface to the top of the antenna at its highest position;

    e. be a free-standing, ground-mounted unit;

    f. notwithstanding PART 12.27(1)(e), be a roof-mounted unit where the applicant can demonstrate that a ground-mounted unit would prohibit adequate transmission or reception of radio signals. The antenna and support structure of a roof-mounted unit shall be installed on the roof of a building to a maximum combined height of 18.0 m (59.0 ft.) from the typical ground surface to its highest point;

    g. be located in a rear yard only;

    h. not be illuminated, nor have attached to it any advertising, graphics, flags or other elements unrelated to its function as a component of a radio signal transmitting and receiving device; and

    i. be landscaped to screen the base of the antenna and reduce negative visual impact on adjacent properties. The Development Officer may require screening and landscaping around the lower portion of the support structure where, in the opinion of the Development Officer, such measures would reduce potential negative visual impact of the structure on adjacent properties.

2) All small radio communications towers shall have landscaping that reflects the typical landscaping in the District.

3) The development of all small radio communications towers shall follow the regulations of Industry Canada including public consultation as required.

28 | SOLAR ENERGY COLLECTION SYSTEM

1) Ground mounted solar energy collection systems shall be located in a side or rear yard only.

2) When a solar energy collection system is installed on a lot, accessory structure or vegetation on an abutting lot shall not be located so as to block the solar collector's access to solar energy. The portion of a solar collector that is protected is the portion which:

a. is located so as not to be shaded between the hours of 10:00 a.m. and 3:00 p.m. by a hypothetical 12-foot obstruction located on the lot line; and

b. has an area not greater than one-half of the heated floor area of the structure, or the largest of the structures, to be served.

3) PART 12.28(2) does not apply to structure or vegetation existing in an abutting lot at the time of installation of the solar energy collection system, or the effective date of this Bylaw, whichever is later. Said subjection controls any structure erected on, or vegetation planted in, abutting lots after the installation of the solar energy collection system.

29 | SUITES

1) Suites shall be considered discretionary uses in all Residential districts that allow for single detached dwelling and duplex dwelling developments. A suite may be located in:

a. A basement suite or upper floor suite; or

b. An attached garage suite; or

c. An above detached garage suite.

2) All Suites shall:

a. Comply with all Alberta Building Code standards, fire regulations and all municipal and provincial regulations;

b. Have minimal structural changes to the front outside of the building and shall appear as a single dwelling unit;

c. Be a minimum of 30 m^2 (323 $ft.^2$)

d. Provide parking onsite in accordance with the parking provisions of this Bylaw, as well as the requirements of the specific Land Use District the development is located within. All stalls provided for the suite shall be graded and gravelled to the satisfaction of the Development Authority;

e. Have an outdoor amenity area acceptable to the Development Authority;

f. Not generate traffic uncharacteristic to the residential area; and

g. Not disturb the quiet enjoyment of the residential environment.

3) Garage Suites

a. A garden suite shall only be allowed, where provided for in a Land Use District, on a lot occupied by a single detached dwelling.

b. A garage suite shall not be allowed on a lot with a duplex, fourplex, row house or apartment.

c. A maximum of one (1) garage suite is allowed on any lot on which a single detached dwelling is located.

d. If a garage suite is developed on a lot then no additional suite shall be allowed.

e. A garage suite shall remain accessory to and subordinate to the principal dwelling and shall not exceed 80.0 m^2 (860.0 ft^2) in floor area.

f. A garage suite shall remain accessory to and subordinate to the use of the garage.

g. Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the garage suite.

h. A garage suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.

i. A garage suite shall have an entrance separate from the entrance to the garage, either from a common indoor landing or directly from the exterior of the structure.

j. At grade garage suites shall have a maximum height of 4.5 m (14.8 ft).

k. Above grade garage suites shall have a maximum height of 5.5 m (18.0 ft) for suites with a flat roof, and 6.5 m (21.3 ft) for suites with a sloped roof, provided that the maximum height of the accessory building in which the garage suite is located is not higher than the height of the principal dwelling.

l. Prior to development permit approval, the developer must submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.

m. One onsite parking stall shall be provided for the secondary suite, in addition to the parking requirements for the principal dwelling pursuant to this Bylaw. Tandem parking may be permitted at the discretion of the Development Authority.

n. Windows contained within a garage suite shall be placed and sized such that they minimize overlook into yards and windows of abutting properties through one or more of the following:

    i. off-setting window placement to limit direct views of abutting rear or side yard amenity areas,or direct view into a garage suite window on an abutting site;

    ii. strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and

    iii. replacing larger windows such as living room windows, to face a lane, a flanking street, or the larger of any side yard abutting another property.

4) Secondary Suites (Basement or Upper Floor of Principal Building)

a. A secondary suite shall be restricted to a site occupied by a single detached dwelling or a duplex.

b. A secondary suite is prohibited from being constructed within a multi-family dwelling.

c. A maximum of one secondary suite or in-law suite is permitted on a site occupied by any single detached dwelling or duplex.

d. If a secondary suite is developed on a lot then no additional suite shall be allowed.

e. A secondary suite shall remain accessory to and subordinate to the principal dwelling. The maximum floor area of the secondary suite shall not exceed 30 percent of the existing floor area of the primary dwelling unity or 80.0 m^2 (860.0 ft^2) whichever is the lesser.

f. Shared mechanical rooms and common areas shall be excluded from the floor area calculation of the secondary suite.

g. A secondary suite includes, but not limited to, a food preparation area, counter/cupboard space, sink, refrigerator, stove or provision of 220 volt wiring and toilet with bathing facilities.

h. A secondary suite has an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the exterior of the building.

i. A secondary suite may include the conversion of a portion of existing space in the principal dwelling, the addition of new floor space to an existing dwelling.

j. Prior to development permit approval, the developer must submit, along with an application for a development permit, a parking plan that indicates the location and size of the onsite parking spaces.

k. One onsite parking stall shall be provided for the secondary suite, in addition to the parking requirements for the principal dwelling pursuant to this Bylaw. Tandem parking may be permitted at the discretion of the Development Authority.

30 | SURVEILLANCE SUITES

1) Surveillance suites shall not be allowed on a site unless specifically listed as a permitted or as a discretionary use within the District in which the site is located.

2) Site Location

   a. A surveillance suite which is not attached to or within the principal building shall be located:

      i. a minimum of 2.0 m (6.6 ft.) from any buildings,

      ii. a minimum of 3.0 m (9.8 ft.) from the rear and side lines, and

      iii. no closer to the front line than the principal building.

3) Maximum Size

   a. A surveillance suite shall not be larger in area than the principal building and the maximum floor area of a surveillance suite shall be 32.6 m^2 (351.0 $ft.^2$).

4) Building Requirements

   a. A surveillance suite shall be placed on a permanent foundation to the satisfaction of the Development Officer. Where a surveillance suite is a manufactured unit, the unit shall be secured to a foundation and properly skirted to the satisfaction of the Development Authority.

   b. The exterior treatment of a surveillance suite must be compatible with the design, character, and appearance of the principal building, and comply with any provisions required in this Bylaw.

