TOWN OF
HIGH LEVEL

Regular Open Council Meeting Agenda

**Monday, April 28th, 2025, at 7:00 p.m.**
in the Council Chambers, Town Hall, 10203-105th Avenue, High Level, AB

Electronic Participation via YouTube. The YouTube link for this meeting is:
https://youtube.com/live/PKzj3N1OjFQ?feature=share

*The Town of High Level Mayor and Council acknowledge Treaty 8 Territory - the traditional and ancestral territory of the Cree and Dene. We acknowledge that this territory is home to the Métis Settlements and the Métis Nation of Alberta, Regions 1, 4, 5 and 6 within the historical Northwest Métis Homeland.*

*We acknowledge the many First Nations, Métis and Inuit who have lived in and cared for these lands for generations.*
*We are grateful for the traditional Knowledge Keepers and Elders who are still with us today and those who have gone before us.*
*We make this acknowledgement as an act of reconciliation and gratitude to those whose territory we reside on or are visiting.*

## 1. CALL TO ORDER

## 2. ADOPTION OF MEETING AGENDA

2.1. Adoption of Meeting Agenda

**THAT the Regular Open Council meeting agenda for April 28th, 2025, be adopted.**

## 3. DELEGATIONS

## 4. ADOPTION OF MINUTES

4.1. Minutes of the Regular Open Council Meeting held April 14th, 2025, for adoption.

**THAT the Minutes of Regular Open Council meeting held April 14th, 2025, be adopted.**

## 5. MAYOR'S REPORT

5.1. Mayor McAteer's Report April 15th, 2025 - April 28th, 2025

**THAT Council receive Mayor McAteer's report for the period of April 15th, 2025, to April 28th, 2025, for information.**

## 6. COUNCIL COMMITTEE REPORTS

6.1. Council Committee Reports

**THAT Council receive the Council Committee Reports from Deputy Mayor Langford, Councillor Anderson, Councillor Jessiman, Councillor Lambert, Councillor Liboiron, and Councillor Welke for the period of April 15th, 2025, to April 28th, 2025, for information.**

**Deputy Mayor Langford:**

**Councillor Anderson:**

**Councillor Jessiman:**

**Councillor Lambert:**

**Councillor Liboiron:**

**Councillor Welke**

## 7. ADMINISTRATIVE REPORTS

7.1. CAO Report – Verbal

**THAT Council receive CAO Thoss' report for the period of April 15th, 2025, to April 28th, 2025, for information.**

## 8. ADMINISTRATIVE ENQUIRIES

8.1. Town of High Level Branding Options – Update 4

**THAT based on the April 28, 2025, report from the Director of Planning & Development, *Town of High Level Branding Options – Update 4*, Council approve the adoption of a new Town of High Level logo to replace its current version, as presented in Attachment 1;**

**AND THAT Council direct Administration to officially launch the Town's new logo on August 1, 2025.**

8.2. Intermunicipal Development Plan Renewal

**THAT, based on the April 28, 2025, report from the Director of Planning & Development, *Intermunicipal Development Plan Renewal,* Council direct Administration to enter into an agreement with Mackenzie County to update the Intermunicipal Development Plan, as presented in Attachment 1;**

**AND THAT, Council appoint two Councillors to the associated Joint Steering Committee that are not also members of the Intermunicipal Planning Commission.**

8.3. Moose Meadows Phase 1 Outline Plan

**THAT, based on the April 28, 2025, report from the Director of Planning & Development, *Moose Meadows Phase 1 Outline Plan,* Council consider one of the options as presented.**

8.4. Bylaw 1053-25 – A Bylaw to Establish a Direct Control District

**THAT based on the April 28, 2025, report from the Director of Planning and Development, *Bylaw 1053-25 - Bylaw to Establish a Direct Control District*, Council provide FIRST READING to Bylaw 1053-25 as presented;**

**AND THAT Council direct Administration to hold a Public Hearing on May 26, 2025, at 6:30PM for Bylaw 1053-25.**

8.5. Making Housing Easier to Build – Land Use Bylaw Replace and Repeal

**THAT based on the April 28, 2025, report from the Director of Planning & Development, *Municipal Development Plan Amendment*, Council provide FIRST READING to Bylaw 1051-25 as presented;**

**AND THAT Council direct Administration to hold a Public Hearing on May 26, 2025, at 7PM for Bylaw 1051-25.**

8.6. Municipal Development Plan Amendment

**THAT based on the April 28, 2025, report from the Director of Planning and Development, *Municipal Development Plan Amendment*, Council provide FIRST READING to Bylaw 1052-25 as presented;**

**AND THAT Council direct Administration to hold a Public Hearing on May 26, 2025, at 7PM for Bylaw 1052-25.**

8.7. Town of High Level 2025 Property Tax Rate Bylaw

**THAT Council consider giving first, second and third readings to the *Town of High Level 2025 Property Tax Rate Bylaw No. 1054, 2025*.**

## 9. OLD BUSINESS

## 10. NEW BUSINESS

## 11. CORRESPONDENCE FOR ACTION

11.1 Correspondence for Action

**THAT the items of correspondence for information be action.**

- Letter High Level Library Board – Billings 2025
- Invoice from Peace Library System

## 12. CORRESPONDENCE FOR INFORMATION

12.1. Correspondence for Information

**THAT the items of correspondence for information be received.**

- Northern Alberta Elected Leaders - March 14, 2025, Minutes

12.2. Internal Correspondence for Information

**THAT the items of internal correspondence for information be received.**

- Emergency Services - Departmental Monthly Report / March 2025
- Community Services - Departmental Monthly Report / March 2025

## 13. NOTICES OF MOTION

## 14. QUESTION PERIOD

## 15. RECESS TO IN-CAMERA MEETING

15.1. Recess to In-Camera Meeting

**THAT pursuant to *the Freedom of Information and Protection of Privacy Act*, the meeting be closed to the public on the basis that the subject matter of all agenda items to be considered related to matters listed under Part 1, Division 2, sections 24(1)(b)(i), and (c) The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to reveal consultations or deliberations involving officers or employees of a public body, positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the Government of Alberta or a public body, or considerations that relate to those negotiations.**

## 16. RECONVENE OPEN MEETING

16.1. Reconvene Open Meeting

**THAT the Regular Open Council meeting be reconvened.**

## 17. IN-CAMERA ITEMS

## 18. ADJOURNMENT

**THAT there being no further business of the Regular Open Council meeting, it be adjourned.**

# CALL TO ORDER

# ADOPTION OF AGENDA

# DELEGATIONS

# APPROVAL OF MINUTES

TOWN OF
HIGH LEVEL

Minutes of the Regular Open Council Meeting held **April 14th, 2025, at 7:00 p.m.**
in the Council Chambers, Town Hall, 10203-105th Avenue, High Level, AB

**In Attendance:**

**Council:**
Deputy Mayor Boyd Langford
Councillor Brent Anderson
Councillor Terry Jessiman
Councillor Josh Lambert
Councillor Mark Liboiron
Councillor Jan Welke

**Staff:**
Viv Thoss, Chief Administrative Officer
Logan Bartholow, Director of Planning & Development
Jena-Raye Clarke, Director of Community Services
Rodney Schmidt, Director of Emergency Services
Bill Schnarr, Communications Coordinator
Aya Balmores, Relief Legislative & Executive Assistant

**Regrets:**
Mayor Crystal McAteer
Keith Straub, Director of Operations

## 1. CALL TO ORDER

Deputy Mayor Langford called the meeting to order at 7:00 p.m.

## 2. ADOPTION OF MEETING AGENDA

2.1. Adoption of Meeting Agenda

Moved by Councillor Anderson

**085-25 THAT the Regular Open Council meeting agenda for April 14th, 2025, BE ADOPTED.**

Carried

## 3. DELEGATIONS

There were no delegations scheduled for this meeting.

## 4. ADOPTION OF MINUTES

4.1. Minutes of the Regular Open Council Meeting held March 24th, 2025, for adoption.

Moved by Councillor Welke

**086-25 THAT the Minutes of Regular Open Council meeting held March 24th, 2025, BE ADOPTED as amended.**

Carried

## 5. MAYOR'S REPORT

Not in Attendance

## 6. COUNCIL COMMITTEE REPORTS

6.1. Council Reports

Moved by Councillor Welke

**087-25 THAT Council RECEIVE the Council Reports from Deputy Mayor Langford, Councillor Anderson, Councillor Jessiman, Councillor Lambert, Councillor Liboiron, and Councillor Welke for the period of March 25th, 2025, to April 14th, 2025, for information.**

**Deputy Mayor Langford:**
**Mar. 26 – Mackenzie Regional Waste Management Commission**

**Councillor Anderson:**
**Mar. 27 – Northern Lakes College**
**Apr. 2 – Inter-Municipal Planning Commission**
**Apr. 2 – Golden Range Society**

**Councillor Jessiman:**
**Nothing to Report**

DRAFT

Councillor Lambert:
Mar. 26 – Mackenzie Regional Waste Management Commission
Apr. 1 – High Level Chamber of Commerce

Councillor Liboiron:
Mar. 26 - Mackenzie Regional Waste Management Commission
Mar. 27 – High Level Municipal Library

Councillor Welke:
Nothing to Report

Carried

## 7. ADMINISTRATIVE REPORTS

### 7.1. CAO Report - Verbal

Moved by Councillor Liboiron

088-25 THAT Council RECEIVE CAO Thoss' report for the period of March 25th, 2025, to April 14th, 2025, for information.

Carried

## 8. ADMINISTRATIVE ENQUIRIES

### 8.1. Subdivision and Development Authority Bylaw Update

That Council consider passing 1st, 2nd, and 3rd readings for proposed Town of High Level Subdivision and Development Bylaw No. 1050-25.

Moved by Councillor Liboiron

089-25 THAT Council GIVE 1st reading to Bylaw No. 1050-25

Carried

Moved by Councillor Lambert

090-25 THAT Council GIVE 2nd reading to Bylaw No. 1050-25

Carried

Moved by Councillor Welke

091-25 THAT Council GIVE unanimous consent 3rd reading to Bylaw No. 1050-25

Carried

Moved by Councillor Anderson

092-25 THAT Council GIVE 3rd reading to Bylaw No. 1050-25

Carried

DRAFT

8.2. Town of High Level Branding Options – Update 2

Moved by Councillor Lambert

093-25 **THAT Council DIRECT Administration to revise Colour Palette #4, as presented in Attachment 1, to include red and green colour options;**

**AND THAT Council DIRECT Administration to revise the raven icon;**

**AND FURTHER THAT Council DIRECT Administration to bring the amended colour palette and revised icon to the April 22 Committee of the Whole meeting for further deliberation.**

Carried

8.3. Appointment of Substitute Returning Officer

Moved by Councillor Liboiron

094-25 **THAT Council APPOINT Jena-Raye Clarke as the Substitute Returning Officer for the 2025 municipal election to be held October 20, 2025.**

Carried

## 9. OLD BUSINESS

There were no old business items brought forward.

## 10. NEW BUSINESS

There were no new business items brought forward.

## 11. CORRESPONDENCE FOR ACTION

11.1 Correspondence for Action

**That the items of correspondence for action BE RECEIVED.**

- 2025 Apex Utilities - Renewal of Natural Gas Distribution System Franchise Agreement

11.2. Investigation into Apex Gas Distribution System Acquisition Costs

Moved by Councillor Anderson

095-25 **THAT Council DIRECT Administration to table the investigation into the costs associated with acquiring the Apex gas distribution system to a later date.**

Carried

DRAFT

11.3. Alberta Municipalities – Responding to Bill 50 – Register for AB Muni's Webinar

Moved by Councillor Lambert

**096-25 THAT Council MOVE the correspondence from Alberta Municipalities regarding the response to Bill 50 and the registration for AB Muni's webinar to item 12.1, Correspondence for Information.**

Carried

## 12. CORRESPONDENCE FOR INFORMATION

12.1 Correspondence for Information

Moved by Councillor Welke

**097-25 THAT the items of correspondence for information BE RECEIVED.**

- Honourable Minister Ric McIver – Bill 50, Municipal Affairs Statutes Amendment Act, 2025
- Maskwa Medical Center Presentation
- Maskwa Medical Center Project Update
- RCMP High Level Detachment March 2025 Statistics
- Alberta Municipalities – Responding to Bill 50 – Register for AB Muni's Webinar

Carried

## 13. NOTICES OF MOTION

There were no notices of motion brought forward.

## 14. QUESTION PERIOD

There was no one in gallery attendance that wished to speak.

## 15. RECESS TO IN-CAMERA MEETING

15.1. Recess to In-Camera Meeting

Moved by Councillor Liboiron

**098-25 THAT pursuant to *the Freedom of Information and Protection of Privacy Act*, the meeting be closed to the public on the basis that the subject matter of all agenda items to be considered related to matters listed under Part 1, Division 2, sections 24(1)(b) advice, proposals, recommendations, analyses or policy options developed by or for a public body or a member of the Executive Council.**

Council recessed into an In-Camera meeting at 7:31 p.m.

Carried

DRAFT

## 16. RECOVENE OPEN MEETING

16.1. Reconvene Open Meeting

Moved by Councillor Anderson

**099-25 THAT the Regular Open Council meeting BE RECONVENED.**

The Regular Open Council Meeting reconvened at 8:06 p.m.

Carried

## 17. IN-CAMERA ITEMS

There were no in-camera items brought forward.

## 18. ADJOURNMENT

Moved by Councillor Lambert

**100-25 THAT there being no further business of the Regular Open Council meeting, it BE ADJOURNED.**

Carried

THE REGULAR OPEN COUNCIL MEETING ADJOURNED AT 8:07 P.M.

_____

DEPUTY MAYOR

_____

CHIEF ADMINISTRATIVE OFFICER

DRAFT

# MAYOR'S REPORT

# COUNCIL COMMITTEE REPORTS

# ADMINISTRATIVE REPORTS

# ADMINISTRATIVE ENQUIRIES

**Town of High Level**
**Regular Council Meeting**
**Request for Decision**

| | |
|---|---|
| **Meeting Date:** | **April 28, 2025** |
| **Prepared By:** | **Logan Bartholow, Director of Planning & Development** |
| **Subject:** | **Town of High Level Branding Options – Update 4** |

## Recommendation:

THAT based on the April 28, 2025 report from the Director of Planning & Development, *Town of High Level Branding Options – Update 4*, Council approve the adoption of a new Town of High Level logo to replace its current version, as presented in Attachment 1;

AND THAT Council direct Administration to officially launch the Town's new logo on August 1, 2025.

## CAO Comments:

I support the recommendation.

## Background:

October 2024

- On October 8, 2024, Council directed Administration to procure a consultant to create a new logo and brand design for Council's consideration. Council allocated $25,000 from the 2024 budget surplus to fund the project.

November 2024:

- North 43 Design, a Grande Prairie based company specializing in rebranding initiatives, was contracted to complete the project. The firm developed four new branding options for Council's review.

February 2025:

- On February 24, 2025, Administration presented five branding options to Council (four new options and the existing Town logo as a fifth option) (Attachment 1).
- Council directed Administration to conduct a public survey asking residents to rank their preferred choices among Options 2, 4, and 5.

March 24, 2025

- Council directed Administration to proceed with finalizing branding option 2 and to return to Council for approval of a finalized design.

April 14, 2025

- Council directed Administration to bring back new colour options incorporating green into the forestry icon and red into the energy icon.
  Council further directed Administration to bring back new options for the raven icon for further discussion regarding the raven/caribou option.

April 22, 2025

- The Committee of the Whole recommended the logo, colour, and icons found in attachment 1 to Council for further deliberation at the April 22, 2025 Committee of Whole meeting.

## Discussion:

Should Council adopt a new Town of High Level logo, it is recommended that an official launch date be set for August 1, 2025. This will give Administration time to prepare a cohesive brand rollout on that date with new uniforms, updated social platforms, new email signatures, and more. Undoubtedly there will be additional work past August 1, 2025, but this will give Administration time to make some of the most visible changes.

## Financial:

Project Funding Summary

- The rebranding project is funded entirely from the 2024 budget surplus and is not grant-funded.

- The Town's Wayfinding Strategy & Implementation Plan is dependent on the completion of this project as the Town's branding will be heavily incorporated into the signage design.
    - The Wayfinding project is 50% grant-funded through the Northern and Regional Economic Development Program and 50% municipally funded.
    - Further delays in the decision-making process for the Town's branding may result in the Town's Wayfinding Strategy & Implementation Plan falling behind deadline which could result in a loss of grant funding.

Capital Funding Summary

- Administration has included a $110,500 capital project in the approved 2025 Capital Budget to complete a potential branding change. These funds will be used through 2025 to complete a transition of the Town's branding. Any future funding needed to fully complete the transition will be brought forward for Council's consideration at the 2026 Capital Budget deliberations.
- Administration will also work to ensure that one-use items, like printed letterheads with the Town's current branding, are only replaced once the current items are used.
- If Council chooses to maintain the Town's current branding then the proposed capital project will be cancelled.

## Council Options:

1. THAT Council approve the adoption of a new Town of High Level logo to replace its current version, as presented in Attachment 1;

   AND THAT Council direct Administration to officially launch the Town's new logo on August 1, 2025.

2. THAT Council direct Administration to retain the Town's current logo and branding with no further modifications.

3. THAT Council direct Administration to take any other action deemed appropriate by Council.

## Attachments:

**Attachment 1 – Proposed Town of High Level Logo & Branding**

**Approvals:**

| | |
|---|---|
| **CAO, Viv Thoss** | **Author: Logan Bartholow, Director of Planning & Development** |

Colour Palette #4B

TOHL Secondary Colours

TOWN OF
High Level

TOWN OF
High Level

| #E82439 | #F2D98D | #575A26 | #F2AE2E | #3E688C | #152C3F | #333333 |
|---|---|---|---|---|---|---|
| R 232<br>G 36<br>B 57 | R 242<br>G 217<br>B 141 | R 87<br>G 90<br>B 38 | R 242<br>G 174<br>B 46 | R 62<br>G 104<br>B 140 | R 21<br>G 44<br>B 63 | R 51<br>G 51<br>B 51 |

Bright, Happiness, Hope, Calm,
Trust, Passion

**Town of High Level**
**Regular Council Meeting**
**Request for Decision**

| | |
|---|---|
| **Meeting Date:** | **April 28, 2025** |
| **Prepared By:** | **Logan Bartholow, Director of Planning & Development** |
| **Subject:** | **Intermunicipal Development Plan Renewal** |

**Recommendation:**

THAT, based on the April 28, 2025 report from the Director of Planning & Development, *Intermunicipal Development Plan Renewal,* Council direct Administration to enter into an agreement with Mackenzie County to update the Intermunicipal Development Plan, as presented in Attachment 1;

AND THAT, Council appoint two Councillors to the associated Joint Steering Committee that are not also members of the Intermunicipal Planning Commission.

**CAO Comments:**

I support the recommendation.

## Background:

September 9, 2024

Council passed a resolution supporting Mackenzie County's grant application for the Alberta Community Partnership Program Grant (ACPP) under the Intermunicipal Collaboration (IC) stream to secure funding to update the existing Intermunicipal Development Plan (IDP).

## Discussion:

The Town's Intermunicipal Development Plan (IDP) with Mackenzie County was approved in 2009 and now requires updating. Many aspects of how the Town and the County collaborate have changed since 2009, especially following the annexation of the airport lands.

To guide the update to the IDP, an agreement and terms of reference have been jointly drafted by members of Administration from the Town of High Level and Mackenzie County. A copy of this draft agreement can be found in Attachment 1.

The Joint Steering Committee for the project shall consist of the Mayor of the Town of High Level, the Reeve of Mackenzie County, and two appointed Councillors from each party's Council. The appointed Councillors cannot also sit on the Intermunicipal Planning Commission (IMPC) – the reason being that the IMPC is a body used in the agreement's dispute resolution process.

## Financial:

Mackenzie County was successful in their application to the ACPP and received $95,000 in grant funding to procure a consultant to update the IDP. No further funding will be required from either municipality at this time.

## Council Options:

1. THAT Council direct Administration to enter into an agreement with Mackenzie County to update the Intermunicipal Development Plan, as presented in Attachment 1;

   AND THAT, Council appoint Councillor (INSERT NAME) and Councillor (INSERT NAME) to the associated Joint Steering Committee.

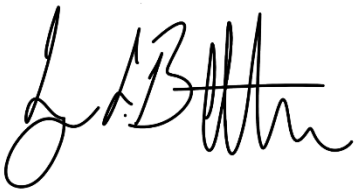
2. THAT Council direct Administration to take any other action deemed appropriate by Council.

## Attachments:

**Attachment 1 – Intermunicipal Development Plan Project Agreement & Terms of Reference**

**Approvals:**





| | |
|---|---|
| **CAO, Viv Thoss** | **Author: Logan Bartholow, Director of Planning & Development** |

**PROJECT AGREEMENT & TERMS OF REFERENCE**
**FOR THE RENEWAL OF THE INTERMUNICIPAL DEVELOPMENT PLAN**
**BETWEEN THE TOWN OF HIGH LEVEL AND MACKENZIE COUNTY**

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## 1. INTRODUCTION

This Project Agreement and Terms of Reference (hereinafter referred to as the "Agreement") is entered into between the Town of High Level and Mackenzie County (hereinafter collectively referred to as "the Parties") for the purpose of renewing the Intermunicipal Development Plan ("IDP"). This project shall be funded exclusively through a grant administered by Mackenzie County unless otherwise agreed to by both parties.

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## 2. PURPOSE & OBJECTIVES

The purpose of this Agreement is to establish a structured framework to guide the renewal of the IDP. Specifically, this Agreement shall:

- Define the scope of the IDP renewal process;
- Clarify roles, responsibilities, and decision-making authorities of the Parties;
- Guide effective collaboration between the Parties;
- Establish project deliverables, timelines, and financial expectations;
- Ensure compliance with all applicable provincial and municipal legislative and regulatory requirements.

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## 3. SCOPE OF WORK

The IDP renewal process shall be carried out and led by a Consultant selected by the Joint Steering Committee as outlined below, and shall include the following key components:

- A comprehensive review of the existing IDP and identification of necessary updates;
- The development of technical reports and data as necessary for the renewal of the existing IDP;
- Stakeholder and public engagement to inform the renewal process;
- Preparation of draft and final versions of the renewed IDP;

- Compliance assessment with provincial legislation, municipal policies, and intermunicipal agreements.

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## 4. GOVERNANCE & DECISION-MAKING

### 4.1 Joint Steering Committee (JSC)

A Joint Steering Committee (JSC) shall be established to provide oversight and strategic direction for the project. The JSC shall be composed of:

- The Reeve of Mackenzie County;
- The Mayor of the Town of High Level;
- Two Councillors from Mackenzie County, appointed by resolution;
- Two Councillors from the Town of High Level, appointed by resolution.

The Parties shall finalize their JSC appointments, through resolution, by **May 30, 2025**. The Parties shall not appoint representatives to the JSC that sit on the Intermunicipal Planning Commission (IMPC).

### 4.2 Joint Administrative Team (JAT)

A Joint Administrative Team (JAT) shall be responsible for providing administrative and technical support to the JSC. The JAT shall consist of:

- The Chief Administrative Officer of Mackenzie County;
- The Chief Administrative Officer of the Town of High Level;
- The Director of Planning & Development for Mackenzie County;
- The Director of Planning & Development for the Town of High Level;

The JAT shall be responsible for facilitating the coordination of the project, the Consultant, supporting the JSC, and managing administrative and operational aspects of the IDP renewal.

## 5. PROJECT MANAGEMENT & ADMINISTRATION

### 5.1 Responsibilities of the JSC:

- Approving and/or amending the Request for Proposal ("RFP") drafted by the JAT;
- Selecting and approving the Consultant to undertake the IDP renewal as recommended by the JAT;
- Providing strategic direction to the Consultant and JAT;
- Reviewing all draft and final project deliverables;
- Providing recommendations or requests to each of the Parties' respective Councils, including recommendations to adopt the finalized IDP.

### 5.2 Responsibilities of the JAT:

- Drafting the RFP and managing the RFP process;
- Scheduling and coordinating JSC meetings;
- Documenting meeting proceedings and preparing reports as necessary;
- Managing the Consultant selected by the JSC;
- Providing recommendations to the JSC on project matters including recommendations to the JSC on proposals submitted through the formal Request for Proposal.
- Jointly review the Intermunicipal Collaboration Framework (ICF) in conjunction with this project to ensure alignment with the IDP, and amend the ICF as needed.

### 5.3 Financial Administration:

- Mackenzie County shall be responsible for managing the grant funding and ensuring all expenditures comply with the terms of the funding program and that all invoices submitted by the Consultant are processed in accordance with the contract for services entered into with the Consultant;
- Copies of all invoices and receipts related to the project shall be provided to the Town of High Level for record-keeping purposes;

## 6. FINANCIAL ARRANGEMENTS

- The project shall be fully funded through a grant awarded through the Community Initiatives Program (CIP) totalling $95,000, and held by Mackenzie County;
- Should the project require additional funding to complete the renewal of the IDP, the JSC shall make a request to each of the Parties' respective Councils, with the further recommendation that the burden of those costs be split evenly between each of the Parties.
- All expenditures related to the IDP renewal must receive prior approval from the JSC, unless otherwise stipulated in a contract for services with the Consultant, and be reported to both municipal Councils;
- No additional financial contributions shall be required from either Party.
- Any travel and meal expenses incurred by members of the JSC and/or JAT as part of the project shall be borne by that respective municipality of the representative incurring such costs.

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## 7. COMMUNICATION & REPORTING

- Members of the JSC shall provide regular progress updates to their respective Councils at regularly scheduled Council meetings;
- Public and stakeholder engagement activities shall be coordinated and executed by the Consultant, supported by the JAT.
- Public communications shall be issued by the Parties in a coordinated manner to ensure consistency and accuracy of project-related information.

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## 8. ANTICIPATED TIMELINE & DELIVERABLES

- **First Meeting of the JSC:** June 2025
- **Posting of the RFP:** June/July 2025
- **Selection of the Consultant:** July/August 2025
- **Project Initiation & Technical Reports:** August 2025

- **Public Consultation Period:** October/November 2025
- **Draft IDP Submission to JSC:** December 2025
- **Final IDP Submission to JSC:** January 2026
- **Final IDP Approval by Councils:** January/February 2026

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**9. DECISION & DISPUTE RESOLUTION**

- Quorum for the Joint Steering Committee shall be met when a minimum of two representatives from each municipality are present.
- Decisions by the JSC will be made by motion and shall pass by a simple majority vote of those present.
- Where a motion has a tie vote within the JSC, the matter shall be referred to the Intermunicipal Planning Commission for decision.
- If consensus cannot be reached within the JAT, the issue shall be escalated to the JSC for resolution.
- In the event a dispute remains unresolved, the matter shall be referred to each of the Parties' respective Councils for direction.

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**10. OTHER PROVISIONS**

- The current version of the Intermunicipal Development Plan shall remain in full effect unless otherwise repealed or amended by Council as a result of this project.
- This Agreement does not create a legally binding partnership, joint venture, or agency relationship between the Parties;
- Any amendments or modifications to this Agreement must be approved by each of the Parties' respective Councils through resolution;
- The final version of the renewed IDP shall require approval by both municipal Councils through the formal adoption of a Bylaw in accordance with provincial legislative requirements. Upon adoption of the bylaw, the JSC and JAT shall be automatically dissolved.

**11. SIGNATURES**

This Agreement is executed by the authorized representatives of both Parties as of the dates indicated below.

**Town of High Level**

Name: _____

Title: _____

Date: _____

**Mackenzie County**

Name: _____

Title: _____

Date: _____

**Town of High Level**
**Regular Council Meeting**
**Request for Decision**

| | |
|---|---|
| **Meeting Date:** | **April 28, 2025** |
| **Prepared By:** | **Logan Bartholow, Director of Planning & Development** |
| **Subject:** | **Moose Meadows Phase 1 Outline Plan** |

**Recommendation:**

THAT, based on the April 28, 2025 report from the Director of Planning & Development, *Moose Meadows Phase 1 Outline Plan,* Council consider one of the options as presented.

**CAO Comments:**

I support the recommendation.

## Background:

- N'DEH Limited Partnership & the Dene Tha' First Nation are proposing a new residential development for up to 27 new modular housing units designed to operate as second stage recovery for vulnerable populations. At this time, there are no on-site supports proposed for this property.
- ISL Engineering has supported N'DEH Limited Partnership & the Dene Tha' First Nation in developing this Outline Plan, and the associated rezoning application, and will provide further support during the development and subdivision application process.
- The Town has not historically required developers to complete Outline Plans (also known as Concept Plans); however, the Municipal Development Plan does

state that the Town may require the applicant to prepare an Outline Plan for a development if the size of the development is of a scale where an Area Structure Plan or Area Redevelopment Plan is not suitable.

- Requiring Outline Plans is standard practice across municipalities in Alberta. Outline Plans are critical non-statutory documents that bridges the gap between broader plans such as the Municipal Development Plan, and site specific development and subdivision approvals.
- The completion and approval of an Outline Plan gives the public, the developer, Administration, and Council confidence that technical questions around development feasibility, geotechnical suitability, environmental sensitivity, land use, subdivision, and infrastructure capacity are answered well in advance of a shovel being put in the ground.

## Discussion:

- Administration has reviewed the submitted Outline Plan, as well as the supporting reports and figures, and has no concerns with the development from a technical or feasibility stand point. Any concerns that have been raised by Administration have been addressed by applicant. Furthermore, the Town's Planning & Development consultant has also completed a review and found no concerns.
- In reviewing the Municipal Development Plan, Administration believes the proposed project generally aligns with the MDP as has been included within subsection 1.3 of the proposed Moose Meadows Phase 1 Outline Plan.
- Approval of the Outline Plan is the first step in the process, and rezoning, subdivision, and development approvals are all still required steps before construction may begin. Rezoning will require a public notification and a public hearing.
- Approval of the Outline Plan does not require Council to approve the related rezoning application, but instead, is designed to give Council a detailed overview of what the development would entail.

## Financial:

- N/A

## Council Options:

1. THAT Council approve the Moose Meadows Phase 1 Outline Plan as presented.

2. THAT Council approve the Moose Meadows Phase 1 Outline Plan as amended.

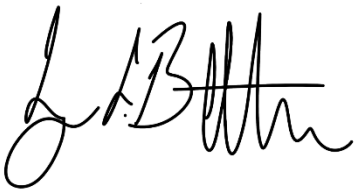
3. THAT Council direct Administration to take any other action deemed appropriate by Council.

## Attachments:

**Attachment 1 – Moose Meadows Phase 1 Outline Plan**

**Approvals:**





**CAO, Viv Thoss**

**Author: Logan Bartholow, Director of Planning & Development**



# Moose Meadows Phase 1 Outline Plan

Prepared for: N'DEH LIMITED PARTNERSHIP & DENE THA' FIRST NATION
Prepared by: ISL Engineering and Land Services Ltd.

**April 2025**

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# SECTION ONE 1

# Planning Context

*This section outlines the policy context of the plan as well as the interpretation, monitoring, review and amendment of policies herein.*

## 1.1 INTRODUCTION

Dene Tha' First Nation (DTFN) believes that every person has the human right to a standard of living for the health and wellbeing of themselves and their families. In order to provide that standard of living, access to appropriate services is crucial to enhance the quality of life for the Dene Tha' community. Dene Tha' First Nation's Indigenous Transitional Housing Unit Project is a priority initiative designed to secure accommodation to support vulnerable Indigenous people facing gender-based violence and others recovering from addiction.

There is a significant underserved Indigenous population in remote and semi-remote northern Alberta and in the southern region of the Northwest Territories. Beyond the need of the Dene Tha' people, there is a larger regional need for transitional housing units to support vulnerable populations. During times of less than 100% occupancy, Dene Tha' will open up homes to other communities seeking this service.

The development proposal will provide the region with new single family modular homes to support second stage recovery for vulnerable populations.

The **Moose Meadows Phase 1 Outline Plan** is intended to provide a framework for the development of this transitional housing on lands within the Town as shown on **Figure 1: Location Plan.**

## 1.2 PURPOSE

The Moose Meadows Phase 1 Outline Plan is a non-statutory plan, approved by Council, that provides a comprehensive development concept for the lands within the Plan area.

The plan provides a framework for proposed development including

- Proposed land use
- Proposed density of population
- Location of roadways
- Servicing strategy
- Municipal reserve obligations

This document is intended to be a comprehensive plan for initial phases of the DTFN High Level lands. It is anticipated that minor revisions to the plan may be required over time. Modifications to this plan at the time of development should be supported where the intent of the plan is not compromised.




Project Boundary

# Moose Meadows Phase 1 Outline Plan

Figure 1
Location Plan

0 200 400 m
1:10000

N

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## 1.3 POLICY CONTEXT

Policies within this Outline Plan are consistent with the following relevant regulation, statutory plans, and local bylaws:

### Municipal Development Plan (MDP) (Bylaw 987-18)

The MDP identifies the subject lands as residential development. The Outline Plan aligns with MDP **Figure 3, Land Use** and the key goals and objectives of the MDP by providing efficient and effective development in an area proposed for residential development.

The subject lands are not within an area requiring preparation of an Area Structure Plan as shown on **MDP Figure 4: Areas Requiring Area Structure Plans or Area Redevelopment Plans.**

The Outline Plan supports the following relevant MDP goals and policies:

| |
|---|
| ***Chapter 3: VISION AND GUIDING SUSTAINABILITY PRINCIPLES*** |
| ***3.1 Vision*** |
| Our vision for the future of High Level is as Alberta's best known community; there is no other place like it. |
| The Moose Meadows Phase 1 Outline Plan is consistent with the Town's Vision to be a unique community by being a leader in providing needed housing. |
| ***3.2 Guiding Sustainability Principles*** |
| ***Security*** |
| *We believe in a strong social structure. We value offering all residents excellent access to education, health services, recreation, affordable housing, and other supportive services.* |
| Provision of transitional housing supports the Town's strong social structure. |
| ***Cultural Legacy*** |
| *We recognize diversity, and celebrate being inclusive. We are proud of our culture where people are comfortable with who they are in our small, northern community.* |
| The proposed development accommodates a specific regional need and increases inclusivity opportunities within the community. |
| ***Opportunities for Everyone*** |
| *We value all members of the community. We are motivated and creative in expanding local services that are easily accessible for everyone.* |
| The Outline Plan provides an opportunity to expand local services to support all residents of the community. |
| ***Social Health*** |
| *We believe in a strong social structure. We value offering all residents excellent access to education, health services, recreation, affordable housing, and other supportive services.* |

The proposed development is conveniently accessible to local support services and amenities.

***Regional Cooperation***

*We value being proactive in seeking opportunities that might benefit the entire region such as economic, health services, natural environment and utilities strategies. We take pride in our spirit of regional partnerships as this collaboration enables us to have a strong presence within the province.*

The Town has a strong spirit of cooperation within the greater region and understands the benefits of regional collaboration.

***Chapter 4: OBJECTIVES AND POLICIES***

***4.1 Sense of Community***

- *Promote a dynamic community rooted in strong social connections and a sense of belonging;*
- *Provide amenities and services for all residents in High Level*
- *Create a safe community*
- *Encourage healthy and active lifestyles*

The proposed transitional housing meets an urgent regional need and provides a safe environment to support vulnerable populations.

***4.2 Inclusive Community***

- *The Town should continue to promote an inclusive and family-oriented community culture.*
- *The Town should design the community to facilitate strong social interactions by ensuring neighbourhood design fosters connections between neighbourhoods, and between public open spaces through inclusive mobility standards.*

The proposed development adds to the community's family oriented culture by increasing inclusivity opportunities.

***4.4 Social Amenities***

- *The Town should encourage appropriate organizations to ensure that residents have access to all possible social services, and particularly services that proactively address social issues.*

The Outline Plan provides an opportunity to provide the social services that are integral to the provision of transitional housing and the ultimate success of the project.

***4.8 Safety***

- *The Town should collaborate with local social services providers to place an emphasis on a proactive approach to safety by effectively providing services for alcohol & drug addition, domestic violence, and physical and sexual assaults.*

The proposed transitional housing provides a safe environment to support vulnerable populations in proximity to essential services.

***4.9 Public Engagement and Communication***

- *The Town shall encourage and promote public engagement opportunities, and communication methods.*
- *The Town should continue to provide clear and timely communication to the public regarding the outcomes from Council meetings.*

The Outline Plan and other related applications and processes will follow the Town's planning and approval process, including circulation to service providers and government agencies as well as notification to adjacent residents and a Public Hearing prior to Council's decision.

***Chapter 9: RESIDENTIAL***

***9.1 Objectives***

- *Encourage a diversity of housing options in Town that are supported by the market*
- *Maintain the "small town" feel of High Level by providing a variety of housing options*

The introduction of transitional housing in the form of modular homes provides an additional option to meet the diverse housing needs in High Level.

***9.2 General Policy***

*Policy 9.2.3* *The Town should support the following forms of residential housing:*

- *Single-detached dwellings*
- *Semi-detached dwellings*
- *Duplexes*
- *Fourplexes*
- *Townhouses*
- *Manufactured homes*
- *Apartments (up to 4 storeys); and*
- *Mixed-use housing.*

The proposed modular units fall within the definition of manufactured homes.

*Policy 9.4.1* *The Town shall encourage opportunities for the provision of a variety of housing options, types, and prices to meet the needs of a range of demographics and socio-economic groups in High Level ensuring housing is attainable.*

The provision of transitional housing expands the range of demographics and socio-economic groups that can be accommodated within the Town.

*Policy 9.5.1* *The Town may allow for the development of manufactured homes located within the Residential areas as based on the Land Use Bylaw, as illustrated in the Land Use Map (Figure 3).*

The subject site is located within the Town's Residential areas as defined on Figure 3.

***Chapter 16: Transportation and Mobility***

***16.1 Objectives***

- *To promote inclusive mobility, and non-vehicular modes of transport including developing appropriate regulations and infrastructure*
- *To ensure mobility routes are safe for all users*

The road and pedestrian network has been designed per the Town's standards and the Land Use Bylaw, and provides connections to the existing and future network and green space.

***16.2 General Policy***

*Policy 16.2.3* *The Town shall ensure that sidewalks, bicycle lanes, trails and roads are designed in a fully integrated manner to enable easy mobility for all community members.*

The road network is designed to integrate with the existing road network identified on Figure 7.

*Policy 16.2.4* *The Town should encourage all new development to connect to the existing mobility network in a consistent manner and by providing as much connectivity as possible.*

The primary entrance to the Phase One development aligns with 101 Street. Walkway connections have been provided to ensure convenient access to adjacent services and amenities.

*Policy 16.5.3* *The Town should develop walkways that connect residential areas to major streets with hard surfaces to enable more accessibility during all seasons and for all inclusive mobility users.*

Walkway connections have been provided to ensure convenient access to adjacent services and amenities.

## *Chapter 17: RESOURCES, INFRASTRUCTURE AND SERVICING*

### *17.1 Objectives*

- *Ensure the Town's infrastructure systems (water, sanitary sewer, stormwater) are provided in an efficient and cost effective manner*
- *Ensure the capacities of the infrastructure systems (water, sanitary sewer, stormwater) are able to accommodate future growth in High Level*

Servicing will be provided per Town standards in alignment with sustainability policies.

### *16.2 General Policy*

*Policy 17.3.1* *The Town shall ensure its water supply is sufficient and of a high quality to serve High Level's domestic, fire protection and irrigation needs.*

Water servicing will be provided per Town standards.

*Policy 17.4.1* *The Town shall ensure its sanitary sewer collection system and treatment facility (effluent lagoon) has the capacity to accommodate future growth of the Town.*

The sanitary sewer collection system will be designed per Town standards.

*Policy 17.5.5* *The Town shall ensure the volume of stormwater discharged into surrounding water bodies is within the capacity of the receiving catchment area in order to prevent flooding or adverse flow conditions.*

The stormwater management strategy will be developed to meet Town standards.

## *Chapter 18: REGIONAL COOPERATION*

### *18.1 Objectives*

- *Foster a collaborative relationship with :* ***Beaver First Nation, Dene Tha' First Nation, Little Red River Cree Nation, Tallcree First Nation, Paddle Prairie Metis Settlement, the Town of Rainbow Lake and Mackenzie County****. to ensure that local and regional growth issues are addressed proactively.*

The proposed transitional housing meets the current needs of the Dene Tha' First Nation and provides opportunities to benefit the entire region.

### *18.2 General Policy*

*Policy 18.2.3* *The Town should collaborate with regional partners:* ***Beaver First Nation, Dene Tha' First Nation, Little Red River Cree Nation, Tallcree First Nation, Paddle Prairie Metis Settlement, the Town of Rainbow Lake and Mackenzie County****. to develop regional servicing solutions for water, waste, and mobility infrastructure, protective and emergency services, social services, economic development and natural area protection.*

The Moose Meadows Phase 1 Outline Plan provides an opportunity to develop support services for vulnerable populations throughout the region.

**Land Use Bylaw (Bylaw 1018-21)**

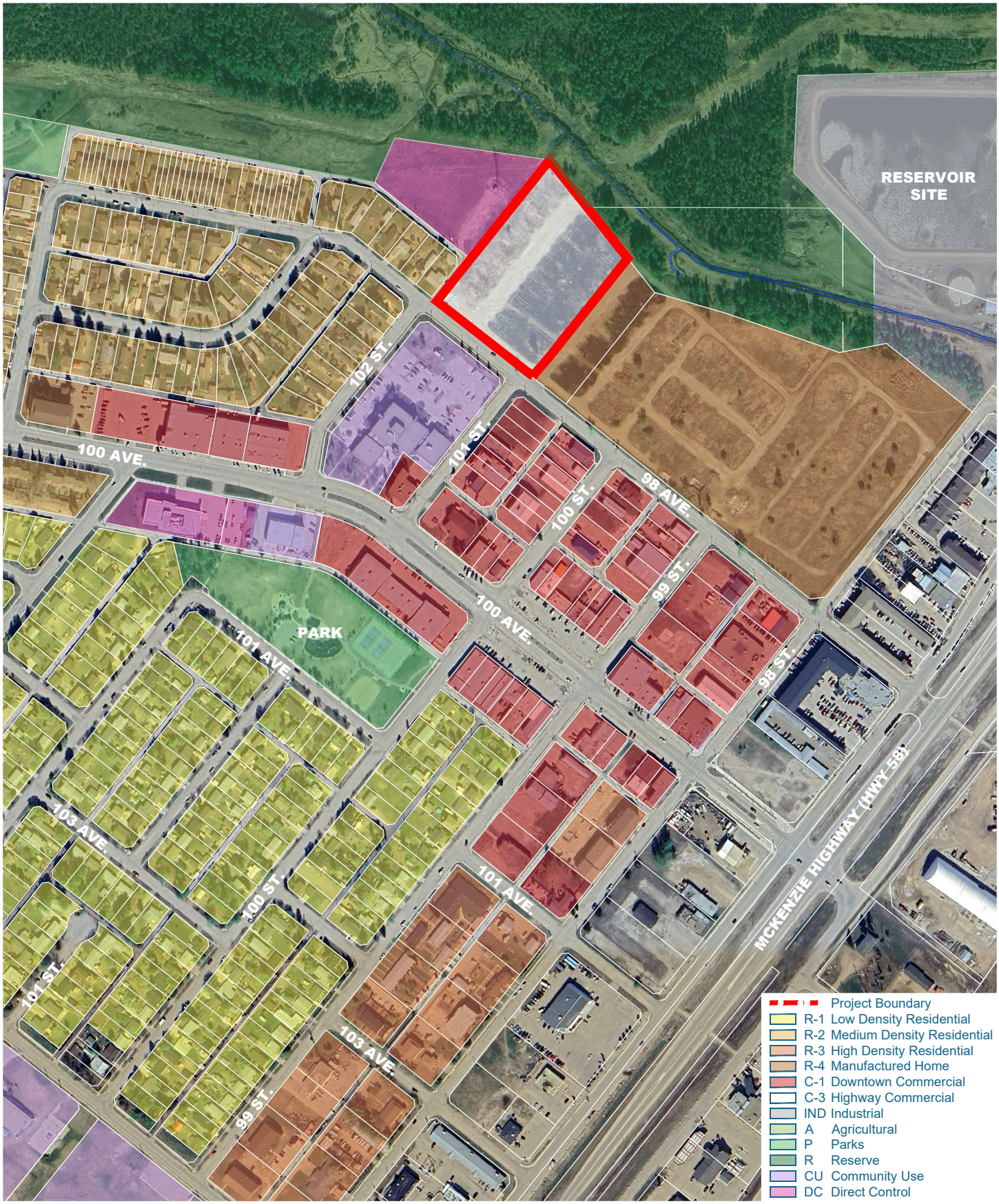
The Development Concept prepared for the Moose Meadows Phase 1 Outline Plan has been designed to reflect the regulatory parameters of the Town of High Level LUB.

The subject parcel is currently zoned Manufactured Home-Mobile (R4) District which was originally developed as the High Level Trailer Court and was subsequently used to provide emergency housing for evacuees from recent fires in the region.

Prior to development of the modular units for the transitional housing, a land use bylaw amendment will be required to amend the zoning of the proposed parcels to a Direct Control District based on the regulations for the (R-2) District.

The intent of the DC District is to enable the development of housing within an unsubdivided parcel designed to accommodate transitional housing on notational lots as provided for in the approved Moose Meadows Phase 1 Outline Plan. A notational lot is defined as a portion of a property within the Moose Meadows Phase 1 Direct Control District that is designed and intended to function similar to a subdivided residential lot within a residential land use district.

The subject lands are identified within the context of the MDP on **Figure 2: Context Plan.**




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# Moose Meadows Phase 1 Outline Plan

Figure 2

Context Plan



April 2025

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## 1.4 PLAN INTERPRETATION

### Map Interpretation

Unless otherwise specified within this Outline Plan, the boundaries or locations of any symbols or areas shown on a map or illustration are approximate only, not absolute, and shall be interpreted as such. They are not intended to define exact locations except where they coincide with clearly recognizable physical features or fixed boundaries such as property lines or utility/road rights-of-way. Details shown on the maps will be subject to further study at the subdivision or development approval stage. No measurements or area calculations shall be taken from the plan maps. Minor revisions to the Development Concept may be permitted at the discretion of the Development Authority at the time of development, provided they are consistent with the intent of this Outline Plan.

### Policy Interpretation

Where “shall”, “will” or “require” are used in a policy, the policy is considered mandatory in order to achieve a desired result. Where “should” or “encourage(d)” is used in a policy it is anticipated that the policies will be applied in all situations unless it can be clearly demonstrated to the satisfaction of the Development Authority, that the intent of the Outline Plan is not compromised.

## 1.5 MONITORING AND REVIEW

This Outline Plan is a framework for subdivision and development and provides guiding principles, a development concept and policies that work towards achieving the vision for the development. The policies within this Outline Plan have been provided to guide the development of the site, as there is no ASP in place. This Outline Plan may be amended in response to changes in the overall policy direction within the Town or specific planning applications. The Outline Plan policies have been developed to provide for flexibility as the community evolves.

## 1.6 AMENDING THE OUTLINE PLAN

If major changes with regards to land use, road networks or any other significant aspect of the plan are contemplated, such as a change in use from residential to non-residential uses or densities which would trigger greater road capacity, an amendment to the Outline Plan, that includes a public hearing, shall be held.

Minor changes may not require an amendment if, in the opinion of the Development Authority and/or Council, the intent of the Outline Plan is still achieved. Where an amendment to this Outline Plan is requested by an applicant, the applicant shall be required to submit the justification and information necessary to support the amendment.

## 1.7 SUPPORTING STUDIES

The following supporting studies were completed in support of the Outline Plan. Policy content within the Outline Plan has been prepared to reflect the findings of these studies.

**Site Servicing Memo**

The attached servicing memo provides an analysis of the servicing infrastructure and options for the proposed development, which aims to create a viable development in the area. The infrastructure and servicing analysis was completed based on compliance with the Town of High Level engineering standards, as well as applicable provincial and federal standards. The scope and accuracy of the design and analysis for the study area was limited to the parameters provided therein.

**Other Utilities**

The details of the gas, power, and communications/fiber utilities will be designed by the corresponding utility provider according to their standards and requirements.

**Geotechnical Report**

A Geotechnical Report prepared by Parkland Geo Ltd. was conducted in 2024. The report concluded that existing conditions would not preclude the development as proposed. Grading, compaction excavations, underground utilities, building construction, stormwater facilities and pavement construction will follow the guidelines set out by the geotechnical investigations.

**Environmental Site Assessment (ESA)**

A Phase 1 ESA was conducted by ISL Engineering and Land Services in 2025. The ESA was prepared to identify potentially sensitive biological and physical features that may be impacted by the proposed development. The Phase I ESA followed industry protocols and included a thorough desktop records review, a site visit and interview. The area was found to be generally undeveloped, a large empty gravel lot with some roads on its perimeter. The site was previously home to the High Level Trailer Park and more recently developed to accommodate emergency housing for fire evacuees but is now a vacant lot.

The Phase I ESA identified areas that have had previous contamination which has since been remediated. Debris located in the area is the most likely environmental concern as most of the areas for potential contamination are located outside the study area. The debris was further corroborated during the interview and confirmed by observations of remnant trash made during the site visit. It is recommended that the site be cleared so there is no debris remaining. No further recommendations or actions were noted.

**Desktop Biophysical Impact Assessment (BIA)**

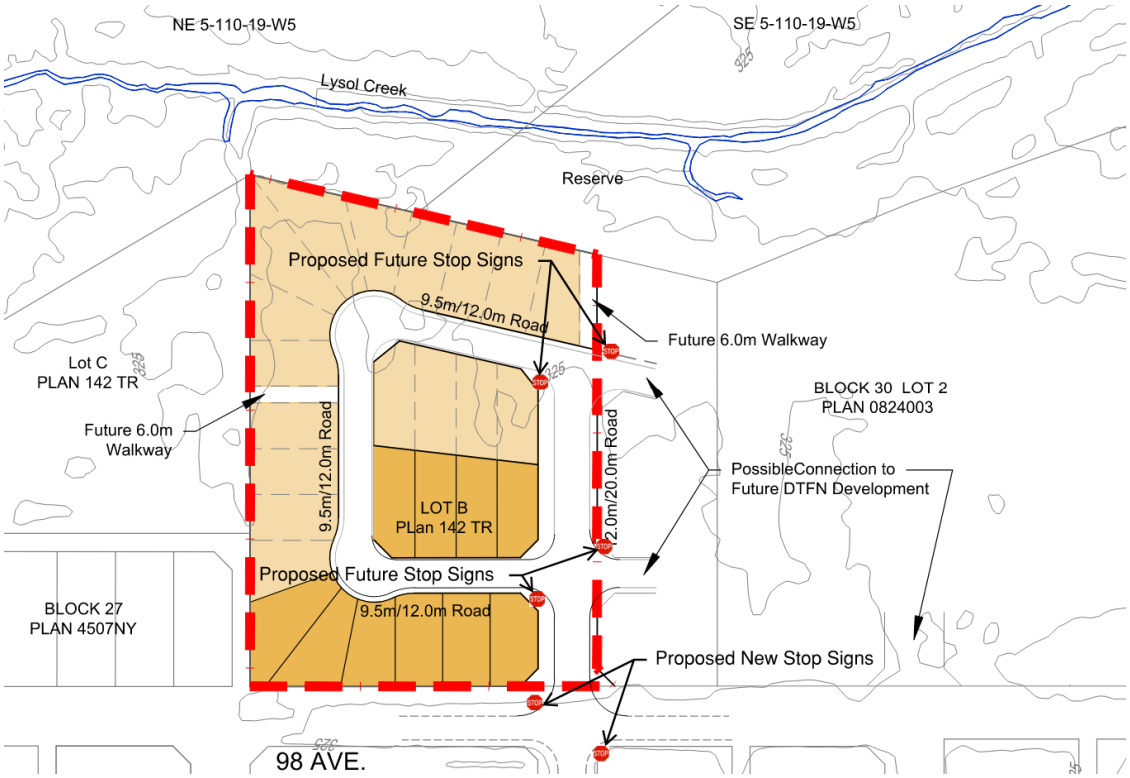
A desktop BIA was conducted by ISL Engineering and Land Services in 2025. The assessment of landforms, soils, wildlife, vegetation, wetlands, fish habitat, historical resources, groundwater, watercourses, and environmental risks for the DTFN Transitional Housing Unit Project identified minimal environmental concerns. The site consists of a previously disturbed gravel pad with limited vegetation, naturally sloping towards an unnamed creek. No significant wildlife or rare plant species were detected, though precautions are advised for nesting birds and wetlands adjacent to an unnamed creek. Erosion and sediment control measures should be implemented to manage runoff and maintain water quality. No groundwater wells or historical resources were found within the site, and contamination risks are low. The by ISL Engineering and Land Services in 2025 project adheres to Alberta regulations, including the Water Act and Environmental Protection and Enhancement Act, with no specific permits required at this stage.

Relevant legislation includes the Species at Risk Act, Fisheries Act, Migratory Birds Convention Act, Alberta Wildlife Act, and Historical Resources Act. An Environmental Construction Operations (ECO) Plan is recommended to ensure regulatory compliance and mitigate potential risks that may arise during or following construction. Compliance with environmental best management practices, including vegetation buffers, spill prevention, and monitoring, is recommended to further minimize impacts.

**Transportation Assessment**

The proposed roads are anticipated to remain private rights-of-way but have been designed to Town standards. The entry road from 101 Street has been designed with a 20 m right-of-way to ensure appropriate access for future development of the residual parcel. Internal roads have been designed with a 12m right-of-way to accommodate manufactured home development. A high-level review of anticipated traffic generation was prepared, and the existing road network has sufficient capacity to accommodate the increased traffic volumes.

The new proposed intersection signage is detailed in the figure below:




## 1.8 LIMITATIONS

Policies within this Outline Plan are not to be interpreted as an approval for a use on a specific site. Detailed site conditions or constraints – including environmental considerations – must be assessed on a case-by-case basis as part of an application for a land use bylaw amendment, subdivision, or a development permit. Minor revisions to the Outline Plan are expected over time and will not require an amendment to the Outline Plan.

# SECTION TWO
# Plan Area

2

*This section highlights the existing conditions of the Plan area and the opportunities and constraints as they relate to future development.*

## 2.1 AREA CONTEXT

The Moose Meadows Phase 1 Outline Plan encompasses approximately 1.88 hectares adjacent to 98 Avenue. The lands are primarily surrounded by existing residential neighbourhoods and in close proximity to amenities including schools, training facilities, grocery stores, library, gym, churches, health center, pharmacy, parks, recreation and aquatic centers and employment opportunities. The site is bounded on the north by an unnamed creek and a natural treed area adjacent to the creek which has been identified in the MDP as a future park area, including extensions to the Town's trail network.

## 2.2 CURRENT LAND USE

The lands within the Plan area are designated as **Manufactured Home-Mobile (R4) District** under Bylaw 1018-21, Land Use Bylaw, as shown in **Figure 2: Context Plan**. Future development within the Outline Plan area, will require a land use bylaw amendment to redesignate the lands to **Medium Density Residential (R2) District.**

The subject site was previously developed as the High Level Trailer Court and was most recently stripped, gravelled, and graded to provide emergency housing during regional fire evacuations in 2023.

## 2.3 TOPOGRAPHY

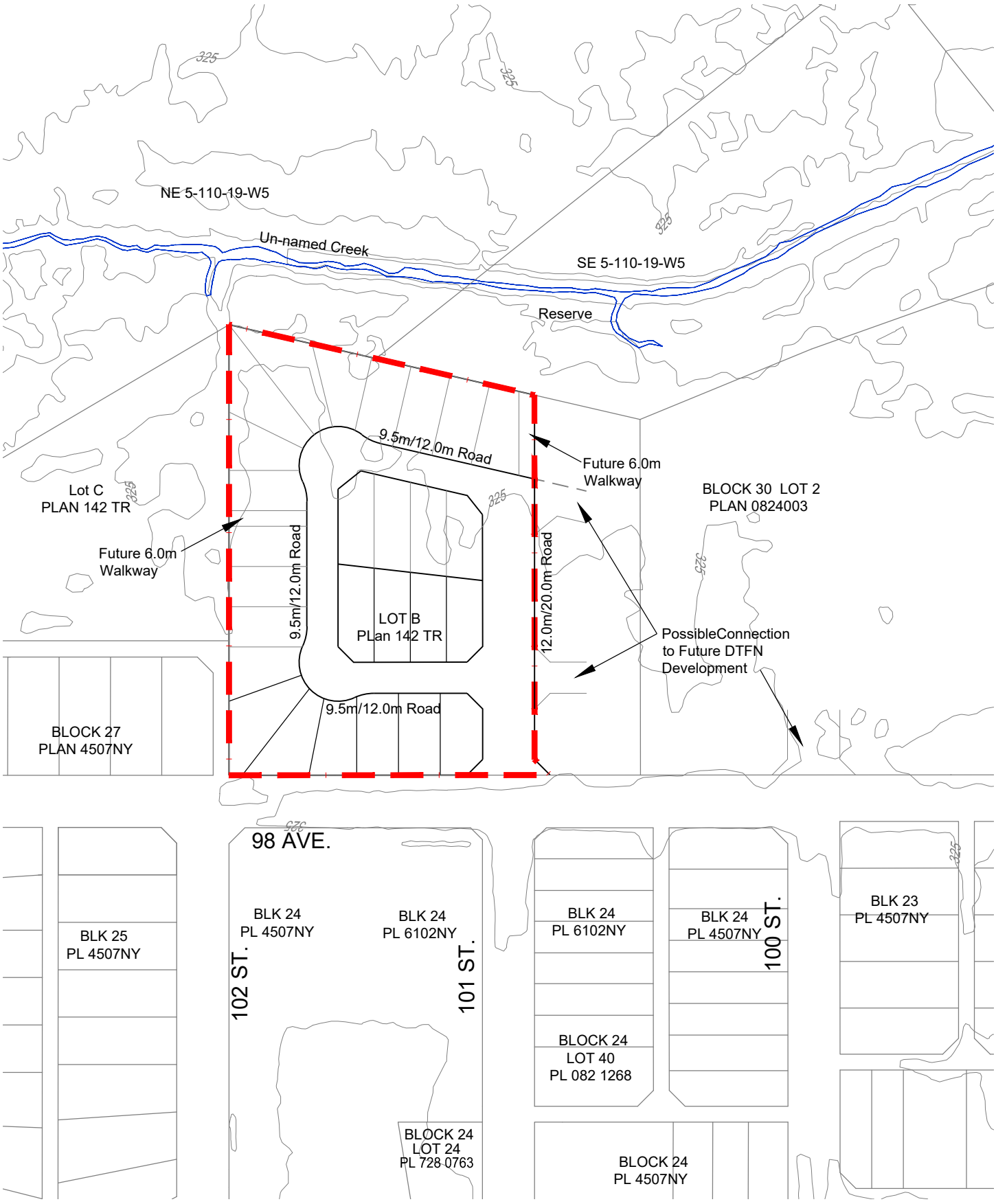
The parcel is relatively flat with a slight drainage tendency to an unnamed creek to the northeast and was previously graded and graveled to accommodate emergency housing for fire evacuees in the region.

The Outline Plan area is surrounded by residential and commercial areas in the Town of High Level and a natural area adjacent to an unnamed Creek.

The topography of the parcel is shown in **Figure 3: Topography**.

## 2.4 LAND OWNERSHIP

The Outline Plan area is part of a larger parcel owned by N'deh Limited Partnership.




Project Boundary

# Moose Meadows Phase 1 Outline Plan

Figure 3
Topography

0 40 80 m
1:2000

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# SECTION THREE
# Development Concept

3

*This section provides the overall Development Concept for the Plan area, showing the general location of land uses, community amenities and the road network.*

## 3.1 VISION

The Moose Meadows Phase 1 Outline Plan area is intended to integrate with the existing community and provide transitional housing adjacent to support services and recreational opportunities that will contribute to a safe environment and a healthy quality of life.

## 3.2 GUIDING PRINCPLES

The following principles provide guidance on the nature of development within the Outline Plan area:

**Safety**

The Plan area is owned by the DTFN and is adjacent to the Dene Tha's Executive House Suites Hotel and Conference Center, where there is light automobile traffic and road access is provided by Highway 58. This location will ensure convenient access for clients while providing a confidential and secure location.

**Inclusivity**

The site will provide quality independent second stage housing for the Indigenous women, children and 2SLGBTQQIA+ people as well as the other vulnerable tenants. Dene Tha' First Nation's Indigenous Transitional Housing Units will offer a variety of support services and programs for tenants occupying the housing units.

**Connectivity**

Vibrant neighbourhoods promote walking, cycling and convenient vehicular access to amenities and support services. Pathway connections will be incorporated into the Outline Plan design to provide access to support services and natural areas and promote a healthy balance of mobility choices.

**Sustainability**

Infrastructure and servicing will be developed in an efficient manner following sustainable best practices including energy efficiency and active transportation networks. Demand for housing and municipal policy direction will evolve as the Town grows and the Outline Plan policies have been developed to provide for flexibility as the community evolves.

## 3.3 CONSULTATION

The Development Concept was prepared in consultation with Town Administration through pre-application discussions and a review of the proposed design.

Residents and stakeholders within a 100m radius were provided with information regarding the proposed development and feedback was provided to the Town. A copy of the consultation materials that were provided and a map of the stakeholders that were notified can be found attached to this Outline Plan.

During the notification period, we discussed the project details with the various stakeholders and received overwhelmingly positive feedback – it is clear the community eagerly anticipates new development in this area. No complaints or concerns were reported from any of the notified stakeholders.

## 3.4 DEVELOPMENT CONCEPT

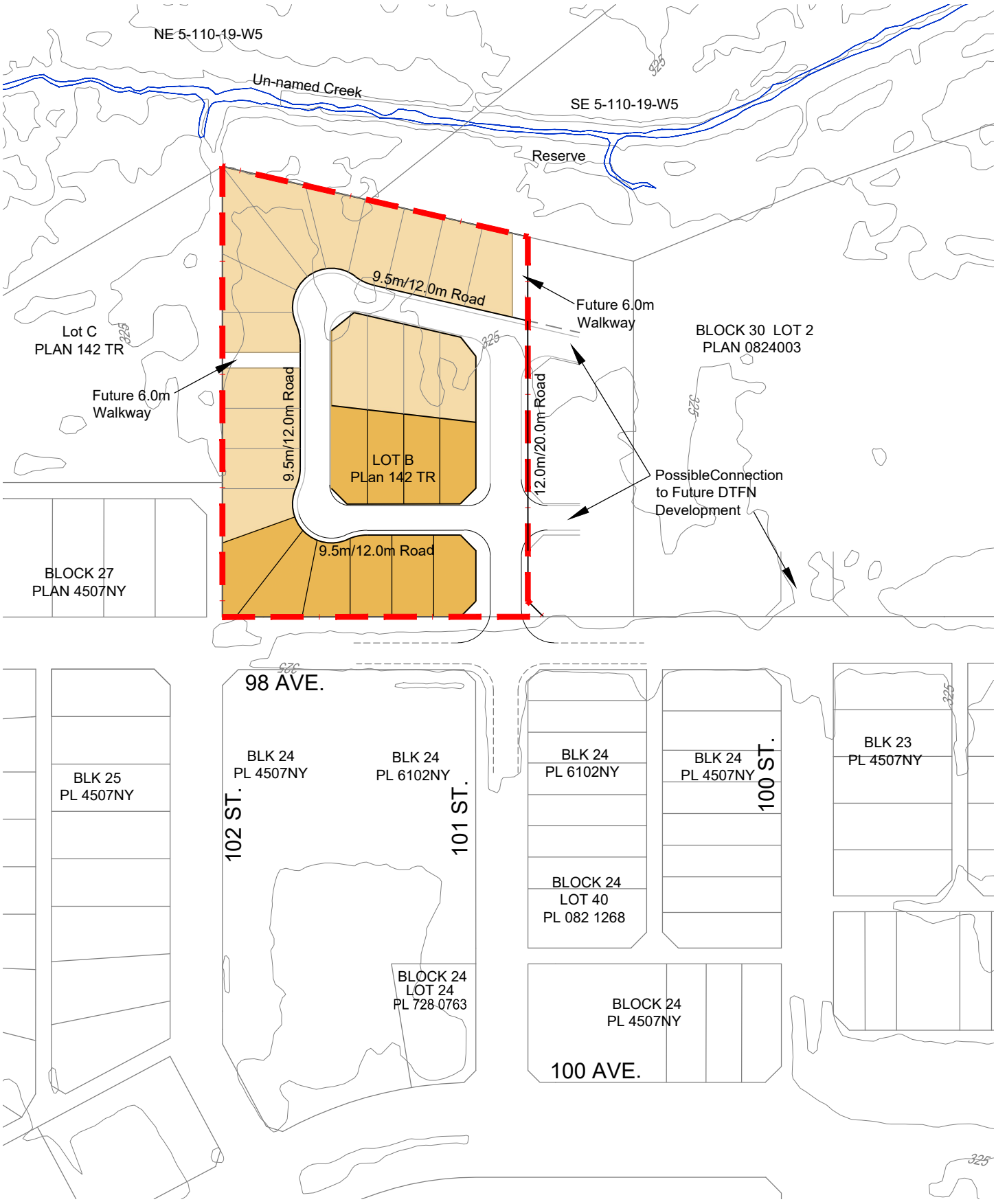
The Development Concept, shown in **Figure 4: Development Concept**, has been created using input gathered from consultation with the Town to prepare a design that meets the current demand for transitional housing and supports existing Town goals and objectives.

The location provides access to amenities including schools, training facilities, grocery stores, library, gym, churches, health center, pharmacy, parks and natural areas, recreation and aquatic centers and employment opportunities. All units will be designed to be culturally appropriate and provide a secure and healthy environment.

The residential layout is intended to provide options for one-bedroom or three-bedroom homes. The first phase will include 6 one-bedroom and 4 three-bedroom modular units which will be constructed offsite. The remaining portion of the Outline Plan area is anticipated to accommodate similar dwellings.

The road network connects to the current alignment of 101 Street at 98 Avenue and meets the current Town standards for modular homes. The main entry road has been designed to the same standard as 101 Street to allow for the transition to larger units as development proceeds east of the Outline Plan area. The roadway network allows for multiple future connections to future development within the residual DTFN lands.

Pathway connections are provided on the west side of the Plan area to provide access to the future recreational amenities adjacent to the proposed development.




1.88ha± (4.65ac±) Outline Plan Boundary
0.50ha± (1.24ac±) Proposed Medium Density Residential (R-2)
0.83ha± (2.05ac±) Future Medium Density Residential (R-2)
0.55ha± (1.36ac±) Roads and Walkways

0 40 80 m
1:2000

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# Moose Meadows Phase 1 Outline Plan

Figure 4

Development Concept



April 2025

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## 3.5 LAND USES

The Outline Plan area is intended to accommodate residential uses to meet the current demand for transitional housing.

A land use bylaw amendment for the Outline Plan area from **Residential (R-4) District** to **Direct Control District** will be required with the adoption of this plan or at the subdivision and development stage.

The transitional housing units will be separate individual single family modular homes, varying in size and number of bedrooms. Each housing unit will be equipped with private bedroom(s), in-unit laundry, private kitchen and bathroom, HVAC temperature controls, and an outdoor amenity space. The housing unit project will meet or exceed accessibility and energy efficiency requirements.

## 3.6 MUNICIPAL RESERVE (MR)

As the Outline Plan area is part of a former subdivision no dedication of reserve lands has been provided. However, as development proceeds on the remaining DTFN lands in this area, it is anticipated that the future design will incorporate neighbourhood parks to serve the local residents.

Pathway connections have been provided within the plan to maintain connectivity between the proposed development and adjacent open space and natural areas.

Table 6: Outline Plan Statistics

| Proposed Land Use | Area in Hectares* | % of GDA | Units | Population |
|---|---|---|---|---|
| **Total Area of Outline Plan** | **1.88** | **-** | | |
| Roads/Walkways | 0.55 | 29.3% | | |
| Municipal Reserve | n/a | n/a | | |
| Net Residential Area | 1.33 | 70.7% | | |
| Modular Homes (1 bedroom) (@1.7 people per dwelling unit) | - | - | 16 | 27 |
| Modular Homes (3 bedroom) (@3.1 people per dwelling unit) | - | - | 11 | 34 |
| Total No. of Anticipated Units | - | - | 27 | |
| Total Anticipated Population | - | - | - | 61 |
| Anticipated Density per Net Residential Hectare | | | 20.3 upha | |

* Areas are approximate only and any discrepancies are a result of rounding.

# SECTION FOUR
# Development Framework

4

*This section details the policies designed to actualize the development potential of the Plan area.*

## 4.1 GENERAL DEVELOPMENT POLICY

The Development Concept has been designed to align with current statutory policy and address current housing needs. The following policies shall apply to all development within this Outline Plan.

| | |
|---|---|
| **Policy 4.1.1** | Building setbacks and landscaping requirements shall comply with the requirements of the LUB. |
| **Policy 4.1.2** | Notwithstanding minimum above finished grade floor areas in the LUB, smaller scale housing should be supported through variances where deemed appropriate by the Development Authority. |
| **Policy 4.1.3** | Energy efficiency and alternative servicing options should be encouraged. |
| **Policy 4.1.4** | Unless otherwise noted in this Plan, sidewalks and pedestrian access shall be provided in accordance with Town standards. |
| **Policy 4.1.5** | Innovative water-saving measures, such as xeriscape landscaping and stormwater re-use, should be encouraged. |

## 4.2 RESIDENTIAL

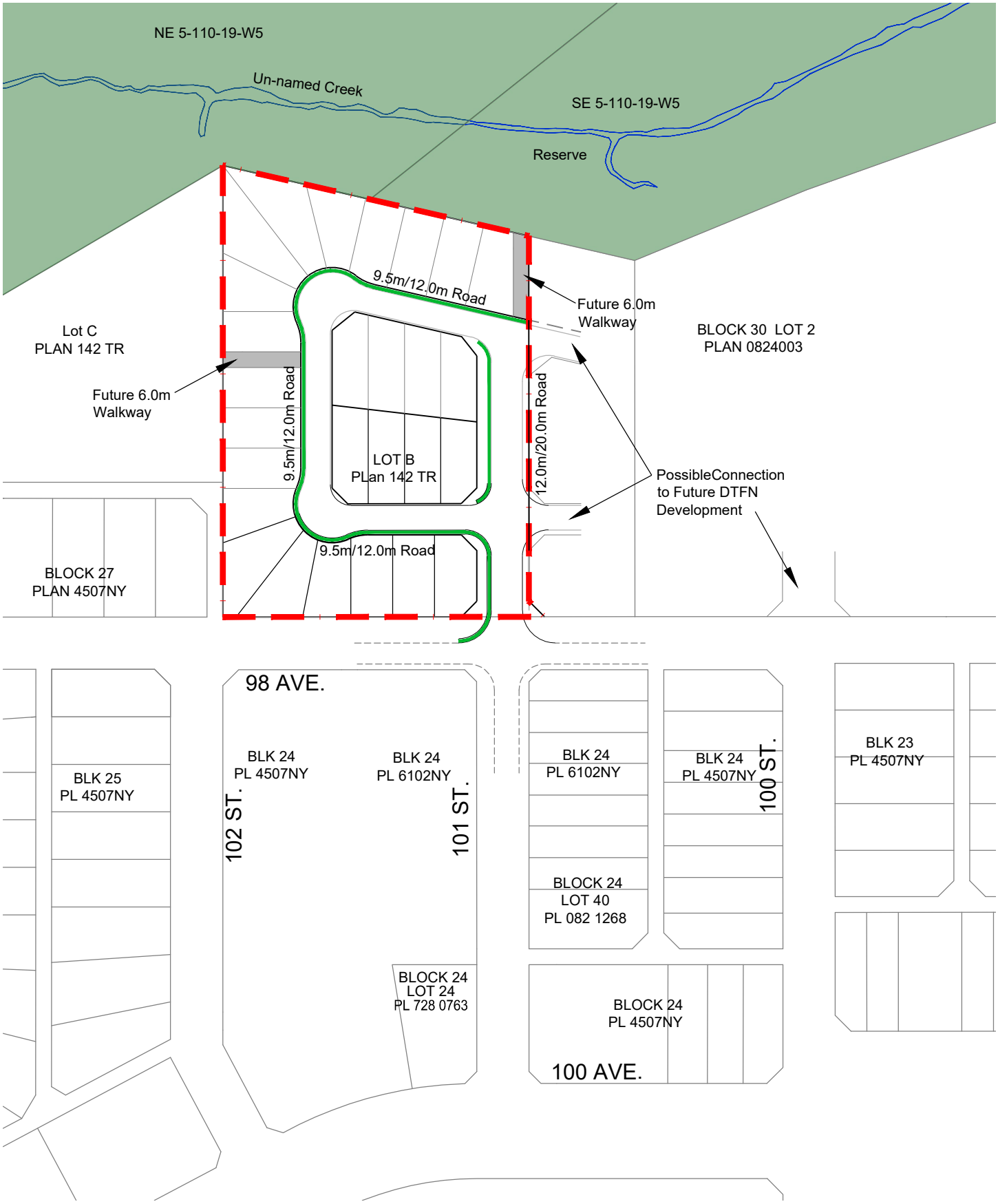
The Development Concept provides for residential uses compatible with the adjacent existing development. The area is designed to provide connectivity to support services and amenities through local pathway connections. Direct connections are provided to the proposed recreational amenities and support services adjacent to the Plan area. The residential area will accommodate a mix of one-bedroom and three-bedroom modular units.

| | |
|---|---|
| **Policy 4.2.1** | The residential area shall be provided in the areas shown on **Figure 4: Development Concept.** |
| **Policy 4.2.2** | Modular homes are expected to be the predominant form of housing. |
| **Policy 4.2.3** | The primary entrance to the Phase One development shall be from 101 Street. |

## 4.3 OPEN SPACE

Given the relatively small Outline Plan area relative to the remnant DTFN parcel and no requirement to provide Municipal Reserve, open space elements have not been included in the Phase One design. Pathway connections have been provided to allow convenient access to the future adjacent recreational amenities and natural open space areas. Additional open space will be designed within the remaining DTFN lands to accommodate passive recreational amenities and safe and enjoyable spaces.

| | |
|---|---|
| **Policy 4.3.1** | Connections shall be provided to ensure the Plan area is accessible to adjacent established areas and/or existing trails and natural areas, as shown on **Figure 5: Open Space and Pedestrian Network** |




Outline Plan Boundary
Reserve
Walkways
Sidewalks

0 40 80 m
1:2000

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# Moose Meadows Phase 1
# Outline Plan

Figure 5

## Open Space & Pedestrian Network

April 2025



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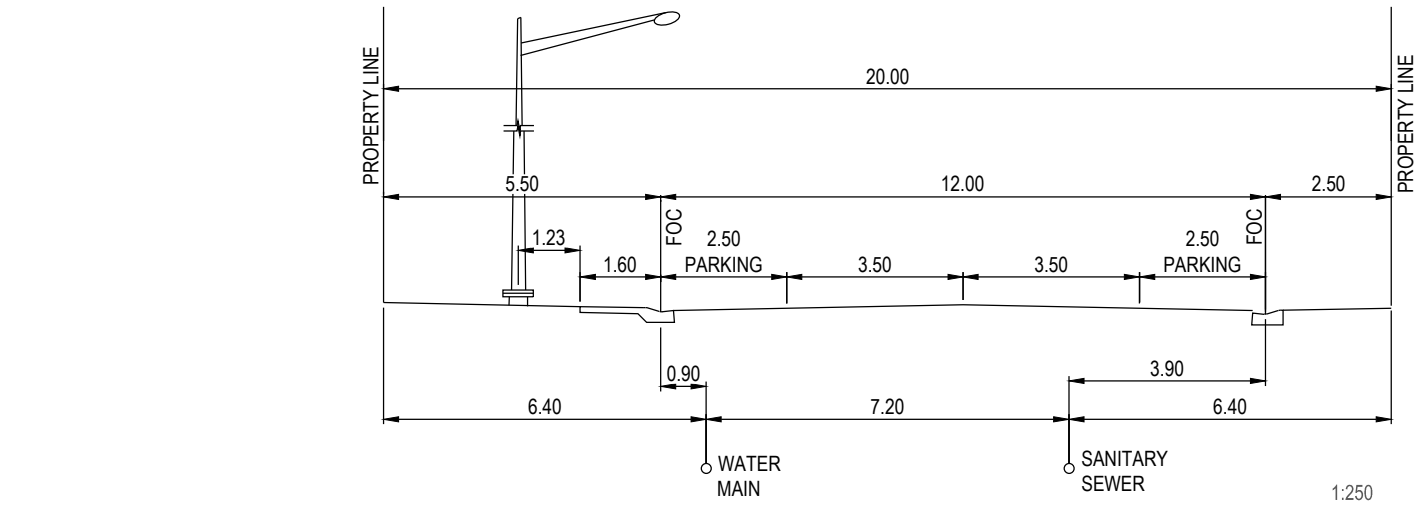
# SECTION FIVE
# Transportation Framework 5

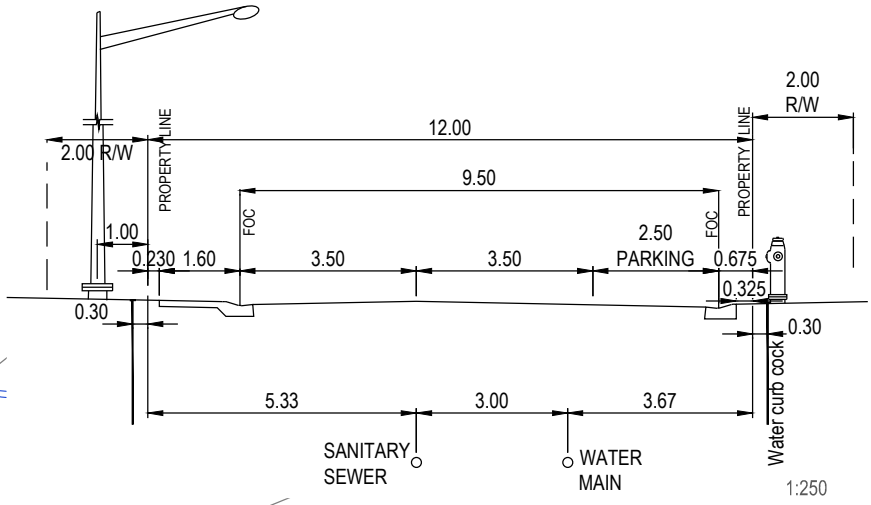
*This section addresses how pedestrians, cyclists and motorists are accommodated within and beyond the Plan area.*

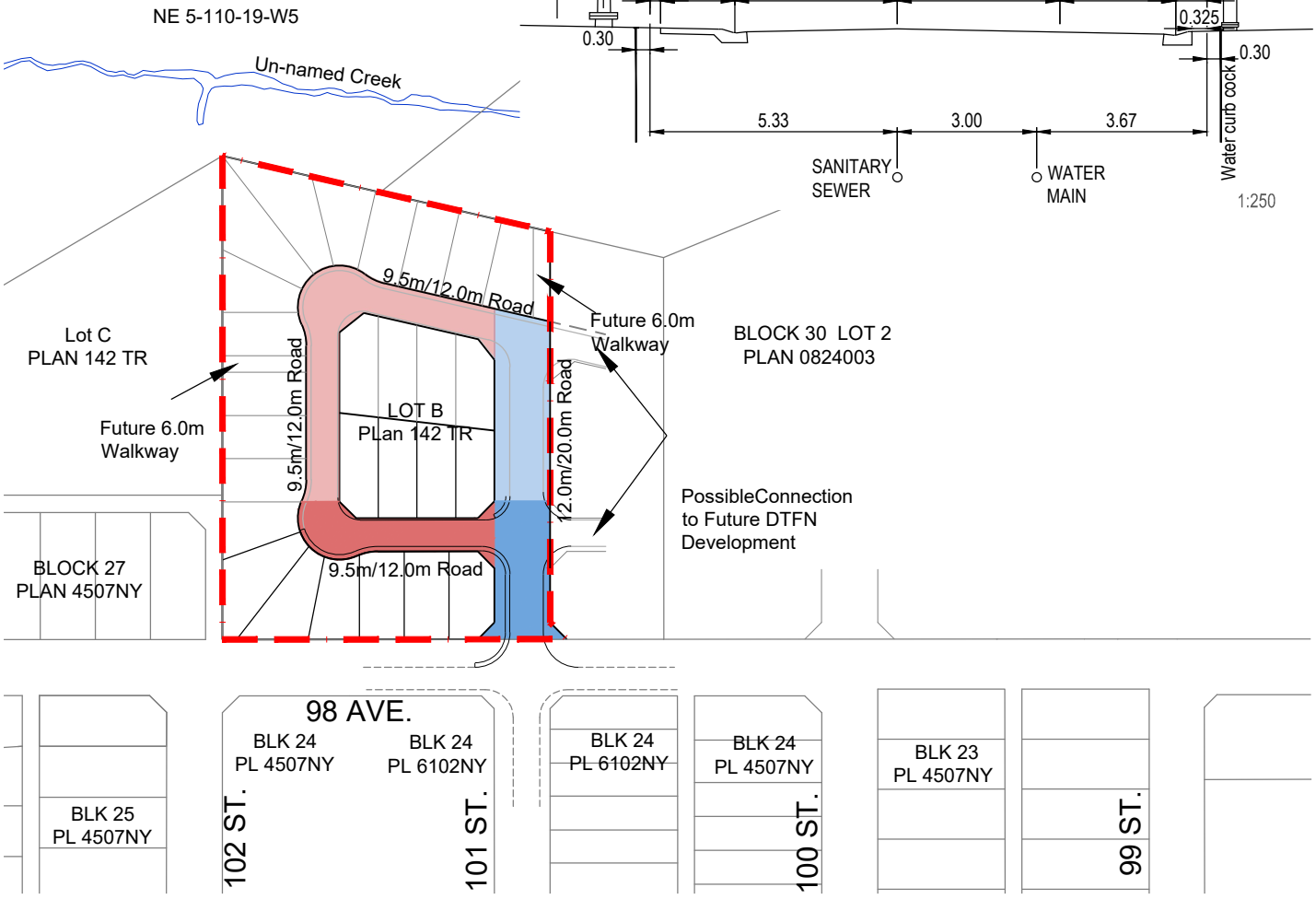
## 5.1 TRANSPORTATION NETWORK

The Transportation Network shown in **Figure 6: Transportation Network**, will accommodate anticipated traffic volumes in an efficient, safe, and effective manner. The roads within the Plan area will be maintained as private roads developed to appropriate Town standards.

| | |
|---|---|
| **Policy 5.1.1** | The Transportation Network shall be provided generally in the areas shown on **Figure 6: Transportation Network.** |
| **Policy 5.1.2** | The roadway network shall be consistent with Town's engineering standards. |
| **Policy 5.1.3** | Unless otherwise noted in this Plan, sidewalks and pedestrian access shall be provided in accordance with Town standards. |
| **Policy 5.1.4** | All onsite infrastructure shall be at the cost of the developer. |
| **Policy 5.1.5** | Offsite and oversize onsite infrastructure costs associated with the development shall be established through offsite levies, development charges or endeavor to assist. |
| **Policy 5.1.6** | Sidewalks and walkways will be provided at the development stage at the discretion of the Development Authority to enhance connectivity within and adjacent to the Plan. |







Outline Plan Boundary
12.0m/20.0m Road
9.5m/12.0m Road
12.0m/20.0m Future Road
9.5m/12.0m Future Road

0 50 100 m
1:2500

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# Moose Meadows Phase 1
# Outline Plan
Figure 6
**Transportation Network**



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# SECTION SIX
# Servicing Framework

6

*This section addresses the efficient provision of water, sanitary and stormwater services within the Plan area.*

## 6.1 GENERAL SERVICING POLICY

The following policies apply to the development of all servicing infrastructure within the Plan area. Development will align with current Town standards and tie into existing regional services where applicable. **Figure 7: Water Distribution System**, **Figure 8: Sanitary System** and **Figure 9: Stormwater Management**, represent a high-level view of how servicing is likely to occur. The specific alignment and design of servicing infrastructure shall comply with the Town's standards in place at the time of development.

| | |
|---|---|
| **Policy 6.1.1** | Utility rights-of-way and easements shall be provided to accommodate municipal utilities at the discretion of the Development Authority and shallow utilities as determined necessary by utility providers. |
| **Policy 6.1.2** | Utility alignments may be refined at the development stage without an amendment to this Outline Plan. |
| **Policy 6.1.3** | Utility rights-of-way, easements, and public utility lots shall be dedicated to the Town as required, to accommodate the development or the extension of municipal utilities necessary for development. |
| **Policy 6.1.4** | Development shall be required to tie into existing regional services and preserve or improve existing drainage patterns. |
| **Policy 6.1.5** | All onsite infrastructure shall be at the cost of the developer. |
| **Policy 6.1.6** | Offsite and oversize onsite infrastructure costs associated with the development shall be established through offsite levies, development charges or endeavor to assist. |

## 6.2 WATER

The water distribution system for domestic uses and fire protection in the Plan area is supplied by main trunks extending from existing water systems as illustrated on **Figure 7: Water Distribution System**.

| | |
|---|---|
| **Policy 6.2.1** | The design of the water distribution system shall ensure that all land has sufficient looping and connections to provide for adequate fire, maximum day, and peak flows as development progresses. |
| **Policy 6.2.2** | The design of the water distribution system shall ensure that all land can be serviced via existing municipal water connections. |
| **Policy 6.2.3** | The provision for fire protection shall follow the Town of High Level policy and bylaws. |

## 6.3 SANITARY

The wastewater collection system in the Plan area is supplied by gravity sewers connecting to existing wastewater systems as illustrated on **Figure 8: Sanitary System**.

| | |
|---|---|
| **Policy 6.3.1** | The design of the wastewater collection system shall ensure that all land has sufficient connection to provide for peak flows as development progresses. |
| **Policy 6.3.2** | The design of the wastewater collection system shall ensure that all land can be serviced via existing municipal wastewater connections. |

## 6.4 STORMWATER

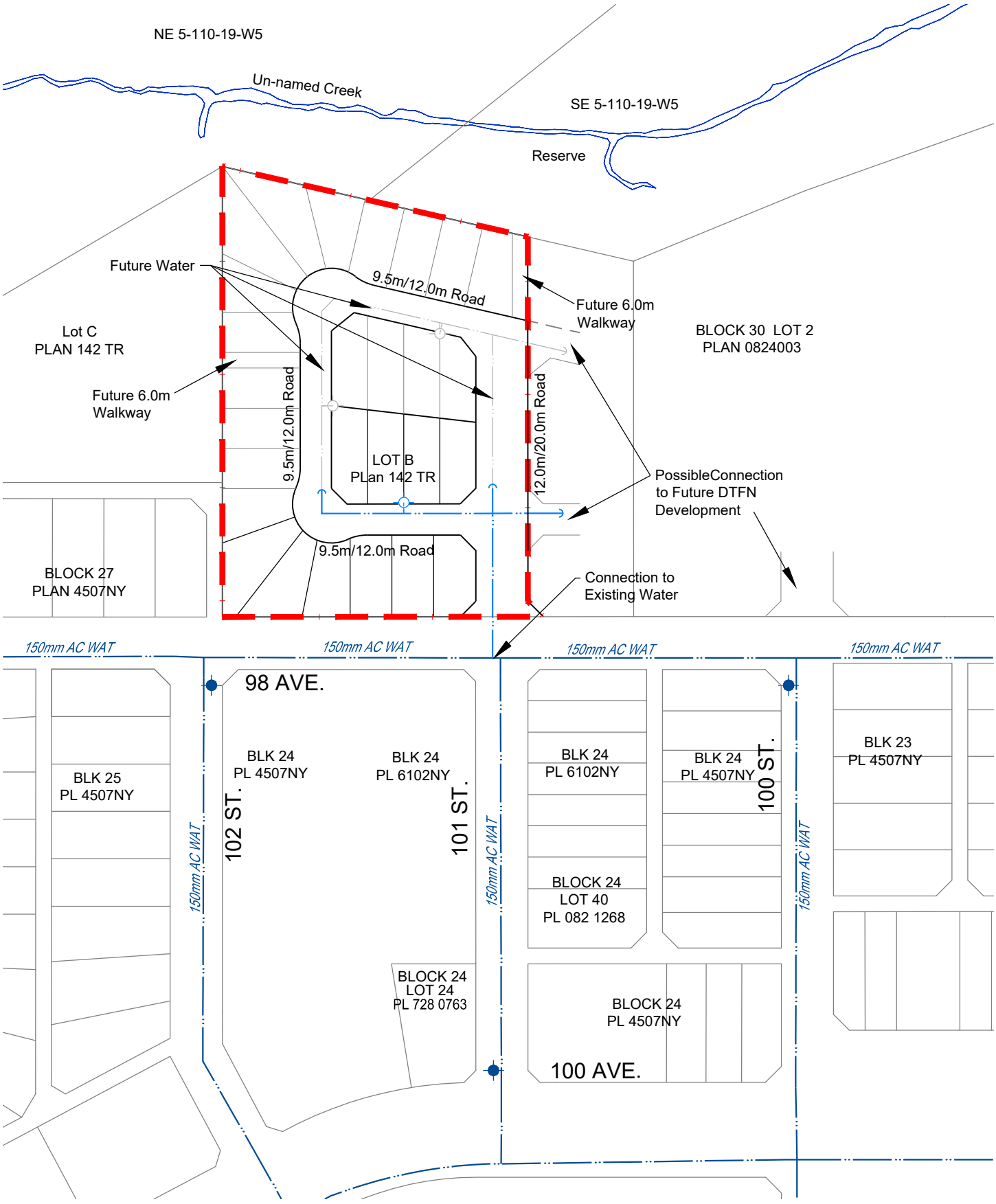
Appropriate stormwater management strategies are proposed within the Plan area to control stormwater and alleviate the impact of post-development flows on overland conveyances as illustrated on **Figure 9: Stormwater Management**.

| | |
|---|---|
| **Policy 6.4.1** | The pre-development release rate shall be required to be achieved and detailed as a part of a Stormwater Management Plan. |
| **Policy 6.4.2** | The design of the stormwater management facilities shall ensure that all land can be serviced via municipal storm connections. |
| **Policy 6.4.3** | The detailed design of all stormwater facilities shall incorporate stormwater quality best management practices where feasible to ensure impacts on the treatment capacity of existing stormwater management facilities are minimized. |

## 6.5 SHALLOW UTILITIES

Shallow Utilities include telephone, natural gas, electrical, internet, and cable services. The developer will be responsible for the provision of these services and extension from adjacent developed/developing areas.

| | |
|---|---|
| **Policy 6.5.1** | The location of all shallow utilities and the provision of rights-of-way and easements and related line assignments shall be addressed to the mutual satisfaction of the Town, the landowner, and the utility companies. |
| **Policy 6.5.2** | Detailed design of shallow utilities shall be determined prior to development. |
| **Policy 6.5.3** | All future subdivision shall incorporate third-party utility rights-of-way adjacent to public roadways to be granted and registered to the Town. |




ISL

Outline Plan Boundary
Proposed 150mm Watermain
Proposed Hydrant
Future 150mm Watermain
Future Hydrant
Existing Watermain
Existing Hydrant

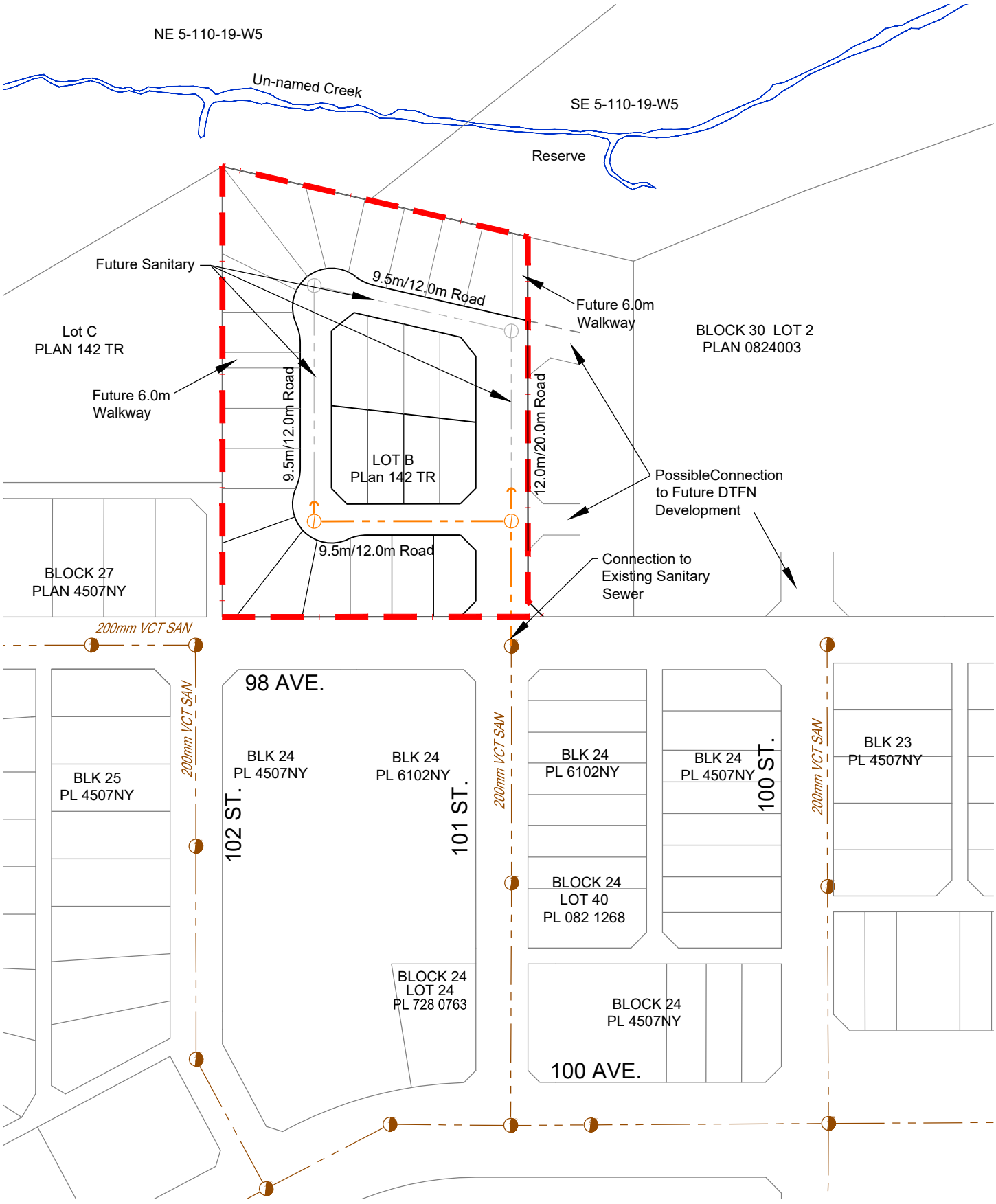
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# Moose Meadows Phase 1
# Outline Plan
Figure 7
## Water Distribution Mains


April 2025

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ISL

Outline Plan Boundary
Proposed 200mm Sanitary Line
Proposed Sanitary Manhole
Future 200mm Sanitary Line
Future Sanitary Manhole
Existing Sanitary Line
Existing Sanitary Manhole

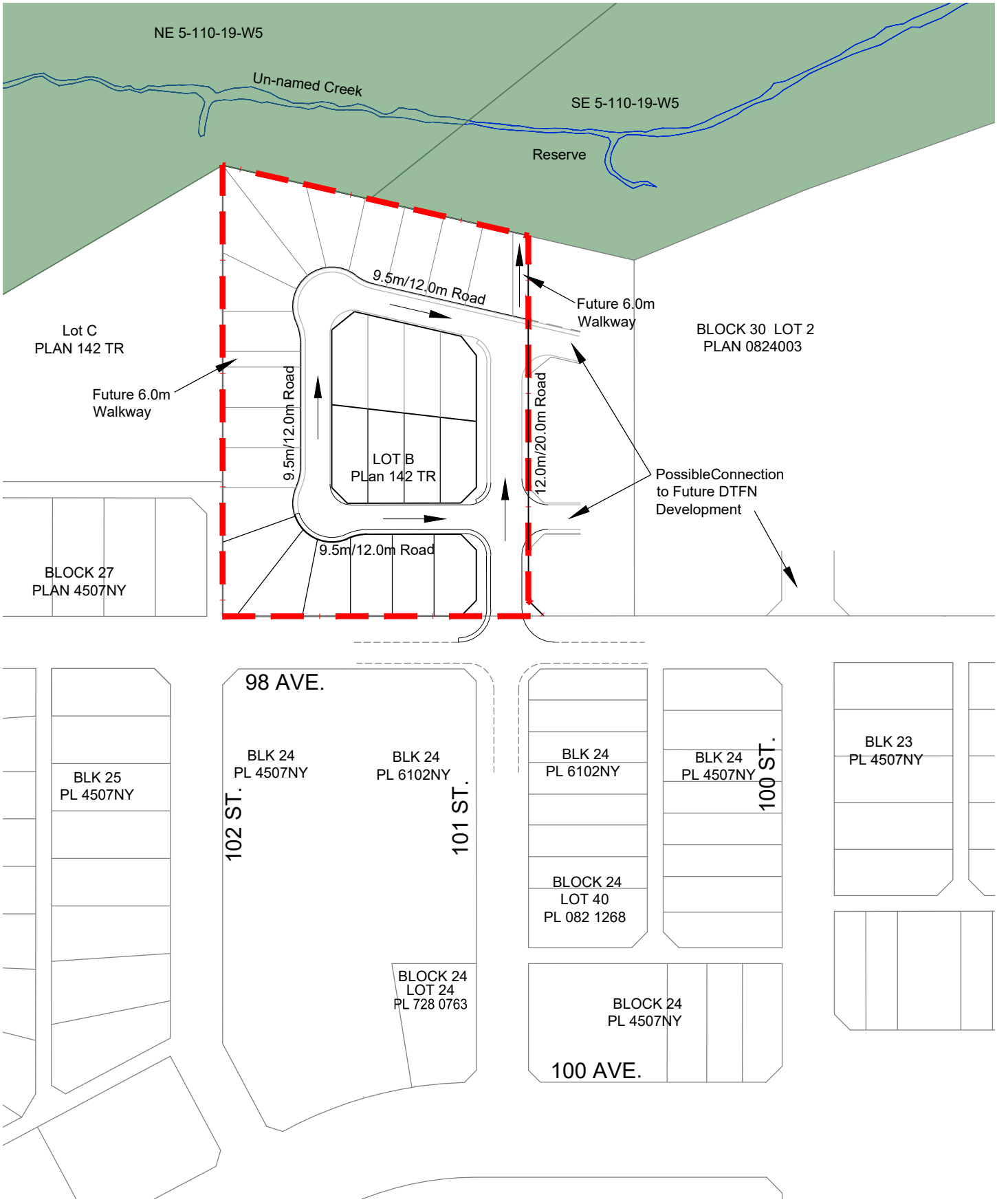
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# Moose Meadows Phase 1
# Outline Plan
Figure 8
**Sanitary Servicing**



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Outline Plan Boundary
Reserve
Overland Drainage

# Moose Meadows Phase 1
# Outline Plan

Figure 9

**Stormwater Management**

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# SECTION SEVEN
# Implementation

7

*This section outlines the proposed sequence of development.*

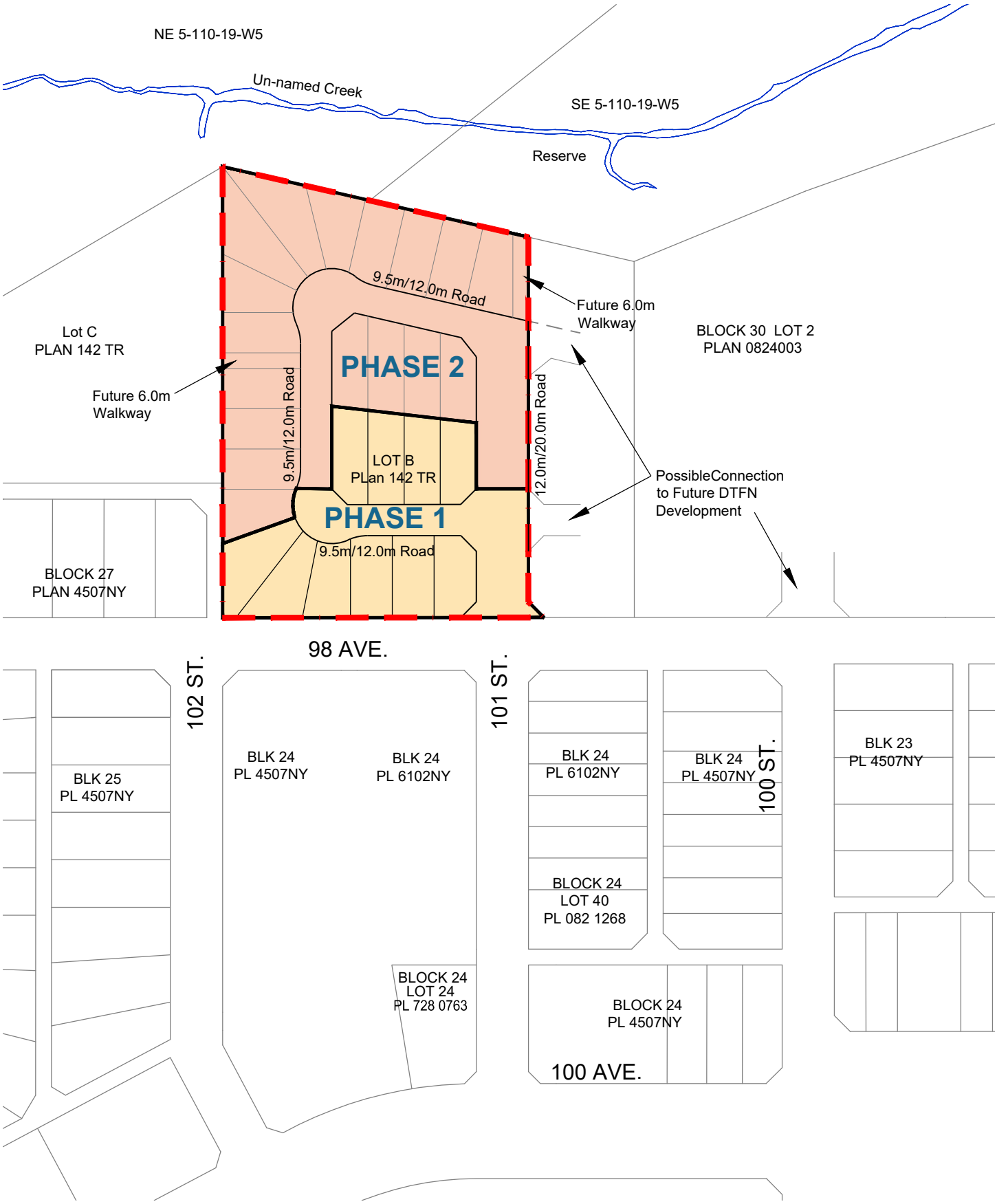
## 7.1 SEQUENCE OF DEVELOPMENT

The initial development will accommodate 10 units in consideration of immediate need, serving capacity and access. The remaining area will be phased to provide additional units on an as-needed basis. It is anticipated that minor revisions to the plan may be required over time to accommodate specific unit types.

| | |
|---|---|
| **Policy 7.1.1** | It is anticipated that development will generally proceed as shown on **Figure 10: Sequence of Development.** |
| **Policy 7.1.2** | The sequence of development of the Plan area:<br>• shall be informed by infrastructure capacity, servicing availability, environmental stewardship, and the need for additional transition housing; and<br>• shall occur through a staged approach to ensure a logical expansion of development. |

## 7.2 CIRCULATION AND COLLABORATION

Responsible development within the Plan area entails decision making which is sensitive to existing adjacent uses. Development applications, such as land use bylaw amendment applications, may require engagement with adjacent landowners.




Outline Plan Boundary
Phase 1 Boundary
Phase 2 Boundary

# Moose Meadows Phase 1
# Outline Plan
Figure 10
**Sequence of Development**

0 40 80 m
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**Town of High Level**
**Regular Council Meeting**
**Request for Decision**

| | |
|---|---|
| **Meeting Date:** | **April 28, 2025** |
| **Prepared By:** | **Logan Bartholow, Director of Planning & Development** |
| **Subject:** | **Bylaw 1053-25 - A Bylaw to Establish a Direct Control District** |

**Recommendation:**

THAT based on the April 28, 2025 report from the Director of Planning and Development, *Bylaw 1053-25 - Bylaw to Establish a Direct Control District*, Council provide FIRST READING to Bylaw 1053-25 as presented;

AND THAT Council direct Administration to hold a Public Hearing on May 26, 2025, at 6:30PM for Bylaw 1053-25.

**CAO Comments:**

I support the recommendation.

## Background:

- N'DEH Limited Partnership & the Dene Tha' First Nation are proposing a new residential for up to 27 new modular housing units designed to operate as second stage recovery for vulnerable populations. At this time, there are no on-site supports proposed for this property.
- ISL Engineering has supported N'DEH Limited Partnership & the Dene Tha' First Nation in developing the associated Outline Plan, and the proposed Bylaw 1053-25 was developed jointly with Administration, the Town's Planning & Development counsel, ISL Engineering, and N'DEH Limited Partnerships.

## Discussion:

**Purpose of the Proposed Bylaw**

- The purpose of the proposed bylaw is to rezone the subject property from R-4 (Mobile Home – Mobile and Transition Neighbourhood) to DC (Direct Control).
- The standard Land Use Districts within the Town of High Level's Land Use Bylaw are not designed to regulate multiple single detached dwellings on the same site. Usually, a developer subdivides a larger property into smaller legal properties or pursues a bare land condo style development.
- In this instance, the applicant is wanting to build all 27 of the proposed dwelling units (designed to operate as second stage recovery for vulnerable populations) on a single lot, and to retain private ownership of all buildings, underground services, and road/sidewalk infrastructure on the property.
- The developer
- While unique, this type of development is not uncommon for organizations developing social and supportive housing.
- To allow this development to proceed, it is proposed that the property be rezoned to Direct Control, so that custom regulations can be used to properly guide the layout and composition of the proposed dwelling units, future accessory buildings, and more.
- In reviewing the Municipal Development Plan, Administration believes the proposed project generally aligns with the MPD as has been included within subsection 1.3 of the proposed Moose Meadows Phase 1 Outline Plan

**Next Steps and Engagement Plan**

- If Council provides First Reading to Bylaw 1051-25, Administration will:
    - Mail notices of the proposed rezoning application to neighbours within 100 metres of the subject property.
    - Advertise the rezoning in the local newspaper
    - Publish the proposed bylaw on the Town's website

## Financial:

- N/A

## Council's Decisions for Statutory Plan and Land Use Bylaw Amendments:

At First Reading:

a) Provide First Reading as presented.
b) Provide First Reading as amended.
c) Defeat the Bylaw as presented.
    a. In this instance, future steps would not occur.

At the Public Hearing:

a) Hold and close the Public Hearing.
    a. Council may only hold one public hearing for a proposed bylaw that considers residential development.
b) Recess the Public Hearing to a future meeting to gather more information or for further consideration.
    a. This may require re-advertising, and a date set for reconvention of the meeting. This should be determined before declaring the Public Hearing closed.

At Second and Third Reading:

a) Postponement of the Second and Third Reading until a future Council meeting.
    a. This does not require re-advertising.
b) Provide Second and Third Reading as presented (Approve the Bylaw).
c) Provide Second and Third Reading as amended.
    a. This may require readvertisement for an additional public hearing.
d) Defeat the Bylaw as presented.

## Council Options:

1. THAT Council provide FIRST READING to Bylaw 1053-25 as presented.

   AND THAT Council direct Administration to hold a Public Hearing on May 26, 2025, at 6"30PM for Bylaw 1053-25.

2. THAT Council provide FIRST READING to Bylaw 1053-25 as amended.

   AND THAT Council direct Administration to hold a Public Hearing on May 26, 2025, at 6:30PM for Bylaw 1053-25.

## Attachments:

**Attachment 1 – Bylaw 1053-25 (DRAFT)**
**Attachment 2 – LUBA01-25 – Application Form**

**Approvals:**





**CAO, Viv Thoss**

**Author: Logan Bartholow, Director of Planning & Development**

TOWN OF HIGH LEVEL

# TOWN OF HIGH LEVEL

## A BYLAW TO AMEND LAND USE BYLAW 1018-21 AND TO ESTABLISH THE USES AND RULES FOR A DIRECT CONTROL DISTRICT OF LAND USE BYLAW 1018-21

## BYLAW NO. 1053-25

**THE COUNCIL OF THE TOWN OF HIGH LEVEL, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:**

1. Town of High Level Land Use Bylaw 1018-21 is hereby amended.

2. Town of High Level Land Use Bylaw 1018-21 is amended by reclassifying the land use designation of:

   **PLAN 4507NY Bock 27 Lot B**

   **From: R-4 (Mobile Home - Mobile and Transition Neighbourhood)**

   **To: DC (Direct Control)**

   As shown on the attached Schedule 'A'.

3. This Bylaw establishes uses and regulations for the Direct Control District of Plan 4507NY, Block 27, Lot B in accordance with Subsection 12.5 of Land Use Bylaw 1018-21. Unless otherwise specified or addressed in this amending bylaw or a statutory plan affecting the lands described above, the following shall apply:

   a) All relevant uses, definitions, terms, requirements, policies, and processes contained within Land Use Bylaw 1018-21 shall apply.

4. A Notational Lot, as described and illustrated on Schedule 'B', shall be defined as follows:

**Notational Lot** means a portion of a property within the Direct Control District that is designed and intended to function similarly to a subdivided residential lot within a residential LAND USE DISTRICT.

5. The general intent, rules policies, and requirements governing the Direct Control District are outlined in Schedule 'B'.

6. This Bylaw shall come into effect on the date of its final passing.

READ A FIRST TIME this _____ day of _____, 202_

_____ _____
MAYOR CHIEF ADMINISTRATIVE OFFICER

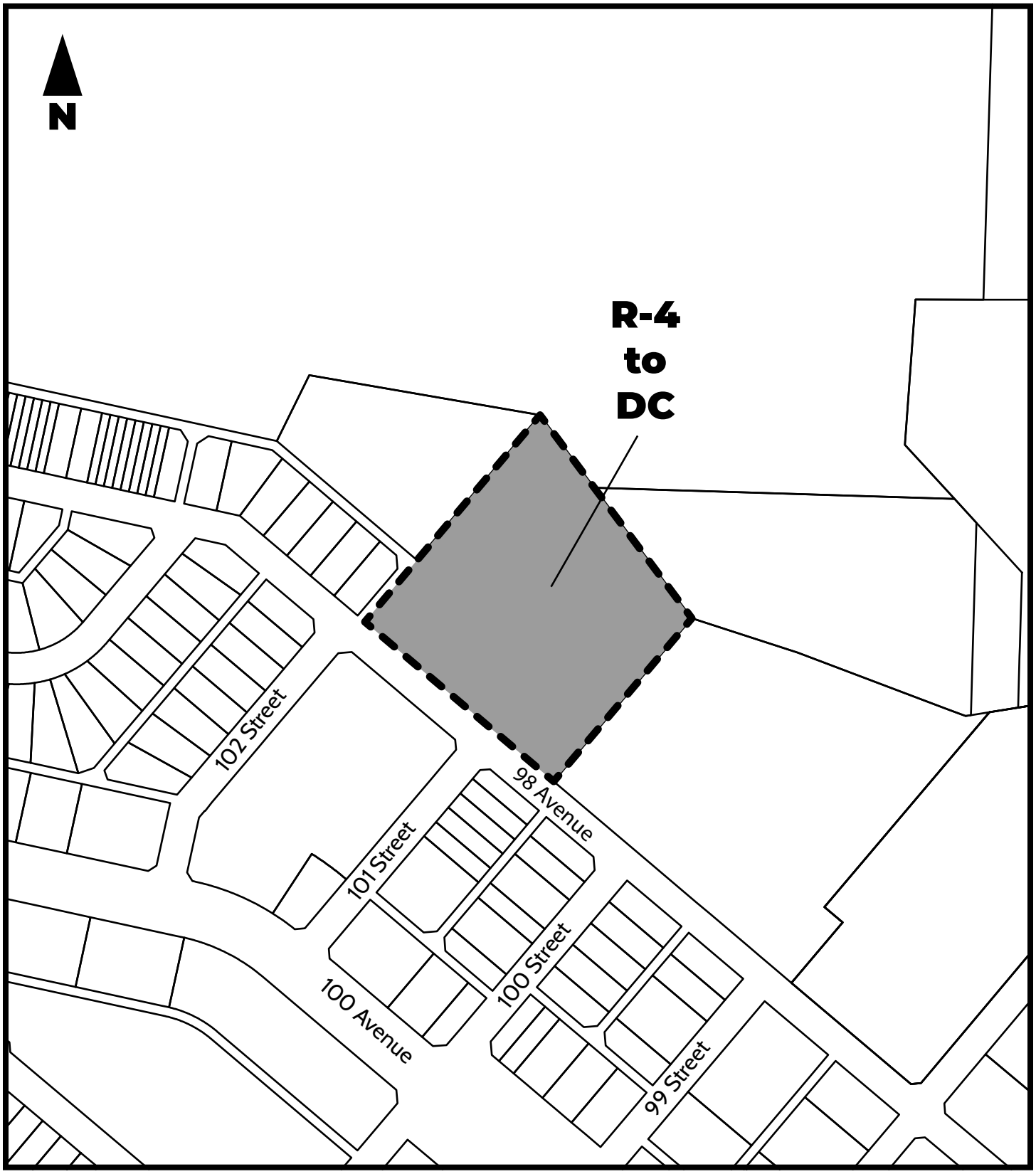
READ A SECOND TIME this _____ day of _____, 202_

_____ _____
MAYOR CHIEF ADMINISTRATIVE OFFICER

READ A THIRD TIME this _____ day of _____, 202_

_____ _____
MAYOR CHIEF ADMINISTRATIVE OFFICER

Schedule 'A'




**Legal:** Plan 4507NY Block 27 Lot B
**Municipal:** 9900 98 Avenue
**From:** R-4 (Mobile Home - Mobile and Transition Neighbourhood
**To:** DC (Direct Control)

Amendment Area

Schedule 'B'

## INTENT

1. This DC LAND USE DISTRICT allows the DEVELOPMENT of housing within a parcel designed to accommodate DWELLING UNITS on NOTATIONAL LOTS as provided for in the approved Moose Meadows Phase 1: Outline Plan.

2. Council has delegated the decision on DEVELOPMENT PERMIT applications within the DC LAND USE DISTRICT to the DEVELOPMENT AUTHORITY.

## USES

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| a) ACCESSORY BUILDING OR STRUCTURE;<br>b) DWELLING – SINGLE-FAMILY; and<br>c) MANUFACTURED HOME – MODULAR. | a) BUILDING – MOVED IN;<br>b) DWELLING – DUPLEX;<br>c) ACCESSORY USES associated with a DWELLING – SINGLE-FAMILY:<br>i. HOME OCCUPATION; and<br>d) MANUFACTURED HOME – MOBILE. |

## SITE PROVISIONS

3. The density within the DC LAND USE DISTRICT shall be limited to 27 principal buildings, with NOTATIONAL LOTS generally conforming to Figure 1, subject to the satisfaction of the DEVELOPMENT AUTHORITY.

4. Notwithstanding any provision within Section 5 of Bylaw 1018-21, the NOTATIONAL LOTS located within the DC LAND USE DISTRICT shall be subject to lot, site, and building requirements as shown in Table 1.

TABLE 1 DC LAND USE DISTRICT LOT, SITE, AND BUILDING REQUIREMENTS

| Component | DWELLING – SINGLE FAMILY, MANUFACTURED HOME - MOBILE, AND MANUFACTURED HOME – MODULAR/UNIT | DWELLING – DUPLEX |
|---|---|---|
| NOTATIONAL LOT Area (Minimum) | 330 m2/3,552 sq.ft. | 233 m2/2,507 sq.ft. |
| NOTATIONAL LOT Width (Minimum) | 11 m/36 ft | 8 m/26.2 ft |

| | | |
|---|---|---|
| NOTATIONAL LOT Depth (Minimum) | 30 m/98.4 ft | 30 m/98.4 ft |
| YARD – FRONT (Minimum) | 6 m/14.9 ft | 6 m/14.9 ft |
| YARD – FLANKAGE (Minimum) | 3 m/9.85 ft | 3 m/9.85 ft |
| YARD – SIDE (Minimum) | 1.2 m/3.9 ft | 1.2 m on one side and 0 m on the side with a PARTY WALL |
| YARD – REAR (Minimum) | 7 m/22.9 ft | 7 m/22.9 ft |
| FLOOR AREA – GROSS above FINISHED GRADE (Minimum) | 90 m2/968 sq.ft. | 75 m2/807 sq.ft. |
| BUILDING HEIGHT (Maximum) | 10.0 m (32.8 ft.) | 10.0 m (32.8 ft.) |
| LOT COVERAGE (Maximum) | 40% | 40% |
| Maximum number of Buildings on NOTATIONAL LOTS | The maximum number of buildings on a NOTATIONAL LOT shall be two (2), a maximum of one principal building and one accessory building. | |
| Internal roadways | Internal roadways shall be developed to Town Standards.<br>The minimum internal roadway width shall comply with Town roadway design standards. | |

## ADDITIONAL REQUIREMENTS

5. DEVELOPMENTS within the DC LAND USE DISTRICT shall be consistent with the Town of High Level Design Guidelines, to the satisfaction of the DEVELOPMENT AUTHORITY.

6. DWELLING – SINGLE FAMILY and all other residential uses with driveway ACCESS from a rear LANE are permitted to reduce their YARD – FRONT and YARD – FLANKAGE SETBACK to 4.5m/14.7ft.

7. Driveways and GARAGES for DWELLING – DUPLEX shall be separated by a landscaped strip of at least 0.5m/1.6ft.

8. Fencing shall be provided around the perimeter of the site prior to occupancy of any buildings and to the satisfaction of the DEVELOPMENT AUTHORITY and in alignment with Bylaw 1018-21

9. All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of Bylaw 1018-21.

## DISCRETIONARY USE CRITERIA AND REQUIREMENTS

10. When assessing a DISCRETIONARY USE within the DC LAND USE DISTRICT, the applicant shall demonstrate the following to the DEVELOPMENT AUTHORITY:
    a. consistency with the Town of High-Level Design Guidelines, where applicable;
    b. the scale of the BUILDINGS and/or STRUCTURES is comparable to other DWELLING UNITS within the LAND USE DISTRICT in terms of GROUND FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT; and
    c. the BUILDINGS and/or STRUCTURES avoid creating a blank appearance when orientated towards a street through the use of design elements such as shutters, bay windows, dormers, porches, verandahs, pillars, material changes or other features.

11. In considering approved ACCESSORY USES, the applicant will need to demonstrate the following to the DEVELOPMENT AUTHORITY:
    a. that any HOME OCCUPATION meets the requirements of Subsection 5.19;
    b. potential impacts such as noise, traffic and PARKING have been mitigated; and
    c. there shall be no use of SIGNAGE, unless permitted under Articles 5.19.3, 5.20.3 or 9.2.13.

12. When considering a proposed MANUFACTURED HOME – MOBILE in the DC LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider this USE if:
    a. the proposed MANUFACTURED HOME – MOBILE meets the definition in Bylaw 1018-21; and
    b. the MANUFACTURED HOME – MOBILE is no more than 20 years old at the time of placement onto a PARCEL, unless an Appraiser has assigned a MANUFACTURED HOME – MOBILE with a new EFFECTIVE AGE up to 20 years old at the time of placement; and
    c. the MANUFACTURED HOME – MOBILE with a new EFFECTIVE AGE includes the submission of a comprehensive Appraisal Report containing the new EFFECTIVE AGE and inspection details with a DEVELOPMENT PERMIT application, to the satisfaction of the DEVELOPMENT AUTHORITY.

13. The DEVELOPMENT AUTHORITY may exercise discretion to allow a fence higher than 2m/6.56ft. along a LOT-LINE – REAR or LOT LINE – SIDE within the DC LAND USE DISTRICT, if the LOT is located behind a DEVELOPMENT that measures 11m/36ft. in height or three (3) or more stories.

14. The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

### SIGNAGE REQUIREMENTS

15. SIGNS shall:
    a. not exceed 1.5m2/16.2sq.ft. in sign area;
    b. be no higher than 2m/6.5ft. above finished grade;
    c. not be illuminated; and
    d. Subject to the requirements of Section 7.

16. Any SIGN not requiring a permit under Article 7.2.4 shall be permitted.

17. SIGN – FASCIA not exceeding 0.25m2/2.6sq.ft. in area shall be permitted for the purposes of identifying the residents therein, warn against trespassing, and cannot be a SIGN – ILLUMINATED.




Outline Plan Boundary

**Figure 1: Moose Meadows Phase 1 Preliminary Notational Plan**

Preliminary Notational Plan

0 20 40 m
1:1000

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# Land Use Bylaw Amendment Application

TOWN OF HIGH LEVEL
development@highlevel.ca
780-926-2201

All materials must be clear, legible, and precise. Only applications that are complete will be accepted. This application is for a land use bylaw amendment (also called rezoning) only, if a subdivision is required, you must apply separately. **Incomplete or illegible applications may result in delays or application refusals.**

**Address** High Level, Alberta, T0H 1Z0

**Lot** B **Block** 27 **Plan** 4507NY

## Applicant

☐ Same as Property Owner

Name: ISL Engineering (Joseph Parsons)
Address: 7909 - 51 Avenue
Town/City: Edmonton Postal Code: T6E 5L9
Phone: 780.438.9000
E-mail: JParsons@islengineering.com
Signature:

## Property Owner

Name: EHDA CHO Corp. (N'DEH LP)
Address: General Delivery
Town/City: High Level Postal Code: T0H 1Z0
Phone: 780.926.3776
E-mail: jordan.asels@ndeh.ca
Signature:

*Providing an email means you consent to receiving documents or communications related to this application, including, but not limited to rezoning application decisions, acknowledgments confirming an application is complete, any notices identifying or requesting outstanding documents and information, by email.*

I, the applicant, acknowledge that:

1. This application does not exempt the applicant, owner, or owner's agents from full compliance with any easement, covenant, building scheme, or other agreements affecting the property, nor from any applicable laws, bylaws, or regulations.
2. The Town and its agents have the right to enter the property to inspect for and enforce compliance with issued approvals, and any relevant bylaws, regulations, and legislation.
3. I declare that I have reviewed the information from the Energy Resource and Conservation Board (ERCB) and can advise that the information shows the absence of any abandoned wells on the parcel that is the subject of this application.

Signature: Date: March 3, 2025

## As the Applicant, I affirm

- ☐ I am the registered owner of the above property.
- ☐ I have entered into a binding agreement to purchase the above property with the registered owner(s).
- ☑ I have permission of the registered owner(s) of the above property to make this application for a Land Use Bylaw Amendment.

## Property Information

Current Zoning: **R-4 - Manufactured Home**

Proposed Zoning: **DC - Direct Control**

*If you are wishing to apply for Direct Control zoning please provide an explanation of the uses you are looking to include within the proposed Direct Control Bylaw.*

## Existing Use of The Property

Vacant.
The subject site was previously developed as the High Level Trailer Court and was most recently stripped, gravelled, and graded to provide emergency housing

## Proposed Use of The Property

To provide transitional housing adjacent to existing support services and recreational opportunities that will contribute to a safe environment and a healthy quality of life.

## OFFICE USE ONLY

Current Zoning: R-4
Town File #: LUBA01-25
Date Received: April 24, 2025
MPS File #: N/A

# Land Use Bylaw Amendment Application

## Rezoning Rationale & Checklist

development@highlevel.ca
780-926-2201

### Please describe why the proposed rezoning is necessary and any projects you have planned that requires this rezoning:

Dene Tha' First Nation's Indigenous Transitional Housing Unit Project is a priority initiative designed to secure accommodation f vulnerable Indigenous people facing gender-based violence and others recovering from addiction.

There is a significant underserved Indigenous population in remote and semi-remote northern Alberta and in the southern r Northwest Territories. Beyond the need of the Dene Tha' people, there is a larger regional need for transitional housing units to supp vulnerable populations. During times of less than 100% occupancy, Dene Tha' may lease homes to other communities seeking this se

The development proposal will provide the region with new ready-to-move single family (manufactured) homes to support recovery for vulnerable populations.

The location provides access to amenities including schools, training facilities, grocery stores, library, gym, churches, health c parks and natural areas, recreation and aquatic centers and employment opportunities. All units will be designed to be cultu and provide a secure and healthy environment.

The residential layout is intended to provide options for one-bedroom or three-bedroom homes. The first phase will include and 4 three-bedroom modular units which will be constructed offsite. The remaining portion of the Outline Plan area is anti accommodate similar dwellings.

### LUB Amendment Package Requirements

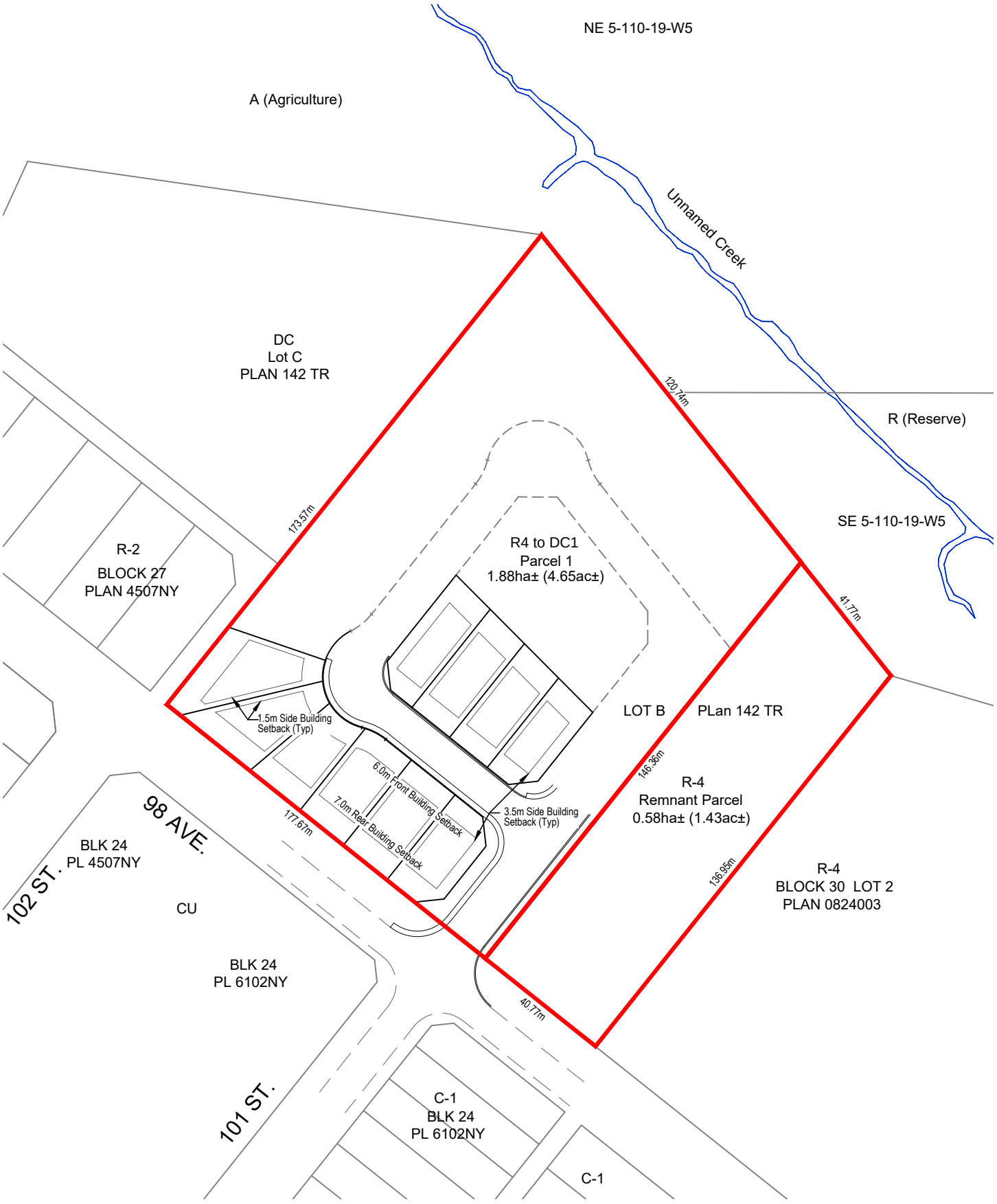
- ☑ Completed site plan with dimensions of the property and adjacent properties
- ☑ Site Orthophoto Showing Full Extent of Property
- ☑ Certificate of Title* (<30 days)

**If the applicant is unable to obtain a Certificate of Title, the Town will acquire one for an additional fee of $15.*

### Site Plan Checklist

1. Must be oriented with north at the top of the page and must contain a north arrow.
2. Must show site layout (and dimensions in metric or standard) which includes:

- ☑ All property lines & adjacent streets/roads
- ☑ All existing and proposed structures
- ☑ All setback and separation distances of current and proposed structures
- ☑ All existing and proposed driveways, walkways, etc.
- ☑ Existing above ground utility structures on site
- ☑ Existing water bodies/features
- ☑ Current zoning of the property applied for and all adjacent properties
- ☑ Clear identification of which property is being applied for




ISL

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# Land Use Redesignation

## Site Plan

84

March 2025

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Project Boundary

ISL

0 30 60 m
1:1500

N

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## Land Use Redesignation

Aerial Photo



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LAND TITLE CERTIFICATE

S

| LINC | SHORT LEGAL | TITLE NUMBER |
|---|---|---|
| 0033 212 747 | 0824003;30;2 | 082 444 578 +1 |

LEGAL DESCRIPTION
PLAN 0824003
BLOCK 30
LOT 2
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 3.27 HECTARES (8.08 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;10;110;5;SE

MUNICIPALITY: TOWN OF HIGH LEVEL

REFERENCE NUMBER: 082 184 990 +1

REGISTERED OWNER(S)

| REGISTRATION | DATE(DMY) | DOCUMENT TYPE | VALUE | CONSIDERATION |
|---|---|---|---|---|
| 082 444 578 | 09/10/2008 | TRANSFER OF LAND | | SEE INSTRUMENT |

OWNERS

EHDA CHO CORPORATION.
OF 600, 12220 STONY PLAIN ROAD
EDMONTON
ALBERTA T5N 3Y4

ENCUMBRANCES, LIENS & INTERESTS

| REGISTRATION NUMBER | DATE (D/M/Y) | PARTICULARS |
|---|---|---|
| 892 127 089 | 31/05/1989 | CAVEAT<br>RE : SEE CAVEAT<br>CAVEATOR - THE TOWN OF HIGH LEVEL.<br>BOX485<br>HIGH LEVEL<br>ALBERTA T0H1Z0<br>AGENT - WILLIAM N GILBERT |

( CONTINUED )

TOTAL INSTRUMENTS: 001

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 5 DAY OF FEBRUARY, 2025 AT 04:04 P.M.