31 | WIND ENERGY CONVERSION SYSTEMS, LARGE

1) Prior to making a decision on an application for a development permit for a large wind energy conversion system, the Development Authority shall consider input from:

    a. any adjacent municipality should the proposed development be located within 2.0 km (1.2 mi.) of the municipality, and

    b. landowners within 2.0 km (1.2 mi.) of the proposed development.

2) Should a large wind energy conversion system discontinue producing power for a minimum of two (2) years, the system operator shall be required to provide a status report to the Development Authority. The Development Authority may then require that the system be decommissioned. Failure to comply with a decommissioning requirement shall be considered to be a breach of this Bylaw, and subject to the enforcement provisions of Part 9 of this Bylaw.

3) Property line setbacks

    a. A large wind energy conversion system shall comply with all the setbacks related to roads and highways that govern the principal use in the District in which it is located.

    b. Where, in the opinion of the Development Authority, the setbacks referred to in Part 12.31(3)(a) are not sufficient to reduce the impact of a large wind energy conversion system from a road or highway, the Development Authority may increase the required setback.

    c. The turbine base shall be no closer to the property line than four times the height of the wind turbine tower. Where in the opinion of the Development Authority the setback from the property line should be varied, the Development Authority may require an acoustical study to establish appropriate setbacks.

4) Minimum Vertical Blade Clearance

    a. The minimum vertical blade clearance from grade shall be 7.4 m (24.6 ft.) for a wind energy conversion system employing a horizontal axis rotor unless otherwise required by the Development Authority.

5) Public Safety Requirements

    To ensure public safety, the Development Authority may require that:

    a. a secure fence not less than 1.8 m (5.9 ft.) in height with a lockable gate surround a large wind energy conversion system tower if the tower is climbable or subject to vandalism that could threaten tower integrity;

    b. no ladder or permanent tower access device be located less than 3.7 m (12.1 ft.) from grade;

    c. a locked device be installed on the tower to preclude access to the top of the tower; and

    d. such additional safety mechanisms or procedures be provided as the Development Authority may consider reasonable and appropriate.

    The use of tubular towers, with locked door access, may, at the discretion of the Development Authority, make the above requirements unnecessary.

e. All power lines on the site of a large wind energy conversion system to the power grid or a power substation will be underground except where the Development Authority specifically approves overhead or above grade installations.

6) Appearance

a. Unless otherwise required by the Development Authority, a large wind energy conversion system shall be finished in a non-reflective matte and in a colour which minimizes the obtrusive impact of a system to the requirements of the Development Authority.

b. No lettering, advertising or other symbol shall appear on the towers or blades. On other parts of the large wind energy conversion system, the only lettering or symbol allowed will be the manufacturer's and/or owner's identification or symbol and then, only upon the approval of and at the discretion of the Development Authority.

7) The Development Authority may approve a large wind energy conversion system on a case-by-case basis having regard for:

a. information provided in the application,

b. the proximity of the proposed development to other land uses,

c. the cumulative effect of all wind energy conversion systems approved or proposed in the area,

d. underlying utilities, and

e. information received from the circulation of the application and from the public.

8) Compliance With Traffic Safety Regulations

a. Large wind energy conversion systems must comply with applicable air traffic safety regulations. A statement of compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Wind turbine towers shall not be artificially lit except as required by Navigation Canada.

32 | WIND ENERGY CONVERSION SYSTEMS, MICRO

1) Notwithstanding any other provisions in this Bylaw, micro wind energy conversion systems, which are systems with a rated capacity of less than 0.5 KW, may only be roof mounted or ground mounted within a side or rear yard.

2) Micro wind energy conversion systems shall be required to conform to set back requirements for accessory buildings.

3) Maximum height shall be the maximum height provisions that apply within the District in which the micro wind energy conversion system is located.

4) One micro wind energy conversion system is allowed per lot. A second system may be allowed at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the site.

33 | WIND ENERGY CONVERSION SYSTEMS, SMALL

1) Wind Turbine Tower Height

    a. For property sizes between 0.1 ha (0.25 acre) and 0.2 ha (0.5 ac.) the wind turbine tower height shall be limited to 25.0 m (80.0 ft.). For property sizes of 0.2 ha (0.5 ac.) or more, there is no limitation on wind turbine tower height, subject to the setback requirements below, and provided that the application includes evidence that the proposed height does not exceed the height recommended by the manufacturer or any distributor of the system.

2) Property Line Setbacks in the Urban Reserve District

    a. The turbine base shall be no closer to the property line than the height of the wind turbine tower, and no part of the system structure, including guy wire anchors, may extend closer than 3.0 m (10.0 ft.) to the property boundaries of the installation site. Additionally, the outer and innermost guy wires must be marked and clearly visible to a height of 2.0 m (6.0 ft.) above the guy wire anchors. The Development Authority may waive setback requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners.

3) Property Line Setbacks in the Commercial and Semi-Public Districts

    a. The turbine base shall be no closer to the property line than the height of the wind turbine tower, and no part of the system structure may extend closer than (3.0) m (10.0 ft.) to the property boundaries of the installation site. The Development Authority may waive setback requirements from adjacent properties if such adjacent property owner agrees to grant an easement binding on current and future owners.

    b. Mounting using guy wires shall be allowed in:

        i. the Industrial (G-1) District, and

        ii. the Urban Reserve (UR) District.

    c. The applicant will be required to provide the Development Authority with information regarding the proposed means of mounting the turbine prior to development approval.

4) Noise

    a. The mean value of the sound pressure level from small wind energy conversion systems shall not exceed more than 6.0 decibels (dBA) above background sound, as measured at the exterior of the closest neighbouring inhabited dwelling (at the time of installation or during operation), for wind speeds below 10 m/s (22.0 mph) and except during short-term events such as utility outages and/or severe wind storms.

5) Compliance with Building Code and Alberta Utility Commission

    a. Development permit applications for small wind energy conversion systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, footings, and anchoring method, all drawn to scale. An engineering analysis of the wind turbine tower showing compliance with the Alberta Utility Commission and International Building Code requirements must be provided with the development permit application. All drawings must be certified by a licensed professional mechanical,

structural, or civil engineer shall also be submitted. Documentation of this analysis supplied by the manufacturer shall be accepted.

6) Compliance with Air Traffic Safety Regulations

    a. Small wind energy conversion systems must comply with applicable air traffic safety regulations. A statement of compliance by the applicant is sufficient. Transport Canada must be notified of the location (latitude and longitude) and height of all wind turbine installations through the aeronautical clearance application process. Wind turbine towers shall not be artificially lit except as required by Navigation Canada.

7) Compliance with Existing Electric Codes

    a. Building permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to existing electrical codes. This information is frequently supplied by the manufacturer.

8) Utility Notification

    a. No small wind energy conversion system that is tied into a grid shall be installed until evidence has been given that the power utility has been informed of the customer's intent to install an interconnected customer-owner generator. A copy of a letter to the applicant's power utility is sufficient. No response or evidence of approval from the power utility is required. Off-grid systems and grid-tied systems that are not capable of feeding onto the grid with advanced control grid fault protection and disconnect switches covered under the electrical code shall be exempt from the requirement.

9) Number per Lot

    a. One small wind energy conversion system is allowed per lot. A second system may be allowed at the discretion of the Development Authority if the applicant can demonstrate that there is adequate room on the site.

PART 13– LAND USE DISTRICTS

1 | ESTABLISHMENT OF DISTRICTS

1) For the purposes of this Bylaw, the land within the boundaries of the Municipality shall be divided into one or more of the Districts as established in Part 13.2.

2) Throughout this Bylaw and amendments thereto a District may be referred to either by its full name or its abbreviation as set out in Part 13.2.

2 | DISTRICTS

LAND USE DISTRICT NAME	LAND USE DISTRICT LABEL
Residential - Single Detached Estate Lot	R-E
Residential - Restricted Single Detached	RR-1
Residential - Single Detached	R-1
Residential - Multi-Family	R-MF
Residential - Mobile Home Park	R-MHP
Central Business	CB
Highway Commercial	C-HWY
General Industrial	G-1
Public-Quasi Public District	P
Urban Reserve	UR

3 | LAND USE DISTRICT MAP

1) The Land Use District Map, as may be amended or replaced by Bylaw from time to time, is that Map attached to and forming part of this Bylaw and among other things bearing the following identification:

    a. Village of Longview Land Use District Map; and

    b. Adopted by the Council of the Village of Longview;

2) The location of boundaries shown on the Land Use Map shall be determined using the following criteria:

    a. Where a boundary is shown following a street, land, stream or canal, it shall be deemed to be following the centre line thereof;

    b. Where a boundary is shown as approximately following a lot line, it shall be deemed to be following the lot line; and

    c. Notwithstanding (a) and (b) the adjacent land use district shall extend to the location of the established corporate limits.

3) Where a boundary cannot be determined by the preceding criteria, the exact location of the boundary shall be decided by Council either on its own motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary.

RESIDENTIAL – SINGLE DETACHED ESTATE LOT DISTRICT (R-E) LAND USE DISTRICT

1) Purpose and Intent
    a. The purpose and intent of this district is to provide for a low density single detached residential development.
2) Permitted Uses
    a. Dwellings, Single Detached
    b. Garages, Private
    c. Parks
3) Discretionary Uses
    a. Accessory Buildings
    b. Bed and Breakfast Accommodation
    c. Commercial Communications (CC) Facility
    d. Communications Tower, Small Radio
    e. Community Buildings and Facilities
    f. Greenhouses, Private
    g. Home Occupations (Major and Minor)
    h. Public and Quasi-Public Buildings, Installations and Facilities
    i. Signs
    j. Suites
4) General Requirements
    a. In addition to the general and special land use provisions contained in **Parts 11 & 12**, the following provisions as contained within this section shall apply to every development in this district.
5) Minimum Requirements
    a. Area of Site: 1486.5 m^2 (16,000.56 $ft.^2$)
    b. Width of Site: 30.48 m (100 ft.)
    c. Front Yard:
        i. Key Sites: 6 m (19.68 ft.)
        ii. All other Sites: 8 m (26.24 ft.)
    d. Side Yard:
        i. Principal Buildings:
            1. street side of corner site: 3 m (9 .84 ft.)
            2. all other sites: 2 m (6.56 ft.)

ii. Accessory Buildings:

1. street side of corner site: 3 m (9.84 ft.)
2. all other sites: 1 m (3 .28 ft.)
3. where a fire resistant wall is provided , no side yard is required.

e. Rear Yard:

i. Principal Buildings: 8 m (26.24 ft.)

ii. Accessory Buildings: 1 m (3.28 ft.)

f. Habitable Floor Area: 111.5 m^2 (1,200.1 7 $ft.^2$)

6) Maximum Limits

a. Coverage of Site:

i. All buildings inc. Accessory Buildings: 40% of the area of site

ii. All Accessory Buildings: 10% of the site

b. Height of Buildings:

i. Principal Buildings: 9m (29.52 ft.)

ii. Accessory Buildings: 4.5m (14.76 ft.)

7) Residential Buildings on Same Site

a. No person may erect a residential building on a site on which another residential building is already located.

8) Other- Requirements

a. The Development Officer may specify such other requirements as they deem necessary or desirable having regard to the nature of a proposed development and the purpose of the district.

RESIDENTIAL – RESTRICTED SINGLE DETACHED DISTRICT (RR-1) LAND USE DISTRICT

1) Purpose and Intent

    a. The purpose and intent of this district is to provide for detached singles family residential development having a moderately low density.

2) Permitted Uses

    a. Dwellings, Single Detached

    b. Garages, Private

    c. Parks

3) Discretionary Uses

    a. Accessory Buildings

    b. Bed and Breakfast Accommodations

    c. Commercial Communications (CC) Facility

    d. Communications Tower, Small Radio

    e. Greenhouses, Private

    f. Home Occupations (Major and Minor)

    g. Public, Quasi-Public Buildings, Installation and Facilities

    h. Signs

    i. Suites

4) General Requirements

    a. In addition to the general and special land use provisions contained in **Parts 11 & 12**, the following provisions as contained within this section shall apply to every development in this district.

5) Minimum Requirements

    a. Area of Site: 930 m^2 (10,010.44 $ft.^2$).

    Notwithstanding the minimum Area of Site, any lot existing at the effective date of this Bylaw that does not meet the minimum Area of Site requirement is deemed to comply with this Bylaw.

    b. Width of Site: 25m (82.02 feet).

    Notwithstanding the minimum Width of Site provision of this District, any lot of separate record in the Land Titles Office existing at the effective date of this Bylaw that has a Width of Site less than the minimum is deemed to comply with this Bylaw.

    c. Front Yard:

        i. Key Sites: 6 m (19.68 feet)

        ii. All other Sites: 6 m (19.68 feet)

d. Side Yard:
    i. Principal Buildings
        1. street side of corner site: 3 m (9.84 feet)
        2. all other sites: 1.2 m (4.0 feet)
e. Accessory Buildings:
    i. street side of corner site: 3 m (9.84 feet)
    ii. all other sites: 1 m (3.28 feet)
    iii. where a fire resistant wall is provided, no side yard is required
f. Rear Yard:
    i. Principal Buildings: 8 m (26.24 feet)
    ii. Accessory Buildings: 1 m (3.28 feet)
g. Habitable Floor Area: 93 m^2 (1,001.04 square feet)

6) Maximum Limits
    a. Coverage of Site:
        i. All buildings inc. Accessory Buildings: 40% of the area of site
        ii. All Accessory Buildings: 10% of the site
    b. Height of Buildings
        i. Principal Buildings: 9 m (29.52 feet)
        ii. Accessory Buildings: 4.5m (14.76 feet)

7) Residential Buildings on Same Site
    a. No persons may erect a residential building on a site on which another residential building is already located.