ORDER NUMBER: 52801670

CUSTOMER FILE NUMBER: 16751 PhA06

*END OF CERTIFICATE*

---

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

LAND TITLE CERTIFICATE

S

| LINC | SHORT LEGAL | TITLE NUMBER |
|---|---|---|
| 0015 272 230 | 4507NY;27;B | 082 444 578 +2 |

LEGAL DESCRIPTION
PLAN 4507NY
BLOCK 27
LOT B
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 2.46 HECTARES (6.09 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;19;110;5

MUNICIPALITY: TOWN OF HIGH LEVEL

REFERENCE NUMBER: 832 195 155

REGISTERED OWNER(S)

| REGISTRATION | DATE(DMY) | DOCUMENT TYPE | VALUE | CONSIDERATION |
|---|---|---|---|---|
| 082 444 578 | 09/10/2008 | TRANSFER OF LAND | | SEE INSTRUMENT |

OWNERS

EHDA CHO CORPORATION.
OF 600, 12220 STONY PLAIN ROAD
EDMONTON
ALBERTA T5N 3Y4

ENCUMBRANCES, LIENS & INTERESTS

| REGISTRATION NUMBER | DATE (D/M/Y) | PARTICULARS |
|---|---|---|
| 892 127 089 | 31/05/1989 | CAVEAT<br>RE : SEE CAVEAT<br>CAVEATOR - THE TOWN OF HIGH LEVEL.<br>BOX485<br>HIGH LEVEL<br>ALBERTA T0H1Z0<br>AGENT - WILLIAM N GILBERT |

( CONTINUED )

| REGISTRATION NUMBER | DATE (D/M/Y) | PARTICULARS |
|---|---|---|
| 032 174 744 | 21/05/2003 | NOTICE OF SECURITY INTEREST<br>RE : FIXTURES<br>IN FAVOUR OF - CANADIAN IMPERIAL BANK OF COMMERCE.<br>P O BOX 330<br>HIGH LEVEL<br>ALBERTA T0H1Z0<br>DEBTOR - PATRICIA A JONES<br>BOX 3686<br>HIGH LEVEL<br>ALBERTA T0H1Z0<br>AMOUNT: $59,589<br>EXPIRES: 2021/05/06 |

TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED HEREIN THIS 5 DAY OF FEBRUARY, 2025 AT 04:04 P.M.

ORDER NUMBER: 52801670

CUSTOMER FILE NUMBER: 16751 PhA06

*END OF CERTIFICATE*

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER, SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION, APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

**Town of High Level**
**Regular Council Meeting**
**Request for Decision**

| | |
|---|---|
| **Meeting Date:** | **April 28, 2025** |
| **Prepared By:** | **Logan Bartholow, Director of Planning & Development** |
| **Subject:** | **Making Housing Easier to Build – Land Use Bylaw Replace and Repeal** |

**Recommendation:**

THAT based on the April 28, 2025 report from the Director of Planning & Development, *Municipal Development Plan Amendment*, Council provide FIRST READING to Bylaw 1051-25 as presented;

AND THAT Council direct Administration to hold a Public Hearing on May 26, 2025, at 7PM for Bylaw 1051-25.

**CAO Comments:**

I support the recommendation.

## Background:

June 2024

- On June 10th, Council directs Administration to complete a Housing Needs Assessment and to prepare a new Housing Accelerator Fund (HAF) application for an expected future round.

September 2024

- On September 9th, Council directs Administration to submit an application to the second round of the HAF as presented by Administration (Attachment 4).

December 2024

- The Canada Mortgage and Housing Corporation (CMHC) informs the Town of High Level that they were successful in their application and is offered $1,672,139.90 in funding over the next 4 years to complete the submitted action plan.

January 2024

- On January 13th, Council directs Administration to enter into a formal funding agreement with CMHC.

March 2024

- CMHC makes a public announcement regarding the HAF funding supplied to the Town of High Level.
- Council received a report from Administration on March 24, 2025, outlining a general timeline and steps for completing Initiative 1 and 2 as included in the Town's HAF agreement.

Action Plan Summary

- The action plan submitted by the Town includes six distinct initiatives (Attachment 4), in addition to a commitment to complete a Housing Needs Assessment. The first two initiatives require an amendment to the Town's LUB (more detail on the initiatives can be found in Attachment 4):

    1. **Zoning Reform of Residential Land Use Districts**: Allowing secondary suites, duplexes, and townhouses/multi-units in more residential areas; removing unit caps on multi-unit developments, increasing building height allowances, and more.

    2. **Making Building Easier**: Implementing more flexible regulations for parking, lot size, setbacks, density, and other site layout factors to incentivize denser site layouts and reduce burdensome restrictions.

*Note: Additional land use bylaw amendments over what was included in the Town's HAF Action Plan have also been proposed where it makes sense to provide further flexibility in housing construction.*

## Discussion:

**Purpose of the Proposed Land Use Bylaw**

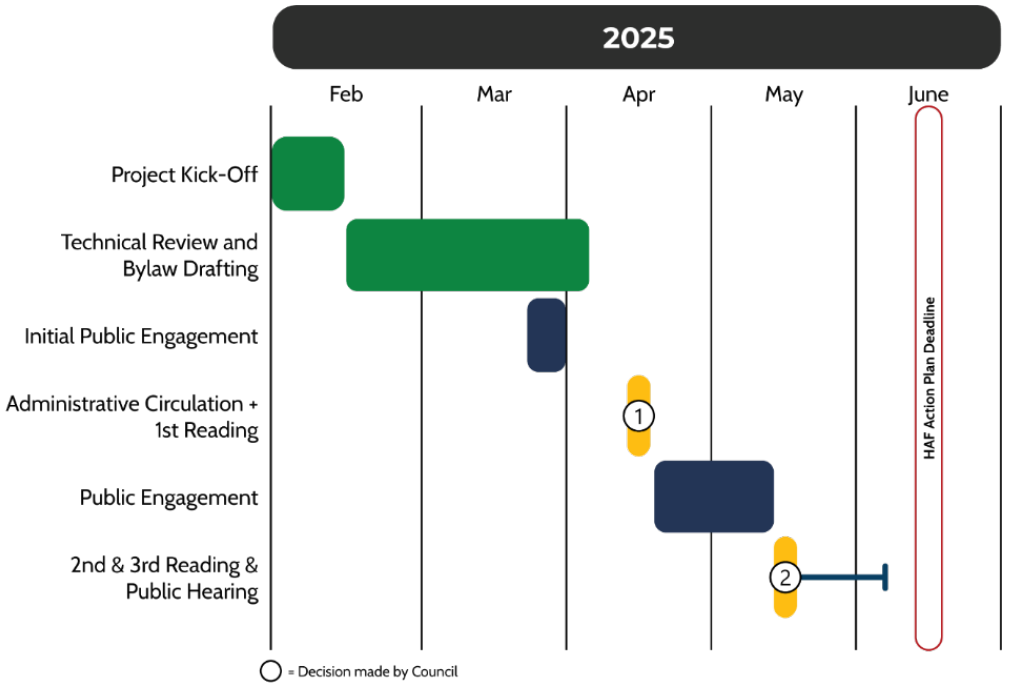
- Due to the number of policy additions, terminology changes, and improvements to grammar and formatting, nearly every section of the current Land Use Bylaw (Attachment 2) would require an amendment.
- After consulting with the Town's legal counsel, it was determined that repealing the existing bylaw and replacing it with the proposed version (Attachment 1) would be simpler and clearer.
- The proposed changes aim to create greater flexibility in the types and composition of housing that can be developed within the Town of High Level.
- This bylaw update is one of several initiatives the Town is pursuing to encourage additional housing construction in the community.
- Where appropriate, further changes were made to align with the intent of the Town's HAF initiative commitments.
    - An example of this is allowing Mixed Use Residential Buildings in the Downtown and Highway Commercial Land Use Districts..
    - Furthermore, the significant changes to the Town's parking regulations have been proposed to improve development flexibility for all types of development while simplifying the regulations and parking calculations for the Development Authority, residents, and the public. This has seen the number of parking categories decrease from 32 to 6.
    - Overall, parking minimums have been decreased (as committed to in the Town's HAF initiatives), though Developers may exceed these minimums if they believe their developments would benefit from more parking than what is required.
- In some cases, additional supporting sections were needed to provide clarity.
    - For example, several new subsections in Section 5 of the proposed Land Use Bylaw have been added to offer clearer regulations for mixed use buildings, secondary suites, and backyard units.
- A redlined version has also been provided in Attachment 3 to show exactly where the changes were made in alignment with the Town's HAF commitments.
- Lastly, an unrelated change has been proposed that would remove the need for a development permit for temporary signs that are up for no more than 30 days, and that align to the land use district the sign is to be placed in. This is similar to what other municipalities have in place to reduce red-tape for short-term community event and sales signage.

**Implications and Council Considerations**

- The Town has specific obligations under its HAF agreement, and there is limited room to change the proposed bylaw while staying compliant.
- Changing parts of the bylaw without careful review could lead to unintended consequences for development approvals.
- Council is advised to either pass the bylaw as presented or defeat it without making amendments.
- Council is not legally required to pass the bylaw under the HAF agreement.
- However, if the Town does not meet its HAF commitments, CMHC could cancel the agreement and may require the Town to repay the initial funding received.

**Next Steps and Engagement Plan**

- If Council provides First Reading to Bylaw 1051-25, Administration will:
    - Host a public open house
    - Mail notices of the proposed changes to community members
    - Advertise the changes in the local newspaper
    - Publish the proposed bylaw on the Town's website
    - Launch an online comment form for those unable to attend the open house or public hearing
- If Council provides First Reading to both Bylaws 1051-25 and 1052-25 on April 28, it is recommended that a joint public hearing be held on May 12, 2025.
- A tentative schedule has been provided below:



## Financial:

- The Town of High Level has been awarded $1,672,139.90 through the HAF program.
- The funding will be distributed over three years in four equal payments of $418,034.98.
- The funds must be used to implement the initiatives outlined in the Town's HAF Action Plan. Any unused funds may be allocated to community investments that support additional housing growth.
- **Estimated expenses for Initiatives 1 and 2:** $61,750.00.

## Council's Decisions for Statutory Plan and Land Use Bylaw Amendments:

At First Reading:

a) Provide First Reading as presented.
b) Provide First Reading as amended.
c) Defeat the Bylaw as presented.
    a. In this instance, future steps would not occur.

At the Public Hearing:

a) Hold and close the Public Hearing.
    a. Council may only hold one public hearing for a proposed bylaw that considers residential development.
b) Recess the Public Hearing to a future meeting to gather more information or for further consideration.
    a. This may require re-advertising, and a date set for reconvention of the meeting. This should be determined before declaring the Public Hearing closed.

At Second and Third Reading:

a) Postponement of the Second and Third Reading until a future Council meeting.
    a. This does not require re-advertising.
b) Provide Second and Third Reading as presented (Approve the Bylaw).
c) Provide Second and Third Reading as amended.
    a. This may require readvertisement for an additional public hearing.
d) Defeat the Bylaw as presented.

## Council Options:

1. THAT Council provide FIRST READING to Bylaw 1051-25 as presented.

AND THAT Council direct Administration to hold a Public Hearing on May 12, 2025, at 7PM for Bylaw 1051-25;

2. THAT Council provide FIRST READING to Bylaw 1051-25 as amended;

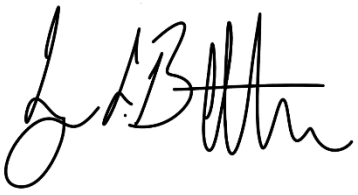
   AND THAT Council direct Administration to hold a Public Hearing on May 12, 2025, at 7PM for Bylaw 1051-25.

## Attachments:

**Attachment 1 – Bylaw 1051-25 – Land Use Bylaw (DRAFT)**
**Attachment 2 – Bylaw 1018-21 – Land Use Bylaw**
**Attachment 3 – Redlined Version of Proposed Bylaw 1051-25**
**Attachment 4 – Town of High Level HAF Action Plan Summary**

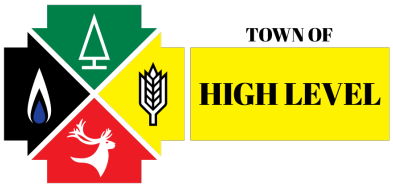
**Approvals:**





**CAO, Viv Thoss**

**Author: Logan Bartholow, Director of Planning & Development**




# TOWN OF HIGH LEVEL
# LAND USE BYLAW
# BYLAW NO. 1051-25

**A BYLAW OF THE TOWN OF HIGH LEVEL IN THE PROVINCE OF ALBERTA, TO ADOPT A LAND USE BYLAW.**

**WHEREAS** the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, requires the Council of a municipality to enact a Land Use Bylaw to regulate the use and development of land and buildings within the municipality;

**AND WHEREAS** the Council of the Town of High Level deems it necessary to repeal the existing Land Use Bylaw and adopt a new Land Use Bylaw;

**AND WHEREAS** Land Use Bylaw 1018-21 and all amendments thereto are to be repealed, except for amendments which established Direct Control Districts and their associated regulations, which shall remain in full force and effect and be interpreted as referencing this Bylaw;

**NOW THEREFORE** the Council of the Town of High Level, Duly Assembled, does hereby adopts the Town of High Level Land Use Bylaw, attached hereto and forming part of this bylaw.

READ A FIRST TIME this _____ day of _____, 202_

_____ _____
MAYOR CHIEF ADMINISTRATIVE OFFICER

READ A SECOND TIME this _____ day of _____, 202_

_____ _____
MAYOR CHIEF ADMINISTRATIVE OFFICER

READ A THIRD TIME this _____ day of _____, 202_

_____ _____
MAYOR CHIEF ADMINISTRATIVE OFFICER

# Land Use Bylaw

## No. 1051-25

**TOWN OF HIGH LEVEL**



# AMENDING LAND USE BYLAW INDEX

## LAND USE BYLAW AMENDMENTS

| BYLAW # | DESCRIPTION | ADOPTED |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |

## REZONING LAND USE BYLAW AMENDMENTS

| BYLAW # | DESCRIPTION | ADOPTED |
|---|---|---|
| | | |
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| | | |

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1

# 1.0 ENACTMENT

## 1.1 TITLE OF THIS BYLAW

**1.1.1** This BYLAW shall be known as, and may be cited as the "Town of High Level Land Use Bylaw".

## 1.2 PURPOSE OF THIS BYLAW

**1.2.1** Pursuant to Section 640 of the *Municipal Government Act,* the purpose of this BYLAW is to regulate the USE and development of land and BUILDINGS within the boundaries of the Town of High Level, to ensure the orderly development of land and to:

**a)** Divide the TOWN into LAND USE DISTRICTS;
**b)** Prescribe and regulate the PERMITTED USE and DISCRETIONARY USE of LOTS or BUILDINGS within each LAND USE DISTRICT;
**c)** Provide the method used for issuance of and decision-making on applications for DEVELOPMENT PERMITS;
**d)** Provide the manner in which a notice of issuance for a DEVELOPMENT PERMIT is given;
**e)** Establish the number and type of DEVELOPMENT allowed on a PARCEL or LOT;
**f)** Establish general DEVELOPMENT standards and specific land USE regulations;
**g)** Establish PARKING, SIGNAGE and LANDSCAPING standards;
**h)** Establish SUBDIVISION design standards; and
**i)** Provide information on the process of appealing DEVELOPMENT decisions.

## 1.3 APPLICATION OF THIS BYLAW

**1.3.1** The provisions of this BYLAW apply to all lands and BUILDINGS within the boundaries of the Town of High Level, pursuant to Division 5 of Part 17 of the *Municipal Government Act*.

## 1.4 EFFECTIVE DATE OF THIS BYLAW

**1.4.1** This BYLAW comes into force and takes effect upon the date of its third and final reading by COUNCIL.

**1.4.2** Land Use Bylaw No. 1018-21, and all amendments thereto, are hereby repealed and replaced.

## 1.5 CONFORMITY WITH THIS BYLAW

**1.5.1** No person shall commence any DEVELOPMENT within the TOWN except in conformity with this BYLAW.

**1.5.2** Compliance with this BYLAW does not exempt any person or entity from the requirements of any adopted Statutory Plan, Federal or Provincial regulation.

## 1.6 OTHER LEGISLATIVE AND BYLAW REQUIREMENTS

**1.6.1** Nothing in this BYLAW affects the duty or obligation of a person to obtain a DEVELOPMENT PERMIT as required by this BYLAW or to obtain any other permit, license or other authorization required by this, or any other Bylaw.

**1.6.2** In addition to the requirements of this BYLAW, an applicant must comply with all Federal, Provincial and other Municipal legislation.

## 1.7 TRANSITION

**1.7.1** An application for a SUBDIVISION, DEVELOPMENT PERMIT or amendment to the Land Use Bylaw, which commenced prior to the adoption of this BYLAW, shall be evaluated using the provisions of the Town of High Level Land Use Bylaw No. 1018-21 as amended.

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# 2.0 INTERPRETATION

## 2.1 INTERPRETATION

**2.1.1** The terms defined in this Section have specific, broader or different meanings than the usage and interpretation commonly found in the Oxford English Dictionary, which gives reasoning to the need of this Section. The meanings of all terms and vocabularies used in this BYLAW shall be interpreted in accordance with the:

- **a)** *Municipal Government Act* and the *Statutes of Alberta* to which this BYLAW refers;
- **b)** the following definitions;
- **c)** the DEVELOPMENT AUTHORITY; and
- **d)** the Standard Oxford English Dictionary, in the event that the above-mentioned Section of definitions is silent.

**2.1.2** The word “person” includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual.

**2.1.3** Capitalized words within this BYLAW have specific meanings defined within Article 2.4.1.

**2.1.4** When words defined within Article 2.4.1 are not capitalized, they are being used in a different context, however they typically bear the same meaning.

**2.1.5** The words “shall”, “must”, and “is” require mandatory compliance except where a VARIANCE has been granted, pursuant to the ACT or this BYLAW.

**2.1.6** All other words and expressions have the meaning respectively assigned to them in accordance with the ACT and any other applicable *Statutes of Alberta.* Where such words are not defined in this BYLAW, or in the ACT, the DEVELOPMENT AUTHORITY will provide the interpretation.

## 2.2 NUMBERING SYSTEM

**2.2.1** In the numbering system used in this BYLAW:

**a)** the first number indicates the Section;
**b)** the second number indicates the Subsection of the Section; and
**c)** the third number indicates the Article of the Subsection.

**2.2.2** An Article in this BYLAW may be divided into Clauses, which are indicated by lower case letters in parentheses, and the Clauses may be divided into Sub-clauses, which are indicated by roman numerals in parentheses.

## 2.3 MEASUREMENTS

**2.3.1** The measurements contained in this BYLAW are in Imperial and Metric and may be abbreviated as follows:

**a)** metres or m;
**b)** square metres or $m^2$
**c)** centimetres or cm;
**d)** millimetres or mm;
**e)** hectares or ha;
**f)** feet or ft.;
**g)** square feet or sq.ft.;
**h)** inches or in; and
**i)** acres or ac.

## 2.4 DEFINITIONS

**2.4.1** The following words, terms, and phrases, wherever they occur in this BYLAW have the meaning assigned to them as follows:

# A

### ABATTOIR

means a commercial DEVELOPMENT where animals are slaughtered and/or meat is cut, wrapped, frozen, cured, smoked, or aged.

### ACCESS

means an area that serves as the physical connection between a SITE and a PUBLIC ROADWAY.

### ACCESSORY BUILDING OR STRUCTURE

means a BUILDING and/or STRUCTURE not used for human habitation, but may be attached to or located beneath a DWELLING - BACKYARD UNIT, where permitted. In other cases, it may include a GARAGE – DETACHED, detached CARPORT, or garden shed. The USE of an ACCESSORY BUILDING OR STRUCTURE is incidental and subordinate to the PRINCIPAL USE, BUILDING and/or STRUCTURE, and is located on the same LOT. This does not include children's play structures, PATIOS or DECKS associated with a DWELLING UNIT.

### ACCESSORY USE

means a USE subordinate, incidental to and exclusively devoted to a PRINCIPAL USE of a BUILDING, STRUCTURE or property.

### ACT

means the *Municipal Government Act* being Chapter M-26 of the revised *Statutes of Alberta*, or any amendments thereto.

### ADULT ENTERTAINMENT FACILITY

means a DRINKING ESTABLISHMENT, nightclub, RESTAURANT or other establishment that features live performances of an explicit nature, escort services, or showcasing media materials inclusive of adult content.

### AGRICULTURE

means the cultivation of the soil for the growing of a crop, the raising of livestock, or DEVELOPMENT of an industrial or commercial greenhouse.

### AIRPORT RESTRICTION AREA

means the area shown on Map 2 of APPENDIX 1.

### ALTERNATIVE ENERGY TECHNOLOGY

means any system, device or STRUCTURE that is used to collect natural energy sources, such as the sun or geothermal sources to generate thermal, electrical, or mechanical energy for USE as an alternative to fossil fuels, and other non-renewable resources. Typical examples are SOLAR COLLECTORS and GEOTHERMAL ENERGY SYSTEMS.

### AMUSEMENT ARCADE

means a DEVELOPMENT with mechanical or electronic games that are provided for public entertainment, but does not include ADULT ENTERTAINMENT FACILITY, casino or bingo.

### AREA STRUCTURE PLAN

means a statutory plan, prepared and adopted pursuant to Section 633 of the ACT, which addresses the future development of large areas of land at a conceptual level.

### ART GALLERY

means a DEVELOPMENT used for the public display and sale of art.

### ASSISTED LIVING FACILITY

means an institution primarily for persons where housing accommodation is provided, and medical or supervisory care may also be provided.

### AUCTION FACILITY

means a DEVELOPMENT used for the auctioning of goods, MOTOR VEHICLES and equipment, including the temporary storage of such goods and equipment.

### AUTOMOTIVE SALES AND RENTAL

means a DEVELOPMENT used for the sale, service, and rental of MOTOR VEHICLES, but does not include RECREATIONAL VEHICLE SALES AND SERVICE or automotive body and paint service.

### AUTOMOTIVE SERVICE

means a DEVELOPMENT used for the service and repair of MOTOR VEHICLES, automotive body and paint work, the sale of gasoline, lubricating oils, and other automotive fluids, or any combination of such, but does not include AUTOMOTIVE SALES AND RENTAL, a FUEL STATION, or a CAR WASH.

## B

### BALCONY

means an exterior platform projecting from a wall above the first STOREY of a BUILDING with ACCESS from an upper-floor.

### BASEMENT

means that portion of a BUILDING that is located below the GROUND FLOOR that is completely or partially below grade. A BASEMENT does not constitute a STOREY.

### BED AND BREAKFAST BUSINESS

means a business that forms an ACCESSORY USE to a DWELLING - SINGLE DETACHED and provides temporary sleeping accommodation with or without meals, including short-term rentals or vacation rentals, and does not include a BOARDING HOUSE.

### BERM

means an elongated mound of earth a minimum of 1m/3.2ft. in height above the FINISHED GRADE designed to provide SCREENING or noise attenuation within a DEVELOPMENT or between adjacent DEVELOPMENTS. For an example of a BERM please see Figure 1.

### BOARDING HOUSE

means a DEVELOPMENT, within a DWELLING – SINGLE DETACHED , where temporary sleeping accommodations of three (3) or more bedrooms, with or without meals, are provided for remuneration to members of the public. Typical USES include student co-operative housing, and lodges for senior citizens, but does not include BED AND BREAKFAST BUSINESS, group home, HOTEL, DWELLING – DUPLEX, DWELLING – TOWNHOUSE, or DWELLING – MULTIPLE UNIT.

### BOULEVARD

means the portion of land located within a PUBLIC ROADWAY between the vehicular portion of the road and the abutting LOT LINE, but does not include the area used for a sidewalk or trail. For an example of a BOULEVARD please see Figure 2.

### BREWERY, WINE, DISTILLERY

means a DEVELOPMENT where beer, wine, spirits or other alcoholic beverages are manufactured, which may also have areas and facilities for preparing, cooking and serving food, and serving alcoholic beverages.

### BUFFER

means a row of trees, shrubs, BERM, architectural devices, walls, fences, other landscape features, or a combination thereof used to provide visual SCREENING and separation between roadways, SITES or LAND USE DISTRICTS. For an example of a BUFFER please see Figure 3.

### BUILDING

includes anything constructed or placed on, in, over or under land including supporting STRUCTURES of any type, but does not include a highway or PUBLIC ROADWAY or a bridge forming part of a highway or PUBLIC ROADWAY.

### BUILDING DEMOLITION

means the process of dismantling and removing a BUILDING with controlled plans that are approved by the DEVELOPMENT AUTHORITY, in accordance with the Building Permit and Standards Bylaw.

### BUILDING HEIGHT

means the vertical distance measured from the highest FINISHED GRADE, along any wall of a BUILDING and/or STRUCTURE facing a street, to the highest point of the BUILDING and/or STRUCTURE. On a property with LOT FRONTAGE on two (2) or more streets, the highest FINISHED GRADE shall be taken from the wall featuring the principle entrance to the BUILDING. BUILDING HEIGHT shall include any accessory roof construction not structurally essential to the BUILDING, and does not include SIGNS or communication STRUCTURES. For an example of BUILDING HEIGHT please see Figure 4.

### BUILDING – MOVED IN

means a residential, commercial or industrial constructed BUILDING that is to be relocated from one LOT to another, but does not include MANUFACTURED HOME – MOBILE, MANUFACTURED HOME – MODULAR, MANUFACTURED HOME – READY TO MOVE, or ACCESSORY BUILDINGS or STRUCTURES under 13m$^2$ / 139.9sq.ft.

### BUILDING PERMIT

means an application form issued by the TOWN, which is assessed by a Safety Codes Officer for compliance with the *National Building Code – Alberta Edition*.

### BULK OIL, FUEL AND CHEMICAL STORAGE

means a DEVELOPMENT where refined or crude oil, liquid, or solid chemical is stored outdoors and may include the sale of such.

### BUSINESS SUPPORT SERVICE

means a DEVELOPMENT used to provide support services to a PERMITTED USE or DISCRETIONARY USE in a LAND USE DISTRICT. Such businesses may be characterized, and not limited to the provision of support functions including: printing, duplicating, binding or photographic processing; office maintenance or custodial services; secretarial services; security services; sale, rental, repair or servicing of office and business equipment, furniture and machines; and, sale, rental, repair or servicing of computers, cellular phones and fax machines.

### BYLAW

means the Land Use Bylaw for the Town of High Level that regulates the use of land and BUILDINGS within the TOWN.

# C

### CAMPGROUND

means a DEVELOPMENT used to provide outdoor spaces to the public for temporary accommodations in permanent STRUCTURES, tents or RECREATIONAL VEHICLE and may include day use areas and other USES necessary to operate a CAMPGROUND, including but not limited to caretaker residences, and washroom facilities.

### CANNABIS PRODUCTION AND DISTRIBUTION

means a DEVELOPMENT used principally for one or more of the following activities as it relates to cannabis:

**a)** the production, cultivation, and growth of cannabis;
**b)** the processing of raw materials;
**c)** the making, testing, manufacturing, assembling, or in any way altering the chemical or physical properties of semi-finished or finished goods and products;
**d)** the storage or shipping of materials, goods and products; or
**e)** the distribution and sale of materials, goods and products to RETAIL – CANNABIS stores or to individual customers.

### CARPORT

means a roofed STRUCTURE attached to a DWELLING UNIT that is designed for the PARKING and storage of MOTOR VEHICLES, which is open on at least two sides providing unobstructed ACCESS to the YARD – REAR. For an example of a CARPORT please see Figure 5.

### CAR WASH

means a DEVELOPMENT used for the cleaning of MOTOR VEHICLES.

### CATERING SERVICE

means a DEVELOPMENT where foods and beverages, to be served off the premises, are prepared for sale to the public.

### CAVEAT

means a warning (in land law) that a person has claimed an interest on a PARCEL of land. If entitled, a person can claim an interest in land through a CAVEAT; registered CAVEATS with Alberta Land Titles are recorded on a Certificate of Title.

### CEMETERY

means a DEVELOPMENT for the entombment of the deceased, which may include structures for those purposes.

### CHANGE OF USE

means changing a TOWN approved USE of a BUILDING, PARCEL or LOT to any other USE. Also see DEVELOPMENT.

### COMMUNITY HALL

means a DEVELOPMENT that provides auditorium, banquet, exhibition, gymnasium, meeting or seminar facilities, and does not include an ADULT ENTERTAINMENT FACILITY.

### COMPLIANCE CERTIFICATE

means a document that may be issued by the DEVELOPMENT AUTHORITY indicating that a BUILDING and/or STRUCTURE, as shown on documentation provided to the TOWN, is located in accordance with the minimum yard SETBACK requirements in this BYLAW, at the time the Certificate is issued.

### CONDOMINIUM

means individual ownership of a DWELLING UNIT, units within a DWELLING – MULTIPLE UNIT, or a PARCEL of land, which is part of a Condominium Plan registered with Alberta Land Titles, and usually indicates ownership in a share of common property administered and maintained by a *Condominium Property Act*.

### CONSTRUCTION SERVICE

means a DEVELOPMENT used to provide LANDSCAPING, electrical, plumbing, heating, painting, carpentry, woodworking or similar services to households or to general contractors, but does not include equipment rental.

### COUNCIL

means the elected COUNCIL of the Town of High Level, as defined in Part 5 Division 1 of the *Municipal Government Act*.

### COVENANT

means a Restrictive COVENANT, which equates to an agreement between owners of two (2) or more PARCELS of land, or from a building scheme established by the owner of several PARCELS of land, whereby non-compete clauses may be agreed upon and imposed upon adjacent LOTS, or architectural controls are imposed upon specific LOTS.

## D

### DANGEROUS OR HAZARDOUS GOODS

means a product, substance or organism listed in the *Dangerous Goods Transportation and Handling Act.*

### DAY CARE FACILITY

means a DEVELOPMENT used to provide care and supervision, but not overnight accommodation, to children in accordance with the *Residential Facilities Licensing Regulation*, as well as any other applicable Provincial or Federal legislation including any amendments. Typical USES are day care centers and nursery schools, and does not include a PRIVATE BABYSITTING SERVICE.

### DECK

means an unenclosed STRUCTURE, elevated above FINISHED GRADE, as a stand-alone STRUCTURE or projecting from a BUILDING and supported by the ground at the FINISHED GRADE or below-ground engineered form. For the purposes of this BYLAW, a porch and veranda shall be considered a DECK.

### DEVELOPMENT

means:

**a)** an excavation or stockpile of earth and the creation of either of them;
**b)** a BUILDING, an addition to, replacement, or repair of a BUILDING and the construction

or placement of any of them on, in, over or under land

**c)** a CHANGE OF USE of a LOT, a BUILDING or an act done in relation to a LOT or a BUILDING that results in, or is likely to result in a CHANGE OF USE of the LOT or BUILDING (also see CHANGE OF USE); or

**d)** a change in the intensity of USE of the LOT, a BUILDING or an act done in relation to a LOT or a BUILDING likely to result in a change in the intensity of USE of the LOT or BUILDING.

### DEVELOPMENT AGREEMENT

means a legally binding contract between a property owner or developer and the TOWN, regarding specific PARCELS, which often includes terms not otherwise required through provisions within this BYLAW.

### DEVELOPMENT AUTHORITY

means a person or persons appointed by the TOWN, pursuant to Section 624 of the ACT to administer the provisions of this BYLAW.

### DEVELOPMENT PERMIT

means a document issued by the TOWN permitting a DEVELOPMENT in compliance with this BYLAW.

### DETENTION AND CORRECTION SERVICES

means a DEVELOPMENT for the purpose of holding or confining, and treating or rehabilitating persons. Typical USES include prisons, mental institutions, jails, remand centers, asylums, and correction centers.

### DISCRETIONARY USE

means the USE of a LOT, BUILDINGS and/or STRUCTURES or any combination thereof provided for in this BYLAW where a DEVELOPMENT PERMIT may be issued, with or without conditions, for a certain purpose that is granted by the DEVELOPMENT AUTHORITY according to their discretionary judgement, based upon the merits of the application in accordance with the ACT.

### DRINKING ESTABLISHMENT

means a DEVELOPMENT licensed to serve alcoholic beverages for consumption on the premises as regulated by the *Alberta Gaming and Liquor Commission*.

### DRIVE-THROUGH BUSINESS

means a DEVELOPMENT or part of a DEVELOPMENT designed to serve customers remaining in their vehicles and may form part of the operations of a CAR WASH or FINANCIAL INSTITUTION, but does not include a DRIVE-THROUGH RESTAURANT or FUEL STATION.

### DRIVE-THROUGH RESTAURANT

means a RESTAURANT with one (1) or more of the following features: car attendant services; drive-through food and/or beverage pickup services; or PARKING primarily intended to allow for the ON-SITE consumption of food within a MOTOR VEHICLE.

### DUGOUT

means the excavation of lands resulting in manmade features that entrap water, includes excavations for a water supply and borrow pits.

**DWELLING – BACKYARD UNIT**

means a subordinate DWELLING UNIT that is detached from and located behind a DWELLING – SINGLE DETACHED, or DWELLING – DUPLEX, or DWELLING - TOWNHOUSE, and may be attached to or above an ACCESSORY BUILDING or GARAGE. A DWELLING – BACKYARD UNIT includes one or more bedrooms, a bathroom, cooking facilities, and a private entrance that provides direct access to the unit without requiring passage through a GARAGE.

**DWELLING – DUPLEX**

means a BUILDING containing two (2) DWELLING UNITS, arranged either side-by-side or stacked. Each of the two DWELLING UNITS may also include a DWELLING - SECONDARY SUITE where permitted. A DWELLING – DUPLEX may be located entirely on a single LOT or may straddle two LOTS with a PARTY WALL aligned along the shared LOT LINE. A DWELLING – SINGLE DETACHED with a DWELLING - SECONDARY SUITE is not considered a DWELLING – DUPLEX.

**DWELLING – SINGLE DETACHED**

means a detached PRINCIPAL BUILDING containing one (1) DWELLING UNIT and may contain one (1) DWELLING - SECONDARY SUITE where permitted. The BUILDING shall be constructed ON-SITE and does not include a MANUFACTURED HOME – MOBILE or a MANUFACTURED HOME – MODULAR.

**DWELLING – MULTIPLE UNIT**

means a BUILDING located entirely within a single SITE containing three (3) or more attached DWELLING UNITS, which may be arranged in various configurations, including but not limited to plex or apartment formats. Entrances may be independent, shared through a common area, or a combination of both.

**DWELLING - SECONDARY SUITE**

means a self-contained DWELLING UNIT located within, and accessory to, a DWELLING – SINGLE DETACHED, or DWELLING – DUPLEX, or DWELLING - TOWNHOUSE. A DWELLING – SECONDARY SUITE includes one or more bedrooms with egress-compliant windows, a separate bathroom, separate cooking facilities, and a private entrance that provides direct access to the suite without requiring passage through the principal DWELLING UNIT.

**DWELLING – TOWNHOUSE**

means a minimum of three (3) DWELLING UNITS arranged side-by-side in a row, with independent entrances at GROUND FLOOR level. A DWELLING - TOWNHOUSE may be located entirely on a single LOT or may span multiple LOTS, with PARTY WALLS that align with LOT LINES.

**DWELLING UNIT**

means a self-contained unit within a BUILDING, designed to be used as a permanent residence, and containing independent and exclusive sleeping, kitchen, living, and sanitary facilities. A DWELLING UNIT must have a private entrance, either directly from the exterior of the building or from a common interior area such as a hallway or lobby.

# E

### EASEMENT

means a non-possessory right, granted by way of an agreement that is legally registered on a Certificate of Title with Alberta Land Titles, to use and/or enter onto a LOT, or PARCEL of land owned by another for a specified purpose or USE.

### EFFECTIVE AGE

is based on a DWELLING UNIT'S present condition and overall general maintenance or improvements. EFFECTIVE AGE can be lesser or greater than the unit's actual age at the time of the appraisal. It is the responsibility of an Appraiser, based upon their inspection of the DWELLING UNIT, to estimate the EFFECTIVE AGE of a subject unit.

### EMERGENCY SERVICES FACILITY

means a DEVELOPMENT which is required for the public protection of persons and property from injury, harm, or damage together with the incidental storage of equipment and vehicles, which is necessary for the provision of emergency services. An EMERGENCY SERVICES FACILITY may include provisions for overnight accommodation as an ACCESSORY USE. Typical USES include fire stations, police stations, emergency medical services, and ancillary training facilities.

### ENCLOSED DECK

means a DECK that is enclosed by a roof and has more than 50% of its perimeter enclosed to the outside and shall be considered part of the main DWELLING UNIT, in terms of LOT COVERAGE and FLOOR AREA – GROSS.

### ENVIRONMENTAL IMPACT ASSESSMENT

means a comprehensive SITE analysis to determine:

- **a)** the potential environmental impact of the proposed DEVELOPMENT on the SITE;
- **b)** the potential environmental impact of the proposed DEVELOPMENT upon the adjacent properties or land USES; and,
- **c)** the potential environmental impact of the proposed DEVELOPMENT upon the future land USE potential of the property.

### ENVIRONMENTAL IMPACT ASSESSMENT REPORT

means a written document pursuant to Part 2 of the *Environmental Protection and Enhancement Act* containing the result of an ENVIRONMENTAL IMPACT ASSESSMENT.

### ENVIRONMENTALLY SENSITIVE AREAS

means areas that fall in one or more of the following categories, or by a study undertaken or commissioned by the Town of High Level:

- **a)** areas having exceedingly steep or unstable slopes;
- **b)** river valleys and lands, watercourses, and other types of WATERBODIES, and land subject to flooding;
- **c)** areas classified as having a high water table, or situated on sensitive aquifers;
- **d)** areas having soils subject to erosion, slippage, or subsidence of similar hazards;
- **e)** wetlands, unique wetlands, or fisheries habitat, or those areas having high levels of peat contents, or land incapable of meeting percolation requirements; and

**f)** areas having stands of unique or mature natural vegetation or land features.

### EQUIPMENT RENTAL FACILITY

means a commercial establishment principally involving the rental of household or other equipment to the public, but does not include MOTOR VEHICLES rentals.

### EXHIBITION GROUNDS

means an outdoor facility used to host public events including rodeos, horse shows, jamborees, and exhibitions, and any ACCESSORY BUILDING OR STRUCTURE used for spectator seating or viewing.

## F

### FAMILY DAY HOME

means an ACCESSORY USE within a DWELLING UNIT or part thereof used to provide care and supervision, but not overnight accommodation, for adults or children as per the *Residential Facilities Licensing Regulation* as well as any other applicable Provincial or Federal legislation including any amendments.

### FARM IMPLEMENT SALES AND SERVICES

means a DEVELOPMENT used for the sale and service of farm machinery and equipment.

### FINANCIAL INSTITUTION

means a bank, brokerage company, treasury branch, trust company, credit union, finance company, or similar institution.

### FINISHED GRADE

means the elevation of the ground at the exterior of a BUILDING when the construction of the BUILDING and LANDSCAPING are complete, which may be shown in an approved plan. For an example of a FINISHED GRADE please see Figure 4.

### FLEET SERVICE

means a DEVELOPMENT where MOTOR VEHICLES are operated for the transportation of passengers or goods.

### FLOOR AREA

means the area of an individual STOREY or BASEMENT of a BUILDING and/or STRUCTURE measured from the outside surface of the exterior walls. FLOOR AREA does not include the area used for a mechanical room, stairwells, air handling equipment, garbage storage, electrical room, elevators, GARAGE – ATTACHED and car PARKING areas. For an example of a FLOOR AREA please see Figure 6.

### FLOOR AREA – GROSS

means the combined FLOOR AREA of all STOREYS of a BUILDING, excluding BASEMENT FLOOR AREA. For an example of a FLOOR AREA – GROSS please see Figure 6.

### FUEL STATION

means a DEVELOPMENT used for the sale of gasoline, diesel, lubricating oils, and other automotive fluids and incidental goods.

### FUNERAL HOME

means a DEVELOPMENT used for the arrangement of funerals, the preparation of the deceased for burial or cremation, and the holding of funeral services, but does not include a PLACE OF WORSHIP.

## G

### GARAGE

means an ACCESSORY BUILDING or part of a PRINCIPAL BUILDING, designed and used primarily for the storage of MOTOR VEHICLES. A GARAGE shall not be used for commercial activities or human habitation. For an example of a GARAGE please see Figure 5.

### GARAGE – ATTACHED

means a GARAGE attached to a PRINCIPAL BUILDING. For an example of a GARAGE – ATTACHED please see Figure 5.

### GARAGE – DETACHED

means a GARAGE that is separate from a PRINCIPAL BUILDING. For an example of a GARAGE – DETACHED please see Figure 5.

### GARAGE – PORTABLE OR TEMPORARY

means a GARAGE that is designed to be collapsible in nature. For an example of a GARAGE – PORTABLE OR TEMPORARY please see Figure 5.

### GENERAL SERVICE

means a DEVELOPMENT used to provide services related to the care and appearance of an individual, including the cleaning and repair of clothing, but does not include HEALTH SERVICE. Typical USES include: dry cleaner and laundromat; hair and tanning salons; tailor, dressmakers, and shoe repair; and facilities that provide pedicures, manicures, massages, and electrolysis.

### GEOTHERMAL ENERGY SYSTEM

means a renewable source of energy that employs the use of a heat pump to warm or cool air by utilizing the constant temperatures of the Earth.

### GOVERNMENT SERVICE

means a DEVELOPMENT providing Municipal, Provincial or Federal GOVERNMENT SERVICES directly to the public. This USE does not include an EMERGENCY SERVICES FACILITY, DETENTION AND CORRECTION SERVICES, UTILITY SERVICES – MAJOR, UTILITY SERVICES – MINOR and PUBLIC EDUCATION SERVICE.

### GROUND FLOOR

means the lowest STOREY of a BUILDING, and is located at or near FINISHED GRADE. A walk-out BASEMENT does not constitute a GROUND FLOOR. For an example of a GROUND FLOOR please see Figure 7.

# H

### HANGARS AND TERMINAL FACILITIES

means a DEVELOPMENT, which provides services to aircraft, aircraft passengers, and air freight located adjacent to, or in close proximity to, a municipally approved runway. Services provided within these facilities may include airport operations and administration, food and personal services, freight and baggage handling, vehicle rentals, and aircraft maintenance and repair.

### HARD-SURFACED

means a durable, dust free, all weather surface constructed of concrete, asphalt or similar materials.

### HEALTH SERVICE

means a DEVELOPMENT used for the provision of out-patient health care and social or counselling services, but does not include a HOSPITAL. Typical USES include: medical clinic; dental clinic; chiropractic clinic; therapeutic massage clinic; and physical therapy clinic.

### HELICOPTER LANDING PAD

means a designated landing area or platform for helicopters, which may be located on a roof, at or elevated above FINISHED GRADE. For an example of a HELICOPTER LANDING PAD please see Figure 8.

### HOME OCCUPATION

means an ACCESSORY USE in a DWELLING UNIT or its GARAGE that involves a business operated by a RESIDENT of the DWELLING UNIT, which is not inclusive of businesses that may cause offensive noise, odor, traffic or generally serve as a nuisance to adjacent residential landowners.

### HOME OFFICE

means an ACCESSORY USE contained within one (1) room of a DWELLING UNIT, for a business that involves office functions only and is operated by a RESIDENT of the DWELLING UNIT.

### HOSPITAL

means a DEVELOPMENT used to provide in-patient and out-patient health care to the public, as defined by the *Hospitals Act*.

### HOTEL

means a commercial DEVELOPMENT, including a motel, used to provide temporary sleeping accommodation to the public, and which may also contain a RESTAURANT, DRINKING ESTABLISHMENT or convention/banquet hall.

### HOUSEHOLD REPAIR SERVICE

means a DEVELOPMENT that provides repair services for household goods, equipment and appliances, but does not include GENERAL SERVICE. Typical USES include: electronics and appliance repair shops; and furniture refinishing and upholstery shops.

## I

### INDUSTRIAL OPERATION

means a DEVELOPMENT used for manufacturing, assembling, warehousing, processing, or distribution of materials or goods.

### INTER-MUNICIPAL DEVELOPMENT PLAN

means a Statutory Planning document that is prepared and adopted, pursuant to Section 631 of the ACT, by the Councils of the Town of High Level and neighbouring municipalities.

### INTER-MUNICIPAL COLLABORATION FRAMEWORK

means a document that outlines an agreed upon level of cooperation between the Town of High Level and a neighbouring municipality, pursuant to Part 17.2 Division 1 of the *Municipal Government Act*, which ensures shared municipal services are provided to RESIDENTS efficiently and cost effectively.

### INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

means a joint board of individuals appointed pursuant to Section 627 of the *Municipal Government Act* that hears SUBDIVISION and DEVELOPMENT appeals, within the INTER-MUNICIPAL DEVELOPMENT PLAN area.

## J

### JOINT SUBDIVISION AND DEVELOPMENT APPEAL BOARD

means a Memorandum of Understanding (MOU) between the Town of High Level and neighbouring municipalities within the region. Whereby, each municipality can request qualified and appointed SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB) members and clerks from any of the regional municipalities to participate in appeal hearings with their own municipal SDAB.

## L

### LAND USE DISTRICT

means a district described in the text of the BYLAW and delineated on one or more LAND USE DISTRICT maps, in which only certain land USES may be allowed as either PERMITTED USES or DISCRETIONARY USES, and which specific requirements must be satisfied before DEVELOPMENT may proceed.

### LANDSCAPED AREA

means that portion of a SITE that requires LANDSCAPING.

### LANDSCAPING

means preserving, enhancing or incorporating vegetative and other materials in a DEVELOPMENT. This includes combining new and existing vegetative materials with architectural elements, existing SITE features or other DEVELOPMENT features including fences or walls.

### LANE

means a PUBLIC ROADWAY, not exceeding 9.1m/29.8ft. in width, which provides a secondary means of ACCESS to a LOT. For an example of a LANE please see Figure 9.

### LOADING SPACE

means a space that accommodates a MOTOR VEHICLE while it is being loaded or unloaded.

### LOGGING SERVICE

means a DEVELOPMENT used to provide services for the harvesting of timber for the forest products industry.

### LOT

pursuant to Section 652 (3) of the *Municipal Government Act*, means a:

- **a)** quarter section of land;
- **b)** river LOT as shown on an official plan, as defined in the *Surveys Act* and any amendments thereto, that is registered with Alberta Land Titles;
- **c)** settlement LOT shown on an official plan, as defined in the *Surveys Act* and any amendments thereto, that is registered with Alberta Land Titles;
- **d)** part of a PARCEL where the boundaries of the part are separately described in a Certificate of Title other than by reference to a legal SUBDIVISION; or
- **e)** part of a PARCEL where the boundaries of the part are separately described in a Certificate of Title by reference to a plan of SUBDIVISION.

### LOT AREA

means the area of a LOT including any area dedicated to an EASEMENT or a PUBLIC RIGHT-OF-WAY as shown on a plan of SUBDIVISION or described in a Certificate of Title.

### LOT CORNER

means a LOT located at the intersection of two (2) or more PUBLIC ROADWAYS. For an example of a LOT CORNER please see Figure 10.

### LOT COVERAGE

means the percentage of LOT AREA covered by BUILDINGS and/or STRUCTURES above FINISHED GRADE on the same LOT, but does not include DECKS or PATIOS.

### LOT DEPTH

means the distance between the middle of the LOT LINE – FRONT and the middle of the LOT LINE – REAR. For an example of a LOT DEPTH please see Figure 11.

### LOT FRONTAGE

means the length of the LOT LINE – FRONT abutting a PUBLIC ROADWAY. In the case of LOT CORNER, both the LOT LINE – FRONT and LOT LINE – FLANKAGE are considered to have LOT FRONTAGE. For an example of a LOT FRONTAGE please see Figure 11.

### LOT LINE

means a legally defined boundary of a LOT. For an example of a LOT LINE please see Figure 12.

### LOT LINE – FLANKAGE

means, in the case of a LOT CORNER, the longest LOT LINE that abuts a PUBLIC ROADWAY, other than a LANE, but does not include LOT LINE - FRONT. For an example of LOT LINE – FLANKAGE please see Figure 12.

### LOT LINE – FRONT

means the boundary dividing the LOT from an abutting PUBLIC ROADWAY, other than a LANE. In the case of a LOT CORNER, the shortest LOT LINE that abuts a PUBLIC ROADWAY, other than a LANE shall be the LOT LINE – FRONT. For an example of LOT LINE – FRONT please see Figure 12.

### LOT LINE – REAR

means the LOT LINE that is opposite to the LOT LINE – FRONT. For an example of LOT LINE – REAR please see Figure 12.

### LOT LINE – SIDE

means the LOT LINE other than the LOT LINE – FRONT or LOT LINE – REAR. For an example of LOT LINE – SIDE please see Figure 12.

### LOT THROUGH

means any LOT other than a LOT CORNER having an ACCESS on two streets. For an example of a LOT THROUGH please see Figure 10.

### LOT WIDTH

means the average horizontal distance between the LOT LINE – SIDE(s) as determined by the DEVELOPMENT AUTHORITY. In the case of LOT CORNER, LOT WIDTH means the average horizontal distance between the LOT LINE – SIDE and the LOT LINE – FLANKAGE. For an example of a LOT WIDTH please see Figure 11.

### LUMBER YARD

means a DEVELOPMENT for the storage and the wholesale or retail sale of forest industry products, which may include the sales of associated hardware and tools.

## M

### MANUFACTURED HOME – COMMUNITY

means a PARCEL of land, under single ownership that accommodates the placement of three (3) or more MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME, whether privately-owned DWELLING UNITS or not, on PARK LOTS.

### MANUFACTURED HOME – MOBILE

means a DWELLING UNIT, whether originally equipped with a heavy transport chassis, a hitch and wheel assembly or not, that is manufactured in a controlled environment that conforms to the CSA-Z240 of the *National Building Code – Alberta Edition*, is transported from one place to another as a single unit, or in two (2) sections if a double-wide unit. A MANUFACTURED HOME – MOBILE does not require a PERMANENT FOUNDATION, can be anchored on a concrete or wood block foundation, and does not include a MANUFACTURED HOME – MODULAR or MANUFACTURED HOME – READY TO MOVE. For an example of a MANUFACTURED HOME – MOBILE please see Figure 13.

### MANUFACTURED HOME – MOBILE SALES

means a DEVELOPMENT used for the sale of MANUFACTURED HOMES – MOBILE and/or MANUFACTURED HOME – MODULAR, which may include the storage and display of such units.

### MANUFACTURED HOME – MODULAR

means a single detached DWELLING UNIT that is manufactured in a controlled environment, which conforms to the CSA-A277 of the *National Building Code – Alberta Edition* at the time of manufacture, is transported and assembled on a PARCEL in one (1) or more sections. MANUFACTURED HOME – MODULAR does not have a chassis, a hitch or wheel assembly, and the sections may be stacked vertically or placed side-by-side. MANUFACTURED HOME – MODULAR must be placed upon a PERMANENT FOUNDATION, includes MANUFACTURED HOME – READY TO MOVE, but does not include DWELLING - SINGLE DETACHED, DWELLING – DUPLEX or MANUFACTURED HOME – MOBILE. For an example of a MANUFACTURED HOME – MODULAR please see Figure 13.

### MANUFACTURED HOME – PAD

means that portion of SITE that has been graded and designed for the placement of the MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME.

### MANUFACTURED HOME – READY TO MOVE

means a MANUFACTURED HOME – MODULAR that is transported in one (1) piece and placed upon a PERMANENT FOUNDATION. A MANUFACTURED HOME – READY TO MOVE does not include MANUFACTURED HOME – MOBILE.

### MANUFACTURED HOME – TINY HOME

means a PRINCIPAL DWELLING UNIT, whether originally equipped with a heavy transport chassis, a hitch and wheel assembly or not, that is manufactured in a controlled environment that conforms to either the CSA-Z240 or CSA-A277 of the *national Building Code – Alberta Edition*, is transported from one place to another as a single unit, and has a maximum FLOOR AREA of 46.45m$^2$/500sq.ft. This does not include refurbished SHIPPING CONTAINERS or any other STRUCTURE that is constructed outside of a controlled environment.

### MINI-STORAGE

means a DEVELOPMENT that provides cubicles for rent to the public for the storage of goods, and may include an office BUILDING containing eating and sleeping facilities for security personnel, but may not be used as a DWELLING UNIT.

### MIXED-USE BUILDING

means a BUILDING that contains a combination of residential and non-residential uses. Non-residential uses may include commercial, community, or institutional USES.

### MOTOR VEHICLE

means as defined in the *Traffic Safety Act,* and any amendments thereto.

### MUNICIPALITY

means the Town of High Level.

**MUSEUM**

means a place or BUILDING in which works of artistic, historical, archeological, and scientific value are cared for, and exhibited.

## N

**NEF 25- AREA**

means the NOISE EXPOSURE FORECAST AREA that lies between the 25 NEF Contour and the boundary of the AIRPORT RESTRICTION AREA.

**NEF 25-30 AREA**

means the NOISE EXPOSURE FORECAST AREA that lies between the 25 NEF Contour and the 30 NEF Contour.

**NEF 30-35 AREA**

means the NOISE EXPOSURE FORECAST AREA that lies between the 30 NEF Contour and the 35 NEF Contour.

**NEF 35-40 AREA**

means the NOISE EXPOSURE FORECAST AREA that lies between the 35 NEF Contour and the 40 NEF Contour.

**NEF 40+ AREA**

means the NOISE EXPOSURE FORECAST AREA enclosed by the 40 NEF Contour.

**NOISE EXPOSURE FORECAST AREA**

means an area that falls within a NOISE EXPOSURE FORECAST CONTOUR, between two NOISE EXPOSURE FORECAST CONTOURS, or between one NOISE EXPOSURE FORECAST CONTOUR and the boundary of the AIRPORT RESTRICTION AREA.

**NOISE EXPOSURE FORECAST CONTOUR**

means a numbered contour as shown on Map 4 of APPENDIX 1.

**NON-CONFORMING BUILDING**

means, as defined in the ACT, a BUILDING:

- **a)** that is lawfully constructed or lawfully under construction at the date the Land Use Bylaw affecting that BUILDING or that land on which the BUILDING is situated becomes effective; and
- **b)** that on the date the Land Use Bylaw becomes effective the BUILDING does not, or when constructed will not, comply with the Land Use Bylaw.

**NON-CONFORMING USE**

means, as defined in the ACT, a lawful specific USE:

- **a)** being made of land or of a BUILDING, or intended to be made of a BUILDING lawfully under construction at the date a Land Use Bylaw affecting the land or BUILDING becomes effective; and
- **b)** that on the date the Land Use Bylaw becomes effective the USE does not, or in the case of a BUILDING under construction, will not comply with the Land Use Bylaw.

### NON-PROFIT COMMUNITY SUPPORT SERVICE

means an organization that exists solely to provide programs and services that are of public benefit.

## O

### OFF-SITE

means a location other than the SITE which is the subject of a DEVELOPMENT.

### OFF-SITE LEVY

means a charge or a requirement to make a payment, as established in the Off-Site Levy Bylaw, that is imposed as a condition of approval for some DEVELOPMENTS including SUBDIVISIONS. These fees may relate to all or part of the capital costs associated with:

**a)** new or expanded facilities for the storage, transmission, treatment or supplying of water;
**b)** new or expanded facilities for the treatment, movement or disposal of sanitary sewage;
**c)** new or expanded storm sewer drainage facilities;
**d)** new or expanded roads required for or impacted by a SUBDIVISION or DEVELOPMENT;
**e)** land required for or in connection with any facilities described in Clauses (a) to (d).

### OILFIELD SERVICE

means a DEVELOPMENT used to provide services for field operations in the exploration and extraction of fossil fuels. Typical USES include power tongs and anchor services.

### ON-SITE

means a location on the SITE which is the subject of a DEVELOPMENT.

### OUTDOOR STORAGE

means an outdoor area forming part of a DEVELOPMENT used for the storage of equipment, goods, materials, MOTOR VEHICLES, RECREATIONAL VEHICLE or products.

## P

### PARCEL

means the aggregate of one (1) 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 with Alberta Land Titles.

### PARK LOT

means that leasable or rentable portion of land within a MANUFACTURED HOME – COMMUNITY, which has been reserved for the placement of a MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME.

### PARKING

means leaving a MOTOR VEHICLE unattended temporarily on a LOT, PARCEL or SITE.

### PARKING LOT

means a DEVELOPMENT or part thereof, which provides for ACCESS, maneuvering and PARKING of MOTOR VEHICLES.

### PARKING STALL

means a space within a STRUCTURE or a public or private PARKING LOT, exclusive of driveway, aisles, ramps and columns for the PARKING of one (1) MOTOR VEHICLE.

### PARKING STRUCTURE

means a multi-storey or multi-level PARKING garage, used for the temporary PARKING of MOTOR VEHICLES.

### PARTY WALL

means a wall separating a DWELLING – DUPLEX or DWELLING – TOWNHOUSE above and/or below grade that is jointly owned and used by two (2) separate parties under an EASEMENT or PARTY WALL agreement, or by a right in law, and erected at or upon a line separating two (2) PARCELS of land each of which is, or capable of being, a separate real-estate entity. For an example of a PARTY WALL please see Figure 14.

### PATIO

means an area at FINISHED GRADE designed for outdoor seating and may include the seasonal use of outdoor areas associated with DWELLING UNITS or the exterior of RESTAURANTS or cafes in commercial areas.

### PAWNBROKER

means a person who carries on a business of loaning money on the security of the pledge or pawn of personal property or a person who holds themselves out as ready to loan money on such security, and does not include FINANCIAL INSTITUTIONS.

### PERMANENT FOUNDATION

means a STRUCTURE constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground with a foundational system or arrangement composed of, but not limited to, footing, raft or pole, which may include walls, light standards and SIGNS and renders the STRUCTURE fixed and immovable.

### PERMITTED USE

means the USE of land or BUILDING, which is listed in the column captioned PERMITTED USES in most LAND USE DISTRICTS appearing in this BYLAW, and for which a DEVELOPMENT PERMIT shall be issued upon an application having conformed to the provisions of this BYLAW. In addition, a DEVELOPMENT PERMIT application shall be approved if the conditions of approval ensure that the DEVELOPMENT would conform to the provisions of this BYLAW.

### PET SERVICE

means a DEVELOPMENT for the purpose of accommodation, boarding, breeding, grooming, impoundment, training, or the sale of small domestic animals including, but not limited to, cats and dogs.

### PLACE OF WORSHIP

means a DEVELOPMENT used by a religious organization for worship and related religious, philanthropic or social activities, including rectories, manses, and ACCESSORY BUILDINGS OR STRUCTURES. Typical USES include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries, and any ACCESSORY USES to the PRINCIPAL USE.

### PLACE OF WORSHIP – STOREFRONT CHURCH

means a church permitted in a commercial storefront BUILDING, within the C-1 LAND USE DISTRICT.

### PRINCIPAL BUILDING

means a BUILDING where the main or PRINCIPAL USE of the SITE is conducted.

### PRINCIPAL USE

means the primary or main purpose for which a BUILDING, STRUCTURE, land or any combination thereof is used.

### PRIVATE AMENITY AREA

means a BALCONY, PATIO, DECK, or similar STRUCTURE which is attached to and has a private entrance from the interior of a DWELLING UNIT.

### PRIVATE BABYSITTING SERVICE

means a service provided in a private residence where care is provided for children, some or all of whom are children of persons other than the person providing the service, and does not require a licence under the *Residential Facilities Licensing Regulation*.

### PROFESSIONAL SERVICE

means a DEVELOPMENT used to provide PROFESSIONAL SERVICES, but does not include HEALTH SERVICE or GOVERNMENT SERVICE. Typical USES are offices providing the following services: accounting, architectural, employment, engineering, insurance, investment, legal, real estate, secretarial, or travel agent.

### PROPANE FACILITY

means a DEVELOPMENT used for the storage of bulk propane and may include the sale of propane.

### PUBLIC EDUCATION SERVICES

means a DEVELOPMENT that is publicly supported or subsidized involving public assembly for educational, training or instruction purposes, and includes the administration offices required for the provisions of such services at the same SITE. This USE includes public schools and colleges, but does not include SCHOOL – COMMERCIAL.

### PUBLIC RIGHT-OF-WAY

means the right for the public to pass through a portion of land.

### PUBLIC ROADWAY

means the PUBLIC RIGHT-OF-WAY of the following: a local road; a service road; a street; an avenue; a LANE; or, an undeveloped registered road plan that is publicly used or intended for PUBLIC USE.

### PUBLIC USE

means a USE, BUILDING, STRUCTURE or LOT used for public services which may be one (1) or more of the following: a telecommunications system; a waterworks system; an irrigation or drainage system; a system for the distribution of gas, whether natural or artificial; a system for the distribution of artificial light or electric power; a heating system; or, a sewage system.

## R

### REAL PROPERTY REPORT

means a legal document showing BUILDING location and other SITE data prepared by a Registered Alberta Land Surveyor according to the standards of the *Alberta Land Surveyors Association*. The REAL PROPERTY REPORT takes the form of a plan of the various physical features of the LOT. The buyer, seller, lender, and municipality can rely upon the REAL PROPERTY REPORT as an accurate representation of the BUILDINGS or improvements on the lot.

### RECREATIONAL EQUIPMENT

means equipment defined as an off-highway vehicle in the *Traffic Safety Act*, and includes boats, but does not include a RECREATIONAL VEHICLE.

### RECREATIONAL SERVICE – INDOOR

means a DEVELOPMENT used for sports or recreation within an enclosed BUILDING and any related accessory DEVELOPMENT for the users of the principal facilities.

### RECREATIONAL SERVICE – OUTDOOR

means a DEVELOPMENT used for outdoor sports or leisure and any related ACCESSORY USES for the convenience of the users of the principal outdoor facilities.

### RECREATIONAL VEHICLE

means a portable STRUCTURE with seating and sleeping capacity to provide temporary living accommodation that is either carried on or pulled by another vehicle, or transported under its own power.

### RECREATIONAL VEHICLE SALES AND SERVICE

means a DEVELOPMENT used for the sales, rental, and service of RECREATIONAL VEHICLES.

### RECYCLING DEPOT

means a DEVELOPMENT for collecting, sorting and temporary storage of recyclable materials such as bottles, cans, paper, boxes, and small household goods, but does not include a SALVAGE YARD.

### RELOCATABLE INDUSTRIAL ACCOMMODATION

means a TEMPORARY DEVELOPMENT, subject to the *National Building Code – Alberta Edition*, greater than 80m$^2$/861.1sq.ft. in BUILDING area that is designed to be relocatable and usable without a PERMANENT FOUNDATION for the provision of sleeping, sanitary and eating facilities for a work force.

### RESIDENT

means a person that permanently resides and normally eats and sleeps within the DWELLING UNIT, and when absent, intends to return.

### RESTAURANT

means a DEVELOPMENT where foods and beverages are prepared and served for consumption ON-SITE by the public and may include a take-out component as an ACCESSORY USE.

### RETAIL – ADULT

means a DEVELOPMENT where more than 50 percent of the retail store inventory is for the sale or rental of media materials including adult content, and / or where more than 50 percent of the retail store inventory is offering the display and sale of non-clothing merchandise and/or products intended for adult use.

### RETAIL – CANNABIS

means a DEVELOPMENT used for a retail store licensed by the Province of Alberta, where non-medicinal cannabis and cannabis accessories are offered for sale to the public.

### RETAIL – CONVENIENCE

means a DEVELOPMENT used for retail sales of those goods required by RESIDENTS on a day-to-day basis in an enclosed BUILDING. Typical USES include: small food stores; drug stores; video sales and rentals; and, variety stores selling confectionary, tobacco, groceries beverages, pharmaceuticals, personal care items, hardware, and printed matter.

### RETAIL – GENERAL

means a DEVELOPMENT used for retail sale of groceries, beverages, household goods, furniture and appliances, clothing, hardware, home improvement supplies, garden supplies, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary and similar goods from within an enclosed BUILDING.

### RETAIL – LIQUOR

means a store that sells alcoholic beverages and products for OFF-SITE consumption.

### RETAIL – SPECIALTY STORE

means a store that specializes in, and offers a wide variety of brands, styles, and models from a relatively narrow category of specific goods for retail sale.

### RETAINING WALL

means a structure designed to support and retain any material (usually earth) on a SITE. For an example of a RETAINING WALL please see Figure 15.

## S

### SALVAGE YARD

means a facility for the storage, processing, or transshipment of derelict MOTOR VEHICLES, machinery, scrap metal, and similar materials for sale.

### SCHOOL – COMMERCIAL

means a commercial DEVELOPMENT used for the training and instruction in a trade, skill or service, but does not include PUBLIC EDUCATION SERVICE. Typical USES include: trade; secretarial; business; hairdressing; driver training; dancing; music; or academic tutoring schools.

### SCREENING

means a vertical physical barrier constructed out of building or vegetative materials used for the purpose of total or partial concealment, containment or to prevent unauthorized access, which serves as a visual screen.

### SETBACK

means a specified distance from a PUBLIC ROADWAY, LOT LINE, or STRUCTURE, within which a BUILDING is prohibited in compliance with this BYLAW.

### SHIPPING CONTAINER

means a steel SHIPPING CONTAINER for ACCESSORY USE to the PRINCIPAL BUILDING. For an example of a SHIPPING CONTAINER please see Figure 16.

### SHOPPING CENTRE

means a DEVELOPMENT comprising three (3) or more separate commercial USE facilities that operate as one (1) unit, and share a common PARKING LOT.

### SIGHT TRIANGLE

means a triangular area formed at the intersection of two PUBLIC ROADWAYS, including LANES, designed to maintain clear and unobstructed sightlines for drivers and pedestrians. No fence, vegetation, SIGN, BUILDING, or other obstruction exceeding a specified height may be located within this area. For SIGHT TRIANGLE regulations see Subsection 5.3, and for a visual example see Figure 17.

### SIGN OR SIGNAGE

means an object, STRUCTURE or device used for the purpose of identification or advertising, or to call attention to any person, matter, or event, or to provide direction. For an example of SIGNS OR SIGNAGE please see Figure 18.

### SIGN AREA

means the total visible surface area of the SIGN. In the case of SIGN – FASCIA with individual lettering, the sum of the combined areas of each individual letter is the total SIGN AREA. For examples of how to calculate SIGN AREA please see Figure 19.

### SIGN – BILLBOARD

means a large SIGN affixed to the ground with no association to any business or USE located on the LOT or premises on which it is located. For an example of a SIGN – BILLBOARD please see Figure 18.

### SIGN – CANOPY

means a SIGN attached to or forming part of a permanent BUILDING projection, projecting or fixed structural framework, which extends outward from the exterior wall of a BUILDING. SIGN – CANOPY includes marquees and awnings. For an example of a SIGN – CANOPY please see Figure 18.

**SIGN – DIRECTORY**

means a SIGN located on a property with more than one (1) establishment, which displays only a listing of the names of these businesses or organizations without advertising copy, except a business logo. For an example of a SIGN – DIRECTORY please see Figure 18.

**SIGN FACE**

means each individual side or face of a SIGN.

**SIGN – FASCIA**

means a SIGN, other than a SIGN – ROOF or SIGN – PROJECTING, which is attached to and supported by a wall of a BUILDING. For examples of a SIGN – FASCIA please see Figure 18.

**SIGN – FREESTANDING**

means a SIGN, other than a SIGN – PORTABLE OR MOBILE, supported independently of a BUILDING and securely fixed to the ground. For an example of a SIGN – FREESTANDING please see Figure 18.

**SIGN – ILLUMINATED**

means a SIGN lit internally with light(s) shining through a translucent or coloured material. For an example of a SIGN – ILLUMINATED please see Figure 18.

**SIGN – PORTABLE OR MOBILE**

means a SIGN greater than 1m$^2$/10.7sq.ft. in SIGN AREA. that is located on, but not permanently attached to the ground. It is capable of being easily relocated and holds a SIGN with one (1) or more faces featuring letters and/or symbols that can be changed manually or electronically through adjustable characters, message panels or other means. For an example of a SIGN – PORTABLE OR MOBILE please see Figure 18.

**SIGN – PROJECTING**

means any SIGN, other than a SIGN – CANOPY, that is attached directly to a BUILDING wall, where the SIGN FACE is perpendicular to the wall it is attached to. For an example of a SIGN – PROJECTING please see Figure 18.

**SIGN – ROOF**

means any SIGN erected upon a roof, directly above a roof, on top of, or above the parapet of a BUILDING. For an example of a SIGN – ROOF please see Figure 18.

**SIGN – SANDWICH**

means a SIGN less than 1m$^2$/10.7sq.ft. in area, which is constructed of two (2) boards connecting at one (1) end that can be readily taken on and off a SITE. For an example of a SIGN – SANDWICH please see Figure 18.

**SITE**

means a LOT or PARCEL where a DEVELOPMENT exists or occurs, or for which a DEVELOPMENT PERMIT application is submitted.

### SMALL WIND ENERGY SYSTEM

means a wind energy conversion system consisting of a wind turbine rotating on, either a vertical or horizontal axis, or a tower, and associated control or conversion electronics, which has a rated capacity of not more than 5KW, which is intended to provide electrical power for consumption ON-SITE.

### SOLAR COLLECTOR

means any device used to absorb sunlight that is part of a system used to convert solar radiation energy into thermal or electrical energy.

### STOREY

means a complete horizontal section of a BUILDING, having one (1) continuous or practically continuous floor, with all the rooms on the same level. A BASEMENT does not constitute a STOREY. For an example of a STOREY please see Figure 7.

### STRUCTURE

means anything that is erected, built, or constructed of multiple parts joined together or any such assembly fixed to or supported by the FINISHED GRADE, or any other BUILDINGS and/or STRUCTURES, excluding fences.

### SUBDIVISION

means the division of a PARCEL of land into one (1) or smaller PARCELS by a Plan of SUBDIVISION, registered with Alberta Land Titles.

### SUBDIVISION AND DEVELOPMENT APPEAL BOARD

means a board of individuals, appointed pursuant to Section 627 of the *Municipal Government Act* that hears SUBDIVISION and DEVELOPMENT appeals, and renders a decision.

## T

### TAXI SERVICE

means a passenger transportation service with a MOTOR VEHICLE provided for a fee based on time and / or distance travelled.

### TEMPORARY

means a USE or BUILDING which occurs from the date of the DEVELOPMENT PERMIT approval for a length of time as specified in the permit approval by the DEVELOPMENT AUTHORITY.

### TEMPORARY BUNKHOUSE

means a TEMPORARY DEVELOPMENT, 80m$^2$/861.1sq.ft. or less, that is designed to be relocatable and usable without a PERMANENT FOUNDATION for the provision of sleeping and sanitary facilities, which may include eating facilities.

### THEATRE

means a DEVELOPMENT where live entertainment or motion pictures is provided to the public, not including an ADULT ENTERTAINMENT FACILITY.

### TOWN

means the Town of High Level.

### TRANSMITTING STATION

means a DEVELOPMENT used for the transmission of data, or rebroadcast of telecommunications through antenna or satellite transmitting equipment, which can be located above or at ground-level.

## U

### UNSIGHTLY CONDITION

means:

**a)** a STRUCTURE whose exterior shows signs of significant physical deterioration;

**b)** land that, in the opinion of the DEVELOPMENT AUTHORITY, shows signs of serious disregard for general maintenance or upkeep; and

**c)** any other definition pursuant to the Community Standards Bylaw.

### UTILITY SERVICES – MAJOR

means a DEVELOPMENT for public utility infrastructure purposes, which is a likely to have a major impact on the environment or adjacent lands by virtue of their potential emissions, affects, or their appearance. Typical USES include sanitary landfill sites, sewage treatment lagoons and power generating stations.

### UTILITY SERVICES – MINOR

means a DEVELOPMENT for public utility infrastructure purposes, which is likely to have some impact on the environment or adjacent uses by virtue of its appearance, noise, size, traffic generation or operational characteristics. Typical USES include vehicle, equipment material storage for utilities and services, snow dumping sites and water treatments plants.

### USE

means the purpose for which land or a BUILDING and/or STRUCTURE, or any combination thereof, is designated, arranged, erected, intended, occupied, or maintained.

## V

### VARIANCE

means a deliberate deviation from the set of provisions supplied by the TOWN, which can be applied for within DEVELOPMENT PERMIT applications, regarding DEVELOPMENT guidelines, requirements and parameters within this BYLAW.

### VETERINARY CLINIC

means a DEVELOPMENT used for the medical care and treatment of domestic animals and incidental overnight accommodation, and does not include PET SERVICE.

## W

### WAREHOUSE

means the indoor storage of equipment, goods, MOTOR VEHICLES, RECREATIONAL VEHICLES, materials, or products as part of a commercial or industrial DEVELOPMENT.

### WAREHOUSE STORE

means a DEVELOPMENT used for retail sale of goods at discounted prices, which provides a no-frills experience and warehouse shelving stocked with merchandise intended for purchase in bulk or higher volumes.

### WATERBODY

means any location where water flows and/or is present, whether or not the flow or the presence of water is continuous, intermittent or occurs only during a flood, and includes but is it not limited to, wetlands and aquifers, and does not include part of a drainage or irrigation system.

## X

### XERISCAPING

means LANDSCAPING and gardening in a manner to reduce or eliminate the need for watering and irrigation systems.

## Y

### YARD – FLANKAGE

means a YARD – SIDE abutting the road of a LOT CORNER. YARD – FLANKAGE is determined by the horizontal dimension measured from a LOT LINE – FLANKAGE at a right angle to the nearest point of a wall of any BUILDING and/or STRUCTURE on the LOT. In the case of a curved LOT LINE – FLANKAGE, the YARD – FLANKAGE will also form a curve. For an example of a YARD – FLANKAGE please see Figure 20.

### YARD – FRONT

means a yard extending across the full width of a SITE from the LOT LINE – FRONT to the nearest point on the exterior of any BUILDING and/or STRUCTURE situated on the LOT measured at right angles to the LOT LINE – FRONT. In the case of a curved LOT LINE – FRONT, the YARD – FRONT will also form a curve. For an example of a YARD – FRONT please see Figure 20.

### YARD – REAR

means a yard extending across the full width of a SITE from the LOT LINE – REAR to the nearest point on the exterior of any BUILDING and/or STRUCTURE situated on the SITE, measured at right angles to the LOT LINE – REAR. In the case of a curved LOT LINE – REAR, the YARD – REAR will also form a curve. For an example of a YARD – REAR please see Figure 20.

### YARD – SIDE

means the horizontal dimension measured from a LOT LINE – SIDE at a right angle to the nearest point of a wall of any BUILDING and/or STRUCTURE on the LOT. In the case of a curved LOT LINE – SIDE, the YARD – SIDE will also form a curve. For an example of a YARD – SIDE please see Figure 20.

3

# 3.0. ADMINISTRATION AND PROCEDURES DEVELOPMENT AUTHORITY

## 3.1 BYLAW AMENDMENTS

**3.1.1** A BYLAW amendment application shall be made to COUNCIL on the Land Use Bylaw Amendment Application Form that is signed by the applicant, or their agent.

**3.1.2** All applications to amend this BYLAW shall be submitted with a statement of the reasons for the amendment.

**3.1.3** If the amendment involves the re-zoning of a LOT to a different LAND USE DISTRICT, the application must contain:

- **a)** the application fee as set by COUNCIL;
- **b)** a Certificate of Title for the subject property;
- **c)** written consent from the registered landowner, in a case where the applicant is not the owner of the LOT affected by the application;
- **d)** an appropriately dimensioned map describing the SITE to the satisfaction of the DEVELOPMENT AUTHORITY;
- **e)** an AREA STRUCTURE PLAN when required by the DEVELOPMENT AUTHORITY; and
- **f)** any additional information as the DEVELOPMENT AUTHORITY may require in evaluating the application, including but not limited to, traffic impact assessments, ENVIRONMENTAL IMPACT ASSESSMENTS, soil tests, engineering reports or geotechnical reports.

**3.1.4** The TOWN may at any time initiate an amendment to this BYLAW.

**3.1.5** Where an application for an amendment to this BYLAW has been refused, the submission of another application to amend this BYLAW which affects the same PARCEL, and same or similar amendment, may not be made by any applicant for a minimum of six (6) months.

## 3.2 BYLAW AMENDMENT NOTIFICATION REQUIREMENTS

**3.2.1** On first reading being given to a bylaw to amend this BYLAW, in accordance with the Advertisement – Public Notification Bylaw administration will:

- **a)** Arrange for notice of a public hearing to be published in a newspaper circulating within TOWN, the publication of the second issue being not less than five (5) days prior to the commencement of the public hearing in a manner outlined in Section 606 of the ACT;
- **b)** Post copies of the public hearing notice on the TOWN'S digital media platforms for public viewing;
- **c)** Mail a notice of the public hearing to any neighbouring landowners who, in the opinion of the DEVELOPMENT AUTHORITY, may be affected by the proposed amendment; and
- **d)** May contact neighbouring landowners who, in the opinion of the DEVELOPMENT AUTHORITY, may be affected by the proposed amendment via email.

## 3.3 SUBDIVISION AND DEVELOPMENT AUTHORITIES

**3.3.1** DEVELOPMENT AUTHORITIES

- **a)** The DEVELOPMENT AUTHORITY is established by the Development Authority Bylaw, pursuant to Section 624 of the ACT.
- **b)** The DEVELOPMENT AUTHORITY shall exercise development powers and duties on behalf of the TOWN.
- **c)** The DEVELOPMENT AUTHORITY shall be the Chief Administrative Officer, or where the context of this BYLAW permits, the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, TOWN COUNCIL, or the Inter-Municipal Planning Commission.
- **d)** The DEVELOPMENT AUTHORITY shall appoint a Development Officer to receive and process all DEVELOPMENT PERMIT applications for authorization, maintain a record of all DEVELOPMENT PERMIT applications and supporting information, and ensure approved amendments to this BYLAW are completed for public use in a timely manner.
- **e)** COUNCIL shall serve as the DEVELOPMENT AUTHORITY for all applications in the Direct Control (DC) LAND USE DISTRICTS, and may delegate applications within the DC LAND USE DISTRICT with direction they consider appropriate, to the DEVELOPMENT AUTHORITY.

**3.3.2** SUBDIVISION AUTHORITIES

- **a)** The SUBDIVISION Authority is established by the Subdivision Authority Bylaw, pursuant to Section 623 of the ACT.
- **b)** The SUBDIVISION Authority shall exercise SUBDIVISION powers and duties on behalf of the TOWN.
- **c)** The SUBDIVISION Authority shall be the Chief Administrative Officer, or where the context of this BYLAW permits, the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, TOWN COUNCIL, or the Inter-Municipal Planning Commission.

**3.3.3** SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- **a)** The SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall be established by the Subdivision and Development Appeal Board Bylaw, pursuant to Section 627 of the ACT.
- **b)** The Board shall carry out the duties and responsibilities pursuant to Section 628 of the ACT, and in accordance with the Subdivision and Development Appeal Board Bylaw.

**c)** Elected officials shall not form the majority of a SUBDIVISION AND DEVELOPMENT APPEAL BOARD or Committee hearing an appeal.

**3.3.4** INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

**a)** The INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall be established by a separate BYLAW.

**b)** The Board shall carry out the duties and responsibilities pursuant to Section 627 of the ACT, and in accordance with the bylaw that creates it.

**c)** Elected officials from a single Municipality shall not form the majority of an INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD or Committee hearing an appeal.

**3.3.5** JOINT SUBDIVISION AND DEVELOPMENT APPEAL BOARD

**a)** The JOINT SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall function under the signed Memorandum of Understanding between the Town of High Level and neighbouring or regional Municipalities.

**b)** The Board shall carry out the duties and responsibilities pursuant to Section 627 of the ACT, and in accordance with the Memorandum of Understanding that creates it.

**c)** Elected officials from a single Municipality shall not form the majority of a JOINT SUBDIVISION AND DEVELOPMENT APPEAL BOARD or Committee hearing an appeal.

# 4

# 4.0 DEVELOPMENT ADMINISTRATION AND PROCEDURES

## 4.1 CONTROL OF DEVELOPMENT

**4.1.1** No person shall commence any DEVELOPMENT within the TOWN except in conformity with this BYLAW.

**4.1.2** Compliance with the requirements of this BYLAW does not exempt any person or entity from the requirements of any adopted Statutory Plan or Federal or Provincial regulation.

## 4.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

**4.2.1** The following DEVELOPMENTS do not require a DEVELOPMENT PERMIT, but must comply with the regulations of this BYLAW to the extent applicable:

**a)** a DEVELOPMENT that is subject to valid DEVELOPMENT agreement for:
- **i)** constructing, widening, altering, redesigning or maintaining a PUBLIC ROADWAY;
- **ii)** traffic management projects and devices;
- **iii)** water reservoirs, water lines, storm and sanitary sewer installations;
- **iv)** street furniture, playgrounds, public park LANDSCAPING, municipal recreational equipment and civic BUILDINGS with FLOOR AREA – GROSS under 75m$^2$/807.2sq.ft. and;
- **v)** constructing and maintaining public utilities;

**b)** construction and maintenance of that part of a public utility located in, on, over or under a PUBLIC ROADWAY, a public utility right-of-way or public utility LOT;

**c)** the USE of a BUILDING or a part of it in connection with a Federal, Provincial, Municipal, or School election, referendum or census;

**d)** subject to Subsection 5.13 GARAGES – PORTABLE OR TEMPORARY;

**e)** routine maintenance of and repairs to a BUILDING not involving any structural changes;

**f)** in a residential LAND USE DISTRICT, construction of a BUILDING or STRUCTURE with a load bearing roof up-to 10m$^2$/107.7sq.ft. in FLOOR AREA, such as a garden shed

or playhouse, if the DEVELOPMENT complies with this BYLAW;

**g)** in a residential LAND USE DISTRICT, construction of:
- **i)** a DECK to a maximum of 0.6m/1.9ft. above FINISHED GRADE;
- **ii)** a PATIO;
- **iii)** a permanent outdoor kitchen;
- **iv)** a pergola;
- **v)** subject to Section 5.23 a private swimming pool or hot tub;

**h)** in a residential LAND USE DISTRICT, one (1) radio antenna less than 12m/39.3ft. above FINISHED GRADE at its highest point, which otherwise complies with this BYLAW;

**i)** construction of a fence less than 2m/6.5ft. in height above FINISHED GRADE in a YARD – REAR, YARD – SIDE and YARD – FLANKAGE and no more than 1m/3.2ft. in YARD – FRONT;

**j)** a HOME OCCUPATION that involves catalogue sales or product presentation through home parties not held at the vendor's residence, employs no other person than the RESIDENT and does not increase traffic generation;

**k)** a HOME OFFICE, provided that:
- **i)** no individual other than a permanent RESIDENT of the DWELLING UNIT operates the HOME OFFICE;
- **ii)** no client or customer is received in the DWELLING UNIT for business purposes;
- **iii)** the HOME OFFICE does not generate any vehicular traffic related to deliveries or pickups;
- **iv)** there are no ON-SITE exterior displays or advertisements of the HOME OFFICE;
- **v)** no equipment, materials, goods or finished products for sale are stored ON-SITE;
- **vi)** the HOME OFFICE is operated as an ACCESSORY USE only and must not change the residential character or external appearance of the DWELLING UNIT;

**l)** PRIVATE BABYSITTING SERVICE; and

**m)** LANDSCAPING that does not affect the grading or drainage of the subject or adjacent properties, except where LANDSCAPING forms part of a DEVELOPMENT that requires a DEVELOPMENT PERMIT.

**4.2.2** Notwithstanding Article 4.2.1, DEVELOPMENTS with a project value of $5,000.00 (five-thousand dollars) or more require a DEVELOPMENT PERMIT and a BUILDING PERMIT, unless exempted under the *Safety Codes Act* Permit Regulation as amended.

## 4.3 APPLICATION FOR A DEVELOPMENT PERMIT

**4.3.1** In addition to DEVELOPMENT PERMITS being required for all DEVELOPMENT, except those excluded in Subsection 4.2, a DEVELOPMENT PERMIT shall be required for:

**a)** a CHANGE OF USE of a property;

**b)** a change in the intensity of a USE;

**c)** a change to the footprint of an existing BUILDING and/or STRUCTURE;

**d)** a change in the location or placement of a BUILDING and/or STRUCTURE;

**e)** a HOME OCCUPATION;

**f)** an ACCESSORY BUILDING OR STRUCTURE, subject to Clause 4.2.1(f); and

**g)** an existing BUILDING or USE that has not been in operation for a period of six (6) consecutive months.

**4.3.2** Without limiting the generality of Article 4.3.1, BUILDING – MOVED IN requires a DEVELOPMENT PERMIT.

**4.3.3** An application for a DEVELOPMENT PERMIT shall be made by the registered owner of the LOT on which the DEVELOPMENT is proposed, by a person having a registered interest in the land where the DEVELOPMENT is proposed, or by another person with written consent from the owner, to the DEVELOPMENT AUTHORITY by submitting the following:

- **a)** the applicable Development Permit Application Form completed and signed;
- **b)** the fee as set by COUNCIL; and
- **c)** the information required in Article 4.3.4.

**4.3.4** Unless the DEVELOPMENT AUTHORITY or this BYLAW specifies otherwise, the following information must be submitted when an application for a DEVELOPMENT PERMIT is made:

- **a)** SITE plans drawn to scale, in duplicate, showing:
  - **i)** the legal description and civic address of the property;
  - **ii)** LOT LINES with dimensions and SETBACK requirements in accordance to this BYLAW;
  - **iii)** location and height of proposed and any existing BUILDINGS and/or STRUCTURES, including SIGNS, RETAINING WALLS and fencing;
  - **iv)** utilities, SITE drainage, grade elevations, existing and FINISHED GRADE, the grade of streets and location of proposed water and sewer lines;
  - **v)** loading and PARKING provisions;
  - **vi)** ACCESS locations from the SITE;
  - **vii)** garbage, storage areas and the fencing and SCREENING proposed for the SITE;
  - **viii)** location and dimensions of existing and proposed culverts and crossings;
  - **ix)** location and provision for amenity areas and LANDSCAPED AREAS;
- **b)** BUILDING plans drawn to scale, in duplicate, showing:
  - **i)** floor plans;
  - **ii)** BUILDING elevations;
  - **iii)** exterior BUILDING finishing materials;
- **c)** a statement of ownership of and interest of applicant therein;
- **d)** the estimated commencement and completion dates;
- **e)** the total approximate project value in Canadian dollars;
- **f)** a Lot Grading Plan that is in conformance with Section 5.6; and
- **g)** such additional information deemed necessary by the DEVELOPMENT AUTHORITY to ensure the provisions of this BYLAW are met.

**4.3.5** Despite Article 4.3.3, depending on the specific location and proposed USE, the DEVELOPMENT AUTHORITY may also require detailed information such as:

- **a)** specifics related to the USE and type of operation;
- **b)** traffic generation and potential impacts on streets related to PARKING;
- **c)** SIGNAGE;
- **d)** number of employees;
- **e)** hours of operation;
- **f)** architectural drawings, which are encouraged to be consistent with the Town of High Level Design Guidelines; and
- **g)** other matters at the discretion of the DEVELOPMENT AUTHORITY, with the intent of
- **h)** protecting adjacent and nearby properties.

**4.3.6** All DEVELOPMENTS that require new a water and sewer connection, must apply for a Water and Sewer Connection Permit.

## 4.4 DECISION PROCESS

**4.4.1** The DEVELOPMENT AUTHORITY shall receive all applications for DEVELOPMENT PERMITS and shall determine whether the submitted applications are complete and;

**a)** if the application is deemed complete, the DEVELOPMENT AUTHORITY must, within 40 days after receipt of an application for a DEVELOPMENT PERMIT, issue to the applicant an acknowledgement that the permit application is complete, via electronic or regular mail;

**b)** if the application is deemed incomplete, the DEVELOPMENT AUTHORITY must notify the applicant of the outstanding required information and/or documents, and provide a timeline within which the documents must be submitted through electronic or regular mail. If the applicant fails to submit outstanding information and/or documents, either on or before the date specified in the notification, the application will be refused, unless an agreement occurs between the DEVELOPMENT AUTHORITY and the applicant; or

**c)** if the application is deemed complete, the DEVELOPMENT AUTHORITY may within 40 days after receipt of an application approve or refuse the application, and notify the applicant of the decision via electronic or regular mail.

**4.4.2** The DEVELOPMENT AUTHORITY shall review each application for a DEVELOPMENT PERMIT to determine if the DEVELOPMENT is a PERMITTED USE or a DISCRETIONARY USE.

**4.4.3** Subject to Subsection 4.9 and any other VARIANCE provision contained in this BYLAW, the DEVELOPMENT AUTHORITY shall refuse an application, which does not conform to this BYLAW unless, in the opinion of the DEVELOPMENT AUTHORITY,

**a)** The proposed DEVELOPMENT would not

**i)** unduly interfere with the amenities of the neighbourhood; or

**ii)** materially interfere with or affect the USE, enjoyment or value of neighbouring PARCELS of land; and

**b)** the proposed DEVELOPMENT conforms with the USE prescribed for that LOT or BUILDING within the BYLAW.

**4.4.4** Notwithstanding Article 4.4.3, the DEVELOPMENT AUTHORITY may exercise discretion to approve a DEVELOPMENT that does not conform to this BYLAW, if in the opinion of the DEVELOPMENT AUTHORITY the DEVELOPMENT addresses a safety, accessibility or other concern.

**4.4.5** The DEVELOPMENT AUTHORITY shall issue a DEVELOPMENT PERMIT for a PERMITTED USE with or without conditions, if the application conforms to this BYLAW.

**4.4.6** The DEVELOPMENT AUTHORITY may issue a DEVELOPMENT PERMIT for a DISCRETIONARY USE, with or without conditions, if the application conforms to this BYLAW.

**4.4.7** The DEVELOPMENT AUTHORITY may issue a DEVELOPMENT PERMIT approval for USES which are not permitted or discretionary with or without conditions at their discretion.

**4.4.8** The DEVELOPMENT AUTHORITY may refuse a DEVELOPMENT PERMIT application for a DISCRETIONARY USE on its merits even if it conforms to the regulations of this BYLAW.

**4.4.9** The DEVELOPMENT AUTHORITY shall make their decision in writing and shall send a copy of the written decision to the applicant.

**4.4.10** If the DEVELOPMENT AUTHORITY refuses an application for a DEVELOPMENT PERMIT, the decision notice shall contain the reasons for refusal.

**4.4.11** An application for a DEVELOPMENT PERMIT shall, at the option of the applicant, be deemed refused when a decision is not made within 40 days of the DEVELOPMENT AUTHORITY'S receipt of the complete application, unless the applicant has entered into an agreement with the DEVELOPMENT AUTHORITY to extend the time for approval beyond the 40 day period.

**4.4.12** TEMPORARY DEVELOPMENT PERMITS may be issued for a specified time period, at the discretion of the DEVELOPMENT AUTHORITY, for PERMITTED USES or DISCRETIONARY USES defined within this BYLAW, if the USE is identified as TEMPORARY, or if the DEVELOPMENT AUTHORITY deems it appropriate. TEMPORARY DEVELOPMENT PERMITS may also be approved for non-permitted USE and non-discretionary USE within any LAND USE DISTRICT, at the discretion of the DEVELOPMENT AUTHORITY.

## 4.5 NOTIFICATIONS

**4.5.1** In accordance with the Advertisement – Public Notification Bylaw, the DEVELOPMENT AUTHORITY shall provide notification of all decisions on DEVELOPMENT PERMITS, including COUNCIL decisions related to DEVELOPMENTS in Direct Control LAND USE DISTRICTS, in the following ways:

- **a)** copies of decisions made available for public viewing at the TOWN Office;
- **b)** posting copies of decisions on the TOWN'S digital media platforms for public viewing;
- **c)** posting in a newspaper circulated within TOWN, stating the DEVELOPMENT, its location and decision within 15 days of the decision; and
- **d)** via email to applicants and registered landowners.

**4.5.2** In addition to Article 4.5.1, upon refusing a DEVELOPMENT PERMIT application; the DEVELOPMENT AUTHORITY shall deliver a notice of the decision by registered mail or by personal service to the applicant, stating the DEVELOPMENT and the decision.

**4.5.3** In addition to Article 4.5.1, the DEVELOPMENT AUTHORITY shall provide written notice of the approval of a BUILDING – MOVED IN or a HOME OCCUPATION, with the exception of Clause 4.2.1(l),to all adjacent landowners within a 100m/330ft. radius of the proposed SITE.

**4.5.4** Notwithstanding Article 4.5.3, at the discretion of the DEVELOPMENT AUTHORITY, adjacent landowner notifications for an approved HOME OCCUPATION may be limited to select adjacent landowners within the 100m/330ft. radius if the proposed USE would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the USE, enjoyment or value of nearby PARCELS, based upon the nature of the proposed USE or location of the subject SITE.

## 4.6 DEVELOPMENT PERMIT CONDITIONS

**4.6.1** The DEVELOPMENT AUTHORITY may, with respect to any USE, require the applicant to make satisfactory arrangements for the supply of utilities or vehicular and pedestrian ACCESS, including payment of the cost of installation or construction.

**4.6.2** The DEVELOPMENT AUTHORITY may, with respect to any USE, require that an applicant enter into an agreement or interim agreement, which shall form part of such DEVELOPMENT PERMIT, to do any or all of the following:

- **a)** construct, or pay for the construction of, a PUBLIC ROADWAY required to give ACCESS to the DEVELOPMENT;
- **b)** construct, or pay for the construction of:
  - **i)** a pedestrian walkway to serve the DEVELOPMENT;
  - **ii)** pedestrian walkways that will connect the pedestrian walkway system serving the DEVELOPMENT with a pedestrian walkway system that serves or is proposed to serve an adjacent DEVELOPMENT;
  - **iii)** or both;
- **c)** install, or pay for the installation of, utilities that are necessary to serve the DEVELOPMENT;
- **d)** pay an OFF-SITE LEVY, redevelopment levy or both, imposed by the Off-Site Levy Bylaw;
- **e)** specify the number and location of vehicular and pedestrian ACCESS points to the DEVELOPMENT from PUBLIC ROADWAYS;
- **f)** construct or pay for the construction of off-street or OFF-SITE PARKING facilities or loading or unloading facilities;
- **g)** repair, reinstate or pay for the repair or reinstatement to original condition of any street furniture, curbing, sidewalk, BOULEVARD LANDSCAPING and tree planting which may be damaged, destroyed or otherwise harmed by DEVELOPMENT or BUILDING operations upon the SITE;
- **h)** install, construct or pay for the installation or construction of LANDSCAPING and fencing on the DEVELOPMENT, PUBLIC ROADWAYS and public lands adjacent to the DEVELOPMENT; and
- **i)** to give security to ensure that the terms of the agreement under this Section are carried out.

**4.6.3** The DEVELOPMENT AUTHORITY may require that an agreement between the TOWN and applicant be entered into for items identified in Article 4.6.1 and Article 4.6.2, and that this agreement be registered by CAVEAT against Certificate of Title to the LOT with Alberta Land Titles.

**4.6.4** The agreement under Article 4.6.3 may include provisions contemplated by Section 651 of the ACT in respect of oversize improvements.

**4.6.5** In addition to Article 4.6.1 and Article 4.6.2, the DEVELOPMENT AUTHORITY may, with respect to a PERMITTED USE, impose conditions as deemed appropriate, having regard to the regulations of this BYLAW, and any Statutory Plan including, but not limited to the following conditions:

- **a)** limiting the hours of operation;
- **b)** limiting the number of patrons;
- **c)** establishing LANDSCAPING requirements;
- **d)** requiring noise mitigation;

**e)** requiring special provisions be made for PARKING*;*

**f)** specifying the location, character and appearance of a BUILDING*;*

**g)** specifying the grading of a SITE or such other procedures as are necessary to protect the SITE from other DEVELOPMENTS, or to protect other DEVELOPMENTS from the SITE*;*

**h)** establishing the period of time which a DEVELOPMENT may continue;

**i)** specifying certain measures be taken to make the DEVELOPMENT compatible with surrounding DEVELOPMENT*;* and

**j)** requiring measures be taken to make the DEVELOPMENT compliant and compatible with the general DEVELOPMENT or LAND USE DISTRICT regulations of this BYLAW.

**4.6.6** It is hereby deemed a condition of every DEVELOPMENT PERMIT*,* whether or not expressly stated therein that the applicant is responsible for identifying and shall comply with all applicable Federal, Provincial and Municipal enactments and any other law with respect to the USE and DEVELOPMENT of the land and BUILDINGS and shall, as required, to obtain any and all permits, licenses and approvals.

**4.6.7** In addition to Article 4.6.1 and 4.6.2, the DEVELOPMENT AUTHORITY*,* may with respect to a DISCRETIONARY USE*,* or COUNCIL regarding a Direct Control LAND USE DISTRICT, may impose conditions as deemed appropriate, having regard to the regulations of this BYLAW, and any Statutory Plan including, but not limited to the following conditions:

**a)** limiting the hours of operation;

**b)** limiting the number of patrons;

**c)** establishing LANDSCAPING requirements;

**d)** requiring noise mitigation;

**e)** requiring special provisions be made for PARKING*;*

**f)** specifying the location, character and appearance of a BUILDING*;*

**g)** specifying the grading of a SITE or such other procedures as are necessary to protect the SITE from other DEVELOPMENTS or to protect other DEVELOPMENTS from the SITE*;*

**h)** establishing the period of time which a DEVELOPMENT may continue;

**i)** specifying certain measures be taken to make the DEVELOPMENT compatible with surrounding DEVELOPMENT*;* and

**j)** requiring measures be taken to make the DEVELOPMENT compliant and compatible with the general DEVELOPMENT or LAND USE DISTRICT regulations of this BYLAW.

## 4.7 DEVELOPMENT PERMIT RULES

**4.7.1** Unless otherwise provided by this BYLAW, a DEVELOPMENT PERMIT remains in effect unless:

**a)** the DEVELOPMENT PERMIT is suspended or cancelled; or

**b)** the DEVELOPMENT for which the permit is issued has not commenced within one (1) year of the date the permit is issued.

**4.7.2** Notwithstanding Clause 4.7.1(b), if a BUILDING PERMIT is issued for the DEVELOPMENT within the one (1) year period, the DEVELOPMENT PERMIT shall not lapse unless the BUILDING PERMIT is cancelled, or the timeframe for the BUILDING PERMIT lapses.

**4.7.3** Prior to the DEVELOPMENT PERMIT lapsing as outlined in Article 4.7.1, the DEVELOPMENT AUTHORITY may extend the validity of a DEVELOPMENT PERMIT once for a period not exceeding one (1) year.

**4.7.4** When a DEVELOPMENT PERMIT is refused by the DEVELOPMENT AUTHORITY or the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, another DEVELOPMENT PERMIT application for the same or similar DEVELOPMENT or USE on the same LOT may not be made by any applicant for a six (6) month period, from the date of refusal.

**4.7.5** Notwithstanding Article 4.7.4, the DEVELOPMENT AUTHORITY is authorized to accept a new or revised application for the same or similar DEVELOPMENT or USE for the same SITE prior to six (6) months having elapsed from the date of refusal, if in the opinion of the DEVELOPMENT AUTHORITY, the aspects of the application that caused it to be refused have been sufficiently modified or resolved.

**4.7.6** An application for a PERMITTED USE on the same SITE, which complies with all applicable provisions of this BYLAW, may be submitted prior to six (6) months having elapsed from the date of refusal.

**4.7.7** If after the issuance of a DEVELOPMENT PERMIT, it becomes known to the DEVELOPMENT AUTHORITY that:

**a)** the application for the DEVELOPMENT PERMIT contains a misrepresentation; or

**b)** facts have not been disclosed which should have been disclosed at the time of consideration of the application for the DEVELOPMENT PERMIT;

the DEVELOPMENT AUTHORITY may suspend or cancel the DEVELOPMENT PERMIT and must advise the applicant in writing to the address given in the DEVELOPMENT PERMIT application.

**4.7.8** The DEVELOPMENT shall not be altered, changed, or modified from the approved plans or specifications without written authorization from the DEVELOPMENT AUTHORITY.

## 4.8 COMPLIANCE CERTIFICATES AND REAL PROPERTY REPORTS

**4.8.1** The registered owner, or a person with a legal or equitable interest in a SITE, may apply, upon payment of the fee as set by COUNCIL, to the DEVELOPMENT AUTHORITY for a COMPLIANCE CERTIFICATE.

**4.8.2** The applicant for a COMPLIANCE CERTIFICATE shall submit an original REAL PROPERTY REPORT for the SITE. Any REAL PROPERTY REPORT that is dated for a period of more than 90 days from the date of application, must be submitted with a Statutory Declaration indicating the accuracy of the REAL PROPERTY REPORT.

**4.8.3** The DEVELOPMENT AUTHORITY may issue a COMPLIANCE CERTIFICATE, when in the opinion of the DEVELOPMENT AUTHORITY, the BUILDINGS, STRUCTURES or combination thereof as shown on the REAL PROPERTY REPORT provided by the applicant, are located on the SITE in accordance with the separation distance and minimum yard requirements of this BYLAW, or the minimum yard requirements specified in any DEVELOPMENT PERMIT, which may have been issued for the SITE.

**4.8.4** The COMPLIANCE CERTIFICATE shall only cover those BUILDINGS and/or STRUCTURES, or parts thereof, shown on the REAL PROPERTY REPORT as provided by the applicant.

**4.8.5** The DEVELOPMENT AUTHORITY may refuse to issue a COMPLIANCE CERTIFICATE when the REAL PROPERTY REPORT does not contain sufficient information to determine if the BUILDINGS and/or STRUCTURES as shown are located in accordance with the yard and BUILDING SETBACK regulations of this BYLAW, or the minimum yard requirements specified in any DEVELOPMENT PERMIT, which may have been issued for the SITE.

**4.8.6** The DEVELOPMENT AUTHORITY may refuse to issue a COMPLIANCE CERTIFICATE when:

- **a)** the REAL PROPERTY REPORT does not indicate all DEVELOPMENTS that are located on the LOT;
- **b)** DEVELOPMENTS on the LOT were constructed without a DEVELOPMENT PERMIT; or
- **c)** the DEVELOPMENT is in non-compliance with this, or any other TOWN bylaw.

**4.8.7** A COMPLIANCE CERTIFICATE is not considered a DEVELOPMENT PERMIT.

## 4.9 VARIANCES

**4.9.1** The DEVELOPMENT AUTHORITY may exercise discretion to approve DEVELOPMENT PERMIT applications with up-to 100% VARIANCES for all provisions of the BYLAW, except for the provisions within Table 4.1, if the proposed DEVELOPMENT would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the USE, enjoyment , or value of the neighbouring PARCELS of land.

**TABLE 4.1** VARIANCES FOR DEVELOPMENTS THAT COME INTO EXISTENCE AFTER THE ENACTMENT OF THIS BYLAW

| COMPONENT | VARIANCE IN ALL DISTRICTS |
|---|---|
| BUILDING HEIGHT | 10% Increase |
| LOT COVERAGE | 10% Relaxation |
| PARKING Requirements (minimum) | 15% Relaxation |

**4.9.2** In exercising discretion pursuant to Article 4.9.1, a VARIANCE shall only be permitted if, in the opinion of the DEVELOPMENT AUTHORITY:

- **a)** the DEVELOPMENT would not:
  - **i)** unduly interfere with the appearance of the neighborhood as it relates to BUILDING;
  - **ii)** design, BUILDING scale and LANDSCAPING; or
  - **iii)** materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
- **b)** the DEVELOPMENT conforms with the USE prescribed for that LAND USE DISTRICT or BUILDING in this BYLAW.

**4.9.3** Requests for VARIANCES for non-complying or NON-CONFORMING BUILDINGS shall be made to the DEVELOPMENT AUTHORITY by submitting the following:

**a)** the fee as set by COUNCIL; and

**b)** a REAL PROPERTY REPORT or Surveyor's Certificate stamped and signed by a Registered Alberta Land Surveyor.

**4.9.4** Applicants who request VARIANCES for proposed DEVELOPMENTS, shall make their request at the time of submitting their DEVELOPMENT PERMIT application and shall submit the information required in Subsection 4.3.

**4.9.5** Applicants who request a VARIANCE that exceeds the DEVELOPMENT AUTHORITY'S ability under Table 4.1 shall have their application for a DEVELOPMENT PERMIT refused with a decision notice issued as per Article 4.4.10.

## 4.10 APPEAL PROCESS

**4.10.1** If the DEVELOPMENT AUTHORITY:

**a)** refuses or fails to issue a DEVELOPMENT PERMIT to a person;

**b)** issues a DEVELOPMENT PERMIT subject to conditions; or

**c)** issues an Order under Section 645 of the ACT;

the person applying for the permit or affected by the Order under Section 645 of the ACT, may appeal upon payment of the fee, as set by COUNCIL, to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

**4.10.2** A person affected by a decision or DEVELOPMENT PERMIT made or issued by the DEVELOPMENT AUTHORITY, other than a person having a right of appeal under Article 4.10.1, may appeal upon payment of the fee, as set by COUNCIL, to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD in accordance to this BYLAW and the ACT.

**4.10.3** The SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall conduct an appeal in accordance with the Subdivision and Development Appeal Board Bylaw and the ACT.

**4.10.4** The Appellant shall file a written notice of an appeal and the required fee with the Secretary of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD within fourteen (14) days of notification of the SUBDIVISION decision and twenty-one (21) days for DEVELOPMENT PERMIT decisions and conditions, pursuant to Sections 686(1) and 678(2) of the ACT, or an Order pursuant to Section 685 of the ACT.

## 4.11 NON-CONFORMING DEVELOPMENT

**4.11.1** Where a DEVELOPMENT PERMIT issued on, or before, the effective date this of BYLAW or any amendment thereto is enacted, the DEVELOPMENT PERMIT shall continue to be in effect regardless of compliance with this BYLAW or any subsequent amendments.

**4.11.2** A NON-CONFORMING USE or NON-CONFORMING BUILDING, or both, may continue unless:

**a)** that USE is discontinued for a period of six (6) consecutive months or more;

**b)** the BUILDING is enlarged or undergoes any structural alterations;

**c)** additional BUILDINGS associated with NON-CONFORMING USE are constructed on the same SITE; or

**d)** a NON-CONFORMING BUILDING is damaged or destroyed to the extent of more than 75% of the value of the BUILDING above its foundation.

**4.11.3** Notwithstanding Article 4.11.2, a NON-CONFORMING BUILDING may be enlarged, rebuilt or structurally altered if the proposed construction:

**a)** will bring the NON-CONFORMING BUILDING into compliance with this BYLAW; or

**b)** if in the opinion of the DEVELOPMENT AUTHORITY, it is necessary for routine maintenance of the BUILDING.

**4.11.4** The USE of a LOT or the USE of a BUILDING is not affected by a change of ownership or tenancy of the LOT or BUILDING.

**4.11.5** LOTS existing prior to the adoption of this BYLAW that do not meet the minimum required width, depth and area as prescribed for their LAND USE DISTRICT will continue to exist, should all other requirements of this BYLAW be met.

## 4.12 ENFORCEMENT

**4.12.1** If the DEVELOPMENT AUTHORITY finds that a DEVELOPMENT, USE of a LOT or USE of a BUILDING is not in accordance with this BYLAW, DEVELOPMENT PERMIT or SUBDIVISION approval, the DEVELOPMENT AUTHORITY may, by written notice, order the owner, the person in possession of the LOT or BUILDING, or the person responsible for the contravention, or all of them, to:

**a)** stop the DEVELOPMENT or USE of the LOT or BUILDINGS in whole or part as directed by the notice;

**b)** demolish, remove or replace the DEVELOPMENT;

**c)** carry out any other actions required by the notice so that the DEVELOPMENT or USE of the LOT or BUILDING complies with this BYLAW, DEVELOPMENT PERMIT or a SUBDIVISION approval, within the time set out in the notice; or

**d)** any combination of the above.

**4.12.2** A person who receives a notice referred to in Article 4.12.1 may appeal to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD in accordance to Subsection 4.10.

**4.12.3** If a person fails or refuses to comply with an Order directed to them under this Section or an Order of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, the TOWN may enter on the LOT or BUILDING and take any action necessary to carry out the Order. The costs of the TOWN'S action may be placed against the tax roll of the property, pursuant to Sections 542, 549 and 646(1) of the ACT.

**4.12.4** The TOWN may register a CAVEAT under the *Land Titles Act* in respect of an Order against the Certificate of Title for the LOT that is the subject of the Order.

## 4.13 PENALTIES

**4.13.1** Violation Penalties:

**a)** Any person who contravenes any provision of this BYLAW is guilty of an offence and is liable to a fine for each offence of not more than:

i) $500.00 for a first offence;
ii) $2,500.00 for a second and subsequent offence;

**b)** The DEVELOPMENT AUTHORITY is hereby appointed as a Bylaw Enforcement Officer pursuant to the ACT, for the purpose of enforcing this BYLAW and is empowered to issue a violation ticket pursuant to the *Provincial Offences Procedure Act;*

**c)** The DEVELOPMENT AUTHORITY may appoint another individual as a Bylaw Enforcement Officer for the purpose of enforcing this BYLAW pursuant to Section 3 of the Bylaw Enforcement Officer Bylaw, who is empowered to issue a violation ticket pursuant to the *Provincial Offences Procedure Act*;

**d)** Where a contravention of this BYLAW is of a continuing nature, the DEVELOPMENT AUTHORITY may issue further violation tickets for each day that the contravention continues;

**e)** The person to whom the violation ticket is issued may, in lieu of being prosecuted, sign the plea of guilty on the violation ticket and pay the fine to the Clerk of the Court at the location indicated on the violation ticket; and

**f)** Where a contravention of this BYLAW continues fourteen (14) days after a conviction has been entered as a result of such contravention, the person against whom the conviction has been entered is guilty of a new and separate offence for each day as long as the offence continues.

**4.13.2** Where a person is found guilty of an offence pursuant to this BYLAW, the Alberta Court of King's Bench may, in addition to any other penalty imposed, order the person to comply with the ACT and any regulations, a DEVELOPMENT PERMIT, a SUBDIVISION approval, an Order or decision of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, or this BYLAW.

## 4.14 COMPLIANCE WITH OTHER LEGISLATION

**4.14.1** A person applying for, or in possession of, a valid DEVELOPMENT PERMIT is not relieved from full responsibility for ascertaining and complying with, or carrying out and shall ascertain, comply or carry out DEVELOPMENT in accordance with:

**a)** the requirements of the *Safety Codes Act*, *Environmental Protection and Enhancement Act*, *Natural Resources Conservation Board Act*, *Water Act*, *National Building Code – Alberta Edition*, *National Fire Code – Alberta Edition* and *Public Highways Development Act* and any amendments thereto;

**b)** the Building Permit and Standards Bylaw;

**c)** the requirements of any other Federal, Provincial or Municipal enactment or any other law; and

**d)** the conditions of any CAVEAT, COVENANT, EASEMENT or other instrument affecting a BUILDING or LOT.

**4.14.2** The TOWN is not responsible for, nor does the TOWN have any obligation to determine, what other legislation may apply to a DEVELOPMENT, nor to monitor or enforce compliance with such legislation.

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# 5.0 GENERAL LAND USE PROVISIONS

## 5.1 LAND USE REGULATIONS

**5.1.1** Notwithstanding any other land-use regulation contained within this BYLAW, the following regulations shall apply to all DEVELOPMENT.

## 5.2 DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS AND/OR STRUCTURES

**5.2.1** In consideration of a DEVELOPMENT PERMIT, the appearance of all BUILDINGS and/or STRUCTURES must be compatible with any other BUILDING and/or STRUCTURE existing on the SITE and in the vicinity, unless the BUILDING and/or STRUCTURE, in the opinion of the DEVELOPMENT AUTHORITY, sets a higher standard of design, character and appearance for a LAND USE DISTRICT or part of it.

**5.2.2** The design of any DEVELOPMENT within the Town is encouraged to be consistent with the Town of High Level Design Guidelines.

## 5.3 SIGHT TRIANGLE ON LOT CORNER

**5.3.1** On a LOT CORNER a fence, SIGN, hedge, shrub, bush, tree, BUILDING and/or STRUCTURE cannot be erected or permitted to grow to a height more than 1m/3.2ft. above the FINISHED GRADE of the street or LANE that abuts the LOT within the SIGHT TRIANGLE. An example of a SIGHT TRIANGLE can be found in Figure 17. By 5.5m/18.0ft. for residential LAND USE DISTRICT LOTS on minor roads and 7.5m/24.6ft. in all other instances, the SIGHT TRIANGLE is measured from the intersection or theoretical intersection of:

**a)** the LOT LINE – FRONT and the LOT LINE – FLANKAGE; or

**b)** the LOT LINE – FLANKAGE and the LOT LINE – REAR in the case of a LOT CORNER with a rear LANE.

**5.3.2** Despite Article 5.3.1, the DEVELOPMENT AUTHORITY may restrict the placement of any object, regardless of height, if in the opinion of the DEVELOPMENT AUTHORITY, traffic safety is interfered with.

## 5.4 PERMITTED ENCROACHMENTS

**5.4.1** Permitted encroachments into required yards are features that are attached to a BUILDING, which may project over or into a required minimum yard area, as outlined in Table 5.1.

**TABLE 5.1** PERMITTED ENCROACHMENTS INTO REQUIRED YARDS

| BUILDINGS, STRUCTURES OR COMPONENTS | AREA TO BE ENCROACHED | | | | |
|---|---|---|---|---|---|
| | Required YARD – FRONT | Required YARD – SIDE | Required YARD – REAR | Required YARD – FLANKAGE | PUBLIC RIGHT-OF-WAY |
| DECKS not more than 1.5m above FINISHED GRADE | 1.5m/4.9ft. | Within 1m/3.2ft. of LOT LINE – SIDE | Within 3m/9.85ft. of LOT LINE – REAR | 0m/0ft. | 0m/0ft. |
| Canopy, BALCONY, unenclosed verandah or porch | 1.5m/4.9ft. | 600mm/23.6in | 0m/0ft. | 600mm/23.6in | 0m/0ft. |
| Cantilevered wall section or chimney | 600mm/24in | 600mm/23.6in | 1.5m/4.9ft. | 600mm/23.6in | 0m/0ft. |
| Unenclosed steps, not more than 3m above FINISHED GRADE | 1.5m/4.9ft. | 0m/0ft. | 1.5m/4.9ft. | 0m/0ft. | 0m/0ft. |
| Cornice or eave of a PRINCIPAL BUILDING | 1.5m/4.9ft. | 600mm/23.6in | 1.2m/3.9ft. | 1.2m/3.9ft. | 0m/0ft. |
| Cornice or eave of an ACCESSORY BUILDING OR STRUCTURE | 600mm/23.6in | 600mm/23.6in | 600mm/23.6in | 600mm/23.6in | 0m/0ft. |
| Freestanding exterior air conditioner | 0m/0ft. | 1m/3.2ft. from LOT LINE | 1m/3.2ft. from LOT LINE | 0 m/0ft. | 0m/0ft. |

**5.4.2** Notwithstanding Article 5.4.1, the encroachment of eaves, canopies and BALCONIES within C-1 LAND USE DISTRICT may be permitted to exceed the requirements outlined in Table 5.1 at the discretion of the DEVELOPMENT AUTHORITY, so long as they do not surpass the LOT LINE.

**5.4.3** No permitted encroachment outlined in Articles 5.4.1 and 5.4.2 shall result in runoff or drainage from the roof of a BUILDING and/or STRUCTURE running through or ponding on a neighbouring property.

## 5.5 DEVELOPMENT OF WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS AND LANDS SUBJECT TO FLOODING AND SUBSIDENCE

**5.5.1** The DEVELOPMENT AUTHORITY may submit any DEVELOPMENT PERMIT application for DEVELOPMENTS on or near ENVIRONMENTALLY SENSITIVE AREAS or wetlands to the Government of Alberta for comments and recommendations.

**5.5.2** When reviewing a DEVELOPMENT PERMIT application for DEVELOPMENTS on or near ENVIRONMENTALLY SENSITIVE AREAS and wetlands the DEVELOPMENT AUTHORITY shall consider:

- **a)** the affect of the proposed DEVELOPMENT on the subject lands and the surrounding area;
- **b)** the soil and slope conditions of the subject property and surrounding areas;
- **c)** any information on the history of the subject property from a geo-technical perspective; and
- **d)** comments and recommendations from the Government of Alberta.

**5.5.3** On lands near, or identified as, ENVIRONMENTALLY SENSITIVE AREAS or wetlands, or lands subject to flooding and subsidence, the DEVELOPMENT AUTHORITY may require the following information to be submitted as part of a DEVELOPMENT PERMIT application, an application to amend this BYLAW, an application for SUBDIVISION approval or an application to amend a Statutory Plan:

- **a)** a geo-technical study, prepared by a qualified professional geo-technical engineer, addressing the proposed DEVELOPMENT. The geo-technical study shall establish BUILDING and/or STRUCTURE SETBACKS from these LOT LINES or wetlands based on the land characteristics of the subject property;
- **b)** a Certificate from a qualified professional geo-technical engineer certifying that the design of the proposed DEVELOPMENT was undertaken with full knowledge of the soil and slope conditions of the subject property;
- **c)** a Certificate from a qualified professional geo-technical engineer when the proposed DEVELOPMENT includes cut and/or fill sections on slopes, including the addition of fill to the subject property;
- **d)** storm-water modelling to determine potential impacts on neighbouring properties and the TOWN'S existing infrastructure, which may result in the preparation of a Storm-water Management Plan prepared by a certified engineer; and
- **e)** any other study or assessment as may be recommended by the Government of Alberta.

**5.5.4** The DEVELOPMENT AUTHORITY may require that the property owner and/or the applicant to register a restrictive COVENANT against the Certificate of Title for the subject property related to the DEVELOPMENT approved for the subject property.

## 5.6 LOT GRADING AND DRAINAGE

**5.6.1** LOT grading design shall compliment the overall design of both the minor and major storm drainage systems of the TOWN.

**5.6.2** LOTS shall be graded and sloped in such a manner that a minimum of surface run-off water will be conducted to other properties.

**5.6.3** Where surface drainage swales direct run-off from one LOT to the next, the necessary drainage EASEMENTS shall be registered concurrently with the Lot Grading Plan of a SUBDIVISION.

**5.6.4** All lands shall be graded to drain towards developed streets and/or storm water catch basins or drainage channels.

**5.6.5** BOULEVARD areas shall be graded to provide a minimum slope of 2% from LOT LINE to top of the curb.

**5.6.6** Commercial and Industrial LOTS may be graded to drain to ON-SITE storm water catch basins.

**5.6.7** In circumstances where YARD–REAR slopes towards the BUILDING, provisions are required to keep the run-off at least 3m/9.85ft. away from the BUILDING, with the possibility of draining the surface water along the LOT LINES onto the streets.

**5.6.8** Where drainage swales are provided on LOT LINE – REAR in LANE-less SUBDIVISIONS, the developer shall provide an approved concrete drainage swale. The drainage swale shall be provided on one (1) side of the LOT LINE and be placed in a drainage EASEMENT.

**5.6.9** The maximum slope draining towards LOT LINES shall not exceed 10% within 1.5m/4.9ft. of the LOT LINE. The slope away from BUILDINGS shall meet the minimum requirements of the *National Building Code – Alberta Edition*. Downspouts from eaves-troughs and discharge hoses from sump-pumps shall not discharge within 0.6m/1.9ft. of a LOT LINE.

**5.6.10** Where extremes in elevation of adjoining LOTS require the construction of a RETAINING WALL, such shall be indicated on the proposed Lot Grading Plan and no work or construction will be permitted on the building LOTS that are the subject of, or adjacent to, the said RETAINING WALL without a written authorization from the owner(s) of both LOTS affected by the construction of the RETAINING WALL at the time of construction of the proposed BUILDING.

**5.6.11** A Lot Grading Plan shall meet the requirements of Subsection 2.4 of the Municipal Engineering and Construction Standards.

**5.6.12** A Lot Grading Certificate shall meet the requirements of Section 11 of the Building Permit and Standards Bylaw.

## 5.7 LANDSCAPING AND SCREENING

### GENERAL LANDSCAPING REQUIREMENTS

**5.7.1** Unless otherwise stipulated under Article 4.2.1, by a DEVELOPMENT AGREEMENT or by the DEVELOPMENT AUTHORITY, LANDSCAPING of any SITE:

- **a)** requires a DEVELOPMENT PERMIT;
- **b)** is subject to Section 5.7; and
- **c)** shall be completed within two (2) years of approval of the BUILDING PERMIT.

**5.7.2** The DEVELOPMENT AUTHORITY may require an area that is landscaped to be left in its natural state if it is of the opinion that the natural state would enhance the appearance of the SITE, and meet the intent of LANDSCAPING requirements.

**5.7.3** The DEVELOPMENT AUTHORITY may require LANDSCAPING plans with any DEVELOPMENT PERMIT application; however, LANDSCAPING plans shall be required with an application for USES within the:

- **a)** R-3 LAND USE DISTRICT;
- **b)** the R-4 LAND USE DISTRICT, specifically related to the DEVELOPMENT of a MANUFACTURED HOME COMMUNITY;
- **c)** Commercial LAND USE DISTRICT; and
- **d)** Industrial LAND USE DISTRICT.

**5.7.4** At a minimum, all LANDSCAPED AREAS shall be seeded or sodded with grass unless specified otherwise. Aesthetically pleasing alternative LANDSCAPED AREAS are encouraged to include XERISCAPING or other forms of low maintenance and drought-resistant LANDSCAPING techniques, which allow for reduced water usage and naturalized storm-water management. In no case shall hard-LANDSCAPING features, such as decorative paving or other impervious surfaces, exceed 25% of the required LANDSCAPED AREA.

**5.7.5** All LANDSCAPING that includes the planting of new trees and shrubs must avoid the use of plant species, which are either harmful to existing native plant species or municipal infrastructure, inclusive of but not limited to, streets, sidewalks, and belowground utilities.

**5.7.6** DEVELOPMENTS in Commercial LAND USE DISTRICTS that are required in this BYLAW to be screened from residential USES must include trees and/or fencing that in the opinion of the DEVELOPMENT AUTHORITY, would be sufficient to screen the DEVELOPMENT.

## BOULEVARD LANDSCAPING

**5.7.7** An applicant whose DEVELOPMENT involves the creation of a new ACCESS or other earthworks within the PUBLIC ROADWAY shall be responsible for the construction or replacement of a BOULEVARD to Municipal Engineering and Construction Standards.

**5.7.8** All applications that include new LANDSCAPING of a BOULEVARD shall require an approved DEVELOPMENT AGREEMENT or conditions within the DEVELOPMENT PERMIT approval, which will specify all mandatory design elements and requirements for the BOULEVARD.

**5.7.9** When creating a DEVELOPMENT AGREEMENT with a property owner or developer for an application regarding LANDSCAPING of a BOULEVARD, the DEVELOPMENT AUTHORITY shall consider the USE, value and enjoyment of adjoining lands, the aesthetics of the LANDSCAPING, public safety and municipal operations. The DEVELOPMENT AUTHORITY may include any condition within the DEVELOPMENT AGREEMENT it deems necessary in accordance with these considerations.

**5.7.10** The owner or developer of a residential property is not responsible for LANDSCAPING the BOULEVARD along a LOT LINE – FLANKAGE that is adjacent to a road classified as an arterial road in the Municipal Development Plan.

**5.7.11** If COUNCIL has adopted a plan, policy or Bylaw in regards to LANDSCAPING any specific area, street or neighbourhood, all LANDSCAPING must be in accordance to that plan, policy or Bylaw.

### PARKING LOT LANDSCAPING

**5.7.12** Any PARKING LOT abutting a public street, park or residential land-use shall be separated by a 2m/6.5ft. landscaped BUFFER. For an example of PARKING LOT LANDSCAPING please see Figure 22. Alternatively, the DEVELOPMENT AUTHORITY may consider an opaque fence meeting the requirements of Subsection 5.15 as an alternative.

### BUFFERS

**5.7.13** Where a Commercial or Industrial USE is proposed adjacent to a residential LAND USE DISTRICT, a landscaped BUFFER shall be provided in accordance with the following:

- **a)** the landscaped BUFFER shall be the full length of any required minimum yard adjacent to a residential LAND USE DISTRICT, along the entire length of the adjacent residential LOT LINE;
- **b)** at a minimum, the BUFFER shall be 3m/9.85ft.;
- **c)** a combination of trees, shrubs and other landscaped elements shall be used; and
- **d)** the preservation of existing vegetation shall be encouraged as an alternative to the planting of new trees and shrubs.

**5.7.14** Notwithstanding Article 5.7.13, a vegetated BERM may be a suitable alternative to a landscaped BUFFER and must:

- **a)** be a minimum of 2m/6.5ft. in height above the FINISHED GRADE;
- **b)** feature at minimum, a combination of trees and shrubs planted along the entire length of the BERM, subject to Article 5.7.5.

For an example of a vegetated BERM as a landscaped BUFFER please see Figure 23.

**5.7.15** In addition to Articles 5.7.13 and 5.7.14, where in the opinion of the DEVELOPMENT AUTHORITY, the proposed USE may have a negative aesthetic impact or present safety concerns relative to surrounding residential USES, a fence may be required in accordance with Subsection 5.15.

## 5.8 ILLUMINATION

**5.8.1** The applicant must locate and arrange outdoor lighting so that:

- **a)** lights are not directed at an adjacent SITE and indirect lights do not adversely affect an adjacent SITE; and
- **b)** traffic safety is not adversely affected.

## 5.9 BUILDING – MOVED IN

**5.9.1** In addition to the DEVELOPMENT PERMIT application requirements outlined in Subsection 4.3, the following shall also be submitted as part of an application for a BUILDING – MOVED IN.

- **a)** floor plans;
- **b)** coloured photographs of the proposed BUILDING, accurately depicting the building's style and general condition; and documentation indicating the BUILDING – MOVED IN

certification and compliance with the *National Building Code – Alberta Edition.*

**5.9.2** All renovations and any conditions imposed by the DEVELOPMENT AUTHORITY to a BUILDING – MOVED IN shall be completed by the time stipulated by the DEVELOPMENT AUTHORITY, and in no case is that time to exceed one (1) year, or the expiration of the BUILDING PERMIT.

## 5.10 OUTDOOR STORAGE

**5.10.1** In a Residential LAND USE DISTRICT there shall be no OUTDOOR STORAGE of materials or goods that are associated with a business or HOME OCCUPATION.