8) Other Requirements
    a. The Development Officer may specify such other requirements as they deem necessary or desirable having regard to the nature of a proposed development and the purpose of the district.

RESIDENTIAL – SINGLE DETACHED DISTRICT (R-1) LAND USE DISTRICT

1) Purpose and Intent

    a. The purpose and intent of this district is to provide for residential development in the form of single detached housing.

2) Permitted Uses

    a. Accessory Building

    b. Dwellings, Single Detached (one storey only) unless otherwise approved by Council

    c. Garages, Private

    d. Greenhouses, Private

    e. Parks

    f. Manufactured Homes (and Additions) – Lot 3 Block 8 Plan 6918 JK (606 Riverview Place): for the life of the building and approved additions (See subsection 9 in this district)

3) Discretionary Uses

    a. Bed and Breakfast Accommodations

    b. Child Care Facilities

    c. Commercial Communications (CC) Facility

    d. Community Buildings and Facilities

    e. Public, Quasi-Public Buildings, Installations and Facilities

    f. Place of Worship

    g. Signs

    h. Suites

4) General Requirements

    a. In addition to the general and special land use provisions contained in **Parts 11 & 12**, the following provisions as contained within this section shall apply to every development in this district.

5) Minimum Requirements

    a. Area of Site: 464 m^2 (4994.45 $ft.^{22}$)

    b. Width of Site: 15 m (49.21 ft.)

    c. Front Yard:

        i. Key Sites: 6 m (19.68 ft.)

        ii. All other Sites: 8 m (26.24 ft.)

        iii. Escarpment Lots 11 to 14 Block 8 Plan 0012663: 6 m (19.68 ft.)

iv. All other Sites: 6 m (19.68 ft.)

d. Side Yard:

i. Principal Buildings:

1. street side of corner site: 3 m (9.84 ft.)
2. all other sites: 1.2 m (4.0 feet)

ii. Accessory Buildings:

1. street side of comer site: 3 m (9.84 ft.)
2. all other sites: 1 m (3.28 ft.)
3. where a fire resistant wall is provided, no side yard is required.

e. Rear Yard:

i. Principal Buildings: 8 m (26.24 ft.)

ii. Accessory Buildings: 1 m (3.18 ft.)

iii. Accessory Buildings within Plan 1777JK Block 5 Lot 21 0.61 m (2.0 ft.)

f. Habitable Floor Area: 84 m^2 (904. 16 $ft.^2$)

6) Maximum Limits

a. Coverage of Site:

i. All buildings inc. Accessory Buildings: 40% of the site

ii. All Accessory Buildings: 10% of the site

b. Height of Buildings:

i. Principal Buildings: 9 m (29.52 ft.)

ii. Accessory Buildings: 4.5 m (14.76 ft.)

7) Residential Buildings on Same Site

a. No person may erect a residential building on a site on which another residential building is already located.

8) Other Requirements

a. The Development Officer may specify such other requirements as they deems necessary or desirable having regard to the nature of a proposed development and the purpose of the district.

9) Special Regulations:

a. The Manufactured or Mobile Home and any approved additions on Lot 3 Block 8 Plan 6918 JK shall be recognized as a residence, but should the use be discontinued for a period of six (6) months or more or be destroyed by fire to 75% or more, than the building and additions shall be replaced by a stick built dwelling.

RESIDENTIAL – MULTI-FAMILY DISTRICT (R-MF) LAND USE DISTRICT

1) Purpose and Intent
    a. The purpose and intent of this District is to provide for residential development in the form of single detached and duplex and semi-detached dwellings.
2) Permitted Uses
    a. Accessory Building
    b. Attached Housing
    c. Dwelling, Duplexes
    d. Dwelling, Semi-Detached
    e. Dwellings, Single Detached
    f. Garages, Private
    g. Parks
3) Discretionary Uses
    a. Bed and Breakfast Accommodations
    b. Child Care Facilities
    c. Commercial Communications (CC) facility
    d. Communications Tower, Small Radio
    e. Dwelling, Apartment
    f. Home Occupations (Major and Minor)
    g. Public and Quasi-Public Buildings, Installations and Facilities
    h. Places of Worship
    i. Signs
    j. Suites
4) General Requirements
    a. In addition to the general and special land use provisions contained in **Parts 11 & 12**, the following provisions as contained within this section shall apply to every development in this district.
5) Minimum Requirements
    a. Area of Site:
        i. Attached Houses (Row Housing, Town housing):
            1. 186 m^2 (2,002.09 $ft.^2$) for each internal dwelling unit in a building;
            2. 233 m^2 (2,507.99 $ft.^2$) for each end dwelling unit in a building; and

3. 279 m^2 (3,003.21 $ft.^2$) for each dwelling unit with a side yard abutting a street.

ii. Duplexes:

1. 464 m^2 (4,994.45 $ft.^2$) for both residential units

iii. Semi-Detached Dwellings:

1. except as in below, 279 m^2 (3003.13 $ft.^2$) for each dwelling unit; and
2. 326 m^2 (3509.03 $ft.^2$) for each dwelling unit with a side yard abutting a street.

iv. Single Detached Dwellings: 464 m^2 (4,994.45 $ft.^2$)

b. Width of Site:

i. Attached Houses:

1. 6 m (20.1 ft.) for each internal dwelling unit in a building;
2. 7.5 m (24.6 ft.) for each end dwelling unit in a building; and
3. 9 m (29.52 ft.) for each dwelling unit with a side yard abutting a street.

ii. Duplexes: 15 m (49.2 ft.)

iii. Semi-Detached Dwellings:

1. except as in part 2 below, 9 m (29.52 ft.) for each dwelling unit; and
2. 10.5 m (34.44 ft.) for each dwelling unit with a side yard abutting a street.

iv. Single Detached Dwellings: 15 m (49.21 ft.)

c. Front Yard:

i. Front yards shall be a minimum of 8 m (26.24 ft.)

ii. In a new subdivision, the front yard setbacks of principal buildings shall be varied in order to maximize the visual amenity of the district.

d. Side Yards

i. Principal Buildings:

1. street side of a corner site: 3 m (9.84 ft.)
2. all other sites: 1.2 m (4.0 feet)

ii. Accessory Buildings:

1. street side of a comer site: 3 m (9 .84 ft.)
2. all other sites: 1 m (3.28 ft.)

e. Rear Yards:

i. Principal Building: 8 m (26.24 ft.)

ii. Accessory Buildings: 1 m (3.28 ft.)

f. Habitable Floor Area Per Unit:

i. Attached Housing: 74 m^2 (796.56 $ft.^2$)

ii. Duplexes: 74 m^2 (796.56 $ft.^2$)

iii. Semi-Detached Dwellings: 74 m^2 (796.56 $ft.^2$)

iv. Single Detached Dwellings: 84 m^2 (904.16 $ft.^2$)

6) Maximum Limits

a. Coverage of Site:

i. All buildings inc. Accessory Buildings: 40% of the site

ii. All Accessory Buildings: 10% of the site.