**5.10.2** OUTDOOR STORAGE in a Commercial LAND USE DISTRICT shall be located at the rear of the BUILDING and screened from view of public roads, highways and Residential LAND USE DISTRICTS by a solid fence or wall, or ON-SITE LANDSCAPING that provides a year-round screen. The height of the fence and amount of LANDSCAPING shall be at the discretion of the DEVELOPMENT AUTHORITY, and dependent upon the height of the goods or materials to be stored.

**5.10.3** Subject to Article 5.10.2, the USE of SHIPPING CONTAINERS involving OUTDOOR STORAGE is permitted in accordance with the following:

- **a)** Limited to one (1) SHIPPING CONTAINER per LOT in Residential LAND USE DISTRICTS;
- **b)** Not permitted in YARD – FRONT, (permitted in YARD – SIDE and YARD – REAR only);
- **c)** Considered as an ACCESSORY BUILDING OR STRUCTURE;
- **d)** Storage of items excludes DANGEROUS OR HAZARDOUS GOODS;
- **e)** Must conform to specific SETBACKS within the LAND USE DISTRICT;
- **f)** Exterior finish of SHIPPING CONTAINERS must match or compliment the exterior finish of the PRINCIPAL BUILDING, or be finished to such a standard that is acceptable and approved by the DEVELOPMENT AUTHORITY.

**5.10.4** In the case of a LOT that does not include a BUILDING, SHIPPING CONTAINERS shall be screened from all streets with opaque fencing.

## 5.11 GARBAGE STORAGE

**5.11.1** Garbage storage within Commercial, and Industrial LAND USE DISTRICTS, or as part of a MANUFACTURED HOME COMMUNITY shall:

- **a)** be fully screened with an opaque fence measuring at least 2m/6.5ft. in height;
- **b)** not be located within any required minimum yard, within 6m/19.6ft. of a public street or 2m/6.5ft. of a residential USE; and
- **c)** not have garbage piled higher than the fence designed to screen it.

For an example of garbage storage please see Figure 24.

**5.11.2** Garbage storage associated with DWELLING – MULTIPLE UNIT and ASSISTED LIVING FACILITIES shall be screened with materials that are compatible with and complementary to the primary building materials and overall site design.

**5.11.3** The USE of SHIPPING CONTAINERS for garbage storage is prohibited in all LAND USE DISTRICTS, with the exception of the C-3 and Industrial LAND USE DISTRICTS and shall only be located at the rear of a BUILDING.

## 5.12 ACCESSORY BUILDINGS OR STRUCTURES

**5.12.1** The regulations of this section do not apply to a BUILDING that comprises of a DWELLING - BACKYARD UNIT attached to or above an ACCESSORY BUILDING or GARAGE - DETACHED. Instead, those BUILDINGS must follow the regulations of Section 5.31.

**5.12.2** ACCESSORY BUILDINGS OR STRUCTURES, excluding GARAGE – DETACHED and detached CARPORTS are subject to the requirements outlined in Table 5.2.

**TABLE 5.2** REQUIREMENTS FOR ACCESSORY BUILDINGS OR STRUCTURES

| COMPONENT | RESIDENTIAL DISTRICTS | COMMERCIAL, INDUSTRIAL AND OTHER DISTRICTS |
|---|---|---|
| Minimum distance from PRINCIPAL BUILDING | 2m/6.5ft. | 2m/6.5ft. |
| Combined area of all ACCESSORY BUILDINGS OR STRUCTURES | 15% of the LOT | 20% of the LOT |
| Maximum height | 4.5m/14.7ft. | 6m/19.6ft. for all DISTRICTS except for the Industrial LAND USE DISTRICT which is 16m/52.4ft. or 4 stories. |
| Minimum distance from LOT LINE – REAR abutting a street | The minimum YARD – REAR as prescribed for the LAND USE DISTRICT | The minimum YARD – REAR as prescribed for the LAND USE DISTRICT. |
| Minimum distance from LOT LINE – SIDE and LOT LINE – REAR not abutting a street | 0.6m/1.9ft. | The minimum YARD – SIDE and YARD – REAR as prescribed for the LAND USE DISTRICT. |
| Minimum distance from LOT LINE – FRONT and LOT LINE – FLANKAGE | The minimum YARD – FRONT and YARD – FLANKAGE as prescribed in the LAND USE DISTRICT, and shall not be closer to the LOT LINE – FRONT, than the PRINCIPAL BUILDING. | |

**5.12.3** No ACCESSORY BUILDING OR STRUCTURE shall be used as a DWELLING UNIT, but may be attached to or below a DWELLING - BACKYARD UNIT where permitted.

**5.12.4** An ACCESSORY BUILDING OR STRUCTURE with a FLOOR AREA – GROSS of less than 13m$^2$/139.9.sq.ft. may be located up to 0m/0ft. from a LOT LINE, if the LOT LINE does not have LOT FRONTAGE so long as they do not surpass the LOT LINE.

**5.12.5** GARAGE – DETACHED and detached CARPORTS in Residential LAND USE DISTRICTS are subject to the requirements outlined in Table 5.3.

**TABLE 5.3** REQUIREMENTS FOR GARAGE – DETACHED AND CARPORT

| COMPONENT | REQUIREMENT |
|---|---|
| Minimum distance from PRINCIPAL BUILDING | 2m/6.5ft. |
| Minimum distance from LOT LINE – SIDE and LOT LINE – REAR | 1.2m/3.9ft. |
| Minimum distance from LOT LINE – FRONT | The minimum YARD – FRONT as prescribed for the LAND USE DISTRICT, and at no point shall it be closer to the LOT LINE – FRONT, than the PRINCIPAL BUILDING. |
| Minimum distance from LOT LINE – FLANKAGE | At least 4.5m/14.7ft. from the LOT LINE – FLANKAGE where there is no sidewalk. |
| | 6m/19.6ft. from the face of a GARAGE or CARPORT to the edge of the sidewalk closest to the DEVELOPMENT. |
| Minimum distance from a LOT LINE adjoining a LANE | When ACCESS to the GARAGE – DETACHED or detached CARPORT comes from a LANE: a minimum distance of 1.2m/3.9ft. and a maximum distance of 6m/19.6ft. from the LOT LINE adjoining the LANE. |
| Maximum size | 15% of the LOT AREA |
| Maximum height | 4.5m/14.7ft. |

## 5.13 GARAGES – PORTABLE OR TEMPORARY

**5.13.1** GARAGE – PORTABLE OR TEMPORARY designed for temporary use or storage, in accordance with Articles 5.13.3 and 5.13.4, do not require a DEVELOPMENT PERMIT.

**5.13.2** GARAGE – PORTABLE OR TEMPORARY designed for permanent use or storage, in accordance with Article 5.13.5, will require a DEVELOPMENT PERMIT and are subject to annual inspections by the DEVELOPMENT AUTHORITY to assess the aesthetical condition of the GARAGE – PORTABLE OR TEMPORARY.

**5.13.3** GARAGE – PORTABLE OR TEMPORARY may be permitted within YARD – FRONT on any LOT in all Residential LAND USE DISTRICTS between October 1st and April 30th, inclusive.

**5.13.4** Subject to the applicable SETBACK provisions, GARAGE – PORTABLE OR TEMPORARY may be permitted year-round within YARD – SIDE and YARD – REAR, in all Residential LAND USE DISTRICTS.

**5.13.5** Subject to the applicable SETBACK provisions, GARAGE – PORTABLE OR TEMPORARY may be permitted year-round within YARD – FRONT on any LOT measuring up to 600m$^2$/6,458.35sq.ft. in all Residential LAND USE DISTRICTS.

**5.13.6** GARAGE – PORTABLE OR TEMPORARY cannot be located within or encroach upon TOWN-owned property.

## 5.14 DECKS

**5.14.1** If a DECK is more than 1.5m/4.9ft. above FINISHED GRADE, it must be located at least 5m/16.4ft. from all LOT LINES, unless the DEVELOPMENT AUTHORITY determines that a 5m/16.4ft. separation from all LOT LINES is not required, due to the size of the LOT, distance from neighbouring land USES, LANDSCAPING or combination thereof, which mitigates the potential impact on neighbouring land USES.

**5.14.2** Any ENCLOSED DECK shall be considered part of the PRINCIPAL BUILDING for the purposes of assessing LOT COVERAGE and minimum yard requirements.

## 5.15 FENCES

**5.15.1** The maximum height of a fence in Residential, Commercial and Community USE LAND USE DISTRICTS shall be:

**a)** 1m/3.2ft. in height above the FINISHED GRADE in any YARD – FRONT; and

**b)** 2m/6.5ft. above the FINISHED GRADE in any YARD – SIDE, YARD – REAR or YARD – FLANKAGE.

**5.15.2** Notwithstanding Article 5.15.1, the DEVELOPMENT AUTHORITY may consider a fence exceeding this height in Commercial or Community Use LAND USE DISTRICTS for security or public safety purposes, while having particular regard for the design and appearance of the fence from neighbouring properties and streets.

**5.15.3** Fences in the Industrial LAND USE DISTRICT shall not exceed 2m/6.5ft. in height unless otherwise approved by the DEVELOPMENT AUTHORITY for safety and/or security purposes.

**5.15.4** Notwithstanding all conditions of Section 5.15, no fence is permitted in the YARD – FRONT or YARD – FLANKAGE of a LOT CORNER if, in the opinion of the DEVELOPMENT AUTHORITY, the fence will block or impede traffic sight lines.

**5.15.5** Any fences incorporating barbed wire or other devices for security measures that may cause bodily harm, shall be at the discretion of the DEVELOPMENT AUTHORITY.

**5.15.6** All fences shall be made of a durable material, such as wood, be adequately anchored and fixed to the ground, such that they are freestanding and not supported by any other BUILDING.

**5.15.7** The USE of a chain link fence is only permitted within the Highway Commercial, Community Use and Industrial LAND USE DISTRICTS, unless otherwise approved at the discretion of the DEVELOPMENT AUTHORITY.

**5.15.8** Chain link fences may be approved at the discretion of the DEVELOPMENT AUTHORITY in a LAND USE DISTRICT, not identified in Article 5.15.7, if the USE of LANDSCAPING or other design treatments is incorporated in a manner that provides a consistent or complimentary appearance to fences found within the same LAND USE DISTRICT or neighbourhood.

## 5.16 AIR CONDITIONERS

**5.16.1** A freestanding exterior air conditioner cannot be:

- **a)** located in a YARD – FRONT; or
- **b)** located less than 1m/3.2ft. from LOT LINE – SIDE and LOT LINE – REAR.

## 5.17 FIRE PITS AND BARBECUES

**5.17.1** A fixed outdoor fire pit, barbecue, fireplace or stove shall not be:

- **a)** located in a YARD – FRONT or YARD –FLANKAGE;
- **b)** located less than 3m/9.85ft. from LOT LINE – SIDE and LOT LINE – REAR; or
- **c)** located less than 3m/9.85ft. from any BUILDING.

**5.17.2** An application for an outdoor fire pit shall be made by the registered owner of the LOT on which the fire pit is proposed, or by another person with written consent from the owner, to the DEVELOPMENT AUTHORITY by submitting the following:

- **a)** the Fire Pit Application Form completed and signed; and
- **b)** the fee as set by COUNCIL.

## 5.18 FIRE HYDRANTS

**5.18.1** No fence, driveway, object, BUILDINGS and/or STRUCTURES shall be located within a 1.2m/4ft. radius of a fire hydrant.

## 5.19 HOME OCCUPATIONS

**5.19.1** A HOME OCCUPATION shall:

- **a)** operate as an ACCESSORY USE only and shall not involve a change to the principal character or external appearance of any BUILDINGS and/or STRUCTURES;
- **b)** not involve the storing of materials, commodities or finished products associated with the HOME OCCUPATION outside the DWELLING UNIT or GARAGE;
- **c)** not involve the use of mechanical equipment in connection with the HOME OCCUPATION, unless the equipment is commonly used in a home;
- **d)** in the case of a HOME OCCUPATION involving personal instruction, having no more than five (5) students or customers in attendance at the SITE at any one time;
- **e)** have no person, other than a RESIDENT of the DWELLING UNIT, be employed as part of the HOME OCCUPATION;
- **f)** not be permitted if it produces offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance; and
- **g)** not be permitted if the DEVELOPMENT AUTHORITY determines that such USE would be more suitable within a Commercial or Industrial LAND USE DISTRICT having regard for (among other matters) potential traffic generation and interference with the residential character of the neighbourhood.

**5.19.2** Notwithstanding Clause 5.19.1(e), a replacement worker for a HOME OCCUPATION RESIDENT worker may be allowed during vacation, periods of illness or other similar circumstances deemed appropriate by the DEVELOPMENT AUTHORITY.

**5.19.3** Subject to Article 7.3.1, a HOME OCCUPATION shall be permitted to have one SIGN.

**5.19.4** Notwithstanding Articles 5.19.1 and 5.19.2, HEALTH SERVICES operated as a HOME OCCUPATION shall:

- **a)** be limited to one (1) health professional and two (2) support staff working at any given time;
- **b)** have a minimum of two (2) ON-SITE PARKING STALLS*;*
- **c)** retain a residential character comparable to surrounding properties. In the case of new construction, the BUILDING must be of a residential character equal to, or exceeding, the appearance of surrounding properties and keeping with the intent of the LAND USE DISTRICT; and
- **d)** demonstrate that the USE is limited to that which does not interfere with the rights of other RESIDENTS to a quiet enjoyment of a residential neighbourhood, and in consideration of other RESIDENTS.

**5.19.5** A HEALTH SERVICE may be refused by the DEVELOPMENT AUTHORITY if, at the time of application, the same HEALTH SERVICE exists in a Commercial LAND USE DISTRICT.

**5.19.6** TAXI SERVICE is not considered as a HOME OCCUPATION, and taxi operators are permitted to park individual MOTOR VEHICLES intended for passenger transportation at residential properties.

**5.19.7** Prior to approval, the DEVELOPMENT AUTHORITY may require that an inspection by a Public Health Inspector be conducted for select HOME OCCUPATION types.

## 5.20 BED AND BREAKFAST BUSINESS

**5.20.1** BED AND BREAKFAST BUSINESS establishments shall:

- **a)** have no cooking facilities in a guest room;
- **b)** have a minimum guest room size of $7m^2$/75.34sq.ft. per single occupant and $4.6m^2$/49.51sq.ft. per person for multiple occupants;
- **c)** have at least one (1) window for each guest room; and
- **d)** have sanitation facilities and potable water as required by relevant authorities.

**5.20.2** Prior to approval, the DEVELOPMENT AUTHORITY may require that the following inspections are performed, and associated fees paid:

- **a)** a BUILDING inspection; and
- **b)** an inspection by a Public Health Inspector.

**5.20.3** Subject to Article 7.3.1, a BED AND BREAKFAST BUSINESS shall be permitted to have one SIGN.

## 5.21 DRIVE-THROUGH BUSINESSES

**5.21.1** A DRIVE-THROUGH BUSINESS shall have entrances and exits approved by the DEVELOPMENT AUTHORITY that provides means for circulation within the LOT, which are adequately sign-posted.

**5.21.2** The minimum number of queuing spaces required for a DRIVE-THROUGH BUSINESS shall be in accordance with Table 5.4.

**TABLE 5.4** DRIVE-THROUGH BUSINESS REQUIRED QUEUING SPACES

| DRIVE-THROUGH BUSINESS TYPE | INBOUND QUEUING SPACES | OUTBOUND QUEUING SPACES |
|---|---|---|
| DRIVE-THROUGH RESTAURANT | 11 | 1 |
| FUEL STATION | 5 | 1 |
| AUTOMOTIVE SERVICE, CAR WASH or FINANCIAL INSTITUTION | 3 | 1 |

**5.21.3** All queuing spaces shall be a minimum of 6.5m/21.3ft. in length; and 3m/9.85ft. wide.

**5.21.4** No portion of any DRIVE-THROUGH BUSINESS, including queuing spaces or otherwise, shall be located within any required yard.

**5.21.5** A FUEL STATION shall be subject to the following additional requirements:

**a)** no portion of any pump shall be located closer than 15m/49.2ft. to a street;

**b)** all canopies shall meet all minimum SETBACK requirements; and

**c)** no driveway be located within 9m/29.5ft. of another driveway, or within 15m/49.2ft. of a street intersection.

## 5.22 EASEMENTS

**5.22.1** A DEVELOPMENT PERMIT shall not be issued for a DEVELOPMENT, other than a fence, that encroaches into or over a utility EASEMENT or right-of-way, without written consent from the EASEMENT owner, and/or the utility line owner.

## 5.23 PRIVATE SWIMMING POOLS

**5.23.1** Notwithstanding any other provision of this BYLAW, a DEVELOPMENT PERMIT is required prior to the installation of a permanent belowground private swimming pool, or a BUILDING or STRUCTURE constructed to enclose a swimming pool or hot tub..

**5.23.2** Every private swimming pool and hot tub must be within an enclosed BUILDING, unless it is located within an entirely fenced YARD – REAR or YARD – SIDE.

**5.23.3** Private swimming pools and hot tubs shall not be located within a YARD – FRONT.

**5.23.4** Every fence enclosing a private swimming pool or hot tub, constructed outside of an enclosed BUILDING or STRUCTURE, shall be 2m/6.5ft. in height or, at the discretion of the DEVELOPMENT AUTHORITY, higher. All fences:

**a)** shall be of appropriate design to limit the ability of persons to use the fence parts to climb the fence or crawl under the fence;

**b)** shall be equipped with a gate that has a self-latching device, and lock mechanism located on the inside of the gate; and

**c)** no barbed wire or electrification of any part of a fence or gate enclosing a swimming pool or hot tub shall be permitted.

**5.23.5** All private swimming pools and hot tubs, located within a new or existing enclosed BUILDING or STRUCTURE, must comply with the requirements of the *National Building Code – Alberta Edition.*

## 5.24 MORE THAN ONE MAIN PRINCIPAL BUILDING ON A LOT

**5.24.1** Any DEVELOPMENT involving more than one PRINCIPAL BUILDING except for DWELLING - MULTIPLE UNITS, DWELLING – TOWNHOUSES, or MIXED-USE BUILDINGS on a LOT is a DISCRETIONARY USE in all LAND USE DISTRICTS and must:

- **a)** provide adequate spacing between BUILDINGS, consistent with the minimum yard requirements within the LAND USE DISTRICT; and
- **b)** where applicable, conform to requirements of the *Condominium Property Act.*

**5.24.2** In addition to Article 5.24.1, when considering a DEVELOPMENT involving more than one PRINCIPAL BUILDING on a LOT, the DEVELOPMENT AUTHORITY will consider the following:

- **a)** design to support human-scale development, with particular attention to pedestrian safety, accessibility, and overall site connectivity;
- **b)** use of LANDSCAPING to enhance the appearance of PARKING LOTS or limiting the visual dominance of driveways;
- **c)** potential traffic impacts;
- **d)** scale and design of the BUILDINGS relative to surrounding DEVELOPMENTS; and
- **e)** the use of design elements to minimize the visual impact of blank walls and continuous rooflines.

## 5.25 ALTERNATIVE ENERGY TECHNOLOGY

### GENERAL REQUIREMENTS

**5.25.1** All ALTERNATIVE ENERGY TECHNOLOGIES shall be approved at the discretion of the DEVELOPMENT AUTHORITY and reviewed to ensure the proposal does not negatively affect the surrounding area in which it is located. The DEVELOPMENT AUTHORITY shall have specific regard for the potential impacts of:

- **a)** noise and/or vibrations associated with ALTERNATIVE ENERGY TECHNOLOGY;
- **b)** the visual appearance from neighbouring properties and streets;
- **c)** the casting of shadows on neighbouring properties;
- **d)** any smell associated with the ALTERNATIVE ENERGY TECHNOLOGY;
- **e)** the ALTERNATIVE ENERGY TECHNOLOGY on existing municipal infrastructure including streets; and
- **f)** the ALTERNATIVE ENERGY TECHNOLOGY on the overall design and aesthetics of a BUILDING and/or STRUCTURE relative to surrounding DEVELOPMENTS.

**5.25.2** The proposed installation of any ALTERNATIVE ENERGY TECHNOLOGY system, device or STRUCTURE shall require the issuance of a DEVELOPMENT PERMIT and any other applicable Municipal permits. In addition to the requirements for DEVELOPMENT PERMITS outlined in Subsection 4.3, the DEVELOPMENT AUTHORITY may also require:

- **a)** confirmation that all necessary and applicable Provincial and Federal regulations and approvals have been met;
- **b)** methods of SCREENING shall be used to ensure that all ALTERNATIVE ENERGY

TECHNOLOGIES visually blend with the surrounding natural and built environment in which they are situated; and

**c)** technical drawings or studies relating to the proposed ALTERNATIVE ENERGY TECHNOLOGY STRUCTURE required to address items outlined in Article 5.25.1.

**5.25.3** There shall be no aboveground portion of an ALTERNATIVE ENERGY TECHNOLOGY located in a YARD – FRONT or the minimum required YARD – SIDE of the BUILDING and/or STRUCTURE as specified in the LAND USE DISTRICT.

**5.25.4** No advertising, except for a manufacturer's logo, shall be visible on any ALTERNATIVE ENERGY TECHNOLOGY.

**5.25.5** Under no circumstances will the DEVELOPMENT AUTHORITY approve a DEVELOPMENT application that includes a SMALL WIND ENERGY SYSTEM.

### SOLAR COLLECTORS

**5.25.6** A SOLAR COLLECTOR may be located on the roof or wall of a BUILDING and/or STRUCTURE, or ground mounted in a YARD – SIDE, provided the STRUCTURE complies with the minimum YARD – SIDE requirements of the LAND USE DISTRICT.

**5.25.7** A SOLAR COLLECTOR mounted on a roof must not extend beyond the outermost edge of the roof or above the peak of the roof.

**5.25.8** A SOLAR COLLECTOR that is mounted on a wall may project a maximum of:

**a)** 1.5m/4.9ft. from the surface of that wall, when the wall is facing a LOT LINE – REAR; and

**b)** in all other cases, 0.6m/1.9ft. from the surface of that wall.

**5.25.9** Notwithstanding Article 5.25.8, a SOLAR COLLECTOR may have a 0m/0ft. from the LOT LINE – REAR if located within the Industrial LAND USE DISTRICT.

## 5.26 TELECOMMUNICATIONS STRUCTURES

**5.26.1** All telecommunications structures require a DEVELOPMENT PERMIT.

**5.26.2** Telecommunications structures will be considered a DISCRETIONARY USE within all LAND USE DISTRICTS.

**5.26.3** All telecommunications structure permit applications shall include a SITE plan drawn to an appropriate scale identifying SITE boundaries; tower elevations; guy wire anchor locations; existing and proposed STRUCTURES; vehicular PARKING and ACCESS; existing vegetation to be retained, removed or replaced; the uses and STRUCTURES on the PARCEL and abutting PARCELS.

**5.26.4** A telecommunications structure base shall be SETBACK from abutting PARCELS and roadways as required by the DEVELOPMENT AUTHORITY.

**5.26.5** The appearance of a telecommunications structure, including but not limited to, LANDSCAPING and fencing, shall be to the satisfaction of the DEVELOPMENT AUTHORITY.

**5.26.6** The DEVELOPMENT AUTHORITY may require the applicant for a telecommunications structure to undertake community consultation prior to the submission of an application. The applicant would be required to submit a summary of their community consultation process and findings with the application, including how any concerns will be addressed and mitigated.

## 5.27 HELICOPTER LANDING PADS

**5.27.1** All HELICOPTER LANDING PADS require a DEVELOPMENT PERMIT.

**5.27.2** HELICOPTER LANDING PADS will be considered a DISCRETIONARY USE on all PARCELS within a Community Use LAND USE DISTRICT.

**5.27.3** HELICOPTER LANDING PADS will be considered a DISCRETIONARY USE in the Industrial LAND USE DISTRICT, only within:

**a)** PARCELS located on both sides of 92 Street from 98 Avenue to 114 Avenue, inclusive of Plan 8320882, Block 4, Lot B; or

**b)** PARCELS located north of 105 Avenue, south of 98 Avenue, and east of the Canadian National Railway line.

**5.27.4** The specifications and design elements of all HELICOPTER LANDING PADS must meet and maintain the minimum requirements as established by the *Canadian Aviation Regulations*.

**5.27.5** The minimum SETBACK from all BUILDING and STRUCTURES for HELICOPTER LANDING PADS shall be the diameter of the helicopter's primary rotor blade, plus 3m/9.84ft.

**5.27.6** The minimum SETBACK from the LOT LINE – FRONT shall be 20m/65.61ft. to the edge of the HELICOPTER LANDING PAD.

**5.27.7** The minimum SETBACK from all LOT LINE – SIDE shall be 10m/32ft. to the edge of the HELICOPTER LANDING PAD.

**5.27.8** All proposed operations related to HELICOPTER LANDING PADS, must conform to all mandatory *Canadian Aviation Regulations.*

**5.27.9** The operations of all HELICOPTER LANDING PADS must function in a manner that mitigates all potential noise, dust control and nuisance issues that may affect adjacent landowners.

## 5.28 AIRPORT RESTRICTION AREA

**5.28.1** The following requirements apply to all land and land use districts shown in the AIRPORT RESTRICTION AREA unless otherwise stated. No DEVELOPMENT shall be exempt from adhering to the requirements of the AIRPORT RESTRICTION AREA.

**5.28.2** Commercial airport-related DEVELOPMENT shall not be permitted unless otherwise located at a municipally approved site.

**5.28.3** Private airstrips shall not be permitted within the AIRPORT RESTRICTION AREA.

**5.28.4** The DEVELOPMENT AUTHORITY shall not allow DEVELOPMENT within the AIRPORT RESTRICTION AREA that may be negatively impacted by air travel or may impede the current operation and future DEVELOPMENT of the High Level Airport.

**5.28.5** The DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD may issue a DEVELOPMENT PERMIT with or without any conditions under these restrictions for any DEVELOPMENT that involves a USE that is classified as “YES” in Table 5.6, or if the USE is similar in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD, and meets other requirements and uses of the Land Use Bylaw.

**5.28.6** The DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD may permit a DEVELOPMENT that involves a USE classified as “A,” “B,” or “C” in Table 5.6, or if the USE is similar in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD, only if the appropriate conditions specified by that classification have been met or are prescribed as a condition on the DEVELOPMENT PERMIT.

**5.28.7** The DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall not permit a DEVELOPMENT if that USE is classified as “NO” within Table 5.6 of this section, or if the USE is similar in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD to a prohibited use, or involves a use that is not listed in Table 5.6.

**5.28.8** A USE listed in Table 5.6 includes ACCESSORY USES and ACCESSORY BUILDINGS or STRUCTURES unless otherwise noted.

**5.28.9** A DEVELOPMENT PERMIT shall not be issued for a DEVELOPMENT in any LAND USE DISTRICT if the proposed DEVELOPMENT exceeds the maximum elevation specified on Map 3 of APPENDIX 1 or as indicated on the Certificate of Title for the subject property.

**5.28.10** No DEVELOPMENT, especially those including a TRANSMITTING STATION, shall be allowed in the AIRPORT RESTRICTION AREA which would, in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD, negatively affect communication and electronic facilities necessary to the operation of a commercial airport.

**5.28.11** No DEVELOPMENT, except for critical infrastructure as deemed by a municipal, provincial, or federal government, shall be allowed within the AIRPORT RESTRICTION AREA that would result in an increased presence of birds at or around a commercial airport.

**5.28.12** Additional conditions and requirements shall be placed on all DEVELOPMENTS that fall within a NOISE EXPOSURE FORECAST CONTOUR as outlined in Table 5.6. DEVELOPMENTS for USES not listed in table 5.6 and which are not similar in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall be classified at the discretion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

a) All USES with the "YES" classification shall be permitted.
b) All USES with the "NO" classification shall not be permitted.
c) All USES with the "A" classification shall only be approved if the DEVELOPMENT AUTHORITY is satisfied that acoustic insulation features, if required, have been considered and included in the building design.
d) All USES with the "B" classification in Table 5.6 shall be made aware that they fall within the respective NOISE EXPOSURE FORECAST CONTOUR and should consider implementing internal acoustic insulation features.
e) All USES with the "C" classification in Table 5.6 shall only be permitted if they are related directly to aviation-oriented activities or services and shall only be approved if the DEVELOPMENT AUTHORITY is satisfied that acoustic insulation features, if required, have been considered and included in the building design.

Existing DEVELOPMENTS for USES with the "NO" classification are permitted to renovate or improve these DEVELOPMENTS so long as no structural changes are undertaken.

**TABLE 5.6** LAND USE CLASSIFICATIONS RELATED TO NOISE EXPOSURE FORECAST CONTOURS

| **Airport** | | | | | |
|---|---|---|---|---|---|
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| HANGERS AND TERMINAL FACILITIES | YES | YES | YES | YES | YES |
| HELICOPTER LANDING PAD | YES | YES | YES | YES | YES |
| **Residential** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| All Residential Uses | NO | NO | NO | A | YES |
| All Temporary/Industrial Accommodations | NO | NO | NO | A | YES |
| **Agriculture** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| AGRICULTURE | YES | YES | YES | YES | YES |
| **Commercial** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| AUTOMOTIVE SALES & RENTALS | B | B | B | B | YES |
| RECREATIONAL VEHICLE SALES AND SERVICE | B | B | B | B | YES |
| RESTAURANT | C | C | B | B | YES |
| RETAIL - CONVENIENCE | C | C | B | B | YES |
| RETAIL - GENERAL | C | C | B | B | YES |
| **Industrial / Utilities** | | | | | |

| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25-Area |
|---|---|---|---|---|---|
| ALTERNATIVE ENERGY TECHNOLOGY | YES | YES | B | B | YES |
| BULK OIL, FUEL, AND CHEMICAL STORAGE | YES | YES | YES | YES | YES |
| INDUSTRIAL OPERATION | B | B | B | B | YES |
| LOGGING SERVICE | B | B | B | B | YES |
| LUMBER YARD | B | B | B | B | YES |
| PUBLIC USE | YES | YES | YES | YES | YES |
| SHIPPING CONTAINER | YES | YES | YES | YES | YES |
| TRANSMITTING STATION | YES | YES | YES | YES | YES |
| WAREHOUSE | YES | YES | YES | YES | YES |
| **Public / Recreational** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25-Area |
| CAMPGROUND | NO | NO | NO | A | YES |
| CEMETERY | NO | NO | NO | NO | YES |
| EMERGENCY SERVICES FACILITY | YES | YES | YES | YES | YES |
| EXHIBITION GROUNDS | NO | NO | NO | NO | YES |
| GOVERNMENT SERVICES | C | C | YES | B | YES |
| NON-PROFIT COMMUNITY SUPPORT SERVICES | C | C | C | B | YES |
| PUBLIC PARKS & PLAYGROUNDS | NO | NO | NO | YES | YES |
| RECREATIONAL SERVICES, OUTDOOR | NO | NO | NO | YES | YES |
| RECREATIONAL SERVICES, INDOOR | NO | NO | NO | YES | YES |
| TOURIST INFORMATION FACILITY | C | C | C | B | YES |
| PUBLIC PARKS & PLAYGROUNDS | NO | NO | NO | YES | YES |
| **Other** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25-Area |
| ACCESSORY BUILDINGS AND STRUCTURES | YES | YES | YES | YES | YES |
| BUILDING – MOVED IN | C | C | B | B | YES |
| SIGNAGE | YES | YES | YES | YES | YES |

## 5.29 MIXED-USE BUILDINGS

5.29.1 MIXED-USE BUILDINGS shall not have:

**a)** commercial units directly above DWELLING UNITS;

**b)** DWELLING UNITS in a BASEMENT; nor

**c)** DWELLING UNITS on any portion of the GROUND FLOOR that faces an arterial road.

5.29.2 ACCESS to the residential and non-residential portions of a MIXED-USE BUILDING must be separate, without passage required through one unit type to access the other. The number of required ACCESSES must be in accordance with the *National Building Code – Alberta Edition*.

## 5.30 DWELLING - SECONDARY SUITES

5.30.1 There may only be up to one DWELLING – SECONDARY SUITE per principal DWELLING UNIT in the PRINCIPAL BUILDING.

5.30.2 DWELLING – SECONDARY SUITES may only be permitted within or attached to a:
a) DWELLING – SINGLE DETACHED; or
b) DWELLING – DUPLEX; or
c) DWELLING – TOWNHOUSE.

5.30.3 A DWELLING – SECONDARY SUITE must have a FLOOR AREA that is less than the principal DWELLING UNIT, unless the DWELLING – SECONDARY SUITE is predominantly within a BASEMENT;

5.30.4 A DWELLING – SECONDARY SUITE:
a) must have cooking, bathroom, and shower/bathing facilities within the unit and access to laundry within the unit or in a common area on the LOT;
b) shall not be separated as a CONDOMINIUM or by SUBDIVISION;
c) must have a continuous HARD-SURFACED path at least 0.9m/3.0ft. wide that leads from the external entrance of the DWELLING – SECONDARY SUITE to a public sidewalk. If there is no public sidewalk abutting the LOT, then the path must lead to a PUBLIC ROADWAY that is not a LANE; and
d) may be part of the original design and construction of the associated principal DWELLING UNIT, or may be added subsequently through interior renovation or by constructing an addition to the BUILDING.

## 5.31 DWELLING - BACKYARD UNITS

5.31.1 There may only be one (1) DWELLING – BACKYARD UNIT per principal DWELLING UNIT in the PRINCIPAL BUILDING.

5.31.2 A DWELLING – BACKYARD UNIT may only be permitted on a LOT where the PRINCIPAL BUILDING is either a:
a) DWELLING – SINGLE DETACHED; or
b) DWELLING – DUPLEX; or
c) DWELLING – TOWNHOUSE.

5.31.3 A DWELLING – BACKYARD UNIT may not be any closer to the LOT LINE – FRONT than the PRINCIPAL BUILDING. For any PRINCIPAL BUILDING that has a front entrance facing the LOT LINE – FLANKAGE, a DWELLING – BACKYARD UNIT may not be any closer to the LOT LINE – FLANKAGE than the PRINCIPAL BUILDING.

5.31.4 A DWELLING – BACKYARD UNIT must be separated from any other BUILDING on the LOT by at least 2m/6.6ft. and must be separated by at least 4m/13.1ft. from any other DWELLING UNIT within the LOT.

5.31.5 A DWELLING – BACKYARD UNIT shall comply with the following BUILDING HEIGHT regulations:
a) The maximum BUILDING HEIGHT shall not exceed the height of the PRINCIPAL BUILDING

on the same LOT;

b) In all cases, the maximum BUILDING HEIGHT shall not exceed 6.8m/22.3ft.;
c) Where the LOT LINE – REAR directly abuts a LOT designated R-1 and there is no intervening LANE, the maximum BUILDING HEIGHT shall be reduced to 4.6m/15.1ft.

5.31.6 The maximum FLOOR AREA – GROSS of a DWELLING – BACKYARD UNIT is 70m$^2$/753.5sq.ft. of habitable space plus an additional 70m$^2$/753.5sq.ft. for a GARAGE if attached.

5.31.7 A DWELLING – BACKYARD UNIT may be constructed on-site or be pre-fabricated but may not be on a chassis. A DWELLING – BACKYARD UNIT must be placed on a permanent foundation, with design and aesthetic qualities that are complimentary to the surrounding context and to the satisfaction of the DEVELOPMENT AUTHORITY.

5.31.8 A DWELLING – BACKYARD UNIT:

a) must have cooking, bathroom, and shower/bathing facilities within the unit and access to laundry within the unit or in a common area on the LOT;
b) shall not be separated as a CONDOMINIUM or by SUBDIVISION;
c) must have a continuous HARD-SURFACED path at least 0.9m/3.0ft. wide that leads from the external entrance of the DWELLING – SECONDARY SUITE to a public sidewalk. If there is no public sidewalk abutting the LOT, then the path must lead to a PUBLIC ROADWAY that is not a LANE;
d) may have a BASEMENT, but may not have a kitchen within the BASEMENT;
e) if attached to a GARAGE, the DWELLING UNIT must have a separate and independent entrance, not including a garage door; and
f) shall not be built before there is a principal DWELLING UNIT on the LOT, but may be built concurrently with a principal DWELLING UNIT; a DWELLING – BACKYARD UNIT may only be inhabited before the principal DWELLING UNIT is constructed if the foundation of the principal DWELLING UNIT has been completed and framing is underway.

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# 6.0 PARKING AND LOADING REQUIREMENTS

## 6.1 PARKING REQUIREMENTS

**6.1.1** ON-SITE PARKING shall be provided in accordance with the requirements set out in Table 6.1. All required PARKING STALLS must be provided on the same LOT as the DEVELOPMENT.

**TABLE 6.1** MINIMUM ON-SITE PARKING STALL REQUIREMENTS

| LAND USE TYPE | MINIMUM REQUIREMENTS |
|---|---|
| Residential USES | • 2 stalls per DWELLING UNIT for DWELLING – SINGLE DETACHED, DWELLING – DUPLEX, and all definitions of manufactured homes.<br>• 1 stall per DWELLING UNIT for all other residential USES.<br>• For DEVELOPMENTS containing 10 or more DWELLING UNITS, visitor stalls shall be provided at a minimum ratio of 1 stall per 10 DWELLING UNITS, unless, in the opinion of the DEVELOPMENT AUTHORITY, a lack of visitor stalls would not significantly impact surrounding street parking. Developers are encouraged to exceed this minimum ratio when site capacity allows.<br>• DWELLING – SECONDARY SUITE and DWELLING – BACKYARD UNIT may be exempt from providing off-street parking where, in the opinion of the DEVELOPMENT AUTHORITY, there is adequate street parking abutting the LOT. |

| | |
|---|---|
| Schools and Daycares | • 1 PARKING STALL per employee and 1 additional stall per 10 children/students (based on designed building capacity).<br>• Where an adequate pick-up and drop-off loop is provided the DEVELOPMENT AUTHORITY may waive the requirement for 1 additional stall per 10 children (except for High Schools).<br>• Dedicated bus PARKING may be required at the discretion of the DEVELOPMENT AUTHORITY. |
| Commercial or Community USES with Fixed Seats | • 1 PARKING STALL per employee and 1 additional stall per 10 seating spaces. |
| Commercial or Community USES with Appointment Rooms | • 1 PARKING STALL per employee and 1 additional stall per appointment room. |
| Hotels/Motels | • 1 PARKING STALL per employee, 1 additional stall per guest room.<br>• Dedicated large truck or truck and trailer PARKING may be required at the discretion of the DEVELOPMENT AUTHORITY. |
| All Other USES | • 1 PARKING STALL per employee and 1 additional stall per 50m2/538sq.ft. of building space accessible by the public or clients.<br>• For industrial DEVELOPMENTS, the DEVELOPMENT AUTHORITY may waive or decrease the requirement for additional PARKING STALLS, if in the opinion of the DEVELOPMENT AUTHORITY, the DEVELOPMENT is not expected to generate significant customer traffic.<br>• Dedicated large truck or truck and trailer PARKING may be required at the discretion of the DEVELOPMENT AUTHORITY. |

**6.1.2** The DEVELOPMENT AUTHORITY may reduce or eliminate required ON-SITE PARKING specified in Article 6.1.1 for commercial and community USES if it is deemed that:

a) There is sufficient street parking along the LOT FRONTAGE or LOT LINE – FLANKAGE; or,

b) There is a municipal or paid PARKING LOT within 50m/164.0ft. of the DEVELOPMENT that, in the opinion of the DEVELOPMENT AUTHORITY, has sufficient capacity.

**6.1.3** In assessing Article 6.1.1, and at the discretion of the DEVELOPMENT AUTHORITY, the number of PARKING STALLS provided for DWELLING UNITS in residential LAND USE DISTRICTS shall include those located within GARAGES, CARPORTS, and driveways, based on the number of stalls that can be reasonably accommodated within these areas. Each DWELLING UNIT must have access to at least one (1) PARKING STALL that is not double-parked; any stalls that do not allow unobstructed access will not be counted toward the required total.

**6.1.4** Where a DEVELOPMENT includes multiple uses outlined in Article 6.1.1, the total number of minimum PARKING STALLS shall be the combination of each use.

**6.1.5** Where parking requirements are based on the number of employees, the required number of PARKING STALLS shall be determined by the maximum number of employees present during

peak operating times, as declared by the applicant and to the satisfaction of the DEVELOPMENT AUTHORITY.

**6.1.6** Where a DEVELOPMENT includes multiple uses with different peak usage times, the DEVELOPMENT AUTHORITY may approve a minimum number of PARKING STALLS equal to the use with the largest minimum parking requirements.

**6.1.7** If a calculation of required PARKING STALLS results in a fractional number, the number shall be rounded upwards to the next whole number.

**6.1.8** When a BUILDING and/or STRUCTURE is enlarged, altered, or a CHANGE OF USE occurs that intensifies the USE of an existing BUILDING and/or STRUCTURE, provisions shall be made for additional PARKING STALLS to bring the DEVELOPMENT in compliance with Article 6.1.1.

**6.1.9** The increase in PARKING STALLS required under Article 6.1.8 may be waived if the DEVELOPMENT AUTHORITY determines that the absence of the required stalls would not significantly impact traffic flow or surrounding properties.

**6.1.10** DEVELOPMENTS with 15 or more PARKING STALLS must provide barrier-free parking at a rate of 10% (up to four total), unless otherwise specified or exempt in the *National Building Code – Alberta Edition.* Barrier-free stalls must meet the width, access, and design requirements outlined in the *National Building Code – Alberta Edition.*

**6.1.11** The DEVELOPMENT AUTHORITY may require that up to 10% of PARKING STALLS (up to four (4) total), be designated as Parent with Child parking for commercial or community use DEVELOPMENTS expected to attract families. These stalls must be at least 3.5m/11.5ft. wide and clearly marked with appropriate signage.

**6.1.12** PARKING STALLS on private LOTS shall not be designed in a way that allows MOTOR VEHICLES leaving the PARKING STALLS to back onto arterial or collector roads, except where those PARKING STALLS are part of a private residential driveway.

**6.1.13** Where a PARKING LOT is required, it shall be designed, located, and constructed so that:

a) there is a legal means of MOTOR VEHICLE ACCESS;
b) MOTOR VEHICLES leaving the PARKING LOT do not back directly from a parking stall into a roadway;
c) it is in accordance with an approved lot grading and drainage plan prepared by a registered engineer;
d) it can be properly maintained and cleared of snow; and
e) it is to the satisfactory to the DEVELOPMENT AUTHORITY in size, shape, location, and construction.

**6.1.14** Where, in the opinion of the DEVELOPMENT AUTHORITY a DEVELOPMENT is likely to cause increased traffic congestion on nearby roads or LANES, the DEVELOPMENT AUTHORITY may require the property owner and/or developer to submit a Traffic Impact Assessment. Based on the findings of the Traffic Impact Assessment, the DEVELOPMENT AUTHORITY may require the property owner and/or developer to enter into a DEVELOPMENT AGREEMENT. This agreement may include the obligation for the property owner and/or developer to fund necessary upgrades to the surrounding roadways to accommodate the increased traffic congestion caused by the DEVELOPMENT.

**6.1.15** Provided PARKING STALLS and aisles shall be in accordance with table 6.2 unless otherwise specified or required by other legislation.

**TABLE 6.2** PARKING STALL DIMENSIONS

| ANGLE (In degrees from road or aisle) | MINIMUM WIDTH | MINIMUM LENGTH |
|---|---|---|
| 0 | 2.8m/9.2ft. | 7.0m/23.0ft. |
| 45/60 | 2.8m/9.2ft. | 5.8m/19.0ft. |
| 90 | 2.8m/9.2ft. | 5.8m/19.0ft. |

**6.1.16** Where a PARKING STALL is directly adjacent to a wall or other barrier, the minimum stall width shall be 3.1m/10.2ft.

**6.1.17** Where a PARKING STALL has direct access from a lane or alley, the minimum stall depth shall be 7m/23.0ft.

**TABLE 6.3** PARKING LOT ASILE DIMENSIONS

| TYPE OF TRAFFIC | DRIVEWAYS OR MANEUVERING AISLES | TYPE OF VEHICLE MOVEMENTS |
|---|---|---|
| One-Way Passenger | 3.6m/11.8ft. | 0/45 Degrees: 3.6m/11.8ft.<br>60 Degrees: 5.5m/18.0ft.<br>90 Degree: 7m/23.0ft. |
| Two-Way Passenger | 7m/23.0ft. | 7 m/23.0ft. |
| One-Way Non-Passenger | 4.6m/15.1ft. | 9m/29.5ft. |
| Two-Way Non-Passenger | 9m/29.5ft. | 9m/29.5ft. |

**6.1.18** All PARKING LOT aisles must meet the minimum width requirements for passenger traffic as specified in Table 6.3. If the DEVELOPMENT AUTHORITY determines that a significant portion of traffic will consist of non-passenger vehicles, the DEVELOPMENT AUTHORITY may require aisle widths to accommodate non-passenger traffic.

## 6.2 OFF-STREET PARKING, ACCESS, AND LOCATION

**6.2.1** Where a DEVELOPMENT involves off-street PARKING, it shall be treated and finished, including the whole area contained within a PUBLIC RIGHT-OF-WAY, in accordance with Table 6.4.

**TABLE 6.4** OFF-STREET PARKING STALL AND AISLE TREATMENTS

| LAND USE TYPE | TREATMENT/LOCATION |
|---|---|
| Residential USES | All new driveways, parking pads, and PARKING LOTS with direct access to a HARD-SURFACED road shall be HARD-SURFACED within one (1) year of occupancy. Driveways, parking pads, and PARKING LOTS accessed from a LANE need not be HARD-SURFACED, but shall be of a surface that is |

| | |
|---|---|
| | easily maintainable and minimizes the carrying of dirt or foreign matter upon the highway or road.<br><br>Off-street PARKING LOTS shall not be located in the YARD – FRONT. The DEVELOPMENT AUTHORITY may waive this requirement, if in the opinion of the DEVELOPMENT AUTHORITY:<br>a) SITE conditions do not permit rear PARKING; or<br>b) PARKING in the YARD – FRONT is compatible with adjacent properties. |
| All Other USES | Where ACCESS to a lot is HARD-SURFACED, PARKING and aisles in front of the PRINICIPAL BUILDING shall be HARD-SURFACED with a comparable material. Parking at the side or rear of the BUILDING need not be HARD-SURFACED, but shall be of a surface that is easily maintainable and minimizes the carrying of dirt or foreign matter upon the highway or road. |

**6.2.2** Where, in the opinion of the DEVELOPMENT AUTHORITY, the lack of a HARD-SURFACED treatment would not negatively impact the quality of nearby highways or roads, the DEVELOPMENT AUTHORITY may waive the requirements of Table 6.4.

**6.2.3** The DEVELOPMENT AUTHORITY may require a lot grading and drainage plan prepared by a qualified professional engineer in alignment with Section 5.6 for a driveway, parking pad, or PARKING LOT.

**6.2.4** All curb and/or sidewalk cuts or removals to facilitate access to a property shall require an Access Approach Application and shall be replaced and constructed with concrete to the Town's Municipal Engineering and Construction Standards. Each curb cut shall not exceed 11m/36ft, unless otherwise approved by the DEVELOPMENT AUTHORITY.

**6.2.5** The number of driveways or accesses required to access off-street PARKING shall not exceed two (2) unless otherwise approved by the DEVELOPMENT AUTHORITY.

**6.2.6** ACCESS to an off-street PARKING LOT shall be SETBACK a minimum distance of:
a) 15.0m/49.2ft. from the intersection of the street rights-of-way;
b) 20.0m/65.6ft. from an ACCESS associated with the same DEVELOPMENT; and
c) 6.0m/19.6ft. from an ACCESS associated with a DEVELOPMENT on a different property.

**6.2.7** The sides of driveway approaches crossing sidewalks or BOULEVARDS may be constructed on an angle with the curb line, but in no case should the angle between the curb and the driveway be less than 30 degrees perpendicular to the PUBLIC ROADWAY.

**6.2.8** PARKING STALLS must be set back a minimum of 1.5m/4.9ft. from building entrances and exits to ensure safe and unobstructed pedestrian access. DEVELOPMENTS must provide designated pedestrian access leading to building entrances and exits to the DEVELOPMENT AUTHORITY'S satisfaction. These pathways should be direct, continuous, and clearly defined.

## 6.3 LOADING SPACE

**6.3.1** The DEVELOPMENT AUTHORITY may require non-residential DEVELOPMENTS that involve regular delivery or shipping of goods to provide designated LOADING SPACES. LOADING SPACES must be designed and located to ensure that all delivery or shipping vehicles can park and maneuver entirely within the SITE before accessing adjacent streets.

**6.3.2** The number, size, and location of LOADING SPACES shall be appropriate for the scale and nature of the DEVELOPMENT. When required by the DEVELOPMENT AUTHORITY per Article 6.3.1, a LOADING SPACE must have a minimum width of 3.0m/9.85ft., depth of 9.0m/29.5ft, and overhead clearance of 4.3m/14.1ft. LOADING SPACES must be clearly marked, accessible, and designed to minimize conflicts with pedestrian and MOTOR VEHICLE circulation.

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# 7.0 SIGN CONTROL

## 7.1 GENERAL SIGNAGE CRITERIA

**7.1.1** No SIGN shall be erected, operated, used or maintained which:

- **a)** due to its position, shape, colour, format or illumination obstruct the view of, or may be confused with, an official traffic SIGN, signal or device, as determined by the DEVELOPMENT AUTHORITY;
- **b)** displays lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles;
- **c)** obstructs the use of a fire escape, door, window or other required exit;
- **d)** projects over or rests upon any part of a PUBLIC RIGHT-OF-WAY or public sidewalk, except a SIGN – FASCIA or SIGN – CANOPY, unless otherwise permitted in this BYLAW;
- **e)** extend more than 45cm/17.7in above the roof line or parapet of the BUILDING or the top of the marquee or canopy, nor shall it extend beyond the end of the wall, marquee or canopy that it is attached to;
- **f)** is attached to a tree;
- **g)** is a SIGN – ILLUMINATED which creates a nuisance to surrounding residential properties;
- **h)** is a SIGN – ROOF; and
- **i)** is an OFF-SITE SIGN, except a SIGN giving general warning or direction to the public.

**7.1.2** The provisions of this BYLAW, with respect to existing SIGNS that do not conform to the BYLAW at the time of its effective date, shall not be construed to have a retroactive effect. The exception to this rule is a non-conforming SIGN that is relocated, altered, or removed, which is then required to comply with the provisions of this BYLAW. The provisions of this Section shall not exempt the owner of a non-conforming SIGN from the obligation for required maintenance of a SIGN.

**7.1.3** No SIGN shall be painted upon, cover a fence or a roof.

**7.1.4** Unless otherwise specified in this BYLAW, the following SETBACKS are to be adhered to for all SIGNAGE:

- **a)** Located a minimum of 1.5m/4.9ft. from any LOT LINE;
- **b)** Located a minimum of 3m/9.85ft. from any ACCESS to the SITE;
- **c)** Located a minimum of 6m/19.6ft. from an intersection; and
- **d)** no higher than 3m/9.85ft. above FINISHED GRADE.

**7.1.5** No person shall place permanent or TEMPORARY SIGNAGE on Town-owned land or a PUBLIC RIGHT-OF-WAY without an approved Sign Permit.

## 7.2 SIGN AREA CALCULATIONS

**7.2.1** For the purposes of determining the total permitted SIGN AREA*:*

- **a)** the SIGN AREA is the total sum of the surface area of the SIGN FACE, in the direction of its largest dimension as shown in Figure 19.
- **b)** in the case of SIGN – FASCIA featuring individual letters affixed to a BUILDING face, the total SIGN AREA is the sum of the area for each individual letter as shown in Figure 19.
- **c)** when determining the SIGN AREA of a SIGN – DIRECTORY or SIGN – FREESTANDING, the total area of one or more SIGN boxes must be calculated as shown in Figure 19; and
- **d)** each visible face of a SIGN shall be calculated separately and then added together to determine the SIGN AREA.

**7.2.2** No person shall construct, erect, display, alter or relocate a SIGN without an approved Sign Permit from the DEVELOPMENT AUTHORITY, in accordance with this BYLAW.

**7.2.3** No permits shall be issued for a SIGN constructed on a PERMANENT FOUNDATION without an approved BUILDING PERMIT from the DEVELOPMENT AUTHORITY.

**7.2.4** Despite Articles 7.2.1 and 7.2.2, a SIGN permit is not required for:

- **a)** real estate SIGNS for temporary usage, which advertise the property where they are located as being available for immediate sale or lease;
- **b)** construction SIGNS temporarily located on a LOT that identifies the project, owner, architect and/or consulting engineer;
- **c)** advertising upcoming community events;
- **d)** traffic and directional SIGNS authorized by the TOWN;
- **e)** SIGNS less than 900cm$^2$/139.5in$^2$ in area;
- **f)** political election SIGNS;
- **g)** SIGNS posted or exhibited in a BUILDING, including SIGNS inside a window, except for neon or flashing SIGNS;
- **h)** SIGNS posted or exhibited inside a BUILDING;
- **i)** window SIGNS, provided they are not for the purpose of advertising a HOME OCCUPATION or HOME OFFICE;
- **j)** SIGNS erected by the TOWN;
- **k)** GARAGE Sale SIGNS;
- **l)** SIGNS located on a community notice board; and
- **m)** SIGNS identifying a construction or BUILDING DEMOLITION project.

**n)** Temporary SIGNS advertising promotions, sales, or community events, provided that these temporary SIGNS align with the requirements of the LAND USE DISTRICT the SIGN is to be placed in, are displayed for no more than 30 consecutive days, and are not placed within a PUBLIC RIGHT-OF-WAY.

## 7.3 SIGN APPLICATIONS AND PLANS

**7.3.1** An applicant for a SIGN permit shall:

**a)** complete and submit a Sign Permit Application to the DEVELOPMENT AUTHORITY;
**b)** submit plans and specifications of the proposed SIGN and of any supporting framework or anchoring devices;
**c)** submit a SITE plan showing private and PUBLIC RIGHT-OF-WAY boundaries, the location of any existing SIGNS, and the proposed SIGN;
**d)** a list of materials proposed to be used in the construction of the SIGN;
**e)** provide any additional information at the DEVELOPMENT AUTHORITY request, which may include stress-bearing capacities of the SIGN and the equipment used in its placement or support; and
**f)** submit separate permits for each SIGN that a permit is required for, under the provisions of this BYLAW.

## 7.4 ABANDONED AND UNLAWFUL SIGNS

**7.4.1** No person being the owner or lessee of property where a SIGN is located shall permit, suffer or allow a SIGN, its supports, electrical system or anchorage to become UNSIGHTLY, dilapidated or unsafe.

**7.4.2** The DEVELOPMENT AUTHORITY may require the removal of any SIGN that has become UNSIGHTLY, or is in such a state of disrepair as to constitute a hazard to the public. Should the SIGN not be removed within sixty (60) days of receiving a written notification from the TOWN, the TOWN may remove the SIGN at the owner's expense.

**7.4.3** Any SIGN that no longer advertises a genuine business or service on the premises shall be removed by the property owner within sixty (60) days of termination of the business or service. Should the SIGN not be removed within sixty (60) days of receiving a written notification from the TOWN, the TOWN may remove the SIGN at the owner's expense.

## 7.5 SIGNAGE VARIANCES

**7.5.1** The DEVELOPMENT AUTHORITY may permit a proposed SIGN – DIRECTORY, SIGN – FASCIA or SIGN – FREESTANDING to exceed the height, area and projection requirements of this BYLAW through a VARIANCE. When reviewing a VARIANCE application, the DEVELOPMENT AUTHORITY shall consider the following:

**a)** the visual dominance of the SIGN;
**b)** whether the SIGN is out of scale in context to surrounding BUILDINGS and other SIGNAGE in the area;
**c)** the impact on the architectural features of the BUILDING and surrounding environment;
**d)** the impact of SIGNS – ILLUMINATED on the surrounding environment; and
**e)** whether the proposed SIGNAGE impacts pedestrian or vehicular movement.

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# 8.0 ESTABLISHMENT OF LAND USE DISTRICTS

## 8.1 LAND USE DISTRICT CLASSIFICATION

**8.1.1** For the purposes of this BYLAW, all lands within the boundaries of the TOWN shall be divided into the following LAND USE DISTRICTS as indicated in Table 8.1.

**TABLE 8.1** LAND USE DISTRICT CLASSIFICATION

| LAND USE DISTRICT | SYMBOL |
|---|---|
| **RESIDENTIAL** | |
| Low Density Residential Land Use District | R-1 |
| Medium Density Residential Land Use District | R-2 |
| High Density Residential Land Use District | R-3 |
| Manufactured Home – Mobile and Transition Neighbourhood Land Use District | R-4 |
| **COMMERCIAL** | |
| Downtown Commercial Land Use District | C-1 |
| Highway Commercial Land Use District | C-3 |
| **INDUSTRIAL** | |
| Industrial Land Use District | IND |
| **OTHER** | |
| Community Use Land Use District | CU |
| Parks Land Use District | P |
| Agricultural Land Use District | A |
| Reserve Land Use District | RES |

| | |
|---|---|
| Direct Control Land Use District | DC |
| Airport Land Use District | AP |
| Forestry Services | FS |

**8.1.2** Throughout this BYLAW and any amendments thereto, a LAND USE DISTRICT may be referred to, either by its full name or symbol as set out in Table 8.1.

**8.1.3** The Land Use Bylaw Zoning Map, as may be amended or replaced from time to time, is attached to and forming part of this BYLAW as Appendix 1.

**8.1.4** Where uncertainty exists as to the boundary of a LAND USE DISTRICT as shown on the Land Use Zoning Map, the following shall apply:

**a)** where a boundary is shown following a street or LANE, it shall be deemed to follow the centre line of such; or

**b)** where a boundary is shown as approximately following a LOT LINE, or the boundary of the TOWN, it shall be deemed to follow the LOT LINE.

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# 9.0 RESIDENTIAL LAND USE DISTRICTS

## 9.1 R-1 (LOW DENSITY RESIDENTIAL) LAND USE DISTRICT

### INTENT

The R-1 LAND USE DISTRICT is intended to accommodate low-density residential development while supporting the redevelopment of established neighbourhoods. The R-1 LAND USE DISTRICT provides opportunities to gently introduce housing diversity in a manner that is compatible with existing built form, character, and development patterns.

### USES

**TABLE 9.1** PERMITTED AND DISCRETIONARY USES IN THE R-1 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** DWELLING – BACKYARD UNIT;<br>**c)** DWELLING – DUPLEX;<br>**d)** DWELLING – SECONDARY SUITE;<br>**e)** DWELLING – SINGLE DETACHED;<br><br>*On applicable LOT CORNERS (see 9.1.1):*<br>**f)** DWELLING – MULTIPLE UNIT; and<br>**g)** DWELLING – TOWNHOUSE. | **a)** ACCESSORY USES associated with a DWELLING - SINGLE DETACHED:<br>**i)** BED AND BREAKFAST BUSINESS; and<br>**ii)** FAMILY DAY HOME.<br>**b)** ACCESSORY USES associated with any DWELLING UNIT type:<br>**i)** HOME OCCUPATION.<br>**c)** MANUFACTURED HOME – MODULAR. |

## PROVISIONS

**9.1.1** The maximum number of permitted DWELLING UNITS on a R-1 LAND USE DISTRICT LOT shall not exceed, in any combination: four (4) DWELLING UNITS on a LOT CORNER, or two (2) DWELLING UNITS on any other LOT; for the purpose of this Article, LANES do not count in determining if a LOT is a LOT CORNER. Within these maximums, no more than one (1) DWELLING – SECONDARY SUITE and one (1) DWELLING – BACKYARD UNIT are permitted per principal DWELLING UNIT.

**9.1.2** Despite any provision within Section 5 of this BYLAW, all properties located within the R-1 (Low Density Residential) LAND USE DISTRICT shall be subject to the requirements outlined in Table 9.2.

**TABLE 9.2** R-1 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | REQUIREMENT |
|---|---|
| LOT AREA (minimum) | Standard: 625m$^2$/6,727.4sq.ft.<br>DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 312 m$^2$<br>TOWNHOUSE with a PARTY WALL on 2 sides: 208 m$^2$ |
| LOT WIDTH (minimum) | Standard: 15m/49.2 ft.<br>DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 7m/23.0 ft.<br>TOWNHOUSE with a PARTY WALL on 2 sides: 5m/16.4 ft. |
| LOT DEPTH (minimum) | 35m/114.8ft. |
| YARD – FRONT (minimum) | 4m/13.1ft. |
| YARD – FLANKAGE (minimum) | 2m/6.6ft. |
| YARD – SIDE for PRINCIPAL BUILDING or BACKYARD UNIT (minimum) | 2m/6.6ft.<br>0m on the side with a PARTY WALL for PRINCIPAL BUILDING |
| YARD – SIDE for ACCESSORY BUILDING OR STRUCTURE (minimum) | 1m/3.3ft. |
| YARD – REAR (minimum) | BACKYARD UNIT above a GARAGE or abutting a LANE: 1m/3.3ft.<br>All other DWELLING UNITS: 5m/16.4ft. |
| FLOOR AREA – GROSS for PRINCIPAL BUILDING, all units within combined (minimum) | 82m$^2$/882.6sq.ft. |
| BUILDING HEIGHT (maximum) | 10.5m/34.4ft. |
| LOT COVERAGE (maximum) | 50% |

## ADDITIONAL REQUIREMENTS

**9.1.3** DEVELOPMENT involving more than one PRINCIPAL BUILDING on a LOT must follow the requirements of subsection 5.24.

**9.1.4** DWELLING – TOWNHOUSE and DWELLING – MULTIPLE UNIT are only permitted USES on a LOT CORNER in the R-1 LAND USE DISTRICT and shall not exceed a maximum height of two (2) STOREYS.

**9.1.5** All DEVELOPMENTS must follow the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND REQUIREMENTS

**9.1.6** When assessing a DISCRETIONARY USE within the R-1 LAND USE DISTRICT, the applicant must demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** the scale of the BUILDINGS and/or STRUCTURES is compatible with other DWELLING UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT*;*
- **b)** the BUILDINGS and/or STRUCTURES avoid creating a blank appearance when orientated towards a street through the use of design elements such as shutters, bay windows, dormers, porches, verandahs, pillars, material changes or other features, while helping to avoid a design that is significantly in contrast with the surrounding neighbourhood; and
- **c)** the BUILDING'S appearance is compatible with a DWELLING – SINGLE DETACHED through the use of:
  - **i)** an integrated roof line;
  - **ii)** consistent materials and design;
  - **iii)** visually breaking up the larger massing into smaller individual components; and
  - **iv)** reducing the visual dominance of driveways and GARAGES.

**9.1.7** In considering approved ACCESSORY USES the applicant will need to demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** that any HOME OCCUPATION meets the requirements of Subsection 5.19;
- **b)** that any BED AND BREAKFAST BUSINESS meet the requirements of Subsection 5.20;
- **c)** in the case of group homes, FAMILY DAY HOMES that:
  - **i)** the scale of the BUILDINGS and/or STRUCTURES is comparable to other DWELLING UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT;
  - **ii)** the BUILDING'S appearance is compatible with a DWELLING – SINGLE DETACHED through the use of elements outlined in Clause 9.1.5(d);
- **d)** potential impacts such as noise and traffic have been mitigated; and
- **e)** there shall be no use of SIGNAGE, unless permitted under Articles 5.19.3, 5.20.3 or 9.1.9.

**9.1.8** The DEVELOPMENT AUTHORITY may exercise discretion to allow a fence higher than 2m/6.56ft. along a LOT-LINE – REAR or LOT LINE – SIDE within the R-1 LAND USE DISTRICT, if the LOT is located behind a DEVELOPMENT that measures 11m/36ft. in height or three (3) or more stories.

**9.1.9** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**9.1.10** SIGNS associated with a permitted HOME OCCUPATION, FAMILY DAY HOME, BED AND BREAKFAST BUSINESS, or HOME OFFICE shall:

**a)** not exceed 1.5m$^2$/16.2sq.ft. in SIGN AREA;
**b)** be no higher than 2m/6.5ft. above FINISHED GRADE;
**c)** not be illuminated; and
**d)** subject to the requirements of Section 7.

**9.1.11** Any SIGN not requiring a permit under Article 7.2.4 shall be permitted.

**9.1.12** SIGNS – FASCIA not exceeding 0.25m$^2$/2.6sq.ft. in area shall be permitted for the purposes of identifying the RESIDENTS therein, warn against trespassing, and cannot be a SIGN – ILLUMINATED.

## 9.2 R-2 (MEDIUM DENSITY RESIDENTIAL) LAND USE DISTRICT

### INTENT

**9.2.1** The R-2 LAND USE DISTRICT is intended to support a diversity of housing forms that contribute to quality design and livability. The R-2 LAND USE DISTRICT allows for modest intensification while maintaining neighbourhood character and may accommodate MIXED-USE BUILDINGS that provide commercial amenities to enhance community vibrancy and walkability.

### USES

**TABLE 9.3** PERMITTED AND DISCRETIONARY USES IN THE R-2 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** DWELLING – BACKYARD UNIT;<br>**c)** DWELLING – DUPLEX;<br>**d)** DWELLING – MULTIPLE UNIT; and<br>**e)** DWELLING – SECONDARY SUITE;<br>**f)** DWELLING – SINGLE DETACHED;<br>**g)** DWELLING – TOWNHOUSE;<br>**h)** MANUFACTURED HOME – MODULAR. | **a)** ASSISTED LIVING FACILITY of up to 6 units;<br>**b)** BUILDING – MOVED IN;<br>**c)** DWELLING – MULTIPLE UNIT of up to 16 units;<br>**d)** ACCESSORY USES associated with a DWELLING – SINGLE DETACHED:<br>**i)** BED AND BREAKFAST BUSINESS;<br>**ii)** BOARDING HOUSE;<br>**iii)** FAMILY DAY HOME;<br>**e)** ACCESSORY USES associated with a DWELLING UNIT of any type:<br>**i)** HOME OCCUPATION.<br>**f)** MANUFACTURED HOME – MOBILE; and<br>**g)** MIXED-USE BUILDING. |

### SITE PROVISIONS

**9.2.2** The maximum number of permitted DWELLING UNITS on an R-2 LAND USE DISTRICT LOT is based upon the principal DWELLING UNIT type but cannot exceed eight (8) DWELLING UNITS in any combination. However, up to sixteen (16) DWELLING UNITS may be discretionarily approved by the DEVELOPMENT AUTHORITY for a DWELLING – MULTIPLE UNIT. Within the permitted maximums, up to one (1) DWELLING – SECONDARY SUITE and one (1) DWELLING – BACKYARD UNIT are permitted per principal DWELLING UNIT.

**9.2.3** Despite any provision within Section 5 of this BYLAW, any property or SITE located within the R-2 LAND USE DISTRICT must follow the requirements as shown in Table 9.4.

**TABLE 9.4** R-2 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | REQUIREMENT |
|---|---|
| LOT AREA (minimum) | Standard: 247m$^2$/2,658.7sq.ft<br>DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 174m$^2$/1,873sq.ft. |

| | |
|---|---|
| | TOWNHOUSE with a PARTY WALL on 2 sides: 82m²/883sq.ft. |
| LOT WIDTH (minimum) | Standard: 8m/49.2 ft.<br>DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 6m/23.0 ft.<br>TOWNHOUSE with a PARTY WALL on 2 sides: 5m/16.4 ft. |
| LOT DEPTH (minimum) | 30m/98.4ft. |
| YARD – FRONT (minimum) | 4m/13.1 ft. |
| YARD – FLANKAGE (minimum) | 2m/6.6 ft. |
| YARD – SIDE PRINCIPAL BUILDING OR BACKYARD UNIT (minimum) | 1.2m/3.9ft.<br>0m on the side with a PARTY WALL for PRINCIPAL BUILDING |
| YARD – SIDE ACCESSORY BUILDING OR STRUCTURE (minimum) | 1m/3.3 ft. |
| YARD – REAR (minimum) | BACKYARD UNIT above a GARAGE or abutting a LANE: 1m/3.3ft.<br>All other DWELLING UNITS: 5m/16.4ft. |
| FLOOR AREA – GROSS for PRINCIPAL BUILDING, all units within combined (minimum) | 71m²/764.2 sq.ft. |
| BUILDING HEIGHT (maximum) | 10.5m/34.4ft. |
| LOT COVERAGE (maximum) | 50% |

## ADDITIONAL REQUIREMENTS

**9.2.4** Where applicable, DEVELOPMENTS within the R-2 LAND USE DISTRICT are encouraged to consider the principles of the Town of High Level Design Guidelines.

**9.2.5** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24, which does not apply for DWELLING – MULTIPLE UNITS or DWELLING – TOWNHOUSES.

**9.2.6** Driveways and GARAGES for DWELLING – DUPLEX and DWELLING – TOWNHOUSE must be separated by a landscaped strip of at least 0.5m/1.6ft.

**9.2.7** All DEVELOPMENTS must follow the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND REQUIREMENTS

**9.2.8** When assessing a DISCRETIONARY USE within the R-2 LAND USE DISTRICT, the applicant must demonstrate the following to the DEVELOPMENT AUTHORITY:

**a)** the scale of the BUILDINGS and/or STRUCTURES is compatible with other DWELLING UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT;

**b)** the BUILDINGS and/or STRUCTURES avoid creating a blank appearance when orientated towards a street through the use of design elements such as shutters, bay windows, dormers, porches, verandahs, pillars, material changes or other features; and

**9.2.9** In considering approved ACCESSORY USES, the applicant will need to demonstrate the following to the DEVELOPMENT AUTHORITY:

**a)** that any HOME OCCUPATION meets the requirements of Subsection 5.19;
**b)** that any BED AND BREAKFAST BUSINESS meet the requirements of Subsection 5.20;
**c)** in the case of FAMILY DAY HOMES, and BOARDING HOUSE that:
  **i)** the scale of the BUILDINGS and/or STRUCTURES is comparable to other DWELLING UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT;
  **ii)** the BUILDING'S appearance is compatible with a DWELLING – SINGLE DETACHED. The Town of High Level Design Guidelines are encouraged to be referenced.
**d)** potential impacts such as noise, traffic and PARKING have been mitigated; and
**e)** there shall be no use of SIGNAGE, unless permitted under Articles 5.19.3, 5.20.3 or 9.2.13.

**9.2.10** When considering a proposed MANUFACTURED HOME – MOBILE in the R-2 Land Use District, the DEVELOPMENT AUTHORITY will only consider this USE if a:

**a)** MANUFACTURED HOME – MOBILE is to be placed upon a PARCEL within:
  **i)** 102 Street, 103 Street, 104 Street, 105 Street or 106 Street, North of 100 Avenue;
  **ii)** Plan 4507NY, Block 25, Lots 1 – 9 on 99 Avenue;
  **iii)** Plan 4507NY, Block 26, Lots 2 – 8 on 99 Avenue;
  **iv)** Plan 4507NY, Block 26, Lots 20 – 29 on 98 Avenue;
  **v)** Plan 4507NY, Block 27, Lots 14 – 20 on 98 Avenue;
  **vi)** Plan 5035TR, Block 27, Lots 50 – 56 on 98 Avenue;
**b)** the proposed MANUFACTURED HOME – MOBILE meets the definition in this BYLAW; and
**c)** the MANUFACTURED HOME – MOBILE is no more than 20 years old at the time of placement onto a PARCEL identified in Clause 9.2.10.a., unless an Appraiser has assigned a MANUFACTURED HOME – MOBILE with a new EFFECTIVE AGE up to 20 years old at the time of placement; and
**d)** a MANUFACTURED HOME – MOBILE with a new EFFECTIVE AGE includes the submission of a comprehensive Appraisal Report containing the new EFFECTIVE AGE and inspection details with a DEVELOPMENT PERMIT application, to the satisfaction of the DEVELOPMENT AUTHORITY.

**9.2.11** When assessing a MIXED-USE BUILDING as a DISCRETIONARY USE within the R-2 LAND USE DISTRICT, the applicant must show to the satisfaction of the DEVELOPMENT AUTHORITY that the proposed DEVELOPMENT:

**a)** meets the requirements of Subsection 5.29;
**b)** has a proposed commercial or community USE that is appropriate for the SITE and compatible with the surrounding neighbourhood context;
**c)** has a proposed commercial or community USE that is unlikely to cause significant disruption or nuisance to adjacent residents, including but not limited to operational noise or odors; and
**d)** the shape, size, location, construction, and orientation of any signs must be in a scale and design that complements the surrounding neighborhood character, to the satisfaction of the DEVELOPMENT AUTHORITY.

**9.2.12** The DEVELOPMENT AUTHORITY may exercise discretion to allow a fence higher than 2m/6.56ft. along a LOT-LINE – REAR or LOT LINE – SIDE within the R-2 LAND USE DISTRICT, if the LOT is located behind a DEVELOPMENT that measures 11m/36ft. in height or three (3) or more stories.

**9.2.13** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**9.2.14** SIGNS associated with a permitted HOME OCCUPATION, FAMILY DAY HOME, BED AND BREAKFAST BUSINESS, HOME OFFICE or BOARDING HOUSE shall:

**a)** not exceed 1.5m$^2$/16.2sq.ft. in SIGN AREA;
**b)** be no higher than 2m/6.5ft. above FINISHED GRADE;
**c)** not be illuminated; and
**d)** Subject to the requirements of Section 7.

**9.2.15** Any SIGN not requiring a permit under Article 7.2.4 shall be permitted.

**9.2.16** SIGNS – FASCIA not exceeding 0.25m$^2$/2.6sq.ft. in area shall be permitted for the purposes of identifying the RESIDENTS therein, warn against trespassing, and cannot be a SIGN – ILLUMINATED.

## 9.3 R-3 (HIGH DENSITY RESIDENTIAL) LAND USE DISTRICT

### INTENT

The R-3 LAND USE DISTRICT is intended to accommodate the development of DWELLING – MULTIPLE UNIT while allowing for lower-density residential forms to respond to changing market demands. The R-3 LAND USE DISTRICT also provides flexibility for the inclusion of commercial USES to serve the needs of the community.

### USES

**TABLE 9.5** PERMITTED AND DISCRETIONARY USES IN THE R-3 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** ASSISTED LIVING FACILITY of up to 24 units;<br>**c)** DWELLING – MULTIPLE UNIT; and<br>**d)** DWELLING – TOWNHOUSE. | **a)** ASSISTED LIVING FACILITY of more than 24 units;<br>**b)** BUILDING – MOVED IN;<br>**c)** BUSINESS SUPPORT SERVICE;<br>**d)** DAY CARE FACILITY;<br>**e)** DRINKING ESTABLISHMENT;<br>**f)** DWELLING – DUPLEX;<br>**g)** FINANCIAL INSTITUTION;<br>**h)** GENERAL SERVICE;<br>**i)** MIXED-USE BUILDING;<br>**j)** NON-PROFIT COMMUNITY SUPPORT SERVICE;<br>**k)** PROFESSIONAL SERVICE;<br>**l)** RECREATIONAL SERVICE – INDOOR;<br>**m)** RESTAURANT;<br>**n)** RETAIL – CONVENIENCE;<br>**o)** RETAIL – GENERAL;<br>**p)** RETAIL – SPECIALITY STORE; and<br>**q)** ACCESSORY USES associated with a DWELLING UNIT:<br>**i)** FAMILY DAY HOME;<br>**ii)** HOME OCCUPATION;<br>**iii)** HOME OFFICE;<br>**iv)** DWELLING – SECONDARY SUITE; and<br>**v)** DWELLING – BACKYARD UNIT. |

### SITE PROVISIONS

**9.3.1** Despite any provision within Section 5 of this BYLAW, any property or SITE located within the R-3 LAND USE DISTRICT must follow the requirements outlined in Table 9.6.

**TABLE 9.6** R-3 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | REQUIREMENT |
|---|---|
| LOT AREA (minimum) | 900m²/9,687.5 sq.ft |
| LOT WIDTH (minimum) | 15m/49.2 ft. |
| LOT DEPTH (minimum) | 35m/114.8 ft. |
| YARD – FRONT (minimum) | 5m/16.41 ft. |
| YARD – FLANKAGE (minimum) | 5m/16.41 ft. |
| YARD – SIDE (minimum) | 2m/6.6 ft. plus 1m/3.3 ft. for each meter beyond 9m/29.5ft. in BUILDING HEIGHT |
| YARD – REAR (minimum) | 5m/16.4 ft. |
| Density (maximum) | 125 units per hectare of LOT AREA. |
| BUILDING HEIGHT (maximum) | 6 stories or 21m/68.9 ft. |

**9.3.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT must follow the requirements of Subsection 5.24, which does not apply for DWELLING – MULTIPLE UNIT, DWELLING – TOWNHOUSE, or MIXED-USE BUILDING.

**9.3.3** Where a DWELLING – MULTIPLE UNIT, or an ASSISTED LIVING FACILITY greater than three stories, is adjacent to a DWELLING – SINGLE DETACHED, DWELLING – DUPLEX , DWELLING – TOWNHOUSE or MANUFACTURED HOME – MODULAR:

**a)** a 3m/9.85ft. wide landscaped BUFFER featuring a combination of shrubs and trees designed to screen the adjacent land USES must be provided along any abutting YARD – REAR and/or YARD – SIDE; and

**b)** subject to Subsection 5.15, a 2m/6.5ft. high opaque fence shall be provided along any abutting YARD – SIDE or YARD – REAR.

**9.3.4** All off-street PARKING shall be surrounded by a LANDSCAPED AREA of not less than 1.5m/4.9ft. in width, unless it adjoins a LANE.

**9.3.5** A sidewalk or walkway allowing safe pedestrian ACCESS to and from the BUILDING to a public sidewalk fronting the BUILDING must be installed.

**9.3.6** Each DWELLING UNIT within a DWELLING – MULTIPLE UNIT, DWELLING – SECONDARY SUITE, DWELLING – BACKYARD UNIT, or DWELLING – TOWNHOUSE must have a PRIVATE AMENITY AREA that may be in one of the following forms:

**a)** a BALCONY;

**b)** a PATIO;

**c)** a DECK; or

**d)** an outdoor area a minimum of 6m/19.6ft. in depth for DWELLING UNITS located at the GROUND FLOOR.

**9.3.7** All DEVELOPMENTS must follow the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND REQUIREMENTS

**9.3.8** When assessing a DISCRETIONARY USE within the R-3 LAND USE DISTRICT, the applicant must demonstrate the following to the DEVELOPMENT AUTHORITY:

**a)** the BUILDINGS and/or STRUCTURES avoid creating a blank appearance when orientated towards a street through the use of design elements such as shutters, bay windows, dormers, porches, verandahs, pillars, material changes or other features while helping to avoid a design that is significantly in contrast with the surrounding neighbourhood;

**b)** estimated traffic generation must not negatively impact the function of existing local streets to an extent deemed unacceptable by the DEVELOPMENT AUTHORITY; and

**c)** proximity to adjacent lower density residential DWELLING UNITS and the use of building design, LANDSCAPING, fencing and BUFFERS to help mitigate potential issues related to noise, lighting and views from upper stories of BUILDINGS into the yards of adjacent DWELLING UNITS.

**9.3.9** When assessing a MIXED-USE BUILDING as a DISCRETIONARY USE within the R-3 LAND USE DISTRICT, the applicant must show to the satisfaction of the DEVELOPMENT AUTHORITY that the proposed DEVELOPMENT:

**a)** meets the requirements of Subsection 5.29;

**b)** provides a sufficiently high number DWELLING UNITS considering the number of non-residential units, the SITE, and context;

**c)** will contribute positively to the amenities and services of the neighbourhood and the Town, without being likely to significantly detract from the downtown centre;

**d)** has a proposed commercial or community USE that is an appropriate USE for the SITE and for being in a high density residential context;

**e)** has a proposed commercial or community USE that is unlikely to cause significant disruption or nuisance to adjacent residents, including but not limited to operational noise or odors; and

**f)** the shape, size, location, construction, and orientation of any signs must be in a scale and design that complements the surrounding neighborhood character, to the satisfaction of the DEVELOPMENT AUTHORITY.

**9.3.10** When assessing a DWELLING – DUPLEX, DWELLING – SECONDARY SUITE, or DWELLING – BACKYARD UNIT in the R-3 LAND USE DISTRICT, the DEVELOPMENT AUTHORITY should consider if the proposed DEVELOPMENT is adjacent to properties of a similar density and scale and if the proposed LOT COVERAGE is at least 40%.

**9.3.11** When considering a proposed commercial USE in the R-3 LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider proposals where the USE, scale, and intensity complement the surrounding USES.

**9.3.12** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**9.3.13** SIGNS associated with a permitted HOME OCCUPATION, FAMILY DAY HOME or HOME OFFICE shall:

**a)** not exceed 1.5$m^2$/16.2sq.ft. in SIGN AREA;

**b)** be no higher than 2m/6.5ft. above FINISHED GRADE;
**c)** not be illuminated; and
**d)** Subject to the requirements of Section 7.

**9.3.14** Any SIGN not requiring a permit under Article 7.2.4 shall be permitted.

**9.3.15** SIGNS – FASCIA not exceeding 0.25$m^2$/2.6sq.ft. in area shall be permitted for the purposes of identifying the RESIDENTS therein, warn against trespassing, and cannot be a SIGN – ILLUMINATED.

**9.3.16** SIGNS associated with a commercial or community USE shall be considered DISCRETIONARY and must have a shape, size, location, construction, and orientation that complements the surrounding neighborhood character, to the satisfaction of the DEVELOPMENT AUTHORITY and subject to the requirements of Section 7.

## 9.4 R-4 (MANUFACTURED HOME – MOBILE AND TRANSITION NEIGHBOURHOOD) LAND USE DISTRICT

### INTENT

The intent of the R-4 LAND USE DISTRICT is to provide a location for MANUFACTURED HOME – MOBILE DEVELOPMENTS, among other low-rise residential unit types.

### USES

**TABLE 9.7** PERMITTED AND DISCRETIONARY USES IN THE R-4 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** DWELLING – DUPLEX;<br>**c)** DWELLING – SINGLE DETACHED;<br>**d)** DWELLING –TOWNHOUSE;<br>**e)** MANUFACTURED HOME – MOBILE; and<br>**f)** MANUFACTURED HOME – MODULAR. | **a)** BUILDING – MOVED IN;<br>ACCESSORY USES associated with a DWELLING UNIT:<br>**i)** BED AND BREAKFAST BUSINESS;<br>**ii)** BOARDING HOUSE;<br>**iii)** FAMILY DAY HOME;<br>**iv)** HOME OCCUPATION;<br>**v)** HOME OFFICE;<br>**g)** DWELLING – SECONDARY SUITE; and<br>**c)** DWELLING – BACKYARD UNIT<br>**d)** MANUFACTURED HOME – COMMUNITY; and<br>**e)** MANUFACTURED HOME – TINY HOME. |

### SITE PROVISIONS

**9.4.1** Despite any provision within Section 5 of this BYLAW, any property or SITE located within the R-4 LAND USE DISTRICT must follow the requirements outlined in Table 9.8.

**TABLE 9.8** R-4 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | REQUIREMENT |
|---|---|
| LOT AREA (minimum) | Standard: 264m$^2$/2,841.7 sq.ft<br>DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 132m$^2$/1,421sq.ft.<br>TOWNHOUSE with a PARTY WALL on 2 sides: 88m$^2$/947sq.ft. |
| LOT WIDTH (minimum) | Standard: 8m/49.2 ft.<br>DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 6m/23.0 ft.<br>TOWNHOUSE with a PARTY WALL on 2 sides: 5m/16.4 ft. |
| LOT DEPTH (minimum) | 32m/104.9 ft. |
| YARD – FRONT (minimum) | 3m/9.8 ft. |
| YARD – FLANKAGE (minimum) | 2m/6.6 ft. |
| YARD – SIDE (minimum) | 1m/3.3 ft. or 3m/9.8ft. when adjacent to a MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME or |

| | |
|---|---|
| | 0m on the side with a PARTY WALL for PRINCIPAL BUILDING |
| YARD – REAR (minimum) | 3m/9.8 ft. |
| FLOOR AREA – GROSS for PRINCIPAL BUILDING, all units within combined (minimum) | 56m$^2$/602.8 sq.ft. except for MANUFACTURED HOME – TINY HOME |
| BUILDING HEIGHT (maximum) | 10.5m/34.4ft. except for MANUFACTURED HOME – MOBILE which are limited to 7m/22.9ft. |
| LOT COVERAGE (maximum) | 50% |

## ADDITIONAL REQUIREMENTS

**9.4.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT must follow the requirements of Subsection 5.24, which do not apply for DWELLING – MULTIPLE UNIT, DWELLING – TOWNHOUSE, or MIXED-USE BUILDING.

**9.4.3** A MANUFACTURED HOME – MOBILE cannot be more than 20 years old at the time of placement onto a PARCEL within the R-4 LAND USE DISTRICT, unless:

**a)** an Appraiser has assigned a MANUFACTURED HOME – MOBILE with a new EFFECTIVE AGE up to 20 years old at the time of placement; and

**b)** a MANUFACTURED HOME – MOBILE with a new EFFECTIVE AGE includes the submission of a comprehensive Appraisal Report containing the new EFFECTIVE AGE and inspection details with a DEVELOPMENT PERMIT application, to the satisfaction of the DEVELOPMENT AUTHORITY.

**9.4.4** The foundation or undercarriage of a MANUFACTURED HOME – MOBILE or a MANUFACTURED HOME – TINY HOME shall be screened from view by skirting made of high quality materials that complement the design of the habitable portion of the DWELLING UNIT, such as stone, brick, hardy board, wood or other suitable materials at the discretion of the DEVELOPMENT AUTHORITY.

**9.4.5** SCREENING of the foundation shall occur within sixty (60) days of the placement of the MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME and shall be maintained in good condition thereafter.

**9.4.6** All DEVELOPMENTS must follow the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE REQUIREMENTS

**9.4.7** Each PARK LOT within a MANUFACTURED HOME – COMMUNITY shall be clearly marked off by permanent markers or other suitable means.

**9.4.8** Communal garbage storage facilities associated with a MANUFACTURED HOME – MOBILE COMMUNITY shall meet the requirements of Article 5.11.1.

**9.4.9** Areas within a MANUFACTURED HOME – COMMUNITY not devoted to streets, PARKING STALLS, walkways, service buildings, MANUFACTURED HOME – MOBILE, or MANUFACTURED HOME – TINY HOME shall be LANDSCAPED.

**9.4.10** At least 5% of the gross SITE area of the MANUFACTURED HOME – COMMUNITY shall be devoted to recreational USES and shall be clearly visible with pedestrian access from at least two (2) locations.

**9.4.11** A minimum SETBACK of 4.5m/14.7ft. must occur between the MANUFACTURED HOME – COMMUNITY LOT LINES and any MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME LOT LINES, MANUFACTURED HOME – PAD lease line, or in the case of the LOT LINE abutting a PUBLIC ROADWAY, a distance of 7.5m/24.6ft. shall occur between the LOT LINES.

**9.4.12** In a MANUFACTURED HOME – COMMUNITY of over fifty (50) units, two (2) separate means of ACCESS shall be provided. In DEVELOPMENTS fewer than one-hundred (100) units, alternatives that provide safe ACCESS by more than one (1) means, such as emergency ACCESS roads or BOULEVARDS featuring LANES separated by a median may be considered, but shall be subject to the approval of the DEVELOPMENT AUTHORITY.

**9.4.13** A minimum right-of-way of 12m/39.3ft. is required for all roads within a MANUFACTURED HOME – COMMUNITY.

**9.4.14** All roads within a MANUFACTURED HOME – COMMUNITY shall be constructed of an all-weather HARD-SURFACED material, be graded and suitable for use in all seasons in compliance with the Municipal Engineering and Construction Standards and Subsection 5.6.

**9.4.15** Street lighting in a MANUFACTURED HOME – COMMUNITY shall be to the same standards as that in a conventional residential neighbourhood.

**9.4.16** In considering approved ACCESSORY USES, the applicant shall demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** that any HOME OCCUPATION meets the requirements of Subsection 5.19;
- **b)** that any BED AND BREAKFAST BUSINESS meet the requirements of Subsection 5.20;
- **c)** in the case of FAMILY DAY HOMES, DWELLING – SECONDARY SUITES, and DWELLING – BACKYARD UNITS that:
  - **i)** the scale of the BUILDINGS and/or STRUCTURES is comparable to other DWELLING UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT; and
  - **ii)** the BUILDING'S appearance is similar to a DWELLING – SINGLE DETACHED**.**
- **d)** potential impacts such as noise and traffic have been mitigated; and
- **e)** there shall be no use of SIGNAGE, unless permitted under Articles 5.19.3, 5.20.3 or 9.4.18.

**9.4.17** The DEVELOPMENT AUTHORITY may exercise discretion to allow a fence higher than 2m/6.56ft. along a LOT-LINE – REAR or LOT LINE – SIDE within the R-4 LAND USE DISTRICT, if the LOT is located behind a DEVELOPMENT that measures 11m/36ft. in height or three (3) or more stories.

**9.4.18** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**9.4.19** SIGNS associated with a permitted HOME OCCUPATION, FAMILY DAY HOME, BED AND BREAKFAST BUSINESS, HOME OFFICE or BOARDING HOUSE shall:

**a)** not exceed 1.5m$^2$/16.2sq.ft. in SIGN AREA;
**b)** be no higher than 2m/6.5ft. above FINISHED GRADE;
**c)** not be illuminated; and
**d)** Subject to the requirements of Section 7.

**9.4.20** Any SIGN not requiring a permit under Article 7.2.4 shall be permitted.

**9.4.21** SIGNS – FASCIA not exceeding 0.25m$^2$/2.6sq.ft. in area shall be permitted for the purposes of identifying the RESIDENTS therein, warn against trespassing, and cannot be a SIGN – ILLUMINATED.

**9.4.22** An identification SIGN for a MANUFACTURED HOME – COMMUNITY may be erected at the entrance of the overall DEVELOPMENT, subject to Section 7 and the discretion of the DEVELOPMENT AUTHORITY.

# 10

# 10.0 COMMERCIAL LAND USE DISTRICTS

## 10.1 C-1 (DOWNTOWN COMMERCIAL) LAND USE DISTRICT

### INTENT

The C-1 LAND USE DISTRICT is intended to clearly define the downtown as the commercial core of the town, establishing standards that promote its redevelopment and enhancement. This includes the integration of DWELLING UNITS within MIXED-USE BUILDINGS to increase pedestrian activity and support a vibrant community environment.

### USES

**TABLE 10.1** PERMITTED AND DISCRETIONARY USES IN THE C-1 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ART GALLERY;<br>**b)** BUSINESS SUPPORT SERVICE;<br>**c)** CATERING SERVICE;<br>**d)** DAY CARE FACILITY;<br>**e)** DRINKING ESTABLISHMENT;<br>**f)** Farmers market;<br>**g)** FINANCIAL INSTITUTION;<br>**h)** GENERAL SERVICE;<br>**i)** GOVERNMENT SERVICE;<br>**j)** HEALTH SERVICE;<br>**k)** HOUSEHOLD REPAIR SERVICE;<br>**l)** MIXED-USE BUILDING;<br>**m)** Movie and/or video game rental and sales;<br>**n)** NON-PROFIT COMMUNITY SUPPORT SERVICE; | **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** ACCESSORY USES associated with a DWELLING UNIT:<br>**vi)** BED AND BREAKFAST BUSINESS;<br>**vii)** BOARDING HOUSE;<br>**viii)** FAMILY DAY HOME;<br>**ix)** HOME OCCUPATION; and<br>**x)** HOME OFFICE.<br>**c)** AMUSEMENT ARCADE;<br>**d)** ASSISTED LIVING FACILITY;<br>**e)** AUTOMOTIVE SERVICE;<br>**f)** BUILDING – MOVED IN;<br>**g)** BREWERY, WINE, DISTILLERY;<br>**h)** CAR WASH;<br>**i)** COMMUNITY HALL; |

| | |
|---|---|
| **o)** Park;<br>**p)** PARKING LOT;<br>**q)** PAWNBROKER;<br>**r)** PROFESSIONAL SERVICE;<br>**s)** RESTAURANT;<br>**t)** RETAIL – CONVENIENCE;<br>**u)** RETAIL – GENERAL;<br>**v)** RETAIL – SPECIALTY STORE;<br>**w)** SCHOOL – COMMERCIAL; and<br>**x)** THEATRE. | **j)** DRIVE-THROUGH BUSINESS;<br>**k)** DRIVE-THROUGH RESTAURANT;<br>**l)** DWELLING – MULTIPLE UNIT;<br>**m)** FUNERAL HOME;<br>**n)** HOTEL;<br>**o)** PET SERVICE;<br>**p)** PLACE OF WORSHIP;<br>**q)** PUBLIC USE;<br>**r)** RECREATIONAL SERVICE – INDOOR;<br>**s)** RETAIL – ADULT;<br>**t)** RETAIL – CANNABIS;<br>**u)** RETAIL – LIQUOR;<br>**v)** SHOPPING CENTRE; and<br>**w)** VETERINARY CLINIC. |

## SITE PROVISIONS

**10.1.1** Despite any provision within Section 5 of this BYLAW, any property or SITE located within the C-1 LAND USE DISTRICT must follow the requirements of Table 10.2:

**TABLE 10.2** C-1 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| LOT AREA (minimum) | 200m$^2$/2,152sq.ft. |
| LOT WIDTH (minimum) | 9m/29.5ft. |
| LOT DEPTH (minimum) | 25m/82ft. |
| YARD – FRONT (minimum) | 0m/0ft. |
| YARD – FLANKAGE (minimum) | 0m/0ft., however, LOT CORNER must comply with Subsection 5.3 of this BYLAW regarding SIGHT TRIANGLES. |
| YARD – SIDE (minimum) | 0m/0ft. |
| YARD – REAR (minimum) | 6m/19.6ft. unless otherwise approved by the DEVELOPMENT AUTHORITY in consideration of alternate PARKING facilities. |
| BUILDING HEIGHT (maximum) | 23m/75.5 ft. or 6 STOREYS |

## ADDITIONAL REQUIREMENTS

**10.1.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24, which do not apply for DWELLING - MULTIPLE UNIT or MIXED-USE BUILDINGS.

**10.1.3** Any DEVELOPMENT within the C-1 LAND USE DISTRICT are encouraged to consider the principles of the Town of High Level Design Guidelines.

**10.1.4** All DEVELOPMENTS must follow the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**10.1.5** When considering a DRIVE-THROUGH BUSINESS or DRIVE-THROUGH RESTAURANT in the C-1 LAND USE DISTRICT, the applicant shall demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** the driveway entrance is limited and does not adversely affect the movement of pedestrians including vehicles queuing onto the sidewalks and creation of more than one ACCESS;
- **b)** the drive-through shall be located at the rear of the BUILDING;
- **c)** the façade facing 100 Avenue is not adversely affected by the incorporation of a DRIVE-THROUGH BUSINESS;
- **d)** that, when adjacent to a residential USE, the operation either:
  - **i)** does not use a speaker system;
  - **ii)** includes certified noise attenuation fencing 2m/6.5ft. in height; or
  - **iii)** utilizes an earth BERM designed to mitigate the impact of noise.
- **f)** any lighting required does not spill onto adjoining properties.

**10.1.6** When considering approved DISCRETIONARY USES, the applicant shall need to demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** scale of the USE and BUILDINGS shall be comparable to the anticipated scale of BUILDINGS and USES within the C-1 LAND USE DISTRICT;
- **b)** PARKING required for the operation shall not negatively impact on aesthetics and pedestrian functionality within the C-1 LAND USE DISTRICT; and
- **c)** how potential impacts such as traffic generation, noise, dust, odours or other concerns related to the operation shall be addressed.

**10.1.7** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

**10.1.8** When considering RETAIL – CANNABIS in the C-1 LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will ensure that the entire business footprint falls outside of a 100m/328ft. radius from any Community Use and Park LAND USE DISTRICTS.

## SIGNAGE REQUIREMENTS

**10.1.9** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

- **a)** no SIGN shall exceed a maximum height of 5m/16.4ft.;
- **b)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft in SIGN AREA per SIGN FACE for a single business property and 9m$^2$/96.8sq.ft. in SIGN AREA per SIGN FACE for a multiple-business property;
- **c)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4ft. of LOT – FRONTAGE; and
- **d)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**10.1.10** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA;
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
- **c)** there shall be a maximum of one SIGN – PROJECTING per business on a property;

and

**d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**10.1.11** SIGNS – FASCIA are permitted provided that:

**a)** the total SIGN AREA of the BUILDING does not exceed 5% of the total surface area of the BUILDING face where the SIGNAGE is to be erected; and

**b)** no individual SIGN shall exceed 1m/3.2ft. in height;

**c)** shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and

**d)** No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**10.1.12** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**10.1.13** SIGNS – SANDWICH are permitted provided that the SIGN shall:

**a)** not exceed a single SIGN FACE area of 0.5$m^2$/5.3sq.ft.;

**b)** no more than one SIGN – SANDWICH is provided per LOT*;*

**c)** it is not located within the required SIGHT TRIANGLE*;* and

**d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way

## 10.2 C-3 (HIGHWAY COMMERCIAL) LAND USE DISTRICT

### INTENT

The intent of the C-3 LAND USE DISTRICT is to provide an area for intensive commercial operations while not drawing away USES intended for the C-1 LAND USE DISTRICT. The DEVELOPMENT AUTHORITY recognizes that there may be circumstances where certain USES need to be located in the C-3 LAND USE DISTRICT whether it is due to scale, a lack of vacant BUILDINGS or LOTS within the C-1 LAND USE DISTRICT, required PARKING, traffic impacts or other reasons.

### USES

**TABLE 10.3** PERMITTED AND DISCRETIONARY USES IN THE C-3 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** AUTOMOTIVE SALES AND RENTAL;<br>**c)** AUTOMOTIVE SERVICE;<br>**d)** CAR WASH;<br>**e)** CONSTRUCTION SERVICE;<br>**f)** DRINKING ESTABLISHMENT;<br>**g)** DRIVE-THROUGH BUSINESS;<br>**h)** DRIVE-THROUGH RESTAURANT;<br>**i)** EQUIPMENT RENTAL FACILITY;<br>**j)** FUNERAL HOME;<br>**k)** FUEL STATION;<br>**l)** HOTEL;<br>**m)** RECREATIONAL SERVICE – INDOOR;<br>**n)** RESTAURANT;<br>**o)** RETAIL – CONVENIENCE as part of a FUEL STATION;<br>**p)** RETAIL – GENERAL; and<br>**q)** THEATRE. | **a)** ADULT ENTERTAINMENT FACILITY;<br>**b)** AMUSEMENT ARCADE<br>**c)** BUILDING – MOVED IN;<br>**d)** BUSINESS SUPPORT SERVICE;<br>**e)** DAY CARE FACILITY;<br>**f)** DWELLING – MULTIPLE UNIT;<br>**g)** DWELLING – TOWNHOUSE;<br>**h)** GENERAL SERVICE;<br>**i)** GOVERNMENT SERVICE;<br>**j)** HEALTH SERVICE;<br>**k)** LUMBER YARD;<br>**l)** MANUFACTURED HOME – MOBILE SALES;<br>**m)** NON-PROFIT COMMUNITY SUPPORT SERVICE;<br>**n)** PAWNBROKER;<br>**o)** PET SERVICE;<br>**p)** PLACE OF WORSHIP – STOREFRONT CHURCH;<br>**q)** PROFESSIONAL SERVICE;<br>**r)** PUBLIC USE;<br>**s)** RECREATIONAL VEHICLE SALES AND SERVICE;<br>**t)** RETAIL – ADULT;<br>**u)** RETAIL – LIQUOR;<br>**v)** SCHOOL – COMMERCIAL;<br>**w)** SHOPPING CENTRE;<br>**x)** VETERINARY CLINIC;<br>**y)** WAREHOUSE STORE;<br>**z)** ASSISTED LIVING FACILITY; and<br>**aa)** MIXED-USE BUILDING; and<br>**bb)** ACCESSORY USES associated with a DWELLING UNIT:<br>a. BED AND BREAKFAST BUSINESS;<br>b. BOARDING HOUSE;<br>c. FAMILY DAY HOME;<br>d. HOME OCCUPATION; and<br>e. HOME OFFICE. |

## SITE PROVISIONS

**10.2.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the C-3 LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements as follows:

**TABLE 10.4** C-3 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| LOT AREA (minimum) | 360m$^2$/3,875sq.ft. |
| LOT WIDTH (minimum) | 20m/65.6ft. with the exception of HOTELS or motels which must have 45m/147.6ft. |
| LOT DEPTH (minimum) | 20m/65.6ft. |
| YARD – FRONT (minimum) | 9m/29.5ft. |
| YARD – FLANKAGE (minimum) | 0m/0ft. however, LOT CORNER must comply with Subsection 5.3 of this BYLAW regarding SIGHT TRIANGLES. |
| YARD – SIDE (minimum) | 0m/0ft. however, the BUILDINGS must comply with the distance requirements of the *National Building Code – Alberta Edition*. |
| YARD – REAR (minimum) | 6m/19.6ft. |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. or 4 stories, except where the LAND USE DISTRICT is adjacent to residential LAND USE DISTRICT in which the maximum BUILDING HEIGHT shall be 12m/39.3ft. or 3 stories. |

## ADDITIONAL REQUIREMENTS

**10.2.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24, which does not apply for MIXED-USE BUILDINGS.

**10.2.3** In areas where a property abuts Highway 35 or Highway 58, the portions of the BUILDING facing the Highway shall incorporate architectural elements to create variation along the BUILDING façade and avoid the appearance of blank walls from public streets.

**10.2.4** All rooftop mechanical equipment shall be enclosed on all sides with a finish compatible with the approved BUILDING finish.

**10.2.5** OUTDOOR STORAGE areas associated with a PERMITTED USE within this LAND USE DISTRICT shall be screened in accordance to Subsection 5.10.

**10.2.6** Provisions for adequate vehicular traffic circulation shall be provided on all SITES to the satisfaction of the DEVELOPMENT AUTHORITY.

**10.2.7** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**10.2.8** When considering an acceptable DISCRETIONARY USE that is allowed in the C-1 LAND USE DISTRICT, the applicant must demonstrate to the DEVELOPMENT AUTHORITY the reasons why

the USE could not be located in the C-1 LAND USE DISTRICT, such as the scale of the BUILDING, PARKING requirements or that all suitable LOTS and BUILDINGS within the C-1 LAND USE DISTRICT are occupied.

**10.2.9** When considering a proposed a DISCRETIONARY USE the applicant must demonstrate that potential effects of the USE would not negatively impact surrounding USES.

**10.2.10** When considering a proposed DWELLING – MULTIPLE UNIT or DWELLING – TOWNHOUSE in the C-3 LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider these USES located either:

**a)** behind a Highway Commercial USE on 98 Street, where the proposed residential USE would be opposite an existing residential USE; or

**b)** above a Highway Commercial USE that is facing a designated highway.

**10.2.11** Under no circumstances can a stand-alone residential USE be located facing onto a designated highway.

**10.2.12** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**10.2.13** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

**a)** no SIGN shall exceed a maximum height of 10m/32.8ft.;

**b)** no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds:

**i)** 6m$^2$/64.5sq.ft. in SIGN AREA per SIGN FACE for a one or two business BUILDING*;*

**ii)** 8.75m$^2$/94.1sq.ft. in SIGN AREA per SIGN FACE for a three (3) business BUILDING*;*

**iii)** 11.5m$^2$/123.7sq.ft. per SIGN FACE in SIGN AREA for a four (4) business BUILDING*;* and

**iv)** 14.25m$^2$/153.3sq.ft. in SIGN AREA per SIGN FACE for a five (5) or more business BUILDING*;*

**c)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4ft. of LOT FRONTAGE*;* and

**d)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**10.2.14** SIGNS – PROJECTING are permitted provided that:

**a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA*;*

**b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;

**c)** there shall be a maximum of one SIGN – PROJECTING above the roof of a BUILDING.

**10.2.15** SIGNS – FASCIA are permitted provided that:

**a)** SIGNAGE does not exceed 12% of the total surface area of the BUILDING face where the SIGN is to be erected; and

**b)** no individual SIGN shall exceed 3m/9.85.ft in height

**c)** shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and

**d)** No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**10.2.16** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**10.2.17** SIGNS – SANDWICH are permitted provided that the SIGN shall:

**a)** not exceed a single SIGN FACE area of $0.5m^2$/5.3sq.ft.;
**b)** no more than one SIGN – SANDWICH is provided per LOT*;*
**c)** it is not located within the required SIGHT TRIANGLE*;* and
**d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

11

# 11.0 INDUSTRIAL LAND USE DISTRICTS

## 11.1 IND (INDUSTRIAL) LAND USE DISTRICT

### INTENT

The intent of the IND LAND USE DISTRICT is to provide an area for industrial DEVELOPMENT.

### USES

**TABLE 11.1** PERMITTED AND DISCRETIONARY USES IN THE IND LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| ACCESSORY BUILDING OR STRUCTURE;<br>AUCTION FACILITY;<br>AUTOMOTIVE SALES AND RENTALS;<br>AUTOMOTIVE SERVICE;<br>BUSINESS SUPPORT SERVICE;<br>CAR WASH;<br>COMMERCIAL SCHOOL or COLLEGE;<br>CONSTRUCTION SERVICE;<br>EQUIPMENT RENTAL FACILITY;<br>FARM IMPLEMENT SALES AND SERVICES;<br>FLEET SERVICE;<br>Grain storage facility;<br>HOUSEHOLD REPAIR SERVICE;<br>INDUSTRIAL OPERATION;<br>LUMBER YARD;<br>Manufacturing;<br>MINI-STORAGE;<br>OIL FIELD SERVICE; | ABATTOIR;<br>AGRICULTURE;<br>BUILDING – MOVED IN;<br>BULK OIL, FUEL AND CHEMICAL STORAGE;<br>COMMUNITY HALL;<br>CANNABIS PRODUCTION AND DISTRIBUTION;<br>GOVERNMENT SERVICE;<br>HELICOPTER LANDING PAD;<br>LOGGING SERVICE;<br>MANUFACTURED HOME – MOBILE SALES;<br>PAWNBROKER;<br>PET SERVICE;<br>RECREATIONAL SERVICE – INDOOR;<br>RECYCLING DEPOT;<br>RELOCATABLE INDUSTRIAL ACCOMMODATION; |

| | |
|---|---|
| OUTDOOR STORAGE;<br>PROPANE FACILITY;<br>PUBLIC USE;<br>RECREATIONAL VEHICLES SALES AND SERVICE;<br>RECYCLING DEPOT;<br>TAXI SERVICE;<br>TRANSMITTING STATION;<br>VETERINARY CLINIC; and<br>WAREHOUSE. | SALVAGE YARD; and<br>TEMPORARY BUNKHOUSE. |

## SITE PROVISIONS

**11.1.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the IND LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements as follows:

**TABLE 11.2** IND LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| LOT AREA (minimum) | 950m$^2$/10,225sq.ft. |
| LOT WIDTH (minimum) | 25m/82ft. |
| LOT DEPTH (minimum) | 40m/131.2ft. |
| YARD – FRONT (minimum) | 6m/19.6ft. |
| YARD – FLANKAGE (minimum) | 0m/0ft. however, LOT CORNER must comply with Subsection 5.3 of this BYLAW regarding SIGHT TRIANGLES. |
| YARD – SIDE (minimum) | 0m/0ft. however, the BUILDING must conform to the distances required in the *National Building Code – Alberta Edition*. |
| YARD – REAR (minimum) | 4m/13.1ft. unless the rear boundary abuts a railway right-of-way, in which case, no YARD – REAR is required. |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. or 4 stories |
| LOT COVERAGE (maximum) | 60% |

## ADDITIONAL REQUIREMENTS

**11.1.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**11.1.3** All industrial establishments located on a SITE bordering a highway shall be screened from the highway in a manner incorporating LANDSCAPING or BERM or both to the satisfaction of the DEVELOPMENT AUTHORITY.

**11.1.4** Any nuisance factor generated by a DEVELOPMENT, including but not limited to:

**a)** dust, fly ash or other particulate matter;
**b)** odorous gas or odorous matter; and
**c)** toxic gas or any other toxic substance;

must be contained within an enclosed ON-SITE BUILDING.

**11.1.5** Article 11.1.4 does not relieve against any compliance with any other standards established by any Federal, Provincial or Municipal enactments.

**11.1.6** All driveways, ACCESSES or approaches from a street to the LOT shall be in a location acceptable to the DEVELOPMENT AUTHORITY. The driveway, ACCESS and approach shall have a steel culvert to enable satisfactory ditch drainage and be HARD-SURFACED.

**11.1.7** PARCELS within the IND LAND USE DISTRICT that have existing residential USES, are permitted to renovate or improve these DWELLING UNITS, so long as no structural changes are undertaken.

**11.1.8** Under no circumstances will the DEVELOPMENT AUTHORITY allow existing residential USES within the IND LAND USE DISTRICT to be replaced with a new DWELLING UNIT.

**11.1.9** Under no circumstances will the DEVELOPMENT AUTHORITY allow PARCELS within the IND LAND USE DISTRICT that do not currently have a residential USE, to add a new residential USE.

**11.1.10** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**11.1.11** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential impacts of the activity shall not adversely affect surrounding USES. Matters that shall be addressed in the application may include, but is not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**11.1.12** When considering a bingo hall, GOVERNMENT SERVICE, PAWNBROKER, PET SERVICE or COMMUNITY HALL as a DISCRETIONARY USE, the applicant must demonstrate the following to the DEVELOPMENT AUTHORITY

- **a)** provide the reasons why the USE could not be located within the C-1 LAND USE DISTRICT, such as the scale of the BUILDINGS, PARKING required or that the majority of the land and BUILDINGS within the C-1 LAND USE DISTRICT are occupied; and
- **b)** demonstrate the USE does not undermine the ability for acceptable PERMITTED USES to operate in the IND LAND USE DISTRICT.

**11.1.13** When considering a proposed HELICOPTER LANDING PAD in the IND LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider these uses if:

- **a)** PARCELS located on both sides of 92 Street from 98 Avenue to 114 Avenue, inclusive of Plan 8320882, Block 4, Lot B; or
- **b)** PARCELS located north of 105 Avenue, south of 98 Avenue, and east of the Canadian National Railway line; and
- **c)** that all the mandatory provisions in Subsection 5.27 are complied with to the satisfaction of the DEVELOPMENT AUTHORITY.

**11.1.14** When considering an AGRICULTURE USE in the IND LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider the DEVELOPMENT of an industrial or commercial greenhouse.

**11.1.15** Under no circumstances will the DEVELOPMENT AUTHORITY consider an AGRICULTURE USE that includes the cultivation of soil for the growing of crop or the raising of livestock within the IND LAND USE DISTRICT.

**11.1.16** When approved, all TEMPORARY BUNKHOUSES are:

- **a)** subject to a renewable 5-year term agreement with the TOWN;
- **b)** permitted to be operational and utilized from April 1st to October 31st inclusive annually;
- **c)** subject to the approval of a Lot Grading and servicing plans;
- **d)** limited to one DWELLING UNIT per LOT, and must contain adequate water and sewer service satisfactory to the DEVELOPMENT AUTHORITY and the Public Health Inspector; and
- **e)** be subject to the approval by the Public Health Inspector.

**11.1.17** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate any impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**11.1.18** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

- **a)** no SIGN shall exceed a maximum height of 10m/32.8ft.;
- **b)** no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds:
  - **i)** 6m$^2$/64.5sq.ft in SIGN AREA per SIGN FACE for a one or two business BUILDINGS*;*
  - **ii)** 8.75m$^2$/94.1sq.ft. in SIGN AREA per SIGN FACE for a three (3) business BUILDINGS*;*
  - **iii)** 11.5m$^2$/123.7.sq.ft. per SIGN FACE in SIGN AREA for a four (4) business BUILDINGS*;* and
  - **iv)** 14.25m$^2$/153.3sq.ft. in SIGN AREA per SIGN FACE for a five (5) or more business BUILDINGS.
- **c)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4ft. of LOT – FRONTAGE*;* and
- **d)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**11.1.19** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA*;*
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
- **c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and
- **d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**11.1.20** SIGNS – FASCIA are permitted provided that:

- **a)** SIGNAGE does not exceed 12% of the total surface area of the BUILDING face where the SIGN is to be erected; and
- **b)** no individual SIGN shall exceed 3m/9.85ft. in height.
- **c)** shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and
- **d)** No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**11.1.21** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**11.1.22** SIGNS – SANDWICH are permitted provided that the SIGN shall:

- **a)** not exceed a single SIGN FACE area of 0.5$m^2$/5.3sq.ft.;
- **b)** no more than one SIGN – SANDWICH is provided per LOT;
- **c)** it is not located within the required SIGHT TRIANGLE; and
- **d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

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# 12.0 OTHER LAND USE DISTRICTS

## 12.1 CU (COMMUNITY USE) LAND USE DISTRICT

### INTENT

The intent of the CU LAND USE DISTRICT is to provide areas for PUBLIC EDUCATION SERVICES and community services.

### USES

**TABLE 12.1** PERMITTED AND DISCRETIONARY USES IN THE CU LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** ASSISTED LIVING FACILITY;<br>**c)** COLLEGE;<br>**d)** COMMUNITY HALL;<br>**e)** DAY CARE FACILITY;<br>**f)** EMERGENCY SERVICES FACILITY;<br>**g)** EXHIBITION GROUNDS;<br>**h)** GOVERNMENT SERVICE;<br>**i)** HEALTH SERVICE;<br>**j)** HOSPITAL;<br>**k)** NON-PROFIT COMMUNITY SUPPORT SERVICE;<br>**l)** PLACE OF WORSHIP;<br>**m)** PUBLIC EDUCATION SERVICE;<br>**n)** PUBLIC USE; and<br>**o)** TEMPORARY shelter services. | **a)** BUILDING – MOVED IN;<br>**b)** CEMETERY;<br>**c)** HELICOPTER LANDING PAD;<br>**d)** Park;<br>**e)** RECREATIONAL SERVICE – INDOOR; and<br>**f)** MIXED-USE BUILDING. |

## SITE PROVISIONS

**12.1.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the CU LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements as follows:

**TABLE 12.2** CU LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| YARD – FRONT (minimum) | 7m/22.9ft. |
| YARD – FLANKAGE (minimum) | 4m/13.1ft. |
| YARD – SIDE (minimum) | 4m/13.1ft. |
| YARD – REAR (minimum) | 7m/22.9ft. |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. |
| LOT COVERAGE (maximum) | 60% |

## ADDITIONAL REQUIREMENTS

**12.1.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**12.1.3** All ACCESSORY DEVELOPMENTS must be of an architectural design that is equivalent in quality and appearance to the PRINCIPAL BUILDING.

**12.1.4** Provisions for adequate vehicular traffic circulation shall be provided on all SITES to the satisfaction of the DEVELOPMENT AUTHORITY.

**12.1.5** PLACES OF WORSHIP shall not exceed the maximum height permitted in the LAND USE DISTRICT where it is proposed or located, unless approved by the DEVELOPMENT AUTHORITY, having due regard to the amenities of the area.

**12.1.6** The SITE upon which a PLACE OF WORSHIP is situated shall have LOT FRONTAGE of not less than 30m/98.4ft. and an area of not less than 900m$^2$/9,687sq.ft..

**12.1.7** In the case where a manse, rectory, parsonage or other BUILDING for use as a clergyman's or clergywoman's residence is to be developed on the same SITE as the PLACE OF WORSHIP, the combined area of the SITE shall not be less than 1,200m$^2$/12,916sq.ft.

**12.1.8** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.1.9** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential effects of the activity do not adversely affect surrounding USES. Matters that shall be addressed in the application may

include, and not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**12.1.10** When assessing a MIXED-USE BUILDING in the CU LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall ensure that only the permitted uses listed in Table 12.1 are considered for the non-residential portions of the BUILDING.

**12.1.11** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**12.1.12** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

- **a)** no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds 6m$^2$/64.5sq.ft. in SIGN AREA per SIGN FACE;
- **b)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4ft. of LOT FRONTAGE; and
- **c)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**12.1.13** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA;
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
- **c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and
- **d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**12.1.14** SIGNS – FASCIA are permitted provided that:

- **a)** the total SIGN AREA of the BUILDING does not exceed 5% of the total surface area of the BUILDING face where the SIGNAGE is to be erected; and
- **b)** no individual SIGN shall exceed 1m/3.2ft. in height;
- **c)** shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and
- **d)** no SIGN – FASCIA shall project more than 25cm/9.94in from a wall that a SIGN is affixed to.

**12.1.15** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**12.1.16** SIGNS – SANDWICH are permitted provided that the SIGN shall:

- **a)** not exceed a single SIGN FACE area of 0.5m$^2$/5.3sq.ft.;
- **b)** no more than one SIGN – SANDWICH is provided per LOT;
- **c)** it is not located within the required SIGHT TRIANGLE; and
- **d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.2 P (PARKS) LAND USE DISTRICT

### INTENT

The intent of the P LAND USE DISTRICT is to provide parks and facilities throughout the TOWN for the purpose of public recreation.

### USES

**TABLE 12.3** PERMITTED AND DISCRETIONARY USES IN THE P LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** Park; and<br>**b)** Playground. | **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** BUILDING – MOVED IN<br>**c)** CAMPGROUND;<br>**d)** CEMETERY;<br>**e)** EXHIBITION GROUNDS;<br>**f)** PUBLIC USE;<br>**g)** RECREATIONAL SERVICE – INDOOR; and,<br>**h)** RECREATIONAL SERVICE – OUTDOOR. |

### SITE PROVISIONS

**12.2.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the P LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements as follows:

**TABLE 12.4** P LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| YARD – FRONT (minimum) | 7m/22.9ft. |
| YARD – FLANKAGE (minimum) | 4m/13.1ft. |
| YARD – SIDE (minimum) | 4m/13.1ft. |
| YARD – REAR (minimum) | 7m/22.9ft. |
| BUILDING HEIGHT (maximum) | 10m/32.8ft. |

### ADDITIONAL REQUIREMENTS

**12.2.2** The DEVELOPMENT AUTHORITY may issue a DEVELOPMENT PERMIT subject to such conditions as necessary to meet the purpose of this LAND USE DISTRICT.

**12.2.3** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

### DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.2.4** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential effects of the activity do

not adversely affect surrounding USES. Matters that shall be addressed in the application may include, and not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**12.2.5** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**12.2.6** SIGNS – FREESTANDING or SIGN – DIRECTORY are permitted provided that:

- **a)** SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds 6m$^2$/64.5sq.ft. in SIGN AREA per SIGN FACE;
- **b)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4t. of LOT FRONTAGE; and
- **c)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**12.2.7** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA*;*
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
- **c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and
- **d)** no SIGN shall project more than 30cm/9.84in above the roof of a BUILDING.

**12.2.8** SIGNS – SANDWICH are permitted provided that the SIGN shall:

- **a)** not exceed a single SIGN FACE area of 0.5m$^2$/5.3sq.ft.;
- **b)** no more than one SIGN – SANDWICH is provided per LOT*;*
- **c)** it is not located within the required SIGHT TRIANGLE*;* and
- **d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.3 A (AGRICULTURAL) LAND USE DISTRICT

### INTENT

The intent of the A LAND USE DISTRICT is to utilize agricultural lands within TOWN and to control land areas which are undeveloped or developed to low intensity, while allowing for an orderly and planned transformation to increasingly intensive future DEVELOPMENTS in these areas.

### USES

**TABLE 12.5** PERMITTED AND DISCRETIONARY USES IN THE A LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE; and<br>**b)** AGRICULTURE. | **a)** BUILDING – MOVED IN;<br>**b)** DWELLING – SINGLE DETACHED;<br>**c)** HOME OCCUPATION;<br>**d)** MANUFACTURED HOME – MODULAR; and<br>**e)** PUBLIC USE. |

### SITE PROVISIONS

**12.3.1** All minimum yards required shall be at the discretion of the DEVELOPMENT AUTHORITY using the requirements of a LAND USE DISTRICT where the DEVELOPMENT is of a PERMITTED USE or DISCRETIONARY USE.

**12.3.2** No BUILDING and/or STRUCTURE shall be placed within 15m/49.2ft. of the top of the bank of or any WATERBODY, unless the requirements of Subsection 5.5 have been complied with to the satisfaction of the DEVELOPMENT AUTHORITY.

**12.3.3** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

### DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.3.4** When considering a residential USE within the A LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall have specific regard for:

- **a)** any residential USE shall be secondary to the primary AGRICULTURAL USE of the property; and
- **b)** land shall not be further subdivided for the purposes of a large residential DEVELOPMENT.

**12.3.5** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

### SIGNAGE REQUIREMENTS

**12.3.6** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of $6m^2$/64.5sq.ft. in SIGN AREA;
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;

**c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and

**d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**12.3.7** SIGNS – FASCIA are permitted provided that:

**a)** the total SIGN AREA of the BUILDING does not exceed 5% of the total surface area of the BUILDING face where the SIGNAGE is to be erected; and

**b)** no individual SIGN shall exceed 1m/3.2ft. in height;

**c)** no individual SIGN shall exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and

**d)** no SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**12.3.8** SIGNS – SANDWICH are permitted provided that the SIGN shall:

**a)** not exceed a single SIGN FACE area of 0.5$m^2$/5.3sq.ft.;

**b)** no more than one SIGN – SANDWICH is provided per LOT;

**c)** it is not located within the required SIGHT TRIANGLE; and

**d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.4 R (RESERVE) LAND USE DISTRICT

### INTENT

The intent of the R LAND USE DISTRICT is to restrict DEVELOPMENTS within lands that may contain ENVIRONMENTALLY SENSITIVE AREAS. These lands may be developed after consideration of their natural value in consultation with the Government of Alberta.

### USES

There are no PERMITTED USES in this LAND USE DISTRICT. DISCRETIONARY USES in this LAND USE DISTRICT are Park and PUBLIC USE.

### SITE PROVISIONS

**12.4.1** All DEVELOPMENT shall comply with the requirements of Subsection 5.5 to the satisfaction of the DEVELOPMENT AUTHORITY.

### DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.4.2** When considering a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall have specific regard for potential impacts on ENVIRONMENTALLY SENSITIVE AREAS and could require an applicant to undertake an ENVIRONMENTAL IMPACT ASSESSMENT with the approvals process based upon the direction of the Government of Alberta.

**12.4.3** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## 12.5 DC (DIRECT CONTROL) LAND USE DISTRICT

### INTENT

The intent of the DC LAND USE DISTRICT is to enable COUNCIL to exercise particular control over the USE and DEVELOPMENT of LOTS or BUILDINGS within these LAND USE DISTRICTS.

### USES

**12.5.1** COUNCIL shall determine the USES that may be permitted within a DC LAND USE DISTRICT.

**12.5.2** Notwithstanding Article 12.5.1, COUNCIL may allow a residential USE within a predominantly industrial area, which is within a DC LAND USE DISTRICT. COUNCIL shall consider the requirements of the *National Building Code – Alberta Edition* and compatibility of adjacent USES, and may impose such standards and conditions they consider appropriate.

### DEVELOPMENT PROVISIONS

**12.5.3** COUNCIL may impose standards and conditions they consider appropriate to regulate a USE.

**12.5.4** COUNCIL may decide on a DEVELOPMENT PERMIT application or may delegate the decision to the DEVELOPMENT AUTHORITY with direction that they consider appropriate.

**12.5.5** COUNCIL or the DEVELOPMENT AUTHORITY may refer to a corresponding conventional LAND USE DISTRICT, or any part of this BYLAW, to determine the regulations, which may be applied to a proposed DC LAND USE DISTRICT permit application.

### SIGNAGE REQUIREMENTS

**12.5.6** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA;
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
- **c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and
- **d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING

**12.5.7** SIGNS – SANDWICH are permitted provided that the SIGN shall:

- **a)** not exceed a single SIGN FACE area of 0.5m$^2$/5.3sq.ft.;
- **b)** no more than one SIGN – SANDWICH is provided per LOT;
- **c)** it is not located within the required SIGHT TRIANGLE; and
- **d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.6 AIRPORT (AP) LAND USE DISTRICT

### INTENT

The intent of the AP LAND USE DISTRICT is to allow DEVELOPMENT at and within the immediate vicinity of the High Level Airport (YOG).

### USES

**TABLE 12.6** PERMITTED AND DISCRETIONARY USES IN THE AP LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDINGS<br>**b)** HANGERS AND TERMINAL FACILITIES<br>**c)** HELICOPTER LANDING PAD | **a)** AGRICULTURE<br>**b)** ALTERNATIVE ENERGY TECHNOLOGY<br>AUTOMOTIVE SALES & RENTALS<br>**c)** BULK OIL, FUEL AND CHEMICAL STORAGE<br>**d)** GOVERNMENT SERVICES<br>**e)** PUBLIC USE<br>**f)** RECREATIONAL VEHICLE SALES AND SERVICES<br>**g)** SHIPPING CONTAINER<br>**h)** RESTAURANT<br>**i)** RETAIL – CONVENIENCE<br>**j)** RETAIL – GENERAL<br>**k)** TOURIST INFORMATION FACILITY<br>**l)** TRANSMITTION STATION |

### SITE PROVISIONS:

Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the AP LAND USE DISTRICT is subject to the LOT, SITE, and BUILDING requirements as follows:

**TABLE 12.7** AP LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| YARD – FRONT (minimum) | 6m/19.6ft |
| YARD – FLANKAGE (minimum) | 0m/0ft. however, LOT CORNER must comply with Subsection 5.3 of this BYLAW. |
| YARD – SIDE (minimum) | 0m/0ft. however, the BUILDING must conform to the distances required in the *National Building Code – Alberta Edition*. |
| YARD – REAR (minimum) | 4m/13.1ft. |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. or 4 stories |
| LOT COVERAGE (maximum) | 60% |

## ADDITIONAL REQUIREMENTS

**12.6.1** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**12.6.2** All establishments located on a SITE bordering a highway shall be screened from the highway in a manner incorporating LANDSCAPING or BERM or both to the satisfaction of the DEVELOPMENT AUTHORITY.

**12.6.3** Any nuisance factor generated by a DEVELOPMENT, including but not limited to:

a) dust, fly ash or other particulate matter;
b) odorous gas or odorous matter; and
c) toxic gas or any other toxic substance;

must be contained within an enclosed ON-SITE BUILDING.

**12.6.4** Article 12.6.3 does not relieve against any compliance with any other standards established by any Federal, Provincial or Municipal enactments.

**12.6.5** All driveways, ACCESSES or approaches from a street to the LOT shall be in a location acceptable to the DEVELOPMENT AUTHORITY. The driveway, ACCESS and approach shall have a steel culvert to enable satisfactory ditch drainage and be HARD-SURFACED unless otherwise approved by the DEVELOPMENT AUTHORITY.

**12.6.6** PARCELS within the AP LAND USE DISTRICT that have existing residential USES, are permitted to renovate or improve these DWELLING UNITS, so long as no structural changes are undertaken.

**12.6.7** Under no circumstances will the DEVELOPMENT AUTHORITY allow existing residential USES within the AP LAND USE DISTRICT to be replaced with a new DWELLING UNIT.

**12.6.8** Under no circumstances will the DEVELOPMENT AUTHORITY allow PARCELS within the AP LAND USE DISTRICT that do not currently have a residential USE, to add a new residential USE.

**12.6.9** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.6.10** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential impacts of the activity shall not adversely affect surrounding USES. Matters that shall be addressed in the application may include, but is not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**12.6.11** When considering an AGRICULTURE USE in the AP LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider the growing of a crop on parcels larger than 20 acres/8 hectares.

**12.6.12** Under no circumstances will the DEVELOPMENT AUTHORITY consider an AGRICULTURE USE that includes the raising of livestock within the AP LAND USE

DISTRICT.

**12.6.13** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate any impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**12.6.14** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

a) no SIGN shall exceed a maximum height of 10m/32.8ft.;
b) no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds:
    a. 6m2/64.5sq.ft in SIGN AREA per SIGN FACE for a one or two business BUILDINGS;
    b. 8.75m2/94.1sq.ft. in SIGN AREA per SIGN FACE for a three (3) business BUILDINGS;
    c. 11.5m2/123.7.sq.ft. per SIGN FACE in SIGN AREA for a four (4) business BUILDINGS; and
    d. 14.25m2/153.3sq.ft. in SIGN AREA per SIGN FACE for a five (5) or more business

**12.6.11** SIGNS – PROJECTING are permitted provided that:

a) no SIGN shall exceed a maximum size of 6m2/64.5sq.ft. in SIGN AREA;
b) no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
c) there shall be a maximum of one SIGN – PROJECTING per business on a property; and
d) no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**12.6.12** SIGNS – FASCIA are permitted provided that:

a) SIGNAGE does not exceed 12% of the total surface area of the BUILDING face where the SIGN is to be erected; and
b) no individual SIGN shall exceed 3m/9.85ft. in height.
c) shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and
d) No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**12.6.13** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**12.6.14** SIGNS – SANDWICH are permitted provided that the SIGN shall:

a) not exceed a single SIGN FACE area of $1m^2$/10.8sq.ft:
b) no more than one SIGN – SANDWICH is provided per LOT;
c) it is not located within the required SIGHT TRIANGLE; and
d) it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.7 FORESTRY SERVICES (FS) LAND USE DISTRICT

### INTENT

The intent of the FS LAND USE DISTRICT is to accommodate municipal, provincial, and federal forestry related DEVELOPMENT.