7) Height of Buildings:

a. Principal Building: 9 m (29.52 ft.)

b. Accessory Buildings: 4.5 m (14.76 ft.)

8) Recreational and Landscaping Requirements For Multi-Family Housing

a. The minimum recreational and landscaping area required per dwelling unit for multi-family housing units shall be provided in accordance with the following table:

SIZE OF UNIT	AREA REQUIRED FOR RECREATIONAL SIZE OF UNIT AND LANDSCAPING PURPOSES
Bachelor Unit	14 m^2 (150.69 $ft.^2$)
1 bedroom unit	19 m^2 (204.52 $ft.^2$)
2 bedroom unit	54 m^2 (581.27 $ft.^2$)
3 bedroom unit	89 m^2 (958.02 $ft.^2$)
4 bedroom unit	123 m^2 (1,324.00 $ft.^2$)

9) On sites developed for multi-family units, the location of recreational facilities and the quality of landscaped areas shall be provided to the satisfaction of the Development Officer.

RESIDENTIAL – MANUFACTURED HOME PARK DISTRICT (R-MHP) LAND USE DISTRICT

1) Purpose and Intent

    a. The purpose and intent of this district is to accommodate parks for manufactured homes used for residential purposes.

2) Permitted Uses

    a. Accessory Building

    b. Manufactured Homes

    c. Manufactured Home Parks

    d. Parks

3) Discretional Uses

    a. Bed and Breakfast Accommodations

    b. Commercial Communications (CC) Facility

    c. Communications Tower, Small Radio

    d. Private Recreational Facilities

    e. Public, Quasi-Public Buildings, Installations and Facilities

    f. Accessory Buildings (for Park use only)

    g. Storage Yard

    h. Signs

4) General Requirements

    a. In addition to the general and special land use provisions contained in Parts 11 & 12, the following provisions as contained within this section shall apply to every development in this district.

    b. The park owner shall obtain written permission from the Local Board of Health prior to commencing operation of the park.

    c. Compliance with the requirements as set out in this Bylaw does not afford relief from compliance with any Board of Health regulations.

    d. All mobile homes shall be located on the plan approved by the Development Officer.

    e. All mobile home lots shall meet the minimum requirements as set out in this Bylaw but shall be varied in size to accommodate mobile homes of varying dimensions.

    f. Prior to the location of mobile homes in the park, the park owner shall establish guidelines and standards satisfactory to the Development Officer governing the design and materials of carports, patios, porches, storage buildings, skirting (including hitches), fences, fuel storage and supply facilities and other attached or detached structures.

g. The park owner shall inform park residents of their responsibilities with respect to this Bylaw and shall be responsible for developing and operating the park in compliance with them.

h. The park owner shall ensure that each mobile home is levelled, blocked and skirted, and the hitch screened or skirted within 30 days of being sited on the lot.

5) Minimum Requirements

a. Area of Site:

i. Mobile Home Park Lots:

1. no lot in a mobile home park used for a single-wide mobile home shall have a mean width of less than 10.6 m (34.77 ft.) and a total area of less than 334.4 m^2 (3 ,599.45 $ft.^2$);

2. no lot in a mobile home park used for a double- wide mobile home shall have a mean width of less than 15 m (49.21 ft.) and a total area of less than 371.6 m^2 (3 ,999.87 $ft.^2$);

3. the mean width shall be computed by adding the front and rear lot widths and dividing by two.

b. Habitable Floor Area: 55.7 m^2 (599.55 $ft.^2$)

c. Maximum Limits:

i. Height of Buildings:

1. Principal Buildings: 5.4 m (17.71 ft.)

2. Accessory Buildings: 4.5 m (14.76 ft.)

ii. Coverage of Site:

1. All buildings together, including accessory buildings: 35% of site. No mobile home park shall allow a density exceeding 7 units per gross acre.

6) Park Development

a. General

i. Parks shall be used for residential purposes including those uses and their associated facilities which, in the opinion of the Development Officer are clearly provided to serve the needs of the park residents,

ii. A minimum of 10 percent of the total area of a mobile home park shall be set aside for the recreational use and enjoyment of the park occupants in a manner and location satisfactory to the Development Officer. This area does include reserve dedications under The Act;

iii. In addition to the above, each park shall provide on its perimeter a buffer of not less than 3m (9.84 ft.) in width or other edge treatment satisfactory to the Development Officer;

iv. All areas of a park not developed or occupied by park roads, walkways, driveways, parking aprons, buildings, or other development facilities including playgrounds, shall be landscaped by the developer;

v. Outdoor lighting in the park shall be integrated in design and appearance and conform with the requirements and specifications of the C.S.A. Standard 92.2 Roadway Lighting;

vi. Signs shall be of a character suitable to a residential area and of a size, height and type satisfactory to the Development Officer.

b. Lot Requirements:

i. Each lot shall be provided with a horizontal, stable parking apron suitable for blocking and levelling;

ii. Mobile homes shall be sited on parking aprons and the homes, including attached structures, shall be:

1. within the boundaries of the lot;

2. at least 4.5 m (14.76 ft.) from every adjacent mobile home, carport, porch and any structure, or permanent park structure and 3 m (9.84 ft.) from any park boundary;

3. at least 1.5 m (4.92 ft.) from any park street;

4. at least 15m (49.21 ft.) from any mobile home including any attached structure, or permanent park structure located directly the opposite side of a park street;

5. at least 15 m (49.21 ft.) from any major thoroughfare ;

6. at least 27.4 m (89.89 ft.) from any Highway right-or-way;

7. abutting a park street and have an access way, with a minimum width of 4.2 m (13.77 ft.) , from the park street;

8. clearly defined on the ground by permanent flush stakes, markers, or other means and permanently marked with a lot number or other address system.

c. Vehicular - Pedestrian Areas:

i. All park roads shall be constructed and surfaced to the Municipality's specifications. Minor streets shall have minimum carriageways of 4.2 m (13 .77 ft.) and collector streets shall have minimum carriageways of 9.1 m (29.85 ft.);

ii. Two off-street parking spaces shall be provided on, or adjacent to each mobile home lot and shall be:

1. surfaced to the Municipality's specifications;

2. not less than 27.8 m^2 (299.23 $ft.^2$) in area for 2 vehicles or less than 2.4m (7.87 ft.) wide.

iii. Internal pedestrian walkways where provided, shall have a hard surfaced width of 1.2m (3.93 ft.) and shall be constructed to the satisfaction of the Municipality.

d. Service and Auxiliary Buildings:

i. The location and design of all service and auxiliary facilities are subject to the approval of the Development Officer;

ii. All service buildings must be accessible by a park street;

iii. A screened storage compound equivalent to I parking stall per unit shall be provided for trucks, campers, travel trailers, snowmobiles, boats, etc., at a location and in a manner satisfactory to the Development Officer.

e. Utilities:

i. Each mobile home lot shall be connected to and be serviced by the Municipality's sanitary sewer, water supply and electric power systems and serviced with a petroleum fuel system;

ii. Electricity shall be individually metered for each mobile home.

7) Other Requirements

a. The Development Officer may specify such other requirements as deemed necessary having regard to the nature of a proposed development and the purpose of the district in which it is to be located.

CENTRAL BUSINESS DISTRICT (CB) LAND USE DISTRICT

1) Purpose and Intent

    a. The purpose and intent of this district is to provide for a wide variety of commercial developments serving the Municipality and the surrounding areas.

2) Permitted Uses

    a. Art, Craft and Photography Studios

    b. Community Buildings and Facilities

    c. Clinics

    d. Dwellings, Single Detached, Located at: Lots 6,8,9, Block 4; Lots 1,2, Block 3; Lot 3, Block 2; Lot 5, Block 5; Plan 1777 JK and Lots 1 and 2, Plan 9510881

    e. Financial Institutions

    f. Office Uses

    g. Parks

    h. Personal Services Shops

    i. Eating and Drinking Establishments

    j. Retail Stores

3) Discretionary Uses

    a. Accessory Use

    b. Amusement Establishments, Indoor

    c. Car and Truck Washing Establishments

    d. Child Care Facilities

    e. Commercial Communications (CC) Facility

    f. Communications Tower, Small Radio

    g. Drinking Establishment

    h. Drive-in Restaurant

    i. Dry Cleaning Establishments

    j. Entertainment and Cultural Establishment

    k. Funeral Homes

    l. Gas Bars

    m. Hotels and Motels

    n. Industrial Service Shop, Located at: Lot 4 Block I Plan 1777 JK

    o. Laundromat

    p. Mixed Use Development

q. Parking Lots

r. Private Clubs

s. Public, Quasi-Public Buildings, Installations and Facilities

t. Repair and Service Shops

u. Signs

4) General Requirements

a. In addition to the general and special land use provisions contained in **Parts 11 & 12**, the following provisions as contained within this section shall apply to every development in this District.

5) Minimum Requirements

a. Area of Site:

i. Motels and Hotels:	1,115 m^2 (12,001.76 $ft.^2$)
ii. Service Stations:	1,858 m^2 (19,999.35 $ft.^2$)
iii. Gas Bars:	929 m^2 (9,999.67 $ft.^2$)
iv. Other Uses:	464 m^2 (4,994.45 $ft.^2$)

b. Width of Site:

i. Motels and Hotels:	30 m (98.42 ft.)
ii. Service Stations:	30 m (98.42 ft.)
iii. Gas Bars:	30 m (98.42 ft.)
iv. Other Uses:	15 m (49.21 ft.)

c. Front Yard:

i. Commercial:	none required
ii. Mixed Use Development:	none required
iii. Residential:	
1. Key Sites:	6 m (19.68 ft.)
2. All other sites:	8 m (26.24 ft.)

d. Rear Yard:

i. Commercial:	6 m (19.68 ft.)
ii. Mixed Use Development:	6 m (19.68 ft.)
1. Residential	
a. Principal Buildings:	8 m (25.24 ft.)
b. Accessory Buildings:	1 m (3.28 ft.)

e. Side Yards: Commercial and Mixed Use Development

i. Side adjacent to a residential district or abutting those lots specified within the purpose and intent of this district: 3m (9.84 ft.)

ii. All other locations and existing buildings: None required, but if a yard is provided, it shall be a minimum of 1 m (3.28 ft.)

f. Side Yards: Residential:

i. Principal Buildings:

1. street side of corner site: 3 m (9 .84 ft.)

2. all other sites: 1 m (3.28 ft.)

ii. Accessory Building:

1. street side of corner site: 3 m (9.84 ft.)

2. all other sites: 1 m (3.28 ft.)

3. where a fire resistant wall is provided, no side yard is required.

g. Habitable Floor Area - Residential: 84 m^2 (904.16 $ft.^2$)

6) Maximum Limits

a. Height of Buildings:

i. Commercial 8.5m (27.88 ft.)

ii. Residential:

1. Principal Buildings: 9 m (29.52 ft.)

2. Accessory Buildings: 4.5 m (14.76 ft.

b. Coverage of Site: Residential

i. All buildings inc. Accessory Buildings: 80% of the site

ii. All Accessory Buildings: 10% of the site

7) Special Requirements: Commercial and Mixed Use Development

a. Screening:

i. All sites abutting a residential district or abutting those lots specified within the purpose and intent of this district shall be screened from the view of the residential district or lot to the satisfaction of the Development Officer.

ii. All apparatus on the roof shall be screened to the satisfaction of the Development Officer.

b. The exterior finishing materials of the proposed development must be those as shown on the approved plans.

c. Dwelling Unit, Mixed Use Development:

i. The dwelling unit which forms the residential component of a mixed use development shall:

1. not be located in front of the building.
2. have direct access to the outside street level.

d. Landscaping:

i. A minimum of 5% of the site area must be landscaped in accordance with the plan approved by the Development Officer.

ii. The boulevard and the front yard setback area (when one is provided) shall be landscaped and maintained in accordance with the plan approved by the Development Officer.

iii. Any trees or shrubs which die must be replaced during the next planting season on a continuing basis.

8) Special Requirements: Residential

a. Residential Buildings on Same Site: No person may erect a residential building on a site on which another residential building is already located.

9) Other Requirements

a. The Development Officer may specify such other requirements as they deems necessary or desirable having regard to the nature of a proposed development and the purpose of the district.

CENTRAL BUSINESS RESTRICTED (CBR) LAND USE DISTRICT

1) Purpose and Intent

    a. The purpose and intent of this district is to provide for a variety of commercial developments that produce a minimum of wastewater.

2) Permitted Uses

    a. Art, Craft and Photography Studios
    b. Community Buildings and Facilities
    c. Clinics
    d. Financial Institutions
    e. Office Uses
    f. Parks
    g. Personal Services Shops (excluding Laundromats)
    h. Retail Stores

3) Discretionary Uses

    a. Accessory Uses
    b. Amusement Establishments, Indoor
    c. Building Supply Centres
    d. Child Care Facilities
    e. Commercial Communications (CC) Facility
    f. Communications Tower, Small Radio
    g. Funeral Homes
    h. Parking Lots
    i. Public and Quasi -Public Buildings, Installations and Facilities
    j. Repair and Service Shops
    k. Signs

4) General Requirements

    a. In addition to the general and special land use provisions contained in **Parts 11 & 12**, the following provisions as contained within this section shall apply to every development in this District.

5) Minimum Requirements

    a. Area of Site: 464 m^2 (4994.45 $ft.^2$)
    b. Width of Site: 15m (49.21 ft.)
    c. Front Yard: None required

d. Rear Yard: None required

e. Side Yards:

i. Commercial Development

1. Side adjacent to a residential district or abutting those lots specified within the purpose and intent of this district: 3 m (9.84 ft.)

2. All other locations and existing buildings: None required, but if a yard is provided, it shall be a minimum of 1 m (3.28 ft.)