### USES

**TABLE 12.8** PERMITTED AND DISCRETIONARY USES IN THE FS LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE<br>**b)** EMERGENCY SERVICES FACILITY<br>**c)** GOVERNMENT SERVICES<br>**d)** OUTDOOR STORAGE<br>**e)** TRANSMITTION STATION<br>**f)** WAREHOUSE | **a)** AGRICULTURE<br>**b)** ALTERNATIVE ENERGY TECHNOLOGY<br>**c)** BULK OIL, FUEL, AND CHEMICAL STORAGE<br>**d)** CAMPGROUND<br>**e)** INDUSTRIAL OPERATION<br>**f)** PUBLIC USE<br>**g)** LOGGING SERVICE<br>**h)** LUMBER YARDS<br>**i)** NON-PROFIT COMMUNITY SUPPORT SERVICES<br>**j)** RECREATIONAL SERVICE - OUTDOOR<br>**k)** RELOCATABLE INDUSTRIAL ACCOMODATION<br>**l)** SHIPPING CONTAINER<br>**m)** TEMPORARY BUNKHOUSE |

### SITE PROVISIONS:

Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the FS LAND USE DISTRICT is subject to the LOT, SITE, and BUILDING requirements as follows:

**TABLE 12.9** FS LAND USE DISTRICT LOT, SITE, AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| YARD – FRONT (minimum) | 6m/19.6ft |
| YARD – FLANKAGE (minimum) | 10m/32.8ft |
| YARD – SIDE (minimum) | 10m/32.8ft |
| YARD – REAR (minimum) | 10m/32.8ft |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. or 4 stories |
| LOT COVERAGE (maximum) | 60% |

## ADDITIONAL REQUIREMENTS

**12.7.1** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**12.7.2** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

**12.7.3** All DEVELOPMENT PERMIT applications must align with municipal, provincial, or federal priorities and be accompanied by a letter of endorsement from the relevant government authority, except where that government authority is the applicant.

**12.7.4** The DEVELOPMENT AUTHORITY may issue a DEVELOPMENT PERMIT subject to such conditions as necessary to meet the purpose of this LAND USE DISTRICT.

**12.7.5** All establishments located on a SITE bordering a highway shall be screened from the highway in a manner incorporating LANDSCAPING or BERM or both to the satisfaction of the DEVELOPMENT AUTHORITY.

**12.7.6** Any nuisance factor generated by a DEVELOPMENT, including but not limited to:

a) dust, fly ash or other particulate matter;
b) odorous gas or odorous matter; and
c) toxic gas or any other toxic substance;

must be contained within an enclosed ON-SITE BUILDING.

**12.7.7** Article 12.7.6 does not relieve against any compliance with any other standards established by any Federal, Provincial or Municipal enactments.

**12.7.8** All driveways, ACCESSES or approaches from a street to the LOT shall be in a location acceptable to the DEVELOPMENT AUTHORITY. The driveway, ACCESS and approach shall have a steel culvert to enable satisfactory ditch drainage and be HARD-SURFACED unless otherwise approved by the DEVELOPMENT AUTHORITY.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.7.9** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential impacts of the activity shall not adversely affect surrounding USES. Matters that shall be addressed in the application may include, but is not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**12.7.10** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate any impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**12.7.11** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

a) no SIGN shall exceed a maximum height of 10m/32.8ft.;

b) no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds:
    e. 6m2/64.5sq.ft in SIGN AREA per SIGN FACE for a one or two business BUILDINGS;
    f. 8.75m2/94.1sq.ft. in SIGN AREA per SIGN FACE for a three (3) business BUILDINGS;
    g. 11.5m2/123.7.sq.ft. per SIGN FACE in SIGN AREA for a four (4) business BUILDINGS; and
    h. 14.25m2/153.3sq.ft. in SIGN AREA per SIGN FACE for a five (5) or more business

**12.7.12** SIGNS – PROJECTING are permitted provided that:

a) no SIGN shall exceed a maximum size of 6m2/64.5sq.ft. in SIGN AREA;
b) no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
c) there shall be a maximum of one SIGN – PROJECTING per business on a property; and
d) no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**12.7.13** SIGNS – FASCIA are permitted provided that:

a) SIGNAGE does not exceed 12% of the total surface area of the BUILDING face where the SIGN is to be erected; and
b) no individual SIGN shall exceed 3m/9.85ft. in height.
c) shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and
d) No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**12.7.14** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

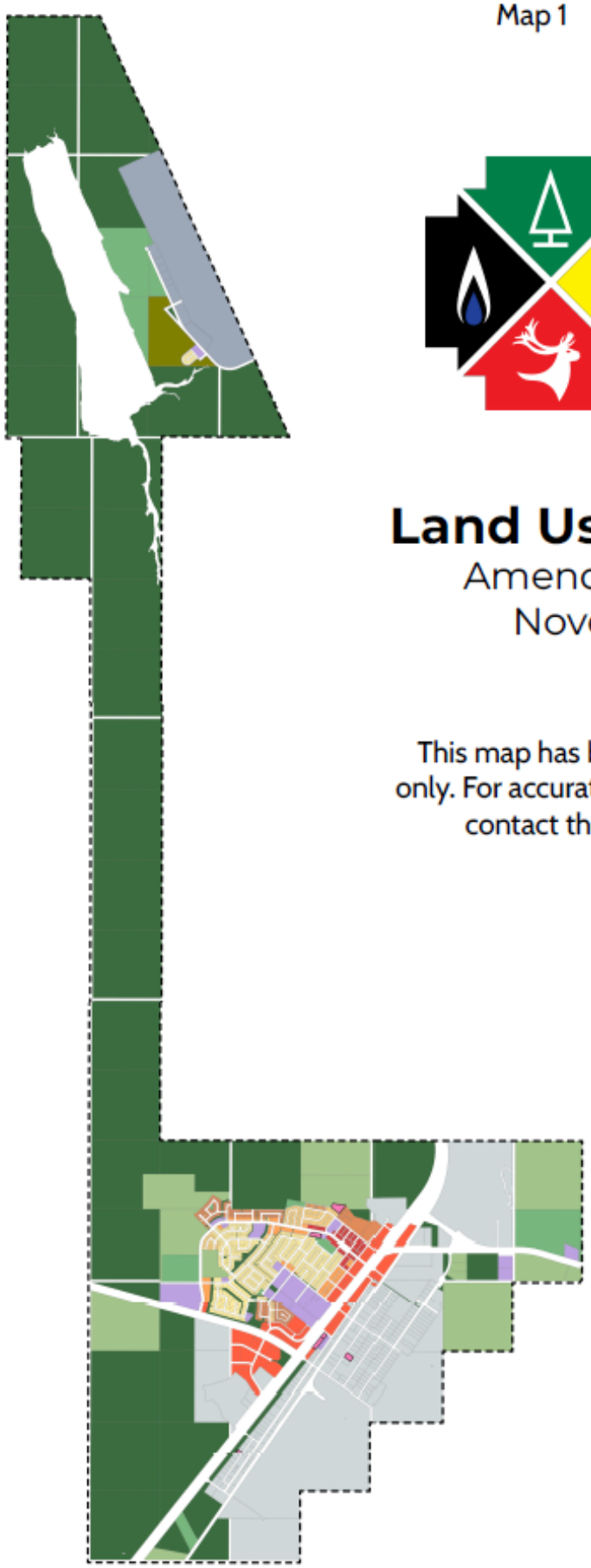
**12.7.15** SIGNS – SANDWICH are permitted provided that the SIGN shall:

a) not exceed a single SIGN FACE area of $1m^2$/10.7sq.ft:
b) no more than one SIGN – SANDWICH is provided per LOT;
c) it is not located within the required SIGHT TRIANGLE; and
d) it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

# APPENDIX 1

# MAPS

Map 1



TOWN OF
HIGH LEVEL

# Land Use Districts Map

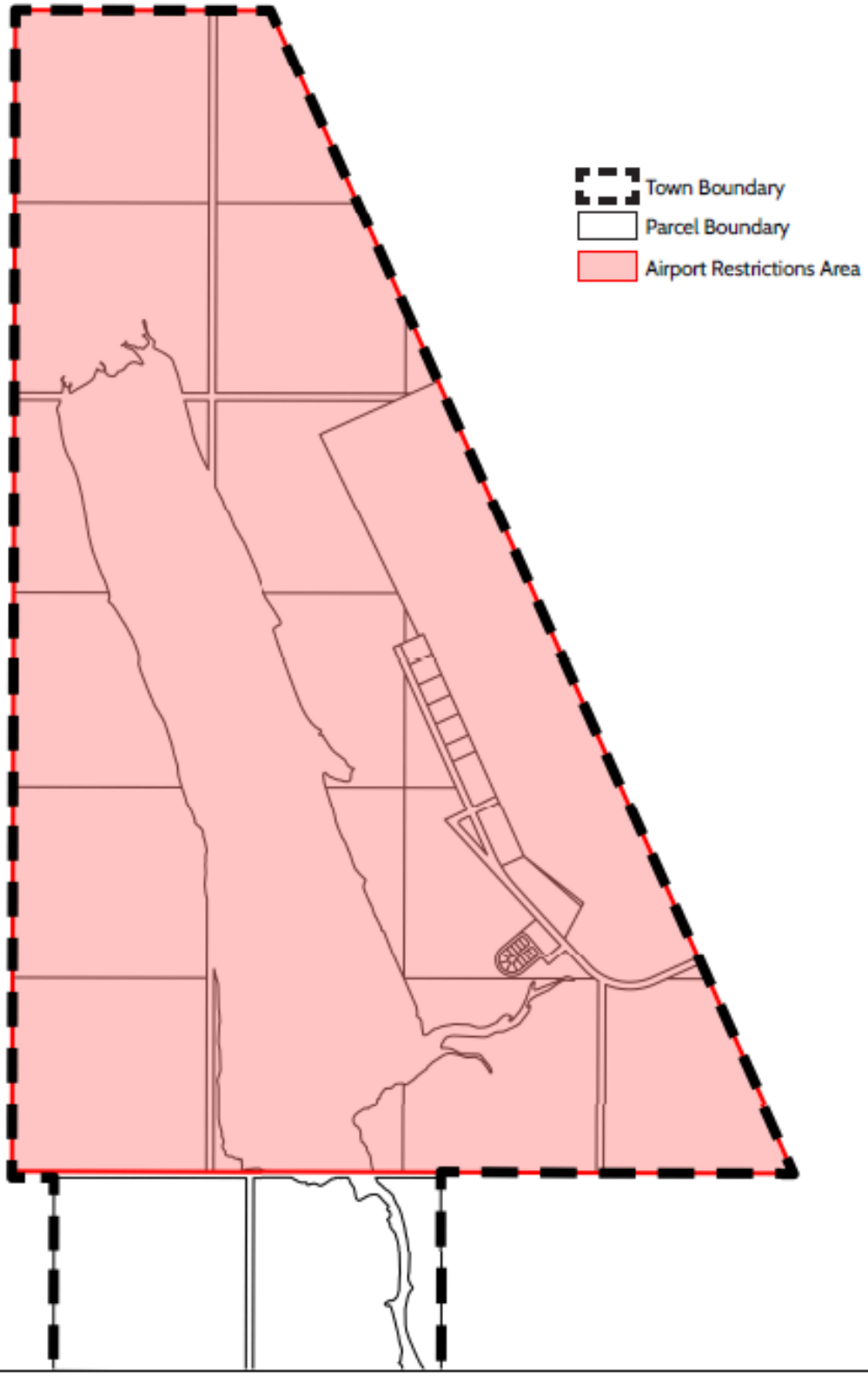
Amendments current to
November 22, 2024

This map has been provided for convenience only. For accurate zoning of individual properties contact the Planning & Development department.

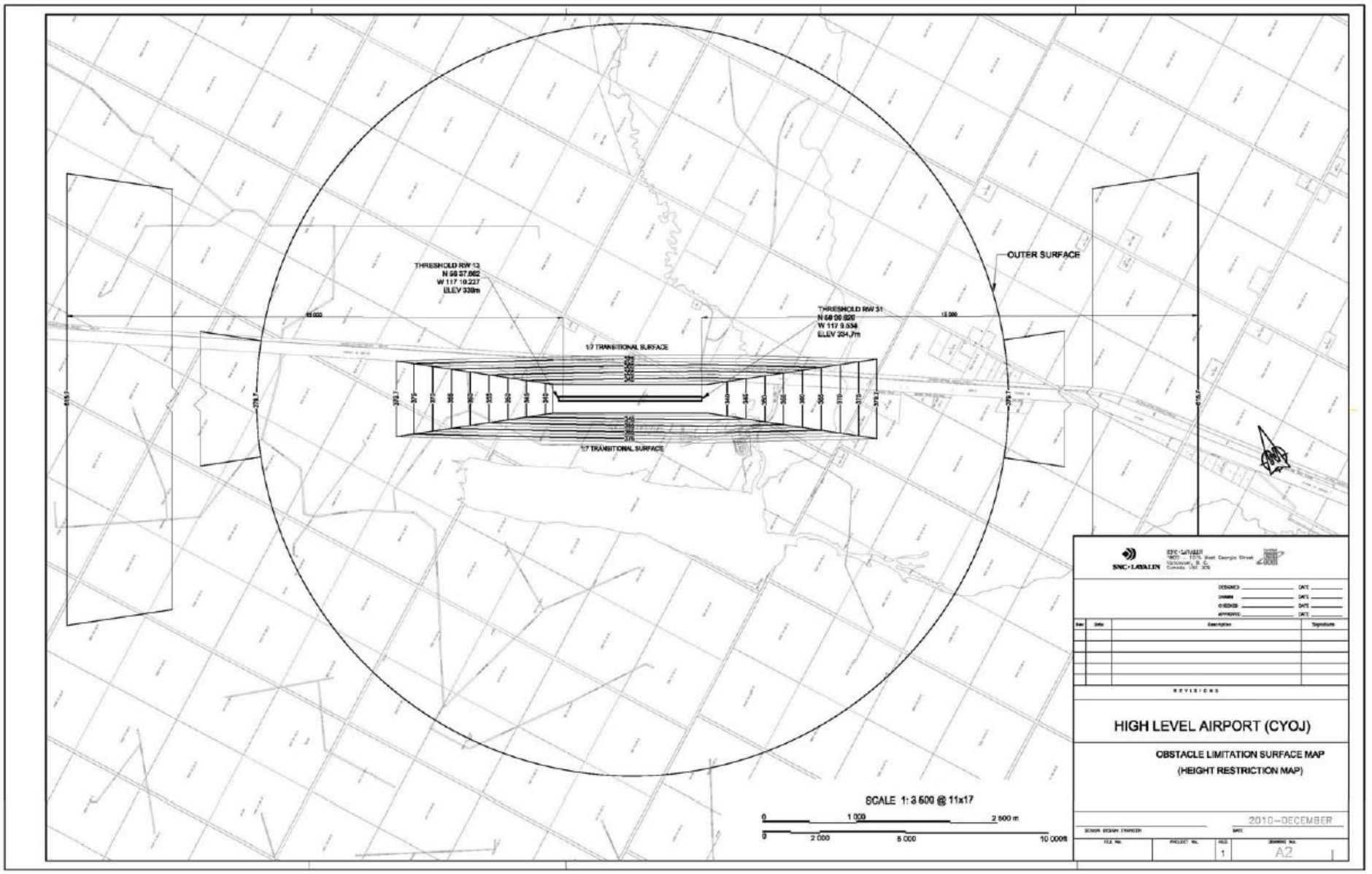
| | | |
|---|---|---|
| | Town Boundary | |
| | R-1 | Low Density Residential |
| | R-2 | Medium Density Residential |
| | R-3 | High Density Residential |
| | R-4 | Manufactured Home |
| | C-1 | Downtown Commercial |
| | C-3 | Highway Commercial |
| | IND | Industrial |
| | AP | Airport |
| | A | Agriculture |
| | P | Parks |
| | FS | Forestry Services |
| | R | Reserve |
| | CU | Community Use |
| | DC | Direct Control |

Map 2

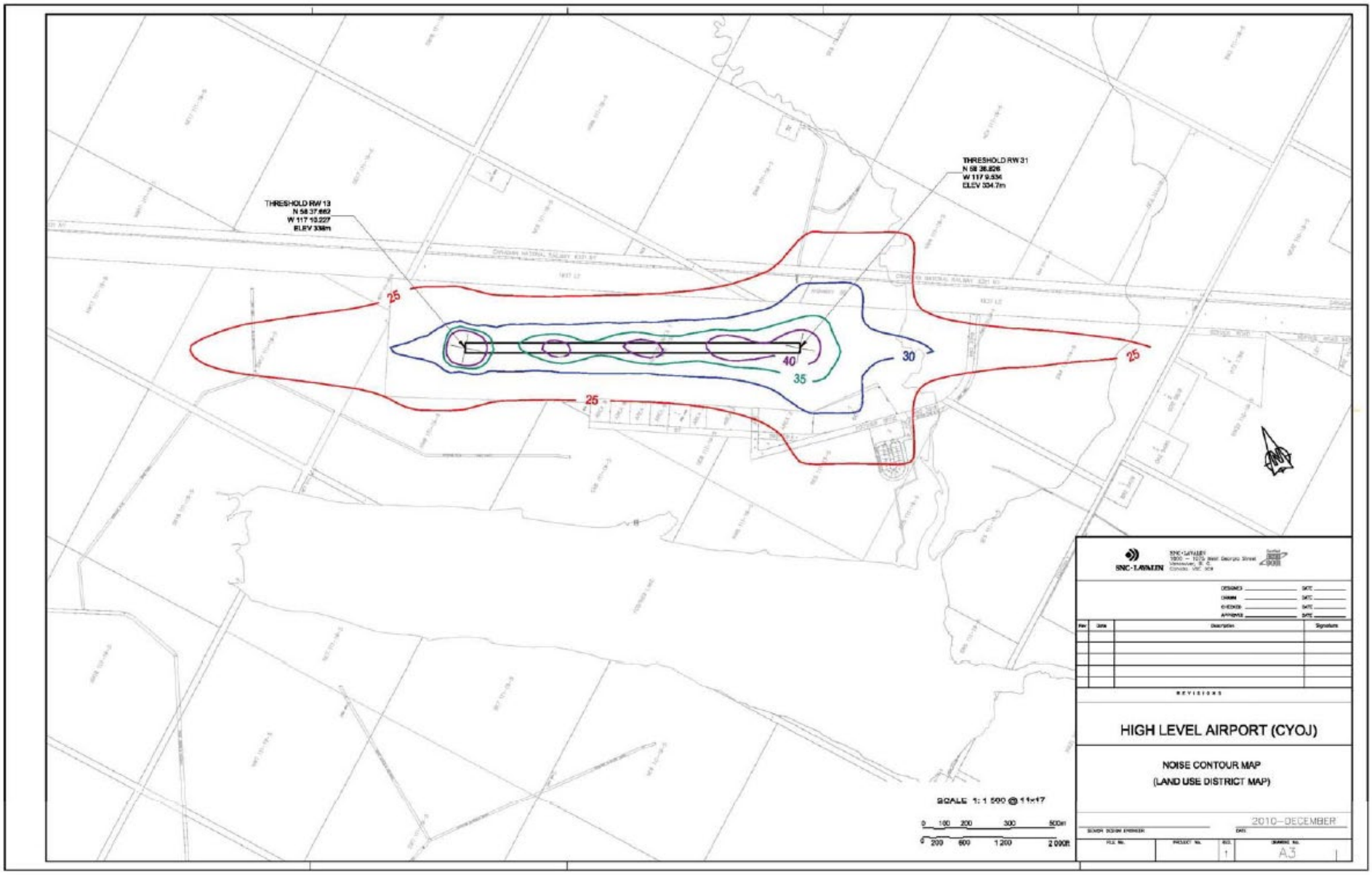
# Airport Restrictions Area



Map 3


THRESHOLD RW 13
N 58 37.062
W 117 10.227
ELEV 338m
THRESHOLD RW 31
N 58 36.820
W 117 9.536
ELEV 334.7m
OUTER SURFACE
1:7 TRANSITIONAL SURFACE
1:7 TRANSITIONAL SURFACE
SCALE 1: 3 500 @ 11x17
0
1 000
2 500 m
0
2 000
5 000
10 000ft
SNC-LAVALIN
REVISIONS
HIGH LEVEL AIRPORT (CYOJ)
OBSTACLE LIMITATION SURFACE MAP
(HEIGHT RESTRICTION MAP)
2010-DECEMBER
A2

Map 4


THRESHOLD RW 13
N 58 37.662
W 117 10.227
ELEV 338m
THRESHOLD RW 31
N 58 36.826
W 117 9.536
ELEV 334.7m
25
25
25
30
35
40
SNC-LAVALIN
HIGH LEVEL AIRPORT (CYOJ)
NOISE CONTOUR MAP
(LAND USE DISTRICT MAP)
SCALE 1: 1 500 @ 11x17
0 100 200 300 500m
0 200 600 1 200 2 000ft
2010-DECEMBER
A3

# APPENDIX 2

# FIGURES

FIGURE 1

# BERMS

A BERM is an elongated mound of earth a minimum of 1m / 3.2ft. in height above the FINISHED GRADE designed to provide SCREENING or noise attenuation within a DEVELOPMENT or between adjacent DEVELOPMENTS.





FIGURE 2

# BOULEVARDS

A BOULEVARD is the portion of land located within a PUBLIC ROADWAY between the vehicular portion of the road and the abutting LOT LINE, but does not include the area used for a sidewalk or trail.

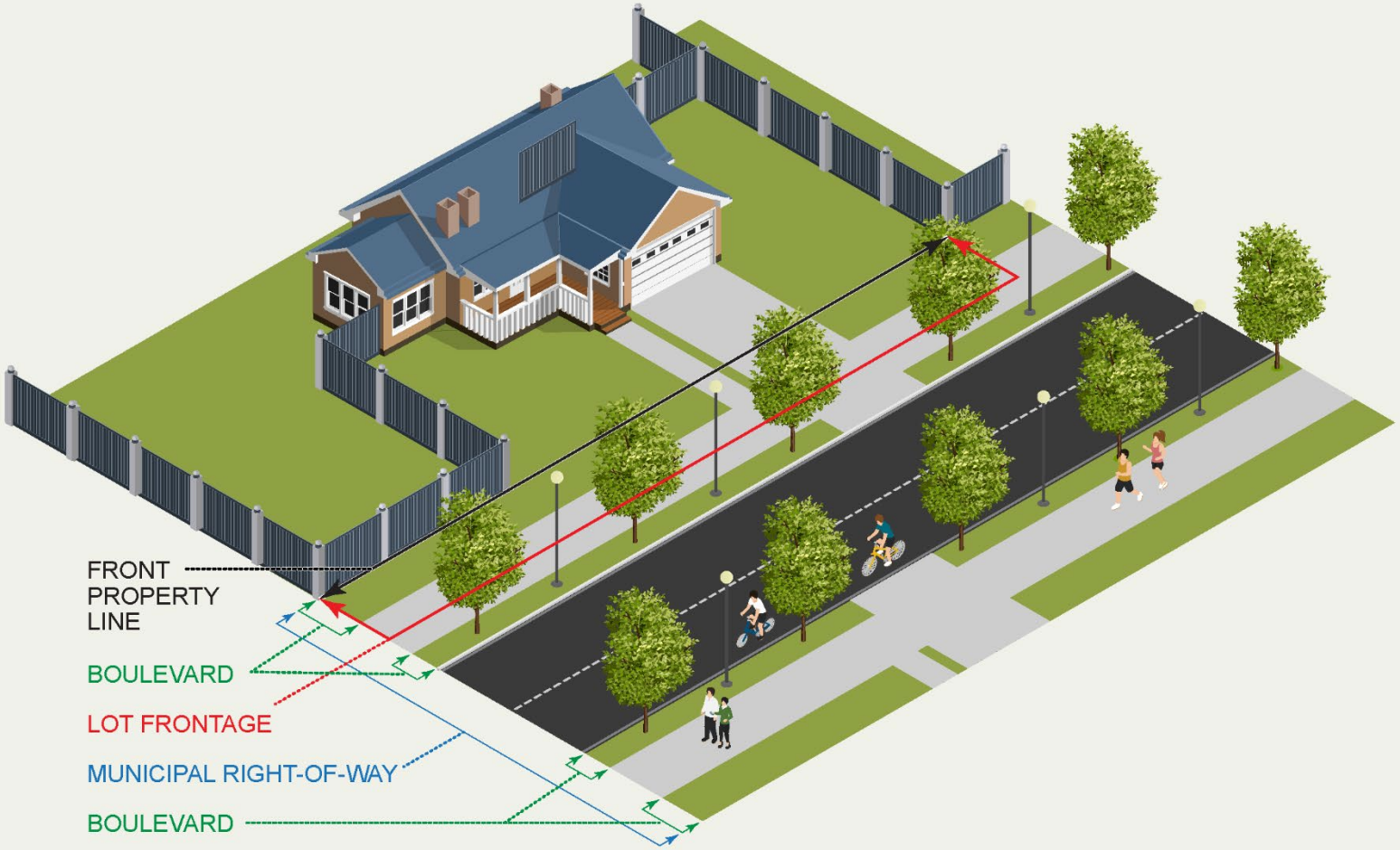


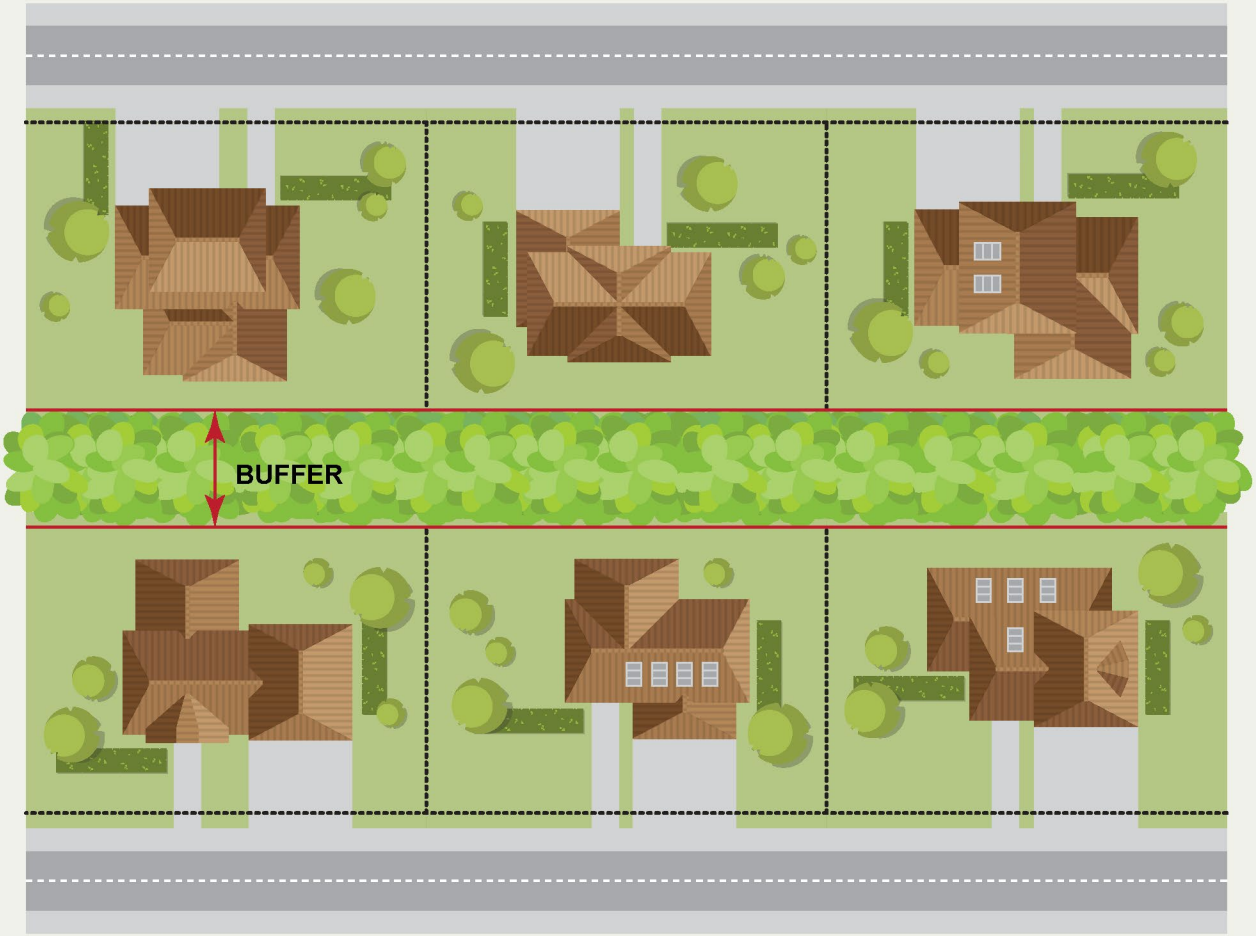





FIGURE 3

# BUFFERS

A BUFFER is a row of trees, shrubs, BERM, architectural devices, walls, fences, other landscape features, or a combination thereof used to provide visual SCREENING and separation between SITES or LAND USE DISTRICTS.





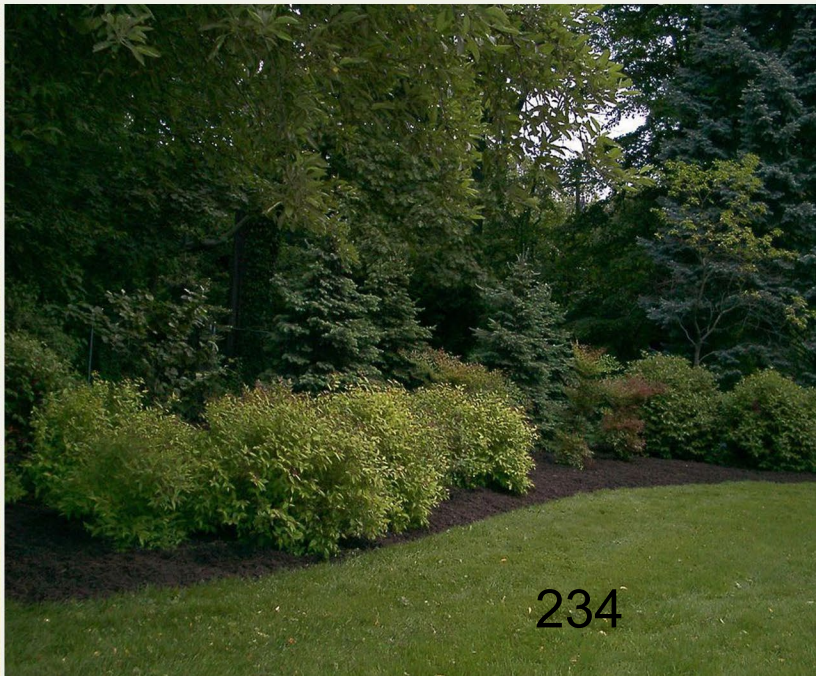



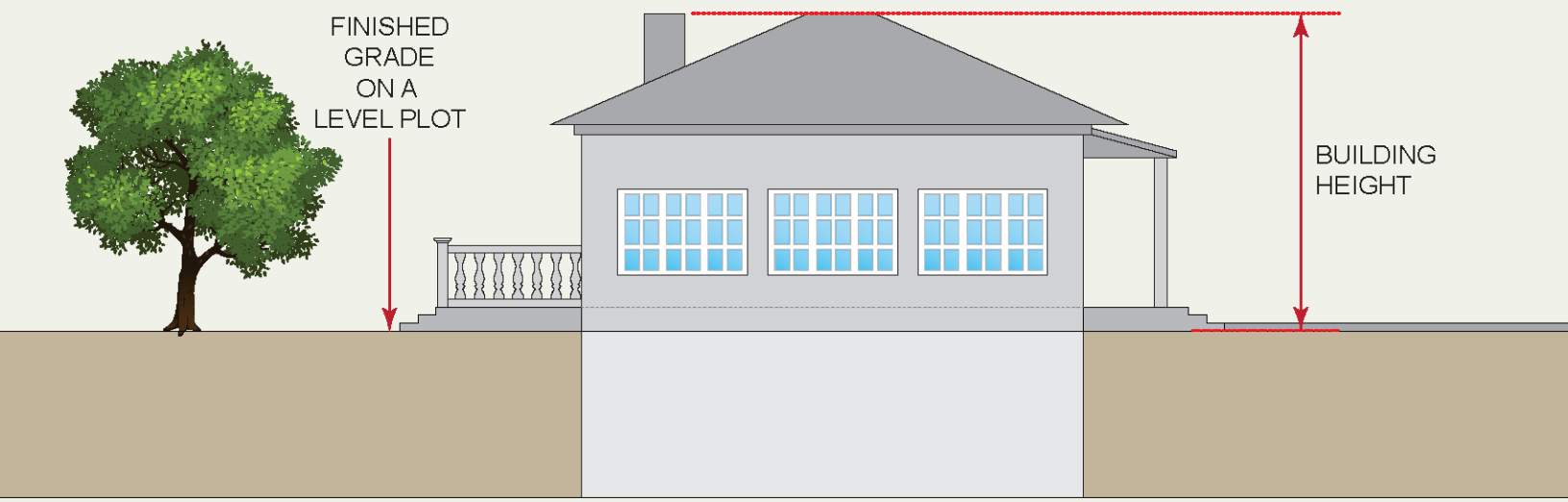
FIGURE 4

# BUILDING HEIGHT AND FINISHED GRADE

BUILDING HEIGHT is the vertical distance measured from the highest FINISHED GRADE, along any wall of a BUILDING and/or STRUCTURE facing a street, to the highest point of the BUILDING and/or STRUCTURE.

FINISHED GRADE is the elevation of the ground at the exterior of a BUILDING when the construction of the BUILDING and LANDSCAPING are complete, which may be shown in an approved plan. On a property with LOT FRONTAGE on two (2) or more streets, the highest FINISHED GRADE shall be taken from the wall featuring the principle entrance to the BUILDING.

BUILDING HEIGHT shall include any accessory roof construction such as mechanical housing, elevator housing, roof stairway entrance, ventilating fan, skylight, flagpole, parapet wall, chimney, steeple or similar feature not structurally essential to the BUILDING, and does not include SIGNS or communications structures.



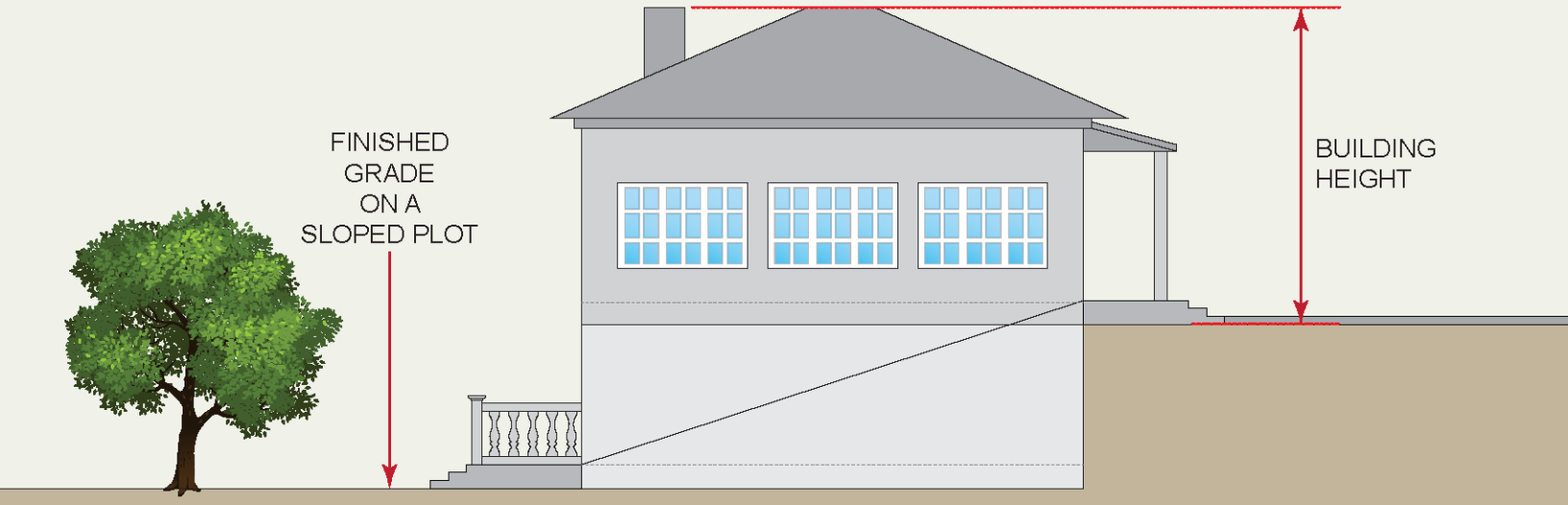



FIGURE 5

# CARPORTS AND GARAGES

A CARPORT (below, left) is a roofed STRUCTURE attached to a DWELLING UNIT that is designed for the PARKING and storage of MOTOR VEHICLES, which is open on at least two (2) sides providing unobstructed ACCESS to the YARD – REAR.





A GARAGE is an ACCESSORY BUILDING or part of a PRINCIPAL BUILDING, designed and used primarily for the storage of MOTOR VEHICLES. A GARAGE shall not be used for commercial activities or human habitation.

A GARAGE – ATTACHED (above, right) is a GARAGE attached to a PRINCIPAL BUILDING. A GARAGE – DETACHED (below, left) is a GARAGE that is not part of a PRINCIPAL BUILDING. A GARAGE – PORTABLE OR TEMPORARY (below, right) is a GARAGE that is designed to be collapsible in nature.






FIGURE 6

# FLOOR AREA

FLOOR AREA is the area of an individual STOREY or BASEMENT of a BUILDING and/or STRUCTURE measured from the outside surface of the exterior walls.



FLOOR AREA does not include the area used for a mechanical room, stairwells, air handling equipment, garbage storage, electrical room, GARAGE – ATTACHED and car PARKING areas.

FLOOR AREA – GROSS is the combined FLOOR AREA of all STOREYS of a BUILDING, excluding BASEMENT FLOOR AREA.

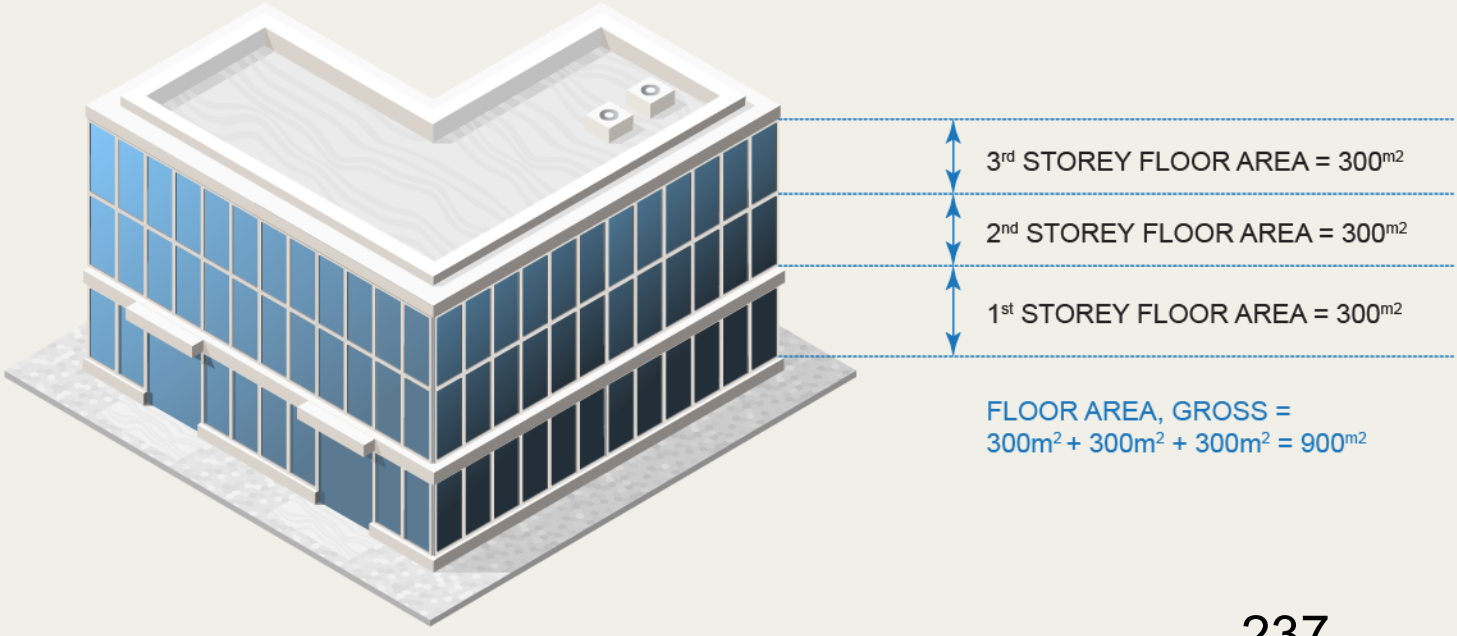


FIGURE 7

# GROUND FLOOR AND STOREYS

A GROUND FLOOR is the lowest STOREY of a BUILDING, and is located at or near FINISHED GRADE. A walk-out BASEMENT does not constitute a GROUND FLOOR.

A STOREY is a complete horizontal section of a BUILDING, having one (1) continuous or practically continuous floor, with all the rooms on the same level. A BASEMENT does not constitute a STOREY.

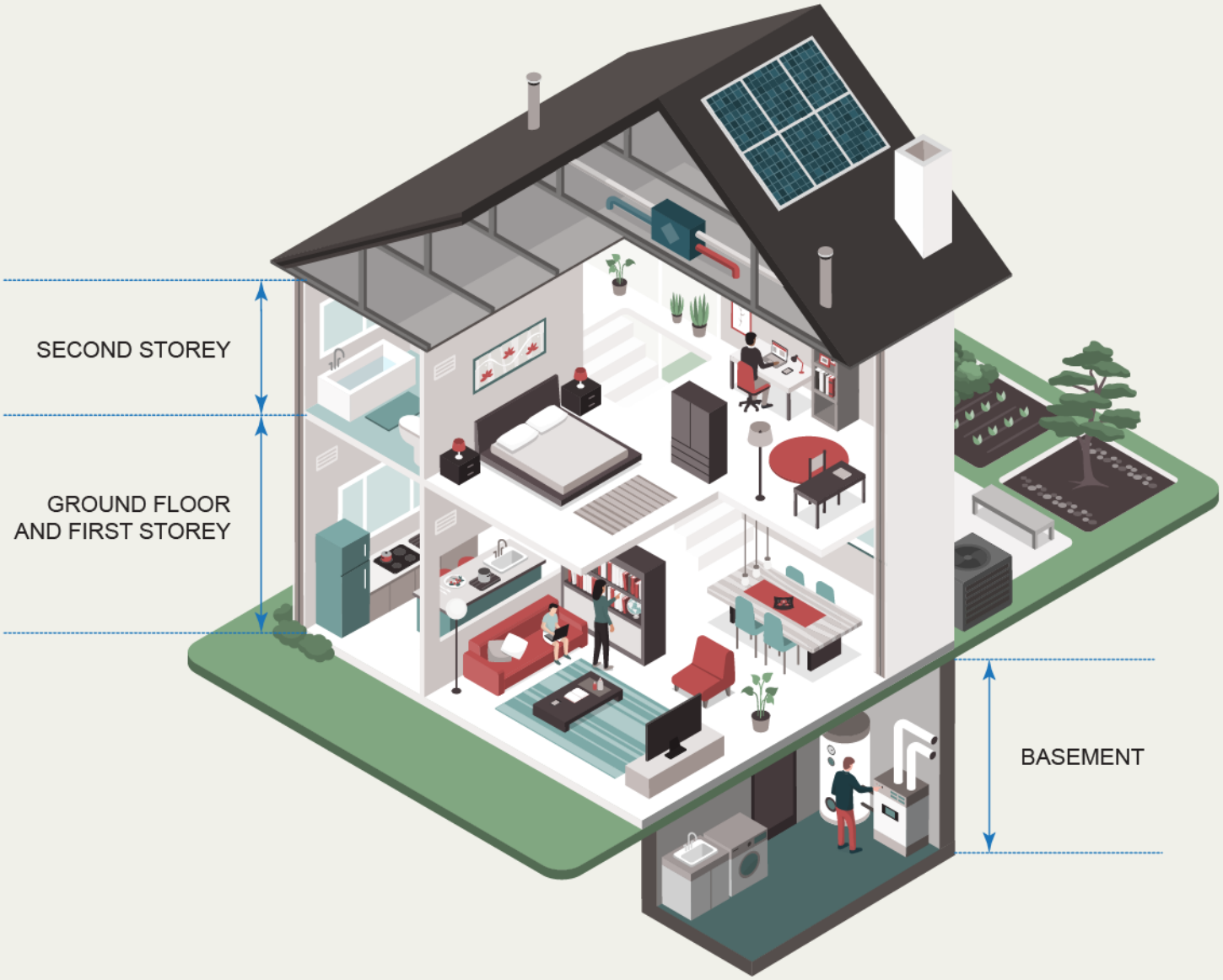


FIGURE 8

# HELICOPTER LANDING PADS

A designated landing area or platform for helicopters, which may be located on a roof, at or elevated above FINISHED GRADE.

## REGARDING ALL COMMUNITY USE AND [SELECT] INDUSTRIAL LAND USE DISTRICTS

| PREVIOUSLY CONSIDERED | NOW CONSIDERED |
|---|---|
| Community Use Land Use District, Discretionary Uses: Helicopter Landing Pad. | Community Use Land Use District, Discretionary Uses: Helicopter Landing Pad. |
| None | Industrial Land Use District, Discretionary Uses: Helicopter Landing Pad. |

diameter of primary rotor blade + 3m / 9.84ft



**MINIMUM SETBACK FROM ALL BUILDINGS AND STRUCTURES**

**DIAMETER OF PRIMARY ROTARY BLADE PLUS 3m / 9.84ft.**

diameter of primary rotor blade + 3m / 9.84ft



| PREVIOUS GUIDELINES | NEW GUIDELINES |
|---|---|
| None | HELICOPTER LANDING PADS require a DEVELOPMENT PERMIT. |
| None | HELICOPTER LANDING PADS will be considered a Discretionary Use on all parcels within a Community Use LAND USE DISTRICT. |
| None | HELICOPTER LANDING PADS will be considered a Discretionary Use in the Industrial LAND USE DISTRICT, only within select PARCELS - see Article 5.27.3 of the BYLAW for the more information. |
| None | The specifications and design elements of all HELICOPTER LANDING PADS must meet and maintain the minimum requirements as established by the *Canadian Aviation Regulations*. |
| None | The minimum setback from all buildings and structures for HELICOPTER LANDING PADS shall be the diameter of the helicopter's primary rotor blade, plus 3m / 9.84 ft. |
| None | The minimum setback from all LOT LINE – FRONT for HELICOPTER LANDING PADS shall be 20m / 65.61ft., with a minimum SETBACK of 10m / 32ft. from all LOT LINE – SIDES. |
| None | All proposed operations must conform to mandatory *Canadian Aviation Regulations* and function in a manner that mitigates potential noise, dust and nusinace issues that may affect adjacent landowners. |

FIGURE 9

# LANES

A LANE is a PUBLIC ROADWAY, not exceeding 9.1m / 29.8ft. in width, which provides a secondary means of ACCESS to a LOT.

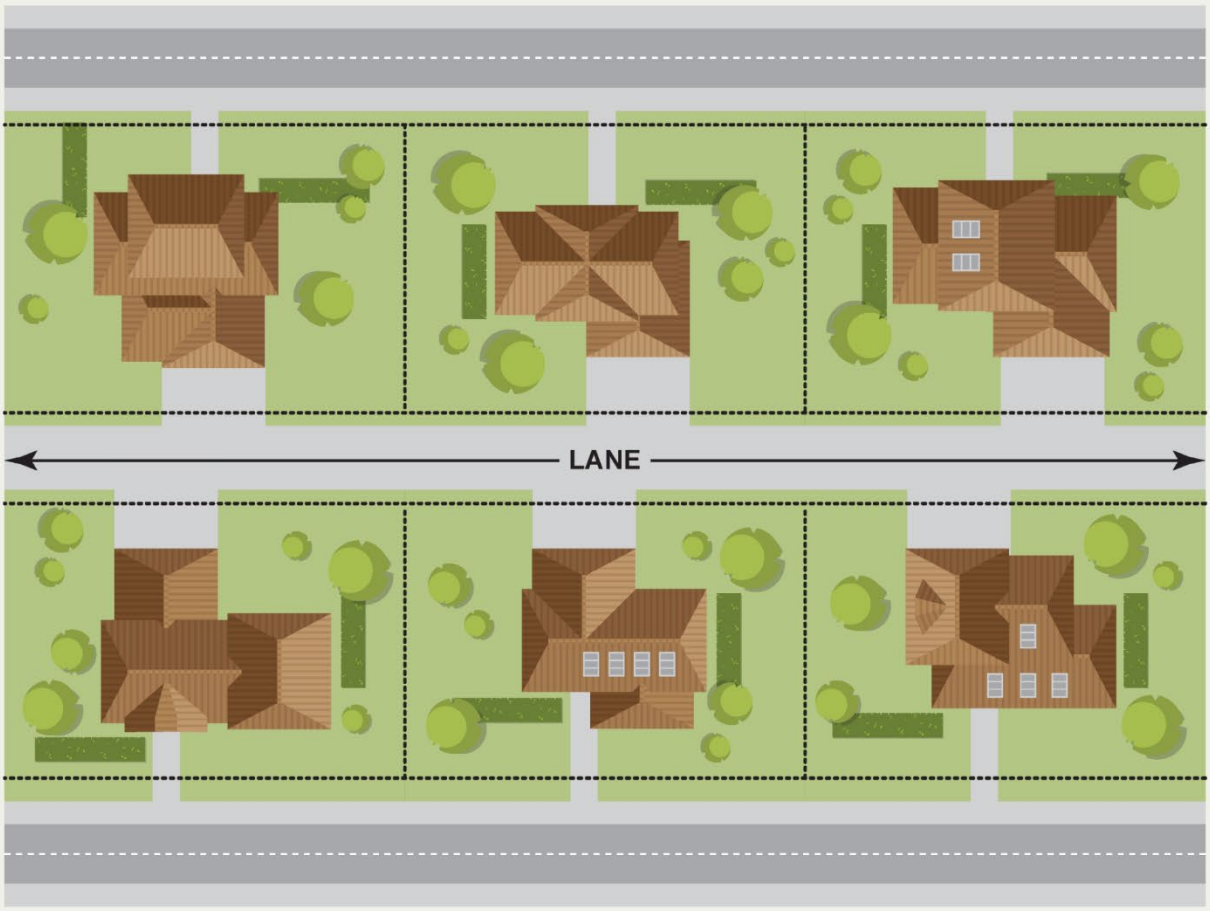







FIGURE 10

# LOT CORNER AND LOT THROUGHS

A LOT CORNER is a LOT located at the intersection of two (2) or more PUBLIC ROADWAYS.



A LOT – THROUGH is any LOT other than a LOT CORNER having an ACCESS on two (2) streets.

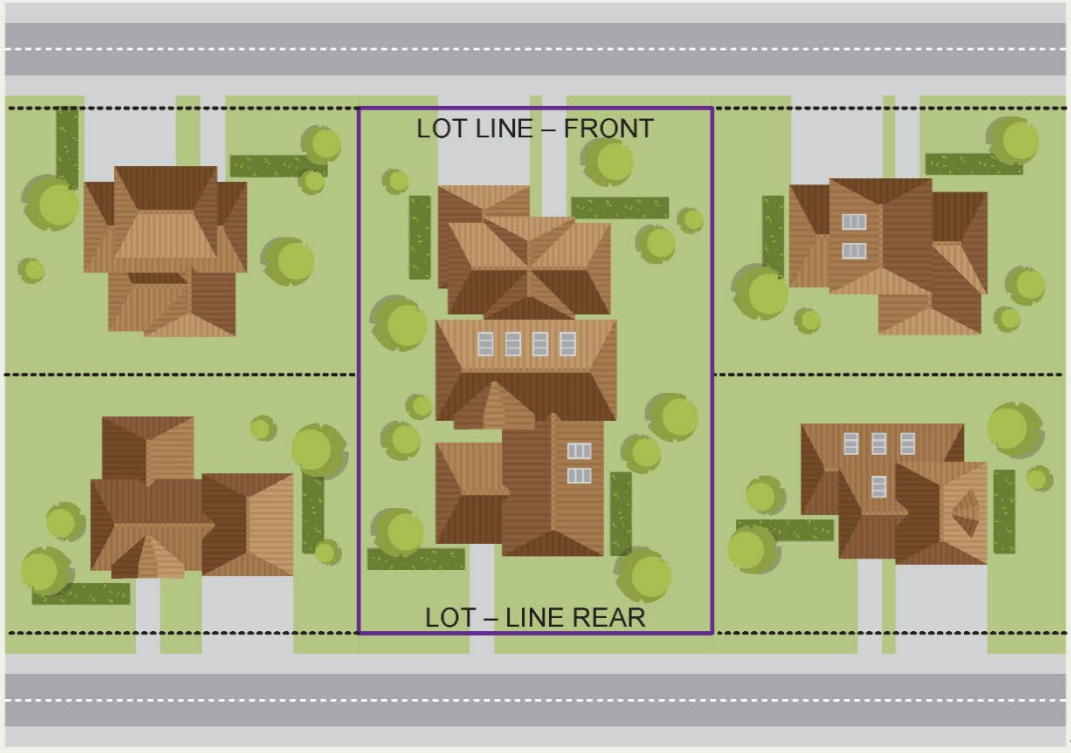


FIGURE 11

# LOT DEPTH, LOT WIDTH AND LOT FRONTAGE

LOT DEPTH is the distance between the mid point of the LOT LINE – FRONT and the mid point of the LOT LINE – REAR.

LOT FRONTAGE is the length of the LOT LINE – FRONT abutting a PUBLIC ROADWAY. In the case of LOT CORNER, both the LOT LINE – FRONT and LOT LINE – FLANKAGE are considered to have LOT FRONTAGE.

LOT WIDTH is the average horizontal distance between the LOT LINE – SIDES as determined by the DEVELOPMENT AUTHORITY. In the case of LOT CORNER, LOT WIDTH means the average horizontal distance between the LOT LINE – SIDE and the LOT LINE – FLANKAGE.

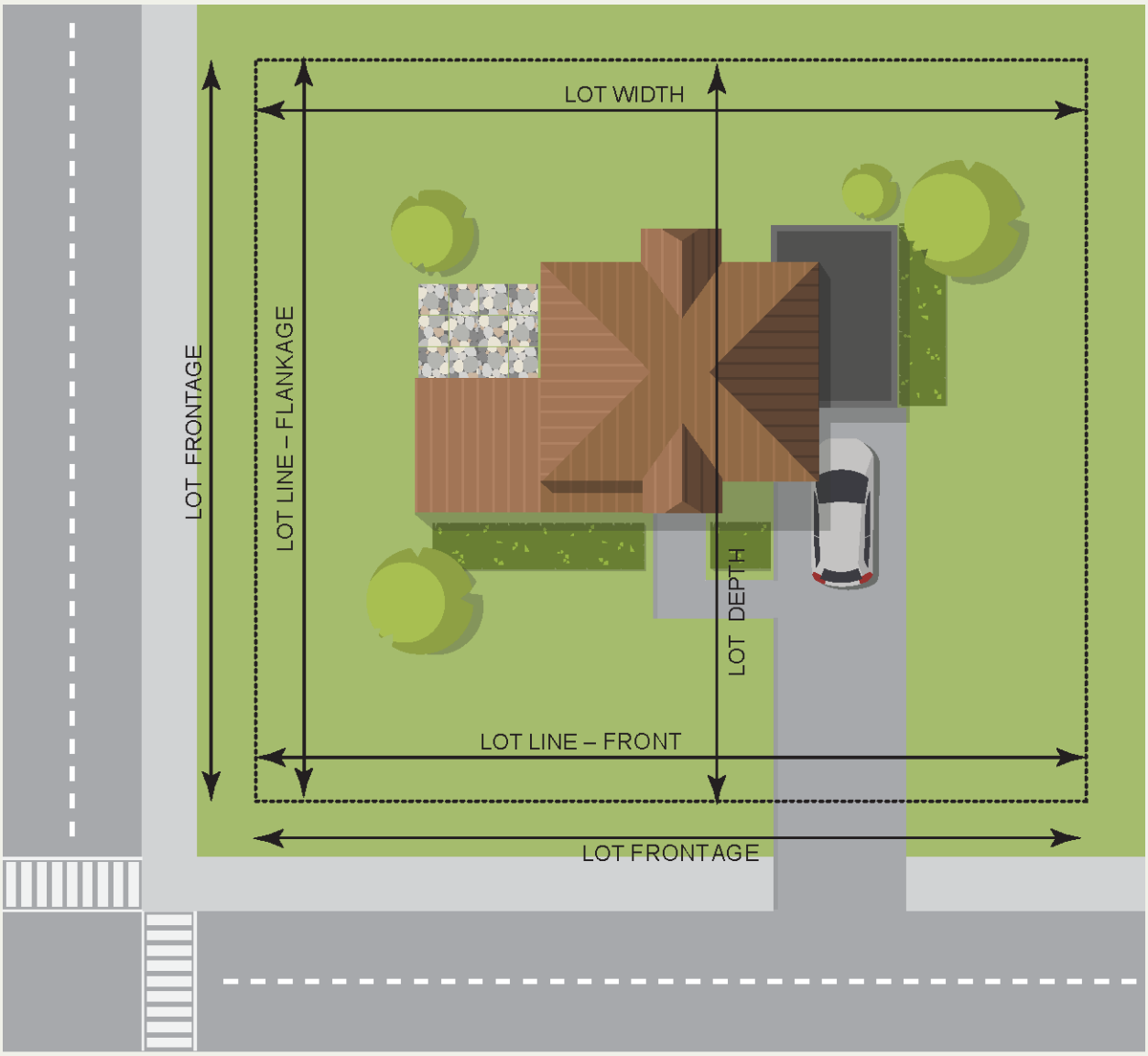


FIGURE 12

# LOT LINE – FLANKAGE, LOT LINE – FRONT, LOT LINE – REAR AND LOT LINE – SIDE

LOT LINES are the legally defined boundary of a LOT. A LOT LINE – FLANKAGE, in the case of a LOT CORNER, is the longest LOT LINE that abuts a PUBLIC ROADWAY, other than a LANE.

A LOT LINE – FRONT is the boundary dividing the LOT from an abutting PUBLIC ROADWAY, other than a LANE. In the case of a LOT CORNER, the shortest LOT LINE that abuts a PUBLIC ROADWAY, other than a LANE shall be the LOT LINE – FRONT.

A LOT LINE – REAR is the LOT LINE that is opposite to the LOT LINE – FRONT.

A LOT LINE – SIDE is the LOT LINE other than the LOT LINE – FRONT or LOT LINE – REAR.

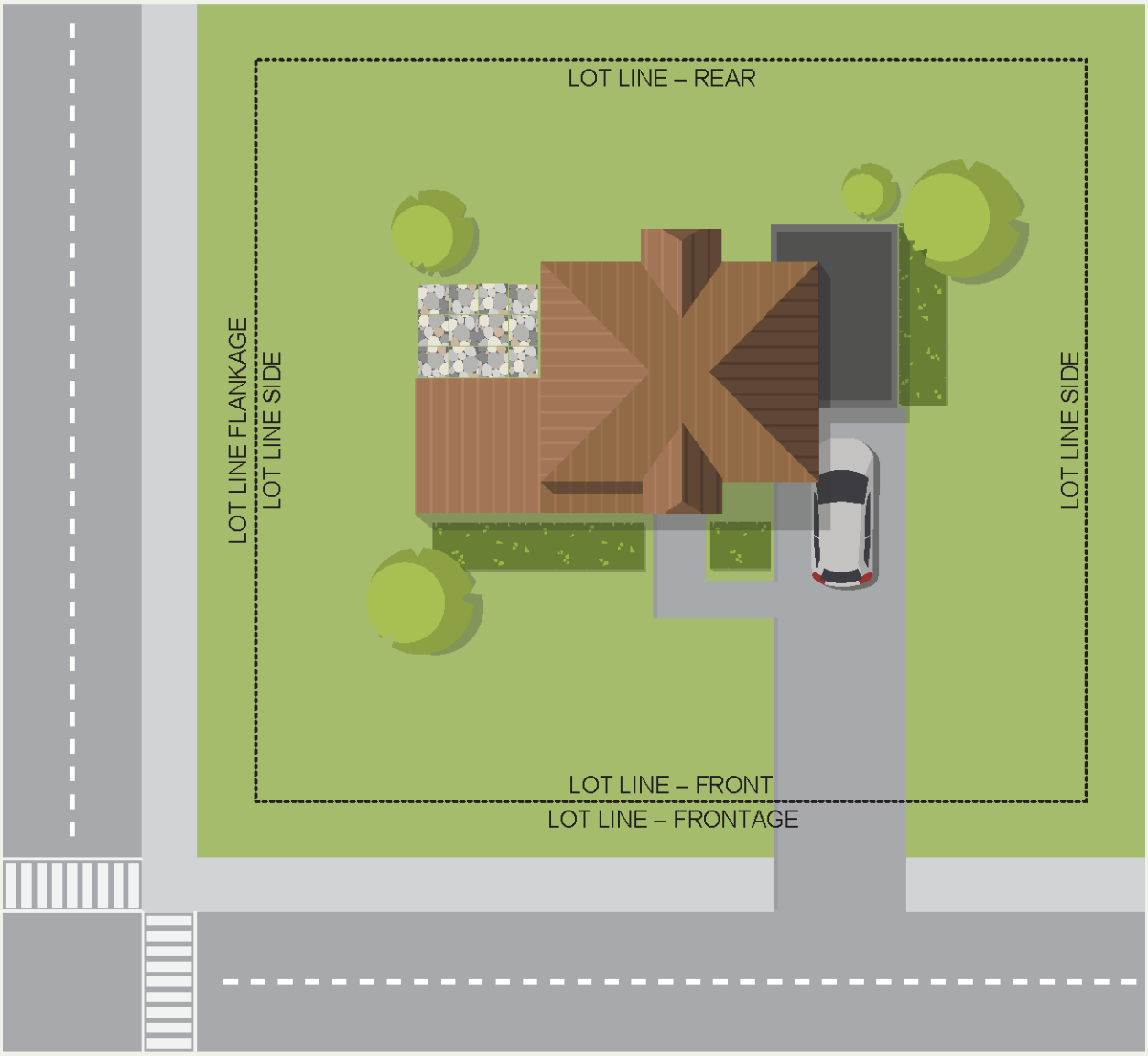


FIGURE 13

# MANUFACTURED HOMES MOBILE AND MANUFACTURED HOMES MODULAR

A MANUFACTURED HOME – MOBILE is a DWELLING UNIT, whether originally equipped with a heavy transport chassis, a hitch and wheel assembly or not, that is manufactured in a controlled environment that conforms to CSA-Z240 of the *National Building Code – Alberta Edition,* is transported from one place to another as a single unit, or in two (2) sections if a double-wide unit. A MANUFACTURED HOME – MOBILE does not require a PERMANENT FOUNDATION, can be anchored on a concrete or wood block foundation, and does not include a MANUFACTURED HOME – MODULAR or MANUFACTURED HOME – READY TO MOVE.



A MANUFACTURED HOME – MODULAR is a single detached DWELLING UNIT that is manufactured in a controlled environment, which conforms to CSA-A277 of the *National Building Code – Alberta Edition* at the time of manufacture, is transported and assembled on a PARCEL in one or more sections. MANUFACTURED HOME – MODULAR does not have a chassis, a hitch or wheel assembly, and the sections may be stacked vertically or placed side-by-side. MANUFACTURED HOME – MODULAR must be placed upon a PERMANENT FOUNDATION, includes MANUFACTURED HOME – READY TO MOVE, but does not include DWELLING SINGLE DETACHED, DWELLING – DUPLEX or MANUFACTURED HOME – MOBILE.



FIGURE 14

# PARTY WALLS

A PARTY WALL (dotted lines, below) is a wall separating a DWELLING – DUPLEX or DWELLING – TOWNHOUSE above and/or below grade, that is jointly owned and used by two (2) separate parties under an EASEMENT or PARTY WALL agreement, or by a right in law, and erected at or upon a line separating two (2) PARCELS of land each of which is, or capable of being, a separate real-estate entity.





FIGURE 15

# RETAINING WALLS

A RETAINING WALL is a STRUCTURE designed to support and retain any material (usually earth) on a SITE.





FIGURE 16

# SHIPPING CONTAINERS

A SHIPPING CONTAINER is a steel SHIPPING CONTAINER for ACCESSORY USE to the PRINCIPAL BUILDING.





FIGURE 17

# SIGHT TRIANGLE

A SIGHT TRIANGLE is a triangular area formed at the intersection of two PUBLIC ROADWAYS, including LANES, designed to maintain clear and unobstructed sightlines for drivers and pedestrians. No fence, vegetation, SIGN, BUILDING, or other obstruction exceeding a specified height may be located within this area.

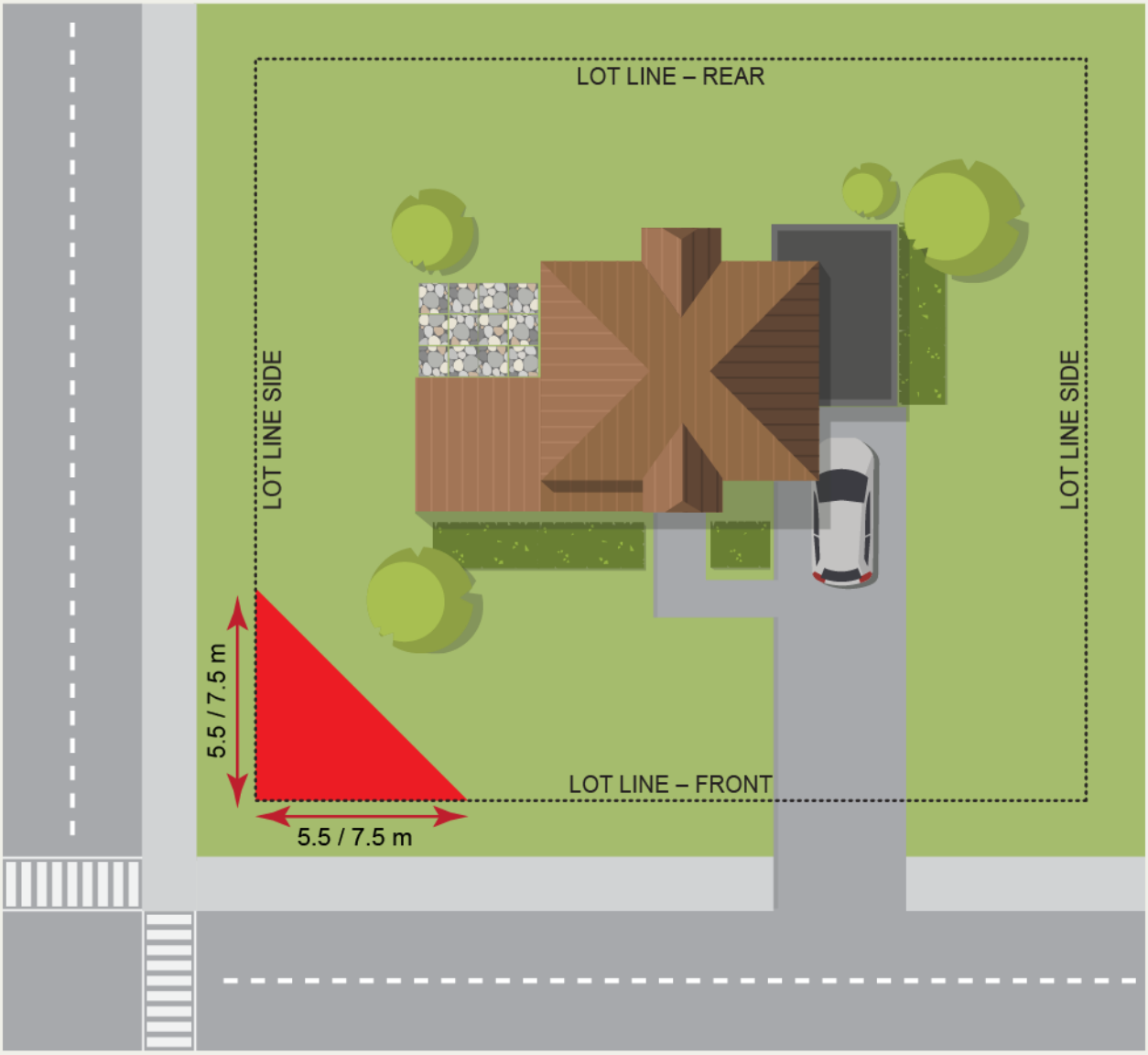


FIGURE 18

# SIGNS

A SIGN OR SIGNAGE is an object, STRUCTURE or device used for the purpose of identification or advertising, or to call attention to any person, matter or event, or to provide direction.



SIGN – BILLBOARD




SIGN – CANOPY



SIGN – DIRECTORY







SIGNS – FASCIA




SIGN – FREESTANDING



SIGN – ILLUMINATED






SIGNS – PORTABLE OR MOBILE




SIGN – PROJECTING




SIGN – ROOF



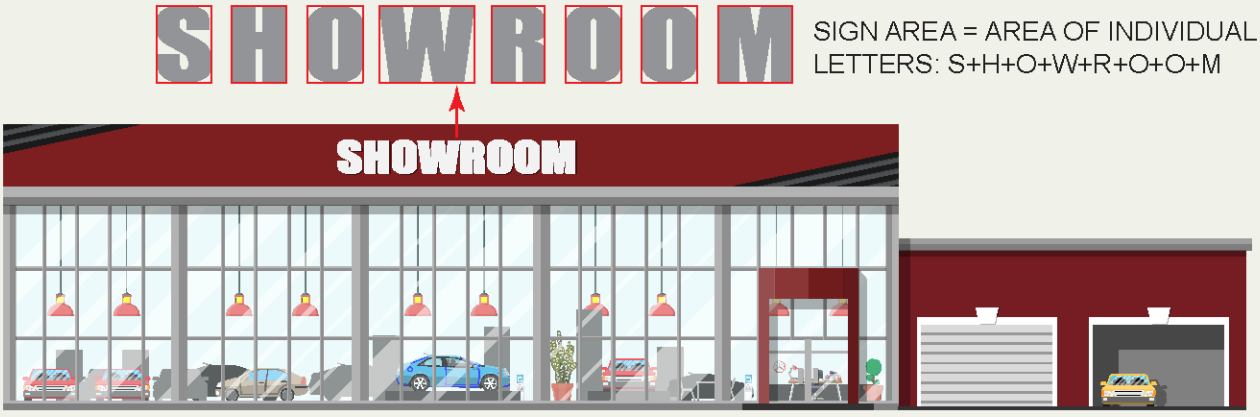
SIGN – SANDWICH

FIGURE 19

# SIGN AREA

SIGN AREA is the total visible surface area of the SIGN. In the case of SIGN – FASCIA with individual lettering, the sum of the combined areas of each individual letter is the total SIGN AREA.



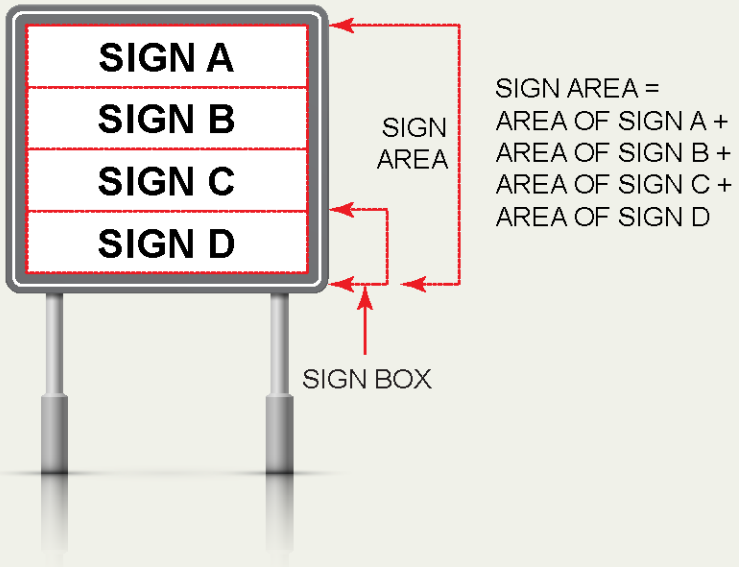



FIGURE 20

# YARD – FLANKAGE, YARD – FRONT, YARD – REAR AND YARD – SIDE




YARD – FLANKAGE is a YARD – SIDE abutting the road of a LOT CORNER. YARD – FLANKAGE is determined by the horizontal dimension measured from a LOT LINE – FLANKAGE at a right angle to the nearest point of a wall of any BUILDING and/or STRUCTURE on the LOT.

YARD – REAR is a yard extending across the full width of a SITE from the LOT LINE – REAR to the nearest point on the exterior of any BUILDING and/or STRUCTURE situated on the SITE, measured at right angles to the LOT LINE – REAR.




YARD – FRONT is a yard extending across the full width of a SITE from the LOT LINE – FRONT to the nearest point on the exterior of any BUILDING and/or STRUCTURE situated on the LOT measured at right angles to the LOT LINE – FRONT.

YARD – SIDE is the horizontal dimension measured from a LOT LINE – SIDE at a right angle to the neareast point of a wall of any BUILDING and/or STRUCTURE on the LOT.



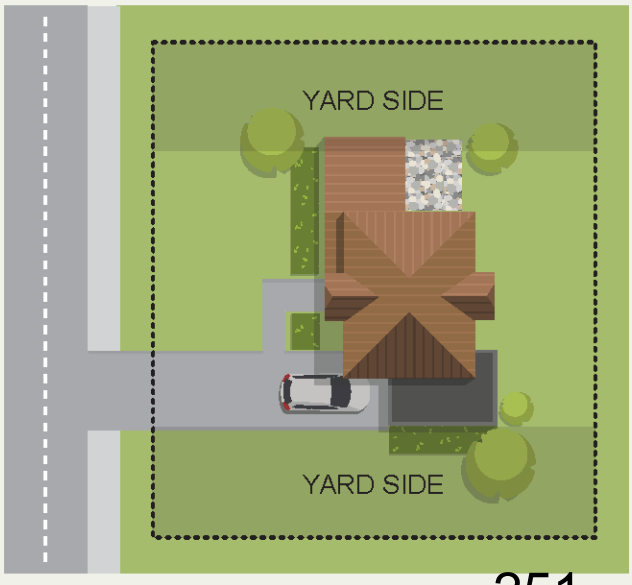



FIGURE 21

# BOULEVARD LANDSCAPING

An applicant whose DEVELOPMENT involves the creation of a new ACCESS within the PUBLIC RIGHT-OF-WAY, shall be responsible for the construction or replacement of a BOULEVARD.



All applications for LANDSCAPING of a BOULEVARD are subject to the specified conditions of an approved DEVELOPMENT PERMIT, or a DEVELOPMENT AGREEMENT that will specify all mandatory design elements.



FIGURE 22

# PARKING LOT LANDSCAPING

Any PARKING LOT abutting a public street, park or residential land-use shall be separated by a 2m / 6.5ft. landscaped BUFFER. The DEVELOPMENT AUTHORITY may also consider an opaque wooden fence as an alternative to a landscaped BUFFER.






FIGURE 23

# USING BERMS AS LANDSCAPED BUFFERS





An example of a vegetative BERM as a landscaped BUFFER:

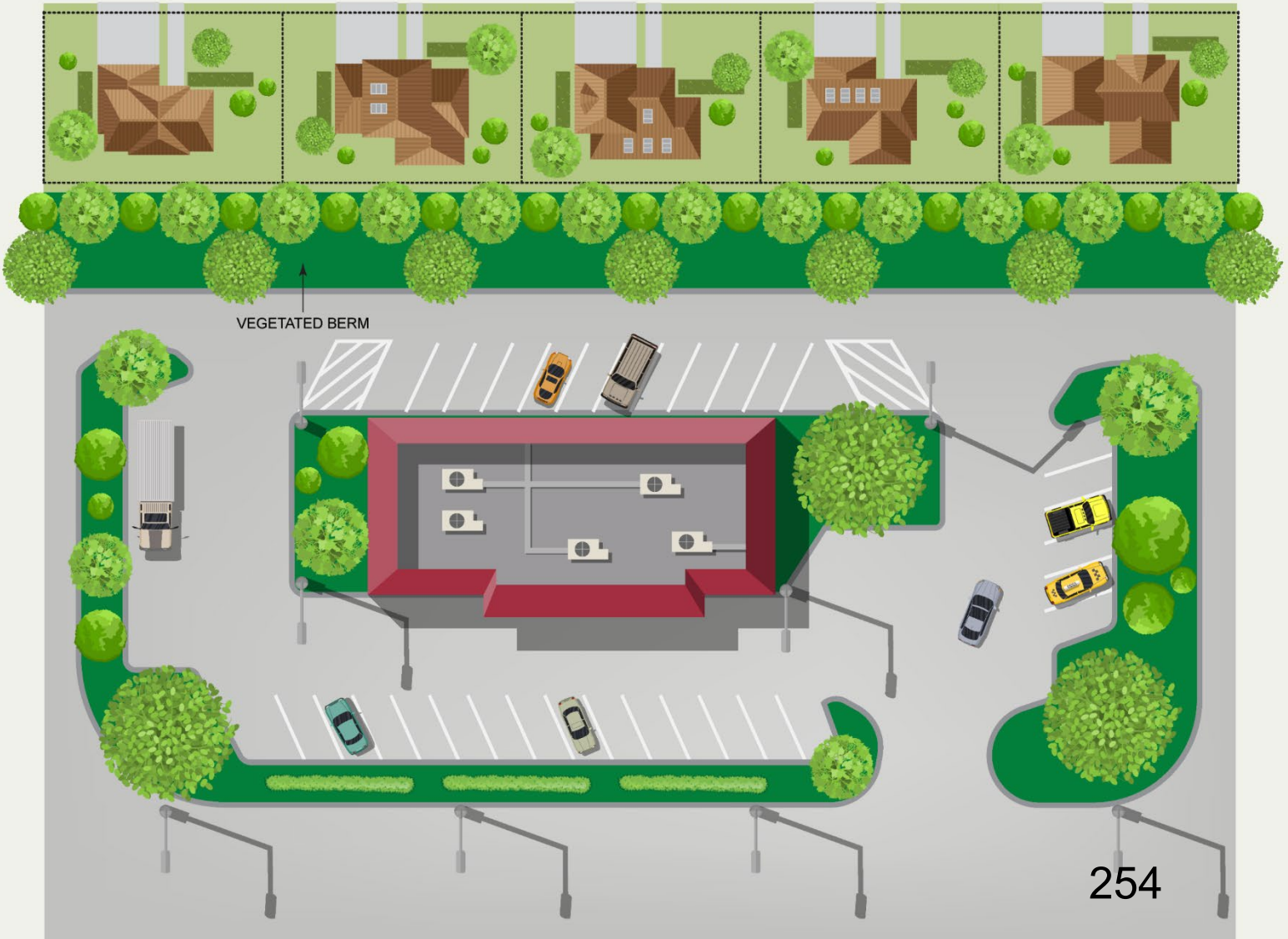


FIGURE 24

# GARBAGE STORAGE

Garbage storage within Commercial and Industrial LAND USE DISTRICTS, or as part of a MANUFACTURED HOME – MOBILE COMMUNITY shall be fully screened, not be located within any residential minimum yard, and not have garbage piled higher than the fence designed to screen it.





FIGURE 25

# PARKING STALL AND AISLE EXPLANATION

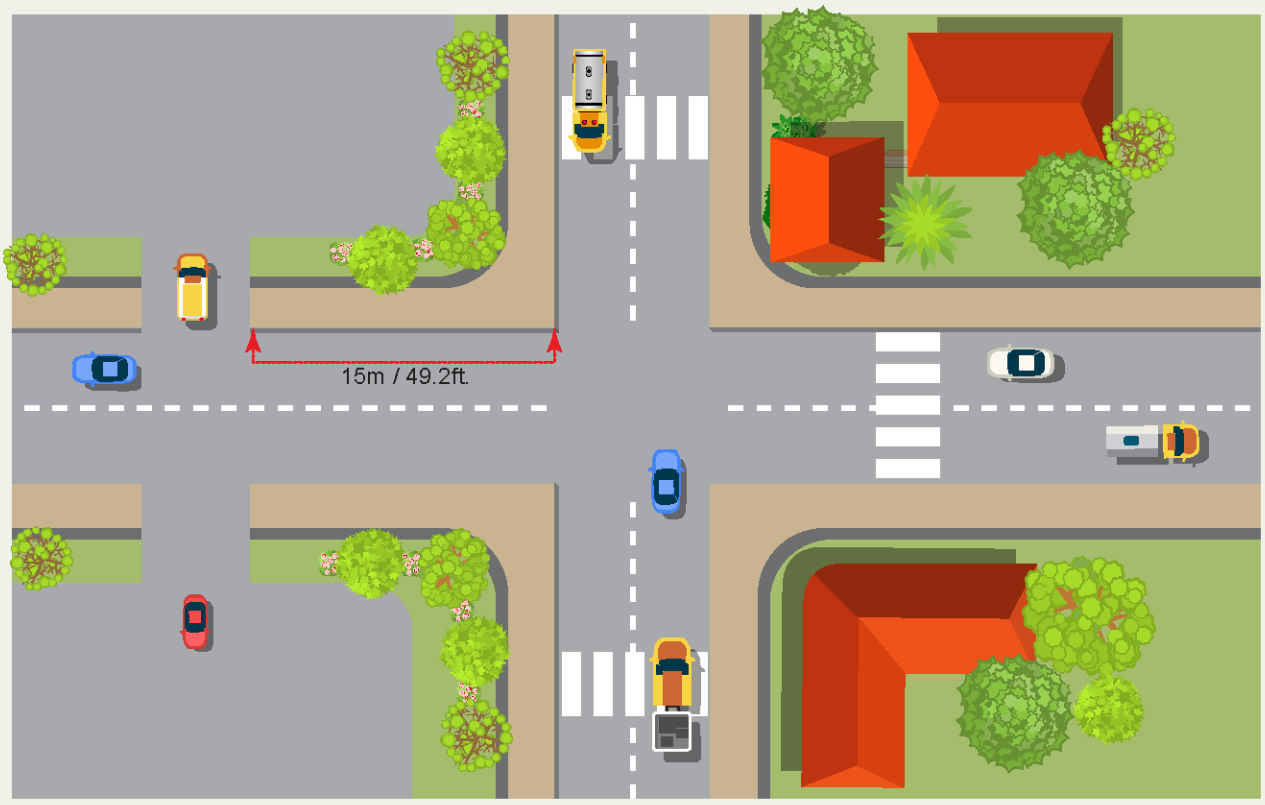




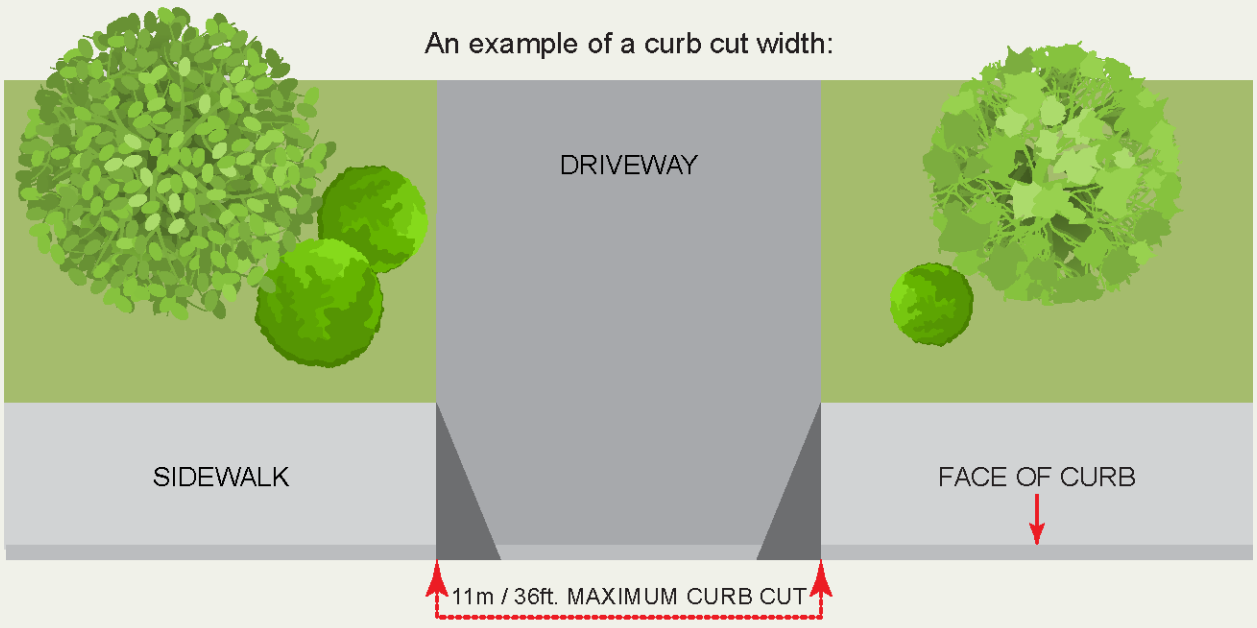

FIGURE 26

# ACCESS SEPARATION AND CURB CUTS

An example of ACCESS separation from an intersection of street right-of-ways:




An example of a curb cut width:



– END OF DOCUMENT –

TOWN OF HIGH LEVEL

# Land Use Bylaw

## No. 1018 – 21

**TOWN OF HIGH LEVEL**

Current as of May 17th 2023



# AMENDING LAND USE BYLAW INDEX

## LAND USE BYLAW AMENDMENTS

| BYLAW # | DESCRIPTION | ADOPTED |
|---|---|---|
| 1023–21 | Manufactured Home – Mobile New Effective Age | July 5th 2021 |
| 1024-21 | Add Park as a discretionary use to the Community Use (CU) Land Use District | January 10th 2022 |
| 1024-21 | Remove Clause 4.2.1 (j) Hard-surfacing of any yard for vehicular access from a public roadway to a garage or carport | January 10th 2022 |
| 1033-23 | Changes to Developments requiring Development Permits<br>Amending provisions for Home Occupations<br>Simplifying Variances in all Land Use Districts<br>Amending some IND accessory and discretionary uses<br>Adding minimum parking provisions for General Service<br>Adding Manufactured Home – Tiny Home and provisions<br>Adding Commercial uses within R-3 Land Use Districts | May 8th 2023 |
| 1048-24 | Addition definition to more accurately describe airport uses<br>Classifying Footner Lake as an environmentally sensitive area<br>Establishing an Airport Restriction Area<br>Introducing AP – Airport and FS Forestry Services as new Land Use Districts<br>Applying land use designations to annexed lands in 2024.<br>Replacing Land Use Bylaw Maps | January 27th, 2025 |
| | | |

## REZONING LAND USE BYLAW AMENDMENTS

| BYLAW # | DESCRIPTION | ADOPTED |
|---|---|---|
| 1023–21 | Rezone Plan 1546 TR, Block B from P to CU | July 5th 2021 |
| 1024-21 | Rezone Plan 5526 NY; Lots 1 and 6 from IND to CU | January 10th 2022 |
| 1033-23 | Rezone Plan 76LZ; Lot OT from No Zoning to DC<br>Rezone Plan 5447 LZ; Lot OT from P and IND<br>Rezone Plan 212 05333; Block 2; Lot 4 from P to IND | May 8th 2023 |
| | | |
| | | |

## TOWN OF HIGH LEVEL

# LAND USE BYLAW # 1018-21

**A BYLAW OF TOWN OF HIGH LEVEL IN THE PROVINCE OF ALBERTA, TO ADOPT A LAND USE BYLAW**

**WHEREAS** the *Municipal Government Act, Revised Statutes of Alberta 2000 – Chapter M-26*, current as of September 1st 2020 and all Amendments thereto, requires the Council of a Municipality to enact a Land Use Bylaw to guide future development within the Municipality.

**NOW THEREFORE** the Town of High Level Land Use Bylaw No.944-13 and amendments thereto are hereby repealed.

**NOW THEREFORE** the Council of the Town of High Level, in the Province of Alberta, duly assembled, does hereby adopt the Town of High Level Land Use Bylaw this 8th day of March 2021.

READ a First time this 25th day of January 2021.

STATUTORY Public Hearing held this 8th day of March 2021.

READ a Second time this 8th day of March 2021.

READ a Third and final time this 8th day of March 2021.

**SIGNED AND PASSED this 11th day of March 2021.**

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1

# 1.0 ENACTMENT

## 1.1 TITLE OF THIS BYLAW

**1.1.1** This BYLAW shall be known as, and may be cited as the "Town of High Level Land Use Bylaw".

## 1.2 PURPOSE OF THIS BYLAW

**1.2.1** Pursuant to Section 640 of the *Municipal Government Act,* the purpose of this BYLAW is to regulate the USE and development of land and BUILDINGS within the boundaries of the Town of High Level, to ensure the orderly development of land and to:

**a)** Divide the TOWN into LAND USE DISTRICTS;
**b)** Prescribe and regulate the PERMITTED USE and DISCRETIONARY USE of LOTS or BUILDINGS within each LAND USE DISTRICT;
**c)** Provide the method used for issuance of and decision-making on applications for DEVELOPMENT PERMITS;
**d)** Provide the manner in which a notice of issuance for a DEVELOPMENT PERMIT is given;
**e)** Establish the number and type of DEVELOPMENT allowed on a PARCEL or LOT;
**f)** Establish general DEVELOPMENT standards and specific land USE regulations;
**g)** Establish PARKING, SIGNAGE and LANDSCAPING standards;
**h)** Establish SUBDIVISION design standards; and
**i)** Provide information on the process of appealing DEVELOPMENT decisions.

## 1.3 APPLICATION OF THIS BYLAW

**1.3.1** The provisions of this BYLAW apply to all lands and BUILDINGS within the boundaries of the Town of High Level, pursuant to Division 5 of Part 17 of the *Municipal Government Act*.

## 1.4 EFFECTIVE DATE OF THIS BYLAW

**1.4.1** This BYLAW comes into force and takes effect upon the date of its third and final reading by COUNCIL.

**1.4.2** Land Use Bylaw No. 944-13, and all amendments thereto, are hereby repealed and replaced.

## 1.5 CONFORMITY WITH THIS BYLAW

**1.5.1** No person shall commence any DEVELOPMENT within the TOWN except in conformity with this BYLAW.

**1.5.2** Compliance with this BYLAW does not exempt any person or entity from the requirements of any adopted Statutory Plan, Federal or Provincial regulation.

## 1.6 OTHER LEGISLATIVE AND BYLAW REQUIREMENTS

**1.6.1** Nothing in this BYLAW affects the duty or obligation of a person to obtain a DEVELOPMENT PERMIT as required by this BYLAW or to obtain any other permit, license or other authorization required by this, or any other Bylaw.

**1.6.2** In addition to the requirements of this BYLAW, an applicant must comply with all Federal, Provincial and other Municipal legislation.

## 1.7 TRANSITION

**1.7.1** An application for a SUBDIVISION, DEVELOPMENT PERMIT or amendment to the Land Use Bylaw, which commenced prior to the adoption of this BYLAW, shall be evaluated using the provisions of the Town of High Level Land Use Bylaw No. 944-13 as amended.

2

# 2.0 INTERPRETATION

## 2.1 INTERPRETATION

**2.1.1** The terms defined in this Section have specific, broader or different meanings than the usage and interpretation commonly found in the Oxford English Dictionary, which gives reasoning to the need of this Section. The meanings of all terms and vocabularies used in this BYLAW shall be interpreted in accordance with the:

- **a)** *Municipal Government Act* and the *Statutes of Alberta* to which this BYLAW refers;
- **b)** the following definitions;
- **c)** the DEVELOPMENT AUTHORITY; and
- **d)** the Standard Oxford English Dictionary, in the event that the above-mentioned Section of definitions is silent.

**2.1.2** The word “person” includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual.

**2.1.3** Capitalized words within this BYLAW have specific meanings defined within Article 2.4.1.

**2.1.4** When words defined within Article 2.4.1 are not capitalized, they are being used in a different context, however they typically bear the same meaning.

**2.1.5** The words “shall”, “must”, and “is” require mandatory compliance except where a VARIANCE has been granted, pursuant to the ACT or this BYLAW.

**2.1.6** All other words and expressions have the meaning respectively assigned to them in accordance with the ACT and any other applicable *Statutes of Alberta.* Where such words are not defined in this BYLAW, or in the ACT, the DEVELOPMENT AUTHORITY will provide the interpretation.

## 2.2 NUMBERING SYSTEM

**2.2.1** In the numbering system used in this BYLAW:

**a)** the first number indicates the Section;
**b)** the second number indicates the Subsection of the Section; and
**c)** the third number indicates the Article of the Subsection.

**2.2.2** An Article in this BYLAW may be divided into Clauses, which are indicated by lower case letters in parentheses, and the Clauses may be divided into Sub-clauses, which are indicated by roman numerals in parentheses.

## 2.3 MEASUREMENTS

**2.3.1** The measurements contained in this BYLAW are in Imperial and Metric and may be abbreviated as follows:

**a)** metres or m;
**b)** square metres or $m^2$
**c)** centimetres or cm;
**d)** millimetres or mm;
**e)** hectares or ha;
**f)** feet or ft.;
**g)** square feet or sq.ft.;
**h)** inches or in; and
**i)** acres or ac.

## 2.4 DEFINITIONS

**2.4.1** The following words, terms, and phrases, wherever they occur in this BYLAW have the meaning assigned to them as follows:

# A

### ABATTOIR

means a commercial DEVELOPMENT where animals are slaughtered and/or meat is cut, wrapped, frozen, cured, smoked, or aged.

### ACCESS

means an area that serves as the physical connection between a SITE and a PUBLIC ROADWAY.

### ACCESSORY BUILDING OR STRUCTURE

means a BUILDING and/or STRUCTURE not used for human habitation, the USE of which is incidental and subordinate to the PRINCIPAL USE, BUILDING and/or STRUCTURE, and is located on the same LOT. This may include a GARAGE – DETACHED, detached CARPORT or garden shed, but does not include children's play structures, or PATIOS and DECKS associated with a DWELLING UNIT.

### ACCESSORY USE

means a USE subordinate, incidental to and exclusively devoted to a PRINCIPAL USE of a BUILDING, STRUCTURE or property.

### ACT

means the *Municipal Government Act* being Chapter M-26 of the revised *Statutes of Alberta*, or any amendments thereto.

### ADULT ENTERTAINMENT FACILITY

means a DRINKING ESTABLISHMENT, nightclub, RESTAURANT or other establishment that features live performances of an explicit nature, escort services, or showcasing media materials inclusive of adult content.

### AGRICULTURE

means the cultivation of the soil for the growing of a crop, the raising of livestock, or DEVELOPMENT of an industrial or commercial greenhouse.

### AIRPORT RESTRICTION AREA

means the area shown on Map 2 of APPENDIX 1.

### ALTERNATIVE ENERGY TECHNOLOGY

means any system, device or STRUCTURE that is used to collect natural energy sources, such as the sun or geothermal sources to generate thermal, electrical, or mechanical energy for USE as an alternative to fossil fuels, and other non-renewable resources. Typical examples are SOLAR COLLECTORS and GEOTHERMAL ENERGY SYSTEMS.

### AMUSEMENT ARCADE

means a DEVELOPMENT with mechanical or electronic games that are provided for public entertainment, but does not include ADULT ENTERTAINMENT FACILITY, casino or bingo.

### AREA STRUCTURE PLAN

means a statutory plan, prepared and adopted pursuant to Section 633 of the ACT, which addresses the future development of large areas of land at a conceptual level.

### ART GALLERY

means a DEVELOPMENT used for the public display and sale of art.

### ASSISTED LIVING FACILITY

means an institution primarily for persons where housing accommodation is provided, and medical or supervisory care may also be provided.

### AUCTION FACILITY

means a DEVELOPMENT used for the auctioning of goods, MOTOR VEHICLES and equipment, including the temporary storage of such goods and equipment.

### AUTOMOTIVE SALES AND RENTAL

means a DEVELOPMENT used for the sale, service, and rental of MOTOR VEHICLES, but does not include RECREATIONAL VEHICLE SALES AND SERVICE or automotive body and paint service.

### AUTOMOTIVE SERVICE

means a DEVELOPMENT used for the service and repair of MOTOR VEHICLES, automotive body and paint work, the sale of gasoline, lubricating oils, and other automotive fluids, or any combination of such, but does not include AUTOMOTIVE SALES AND RENTAL, a FUEL STATION, or a CAR WASH.

## B

### BALCONY

means an exterior platform projecting from a wall above the first STOREY of a BUILDING with ACCESS from an upper-floor.

### BASEMENT

means that portion of a BUILDING that is located wholly or partially below grade, the ceiling of which does not extend more than 1.5m/4.9ft. above FINISHED GRADE.

### BED AND BREAKFAST BUSINESS

means a business that forms an ACCESSORY USE to a DWELLING – SINGLE FAMILY and provides temporary sleeping accommodation with or without meals, including short-term rentals or vacation rentals, and does not include a BOARDING HOUSE.

### BERM

means an elongated mound of earth a minimum of 1m/3.2ft. in height above the FINISHED GRADE designed to provide SCREENING or noise attenuation within a DEVELOPMENT or between adjacent DEVELOPMENTS. For an example of a BERM please see Figure 1.

### BOARDING HOUSE

means a DEVELOPMENT, within a DWELLING – SINGLE FAMILY, where temporary sleeping accommodations of three (3) or more bedrooms, with or without meals, are provided for remuneration to members of the public. Typical USES include student co-operative housing, and lodges for senior citizens, but does not include BED AND BREAKFAST BUSINESS, group home, HOTEL, DWELLING – APARTMENT, or DWELLING – MULTIPLE UNIT.

### BOULEVARD

means the portion of land located within a PUBLIC ROADWAY between the vehicular portion of the road and the abutting LOT LINE, but does not include the area used for a sidewalk or trail. For an example of a BOULEVARD please see Figure 2.

### BREWERY, WINE, DISTILLERY

means a DEVELOPMENT where beer, wine, spirits or other alcoholic beverages are manufactured, which may also have areas and facilities for preparing, cooking and serving food, and serving alcoholic beverages.

### BUFFER

means a row of trees, shrubs, BERM, architectural devices, walls, fences, other landscape features, or a combination thereof used to provide visual SCREENING and separation between roadways, SITES or LAND USE DISTRICTS. For an example of a BUFFER please see Figure 3.

**BUILDING**

includes anything constructed or placed on, in, over or under land including supporting STRUCTURES of any type, but does not include a highway or PUBLIC ROADWAY or a bridge forming part of a highway or PUBLIC ROADWAY.

**BUILDING DEMOLITION**

means the process of dismantling and removing a BUILDING with controlled plans that are approved by the DEVELOPMENT AUTHORITY, in accordance with the Building Permit and Standards Bylaw.

**BUILDING HEIGHT**

means the vertical distance measured from the highest FINISHED GRADE, along any wall of a BUILDING and/or STRUCTURE facing a street, to the highest point of the BUILDING and/or STRUCTURE. On a property with LOT FRONTAGE on two (2) or more streets, the highest FINISHED GRADE shall be taken from the wall featuring the principle entrance to the BUILDING. BUILDING HEIGHT shall include any accessory roof construction not structurally essential to the BUILDING, and does not include SIGNS or communication STRUCTURES. For an example of BUILDING HEIGHT please see Figure 4.

**BUILDING – MOVED IN**

means a residential, commercial or industrial constructed BUILDING that is to be relocated from one LOT to another, but does not include MANUFACTURED HOME – MOBILE, MANUFACTURED HOME – MODULAR, MANUFACTURED HOME – READY TO MOVE, or ACCESSORY BUILDINGS or STRUCTURES under 13m$^2$ / 139.9sq.ft.

**BUILDING PERMIT**

means an application form issued by the TOWN, which is assessed by a Safety Codes Officer for compliance with the *National Building Code – Alberta Edition*.

**BULK OIL, FUEL AND CHEMICAL STORAGE**

means a DEVELOPMENT where refined or crude oil, liquid, or solid chemical is stored outdoors and may include the sale of such.

**BUSINESS SUPPORT SERVICE**

means a DEVELOPMENT used to provide support services to a PERMITTED USE or DISCRETIONARY USE in a LAND USE DISTRICT. Such businesses may be characterized, and not limited to the provision of support functions including: printing, duplicating, binding or photographic processing; office maintenance or custodial services; secretarial services; security services; sale, rental, repair or servicing of office and business equipment, furniture and machines; and, sale, rental, repair or servicing of computers, cellular phones and fax machines.

**BYLAW**

means the Land Use Bylaw for the Town of High Level that regulates the use of land and BUILDINGS within the TOWN.

# C

### CAMPGROUND

means a DEVELOPMENT used to provide outdoor spaces to the public for temporary accommodations in permanent STRUCTURES, tents or RECREATIONAL VEHICLE and may include day use areas and other USES necessary to operate a CAMPGROUND, including but not limited to caretaker residences, and washroom facilities.

### CANNABIS PRODUCTION AND DISTRIBUTION

means a DEVELOPMENT used principally for one or more of the following activities as it relates to cannabis:

- **a)** the production, cultivation, and growth of cannabis;
- **b)** the processing of raw materials;
- **c)** the making, testing, manufacturing, assembling, or in any way altering the chemical or physical properties of semi-finished or finished goods and products;
- **d)** the storage or shipping of materials, goods and products; or
- **e)** the distribution and sale of materials, goods and products to RETAIL – CANNABIS stores or to individual customers.

### CARPORT

means a roofed STRUCTURE attached to a DWELLING UNIT that is designed for the PARKING and storage of MOTOR VEHICLES, which is open on at least two sides providing unobstructed ACCESS to the YARD – REAR. For an example of a CARPORT please see Figure 5.

### CAR WASH

means a DEVELOPMENT used for the cleaning of MOTOR VEHICLES.

### CATERING SERVICE

means a DEVELOPMENT where foods and beverages, to be served off the premises, are prepared for sale to the public.

### CAVEAT

means a warning (in land law) that a person has claimed an interest on a PARCEL of land. If entitled, a person can claim an interest in land through a CAVEAT; registered CAVEATS with Alberta Land Titles are recorded on a Certificate of Title.

### CEMETERY

means a DEVELOPMENT for the entombment of the deceased, which may include structures for those purposes.

### CHANGE OF USE

means changing a TOWN approved USE of a BUILDING, PARCEL or LOT to any other USE. Also see DEVELOPMENT.

### COMMUNITY HALL

means a DEVELOPMENT that provides auditorium, banquet, exhibition, gymnasium, meeting or seminar facilities, and does not include an ADULT ENTERTAINMENT FACILITY.

### COMPLIANCE CERTIFICATE

means a document that may be issued by the DEVELOPMENT AUTHORITY indicating that a BUILDING and/or STRUCTURE, as shown on documentation provided to the TOWN, is located in accordance with the minimum yard SETBACK requirements in this BYLAW, at the time the Certificate is issued.

### CONDOMINIUM

means individual ownership of a DWELLING UNIT, units within a DWELLING – APARTMENT, or a PARCEL of land, which is part of a Condominium Plan registered with Alberta Land Titles, and usually indicates ownership in a share of common property administered and maintained by a *Condominium Property Act*.

### CONSTRUCTION SERVICE

means a DEVELOPMENT used to provide LANDSCAPING, electrical, plumbing, heating, painting, carpentry, woodworking or similar services to households or to general contractors, but does not include equipment rental.

### COUNCIL

means the elected COUNCIL of the Town of High Level, as defined in Part 5 Division 1 of the *Municipal Government Act*.

### COVENANT

means a Restrictive COVENANT, which equates to an agreement between owners of two (2) or more PARCELS of land, or from a building scheme established by the owner of several PARCELS of land, whereby non-compete clauses may be agreed upon and imposed upon adjacent LOTS, or architectural controls are imposed upon specific LOTS.

## D

### DANGEROUS OR HAZARDOUS GOODS

means a product, substance or organism listed in the *Dangerous Goods Transportation and Handling Act.*

### DAY CARE FACILITY

means a DEVELOPMENT used to provide care and supervision, but not overnight accommodation, to children in accordance with the *Residential Facilities Licensing Regulation*, as well as any other applicable Provincial or Federal legislation including any amendments. Typical USES are day care centers and nursery schools, and does not include a PRIVATE BABYSITTING SERVICE.

### DECK

means an unenclosed STRUCTURE, elevated above FINISHED GRADE, as a stand-alone STRUCTURE or projecting from a BUILDING and supported by the ground at the FINISHED GRADE or below-ground engineered form. For the purposes of this BYLAW, a porch and veranda shall be considered a DECK.

### DEVELOPMENT

means:

**a)** an excavation or stockpile of earth and the creation of either of them;

**b)** a BUILDING, an addition to, replacement, or repair of a BUILDING and the construction or placement of any of them on, in, over or under land

**c)** a CHANGE OF USE of a LOT, a BUILDING or an act done in relation to a LOT or a BUILDING that results in, or is likely to result in a CHANGE OF USE of the LOT or BUILDING (also see CHANGE OF USE); or

**d)** a change in the intensity of USE of the LOT, a BUILDING or an act done in relation to a LOT or a BUILDING likely to result in a change in the intensity of USE of the LOT or BUILDING.

### DEVELOPMENT AGREEMENT

means a legally binding contract between a property owner or developer and the TOWN, regarding specific PARCELS, which often includes terms not otherwise required through provisions within this BYLAW.

### DEVELOPMENT AUTHORITY

means a person or persons appointed by the TOWN, pursuant to Section 624 of the ACT to administer the provisions of this BYLAW.

### DEVELOPMENT PERMIT

means a document issued by the TOWN permitting a DEVELOPMENT in compliance with this BYLAW.

### DETENTION AND CORRECTION SERVICES

means a DEVELOPMENT for the purpose of holding or confining, and treating or rehabilitating persons. Typical USES include prisons, mental institutions, jails, remand centers, asylums, and correction centers.

### DISCRETIONARY USE

means the USE of a LOT, BUILDINGS and/or STRUCTURES or any combination thereof provided for in this BYLAW where a DEVELOPMENT PERMIT may be issued, with or without conditions, for a certain purpose that is granted by the DEVELOPMENT AUTHORITY according to their discretionary judgement, based upon the merits of the application in accordance with the ACT.

### DRINKING ESTABLISHMENT

means a DEVELOPMENT licensed to serve alcoholic beverages for consumption on the premises as regulated by the *Alberta Gaming and Liquor Commission*.

### DRIVE-THROUGH BUSINESS

means a DEVELOPMENT or part of a DEVELOPMENT designed to serve customers remaining in their vehicles and may form part of the operations of a CAR WASH or FINANCIAL INSTITUTION, but does not include a DRIVE-THROUGH RESTAURANT or FUEL STATION.

### DRIVE-THROUGH RESTAURANT

means a RESTAURANT with one (1) or more of the following features: car attendant services; drive-through food and/or beverage pickup services; or PARKING primarily intended to allow for the ON-SITE consumption of food within a MOTOR VEHICLE.

### DUGOUT

means the excavation of lands resulting in manmade features that entrap water, includes excavations for a water supply and borrow pits.

### DWELLING – APARTMENT

means a BUILDING, containing individual suites on multiple stories, consisting of four (4) or more DWELLING UNITS, or one (1) to three (3) DWELLING UNITS if the GROUND FLOOR of such a BUILDING is for commercial USE, having a shared common entrance or their own independent entrances.

### DWELLING – DUPLEX

means a BUILDING that is divided vertically into two (2) DWELLING UNITS side-by-side and separated by a PARTY WALL extending from the foundation to the roof, and not attached to any other DWELLING UNIT.

### DWELLING – SINGLE FAMILY

means a DEVELOPMENT comprised of one (1) DWELLING UNIT, on a SITE separated by open space from any DEVELOPMENT on an adjoining SITE, which is constructed ON-SITE and does not include a MANUFACTURED HOME – MOBILE or a MANUFACTURED HOME – MODULAR.

### DWELLING – MULTIPLE UNIT

means a BUILDING containing three (3) or more DWELLING UNITS at GROUND FLOOR level, each of which have their own independent entrances.

### DWELLING – TOWNHOUSE

means a minimum of three (3) DWELLING UNITS constructed in a row and divided vertically by PARTY WALLS, each of which has a their own independent entrance at GROUND FLOOR level.

### DWELLING UNIT

means a residential home containing one (1) or more habitable rooms that provides living accommodations and is intended as a permanent residence, or as an ACCESSORY USE to a non-residential PRINCIPAL USE. Including DWELLING – DUPLEX, DWELLING – SINGLE FAMILY, DWELLING – MULTIPLE UNIT, DWELLING – TOWNHOUSE, MANUFACTURED HOME – MOBILE, MANUFACTURED HOME – MODULAR and MANUFACTURED HOME – READY TO MOVE.

## E

### EASEMENT

means a non-possessory right, granted by way of an agreement that is legally registered on a Certificate of Title with Alberta Land Titles, to use and/or enter onto a LOT, or PARCEL of land owned by another for a specified purpose or USE.

### EFFECTIVE AGE

is based on a DWELLING UNIT'S present condition and overall general maintenance or improvements. EFFECTIVE AGE can be lesser or greater than the unit's actual age at the time

of the appraisal. It is the responsibility of an Appraiser, based upon their inspection of the DWELLING UNIT, to estimate the EFFECTIVE AGE of a subject unit.

### EMERGENCY SERVICES FACILITY

means a DEVELOPMENT which is required for the public protection of persons and property from injury, harm, or damage together with the incidental storage of equipment and vehicles, which is necessary for the provision of emergency services. An EMERGENCY SERVICES FACILITY may include provisions for overnight accommodation as an ACCESSORY USE. Typical USES include fire stations, police stations, emergency medical services, and ancillary training facilities.

### ENCLOSED DECK

means a DECK that is enclosed by a roof and has more than 50% of its perimeter enclosed to the outside and shall be considered part of the main DWELLING UNIT, in terms of LOT COVERAGE and FLOOR AREA – GROSS.

### ENVIRONMENTAL IMPACT ASSESSMENT

means a comprehensive SITE analysis to determine:

- **a)** the potential environmental impact of the proposed DEVELOPMENT on the SITE;
- **b)** the potential environmental impact of the proposed DEVELOPMENT upon the adjacent properties or land USES; and,
- **c)** the potential environmental impact of the proposed DEVELOPMENT upon the future land USE potential of the property.

### ENVIRONMENTAL IMPACT ASSESSMENT REPORT

means a written document pursuant to Part 2 of the *Environmental Protection and Enhancement Act* containing the result of an ENVIRONMENTAL IMPACT ASSESSMENT.

### ENVIRONMENTALLY SENSITIVE AREAS

means areas that fall in one or more of the following categories, or by a study undertaken or commissioned by the Town of High Level:

- **a)** areas having exceedingly steep or unstable slopes;
- **b)** river valleys and lands, watercourses, and other types of WATERBODIES, and land subject to flooding;
- **c)** areas classified as having a high water table, or situated on sensitive aquifers;
- **d)** areas having soils subject to erosion, slippage, or subsidence of similar hazards;
- **e)** wetlands, unique wetlands, or fisheries habitat, or those areas having high levels of peat contents, or land incapable of meeting percolation requirements; and
- **f)** areas having stands of unique or mature natural vegetation or land features.

### EQUIPMENT RENTAL FACILITY

means a commercial establishment principally involving the rental of household or other equipment to the public, but does not include MOTOR VEHICLES rentals.

### EXHIBITION GROUNDS

means an outdoor facility used to host public events including rodeos, horse shows, jamborees, and exhibitions, and any ACCESSORY BUILDING OR STRUCTURE used for spectator seating or viewing.

# F

### FAMILY DAY HOME

means an ACCESSORY USE within a DWELLING UNIT or part thereof used to provide care and supervision, but not overnight accommodation, for adults or children as per the *Residential Facilities Licensing Regulation* as well as any other applicable Provincial or Federal legislation including any amendments.

### FARM IMPLEMENT SALES AND SERVICES

means a DEVELOPMENT used for the sale and service of farm machinery and equipment.

### FINANCIAL INSTITUTION

means a bank, brokerage company, treasury branch, trust company, credit union, finance company, or similar institution.

### FINISHED GRADE

means the elevation of the ground at the exterior of a BUILDING when the construction of the BUILDING and LANDSCAPING are complete, which may be shown in an approved plan. For an example of a FINISHED GRADE please see Figure 4.

### FLEET SERVICE

means a DEVELOPMENT where MOTOR VEHICLES are operated for the transportation of passengers or goods.

### FLOOR AREA

means the area of an individual STOREY or BASEMENT of a BUILDING and/or STRUCTURE measured from the outside surface of the exterior walls. FLOOR AREA does not include the area used for a mechanical room, stairwells, air handling equipment, garbage storage, electrical room, elevators, GARAGE – ATTACHED and car PARKING areas. For an example of a FLOOR AREA please see Figure 6.

### FLOOR AREA – GROSS

means the aggregate of the FLOOR AREA of a BUILDING above grade, measured between the exterior faces of the exterior walls of the BUILDING at each floor level. For an example of a FLOOR AREA – GROSS please see Figure 6.

### FUEL STATION

means a DEVELOPMENT used for the sale of gasoline, diesel, lubricating oils, and other automotive fluids and incidental goods.

### FUNERAL HOME

means a DEVELOPMENT used for the arrangement of funerals, the preparation of the deceased for burial or cremation, and the holding of funeral services, but does not include a PLACE OF WORSHIP.

## G

### GARAGE

means an ACCESSORY USE and/or where a portion of the PRINCIPAL BUILDING is used in conjunction with a DWELLING UNIT principally for the private PARKING or storage of MOTOR VEHICLES for personal transportation and recreation. A GARAGE is not a DWELLING UNIT.

### GARAGE – ATTACHED

means a GARAGE attached to a PRINCIPAL BUILDING. For an example of a GARAGE – ATTACHED please see Figure 5.

### GARAGE – DETACHED

means a GARAGE that is separate from a PRINCIPAL BUILDING. For an example of a GARAGE – DETACHED please see Figure 5.

### GARAGE – PORTABLE OR TEMPORARY

means a GARAGE that is designed to be collapsible in nature. For an example of a GARAGE – PORTABLE OR TEMPORARY please see Figure 5.

### GENERAL SERVICE

means a DEVELOPMENT used to provide services related to the care and appearance of an individual, including the cleaning and repair of clothing, but does not include HEALTH SERVICE. Typical USES include: dry cleaner and laundromat; hair and tanning salons; tailor, dressmakers, and shoe repair; and facilities that provide pedicures, manicures, massages, and electrolysis.

### GEOTHERMAL ENERGY SYSTEM

means a renewable source of energy that employs the use of a heat pump to warm or cool air by utilizing the constant temperatures of the Earth.

### GOVERNMENT SERVICE

means a DEVELOPMENT providing Municipal, Provincial or Federal GOVERNMENT SERVICES directly to the public. This USE does not include an EMERGENCY SERVICES FACILITY, DETENTION AND CORRECTION SERVICES, UTILITY SERVICES – MAJOR, UTILITY SERVICES – MINOR and PUBLIC EDUCATION SERVICE.

### GROUND FLOOR

means the lowest full STOREY that is located entirely above the FINISHED GRADE. For an example of a GROUND FLOOR please see Figure 7.

## H

### HANGARS AND TERMINAL FACILITIES

means a DEVELOPMENT, which provides services to aircraft, aircraft passengers, and air freight located adjacent to, or in close proximity to, a municipally approved runway. Services provided within these facilities may include airport operations and administration, food and personal services, freight and baggage handling, vehicle rentals, and aircraft maintenance and repair.

### HARD-SURFACED

means a durable, dust free, all weather surface constructed of concrete, asphalt or similar materials.

### HEALTH SERVICE

means a DEVELOPMENT used for the provision of out-patient health care and social or counselling services, but does not include a HOSPITAL. Typical USES include: medical clinic; dental clinic; chiropractic clinic; therapeutic massage clinic; and physical therapy clinic.

### HELICOPTER LANDING PAD

means a designated landing area or platform for helicopters, which may be located on a roof, at or elevated above FINISHED GRADE. For an example of a HELICOPTER LANDING PAD please see Figure 8.

### HOME OCCUPATION

means an ACCESSORY USE in a DWELLING UNIT or its GARAGE that involves a business operated by a RESIDENT of the DWELLING UNIT, which is not inclusive of businesses that may cause offensive noise, odor, traffic or generally serve as a nuisance to adjacent residential landowners.

### HOME OFFICE

means an ACCESSORY USE contained within one (1) room of a DWELLING UNIT, for a business that involves office functions only and is operated by a RESIDENT of the DWELLING UNIT.

### HOSPITAL

means a DEVELOPMENT used to provide in-patient and out-patient health care to the public, as defined by the *Hospitals Act*.

### HOTEL

means a commercial DEVELOPMENT, including a motel, used to provide temporary sleeping accommodation to the public, and which may also contain a RESTAURANT, DRINKING ESTABLISHMENT or convention/banquet hall.

### HOUSEHOLD REPAIR SERVICE

means a DEVELOPMENT that provides repair services for household goods, equipment and appliances, but does not include GENERAL SERVICE. Typical USES include: electronics and appliance repair shops; and furniture refinishing and upholstery shops.

## I

### INDUSTRIAL OPERATION

means a DEVELOPMENT used for manufacturing, assembling, warehousing, processing, or distribution of materials or goods.

### INTER-MUNICIPAL DEVELOPMENT PLAN

means a Statutory Planning document that is prepared and adopted, pursuant to Section 631 of the ACT, by the Councils of the Town of High Level and neighbouring municipalities.

### INTER-MUNICIPAL COLLABORATION FRAMEWORK

means a document that outlines an agreed upon level of cooperation between the Town of High Level and a neighbouring municipality, pursuant to Part 17.2 Division 1 of the *Municipal Government Act*, which ensures shared municipal services are provided to RESIDENTS efficiently and cost effectively.

### INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

means a joint board of individuals appointed pursuant to Section 627 of the *Municipal Government Act* that hears SUBDIVISION and DEVELOPMENT appeals, within the INTER-MUNICIPAL DEVELOPMENT PLAN area.

## J

### JOINT SUBDIVISION AND DEVELOPMENT APPEAL BOARD

means a Memorandum of Understanding (MOU) between the Town of High Level and neighbouring municipalities within the region. Whereby, each municipality can request qualified and appointed SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB) members and clerks from any of the regional municipalities to participate in appeal hearings with their own municipal SDAB.

## L

### LAND USE DISTRICT

means a district described in the text of the BYLAW and delineated on one or more LAND USE DISTRICT maps, in which only certain land USES may be allowed as either PERMITTED USES or DISCRETIONARY USES, and which specific requirements must be satisfied before DEVELOPMENT may proceed.

### LANDSCAPED AREA

means that portion of a SITE that requires LANDSCAPING.

### LANDSCAPING

means preserving, enhancing or incorporating vegetative and other materials in a DEVELOPMENT. This includes combining new and existing vegetative materials with architectural elements, existing SITE features or other DEVELOPMENT features including fences or walls.

### LANE

means a PUBLIC ROADWAY, not exceeding 9.1m/29.8ft. in width, which provides a secondary means of ACCESS to a LOT. For an example of a LANE please see Figure 9.

### LOADING SPACE

means a space that accommodates a MOTOR VEHICLE while it is being loaded or unloaded.

### LOGGING SERVICE

means a DEVELOPMENT used to provide services for the harvesting of timber for the forest products industry.

**LOT**

pursuant to Section 652 (3) of the *Municipal Government Act*, means a:

- **a)** quarter section of land;
- **b)** river LOT as shown on an official plan, as defined in the *Surveys Act* and any amendments thereto, that is registered with Alberta Land Titles;
- **c)** settlement LOT shown on an official plan, as defined in the *Surveys Act* and any amendments thereto, that is registered with Alberta Land Titles;
- **d)** part of a PARCEL where the boundaries of the part are separately described in a Certificate of Title other than by reference to a legal SUBDIVISION; or
- **e)** part of a PARCEL where the boundaries of the part are separately described in a Certificate of Title by reference to a plan of SUBDIVISION.

**LOT AREA**

means the area of a LOT including any area dedicated to an EASEMENT or a PUBLIC RIGHT-OF-WAY as shown on a plan of SUBDIVISION or described in a Certificate of Title.

**LOT CORNER**

means a LOT located at the intersection of two (2) or more PUBLIC ROADWAYS. For an example of a LOT CORNER please see Figure 10.

**LOT COVERAGE**

means the percentage of LOT AREA covered by BUILDINGS and/or STRUCTURES above FINISHED GRADE on the same LOT, but does not include DECKS or PATIOS.

**LOT DEPTH**

means the distance between the middle of the LOT LINE – FRONT and the middle of the LOT LINE – REAR. For an example of a LOT DEPTH please see Figure 11.

**LOT FRONTAGE**

means the length of the LOT LINE – FRONT abutting a PUBLIC ROADWAY. In the case of LOT CORNER, both the LOT LINE – FRONT and LOT LINE – FLANKAGE are considered to have LOT FRONTAGE. For an example of a LOT FRONTAGE please see Figure 11.

**LOT LINE**

means a legally defined boundary of a LOT. For an example of a LOT LINE please see Figure 12.

**LOT LINE – FLANKAGE**

means, in the case of a LOT CORNER, the longest LOT LINE that abuts a PUBLIC ROADWAY, other than a LANE, but does not include LOT LINE - FRONT. For an example of LOT LINE – FLANKAGE please see Figure 12.

**LOT LINE – FRONT**

means the boundary dividing the LOT from an abutting PUBLIC ROADWAY, other than a LANE. In the case of a LOT CORNER, the shortest LOT LINE that abuts a PUBLIC ROADWAY, other than a LANE shall be the LOT LINE – FRONT. For an example of LOT LINE – FRONT please see Figure 12.

### LOT LINE – REAR

means the LOT LINE that is opposite to the LOT LINE – FRONT. For an example of LOT LINE – REAR please see Figure 12.

### LOT LINE – SIDE

means the LOT LINE other than the LOT LINE – FRONT or LOT LINE – REAR. For an example of LOT LINE – SIDE please see Figure 12.

### LOT THROUGH

means any LOT other than a LOT CORNER having an ACCESS on two streets. For an example of a LOT THROUGH please see Figure 10.

### LOT WIDTH

means the average horizontal distance between the LOT LINE – SIDE(s) as determined by the DEVELOPMENT AUTHORITY. In the case of LOT CORNER, LOT WIDTH means the average horizontal distance between the LOT LINE – SIDE and the LOT LINE – FLANKAGE. For an example of a LOT WIDTH please see Figure 11.

### LUMBER YARD

means a DEVELOPMENT for the storage and the wholesale or retail sale of forest industry products, which may include the sales of associated hardware and tools.

## M

### MANUFACTURED HOME – COMMUNITY

means a PARCEL of land, under single ownership that accommodates the placement of three (3) or more MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME, whether privately-owned DWELLING UNITS or not, on PARK LOTS.

### MANUFACTURED HOME – MOBILE

means a DWELLING UNIT, whether originally equipped with a heavy transport chassis, a hitch and wheel assembly or not, that is manufactured in a controlled environment that conforms to the CSA-Z240 of the *National Building Code – Alberta Edition*, is transported from one place to another as a single unit, or in two (2) sections if a double-wide unit. A MANUFACTURED HOME – MOBILE does not require a PERMANENT FOUNDATION, can be anchored on a concrete or wood block foundation, and does not include a MANUFACTURED HOME – MODULAR or MANUFACTURED HOME – READY TO MOVE. For an example of a MANUFACTURED HOME – MOBILE please see Figure 13.

### MANUFACTURED HOME – MOBILE SALES

means a DEVELOPMENT used for the sale of MANUFACTURED HOMES – MOBILE and/or MANUFACTURED HOME – MODULAR, which may include the storage and display of such units.

### MANUFACTURED HOME – MODULAR

means a DWELLING UNIT that is manufactured in a controlled environment, which conforms to the CSA-A277 of the *National Building Code – Alberta Edition* at the time of manufacture, is transported and assembled on a PARCEL in one (1) or more sections. MANUFACTURED HOME – MODULAR does not

have a chassis, a hitch or wheel assembly, and the sections may be stacked vertically or placed side-by-side. MANUFACTURED HOME – MODULAR must be placed upon a PERMANENT FOUNDATION, includes MANUFACTURED HOME – READY TO MOVE, but does not include DWELLING SINGLE-FAMILY, DWELLING – DUPLEX or MANUFACTURED HOME – MOBILE. For an example of a MANUFACTURED HOME – MODULAR please see Figure 13.

**MANUFACTURED HOME – PAD**

means that portion of SITE that has been graded and designed for the placement of the MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME.

**MANUFACTURED HOME – READY TO MOVE**

means a MANUFACTURED HOME – MODULAR that is transported in one (1) piece and placed upon a PERMANENT FOUNDATION. A MANUFACTURED HOME – READY TO MOVE does not include MANUFACTURED HOME – MOBILE.

**MANUFACTURED HOME – TINY HOME**

means a STRUCTURE, whether originally equipped with a heavy transport chassis, a hitch and wheel assembly or not, that is manufactured in a controlled environment that conforms to either the CSA-Z240 or CSA-A277 of the *national Building Code – Alberta Edition*, is transported from one place to another as a single unit, has a maximum FLOOR AREA of 46.45m$^2$/500sq.ft., is utilized as a PRINCIPAL DWELLING UNIT, or as an ACCESSORY USE to another PRINCIPAL DWELLING UNIT. This does not include refurbished SHIPPING CONTAINERS or any other STRUCTURE that is constructed outside of a controlled environment.

**MINI-STORAGE**

means a DEVELOPMENT that provides cubicles for rent to the public for the storage of goods, and may include an office BUILDING containing eating and sleeping facilities for security personnel, but may not be used as a DWELLING UNIT.

**MOTOR VEHICLE**

means as defined in the *Traffic Safety Act,* and any amendments thereto.

**MUNICIPALITY**

means the Town of High Level.

**MUSEUM**

means a place or BUILDING in which works of artistic, historical, archeological, and scientific value are cared for, and exhibited.

## N

**NEF 25- AREA**

means the NOISE EXPOSURE FORECAST AREA that lies between the 25 NEF Contour and the boundary of the AIRPORT RESTRICTION AREA.

**NEF 25-30 AREA**

means the NOISE EXPOSURE FORECAST AREA that lies between the 25 NEF Contour and the 30 NEF Contour.

### NEF 30-35 AREA
means the NOISE EXPOSURE FORECAST AREA that lies between the 30 NEF Contour and the 35 NEF Contour.

### NEF 35-40 AREA
means the NOISE EXPOSURE FORECAST AREA that lies between the 35 NEF Contour and the 40 NEF Contour.

### NEF 40+ AREA
means the NOISE EXPOSURE FORECAST AREA enclosed by the 40 NEF Contour.

### NOISE EXPOSURE FORECAST AREA
means an area that falls within a NOISE EXPOSURE FORECAST CONTOUR, between two NOISE EXPOSURE FORECAST CONTOURS, or between one NOISE EXPOSURE FORECAST CONTOUR and the boundary of the AIRPORT RESTRICTION AREA.

### NOISE EXPOSURE FORECAST CONTOUR
means a numbered contour as shown on Map 4 of APPENDIX 1.

### NON-CONFORMING BUILDING
means, as defined in the ACT, a BUILDING:

**a)** that is lawfully constructed or lawfully under construction at the date the Land Use Bylaw affecting that BUILDING or that land on which the BUILDING is situated becomes effective; and

**b)** that on the date the Land Use Bylaw becomes effective the BUILDING does not, or when constructed will not, comply with the Land Use Bylaw.

### NON-CONFORMING USE
means, as defined in the ACT, a lawful specific USE:

**a)** being made of land or of a BUILDING, or intended to be made of a BUILDING lawfully under construction at the date a Land Use Bylaw affecting the land or BUILDING becomes effective; and

**b)** that on the date the Land Use Bylaw becomes effective the USE does not, or in the case of a BUILDING under construction, will not comply with the Land Use Bylaw.

### NON-PROFIT COMMUNITY SUPPORT SERVICE
means an organization that exists solely to provide programs and services that are of public benefit.

## O

### OFF-SITE
means a location other than the SITE which is the subject of a DEVELOPMENT.

### OFF-SITE LEVY

means a charge or a requirement to make a payment, as established in the Off-Site Levy Bylaw, that is imposed as a condition of approval for some DEVELOPMENTS including SUBDIVISIONS. These fees may relate to all or part of the capital costs associated with:

- **a)** new or expanded facilities for the storage, transmission, treatment or supplying of water;
- **b)** new or expanded facilities for the treatment, movement or disposal of sanitary sewage;
- **c)** new or expanded storm sewer drainage facilities;
- **d)** new or expanded roads required for or impacted by a SUBDIVISION or DEVELOPMENT;
- **e)** land required for or in connection with any facilities described in Clauses (a) to (d).

### OILFIELD SERVICE

means a DEVELOPMENT used to provide services for field operations in the exploration and extraction of fossil fuels. Typical USES include power tongs and anchor services.

### ON-SITE

means a location on the SITE which is the subject of a DEVELOPMENT.

### OUTDOOR STORAGE

means an outdoor area forming part of a DEVELOPMENT used for the storage of equipment, goods, materials, MOTOR VEHICLES, RECREATIONAL VEHICLE or products.

## P

### PARCEL

means the aggregate of one (1) 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 with Alberta Land Titles.

### PARK LOT

means that leasable or rentable portion of land within a MANUFACTURED HOME – COMMUNITY, which has been reserved for the placement of a MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME.

### PARKING

means leaving a MOTOR VEHICLE unattended temporarily on a LOT, PARCEL or SITE.

### PARKING LOT

means a DEVELOPMENT or part thereof, which provides for ACCESS, maneuvering and PARKING of MOTOR VEHICLES.

### PARKING STALL

means a space within a STRUCTURE or a public or private PARKING LOT, exclusive of driveway, aisles, ramps and columns for the PARKING of one (1) MOTOR VEHICLE.

### PARKING STRUCTURE

means a multi-storey or multi-level PARKING garage, used for the temporary PARKING of MOTOR VEHICLES.

### PARTY WALL

means a wall separating DWELLING – DUPLEX, DWELLING – TOWNHOUSE or DWELLING – MULTIPLE UNIT above and/or below grade that is jointly owned and used by two (2) separate parties under an EASEMENT or PARTY WALL agreement, or by a right in law, and erected at or upon a line separating two (2) PARCELS of land each of which is, or capable of being, a separate real-estate entity. For an example of a PARTY WALL please see Figure 14.

### PATIO

means an area at FINISHED GRADE designed for outdoor seating and may include the seasonal use of outdoor areas associated with DWELLING UNITS or the exterior of RESTAURANTS or cafes in commercial areas.

### PAWNBROKER

means a person who carries on a business of loaning money on the security of the pledge or pawn of personal property or a person who holds themselves out as ready to loan money on such security, and does not include FINANCIAL INSTITUTIONS.

### PERMANENT FOUNDATION

means a STRUCTURE constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground with a foundational system or arrangement composed of, but not limited to, footing, raft or pole, which may include walls, light standards and SIGNS and renders the STRUCTURE fixed and immovable.

### PERMITTED USE

means the USE of land or BUILDING, which is listed in the column captioned PERMITTED USES in most LAND USE DISTRICTS appearing in this BYLAW, and for which a DEVELOPMENT PERMIT shall be issued upon an application having conformed to the provisions of this BYLAW. In addition, a DEVELOPMENT PERMIT application shall be approved if the conditions of approval ensure that the DEVELOPMENT would conform to the provisions of this BYLAW.

### PET SERVICE

means a DEVELOPMENT for the purpose of accommodation, boarding, breeding, grooming, impoundment, training, or the sale of small domestic animals including, but not limited to, cats and dogs.

### PLACE OF WORSHIP

means a DEVELOPMENT used by a religious organization for worship and related religious, philanthropic or social activities, including rectories, manses, and ACCESSORY BUILDINGS OR STRUCTURES. Typical USES include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries, and any ACCESSORY USES to the PRINCIPAL USE.

### PLACE OF WORSHIP – STOREFRONT CHURCH

means a church permitted in a commercial storefront BUILDING, within the C-1 LAND USE DISTRICT.

### PRINCIPAL BUILDING

means a BUILDING where the main or PRINCIPAL USE of the SITE is conducted.

### PRINCIPAL USE

means the primary or main purpose for which a BUILDING, STRUCTURE, land or any combination thereof is used.

### PRIVATE AMENITY AREA

means a BALCONY, PATIO, DECK, or similar STRUCTURE which is attached to and has a private entrance from the interior of a DWELLING UNIT.

### PRIVATE BABYSITTING SERVICE

means a service provided in a private residence where care is provided for children, some or all of whom are children of persons other than the person providing the service, and does not require a licence under the *Residential Facilities Licensing Regulation*.

### PROFESSIONAL SERVICE

means a DEVELOPMENT used to provide PROFESSIONAL SERVICES, but does not include HEALTH SERVICE or GOVERNMENT SERVICE. Typical USES are offices providing the following services: accounting, architectural, employment, engineering, insurance, investment, legal, real estate, secretarial, or travel agent.

### PROPANE FACILITY

means a DEVELOPMENT used for the storage of bulk propane and may include the sale of propane.

### PUBLIC EDUCATION SERVICES

means a DEVELOPMENT that is publicly supported or subsidized involving public assembly for educational, training or instruction purposes, and includes the administration offices required for the provisions of such services at the same SITE. This USE includes public schools and colleges, but does not include SCHOOL – COMMERCIAL.

### PUBLIC RIGHT-OF-WAY

means the right for the public to pass through a portion of land.

### PUBLIC ROADWAY

means the PUBLIC RIGHT-OF-WAY of the following: a local road; a service road; a street; an avenue; a LANE; or, an undeveloped registered road plan that is publicly used or intended for PUBLIC USE.

### PUBLIC USE

means a USE, BUILDING, STRUCTURE or LOT used for public services which may be one (1) or more of the following: a telecommunications system; a waterworks system; an irrigation or drainage system; a system for the distribution of gas, whether natural or artificial; a system for the distribution of artificial light or electric power; a heating system; or, a sewage system.

# R

### REAL PROPERTY REPORT

means a legal document showing BUILDING location and other SITE data prepared by a Registered Alberta Land Surveyor according to the standards of the *Alberta Land Surveyors Association*. The REAL PROPERTY REPORT takes the form of a plan of the various physical features of the LOT. The buyer, seller, lender, and municipality can rely upon the REAL PROPERTY REPORT as an accurate representation of the BUILDINGS or improvements on the lot.

### RECREATIONAL EQUIPMENT

means equipment defined as an off-highway vehicle in the *Traffic Safety Act*, and includes boats, but does not include a RECREATIONAL VEHICLE.

### RECREATIONAL SERVICE – INDOOR

means a DEVELOPMENT used for sports or recreation within an enclosed BUILDING and any related accessory DEVELOPMENT for the users of the principal facilities.

### RECREATIONAL SERVICE – OUTDOOR

means a DEVELOPMENT used for outdoor sports or leisure and any related ACCESSORY USES for the convenience of the users of the principal outdoor facilities.

### RECREATIONAL VEHICLE

means a portable STRUCTURE with seating and sleeping capacity to provide temporary living accommodation that is either carried on or pulled by another vehicle, or transported under its own power.

### RECREATIONAL VEHICLE SALES AND SERVICE

means a DEVELOPMENT used for the sales, rental, and service of RECREATIONAL VEHICLES.

### RECYCLING DEPOT

means a DEVELOPMENT for collecting, sorting and temporary storage of recyclable materials such as bottles, cans, paper, boxes, and small household goods, but does not include a SALVAGE YARD.

### RELOCATABLE INDUSTRIAL ACCOMMODATION

means a TEMPORARY DEVELOPMENT, subject to the *National Building Code – Alberta Edition*, greater than 80m$^2$/861.1sq.ft. in BUILDING area that is designed to be relocatable and usable without a PERMANENT FOUNDATION for the provision of sleeping, sanitary and eating facilities for a work force.

### RESIDENT

means a person that permanently resides and normally eats and sleeps within the DWELLING UNIT, and when absent, intends to return.

### RESTAURANT

means a DEVELOPMENT where foods and beverages are prepared and served for consumption ON-SITE by the public and may include a take-out component as an ACCESSORY USE.

### RETAIL – ADULT

means a DEVELOPMENT where more than 50 percent of the retail store inventory is for the sale or rental of media materials including adult content, and / or where more than 50 percent of the retail store inventory is offering the display and sale of non-clothing merchandise and/or products intended for adult use.

### RETAIL – CANNABIS

means a DEVELOPMENT used for a retail store licensed by the Province of Alberta, where non-medicinal cannabis and cannabis accessories are offered for sale to the public.

### RETAIL – CONVENIENCE

means a DEVELOPMENT used for retail sales of those goods required by RESIDENTS on a day-to-day basis in an enclosed BUILDING. Typical USES include: small food stores; drug stores; video sales and rentals; and, variety stores selling confectionary, tobacco, groceries beverages, pharmaceuticals, personal care items, hardware, and printed matter.

### RETAIL – GENERAL

means a DEVELOPMENT used for retail sale of groceries, beverages, household goods, furniture and appliances, clothing, hardware, home improvement supplies, garden supplies, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary and similar goods from within an enclosed BUILDING.

### RETAIL – LIQUOR

means a store that sells alcoholic beverages and products for OFF-SITE consumption.

### RETAIL – SPECIALTY STORE

means a store that specializes in, and offers a wide variety of brands, styles, and models from a relatively narrow category of specific goods for retail sale.

### RETAINING WALL

means a structure designed to support and retain any material (usually earth) on a SITE. For an example of a RETAINING WALL please see Figure 15.

## S

### SALVAGE YARD

means a facility for the storage, processing, or transshipment of derelict MOTOR VEHICLES, machinery, scrap metal, and similar materials for sale.

### SCHOOL – COMMERCIAL

means a commercial DEVELOPMENT used for the training and instruction in a trade, skill or service, but does not include PUBLIC EDUCATION SERVICE. Typical USES include: trade; secretarial; business; hairdressing; driver training; dancing; music; or academic tutoring schools.

### SCREENING

means a vertical physical barrier constructed out of building or vegetative materials used for the purpose of total or partial concealment, containment or to prevent unauthorized access, which serves as a visual screen.

### SECONDARY SUITE

means one (1) additional ACCESSORY DWELLING UNIT which includes cooking facilities and is created within a DWELLING – SINGLE FAMILY or GARAGE – DETACHED and intended for temporary or long-term residency by a tenant. A SECONDARY SUITE shall have a separate entrance directly from the exterior, or through a common area inside, or both.

### SETBACK

means a specified distance from a PUBLIC ROADWAY, LOT LINE, or STRUCTURE, within which a BUILDING is prohibited in compliance with this BYLAW.

### SHIPPING CONTAINER

means a steel SHIPPING CONTAINER for ACCESSORY USE to the PRINCIPAL BUILDING. For an example of a SHIPPING CONTAINER please see Figure 16.

### SHOPPING CENTRE

means a DEVELOPMENT comprising three (3) or more separate commercial USE facilities that operate as one (1) unit, and share a common PARKING LOT.

### SIGHT TRIANGLE

means the triangle formed by a straight line drawn between two points at a roadway intersection, one (1) located along a LOT LINE – FRONT and the second along a LOT LINE – FLANKAGE, at a distance of 7.5m/24.6ft. from the point where the LOT LINES intersect. Objects such as SIGNS, trees, BUILDINGS and/or STRUCTURES cannot be situated within the SIGHT TRIANGLE. For an example of a SIGHT TRIANGLE please see Figure 17.

### SIGN OR SIGNAGE

means an object, STRUCTURE or device used for the purpose of identification or advertising, or to call attention to any person, matter, or event, or to provide direction. For an example of SIGNS OR SIGNAGE please see Figure 18.

### SIGN AREA

means the total visible surface area of the SIGN. In the case of SIGN – FASCIA with individual lettering, the sum of the combined areas of each individual letter is the total SIGN AREA. For examples of how to calculate SIGN AREA please see Figure 19.

### SIGN – BILLBOARD

means a large SIGN affixed to the ground with no association to any business or USE located on the LOT or premises on which it is located. For an example of a SIGN – BILLBOARD please see Figure 18.

**SIGN – CANOPY**

means a SIGN attached to or forming part of a permanent BUILDING projection, projecting or fixed structural framework, which extends outward from the exterior wall of a BUILDING. SIGN – CANOPY includes marquees and awnings. For an example of a SIGN – CANOPY please see Figure 18.

**SIGN – DIRECTORY**

means a SIGN located on a property with more than one (1) establishment, which displays only a listing of the names of these businesses or organizations without advertising copy, except a business logo. For an example of a SIGN – DIRECTORY please see Figure 18.

**SIGN FACE**

means each individual side or face of a SIGN.

**SIGN – FASCIA**

means a SIGN, other than a SIGN – ROOF or SIGN – PROJECTING, which is attached to and supported by a wall of a BUILDING. For examples of a SIGN – FASCIA please see Figure 18.

**SIGN – FREESTANDING**

means a SIGN, other than a SIGN – PORTABLE OR MOBILE, supported independently of a BUILDING and securely fixed to the ground. For an example of a SIGN – FREESTANDING please see Figure 18.

**SIGN – ILLUMINATED**

means a SIGN lit internally with light(s) shining through a translucent or coloured material. For an example of a SIGN – ILLUMINATED please see Figure 18.

**SIGN – PORTABLE OR MOBILE**

means a SIGN greater than $1m^2$/10.7sq.ft. in SIGN AREA. that is located on, but not permanently attached to the ground. It is capable of being easily relocated and holds a SIGN with one (1) or more faces featuring letters and/or symbols that can be changed manually or electronically through adjustable characters, message panels or other means. For an example of a SIGN – PORTABLE OR MOBILE please see Figure 18.

**SIGN – PROJECTING**

means any SIGN, other than a SIGN – CANOPY, that is attached directly to a BUILDING wall, where the SIGN FACE is perpendicular to the wall it is attached to. For an example of a SIGN – PROJECTING please see Figure 18.

**SIGN – ROOF**

means any SIGN erected upon a roof, directly above a roof, on top of, or above the parapet of a BUILDING. For an example of a SIGN – ROOF please see Figure 18.

**SIGN – SANDWICH**

means a SIGN less than $1m^2$/10.7sq.ft. in area, which is constructed of two (2) boards connecting at one (1) end that can be readily taken on and off a SITE. For an example of a SIGN – SANDWICH please see Figure 18.

### SITE

means a LOT or PARCEL where a DEVELOPMENT exists or occurs, or for which a DEVELOPMENT PERMIT application is submitted.

### SMALL WIND ENERGY SYSTEM

means a wind energy conversion system consisting of a wind turbine rotating on, either a vertical or horizontal axis, or a tower, and associated control or conversion electronics, which has a rated capacity of not more than 5KW, which is intended to provide electrical power for consumption ON-SITE.

### SOLAR COLLECTOR

means any device used to absorb sunlight that is part of a system used to convert solar radiation energy into thermal or electrical energy.

### STOREY

means a complete horizontal section of a BUILDING, having one continuous or, practically continuous floor, with all the rooms on the same level. Any floor, which is at least 1.5m/4.9ft below FINISHED GRADE, is considered a BASEMENT and not a STOREY. For an example of a STOREY please see Figure 7.

### STRUCTURE

means anything that is erected, built, or constructed of multiple parts joined together or any such assembly fixed to or supported by the FINISHED GRADE, or any other BUILDINGS and/or STRUCTURES, excluding fences.

### SUBDIVISION

means the division of a PARCEL of land into one (1) or smaller PARCELS by a Plan of SUBDIVISION, registered with Alberta Land Titles.

### SUBDIVISION AND DEVELOPMENT APPEAL BOARD

means a board of individuals, appointed pursuant to Section 627 of the *Municipal Government Act* that hears SUBDIVISION and DEVELOPMENT appeals, and renders a decision.

## T

### TAXI SERVICE

means a passenger transportation service with a MOTOR VEHICLE provided for a fee based on time and / or distance travelled.

### TEMPORARY

means a USE or BUILDING which occurs from the date of the DEVELOPMENT PERMIT approval for a length of time as specified in the permit approval by the DEVELOPMENT AUTHORITY.

### TEMPORARY BUNKHOUSE

means a TEMPORARY DEVELOPMENT, 80m$^2$/861.1sq.ft. or less, that is designed to be relocatable and usable without a PERMANENT FOUNDATION for the provision of sleeping and sanitary facilities, which may include eating facilities.

### THEATRE

means a DEVELOPMENT where live entertainment or motion pictures is provided to the public, not including an ADULT ENTERTAINMENT FACILITY.

### TOWN

means the Town of High Level.

### TRANSMITTING STATION

means a DEVELOPMENT used for the transmission of data, or rebroadcast of telecommunications through antenna or satellite transmitting equipment, which can be located above or at ground-level.

## U

### UNSIGHTLY CONDITION

means:

**a)** a STRUCTURE whose exterior shows signs of significant physical deterioration;
**b)** land that, in the opinion of the DEVELOPMENT AUTHORITY, shows signs of serious disregard for general maintenance or upkeep; and
**c)** any other definition pursuant to the Community Standards Bylaw.

### UTILITY SERVICES – MAJOR

means a DEVELOPMENT for public utility infrastructure purposes, which is a likely to have a major impact on the environment or adjacent lands by virtue of their potential emissions, affects, or their appearance. Typical USES include sanitary landfill sites, sewage treatment lagoons and power generating stations.

### UTILITY SERVICES – MINOR

means a DEVELOPMENT for public utility infrastructure purposes, which is likely to have some impact on the environment or adjacent uses by virtue of its appearance, noise, size, traffic generation or operational characteristics. Typical USES include vehicle, equipment material storage for utilities and services, snow dumping sites and water treatments plants.

### USE

means the purpose for which land or a BUILDING and/or STRUCTURE, or any combination thereof, is designated, arranged, erected, intended, occupied, or maintained.

## V

### VARIANCE

means a deliberate deviation from the set of provisions supplied by the TOWN, which can be applied for within DEVELOPMENT PERMIT applications, regarding DEVELOPMENT guidelines, requirements and parameters within this BYLAW.

### VETERINARY CLINIC

means a DEVELOPMENT used for the medical care and treatment of domestic animals and incidental overnight accommodation, and does not include PET SERVICE.

## W

### WAREHOUSE

means the indoor storage of equipment, goods, MOTOR VEHICLES, RECREATIONAL VEHICLES, materials, or products as part of a commercial or industrial DEVELOPMENT.

### WAREHOUSE STORE

means a DEVELOPMENT used for retail sale of goods at discounted prices, which provides a no-frills experience and warehouse shelving stocked with merchandise intended for purchase in bulk or higher volumes.

### WATERBODY

means any location where water flows and/or is present, whether or not the flow or the presence of water is continuous, intermittent or occurs only during a flood, and includes but is it not limited to, wetlands and aquifers, and does not include part of a drainage or irrigation system.

## X

### XERISCAPING

means LANDSCAPING and gardening in a manner to reduce or eliminate the need for watering and irrigation systems.

## Y

### YARD – FLANKAGE

means a YARD – SIDE abutting the road of a LOT CORNER. YARD – FLANKAGE is determined by the horizontal dimension measured from a LOT LINE – FLANKAGE at a right angle to the nearest point of a wall of any BUILDING and/or STRUCTURE on the LOT. In the case of a curved LOT LINE – FLANKAGE, the YARD – FLANKAGE will also form a curve. For an example of a YARD – FLANKAGE please see Figure 20.

### YARD – FRONT

means a yard extending across the full width of a SITE from the LOT LINE – FRONT to the nearest point on the exterior of any BUILDING and/or STRUCTURE situated on the LOT measured at right angles to the LOT LINE – FRONT. In the case of a curved LOT LINE – FRONT, the YARD – FRONT will also form a curve. For an example of a YARD – FRONT please see Figure 20.

### YARD – REAR

means a yard extending across the full width of a SITE from the LOT LINE – REAR to the nearest point on the exterior of any BUILDING and/or STRUCTURE situated on the SITE, measured at right angles to the LOT LINE – REAR. In the case of a curved LOT LINE – REAR, the YARD – REAR will also form a curve. For an example of a YARD – REAR please see Figure 20.

**YARD – SIDE**

means the horizontal dimension measured from a LOT LINE – SIDE at a right angle to the nearest point of a wall of any BUILDING and/or STRUCTURE on the LOT. In the case of a curved LOT LINE – SIDE, the YARD – SIDE will also form a curve. For an example of a YARD – SIDE please see Figure 20.

3

# 3.0. ADMINISTRATION AND PROCEDURES DEVELOPMENT AUTHORITY

## 3.1 BYLAW AMENDMENTS

**3.1.1** A BYLAW amendment application shall be made to COUNCIL on the Land Use Bylaw Amendment Application Form that is signed by the applicant, or their agent.

**3.1.2** All applications to amend this BYLAW shall be submitted with a statement of the reasons for the amendment.

**3.1.3** If the amendment involves the re-zoning of a LOT to a different LAND USE DISTRICT, the application must contain:

- **a)** the application fee as set by COUNCIL;
- **b)** a Certificate of Title for the subject property;
- **c)** written consent from the registered landowner, in a case where the applicant is not the owner of the LOT affected by the application;
- **d)** an appropriately dimensioned map describing the SITE to the satisfaction of the DEVELOPMENT AUTHORITY;
- **e)** an AREA STRUCTURE PLAN when required by the DEVELOPMENT AUTHORITY; and
- **f)** any additional information as the DEVELOPMENT AUTHORITY may require in evaluating the application, including but not limited to, traffic impact assessments, ENVIRONMENTAL IMPACT ASSESSMENTS, soil tests, engineering reports or geotechnical reports.

**3.1.4** The TOWN may at any time initiate an amendment to this BYLAW.

**3.1.5** Where an application for an amendment to this BYLAW has been refused, the submission of another application to amend this BYLAW which affects the same PARCEL, and same or similar amendment, may not be made by any applicant for a minimum of six (6) months.

## 3.2 BYLAW AMENDMENT NOTIFICATION REQUIREMENTS

**3.2.1** On first reading being given to a bylaw to amend this BYLAW, in accordance with the Advertisement – Public Notification Bylaw administration will:

**a)** Arrange for notice of a public hearing to be published in a newspaper circulating within TOWN, the publication of the second issue being not less than five (5) days prior to the commencement of the public hearing in a manner outlined in Section 606 of the ACT;

**b)** Post copies of the public hearing notice on the TOWN'S digital media platforms for public viewing;

**c)** Mail a notice of the public hearing to any neighbouring landowners who, in the opinion of the DEVELOPMENT AUTHORITY, may be affected by the proposed amendment; and

**d)** May contact neighbouring landowners who, in the opinion of the DEVELOPMENT AUTHORITY, may be affected by the proposed amendment via email.

## 3.3 SUBDIVISION AND DEVELOPMENT AUTHORITIES

**3.3.1** DEVELOPMENT AUTHORITIES

**a)** The DEVELOPMENT AUTHORITY is established by the Development Authority Bylaw, pursuant to Section 624 of the ACT.

**b)** The DEVELOPMENT AUTHORITY shall exercise development powers and duties on behalf of the TOWN.

**c)** The DEVELOPMENT AUTHORITY shall be the Chief Administrative Officer, or where the context of this BYLAW permits, the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, TOWN COUNCIL, or the Inter-Municipal Planning Commission.

**d)** The DEVELOPMENT AUTHORITY shall appoint a Development Officer to receive and process all DEVELOPMENT PERMIT applications for authorization, maintain a record of all DEVELOPMENT PERMIT applications and supporting information, and ensure approved amendments to this BYLAW are completed for public use in a timely manner.

**e)** COUNCIL shall serve as the DEVELOPMENT AUTHORITY for all applications in the Direct Control (DC) LAND USE DISTRICTS, and may delegate applications within the DC LAND USE DISTRICT with direction they consider appropriate, to the DEVELOPMENT AUTHORITY.

**3.3.2** SUBDIVISION AUTHORITIES

**a)** The SUBDIVISION Authority is established by the Subdivision Authority Bylaw, pursuant to Section 623 of the ACT.

**b)** The SUBDIVISION Authority shall exercise SUBDIVISION powers and duties on behalf of the TOWN.

**c)** The SUBDIVISION Authority shall be the Chief Administrative Officer, or where the context of this BYLAW permits, the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, TOWN COUNCIL, or the Inter-Municipal Planning Commission.

**3.3.3** SUBDIVISION AND DEVELOPMENT APPEAL BOARD

**a)** The SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall be established by the Subdivision and Development Appeal Board Bylaw, pursuant to Section 627 of the

ACT.

**b)** The Board shall carry out the duties and responsibilities pursuant to Section 628 of the ACT, and in accordance with the Subdivision and Development Appeal Board Bylaw.

**c)** Elected officials shall not form the majority of a SUBDIVISION AND DEVELOPMENT APPEAL BOARD or Committee hearing an appeal.

**3.3.4** INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

**a)** The INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall be established by a separate BYLAW.

**b)** The Board shall carry out the duties and responsibilities pursuant to Section 627 of the ACT, and in accordance with the bylaw that creates it.

**c)** Elected officials from a single Municipality shall not form the majority of an INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD or Committee hearing an appeal.

**3.3.5** JOINT SUBDIVISION AND DEVELOPMENT APPEAL BOARD

**a)** The JOINT SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall function under the signed Memorandum of Understanding between the Town of High Level and neighbouring or regional Municipalities.

**b)** The Board shall carry out the duties and responsibilities pursuant to Section 627 of the ACT, and in accordance with the Memorandum of Understanding that creates it.

**c)** Elected officials from a single Municipality shall not form the majority of a JOINT SUBDIVISION AND DEVELOPMENT APPEAL BOARD or Committee hearing an appeal.

# 4

# 4.0 DEVELOPMENT ADMINISTRATION AND PROCEDURES

## 4.1 CONTROL OF DEVELOPMENT

**4.1.1** No person shall commence any DEVELOPMENT within the TOWN except in conformity with this BYLAW.

**4.1.2** Compliance with the requirements of this BYLAW does not exempt any person or entity from the requirements of any adopted Statutory Plan or Federal or Provincial regulation.

## 4.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

**4.2.1** The following DEVELOPMENTS do not require a DEVELOPMENT PERMIT, but must comply with the regulations of this BYLAW to the extent applicable:

- **a)** a DEVELOPMENT that is subject to valid DEVELOPMENT agreement for:
  - **i)** constructing, widening, altering, redesigning or maintaining a PUBLIC ROADWAY;
  - **ii)** traffic management projects and devices;
  - **iii)** water reservoirs, water lines, storm and sanitary sewer installations;
  - **iv)** street furniture, playgrounds, public park LANDSCAPING, municipal recreational equipment and civic BUILDINGS with FLOOR AREA – GROSS under 75m$^2$/807.2sq.ft. and;
  - **v)** constructing and maintaining public utilities;
- **b)** construction and maintenance of that part of a public utility located in, on, over or under a PUBLIC ROADWAY, a public utility right-of-way or public utility LOT;
- **c)** the USE of a BUILDING or a part of it in connection with a Federal, Provincial, Municipal, or School election, referendum or census;
- **d)** subject to Subsection 5.13 GARAGES – PORTABLE OR TEMPORARY;
- **e)** routine maintenance of and repairs to a BUILDING not involving any structural changes;
- **f)** in a residential LAND USE DISTRICT, construction of a BUILDING or STRUCTURE

with a load bearing roof up-to 10m²/107.7sq.ft. in FLOOR AREA, such as a garden shed or playhouse, if the DEVELOPMENT complies with this BYLAW;

**g)** in a residential LAND USE DISTRICT, construction of:
- **i)** a DECK to a maximum of 0.6m/1.9ft. above FINISHED GRADE;
- **ii)** a PATIO;
- **iii)** a permanent outdoor kitchen;
- **iv)** a pergola;
- **v)** subject to Section 5.23 a private swimming pool or hot tub;

**h)** in a residential LAND USE DISTRICT, one (1) radio antenna less than 12m/39.3ft. above FINISHED GRADE at its highest point, which otherwise complies with this BYLAW;

**i)** construction of a fence less than 2m/6.5ft. in height above FINISHED GRADE in a YARD – REAR, YARD – SIDE and YARD – FLANKAGE and no more than 1m/3.2ft. in YARD – FRONT;

**j)** a HOME OCCUPATION that involves catalogue sales or product presentation through home parties not held at the vendor's residence, employs no other person than the RESIDENT and does not increase traffic generation;

**k)** a HOME OFFICE, provided that:
- **i)** no individual other than a permanent RESIDENT of the DWELLING UNIT operates the HOME OFFICE;
- **ii)** no client or customer is received in the DWELLING UNIT for business purposes;
- **iii)** the HOME OFFICE does not generate any vehicular traffic related to deliveries or pickups;
- **iv)** there are no ON-SITE exterior displays or advertisements of the HOME OFFICE;
- **v)** no equipment, materials, goods or finished products for sale are stored ON-SITE;
- **vi)** the HOME OFFICE is operated as an ACCESSORY USE only and must not change the residential character or external appearance of the DWELLING UNIT;

**l)** PRIVATE BABYSITTING SERVICE; and

**m)** LANDSCAPING that does not affect the grading or drainage of the subject or adjacent properties, except where LANDSCAPING forms part of a DEVELOPMENT that requires a DEVELOPMENT PERMIT.

**4.2.2** Notwithstanding Article 4.2.1, DEVELOPMENTS with a project value of $5,000.00 (five-thousand dollars) or more require a DEVELOPMENT PERMIT and a BUILDING PERMIT, unless exempted under the *Safety Codes Act* Permit Regulation as amended.

## 4.3 APPLICATION FOR A DEVELOPMENT PERMIT

**4.3.1** In addition to DEVELOPMENT PERMITS being required for all DEVELOPMENT, except those excluded in Subsection 4.2, a DEVELOPMENT PERMIT shall be required for:

**a)** a CHANGE OF USE of a property;

**b)** a change in the intensity of a USE;

**c)** a change to the footprint of an existing BUILDING and/or STRUCTURE;

**d)** a change in the location or placement of a BUILDING and/or STRUCTURE;

**e)** a HOME OCCUPATION;

**f)** an ACCESSORY BUILDING OR STRUCTURE, subject to Clause 4.2.1(f); and

**g)** an existing BUILDING or USE that has not been in operation for a period of six (6) consecutive months.

**4.3.2** Without limiting the generality of Article 4.3.1, BUILDING – MOVED IN requires a DEVELOPMENT PERMIT.

**4.3.3** An application for a DEVELOPMENT PERMIT shall be made by the registered owner of the LOT on which the DEVELOPMENT is proposed, by a person having a registered interest in the land where the DEVELOPMENT is proposed, or by another person with written consent from the owner, to the DEVELOPMENT AUTHORITY by submitting the following:

- **a)** the applicable Development Permit Application Form completed and signed;
- **b)** the fee as set by COUNCIL; and
- **c)** the information required in Article 4.3.4.

**4.3.4** Unless the DEVELOPMENT AUTHORITY or this BYLAW specifies otherwise, the following information must be submitted when an application for a DEVELOPMENT PERMIT is made:

- **a)** SITE plans drawn to scale, in duplicate, showing:
  - **i)** the legal description and civic address of the property;
  - **ii)** LOT LINES with dimensions and SETBACK requirements in accordance to this BYLAW;
  - **iii)** location and height of proposed and any existing BUILDINGS and/or STRUCTURES, including SIGNS, RETAINING WALLS and fencing;
  - **iv)** utilities, SITE drainage, grade elevations, existing and FINISHED GRADE, the grade of streets and location of proposed water and sewer lines;
  - **v)** loading and PARKING provisions;
  - **vi)** ACCESS locations from the SITE;
  - **vii)** garbage, storage areas and the fencing and SCREENING proposed for the SITE;
  - **viii)** location and dimensions of existing and proposed culverts and crossings;
  - **ix)** location and provision for amenity areas and LANDSCAPED AREAS;
- **b)** BUILDING plans drawn to scale, in duplicate, showing:
  - **i)** floor plans;
  - **ii)** BUILDING elevations;
  - **iii)** exterior BUILDING finishing materials;
- **c)** a statement of ownership of and interest of applicant therein;
- **d)** the estimated commencement and completion dates;
- **e)** the total approximate project value in Canadian dollars;
- **f)** a Lot Grading Plan that is in conformance with Section 5.6; and
- **g)** such additional information deemed necessary by the DEVELOPMENT AUTHORITY to ensure the provisions of this BYLAW are met.

**4.3.5** Notwithstanding Article 4.3.3, depending on the specific location and proposed USE, the DEVELOPMENT AUTHORITY may also require detailed information such as:

- **a)** specifics related to the USE and type of operation;
- **b)** traffic generation and potential impacts on streets related to PARKING;
- **c)** SIGNAGE;
- **d)** number of employees;
- **e)** hours of operation;
- **f)** architectural drawings demonstrating a design consistent with the Town of High Level Design Guidelines; and
- **g)** other matters at the discretion of the DEVELOPMENT AUTHORITY, with the intent of
- **h)** protecting adjacent and nearby properties.

**4.3.6** All DEVELOPMENTS that require new a water and sewer connection, must apply for a Water and Sewer Connection Permit.

## 4.4 DECISION PROCESS

**4.4.1** The DEVELOPMENT AUTHORITY shall receive all applications for DEVELOPMENT PERMITS and shall determine whether the submitted applications are complete and;

**a)** if the application is deemed complete, the DEVELOPMENT AUTHORITY must, within 40 days after receipt of an application for a DEVELOPMENT PERMIT, issue to the applicant an acknowledgement that the permit application is complete, via electronic or regular mail;

**b)** if the application is deemed incomplete, the DEVELOPMENT AUTHORITY must notify the applicant of the outstanding required information and/or documents, and provide a timeline within which the documents must be submitted through electronic or regular mail. If the applicant fails to submit outstanding information and/or documents, either on or before the date specified in the notification, the application will be refused, unless an agreement occurs between the DEVELOPMENT AUTHORITY and the applicant; or

**c)** if the application is deemed complete, the DEVELOPMENT AUTHORITY may within 40 days after receipt of an application approve or refuse the application, and notify the applicant of the decision via electronic or regular mail.

**4.4.2** The DEVELOPMENT AUTHORITY shall review each application for a DEVELOPMENT PERMIT to determine if the DEVELOPMENT is a PERMITTED USE or a DISCRETIONARY USE.

**4.4.3** Subject to Subsection 4.9 and any other VARIANCE provision contained in this BYLAW, the DEVELOPMENT AUTHORITY shall refuse an application, which does not conform to this BYLAW unless, in the opinion of the DEVELOPMENT AUTHORITY,

**a)** The proposed DEVELOPMENT would not

**i)** unduly interfere with the amenities of the neighbourhood; or

**ii)** materially interfere with or affect the USE, enjoyment or value of neighbouring PARCELS of land; and

**b)** the proposed DEVELOPMENT conforms with the USE prescribed for that LOT or BUILDING within the BYLAW.

**4.4.4** Notwithstanding Article 4.4.3, the DEVELOPMENT AUTHORITY may exercise discretion to approve a DEVELOPMENT that does not conform to this BYLAW, if in the opinion of the DEVELOPMENT AUTHORITY the DEVELOPMENT addresses a safety, accessibility or other concern.

**4.4.5** The DEVELOPMENT AUTHORITY shall issue a DEVELOPMENT PERMIT for a PERMITTED USE with or without conditions, if the application conforms to this BYLAW.

**4.4.6** The DEVELOPMENT AUTHORITY may issue a DEVELOPMENT PERMIT for a DISCRETIONARY USE, with or without conditions, if the application conforms to this BYLAW.

**4.4.7** The DEVELOPMENT AUTHORITY may issue a DEVELOPMENT PERMIT approval for USES which are not permitted or discretionary with or without conditions at their discretion.

**4.4.8** The DEVELOPMENT AUTHORITY may refuse a DEVELOPMENT PERMIT application for a DISCRETIONARY USE on its merits even if it conforms to the regulations of this BYLAW.

**4.4.9** The DEVELOPMENT AUTHORITY shall make their decision in writing and shall send a copy of the written decision to the applicant.

**4.4.10** If the DEVELOPMENT AUTHORITY refuses an application for a DEVELOPMENT PERMIT, the decision notice shall contain the reasons for refusal.

**4.4.11** An application for a DEVELOPMENT PERMIT shall, at the option of the applicant, be deemed refused when a decision is not made within 40 days of the DEVELOPMENT AUTHORITY'S receipt of the complete application, unless the applicant has entered into an agreement with the DEVELOPMENT AUTHORITY to extend the time for approval beyond the 40 day period.

**4.4.12** TEMPORARY DEVELOPMENT PERMITS may be issued for a specified time period, at the discretion of the DEVELOPMENT AUTHORITY, for PERMITTED USES or DISCRETIONARY USES defined within this BYLAW, if the USE is identified as TEMPORARY, or if the DEVELOPMENT AUTHORITY deems it appropriate. TEMPORARY DEVELOPMENT PERMITS may also be approved for non-permitted USE and non-discretionary USE within any LAND USE DISTRICT, at the discretion of the DEVELOPMENT AUTHORITY.

## 4.5 NOTIFICATIONS

**4.5.1** In accordance with the Advertisement – Public Notification Bylaw, the DEVELOPMENT AUTHORITY shall provide notification of all decisions on DEVELOPMENT PERMITS, including COUNCIL decisions related to DEVELOPMENTS in Direct Control LAND USE DISTRICTS, in the following ways:

- **a)** copies of decisions made available for public viewing at the TOWN Office;
- **b)** posting copies of decisions on the TOWN'S digital media platforms for public viewing;
- **c)** posting in a newspaper circulated within TOWN, stating the DEVELOPMENT, its location and decision within 15 days of the decision; and
- **d)** via email to applicants and registered landowners.

**4.5.2** In addition to Article 4.5.1, upon refusing a DEVELOPMENT PERMIT application; the DEVELOPMENT AUTHORITY shall deliver a notice of the decision by registered mail or by personal service to the applicant, stating the DEVELOPMENT and the decision.

**4.5.3** In addition to Article 4.5.1, the DEVELOPMENT AUTHORITY shall provide written notice of the approval of a BUILDING – MOVED IN or a HOME OCCUPATION, with the exception of Clause 4.2.1(l),to all adjacent landowners within a 100m/330ft. radius of the proposed SITE.

**4.5.4** Notwithstanding Article 4.5.3, at the discretion of the DEVELOPMENT AUTHORITY, adjacent landowner notifications for an approved HOME OCCUPATION may be limited to select adjacent landowners within the 100m/330ft. radius if the proposed USE would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the USE, enjoyment or value of nearby PARCELS, based upon the nature of the proposed USE or location of the subject SITE.

## 4.6 DEVELOPMENT PERMIT CONDITIONS

**4.6.1** The DEVELOPMENT AUTHORITY may, with respect to any USE, require the applicant to make satisfactory arrangements for the supply of utilities or vehicular and pedestrian ACCESS, including payment of the cost of installation or construction.

**4.6.2** The DEVELOPMENT AUTHORITY may, with respect to any USE, require that an applicant enter into an agreement or interim agreement, which shall form part of such DEVELOPMENT PERMIT, to do any or all of the following:

- **a)** construct, or pay for the construction of, a PUBLIC ROADWAY required to give ACCESS to the DEVELOPMENT;
- **b)** construct, or pay for the construction of:
  - **i)** a pedestrian walkway to serve the DEVELOPMENT;
  - **ii)** pedestrian walkways that will connect the pedestrian walkway system serving the DEVELOPMENT with a pedestrian walkway system that serves or is proposed to serve an adjacent DEVELOPMENT;
  - **iii)** or both;
- **c)** install, or pay for the installation of, utilities that are necessary to serve the DEVELOPMENT;
- **d)** pay an OFF-SITE LEVY, redevelopment levy or both, imposed by the Off-Site Levy Bylaw;
- **e)** specify the number and location of vehicular and pedestrian ACCESS points to the DEVELOPMENT from PUBLIC ROADWAYS;
- **f)** construct or pay for the construction of off-street or OFF-SITE PARKING facilities or loading or unloading facilities;
- **g)** repair, reinstate or pay for the repair or reinstatement to original condition of any street furniture, curbing, sidewalk, BOULEVARD LANDSCAPING and tree planting which may be damaged, destroyed or otherwise harmed by DEVELOPMENT or BUILDING operations upon the SITE;
- **h)** install, construct or pay for the installation or construction of LANDSCAPING and fencing on the DEVELOPMENT, PUBLIC ROADWAYS and public lands adjacent to the DEVELOPMENT; and
- **i)** to give security to ensure that the terms of the agreement under this Section are carried out.

**4.6.3** The DEVELOPMENT AUTHORITY may require that an agreement between the TOWN and applicant be entered into for items identified in Article 4.6.1 and Article 4.6.2, and that this agreement be registered by CAVEAT against Certificate of Title to the LOT with Alberta Land Titles.

**4.6.4** The agreement under Article 4.6.3 may include provisions contemplated by Section 651 of the ACT in respect of oversize improvements.

**4.6.5** In addition to Article 4.6.1 and Article 4.6.2, the DEVELOPMENT AUTHORITY may, with respect to a PERMITTED USE, impose conditions as deemed appropriate, having regard to the regulations of this BYLAW, and the provisions of the Town of High Level Design Guidelines and any Statutory Plan including, but not limited to the following conditions:

- **a)** limiting the hours of operation;
- **b)** limiting the number of patrons;

**c)** establishing LANDSCAPING requirements;
**d)** requiring noise mitigation;
**e)** requiring special provisions be made for PARKING*;*
**f)** specifying the location, character and appearance of a BUILDING*;*
**g)** specifying the grading of a SITE or such other procedures as are necessary to protect the SITE from other DEVELOPMENTS, or to protect other DEVELOPMENTS from the SITE*;*
**h)** establishing the period of time which a DEVELOPMENT may continue;
**i)** specifying certain measures be taken to make the DEVELOPMENT compatible with surrounding DEVELOPMENT*;* and
**j)** requiring measures be taken to make the DEVELOPMENT compliant and compatible with the general DEVELOPMENT or LAND USE DISTRICT regulations of this BYLAW.

**4.6.6** It is hereby deemed a condition of every DEVELOPMENT PERMIT*,* whether or not expressly stated therein that the applicant is responsible for identifying and shall comply with all applicable Federal, Provincial and Municipal enactments and any other law with respect to the USE and DEVELOPMENT of the land and BUILDINGS and shall, as required, to obtain any and all permits, licenses and approvals.

**4.6.7** In addition to Article 4.6.1 and 4.6.2, the DEVELOPMENT AUTHORITY*,* may with respect to a DISCRETIONARY USE*,* or COUNCIL regarding a Direct Control LAND USE DISTRICT, may impose conditions as deemed appropriate, having regard to the regulations of this BYLAW, and the provisions of the Town of High Level Design Guidelines and any Statutory Plan including, but not limited to the following conditions:

**a)** limiting the hours of operation;
**b)** limiting the number of patrons;
**c)** establishing LANDSCAPING requirements;
**d)** requiring noise mitigation;
**e)** requiring special provisions be made for PARKING*;*
**f)** specifying the location, character and appearance of a BUILDING*;*
**g)** specifying the grading of a SITE or such other procedures as are necessary to protect the SITE from other DEVELOPMENTS or to protect other DEVELOPMENTS from the SITE*;*
**h)** establishing the period of time which a DEVELOPMENT may continue;
**i)** specifying certain measures be taken to make the DEVELOPMENT compatible with surrounding DEVELOPMENT*;* and
**j)** requiring measures be taken to make the DEVELOPMENT compliant and compatible with the general DEVELOPMENT or LAND USE DISTRICT regulations of this BYLAW.

## 4.7 DEVELOPMENT PERMIT RULES

**4.7.1** Unless otherwise provided by this BYLAW, a DEVELOPMENT PERMIT remains in effect unless:

**a)** the DEVELOPMENT PERMIT is suspended or cancelled; or
**b)** the DEVELOPMENT for which the permit is issued has not commenced within one (1) year of the date the permit is issued.

**4.7.2** Notwithstanding Clause 4.7.1(b), if a BUILDING PERMIT is issued for the DEVELOPMENT within the one (1) year period, the DEVELOPMENT PERMIT shall not lapse unless the BUILDING PERMIT is cancelled, or the timeframe for the BUILDING PERMIT lapses.

**4.7.3** Prior to the DEVELOPMENT PERMIT lapsing as outlined in Article 4.7.1, the DEVELOPMENT AUTHORITY may extend the validity of a DEVELOPMENT PERMIT once for a period not exceeding one (1) year.

**4.7.4** When a DEVELOPMENT PERMIT is refused by the DEVELOPMENT AUTHORITY or the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, another DEVELOPMENT PERMIT application for the same or similar DEVELOPMENT or USE on the same LOT may not be made by any applicant for a six (6) month period, from the date of refusal.

**4.7.5** Notwithstanding Article 4.7.4, the DEVELOPMENT AUTHORITY is authorized to accept a new or revised application for the same or similar DEVELOPMENT or USE for the same SITE prior to six (6) months having elapsed from the date of refusal, if in the opinion of the DEVELOPMENT AUTHORITY, the aspects of the application that caused it to be refused have been sufficiently modified or resolved.

**4.7.6** An application for a PERMITTED USE on the same SITE, which complies with all applicable provisions of this BYLAW, may be submitted prior to six (6) months having elapsed from the date of refusal.

**4.7.7** If after the issuance of a DEVELOPMENT PERMIT, it becomes known to the DEVELOPMENT AUTHORITY that:

**a)** the application for the DEVELOPMENT PERMIT contains a misrepresentation; or

**b)** facts have not been disclosed which should have been disclosed at the time of consideration of the application for the DEVELOPMENT PERMIT;

the DEVELOPMENT AUTHORITY may suspend or cancel the DEVELOPMENT PERMIT and must advise the applicant in writing to the address given in the DEVELOPMENT PERMIT application.

**4.7.8** The DEVELOPMENT shall not be altered, changed, or modified from the approved plans or specifications without written authorization from the DEVELOPMENT AUTHORITY.

## 4.8 COMPLIANCE CERTIFICATES AND REAL PROPERTY REPORTS

**4.8.1** The registered owner, or a person with a legal or equitable interest in a SITE, may apply, upon payment of the fee as set by COUNCIL, to the DEVELOPMENT AUTHORITY for a COMPLIANCE CERTIFICATE.

**4.8.2** The applicant for a COMPLIANCE CERTIFICATE shall submit an original REAL PROPERTY REPORT for the SITE. Any REAL PROPERTY REPORT that is dated for a period of more than 90 days from the date of application, must be submitted with a Statutory Declaration indicating the accuracy of the REAL PROPERTY REPORT.

**4.8.3** The DEVELOPMENT AUTHORITY may issue a COMPLIANCE CERTIFICATE, when in the opinion of the DEVELOPMENT AUTHORITY, the BUILDINGS, STRUCTURES or combination thereof as shown on the REAL PROPERTY REPORT provided by the applicant, are located on the SITE in accordance with the separation distance and minimum yard requirements of this BYLAW, or the minimum yard requirements specified in any DEVELOPMENT PERMIT, which may have been issued for the SITE.

**4.8.4** The COMPLIANCE CERTIFICATE shall only cover those BUILDINGS and/or STRUCTURES, or parts thereof, shown on the REAL PROPERTY REPORT as provided by the applicant.

**4.8.5** The DEVELOPMENT AUTHORITY may refuse to issue a COMPLIANCE CERTIFICATE when the REAL PROPERTY REPORT does not contain sufficient information to determine if the BUILDINGS and/or STRUCTURES as shown are located in accordance with the yard and BUILDING SETBACK regulations of this BYLAW, or the minimum yard requirements specified in any DEVELOPMENT PERMIT, which may have been issued for the SITE.

**4.8.6** The DEVELOPMENT AUTHORITY may refuse to issue a COMPLIANCE CERTIFICATE when:

- **a)** the REAL PROPERTY REPORT does not indicate all DEVELOPMENTS that are located on the LOT;
- **b)** DEVELOPMENTS on the LOT were constructed without a DEVELOPMENT PERMIT; or
- **c)** the DEVELOPMENT is in non-compliance with this, or any other TOWN bylaw.

**4.8.7** A COMPLIANCE CERTIFICATE is not considered a DEVELOPMENT PERMIT.

## 4.9 VARIANCES

**4.9.1** The DEVELOPMENT AUTHORITY may exercise discretion to approve DEVELOPMENT PERMIT applications with up-to 100% VARIANCES for all provisions of the BYLAW, except for the provisions within Table 4.1, if the proposed DEVELOPMENT would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the USE, enjoyment , or value of the neighbouring PARCELS of land.

**TABLE 4.1** VARIANCES FOR DEVELOPMENTS THAT COME INTO EXISTENCE AFTER THE ENACTMENT OF THIS BYLAW

| COMPONENT | VARIANCE IN ALL DISTRICTS |
|---|---|
| BUILDING HEIGHT | 10% Increase |
| LOT COVERAGE | 10% Relaxation |
| PARKING Requirements (minimum) | 15% Relaxation |

**4.9.2** In exercising discretion pursuant to Article 4.9.1, a VARIANCE shall only be permitted if, in the opinion of the DEVELOPMENT AUTHORITY:

- **a)** the DEVELOPMENT would not:
  - **i)** unduly interfere with the appearance of the neighborhood as it relates to BUILDING;
  - **ii)** design, BUILDING scale and LANDSCAPING; or
  - **iii)** materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
- **b)** the DEVELOPMENT conforms with the USE prescribed for that LAND USE DISTRICT or BUILDING in this BYLAW.

**4.9.3** Requests for VARIANCES for non-complying or NON-CONFORMING BUILDINGS shall be made to the DEVELOPMENT AUTHORITY by submitting the following:

**a)** the fee as set by COUNCIL; and

**b)** a REAL PROPERTY REPORT or Surveyor's Certificate stamped and signed by a Registered Alberta Land Surveyor.

**4.9.4** Applicants who request VARIANCES for proposed DEVELOPMENTS, shall make their request at the time of submitting their DEVELOPMENT PERMIT application and shall submit the information required in Subsection 4.3.

**4.9.5** Applicants who request a VARIANCE that exceeds the DEVELOPMENT AUTHORITY'S ability under Table 4.1 shall have their application for a DEVELOPMENT PERMIT refused with a decision notice issued as per Article 4.4.10.

## 4.10 APPEAL PROCESS

**4.10.1** If the DEVELOPMENT AUTHORITY:

**a)** refuses or fails to issue a DEVELOPMENT PERMIT to a person;

**b)** issues a DEVELOPMENT PERMIT subject to conditions; or

**c)** issues an Order under Section 645 of the ACT;

the person applying for the permit or affected by the Order under Section 645 of the ACT, may appeal upon payment of the fee, as set by COUNCIL, to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

**4.10.2** A person affected by a decision or DEVELOPMENT PERMIT made or issued by the DEVELOPMENT AUTHORITY, other than a person having a right of appeal under Article 4.10.1, may appeal upon payment of the fee, as set by COUNCIL, to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD in accordance to this BYLAW and the ACT.

**4.10.3** The SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall conduct an appeal in accordance with the Subdivision and Development Appeal Board Bylaw and the ACT.

**4.10.4** The Appellant shall file a written notice of an appeal and the required fee with the Secretary of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD within fourteen (14) days of notification of the SUBDIVISION decision and twenty-one (21) days for DEVELOPMENT PERMIT decisions and conditions, pursuant to Sections 686(1) and 678(2) of the ACT, or an Order pursuant to Section 685 of the ACT.

## 4.11 NON-CONFORMING DEVELOPMENT

**4.11.1** Where a DEVELOPMENT PERMIT issued on, or before, the effective date this of BYLAW or any amendment thereto is enacted, the DEVELOPMENT PERMIT shall continue to be in effect regardless of compliance with this BYLAW or any subsequent amendments.

**4.11.2** A NON-CONFORMING USE or NON-CONFORMING BUILDING, or both, may continue unless:

**a)** that USE is discontinued for a period of six (6) consecutive months or more;

**b)** the BUILDING is enlarged or undergoes any structural alterations;

**c)** additional BUILDINGS associated with NON-CONFORMING USE are constructed on the same SITE; or

**d)** a NON-CONFORMING BUILDING is damaged or destroyed to the extent of more than 75% of the value of the BUILDING above its foundation.

**4.11.3** Notwithstanding Article 4.11.2, a NON-CONFORMING BUILDING may be enlarged, rebuilt or structurally altered if the proposed construction:

**a)** will bring the NON-CONFORMING BUILDING into compliance with this BYLAW; or

**b)** if in the opinion of the DEVELOPMENT AUTHORITY, it is necessary for routine maintenance of the BUILDING.

**4.11.4** The USE of a LOT or the USE of a BUILDING is not affected by a change of ownership or tenancy of the LOT or BUILDING.

**4.11.5** LOTS existing prior to the adoption of this BYLAW that do not meet the minimum required width, depth and area as prescribed for their LAND USE DISTRICT will continue to exist, should all other requirements of this BYLAW be met.

## 4.12 ENFORCEMENT

**4.12.1** If the DEVELOPMENT AUTHORITY finds that a DEVELOPMENT, USE of a LOT or USE of a BUILDING is not in accordance with this BYLAW, DEVELOPMENT PERMIT or SUBDIVISION approval, the DEVELOPMENT AUTHORITY may, by written notice, order the owner, the person in possession of the LOT or BUILDING, or the person responsible for the contravention, or all of them, to:

**a)** stop the DEVELOPMENT or USE of the LOT or BUILDINGS in whole or part as directed by the notice;

**b)** demolish, remove or replace the DEVELOPMENT;

**c)** carry out any other actions required by the notice so that the DEVELOPMENT or USE of the LOT or BUILDING complies with this BYLAW, DEVELOPMENT PERMIT or a SUBDIVISION approval, within the time set out in the notice; or

**d)** any combination of the above.

**4.12.2** A person who receives a notice referred to in Article 4.12.1 may appeal to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD in accordance to Subsection 4.10.

**4.12.3** If a person fails or refuses to comply with an Order directed to them under this Section or an Order of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, the TOWN may enter on the LOT or BUILDING and take any action necessary to carry out the Order. The costs of the TOWN'S action may be placed against the tax roll of the property, pursuant to Sections 542, 549 and 646(1) of the ACT.

**4.12.4** The TOWN may register a CAVEAT under the *Land Titles Act* in respect of an Order against the Certificate of Title for the LOT that is the subject of the Order.

## 4.13 PENALTIES

**4.13.1** Violation Penalties:

**a)** Any person who contravenes any provision of this BYLAW is guilty of an offence and is liable to a fine for each offence of not more than:

**i)** $500.00 for a first offence;
**ii)** $2,500.00 for a second and subsequent offence;

**b)** The DEVELOPMENT AUTHORITY is hereby appointed as a Bylaw Enforcement Officer pursuant to the ACT, for the purpose of enforcing this BYLAW and is empowered to issue a violation ticket pursuant to the *Provincial Offences Procedure Act;*

**c)** The DEVELOPMENT AUTHORITY may appoint another individual as a Bylaw Enforcement Officer for the purpose of enforcing this BYLAW pursuant to Section 3 of the Bylaw Enforcement Officer Bylaw, who is empowered to issue a violation ticket pursuant to the *Provincial Offences Procedure Act*;

**d)** Where a contravention of this BYLAW is of a continuing nature, the DEVELOPMENT AUTHORITY may issue further violation tickets for each day that the contravention continues;

**e)** The person to whom the violation ticket is issued may, in lieu of being prosecuted, sign the plea of guilty on the violation ticket and pay the fine to the Clerk of the Court at the location indicated on the violation ticket; and

**f)** Where a contravention of this BYLAW continues fourteen (14) days after a conviction has been entered as a result of such contravention, the person against whom the conviction has been entered is guilty of a new and separate offence for each day as long as the offence continues.

**4.13.2** Where a person is found guilty of an offence pursuant to this BYLAW, the Alberta Court of King's Bench may, in addition to any other penalty imposed, order the person to comply with the ACT and any regulations, a DEVELOPMENT PERMIT, a SUBDIVISION approval, an Order or decision of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, or this BYLAW.

## 4.14 COMPLIANCE WITH OTHER LEGISLATION

**4.14.1** A person applying for, or in possession of, a valid DEVELOPMENT PERMIT is not relieved from full responsibility for ascertaining and complying with, or carrying out and shall ascertain, comply or carry out DEVELOPMENT in accordance with:

**a)** the requirements of the *Safety Codes Act*, *Environmental Protection and Enhancement Act*, *Natural Resources Conservation Board Act*, *Water Act*, *National Building Code – Alberta Edition*, *National Fire Code – Alberta Edition* and *Public Highways Development Act* and any amendments thereto;

**b)** the Building Permit and Standards Bylaw;

**c)** the requirements of any other Federal, Provincial or Municipal enactment or any other law; and

**d)** the conditions of any CAVEAT, COVENANT, EASEMENT or other instrument affecting a BUILDING or LOT.

**4.14.2** The TOWN is not responsible for, nor does the TOWN have any obligation to determine, what other legislation may apply to a DEVELOPMENT, nor to monitor or enforce compliance with such legislation.

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# 5.0 GENERAL LAND USE PROVISIONS

## 5.1 LAND USE REGULATIONS

**5.1.1** Notwithstanding any other land-use regulation contained within this BYLAW, the following regulations shall apply to all DEVELOPMENT.

## 5.2 DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS AND/OR STRUCTURES

**5.2.1** In consideration of a DEVELOPMENT PERMIT, the appearance of all BUILDINGS and/or STRUCTURES, beyond those BUILDINGS regulated in the Town of High Level Design Guidelines, must be compatible with any other BUILDING and/or STRUCTURE existing on the SITE and in the vicinity, unless the BUILDING and/or STRUCTURE, in the opinion of the DEVELOPMENT AUTHORITY, sets a higher standard of design, character and appearance for a LAND USE DISTRICT or part of it.

**5.2.2** The design of DWELLING – DUPLEX, DWELLING – TOWNHOUSE, DWELLING – APARTMENT, DWELLING – MULTIPLE UNIT, ASSISTED LIVING FACILITIES, and any DEVELOPMENT within the C-1 LAND USE DISTRICT are subject to the Town of High Level Design Guidelines.

**5.2.3** Notwithstanding Article 5.2.2, alterations to existing BUILDINGS shall not be required to comply with the Town of High Level Design Guidelines when they are renovations that, in the opinion of the DEVELOPMENT AUTHORITY, are associated with the regular maintenance of a BUILDING and/or STRUCTURE.

## 5.3 SIGHT TRIANGLE ON LOT CORNER

**5.3.1** On a LOT CORNER a fence, SIGN, hedge, shrub, bush, tree, BUILDING and/or STRUCTURE shall not be erected or permitted to grow to a height more than 1m/3.2ft. above the FINISHED

GRADE of the street or LANE that abuts the LOT within the SIGHT TRIANGLE. An example of a SIGHT TRIANGLE can be found in Figure 17. The SIGHT TRIANGLE is measured 7.5m/24.6ft. from the intersection or theoretical intersection of:

**a)** the LOT LINE – FRONT and the LOT LINE – FLANKAGE; or

**b)** the LOT LINE – FLANKAGE and the LOT LINE – REAR in the case of a LOT CORNER with a rear LANE.

**5.3.2** Notwithstanding Article 5.3.1, the DEVELOPMENT AUTHORITY may restrict the placement of any object, regardless of height, if in the opinion of the DEVELOPMENT AUTHORITY, traffic safety is interfered with.

## 5.4 PERMITTED ENCROACHMENTS

**5.4.1** Permitted encroachments into required yards are features that are attached to a BUILDING, which may project over or into a required minimum yard area, as outlined in Table 5.1.

**TABLE 5.1** PERMITTED ENCROACHMENTS INTO REQUIRED YARDS

| BUILDINGS, STRUCTURES OR COMPONENTS | AREA TO BE ENCROACHED | | | | |
|---|---|---|---|---|---|
| | Required YARD – FRONT | Required YARD – SIDE | Required YARD – REAR | Required YARD – FLANKAGE | PUBLIC RIGHT-OF-WAY |
| DECKS not more than 1.5m above FINISHED GRADE | 1.5m/4.9ft. | Within 1m/3.2ft. of LOT LINE – SIDE | Within 3m/9.85ft. of LOT LINE – REAR | 0m/0ft. | 0m/0ft. |
| Canopy, BALCONY, unenclosed verandah or porch | 1.5m/4.9ft. | 600mm/23.6in | 0m/0ft. | 600mm/23.6in | 0m/0ft. |
| Cantilevered wall section or chimney | 600mm/24in | 600mm/23.6in | 1.5m/4.9ft. | 600mm/23.6in | 0m/0ft. |
| Unenclosed steps, not more than 3m above FINISHED GRADE | 1.5m/4.9ft. | 0m/0ft. | 1.5m/4.9ft. | 0m/0ft. | 0m/0ft. |
| Cornice or eave of a PRINCIPAL BUILDING | 1.5m/4.9ft. | 600mm/23.6in | 1.2m/3.9ft. | 1.2m/3.9ft. | 0m/0ft. |
| Cornice or eave of an ACCESSORY BUILDING OR STRUCTURE | 600mm/23.6in | 600mm/23.6in | 600mm/23.6in | 600mm/23.6in | 0m/0ft. |
| Freestanding exterior air conditioner | 0m/0ft. | 1m/3.2ft. from LOT LINE | 1m/3.2ft. from LOT LINE | 0 m/0ft. | 0m/0ft. |

**5.4.2** Notwithstanding Article 5.4.1, the encroachment of eaves, canopies and BALCONIES within C-1 LAND USE DISTRICT may be permitted to exceed the requirements outlined in Table 5.1 at the discretion of the DEVELOPMENT AUTHORITY, so long as they do not surpass the LOT LINE.

**5.4.3** No permitted encroachment outlined in Articles 5.4.1 and 5.4.2 shall result in runoff or drainage from the roof of a BUILDING and/or STRUCTURE running through or ponding on a neighbouring property.

## 5.5 DEVELOPMENT OF WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS AND LANDS SUBJECT TO FLOODING AND SUBSIDENCE

**5.5.1** The DEVELOPMENT AUTHORITY may submit any DEVELOPMENT PERMIT application for DEVELOPMENTS on or near ENVIRONMENTALLY SENSITIVE AREAS or wetlands to the Government of Alberta for comments and recommendations.

**5.5.2** When reviewing a DEVELOPMENT PERMIT application for DEVELOPMENTS on or near ENVIRONMENTALLY SENSITIVE AREAS and wetlands the DEVELOPMENT AUTHORITY shall consider:

- **a)** the affect of the proposed DEVELOPMENT on the subject lands and the surrounding area;
- **b)** the soil and slope conditions of the subject property and surrounding areas;
- **c)** any information on the history of the subject property from a geo-technical perspective; and
- **d)** comments and recommendations from the Government of Alberta.

**5.5.3** On lands near, or identified as, ENVIRONMENTALLY SENSITIVE AREAS or wetlands, or lands subject to flooding and subsidence, the DEVELOPMENT AUTHORITY may require the following information to be submitted as part of a DEVELOPMENT PERMIT application, an application to amend this BYLAW, an application for SUBDIVISION approval or an application to amend a Statutory Plan:

- **a)** a geo-technical study, prepared by a qualified professional geo-technical engineer, addressing the proposed DEVELOPMENT. The geo-technical study shall establish BUILDING and/or STRUCTURE SETBACKS from these LOT LINES or wetlands based on the land characteristics of the subject property;
- **b)** a Certificate from a qualified professional geo-technical engineer certifying that the design of the proposed DEVELOPMENT was undertaken with full knowledge of the soil and slope conditions of the subject property;
- **c)** a Certificate from a qualified professional geo-technical engineer when the proposed DEVELOPMENT includes cut and/or fill sections on slopes, including the addition of fill to the subject property;
- **d)** storm-water modelling to determine potential impacts on neighbouring properties and the TOWN'S existing infrastructure, which may result in the preparation of a Storm-water Management Plan prepared by a certified engineer; and
- **e)** any other study or assessment as may be recommended by the Government of Alberta.

**5.5.4** The DEVELOPMENT AUTHORITY may require that the property owner and/or the applicant to register a restrictive COVENANT against the Certificate of Title for the subject property related to the DEVELOPMENT approved for the subject property.

## 5.6 LOT GRADING AND DRAINAGE

**5.6.1** LOT grading design shall compliment the overall design of both the minor and major storm drainage systems of the TOWN.

**5.6.2** LOTS shall be graded and sloped in such a manner that a minimum of surface run-off water will be conducted to other properties.

**5.6.3** Where surface drainage swales direct run-off from one LOT to the next, the necessary drainage EASEMENTS shall be registered concurrently with the Lot Grading Plan of a SUBDIVISION.

**5.6.4** All lands shall be graded to drain towards developed streets and/or storm water catch basins or drainage channels.

**5.6.5** BOULEVARD areas shall be graded to provide a minimum slope of 2% from LOT LINE to top of the curb.

**5.6.6** Commercial and Industrial LOTS may be graded to drain to ON-SITE storm water catch basins.

**5.6.7** In circumstances where YARD–REAR slopes towards the BUILDING, provisions are required to keep the run-off at least 3m/9.85ft. away from the BUILDING, with the possibility of draining the surface water along the LOT LINES onto the streets.

**5.6.8** Where drainage swales are provided on LOT LINE – REAR in LANE-less SUBDIVISIONS, the developer shall provide an approved concrete drainage swale. The drainage swale shall be provided on one (1) side of the LOT LINE and be placed in a drainage EASEMENT.

**5.6.9** The maximum slope draining towards LOT LINES shall not exceed 10% within 1.5m/4.9ft. of the LOT LINE. The slope away from BUILDINGS shall meet the minimum requirements of the *National Building Code – Alberta Edition*. Downspouts from eaves-troughs and discharge hoses from sump-pumps shall not discharge within 0.6m/1.9ft. of a LOT LINE.

**5.6.10** Where extremes in elevation of adjoining LOTS require the construction of a RETAINING WALL, such shall be indicated on the proposed Lot Grading Plan and no work or construction will be permitted on the building LOTS that are the subject of, or adjacent to, the said RETAINING WALL without a written authorization from the owner(s) of both LOTS affected by the construction of the RETAINING WALL at the time of construction of the proposed BUILDING.

**5.6.11** A Lot Grading Plan shall meet the requirements of Subsection 2.4 of the Municipal Engineering and Construction Standards.

**5.6.12** A Lot Grading Certificate shall meet the requirements of Section 11 of the Building Permit and Standards Bylaw.

## 5.7 LANDSCAPING AND SCREENING

### GENERAL LANDSCAPING REQUIREMENTS

**5.7.1** Unless otherwise stipulated under Article 4.2.1, by a DEVELOPMENT AGREEMENT or by the

DEVELOPMENT AUTHORITY, LANDSCAPING of any SITE:

**a)** requires a DEVELOPMENT PERMIT;
**b)** is subject to Section 5.7; and
**c)** shall be completed within two (2) years of approval of the BUILDING PERMIT.

**5.7.2** The DEVELOPMENT AUTHORITY may require an area that is landscaped to be left in its natural state if it is of the opinion that the natural state would enhance the appearance of the SITE, and meet the intent of LANDSCAPING requirements.

**5.7.3** The DEVELOPMENT AUTHORITY may require LANDSCAPING plans with any DEVELOPMENT PERMIT application; however, LANDSCAPING plans shall be required with an application for USES within the:

**a)** R-3 LAND USE DISTRICT;
**b)** the R-4 LAND USE DISTRICT, specifically related to the DEVELOPMENT of a MANUFACTURED HOME COMMUNITY;
**c)** Commercial LAND USE DISTRICT; and
**d)** Industrial LAND USE DISTRICT.

**5.7.4** At a minimum, all LANDSCAPED AREAS shall be seeded or sodded with grass unless specified otherwise. Aesthetically pleasing alternative LANDSCAPED AREAS are encouraged to include XERISCAPING or other forms of low maintenance and drought-resistant LANDSCAPING techniques, which allow for reduced water usage and naturalized storm-water management. In no case shall hard-LANDSCAPING features, such as decorative paving or other impervious surfaces, exceed 25% of the required LANDSCAPED AREA.

**5.7.5** All LANDSCAPING that includes the planting of new trees and shrubs must avoid the use of plant species, which are either harmful to existing native plant species or municipal infrastructure, inclusive of but not limited to, streets, sidewalks, and belowground utilities.

**5.7.6** DEVELOPMENTS in Commercial LAND USE DISTRICTS that are required in this BYLAW to be screened from residential USES must include trees and/or fencing that in the opinion of the DEVELOPMENT AUTHORITY, would be sufficient to screen the DEVELOPMENT.

## BOULEVARD LANDSCAPING

**5.7.7** An applicant whose DEVELOPMENT involves the creation of a new ACCESS or other earthworks within the PUBLIC ROADWAY shall be responsible for the construction or replacement of a BOULEVARD to Municipal Engineering and Construction Standards.

**5.7.8** All applications that include new LANDSCAPING of a BOULEVARD shall require an approved DEVELOPMENT AGREEMENT or conditions within the DEVELOPMENT PERMIT approval, which will specify all mandatory design elements and requirements for the BOULEVARD.

**5.7.9** When creating a DEVELOPMENT AGREEMENT with a property owner or developer for an application regarding LANDSCAPING of a BOULEVARD, the DEVELOPMENT AUTHORITY shall consider the USE, value and enjoyment of adjoining lands, the aesthetics of the LANDSCAPING, public safety and municipal operations. The DEVELOPMENT AUTHORITY may include any condition within the DEVELOPMENT AGREEMENT it deems necessary in accordance with these considerations.

**5.7.10** The owner or developer of a residential property is not responsible for LANDSCAPING the BOULEVARD along a LOT LINE – FLANKAGE that is adjacent to a road classified as an arterial road in the Municipal Development Plan.

**5.7.11** If COUNCIL has adopted a plan, policy or Bylaw in regards to LANDSCAPING any specific area, street or neighbourhood, all LANDSCAPING must be in accordance to that plan, policy or Bylaw.

## PARKING LOT LANDSCAPING

**5.7.12** Any PARKING LOT abutting a public street, park or residential land-use shall be separated by a 2m/6.5ft. landscaped BUFFER. For an example of PARKING LOT LANDSCAPING please see Figure 22.

**5.7.13** Notwithstanding Article 5.7.12, the DEVELOPMENT AUTHORITY may consider an opaque wooden fence meeting the requirements of Subsection 5.16 as an alternative.

## BUFFERS

**5.7.14** Where a Commercial or Industrial USE is proposed adjacent to a residential LAND USE DISTRICT, a landscaped BUFFER shall be provided in accordance with the following:

- **a)** the landscaped BUFFER shall be the full length of any required minimum yard adjacent to a residential LAND USE DISTRICT, along the entire length of the adjacent residential LOT LINE;
- **b)** at a minimum, the BUFFER shall be 3m/9.85ft.;
- **c)** a combination of trees, shrubs and other landscaped elements shall be used; and
- **d)** the preservation of existing vegetation shall be encouraged as an alternative to the planting of new trees and shrubs.

**5.7.15** Notwithstanding Article 5.7.17, a vegetated BERM may be a suitable alternative to a landscaped BUFFER and must:

- **a)** be a minimum of 2m/6.5ft. in height above the FINISHED GRADE;
- **b)** feature at minimum, a combination of trees and shrubs planted along the entire length of the BERM, subject to Article 5.7.5.

For an example of a vegetated BERM as a landscaped BUFFER please see Figure 23.

**5.7.16** In addition to Articles 5.7.14 and 5.7.15, where in the opinion of the DEVELOPMENT AUTHORITY, the proposed USE may have a negative aesthetic impact or present safety concerns relative to surrounding residential USES, a fence may be required in accordance with Subsection 5.15.

## 5.8 ILLUMINATION

**5.8.1** The applicant must locate and arrange outdoor lighting so that:

**a)** lights are not directed at an adjacent SITE and indirect lights do not adversely affect an adjacent SITE; and

**b)** traffic safety is not adversely affected.

## 5.9 BUILDING – MOVED IN

**5.9.1** In addition to the DEVELOPMENT PERMIT application requirements outlined in Subsection 4.3, the following shall also be submitted as part of an application for a BUILDING – MOVED IN.

**a)** floor plans;

**b)** coloured photographs of the proposed BUILDING, accurately depicting the building's style and general condition; and documentation indicating the BUILDING – MOVED IN certification and compliance with the *National Building Code – Alberta Edition.*

**5.9.2** All renovations and any conditions imposed by the DEVELOPMENT AUTHORITY to a BUILDING – MOVED IN shall be completed by the time stipulated by the DEVELOPMENT AUTHORITY, and in no case is that time to exceed one (1) year, or the expiration of the BUILDING PERMIT.

## 5.10 OUTDOOR STORAGE

**5.10.1** In a Residential LAND USE DISTRICT there shall be no OUTDOOR STORAGE of materials or goods that are associated with a business or HOME OCCUPATION.

**5.10.2** OUTDOOR STORAGE in a Commercial LAND USE DISTRICT shall be located at the rear of the BUILDING and screened from view of public roads, highways and Residential LAND USE DISTRICTS by a solid fence or wall, or ON-SITE LANDSCAPING that provides a year-round screen. The height of the fence and amount of LANDSCAPING shall be at the discretion of the DEVELOPMENT AUTHORITY, and dependent upon the height of the goods or materials to be stored.

**5.10.3** Subject to Article 5.10.2, the USE of SHIPPING CONTAINERS involving OUTDOOR STORAGE is permitted in accordance with the following:

**a)** Limited to one (1) SHIPPING CONTAINER per LOT in Residential LAND USE DISTRICTS;

**b)** Not permitted in YARD – FRONT, (permitted in YARD – SIDE and YARD – REAR only);

**c)** Considered as an ACCESSORY BUILDING OR STRUCTURE;

**d)** Storage of items excludes DANGEROUS OR HAZARDOUS GOODS;

**e)** Must conform to specific SETBACKS within the LAND USE DISTRICT;

**f)** Exterior finish of SHIPPING CONTAINERS must match or compliment the exterior finish of the PRINCIPAL BUILDING, or be finished to such a standard that is acceptable and approved by the DEVELOPMENT AUTHORITY.

**5.10.4** In the case of a LOT that does not include a BUILDING, SHIPPING CONTAINERS shall be screened from all streets with opaque fencing.

## 5.11 GARBAGE STORAGE

**5.11.1** Garbage storage within Commercial, and Industrial LAND USE DISTRICTS, or as part of a MANUFACTURED HOME COMMUNITY shall:

**a)** be fully screened with an opaque wooden fence measuring at least 2m/6.5ft. in height;

**b)** not be located within any required minimum yard, within 6m/19.6ft. of a public street or 2m/6.5ft. of a residential USE; and

**c)** not have garbage piled higher than the fence designed to screen it.

For an example of garbage storage please see Figure 24.

**5.11.2** Garbage storage associated with DWELLING – APARTMENT and ASSISTED LIVING FACILITIES shall be consistent with the Town of High Level Design Guidelines.

**5.11.3** The USE of SHIPPING CONTAINERS for garbage storage is prohibited in all LAND USE DISTRICTS, with the exception of the C-3 and Industrial LAND USE DISTRICTS and shall only be located at the rear of a BUILDING.

## 5.12 ACCESSORY BUILDINGS OR STRUCTURES

**5.12.1** ACCESSORY BUILDINGS OR STRUCTURES, excluding GARAGE – DETACHED and detached CARPORTS are subject to the requirements outlined in Table 5.2.

**TABLE 5.2** REQUIREMENTS FOR ACCESSORY BUILDINGS OR STRUCTURES

| COMPONENT | RESIDENTIAL DISTRICTS | COMMERCIAL, INDUSTRIAL AND OTHER DISTRICTS |
|---|---|---|
| Minimum distance from PRINCIPAL BUILDING | 2m/6.5ft. | 2m/6.5ft. |
| Combined area of all ACCESSORY BUILDINGS OR STRUCTURES | 15% of the LOT | 20% of the LOT |
| Maximum height | 4.5m/14.7ft. | 6m/19.6ft. for all DISTRICTS except for the Industrial LAND USE DISTRICT which is 16m/52.4ft. or 4 stories. |
| Minimum distance from LOT LINE – REAR abutting a street | The minimum YARD – REAR as prescribed for the LAND USE DISTRICT | The minimum YARD – REAR as prescribed for the LAND USE DISTRICT. |
| Minimum distance from LOT LINE – SIDE and LOT LINE – REAR not abutting a street | 0.6m/1.9ft. | The minimum YARD – SIDE and YARD – REAR as prescribed for the LAND USE DISTRICT. |
| Minimum distance from LOT LINE – FRONT and LOT LINE – FLANKAGE | The minimum YARD – FRONT and YARD – FLANKAGE as prescribed in the LAND USE DISTRICT, and shall not be closer to the LOT LINE – FRONT, than the PRINCIPAL BUILDING. | |

**5.12.2** No ACCESSORY BUILDING OR STRUCTURE shall be used as a DWELLING UNIT.

**5.12.3** An ACCESSORY BUILDING OR STRUCTURE with a FLOOR AREA – GROSS of less than 13m$^2$/139.9.sq.ft. may be located up to 0m/0ft. from a LOT LINE, if the LOT LINE does not have LOT FRONTAGE so long as they do not surpass the LOT LINE.

**5.12.4** GARAGE – DETACHED and detached CARPORTS in Residential LAND USE DISTRICTS are subject to the requirements outlined in Table 5.3.

**TABLE 5.3** REQUIREMENTS FOR GARAGE – DETACHED AND CARPORT

| COMPONENT | REQUIREMENT |
|---|---|
| Minimum distance from PRINCIPAL BUILDING | 2m/6.5ft. |
| Minimum distance from LOT LINE – SIDE and LOT LINE – REAR | 1.2m/3.9ft. |
| Minimum distance from LOT LINE – FRONT | The minimum YARD – FRONT as prescribed for the LAND USE DISTRICT, and at no point shall it be closer to the LOT LINE – FRONT, than the PRINCIPAL BUILDING. |
| Minimum distance from LOT LINE – FLANKAGE | At least 4.5m/14.7ft. from the LOT LINE – FLANKAGE where there is no sidewalk. |
| | 6m/19.6ft. from the face of a GARAGE or CARPORT to the edge of the sidewalk closest to the DEVELOPMENT. |
| Minimum distance from a LOT LINE adjoining a LANE | When ACCESS to the GARAGE – DETACHED or detached CARPORT comes from a LANE: a minimum distance of 1.2m/3.9ft. and a maximum distance of 6m/19.6ft. from the LOT LINE adjoining the LANE. |
| Maximum size | 15% of the LOT AREA |
| Maximum height | 4.5m/14.7ft. |

## 5.13 GARAGES – PORTABLE OR TEMPORARY

**5.13.1** GARAGE – PORTABLE OR TEMPORARY designed for temporary use or storage, in accordance with Articles 5.13.3 and 5.13.4, do not require a DEVELOPMENT PERMIT.

**5.13.2** GARAGE – PORTABLE OR TEMPORARY designed for permanent use or storage, in accordance with Article 5.13.5, will require a DEVELOPMENT PERMIT and are subject to annual inspections by the DEVELOPMENT AUTHORITY to assess the aesthetical condition of the GARAGE – PORTABLE OR TEMPORARY.

**5.13.3** GARAGE – PORTABLE OR TEMPORARY may be permitted within YARD – FRONT on any LOT in all Residential LAND USE DISTRICTS between October 1st and April 30th, inclusive.

**5.13.4** Subject to the applicable SETBACK provisions, GARAGE – PORTABLE OR TEMPORARY may be permitted year-round within YARD – SIDE and YARD – REAR, in all Residential LAND USE DISTRICTS.

**5.13.5** Subject to the applicable SETBACK provisions, GARAGE – PORTABLE OR TEMPORARY may be permitted year-round within YARD – FRONT on any LOT measuring up to 600m$^2$/6,458.35sq.ft. in all Residential LAND USE DISTRICTS.

**5.13.6** GARAGE – PORTABLE OR TEMPORARY cannot be located within or encroach upon TOWN-owned property.

## 5.14 DECKS

**5.14.1** If a DECK is more than 1.5m/4.9ft. above FINISHED GRADE, it must be located at least 5m/16.4ft. from all LOT LINES, unless the DEVELOPMENT AUTHORITY determines that a 5m/16.4ft. separation from all LOT LINES is not required, due to the size of the LOT, distance from neighbouring land USES, LANDSCAPING or combination thereof, which mitigates the potential impact on neighbouring land USES.

**5.14.2** Any ENCLOSED DECK shall be considered part of the PRINCIPAL BUILDING for the purposes of assessing LOT COVERAGE and minimum yard requirements.

## 5.15 FENCES

**5.15.1** The maximum height of a fence in Residential, Commercial and Community USE LAND USE DISTRICTS shall be:

**a)** 1m/3.2ft. in height above the FINISHED GRADE in any YARD – FRONT; and

**b)** 2m/6.5ft. above the FINISHED GRADE in any YARD – SIDE, YARD – REAR or YARD – FLANKAGE.

**5.15.2** Notwithstanding Article 5.15.1, the DEVELOPMENT AUTHORITY may consider a fence exceeding this height in Commercial or Community Use LAND USE DISTRICTS for security or public safety purposes, while having particular regard for the design and appearance of the fence from neighbouring properties and streets.

**5.15.3** Fences in the Industrial LAND USE DISTRICT shall not exceed 2m/6.5ft. in height unless otherwise approved by the DEVELOPMENT AUTHORITY for safety and/or security purposes.

**5.15.4** Notwithstanding all conditions of Section 5.15, no fence is permitted in the YARD – FRONT or YARD – FLANKAGE of a LOT CORNER if, in the opinion of the DEVELOPMENT AUTHORITY, the fence will block or impede traffic sight lines.

**5.15.5** Any fences incorporating barbed wire or other devices for security measures that may cause bodily harm, shall be at the discretion of the DEVELOPMENT AUTHORITY.

**5.15.6** All fences shall be made of a durable material, such as wood, be adequately anchored and fixed to the ground, such that they are freestanding and not supported by any other BUILDING.

**5.15.7** The USE of a chain link fence is only permitted within the Highway Commercial, Community Use and Industrial LAND USE DISTRICTS, unless otherwise approved at the discretion of the DEVELOPMENT AUTHORITY.

**5.15.8** Chain link fences may be approved at the discretion of the DEVELOPMENT AUTHORITY in a LAND USE DISTRICT, not identified in Article 5.15.7, if the USE of LANDSCAPING or other design treatments is incorporated in a manner that provides a consistent or complimentary appearance to fences found within the same LAND USE DISTRICT or neighbourhood.

## 5.16 AIR CONDITIONERS

**5.16.1** A freestanding exterior air conditioner cannot be:

- **a)** located in a YARD – FRONT; or
- **b)** located less than 1m/3.2ft. from LOT LINE – SIDE and LOT LINE – REAR.

## 5.17 FIRE PITS AND BARBECUES

**5.17.1** A fixed outdoor fire pit, barbecue, fireplace or stove shall not be:

- **a)** located in a YARD – FRONT or YARD –FLANKAGE;
- **b)** located less than 3m/9.85ft. from LOT LINE – SIDE and LOT LINE – REAR; or
- **c)** located less than 3m/9.85ft. from any BUILDING.

**5.17.2** An application for an outdoor fire pit shall be made by the registered owner of the LOT on which the fire pit is proposed, or by another person with written consent from the owner, to the DEVELOPMENT AUTHORITY by submitting the following:

- **a)** the Fire Pit Application Form completed and signed; and
- **b)** the fee as set by COUNCIL.

## 5.18 FIRE HYDRANTS

**5.18.1** No fence, driveway, object, BUILDINGS and/or STRUCTURES shall be located within a 1.2m/4ft. radius of a fire hydrant.

## 5.19 HOME OCCUPATIONS

**5.19.1** A HOME OCCUPATION shall:

- **a)** operate as an ACCESSORY USE only and shall not involve a change to the principal character or external appearance of any BUILDINGS and/or STRUCTURES*;*
- **b)** not involve the storing of materials, commodities or finished products associated with the HOME OCCUPATION outside the DWELLING UNIT or GARAGE;
- **c)** not involve the use of mechanical equipment in connection with the HOME OCCUPATION, unless the equipment is commonly used in a home;
- **d)** in the case of a HOME OCCUPATION involving personal instruction, having no more than five (5) students or customers in attendance at the SITE at any one time;
- **e)** have no person, other than a RESIDENT of the DWELLING UNIT*,* be employed as part of the HOME OCCUPATION*;*
- **f)** not be permitted if it produces offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance; and
- **g)** not be permitted if the DEVELOPMENT AUTHORITY determines that such USE would be more suitable within a Commercial or Industrial LAND USE DISTRICT having regard for (among other matters) potential traffic generation and interference with the

residential character of the neighbourhood.

**5.19.2** Notwithstanding Clause 5.19.1(e), a replacement worker for a HOME OCCUPATION RESIDENT worker may be allowed during vacation, periods of illness or other similar circumstances deemed appropriate by the DEVELOPMENT AUTHORITY.

**5.19.3** Subject to Article 7.3.1, a HOME OCCUPATION shall be permitted to have one SIGN.

**5.19.4** Notwithstanding Articles 5.19.1 and 5.19.2, HEALTH SERVICES operated as a HOME OCCUPATION shall:

- **a)** be limited to one (1) health professional and two (2) support staff working at any given time;
- **b)** have a minimum of two (2) ON-SITE PARKING STALLS*;*
- **c)** retain a residential character comparable to surrounding properties. In the case of new construction, the BUILDING must be of a residential character equal to, or exceeding, the appearance of surrounding properties and keeping with the intent of the LAND USE DISTRICT; and
- **d)** demonstrate that the USE is limited to that which does not interfere with the rights of other RESIDENTS to a quiet enjoyment of a residential neighbourhood, and in consideration of other RESIDENTS.

**5.19.5** A HEALTH SERVICE may be refused by the DEVELOPMENT AUTHORITY if, at the time of application, the same HEALTH SERVICE exists in a Commercial LAND USE DISTRICT.

**5.19.6** TAXI SERVICE is not considered as a HOME OCCUPATION, and taxi operators are permitted to park individual MOTOR VEHICLES intended for passenger transportation at residential properties.

**5.19.7** Prior to approval, the DEVELOPMENT AUTHORITY may require that an inspection by a Public Health Inspector be conducted for select HOME OCCUPATION types.

## 5.20 BED AND BREAKFAST BUSINESS

**5.20.1** BED AND BREAKFAST BUSINESS establishments shall:

- **a)** have no cooking facilities in a guest room;
- **b)** have a minimum guest room size of $7m^2$/75.34sq.ft. per single occupant and $4.6m^2$/49.51sq.ft. per person for multiple occupants;
- **c)** have at least one (1) window for each guest room; and
- **d)** have sanitation facilities and potable water as required by relevant authorities.

**5.20.2** Prior to approval, the DEVELOPMENT AUTHORITY may require that the following inspections are performed, and associated fees paid:

- **a)** a BUILDING inspection; and
- **b)** an inspection by a Public Health Inspector.

**5.20.3** Subject to Article 7.3.1, a BED AND BREAKFAST BUSINESS shall be permitted to have one SIGN.

## 5.21 DRIVE-THROUGH BUSINESSES

**5.21.1** A DRIVE-THROUGH BUSINESS shall have entrances and exits approved by the DEVELOPMENT AUTHORITY that provides means for circulation within the LOT, which are adequately sign-posted.

**5.21.2** The minimum number of queuing spaces required for a DRIVE-THROUGH BUSINESS shall be in accordance with Table 5.4.

**TABLE 5.4** DRIVE-THROUGH BUSINESS REQUIRED QUEUING SPACES

| DRIVE-THROUGH BUSINESS TYPE | INBOUND QUEUING SPACES | OUTBOUND QUEUING SPACES |
|---|---|---|
| DRIVE-THROUGH RESTAURANT | 11 | 1 |
| FUEL STATION | 5 | 1 |
| AUTOMOTIVE SERVICE, CAR WASH or FINANCIAL INSTITUTION | 3 | 1 |

**5.21.3** All queuing spaces shall be a minimum of 6.5m/21.3ft. in length; and 3m/9.85ft. wide.

**5.21.4** No portion of any DRIVE-THROUGH BUSINESS, including queuing spaces or otherwise, shall be located within any required yard.

**5.21.5** A FUEL STATION shall be subject to the following additional requirements:

**a)** no portion of any pump shall be located closer than 15m/49.2ft. to a street;
**b)** all canopies shall meet all minimum SETBACK requirements; and
**c)** no driveway be located within 9m/29.5ft. of another driveway, or within 15m/49.2ft. of a street intersection.

## 5.22 EASEMENTS

**5.22.1** A DEVELOPMENT PERMIT shall not be issued for a DEVELOPMENT, other than a fence, that encroaches into or over a utility EASEMENT or right-of-way, without written consent from the EASEMENT owner, and/or the utility line owner.

## 5.23 PRIVATE SWIMMING POOLS

**5.23.1** Notwithstanding any other provision of this BYLAW, a DEVELOPMENT PERMIT is required prior to the installation of a permanent belowground private swimming pool, or a BUILDING or STRUCTURE constructed to enclose a swimming pool or hot tub..

**5.23.2** Every private swimming pool and hot tub must be within an enclosed BUILDING, unless it is located within an entirely fenced YARD – REAR or YARD – SIDE.

**5.23.3** Private swimming pools and hot tubs shall not be located within a YARD – FRONT.

**5.23.4** Every fence enclosing a private swimming pool or hot tub, constructed outside of an enclosed BUILDING or STRUCTURE, shall be 2m/6.5ft. in height or, at the discretion of the DEVELOPMENT AUTHORITY, higher. All fences:

**a)** shall be of appropriate design to limit the ability of persons to use the fence parts to climb the fence or crawl under the fence;

**b)** shall be equipped with a gate that has a self-latching device, and lock mechanism located on the inside of the gate; and

**c)** no barbed wire or electrification of any part of a fence or gate enclosing a swimming pool or hot tub shall be permitted.

**5.23.5** All private swimming pools and hot tubs, located within a new or existing enclosed BUILDING or STRUCTURE, must comply with the requirements of the *National Building Code – Alberta Edition.*

## 5.24 MORE THAN ONE MAIN PRINCIPAL BUILDING ON A LOT

**5.24.1** Any DEVELOPMENT involving more than one PRINCIPAL BUILDING on a LOT shall be a DISCRETIONARY USE in all LAND USE DISTRICTS and shall:

**a)** provide adequate spacing between BUILDINGS, consistent with the minimum yard requirements within the LAND USE DISTRICT; and

**b)** where applicable, conform to requirements of the *Condominium Property Act.*

**5.24.2** In addition to Article 5.24.1, when considering a DEVELOPMENT involving more than one PRINCIPAL BUILDING on a LOT, the DEVELOPMENT AUTHORITY shall consider the following:

**a)** consistency with the Town of High Level Design Guidelines where applicable;

**b)** Use of LANDSCAPING to enhance the appearance of PARKING LOTS or limiting the visual dominance of driveways;

**c)** potential traffic impacts;

**d)** scale and design of the BUILDINGS relative to surrounding DEVELOPMENTS; and

**e)** the use of design elements to break-up the appearance of blank walls.

## 5.25 ALTERNATIVE ENERGY TECHNOLOGY

### GENERAL REQUIREMENTS

**5.25.1** All ALTERNATIVE ENERGY TECHNOLOGIES shall be approved at the discretion of the DEVELOPMENT AUTHORITY and reviewed to ensure the proposal does not negatively affect the surrounding area in which it is located. The DEVELOPMENT AUTHORITY shall have specific regard for the potential impacts of:

**a)** noise and/or vibrations associated with ALTERNATIVE ENERGY TECHNOLOGY;

**b)** the visual appearance from neighbouring properties and streets;

**c)** the casting of shadows on neighbouring properties;

**d)** any smell associated with the ALTERNATIVE ENERGY TECHNOLOGY;

**e)** the ALTERNATIVE ENERGY TECHNOLOGY on existing municipal infrastructure including streets; and

**f)** the ALTERNATIVE ENERGY TECHNOLOGY on the overall design and aesthetics of a BUILDING and/or STRUCTURE relative to surrounding DEVELOPMENTS.

**5.25.2** The proposed installation of any ALTERNATIVE ENERGY TECHNOLOGY system, device or STRUCTURE shall require the issuance of a DEVELOPMENT PERMIT and any other applicable Municipal permits. In addition to the requirements for DEVELOPMENT PERMITS outlined in Subsection 4.3, the DEVELOPMENT AUTHORITY may also require:

**a)** confirmation that all necessary and applicable Provincial and Federal regulations and approvals have been met;

**b)** methods of SCREENING shall be used to ensure that all ALTERNATIVE ENERGY TECHNOLOGIES visually blend with the surrounding natural and built environment in which they are situated; and

**c)** technical drawings or studies relating to the proposed ALTERNATIVE ENERGY TECHNOLOGY STRUCTURE required to address items outlined in Article 5.25.1.

**5.25.3** There shall be no aboveground portion of an ALTERNATIVE ENERGY TECHNOLOGY located in a YARD – FRONT or the minimum required YARD – SIDE of the BUILDING and/or STRUCTURE as specified in the LAND USE DISTRICT.

**5.25.4** No advertising, except for a manufacturer's logo, shall be visible on any ALTERNATIVE ENERGY TECHNOLOGY.

**5.25.5** Under no circumstances will the DEVELOPMENT AUTHORITY approve a DEVELOPMENT application that includes a SMALL WIND ENERGY SYSTEM.

### SOLAR COLLECTORS

**5.25.6** A SOLAR COLLECTOR may be located on the roof or wall of a BUILDING and/or STRUCTURE, or ground mounted in a YARD – SIDE, provided the STRUCTURE complies with the minimum YARD – SIDE requirements of the LAND USE DISTRICT.

**5.25.7** A SOLAR COLLECTOR mounted on a roof must not extend beyond the outermost edge of the roof or above the peak of the roof.

**5.25.8** A SOLAR COLLECTOR that is mounted on a wall may project a maximum of:

**a)** 1.5m/4.9ft. from the surface of that wall, when the wall is facing a LOT LINE – REAR; and

**b)** in all other cases, 0.6m/1.9ft. from the surface of that wall.

**5.25.9** Notwithstanding Article 5.25.8, a SOLAR COLLECTOR may have a 0m/0ft. from the LOT LINE – REAR if located within the Industrial LAND USE DISTRICT.

## 5.26 TELECOMMUNICATIONS STRUCTURES

**5.26.1** All telecommunications structures require a DEVELOPMENT PERMIT.

**5.26.2** Telecommunications structures will be considered a DISCRETIONARY USE within all LAND USE DISTRICTS.

**5.26.3** All telecommunications structure permit applications shall include a SITE plan drawn to an appropriate scale identifying SITE boundaries; tower elevations; guy wire anchor locations; existing and proposed STRUCTURES; vehicular PARKING and ACCESS; existing vegetation to

be retained, removed or replaced; the uses and STRUCTURES on the PARCEL and abutting PARCELS.

**5.26.4** A telecommunications structure base shall be SETBACK from abutting PARCELS and roadways as required by the DEVELOPMENT AUTHORITY.

**5.26.5** The appearance of a telecommunications structure, including but not limited to, LANDSCAPING and fencing, shall be to the satisfaction of the DEVELOPMENT AUTHORITY.

**5.26.6** The DEVELOPMENT AUTHORITY may require the applicant for a telecommunications structure to undertake community consultation prior to the submission of an application. The applicant would be required to submit a summary of their community consultation process and findings with the application, including how any concerns will be addressed and mitigated.

## 5.27 HELICOPTER LANDING PADS

**5.27.1** All HELICOPTER LANDING PADS require a DEVELOPMENT PERMIT.

**5.27.2** HELICOPTER LANDING PADS will be considered a DISCRETIONARY USE on all PARCELS within a Community Use LAND USE DISTRICT.

**5.27.3** HELICOPTER LANDING PADS will be considered a DISCRETIONARY USE in the Industrial LAND USE DISTRICT, only within:

**a)** PARCELS located on both sides of 92 Street from 98 Avenue to 114 Avenue, inclusive of Plan 8320882, Block 4, Lot B; or

**b)** PARCELS located north of 105 Avenue, south of 98 Avenue, and east of the Canadian National Railway line.

**5.27.4** The specifications and design elements of all HELICOPTER LANDING PADS must meet and maintain the minimum requirements as established by the *Canadian Aviation Regulations*.

**5.27.5** The minimum SETBACK from all BUILDING and STRUCTURES for HELICOPTER LANDING PADS shall be the diameter of the helicopter's primary rotor blade, plus 3m/9.84ft.

**5.27.6** The minimum SETBACK from the LOT LINE – FRONT shall be 20m/65.61ft. to the edge of the HELICOPTER LANDING PAD.

**5.27.7** The minimum SETBACK from all LOT LINE – SIDE shall be 10m/32ft. to the edge of the HELICOPTER LANDING PAD.

**5.27.8** All proposed operations related to HELICOPTER LANDING PADS, must conform to all mandatory *Canadian Aviation Regulations.*

**5.27.9** The operations of all HELICOPTER LANDING PADS must function in a manner that mitigates all potential noise, dust control and nuisance issues that may affect adjacent landowners.

## 5.28 AIRPORT RESTRICTION AREA

**5.28.1** The following requirements apply to all land and land use districts shown in the AIRPORT RESTRICTION AREA unless otherwise stated. No DEVELOPMENT shall be exempt from adhering to the requirements of the AIRPORT RESTRICTION AREA.

**5.28.2** Commercial airport-related DEVELOPMENT shall not be permitted unless otherwise located at a municipally approved site.

**5.28.3** Private airstrips shall not be permitted within the AIRPORT RESTRICTION AREA.

**5.28.4** The DEVELOPMENT AUTHORITY shall not allow DEVELOPMENT within the AIRPORT RESTRICTION AREA that may be negatively impacted by air travel or may impede the current operation and future DEVELOPMENT of the High Level Airport.

**5.28.5** The DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD may issue a DEVELOPMENT PERMIT with or without any conditions under these restrictions for any DEVELOPMENT that involves a USE that is classified as “YES” in Table 5.6, or if the USE is similar in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD, and meets other requirements and uses of the Land Use Bylaw.

**5.28.6** The DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD may permit a DEVELOPMENT that involves a USE classified as “A,” “B,” or “C” in Table 5.6, or if the USE is similar in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD, only if the appropriate conditions specified by that classification have been met or are prescribed as a condition on the DEVELOPMENT PERMIT.

**5.28.7** The DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall not permit a DEVELOPMENT if that USE is classified as “NO” within Table 5.6 of this section, or if the USE is similar in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD to a prohibited use, or involves a use that is not listed in Table 5.6.

**5.28.8** A USE listed in Table 5.6 includes ACCESSORY USES and ACCESSORY BUILDINGS or STRUCTURES unless otherwise noted.

**5.28.9** A DEVELOPMENT PERMIT shall not be issued for a DEVELOPMENT in any LAND USE DISTRICT if the proposed DEVELOPMENT exceeds the maximum elevation specified on Map 3 of APPENDIX 1 or as indicated on the Certificate of Title for the subject property.

**5.28.10** No DEVELOPMENT, especially those including a TRANSMITTING STATION, shall be allowed in the AIRPORT RESTRICTION AREA which would, in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD, negatively affect communication and electronic facilities necessary to the operation of a commercial airport.

**5.28.11** No DEVELOPMENT, except for critical infrastructure as deemed by a municipal, provincial, or federal government, shall be allowed within the AIRPORT RESTRICTION AREA that would result in an increased presence of birds at or around a commercial airport.

**5.28.12** Additional conditions and requirements shall be placed on all DEVELOPMENTS that fall within a NOISE EXPOSURE FORECAST CONTOUR as outlined in Table 5.6. DEVELOPMENTS for USES not listed in table 5.6 and which are not similar in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall be classified at the discretion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

a) All USES with the "YES" classification shall be permitted.
b) All USES with the "NO" classification shall not be permitted.
c) All USES with the "A" classification shall only be approved if the DEVELOPMENT AUTHORITY is satisfied that acoustic insulation features, if required, have been considered and included in the building design.
d) All USES with the "B" classification in Table 5.6 shall be made aware that they fall within the respective NOISE EXPOSURE FORECAST CONTOUR and should consider implementing internal acoustic insulation features.
e) All USES with the "C" classification in Table 5.6 shall only be permitted if they are related directly to aviation-oriented activities or services and shall only be approved if the DEVELOPMENT AUTHORITY is satisfied that acoustic insulation features, if required, have been considered and included in the building design.

Existing DEVELOPMENTS for USES with the "NO" classification are permitted to renovate or improve these DEVELOPMENTS so long as no structural changes are undertaken.

**TABLE 5.6** LAND USE CLASSIFICATIONS RELATED TO NOISE EXPOSURE FORECAST CONTOURS

| **Airport** | | | | | |
|---|---|---|---|---|---|
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| HANGERS AND TERMINAL FACILITIES | YES | YES | YES | YES | YES |
| HELICOPTER LANDING PAD | YES | YES | YES | YES | YES |
| **Residential** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| All Residential Uses | NO | NO | NO | A | YES |
| All Temporary/Industrial Accommodations | NO | NO | NO | A | YES |
| **Agriculture** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| AGRICULTURE | YES | YES | YES | YES | YES |
| **Commercial** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| AUTOMOTIVE SALES & RENTALS | B | B | B | B | YES |
| RECREATIONAL VEHICLE SALES AND SERVICE | B | B | B | B | YES |

| | | | | | |
|---|---|---|---|---|---|
| RESTAURANT | C | C | B | B | YES |
| RETAIL - CONVENIENCE | C | C | B | B | YES |
| RETAIL - GENERAL | C | C | B | B | YES |
| **Industrial / Utilities** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25-Area |
| ALTERNATIVE ENERGY TECHNOLOGY | YES | YES | B | B | YES |
| BULK OIL, FUEL, AND CHEMICAL STORAGE | YES | YES | YES | YES | YES |
| INDUSTRIAL OPERATION | B | B | B | B | YES |
| LOGGING SERVICE | B | B | B | B | YES |
| LUMBER YARD | B | B | B | B | YES |
| PUBLIC USE | YES | YES | YES | YES | YES |
| SHIPPING CONTAINER | YES | YES | YES | YES | YES |
| TRANSMITTING STATION | YES | YES | YES | YES | YES |
| WAREHOUSE | YES | YES | YES | YES | YES |
| **Public / Recreational** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25-Area |
| CAMPGROUND | NO | NO | NO | A | YES |
| CEMETERY | NO | NO | NO | NO | YES |
| EMERGENCY SERVICES FACILITY | YES | YES | YES | YES | YES |
| EXHIBITION GROUNDS | NO | NO | NO | NO | YES |
| GOVERNMENT SERVICES | C | C | YES | B | YES |
| NON-PROFIT COMMUNITY SUPPORT SERVICES | C | C | C | B | YES |
| PUBLIC PARKS & PLAYGROUNDS | NO | NO | NO | YES | YES |
| RECREATIONAL SERVICES, OUTDOOR | NO | NO | NO | YES | YES |
| RECREATIONAL SERVICES, INDOOR | NO | NO | NO | YES | YES |
| TOURIST INFORMATION FACILITY | C | C | C | B | YES |
| PUBLIC PARKS & PLAYGROUNDS | NO | NO | NO | YES | YES |
| **Other** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25-Area |
| ACCESSORY BUILDINGS AND STRUCTURES | YES | YES | YES | YES | YES |
| BUILDING – MOVED IN | C | C | B | B | YES |
| SIGNAGE | YES | YES | YES | YES | YES |

6

# 6.0 PARKING AND LOADING REQUIREMENTS

## 6.1 PARKING REQUIREMENTS

### PARKING STALLS REQUIRED

**6.1.1** ON-SITE PARKING shall be provided as outlined in Table 6.1.

**TABLE 6.1** MINIMUM ON-SITE PARKING STALL REQUIREMENTS

| LAND USE | NUMBER OF PARKING STALLS |
|---|---|
| **RESIDENTIAL** | |
| DWELLING – SINGLE FAMILY, DWELLING – DUPLEX, DWELLING – TOWNHOUSE, MANUFACTURED HOME – MODULAR and MANUFACTURED HOME – MOBILE | 2 stalls per DWELLING UNIT.<br>1 stall per 2 DWELLING UNITS for visitor PARKING required for DWELLING – TOWNHOUSE only. |
| SECONDARY SUITE | 1 stall plus the required stalls for the main DWELLING UNIT. |
| DWELLING – APARTMENT and DWELLING – MULTIPLE UNIT | 1 stall per one bedroom unit, 1.5 stalls per two bedroom unit, 2 stalls per three bedroom or greater unit, and 1 stall per three DWELLING UNITS for visitor PARKING. |
| ASSISTED LIVING FACILITY | 0.5 stalls per DWELLING UNIT. |
| BED AND BREAKFAST BUSINESS | 1 stall per unit plus 2 stalls for residents. |
| **COMMERCIAL** | |
| AUTOMOTIVE SERVICE, AUTOMOTIVE SALES AND RENTAL, and FUEL STATION | 1 stall per 35m$^2$/376.7sq.ft. of public net area, and 1 stall per full-time equivalent employee (FTE). See Subsection 5.22 for additional requirements related to FUEL STATIONS. |

| | |
|---|---|
| AMUSEMENT ARCADE, ADULT ENTERTAINMENT FACILITY, ART GALLERY, BUSINESS SUPPORT SERVICES, CONSTRUCTION SERVICE, EQUIPMENT RENTAL FACILITY, FINANCIAL INSTITUTIONS, PROFESSIONAL SERVICES, VETERINARY CLINIC, and PET SERVICES | 1 stall per 35m$^2$/376.6sq.ft. of public net area, plus 1 stall per full-time equivalent employee (FTE). |
| Banquet / convention rooms, COMMUNITY HALLS | 1 stall per 4 seats based on maximum design capacity. |
| CAR WASH | 4 stalls for employee and public PARKING. |
| RETAIL – ADULT, RETAIL – CANNABIS, RETAIL – CONVENIENCE, RETAIL – GENERAL and RETAIL – LIQUOR | 1 stall per 35m$^2$/376.7sq.ft. of public net area, and 1.5 stalls per 2 full-time employees, plus a LOADING SPACE. |
| DAY CARE FACILITY | 1 stall per full-time employee, plus 1 stall per every 5 children. |
| DRINKING ESTABLISHMENT | 1 stall per 4 seats, plus 1 stall per full-time equivalent employee (FTE) plus a LOADING SPACE. |
| HOTELS | 1 stall per guest room, plus 1 stall per full-time equivalent employee (FTE). |
| RESTAURANT | 1 stall per 4 seats, and 1 stall per full-time equivalent employee (FTE), plus a LOADING SPACE. See Subsection 5.22 for additional requirements related to DRIVE-THROUGH RESTAURANTS. |
| SHOPPING CENTRE | 1 stall per 35m$^2$/376.7sq.ft. of public net area. |
| THEATRE | 1 stall per 4 seats. |
| GENERAL SERVICE | 1 stall per 3 seats, plus 1 stall per full-time equivalent employee (FTE) or 1 stall per 35m$^2$/376.6sq.ft. of public net area. |
| **PUBLIC AND PRIVATE SERVICES** | |
| PLACE OF WORSHIP | 1 stall per 4 seats. |
| COLLEGE, SCHOOL – COMMERCIAL | 1 stall per daytime employee, and 1 stall per every 5 full-time students based on design capacity. |
| FUNERAL HOME | 1 stall per 4 seats, 1 stall per facility vehicle, plus 1 stall per full-time equivalent employee (FTE). |
| GOVERNMENT SERVICE | 1 stall per 35m$^2$/376.7sq.ft. of public net area, and 1 stall per full-time equivalent employee (FTE). |
| HEALTH SERVICES | 2 stalls per examination room, and 1 stall per full-time equivalent employee (FTE). |
| HOSPITAL | 1 stall per 4 patients or resident beds, and 1 stall per full-time equivalent employee (FTE), plus a LOADING SPACE. |
| Library | 1 stall per 35m$^2$/376.7sq.ft. of net public area, and 1 stall per full-time equivalent employee (FTE). |

| | |
|---|---|
| NON-PROFIT COMMUNITY SUPPORT SERVICE | 1 stall per 35m$^2$/376.7sq.ft. of net public area, and 1 stall per full-time equivalent employee (FTE). |
| Police Station and Fire Station | 1 stall per full-time equivalent employee (FTE)/volunteer, and 5 stalls for the public. 1 stall per emergency vehicle is to be provided if provisions are not provided in the PRINCIPAL BUILDING. |
| Post Office | 1 stall per 35m$^2$/376.7sq.ft. of public net area, and 1 stall per full-time equivalent employee (FTE), plus a LOADING SPACE. |
| RECREATIONAL SERVICE – INDOOR | 1 stall per 25m$^2$/269.1sq.ft. of public net area, or at the discretion of the DEVELOPMENT AUTHORITY. |
| PUBLIC EDUCATION SERVICE (Elementary and Junior High School) | 2 stalls per classroom, plus 1 stall per 5m$^2$/53.81sq.ft. of gymnasium space. |
| PUBLIC EDUCATION SERVICE (High School) | 6 stalls per classroom, plus 1 stall per 5m$^2$/53.81sq.ft. of gymnasium space. |
| Treatment Center | 1 stall per 6 patients or resident beds, and 1 stall per full-time equivalent employee (FTE). |
| **INDUSTRIAL** | |
| Industrial USES, manufacturing plants, processing plants and industrial support services. | 1 stall per full-time equivalent employee (FTE), plus 1 stall per 35m$^2$ of net public area. |

**6.1.2** Notwithstanding Article 6.1.1, DEVELOPMENTS within the C-1 LAND USE DISTRICT shall pay a fee established by COUNCIL in lieu of providing ON-SITE PARKING, or the absence of the required PARKING for a CHANGE OF USE or new DEVELOPMENT. Despite this provision, all residential USES and employee PARKING in the C-1 LAND USE DISTRICT shall have ON-SITE PARKING in accordance with Table 6.1.

**6.1.3** The DEVELOPMENT AUTHORITY may reduce, or eliminate, the required ON-SITE PARKING specified in Article 6.1.1, for a USE in a Community Use or Commercial LAND USE DISTRICT if it is deemed appropriate to permit:

**a)** on-street PARKING along the LOT FRONTAGE or LOT LINE – FLANKAGE; or

**b)** PARKING in a Municipal or private PARKING LOT within the vicinity of the proposed DEVELOPMENT.

**6.1.4** Where a DEVELOPMENT includes two or more of the USES outlined in clause Article 6.1.1, The total number of required PARKING STALLS shall be the combination of the total required spaces for each USE based upon the FLOOR AREA – GROSS of each USE. Any additional PARKING stalls required by multiple USES may be waived or reduced by the DEVELOPMENT AUTHORITY if it is deemed that the lack of required stalls would not adversely affect the adjacent land uses, or the flow of local traffic.

**6.1.5** If a calculation of required PARKING STALLS results in a fractional number, the number shall be rounded upwards to the next whole number.

**6.1.6** When a BUILDING and/or STRUCTURE is enlarged, altered, or a CHANGE OF USE occurs that intensifies the USE of a BUILDING and/or STRUCTURE, provisions shall be made for additional PARKING STALLS based on the requirements of Article 6.1.1. The additional PARKING required shall be based only on the number of additional PARKING STALLS required due to the:

- **a)** enlargement of the BUILDINGS and/or STRUCTURES;
- **b)** CHANGE OF USE; or
- **c)** intensification of a BUILDING and/or STRUCTURE USE.

**6.1.7** Notwithstanding Article 6.1.6, any additional PARKING requirements required by a CHANGE OF USE may be waived by the DEVELOPMENT AUTHORITY if deemed that the lack of required stalls would not adversely affect traffic or surrounding properties in the area.

**6.1.8** Unless otherwise stipulated in the *National Building Code – Alberta Edition,* barrier-free PARKING shall be provided in accordance with Table 6.2. Barrier free PARKING STALLS shall have a minimum width of 4.3m/14.1ft. and must be clearly identified as PARKING for disabled persons through pavement markings and SIGNAGE.

**TABLE 6.2** PARKING REQUIREMENTS FOR PERSONS WITH PHYSICAL DISABILITIES

| NUMBER OF STANDARD PARKING STALLS | NUMBER OF BARRIER FREE PARKING STALLS |
|---|---|
| For Every 15 Stalls | 1 |

## PARKING LOT DESIGN

**6.1.9** With the exception of DEVELOPMENTS within the C-1 LAND USE DISTRICT, the required PARKING shall be located on the same SITE as the BUILDING or USE in respect of which it is required and shall be designed, located and constructed so that:

- **a)** there is a legal means of MOTOR VEHICLE access;
- **b)** a turning space on the PARKING LOT is provided so that MOTOR VEHICLES leaving the PARKING LOT do not back into a roadway;
- **c)** it is in accordance with an approved grading and drainage plan prepared by a registered Engineer;
- **d)** it can be properly maintained; and
- **e)** it is satisfactory to the DEVELOPMENT AUTHORITY in size, shape location and construction.

**6.1.10** The minimum dimensions for PARKING STALLS and aisles shall be in accordance with Table 6.3. For an example of PARKING STALL and aisle dimensions, please see Figure 25.

**TABLE 6.3** PARKING STALL AND AISLE DIMENSIONS

| PARKING ANGLE (IN DEGREES) | MINIMUM PARKING STALL WIDTH | MINIMUM PARKING STALL DEPTH PERPENDICULAR TO AISLE | MINIMUM AISLE WIDTH |
|---|---|---|---|
| 0 | 7m/23ft. | 2.9m/9.5ft. | One Way: 3.5m/11,5ft.<br>Two Way: 7m/23ft. |

| | | | |
|---|---|---|---|
| 45 | 3.1m/10.2ft. | 6.1m/20ft. | 4m/13.1ft. |
| 90 | 3.1m/10.2ft. | 5.8m/19ft. | 7.3m/24ft. |

**6.1.11** Notwithstanding Table 6.3, developers are encouraged to exceed the minimum dimensions for PARKING STALLS in all LAND USE DISTRICTS.

**6.1.12** Where a DEVELOPMENT involves off-street PARKING for more than three (3) vehicles it shall be treated and finished, including the whole area contained within a PUBLIC RIGHT-OF-WAY, in accordance with Table 6.4.

**TABLE 6.4** OFF STREET PARKING STALL AND AISLE EXPLANATION

| LAND USE DISTRICT | TREATMENT / FINISHING |
|---|---|
| RESIDENTIAL | Subject to LANDSCAPING and BUFFER requirements in Subsection 5.7, PARKING LOTS shall be paved or HARD-SURFACED with a comparable material within two (2) years of the date of issuance of a BUILDING PERMIT. |
| COMMERCIAL / INDUSTRIAL | Subject to LANDSCAPING and BUFFER requirements in Subsection 5.7, PARKING in front of the PRINCIPAL BUILDING must be paved or HARD-SURFACED with a comparable material if the ACCESS thereto is from a street or LOT that is HARD-SURFACED. |
| COMMUNITY USE | For USES located West of Highway 35, any area at the rear or side of the PRINCIPAL BUILDING provided or required for ON-SITE PARKING, need not be HARD-SURFACED, but shall be of such a surface that it minimizes the carrying of dirt or foreign matter upon the highway or street. |

**6.1.13** If in the opinion of the DEVELOPMENT AUTHORITY, it is or becomes necessary to protect adjacent fences, walls, BOULEVARDS, LANDSCAPED AREAS or BUILDINGS from contact with the vehicles using PARKING STALLS or PARKING LOT, the DEVELOPMENT AUTHORITY may require the installation of adequate curbs, concrete bumpers, fences or any combination thereof.

**6.1.14** All emergency access routes and fire lanes shall be provided in accordance to the *Safety Codes Act* and shall be appropriately sign-posted, to prohibit obstruction to the satisfaction of the DEVELOPMENT AUTHORITY.

**6.1.15** All curbs and/or sidewalks cut or removed for the purpose of a commercial access/driveway, LANE or private crossing, shall be replaced and constructed with concrete to Municipal Engineering and Construction Standards.

**6.1.16** The number of driveways associated with an off-street PARKING LOT shall not exceed two (2) in Residential, Commercial and Community Use LAND USE DISTRICTS, unless otherwise approved by the DEVELOPMENT AUTHORITY. In considering additional ACCESS, the

DEVELOPMENT AUTHORITY shall require the findings of a study justifying the need for additional ACCESS, and mitigation of any potential impacts on the surrounding traffic network.

**6.1.17** Curb cuts associated with an ACCESS to an off-street PARKING LOT shall be SETBACK a minimum distance of:

- **a)** 15m/49.2ft. from the intersection of the street right-of-ways;
- **b)** 20m/65.6ft. from an ACCESS associated with the same DEVELOPMENT; and
- **c)** 6m/19.6ft. from an ACCESS associated with a DEVELOPMENT on a different property.

For an example of ACCESS separation from an intersection of street right-of-ways please see Figure 26.

**6.1.18** Notwithstanding Article 6.1.17, the SETBACK distance for curb cuts may be increased where, in the opinion of the DEVELOPMENT AUTHORITY such increase is necessary for reasons of public safety and convenience.

**6.1.19** The maximum width of curb cutting shall not exceed 11m/36ft., unless otherwise approved by the DEVELOPMENT AUTHORITY citing reasons of public or traffic safety. For an example of curb cut width, please see Figure 26.

**6.1.20** The sides of driveway approaches crossing sidewalks or BOULEVARDS may be constructed on an angle with the curb line, but in no case should the angle between the curb and the driveway be less than 30 degrees perpendicular to the PUBLIC ROADWAY.

**6.1.21** Notwithstanding any other parking provisions, additional space for school buses and parent PARKING for a PUBLIC EDUCATION SERVICE may be required and suitably designed at the discretion of the DEVELOPMENT AUTHORITY.

### PARKING LOCATION

**6.1.22** Resident PARKING STALLS shall not be located in the YARD – FRONT of an ASSISTED LIVING FACILITY and DWELLING – APARTMENT unless, in the opinion of the DEVELOPMENT AUTHORITY:

- **a)** SITE conditions do not permit rear PARKING; or
- **b)** PARKING in the YARD – FRONT is compatible with adjacent properties.

## 6.2 LOADING SPACE

**6.2.1** LOADING SPACE shall be designed and located so that all vehicles using the space can park and maneuver entirely within the bounds of the SITE, before moving onto adjacent streets. The DEVELOPMENT AUTHORITY, having regard to the types of vehicles that are likely to use the LOADING SPACE may change the required dimensions. A LOADING SPACE shall be a minimum width of 3m/9.85ft., with a minimum depth of 9m/29.5ft., and a minimum overhead clearance of 4.3m/14.1ft.

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# 7.0 SIGN CONTROL

## 7.1 GENERAL SIGNAGE CRITERIA

**7.1.1** No SIGN shall be erected, operated, used or maintained which:

- **a)** due to its position, shape, colour, format or illumination obstruct the view of, or may be confused with, an official traffic SIGN, signal or device, as determined by the DEVELOPMENT AUTHORITY;
- **b)** displays lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles;
- **c)** obstructs the use of a fire escape, door, window or other required exit;
- **d)** projects over or rests upon any part of a PUBLIC RIGHT-OF-WAY or public sidewalk, except a SIGN – FASCIA or SIGN – CANOPY, unless otherwise permitted in this BYLAW;
- **e)** extend more than 45cm/17.7in above the roof line or parapet of the BUILDING or the top of the marquee or canopy, nor shall it extend beyond the end of the wall, marquee or canopy that it is attached to;
- **f)** is attached to a tree;
- **g)** is a SIGN – ILLUMINATED which creates a nuisance to surrounding residential properties;
- **h)** is a SIGN – ROOF; and
- **i)** is an OFF-SITE SIGN, except a SIGN giving general warning or direction to the public.

**7.1.2** The provisions of this BYLAW, with respect to existing SIGNS that do not conform to the BYLAW at the time of its effective date, shall not be construed to have a retroactive effect. The exception to this rule is a non-conforming SIGN that is relocated, altered, or removed, which is then required to comply with the provisions of this BYLAW. The provisions of this Section shall not exempt the owner of a non-conforming SIGN from the obligation for required maintenance of a SIGN.

**7.1.3** No SIGN shall be painted upon, cover a fence or a roof.

**7.1.4** Unless otherwise specified in this BYLAW, the following SETBACKS are to be adhered to for all SIGNAGE:

- **a)** Located a minimum of 1.5m/4.9ft. from any LOT LINE;
- **b)** Located a minimum of 3m/9.85ft. from any ACCESS to the SITE;
- **c)** Located a minimum of 6m/19.6ft. from an intersection; and
- **d)** no higher than 3m/9.85ft. above FINISHED GRADE.

**7.1.5** No person shall place permanent or TEMPORARY SIGNAGE on Town-owned land or a PUBLIC RIGHT-OF-WAY without an approved Sign Permit.

## 7.2 SIGN AREA CALCULATIONS

**7.2.1** For the purposes of determining the total permitted SIGN AREA:

- **a)** the SIGN AREA is the total sum of the surface area of the SIGN FACE, in the direction of its largest dimension as shown in Figure 19.
- **b)** in the case of SIGN – FASCIA featuring individual letters affixed to a BUILDING face, the total SIGN AREA is the sum of the area for each individual letter as shown in Figure 19.
- **c)** when determining the SIGN AREA of a SIGN – DIRECTORY or SIGN – FREESTANDING, the total area of one or more SIGN boxes must be calculated as shown in Figure 19; and
- **d)** each visible face of a SIGN shall be calculated separately and then added together to determine the SIGN AREA.

**7.2.2** No person shall construct, erect, display, alter or relocate a SIGN without an approved Sign Permit from the DEVELOPMENT AUTHORITY, in accordance with this BYLAW.

**7.2.3** No permits shall be issued for a SIGN constructed on a PERMANENT FOUNDATION without an approved BUILDING PERMIT from the DEVELOPMENT AUTHORITY.

**7.2.4** Notwithstanding the provisions of Articles 7.2.1 and 7.2.2, a SIGN permit is not required for:

- **a)** real estate SIGNS for temporary usage, which advertise the property where they are located as being available for immediate sale or lease;
- **b)** construction SIGNS temporarily located on a LOT that identifies the project, owner, architect and/or consulting engineer;
- **c)** advertising upcoming community events;
- **d)** traffic and directional SIGNS authorized by the TOWN;
- **e)** SIGNS less than 900cm$^2$/139.5in$^2$ in area;
- **f)** political election SIGNS;
- **g)** SIGNS posted or exhibited in a BUILDING, including SIGNS inside a window, except for neon or flashing SIGNS;
- **h)** SIGNS posted or exhibited inside a BUILDING;
- **i)** window SIGNS, provided they are not for the purpose of advertising a HOME OCCUPATION or HOME OFFICE;
- **j)** SIGNS erected by the TOWN;
- **k)** GARAGE Sale SIGNS;
- **l)** SIGNS located on a community notice board; and

**m)** SIGNS identifying a construction or BUILDING DEMOLITION project.

## 7.3 SIGN APPLICATIONS AND PLANS

**7.3.1** An applicant for a SIGN permit shall:

**a)** complete and submit a Sign Permit Application to the DEVELOPMENT AUTHORITY;

**b)** submit plans and specifications of the proposed SIGN and of any supporting framework or anchoring devices;

**c)** submit a SITE plan showing private and PUBLIC RIGHT-OF-WAY boundaries, the location of any existing SIGNS, and the proposed SIGN that is the subject of the application;

**d)** a list of materials proposed to be used in the construction of the SIGN;

**e)** provide any additional information at the DEVELOPMENT AUTHORITY request, which may include stress-bearing capacities of the SIGN and the equipment used in its placement or support; and

**f)** submit separate permits for each SIGN that a permit is required for, under the provisions of this BYLAW.

## 7.4 ABANDONED AND UNLAWFUL SIGNS

**7.4.1** No person being the owner or lessee of property where a SIGN is located shall permit, suffer or allow a SIGN, it's supports, electrical system or anchorage to become UNSIGHTLY, dilapidated or unsafe.

**7.4.2** The DEVELOPMENT AUTHORITY may require the removal of any SIGN that has become UNSIGHTLY, or is in such a state of disrepair as to constitute a hazard to the public. Should the SIGN not be removed within sixty (60) days of receiving a written notification from the TOWN, the TOWN may remove the SIGN at the owner's expense.

**7.4.3** Any SIGN that no longer advertises a genuine business or service on the premises shall be removed by the property owner within sixty (60) days of termination of the business or service. Should the SIGN not be removed within sixty (60) days of receiving a written notification from the TOWN, the TOWN may remove the SIGN at the owner's expense.

## 7.5 SIGNAGE VARIANCES

**7.5.1** The DEVELOPMENT AUTHORITY may permit a proposed SIGN – DIRECTORY, SIGN – FASCIA or SIGN – FREESTANDING to exceed the height, area and projection requirements of this BYLAW through a VARIANCE. When reviewing a VARIANCE application, the DEVELOPMENT AUTHORITY shall consider the following:

**a)** the visual dominance of the SIGN;

**b)** whether the SIGN is out of scale in context to surrounding BUILDINGS and other SIGNAGE in the area;

**c)** the impact on the architectural features of the BUILDING and surrounding environment;

**d)** the impact of SIGNS – ILLUMINATED on the surrounding environment; and

**e)** whether the proposed SIGNAGE impacts pedestrian or vehicular movement.

8

# 8.0 ESTABLISHMENT OF LAND USE DISTRICTS

## 8.1 LAND USE DISTRICT CLASSIFICATION

**8.1.1** For the purposes of this BYLAW, all lands within the boundaries of the TOWN shall be divided into the following LAND USE DISTRICTS as indicated in Table 8.1.

**TABLE 8.1** LAND USE DISTRICT CLASSIFICATION

| LAND USE DISTRICT | SYMBOL |
|---|---|
| **RESIDENTIAL** | |
| Low Density Residential Land Use District | R-1 |
| Medium Density Residential Land Use District | R-2 |
| High Density Residential Land Use District | R-3 |
| Manufactured Home – Mobile Land Use District | R-4 |
| **COMMERCIAL** | |
| General Commercial Land Use District | C-1 |
| Highway Commercial Land Use District | C-3 |
| **INDUSTRIAL** | |
| Industrial Land Use District | IND |
| **OTHER** | |
| Community Use Land Use District | CU |
| Parks Land Use District | P |
| Agricultural Land Use District | A |
| Reserve Land Use District | RES |
| Direct Control Land Use District | DC |

| | |
|---|---|
| Airport Land Use District | AP |
| Forestry Services | FS |

**8.1.2** Throughout this BYLAW and any amendments thereto, a LAND USE DISTRICT may be referred to, either by its full name or symbol as set out in Table 8.1.

**8.1.3** The Land Use Bylaw Zoning Map, as may be amended or replaced from time to time, is attached to and forming part of this BYLAW as Appendix 1.

**8.1.4** Where uncertainty exists as to the boundary of a LAND USE DISTRICT as shown on the Land Use Zoning Map, the following shall apply:

**a)** where a boundary is shown following a street or LANE, it shall be deemed to follow the centre line of such; or

**b)** where a boundary is shown as approximately following a LOT LINE, or the boundary of the TOWN, it shall be deemed to follow the LOT LINE.

9

# 9.0 RESIDENTIAL LAND USE DISTRICTS

## 9.1 R-1 (LOW DENSITY RESIDENTIAL) LAND USE DISTRICT

### INTENT

The intent of the R-1 LAND USE DISTRICT is to preserve existing single-family neighbourhoods, while providing flexibility that recognizes changing technologies in the design of alternative DWELLING UNITS that can work in harmony with existing neighborhoods. The character of an area is generally determined by the design, form and scale of the BUILDING, which will be important considerations when assessing DISCRETIONARY USES within this LAND USE DISTRICT.

### USES

**TABLE 9.1** PERMITTED AND DISCRETIONARY USES IN THE R-1 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE; and<br>**b)** DWELLING – SINGLE FAMILY. | **a)** DWELLING – DUPLEX;<br>**b)** ACCESSORY USES associated with a DWELLING – SINGLE FAMILY:<br>**i)** BED AND BREAKFAST BUSINESS;<br>**ii)** FAMILY DAY HOME;<br>**iii)** HOME OCCUPATION;<br>**iv)** MANUFACTIRED HOME – TINY HOME;<br>**v)** SECONDARY SUITE; and<br>**c)** MANUFACTURED HOME – MODULAR. |

### PROVISIONS

**9.1.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the R-1 (Low Density Residential) LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements outlined in Table 9.2.