6) Maximum Limits

a. Height of Buildings: 8.5 m (27.88 ft.)

b. Coverage of Site:

i. All buildings inc. Accessory Buildings: 80% of the site

Providing adequate parking space is provided as per Development Officer.

7) Special Requirements

a. Screening:

i. All sites abutting a residential district or abutting those lots specified within the purpose and Intent of this district shall be screened from the view of the residential district or lot to the satisfaction of the Development Officer.

ii. All apparatus on the roof shall be screened to the satisfaction of the Development Officer.

b. The exterior finishing materials of the proposed development must be to those as shown on the approved plans.

c. The Development Officer may specify such other requirements as they deems necessary or desirable having regard to the nature of a proposed development and the purpose of the district.

HIGHWAY-COMMERCIAL DISTRICT (C-HWY) LAND USE DISTRICT

1) Purpose and Intent
    a. The purpose and intent of this district is to provide for a limited range of commercial uses providing services to the traveling public.
2) Permitted Uses
    a. Automotive and Recreational Vehicles Sales/Rental Establishment, Light
    b. Automotive and Equipment Repair Shop, Light
    c. Car and Truck Washing Establishment
    d. Drive-in Restaurants
    e. Garages, Public
    f. Gas Bars
    g. Hotels and Motels
    h. Office Uses
    i. Parks
    j. Eating and Drinking Establishments
    k. Service Stations
3) Discretionary Uses
    a. Automotive and Recreational Vehicles sales/Rental Establishment, Heavy
    b. Automotive and Equipment Repair Shop, Heavy
    c. Commercial Communications (CC) Facility
    d. Communications Tower, Small Radio
    e. Drinking Establishment
    f. Greenhouse, Commercial
    g. Industrial Vehicle and Equipment Sales/Rental Establishment
    h. Industrial Service Shops
    i. Parking Lots
    j. Public and Quasi-Public Buildings, Installation and Facilities
    k. Repair and Service Shops
    l. Retail Stores
    m. Signs
    n. Veterinarian Clinic

4) General Requirements

   a. In addition to the general and special land use provisions contained in **Parts 11 & 12,** the following provisions as contained within this section shall apply to every development in this district.

5) Minimum Requirements

   a. Area of Site:

      i. Service Stations: 1858 m^2 (19,999.35 $ft.^2$)

      ii. Gas Bars: 929 m1 (9,999.67 $ft.^2$)

      iii. All other Sites: 464 m^2 (4,994.45 $ft.^2$)

   b. Front Yard: 6 m (19.68 ft.)

   c. Side Yard:

      i. When it abuts a Residential District: 6 m (19.68 ft.)

      ii. All other Sites: none required.

   d. Rear Yard: 6 m (19.68 ft.)

   e. Width of Site:

      i. Service Stations and Motels: 30 m (98.42 ft.)

      ii. Gas Bars: 30 m (98.42 ft.)

      iii. All other Sites: 15 m (49.21 ft.)

6) Maximum Limits

   a. Height of Buildings: 10 m (32.80 ft.)

7) Special Requirements

   a. Landscaping:

      i. A minimum of 5% of the site area must be landscaped in accordance with the plan approved by the Development Officer.

      ii. Any trees or shrubs which die must be replaced during the next planting season on a continuing basis.

   b. Screening:

      i. All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Officer;

      ii. No Drive-In Restaurant adjacent to or abutting a residential district.

      iii. All apparatus on the roof shall be screened to the satisfaction of the Development Officer

8) Other Requirements

   a. The exterior finishing materials of the proposed development must be those shown on the approved plan.

b. The property line abutting Highway 22 or Secondary Highway 541 is deemed to be the front property line of that lot, and the side and rear property lines shall be deemed to be oriented accordingly.

GENERAL INDUSTRIAL DISTRICT (G-1) LAND USE DISTRICT

1) Purpose and Intent
    a. The purpose and intent of this district is to provide for a wide range of Industrial uses which have high standards for appearance, facilities and performance.
2) Permitted Uses
    a. Bulk Fuel Storage and Distribution Facilities
    b. Industrial Vehicle and Equipment Sales/Rental Establishment
    c. Industrial Service Shops
    d. Natural Resource Extraction Industries
    e. Warehouse sales Establishment
    f. Warehousing
3) Discretionary Uses
    a. Automotive and Recreational Vehicles Sales/Rental Establishment, Light and Heavy
    b. Automotive and Equipment Repair Shop, Light and Heavy
    c. Car and Truck Washing Establishment
    d. Greenhouse, Commercial
    e. Industrial Uses
    f. Lumber Yard
    g. Office Uses
    h. Parks
    i. Parking Lots
    j. Public and Quasi-Public Buildings, Installations and Facilities
    k. Recycling Depots
    l. Retail Stores
    m. Signs
    n. Storage Yards (with Screening)
    o. Trucking and Cartage Establishment
4) General Requirements
    a. In addition to the general and special land use provisions contained in **Parts 11 & 12**, the following provisions as contained within this section shall apply to every development in this district.
5) Minimum Requirements
    a. Area of Site: 929 m^2 (9,999.67 $ft.^2$)

b. Width of Site: 30 m (98.32 ft.)

c. Front Yard: 6 m (19.68 ft.)

d. Side Yards:

i. Except as hereinafter provided a minimum of 1.2 m (3.93 ft.);

ii. Where a fire resistant wall is provided no side yard is required.

e. Rear Yard: 6 m (19.68 ft.)

6) Maximum Limits

a. Height of Buildings: 8.5 m (27.88 ft.)

7) Special Requirements

a. Landscaping:

i. A minimum of 5% of the site area must be landscaped in accordance with the plan approved by the Development Officer.

ii. Any trees or shrubs which die must be replaced during the next planting season on a continuing basis.

b. Screening:

i. All sites abutting a residential district shall be screened from the view of the residential district to the satisfaction of the Development Officer.

8) Other Requirements

a. The exterior finishing materials of the proposed development must be those as shown on the approved plan.

PUBLIC-QUASI PUBLIC DISTRICT (P) LAND USE DISTRICT

1) Purpose and Intent
    a. The purpose and intent of this district is to preserve appropriate land under public ownership or control for recreation, education and conservation.
2) Permitted Uses
    a. Parks
3) Discretionary Uses
    a. Cemeteries
    b. Community Buildings and Facilities
    c. Outdoor Athletic/Recreational Facility
    d. Parks
    e. Public Recreational Facilities
    f. Public and Quasi-Public Buildings, Installations and Facilities
    g. Schools
    h. Signs
4) General Requirements
    a. In addition to the general and special land use provisions contained in **Parts 11 & 12**, the following provisions as contained within this section shall apply to every development in this district.
5) Minimum Requirements
    a. All yards: 6 m. (19.68 ft.)
6) Special Requirements
7) The design, setting, external finish, and architectural appearance of all buildings including accessory buildings and structures and landscaping shall be to the satisfaction of the Development Officer to ensure that adequate protection be afforded to the amenities of the areas.
8) Dwelling Accommodation
    a. Dwelling accommodation is allowed only if it is accessory to the principal use of the building or site, and
    b. It is to be occupied by a caretaker or watchman of the premises when on duty.