**TABLE 9.2** R-1 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | DWELLING – SINGLE-FAMILY AND MANUFACTURED HOME – MODULAR | DWELLING – DUPLEX / Unit |
|---|---|---|
| LOT AREA (minimum) | 834m²/8,977sq.ft. | 417m²/4,488sq.ft. |
| LOT WIDTH (minimum) | 20m/65.6ft. | 10m/32.8ft. |
| LOT DEPTH (minimum) | 35m/114.8ft. | 35m/114.8ft. |
| YARD – FRONT (minimum) | 6m/19.6ft. | 6m/19.6ft. |
| YARD – FLANKAGE (minimum) | 3m/9.85ft. | 3m/9.85ft. |
| YARD – SIDE PRINCIPAL BUILDING (minimum) | 3m/9.85ft. | 3m/9.85ft. |
| YARD – SIDE ACCESSORY BUILDING OR STRUCTURE (minimum) | 1.2m/3.9ft. | 1.2m/3.9ft. |
| YARD – REAR (minimum) | 7m/22.9ft. | 7m/22.9ft. |
| FLOOR AREA – GROSS above FINISHED GRADE (minimum) | 110m²/1,184sq.ft. | 110m²/1,184sq.ft. |
| BUILDING HEIGHT (maximum) | 10m/32.8ft. | 10m/32.8ft. |
| LOT COVERAGE (maximum) | 40% | 40% |

Note: These requirements are based upon each DWELLING UNIT being contained on its own individual LOT.

## ADDITIONAL REQUIREMENTS

**9.1.2** DEVELOPMENT involving more than one PRINCIPAL BUILDING on a LOT is subject to the requirements of Subsection 5.24.

**9.1.3** LOTS with driveway ACCESS from a rear LANE are permitted to reduce their YARD – FRONT SETBACK to 4.5m/14.7ft.

**9.1.4** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND REQUIREMENTS

**9.1.5** When assessing a DISCRETIONARY USE within the R-1 LAND USE DISTRICT, the applicant shall demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** in the case of DWELLING – DUPLEX, consistency with the Town of High Level Design Guidelines;
- **b)** the scale of the BUILDINGS and/or STRUCTURES is comparable to other DWELLING UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT;
- **c)** the BUILDINGS and/or STRUCTURES avoid creating a blank appearance when orientated towards a street through the use of design elements such as shutters, bay windows, dormers, porches, verandahs, pillars, material changes or other features, while helping to avoid a design that is significantly in contrast with the surrounding neighbourhood; and
- **d)** the BUILDING'S appearance is similar to a DWELLING – SINGLE FAMILY through

the use of:

**i)** an integrated roof line;
**ii)** consistent materials and design;
**iii)** visually breaking up the larger massing into smaller individual components; and
**iv)** reducing the visual dominance of driveways and GARAGES.

**9.1.6** In considering approved ACCESSORY USES the applicant will need to demonstrate the following to the DEVELOPMENT AUTHORITY:

**a)** that any HOME OCCUPATION meets the requirements of Subsection 5.19;
**b)** that any BED AND BREAKFAST BUSINESS meet the requirements of Subsection 5.20;
**c)** in the case of group homes, FAMILY DAY HOMES and SECONDARY SUITES that:
  **i)** the scale of the BUILDINGS and/or STRUCTURES is comparable to other DWELLING UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT;
  **ii)** the BUILDING'S appearance is similar to a DWELLING – SINGLE FAMILY through the use of elements outlined in Clause 9.1.5(d);
**d)** potential impacts such as noise and traffic have been mitigated; and
**e)** there shall be no use of SIGNAGE, unless permitted under Articles 5.19.3, 5.20.3 or 9.1.9.

**9.1.7** When considering a proposed MANUFACTURED HOME – TINY HOME in the R-1 LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will consider this USE only if a MANUFACTURED HOME – TINY HOME:

**a)** Meets the definition of MANUFACTURED HOME – TINY HOME within this BYLAW;
**b)** Is to be placed upon a PARCEL measuring at least 1,000$m^2$/10,763sq.ft.;
**c)** Is an ACCESSORY USE to a PRINCIPAL DWELLING UNIT;
**d)** Is located in YARD – REAR only, in or YARD – SIDE at the discretion of the DEVELOPMENT AUTHORITY;
**e)** Is limited to one (1) MANUFACTURED HOME – TINY HOME per LOT;
**f)** Is a STRUCTURE completely independent of the PRINCIPAL DWELLING UNIT functioning on its own utility systems satisfactory to the DEVELOPMENT AUTHORITY;
**g)** Must contain adequate water and sewer services satisfactory to the DEVELOPMENT AUTHORITY;
**h)** Be placed on a PERMANENT FOUNDATION;
**i)** Shall screen the foundation or undercarriage from view by skirting made of high-quality materials that complement the design of all portions of the MANUFACTURED HOME – TINY HOME, such as stone, brick, hardy board, wood, or other suitable materials at the discretion of the DEVELOPMENT AUTHORITY; and
**j)** Screening of the foundation shall occur within sixty (60) days of the placement of the MANUFACTURED HOME – TINY HOME and be maintained in good condition thereafter.

**9.1.8** The DEVELOPMENT AUTHORITY may exercise discretion to allow a fence higher than 2m/6.56ft. along a LOT-LINE – REAR or LOT LINE – SIDE within the R-1 LAND USE DISTRICT, if the LOT is located behind a DEVELOPMENT that measures 11m/36ft. in height or three (3) or more stories.

**9.1.9** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**9.1.9** SIGNS associated with a permitted HOME OCCUPATION, FAMILY DAY HOME, BED AND BREAKFAST BUSINESS, or HOME OFFICE shall:

**a)** not exceed 1.5$m^2$/16.2sq.ft. in SIGN AREA;

**b)** be no higher than 2m/6.5ft. above FINISHED GRADE;

**c)** not be illuminated; and

**d)** Subject to the requirements of Section 7.

**9.1.10** Any SIGN not requiring a permit under Article 7.2.4 shall be permitted.

**9.1.11** SIGNS – FASCIA not exceeding 0.25$m^2$/2.6sq.ft. in area shall be permitted for the purposes of identifying the RESIDENTS therein, warn against trespassing, and cannot be a SIGN – ILLUMINATED.

## 9.2 R-2 (MEDIUM DENSITY RESIDENTIAL) LAND USE DISTRICT

### INTENT

**9.2.1** The intent of the R-2 LAND USE DISTRICT is to encourage a diversity of housing options without undermining the quality of neighbourhoods.

### USES

**TABLE 9.3** PERMITTED AND DISCRETIONARY USES IN THE R-2 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** DWELLING – SINGLE-FAMILY;<br>**c)** DWELLING – DUPLEX;<br>**d)** DWELLING – TOWNHOUSE of up to 6 units; and<br>**e)** MANUFACTURED HOME – MODULAR. | **a)** ASSISTED LIVING FACILITY of up to 6 units;<br>**b)** BUILDING – MOVED IN;<br>**c)** DWELLING – MULTIPLE UNIT of up to 6 units;<br>**d)** ACCESSORY USES associated with a DWELLING – SINGLE-FAMILY:<br>**i)** BED AND BREAKFAST BUSINESS;<br>**ii)** BOARDING HOUSE;<br>**iii)** FAMILY DAY HOME;<br>**iv)** HOME OCCUPATION;<br>**v)** SECONDARY SUITE; and<br>**e)** MANUFACTURED HOME – MOBILE. |

### SITE PROVISIONS

**9.2.2** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the R-2 LAND USE DISTRICT is subject to LOT, SITE and BUILDING requirements as shown in Table 9.4.

**TABLE 9.4** R-2 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | DWELLING – SINGLE-FAMILY, BUILDING – MOVED IN and MANUFACTURED HOME – MODULAR / Unit | DWELLING – DUPLEX and DWELLING – TOWNHOUSE / Unit | DWELLING – MULTIPLE-UNIT and ASSISTED LIVING FACILITIES / Development |
|---|---|---|---|
| LOT AREA (minimum) | 330m$^2$3,552sq.ft. | 233m$^2$/2,507sq.ft. | 834m$^2$/8,977sq.ft. |
| LOT WIDTH (minimum) | 11m/36ft. | 8m/26.2ft. | 20m/65.6ft. |
| LOT DEPTH (minimum) | 30m/98.4ft. | 30m/98.4ft. | 35m/114.8ft. |
| YARD – FRONT (minimum) | 6m/14.9ft. | 6m/14.9ft. | 6m/14.9ft. |
| YARD – FLANKAGE (minimum) | 3m/9.85ft. | 3m/9.85ft. | 3m/9.85ft. |
| YARD – SIDE (minimum) | 1.2m/3.9ft. | 1.2m on one side and 0m on the side with a PARTY WALL | 3m/9.85ft. |

| | | | |
|---|---|---|---|
| YARD – REAR (minimum) | 7m/22.9ft. | 7m/22.9ft. | 7m/22.9ft. |
| FLOOR AREA – GROSS above FINISHED GRADE (minimum) | 90m$^2$/968sq.ft | 75m$^2$/807sq.ft. | 110m$^2$/1,184sq.ft. |
| BUILDING HEIGHT (maximum) | 10m/32.8ft. | 10m/32.8ft. | 10m/32.8ft. |
| LOT COVERAGE (maximum) | 40% | 40% | 40% |

Note: These requirements are based upon each DWELLING UNIT being contained on its own individual LOT.

## ADDITIONAL REQUIREMENTS

**9.2.3** Where applicable, DEVELOPMENTS within the R-2 LAND USE DISTRICT shall be consistent with the Town of High Level Design Guidelines.

**9.2.4** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**9.2.5** LOTS with driveway ACCESS from a rear LANE are permitted to reduce their YARD – FRONT and YARD – FLANKAGE SETBACK to 4.5m/14.7ft.

**9.2.6** Driveways and GARAGES for DWELLING – DUPLEX and DWELLING – TOWNHOUSE shall be separated by a landscaped strip of at least 0.5m/1.6ft.

**9.2.7** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND REQUIREMENTS

**9.2.8** When assessing a DISCRETIONARY USE within the R-2 LAND USE DISTRICT, the applicant shall demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** consistency with the Town of High Level Design Guidelines, where applicable;
- **b)** the scale of the BUILDINGS and/or STRUCTURES is comparable to other DWELLING UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT;
- **c)** the BUILDINGS and/or STRUCTURES avoid creating a blank appearance when orientated towards a street through the use of design elements such as shutters, bay windows, dormers, porches, verandahs, pillars, material changes or other features; and
- **d)** the number of visible entrances to a DWELLING – MULTIPLE UNIT or ASSISTED LIVING FACILITY from a public street is limited to two.

**9.2.9** In considering approved ACCESSORY USES, the applicant will need to demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** that any HOME OCCUPATION meets the requirements of Subsection 5.19;
- **b)** that any BED AND BREAKFAST BUSINESS meet the requirements of Subsection 5.20;
- **c)** in the case of FAMILY DAY HOMES, SECONDARY SUITES and BOARDING HOUSE that:
  - **i)** the scale of the BUILDINGS and/or STRUCTURES is comparable to other DWELLING

UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT;

**ii)** the BUILDING'S appearance is similar to a DWELLING – SINGLE FAMILY

**iii)** through the use of elements outlined in Clause 9.2.9(d);

**d)** potential impacts such as noise, traffic and PARKING have been mitigated; and

**e)** there shall be no use of SIGNAGE, unless permitted under Articles 5.19.3, 5.20.3 or 9.2.13.

**9.2.10** When considering a proposed MANUFACTURED HOME – MOBILE in the R-2 Land Use District, the DEVELOPMENT AUTHORITY will only consider this USE if a:

**a)** MANUFACTURED HOME – MOBILE is to be placed upon a PARCEL within:

**i)** 102 Street, 103 Street, 104 Street, 105 Street or 106 Street, North of 100 Avenue;

**ii)** Plan 4507NY, Block 25, Lots 1 – 9 on 99 Avenue;

**iii)** Plan 4507NY, Block 26, Lots 2 – 8 on 99 Avenue;

**iv)** Plan 4507NY, Block 26, Lots 20 – 29 on 98 Avenue;

**v)** Plan 4507NY, Block 27, Lots 14 – 20 on 98 Avenue;

**vi)** Plan 5035TR, Block 27, Lots 50 – 56 on 98 Avenue;

**b)** the proposed MANUFACTURED HOME – MOBILE meets the definition in this BYLAW; and

**c)** the MANUFACTURED HOME – MOBILE is no more than 20 years old at the time of placement onto a PARCEL identified in Clause 9.2.10.a., unless an Appraiser has assigned a MANUFACTURED HOME – MOBILE with a new EFFECTIVE AGE up to 20 years old at the time of placement; and

**d)** a MANUFACTURED HOME – MOBILE with a new EFFECTIVE AGE includes the submission of a comprehensive Appraisal Report containing the new EFFECTIVE AGE and inspection details with a DEVELOPMENT PERMIT application, to the satisfaction of the DEVELOPMENT AUTHORITY.

**9.2.11** The DEVELOPMENT AUTHORITY may exercise discretion to allow a fence higher than 2m/6.56ft. along a LOT-LINE – REAR or LOT LINE – SIDE within the R-2 LAND USE DISTRICT, if the LOT is located behind a DEVELOPMENT that measures 11m/36ft. in height or three (3) or more stories.

**9.2.12** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**9.2.13** SIGNS associated with a permitted HOME OCCUPATION, FAMILY DAY HOME, BED AND BREAKFAST BUSINESS, HOME OFFICE or BOARDING HOUSE shall:

**a)** not exceed 1.5m$^2$/16.2sq.ft. in SIGN AREA;

**b)** be no higher than 2m/6.5ft. above FINISHED GRADE;

**c)** not be illuminated; and

**d)** Subject to the requirements of Section 7.

**9.2.14** Any SIGN not requiring a permit under Article 7.2.4 shall be permitted.

**9.2.15** SIGNS – FASCIA not exceeding 0.25m$^2$/2.6sq.ft. in area shall be permitted for the purposes of identifying the RESIDENTS therein, warn against trespassing, and cannot be a SIGN – ILLUMINATED.

## 9.3 R-3 (HIGH DENSITY RESIDENTIAL) LAND USE DISTRICT

### INTENT

The intent of the R-3 LAND USE DISTRICT is to provide areas for the DEVELOPMENT of DWELLING – MULTIPLE UNIT and DWELLING – APARTMENT, while allowing for less dense residential forms to respect potential changes in market demand.

### USES

**TABLE 9.5** PERMITTED AND DISCRETIONARY USES IN THE R-3 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** ASSISTED LIVING FACILITY of up to 24 units;<br>**c)** DWELLING – APARTMENT of up to 24 units;<br>**d)** DWELLING – DUPLEX;<br>**e)** DWELLING – MULTIPLE UNIT more than 6 units; and<br>**f)** DWELLING – TOWNHOUSE. | **a)** ASSISTED LIVING FACILITY of more than 24 units;<br>**b)** BUILDING – MOVED IN;<br>**c)** BUSINESS SUPPORT SERVICE;<br>**d)** DAY CARE FACILITY;<br>**e)** DRINKING ESTABLISHMENT;<br>**f)** DWELLING – APARTMENT of more than 24 units;<br>**g)** FINANCIAL INSTITUTION;<br>**h)** GENERAL SERVICE;<br>**i)** NON-PROFIT COMMUNITY SUPPORT SERVICE;<br>**j)** PROFESSIONAL SERVICE;<br>**k)** RECREATIONAL SERVICE – INDOOR;<br>**l)** RESTAURANT;<br>**m)** RETAIL – CONVENIENCE;<br>**n)** RETAIL – GENERAL;<br>**o)** RETAIL – SPECIALITY STORE; and<br>**p)** ACCESSORY USES associated with a DWELLING UNIT:<br>**i)** FAMILY DAY HOME;<br>**ii)** HOME OCCUPATION;<br>**iii)** HOME OFFICE; and<br>**iv)** SECONDARY SUITE. |

### SITE PROVISIONS

**9.3.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the R-3 LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements outlined in Table 9.6.

**TABLE 9.6** R-3 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ASSISTED LIVING FACILITY, DWELLING – APARTMENT AND COMMERCIAL USES | OTHER USES |
|---|---|---|
| LOT AREA (minimum) | 1,200m$^2$/12,916sq.ft. | Subject to the requirements for the specific USE as outlined in Table 9.4 |
| LOT WIDTH (minimum) | 20m/65.6ft. | |
| LOT DEPTH (minimum) | 35m/114.8ft. | |
| YARD – FRONT (minimum) | 7m/22.9ft. | |
| YARD – FLANKAGE (minimum) | 7m/22.9ft. | |
| YARD – SIDE (minimum) | 3m/9.85ft. plus 1m/3.2ft. for each meter beyond 9m/29.5ft. in BUILDING HEIGHT. | |
| YARD – REAR (minimum) | 7.6m/24.9ft. | |
| Density (maximum) | 100 units per hectare of LOT AREA. | |
| BUILDING HEIGHT (maximum) | 14m/45.9ft. or 4 stories | |

Note: These requirements are based upon each DEVELOPMENT being contained on its own individual LOT.

**9.3.2** The design of all DWELLING – MULTIPLE UNIT, ASSISTED LIVING FACILITIES, DWELLING – DUPLEX and DWELLING – TOWNHOUSE are subject to the Town of High Level Design Guidelines. DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**9.3.3** DWELLING – DUPLEX and DWELLING – TOWNHOUSE with driveway ACCESS from a rear LANE are permitted to reduce their YARD – FRONT and YARD – FLANKAGE SETBACK to 4.5m/14.7ft.

**9.3.4** Where a DWELLING – MULTIPLE UNIT, or an ASSISTED LIVING FACILITY greater than two stories, is adjacent to a DWELLING – SINGLE FAMILY, DWELLING – DUPLEX , DWELLING – TOWNHOUSE or MANUFACTURED HOME – MODULAR:

**a)** a 3m/9.85ft. wide landscaped BUFFER featuring a combination of shrubs and trees designed to screen the adjacent land USES shall be provided along any abutting YARD – REAR and/or YARD – SIDE; and

**b)** subject to Subsection 5.15, a 2m/6.5ft. high opaque fence shall be provided along any abutting YARD – SIDE or YARD – REAR.

**9.3.5** All off-street PARKING shall be surrounded by a LANDSCAPED AREA of not less than 1.5m/4.9ft. in width, unless it adjoins a LANE.

**9.3.6** A sidewalk or walkway allowing safe pedestrian ACCESS to and from the BUILDING to a public sidewalk fronting the BUILDING shall be installed.

**9.3.7** Each DWELLING UNIT within a DWELLING – APARTMENT, DWELLING – MULTIPLE UNIT and DWELLING – TOWNHOUSE must have a PRIVATE AMENITY AREA that may be in one of the following forms:

**a)** a BALCONY;

**b)** a PATIO;

**c)** a DECK; or

**d)** an outdoor area a minimum of 6m/19.6ft. in depth for DWELLING UNITS located at the GROUND FLOOR.

**9.3.8** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND REQUIREMENTS

**9.3.9** When assessing a DISCRETIONARY USE within the R-3 LAND USE DISTRICT, the applicant shall demonstrate the following to the DEVELOPMENT AUTHORITY:

**a)** consistency with the Town of High Level Design Guidelines, where applicable;

**b)** the BUILDINGS and/or STRUCTURES avoid creating a blank appearance when orientated towards a street through the use of design elements such as shutters, bay windows, dormers, porches, verandahs, pillars, material changes or other features while helping to avoid a design that is significantly in contrast with the surrounding neighbourhood;

**c)** estimated traffic generation shall not negatively impact the function of existing local streets; and

**d)** proximity to adjacent lower density residential DWELLING UNITS and the use of building design, LANDSCAPING, fencing and BUFFERS to help mitigate potential issues related to noise, lighting and views from upper stories of BUILDINGS into the yards of adjacent DWELLING UNITS.

**9.3.10** When considering a proposed commercial USE in the R-3 LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider these USES on PARCELS that are located north of Highway 58 and west of Dewberry Road, Black Spruce Drive, and Chinook Crescent.

**9.3.11** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**9.3.12** SIGNS associated with a permitted HOME OCCUPATION, FAMILY DAY HOME or HOME OFFICE shall:

**a)** not exceed 1.5m$^2$/16.2sq.ft. in SIGN AREA;

**b)** be no higher than 2m/6.5ft. above FINISHED GRADE;

**c)** not be illuminated; and

**d)** Subject to the requirements of Section 7.

**9.3.13** Any SIGN not requiring a permit under Article 7.2.4 shall be permitted.

**9.3.14** SIGNS – FASCIA not exceeding 0.25m$^2$/2.6sq.ft. in area shall be permitted for the purposes of identifying the RESIDENTS therein, warn against trespassing, and cannot be a SIGN – ILLUMINATED.

## 9.4 R-4 (MANUFACTURED HOME – MOBILE) LAND USE DISTRICT

### INTENT

The intent of the R-4 LAND USE DISTRICT is to provide a location for MANUFACTURED HOME – MOBILE DEVELOPMENTS.

### USES

**TABLE 9.7** PERMITTED AND DISCRETIONARY USES IN THE R-4 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>DWELLING – DUPLEX;<br>DWELLING – SINGLE FAMILY;<br>DWELLING –TOWNHOUSE;<br>MANUFACTURED HOME – MOBILE; and<br>MANUFACTURED HOME – MODULAR. | **a)** BUILDING – MOVED IN;<br>ACCESSORY USES associated with a DWELLING UNIT:<br>**i)** BED AND BREAKFAST BUSINESS;<br>**ii)** BOARDING HOUSE;<br>**iii)** FAMILY DAY HOME;<br>**iv)** HOME OCCUPATION;<br>**v)** HOME OFFICE;<br>**vi)** SECONDARY SUITE;<br>**c)** MANUFACTURED HOME – COMMUNITY; and<br>**d)** MANUFACTURED HOME – TINY HOME. |

### SITE PROVISIONS

**9.4.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the R-4 LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements outlined in Table 9.8.

**TABLE 9.8** R-4 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | MANUFACTURED HOME – MOBILE AND MANUFACTURED HOME – MODULAR MANUFACTURED HOME – TINY HOME | OTHER USES |
|---|---|---|
| LOT AREA (minimum) | 352m²/3,788sq.ft. | Subject to the requirements for the specific USE as outlined in Table 9.4 |
| LOT WIDTH (minimum) | 11m/36ft. | |
| LOT DEPTH (minimum) | 32m/104.9ft. | |
| YARD – FRONT (minimum) | 4.5m/14.7ft. | |
| YARD – FLANKAGE (minimum) | 3m/9.85ft. | |
| YARD – SIDE (minimum) | 1.5m/4.9ft. or 4.5m/14.7ft. when adjacent to a MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME | |
| YARD – REAR (minimum) | 3m/9.85ft. | |
| FLOOR AREA – GROSS above FINISHED GRADE (minimum) | 75m²/807.29sq.ft. except for MANUFACTURED HOME – TINY HOME | |
| BUILDING HEIGHT (maximum) | 10m/32.8ft. except for MANUFACTURED | |

| | | |
|---|---|---|
| | HOME – MOBILE which are limited to 7m/22.9ft. | |
| LOT COVERAGE (maximum) | 40% | |

Note: These requirements are based upon each DWELLING UNIT being contained on its own individual LOT.

## ADDITIONAL REQUIREMENTS

**9.4.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**9.4.3** A MANUFACTURED HOME – MOBILE cannot be more than 20 years old at the time of placement onto a PARCEL within the R-4 LAND USE DISTRICT, unless:

**a)** an Appraiser has assigned a MANUFACTURED HOME – MOBILE with a new EFFECTIVE AGE up to 20 years old at the time of placement; and

**b)** a MANUFACTURED HOME – MOBILE with a new EFFECTIVE AGE includes the submission of a comprehensive Appraisal Report containing the new EFFECTIVE AGE and inspection details with a DEVELOPMENT PERMIT application, to the satisfaction of the DEVELOPMENT AUTHORITY.

**9.4.4** The foundation or undercarriage of a MANUFACTURED HOME – MOBILE or a MANUFACTURED HOME – TINY HOME shall be screened from view by skirting made of high quality materials that complement the design of the habitable portion of the DWELLING UNIT, such as stone, brick, hardy board, wood or other suitable materials at the discretion of the DEVELOPMENT AUTHORITY.

**9.4.5** SCREENING of the foundation shall occur within sixty (60) days of the placement of the MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME and shall be maintained in good condition thereafter.

**9.4.6** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE REQUIREMENTS

**9.4.7** Each PARK LOT within a MANUFACTURED HOME – COMMUNITY shall be clearly marked off by permanent markers or other suitable means.

**9.4.8** Communal garbage storage facilities associated with a MANUFACTURED HOME – MOBILE COMMUNITY shall meet the requirements of Article 5.11.1.

**9.4.9** Areas within a MANUFACTURED HOME – COMMUNITY not devoted to streets, PARKING STALLS, walkways, service buildings, MANUFACTURED HOME – MOBILE, or MANUFACTURED HOME – TINY HOME shall be LANDSCAPED.

**9.4.10** At least 5% of the gross SITE area of the MANUFACTURED HOME – COMMUNITY shall be devoted to recreational USES and shall be clearly visible with pedestrian access from at least two (2) locations.

**9.4.11** A minimum SETBACK of 4.5m/14.7ft. must occur between the MANUFACTURED HOME – COMMUNITY LOT LINES and any MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME LOT LINES, MANUFACTURED HOME – PAD lease line, or in the case of the LOT LINE abutting a PUBLIC ROADWAY, a distance of 7.5m/24.6ft. shall occur between the LOT LINES.

**9.4.12** In a MANUFACTURED HOME – COMMUNITY of over fifty (50) units, two (2) separate means of ACCESS shall be provided. In DEVELOPMENTS fewer than one-hundred (100) units, alternatives that provide safe ACCESS by more than one (1) means, such as emergency ACCESS roads or BOULEVARDS featuring LANES separated by a median may be considered, but shall be subject to the approval of the DEVELOPMENT AUTHORITY.

**9.4.13** A minimum right-of-way of 12m/39.3ft. is required for all roads within a MANUFACTURED HOME – COMMUNITY.

**9.4.14** All roads within a MANUFACTURED HOME – COMMUNITY shall be constructed of an all-weather HARD-SURFACED material, be graded and suitable for use in all seasons in compliance with the Municipal Engineering and Construction Standards and Subsection 5.6.

**9.4.15** Street lighting in a MANUFACTURED HOME – COMMUNITY shall be to the same standards as that in a conventional residential neighbourhood.

**9.4.16** In considering approved ACCESSORY USES, the applicant shall demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** that any HOME OCCUPATION meets the requirements of Subsection 5.19;
- **b)** that any BED AND BREAKFAST BUSINESS meet the requirements of Subsection 5.20;
- **c)** in the case of FAMILY DAY HOMES and SECONDARY SUITES that:
  - **i)** the scale of the BUILDINGS and/or STRUCTURES is comparable to other DWELLING UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT;
  - **ii)** the BUILDING'S appearance is similar to a DWELLING – SINGLE FAMILY
- **d)** potential impacts such as noise and traffic have been mitigated; and
- **e)** there shall be no use of SIGNAGE, unless permitted under Articles 5.19.3, 5.20.3 or 9.4.19.

**9.4.17** The DEVELOPMENT AUTHORITY may exercise discretion to allow a fence higher than 2m/6.56ft. along a LOT-LINE – REAR or LOT LINE – SIDE within the R-4 LAND USE DISTRICT, if the LOT is located behind a DEVELOPMENT that measures 11m/36ft. in height or three (3) or more stories.

**9.4.18** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**9.4.19** SIGNS associated with a permitted HOME OCCUPATION, FAMILY DAY HOME, BED AND BREAKFAST BUSINESS, HOME OFFICE or BOARDING HOUSE shall:

- **a)** not exceed 1.5m$^2$/16.2sq.ft. in SIGN AREA;
- **b)** be no higher than 2m/6.5ft. above FINISHED GRADE;

**c)** not be illuminated; and
**d)** Subject to the requirements of Section 7.

**9.4.20** Any SIGN not requiring a permit under Article 7.2.4 shall be permitted.

**9.4.21** SIGNS – FASCIA not exceeding 0.25m$^2$/2.6sq.ft. in area shall be permitted for the purposes of identifying the RESIDENTS therein, warn against trespassing, and cannot be a SIGN – ILLUMINATED.

**9.4.22** An identification SIGN for a MANUFACTURED HOME – COMMUNITY may be erected at the entrance of the overall DEVELOPMENT, subject to Section 7 and the discretion of the DEVELOPMENT AUTHORITY.

# 10

# 10.0 COMMERCIAL LAND USE DISTRICTS

## 10.1 C-1 (GENERAL COMMERCIAL) LAND USE DISTRICT

### INTENT

The intent of the C-1 LAND USE DISTRICT is to clearly define the Downtown and establish standards that promote the redevelopment and enhancement of this area as the commercial core of the TOWN.

### USES

**TABLE 10.1** PERMITTED AND DISCRETIONARY USES IN THE C-1 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| ART GALLERY;<br>BUSINESS SUPPORT SERVICE;<br>CATERING SERVICE;<br>DAY CARE FACILITY;<br>DRINKING ESTABLISHMENT;<br>DWELLING – MULTIPLE UNIT above a GROUND FLOOR;<br>Farmers market;<br>FINANCIAL INSTITUTION;<br>GENERAL SERVICE;<br>GOVERNMENT SERVICE;<br>HEALTH SERVICE;<br>HOUSEHOLD REPAIR SERVICE;<br>Movie and/or video game rental and sales;<br>NON-PROFIT COMMUNITY SUPPORT SERVICE;<br>Park; | **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** AMUSEMENT ARCADE;<br>**c)** AUTOMOTIVE SERVICE;<br>**d)** BUILDING – MOVED IN;<br>**e)** BREWERY, WINE, DISTILLERY;<br>**f)** CAR WASH;<br>**g)** COMMUNITY HALL;<br>**h)** DRIVE-THROUGH BUSINESS;<br>**i)** DRIVE-THROUGH RESTAURANT;<br>**j)** FUNERAL HOME;<br>**k)** HOTEL;<br>**l)** PET SERVICE;<br>**m)** PLACE OF WORSHIP;<br>**n)** PUBLIC USE;<br>**o)** RECREATIONAL SERVICE – INDOOR;<br>**p)** RETAIL – ADULT;<br>**q)** RETAIL – CANNABIS; |

| | |
|---|---|
| PARKING LOT;<br>PAWNBROKER;<br>PROFESSIONAL SERVICE;<br>RESTAURANT;<br>RETAIL – CONVENIENCE;<br>RETAIL – GENERAL;<br>RETAIL – SPECIALTY STORE; and<br>SCHOOL – COMMERCIAL;<br>THEATRE. | **r)** RETAIL – LIQUOR;<br>**s)** SHOPPING CENTRE; and<br>**t)** VETERINARY CLINIC. |

## SITE PROVISIONS

**10.1.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the C-1 LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements as follows:

**TABLE 10.2** C-1 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| LOT AREA (minimum) | 200m²/2,152sq.ft. |
| LOT WIDTH (minimum) | 9m/29.5ft. |
| LOT DEPTH (minimum) | 25m/82ft. |
| YARD – FRONT (minimum) | 0m/0ft. |
| YARD – FLANKAGE (minimum) | 0m/0ft., however, LOT CORNER must comply with Subsection 5.3 of this BYLAW. |
| YARD – SIDE (minimum) | 0m/0ft. |
| YARD – REAR (minimum) | 6m/19.6ft. unless otherwise approved by the DEVELOPMENT AUTHORITY in consideration of alternate PARKING facilities. |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. or 4 stories |

Note: These requirements are based upon each DEVELOPMENT being contained on its own individual LOT.

## ADDITIONAL REQUIREMENTS

**10.1.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**10.1.3** Any DEVELOPMENT within the C-1 LAND USE DISTRICT shall be consistent with the Town of High Level Design Guidelines.

**10.1.4** DEVELOPMENTS involving DWELLING UNITS above commercial USES shall comply with the following requirements:

**a)** the first STOREY shall contain commercial USES only;
**b)** PARKING for the residential USE shall be provided ON-SITE and in accordance to Section 6 of the BYLAW, as per the requirements for DWELLING – MULTIPLE UNIT; and
**c)** a separate ACCESS, or an ACCESS that does not require passage through the commercial

area must be provided to the residential portion. The number of required ACCESSES shall be in accordance with the *National Building Code – Alberta Edition.*

**10.1.5** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**10.1.6** When considering a DRIVE-THROUGH BUSINESS or DRIVE-THROUGH RESTAURANT in the C-1 LAND USE DISTRICT, the applicant shall demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** consistency with the Town of High Level Design Guidelines;
- **b)** the driveway entrance is limited and does not adversely affect the movement of pedestrians including vehicles queuing onto the sidewalks and creation of more than one ACCESS*;*
- **c)** the drive-through shall be located at the rear of the BUILDING*;*
- **d)** the façade facing 100 Avenue is not adversely affected by the incorporation of a DRIVE-THROUGH BUSINESS;
- **e)** that, when adjacent to a residential USE, the operation either:
  - **i)** does not use a speaker system;
  - **ii)** includes certified noise attenuation fencing 2m/6.5ft. in height; or
  - **iii)** utilizes an earth BERM designed to mitigate the impact of noise.
- **f)** any lighting required does not spill onto adjoining properties.

**10.1.7** When considering approved DISCRETIONARY USES*,* the applicant shall need to demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** scale of the USE and BUILDINGS shall be comparable to the anticipated scale of BUILDINGS and USES within the C-1 LAND USE DISTRICT;
- **b)** design of the SITE and BUILDINGS is consistent with the Town of High Level Design Guidelines;
- **c)** PARKING required for the operation shall not negatively impact on aesthetics and pedestrian functionality within the C-1 LAND USE DISTRICT; and
- **d)** how potential impacts such as traffic generation, noise, dust, odours or other concerns related to the operation shall be addressed.

**10.1.8** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

**10.1.9** When considering RETAIL – CANNABIS in the C-1 LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will ensure that the entire business footprint falls outside of a 100m/328ft. radius from any Community Use and Park LAND USE DISTRICTS.

## SIGNAGE REQUIREMENTS

**10.1.10** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

- **a)** no SIGN shall exceed a maximum height of 5m/16.4ft.;
- **b)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft in SIGN AREA per SIGN FACE for a single business property and 9m$^2$/96.8sq.ft. in SIGN AREA per SIGN FACE for a multiple-business property;

**c)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4ft. of LOT – FRONTAGE; and

**d)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**10.1.11** SIGNS – PROJECTING are permitted provided that:

**a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA*;*

**b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;

**c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and

**d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**10.1.12** SIGNS – FASCIA are permitted provided that:

**a)** the total SIGN AREA of the BUILDING does not exceed 5% of the total surface area of the BUILDING face where the SIGNAGE is to be erected; and

**b)** no individual SIGN shall exceed 1m/3.2ft. in height;

**c)** shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and

**d)** No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**10.1.13** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**10.1.14** SIGNS – SANDWICH are permitted provided that the SIGN shall:

**a)** not exceed a single SIGN FACE area of 0.5m$^2$/5.3sq.ft.;

**b)** no more than one SIGN – SANDWICH is provided per LOT*;*

**c)** it is not located within the required SIGHT TRIANGLE*;* and

**d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way

## 10.2 C-3 (HIGHWAY COMMERCIAL) LAND USE DISTRICT

### INTENT

The intent of the C-3 LAND USE DISTRICT is to provide an area for intensive commercial operations while not drawing away USES intended for the C-1 LAND USE DISTRICT. The DEVELOPMENT AUTHORITY recognizes that there may be circumstances where certain USES need to be located in the C-3 LAND USE DISTRICT whether it is due to scale, a lack of vacant BUILDINGS or LOTS within the C-1 LAND USE DISTRICT, required PARKING, traffic impacts or other reasons.

### USES

**TABLE 10.3** PERMITTED AND DISCRETIONARY USES IN THE C-3 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** AUTOMOTIVE SALES AND RENTAL;<br>**c)** AUTOMOTIVE SERVICE;<br>**d)** CAR WASH;<br>**e)** CONSTRUCTION SERVICE;<br>**f)** DRINKING ESTABLISHMENT;<br>**g)** DRIVE-THROUGH BUSINESS;<br>**h)** DRIVE-THROUGH RESTAURANT;<br>**i)** EQUIPMENT RENTAL FACILITY;<br>**j)** FUNERAL HOME;<br>**k)** FUEL STATION;<br>**l)** HOTEL;<br>**m)** RECREATIONAL SERVICE – INDOOR;<br>**n)** RESTAURANT;<br>**o)** RETAIL – CONVENIENCE as part of a FUEL STATION;<br>**p)** RETAIL – GENERAL; and<br>**q)** THEATRE. | **a)** ADULT ENTERTAINMENT FACILITY;<br>AMUSEMENT ARCADE<br>BUILDING – MOVED IN;<br>BUSINESS SUPPORT SERVICE;<br>DAY CARE FACILITY;<br>DWELLING – APARTMENT;<br>DWELLING – MULTIPLE UNIT;<br>DWELLING – TOWNHOUSE;<br>GENERAL SERVICE;<br>GOVERNMENT SERVICE;<br>HEALTH SERVICE;<br>LUMBER YARD;<br>MANUFACTURED HOME – MOBILE SALES;<br>NON-PROFIT COMMUNITY SUPPORT SERVICE;<br>PAWNBROKER;<br>PET SERVICE;<br>PLACE OF WORSHIP – STOREFRONT CHURCH;<br>PROFESSIONAL SERVICE;<br>PUBLIC USE;<br>RECREATIONAL VEHICLE SALES AND SERVICE;<br>RETAIL – ADULT;<br>RETAIL – LIQUOR;<br>SCHOOL – COMMERCIAL;<br>SHOPPING CENTRE;<br>VETERINARY CLINIC; and<br>**z)** WAREHOUSE STORE. |

### SITE PROVISIONS

**10.2.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the C-3 LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements as follows:

**TABLE 10.4** C-3 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| LOT AREA (minimum) | 360m²/3,875sq.ft. |
| LOT WIDTH (minimum) | 20m/65.6ft. with the exception of HOTELS or motels which must have 45m/147.6ft. |
| LOT DEPTH (minimum) | 20m/65.6ft. |
| YARD – FRONT (minimum) | 9m/29.5ft. |
| YARD – FLANKAGE (minimum) | 0m/0ft. however, LOT CORNER must comply with Subsection 5.3 of this BYLAW. |
| YARD – SIDE (minimum) | 0m/0ft. however, the BUILDINGS must comply with the distance requirements of the *National Building Code – Alberta Edition*. |
| YARD – REAR (minimum) | 6m/19.6ft. |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. or 4 stories, except where the LAND USE DISTRICT is adjacent to residential LAND USE DISTRICT in which the maximum BUILDING HEIGHT shall be 12m/39.3ft. or 3 stories. |

Note: These requirements are based upon each DEVELOPMENT being contained on its own individual LOT.

## ADDITIONAL REQUIREMENTS

**10.2.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**10.2.3** In areas where a property abuts Highway 35 or Highway 58, the portions of the BUILDING facing the Highway shall incorporate architectural elements to create variation along the BUILDING façade and avoid the appearance of blank walls from public streets.

**10.2.4** All rooftop mechanical equipment shall be enclosed on all sides with a finish compatible with the approved BUILDING finish.

**10.2.5** OUTDOOR STORAGE areas associated with a PERMITTED USE within this LAND USE DISTRICT shall be screened in accordance to Subsection 5.10.

**10.2.6** Provisions for adequate vehicular traffic circulation shall be provided on all SITES to the satisfaction of the DEVELOPMENT AUTHORITY.

**10.2.7** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**10.2.8** When considering an acceptable DISCRETIONARY USE that is allowed in the C-1 LAND USE DISTRICT, the applicant must demonstrate to the DEVELOPMENT AUTHORITY the reasons why the USE could not be located in the C-1 LAND USE DISTRICT, such as the scale of the BUILDING, PARKING requirements or that all suitable LOTS and BUILDINGS within the C-1 LAND USE DISTRICT are occupied.

**10.2.9** When considering a proposed a DISCRETIONARY USE the applicant must demonstrate that potential effects of the USE would not negatively impact surrounding USES.

**10.2.10** When considering a proposed DWELLING – APARTMENT, DWELLING – MULTIPLE UNIT, or DWELLING – TOWNHOUSE in the C-3 LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider these USES located either:

**a)** behind a Highway Commercial USE on 98 Street, where the proposed residential USE would be opposite an existing residential USE; or

**b)** above a Highway Commercial USE that is facing a designated highway.

**10.2.11** Under no circumstances can a stand-alone residential USE be located facing onto a designated highway.

**10.2.12** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**10.2.13** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

**a)** no SIGN shall exceed a maximum height of 10m/32.8ft.;

**b)** no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds:

**i)** 6m$^2$/64.5sq.ft. in SIGN AREA per SIGN FACE for a one or two business BUILDING*;*

**ii)** 8.75m$^2$/94.1sq.ft. in SIGN AREA per SIGN FACE for a three (3) business BUILDING*;*

**iii)** 11.5m$^2$/123.7sq.ft. per SIGN FACE in SIGN AREA for a four (4) business BUILDING*;* and

**iv)** 14.25m$^2$/153.3sq.ft. in SIGN AREA per SIGN FACE for a five (5) or more business BUILDING*;*

**c)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4ft. of LOT FRONTAGE*;* and

**d)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**10.2.14** SIGNS – PROJECTING are permitted provided that:

**a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA*;*

**b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;

**c)** there shall be a maximum of one SIGN – PROJECTING above the roof of a BUILDING.

**10.2.15** SIGNS – FASCIA are permitted provided that:

**a)** SIGNAGE does not exceed 12% of the total surface area of the BUILDING face where the SIGN is to be erected; and

**b)** no individual SIGN shall exceed 3m/9.85.ft in height

**c)** shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and

**d)** No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**10.2.16** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**10.2.17** SIGNS – SANDWICH are permitted provided that the SIGN shall:

**a)** not exceed a single SIGN FACE area of 0.5$m^2$/5.3sq.ft.;

**b)** no more than one SIGN – SANDWICH is provided per LOT*;*

**c)** it is not located within the required SIGHT TRIANGLE*;* and

**d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

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# 11.0 INDUSTRIAL LAND USE DISTRICT

## 11.1 IND (INDUSTRIAL) LAND USE DISTRICT

### INTENT

The intent of the IND LAND USE DISTRICT is to provide an area for industrial DEVELOPMENT.

### USES

**TABLE 11.1** PERMITTED AND DISCRETIONARY USES IN THE IND LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| ACCESSORY BUILDING OR STRUCTURE;<br>AUCTION FACILITY;<br>AUTOMOTIVE SALES AND RENTALS;<br>AUTOMOTIVE SERVICE;<br>BUSINESS SUPPORT SERVICE;<br>CAR WASH;<br>COMMERCIAL SCHOOL or COLLEGE;<br>CONSTRUCTION SERVICE;<br>EQUIPMENT RENTAL FACILITY;<br>FARM IMPLEMENT SALES AND SERVICES;<br>FLEET SERVICE;<br>Grain storage facility;<br>HOUSEHOLD REPAIR SERVICE;<br>INDUSTRIAL OPERATION;<br>LUMBER YARD;<br>Manufacturing;<br>MINI-STORAGE;<br>OIL FIELD SERVICE; | ABATTOIR;<br>AGRICULTURE;<br>BUILDING – MOVED IN;<br>BULK OIL, FUEL AND CHEMICAL STORAGE;<br>COMMUNITY HALL;<br>CANNABIS PRODUCTION AND DISTRIBUTION;<br>GOVERNMENT SERVICE;<br>HELICOPTER LANDING PAD;<br>LOGGING SERVICE;<br>MANUFACTURED HOME – MOBILE SALES;<br>PAWNBROKER;<br>PET SERVICE;<br>RECREATIONAL SERVICE – INDOOR;<br>RECYCLING DEPOT;<br>RELOCATABLE INDUSTRIAL ACCOMMODATION;<br>SALVAGE YARD; and |

| | |
|---|---|
| OUTDOOR STORAGE;<br>PROPANE FACILITY;<br>PUBLIC USE;<br>RECREATIONAL VEHICLES SALES AND SERVICE;<br>RECYCLING DEPOT;<br>TAXI SERVICE;<br>TRANSMITTING STATION;<br>VETERINARY CLINIC; and<br>WAREHOUSE. | TEMPORARY BUNKHOUSE. |

## SITE PROVISIONS

**11.1.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the IND LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements as follows:

**TABLE 11.2** IND LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| LOT AREA (minimum) | 950m$^2$/10,225sq.ft. |
| LOT WIDTH (minimum) | 25m/82ft. |
| LOT DEPTH (minimum) | 40m/131.2ft. |
| YARD – FRONT (minimum) | 6m/19.6ft. |
| YARD – FLANKAGE (minimum) | 0m/0ft. however, LOT CORNER must comply with Subsection 5.3 of this BYLAW. |
| YARD – SIDE (minimum) | 0m/0ft. however, the BUILDING must conform to the distances required in the *National Building Code – Alberta Edition*. |
| YARD – REAR (minimum) | 4m/13.1ft. unless the rear boundary abuts a railway right-of-way, in which case, no YARD – REAR is required. |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. or 4 stories |
| LOT COVERAGE (maximum) | 60% |

Note: These requirements are based upon each DEVELOPMENT being contained on its own individual LOT.

## ADDITIONAL REQUIREMENTS

**11.1.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**11.1.3** All industrial establishments located on a SITE bordering a highway shall be screened from the highway in a manner incorporating LANDSCAPING or BERM or both to the satisfaction of the DEVELOPMENT AUTHORITY.

**11.1.4** Any nuisance factor generated by a DEVELOPMENT, including but not limited to:

**a)** dust, fly ash or other particulate matter;

**b)** odorous gas or odorous matter; and

**c)** toxic gas or any other toxic substance;

must be contained within an enclosed ON-SITE BUILDING.

**11.1.5** Article 11.1.4 does not relieve against any compliance with any other standards established by any Federal, Provincial or Municipal enactments.

**11.1.6** All driveways, ACCESSES or approaches from a street to the LOT shall be in a location acceptable to the DEVELOPMENT AUTHORITY. The driveway, ACCESS and approach shall have a steel culvert to enable satisfactory ditch drainage and be HARD-SURFACED.

**11.1.7** PARCELS within the IND LAND USE DISTRICT that have existing residential USES, are permitted to renovate or improve these DWELLING UNITS, so long as no structural changes are undertaken.

**11.1.8** Under no circumstances will the DEVELOPMENT AUTHORITY allow existing residential USES within the IND LAND USE DISTRICT to be replaced with a new DWELLING UNIT.

**11.1.9** Under no circumstances will the DEVELOPMENT AUTHORITY allow PARCELS within the IND LAND USE DISTRICT that do not currently have a residential USE, to add a new residential USE.

**11.1.10** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**11.1.11** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential impacts of the activity shall not adversely affect surrounding USES. Matters that shall be addressed in the application may include, but is not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**11.1.12** When considering a bingo hall, GOVERNMENT SERVICE, PAWNBROKER, PET SERVICE or COMMUNITY HALL as a DISCRETIONARY USE, the applicant must demonstrate the following to the DEVELOPMENT AUTHORITY

**a)** provide the reasons why the USE could not be located within the C-1 LAND USE DISTRICT, such as the scale of the BUILDINGS, PARKING required or that the majority of the land and BUILDINGS within the C-1 LAND USE DISTRICT are occupied; and

**b)** demonstrate the USE does not undermine the ability for acceptable PERMITTED USES to operate in the IND LAND USE DISTRICT.

**11.1.13** When considering a proposed HELICOPTER LANDING PAD in the IND LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider these uses if:

**a)** PARCELS located on both sides of 92 Street from 98 Avenue to 114 Avenue, inclusive of Plan 8320882, Block 4, Lot B; or

**b)** PARCELS located north of 105 Avenue, south of 98 Avenue, and east of the Canadian National Railway line; and

**c)** that all the mandatory provisions in Subsection 5.27 are complied with to the satisfaction of the DEVELOPMENT AUTHORITY.

**11.1.14** When considering an AGRICULTURE USE in the IND LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider the DEVELOPMENT of an industrial or commercial greenhouse.

**11.1.15** Under no circumstances will the DEVELOPMENT AUTHORITY consider an AGRICULTURE USE that includes the cultivation of soil for the growing of crop or the raising of livestock within the IND LAND USE DISTRICT.

**11.1.16** When approved, all TEMPORARY BUNKHOUSES are:

- **a)** subject to a renewable 5-year term agreement with the TOWN;
- **b)** permitted to be operational and utilized from April 1st to October 31st inclusive annually;
- **c)** subject to the approval of a Lot Grading and servicing plans;
- **d)** limited to one DWELLING UNIT per LOT, and must contain adequate water and sewer service satisfactory to the DEVELOPMENT AUTHORITY and the Public Health Inspector; and
- **e)** be subject to the approval by the Public Health Inspector.

**11.1.17** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate any impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**11.1.18** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

- **a)** no SIGN shall exceed a maximum height of 10m/32.8ft.;
- **b)** no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds:
  - **i)** 6m$^2$/64.5sq.ft in SIGN AREA per SIGN FACE for a one or two business BUILDINGS*;*
  - **ii)** 8.75m$^2$/94.1sq.ft. in SIGN AREA per SIGN FACE for a three (3) business BUILDINGS*;*
  - **iii)** 11.5m$^2$/123.7.sq.ft. per SIGN FACE in SIGN AREA for a four (4) business BUILDINGS*;* and
  - **iv)** 14.25m$^2$/153.3sq.ft. in SIGN AREA per SIGN FACE for a five (5) or more business BUILDINGS.
- **c)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4ft. of LOT – FRONTAGE*;* and
- **d)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**11.1.19** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA*;*
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
- **c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and
- **d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**11.1.20** SIGNS – FASCIA are permitted provided that:

- **a)** SIGNAGE does not exceed 12% of the total surface area of the BUILDING face where

the SIGN is to be erected; and

**b)** no individual SIGN shall exceed 3m/9.85ft. in height.

**c)** shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and

**d)** No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**11.1.21** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**11.1.22** SIGNS – SANDWICH are permitted provided that the SIGN shall:

**a)** not exceed a single SIGN FACE area of 0.5$m^2$/5.3sq.ft.;

**b)** no more than one SIGN – SANDWICH is provided per LOT;

**c)** it is not located within the required SIGHT TRIANGLE; and

**d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

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# 12.0 OTHER LAND USE DISTRICTS

## 12.1 CU (COMMUNITY USE) LAND USE DISTRICT

### INTENT

The intent of the CU LAND USE DISTRICT is to provide areas for PUBLIC EDUCATION SERVICES and community services.

### USES

**TABLE 12.1** PERMITTED AND DISCRETIONARY USES IN THE CU LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** ASSISTED LIVING FACILITY;<br>**c)** COLLEGE;<br>**d)** COMMUNITY HALL;<br>**e)** DAY CARE FACILITY;<br>**f)** EMERGENCY SERVICES FACILITY;<br>**g)** EXHIBITION GROUNDS;<br>**h)** GOVERNMENT SERVICE;<br>**i)** HEALTH SERVICE;<br>**j)** HOSPITAL;<br>**k)** NON-PROFIT COMMUNITY SUPPORT SERVICE;<br>**l)** PLACE OF WORSHIP;<br>**m)** PUBLIC EDUCATION SERVICE; | BUILDING – MOVED IN;<br>CEMETERY;<br>HELICOPTER LANDING PAD;<br>Park; and<br>RECREATIONAL SERVICE – INDOOR. |

| | | |
|---|---|---|
| **n)** | PUBLIC USE; and | |
| **o)** | TEMPORARY shelter services. | |

## SITE PROVISIONS

**12.1.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the CU LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements as follows:

**TABLE 12.2** CU LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| YARD – FRONT (minimum) | 7m/22.9ft. |
| YARD – FLANKAGE (minimum) | 4m/13.1ft. |
| YARD – SIDE (minimum) | 4m/13.1ft. |
| YARD – REAR (minimum) | 7m/22.9ft. |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. |
| LOT COVERAGE (maximum) | 60% |

Note: These requirements are based upon each DEVELOPMENT being contained on its own individual LOT.

## ADDITIONAL REQUIREMENTS

**12.1.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**12.1.3** All ACCESSORY DEVELOPMENTS must be of an architectural design that is equivalent in quality and appearance to the PRINCIPAL BUILDING.

**12.1.4** Provisions for adequate vehicular traffic circulation shall be provided on all SITES to the satisfaction of the DEVELOPMENT AUTHORITY.

**12.1.5** PLACES OF WORSHIP shall not exceed the maximum height permitted in the LAND USE DISTRICT where it is proposed or located, unless approved by the DEVELOPMENT AUTHORITY, having due regard to the amenities of the area.

**12.1.6** The SITE upon which a PLACE OF WORSHIP is situated shall have LOT FRONTAGE of not less than 30m/98.4ft. and an area of not less than 900m$^2$/9,687sq.ft..

**12.1.7** In the case where a manse, rectory, parsonage or other BUILDING for use as a clergyman's or clergywoman's residence is to be developed on the same SITE as the PLACE OF WORSHIP, the combined area of the SITE shall not be less than 1,200m$^2$/12,916sq.ft.

**12.1.8** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.1.9** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential effects of the activity do not adversely affect surrounding USES. Matters that shall be addressed in the application may include, and not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**12.1.10** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**12.1.11** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

- **a)** no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds 6m$^2$/64.5sq.ft. in SIGN AREA per SIGN FACE;
- **b)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4ft. of LOT FRONTAGE; and
- **c)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**12.1.12** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA;
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
- **c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and
- **d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**12.1.13** SIGNS – FASCIA are permitted provided that:

- **a)** the total SIGN AREA of the BUILDING does not exceed 5% of the total surface area of the BUILDING face where the SIGNAGE is to be erected; and
- **b)** no individual SIGN shall exceed 1m/3.2ft. in height;
- **c)** shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and
- **d)** no SIGN – FASCIA shall project more than 25cm/9.94in from a wall that a SIGN is affixed to.

**12.1.14** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**12.1.15** SIGNS – SANDWICH are permitted provided that the SIGN shall:

- **a)** not exceed a single SIGN FACE area of 0.5m$^2$/5.3sq.ft.;
- **b)** no more than one SIGN – SANDWICH is provided per LOT;
- **c)** it is not located within the required SIGHT TRIANGLE; and
- **d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.2 P (PARKS) LAND USE DISTRICT

### INTENT

The intent of the P LAND USE DISTRICT is to provide parks and facilities throughout the TOWN for the purpose of public recreation.

### USES

**TABLE 12.3** PERMITTED AND DISCRETIONARY USES IN THE P LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| Park; and<br>Playground. | ACCESSORY BUILDING OR STRUCTURE;<br>BUILDING – MOVED IN<br>CAMPGROUND;<br>CEMETERY;<br>EXHIBITION GROUNDS;<br>PUBLIC USE;<br>RECREATIONAL SERVICE – INDOOR; and,<br>RECREATIONAL SERVICE – OUTDOOR. |

### SITE PROVISIONS

**12.2.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the P LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements as follows:

**TABLE 12.4** P LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| YARD – FRONT (minimum) | 7m/22.9ft. |
| YARD – FLANKAGE (minimum) | 4m/13.1ft. |
| YARD – SIDE (minimum) | 4m/13.1ft. |
| YARD – REAR (minimum) | 7m/22.9ft. |
| BUILDING HEIGHT (maximum) | 10m/32.8ft. |

### ADDITIONAL REQUIREMENTS

**12.2.2** The DEVELOPMENT AUTHORITY may issue a DEVELOPMENT PERMIT subject to such conditions as necessary to meet the purpose of this LAND USE DISTRICT.

**12.2.3** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.2.4** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential effects of the activity do not adversely affect surrounding USES. Matters that shall be addressed in the application may include, and not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**12.2.5** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**12.2.6** SIGNS – FREESTANDING or SIGN – DIRECTORY are permitted provided that:

- **a)** SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds 6m$^2$/64.5sq.ft. in SIGN AREA per SIGN FACE;
- **b)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4t. of LOT FRONTAGE; and
- **c)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**12.2.7** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA;
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
- **c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and
- **d)** no SIGN shall project more than 30cm/9.84in above the roof of a BUILDING.

**12.2.8** SIGNS – SANDWICH are permitted provided that the SIGN shall:

- **a)** not exceed a single SIGN FACE area of 0.5m$^2$/5.3sq.ft.;
- **b)** no more than one SIGN – SANDWICH is provided per LOT;
- **c)** it is not located within the required SIGHT TRIANGLE; and
- **d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.3 A (AGRICULTURAL) LAND USE DISTRICT

### INTENT

The intent of the A LAND USE DISTRICT is to utilize agricultural lands within TOWN and to control land areas which are undeveloped or developed to low intensity, while allowing for an orderly and planned transformation to increasingly intensive future DEVELOPMENTS in these areas.

### USES

**TABLE 12.5** PERMITTED AND DISCRETIONARY USES IN THE A LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| ACCESSORY BUILDING OR STRUCTURE; and<br>AGRICULTURE. | BUILDING – MOVED IN;<br>DWELLING – SINGLE FAMILY;<br>HOME OCCUPATION;<br>MANUFACTURED HOME – MODULAR; and<br>PUBLIC USE. |

### SITE PROVISIONS

**12.3.1** All minimum yards required shall be at the discretion of the DEVELOPMENT AUTHORITY using the requirements of a LAND USE DISTRICT where the DEVELOPMENT is of a PERMITTED USE or DISCRETIONARY USE.

**12.3.2** No BUILDING and/or STRUCTURE shall be placed within 15m/49.2ft. of the top of the bank of or any WATERBODY, unless the requirements of Subsection 5.5 have been complied with to the satisfaction of the DEVELOPMENT AUTHORITY.

**12.3.3** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

### DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.3.4** When considering a residential USE within the A LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall have specific regard for:

**a)** any residential USE shall be secondary to the primary AGRICULTURAL USE of the property; and

**b)** land shall not be further subdivided for the purposes of a large residential DEVELOPMENT.

**12.3.5** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

### SIGNAGE REQUIREMENTS

**12.3.6** SIGNS – PROJECTING are permitted provided that:

**a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA;

**b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;

**c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and

**d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**12.3.7** SIGNS – FASCIA are permitted provided that:

**a)** the total SIGN AREA of the BUILDING does not exceed 5% of the total surface area of the BUILDING face where the SIGNAGE is to be erected; and

**b)** no individual SIGN shall exceed 1m/3.2ft. in height;

**c)** no individual SIGN shall exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and

**d)** no SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**12.3.8** SIGNS – SANDWICH are permitted provided that the SIGN shall:

**a)** not exceed a single SIGN FACE area of 0.5$m^2$/5.3sq.ft.;

**b)** no more than one SIGN – SANDWICH is provided per LOT;

**c)** it is not located within the required SIGHT TRIANGLE; and

**d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.4 R (RESERVE) LAND USE DISTRICT

### INTENT

The intent of the R LAND USE DISTRICT is to restrict DEVELOPMENTS within lands that may contain ENVIRONMENTALLY SENSITIVE AREAS. These lands may be developed after consideration of their natural value in consultation with the Government of Alberta.

### USES

There are no PERMITTED USES in this LAND USE DISTRICT. DISCRETIONARY USES in this LAND USE DISTRICT are Park and PUBLIC USE.

### SITE PROVISIONS

**12.4.1** All DEVELOPMENT shall comply with the requirements of Subsection 5.5 to the satisfaction of the DEVELOPMENT AUTHORITY.

### DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.4.2** When considering a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall have specific regard for potential impacts on ENVIRONMENTALLY SENSITIVE AREAS and could require an applicant to undertake an ENVIRONMENTAL IMPACT ASSESSMENT with the approvals process based upon the direction of the Government of Alberta.

**12.4.3** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## 12.5 DC (DIRECT CONTROL) LAND USE DISTRICT

### INTENT

The intent of the DC LAND USE DISTRICT is to enable COUNCIL to exercise particular control over the USE and DEVELOPMENT of LOTS or BUILDINGS within these LAND USE DISTRICTS. C

### USES

**12.5.1** COUNCIL shall determine the USES that may be permitted within a DC LAND USE DISTRICT.

**12.5.2** Notwithstanding Article 12.5.1, COUNCIL may allow a residential USE within a predominantly industrial area, which is within a DC LAND USE DISTRICT. COUNCIL shall consider the requirements of the *National Building Code – Alberta Edition* and compatibility of adjacent USES, and may impose such standards and conditions they consider appropriate.

### DEVELOPMENT PROVISIONS

**12.5.3** COUNCIL may impose standards and conditions they consider appropriate to regulate a USE.

**12.5.4** COUNCIL may decide on a DEVELOPMENT PERMIT application or may delegate the decision to the DEVELOPMENT AUTHORITY with direction that they consider appropriate.

**12.5.5** COUNCIL or the DEVELOPMENT AUTHORITY may refer to a corresponding conventional LAND USE DISTRICT, or any part of this BYLAW, to determine the regulations, which may be applied to a proposed DC LAND USE DISTRICT permit application.

### SIGNAGE REQUIREMENTS

**12.5.6** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA;
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
- **c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and
- **d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING

**12.5.7** SIGNS – SANDWICH are permitted provided that the SIGN shall:

- **a)** not exceed a single SIGN FACE area of 0.5m$^2$/5.3sq.ft.;
- **b)** no more than one SIGN – SANDWICH is provided per LOT;
- **c)** it is not located within the required SIGHT TRIANGLE; and
- **d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.6 AIRPORT (AP) LAND USE DISTRICT

### INTENT

The intent of the AP LAND USE DISTRICT is to allow DEVELOPMENT at and within the immediate vicinity of the High Level Airport (YOG).

### USES

**TABLE 12.6** PERMITTED AND DISCRETIONARY USES IN THE AP LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDINGS<br>**b)** HANGERS AND TERMINAL FACILITIES<br>**c)** HELICOPTER LANDING PAD | **d)** AGRICULTURE<br>**e)** ALTERNATIVE ENERGY TECHNOLOGY<br>AUTOMOTIVE SALES & RENTALS<br>**f)** BULK OIL, FUEL AND CHEMICAL STORAGE<br>**g)** GOVERNMENT SERVICES<br>**h)** PUBLIC USE<br>**i)** RECREATIONAL VEHICLE SALES AND SERVICES<br>**j)** SHIPPING CONTAINER<br>**k)** RESTAURANT<br>**l)** RETAIL – CONVENIENCE<br>**m)** RETAIL – GENERAL<br>**n)** TOURIST INFORMATION FACILITY<br>**o)** TRANSMITTION STATION |

### SITE PROVISIONS:

Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the AP LAND USE DISTRICT is subject to the LOT, SITE, and BUILDING requirements as follows:

**TABLE 12.7** AP LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| YARD – FRONT (minimum) | 6m/19.6ft |
| YARD – FLANKAGE (minimum) | 0m/0ft. however, LOT CORNER must comply with Subsection 5.3 of this BYLAW. |
| YARD – SIDE (minimum) | 0m/0ft. however, the BUILDING must conform to the distances required in the *National Building Code – Alberta Edition*. |
| YARD – REAR (minimum) | 4m/13.1ft. |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. or 4 stories |
| LOT COVERAGE (maximum) | 60% |

Note: These requirements are based upon each DEVELOPMENT being contained on its own individual LOT.

## ADDITIONAL REQUIREMENTS

**12.6.1** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**12.6.2** All establishments located on a SITE bordering a highway shall be screened from the highway in a manner incorporating LANDSCAPING or BERM or both to the satisfaction of the DEVELOPMENT AUTHORITY.

**12.6.3** Any nuisance factor generated by a DEVELOPMENT, including but not limited to:

a) dust, fly ash or other particulate matter;
b) odorous gas or odorous matter; and
c) toxic gas or any other toxic substance;

must be contained within an enclosed ON-SITE BUILDING.

**12.6.4** Article 12.6.3 does not relieve against any compliance with any other standards established by any Federal, Provincial or Municipal enactments.

**12.6.5** All driveways, ACCESSES or approaches from a street to the LOT shall be in a location acceptable to the DEVELOPMENT AUTHORITY. The driveway, ACCESS and approach shall have a steel culvert to enable satisfactory ditch drainage and be HARD-SURFACED unless otherwise approved by the DEVELOPMENT AUTHORITY.

**12.6.6** PARCELS within the AP LAND USE DISTRICT that have existing residential USES, are permitted to renovate or improve these DWELLING UNITS, so long as no structural changes are undertaken.

**12.6.7** Under no circumstances will the DEVELOPMENT AUTHORITY allow existing residential USES within the AP LAND USE DISTRICT to be replaced with a new DWELLING UNIT.

**12.6.8** Under no circumstances will the DEVELOPMENT AUTHORITY allow PARCELS within the AP LAND USE DISTRICT that do not currently have a residential USE, to add a new residential USE.

**12.6.9** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.6.10** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential impacts of the activity shall not adversely affect surrounding USES. Matters that shall be addressed in the application may include, but is not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**12.6.11** When considering an AGRICULTURE USE in the AP LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider the growing of a crop on parcels larger than 20 acres/8 hectares.

**12.6.12** Under no circumstances will the DEVELOPMENT AUTHORITY consider an AGRICULTURE USE that includes the raising of livestock within the AP LAND USE DISTRICT.

**12.6.13** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate any impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**12.6.14** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

a) no SIGN shall exceed a maximum height of 10m/32.8ft.;
b) no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds:
    a. 6m2/64.5sq.ft in SIGN AREA per SIGN FACE for a one or two business BUILDINGS;
    b. 8.75m2/94.1sq.ft. in SIGN AREA per SIGN FACE for a three (3) business BUILDINGS;
    c. 11.5m2/123.7.sq.ft. per SIGN FACE in SIGN AREA for a four (4) business BUILDINGS; and
    d. 14.25m2/153.3sq.ft. in SIGN AREA per SIGN FACE for a five (5) or more business

**12.6.11** SIGNS – PROJECTING are permitted provided that:

a) no SIGN shall exceed a maximum size of 6m2/64.5sq.ft. in SIGN AREA;
b) no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
c) there shall be a maximum of one SIGN – PROJECTING per business on a property; and
d) no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**12.6.12** SIGNS – FASCIA are permitted provided that:

a) SIGNAGE does not exceed 12% of the total surface area of the BUILDING face where the SIGN is to be erected; and
b) no individual SIGN shall exceed 3m/9.85ft. in height.
c) shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and
d) No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**12.6.13** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**12.6.14** SIGNS – SANDWICH are permitted provided that the SIGN shall:

a) not exceed a single SIGN FACE area of 1$m^2$/10.8sq.ft:
b) no more than one SIGN – SANDWICH is provided per LOT;
c) it is not located within the required SIGHT TRIANGLE; and
d) it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.7 FORESTRY SERVICES (FS) LAND USE DISTRICT

### INTENT

The intent of the FS LAND USE DISTRICT is to accommodate municipal, provincial, and federal forestry related DEVELOPMENT.

### USES

**TABLE 12.8** PERMITTED AND DISCRETIONARY USES IN THE FS LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE<br>**b)** EMERGENCY SERVICES FACILITY<br>**c)** GOVERNMENT SERVICES<br>**d)** OUTDOOR STORAGE<br>**e)** TRANSMITTION STATION<br>**f)** WAREHOUSE | **a)** AGRICULTURE<br>**b)** ALTERNATIVE ENERGY TECHNOLOGY<br>**c)** BULK OIL, FUEL, AND CHEMICAL STORAGE<br>**d)** CAMPGROUND<br>**e)** INDUSTRIAL OPERATION<br>**f)** PUBLIC USE<br>**g)** LOGGING SERVICE<br>**h)** LUMBER YARDS<br>**i)** NON-PROFIT COMMUNITY SUPPORT SERVICES<br>**j)** RECREATIONAL SERVICE - OUTDOOR<br>**k)** RELOCATABLE INDUSTRIAL ACCOMODATION<br>**l)** SHIPPING CONTAINER<br>**m)** TEMPORARY BUNKHOUSE |

### SITE PROVISIONS:

Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the FS LAND USE DISTRICT is subject to the LOT, SITE, and BUILDING requirements as follows:

**TABLE 12.9** FS LAND USE DISTRICT LOT, SITE, AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| YARD – FRONT (minimum) | 6m/19.6ft |
| YARD – FLANKAGE (minimum) | 10m/32.8ft |
| YARD – SIDE (minimum) | 10m/32.8ft |
| YARD – REAR (minimum) | 10m/32.8ft |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. or 4 stories |
| LOT COVERAGE (maximum) | 60% |

Note: These requirements are based upon each DEVELOPMENT being contained on its own individual LOT.

## ADDITIONAL REQUIREMENTS

**12.7.1** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**12.7.2** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

**12.7.3** All DEVELOPMENT PERMIT applications must align with municipal, provincial, or federal priorities and be accompanied by a letter of endorsement from the relevant government authority, except where that government authority is the applicant.

**12.7.4** The DEVELOPMENT AUTHORITY may issue a DEVELOPMENT PERMIT subject to such conditions as necessary to meet the purpose of this LAND USE DISTRICT.

**12.7.5** All establishments located on a SITE bordering a highway shall be screened from the highway in a manner incorporating LANDSCAPING or BERM or both to the satisfaction of the DEVELOPMENT AUTHORITY.

**12.7.6** Any nuisance factor generated by a DEVELOPMENT, including but not limited to:

a) dust, fly ash or other particulate matter;
b) odorous gas or odorous matter; and
c) toxic gas or any other toxic substance;

must be contained within an enclosed ON-SITE BUILDING.

**12.7.7** Article 12.7.6 does not relieve against any compliance with any other standards established by any Federal, Provincial or Municipal enactments.

**12.7.8** All driveways, ACCESSES or approaches from a street to the LOT shall be in a location acceptable to the DEVELOPMENT AUTHORITY. The driveway, ACCESS and approach shall have a steel culvert to enable satisfactory ditch drainage and be HARD-SURFACED unless otherwise approved by the DEVELOPMENT AUTHORITY.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.7.9** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential impacts of the activity shall not adversely affect surrounding USES. Matters that shall be addressed in the application may include, but is not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**12.7.10** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate any impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**12.7.11** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

c) no SIGN shall exceed a maximum height of 10m/32.8ft.;
d) no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds:

e. 6m2/64.5sq.ft in SIGN AREA per SIGN FACE for a one or two business BUILDINGS;
f. 8.75m2/94.1sq.ft. in SIGN AREA per SIGN FACE for a three (3) business BUILDINGS;
g. 11.5m2/123.7.sq.ft. per SIGN FACE in SIGN AREA for a four (4) business BUILDINGS; and
h. 14.25m2/153.3sq.ft. in SIGN AREA per SIGN FACE for a five (5) or more business

**12.7.12** SIGNS – PROJECTING are permitted provided that:

e) no SIGN shall exceed a maximum size of 6m2/64.5sq.ft. in SIGN AREA;
f) no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
g) there shall be a maximum of one SIGN – PROJECTING per business on a property; and
h) no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**12.7.13** SIGNS – FASCIA are permitted provided that:

e) SIGNAGE does not exceed 12% of the total surface area of the BUILDING face where the SIGN is to be erected; and
f) no individual SIGN shall exceed 3m/9.85ft. in height.
g) shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and
h) No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**12.7.14** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

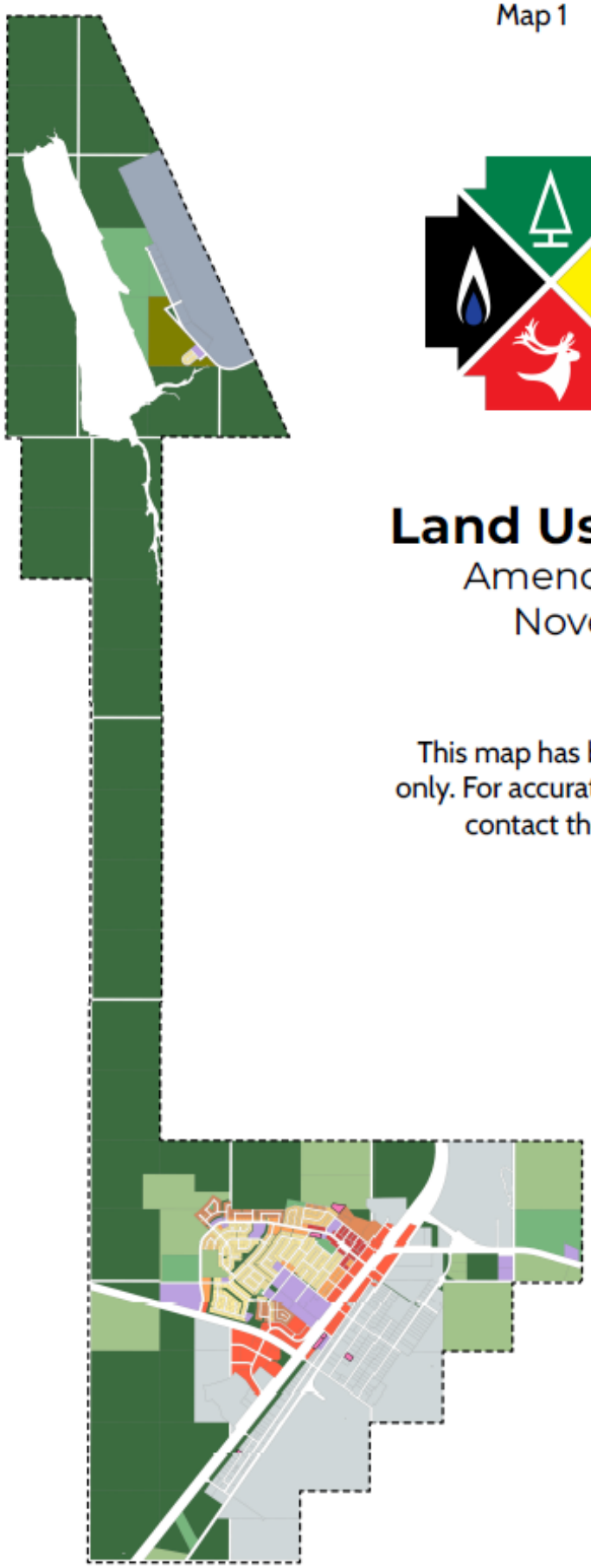
**12.7.15** SIGNS – SANDWICH are permitted provided that the SIGN shall:

e) not exceed a single SIGN FACE area of $1m^2$/10.7sq.ft:
f) no more than one SIGN – SANDWICH is provided per LOT;
g) it is not located within the required SIGHT TRIANGLE; and
h) it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

# APPENDIX 1

# MAPS

Map 1



TOWN OF
HIGH LEVEL

# Land Use Districts Map

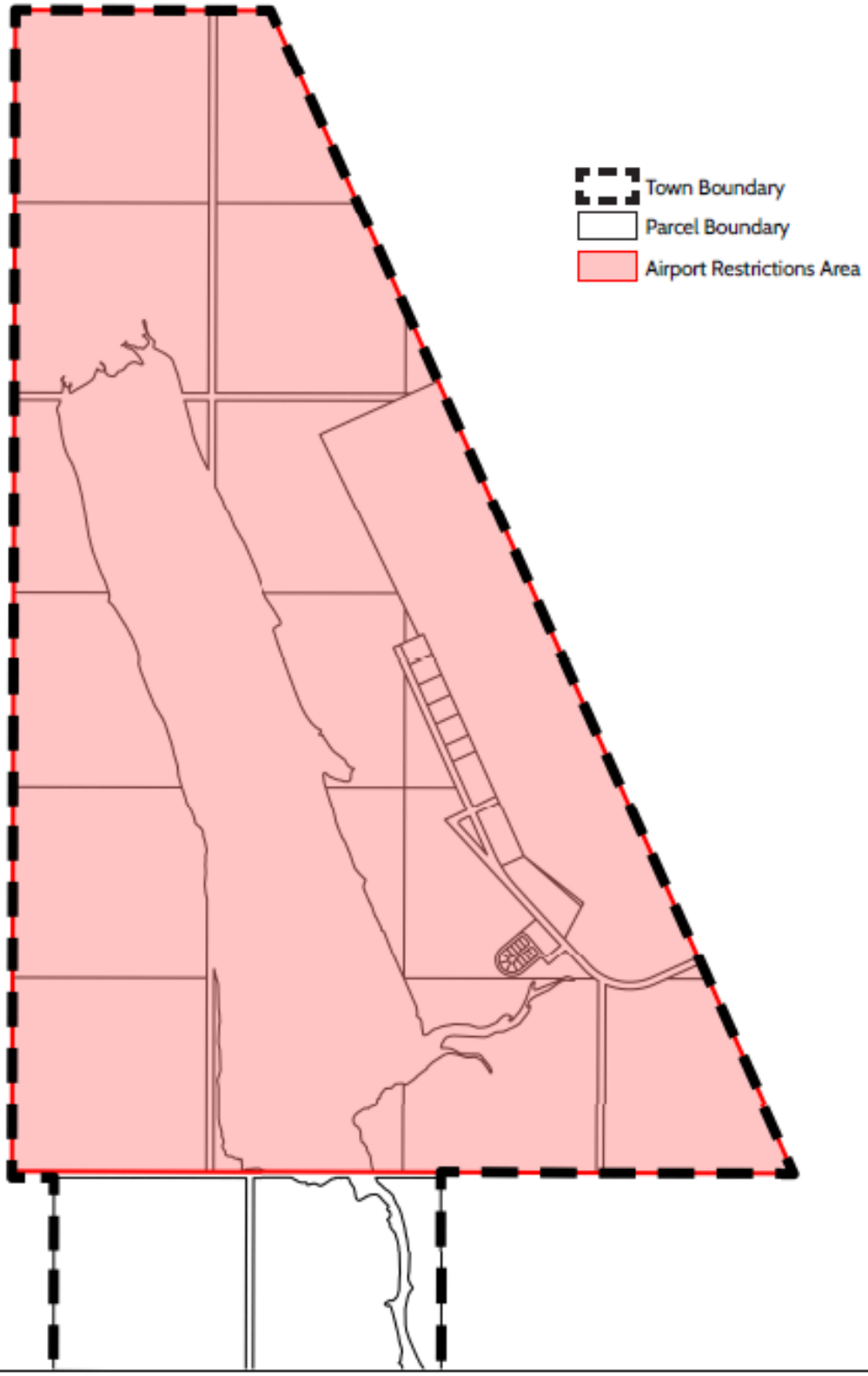
Amendments current to
November 22, 2024

This map has been provided for convenience only. For accurate zoning of individual properties contact the Planning & Development department.

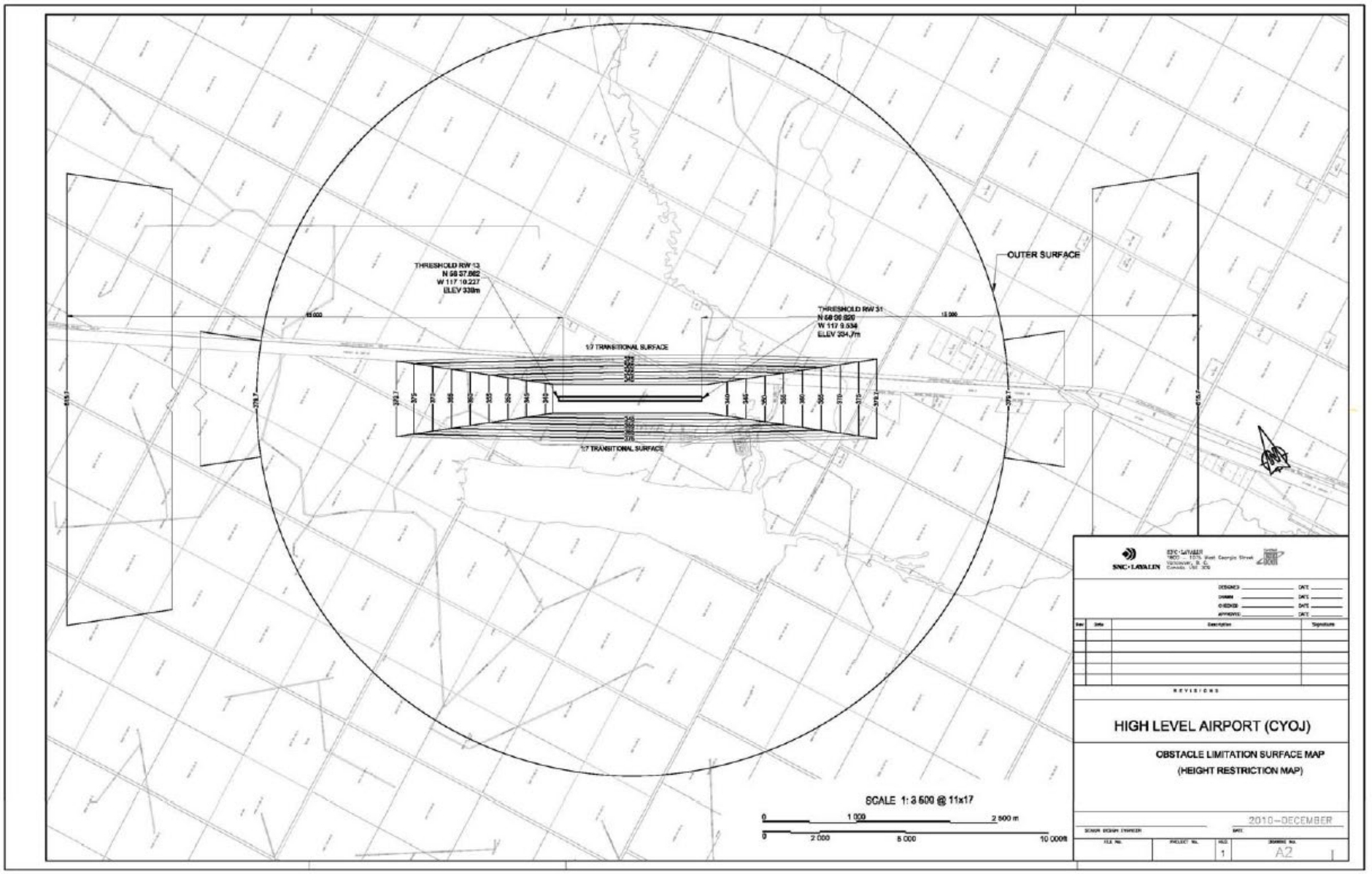
- Town Boundary
- R-1 Low Density Residential
- R-2 Medium Density Residential
- R-3 High Density Residential
- R-4 Manufactured Home
- C-1 Downtown Commercial
- C-3 Highway Commercial
- IND Industrial
- AP Airport
- A Agriculture
- P Parks
- FS Forestry Services
- R Reserve
- CU Community Use
- DC Direct Control

Map 2

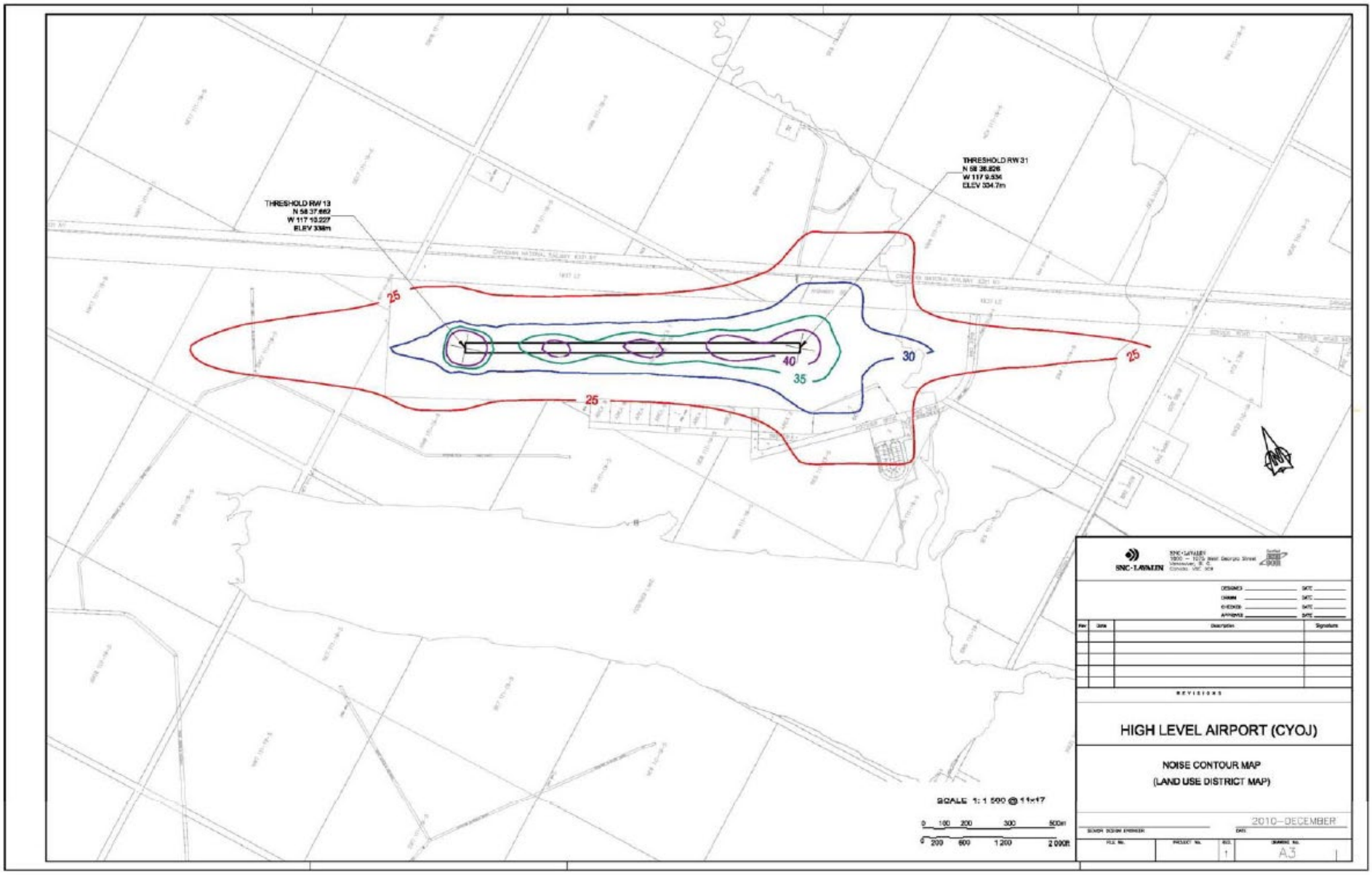
# Airport Restrictions Area



Map 3


THRESHOLD RW 13
N 58 37.062
W 117 10.227
ELEV 338m
THRESHOLD RW 31
N 58 36.820
W 117 9.536
ELEV 334.7m
OUTER SURFACE
1:7 TRANSITIONAL SURFACE
1:7 TRANSITIONAL SURFACE
SCALE 1: 3 500 @ 11x17
0
1 000
2 500 m
0
2 000
5 000
10 000ft
SNC-LAVALIN
REVISIONS
HIGH LEVEL AIRPORT (CYOJ)
OBSTACLE LIMITATION SURFACE MAP
(HEIGHT RESTRICTION MAP)
2010-DECEMBER
A2

Map 4


THRESHOLD RW 13
N 58 37.662
W 117 10.227
ELEV 338m
THRESHOLD RW 31
N 58 26.826
W 117 9.536
ELEV 334.7m
25
25
25
30
35
40
SNC-LAVALIN
HIGH LEVEL AIRPORT (CYOJ)
NOISE CONTOUR MAP
(LAND USE DISTRICT MAP)
SCALE 1: 1 500 @ 11x17
0 100 200 300 500m
0 200 600 1 200 2 000ft
2010-DECEMBER
A3

# APPENDIX 2

# FIGURES

FIGURE 1

# BERMS

A BERM is an elongated mound of earth a minimum of 1m / 3.2ft. in height above the FINISHED GRADE designed to provide SCREENING or noise attenuation within a DEVELOPMENT or between adjacent DEVELOPMENTS.





FIGURE 2

# BOULEVARDS

A BOULEVARD is the portion of land located within a PUBLIC ROADWAY between the vehicular portion of the road and the abutting LOT LINE, but does not include the area used for a sidewalk or trail.

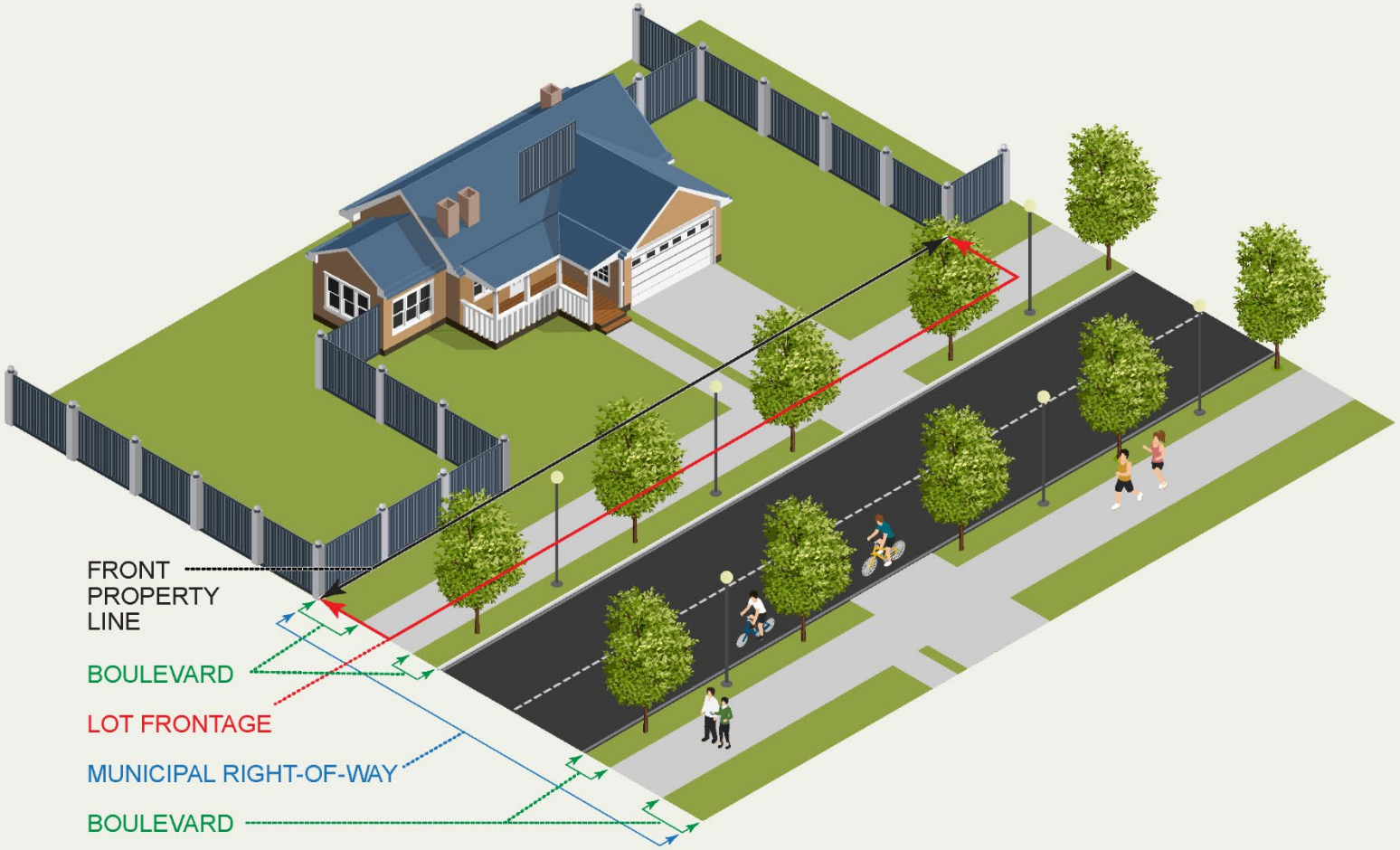


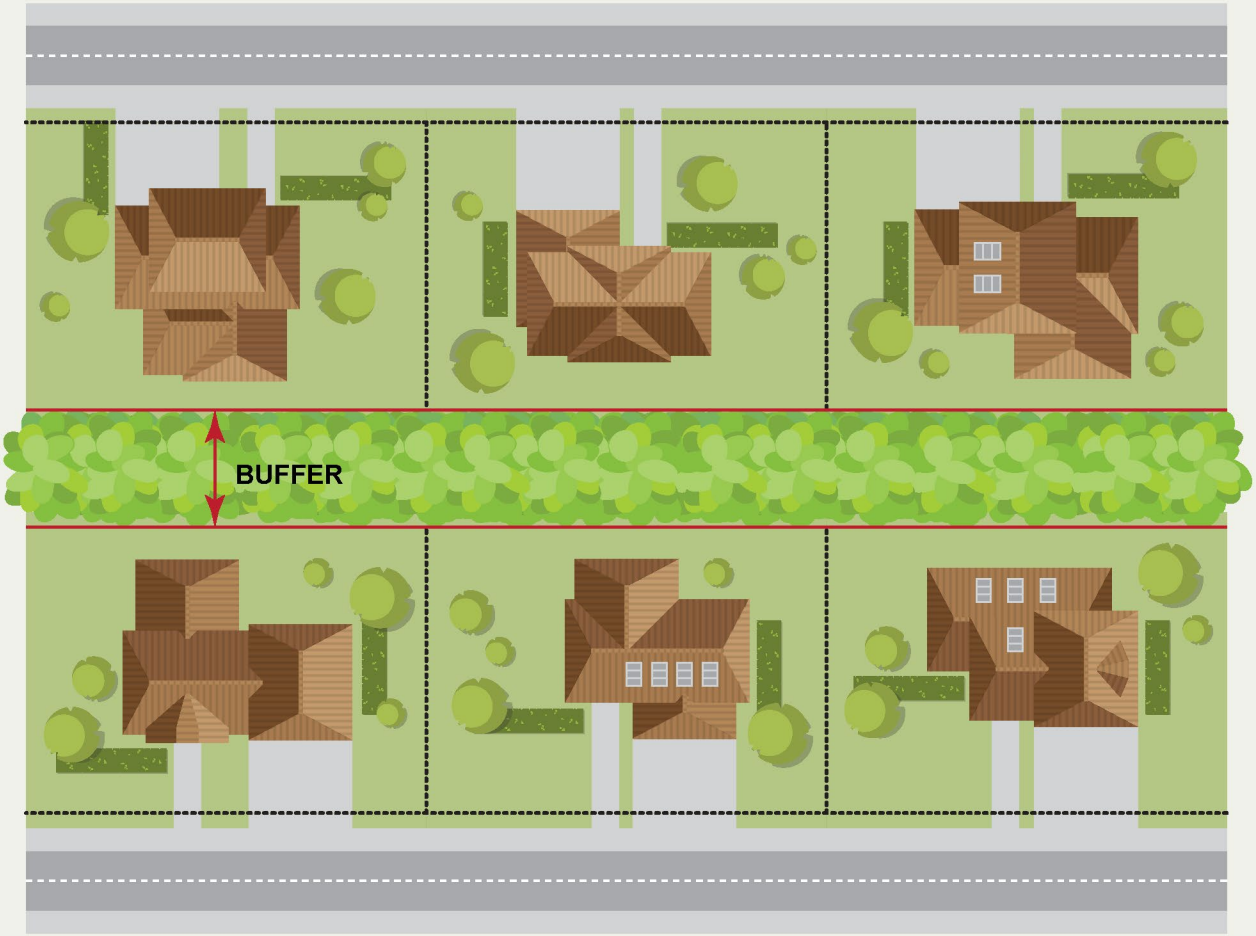





FIGURE 3

# BUFFERS

A BUFFER is a row of trees, shrubs, BERM, architectural devices, walls, fences, other landscape features, or a combination thereof used to provide visual SCREENING and separation between SITES or LAND USE DISTRICTS.





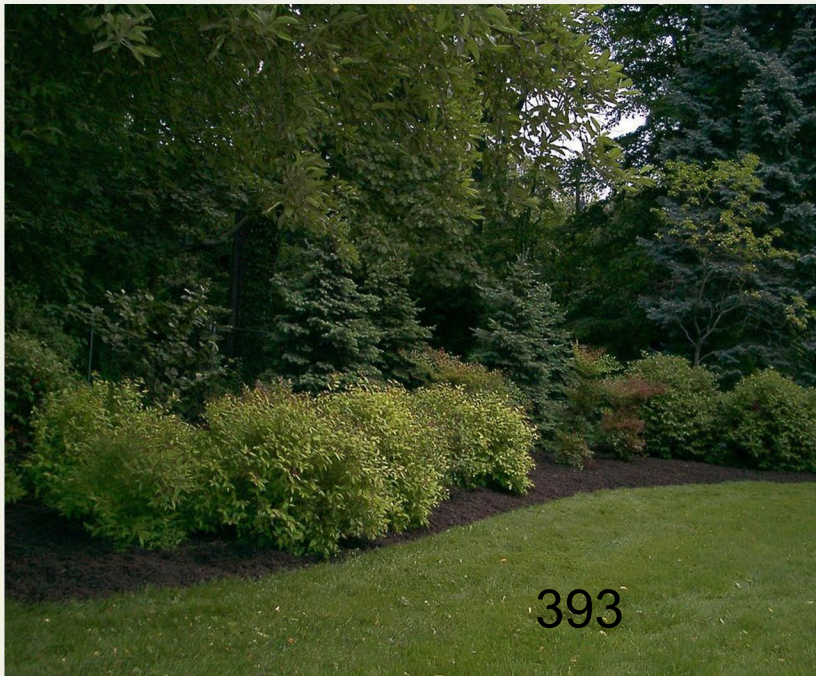



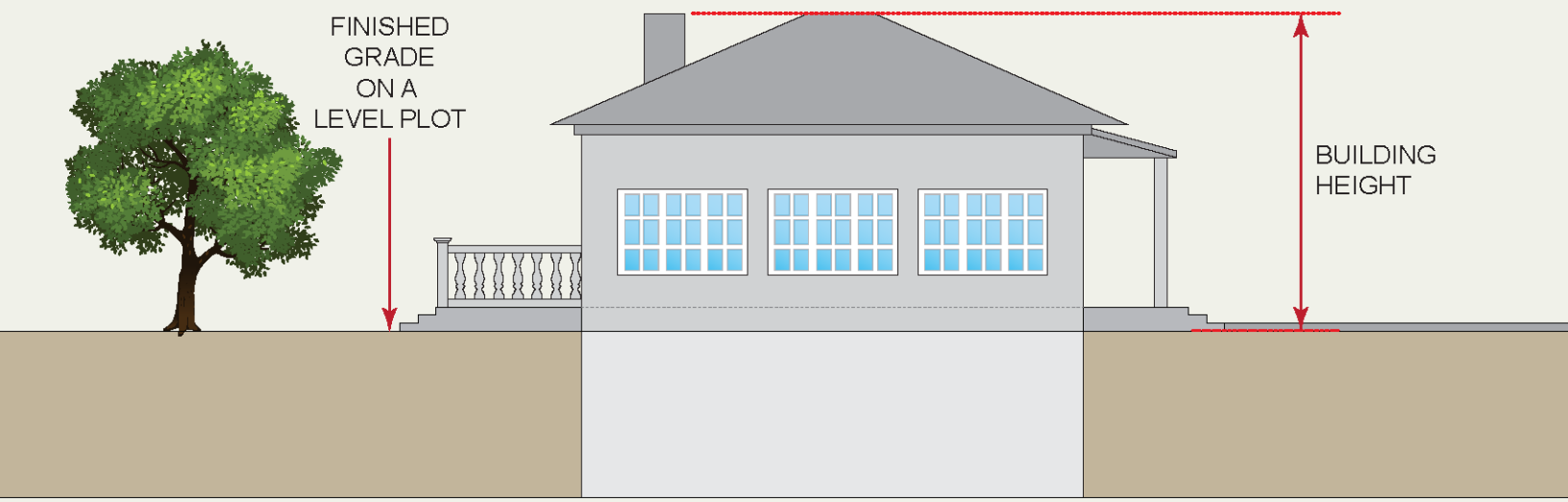
FIGURE 4

# BUILDING HEIGHT AND FINISHED GRADE

BUILDING HEIGHT is the vertical distance measured from the highest FINISHED GRADE, along any wall of a BUILDING and/or STRUCTURE facing a street, to the highest point of the BUILDING and/or STRUCTURE.

FINISHED GRADE is the elevation of the ground at the exterior of a BUILDING when the construction of the BUILDING and LANDSCAPING are complete, which may be shown in an approved plan. On a property with LOT FRONTAGE on two (2) or more streets, the highest FINISHED GRADE shall be taken from the wall featuring the principle entrance to the BUILDING.

BUILDING HEIGHT shall include any accessory roof construction such as mechanical housing, elevator housing, roof stairway entrance, ventilating fan, skylight, flagpole, parapet wall, chimney, steeple or similar feature not structurally essential to the BUILDING, and does not include SIGNS or communications structures.



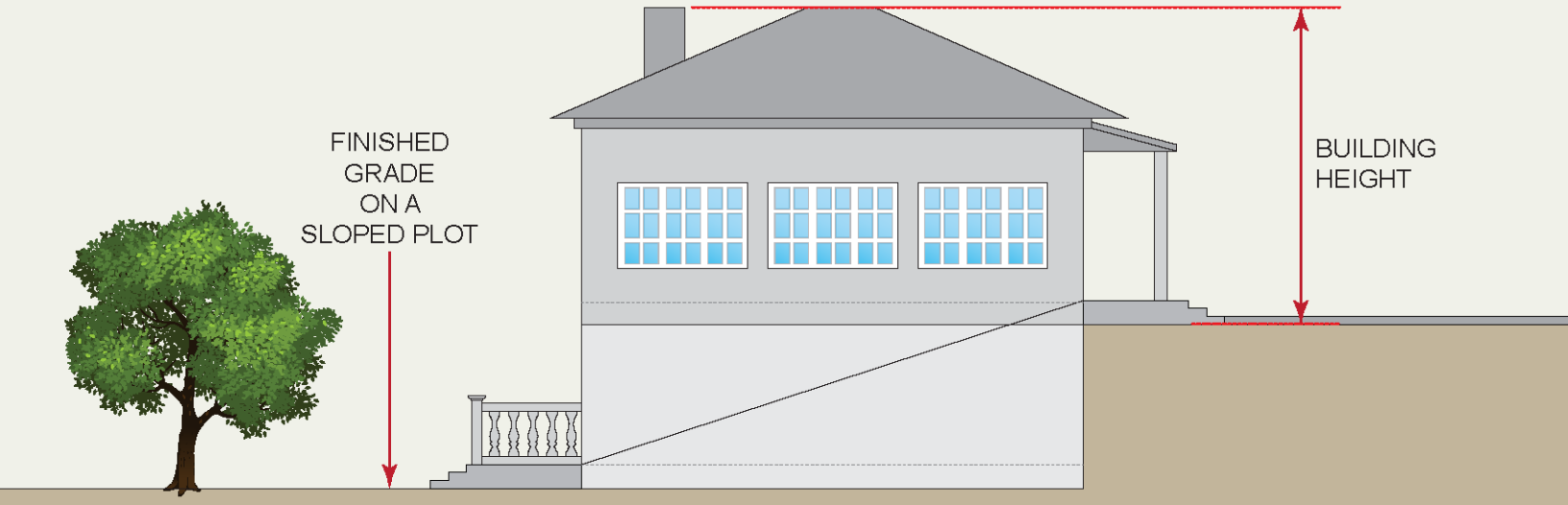



FIGURE 5

# CARPORTS AND GARAGES

A CARPORT (below, left) is a roofed STRUCTURE attached to a DWELLING UNIT that is designed for the PARKING and storage of MOTOR VEHICLES, which is open on at least two (2) sides providing unobstructed ACCESS to the YARD – REAR.





A GARAGE is an ACCESSORY USE and/or where a portion of the PRINCIPAL BUILDING is used in conjunction with a DWELLING UNIT principally for the private PARKING or storage of MOTOR VEHICLES for personal transportation and recreation. A GARAGE is not a DWELLING UNIT. A GARAGE – ATTACHED (above, right) is a GARAGE attached to a PRINCIPAL BUILDING. A GARAGE – DETACHED (below, left) is a GARAGE that is not part of a PRINCIPAL BUILDING. A GARAGE – PORTABLE OR TEMPORARY (below, right) is a GARAGE that is designed to be collapsible in nature.






FIGURE 6

# FLOOR AREA

FLOOR AREA is the area of an individual STOREY or BASEMENT of a BUILDING and/or STRUCTURE measured from the outside surface of the exterior walls.



FLOOR AREA does not include the area used for a mechanical room, stairwells, air handling equipment, garbage storage, electrical room, GARAGE – ATTACHED and car PARKING areas.

FLOOR AREA – GROSS is the aggregate of the FLOOR AREAS of a BUILDING above FINISHED GRADE, measured between the exterior faces of the exterior walls of the BUILDING at each floor level.

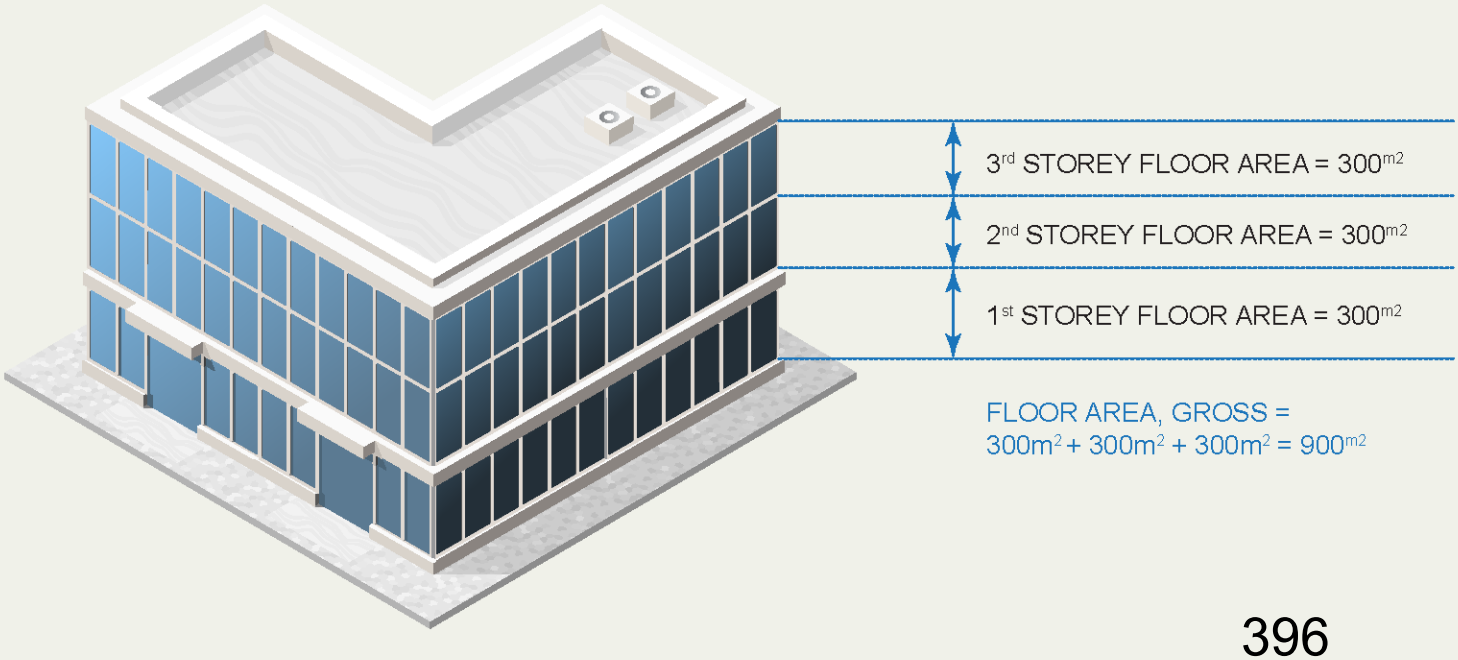


FIGURE 7

# GROUND FLOOR AND STOREYS

A GROUND FLOOR is the lowest full STOREY that is located entirely above the FINISHED GRADE.

A STOREY is a complete horizontal section of a BUILDING, having one (1) continuous or, practically continuous floor, with all the rooms on the same level. Any floor, which is at least 1.5m / 4.9ft. below FINISHED GRADE, is considered a BASEMENT and not a STOREY.

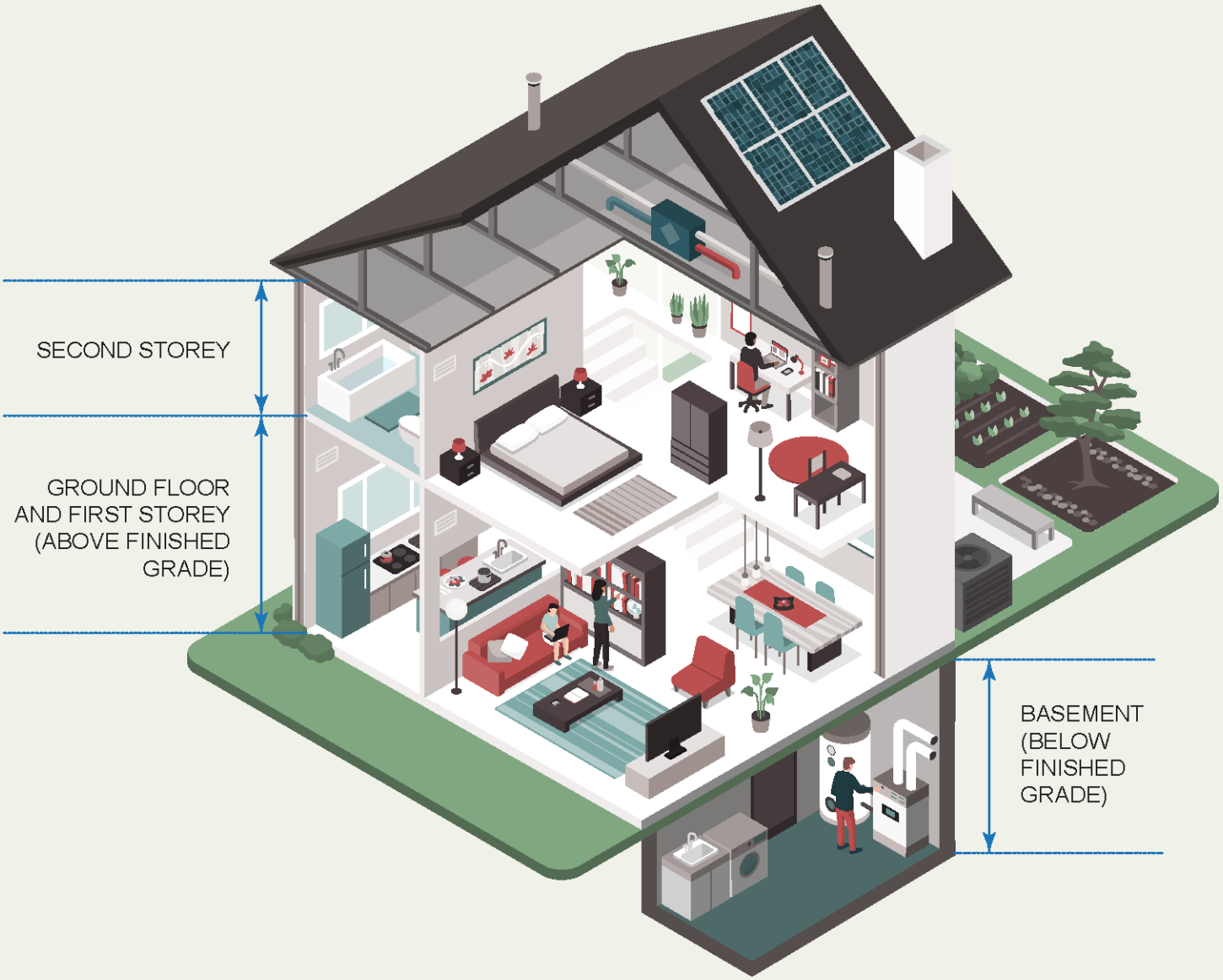


FIGURE 8

# HELICOPTER LANDING PADS

A designated landing area or platform for helicopters, which may be located on a roof, at or elevated above FINISHED GRADE.

## REGARDING ALL COMMUNITY USE AND [SELECT] INDUSTRIAL LAND USE DISTRICTS

| PREVIOUSLY CONSIDERED | NOW CONSIDERED |
|---|---|
| Community Use Land Use District, Discretionary Uses: Helicopter Landing Pad. | Community Use Land Use District, Discretionary Uses: Helicopter Landing Pad. |
| None | Industrial Land Use District, Discretionary Uses: Helicopter Landing Pad. |

diameter of primary rotor blade + 3m / 9.84ft



**MINIMUM SETBACK FROM ALL BUILDINGS AND STRUCTURES**

**DIAMETER OF PRIMARY ROTARY BLADE PLUS 3m / 9.84ft.**

diameter of primary rotor blade + 3m / 9.84ft



| PREVIOUS GUIDELINES | NEW GUIDELINES |
|---|---|
| None | HELICOPTER LANDING PADS require a DEVELOPMENT PERMIT. |
| None | HELICOPTER LANDING PADS will be considered a Discretionary Use on all parcels within a Community Use LAND USE DISTRICT. |
| None | HELICOPTER LANDING PADS will be considered a Discretionary Use in the Industrial LAND USE DISTRICT, only within select PARCELS - see Article 5.27.3 of the BYLAW for the more information. |
| None | The specifications and design elements of all HELICOPTER LANDING PADS must meet and maintain the minimum requirements as established by the *Canadian Aviation Regulations*. |
| None | The minimum setback from all buildings and structures for HELICOPTER LANDING PADS shall be the diameter of the helicopter's primary rotor blade, plus 3m / 9.84 ft. |
| None | The minimum setback from all LOT LINE – FRONT for HELICOPTER LANDING PADS shall be 20m / 65.61ft., with a minimum SETBACK of 10m / 32ft. from all LOT LINE – SIDES. |
| None | All proposed operations must conform to mandatory *Canadian Aviation Regulations* and function in a manner that mitigates potential noise, dust and nusinace issues that may affect adjacent landowners. |

FIGURE 9

# LANES

A LANE is a PUBLIC ROADWAY, not exceeding 9.1m / 29.8ft. in width, which provides a secondary means of ACCESS to a LOT.

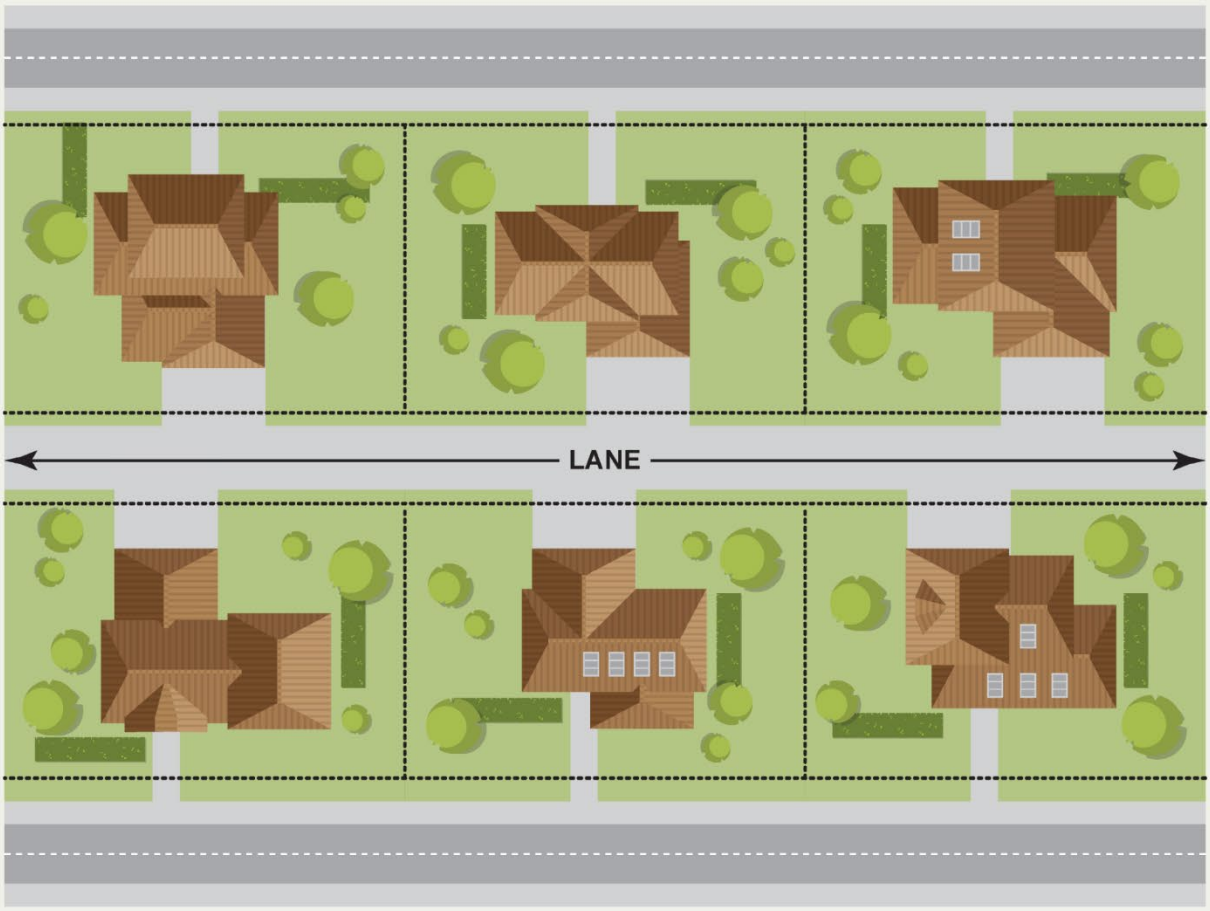







FIGURE 10

# LOT CORNER AND LOT THROUGHS

A LOT CORNER is a LOT located at the intersection of two (2) or more PUBLIC ROADWAYS.



A LOT – THROUGH is any LOT other than a LOT CORNER having an ACCESS on two (2) streets.

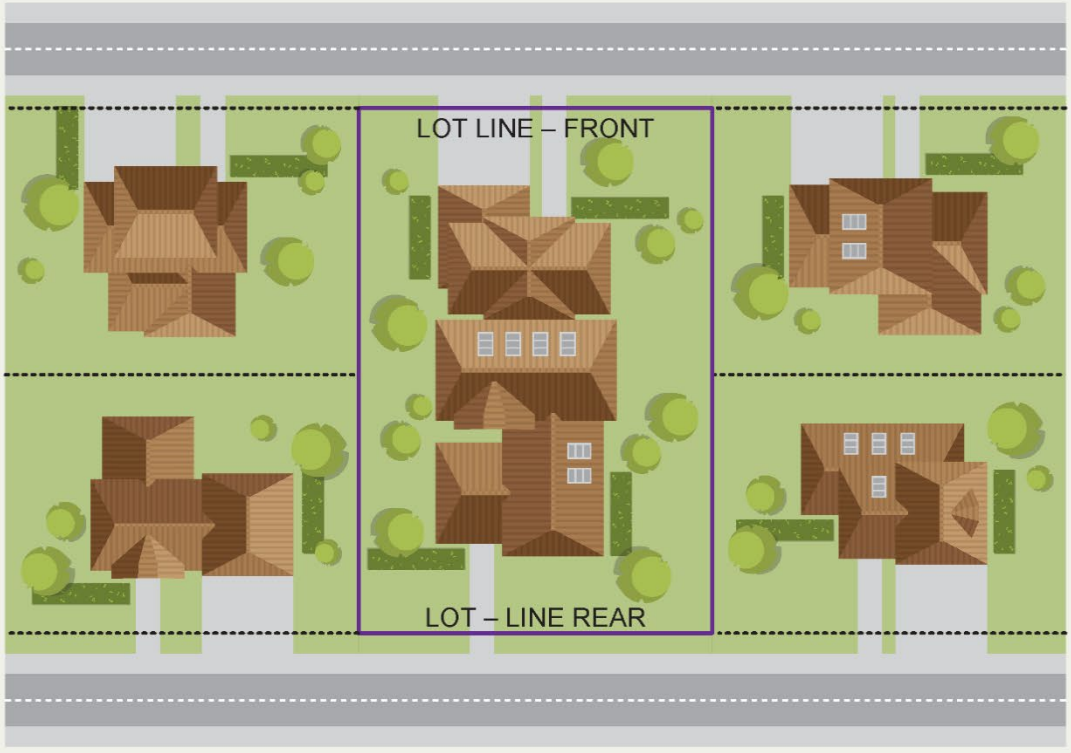


FIGURE 11

# LOT DEPTH, LOT WIDTH AND LOT FRONTAGE

LOT DEPTH is the distance between the mid point of the LOT LINE – FRONT and the mid point of the LOT LINE – REAR.

LOT FRONTAGE is the length of the LOT LINE – FRONT abutting a PUBLIC ROADWAY. In the case of LOT CORNER, both the LOT LINE – FRONT and LOT LINE – FLANKAGE are considered to have LOT FRONTAGE.

LOT WIDTH is the average horizontal distance between the LOT LINE – SIDES as determined by the DEVELOPMENT AUTHORITY. In the case of LOT CORNER, LOT WIDTH means the average horizontal distance between the LOT LINE – SIDE and the LOT LINE – FLANKAGE.

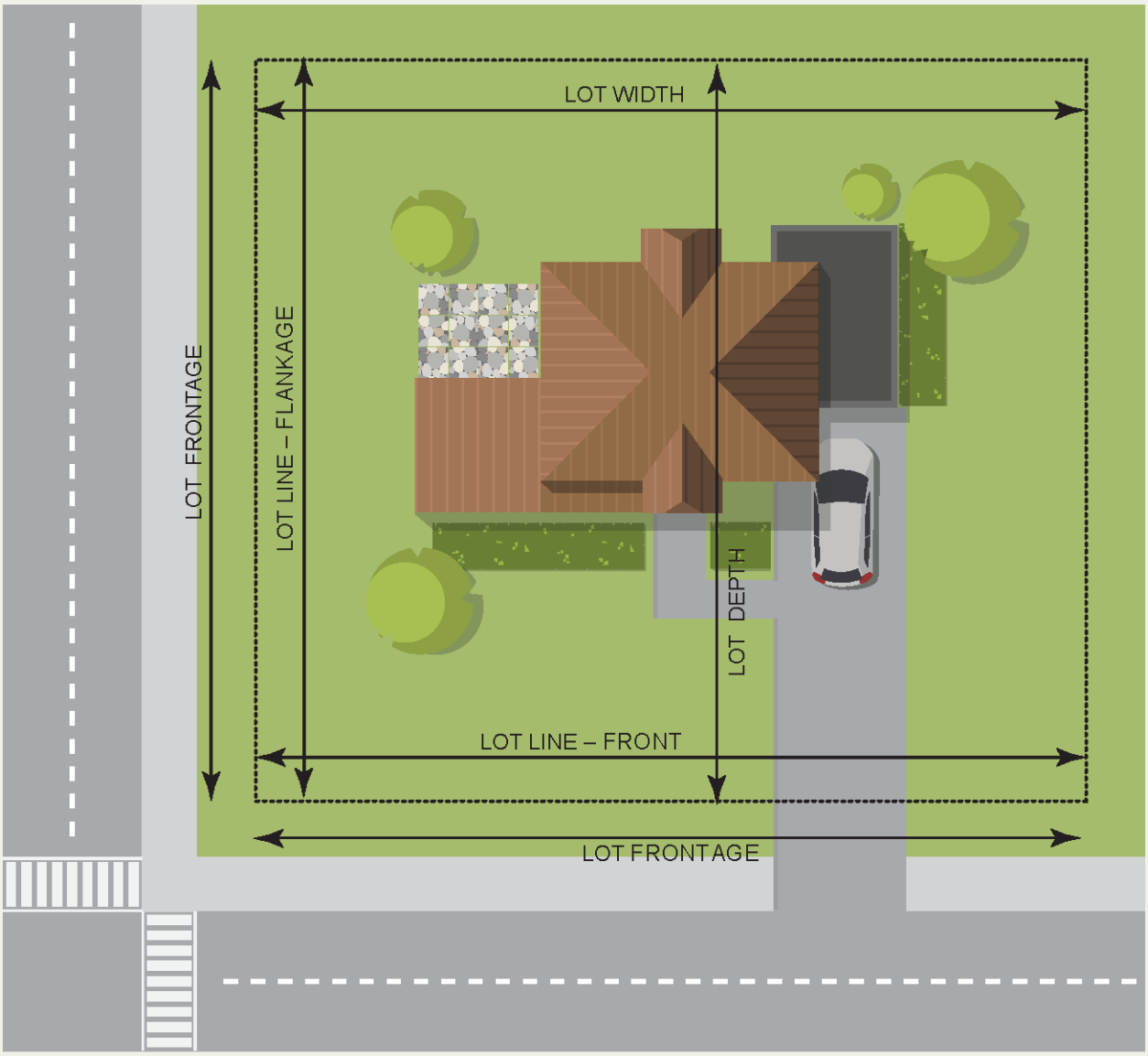


FIGURE 12

# LOT LINE – FLANKAGE, LOT LINE – FRONT, LOT LINE – REAR AND LOT LINE – SIDE

LOT LINES are the legally defined boundary of a LOT. A LOT LINE – FLANKAGE, in the case of a LOT CORNER, is the longest LOT LINE that abuts a PUBLIC ROADWAY, other than a LANE.

A LOT LINE – FRONT is the boundary dividing the LOT from an abutting PUBLIC ROADWAY, other than a LANE. In the case of a LOT CORNER, the shortest LOT LINE that abuts a PUBLIC ROADWAY, other than a LANE shall be the LOT LINE – FRONT.

A LOT LINE – REAR is the LOT LINE that is opposite to the LOT LINE – FRONT.

A LOT LINE – SIDE is the LOT LINE other than the LOT LINE – FRONT or LOT LINE – REAR.

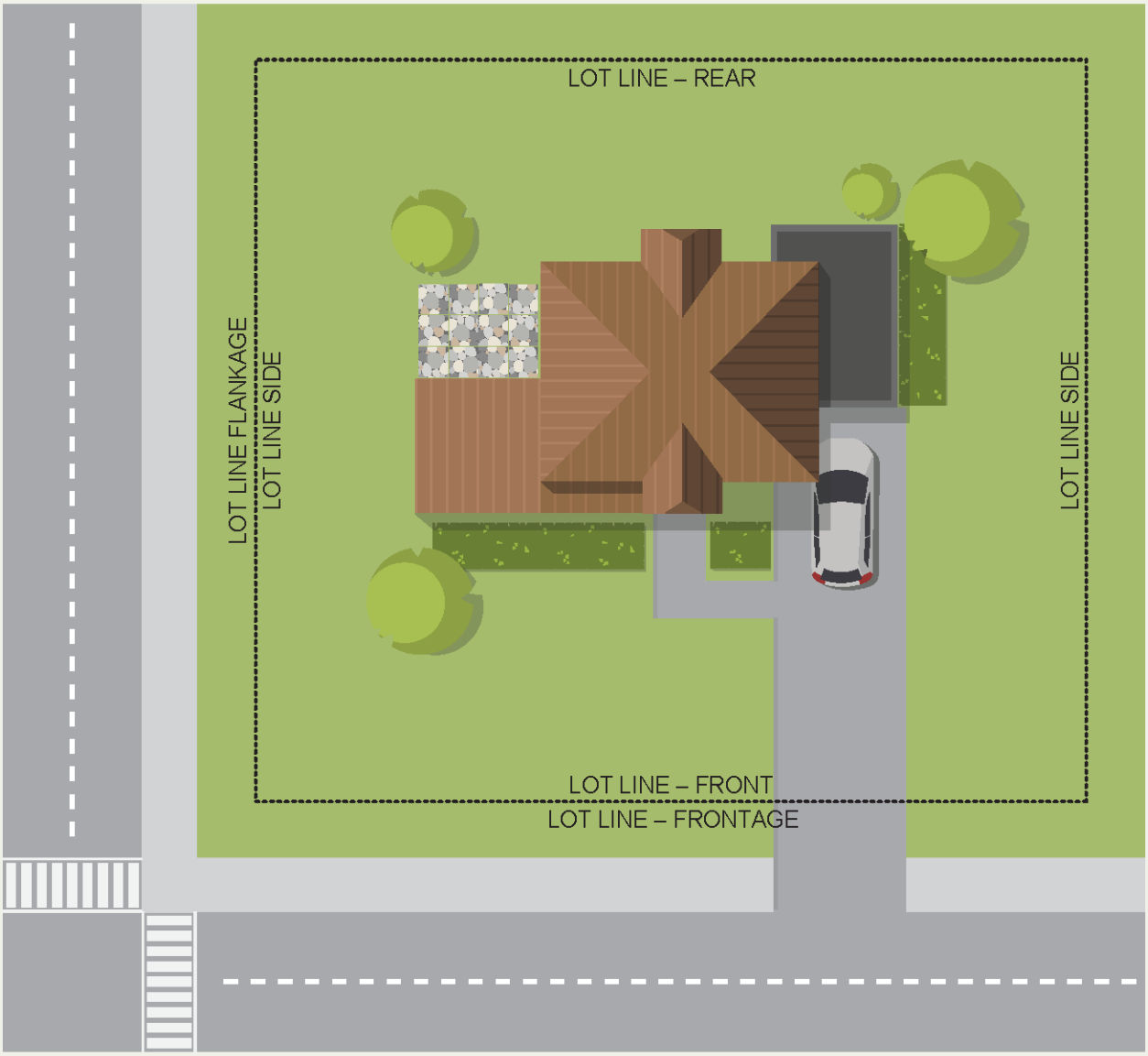


FIGURE 13

# MANUFACTURED HOMES MOBILE AND MANUFACTURED HOMES MODULAR

A MANUFACTURED HOME – MOBILE is a DWELLING UNIT, whether originally equipped with a heavy transport chassis, a hitch and wheel assembly or not, that is manufactured in a controlled environment that conforms to CSA-Z240 of the *National Building Code – Alberta Edition*, is transported from one place to another as a single unit, or in two (2) sections if a double-wide unit. A MANUFACTURED HOME – MOBILE does not require a PERMANENT FOUNDATION, can be anchored on a concrete or wood block foundation, and does not include a MANUFACTURED HOME – MODULAR or MANUFACTURED HOME – READY TO MOVE.



A MANUFACTURED HOME – MODULAR is a DWELLING UNIT that is manufactured in a controlled environment, which conforms to CSA-A277 of the *National Building Code – Alberta Edition* at the time of manufacture, is transported and assembled on a PARCEL in one or more sections. MANUFACTURED HOME – MODULAR does not have a chassis, a hitch or wheel assembly, and the sections may be stacked vertically or placed side-by-side. MANUFACTURED HOME – MODULAR must be placed upon a PERMANENT FOUNDATION, includes MANUFACTURED HOME – READY TO MOVE, but does not include DWELLING SINGLE-FAMILY, DWELLING – DUPLEX or MANUFACTURED HOME – MOBILE.



FIGURE 14

# PARTY WALLS

A PARTY WALL (dotted lines, below) is a wall separating DWELLING – DUPLEX, DWELLING – TOWNHOUSE or DWELLING – MULTIPLE UNIT above and/or below grade, that is jointly owned and used by two (2) separate parties under an EASEMENT or PARTY WALL agreement, or by a right in law, and erected at or upon a line separating two (2) PARCELS of land each of which is, or capable of being, a separate real-estate entity.





FIGURE 15

# RETAINING WALLS

A RETAINING WALL is a STRUCTURE designed to support and retain any material (usually earth) on a SITE.





FIGURE 16

# SHIPPING CONTAINERS

A SHIPPING CONTAINER is a steel SHIPPING CONTAINER for ACCESSORY USE to the PRINCIPAL BUILDING.





FIGURE 17

# SIGHT TRIANGLE

A SIGHT TRIANGLE is the triangle formed by a straight line drawn between two points; one located along a LOT LINE – FRONT and the second along a LOT LINE – SIDE, at a distance of 7.5m / 24.63ft. from the point where the LOT LINES intersect at a PUBLIC ROADWAY intersection. Objects such as SIGNS, trees, BUILDINGS and/or STRUCTURES cannot be situated within the SIGHT TRIANGLE.

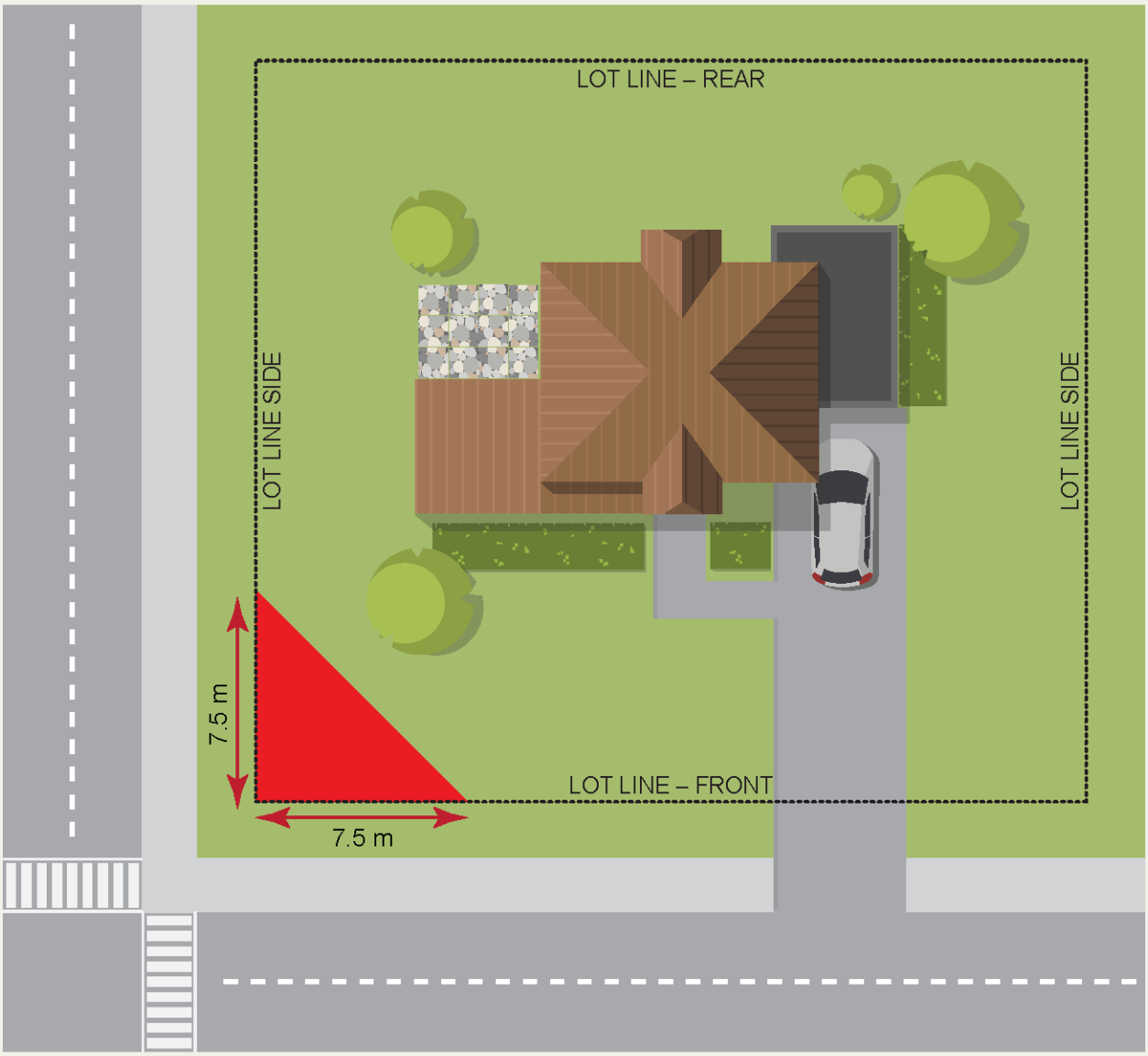


FIGURE 18

# SIGNS

A SIGN OR SIGNAGE is an object, STRUCTURE or device used for the purpose of identification or advertising, or to call attention to any person, matter or event, or to provide direction.



SIGN – BILLBOARD




SIGN – CANOPY



SIGN – DIRECTORY







SIGNS – FASCIA




SIGN – FREESTANDING



SIGN – ILLUMINATED






SIGNS – PORTABLE OR MOBILE




SIGN – PROJECTING




SIGN – ROOF



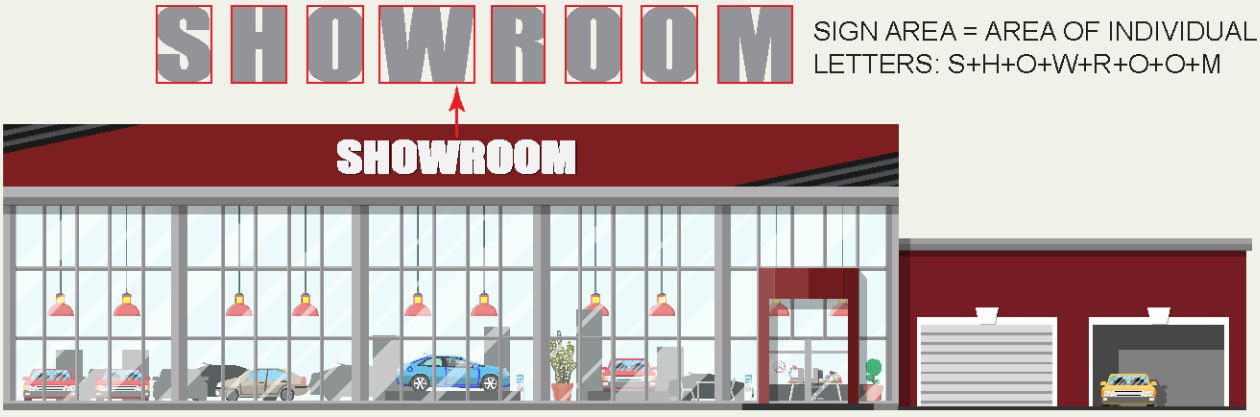
SIGN – SANDWICH

FIGURE 19

# SIGN AREA

SIGN AREA is the total visible surface area of the SIGN. In the case of SIGN – FASCIA with individual lettering, the sum of the combined areas of each individual letter is the total SIGN AREA.



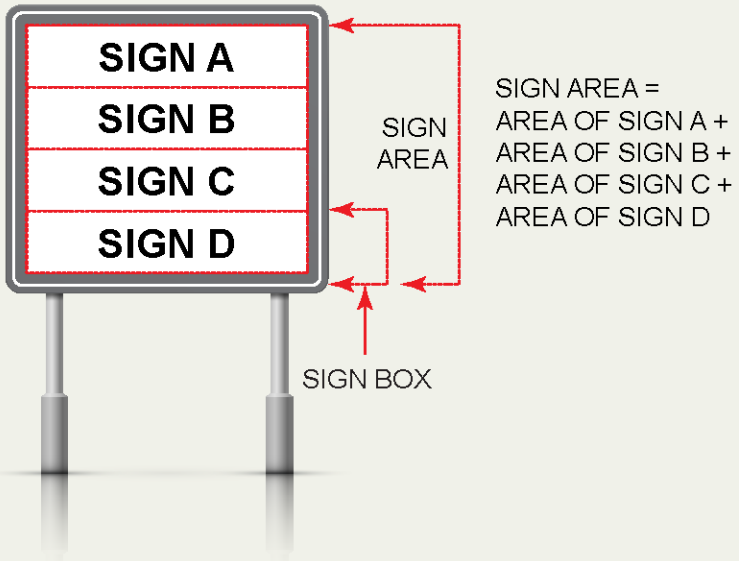



FIGURE 20

# YARD – FLANKAGE, YARD – FRONT, YARD – REAR AND YARD – SIDE




YARD – FLANKAGE is a YARD – SIDE abutting the road of a LOT CORNER. YARD – FLANKAGE is determined by the horizontal dimension measured from a LOT LINE – FLANKAGE at a right angle to the nearest point of a wall of any BUILDING and/or STRUCTURE on the LOT.

YARD – REAR is a yard extending across the full width of a SITE from the LOT LINE – REAR to the nearest point on the exterior of any BUILDING and/or STRUCTURE situated on the SITE, measured at right angles to the LOT LINE – REAR.




YARD – FRONT is a yard extending across the full width of a SITE from the LOT LINE – FRONT to the nearest point on the exterior of any BUILDING and/or STRUCTURE situated on the LOT measured at right angles to the LOT LINE – FRONT.

YARD – SIDE is the horizontal dimension measured from a LOT LINE – SIDE at a right angle to the neareast point of a wall of any BUILDING and/or STRUCTURE on the LOT.



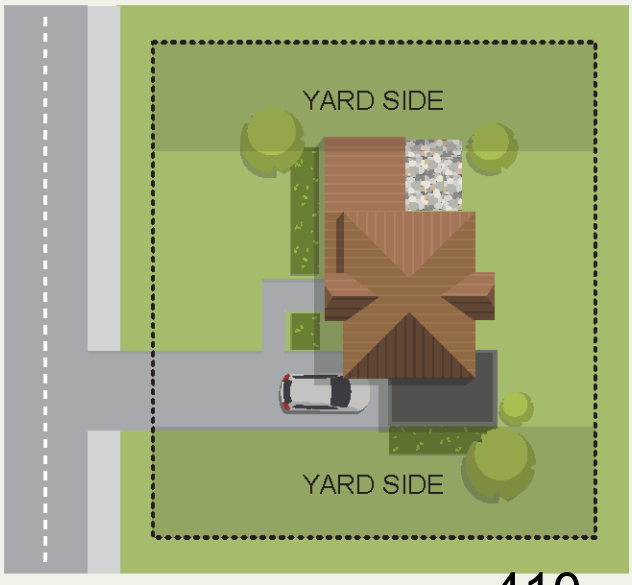



FIGURE 21

# BOULEVARD LANDSCAPING

An applicant whose DEVELOPMENT involves the creation of a new ACCESS within the PUBLIC RIGHT-OF-WAY, shall be responsible for the construction or replacement of a BOULEVARD.



All applications for LANDSCAPING of a BOULEVARD are subject to the specified conditions of an approved DEVELOPMENT PERMIT, or a DEVELOPMENT AGREEMENT that will specify all mandatory design elements.



FIGURE 22

# PARKING LOT LANDSCAPING

Any PARKING LOT abutting a public street, park or residential land-use shall be separated by a 2m / 6.5ft. landscaped BUFFER. The DEVELOPMENT AUTHORITY may also consider an opaque wooden fence as an alternative to a landscaped BUFFER.






FIGURE 23

# USING BERMS AS LANDSCAPED BUFFERS





An example of a vegetative BERM as a landscaped BUFFER:



FIGURE 24

# GARBAGE STORAGE

Garbage storage within Commercial and Industrial LAND USE DISTRICTS, or as part of a MANUFACTURED HOME – MOBILE COMMUNITY shall be fully screened, not be located within any residential minimum yard, and not have garbage piled higher than the fence designed to screen it.





FIGURE 25

# PARKING STALL AND AISLE EXPLANATION

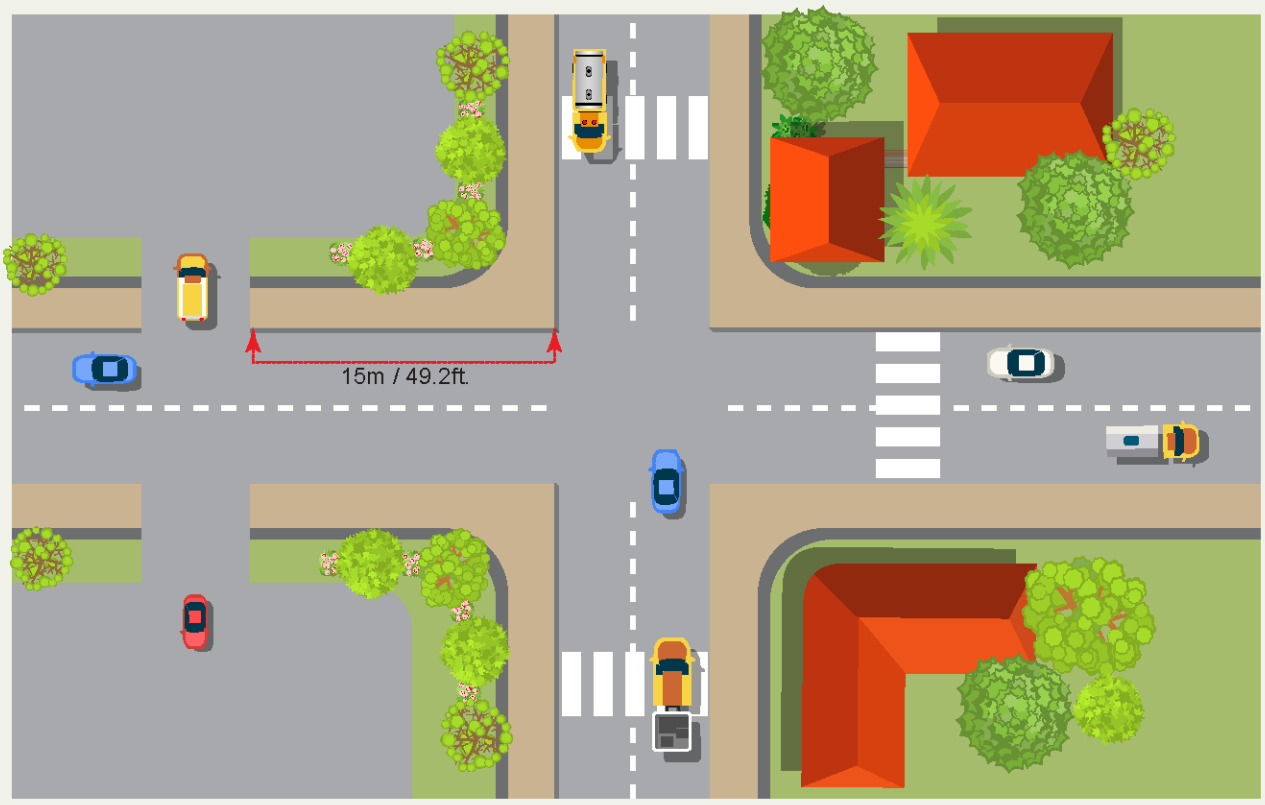




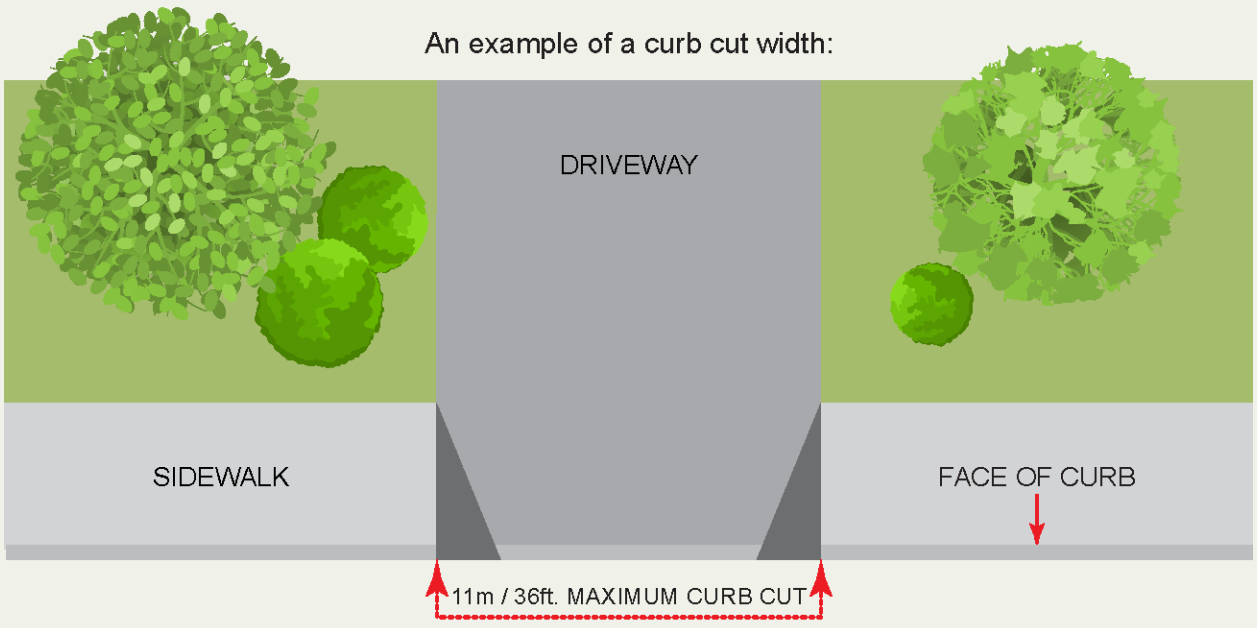

FIGURE 26

# ACCESS SEPARATION AND CURB CUTS

An example of ACCESS separation from an intersection of street right-of-ways:




An example of a curb cut width:



– END OF DOCUMENT –

# Land Use Bylaw

## No. 1051-25

**TOWN OF HIGH LEVEL**



# AMENDING LAND USE BYLAW INDEX

## LAND USE BYLAW AMENDMENTS

| BYLAW # | DESCRIPTION | ADOPTED |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |

## REZONING LAND USE BYLAW AMENDMENTS

| BYLAW # | DESCRIPTION | ADOPTED |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |

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1

# 1.0 ENACTMENT

## 1.1 TITLE OF THIS BYLAW

**1.1.1** This BYLAW shall be known as, and may be cited as the "Town of High Level Land Use Bylaw".

## 1.2 PURPOSE OF THIS BYLAW

**1.2.1** Pursuant to Section 640 of the *Municipal Government Act,* the purpose of this BYLAW is to regulate the USE and development of land and BUILDINGS within the boundaries of the Town of High Level, to ensure the orderly development of land and to:

**a)** Divide the TOWN into LAND USE DISTRICTS;
**b)** Prescribe and regulate the PERMITTED USE and DISCRETIONARY USE of LOTS or BUILDINGS within each LAND USE DISTRICT;
**c)** Provide the method used for issuance of and decision-making on applications for DEVELOPMENT PERMITS;
**d)** Provide the manner in which a notice of issuance for a DEVELOPMENT PERMIT is given;
**e)** Establish the number and type of DEVELOPMENT allowed on a PARCEL or LOT;
**f)** Establish general DEVELOPMENT standards and specific land USE regulations;
**g)** Establish PARKING, SIGNAGE and LANDSCAPING standards;
**h)** Establish SUBDIVISION design standards; and
**i)** Provide information on the process of appealing DEVELOPMENT decisions.

## 1.3 APPLICATION OF THIS BYLAW

**1.3.1** The provisions of this BYLAW apply to all lands and BUILDINGS within the boundaries of the Town of High Level, pursuant to Division 5 of Part 17 of the *Municipal Government Act*.

## 1.4 EFFECTIVE DATE OF THIS BYLAW

**1.4.1** This BYLAW comes into force and takes effect upon the date of its third and final reading by COUNCIL.

**1.4.2** Land Use Bylaw No. 1018-25, and all amendments thereto, are hereby repealed and replaced.

## 1.5 CONFORMITY WITH THIS BYLAW

**1.5.1** No person shall commence any DEVELOPMENT within the TOWN except in conformity with this BYLAW.

**1.5.2** Compliance with this BYLAW does not exempt any person or entity from the requirements of any adopted Statutory Plan, Federal or Provincial regulation.

## 1.6 OTHER LEGISLATIVE AND BYLAW REQUIREMENTS

**1.6.1** Nothing in this BYLAW affects the duty or obligation of a person to obtain a DEVELOPMENT PERMIT as required by this BYLAW or to obtain any other permit, license or other authorization required by this, or any other Bylaw.

**1.6.2** In addition to the requirements of this BYLAW, an applicant must comply with all Federal, Provincial and other Municipal legislation.

## 1.7 TRANSITION

**1.7.1** An application for a SUBDIVISION, DEVELOPMENT PERMIT or amendment to the Land Use Bylaw, which commenced prior to the adoption of this BYLAW, shall be evaluated using the provisions of the Town of High Level Land Use Bylaw No. 1018-21 as amended.

2

# 2.0 INTERPRETATION

## 2.1 INTERPRETATION

**2.1.1** The terms defined in this Section have specific, broader or different meanings than the usage and interpretation commonly found in the Oxford English Dictionary, which gives reasoning to the need of this Section. The meanings of all terms and vocabularies used in this BYLAW shall be interpreted in accordance with the:

- **a)** *Municipal Government Act* and the *Statutes of Alberta* to which this BYLAW refers;
- **b)** the following definitions;
- **c)** the DEVELOPMENT AUTHORITY; and
- **d)** the Standard Oxford English Dictionary, in the event that the above-mentioned Section of definitions is silent.

**2.1.2** The word “person” includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual.

**2.1.3** Capitalized words within this BYLAW have specific meanings defined within Article 2.4.1.

**2.1.4** When words defined within Article 2.4.1 are not capitalized, they are being used in a different context, however they typically bear the same meaning.

**2.1.5** The words “shall”, “must”, and “is” require mandatory compliance except where a VARIANCE has been granted, pursuant to the ACT or this BYLAW.

**2.1.6** All other words and expressions have the meaning respectively assigned to them in accordance with the ACT and any other applicable *Statutes of Alberta.* Where such words are not defined in this BYLAW, or in the ACT, the DEVELOPMENT AUTHORITY will provide the interpretation.

## 2.2 NUMBERING SYSTEM

**2.2.1** In the numbering system used in this BYLAW:

**a)** the first number indicates the Section;
**b)** the second number indicates the Subsection of the Section; and
**c)** the third number indicates the Article of the Subsection.

**2.2.2** An Article in this BYLAW may be divided into Clauses, which are indicated by lower case letters in parentheses, and the Clauses may be divided into Sub-clauses, which are indicated by roman numerals in parentheses.

## 2.3 MEASUREMENTS

**2.3.1** The measurements contained in this BYLAW are in Imperial and Metric and may be abbreviated as follows:

**a)** metres or m;
**b)** square metres or $m^2$
**c)** centimetres or cm;
**d)** millimetres or mm;
**e)** hectares or ha;
**f)** feet or ft.;
**g)** square feet or sq.ft.;
**h)** inches or in; and
**i)** acres or ac.

## 2.4 DEFINITIONS

**2.4.1** The following words, terms, and phrases, wherever they occur in this BYLAW have the meaning assigned to them as follows:

# A

### ABATTOIR

means a commercial DEVELOPMENT where animals are slaughtered and/or meat is cut, wrapped, frozen, cured, smoked, or aged.

### ACCESS

means an area that serves as the physical connection between a SITE and a PUBLIC ROADWAY.

### ACCESSORY BUILDING OR STRUCTURE

means a BUILDING and/or STRUCTURE not used for human habitation, but may be attached to or located beneath a DWELLING - BACKYARD UNIT, where permitted. In other cases, it may include a GARAGE – DETACHED, detached CARPORT, or garden shed. The USE of an ACCESSORY BUILDING OR STRUCTURE is incidental and subordinate to the PRINCIPAL USE, BUILDING and/or STRUCTURE, and is located on the same LOT. This does not include children's play structures, PATIOS or DECKS associated with a DWELLING UNIT.

### ACCESSORY USE

means a USE subordinate, incidental to and exclusively devoted to a PRINCIPAL USE of a BUILDING, STRUCTURE or property.

### ACT

means the *Municipal Government Act* being Chapter M-26 of the revised *Statutes of Alberta*, or any amendments thereto.

### ADULT ENTERTAINMENT FACILITY

means a DRINKING ESTABLISHMENT, nightclub, RESTAURANT or other establishment that features live performances of an explicit nature, escort services, or showcasing media materials inclusive of adult content.

### AGRICULTURE

means the cultivation of the soil for the growing of a crop, the raising of livestock, or DEVELOPMENT of an industrial or commercial greenhouse.

### AIRPORT RESTRICTION AREA

means the area shown on Map 2 of APPENDIX 1.

### ALTERNATIVE ENERGY TECHNOLOGY

means any system, device or STRUCTURE that is used to collect natural energy sources, such as the sun or geothermal sources to generate thermal, electrical, or mechanical energy for USE as an alternative to fossil fuels, and other non-renewable resources. Typical examples are SOLAR COLLECTORS and GEOTHERMAL ENERGY SYSTEMS.

### AMUSEMENT ARCADE

means a DEVELOPMENT with mechanical or electronic games that are provided for public entertainment, but does not include ADULT ENTERTAINMENT FACILITY, casino or bingo.

### AREA STRUCTURE PLAN

means a statutory plan, prepared and adopted pursuant to Section 633 of the ACT, which addresses the future development of large areas of land at a conceptual level.

### ART GALLERY

means a DEVELOPMENT used for the public display and sale of art.

### ASSISTED LIVING FACILITY

means an institution primarily for persons where housing accommodation is provided, and medical or supervisory care may also be provided.

### AUCTION FACILITY

means a DEVELOPMENT used for the auctioning of goods, MOTOR VEHICLES and equipment, including the temporary storage of such goods and equipment.

### AUTOMOTIVE SALES AND RENTAL

means a DEVELOPMENT used for the sale, service, and rental of MOTOR VEHICLES, but does not include RECREATIONAL VEHICLE SALES AND SERVICE or automotive body and paint service.

### AUTOMOTIVE SERVICE

means a DEVELOPMENT used for the service and repair of MOTOR VEHICLES, automotive body and paint work, the sale of gasoline, lubricating oils, and other automotive fluids, or any combination of such, but does not include AUTOMOTIVE SALES AND RENTAL, a FUEL STATION, or a CAR WASH.

## B

### BALCONY

means an exterior platform projecting from a wall above the first STOREY of a BUILDING with ACCESS from an upper-floor.

### BASEMENT

means that portion of a BUILDING that is located below the GROUND FLOOR that is completely or partially below grade. A BASEMENT does not constitute a STOREY.

### BED AND BREAKFAST BUSINESS

means a business that forms an ACCESSORY USE to a DWELLING - SINGLE DETACHED and provides temporary sleeping accommodation with or without meals, including short-term rentals or vacation rentals, and does not include a BOARDING HOUSE.

### BERM

means an elongated mound of earth a minimum of 1m/3.2ft. in height above the FINISHED GRADE designed to provide SCREENING or noise attenuation within a DEVELOPMENT or between adjacent DEVELOPMENTS. For an example of a BERM please see Figure 1.

### BOARDING HOUSE

means a DEVELOPMENT, within a DWELLING – SINGLE DETACHED , where temporary sleeping accommodations of three (3) or more bedrooms, with or without meals, are provided for remuneration to members of the public. Typical USES include student co-operative housing, and lodges for senior citizens, but does not include BED AND BREAKFAST BUSINESS, group home, HOTEL, DWELLING – DUPLEX, DWELLING – TOWNHOUSE, or DWELLING – MULTIPLE UNIT.

### BOULEVARD

means the portion of land located within a PUBLIC ROADWAY between the vehicular portion of the road and the abutting LOT LINE, but does not include the area used for a sidewalk or trail. For an example of a BOULEVARD please see Figure 2.

### BREWERY, WINE, DISTILLERY

means a DEVELOPMENT where beer, wine, spirits or other alcoholic beverages are manufactured, which may also have areas and facilities for preparing, cooking and serving food, and serving alcoholic beverages.

### BUFFER

means a row of trees, shrubs, BERM, architectural devices, walls, fences, other landscape features, or a combination thereof used to provide visual SCREENING and separation between roadways, SITES or LAND USE DISTRICTS. For an example of a BUFFER please see Figure 3.

### BUILDING

includes anything constructed or placed on, in, over or under land including supporting STRUCTURES of any type, but does not include a highway or PUBLIC ROADWAY or a bridge forming part of a highway or PUBLIC ROADWAY.

### BUILDING DEMOLITION

means the process of dismantling and removing a BUILDING with controlled plans that are approved by the DEVELOPMENT AUTHORITY, in accordance with the Building Permit and Standards Bylaw.

### BUILDING HEIGHT

means the vertical distance measured from the highest FINISHED GRADE, along any wall of a BUILDING and/or STRUCTURE facing a street, to the highest point of the BUILDING and/or STRUCTURE. On a property with LOT FRONTAGE on two (2) or more streets, the highest FINISHED GRADE shall be taken from the wall featuring the principle entrance to the BUILDING. BUILDING HEIGHT shall include any accessory roof construction not structurally essential to the BUILDING, and does not include SIGNS or communication STRUCTURES. For an example of BUILDING HEIGHT please see Figure 4.

### BUILDING – MOVED IN

means a residential, commercial or industrial constructed BUILDING that is to be relocated from one LOT to another, but does not include MANUFACTURED HOME – MOBILE, MANUFACTURED HOME – MODULAR, MANUFACTURED HOME – READY TO MOVE, or ACCESSORY BUILDINGS or STRUCTURES under 13m$^2$ / 139.9sq.ft.

### BUILDING PERMIT

means an application form issued by the TOWN, which is assessed by a Safety Codes Officer for compliance with the *National Building Code – Alberta Edition*.

### BULK OIL, FUEL AND CHEMICAL STORAGE

means a DEVELOPMENT where refined or crude oil, liquid, or solid chemical is stored outdoors and may include the sale of such.

### BUSINESS SUPPORT SERVICE

means a DEVELOPMENT used to provide support services to a PERMITTED USE or DISCRETIONARY USE in a LAND USE DISTRICT. Such businesses may be characterized, and not limited to the provision of support functions including: printing, duplicating, binding or photographic processing; office maintenance or custodial services; secretarial services; security services; sale, rental, repair or servicing of office and business equipment, furniture and machines; and, sale, rental, repair or servicing of computers, cellular phones and fax machines.

### BYLAW

means the Land Use Bylaw for the Town of High Level that regulates the use of land and BUILDINGS within the TOWN.

# C

### CAMPGROUND

means a DEVELOPMENT used to provide outdoor spaces to the public for temporary accommodations in permanent STRUCTURES, tents or RECREATIONAL VEHICLE and may include day use areas and other USES necessary to operate a CAMPGROUND, including but not limited to caretaker residences, and washroom facilities.

### CANNABIS PRODUCTION AND DISTRIBUTION

means a DEVELOPMENT used principally for one or more of the following activities as it relates to cannabis:

**a)** the production, cultivation, and growth of cannabis;
**b)** the processing of raw materials;
**c)** the making, testing, manufacturing, assembling, or in any way altering the chemical or physical properties of semi-finished or finished goods and products;
**d)** the storage or shipping of materials, goods and products; or
**e)** the distribution and sale of materials, goods and products to RETAIL – CANNABIS stores or to individual customers.

### CARPORT

means a roofed STRUCTURE attached to a DWELLING UNIT that is designed for the PARKING and storage of MOTOR VEHICLES, which is open on at least two sides providing unobstructed ACCESS to the YARD – REAR. For an example of a CARPORT please see Figure 5.

### CAR WASH

means a DEVELOPMENT used for the cleaning of MOTOR VEHICLES.

### CATERING SERVICE

means a DEVELOPMENT where foods and beverages, to be served off the premises, are prepared for sale to the public.

### CAVEAT

means a warning (in land law) that a person has claimed an interest on a PARCEL of land. If entitled, a person can claim an interest in land through a CAVEAT; registered CAVEATS with Alberta Land Titles are recorded on a Certificate of Title.

### CEMETERY

means a DEVELOPMENT for the entombment of the deceased, which may include structures for those purposes.

### CHANGE OF USE

means changing a TOWN approved USE of a BUILDING, PARCEL or LOT to any other USE. Also see DEVELOPMENT.

### COMMUNITY HALL

means a DEVELOPMENT that provides auditorium, banquet, exhibition, gymnasium, meeting or seminar facilities, and does not include an ADULT ENTERTAINMENT FACILITY.

### COMPLIANCE CERTIFICATE

means a document that may be issued by the DEVELOPMENT AUTHORITY indicating that a BUILDING and/or STRUCTURE, as shown on documentation provided to the TOWN, is located in accordance with the minimum yard SETBACK requirements in this BYLAW, at the time the Certificate is issued.

### CONDOMINIUM

means individual ownership of a DWELLING UNIT, units within a DWELLING – MULTIPLE UNIT, or a PARCEL of land, which is part of a Condominium Plan registered with Alberta Land Titles, and usually indicates ownership in a share of common property administered and maintained by a *Condominium Property Act*.

### CONSTRUCTION SERVICE

means a DEVELOPMENT used to provide LANDSCAPING, electrical, plumbing, heating, painting, carpentry, woodworking or similar services to households or to general contractors, but does not include equipment rental.

### COUNCIL

means the elected COUNCIL of the Town of High Level, as defined in Part 5 Division 1 of the *Municipal Government Act*.

### COVENANT

means a Restrictive COVENANT, which equates to an agreement between owners of two (2) or more PARCELS of land, or from a building scheme established by the owner of several PARCELS of land, whereby non-compete clauses may be agreed upon and imposed upon adjacent LOTS, or architectural controls are imposed upon specific LOTS.

## D

### DANGEROUS OR HAZARDOUS GOODS

means a product, substance or organism listed in the *Dangerous Goods Transportation and Handling Act.*

### DAY CARE FACILITY

means a DEVELOPMENT used to provide care and supervision, but not overnight accommodation, to children in accordance with the *Residential Facilities Licensing Regulation*, as well as any other applicable Provincial or Federal legislation including any amendments. Typical USES are day care centers and nursery schools, and does not include a PRIVATE BABYSITTING SERVICE.

### DECK

means an unenclosed STRUCTURE, elevated above FINISHED GRADE, as a stand-alone STRUCTURE or projecting from a BUILDING and supported by the ground at the FINISHED GRADE or below-ground engineered form. For the purposes of this BYLAW, a porch and veranda shall be considered a DECK.

### DEVELOPMENT

means:

**a)** an excavation or stockpile of earth and the creation of either of them;
**b)** a BUILDING, an addition to, replacement, or repair of a BUILDING and the construction

or placement of any of them on, in, over or under land

**c)** a CHANGE OF USE of a LOT, a BUILDING or an act done in relation to a LOT or a BUILDING that results in, or is likely to result in a CHANGE OF USE of the LOT or BUILDING (also see CHANGE OF USE); or

**d)** a change in the intensity of USE of the LOT, a BUILDING or an act done in relation to a LOT or a BUILDING likely to result in a change in the intensity of USE of the LOT or BUILDING.

### DEVELOPMENT AGREEMENT

means a legally binding contract between a property owner or developer and the TOWN, regarding specific PARCELS, which often includes terms not otherwise required through provisions within this BYLAW.

### DEVELOPMENT AUTHORITY

means a person or persons appointed by the TOWN, pursuant to Section 624 of the ACT to administer the provisions of this BYLAW.

### DEVELOPMENT PERMIT

means a document issued by the TOWN permitting a DEVELOPMENT in compliance with this BYLAW.

### DETENTION AND CORRECTION SERVICES

means a DEVELOPMENT for the purpose of holding or confining, and treating or rehabilitating persons. Typical USES include prisons, mental institutions, jails, remand centers, asylums, and correction centers.

### DISCRETIONARY USE

means the USE of a LOT, BUILDINGS and/or STRUCTURES or any combination thereof provided for in this BYLAW where a DEVELOPMENT PERMIT may be issued, with or without conditions, for a certain purpose that is granted by the DEVELOPMENT AUTHORITY according to their discretionary judgement, based upon the merits of the application in accordance with the ACT.

### DRINKING ESTABLISHMENT

means a DEVELOPMENT licensed to serve alcoholic beverages for consumption on the premises as regulated by the *Alberta Gaming and Liquor Commission*.

### DRIVE-THROUGH BUSINESS

means a DEVELOPMENT or part of a DEVELOPMENT designed to serve customers remaining in their vehicles and may form part of the operations of a CAR WASH or FINANCIAL INSTITUTION, but does not include a DRIVE-THROUGH RESTAURANT or FUEL STATION.

### DRIVE-THROUGH RESTAURANT

means a RESTAURANT with one (1) or more of the following features: car attendant services; drive-through food and/or beverage pickup services; or PARKING primarily intended to allow for the ON-SITE consumption of food within a MOTOR VEHICLE.

### DUGOUT

means the excavation of lands resulting in manmade features that entrap water, includes excavations for a water supply and borrow pits.

**DWELLING – BACKYARD UNIT**

means a subordinate DWELLING UNIT that is detached from and located behind a DWELLING – SINGLE DETACHED, or DWELLING – DUPLEX, or DWELLING - TOWNHOUSE, and may be attached to or above an ACCESSORY BUILDING or GARAGE. A DWELLING – BACKYARD UNIT includes one or more bedrooms, a bathroom, cooking facilities, and a private entrance that provides direct access to the unit without requiring passage through a GARAGE.

**DWELLING – DUPLEX**

means a BUILDING containing two (2) DWELLING UNITS, arranged either side-by-side or stacked. Each of the two DWELLING UNITS may also include a DWELLING - SECONDARY SUITE where permitted. A DWELLING – DUPLEX may be located entirely on a single LOT or may straddle two LOTS with a PARTY WALL aligned along the shared LOT LINE. A DWELLING – SINGLE DETACHED with a DWELLING - SECONDARY SUITE is not considered a DWELLING – DUPLEX.

**DWELLING – SINGLE DETACHED**

means a detached PRINCIPAL BUILDING containing one (1) DWELLING UNIT and may contain one (1) DWELLING - SECONDARY SUITE where permitted. The BUILDING shall be constructed ON-SITE and does not include a MANUFACTURED HOME – MOBILE or a MANUFACTURED HOME – MODULAR.

**DWELLING – MULTIPLE UNIT**

means a BUILDING located entirely within a single SITE containing three (3) or more attached DWELLING UNITS, which may be arranged in various configurations, including but not limited to plex or apartment formats. Entrances may be independent, shared through a common area, or a combination of both.

**DWELLING - SECONDARY SUITE**

means a self-contained DWELLING UNIT located within, and accessory to, a DWELLING – SINGLE DETACHED, or DWELLING – DUPLEX, or DWELLING - TOWNHOUSE. A DWELLING – SECONDARY SUITE includes one or more bedrooms with egress-compliant windows, a separate bathroom, separate cooking facilities, and a private entrance that provides direct access to the suite without requiring passage through the principal DWELLING UNIT.

**DWELLING – TOWNHOUSE**

means a minimum of three (3) DWELLING UNITS arranged side-by-side in a row, with independent entrances at GROUND FLOOR level. A DWELLING - TOWNHOUSE may be located entirely on a single LOT or may span multiple LOTS, with PARTY WALLS that align with LOT LINES.

**DWELLING UNIT**

means a self-contained unit within a BUILDING, designed to be used as a permanent residence, and containing independent and exclusive sleeping, kitchen, living, and sanitary facilities. A DWELLING UNIT must have a private entrance, either directly from the exterior of the building or from a common interior area such as a hallway or lobby.

# E

### EASEMENT

means a non-possessory right, granted by way of an agreement that is legally registered on a Certificate of Title with Alberta Land Titles, to use and/or enter onto a LOT, or PARCEL of land owned by another for a specified purpose or USE.

### EFFECTIVE AGE

is based on a DWELLING UNIT'S present condition and overall general maintenance or improvements. EFFECTIVE AGE can be lesser or greater than the unit's actual age at the time of the appraisal. It is the responsibility of an Appraiser, based upon their inspection of the DWELLING UNIT, to estimate the EFFECTIVE AGE of a subject unit.

### EMERGENCY SERVICES FACILITY

means a DEVELOPMENT which is required for the public protection of persons and property from injury, harm, or damage together with the incidental storage of equipment and vehicles, which is necessary for the provision of emergency services. An EMERGENCY SERVICES FACILITY may include provisions for overnight accommodation as an ACCESSORY USE. Typical USES include fire stations, police stations, emergency medical services, and ancillary training facilities.

### ENCLOSED DECK

means a DECK that is enclosed by a roof and has more than 50% of its perimeter enclosed to the outside and shall be considered part of the main DWELLING UNIT, in terms of LOT COVERAGE and FLOOR AREA – GROSS.

### ENVIRONMENTAL IMPACT ASSESSMENT

means a comprehensive SITE analysis to determine:

- **a)** the potential environmental impact of the proposed DEVELOPMENT on the SITE;
- **b)** the potential environmental impact of the proposed DEVELOPMENT upon the adjacent properties or land USES; and,
- **c)** the potential environmental impact of the proposed DEVELOPMENT upon the future land USE potential of the property.

### ENVIRONMENTAL IMPACT ASSESSMENT REPORT

means a written document pursuant to Part 2 of the *Environmental Protection and Enhancement Act* containing the result of an ENVIRONMENTAL IMPACT ASSESSMENT.

### ENVIRONMENTALLY SENSITIVE AREAS

means areas that fall in one or more of the following categories, or by a study undertaken or commissioned by the Town of High Level:

- **a)** areas having exceedingly steep or unstable slopes;
- **b)** river valleys and lands, watercourses, and other types of WATERBODIES, and land subject to flooding;
- **c)** areas classified as having a high water table, or situated on sensitive aquifers;
- **d)** areas having soils subject to erosion, slippage, or subsidence of similar hazards;
- **e)** wetlands, unique wetlands, or fisheries habitat, or those areas having high levels of peat contents, or land incapable of meeting percolation requirements; and

**f)** areas having stands of unique or mature natural vegetation or land features.

### EQUIPMENT RENTAL FACILITY

means a commercial establishment principally involving the rental of household or other equipment to the public, but does not include MOTOR VEHICLES rentals.

### EXHIBITION GROUNDS

means an outdoor facility used to host public events including rodeos, horse shows, jamborees, and exhibitions, and any ACCESSORY BUILDING OR STRUCTURE used for spectator seating or viewing.

## F

### FAMILY DAY HOME

means an ACCESSORY USE within a DWELLING UNIT or part thereof used to provide care and supervision, but not overnight accommodation, for adults or children as per the *Residential Facilities Licensing Regulation* as well as any other applicable Provincial or Federal legislation including any amendments.

### FARM IMPLEMENT SALES AND SERVICES

means a DEVELOPMENT used for the sale and service of farm machinery and equipment.

### FINANCIAL INSTITUTION

means a bank, brokerage company, treasury branch, trust company, credit union, finance company, or similar institution.

### FINISHED GRADE

means the elevation of the ground at the exterior of a BUILDING when the construction of the BUILDING and LANDSCAPING are complete, which may be shown in an approved plan. For an example of a FINISHED GRADE please see Figure 4.

### FLEET SERVICE

means a DEVELOPMENT where MOTOR VEHICLES are operated for the transportation of passengers or goods.

### FLOOR AREA

means the area of an individual STOREY or BASEMENT of a BUILDING and/or STRUCTURE measured from the outside surface of the exterior walls. FLOOR AREA does not include the area used for a mechanical room, stairwells, air handling equipment, garbage storage, electrical room, elevators, GARAGE – ATTACHED and car PARKING areas. For an example of a FLOOR AREA please see Figure 6.

### FLOOR AREA – GROSS

means the combined FLOOR AREA of all STOREYS of a BUILDING, excluding BASEMENT FLOOR AREA. For an example of a FLOOR AREA – GROSS please see Figure 6.

### FUEL STATION

means a DEVELOPMENT used for the sale of gasoline, diesel, lubricating oils, and other automotive fluids and incidental goods.

### FUNERAL HOME

means a DEVELOPMENT used for the arrangement of funerals, the preparation of the deceased for burial or cremation, and the holding of funeral services, but does not include a PLACE OF WORSHIP.

## G

### GARAGE

means an ACCESSORY BUILDING or part of a PRINCIPAL BUILDING, designed and used primarily for the storage of MOTOR VEHICLES. A GARAGE shall not be used for commercial activities or human habitation.

### GARAGE – ATTACHED

means a GARAGE attached to a PRINCIPAL BUILDING. For an example of a GARAGE – ATTACHED please see Figure 5.

### GARAGE – DETACHED

means a GARAGE that is separate from a PRINCIPAL BUILDING. For an example of a GARAGE – DETACHED please see Figure 5.

### GARAGE – PORTABLE OR TEMPORARY

means a GARAGE that is designed to be collapsible in nature. For an example of a GARAGE – PORTABLE OR TEMPORARY please see Figure 5.

### GENERAL SERVICE

means a DEVELOPMENT used to provide services related to the care and appearance of an individual, including the cleaning and repair of clothing, but does not include HEALTH SERVICE. Typical USES include: dry cleaner and laundromat; hair and tanning salons; tailor, dressmakers, and shoe repair; and facilities that provide pedicures, manicures, massages, and electrolysis.

### GEOTHERMAL ENERGY SYSTEM

means a renewable source of energy that employs the use of a heat pump to warm or cool air by utilizing the constant temperatures of the Earth.

### GOVERNMENT SERVICE

means a DEVELOPMENT providing Municipal, Provincial or Federal GOVERNMENT SERVICES directly to the public. This USE does not include an EMERGENCY SERVICES FACILITY, DETENTION AND CORRECTION SERVICES, UTILITY SERVICES – MAJOR, UTILITY SERVICES – MINOR and PUBLIC EDUCATION SERVICE.

### GROUND FLOOR

means the lowest STOREY of a BUILDING, and is located at or near FINISHED GRADE. A walk-out BASEMENT does not constitute a GROUND FLOOR. For an example of a GROUND FLOOR please see Figure 7.

# H

### HANGARS AND TERMINAL FACILITIES

means a DEVELOPMENT, which provides services to aircraft, aircraft passengers, and air freight located adjacent to, or in close proximity to, a municipally approved runway. Services provided within these facilities may include airport operations and administration, food and personal services, freight and baggage handling, vehicle rentals, and aircraft maintenance and repair.

### HARD-SURFACED

means a durable, dust free, all weather surface constructed of concrete, asphalt or similar materials.

### HEALTH SERVICE

means a DEVELOPMENT used for the provision of out-patient health care and social or counselling services, but does not include a HOSPITAL. Typical USES include: medical clinic; dental clinic; chiropractic clinic; therapeutic massage clinic; and physical therapy clinic.

### HELICOPTER LANDING PAD

means a designated landing area or platform for helicopters, which may be located on a roof, at or elevated above FINISHED GRADE. For an example of a HELICOPTER LANDING PAD please see Figure 8.

### HOME OCCUPATION

means an ACCESSORY USE in a DWELLING UNIT or its GARAGE that involves a business operated by a RESIDENT of the DWELLING UNIT, which is not inclusive of businesses that may cause offensive noise, odor, traffic or generally serve as a nuisance to adjacent residential landowners.

### HOME OFFICE

means an ACCESSORY USE contained within one (1) room of a DWELLING UNIT, for a business that involves office functions only and is operated by a RESIDENT of the DWELLING UNIT.

### HOSPITAL

means a DEVELOPMENT used to provide in-patient and out-patient health care to the public, as defined by the *Hospitals Act*.

### HOTEL

means a commercial DEVELOPMENT, including a motel, used to provide temporary sleeping accommodation to the public, and which may also contain a RESTAURANT, DRINKING ESTABLISHMENT or convention/banquet hall.

### HOUSEHOLD REPAIR SERVICE

means a DEVELOPMENT that provides repair services for household goods, equipment and appliances, but does not include GENERAL SERVICE. Typical USES include: electronics and appliance repair shops; and furniture refinishing and upholstery shops.

## I

### INDUSTRIAL OPERATION

means a DEVELOPMENT used for manufacturing, assembling, warehousing, processing, or distribution of materials or goods.

### INTER-MUNICIPAL DEVELOPMENT PLAN

means a Statutory Planning document that is prepared and adopted, pursuant to Section 631 of the ACT, by the Councils of the Town of High Level and neighbouring municipalities.

### INTER-MUNICIPAL COLLABORATION FRAMEWORK

means a document that outlines an agreed upon level of cooperation between the Town of High Level and a neighbouring municipality, pursuant to Part 17.2 Division 1 of the *Municipal Government Act*, which ensures shared municipal services are provided to RESIDENTS efficiently and cost effectively.

### INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

means a joint board of individuals appointed pursuant to Section 627 of the *Municipal Government Act* that hears SUBDIVISION and DEVELOPMENT appeals, within the INTER-MUNICIPAL DEVELOPMENT PLAN area.

## J

### JOINT SUBDIVISION AND DEVELOPMENT APPEAL BOARD

means a Memorandum of Understanding (MOU) between the Town of High Level and neighbouring municipalities within the region. Whereby, each municipality can request qualified and appointed SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB) members and clerks from any of the regional municipalities to participate in appeal hearings with their own municipal SDAB.

## L

### LAND USE DISTRICT

means a district described in the text of the BYLAW and delineated on one or more LAND USE DISTRICT maps, in which only certain land USES may be allowed as either PERMITTED USES or DISCRETIONARY USES, and which specific requirements must be satisfied before DEVELOPMENT may proceed.

### LANDSCAPED AREA

means that portion of a SITE that requires LANDSCAPING.

### LANDSCAPING

means preserving, enhancing or incorporating vegetative and other materials in a DEVELOPMENT. This includes combining new and existing vegetative materials with architectural elements, existing SITE features or other DEVELOPMENT features including fences or walls.

### LANE

means a PUBLIC ROADWAY, not exceeding 9.1m/29.8ft. in width, which provides a secondary means of ACCESS to a LOT. For an example of a LANE please see Figure 9.

**LOADING SPACE**

means a space that accommodates a MOTOR VEHICLE while it is being loaded or unloaded.

**LOGGING SERVICE**

means a DEVELOPMENT used to provide services for the harvesting of timber for the forest products industry.

**LOT**

pursuant to Section 652 (3) of the *Municipal Government Act*, means a:

- **a)** quarter section of land;
- **b)** river LOT as shown on an official plan, as defined in the *Surveys Act* and any amendments thereto, that is registered with Alberta Land Titles;
- **c)** settlement LOT shown on an official plan, as defined in the *Surveys Act* and any amendments thereto, that is registered with Alberta Land Titles;
- **d)** part of a PARCEL where the boundaries of the part are separately described in a Certificate of Title other than by reference to a legal SUBDIVISION; or
- **e)** part of a PARCEL where the boundaries of the part are separately described in a Certificate of Title by reference to a plan of SUBDIVISION.

**LOT AREA**

means the area of a LOT including any area dedicated to an EASEMENT or a PUBLIC RIGHT-OF-WAY as shown on a plan of SUBDIVISION or described in a Certificate of Title.

**LOT CORNER**

means a LOT located at the intersection of two (2) or more PUBLIC ROADWAYS. For an example of a LOT CORNER please see Figure 10.

**LOT COVERAGE**

means the percentage of LOT AREA covered by BUILDINGS and/or STRUCTURES above FINISHED GRADE on the same LOT, but does not include DECKS or PATIOS.

**LOT DEPTH**

means the distance between the middle of the LOT LINE – FRONT and the middle of the LOT LINE – REAR. For an example of a LOT DEPTH please see Figure 11.

**LOT FRONTAGE**

means the length of the LOT LINE – FRONT abutting a PUBLIC ROADWAY. In the case of LOT CORNER, both the LOT LINE – FRONT and LOT LINE – FLANKAGE are considered to have LOT FRONTAGE. For an example of a LOT FRONTAGE please see Figure 11.

**LOT LINE**

means a legally defined boundary of a LOT. For an example of a LOT LINE please see Figure 12.

**LOT LINE – FLANKAGE**

means, in the case of a LOT CORNER, the longest LOT LINE that abuts a PUBLIC ROADWAY, other than a LANE, but does not include LOT LINE - FRONT. For an example of LOT LINE – FLANKAGE please see Figure 12.

### LOT LINE – FRONT

means the boundary dividing the LOT from an abutting PUBLIC ROADWAY, other than a LANE. In the case of a LOT CORNER, the shortest LOT LINE that abuts a PUBLIC ROADWAY, other than a LANE shall be the LOT LINE – FRONT. For an example of LOT LINE – FRONT please see Figure 12.

### LOT LINE – REAR

means the LOT LINE that is opposite to the LOT LINE – FRONT. For an example of LOT LINE – REAR please see Figure 12.

### LOT LINE – SIDE

means the LOT LINE other than the LOT LINE – FRONT or LOT LINE – REAR. For an example of LOT LINE – SIDE please see Figure 12.

### LOT THROUGH

means any LOT other than a LOT CORNER having an ACCESS on two streets. For an example of a LOT THROUGH please see Figure 10.

### LOT WIDTH

means the average horizontal distance between the LOT LINE – SIDE(s) as determined by the DEVELOPMENT AUTHORITY. In the case of LOT CORNER, LOT WIDTH means the average horizontal distance between the LOT LINE – SIDE and the LOT LINE – FLANKAGE. For an example of a LOT WIDTH please see Figure 11.

### LUMBER YARD

means a DEVELOPMENT for the storage and the wholesale or retail sale of forest industry products, which may include the sales of associated hardware and tools.

## M

### MANUFACTURED HOME – COMMUNITY

means a PARCEL of land, under single ownership that accommodates the placement of three (3) or more MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME, whether privately-owned DWELLING UNITS or not, on PARK LOTS.

### MANUFACTURED HOME – MOBILE

means a DWELLING UNIT, whether originally equipped with a heavy transport chassis, a hitch and wheel assembly or not, that is manufactured in a controlled environment that conforms to the CSA-Z240 of the *National Building Code – Alberta Edition*, is transported from one place to another as a single unit, or in two (2) sections if a double-wide unit. A MANUFACTURED HOME – MOBILE does not require a PERMANENT FOUNDATION, can be anchored on a concrete or wood block foundation, and does not include a MANUFACTURED HOME – MODULAR or MANUFACTURED HOME – READY TO MOVE. For an example of a MANUFACTURED HOME – MOBILE please see Figure 13.

### MANUFACTURED HOME – MOBILE SALES

means a DEVELOPMENT used for the sale of MANUFACTURED HOMES – MOBILE and/or MANUFACTURED HOME – MODULAR, which may include the storage and display of such units.

**MANUFACTURED HOME – MODULAR**

means a single detached DWELLING UNIT that is manufactured in a controlled environment, which conforms to the CSA-A277 of the *National Building Code – Alberta Edition* at the time of manufacture, is transported and assembled on a PARCEL in one (1) or more sections. MANUFACTURED HOME – MODULAR does not have a chassis, a hitch or wheel assembly, and the sections may be stacked vertically or placed side-by-side. MANUFACTURED HOME – MODULAR must be placed upon a PERMANENT FOUNDATION, includes MANUFACTURED HOME – READY TO MOVE, but does not include DWELLING - SINGLE DETACHED, DWELLING – DUPLEX or MANUFACTURED HOME – MOBILE. For an example of a MANUFACTURED HOME – MODULAR please see Figure 13.

**MANUFACTURED HOME – PAD**

means that portion of SITE that has been graded and designed for the placement of the MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME.

**MANUFACTURED HOME – READY TO MOVE**

means a MANUFACTURED HOME – MODULAR that is transported in one (1) piece and placed upon a PERMANENT FOUNDATION. A MANUFACTURED HOME – READY TO MOVE does not include MANUFACTURED HOME – MOBILE.

**MANUFACTURED HOME – TINY HOME**

means a PRINCIPAL DWELLING UNIT, whether originally equipped with a heavy transport chassis, a hitch and wheel assembly or not, that is manufactured in a controlled environment that conforms to either the CSA-Z240 or CSA-A277 of the *national Building Code – Alberta Edition*, is transported from one place to another as a single unit, and has a maximum FLOOR AREA of 46.45m$^2$/500sq.ft. This does not include refurbished SHIPPING CONTAINERS or any other STRUCTURE that is constructed outside of a controlled environment.

**MINI-STORAGE**

means a DEVELOPMENT that provides cubicles for rent to the public for the storage of goods, and may include an office BUILDING containing eating and sleeping facilities for security personnel, but may not be used as a DWELLING UNIT.

**MIXED-USE BUILDING**

means a BUILDING that contains a combination of residential and non-residential uses. Non-residential uses may include commercial, community, or institutional USES.

**MOTOR VEHICLE**

means as defined in the *Traffic Safety Act,* and any amendments thereto.

**MUNICIPALITY**

means the Town of High Level.

**MUSEUM**

means a place or BUILDING in which works of artistic, historical, archeological, and scientific value are cared for, and exhibited.

## N

**NEF 25- AREA**
means the NOISE EXPOSURE FORECAST AREA that lies between the 25 NEF Contour and the boundary of the AIRPORT RESTRICTION AREA.

**NEF 25-30 AREA**
means the NOISE EXPOSURE FORECAST AREA that lies between the 25 NEF Contour and the 30 NEF Contour.

**NEF 30-35 AREA**
means the NOISE EXPOSURE FORECAST AREA that lies between the 30 NEF Contour and the 35 NEF Contour.

**NEF 35-40 AREA**
means the NOISE EXPOSURE FORECAST AREA that lies between the 35 NEF Contour and the 40 NEF Contour.

**NEF 40+ AREA**
means the NOISE EXPOSURE FORECAST AREA enclosed by the 40 NEF Contour.

**NOISE EXPOSURE FORECAST AREA**
means an area that falls within a NOISE EXPOSURE FORECAST CONTOUR, between two NOISE EXPOSURE FORECAST CONTOURS, or between one NOISE EXPOSURE FORECAST CONTOUR and the boundary of the AIRPORT RESTRICTION AREA.

**NOISE EXPOSURE FORECAST CONTOUR**
means a numbered contour as shown on Map 4 of APPENDIX 1.

**NON-CONFORMING BUILDING**
means, as defined in the ACT, a BUILDING:

- **a)** that is lawfully constructed or lawfully under construction at the date the Land Use Bylaw affecting that BUILDING or that land on which the BUILDING is situated becomes effective; and
- **b)** that on the date the Land Use Bylaw becomes effective the BUILDING does not, or when constructed will not, comply with the Land Use Bylaw.

**NON-CONFORMING USE**
means, as defined in the ACT, a lawful specific USE:

- **a)** being made of land or of a BUILDING, or intended to be made of a BUILDING lawfully under construction at the date a Land Use Bylaw affecting the land or BUILDING becomes effective; and
- **b)** that on the date the Land Use Bylaw becomes effective the USE does not, or in the case of a BUILDING under construction, will not comply with the Land Use Bylaw.

**NON-PROFIT COMMUNITY SUPPORT SERVICE**
means an organization that exists solely to provide programs and services that are of public benefit.

## O

### OFF-SITE

means a location other than the SITE which is the subject of a DEVELOPMENT.

### OFF-SITE LEVY

means a charge or a requirement to make a payment, as established in the Off-Site Levy Bylaw, that is imposed as a condition of approval for some DEVELOPMENTS including SUBDIVISIONS. These fees may relate to all or part of the capital costs associated with:

**a)** new or expanded facilities for the storage, transmission, treatment or supplying of water;
**b)** new or expanded facilities for the treatment, movement or disposal of sanitary sewage;
**c)** new or expanded storm sewer drainage facilities;
**d)** new or expanded roads required for or impacted by a SUBDIVISION or DEVELOPMENT;
**e)** land required for or in connection with any facilities described in Clauses (a) to (d).

### OILFIELD SERVICE

means a DEVELOPMENT used to provide services for field operations in the exploration and extraction of fossil fuels. Typical USES include power tongs and anchor services.

### ON-SITE

means a location on the SITE which is the subject of a DEVELOPMENT.

### OUTDOOR STORAGE

means an outdoor area forming part of a DEVELOPMENT used for the storage of equipment, goods, materials, MOTOR VEHICLES, RECREATIONAL VEHICLE or products.

## P

### PARCEL

means the aggregate of one (1) 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 with Alberta Land Titles.

### PARK LOT

means that leasable or rentable portion of land within a MANUFACTURED HOME – COMMUNITY, which has been reserved for the placement of a MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME.

### PARKING

means leaving a MOTOR VEHICLE unattended temporarily on a LOT, PARCEL or SITE.

### PARKING LOT

means a DEVELOPMENT or part thereof, which provides for ACCESS, maneuvering and PARKING of MOTOR VEHICLES.

**PARKING STALL**

means a space within a STRUCTURE or a public or private PARKING LOT, exclusive of driveway, aisles, ramps and columns for the PARKING of one (1) MOTOR VEHICLE.

**PARKING STRUCTURE**

means a multi-storey or multi-level PARKING garage, used for the temporary PARKING of MOTOR VEHICLES.

**PARTY WALL**

means a wall separating a DWELLING – DUPLEX or DWELLING – TOWNHOUSE above and/or below grade that is jointly owned and used by two (2) separate parties under an EASEMENT or PARTY WALL agreement, or by a right in law, and erected at or upon a line separating two (2) PARCELS of land each of which is, or capable of being, a separate real-estate entity. For an example of a PARTY WALL please see Figure 14.

**PATIO**

means an area at FINISHED GRADE designed for outdoor seating and may include the seasonal use of outdoor areas associated with DWELLING UNITS or the exterior of RESTAURANTS or cafes in commercial areas.

**PAWNBROKER**

means a person who carries on a business of loaning money on the security of the pledge or pawn of personal property or a person who holds themselves out as ready to loan money on such security, and does not include FINANCIAL INSTITUTIONS.

**PERMANENT FOUNDATION**

means a STRUCTURE constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground with a foundational system or arrangement composed of, but not limited to, footing, raft or pole, which may include walls, light standards and SIGNS and renders the STRUCTURE fixed and immovable.

**PERMITTED USE**

means the USE of land or BUILDING, which is listed in the column captioned PERMITTED USES in most LAND USE DISTRICTS appearing in this BYLAW, and for which a DEVELOPMENT PERMIT shall be issued upon an application having conformed to the provisions of this BYLAW. In addition, a DEVELOPMENT PERMIT application shall be approved if the conditions of approval ensure that the DEVELOPMENT would conform to the provisions of this BYLAW.

**PET SERVICE**

means a DEVELOPMENT for the purpose of accommodation, boarding, breeding, grooming, impoundment, training, or the sale of small domestic animals including, but not limited to, cats and dogs.

**PLACE OF WORSHIP**

means a DEVELOPMENT used by a religious organization for worship and related religious, philanthropic or social activities, including rectories, manses, and ACCESSORY BUILDINGS OR STRUCTURES. Typical USES include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries, and any ACCESSORY USES to the PRINCIPAL USE.

### PLACE OF WORSHIP – STOREFRONT CHURCH

means a church permitted in a commercial storefront BUILDING, within the C-1 LAND USE DISTRICT.

### PRINCIPAL BUILDING

means a BUILDING where the main or PRINCIPAL USE of the SITE is conducted.

### PRINCIPAL USE

means the primary or main purpose for which a BUILDING, STRUCTURE, land or any combination thereof is used.

### PRIVATE AMENITY AREA

means a BALCONY, PATIO, DECK, or similar STRUCTURE which is attached to and has a private entrance from the interior of a DWELLING UNIT.

### PRIVATE BABYSITTING SERVICE

means a service provided in a private residence where care is provided for children, some or all of whom are children of persons other than the person providing the service, and does not require a licence under the *Residential Facilities Licensing Regulation*.

### PROFESSIONAL SERVICE

means a DEVELOPMENT used to provide PROFESSIONAL SERVICES, but does not include HEALTH SERVICE or GOVERNMENT SERVICE. Typical USES are offices providing the following services: accounting, architectural, employment, engineering, insurance, investment, legal, real estate, secretarial, or travel agent.

### PROPANE FACILITY

means a DEVELOPMENT used for the storage of bulk propane and may include the sale of propane.

### PUBLIC EDUCATION SERVICES

means a DEVELOPMENT that is publicly supported or subsidized involving public assembly for educational, training or instruction purposes, and includes the administration offices required for the provisions of such services at the same SITE. This USE includes public schools and colleges, but does not include SCHOOL – COMMERCIAL.

### PUBLIC RIGHT-OF-WAY

means the right for the public to pass through a portion of land.

### PUBLIC ROADWAY

means the PUBLIC RIGHT-OF-WAY of the following: a local road; a service road; a street; an avenue; a LANE; or, an undeveloped registered road plan that is publicly used or intended for PUBLIC USE.

### PUBLIC USE

means a USE, BUILDING, STRUCTURE or LOT used for public services which may be one (1) or more of the following: a telecommunications system; a waterworks system; an irrigation or drainage system; a system for the distribution of gas, whether natural or artificial; a system for the distribution of artificial light or electric power; a heating system; or, a sewage system.

# R

### REAL PROPERTY REPORT

means a legal document showing BUILDING location and other SITE data prepared by a Registered Alberta Land Surveyor according to the standards of the *Alberta Land Surveyors Association*. The REAL PROPERTY REPORT takes the form of a plan of the various physical features of the LOT. The buyer, seller, lender, and municipality can rely upon the REAL PROPERTY REPORT as an accurate representation of the BUILDINGS or improvements on the lot.

### RECREATIONAL EQUIPMENT

means equipment defined as an off-highway vehicle in the *Traffic Safety Act*, and includes boats, but does not include a RECREATIONAL VEHICLE.

### RECREATIONAL SERVICE – INDOOR

means a DEVELOPMENT used for sports or recreation within an enclosed BUILDING and any related accessory DEVELOPMENT for the users of the principal facilities.

### RECREATIONAL SERVICE – OUTDOOR

means a DEVELOPMENT used for outdoor sports or leisure and any related ACCESSORY USES for the convenience of the users of the principal outdoor facilities.

### RECREATIONAL VEHICLE

means a portable STRUCTURE with seating and sleeping capacity to provide temporary living accommodation that is either carried on or pulled by another vehicle, or transported under its own power.

### RECREATIONAL VEHICLE SALES AND SERVICE

means a DEVELOPMENT used for the sales, rental, and service of RECREATIONAL VEHICLES.

### RECYCLING DEPOT

means a DEVELOPMENT for collecting, sorting and temporary storage of recyclable materials such as bottles, cans, paper, boxes, and small household goods, but does not include a SALVAGE YARD.

### RELOCATABLE INDUSTRIAL ACCOMMODATION

means a TEMPORARY DEVELOPMENT, subject to the *National Building Code – Alberta Edition*, greater than 80m$^2$/861.1sq.ft. in BUILDING area that is designed to be relocatable and usable without a PERMANENT FOUNDATION for the provision of sleeping, sanitary and eating facilities for a work force.

### RESIDENT

means a person that permanently resides and normally eats and sleeps within the DWELLING UNIT, and when absent, intends to return.

### RESTAURANT

means a DEVELOPMENT where foods and beverages are prepared and served for consumption ON-SITE by the public and may include a take-out component as an ACCESSORY USE.

### RETAIL – ADULT

means a DEVELOPMENT where more than 50 percent of the retail store inventory is for the sale or rental of media materials including adult content, and / or where more than 50 percent of the retail store inventory is offering the display and sale of non-clothing merchandise and/or products intended for adult use.

### RETAIL – CANNABIS

means a DEVELOPMENT used for a retail store licensed by the Province of Alberta, where non-medicinal cannabis and cannabis accessories are offered for sale to the public.

### RETAIL – CONVENIENCE

means a DEVELOPMENT used for retail sales of those goods required by RESIDENTS on a day-to-day basis in an enclosed BUILDING. Typical USES include: small food stores; drug stores; video sales and rentals; and, variety stores selling confectionary, tobacco, groceries beverages, pharmaceuticals, personal care items, hardware, and printed matter.

### RETAIL – GENERAL

means a DEVELOPMENT used for retail sale of groceries, beverages, household goods, furniture and appliances, clothing, hardware, home improvement supplies, garden supplies, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary and similar goods from within an enclosed BUILDING.

### RETAIL – LIQUOR

means a store that sells alcoholic beverages and products for OFF-SITE consumption.

### RETAIL – SPECIALTY STORE

means a store that specializes in, and offers a wide variety of brands, styles, and models from a relatively narrow category of specific goods for retail sale.

### RETAINING WALL

means a structure designed to support and retain any material (usually earth) on a SITE. For an example of a RETAINING WALL please see Figure 15.

## S

### SALVAGE YARD

means a facility for the storage, processing, or transshipment of derelict MOTOR VEHICLES, machinery, scrap metal, and similar materials for sale.

### SCHOOL – COMMERCIAL

means a commercial DEVELOPMENT used for the training and instruction in a trade, skill or service, but does not include PUBLIC EDUCATION SERVICE. Typical USES include: trade; secretarial; business; hairdressing; driver training; dancing; music; or academic tutoring schools.

**SCREENING**

means a vertical physical barrier constructed out of building or vegetative materials used for the purpose of total or partial concealment, containment or to prevent unauthorized access, which serves as a visual screen.

**SETBACK**

means a specified distance from a PUBLIC ROADWAY, LOT LINE, or STRUCTURE, within which a BUILDING is prohibited in compliance with this BYLAW.

**SHIPPING CONTAINER**

means a steel SHIPPING CONTAINER for ACCESSORY USE to the PRINCIPAL BUILDING. For an example of a SHIPPING CONTAINER please see Figure 16.

**SHOPPING CENTRE**

means a DEVELOPMENT comprising three (3) or more separate commercial USE facilities that operate as one (1) unit, and share a common PARKING LOT.

**SIGHT TRIANGLE**

means a triangular area formed at the intersection of two PUBLIC ROADWAYS, including LANES, designed to maintain clear and unobstructed sightlines for drivers and pedestrians. No fence, vegetation, SIGN, BUILDING, or other obstruction exceeding a specified height may be located within this area. For SIGHT TRIANGLE regulations see Subsection 5.3, and for a visual example see Figure 17.

**SIGN OR SIGNAGE**

means an object, STRUCTURE or device used for the purpose of identification or advertising, or to call attention to any person, matter, or event, or to provide direction. For an example of SIGNS OR SIGNAGE please see Figure 18.

**SIGN AREA**

means the total visible surface area of the SIGN. In the case of SIGN – FASCIA with individual lettering, the sum of the combined areas of each individual letter is the total SIGN AREA. For examples of how to calculate SIGN AREA please see Figure 19.

**SIGN – BILLBOARD**

means a large SIGN affixed to the ground with no association to any business or USE located on the LOT or premises on which it is located. For an example of a SIGN – BILLBOARD please see Figure 18.

**SIGN – CANOPY**

means a SIGN attached to or forming part of a permanent BUILDING projection, projecting or fixed structural framework, which extends outward from the exterior wall of a BUILDING. SIGN – CANOPY includes marquees and awnings. For an example of a SIGN – CANOPY please see Figure 18.

**SIGN – DIRECTORY**

means a SIGN located on a property with more than one (1) establishment, which displays only a listing of the names of these businesses or organizations without advertising copy, except a business logo. For an example of a SIGN – DIRECTORY please see Figure 18.

**SIGN FACE**

means each individual side or face of a SIGN.

**SIGN – FASCIA**

means a SIGN, other than a SIGN – ROOF or SIGN – PROJECTING, which is attached to and supported by a wall of a BUILDING. For examples of a SIGN – FASCIA please see Figure 18.

**SIGN – FREESTANDING**

means a SIGN, other than a SIGN – PORTABLE OR MOBILE, supported independently of a BUILDING and securely fixed to the ground. For an example of a SIGN – FREESTANDING please see Figure 18.

**SIGN – ILLUMINATED**

means a SIGN lit internally with light(s) shining through a translucent or coloured material. For an example of a SIGN – ILLUMINATED please see Figure 18.

**SIGN – PORTABLE OR MOBILE**

means a SIGN greater than 1m$^2$/10.7sq.ft. in SIGN AREA. that is located on, but not permanently attached to the ground. It is capable of being easily relocated and holds a SIGN with one (1) or more faces featuring letters and/or symbols that can be changed manually or electronically through adjustable characters, message panels or other means. For an example of a SIGN – PORTABLE OR MOBILE please see Figure 18.

**SIGN – PROJECTING**

means any SIGN, other than a SIGN – CANOPY, that is attached directly to a BUILDING wall, where the SIGN FACE is perpendicular to the wall it is attached to. For an example of a SIGN – PROJECTING please see Figure 18.

**SIGN – ROOF**

means any SIGN erected upon a roof, directly above a roof, on top of, or above the parapet of a BUILDING. For an example of a SIGN – ROOF please see Figure 18.

**SIGN – SANDWICH**

means a SIGN less than 1m$^2$/10.7sq.ft. in area, which is constructed of two (2) boards connecting at one (1) end that can be readily taken on and off a SITE. For an example of a SIGN – SANDWICH please see Figure 18.

**SITE**

means a LOT or PARCEL where a DEVELOPMENT exists or occurs, or for which a DEVELOPMENT PERMIT application is submitted.

**SMALL WIND ENERGY SYSTEM**

means a wind energy conversion system consisting of a wind turbine rotating on, either a vertical or horizontal axis, or a tower, and associated control or conversion electronics, which has a rated capacity of not more than 5KW, which is intended to provide electrical power for consumption ON-SITE.

### SOLAR COLLECTOR

means any device used to absorb sunlight that is part of a system used to convert solar radiation energy into thermal or electrical energy.

### STOREY

means a complete horizontal section of a BUILDING, having one (1) continuous or practically continuous floor, with all the rooms on the same level. A BASEMENT does not constitute a STOREY. For an example of a STOREY please see Figure 7.

### STRUCTURE

means anything that is erected, built, or constructed of multiple parts joined together or any such assembly fixed to or supported by the FINISHED GRADE, or any other BUILDINGS and/or STRUCTURES, excluding fences.

### SUBDIVISION

means the division of a PARCEL of land into one (1) or smaller PARCELS by a Plan of SUBDIVISION, registered with Alberta Land Titles.

### SUBDIVISION AND DEVELOPMENT APPEAL BOARD

means a board of individuals, appointed pursuant to Section 627 of the *Municipal Government Act* that hears SUBDIVISION and DEVELOPMENT appeals, and renders a decision.

## T

### TAXI SERVICE

means a passenger transportation service with a MOTOR VEHICLE provided for a fee based on time and / or distance travelled.

### TEMPORARY

means a USE or BUILDING which occurs from the date of the DEVELOPMENT PERMIT approval for a length of time as specified in the permit approval by the DEVELOPMENT AUTHORITY.

### TEMPORARY BUNKHOUSE

means a TEMPORARY DEVELOPMENT, 80m$^2$/861.1sq.ft. or less, that is designed to be relocatable and usable without a PERMANENT FOUNDATION for the provision of sleeping and sanitary facilities, which may include eating facilities.

### THEATRE

means a DEVELOPMENT where live entertainment or motion pictures is provided to the public, not including an ADULT ENTERTAINMENT FACILITY.

### TOWN

means the Town of High Level.

### TRANSMITTING STATION

means a DEVELOPMENT used for the transmission of data, or rebroadcast of telecommunications through antenna or satellite transmitting equipment, which can be located above or at ground-level.

## U

### UNSIGHTLY CONDITION

means:

**a)** a STRUCTURE whose exterior shows signs of significant physical deterioration;

**b)** land that, in the opinion of the DEVELOPMENT AUTHORITY, shows signs of serious disregard for general maintenance or upkeep; and

**c)** any other definition pursuant to the Community Standards Bylaw.

### UTILITY SERVICES – MAJOR

means a DEVELOPMENT for public utility infrastructure purposes, which is a likely to have a major impact on the environment or adjacent lands by virtue of their potential emissions, affects, or their appearance. Typical USES include sanitary landfill sites, sewage treatment lagoons and power generating stations.

### UTILITY SERVICES – MINOR

means a DEVELOPMENT for public utility infrastructure purposes, which is likely to have some impact on the environment or adjacent uses by virtue of its appearance, noise, size, traffic generation or operational characteristics. Typical USES include vehicle, equipment material storage for utilities and services, snow dumping sites and water treatments plants.

### USE

means the purpose for which land or a BUILDING and/or STRUCTURE, or any combination thereof, is designated, arranged, erected, intended, occupied, or maintained.

## V

### VARIANCE

means a deliberate deviation from the set of provisions supplied by the TOWN, which can be applied for within DEVELOPMENT PERMIT applications, regarding DEVELOPMENT guidelines, requirements and parameters within this BYLAW.

### VETERINARY CLINIC

means a DEVELOPMENT used for the medical care and treatment of domestic animals and incidental overnight accommodation, and does not include PET SERVICE.

## W

### WAREHOUSE

means the indoor storage of equipment, goods, MOTOR VEHICLES, RECREATIONAL VEHICLES, materials, or products as part of a commercial or industrial DEVELOPMENT.

### WAREHOUSE STORE

means a DEVELOPMENT used for retail sale of goods at discounted prices, which provides a no-frills experience and warehouse shelving stocked with merchandise intended for purchase in bulk or higher volumes.

### WATERBODY

means any location where water flows and/or is present, whether or not the flow or the presence of water is continuous, intermittent or occurs only during a flood, and includes but is it not limited to, wetlands and aquifers, and does not include part of a drainage or irrigation system.

## X

### XERISCAPING

means LANDSCAPING and gardening in a manner to reduce or eliminate the need for watering and irrigation systems.

## Y

### YARD – FLANKAGE

means a YARD – SIDE abutting the road of a LOT CORNER. YARD – FLANKAGE is determined by the horizontal dimension measured from a LOT LINE – FLANKAGE at a right angle to the nearest point of a wall of any BUILDING and/or STRUCTURE on the LOT. In the case of a curved LOT LINE – FLANKAGE, the YARD – FLANKAGE will also form a curve. For an example of a YARD – FLANKAGE please see Figure 20.

### YARD – FRONT

means a yard extending across the full width of a SITE from the LOT LINE – FRONT to the nearest point on the exterior of any BUILDING and/or STRUCTURE situated on the LOT measured at right angles to the LOT LINE – FRONT. In the case of a curved LOT LINE – FRONT, the YARD – FRONT will also form a curve. For an example of a YARD – FRONT please see Figure 20.

### YARD – REAR

means a yard extending across the full width of a SITE from the LOT LINE – REAR to the nearest point on the exterior of any BUILDING and/or STRUCTURE situated on the SITE, measured at right angles to the LOT LINE – REAR. In the case of a curved LOT LINE – REAR, the YARD – REAR will also form a curve. For an example of a YARD – REAR please see Figure 20.

### YARD – SIDE

means the horizontal dimension measured from a LOT LINE – SIDE at a right angle to the nearest point of a wall of any BUILDING and/or STRUCTURE on the LOT. In the case of a curved LOT LINE – SIDE, the YARD – SIDE will also form a curve. For an example of a YARD – SIDE please see Figure 20.

3

# 3.0. ADMINISTRATION AND PROCEDURES DEVELOPMENT AUTHORITY

## 3.1 BYLAW AMENDMENTS

**3.1.1** A BYLAW amendment application shall be made to COUNCIL on the Land Use Bylaw Amendment Application Form that is signed by the applicant, or their agent.

**3.1.2** All applications to amend this BYLAW shall be submitted with a statement of the reasons for the amendment.

**3.1.3** If the amendment involves the re-zoning of a LOT to a different LAND USE DISTRICT, the application must contain:

- **a)** the application fee as set by COUNCIL;
- **b)** a Certificate of Title for the subject property;
- **c)** written consent from the registered landowner, in a case where the applicant is not the owner of the LOT affected by the application;
- **d)** an appropriately dimensioned map describing the SITE to the satisfaction of the DEVELOPMENT AUTHORITY;
- **e)** an AREA STRUCTURE PLAN when required by the DEVELOPMENT AUTHORITY; and
- **f)** any additional information as the DEVELOPMENT AUTHORITY may require in evaluating the application, including but not limited to, traffic impact assessments, ENVIRONMENTAL IMPACT ASSESSMENTS, soil tests, engineering reports or geotechnical reports.

**3.1.4** The TOWN may at any time initiate an amendment to this BYLAW.

**3.1.5** Where an application for an amendment to this BYLAW has been refused, the submission of another application to amend this BYLAW which affects the same PARCEL, and same or similar amendment, may not be made by any applicant for a minimum of six (6) months.

## 3.2 BYLAW AMENDMENT NOTIFICATION REQUIREMENTS

**3.2.1** On first reading being given to a bylaw to amend this BYLAW, in accordance with the Advertisement – Public Notification Bylaw administration will:

- **a)** Arrange for notice of a public hearing to be published in a newspaper circulating within TOWN, the publication of the second issue being not less than five (5) days prior to the commencement of the public hearing in a manner outlined in Section 606 of the ACT;
- **b)** Post copies of the public hearing notice on the TOWN'S digital media platforms for public viewing;
- **c)** Mail a notice of the public hearing to any neighbouring landowners who, in the opinion of the DEVELOPMENT AUTHORITY, may be affected by the proposed amendment; and
- **d)** May contact neighbouring landowners who, in the opinion of the DEVELOPMENT AUTHORITY, may be affected by the proposed amendment via email.

## 3.3 SUBDIVISION AND DEVELOPMENT AUTHORITIES

**3.3.1** DEVELOPMENT AUTHORITIES

- **a)** The DEVELOPMENT AUTHORITY is established by the Development Authority Bylaw, pursuant to Section 624 of the ACT.
- **b)** The DEVELOPMENT AUTHORITY shall exercise development powers and duties on behalf of the TOWN.
- **c)** The DEVELOPMENT AUTHORITY shall be the Chief Administrative Officer, or where the context of this BYLAW permits, the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, TOWN COUNCIL, or the Inter-Municipal Planning Commission.
- **d)** The DEVELOPMENT AUTHORITY shall appoint a Development Officer to receive and process all DEVELOPMENT PERMIT applications for authorization, maintain a record of all DEVELOPMENT PERMIT applications and supporting information, and ensure approved amendments to this BYLAW are completed for public use in a timely manner.
- **e)** COUNCIL shall serve as the DEVELOPMENT AUTHORITY for all applications in the Direct Control (DC) LAND USE DISTRICTS, and may delegate applications within the DC LAND USE DISTRICT with direction they consider appropriate, to the DEVELOPMENT AUTHORITY.

**3.3.2** SUBDIVISION AUTHORITIES

- **a)** The SUBDIVISION Authority is established by the Subdivision Authority Bylaw, pursuant to Section 623 of the ACT.
- **b)** The SUBDIVISION Authority shall exercise SUBDIVISION powers and duties on behalf of the TOWN.
- **c)** The SUBDIVISION Authority shall be the Chief Administrative Officer, or where the context of this BYLAW permits, the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, TOWN COUNCIL, or the Inter-Municipal Planning Commission.

**3.3.3** SUBDIVISION AND DEVELOPMENT APPEAL BOARD

- **a)** The SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall be established by the Subdivision and Development Appeal Board Bylaw, pursuant to Section 627 of the ACT.
- **b)** The Board shall carry out the duties and responsibilities pursuant to Section 628 of the ACT, and in accordance with the Subdivision and Development Appeal Board Bylaw.

**c)** Elected officials shall not form the majority of a SUBDIVISION AND DEVELOPMENT APPEAL BOARD or Committee hearing an appeal.

**3.3.4** INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD

**a)** The INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall be established by a separate BYLAW.

**b)** The Board shall carry out the duties and responsibilities pursuant to Section 627 of the ACT, and in accordance with the bylaw that creates it.

**c)** Elected officials from a single Municipality shall not form the majority of an INTER-MUNICIPAL SUBDIVISION AND DEVELOPMENT APPEAL BOARD or Committee hearing an appeal.

**3.3.5** JOINT SUBDIVISION AND DEVELOPMENT APPEAL BOARD

**a)** The JOINT SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall function under the signed Memorandum of Understanding between the Town of High Level and neighbouring or regional Municipalities.

**b)** The Board shall carry out the duties and responsibilities pursuant to Section 627 of the ACT, and in accordance with the Memorandum of Understanding that creates it.

**c)** Elected officials from a single Municipality shall not form the majority of a JOINT SUBDIVISION AND DEVELOPMENT APPEAL BOARD or Committee hearing an appeal.

# 4

# 4.0 DEVELOPMENT ADMINISTRATION AND PROCEDURES

## 4.1 CONTROL OF DEVELOPMENT

**4.1.1** No person shall commence any DEVELOPMENT within the TOWN except in conformity with this BYLAW.

**4.1.2** Compliance with the requirements of this BYLAW does not exempt any person or entity from the requirements of any adopted Statutory Plan or Federal or Provincial regulation.

## 4.2 DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT

**4.2.1** The following DEVELOPMENTS do not require a DEVELOPMENT PERMIT, but must comply with the regulations of this BYLAW to the extent applicable:

**a)** a DEVELOPMENT that is subject to valid DEVELOPMENT agreement for:
- **i)** constructing, widening, altering, redesigning or maintaining a PUBLIC ROADWAY;
- **ii)** traffic management projects and devices;
- **iii)** water reservoirs, water lines, storm and sanitary sewer installations;
- **iv)** street furniture, playgrounds, public park LANDSCAPING, municipal recreational equipment and civic BUILDINGS with FLOOR AREA – GROSS under 75m$^2$/807.2sq.ft. and;
- **v)** constructing and maintaining public utilities;

**b)** construction and maintenance of that part of a public utility located in, on, over or under a PUBLIC ROADWAY, a public utility right-of-way or public utility LOT;

**c)** the USE of a BUILDING or a part of it in connection with a Federal, Provincial, Municipal, or School election, referendum or census;

**d)** subject to Subsection 5.13 GARAGES – PORTABLE OR TEMPORARY;

**e)** routine maintenance of and repairs to a BUILDING not involving any structural changes;

**f)** in a residential LAND USE DISTRICT, construction of a BUILDING or STRUCTURE with a load bearing roof up-to 10m$^2$/107.7sq.ft. in FLOOR AREA, such as a garden shed

or playhouse, if the DEVELOPMENT complies with this BYLAW;

**g)** in a residential LAND USE DISTRICT, construction of:
- **i)** a DECK to a maximum of 0.6m/1.9ft. above FINISHED GRADE;
- **ii)** a PATIO;
- **iii)** a permanent outdoor kitchen;
- **iv)** a pergola;
- **v)** subject to Section 5.23 a private swimming pool or hot tub;

**h)** in a residential LAND USE DISTRICT, one (1) radio antenna less than 12m/39.3ft. above FINISHED GRADE at its highest point, which otherwise complies with this BYLAW;

**i)** construction of a fence less than 2m/6.5ft. in height above FINISHED GRADE in a YARD – REAR, YARD – SIDE and YARD – FLANKAGE and no more than 1m/3.2ft. in YARD – FRONT;

**j)** a HOME OCCUPATION that involves catalogue sales or product presentation through home parties not held at the vendor's residence, employs no other person than the RESIDENT and does not increase traffic generation;

**k)** a HOME OFFICE, provided that:
- **i)** no individual other than a permanent RESIDENT of the DWELLING UNIT operates the HOME OFFICE;
- **ii)** no client or customer is received in the DWELLING UNIT for business purposes;
- **iii)** the HOME OFFICE does not generate any vehicular traffic related to deliveries or pickups;
- **iv)** there are no ON-SITE exterior displays or advertisements of the HOME OFFICE;
- **v)** no equipment, materials, goods or finished products for sale are stored ON-SITE;
- **vi)** the HOME OFFICE is operated as an ACCESSORY USE only and must not change the residential character or external appearance of the DWELLING UNIT;

**l)** PRIVATE BABYSITTING SERVICE; and

**m)** LANDSCAPING that does not affect the grading or drainage of the subject or adjacent properties, except where LANDSCAPING forms part of a DEVELOPMENT that requires a DEVELOPMENT PERMIT.

**4.2.2** Notwithstanding Article 4.2.1, DEVELOPMENTS with a project value of $5,000.00 (five-thousand dollars) or more require a DEVELOPMENT PERMIT and a BUILDING PERMIT, unless exempted under the *Safety Codes Act* Permit Regulation as amended.

## 4.3 APPLICATION FOR A DEVELOPMENT PERMIT

**4.3.1** In addition to DEVELOPMENT PERMITS being required for all DEVELOPMENT, except those excluded in Subsection 4.2, a DEVELOPMENT PERMIT shall be required for:

**a)** a CHANGE OF USE of a property;

**b)** a change in the intensity of a USE;

**c)** a change to the footprint of an existing BUILDING and/or STRUCTURE;

**d)** a change in the location or placement of a BUILDING and/or STRUCTURE;

**e)** a HOME OCCUPATION;

**f)** an ACCESSORY BUILDING OR STRUCTURE, subject to Clause 4.2.1(f); and

**g)** an existing BUILDING or USE that has not been in operation for a period of six (6) consecutive months.

**4.3.2** Without limiting the generality of Article 4.3.1, BUILDING – MOVED IN requires a DEVELOPMENT PERMIT.

**4.3.3** An application for a DEVELOPMENT PERMIT shall be made by the registered owner of the LOT on which the DEVELOPMENT is proposed, by a person having a registered interest in the land where the DEVELOPMENT is proposed, or by another person with written consent from the owner, to the DEVELOPMENT AUTHORITY by submitting the following:

- **a)** the applicable Development Permit Application Form completed and signed;
- **b)** the fee as set by COUNCIL; and
- **c)** the information required in Article 4.3.4.

**4.3.4** Unless the DEVELOPMENT AUTHORITY or this BYLAW specifies otherwise, the following information must be submitted when an application for a DEVELOPMENT PERMIT is made:

- **a)** SITE plans drawn to scale, in duplicate, showing:
  - **i)** the legal description and civic address of the property;
  - **ii)** LOT LINES with dimensions and SETBACK requirements in accordance to this BYLAW;
  - **iii)** location and height of proposed and any existing BUILDINGS and/or STRUCTURES, including SIGNS, RETAINING WALLS and fencing;
  - **iv)** utilities, SITE drainage, grade elevations, existing and FINISHED GRADE, the grade of streets and location of proposed water and sewer lines;
  - **v)** loading and PARKING provisions;
  - **vi)** ACCESS locations from the SITE;
  - **vii)** garbage, storage areas and the fencing and SCREENING proposed for the SITE;
  - **viii)** location and dimensions of existing and proposed culverts and crossings;
  - **ix)** location and provision for amenity areas and LANDSCAPED AREAS;
- **b)** BUILDING plans drawn to scale, in duplicate, showing:
  - **i)** floor plans;
  - **ii)** BUILDING elevations;
  - **iii)** exterior BUILDING finishing materials;
- **c)** a statement of ownership of and interest of applicant therein;
- **d)** the estimated commencement and completion dates;
- **e)** the total approximate project value in Canadian dollars;
- **f)** a Lot Grading Plan that is in conformance with Section 5.6; and
- **g)** such additional information deemed necessary by the DEVELOPMENT AUTHORITY to ensure the provisions of this BYLAW are met.

**4.3.5** Despite Article 4.3.3, depending on the specific location and proposed USE, the DEVELOPMENT AUTHORITY may also require detailed information such as:

- **a)** specifics related to the USE and type of operation;
- **b)** traffic generation and potential impacts on streets related to PARKING;
- **c)** SIGNAGE;
- **d)** number of employees;
- **e)** hours of operation;
- **f)** architectural drawings, which are encouraged to be consistent with the Town of High Level Design Guidelines; and
- **g)** other matters at the discretion of the DEVELOPMENT AUTHORITY, with the intent of
- **h)** protecting adjacent and nearby properties.

**4.3.6** All DEVELOPMENTS that require new a water and sewer connection, must apply for a Water and Sewer Connection Permit.

## 4.4 DECISION PROCESS

**4.4.1** The DEVELOPMENT AUTHORITY shall receive all applications for DEVELOPMENT PERMITS and shall determine whether the submitted applications are complete and;

**a)** if the application is deemed complete, the DEVELOPMENT AUTHORITY must, within 40 days after receipt of an application for a DEVELOPMENT PERMIT, issue to the applicant an acknowledgement that the permit application is complete, via electronic or regular mail;

**b)** if the application is deemed incomplete, the DEVELOPMENT AUTHORITY must notify the applicant of the outstanding required information and/or documents, and provide a timeline within which the documents must be submitted through electronic or regular mail. If the applicant fails to submit outstanding information and/or documents, either on or before the date specified in the notification, the application will be refused, unless an agreement occurs between the DEVELOPMENT AUTHORITY and the applicant; or

**c)** if the application is deemed complete, the DEVELOPMENT AUTHORITY may within 40 days after receipt of an application approve or refuse the application, and notify the applicant of the decision via electronic or regular mail.

**4.4.2** The DEVELOPMENT AUTHORITY shall review each application for a DEVELOPMENT PERMIT to determine if the DEVELOPMENT is a PERMITTED USE or a DISCRETIONARY USE.

**4.4.3** Subject to Subsection 4.9 and any other VARIANCE provision contained in this BYLAW, the DEVELOPMENT AUTHORITY shall refuse an application, which does not conform to this BYLAW unless, in the opinion of the DEVELOPMENT AUTHORITY,

**a)** The proposed DEVELOPMENT would not

**i)** unduly interfere with the amenities of the neighbourhood; or

**ii)** materially interfere with or affect the USE, enjoyment or value of neighbouring PARCELS of land; and

**b)** the proposed DEVELOPMENT conforms with the USE prescribed for that LOT or BUILDING within the BYLAW.

**4.4.4** Notwithstanding Article 4.4.3, the DEVELOPMENT AUTHORITY may exercise discretion to approve a DEVELOPMENT that does not conform to this BYLAW, if in the opinion of the DEVELOPMENT AUTHORITY the DEVELOPMENT addresses a safety, accessibility or other concern.

**4.4.5** The DEVELOPMENT AUTHORITY shall issue a DEVELOPMENT PERMIT for a PERMITTED USE with or without conditions, if the application conforms to this BYLAW.

**4.4.6** The DEVELOPMENT AUTHORITY may issue a DEVELOPMENT PERMIT for a DISCRETIONARY USE, with or without conditions, if the application conforms to this BYLAW.

**4.4.7** The DEVELOPMENT AUTHORITY may issue a DEVELOPMENT PERMIT approval for USES which are not permitted or discretionary with or without conditions at their discretion.

**4.4.8** The DEVELOPMENT AUTHORITY may refuse a DEVELOPMENT PERMIT application for a DISCRETIONARY USE on its merits even if it conforms to the regulations of this BYLAW.

**4.4.9** The DEVELOPMENT AUTHORITY shall make their decision in writing and shall send a copy of the written decision to the applicant.

**4.4.10** If the DEVELOPMENT AUTHORITY refuses an application for a DEVELOPMENT PERMIT, the decision notice shall contain the reasons for refusal.

**4.4.11** An application for a DEVELOPMENT PERMIT shall, at the option of the applicant, be deemed refused when a decision is not made within 40 days of the DEVELOPMENT AUTHORITY'S receipt of the complete application, unless the applicant has entered into an agreement with the DEVELOPMENT AUTHORITY to extend the time for approval beyond the 40 day period.

**4.4.12** TEMPORARY DEVELOPMENT PERMITS may be issued for a specified time period, at the discretion of the DEVELOPMENT AUTHORITY, for PERMITTED USES or DISCRETIONARY USES defined within this BYLAW, if the USE is identified as TEMPORARY, or if the DEVELOPMENT AUTHORITY deems it appropriate. TEMPORARY DEVELOPMENT PERMITS may also be approved for non-permitted USE and non-discretionary USE within any LAND USE DISTRICT, at the discretion of the DEVELOPMENT AUTHORITY.

## 4.5 NOTIFICATIONS

**4.5.1** In accordance with the Advertisement – Public Notification Bylaw, the DEVELOPMENT AUTHORITY shall provide notification of all decisions on DEVELOPMENT PERMITS, including COUNCIL decisions related to DEVELOPMENTS in Direct Control LAND USE DISTRICTS, in the following ways:

- **a)** copies of decisions made available for public viewing at the TOWN Office;
- **b)** posting copies of decisions on the TOWN'S digital media platforms for public viewing;
- **c)** posting in a newspaper circulated within TOWN, stating the DEVELOPMENT, its location and decision within 15 days of the decision; and
- **d)** via email to applicants and registered landowners.

**4.5.2** In addition to Article 4.5.1, upon refusing a DEVELOPMENT PERMIT application; the DEVELOPMENT AUTHORITY shall deliver a notice of the decision by registered mail or by personal service to the applicant, stating the DEVELOPMENT and the decision.

**4.5.3** In addition to Article 4.5.1, the DEVELOPMENT AUTHORITY shall provide written notice of the approval of a BUILDING – MOVED IN or a HOME OCCUPATION, with the exception of Clause 4.2.1(l),to all adjacent landowners within a 100m/330ft. radius of the proposed SITE.

**4.5.4** Notwithstanding Article 4.5.3, at the discretion of the DEVELOPMENT AUTHORITY, adjacent landowner notifications for an approved HOME OCCUPATION may be limited to select adjacent landowners within the 100m/330ft. radius if the proposed USE would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the USE, enjoyment or value of nearby PARCELS, based upon the nature of the proposed USE or location of the subject SITE.

## 4.6 DEVELOPMENT PERMIT CONDITIONS

**4.6.1** The DEVELOPMENT AUTHORITY may, with respect to any USE, require the applicant to make satisfactory arrangements for the supply of utilities or vehicular and pedestrian ACCESS, including payment of the cost of installation or construction.

**4.6.2** The DEVELOPMENT AUTHORITY may, with respect to any USE, require that an applicant enter into an agreement or interim agreement, which shall form part of such DEVELOPMENT PERMIT, to do any or all of the following:

- **a)** construct, or pay for the construction of, a PUBLIC ROADWAY required to give ACCESS to the DEVELOPMENT;
- **b)** construct, or pay for the construction of:
  - **i)** a pedestrian walkway to serve the DEVELOPMENT;
  - **ii)** pedestrian walkways that will connect the pedestrian walkway system serving the DEVELOPMENT with a pedestrian walkway system that serves or is proposed to serve an adjacent DEVELOPMENT;
  - **iii)** or both;
- **c)** install, or pay for the installation of, utilities that are necessary to serve the DEVELOPMENT;
- **d)** pay an OFF-SITE LEVY, redevelopment levy or both, imposed by the Off-Site Levy Bylaw;
- **e)** specify the number and location of vehicular and pedestrian ACCESS points to the DEVELOPMENT from PUBLIC ROADWAYS;
- **f)** construct or pay for the construction of off-street or OFF-SITE PARKING facilities or loading or unloading facilities;
- **g)** repair, reinstate or pay for the repair or reinstatement to original condition of any street furniture, curbing, sidewalk, BOULEVARD LANDSCAPING and tree planting which may be damaged, destroyed or otherwise harmed by DEVELOPMENT or BUILDING operations upon the SITE;
- **h)** install, construct or pay for the installation or construction of LANDSCAPING and fencing on the DEVELOPMENT, PUBLIC ROADWAYS and public lands adjacent to the DEVELOPMENT; and
- **i)** to give security to ensure that the terms of the agreement under this Section are carried out.

**4.6.3** The DEVELOPMENT AUTHORITY may require that an agreement between the TOWN and applicant be entered into for items identified in Article 4.6.1 and Article 4.6.2, and that this agreement be registered by CAVEAT against Certificate of Title to the LOT with Alberta Land Titles.

**4.6.4** The agreement under Article 4.6.3 may include provisions contemplated by Section 651 of the ACT in respect of oversize improvements.

**4.6.5** In addition to Article 4.6.1 and Article 4.6.2, the DEVELOPMENT AUTHORITY may, with respect to a PERMITTED USE, impose conditions as deemed appropriate, having regard to the regulations of this BYLAW, ~~and the provisions of the Town of High Level Design Guidelines~~ and any Statutory Plan including, but not limited to the following conditions:

- **a)** limiting the hours of operation;
- **b)** limiting the number of patrons;
- **c)** establishing LANDSCAPING requirements;

**d)** requiring noise mitigation;
**e)** requiring special provisions be made for PARKING;
**f)** specifying the location, character and appearance of a BUILDING;
**g)** specifying the grading of a SITE or such other procedures as are necessary to protect the SITE from other DEVELOPMENTS, or to protect other DEVELOPMENTS from the SITE;
**h)** establishing the period of time which a DEVELOPMENT may continue;
**i)** specifying certain measures be taken to make the DEVELOPMENT compatible with surrounding DEVELOPMENT; and
**j)** requiring measures be taken to make the DEVELOPMENT compliant and compatible with the general DEVELOPMENT or LAND USE DISTRICT regulations of this BYLAW.

**4.6.6** It is hereby deemed a condition of every DEVELOPMENT PERMIT, whether or not expressly stated therein that the applicant is responsible for identifying and shall comply with all applicable Federal, Provincial and Municipal enactments and any other law with respect to the USE and DEVELOPMENT of the land and BUILDINGS and shall, as required, to obtain any and all permits, licenses and approvals.

**4.6.7** In addition to Article 4.6.1 and 4.6.2, the DEVELOPMENT AUTHORITY, may with respect to a DISCRETIONARY USE, or COUNCIL regarding a Direct Control LAND USE DISTRICT, may impose conditions as deemed appropriate, having regard to the regulations of this BYLAW, ~~High Level Design Guidelines~~, and any Statutory Plan including, but not limited to the following conditions:

**a)** limiting the hours of operation;
**b)** limiting the number of patrons;
**c)** establishing LANDSCAPING requirements;
**d)** requiring noise mitigation;
**e)** requiring special provisions be made for PARKING;
**f)** specifying the location, character and appearance of a BUILDING;
**g)** specifying the grading of a SITE or such other procedures as are necessary to protect the SITE from other DEVELOPMENTS or to protect other DEVELOPMENTS from the SITE;
**h)** establishing the period of time which a DEVELOPMENT may continue;
**i)** specifying certain measures be taken to make the DEVELOPMENT compatible with surrounding DEVELOPMENT; and
**j)** requiring measures be taken to make the DEVELOPMENT compliant and compatible with the general DEVELOPMENT or LAND USE DISTRICT regulations of this BYLAW.

## 4.7 DEVELOPMENT PERMIT RULES

**4.7.1** Unless otherwise provided by this BYLAW, a DEVELOPMENT PERMIT remains in effect unless:

**a)** the DEVELOPMENT PERMIT is suspended or cancelled; or
**b)** the DEVELOPMENT for which the permit is issued has not commenced within one (1) year of the date the permit is issued.

**4.7.2** Notwithstanding Clause 4.7.1(b), if a BUILDING PERMIT is issued for the DEVELOPMENT within the one (1) year period, the DEVELOPMENT PERMIT shall not lapse unless the BUILDING PERMIT is cancelled, or the timeframe for the BUILDING PERMIT lapses.

**4.7.3** Prior to the DEVELOPMENT PERMIT lapsing as outlined in Article 4.7.1, the DEVELOPMENT AUTHORITY may extend the validity of a DEVELOPMENT PERMIT once for a period not exceeding one (1) year.

**4.7.4** When a DEVELOPMENT PERMIT is refused by the DEVELOPMENT AUTHORITY or the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, another DEVELOPMENT PERMIT application for the same or similar DEVELOPMENT or USE on the same LOT may not be made by any applicant for a six (6) month period, from the date of refusal.

**4.7.5** Notwithstanding Article 4.7.4, the DEVELOPMENT AUTHORITY is authorized to accept a new or revised application for the same or similar DEVELOPMENT or USE for the same SITE prior to six (6) months having elapsed from the date of refusal, if in the opinion of the DEVELOPMENT AUTHORITY, the aspects of the application that caused it to be refused have been sufficiently modified or resolved.

**4.7.6** An application for a PERMITTED USE on the same SITE, which complies with all applicable provisions of this BYLAW, may be submitted prior to six (6) months having elapsed from the date of refusal.

**4.7.7** If after the issuance of a DEVELOPMENT PERMIT, it becomes known to the DEVELOPMENT AUTHORITY that:

**a)** the application for the DEVELOPMENT PERMIT contains a misrepresentation; or

**b)** facts have not been disclosed which should have been disclosed at the time of consideration of the application for the DEVELOPMENT PERMIT;

the DEVELOPMENT AUTHORITY may suspend or cancel the DEVELOPMENT PERMIT and must advise the applicant in writing to the address given in the DEVELOPMENT PERMIT application.

**4.7.8** The DEVELOPMENT shall not be altered, changed, or modified from the approved plans or specifications without written authorization from the DEVELOPMENT AUTHORITY.

## 4.8 COMPLIANCE CERTIFICATES AND REAL PROPERTY REPORTS

**4.8.1** The registered owner, or a person with a legal or equitable interest in a SITE, may apply, upon payment of the fee as set by COUNCIL, to the DEVELOPMENT AUTHORITY for a COMPLIANCE CERTIFICATE.

**4.8.2** The applicant for a COMPLIANCE CERTIFICATE shall submit an original REAL PROPERTY REPORT for the SITE. Any REAL PROPERTY REPORT that is dated for a period of more than 90 days from the date of application, must be submitted with a Statutory Declaration indicating the accuracy of the REAL PROPERTY REPORT.

**4.8.3** The DEVELOPMENT AUTHORITY may issue a COMPLIANCE CERTIFICATE, when in the opinion of the DEVELOPMENT AUTHORITY, the BUILDINGS, STRUCTURES or combination thereof as shown on the REAL PROPERTY REPORT provided by the applicant, are located on the SITE in accordance with the separation distance and minimum yard requirements of this BYLAW, or the minimum yard requirements specified in any DEVELOPMENT PERMIT, which may have been issued for the SITE.

**4.8.4** The COMPLIANCE CERTIFICATE shall only cover those BUILDINGS and/or STRUCTURES, or parts thereof, shown on the REAL PROPERTY REPORT as provided by the applicant.

**4.8.5** The DEVELOPMENT AUTHORITY may refuse to issue a COMPLIANCE CERTIFICATE when the REAL PROPERTY REPORT does not contain sufficient information to determine if the BUILDINGS and/or STRUCTURES as shown are located in accordance with the yard and BUILDING SETBACK regulations of this BYLAW, or the minimum yard requirements specified in any DEVELOPMENT PERMIT, which may have been issued for the SITE.

**4.8.6** The DEVELOPMENT AUTHORITY may refuse to issue a COMPLIANCE CERTIFICATE when:

- **a)** the REAL PROPERTY REPORT does not indicate all DEVELOPMENTS that are located on the LOT;
- **b)** DEVELOPMENTS on the LOT were constructed without a DEVELOPMENT PERMIT; or
- **c)** the DEVELOPMENT is in non-compliance with this, or any other TOWN bylaw.

**4.8.7** A COMPLIANCE CERTIFICATE is not considered a DEVELOPMENT PERMIT.

## 4.9 VARIANCES

**4.9.1** The DEVELOPMENT AUTHORITY may exercise discretion to approve DEVELOPMENT PERMIT applications with up-to 100% VARIANCES for all provisions of the BYLAW, except for the provisions within Table 4.1, if the proposed DEVELOPMENT would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the USE, enjoyment , or value of the neighbouring PARCELS of land.

**TABLE 4.1** VARIANCES FOR DEVELOPMENTS THAT COME INTO EXISTENCE AFTER THE ENACTMENT OF THIS BYLAW

| COMPONENT | VARIANCE IN ALL DISTRICTS |
|---|---|
| BUILDING HEIGHT | 10% Increase |
| LOT COVERAGE | 10% Relaxation |
| PARKING Requirements (minimum) | 15% Relaxation |

**4.9.2** In exercising discretion pursuant to Article 4.9.1, a VARIANCE shall only be permitted if, in the opinion of the DEVELOPMENT AUTHORITY:

- **a)** the DEVELOPMENT would not:
  - **i)** unduly interfere with the appearance of the neighborhood as it relates to BUILDING;
  - **ii)** design, BUILDING scale and LANDSCAPING; or
  - **iii)** materially interfere with or affect the use, enjoyment or value of neighbouring properties; and
- **b)** the DEVELOPMENT conforms with the USE prescribed for that LAND USE DISTRICT or BUILDING in this BYLAW.

**4.9.3** Requests for VARIANCES for non-complying or NON-CONFORMING BUILDINGS shall be made to the DEVELOPMENT AUTHORITY by submitting the following:

**a)** the fee as set by COUNCIL; and

**b)** a REAL PROPERTY REPORT or Surveyor's Certificate stamped and signed by a Registered Alberta Land Surveyor.

**4.9.4** Applicants who request VARIANCES for proposed DEVELOPMENTS, shall make their request at the time of submitting their DEVELOPMENT PERMIT application and shall submit the information required in Subsection 4.3.

**4.9.5** Applicants who request a VARIANCE that exceeds the DEVELOPMENT AUTHORITY'S ability under Table 4.1 shall have their application for a DEVELOPMENT PERMIT refused with a decision notice issued as per Article 4.4.10.

## 4.10 APPEAL PROCESS

**4.10.1** If the DEVELOPMENT AUTHORITY:

**a)** refuses or fails to issue a DEVELOPMENT PERMIT to a person;

**b)** issues a DEVELOPMENT PERMIT subject to conditions; or

**c)** issues an Order under Section 645 of the ACT;

the person applying for the permit or affected by the Order under Section 645 of the ACT, may appeal upon payment of the fee, as set by COUNCIL, to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

**4.10.2** A person affected by a decision or DEVELOPMENT PERMIT made or issued by the DEVELOPMENT AUTHORITY, other than a person having a right of appeal under Article 4.10.1, may appeal upon payment of the fee, as set by COUNCIL, to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD in accordance to this BYLAW and the ACT.

**4.10.3** The SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall conduct an appeal in accordance with the Subdivision and Development Appeal Board Bylaw and the ACT.

**4.10.4** The Appellant shall file a written notice of an appeal and the required fee with the Secretary of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD within fourteen (14) days of notification of the SUBDIVISION decision and twenty-one (21) days for DEVELOPMENT PERMIT decisions and conditions, pursuant to Sections 686(1) and 678(2) of the ACT, or an Order pursuant to Section 685 of the ACT.

## 4.11 NON-CONFORMING DEVELOPMENT

**4.11.1** Where a DEVELOPMENT PERMIT issued on, or before, the effective date this of BYLAW or any amendment thereto is enacted, the DEVELOPMENT PERMIT shall continue to be in effect regardless of compliance with this BYLAW or any subsequent amendments.

**4.11.2** A NON-CONFORMING USE or NON-CONFORMING BUILDING, or both, may continue unless:

**a)** that USE is discontinued for a period of six (6) consecutive months or more;

**b)** the BUILDING is enlarged or undergoes any structural alterations;

**c)** additional BUILDINGS associated with NON-CONFORMING USE are constructed on the same SITE; or

**d)** a NON-CONFORMING BUILDING is damaged or destroyed to the extent of more than 75% of the value of the BUILDING above its foundation.

**4.11.3** Notwithstanding Article 4.11.2, a NON-CONFORMING BUILDING may be enlarged, rebuilt or structurally altered if the proposed construction:

**a)** will bring the NON-CONFORMING BUILDING into compliance with this BYLAW; or

**b)** if in the opinion of the DEVELOPMENT AUTHORITY, it is necessary for routine maintenance of the BUILDING.

**4.11.4** The USE of a LOT or the USE of a BUILDING is not affected by a change of ownership or tenancy of the LOT or BUILDING.

**4.11.5** LOTS existing prior to the adoption of this BYLAW that do not meet the minimum required width, depth and area as prescribed for their LAND USE DISTRICT will continue to exist, should all other requirements of this BYLAW be met.

## 4.12 ENFORCEMENT

**4.12.1** If the DEVELOPMENT AUTHORITY finds that a DEVELOPMENT, USE of a LOT or USE of a BUILDING is not in accordance with this BYLAW, DEVELOPMENT PERMIT or SUBDIVISION approval, the DEVELOPMENT AUTHORITY may, by written notice, order the owner, the person in possession of the LOT or BUILDING, or the person responsible for the contravention, or all of them, to:

**a)** stop the DEVELOPMENT or USE of the LOT or BUILDINGS in whole or part as directed by the notice;

**b)** demolish, remove or replace the DEVELOPMENT;

**c)** carry out any other actions required by the notice so that the DEVELOPMENT or USE of the LOT or BUILDING complies with this BYLAW, DEVELOPMENT PERMIT or a SUBDIVISION approval, within the time set out in the notice; or

**d)** any combination of the above.

**4.12.2** A person who receives a notice referred to in Article 4.12.1 may appeal to the SUBDIVISION AND DEVELOPMENT APPEAL BOARD in accordance to Subsection 4.10.

**4.12.3** If a person fails or refuses to comply with an Order directed to them under this Section or an Order of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, the TOWN may enter on the LOT or BUILDING and take any action necessary to carry out the Order. The costs of the TOWN'S action may be placed against the tax roll of the property, pursuant to Sections 542, 549 and 646(1) of the ACT.

**4.12.4** The TOWN may register a CAVEAT under the *Land Titles Act* in respect of an Order against the Certificate of Title for the LOT that is the subject of the Order.

## 4.13 PENALTIES

**4.13.1** Violation Penalties:

**a)** Any person who contravenes any provision of this BYLAW is guilty of an offence and is liable to a fine for each offence of not more than:

i) $500.00 for a first offence;
ii) $2,500.00 for a second and subsequent offence;

**b)** The DEVELOPMENT AUTHORITY is hereby appointed as a Bylaw Enforcement Officer pursuant to the ACT, for the purpose of enforcing this BYLAW and is empowered to issue a violation ticket pursuant to the *Provincial Offences Procedure Act;*

**c)** The DEVELOPMENT AUTHORITY may appoint another individual as a Bylaw Enforcement Officer for the purpose of enforcing this BYLAW pursuant to Section 3 of the Bylaw Enforcement Officer Bylaw, who is empowered to issue a violation ticket pursuant to the *Provincial Offences Procedure Act*;

**d)** Where a contravention of this BYLAW is of a continuing nature, the DEVELOPMENT AUTHORITY may issue further violation tickets for each day that the contravention continues;

**e)** The person to whom the violation ticket is issued may, in lieu of being prosecuted, sign the plea of guilty on the violation ticket and pay the fine to the Clerk of the Court at the location indicated on the violation ticket; and

**f)** Where a contravention of this BYLAW continues fourteen (14) days after a conviction has been entered as a result of such contravention, the person against whom the conviction has been entered is guilty of a new and separate offence for each day as long as the offence continues.

**4.13.2** Where a person is found guilty of an offence pursuant to this BYLAW, the Alberta Court of King's Bench may, in addition to any other penalty imposed, order the person to comply with the ACT and any regulations, a DEVELOPMENT PERMIT, a SUBDIVISION approval, an Order or decision of the SUBDIVISION AND DEVELOPMENT APPEAL BOARD, or this BYLAW.

## 4.14 COMPLIANCE WITH OTHER LEGISLATION

**4.14.1** A person applying for, or in possession of, a valid DEVELOPMENT PERMIT is not relieved from full responsibility for ascertaining and complying with, or carrying out and shall ascertain, comply or carry out DEVELOPMENT in accordance with:

**a)** the requirements of the *Safety Codes Act*, *Environmental Protection and Enhancement Act*, *Natural Resources Conservation Board Act*, *Water Act*, *National Building Code – Alberta Edition*, *National Fire Code – Alberta Edition* and *Public Highways Development Act* and any amendments thereto;

**b)** the Building Permit and Standards Bylaw;

**c)** the requirements of any other Federal, Provincial or Municipal enactment or any other law; and

**d)** the conditions of any CAVEAT, COVENANT, EASEMENT or other instrument affecting a BUILDING or LOT.

**4.14.2** The TOWN is not responsible for, nor does the TOWN have any obligation to determine, what other legislation may apply to a DEVELOPMENT, nor to monitor or enforce compliance with such legislation.

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# 5.0 GENERAL LAND USE PROVISIONS

## 5.1 LAND USE REGULATIONS

**5.1.1** Notwithstanding any other land-use regulation contained within this BYLAW, the following regulations shall apply to all DEVELOPMENT.

## 5.2 DESIGN, CHARACTER AND APPEARANCE OF BUILDINGS AND/OR STRUCTURES

**5.2.1** In consideration of a DEVELOPMENT PERMIT, the appearance of all BUILDINGS and/or STRUCTURES, ~~beyond those BUILDINGS regulated in the Town of High Level Design Guidelines,~~ must be compatible with any other BUILDING and/or STRUCTURE existing on the SITE and in the vicinity, unless the BUILDING and/or STRUCTURE, in the opinion of the DEVELOPMENT AUTHORITY, sets a higher standard of design, character and appearance for a LAND USE DISTRICT or part of it.

**5.2.2** The design of any DEVELOPMENT within the Town is encouraged to be consistent with the Town of High Level Design Guidelines.

~~**5.2.3** Notwithstanding Article 5.2.2, alterations to existing BUILDINGS shall not be required to comply with the Town of High Level Design Guidelines when they are renovations that, in the opinion of the DEVELOPMENT AUTHORITY, are associated with the regular maintenance of a BUILDING and/or STRUCTURE.~~

## 5.3 SIGHT TRIANGLE ON LOT CORNER

**5.3.1** On a LOT CORNER a fence, SIGN, hedge, shrub, bush, tree, BUILDING and/or STRUCTURE cannot be erected or permitted to grow to a height more than 1m/3.2ft. above the FINISHED GRADE of the street or LANE that abuts the LOT within the SIGHT TRIANGLE. An example of a SIGHT TRIANGLE can be found in Figure 17. By 5.5m/18.0ft. for residential LAND USE DISTRICT

LOTS on minor roads and 7.5m/24.6ft. in all other instances, the SIGHT TRIANGLE is measured from the intersection or theoretical intersection of:

**a)** the LOT LINE – FRONT and the LOT LINE – FLANKAGE; or

**b)** the LOT LINE – FLANKAGE and the LOT LINE – REAR in the case of a LOT CORNER with a rear LANE.

**5.3.2** Despite Article 5.3.1, the DEVELOPMENT AUTHORITY may restrict the placement of any object, regardless of height, if in the opinion of the DEVELOPMENT AUTHORITY, traffic safety is interfered with.

## 5.4 PERMITTED ENCROACHMENTS

**5.4.1** Permitted encroachments into required yards are features that are attached to a BUILDING, which may project over or into a required minimum yard area, as outlined in Table 5.1.

**TABLE 5.1** PERMITTED ENCROACHMENTS INTO REQUIRED YARDS

| BUILDINGS, STRUCTURES OR COMPONENTS | AREA TO BE ENCROACHED | | | | |
|---|---|---|---|---|---|
| | Required YARD – FRONT | Required YARD – SIDE | Required YARD – REAR | Required YARD – FLANKAGE | PUBLIC RIGHT-OF-WAY |
| DECKS not more than 1.5m above FINISHED GRADE | 1.5m/4.9ft. | Within 1m/3.2ft. of LOT LINE – SIDE | Within 3m/9.85ft. of LOT LINE – REAR | 0m/0ft. | 0m/0ft. |
| Canopy, BALCONY, unenclosed verandah or porch | 1.5m/4.9ft. | 600mm/23.6in | 0m/0ft. | 600mm/23.6in | 0m/0ft. |
| Cantilevered wall section or chimney | 600mm/24in | 600mm/23.6in | 1.5m/4.9ft. | 600mm/23.6in | 0m/0ft. |
| Unenclosed steps, not more than 3m above FINISHED GRADE | 1.5m/4.9ft. | 0m/0ft. | 1.5m/4.9ft. | 0m/0ft. | 0m/0ft. |
| Cornice or eave of a PRINCIPAL BUILDING | 1.5m/4.9ft. | 600mm/23.6in | 1.2m/3.9ft. | 1.2m/3.9ft. | 0m/0ft. |
| Cornice or eave of an ACCESSORY BUILDING OR STRUCTURE | 600mm/23.6in | 600mm/23.6in | 600mm/23.6in | 600mm/23.6in | 0m/0ft. |
| Freestanding exterior air conditioner | 0m/0ft. | 1m/3.2ft. from LOT LINE | 1m/3.2ft. from LOT LINE | 0 m/0ft. | 0m/0ft. |

**5.4.2** Notwithstanding Article 5.4.1, the encroachment of eaves, canopies and BALCONIES within C-1 LAND USE DISTRICT may be permitted to exceed the requirements outlined in Table 5.1 at the discretion of the DEVELOPMENT AUTHORITY, so long as they do not surpass the LOT LINE.

**5.4.3** No permitted encroachment outlined in Articles 5.4.1 and 5.4.2 shall result in runoff or drainage from the roof of a BUILDING and/or STRUCTURE running through or ponding on a neighbouring property.

## 5.5 DEVELOPMENT OF WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS AND LANDS SUBJECT TO FLOODING AND SUBSIDENCE

**5.5.1** The DEVELOPMENT AUTHORITY may submit any DEVELOPMENT PERMIT application for DEVELOPMENTS on or near ENVIRONMENTALLY SENSITIVE AREAS or wetlands to the Government of Alberta for comments and recommendations.

**5.5.2** When reviewing a DEVELOPMENT PERMIT application for DEVELOPMENTS on or near ENVIRONMENTALLY SENSITIVE AREAS and wetlands the DEVELOPMENT AUTHORITY shall consider:

- **a)** the affect of the proposed DEVELOPMENT on the subject lands and the surrounding area;
- **b)** the soil and slope conditions of the subject property and surrounding areas;
- **c)** any information on the history of the subject property from a geo-technical perspective; and
- **d)** comments and recommendations from the Government of Alberta.

**5.5.3** On lands near, or identified as, ENVIRONMENTALLY SENSITIVE AREAS or wetlands, or lands subject to flooding and subsidence, the DEVELOPMENT AUTHORITY may require the following information to be submitted as part of a DEVELOPMENT PERMIT application, an application to amend this BYLAW, an application for SUBDIVISION approval or an application to amend a Statutory Plan:

- **a)** a geo-technical study, prepared by a qualified professional geo-technical engineer, addressing the proposed DEVELOPMENT. The geo-technical study shall establish BUILDING and/or STRUCTURE SETBACKS from these LOT LINES or wetlands based on the land characteristics of the subject property;
- **b)** a Certificate from a qualified professional geo-technical engineer certifying that the design of the proposed DEVELOPMENT was undertaken with full knowledge of the soil and slope conditions of the subject property;
- **c)** a Certificate from a qualified professional geo-technical engineer when the proposed DEVELOPMENT includes cut and/or fill sections on slopes, including the addition of fill to the subject property;
- **d)** storm-water modelling to determine potential impacts on neighbouring properties and the TOWN'S existing infrastructure, which may result in the preparation of a Storm-water Management Plan prepared by a certified engineer; and
- **e)** any other study or assessment as may be recommended by the Government of Alberta.

**5.5.4** The DEVELOPMENT AUTHORITY may require that the property owner and/or the applicant to register a restrictive COVENANT against the Certificate of Title for the subject property related to the DEVELOPMENT approved for the subject property.

## 5.6 LOT GRADING AND DRAINAGE

**5.6.1** LOT grading design shall compliment the overall design of both the minor and major storm drainage systems of the TOWN.

**5.6.2** LOTS shall be graded and sloped in such a manner that a minimum of surface run-off water will be conducted to other properties.

**5.6.3** Where surface drainage swales direct run-off from one LOT to the next, the necessary drainage EASEMENTS shall be registered concurrently with the Lot Grading Plan of a SUBDIVISION.

**5.6.4** All lands shall be graded to drain towards developed streets and/or storm water catch basins or drainage channels.

**5.6.5** BOULEVARD areas shall be graded to provide a minimum slope of 2% from LOT LINE to top of the curb.

**5.6.6** Commercial and Industrial LOTS may be graded to drain to ON-SITE storm water catch basins.

**5.6.7** In circumstances where YARD–REAR slopes towards the BUILDING, provisions are required to keep the run-off at least 3m/9.85ft. away from the BUILDING, with the possibility of draining the surface water along the LOT LINES onto the streets.

**5.6.8** Where drainage swales are provided on LOT LINE – REAR in LANE-less SUBDIVISIONS, the developer shall provide an approved concrete drainage swale. The drainage swale shall be provided on one (1) side of the LOT LINE and be placed in a drainage EASEMENT.

**5.6.9** The maximum slope draining towards LOT LINES shall not exceed 10% within 1.5m/4.9ft. of the LOT LINE. The slope away from BUILDINGS shall meet the minimum requirements of the *National Building Code – Alberta Edition*. Downspouts from eaves-troughs and discharge hoses from sump-pumps shall not discharge within 0.6m/1.9ft. of a LOT LINE.

**5.6.10** Where extremes in elevation of adjoining LOTS require the construction of a RETAINING WALL, such shall be indicated on the proposed Lot Grading Plan and no work or construction will be permitted on the building LOTS that are the subject of, or adjacent to, the said RETAINING WALL without a written authorization from the owner(s) of both LOTS affected by the construction of the RETAINING WALL at the time of construction of the proposed BUILDING.

**5.6.11** A Lot Grading Plan shall meet the requirements of Subsection 2.4 of the Municipal Engineering and Construction Standards.

**5.6.12** A Lot Grading Certificate shall meet the requirements of Section 11 of the Building Permit and Standards Bylaw.

## 5.7 LANDSCAPING AND SCREENING

### GENERAL LANDSCAPING REQUIREMENTS

**5.7.1** Unless otherwise stipulated under Article 4.2.1, by a DEVELOPMENT AGREEMENT or by the

DEVELOPMENT AUTHORITY, LANDSCAPING of any SITE:

**a)** requires a DEVELOPMENT PERMIT;
**b)** is subject to Section 5.7; and
**c)** shall be completed within two (2) years of approval of the BUILDING PERMIT.

**5.7.2** The DEVELOPMENT AUTHORITY may require an area that is landscaped to be left in its natural state if it is of the opinion that the natural state would enhance the appearance of the SITE, and meet the intent of LANDSCAPING requirements.

**5.7.3** The DEVELOPMENT AUTHORITY may require LANDSCAPING plans with any DEVELOPMENT PERMIT application; however, LANDSCAPING plans shall be required with an application for USES within the:

**a)** R-3 LAND USE DISTRICT;
**b)** the R-4 LAND USE DISTRICT, specifically related to the DEVELOPMENT of a MANUFACTURED HOME COMMUNITY;
**c)** Commercial LAND USE DISTRICT; and
**d)** Industrial LAND USE DISTRICT.