URBAN RESERVE DISTRICT (UR) LAND USE DISTRICT

1) Purpose and Intent

    a. The purpose and intent of this district is to provide for a limited range of rural pursuits having regard to the essentially low density agricultural characteristics of the district as well as to the proximity of the district to the developed urban areas and the probable characteristics of future expansion of urban development into this district.

2) Permitted Uses

    a. Agriculture, Extensive

    b. Parks

3) Discretionary Uses

    a. Community Buildings and Facilities

    b. Campgrounds

    c. Dwellings, Single Detached (accessory to agricultural use only)

    d. Greenhouses, Commercial

    e. Natural Resource Extraction Industries

    f. Parks

    g. Private Clubs

    h. Public and Quasi-Public Buildings, Installations and Facilities

    i. Signs

4) General Requirements

    a. In addition to the general and special land use provisions contained in **Parts 11 & 12**, the following provisions as contained within this section shall apply to every development in this district.

5) Minimum Requirements

    a. Area of Site:

        i. Agricultural Parcels: 16.5 ha (40.78 acres)

        ii. Public and Community Parcels: 0.4 ha (0.98 acre)

    b. Front Yard: 7.6 m (24.93 ft.)

    c. Side Yards: 4.5m (14.76 ft.)

    d. Rear Yard: 7.6 m (24.93 ft.)

    e. Habitable Floor Area:

        i. Principal Dwelling: 93 m^2 (1,001.04 $ft.^2$)

6) Maximum Limits

    a. Residential Buildings on Same Site:

i. One residential building per site except where the site is used exclusively for agriculture and is at least 32.3 ha (79.83 acres) in which the use requires an additional dwelling or dwellings for full time farm help.

PART 14 – EXISTING CONTROLS

1 | REPEAL

1) Bylaw No. 184 and all amendments thereto is hereby repealed.

2 | DATE OF COMMENCEMENT

1) This Bylaw comes into effect upon the date of its third reading.

READ A FIRST TIME THIS, _____ DAY OF _____, 20_____

_____

Mayor

_____

Chief Administrative Officer

READ A SECOND TIME THIS, _____ DAY OF _____, 20_____

_____

Mayor

_____

Chief Administrative Officer

READ A THIRD TIME THIS, _____ DAY OF _____, 20_____

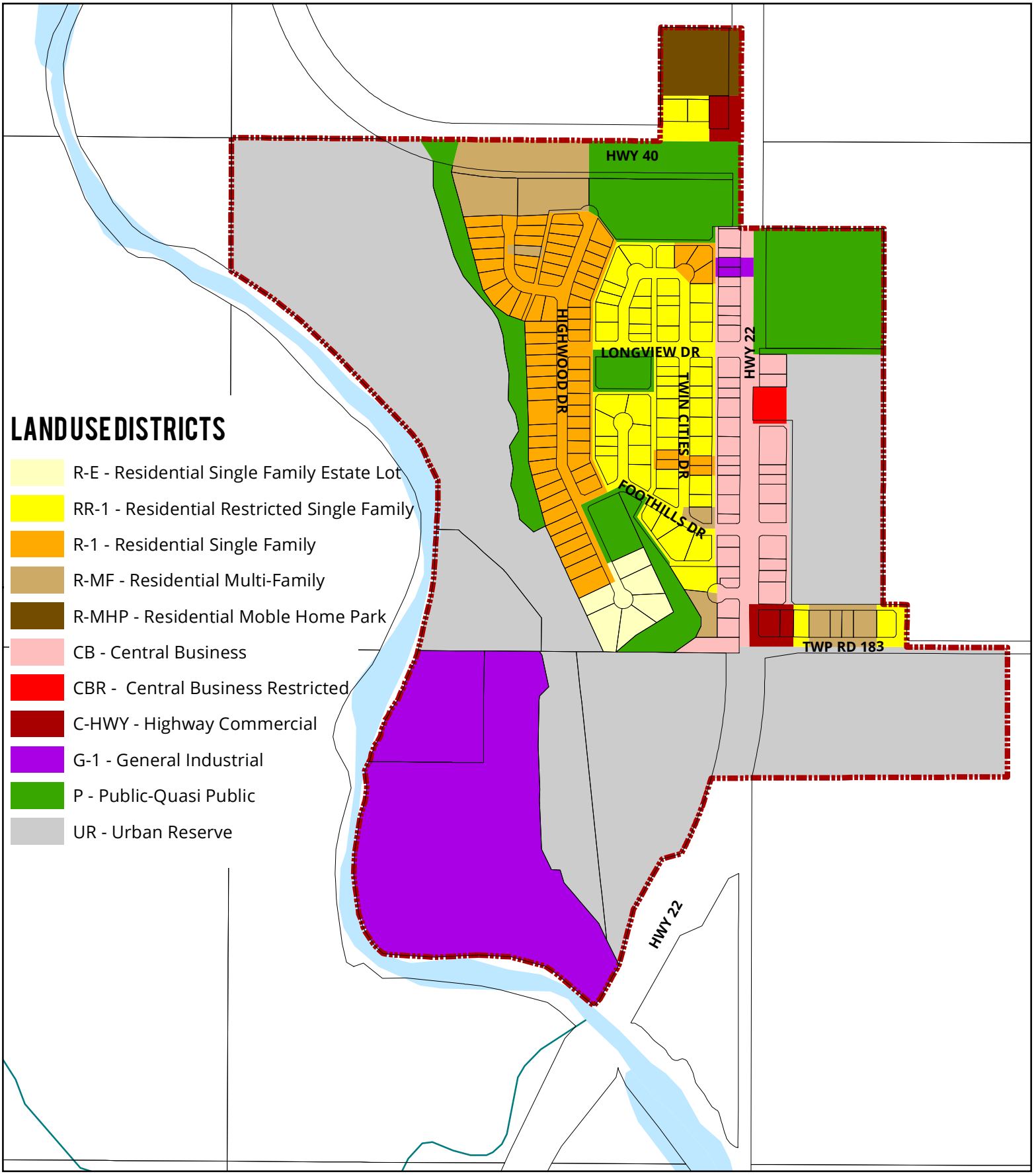
_____

Mayor

_____

Chief Administrative Officer

PART 15 – LAND USE DISTRICT MAP



VILLAGE OF LONGVIEW LAND USE BYLAW MAP

Digital Information: Geogratis and Altalis
Projection: UTM NAD 83 12N

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MPS MUNICIPAL PLANNING SERVICES LTD.

APPENDIX – A

DEVELOPMENT PERMIT APPLICATION

SUBDIVISION APPLICATION

STOP WORK ORDER

NOTICE OF APPEAL TO THE VILLAGE OF STANDARD SUBDIVISION AND DEVELOPMENT APPEAL BOARD

NOTICE OF APPEAL TO THE MUNICIPAL GOVERNMENT BOARD

CIRCULATION TRANSMITTAL