**5.7.4** At a minimum, all LANDSCAPED AREAS shall be seeded or sodded with grass unless specified otherwise. Aesthetically pleasing alternative LANDSCAPED AREAS are encouraged to include XERISCAPING or other forms of low maintenance and drought-resistant LANDSCAPING techniques, which allow for reduced water usage and naturalized storm-water management. In no case shall hard-LANDSCAPING features, such as decorative paving or other impervious surfaces, exceed 25% of the required LANDSCAPED AREA.

**5.7.5** All LANDSCAPING that includes the planting of new trees and shrubs must avoid the use of plant species, which are either harmful to existing native plant species or municipal infrastructure, inclusive of but not limited to, streets, sidewalks, and belowground utilities.

**5.7.6** DEVELOPMENTS in Commercial LAND USE DISTRICTS that are required in this BYLAW to be screened from residential USES must include trees and/or fencing that in the opinion of the DEVELOPMENT AUTHORITY, would be sufficient to screen the DEVELOPMENT.

## BOULEVARD LANDSCAPING

**5.7.7** An applicant whose DEVELOPMENT involves the creation of a new ACCESS or other earthworks within the PUBLIC ROADWAY shall be responsible for the construction or replacement of a BOULEVARD to Municipal Engineering and Construction Standards.

**5.7.8** All applications that include new LANDSCAPING of a BOULEVARD shall require an approved DEVELOPMENT AGREEMENT or conditions within the DEVELOPMENT PERMIT approval, which will specify all mandatory design elements and requirements for the BOULEVARD.

**5.7.9** When creating a DEVELOPMENT AGREEMENT with a property owner or developer for an application regarding LANDSCAPING of a BOULEVARD, the DEVELOPMENT AUTHORITY shall consider the USE, value and enjoyment of adjoining lands, the aesthetics of the LANDSCAPING, public safety and municipal operations. The DEVELOPMENT AUTHORITY may include any condition within the DEVELOPMENT AGREEMENT it deems necessary in accordance with these considerations.

**5.7.10** The owner or developer of a residential property is not responsible for LANDSCAPING the BOULEVARD along a LOT LINE – FLANKAGE that is adjacent to a road classified as an arterial road in the Municipal Development Plan.

**5.7.11** If COUNCIL has adopted a plan, policy or Bylaw in regards to LANDSCAPING any specific area, street or neighbourhood, all LANDSCAPING must be in accordance to that plan, policy or Bylaw.

### PARKING LOT LANDSCAPING

**5.7.12** Any PARKING LOT abutting a public street, park or residential land-use shall be separated by a 2m/6.5ft. landscaped BUFFER. For an example of PARKING LOT LANDSCAPING please see Figure 22. Alternatively, the DEVELOPMENT AUTHORITY may consider an opaque ~~wooden~~ fence meeting the requirements of Subsection 5.15 as an alternative.

### BUFFERS

**5.7.13** Where a Commercial or Industrial USE is proposed adjacent to a residential LAND USE DISTRICT, a landscaped BUFFER shall be provided in accordance with the following:

- **a)** the landscaped BUFFER shall be the full length of any required minimum yard adjacent to a residential LAND USE DISTRICT, along the entire length of the adjacent residential LOT LINE;
- **b)** at a minimum, the BUFFER shall be 3m/9.85ft.;
- **c)** a combination of trees, shrubs and other landscaped elements shall be used; and
- **d)** the preservation of existing vegetation shall be encouraged as an alternative to the planting of new trees and shrubs.

**5.7.14** Notwithstanding Article 5.7.13, a vegetated BERM may be a suitable alternative to a landscaped BUFFER and must:

- **a)** be a minimum of 2m/6.5ft. in height above the FINISHED GRADE;
- **b)** feature at minimum, a combination of trees and shrubs planted along the entire length of the BERM, subject to Article 5.7.5.

For an example of a vegetated BERM as a landscaped BUFFER please see Figure 23.

**5.7.15** In addition to Articles 5.7.13 and 5.7.14, where in the opinion of the DEVELOPMENT AUTHORITY, the proposed USE may have a negative aesthetic impact or present safety concerns relative to surrounding residential USES, a fence may be required in accordance with Subsection 5.15.

## 5.8 ILLUMINATION

**5.8.1** The applicant must locate and arrange outdoor lighting so that:

- **a)** lights are not directed at an adjacent SITE and indirect lights do not adversely affect an adjacent SITE; and
- **b)** traffic safety is not adversely affected.

## 5.9 BUILDING – MOVED IN

**5.9.1** In addition to the DEVELOPMENT PERMIT application requirements outlined in Subsection 4.3, the following shall also be submitted as part of an application for a BUILDING – MOVED IN.

**a)** floor plans;

**b)** coloured photographs of the proposed BUILDING, accurately depicting the building's style and general condition; and documentation indicating the BUILDING – MOVED IN certification and compliance with the *National Building Code – Alberta Edition.*

**5.9.2** All renovations and any conditions imposed by the DEVELOPMENT AUTHORITY to a BUILDING – MOVED IN shall be completed by the time stipulated by the DEVELOPMENT AUTHORITY*,* and in no case is that time to exceed one (1) year, or the expiration of the BUILDING PERMIT.

## 5.10 OUTDOOR STORAGE

**5.10.1** In a Residential LAND USE DISTRICT there shall be no OUTDOOR STORAGE of materials or goods that are associated with a business or HOME OCCUPATION.

**5.10.2** OUTDOOR STORAGE in a Commercial LAND USE DISTRICT shall be located at the rear of the BUILDING and screened from view of public roads, highways and Residential LAND USE DISTRICTS by a solid fence or wall, or ON-SITE LANDSCAPING that provides a year-round screen. The height of the fence and amount of LANDSCAPING shall be at the discretion of the DEVELOPMENT AUTHORITY, and dependent upon the height of the goods or materials to be stored.

**5.10.3** Subject to Article 5.10.2, the USE of SHIPPING CONTAINERS involving OUTDOOR STORAGE is permitted in accordance with the following:

**a)** Limited to one (1) SHIPPING CONTAINER per LOT in Residential LAND USE DISTRICTS;

**b)** Not permitted in YARD – FRONT, (permitted in YARD – SIDE and YARD – REAR only);

**c)** Considered as an ACCESSORY BUILDING OR STRUCTURE;

**d)** Storage of items excludes DANGEROUS OR HAZARDOUS GOODS;

**e)** Must conform to specific SETBACKS within the LAND USE DISTRICT;

**f)** Exterior finish of SHIPPING CONTAINERS must match or compliment the exterior finish of the PRINCIPAL BUILDING, or be finished to such a standard that is acceptable and approved by the DEVELOPMENT AUTHORITY.

**5.10.4** In the case of a LOT that does not include a BUILDING, SHIPPING CONTAINERS shall be screened from all streets with opaque fencing.

## 5.11 GARBAGE STORAGE

**5.11.1** Garbage storage within Commercial, and Industrial LAND USE DISTRICTS, or as part of a MANUFACTURED HOME COMMUNITY shall:

**a)** be fully screened with an opaque ~~wooden~~ fence measuring at least 2m/6.5ft. in height;

**b)** not be located within any required minimum yard, within 6m/19.6ft. of a public street or 2m/6.5ft. of a residential USE*;* and

**c)** not have garbage piled higher than the fence designed to screen it.

For an example of garbage storage please see Figure 24.

**5.11.2** Garbage storage associated with DWELLING – MULTIPLE UNIT and ASSISTED LIVING FACILITIES shall be screened with materials that are compatible with and complementary to the primary building materials and overall site design.

**5.11.3** The USE of SHIPPING CONTAINERS for garbage storage is prohibited in all LAND USE DISTRICTS, with the exception of the C-3 and Industrial LAND USE DISTRICTS and shall only be located at the rear of a BUILDING.

## 5.12 ACCESSORY BUILDINGS OR STRUCTURES

**5.12.1** The regulations of this section do not apply to a BUILDING that comprises of a DWELLING - BACKYARD UNIT attached to or above an ACCESSORY BUILDING or GARAGE - DETACHED. Instead, those BUILDINGS must follow the regulations of Section 5.31.

**5.12.2** ACCESSORY BUILDINGS OR STRUCTURES, excluding GARAGE – DETACHED and detached CARPORTS are subject to the requirements outlined in Table 5.2.

**TABLE 5.2** REQUIREMENTS FOR ACCESSORY BUILDINGS OR STRUCTURES

| COMPONENT | RESIDENTIAL DISTRICTS | COMMERCIAL, INDUSTRIAL AND OTHER DISTRICTS |
|---|---|---|
| Minimum distance from PRINCIPAL BUILDING | 2m/6.5ft. | 2m/6.5ft. |
| Combined area of all ACCESSORY BUILDINGS OR STRUCTURES | 15% of the LOT | 20% of the LOT |
| Maximum height | 4.5m/14.7ft. | 6m/19.6ft. for all DISTRICTS except for the Industrial LAND USE DISTRICT which is 16m/52.4ft. or 4 stories. |
| Minimum distance from LOT LINE – REAR abutting a street | The minimum YARD – REAR as prescribed for the LAND USE DISTRICT | The minimum YARD – REAR as prescribed for the LAND USE DISTRICT. |
| Minimum distance from LOT LINE – SIDE and LOT LINE – REAR not abutting a street | 0.6m/1.9ft. | The minimum YARD – SIDE and YARD – REAR as prescribed for the LAND USE DISTRICT. |
| Minimum distance from LOT LINE – FRONT and LOT LINE – FLANKAGE | The minimum YARD – FRONT and YARD – FLANKAGE as prescribed in the LAND USE DISTRICT, and shall not be closer to the LOT LINE – FRONT, than the PRINCIPAL BUILDING. | |

**5.12.3** No ACCESSORY BUILDING OR STRUCTURE shall be used as a DWELLING UNIT, but may be attached to or below a DWELLING - BACKYARD UNIT where permitted.

**5.12.4** An ACCESSORY BUILDING OR STRUCTURE with a FLOOR AREA – GROSS of less than 13m$^2$/139.9.sq.ft. may be located up to 0m/0ft. from a LOT LINE, if the LOT LINE does not have LOT FRONTAGE so long as they do not surpass the LOT LINE.

**5.12.5** GARAGE – DETACHED and detached CARPORTS in Residential LAND USE DISTRICTS are subject to the requirements outlined in Table 5.3.

**TABLE 5.3** REQUIREMENTS FOR GARAGE – DETACHED AND CARPORT

| COMPONENT | REQUIREMENT |
|---|---|
| Minimum distance from PRINCIPAL BUILDING | 2m/6.5ft. |
| Minimum distance from LOT LINE – SIDE and LOT LINE – REAR | 1.2m/3.9ft. |
| Minimum distance from LOT LINE – FRONT | The minimum YARD – FRONT as prescribed for the LAND USE DISTRICT, and at no point shall it be closer to the LOT LINE – FRONT, than the PRINCIPAL BUILDING. |
| Minimum distance from LOT LINE – FLANKAGE | At least 4.5m/14.7ft. from the LOT LINE – FLANKAGE where there is no sidewalk. |
| | 6m/19.6ft. from the face of a GARAGE or CARPORT to the edge of the sidewalk closest to the DEVELOPMENT. |
| Minimum distance from a LOT LINE adjoining a LANE | When ACCESS to the GARAGE – DETACHED or detached CARPORT comes from a LANE: a minimum distance of 1.2m/3.9ft. and a maximum distance of 6m/19.6ft. from the LOT LINE adjoining the LANE. |
| Maximum size | 15% of the LOT AREA |
| Maximum height | 4.5m/14.7ft. |

## 5.13 GARAGES – PORTABLE OR TEMPORARY

**5.13.1** GARAGE – PORTABLE OR TEMPORARY designed for temporary use or storage, in accordance with Articles 5.13.3 and 5.13.4, do not require a DEVELOPMENT PERMIT.

**5.13.2** GARAGE – PORTABLE OR TEMPORARY designed for permanent use or storage, in accordance with Article 5.13.5, will require a DEVELOPMENT PERMIT and are subject to annual inspections by the DEVELOPMENT AUTHORITY to assess the aesthetical condition of the GARAGE – PORTABLE OR TEMPORARY.

**5.13.3** GARAGE – PORTABLE OR TEMPORARY may be permitted within YARD – FRONT on any LOT in all Residential LAND USE DISTRICTS between October 1st and April 30th, inclusive.

**5.13.4** Subject to the applicable SETBACK provisions, GARAGE – PORTABLE OR TEMPORARY may be permitted year-round within YARD – SIDE and YARD – REAR, in all Residential LAND USE DISTRICTS.

**5.13.5** Subject to the applicable SETBACK provisions, GARAGE – PORTABLE OR TEMPORARY may be permitted year-round within YARD – FRONT on any LOT measuring up to 600m$^2$/6,458.35sq.ft. in all Residential LAND USE DISTRICTS.

**5.13.6** GARAGE – PORTABLE OR TEMPORARY cannot be located within or encroach upon TOWN-owned property.

## 5.14 DECKS

**5.14.1** If a DECK is more than 1.5m/4.9ft. above FINISHED GRADE, it must be located at least 5m/16.4ft. from all LOT LINES, unless the DEVELOPMENT AUTHORITY determines that a 5m/16.4ft. separation from all LOT LINES is not required, due to the size of the LOT, distance from neighbouring land USES, LANDSCAPING or combination thereof, which mitigates the potential impact on neighbouring land USES.

**5.14.2** Any ENCLOSED DECK shall be considered part of the PRINCIPAL BUILDING for the purposes of assessing LOT COVERAGE and minimum yard requirements.

## 5.15 FENCES

**5.15.1** The maximum height of a fence in Residential, Commercial and Community USE LAND USE DISTRICTS shall be:

**a)** 1m/3.2ft. in height above the FINISHED GRADE in any YARD – FRONT; and

**b)** 2m/6.5ft. above the FINISHED GRADE in any YARD – SIDE, YARD – REAR or YARD – FLANKAGE.

**5.15.2** Notwithstanding Article 5.15.1, the DEVELOPMENT AUTHORITY may consider a fence exceeding this height in Commercial or Community Use LAND USE DISTRICTS for security or public safety purposes, while having particular regard for the design and appearance of the fence from neighbouring properties and streets.

**5.15.3** Fences in the Industrial LAND USE DISTRICT shall not exceed 2m/6.5ft. in height unless otherwise approved by the DEVELOPMENT AUTHORITY for safety and/or security purposes.

**5.15.4** Notwithstanding all conditions of Section 5.15, no fence is permitted in the YARD – FRONT or YARD – FLANKAGE of a LOT CORNER if, in the opinion of the DEVELOPMENT AUTHORITY, the fence will block or impede traffic sight lines.

**5.15.5** Any fences incorporating barbed wire or other devices for security measures that may cause bodily harm, shall be at the discretion of the DEVELOPMENT AUTHORITY.

**5.15.6** All fences shall be made of a durable material, such as wood, be adequately anchored and fixed to the ground, such that they are freestanding and not supported by any other BUILDING.

**5.15.7** The USE of a chain link fence is only permitted within the Highway Commercial, Community Use and Industrial LAND USE DISTRICTS, unless otherwise approved at the discretion of the DEVELOPMENT AUTHORITY.

**5.15.8** Chain link fences may be approved at the discretion of the DEVELOPMENT AUTHORITY in a LAND USE DISTRICT, not identified in Article 5.15.7, if the USE of LANDSCAPING or other design treatments is incorporated in a manner that provides a consistent or complimentary appearance to fences found within the same LAND USE DISTRICT or neighbourhood.

## 5.16 AIR CONDITIONERS

**5.16.1** A freestanding exterior air conditioner cannot be:

- **a)** located in a YARD – FRONT; or
- **b)** located less than 1m/3.2ft. from LOT LINE – SIDE and LOT LINE – REAR.

## 5.17 FIRE PITS AND BARBECUES

**5.17.1** A fixed outdoor fire pit, barbecue, fireplace or stove shall not be:

- **a)** located in a YARD – FRONT or YARD –FLANKAGE;
- **b)** located less than 3m/9.85ft. from LOT LINE – SIDE and LOT LINE – REAR; or
- **c)** located less than 3m/9.85ft. from any BUILDING.

**5.17.2** An application for an outdoor fire pit shall be made by the registered owner of the LOT on which the fire pit is proposed, or by another person with written consent from the owner, to the DEVELOPMENT AUTHORITY by submitting the following:

- **a)** the Fire Pit Application Form completed and signed; and
- **b)** the fee as set by COUNCIL.

## 5.18 FIRE HYDRANTS

**5.18.1** No fence, driveway, object, BUILDINGS and/or STRUCTURES shall be located within a 1.2m/4ft. radius of a fire hydrant.

## 5.19 HOME OCCUPATIONS

**5.19.1** A HOME OCCUPATION shall:

- **a)** operate as an ACCESSORY USE only and shall not involve a change to the principal character or external appearance of any BUILDINGS and/or STRUCTURES;
- **b)** not involve the storing of materials, commodities or finished products associated with the HOME OCCUPATION outside the DWELLING UNIT or GARAGE;
- **c)** not involve the use of mechanical equipment in connection with the HOME OCCUPATION, unless the equipment is commonly used in a home;
- **d)** in the case of a HOME OCCUPATION involving personal instruction, having no more than five (5) students or customers in attendance at the SITE at any one time;
- **e)** have no person, other than a RESIDENT of the DWELLING UNIT, be employed as part of the HOME OCCUPATION;
- **f)** not be permitted if it produces offensive noise, vibration, smoke, dust, odour, heat, glare, electrical or radio disturbance; and
- **g)** not be permitted if the DEVELOPMENT AUTHORITY determines that such USE would be more suitable within a Commercial or Industrial LAND USE DISTRICT having regard for (among other matters) potential traffic generation and interference with the

residential character of the neighbourhood.

**5.19.2** Notwithstanding Clause 5.19.1(e), a replacement worker for a HOME OCCUPATION RESIDENT worker may be allowed during vacation, periods of illness or other similar circumstances deemed appropriate by the DEVELOPMENT AUTHORITY.

**5.19.3** Subject to Article 7.3.1, a HOME OCCUPATION shall be permitted to have one SIGN.

**5.19.4** Notwithstanding Articles 5.19.1 and 5.19.2, HEALTH SERVICES operated as a HOME OCCUPATION shall:

- **a)** be limited to one (1) health professional and two (2) support staff working at any given time;
- **b)** have a minimum of two (2) ON-SITE PARKING STALLS;
- **c)** retain a residential character comparable to surrounding properties. In the case of new construction, the BUILDING must be of a residential character equal to, or exceeding, the appearance of surrounding properties and keeping with the intent of the LAND USE DISTRICT; and
- **d)** demonstrate that the USE is limited to that which does not interfere with the rights of other RESIDENTS to a quiet enjoyment of a residential neighbourhood, and in consideration of other RESIDENTS.

**5.19.5** A HEALTH SERVICE may be refused by the DEVELOPMENT AUTHORITY if, at the time of application, the same HEALTH SERVICE exists in a Commercial LAND USE DISTRICT.

**5.19.6** TAXI SERVICE is not considered as a HOME OCCUPATION, and taxi operators are permitted to park individual MOTOR VEHICLES intended for passenger transportation at residential properties.

**5.19.7** Prior to approval, the DEVELOPMENT AUTHORITY may require that an inspection by a Public Health Inspector be conducted for select HOME OCCUPATION types.

## 5.20 BED AND BREAKFAST BUSINESS

**5.20.1** BED AND BREAKFAST BUSINESS establishments shall:

- **a)** have no cooking facilities in a guest room;
- **b)** have a minimum guest room size of 7m$^2$/75.34sq.ft. per single occupant and 4.6m$^2$/49.51sq.ft. per person for multiple occupants;
- **c)** have at least one (1) window for each guest room; and
- **d)** have sanitation facilities and potable water as required by relevant authorities.

**5.20.2** Prior to approval, the DEVELOPMENT AUTHORITY may require that the following inspections are performed, and associated fees paid:

- **a)** a BUILDING inspection; and
- **b)** an inspection by a Public Health Inspector.

**5.20.3** Subject to Article 7.3.1, a BED AND BREAKFAST BUSINESS shall be permitted to have one SIGN.

## 5.21 DRIVE-THROUGH BUSINESSES

**5.21.1** A DRIVE-THROUGH BUSINESS shall have entrances and exits approved by the DEVELOPMENT AUTHORITY that provides means for circulation within the LOT, which are adequately sign-posted.

**5.21.2** The minimum number of queuing spaces required for a DRIVE-THROUGH BUSINESS shall be in accordance with Table 5.4.

**TABLE 5.4** DRIVE-THROUGH BUSINESS REQUIRED QUEUING SPACES

| DRIVE-THROUGH BUSINESS TYPE | INBOUND QUEUING SPACES | OUTBOUND QUEUING SPACES |
|---|---|---|
| DRIVE-THROUGH RESTAURANT | 11 | 1 |
| FUEL STATION | 5 | 1 |
| AUTOMOTIVE SERVICE, CAR WASH or FINANCIAL INSTITUTION | 3 | 1 |

**5.21.3** All queuing spaces shall be a minimum of 6.5m/21.3ft. in length; and 3m/9.85ft. wide.

**5.21.4** No portion of any DRIVE-THROUGH BUSINESS, including queuing spaces or otherwise, shall be located within any required yard.

**5.21.5** A FUEL STATION shall be subject to the following additional requirements:

**a)** no portion of any pump shall be located closer than 15m/49.2ft. to a street;
**b)** all canopies shall meet all minimum SETBACK requirements; and
**c)** no driveway be located within 9m/29.5ft. of another driveway, or within 15m/49.2ft. of a street intersection.

## 5.22 EASEMENTS

**5.22.1** A DEVELOPMENT PERMIT shall not be issued for a DEVELOPMENT, other than a fence, that encroaches into or over a utility EASEMENT or right-of-way, without written consent from the EASEMENT owner, and/or the utility line owner.

## 5.23 PRIVATE SWIMMING POOLS

**5.23.1** Notwithstanding any other provision of this BYLAW, a DEVELOPMENT PERMIT is required prior to the installation of a permanent belowground private swimming pool, or a BUILDING or STRUCTURE constructed to enclose a swimming pool or hot tub..

**5.23.2** Every private swimming pool and hot tub must be within an enclosed BUILDING, unless it is located within an entirely fenced YARD – REAR or YARD – SIDE.

**5.23.3** Private swimming pools and hot tubs shall not be located within a YARD – FRONT.

**5.23.4** Every fence enclosing a private swimming pool or hot tub, constructed outside of an enclosed BUILDING or STRUCTURE, shall be 2m/6.5ft. in height or, at the discretion of the DEVELOPMENT AUTHORITY, higher. All fences:

**a)** shall be of appropriate design to limit the ability of persons to use the fence parts to

climb the fence or crawl under the fence;

**b)** shall be equipped with a gate that has a self-latching device, and lock mechanism located on the inside of the gate; and

**c)** no barbed wire or electrification of any part of a fence or gate enclosing a swimming pool or hot tub shall be permitted.

**5.23.5** All private swimming pools and hot tubs, located within a new or existing enclosed BUILDING or STRUCTURE, must comply with the requirements of the *National Building Code – Alberta Edition.*

## 5.24 MORE THAN ONE MAIN PRINCIPAL BUILDING ON A LOT

**5.24.1** Any DEVELOPMENT involving more than one PRINCIPAL BUILDING except for DWELLING - MULTIPLE UNITS, DWELLING – TOWNHOUSES, or MIXED-USE BUILDINGS on a LOT is a DISCRETIONARY USE in all LAND USE DISTRICTS and must:

**a)** provide adequate spacing between BUILDINGS, consistent with the minimum yard requirements within the LAND USE DISTRICT; and

**b)** where applicable, conform to requirements of the *Condominium Property Act.*

**5.24.2** In addition to Article 5.24.1, when considering a DEVELOPMENT involving more than one PRINCIPAL BUILDING on a LOT, the DEVELOPMENT AUTHORITY will consider the following:

**a)** design to support human-scale development, with particular attention to pedestrian safety, accessibility, and overall site connectivity;

**b)** ~~consistency with the Town of High Level Design Guidelines where applicable;~~

**c)** use of LANDSCAPING to enhance the appearance of PARKING LOTS or limiting the visual dominance of driveways;

**d)** potential traffic impacts;

**e)** scale and design of the BUILDINGS relative to surrounding DEVELOPMENTS; and

**f)** the use of design elements to minimize the visual impact of blank walls and continuous rooflines.

## 5.25 ALTERNATIVE ENERGY TECHNOLOGY

### GENERAL REQUIREMENTS

**5.25.1** All ALTERNATIVE ENERGY TECHNOLOGIES shall be approved at the discretion of the DEVELOPMENT AUTHORITY and reviewed to ensure the proposal does not negatively affect the surrounding area in which it is located. The DEVELOPMENT AUTHORITY shall have specific regard for the potential impacts of:

**a)** noise and/or vibrations associated with ALTERNATIVE ENERGY TECHNOLOGY;

**b)** the visual appearance from neighbouring properties and streets;

**c)** the casting of shadows on neighbouring properties;

**d)** any smell associated with the ALTERNATIVE ENERGY TECHNOLOGY;

**e)** the ALTERNATIVE ENERGY TECHNOLOGY on existing municipal infrastructure including streets; and

**f)** the ALTERNATIVE ENERGY TECHNOLOGY on the overall design and aesthetics of a BUILDING and/or STRUCTURE relative to surrounding DEVELOPMENTS.

**5.25.2** The proposed installation of any ALTERNATIVE ENERGY TECHNOLOGY system, device or STRUCTURE shall require the issuance of a DEVELOPMENT PERMIT and any other applicable Municipal permits. In addition to the requirements for DEVELOPMENT PERMITS outlined in Subsection 4.3, the DEVELOPMENT AUTHORITY may also require:

- **a)** confirmation that all necessary and applicable Provincial and Federal regulations and approvals have been met;
- **b)** methods of SCREENING shall be used to ensure that all ALTERNATIVE ENERGY TECHNOLOGIES visually blend with the surrounding natural and built environment in which they are situated; and
- **c)** technical drawings or studies relating to the proposed ALTERNATIVE ENERGY TECHNOLOGY STRUCTURE required to address items outlined in Article 5.25.1.

**5.25.3** There shall be no aboveground portion of an ALTERNATIVE ENERGY TECHNOLOGY located in a YARD – FRONT or the minimum required YARD – SIDE of the BUILDING and/or STRUCTURE as specified in the LAND USE DISTRICT.

**5.25.4** No advertising, except for a manufacturer's logo, shall be visible on any ALTERNATIVE ENERGY TECHNOLOGY.

**5.25.5** Under no circumstances will the DEVELOPMENT AUTHORITY approve a DEVELOPMENT application that includes a SMALL WIND ENERGY SYSTEM.

### SOLAR COLLECTORS

**5.25.6** A SOLAR COLLECTOR may be located on the roof or wall of a BUILDING and/or STRUCTURE, or ground mounted in a YARD – SIDE, provided the STRUCTURE complies with the minimum YARD – SIDE requirements of the LAND USE DISTRICT.

**5.25.7** A SOLAR COLLECTOR mounted on a roof must not extend beyond the outermost edge of the roof or above the peak of the roof.

**5.25.8** A SOLAR COLLECTOR that is mounted on a wall may project a maximum of:

- **a)** 1.5m/4.9ft. from the surface of that wall, when the wall is facing a LOT LINE – REAR; and
- **b)** in all other cases, 0.6m/1.9ft. from the surface of that wall.

**5.25.9** Notwithstanding Article 5.25.8, a SOLAR COLLECTOR may have a 0m/0ft. from the LOT LINE – REAR if located within the Industrial LAND USE DISTRICT.

## 5.26 TELECOMMUNICATIONS STRUCTURES

**5.26.1** All telecommunications structures require a DEVELOPMENT PERMIT.

**5.26.2** Telecommunications structures will be considered a DISCRETIONARY USE within all LAND USE DISTRICTS.

**5.26.3** All telecommunications structure permit applications shall include a SITE plan drawn to an appropriate scale identifying SITE boundaries; tower elevations; guy wire anchor locations; existing and proposed STRUCTURES; vehicular PARKING and ACCESS; existing vegetation to be

retained, removed or replaced; the uses and STRUCTURES on the PARCEL and abutting PARCELS.

**5.26.4** A telecommunications structure base shall be SETBACK from abutting PARCELS and roadways as required by the DEVELOPMENT AUTHORITY.

**5.26.5** The appearance of a telecommunications structure, including but not limited to, LANDSCAPING and fencing, shall be to the satisfaction of the DEVELOPMENT AUTHORITY.

**5.26.6** The DEVELOPMENT AUTHORITY may require the applicant for a telecommunications structure to undertake community consultation prior to the submission of an application. The applicant would be required to submit a summary of their community consultation process and findings with the application, including how any concerns will be addressed and mitigated.

## 5.27 HELICOPTER LANDING PADS

**5.27.1** All HELICOPTER LANDING PADS require a DEVELOPMENT PERMIT.

**5.27.2** HELICOPTER LANDING PADS will be considered a DISCRETIONARY USE on all PARCELS within a Community Use LAND USE DISTRICT.

**5.27.3** HELICOPTER LANDING PADS will be considered a DISCRETIONARY USE in the Industrial LAND USE DISTRICT, only within:

**a)** PARCELS located on both sides of 92 Street from 98 Avenue to 114 Avenue, inclusive of Plan 8320882, Block 4, Lot B; or

**b)** PARCELS located north of 105 Avenue, south of 98 Avenue, and east of the Canadian National Railway line.

**5.27.4** The specifications and design elements of all HELICOPTER LANDING PADS must meet and maintain the minimum requirements as established by the *Canadian Aviation Regulations*.

**5.27.5** The minimum SETBACK from all BUILDING and STRUCTURES for HELICOPTER LANDING PADS shall be the diameter of the helicopter's primary rotor blade, plus 3m/9.84ft.

**5.27.6** The minimum SETBACK from the LOT LINE – FRONT shall be 20m/65.61ft. to the edge of the HELICOPTER LANDING PAD.

**5.27.7** The minimum SETBACK from all LOT LINE – SIDE shall be 10m/32ft. to the edge of the HELICOPTER LANDING PAD.

**5.27.8** All proposed operations related to HELICOPTER LANDING PADS, must conform to all mandatory *Canadian Aviation Regulations*.

**5.27.9** The operations of all HELICOPTER LANDING PADS must function in a manner that mitigates all potential noise, dust control and nuisance issues that may affect adjacent landowners.

## 5.28 AIRPORT RESTRICTION AREA

**5.28.1** The following requirements apply to all land and land use districts shown in the AIRPORT RESTRICTION AREA unless otherwise stated. No DEVELOPMENT shall be exempt from adhering to the requirements of the AIRPORT RESTRICTION AREA.

**5.28.2** Commercial airport-related DEVELOPMENT shall not be permitted unless otherwise located at a municipally approved site.

**5.28.3** Private airstrips shall not be permitted within the AIRPORT RESTRICTION AREA.

**5.28.4** The DEVELOPMENT AUTHORITY shall not allow DEVELOPMENT within the AIRPORT RESTRICTION AREA that may be negatively impacted by air travel or may impede the current operation and future DEVELOPMENT of the High Level Airport.

**5.28.5** The DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD may issue a DEVELOPMENT PERMIT with or without any conditions under these restrictions for any DEVELOPMENT that involves a USE that is classified as “YES” in Table 5.6, or if the USE is similar in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD, and meets other requirements and uses of the Land Use Bylaw.

**5.28.6** The DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD may permit a DEVELOPMENT that involves a USE classified as “A,” “B,” or “C” in Table 5.6, or if the USE is similar in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD, only if the appropriate conditions specified by that classification have been met or are prescribed as a condition on the DEVELOPMENT PERMIT.

**5.28.7** The DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall not permit a DEVELOPMENT if that USE is classified as “NO” within Table 5.6 of this section, or if the USE is similar in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD to a prohibited use, or involves a use that is not listed in Table 5.6.

**5.28.8** A USE listed in Table 5.6 includes ACCESSORY USES and ACCESSORY BUILDINGS or STRUCTURES unless otherwise noted.

**5.28.9** A DEVELOPMENT PERMIT shall not be issued for a DEVELOPMENT in any LAND USE DISTRICT if the proposed DEVELOPMENT exceeds the maximum elevation specified on Map 3 of APPENDIX 1 or as indicated on the Certificate of Title for the subject property.

**5.28.10** No DEVELOPMENT, especially those including a TRANSMITTING STATION, shall be allowed in the AIRPORT RESTRICTION AREA which would, in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD, negatively affect communication and electronic facilities necessary to the operation of a commercial airport.

**5.28.11** No DEVELOPMENT, except for critical infrastructure as deemed by a municipal, provincial, or federal government, shall be allowed within the AIRPORT RESTRICTION AREA that would result in an increased presence of birds at or around a commercial airport.

**5.28.12** Additional conditions and requirements shall be placed on all DEVELOPMENTS that fall within a NOISE EXPOSURE FORECAST CONTOUR as outlined in Table 5.6. DEVELOPMENTS for USES not listed in table 5.6 and which are not similar in the opinion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD shall be classified at the discretion of the DEVELOPMENT AUTHORITY or SUBDIVISION AND DEVELOPMENT APPEAL BOARD.

a) All USES with the "YES" classification shall be permitted.
b) All USES with the "NO" classification shall not be permitted.
c) All USES with the "A" classification shall only be approved if the DEVELOPMENT AUTHORITY is satisfied that acoustic insulation features, if required, have been considered and included in the building design.
d) All USES with the "B" classification in Table 5.6 shall be made aware that they fall within the respective NOISE EXPOSURE FORECAST CONTOUR and should consider implementing internal acoustic insulation features.
e) All USES with the "C" classification in Table 5.6 shall only be permitted if they are related directly to aviation-oriented activities or services and shall only be approved if the DEVELOPMENT AUTHORITY is satisfied that acoustic insulation features, if required, have been considered and included in the building design.

Existing DEVELOPMENTS for USES with the "NO" classification are permitted to renovate or improve these DEVELOPMENTS so long as no structural changes are undertaken.

**TABLE 5.6** LAND USE CLASSIFICATIONS RELATED TO NOISE EXPOSURE FORECAST CONTOURS

| **Airport** | | | | | |
|---|---|---|---|---|---|
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| HANGERS AND TERMINAL FACILITIES | YES | YES | YES | YES | YES |
| HELICOPTER LANDING PAD | YES | YES | YES | YES | YES |
| **Residential** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| All Residential Uses | NO | NO | NO | A | YES |
| All Temporary/Industrial Accommodations | NO | NO | NO | A | YES |
| **Agriculture** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| AGRICULTURE | YES | YES | YES | YES | YES |
| **Commercial** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| AUTOMOTIVE SALES & RENTALS | B | B | B | B | YES |
| RECREATIONAL VEHICLE SALES AND SERVICE | B | B | B | B | YES |

| | | | | | |
|---|---|---|---|---|---|
| RESTAURANT | C | C | B | B | YES |
| RETAIL - CONVENIENCE | C | C | B | B | YES |
| RETAIL - GENERAL | C | C | B | B | YES |
| **Industrial / Utilities** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| ALTERNATIVE ENERGY TECHNOLOGY | YES | YES | B | B | YES |
| BULK OIL, FUEL, AND CHEMICAL STORAGE | YES | YES | YES | YES | YES |
| INDUSTRIAL OPERATION | B | B | B | B | YES |
| LOGGING SERVICE | B | B | B | B | YES |
| LUMBER YARD | B | B | B | B | YES |
| PUBLIC USE | YES | YES | YES | YES | YES |
| SHIPPING CONTAINER | YES | YES | YES | YES | YES |
| TRANSMITTING STATION | YES | YES | YES | YES | YES |
| WAREHOUSE | YES | YES | YES | YES | YES |
| **Public / Recreational** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| CAMPGROUND | NO | NO | NO | A | YES |
| CEMETERY | NO | NO | NO | NO | YES |
| EMERGENCY SERVICES FACILITY | YES | YES | YES | YES | YES |
| EXHIBITION GROUNDS | NO | NO | NO | NO | YES |
| GOVERNMENT SERVICES | C | C | YES | B | YES |
| NON-PROFIT COMMUNITY SUPPORT SERVICES | C | C | C | B | YES |
| PUBLIC PARKS & PLAYGROUNDS | NO | NO | NO | YES | YES |
| RECREATIONAL SERVICES, OUTDOOR | NO | NO | NO | YES | YES |
| RECREATIONAL SERVICES, INDOOR | NO | NO | NO | YES | YES |
| TOURIST INFORMATION FACILITY | C | C | C | B | YES |
| PUBLIC PARKS & PLAYGROUNDS | NO | NO | NO | YES | YES |
| **Other** | | | | | |
| | NEF 40+ Area | NEF 40-35 Area | NEF 35-30 Area | NEF 30-25 Area | NEF 25- Area |
| ACCESSORY BUILDINGS AND STRUCTURES | YES | YES | YES | YES | YES |
| BUILDING – MOVED IN | C | C | B | B | YES |
| SIGNAGE | YES | YES | YES | YES | YES |

## **5.29** MIXED-USE BUILDINGS

5.29.1 MIXED-USE BUILDINGS shall not have:

**a)** commercial units directly above DWELLING UNITS;

**b)** DWELLING UNITS in a BASEMENT; nor

**c)** DWELLING UNITS on any portion of the GROUND FLOOR that faces an arterial road.

5.29.2 ACCESS to the residential and non-residential portions of a MIXED-USE BUILDING must be separate, without passage required through one unit type to access the other. The number of required ACCESSES must be in accordance with the National Building Code – Alberta Edition.

## **5.30** DWELLING - SECONDARY SUITES

5.30.1 There may only be up to one DWELLING – SECONDARY SUITE per principal DWELLING UNIT in the PRINCIPAL BUILDING.

5.30.2 DWELLING – SECONDARY SUITES may only be permitted within or attached to a:
a) DWELLING – SINGLE DETACHED; or
b) DWELLING – DUPLEX; or
c) DWELLING – TOWNHOUSE.

5.30.3 A DWELLING – SECONDARY SUITE must have a FLOOR AREA that is less than the principal DWELLING UNIT, unless the DWELLING – SECONDARY SUITE is predominantly within a BASEMENT;

5.30.4 A DWELLING – SECONDARY SUITE:
a) must have cooking, bathroom, and shower/bathing facilities within the unit and access to laundry within the unit or in a common area on the LOT;
b) shall not be separated as a CONDOMINIUM or by SUBDIVISION;
c) must have a continuous HARD-SURFACED path at least 0.9m/3.0ft. wide that leads from the external entrance of the DWELLING – SECONDARY SUITE to a public sidewalk. If there is no public sidewalk abutting the LOT, then the path must lead to a PUBLIC ROADWAY that is not a LANE; and
d) may be part of the original design and construction of the associated principal DWELLING UNIT, or may be added subsequently through interior renovation or by constructing an addition to the BUILDING.

## **5.31** DWELLING - BACKYARD UNITS

5.31.1 There may only be one (1) DWELLING – BACKYARD UNIT per principal DWELLING UNIT in the PRINCIPAL BUILDING.

5.31.2 A DWELLING – BACKYARD UNIT may only be permitted on a LOT where the PRINCIPAL BUILDING is either a:
a) DWELLING – SINGLE DETACHED; or
b) DWELLING – DUPLEX; or
c) DWELLING – TOWNHOUSE.

5.31.3 A DWELLING – BACKYARD UNIT may not be any closer to the LOT LINE – FRONT than the PRINCIPAL BUILDING. For any PRINCIPAL BUILDING that has a front entrance facing the LOT LINE – FLANKAGE, a DWELLING – BACKYARD UNIT may not be any closer to the LOT LINE – FLANKAGE than the PRINCIPAL BUILDING.

5.31.4 A DWELLING – BACKYARD UNIT must be separated from any other BUILDING on the LOT by at least 2m/6.6ft. and must be separated by at least 4m/13.1ft. from any other DWELLING UNIT within the LOT.

5.31.5 A DWELLING – BACKYARD UNIT shall comply with the following BUILDING HEIGHT regulations:

a) The maximum BUILDING HEIGHT shall not exceed the height of the PRINCIPAL BUILDING on the same LOT;
b) In all cases, the maximum BUILDING HEIGHT shall not exceed 6.8m/22.3ft.;
c) Where the LOT LINE – REAR directly abuts a LOT designated R-1 and there is no intervening LANE, the maximum BUILDING HEIGHT shall be reduced to 4.6m/15.1ft.

5.31.6 The maximum FLOOR AREA – GROSS of a DWELLING – BACKYARD UNIT is 70m$^2$/753.5sq.ft. of habitable space plus an additional 70m$^2$/753.5sq.ft. for a GARAGE if attached.

5.31.7 A DWELLING – BACKYARD UNIT may be constructed on-site or be pre-fabricated but may not be on a chassis. A DWELLING – BACKYARD UNIT must be placed on a permanent foundation, with design and aesthetic qualities that are complimentary to the surrounding context and to the satisfaction of the DEVELOPMENT AUTHORITY.

5.31.8 A DWELLING – BACKYARD UNIT:

a) must have cooking, bathroom, and shower/bathing facilities within the unit and access to laundry within the unit or in a common area on the LOT;
b) shall not be separated as a CONDOMINIUM or by SUBDIVISION;
c) must have a continuous HARD-SURFACED path at least 0.9m/3.0ft. wide that leads from the external entrance of the DWELLING – SECONDARY SUITE to a public sidewalk. If there is no public sidewalk abutting the LOT, then the path must lead to a PUBLIC ROADWAY that is not a LANE;
d) may have a BASEMENT, but may not have a kitchen within the BASEMENT;
e) if attached to a GARAGE, the DWELLING UNIT must have a separate and independent entrance, not including a garage door; and
f) shall not be built before there is a principal DWELLING UNIT on the LOT, but may be built concurrently with a principal DWELLING UNIT; a DWELLING – BACKYARD UNIT may only be inhabited before the principal DWELLING UNIT is constructed if the foundation of the principal DWELLING UNIT has been completed and framing is underway.

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# 6.0 PARKING AND LOADING REQUIREMENTS

## 6.1 PARKING REQUIREMENTS

**6.1.1** ON-SITE PARKING shall be provided in accordance with the requirements set out in Table 6.1. All required PARKING STALLS must be provided on the same LOT as the DEVELOPMENT.

**TABLE 6.1** MINIMUM ON-SITE PARKING STALL REQUIREMENTS

| LAND USE TYPE | MINIMUM REQUIREMENTS |
|---|---|
| Residential USES | • 2 stalls per DWELLING UNIT for DWELLING – SINGLE DETACHED, DWELLING – DUPLEX, and all definitions of manufactured homes.<br>• 1 stall per DWELLING UNIT for all other residential USES.<br>• For DEVELOPMENTS containing 10 or more DWELLING UNITS, visitor stalls shall be provided at a minimum ratio of 1 stall per 10 DWELLING UNITS, unless, in the opinion of the DEVELOPMENT AUTHORITY, a lack of visitor stalls would not significantly impact surrounding street parking. Developers are encouraged to exceed this minimum ratio when site capacity allows.<br>• DWELLING – SECONDARY SUITE and DWELLING – BACKYARD UNIT may be exempt from providing off-street parking where, in the opinion of the DEVELOPMENT AUTHORITY, there is adequate street parking abutting the LOT. |

| | |
|---|---|
| Schools and Daycares | • 1 PARKING STALL per employee and 1 additional stall per 10 children/students (based on designed building capacity).<br>• Where an adequate pick-up and drop-off loop is provided the DEVELOPMENT AUTHORITY may waive the requirement for 1 additional stall per 10 children (except for High Schools).<br>• Dedicated bus PARKING may be required at the discretion of the DEVELOPMENT AUTHORITY. |
| Commercial or Community USES with Fixed Seats | • 1 PARKING STALL per employee and 1 additional stall per 10 seating spaces. |
| Commercial or Community USES with Appointment Rooms | • 1 PARKING STALL per employee and 1 additional stall per appointment room. |
| Hotels/Motels | • 1 PARKING STALL per employee, 1 additional stall per guest room.<br>• Dedicated large truck or truck and trailer PARKING may be required at the discretion of the DEVELOPMENT AUTHORITY. |
| All Other USES | • 1 PARKING STALL per employee and 1 additional stall per 50m2/538sq.ft. of building space accessible by the public or clients.<br>• For industrial DEVELOPMENTS, the DEVELOPMENT AUTHORITY may waive or decrease the requirement for additional PARKING STALLS, if in the opinion of the DEVELOPMENT AUTHORITY, the DEVELOPMENT is not expected to generate significant customer traffic.<br>• Dedicated large truck or truck and trailer PARKING may be required at the discretion of the DEVELOPMENT AUTHORITY. |

**6.1.2** The DEVELOPMENT AUTHORITY may reduce or eliminate required ON-SITE PARKING specified in Article 6.1.1 for commercial and community USES if it is deemed that:

a) There is sufficient street parking along the LOT FRONTAGE or LOT LINE – FLANKAGE; or,

b) There is a municipal or paid PARKING LOT within 50m/164.0ft. of the DEVELOPMENT that, in the opinion of the DEVELOPMENT AUTHORITY, has sufficient capacity.

**6.1.3** In assessing Article 6.1.1, and at the discretion of the DEVELOPMENT AUTHORITY, the number of PARKING STALLS provided for DWELLING UNITS in residential LAND USE DISTRICTS shall include those located within GARAGES, CARPORTS, and driveways, based on the number of stalls that can be reasonably accommodated within these areas. Each DWELLING UNIT must have access to at least one (1) PARKING STALL that is not double-parked; any stalls that do not allow unobstructed access will not be counted toward the required total.

**6.1.4** Where a DEVELOPMENT includes multiple uses outlined in Article 6.1.1, the total number of minimum PARKING STALLS shall be the combination of each use.

**6.1.5** Where parking requirements are based on the number of employees, the required number of PARKING STALLS shall be determined by the maximum number of employees present during

peak operating times, as declared by the applicant and to the satisfaction of the DEVELOPMENT AUTHORITY.

**6.1.6** Where a DEVELOPMENT includes multiple uses with different peak usage times, the DEVELOPMENT AUTHORITY may approve a minimum number of PARKING STALLS equal to the use with the largest minimum parking requirements.

**6.1.7** If a calculation of required PARKING STALLS results in a fractional number, the number shall be rounded upwards to the next whole number.

**6.1.8** When a BUILDING and/or STRUCTURE is enlarged, altered, or a CHANGE OF USE occurs that intensifies the USE of an existing BUILDING and/or STRUCTURE, provisions shall be made for additional PARKING STALLS to bring the DEVELOPMENT in compliance with Article 6.1.1.

**6.1.9** The increase in PARKING STALLS required under Article 6.1.8 may be waived if the DEVELOPMENT AUTHORITY determines that the absence of the required stalls would not significantly impact traffic flow or surrounding properties.

**6.1.10** DEVELOPMENTS with 15 or more PARKING STALLS must provide barrier-free parking at a rate of 10% (up to four total), unless otherwise specified or exempt in the *National Building Code – Alberta Edition.* Barrier-free stalls must meet the width, access, and design requirements outlined in the *National Building Code – Alberta Edition.*

**6.1.11** The DEVELOPMENT AUTHORITY may require that up to 10% of PARKING STALLS (up to four (4) total), be designated as Parent with Child parking for commercial or community use DEVELOPMENTS expected to attract families. These stalls must be at least 3.5m/11.5ft. wide and clearly marked with appropriate signage.

**6.1.12** PARKING STALLS on private LOTS shall not be designed in a way that allows MOTOR VEHICLES leaving the PARKING STALLS to back onto arterial or collector roads, except where those PARKING STALLS are part of a private residential driveway.

**6.1.13** Where a PARKING LOT is required, it shall be designed, located, and constructed so that:

a) there is a legal means of MOTOR VEHICLE ACCESS;
b) MOTOR VEHICLES leaving the PARKING LOT do not back directly from a parking stall into a roadway;
c) it is in accordance with an approved lot grading and drainage plan prepared by a registered engineer;
d) it can be properly maintained and cleared of snow; and
e) it is to the satisfactory to the DEVELOPMENT AUTHORITY in size, shape, location, and construction.

**6.1.14** Where, in the opinion of the DEVELOPMENT AUTHORITY a DEVELOPMENT is likely to cause increased traffic congestion on nearby roads or LANES, the DEVELOPMENT AUTHORITY may require the property owner and/or developer to submit a Traffic Impact Assessment. Based on the findings of the Traffic Impact Assessment, the DEVELOPMENT AUTHORITY may require the property owner and/or developer to enter into a DEVELOPMENT AGREEMENT. This agreement may include the obligation for the property owner and/or developer to fund necessary upgrades to the surrounding roadways to accommodate the increased traffic congestion caused by the DEVELOPMENT.

**6.1.15** Provided PARKING STALLS and aisles shall be in accordance with table 6.2 unless otherwise specified or required by other legislation.

**TABLE 6.2** PARKING STALL DIMENSIONS

| ANGLE (In degrees from road or aisle) | MINIMUM WIDTH | MINIMUM LENGTH |
|---|---|---|
| 0 | 2.8m/9.2ft. | 7.0m/23.0ft. |
| 45/60 | 2.8m/9.2ft. | 5.8m/19.0ft. |
| 90 | 2.8m/9.2ft. | 5.8m/19.0ft. |

**6.1.16** Where a PARKING STALL is directly adjacent to a wall or other barrier, the minimum stall width shall be 3.1m/10.2ft.

**6.1.17** Where a PARKING STALL has direct access from a lane or alley, the minimum stall depth shall be 7m/23.0ft.

**TABLE 6.3** PARKING LOT ASILE DIMENSIONS

| TYPE OF TRAFFIC | DRIVEWAYS OR MANEUVERING AISLES | TYPE OF VEHICLE MOVEMENTS |
|---|---|---|
| One-Way Passenger | 3.6m/11.8ft. | 0/45 Degrees: 3.6m/11.8ft.<br>60 Degrees: 5.5m/18.0ft.<br>90 Degree: 7m/23.0ft. |
| Two-Way Passenger | 7m/23.0ft. | 7 m/23.0ft. |
| One-Way Non-Passenger | 4.6m/15.1ft. | 9m/29.5ft. |
| Two-Way Non-Passenger | 9m/29.5ft. | 9m/29.5ft. |

**6.1.18** All PARKING LOT aisles must meet the minimum width requirements for passenger traffic as specified in Table 6.3. If the DEVELOPMENT AUTHORITY determines that a significant portion of traffic will consist of non-passenger vehicles, the DEVELOPMENT AUTHORITY may require aisle widths to accommodate non-passenger traffic.

## 6.2 OFF-STREET PARKING, ACCESS, AND LOCATION

**6.2.1** Where a DEVELOPMENT involves off-street PARKING, it shall be treated and finished, including the whole area contained within a PUBLIC RIGHT-OF-WAY, in accordance with Table 6.4.

**TABLE 6.4** OFF-STREET PARKING STALL AND AISLE TREATMENTS

| LAND USE TYPE | TREATMENT/LOCATION |
|---|---|
| Residential USES | All new driveways, parking pads, and PARKING LOTS with direct access to a HARD-SURFACED road shall be HARD-SURFACED within one (1) year of occupancy. Driveways, parking pads, and PARKING LOTS accessed from a LANE need |

| | |
|---|---|
| | not be HARD-SURFACED, but shall be of a surface that is easily maintainable and minimizes the carrying of dirt or foreign matter upon the highway or road.<br><br>Off-street PARKING LOTS shall not be located in the YARD – FRONT. The DEVELOPMENT AUTHORITY may waive this requirement, if in the opinion of the DEVELOPMENT AUTHORITY:<br>a) SITE conditions do not permit rear PARKING; or<br>b) PARKING in the YARD – FRONT is compatible with adjacent properties. |
| All Other USES | Where ACCESS to a lot is HARD-SURFACED, PARKING and aisles in front of the PRINICIPAL BUILDING shall be HARD-SURFACED with a comparable material. Parking at the side or rear of the BUILDING need not be HARD-SURFACED, but shall be of a surface that is easily maintainable and minimizes the carrying of dirt or foreign matter upon the highway or road. |

**6.2.2** Where, in the opinion of the DEVELOPMENT AUTHORITY, the lack of a HARD-SURFACED treatment would not negatively impact the quality of nearby highways or roads, the DEVELOPMENT AUTHORITY may waive the requirements of Table 6.4.

**6.2.3** The DEVELOPMENT AUTHORITY may require a lot grading and drainage plan prepared by a qualified professional engineer in alignment with Section 5.6 for a driveway, parking pad, or PARKING LOT.

**6.2.4** All curb and/or sidewalk cuts or removals to facilitate access to a property shall require an Access Approach Application and shall be replaced and constructed with concrete to the Town's Municipal Engineering and Construction Standards. Each curb cut shall not exceed 11m/36ft, unless otherwise approved by the DEVELOPMENT AUTHORITY.

**6.2.5** The number of driveways or accesses required to access off-street PARKING shall not exceed two (2) unless otherwise approved by the DEVELOPMENT AUTHORITY.

**6.2.6** ACCESS to an off-street PARKING LOT shall be SETBACK a minimum distance of:

a) 15.0m/49.2ft. from the intersection of the street rights-of-way;
b) 20.0m/65.6ft. from an ACCESS associated with the same DEVELOPMENT; and
c) 6.0m/19.6ft. from an ACCESS associated with a DEVELOPMENT on a different property.

**6.2.7** The sides of driveway approaches crossing sidewalks or BOULEVARDS may be constructed on an angle with the curb line, but in no case should the angle between the curb and the driveway be less than 30 degrees perpendicular to the PUBLIC ROADWAY.

**6.2.8** PARKING STALLS must be set back a minimum of 1.5m/4.9ft. from building entrances and exits to ensure safe and unobstructed pedestrian access. DEVELOPMENTS must provide designated pedestrian access leading to building entrances and exits to the DEVELOPMENT AUTHORITY'S satisfaction. These pathways should be direct, continuous, and clearly defined.

## 6.3 LOADING SPACE

**6.3.1** The DEVELOPMENT AUTHORITY may require non-residential DEVELOPMENTS that involve regular delivery or shipping of goods to provide designated LOADING SPACES. LOADING SPACES must be designed and located to ensure that all delivery or shipping vehicles can park and maneuver entirely within the SITE before accessing adjacent streets.

**6.3.2** The number, size, and location of LOADING SPACES shall be appropriate for the scale and nature of the DEVELOPMENT. When required by the DEVELOPMENT AUTHORITY per Article 6.3.1, a LOADING SPACE must have a minimum width of 3.0m/9.85ft., depth of 9.0m/29.5ft, and overhead clearance of 4.3m/14.1ft. LOADING SPACES must be clearly marked, accessible, and designed to minimize conflicts with pedestrian and MOTOR VEHICLE circulation.

7

# 7.0 SIGN CONTROL

## 7.1 GENERAL SIGNAGE CRITERIA

**7.1.1** No SIGN shall be erected, operated, used or maintained which:

- **a)** due to its position, shape, colour, format or illumination obstruct the view of, or may be confused with, an official traffic SIGN, signal or device, as determined by the DEVELOPMENT AUTHORITY;
- **b)** displays lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles;
- **c)** obstructs the use of a fire escape, door, window or other required exit;
- **d)** projects over or rests upon any part of a PUBLIC RIGHT-OF-WAY or public sidewalk, except a SIGN – FASCIA or SIGN – CANOPY, unless otherwise permitted in this BYLAW;
- **e)** extend more than 45cm/17.7in above the roof line or parapet of the BUILDING or the top of the marquee or canopy, nor shall it extend beyond the end of the wall, marquee or canopy that it is attached to;
- **f)** is attached to a tree;
- **g)** is a SIGN – ILLUMINATED which creates a nuisance to surrounding residential properties;
- **h)** is a SIGN – ROOF; and
- **i)** is an OFF-SITE SIGN, except a SIGN giving general warning or direction to the public.

**7.1.2** The provisions of this BYLAW, with respect to existing SIGNS that do not conform to the BYLAW at the time of its effective date, shall not be construed to have a retroactive effect. The exception to this rule is a non-conforming SIGN that is relocated, altered, or removed, which is then required to comply with the provisions of this BYLAW. The provisions of this Section shall not exempt the owner of a non-conforming SIGN from the obligation for required maintenance of a SIGN.

**7.1.3** No SIGN shall be painted upon, cover a fence or a roof.

**7.1.4** Unless otherwise specified in this BYLAW, the following SETBACKS are to be adhered to for all SIGNAGE:

- **a)** Located a minimum of 1.5m/4.9ft. from any LOT LINE;
- **b)** Located a minimum of 3m/9.85ft. from any ACCESS to the SITE;
- **c)** Located a minimum of 6m/19.6ft. from an intersection; and
- **d)** no higher than 3m/9.85ft. above FINISHED GRADE.

**7.1.5** No person shall place permanent or TEMPORARY SIGNAGE on Town-owned land or a PUBLIC RIGHT-OF-WAY without an approved Sign Permit.

## 7.2 SIGN AREA CALCULATIONS

**7.2.1** For the purposes of determining the total permitted SIGN AREA*:*

- **a)** the SIGN AREA is the total sum of the surface area of the SIGN FACE, in the direction of its largest dimension as shown in Figure 19.
- **b)** in the case of SIGN – FASCIA featuring individual letters affixed to a BUILDING face, the total SIGN AREA is the sum of the area for each individual letter as shown in Figure 19.
- **c)** when determining the SIGN AREA of a SIGN – DIRECTORY or SIGN – FREESTANDING, the total area of one or more SIGN boxes must be calculated as shown in Figure 19; and
- **d)** each visible face of a SIGN shall be calculated separately and then added together to determine the SIGN AREA.

**7.2.2** No person shall construct, erect, display, alter or relocate a SIGN without an approved Sign Permit from the DEVELOPMENT AUTHORITY, in accordance with this BYLAW.

**7.2.3** No permits shall be issued for a SIGN constructed on a PERMANENT FOUNDATION without an approved BUILDING PERMIT from the DEVELOPMENT AUTHORITY.

**7.2.4** Despite Articles 7.2.1 and 7.2.2, a SIGN permit is not required for:

- **a)** real estate SIGNS for temporary usage, which advertise the property where they are located as being available for immediate sale or lease;
- **b)** construction SIGNS temporarily located on a LOT that identifies the project, owner, architect and/or consulting engineer;
- **c)** advertising upcoming community events;
- **d)** traffic and directional SIGNS authorized by the TOWN;
- **e)** SIGNS less than 900cm$^2$/139.5in$^2$ in area;
- **f)** political election SIGNS;
- **g)** SIGNS posted or exhibited in a BUILDING, including SIGNS inside a window, except for neon or flashing SIGNS;
- **h)** SIGNS posted or exhibited inside a BUILDING;
- **i)** window SIGNS, provided they are not for the purpose of advertising a HOME OCCUPATION or HOME OFFICE;
- **j)** SIGNS erected by the TOWN;
- **k)** GARAGE Sale SIGNS;
- **l)** SIGNS located on a community notice board; and
- **m)** SIGNS identifying a construction or BUILDING DEMOLITION project.

**n)** Temporary SIGNS advertising promotions, sales, or community events, provided that these temporary SIGNS align with the requirements of the LAND USE DISTRICT the SIGN is to be placed in, are displayed for no more than 30 consecutive days, and are not placed within a PUBLIC RIGHT-OF-WAY.

## 7.3 SIGN APPLICATIONS AND PLANS

**7.3.1** An applicant for a SIGN permit shall:

**a)** complete and submit a Sign Permit Application to the DEVELOPMENT AUTHORITY;

**b)** submit plans and specifications of the proposed SIGN and of any supporting framework or anchoring devices;

**c)** submit a SITE plan showing private and PUBLIC RIGHT-OF-WAY boundaries, the location of any existing SIGNS, and the proposed SIGN ~~that is the subject of the application;~~

**d)** a list of materials proposed to be used in the construction of the SIGN;

**e)** provide any additional information at the DEVELOPMENT AUTHORITY request, which may include stress-bearing capacities of the SIGN and the equipment used in its placement or support; and

**f)** submit separate permits for each SIGN that a permit is required for, under the provisions of this BYLAW.

## 7.4 ABANDONED AND UNLAWFUL SIGNS

**7.4.1** No person being the owner or lessee of property where a SIGN is located shall permit, suffer or allow a SIGN, its supports, electrical system or anchorage to become UNSIGHTLY, dilapidated or unsafe.

**7.4.2** The DEVELOPMENT AUTHORITY may require the removal of any SIGN that has become UNSIGHTLY, or is in such a state of disrepair as to constitute a hazard to the public. Should the SIGN not be removed within sixty (60) days of receiving a written notification from the TOWN, the TOWN may remove the SIGN at the owner's expense.

**7.4.3** Any SIGN that no longer advertises a genuine business or service on the premises shall be removed by the property owner within sixty (60) days of termination of the business or service. Should the SIGN not be removed within sixty (60) days of receiving a written notification from the TOWN, the TOWN may remove the SIGN at the owner's expense.

## 7.5 SIGNAGE VARIANCES

**7.5.1** The DEVELOPMENT AUTHORITY may permit a proposed SIGN – DIRECTORY, SIGN – FASCIA or SIGN – FREESTANDING to exceed the height, area and projection requirements of this BYLAW through a VARIANCE. When reviewing a VARIANCE application, the DEVELOPMENT AUTHORITY shall consider the following:

**a)** the visual dominance of the SIGN;

**b)** whether the SIGN is out of scale in context to surrounding BUILDINGS and other SIGNAGE in the area;

**c)** the impact on the architectural features of the BUILDING and surrounding environment;

**d)** the impact of SIGNS – ILLUMINATED on the surrounding environment; and

**e)** whether the proposed SIGNAGE impacts pedestrian or vehicular movement.

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# 8.0 ESTABLISHMENT OF LAND USE DISTRICTS

## 8.1 LAND USE DISTRICT CLASSIFICATION

**8.1.1** For the purposes of this BYLAW, all lands within the boundaries of the TOWN shall be divided into the following LAND USE DISTRICTS as indicated in Table 8.1.

**TABLE 8.1** LAND USE DISTRICT CLASSIFICATION

| LAND USE DISTRICT | SYMBOL |
|---|---|
| **RESIDENTIAL** | |
| Low Density Residential Land Use District | R-1 |
| Medium Density Residential Land Use District | R-2 |
| High Density Residential Land Use District | R-3 |
| Manufactured Home – Mobile and Transition Neighbourhood Land Use District | R-4 |
| **COMMERCIAL** | |
| Downtown Commercial Land Use District | C-1 |
| Highway Commercial Land Use District | C-3 |
| **INDUSTRIAL** | |
| Industrial Land Use District | IND |
| **OTHER** | |
| Community Use Land Use District | CU |
| Parks Land Use District | P |
| Agricultural Land Use District | A |
| Reserve Land Use District | RES |

| | |
|---|---|
| Direct Control Land Use District | DC |
| Airport Land Use District | AP |
| Forestry Services | FS |

**8.1.2** Throughout this BYLAW and any amendments thereto, a LAND USE DISTRICT may be referred to, either by its full name or symbol as set out in Table 8.1.

**8.1.3** The Land Use Bylaw Zoning Map, as may be amended or replaced from time to time, is attached to and forming part of this BYLAW as Appendix 1.

**8.1.4** Where uncertainty exists as to the boundary of a LAND USE DISTRICT as shown on the Land Use Zoning Map, the following shall apply:

**a)** where a boundary is shown following a street or LANE, it shall be deemed to follow the centre line of such; or

**b)** where a boundary is shown as approximately following a LOT LINE, or the boundary of the TOWN, it shall be deemed to follow the LOT LINE.

9

# 9.0 RESIDENTIAL LAND USE DISTRICTS

## 9.1 R-1 (LOW DENSITY RESIDENTIAL) LAND USE DISTRICT

### INTENT

The R-1 LAND USE DISTRICT is intended to accommodate low-density residential development while supporting the redevelopment of established neighbourhoods. The R-1 LAND USE DISTRICT provides opportunities to gently introduce housing diversity in a manner that is compatible with existing built form, character, and development patterns.

### USES

**TABLE 9.1** PERMITTED AND DISCRETIONARY USES IN THE R-1 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** DWELLING – BACKYARD UNIT;<br>**c)** DWELLING – DUPLEX;<br>**d)** DWELLING – SECONDARY SUITE;<br>**e)** DWELLING – SINGLE DETACHED;<br><br>*On applicable LOT CORNERS (see 9.1.1):*<br>**f)** DWELLING – MULTIPLE UNIT; and<br>**g)** DWELLING – TOWNHOUSE. | **a)** ACCESSORY USES associated with a DWELLING - SINGLE DETACHED:<br>**i)** BED AND BREAKFAST BUSINESS; and<br>**ii)** FAMILY DAY HOME.<br>**b)** ACCESSORY USES associated with any DWELLING UNIT type:<br>**i)** HOME OCCUPATION.<br>~~**iii)** MANUFACTIRED HOME – TINY HOME;~~<br>**c)** MANUFACTURED HOME – MODULAR. |

## PROVISIONS

**9.1.1** The maximum number of permitted DWELLING UNITS on a R-1 LAND USE DISTRICT LOT shall not exceed, in any combination: four (4) DWELLING UNITS on a LOT CORNER, or two (2) DWELLING UNITS on any other LOT; for the purpose of this Article, LANES do not count in determining if a LOT is a LOT CORNER. Within these maximums, no more than one (1) DWELLING – SECONDARY SUITE and one (1) DWELLING – BACKYARD UNIT are permitted per principal DWELLING UNIT.

**9.1.2** Despite any provision within Section 5 of this BYLAW, all properties located within the R-1 (Low Density Residential) LAND USE DISTRICT shall be subject to the requirements outlined in Table 9.2.

**TABLE 9.2** R-1 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | REQUIREMENT |
|---|---|
| LOT AREA (minimum) | Standard: 625m$^2$/6,727.4sq.ft.<br>DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 312 m$^2$<br>TOWNHOUSE with a PARTY WALL on 2 sides: 208 m$^2$ |
| LOT WIDTH (minimum) | Standard: 15m/49.2 ft.<br>DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 7m/23.0 ft.<br>TOWNHOUSE with a PARTY WALL on 2 sides: 5m/16.4 ft. |
| LOT DEPTH (minimum) | 35m/114.8ft. |
| YARD – FRONT (minimum) | 4m/13.1ft. |
| YARD – FLANKAGE (minimum) | 2m/6.6ft. |
| YARD – SIDE for PRINCIPAL BUILDING or BACKYARD UNIT (minimum) | 2m/6.6ft.<br>0m on the side with a PARTY WALL for PRINCIPAL BUILDING |
| YARD – SIDE for ACCESSORY BUILDING OR STRUCTURE (minimum) | 1m/3.3ft. |
| YARD – REAR (minimum) | BACKYARD UNIT above a GARAGE or abutting a LANE: 1m/3.3ft.<br>All other DWELLING UNITS: 5m/16.4ft. |
| FLOOR AREA – GROSS for PRINCIPAL BUILDING, all units within combined (minimum) | 82m$^2$/882.6sq.ft. |
| BUILDING HEIGHT (maximum) | 10.5m/34.4ft. |
| LOT COVERAGE (maximum) | 50% |

## ADDITIONAL REQUIREMENTS

**9.1.3** DEVELOPMENT involving more than one PRINCIPAL BUILDING on a LOT must follow the requirements of subsection 5.24.

~~**9.1.3** LOTS with driveway ACCESS from a rear LANE are permitted to reduce their YARD – FRONT SETBACK to 4.5m/14.7ft.~~

**9.1.4** DWELLING – TOWNHOUSE and DWELLING – MULTIPLE UNIT are only permitted USES on a LOT CORNER in the R-1 LAND USE DISTRICT and shall not exceed a maximum height of two (2) STOREYS.

**9.1.5** All DEVELOPMENTS must follow the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND REQUIREMENTS

**9.1.6** When assessing a DISCRETIONARY USE within the R-1 LAND USE DISTRICT, the applicant must demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** ~~in the case of DWELLING – DUPLEX, consistency with the Town of High Level Design Guidelines;~~
- **b)** the scale of the BUILDINGS and/or STRUCTURES is compatible with other DWELLING UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT;
- **c)** the BUILDINGS and/or STRUCTURES avoid creating a blank appearance when orientated towards a street through the use of design elements such as shutters, bay windows, dormers, porches, verandahs, pillars, material changes or other features, while helping to avoid a design that is significantly in contrast with the surrounding neighbourhood; and
- **d)** the BUILDING'S appearance is compatible with a DWELLING – SINGLE DETACHED through the use of:
  - **i)** an integrated roof line;
  - **ii)** consistent materials and design;
  - **iii)** visually breaking up the larger massing into smaller individual components; and
  - **iv)** reducing the visual dominance of driveways and GARAGES.

**9.1.7** In considering approved ACCESSORY USES the applicant will need to demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** that any HOME OCCUPATION meets the requirements of Subsection 5.19;
- **b)** that any BED AND BREAKFAST BUSINESS meet the requirements of Subsection 5.20;
- **c)** in the case of group homes, FAMILY DAY HOMES ~~and SECONDARY SUITES~~ that:
  - **i)** the scale of the BUILDINGS and/or STRUCTURES is comparable to other DWELLING UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT;
  - **ii)** the BUILDING'S appearance is compatible with a DWELLING – SINGLE DETACHED through the use of elements outlined in Clause 9.1.5(d);
- **d)** potential impacts such as noise and traffic have been mitigated; and
- **e)** there shall be no use of SIGNAGE, unless permitted under Articles 5.19.3, 5.20.3 or 9.1.9.

~~**9.1.7** When considering a proposed MANUFACTURED HOME – TINY HOME in the R-1 LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will consider this USE only if a MANUFACTURED HOME – TINY HOME:~~

~~**a)** Meets the definition of MANUFACTURED HOME – TINY HOME within this BYLAW;~~
~~**b)** Is to be placed upon a PARCEL measuring at least 1,000m²/10,763sq.ft.;~~
~~**c)** Is an ACCESSORY USE to a PRINCIPAL DWELLING UNIT;~~

~~**d)** Is located in YARD – REAR only, in or YARD – SIDE at the discretion of the DEVELOPMENT AUTHORITY;~~

~~**e)** Is limited to one (1) MANUFACTURED HOME – TINY HOME per LOT;~~

~~**f)** Is a STRUCTURE completely independent of the PRINCIPAL DWELLING UNIT functioning on its own utility systems satisfactory to the DEVELOPMENT AUTHORITY;~~

~~**g)** Must contain adequate water and sewer services satisfactory to the DEVELOPMENT AUTHORITY;~~

~~**h)** Be placed on a PERMANENT FOUNDATION;~~

~~**i)** Shall screen the foundation or undercarriage from view by skirting made of high-quality materials that complement the design of all portions of the MANUFACTURED HOME – TINY HOME, such as stone, brick, hardy board, wood, or other suitable materials at the discretion of the DEVELOPMENT AUTHORITY; and~~

~~**j)** Screening of the foundation shall occur within sixty (60) days of the placement of the MANUFACTURED HOME – TINY HOME and be maintained in good condition thereafter.~~

**9.1.8** The DEVELOPMENT AUTHORITY may exercise discretion to allow a fence higher than 2m/6.56ft. along a LOT-LINE – REAR or LOT LINE – SIDE within the R-1 LAND USE DISTRICT, if the LOT is located behind a DEVELOPMENT that measures 11m/36ft. in height or three (3) or more stories.

**9.1.9** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**9.1.10** SIGNS associated with a permitted HOME OCCUPATION, FAMILY DAY HOME, BED AND BREAKFAST BUSINESS, or HOME OFFICE shall:

**a)** not exceed 1.5m$^2$/16.2sq.ft. in SIGN AREA;

**b)** be no higher than 2m/6.5ft. above FINISHED GRADE;

**c)** not be illuminated; and

**d)** subject to the requirements of Section 7.

**9.1.11** Any SIGN not requiring a permit under Article 7.2.4 shall be permitted.

**9.1.12** SIGNS – FASCIA not exceeding 0.25m$^2$/2.6sq.ft. in area shall be permitted for the purposes of identifying the RESIDENTS therein, warn against trespassing, and cannot be a SIGN – ILLUMINATED.

## 9.2 R-2 (MEDIUM DENSITY RESIDENTIAL) LAND USE DISTRICT

### INTENT

**9.2.1** The R-2 LAND USE DISTRICT is intended to support a diversity of housing forms that contribute to quality design and livability. The R-2 LAND USE DISTRICT allows for modest intensification while maintaining neighbourhood character and may accommodate MIXED-USE BUILDINGS that provide commercial amenities to enhance community vibrancy and walkability.

### USES

**TABLE 9.3** PERMITTED AND DISCRETIONARY USES IN THE R-2 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** DWELLING – BACKYARD UNIT;<br>**c)** DWELLING – DUPLEX;<br>**d)** DWELLING – MULTIPLE UNIT; and<br>**e)** DWELLING – SECONDARY SUITE;<br>**f)** DWELLING – SINGLE DETACHED;<br>**g)** DWELLING – TOWNHOUSE ~~of up to 6 units~~;<br>**h)** MANUFACTURED HOME – MODULAR. | **a)** ASSISTED LIVING FACILITY of up to 6 units;<br>**b)** BUILDING – MOVED IN;<br>**c)** DWELLING – MULTIPLE UNIT of up to 16 units;<br>**d)** ACCESSORY USES associated with a DWELLING – SINGLE DETACHED:<br>**i)** BED AND BREAKFAST BUSINESS;<br>**ii)** BOARDING HOUSE;<br>**iii)** FAMILY DAY HOME;<br>**e)** ACCESSORY USES associated with a DWELLING UNIT of any type:<br>**i)** HOME OCCUPATION.<br>~~**iv)** SECONDARY SUITE; and~~<br>**f)** MANUFACTURED HOME – MOBILE; and<br>**g)** MIXED-USE BUILDING. |

### SITE PROVISIONS

**9.2.2** The maximum number of permitted DWELLING UNITS on an R-2 LAND USE DISTRICT LOT is based upon the principal DWELLING UNIT type but cannot exceed eight (8) DWELLING UNITS in any combination. However, up to sixteen (16) DWELLING UNITS may be discretionarily approved by the DEVELOPMENT AUTHORITY for a DWELLING – MULTIPLE UNIT. Within the permitted maximums, up to one (1) DWELLING – SECONDARY SUITE and one (1) DWELLING – BACKYARD UNIT are permitted per principal DWELLING UNIT.

**9.2.3** Despite any provision within Section 5 of this BYLAW, any property or SITE located within the R-2 LAND USE DISTRICT must follow the requirements as shown in Table 9.4.

**TABLE 9.4** R-2 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | REQUIREMENT |
|---|---|
| LOT AREA (minimum) | Standard: 247m²/2,658.7sq.ft |

| | |
|---|---|
| | DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 174m²/1,873sq.ft.<br>TOWNHOUSE with a PARTY WALL on 2 sides: 82m²/883sq.ft. |
| LOT WIDTH (minimum) | Standard: 8m/49.2 ft.<br>DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 6m/23.0 ft.<br>TOWNHOUSE with a PARTY WALL on 2 sides: 5m/16.4 ft. |
| LOT DEPTH (minimum) | 30m/98.4ft. |
| YARD – FRONT (minimum) | 4m/13.1 ft. |
| YARD – FLANKAGE (minimum) | 2m/6.6 ft. |
| YARD – SIDE PRINCIPAL BUILDING OR BACKYARD UNIT (minimum) | 1.2m/3.9ft.<br>0m on the side with a PARTY WALL for PRINCIPAL BUILDING |
| YARD – SIDE ACCESSORY BUILDING OR STRUCTURE (minimum) | 1m/3.3 ft. |
| YARD – REAR (minimum) | BACKYARD UNIT above a GARAGE or abutting a LANE: 1m/3.3ft.<br>All other DWELLING UNITS: 5m/16.4ft. |
| FLOOR AREA – GROSS for PRINCIPAL BUILDING, all units within combined (minimum) | 71m²/764.2 sq.ft. |
| BUILDING HEIGHT (maximum) | 10.5m/34.4ft. |
| LOT COVERAGE (maximum) | 50% |

## ADDITIONAL REQUIREMENTS

**9.2.4** Where applicable, DEVELOPMENTS within the R-2 LAND USE DISTRICT are encouraged to consider the principles of the Town of High Level Design Guidelines.

**9.2.5** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24, which does not apply for DWELLING – MULTIPLE UNITS or DWELLING – TOWNHOUSES.

**9.2.6** Driveways and GARAGES for DWELLING – DUPLEX and DWELLING – TOWNHOUSE must be separated by a landscaped strip of at least 0.5m/1.6ft.

**9.2.7** All DEVELOPMENTS must follow the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND REQUIREMENTS

**9.2.8** When assessing a DISCRETIONARY USE within the R-2 LAND USE DISTRICT, the applicant must demonstrate the following to the DEVELOPMENT AUTHORITY:

**a)** ~~consistency with the Town of High Level Design Guidelines, where applicable~~;

**b)** the scale of the BUILDINGS and/or STRUCTURES is compatible with other DWELLING UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT;

**c)** the BUILDINGS and/or STRUCTURES avoid creating a blank appearance when orientated towards a street through the use of design elements such as shutters, bay windows, dormers,

porches, verandahs, pillars, material changes or other features; and

**d)** ~~the number of visible entrances to a DWELLING – MULTIPLE UNIT or ASSISTED LIVING FACILITY from a public street is limited to two.~~

**9.2.9** In considering approved ACCESSORY USES, the applicant will need to demonstrate the following to the DEVELOPMENT AUTHORITY:

**a)** that any HOME OCCUPATION meets the requirements of Subsection 5.19;

**b)** that any BED AND BREAKFAST BUSINESS meet the requirements of Subsection 5.20;

**c)** in the case of FAMILY DAY HOMES, ~~SECONDARY SUITES~~ and BOARDING HOUSE that:

**i)** the scale of the BUILDINGS and/or STRUCTURES is comparable to other DWELLING UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT;

**ii)** the BUILDING'S appearance is compatible with a DWELLING – SINGLE DETACHED. The Town of High Level Design Guidelines are encouraged to be referenced.

~~**iii)** through the use of elements outlined in Clause 9.2.9(d);~~

**d)** potential impacts such as noise, traffic and PARKING have been mitigated; and

**e)** there shall be no use of SIGNAGE, unless permitted under Articles 5.19.3, 5.20.3 or 9.2.13.

**9.2.10** When considering a proposed MANUFACTURED HOME – MOBILE in the R-2 Land Use District, the DEVELOPMENT AUTHORITY will only consider this USE if a:

**a)** MANUFACTURED HOME – MOBILE is to be placed upon a PARCEL within:

**i)** 102 Street, 103 Street, 104 Street, 105 Street or 106 Street, North of 100 Avenue;

**ii)** Plan 4507NY, Block 25, Lots 1 – 9 on 99 Avenue;

**iii)** Plan 4507NY, Block 26, Lots 2 – 8 on 99 Avenue;

**iv)** Plan 4507NY, Block 26, Lots 20 – 29 on 98 Avenue;

**v)** Plan 4507NY, Block 27, Lots 14 – 20 on 98 Avenue;

**vi)** Plan 5035TR, Block 27, Lots 50 – 56 on 98 Avenue;

**b)** the proposed MANUFACTURED HOME – MOBILE meets the definition in this BYLAW; and

**c)** the MANUFACTURED HOME – MOBILE is no more than 20 years old at the time of placement onto a PARCEL identified in Clause 9.2.10.a., unless an Appraiser has assigned a MANUFACTURED HOME – MOBILE with a new EFFECTIVE AGE up to 20 years old at the time of placement; and

**d)** a MANUFACTURED HOME – MOBILE with a new EFFECTIVE AGE includes the submission of a comprehensive Appraisal Report containing the new EFFECTIVE AGE and inspection details with a DEVELOPMENT PERMIT application, to the satisfaction of the DEVELOPMENT AUTHORITY.

**9.2.11** When assessing a MIXED-USE BUILDING as a DISCRETIONARY USE within the R-2 LAND USE DISTRICT, the applicant must show to the satisfaction of the DEVELOPMENT AUTHORITY that the proposed DEVELOPMENT:

**a)** meets the requirements of Subsection 5.29;

**b)** has a proposed commercial or community USE that is appropriate for the SITE and compatible with the surrounding neighbourhood context;

**c)** has a proposed commercial or community USE that is unlikely to cause significant disruption or nuisance to adjacent residents, including but not limited to operational noise or odors; and

**d)** the shape, size, location, construction, and orientation of any signs must be in a scale and design that complements the surrounding neighborhood character, to the satisfaction of the DEVELOPMENT AUTHORITY.

**9.2.12** The DEVELOPMENT AUTHORITY may exercise discretion to allow a fence higher than 2m/6.56ft. along a LOT-LINE – REAR or LOT LINE – SIDE within the R-2 LAND USE DISTRICT, if the LOT is located behind a DEVELOPMENT that measures 11m/36ft. in height or three (3) or more stories.

**9.2.13** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**9.2.14** SIGNS associated with a permitted HOME OCCUPATION, FAMILY DAY HOME, BED AND BREAKFAST BUSINESS, HOME OFFICE or BOARDING HOUSE shall:

**a)** not exceed 1.5m$^2$/16.2sq.ft. in SIGN AREA;
**b)** be no higher than 2m/6.5ft. above FINISHED GRADE;
**c)** not be illuminated; and
**d)** Subject to the requirements of Section 7.

**9.2.15** Any SIGN not requiring a permit under Article 7.2.4 shall be permitted.

**9.2.16** SIGNS – FASCIA not exceeding 0.25m$^2$/2.6sq.ft. in area shall be permitted for the purposes of identifying the RESIDENTS therein, warn against trespassing, and cannot be a SIGN – ILLUMINATED.

## 9.3 R-3 (HIGH DENSITY RESIDENTIAL) LAND USE DISTRICT

### INTENT

The R-3 LAND USE DISTRICT is intended to accommodate the development of DWELLING – MULTIPLE UNIT while allowing for lower-density residential forms to respond to changing market demands. The R-3 LAND USE DISTRICT also provides flexibility for the inclusion of commercial USES to serve the needs of the community.

### USES

**TABLE 9.5** PERMITTED AND DISCRETIONARY USES IN THE R-3 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** ASSISTED LIVING FACILITY of up to 24 units;<br>**c)** ~~DWELLING – APARTMENT of up to 24 units;~~<br>**d)** ~~DWELLING – DUPLEX;~~<br>**e)** DWELLING – MULTIPLE UNIT ~~more than 6 units; and~~<br>**f)** DWELLING – TOWNHOUSE. | **a)** ASSISTED LIVING FACILITY of more than 24 units;<br>**b)** BUILDING – MOVED IN;<br>**c)** BUSINESS SUPPORT SERVICE;<br>**d)** DAY CARE FACILITY;<br>**e)** DRINKING ESTABLISHMENT;<br>**f)** DWELLING – DUPLEX;<br>**g)** FINANCIAL INSTITUTION;<br>**h)** GENERAL SERVICE;<br>**i)** MIXED-USE BUILDING;<br>**j)** NON-PROFIT COMMUNITY SUPPORT SERVICE;<br>**k)** PROFESSIONAL SERVICE;<br>**l)** RECREATIONAL SERVICE – INDOOR;<br>**m)** RESTAURANT;<br>**n)** RETAIL – CONVENIENCE;<br>**o)** RETAIL – GENERAL;<br>**p)** RETAIL – SPECIALITY STORE; and<br>**q)** ACCESSORY USES associated with a DWELLING UNIT:<br>**i)** FAMILY DAY HOME;<br>**ii)** HOME OCCUPATION;<br>**iii)** HOME OFFICE;<br>**iv)** DWELLING – SECONDARY SUITE; and<br>**v)** DWELLING – BACKYARD UNIT. |

### SITE PROVISIONS

**9.3.1** Despite any provision within Section 5 of this BYLAW, any property or SITE located within the R-3 LAND USE DISTRICT must follow the requirements outlined in Table 9.6.

**TABLE 9.6** R-3 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | REQUIREMENT |
|---|---|
| LOT AREA (minimum) | 900m²/9,687.5 sq.ft |
| LOT WIDTH (minimum) | 15m/49.2 ft. |
| LOT DEPTH (minimum) | 35m/114.8 ft. |
| YARD – FRONT (minimum) | 5m/16.41 ft. |
| YARD – FLANKAGE (minimum) | 5m/16.41 ft. |
| YARD – SIDE (minimum) | 2m/6.6 ft. plus 1m/3.3 ft. for each meter beyond 9m/29.5ft. in BUILDING HEIGHT |
| YARD – REAR (minimum) | 5m/16.4 ft. |
| Density (maximum) | 125 units per hectare of LOT AREA. |
| BUILDING HEIGHT (maximum) | 6 stories or 21m/68.9 ft. |

**9.3.2** ~~The design of all DWELLING – MULTIPLE UNIT, ASSISTED LIVING FACILITIES, DWELLING – DUPLEX and DWELLING – TOWNHOUSE are subject to the Town of High Level Design Guidelines.~~ DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT must follow the requirements of Subsection 5.24, which does not apply for DWELLING – MULTIPLE UNIT, DWELLING – TOWNHOUSE, or MIXED-USE BUILDING.

~~**9.3.3** DWELLING – DUPLEX and DWELLING – TOWNHOUSE with driveway ACCESS from a rear LANE are permitted to reduce their YARD – FRONT and YARD – FLANKAGE SETBACK to 4.5m/14.7ft.~~

**9.3.3** Where a DWELLING – MULTIPLE UNIT, or an ASSISTED LIVING FACILITY greater than three stories, is adjacent to a DWELLING – SINGLE DETACHED, DWELLING – DUPLEX , DWELLING – TOWNHOUSE or MANUFACTURED HOME – MODULAR:

**a)** a 3m/9.85ft. wide landscaped BUFFER featuring a combination of shrubs and trees designed to screen the adjacent land USES must be provided along any abutting YARD – REAR and/or YARD – SIDE*;* and

**b)** subject to Subsection 5.15, a 2m/6.5ft. high opaque fence shall be provided along any abutting YARD – SIDE or YARD – REAR.

**9.3.4** All off-street PARKING shall be surrounded by a LANDSCAPED AREA of not less than 1.5m/4.9ft. in width, unless it adjoins a LANE.

**9.3.5** A sidewalk or walkway allowing safe pedestrian ACCESS to and from the BUILDING to a public sidewalk fronting the BUILDING must be installed.

**9.3.6** Each DWELLING UNIT within a ~~DWELLING – APARTMENT,~~ DWELLING – MULTIPLE UNIT, DWELLING – SECONDARY SUITE, DWELLING – BACKYARD UNIT, or DWELLING – TOWNHOUSE must have a PRIVATE AMENITY AREA that may be in one of the following forms:

**a)** a BALCONY;

**b)** a PATIO;

**c)** a DECK; or

**d)** an outdoor area a minimum of 6m/19.6ft. in depth for DWELLING UNITS located at the GROUND FLOOR.

**9.3.7** All DEVELOPMENTS must follow the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND REQUIREMENTS

**9.3.8** When assessing a DISCRETIONARY USE within the R-3 LAND USE DISTRICT, the applicant must demonstrate the following to the DEVELOPMENT AUTHORITY:

**a)** ~~consistency with the Town of High Level Design Guidelines, where applicable;~~

**b)** the BUILDINGS and/or STRUCTURES avoid creating a blank appearance when orientated towards a street through the use of design elements such as shutters, bay windows, dormers, porches, verandahs, pillars, material changes or other features while helping to avoid a design that is significantly in contrast with the surrounding neighbourhood;

**c)** estimated traffic generation must not negatively impact the function of existing local streets to an extent deemed unacceptable by the DEVELOPMENT AUTHORITY; and

**d)** proximity to adjacent lower density residential DWELLING UNITS and the use of building design, LANDSCAPING, fencing and BUFFERS to help mitigate potential issues related to noise, lighting and views from upper stories of BUILDINGS into the yards of adjacent DWELLING UNITS.

**9.3.9** When assessing a MIXED-USE BUILDING as a DISCRETIONARY USE within the R-3 LAND USE DISTRICT, the applicant must show to the satisfaction of the DEVELOPMENT AUTHORITY that the proposed DEVELOPMENT:

**a)** meets the requirements of Subsection 5.29;

**b)** provides a sufficiently high number DWELLING UNITS considering the number of non-residential units, the SITE, and context;

**c)** will contribute positively to the amenities and services of the neighbourhood and the Town, without being likely to significantly detract from the downtown centre;

**d)** has a proposed commercial or community USE that is an appropriate USE for the SITE and for being in a high density residential context;

**e)** has a proposed commercial or community USE that is unlikely to cause significant disruption or nuisance to adjacent residents, including but not limited to operational noise or odors; and

**f)** the shape, size, location, construction, and orientation of any signs must be in a scale and design that complements the surrounding neighborhood character, to the satisfaction of the DEVELOPMENT AUTHORITY.

**9.3.10** When assessing a DWELLING – DUPLEX, DWELLING – SECONDARY SUITE, or DWELLING – BACKYARD UNIT in the R-3 LAND USE DISTRICT, the DEVELOPMENT AUTHORITY should consider if the proposed DEVELOPMENT is adjacent to properties of a similar density and scale and if the proposed LOT COVERAGE is at least 40%.

**9.3.11** When considering a proposed commercial USE in the R-3 LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider proposals where the USE, scale, and intensity complement the surrounding USES.

**9.3.12** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**9.3.13** SIGNS associated with a permitted HOME OCCUPATION, FAMILY DAY HOME or HOME OFFICE shall:

**a)** not exceed 1.5m$^2$/16.2sq.ft. in SIGN AREA;
**b)** be no higher than 2m/6.5ft. above FINISHED GRADE;
**c)** not be illuminated; and
**d)** Subject to the requirements of Section 7.

**9.3.14** Any SIGN not requiring a permit under Article 7.2.4 shall be permitted.

**9.3.15** SIGNS – FASCIA not exceeding 0.25m$^2$/2.6sq.ft. in area shall be permitted for the purposes of identifying the RESIDENTS therein, warn against trespassing, and cannot be a SIGN – ILLUMINATED.

**9.3.16** SIGNS associated with a commercial or community USE shall be considered DISCRETIONARY and must have a shape, size, location, construction, and orientation that complements the surrounding neighborhood character, to the satisfaction of the DEVELOPMENT AUTHORITY and subject to the requirements of Section 7.

## 9.4 R-4 (MANUFACTURED HOME – MOBILE AND TRANSITION NEIGHBOURHOOD) LAND USE DISTRICT

### INTENT

The intent of the R-4 LAND USE DISTRICT is to provide a location for MANUFACTURED HOME – MOBILE DEVELOPMENTS, among other low-rise residential unit types.

### USES

**TABLE 9.7** PERMITTED AND DISCRETIONARY USES IN THE R-4 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** DWELLING – DUPLEX;<br>**c)** DWELLING – SINGLE DETACHED;<br>**d)** DWELLING –TOWNHOUSE;<br>**e)** MANUFACTURED HOME – MOBILE; and<br>**f)** MANUFACTURED HOME – MODULAR. | **a)** BUILDING – MOVED IN;<br>ACCESSORY USES associated with a DWELLING UNIT:<br>**i)** BED AND BREAKFAST BUSINESS;<br>**ii)** BOARDING HOUSE;<br>**iii)** FAMILY DAY HOME;<br>**iv)** HOME OCCUPATION;<br>**v)** HOME OFFICE;<br>~~SECONDARY SUITE;~~<br>**g)** DWELLING – SECONDARY SUITE; and<br>**c)** DWELLING – BACKYARD UNIT<br>**d)** MANUFACTURED HOME – COMMUNITY; and<br>**e)** MANUFACTURED HOME – TINY HOME. |

### SITE PROVISIONS

**9.4.1** Despite any provision within Section 5 of this BYLAW, any property or SITE located within the R-4 LAND USE DISTRICT must follow the requirements outlined in Table 9.8.

**TABLE 9.8** R-4 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | REQUIREMENT |
|---|---|
| LOT AREA (minimum) | Standard: 264m²/2,841.7 sq.ft<br>DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 132m²/1,421sq.ft.<br>TOWNHOUSE with a PARTY WALL on 2 sides: 88m²/947sq.ft. |
| LOT WIDTH (minimum) | Standard: 8m/49.2 ft.<br>DUPLEX/TOWNHOUSE with a PARTY WALL on 1 side: 6m/23.0 ft.<br>TOWNHOUSE with a PARTY WALL on 2 sides: 5m/16.4 ft. |
| LOT DEPTH (minimum) | 32m/104.9 ft. |
| YARD – FRONT (minimum) | 3m/9.8 ft. |
| YARD – FLANKAGE (minimum) | 2m/6.6 ft. |

| | |
|---|---|
| YARD – SIDE (minimum) | 1m/3.3 ft. or 3m/9.8ft. when adjacent to a MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME or 0m on the side with a PARTY WALL for PRINCIPAL BUILDING |
| YARD – REAR (minimum) | 3m/9.8 ft. |
| FLOOR AREA – GROSS for PRINCIPAL BUILDING, all units within combined (minimum) | 56m$^2$/602.8 sq.ft. except for MANUFACTURED HOME – TINY HOME |
| BUILDING HEIGHT (maximum) | 10.5m/34.4ft. except for MANUFACTURED HOME – MOBILE which are limited to 7m/22.9ft. |
| LOT COVERAGE (maximum) | 50% |

## ADDITIONAL REQUIREMENTS

**9.4.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT must follow the requirements of Subsection 5.24, which do not apply for DWELLING – MULTIPLE UNIT, DWELLING – TOWNHOUSE, or MIXED-USE BUILDING.

**9.4.3** A MANUFACTURED HOME – MOBILE cannot be more than 20 years old at the time of placement onto a PARCEL within the R-4 LAND USE DISTRICT, unless:

**a)** an Appraiser has assigned a MANUFACTURED HOME – MOBILE with a new EFFECTIVE AGE up to 20 years old at the time of placement; and

**b)** a MANUFACTURED HOME – MOBILE with a new EFFECTIVE AGE includes the submission of a comprehensive Appraisal Report containing the new EFFECTIVE AGE and inspection details with a DEVELOPMENT PERMIT application, to the satisfaction of the DEVELOPMENT AUTHORITY.

**9.4.4** The foundation or undercarriage of a MANUFACTURED HOME – MOBILE or a MANUFACTURED HOME – TINY HOME shall be screened from view by skirting made of high quality materials that complement the design of the habitable portion of the DWELLING UNIT, such as stone, brick, hardy board, wood or other suitable materials at the discretion of the DEVELOPMENT AUTHORITY.

**9.4.5** SCREENING of the foundation shall occur within sixty (60) days of the placement of the MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME and shall be maintained in good condition thereafter.

**9.4.6** All DEVELOPMENTS must follow the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE REQUIREMENTS

**9.4.7** Each PARK LOT within a MANUFACTURED HOME – COMMUNITY shall be clearly marked off by permanent markers or other suitable means.

**9.4.8** Communal garbage storage facilities associated with a MANUFACTURED HOME – MOBILE COMMUNITY shall meet the requirements of Article 5.11.1.

**9.4.9** Areas within a MANUFACTURED HOME – COMMUNITY not devoted to streets, PARKING STALLS, walkways, service buildings, MANUFACTURED HOME – MOBILE, or MANUFACTURED HOME – TINY HOME shall be LANDSCAPED.

**9.4.10** At least 5% of the gross SITE area of the MANUFACTURED HOME – COMMUNITY shall be devoted to recreational USES and shall be clearly visible with pedestrian access from at least two (2) locations.

**9.4.11** A minimum SETBACK of 4.5m/14.7ft. must occur between the MANUFACTURED HOME – COMMUNITY LOT LINES and any MANUFACTURED HOME – MOBILE or MANUFACTURED HOME – TINY HOME LOT LINES, MANUFACTURED HOME – PAD lease line, or in the case of the LOT LINE abutting a PUBLIC ROADWAY, a distance of 7.5m/24.6ft. shall occur between the LOT LINES.

**9.4.12** In a MANUFACTURED HOME – COMMUNITY of over fifty (50) units, two (2) separate means of ACCESS shall be provided. In DEVELOPMENTS fewer than one-hundred (100) units, alternatives that provide safe ACCESS by more than one (1) means, such as emergency ACCESS roads or BOULEVARDS featuring LANES separated by a median may be considered, but shall be subject to the approval of the DEVELOPMENT AUTHORITY.

**9.4.13** A minimum right-of-way of 12m/39.3ft. is required for all roads within a MANUFACTURED HOME – COMMUNITY.

**9.4.14** All roads within a MANUFACTURED HOME – COMMUNITY shall be constructed of an all-weather HARD-SURFACED material, be graded and suitable for use in all seasons in compliance with the Municipal Engineering and Construction Standards and Subsection 5.6.

**9.4.15** Street lighting in a MANUFACTURED HOME – COMMUNITY shall be to the same standards as that in a conventional residential neighbourhood.

**9.4.16** In considering approved ACCESSORY USES, the applicant shall demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** that any HOME OCCUPATION meets the requirements of Subsection 5.19;
- **b)** that any BED AND BREAKFAST BUSINESS meet the requirements of Subsection 5.20;
- **c)** in the case of FAMILY DAY HOMES, DWELLING – SECONDARY SUITES, and DWELLING – BACKYARD UNITS that:
  - **i)** the scale of the BUILDINGS and/or STRUCTURES is comparable to other DWELLING UNITS within the LAND USE DISTRICT in terms of ground FLOOR AREA, FLOOR AREA – GROSS and BUILDING HEIGHT; and
  - **ii)** the BUILDING'S appearance is similar to a DWELLING – SINGLE DETACHED.
- **d)** potential impacts such as noise and traffic have been mitigated; and
- **e)** there shall be no use of SIGNAGE, unless permitted under Articles 5.19.3, 5.20.3 or 9.4.18.

**9.4.17** The DEVELOPMENT AUTHORITY may exercise discretion to allow a fence higher than 2m/6.56ft. along a LOT-LINE – REAR or LOT LINE – SIDE within the R-4 LAND USE DISTRICT, if the LOT is located behind a DEVELOPMENT that measures 11m/36ft. in height or three (3) or more stories.

**9.4.18** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**9.4.19** SIGNS associated with a permitted HOME OCCUPATION, FAMILY DAY HOME, BED AND BREAKFAST BUSINESS, HOME OFFICE or BOARDING HOUSE shall:

**a)** not exceed 1.5m$^2$/16.2sq.ft. in SIGN AREA;
**b)** be no higher than 2m/6.5ft. above FINISHED GRADE;
**c)** not be illuminated; and
**d)** Subject to the requirements of Section 7.

**9.4.20** Any SIGN not requiring a permit under Article 7.2.4 shall be permitted.

**9.4.21** SIGNS – FASCIA not exceeding 0.25m$^2$/2.6sq.ft. in area shall be permitted for the purposes of identifying the RESIDENTS therein, warn against trespassing, and cannot be a SIGN – ILLUMINATED.

**9.4.22** An identification SIGN for a MANUFACTURED HOME – COMMUNITY may be erected at the entrance of the overall DEVELOPMENT, subject to Section 7 and the discretion of the DEVELOPMENT AUTHORITY.

# 10

# 10.0 COMMERCIAL LAND USE DISTRICTS

## 10.1 C-1 (DOWNTOWN COMMERCIAL) LAND USE DISTRICT

### INTENT

The C-1 LAND USE DISTRICT is intended to clearly define the downtown as the commercial core of the town, establishing standards that promote its redevelopment and enhancement. This includes the integration of DWELLING UNITS within MIXED-USE BUILDINGS to increase pedestrian activity and support a vibrant community environment.

### USES

**TABLE 10.1** PERMITTED AND DISCRETIONARY USES IN THE C-1 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ART GALLERY;<br>**b)** BUSINESS SUPPORT SERVICE;<br>**c)** CATERING SERVICE;<br>**d)** DAY CARE FACILITY;<br>**e)** DRINKING ESTABLISHMENT;<br>**f)** ~~DWELLING – MULTIPLE UNIT above a GROUND FLOOR;~~<br>**g)** Farmers market;<br>**h)** FINANCIAL INSTITUTION;<br>**i)** GENERAL SERVICE;<br>**j)** GOVERNMENT SERVICE;<br>**k)** HEALTH SERVICE;<br>**l)** HOUSEHOLD REPAIR SERVICE;<br>**m)** MIXED-USE BUILDING;<br>**n)** Movie and/or video game rental and sales; | **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** ACCESSORY USES associated with a DWELLING UNIT:<br>**vi)** BED AND BREAKFAST BUSINESS;<br>**vii)** BOARDING HOUSE;<br>**viii)** FAMILY DAY HOME;<br>**ix)** HOME OCCUPATION; and<br>**x)** HOME OFFICE.<br>**c)** AMUSEMENT ARCADE;<br>**d)** ASSISTED LIVING FACILITY;<br>**e)** AUTOMOTIVE SERVICE;<br>**f)** BUILDING – MOVED IN;<br>**g)** BREWERY, WINE, DISTILLERY;<br>**h)** CAR WASH;<br>**i)** COMMUNITY HALL; |

| | |
|---|---|
| **o)** NON-PROFIT COMMUNITY SUPPORT SERVICE;<br>**p)** Park;<br>**q)** PARKING LOT;<br>**r)** PAWNBROKER;<br>**s)** PROFESSIONAL SERVICE;<br>**t)** RESTAURANT;<br>**u)** RETAIL – CONVENIENCE;<br>**v)** RETAIL – GENERAL;<br>**w)** RETAIL – SPECIALTY STORE;<br>**x)** SCHOOL – COMMERCIAL; and<br>**y)** THEATRE. | **j)** DRIVE-THROUGH BUSINESS;<br>**k)** DRIVE-THROUGH RESTAURANT;<br>**l)** DWELLING – MULTIPLE UNIT;<br>**m)** FUNERAL HOME;<br>**n)** HOTEL;<br>**o)** PET SERVICE;<br>**p)** PLACE OF WORSHIP;<br>**q)** PUBLIC USE;<br>**r)** RECREATIONAL SERVICE – INDOOR;<br>**s)** RETAIL – ADULT;<br>**t)** RETAIL – CANNABIS;<br>**u)** RETAIL – LIQUOR;<br>**v)** SHOPPING CENTRE; and<br>**w)** VETERINARY CLINIC. |

## SITE PROVISIONS

**10.1.1** Despite any provision within Section 5 of this BYLAW, any property or SITE located within the C-1 LAND USE DISTRICT must follow the requirements of Table 10.2:

**TABLE 10.2** C-1 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| LOT AREA (minimum) | 200m$^2$/2,152sq.ft. |
| LOT WIDTH (minimum) | 9m/29.5ft. |
| LOT DEPTH (minimum) | 25m/82ft. |
| YARD – FRONT (minimum) | 0m/0ft. |
| YARD – FLANKAGE (minimum) | 0m/0ft., however, LOT CORNER must comply with Subsection 5.3 of this BYLAW regarding SIGHT TRIANGLES. |
| YARD – SIDE (minimum) | 0m/0ft. |
| YARD – REAR (minimum) | 6m/19.6ft. unless otherwise approved by the DEVELOPMENT AUTHORITY in consideration of alternate PARKING facilities. |
| BUILDING HEIGHT (maximum) | 23m/75.5 ft. or 6 STOREYS |

~~Note: These requirements are based upon each DEVELOPMENT being contained on its own individual LOT.~~

## ADDITIONAL REQUIREMENTS

**10.1.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24, which do not apply for DWELLING - MULTIPLE UNIT or MIXED-USE BUILDINGS.

**10.1.3** Any DEVELOPMENT within the C-1 LAND USE DISTRICT are encouraged to consider the principles of the Town of High Level Design Guidelines.

**10.1.4** All DEVELOPMENTS must follow the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**10.1.5** When considering a DRIVE-THROUGH BUSINESS or DRIVE-THROUGH RESTAURANT in the C-1 LAND USE DISTRICT, the applicant shall demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** ~~consistency with the Town of High Level Design Guidelines;~~
- **b)** the driveway entrance is limited and does not adversely affect the movement of pedestrians including vehicles queuing onto the sidewalks and creation of more than one ACCESS*;*
- **c)** the drive-through shall be located at the rear of the BUILDING*;*
- **d)** the façade facing 100 Avenue is not adversely affected by the incorporation of a DRIVE-THROUGH BUSINESS;
- **e)** that, when adjacent to a residential USE*,* the operation either:
  - **i)** does not use a speaker system;
  - **ii)** includes certified noise attenuation fencing 2m/6.5ft. in height; or
  - **iii)** utilizes an earth BERM designed to mitigate the impact of noise.
- **f)** any lighting required does not spill onto adjoining properties.

**10.1.6** When considering approved DISCRETIONARY USES*,* the applicant shall need to demonstrate the following to the DEVELOPMENT AUTHORITY:

- **a)** scale of the USE and BUILDINGS shall be comparable to the anticipated scale of BUILDINGS and USES within the C-1 LAND USE DISTRICT;
- **b)** ~~design of the SITE and BUILDINGS is consistent with the Town of High Level Design Guidelines;~~
- **c)** PARKING required for the operation shall not negatively impact on aesthetics and pedestrian functionality within the C-1 LAND USE DISTRICT; and
- **d)** how potential impacts such as traffic generation, noise, dust, odours or other concerns related to the operation shall be addressed.

**10.1.7** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

**10.1.8** When considering RETAIL – CANNABIS in the C-1 LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will ensure that the entire business footprint falls outside of a 100m/328ft. radius from any Community Use and Park LAND USE DISTRICTS.

## SIGNAGE REQUIREMENTS

**10.1.9** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

- **a)** no SIGN shall exceed a maximum height of 5m/16.4ft.;
- **b)** no SIGN shall exceed a maximum size of $6m^2$/64.5sq.ft in SIGN AREA per SIGN FACE for a single business property and $9m^2$/96.8sq.ft. in SIGN AREA per SIGN FACE for a multiple-business property;
- **c)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4ft. of LOT – FRONTAGE; and
- **d)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**10.1.10** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA*;*
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
- **c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and
- **d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**10.1.11** SIGNS – FASCIA are permitted provided that:

- **a)** the total SIGN AREA of the BUILDING does not exceed 5% of the total surface area of the BUILDING face where the SIGNAGE is to be erected; and
- **b)** no individual SIGN shall exceed 1m/3.2ft. in height;
- **c)** shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and
- **d)** No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**10.1.12** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**10.1.13** SIGNS – SANDWICH are permitted provided that the SIGN shall:

- **a)** not exceed a single SIGN FACE area of 0.5m$^2$/5.3sq.ft.;
- **b)** no more than one SIGN – SANDWICH is provided per LOT*;*
- **c)** it is not located within the required SIGHT TRIANGLE*;* and
- **d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way

## 10.2 C-3 (HIGHWAY COMMERCIAL) LAND USE DISTRICT

### INTENT

The intent of the C-3 LAND USE DISTRICT is to provide an area for intensive commercial operations while not drawing away USES intended for the C-1 LAND USE DISTRICT. The DEVELOPMENT AUTHORITY recognizes that there may be circumstances where certain USES need to be located in the C-3 LAND USE DISTRICT whether it is due to scale, a lack of vacant BUILDINGS or LOTS within the C-1 LAND USE DISTRICT, required PARKING, traffic impacts or other reasons.

### USES

**TABLE 10.3** PERMITTED AND DISCRETIONARY USES IN THE C-3 LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** AUTOMOTIVE SALES AND RENTAL;<br>**c)** AUTOMOTIVE SERVICE;<br>**d)** CAR WASH;<br>**e)** CONSTRUCTION SERVICE;<br>**f)** DRINKING ESTABLISHMENT;<br>**g)** DRIVE-THROUGH BUSINESS;<br>**h)** DRIVE-THROUGH RESTAURANT;<br>**i)** EQUIPMENT RENTAL FACILITY;<br>**j)** FUNERAL HOME;<br>**k)** FUEL STATION;<br>**l)** HOTEL;<br>**m)** RECREATIONAL SERVICE – INDOOR;<br>**n)** RESTAURANT;<br>**o)** RETAIL – CONVENIENCE as part of a FUEL STATION;<br>**p)** RETAIL – GENERAL; and<br>**q)** THEATRE. | **a)** ADULT ENTERTAINMENT FACILITY;<br>**b)** AMUSEMENT ARCADE<br>**c)** BUILDING – MOVED IN;<br>**d)** BUSINESS SUPPORT SERVICE;<br>**e)** DAY CARE FACILITY;<br>**f)** DWELLING – MULTIPLE UNIT;<br>**g)** DWELLING – TOWNHOUSE;<br>**h)** GENERAL SERVICE;<br>**i)** GOVERNMENT SERVICE;<br>**j)** HEALTH SERVICE;<br>**k)** LUMBER YARD;<br>**l)** MANUFACTURED HOME – MOBILE SALES;<br>**m)** NON-PROFIT COMMUNITY SUPPORT SERVICE;<br>**n)** PAWNBROKER;<br>**o)** PET SERVICE;<br>**p)** PLACE OF WORSHIP – STOREFRONT CHURCH;<br>**q)** PROFESSIONAL SERVICE;<br>**r)** PUBLIC USE;<br>**s)** RECREATIONAL VEHICLE SALES AND SERVICE;<br>**t)** RETAIL – ADULT;<br>**u)** RETAIL – LIQUOR;<br>**v)** SCHOOL – COMMERCIAL;<br>**w)** SHOPPING CENTRE;<br>**x)** VETERINARY CLINIC;<br>**y)** WAREHOUSE STORE;<br>**z)** ASSISTED LIVING FACILITY; and<br>**aa)** MIXED-USE BUILDING; and<br>**bb)** ACCESSORY USES associated with a DWELLING UNIT:<br>a. BED AND BREAKFAST BUSINESS;<br>b. BOARDING HOUSE;<br>c. FAMILY DAY HOME;<br>d. HOME OCCUPATION; and<br>e. HOME OFFICE. |

## SITE PROVISIONS

**10.2.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the C-3 LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements as follows:

**TABLE 10.4** C-3 LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| LOT AREA (minimum) | 360m$^2$/3,875sq.ft. |
| LOT WIDTH (minimum) | 20m/65.6ft. with the exception of HOTELS or motels which must have 45m/147.6ft. |
| LOT DEPTH (minimum) | 20m/65.6ft. |
| YARD – FRONT (minimum) | 9m/29.5ft. |
| YARD – FLANKAGE (minimum) | 0m/0ft. however, LOT CORNER must comply with Subsection 5.3 of this BYLAW regarding SIGHT TRIANGLES. |
| YARD – SIDE (minimum) | 0m/0ft. however, the BUILDINGS must comply with the distance requirements of the *National Building Code – Alberta Edition*. |
| YARD – REAR (minimum) | 6m/19.6ft. |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. or 4 stories, except where the LAND USE DISTRICT is adjacent to residential LAND USE DISTRICT in which the maximum BUILDING HEIGHT shall be 12m/39.3ft. or 3 stories. |

~~Note: These requirements are based upon each DEVELOPMENT being contained on its own individual LOT.~~

## ADDITIONAL REQUIREMENTS

**10.2.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24, which does not apply for MIXED-USE BUILDINGS.

**10.2.3** In areas where a property abuts Highway 35 or Highway 58, the portions of the BUILDING facing the Highway shall incorporate architectural elements to create variation along the BUILDING façade and avoid the appearance of blank walls from public streets.

**10.2.4** All rooftop mechanical equipment shall be enclosed on all sides with a finish compatible with the approved BUILDING finish.

**10.2.5** OUTDOOR STORAGE areas associated with a PERMITTED USE within this LAND USE DISTRICT shall be screened in accordance to Subsection 5.10.

**10.2.6** Provisions for adequate vehicular traffic circulation shall be provided on all SITES to the satisfaction of the DEVELOPMENT AUTHORITY.

**10.2.7** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**10.2.8** When considering an acceptable DISCRETIONARY USE that is allowed in the C-1 LAND USE DISTRICT, the applicant must demonstrate to the DEVELOPMENT AUTHORITY the reasons why the USE could not be located in the C-1 LAND USE DISTRICT, such as the scale of the BUILDING, PARKING requirements or that all suitable LOTS and BUILDINGS within the C-1 LAND USE DISTRICT are occupied.

**10.2.9** When considering a proposed a DISCRETIONARY USE the applicant must demonstrate that potential effects of the USE would not negatively impact surrounding USES.

**10.2.10** When considering a proposed ~~DWELLING – APARTMENT~~ DWELLING – MULTIPLE UNIT or DWELLING – TOWNHOUSE in the C-3 LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider these USES located either:

**a)** behind a Highway Commercial USE on 98 Street, where the proposed residential USE would be opposite an existing residential USE; or

**b)** above a Highway Commercial USE that is facing a designated highway.

**10.2.11** Under no circumstances can a stand-alone residential USE be located facing onto a designated highway.

**10.2.12** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**10.2.13** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

**a)** no SIGN shall exceed a maximum height of 10m/32.8ft.;

**b)** no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds:

**i)** 6m$^2$/64.5sq.ft. in SIGN AREA per SIGN FACE for a one or two business BUILDING*;*

**ii)** 8.75m$^2$/94.1sq.ft. in SIGN AREA per SIGN FACE for a three (3) business BUILDING*;*

**iii)** 11.5m$^2$/123.7sq.ft. per SIGN FACE in SIGN AREA for a four (4) business BUILDING*;* and

**iv)** 14.25m$^2$/153.3sq.ft. in SIGN AREA per SIGN FACE for a five (5) or more business BUILDING*;*

**c)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4ft. of LOT FRONTAGE*;* and

**d)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**10.2.14** SIGNS – PROJECTING are permitted provided that:

**a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA*;*

**b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;

**c)** there shall be a maximum of one SIGN – PROJECTING above the roof of a BUILDING.

**10.2.15** SIGNS – FASCIA are permitted provided that:

**a)** SIGNAGE does not exceed 12% of the total surface area of the BUILDING face where the SIGN is to be erected; and

**b)** no individual SIGN shall exceed 3m/9.85.ft in height

**c)** shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and

**d)** No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**10.2.16** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**10.2.17** SIGNS – SANDWICH are permitted provided that the SIGN shall:

**a)** not exceed a single SIGN FACE area of 0.5$m^2$/5.3sq.ft.;

**b)** no more than one SIGN – SANDWICH is provided per LOT*;*

**c)** it is not located within the required SIGHT TRIANGLE*;* and

**d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

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# 11.0 INDUSTRIAL LAND USE DISTRICTS

## 11.1 IND (INDUSTRIAL) LAND USE DISTRICT

### INTENT

The intent of the IND LAND USE DISTRICT is to provide an area for industrial DEVELOPMENT.

### USES

**TABLE 11.1** PERMITTED AND DISCRETIONARY USES IN THE IND LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| ACCESSORY BUILDING OR STRUCTURE;<br>AUCTION FACILITY;<br>AUTOMOTIVE SALES AND RENTALS;<br>AUTOMOTIVE SERVICE;<br>BUSINESS SUPPORT SERVICE;<br>CAR WASH;<br>COMMERCIAL SCHOOL or COLLEGE;<br>CONSTRUCTION SERVICE;<br>EQUIPMENT RENTAL FACILITY;<br>FARM IMPLEMENT SALES AND SERVICES;<br>FLEET SERVICE;<br>Grain storage facility;<br>HOUSEHOLD REPAIR SERVICE;<br>INDUSTRIAL OPERATION;<br>LUMBER YARD;<br>Manufacturing;<br>MINI-STORAGE;<br>OIL FIELD SERVICE; | ABATTOIR;<br>AGRICULTURE;<br>BUILDING – MOVED IN;<br>BULK OIL, FUEL AND CHEMICAL STORAGE;<br>COMMUNITY HALL;<br>CANNABIS PRODUCTION AND DISTRIBUTION;<br>GOVERNMENT SERVICE;<br>HELICOPTER LANDING PAD;<br>LOGGING SERVICE;<br>MANUFACTURED HOME – MOBILE SALES;<br>PAWNBROKER;<br>PET SERVICE;<br>RECREATIONAL SERVICE – INDOOR;<br>RECYCLING DEPOT;<br>RELOCATABLE INDUSTRIAL ACCOMMODATION; |

| | |
|---|---|
| OUTDOOR STORAGE;<br>PROPANE FACILITY;<br>PUBLIC USE;<br>RECREATIONAL VEHICLES SALES AND SERVICE;<br>RECYCLING DEPOT;<br>TAXI SERVICE;<br>TRANSMITTING STATION;<br>VETERINARY CLINIC; and<br>WAREHOUSE. | SALVAGE YARD; and<br>TEMPORARY BUNKHOUSE. |

## SITE PROVISIONS

**11.1.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the IND LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements as follows:

**TABLE 11.2** IND LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| LOT AREA (minimum) | 950m$^2$/10,225sq.ft. |
| LOT WIDTH (minimum) | 25m/82ft. |
| LOT DEPTH (minimum) | 40m/131.2ft. |
| YARD – FRONT (minimum) | 6m/19.6ft. |
| YARD – FLANKAGE (minimum) | 0m/0ft. however, LOT CORNER must comply with Subsection 5.3 of this BYLAW regarding SIGHT TRIANGLES. |
| YARD – SIDE (minimum) | 0m/0ft. however, the BUILDING must conform to the distances required in the *National Building Code – Alberta Edition*. |
| YARD – REAR (minimum) | 4m/13.1ft. unless the rear boundary abuts a railway right-of-way, in which case, no YARD – REAR is required. |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. or 4 stories |
| LOT COVERAGE (maximum) | 60% |

~~Note: These requirements are based upon each DEVELOPMENT being contained on its own individual LOT.~~

## ADDITIONAL REQUIREMENTS

**11.1.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**11.1.3** All industrial establishments located on a SITE bordering a highway shall be screened from the highway in a manner incorporating LANDSCAPING or BERM or both to the satisfaction of the DEVELOPMENT AUTHORITY.

**11.1.4** Any nuisance factor generated by a DEVELOPMENT, including but not limited to:

**a)** dust, fly ash or other particulate matter;

**b)** odorous gas or odorous matter; and

**c)** toxic gas or any other toxic substance;

must be contained within an enclosed ON-SITE BUILDING.

**11.1.5** Article 11.1.4 does not relieve against any compliance with any other standards established by any Federal, Provincial or Municipal enactments.

**11.1.6** All driveways, ACCESSES or approaches from a street to the LOT shall be in a location acceptable to the DEVELOPMENT AUTHORITY. The driveway, ACCESS and approach shall have a steel culvert to enable satisfactory ditch drainage and be HARD-SURFACED.

**11.1.7** PARCELS within the IND LAND USE DISTRICT that have existing residential USES, are permitted to renovate or improve these DWELLING UNITS, so long as no structural changes are undertaken.

**11.1.8** Under no circumstances will the DEVELOPMENT AUTHORITY allow existing residential USES within the IND LAND USE DISTRICT to be replaced with a new DWELLING UNIT.

**11.1.9** Under no circumstances will the DEVELOPMENT AUTHORITY allow PARCELS within the IND LAND USE DISTRICT that do not currently have a residential USE, to add a new residential USE.

**11.1.10** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**11.1.11** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential impacts of the activity shall not adversely affect surrounding USES. Matters that shall be addressed in the application may include, but is not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**11.1.12** When considering a bingo hall, GOVERNMENT SERVICE, PAWNBROKER, PET SERVICE or COMMUNITY HALL as a DISCRETIONARY USE, the applicant must demonstrate the following to the DEVELOPMENT AUTHORITY

**a)** provide the reasons why the USE could not be located within the C-1 LAND USE DISTRICT, such as the scale of the BUILDINGS, PARKING required or that the majority of the land and BUILDINGS within the C-1 LAND USE DISTRICT are occupied; and

**b)** demonstrate the USE does not undermine the ability for acceptable PERMITTED USES to operate in the IND LAND USE DISTRICT.

**11.1.13** When considering a proposed HELICOPTER LANDING PAD in the IND LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider these uses if:

**a)** PARCELS located on both sides of 92 Street from 98 Avenue to 114 Avenue, inclusive of Plan 8320882, Block 4, Lot B; or

**b)** PARCELS located north of 105 Avenue, south of 98 Avenue, and east of the Canadian National Railway line; and

**c)** that all the mandatory provisions in Subsection 5.27 are complied with to the satisfaction of the DEVELOPMENT AUTHORITY.

**11.1.14** When considering an AGRICULTURE USE in the IND LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider the DEVELOPMENT of an industrial or commercial greenhouse.

**11.1.15** Under no circumstances will the DEVELOPMENT AUTHORITY consider an AGRICULTURE USE that includes the cultivation of soil for the growing of crop or the raising of livestock within the IND LAND USE DISTRICT.

**11.1.16** When approved, all TEMPORARY BUNKHOUSES are:

- **a)** subject to a renewable 5-year term agreement with the TOWN;
- **b)** permitted to be operational and utilized from April 1st to October 31st inclusive annually;
- **c)** subject to the approval of a Lot Grading and servicing plans;
- **d)** limited to one DWELLING UNIT per LOT, and must contain adequate water and sewer service satisfactory to the DEVELOPMENT AUTHORITY and the Public Health Inspector; and
- **e)** be subject to the approval by the Public Health Inspector.

**11.1.17** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate any impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**11.1.18** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

- **a)** no SIGN shall exceed a maximum height of 10m/32.8ft.;
- **b)** no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds:
  - **i)** 6m$^2$/64.5sq.ft in SIGN AREA per SIGN FACE for a one or two business BUILDINGS*;*
  - **ii)** 8.75m$^2$/94.1sq.ft. in SIGN AREA per SIGN FACE for a three (3) business BUILDINGS*;*
  - **iii)** 11.5m$^2$/123.7.sq.ft. per SIGN FACE in SIGN AREA for a four (4) business BUILDINGS*;* and
  - **iv)** 14.25m$^2$/153.3sq.ft. in SIGN AREA per SIGN FACE for a five (5) or more business BUILDINGS.
- **c)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4ft. of LOT – FRONTAGE*;* and
- **d)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**11.1.19** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA*;*
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
- **c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and
- **d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**11.1.20** SIGNS – FASCIA are permitted provided that:

- **a)** SIGNAGE does not exceed 12% of the total surface area of the BUILDING face where the SIGN is to be erected; and
- **b)** no individual SIGN shall exceed 3m/9.85ft. in height.
- **c)** shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and
- **d)** No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is

affixed to.

**11.1.21** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**11.1.22** SIGNS – SANDWICH are permitted provided that the SIGN shall:

**a)** not exceed a single SIGN FACE area of 0.5$m^2$/5.3sq.ft.;

**b)** no more than one SIGN – SANDWICH is provided per LOT;

**c)** it is not located within the required SIGHT TRIANGLE; and

**d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

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# 12.0 OTHER LAND USE DISTRICTS

## 12.1 CU (COMMUNITY USE) LAND USE DISTRICT

### INTENT

The intent of the CU LAND USE DISTRICT is to provide areas for PUBLIC EDUCATION SERVICES and community services.

### USES

**TABLE 12.1** PERMITTED AND DISCRETIONARY USES IN THE CU LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** ASSISTED LIVING FACILITY;<br>**c)** COLLEGE;<br>**d)** COMMUNITY HALL;<br>**e)** DAY CARE FACILITY;<br>**f)** EMERGENCY SERVICES FACILITY;<br>**g)** EXHIBITION GROUNDS;<br>**h)** GOVERNMENT SERVICE;<br>**i)** HEALTH SERVICE;<br>**j)** HOSPITAL;<br>**k)** NON-PROFIT COMMUNITY SUPPORT SERVICE;<br>**l)** PLACE OF WORSHIP;<br>**m)** PUBLIC EDUCATION SERVICE;<br>**n)** PUBLIC USE; and<br>**o)** TEMPORARY shelter services. | **a)** BUILDING – MOVED IN;<br>**b)** CEMETERY;<br>**c)** HELICOPTER LANDING PAD;<br>**d)** Park;<br>**e)** RECREATIONAL SERVICE – INDOOR; and<br>**f)** MIXED-USE BUILDING. |

## SITE PROVISIONS

**12.1.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the CU LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements as follows:

**TABLE 12.2** CU LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| YARD – FRONT (minimum) | 7m/22.9ft. |
| YARD – FLANKAGE (minimum) | 4m/13.1ft. |
| YARD – SIDE (minimum) | 4m/13.1ft. |
| YARD – REAR (minimum) | 7m/22.9ft. |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. |
| LOT COVERAGE (maximum) | 60% |

~~Note: These requirements are based upon each DEVELOPMENT being contained on its own individual LOT.~~

## ADDITIONAL REQUIREMENTS

**12.1.2** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**12.1.3** All ACCESSORY DEVELOPMENTS must be of an architectural design that is equivalent in quality and appearance to the PRINCIPAL BUILDING.

**12.1.4** Provisions for adequate vehicular traffic circulation shall be provided on all SITES to the satisfaction of the DEVELOPMENT AUTHORITY.

**12.1.5** PLACES OF WORSHIP shall not exceed the maximum height permitted in the LAND USE DISTRICT where it is proposed or located, unless approved by the DEVELOPMENT AUTHORITY, having due regard to the amenities of the area.

**12.1.6** The SITE upon which a PLACE OF WORSHIP is situated shall have LOT FRONTAGE of not less than 30m/98.4ft. and an area of not less than 900m$^2$/9,687sq.ft..

**12.1.7** In the case where a manse, rectory, parsonage or other BUILDING for use as a clergyman's or clergywoman's residence is to be developed on the same SITE as the PLACE OF WORSHIP, the combined area of the SITE shall not be less than 1,200m$^2$/12,916sq.ft.

**12.1.8** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.1.9** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential effects of the activity do not adversely affect surrounding USES. Matters that shall be addressed in the application may include, and not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**12.1.10** When assessing a MIXED-USE BUILDING in the CU LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall ensure that only the permitted uses listed in Table 12.1 are considered for the non-residential portions of the BUILDING.

**12.1.11** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**12.1.12** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

- **a)** no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds 6m$^2$/64.5sq.ft. in SIGN AREA per SIGN FACE;
- **b)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4ft. of LOT FRONTAGE; and
- **c)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**12.1.13** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA;
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
- **c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and
- **d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**12.1.14** SIGNS – FASCIA are permitted provided that:

- **a)** the total SIGN AREA of the BUILDING does not exceed 5% of the total surface area of the BUILDING face where the SIGNAGE is to be erected; and
- **b)** no individual SIGN shall exceed 1m/3.2ft. in height;
- **c)** shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and
- **d)** no SIGN – FASCIA shall project more than 25cm/9.94in from a wall that a SIGN is affixed to.

**12.1.15** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**12.1.16** SIGNS – SANDWICH are permitted provided that the SIGN shall:

- **a)** not exceed a single SIGN FACE area of 0.5m$^2$/5.3sq.ft.;
- **b)** no more than one SIGN – SANDWICH is provided per LOT;
- **c)** it is not located within the required SIGHT TRIANGLE; and
- **d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.2 P (PARKS) LAND USE DISTRICT

### INTENT

The intent of the P LAND USE DISTRICT is to provide parks and facilities throughout the TOWN for the purpose of public recreation.

### USES

**TABLE 12.3** PERMITTED AND DISCRETIONARY USES IN THE P LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** Park; and<br>**b)** Playground. | **a)** ACCESSORY BUILDING OR STRUCTURE;<br>**b)** BUILDING – MOVED IN<br>**c)** CAMPGROUND;<br>**d)** CEMETERY;<br>**e)** EXHIBITION GROUNDS;<br>**f)** PUBLIC USE;<br>**g)** RECREATIONAL SERVICE – INDOOR; and,<br>**h)** RECREATIONAL SERVICE – OUTDOOR. |

### SITE PROVISIONS

**12.2.1** Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the P LAND USE DISTRICT is subject to the LOT, SITE and BUILDING requirements as follows:

**TABLE 12.4** P LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| YARD – FRONT (minimum) | 7m/22.9ft. |
| YARD – FLANKAGE (minimum) | 4m/13.1ft. |
| YARD – SIDE (minimum) | 4m/13.1ft. |
| YARD – REAR (minimum) | 7m/22.9ft. |
| BUILDING HEIGHT (maximum) | 10m/32.8ft. |

### ADDITIONAL REQUIREMENTS

**12.2.2** The DEVELOPMENT AUTHORITY may issue a DEVELOPMENT PERMIT subject to such conditions as necessary to meet the purpose of this LAND USE DISTRICT.

**12.2.3** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

### DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.2.4** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential effects of the activity do

not adversely affect surrounding USES. Matters that shall be addressed in the application may include, and not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**12.2.5** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**12.2.6** SIGNS – FREESTANDING or SIGN – DIRECTORY are permitted provided that:

- **a)** SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds 6m$^2$/64.5sq.ft. in SIGN AREA per SIGN FACE;
- **b)** no more than one SIGN – FREESTANDING or SIGN – DIRECTORY shall be permitted for every 30m/98.4t. of LOT FRONTAGE; and
- **c)** no SIGN shall extend beyond the street right-of-way line at the outermost point of the SIGN.

**12.2.7** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA;
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
- **c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and
- **d)** no SIGN shall project more than 30cm/9.84in above the roof of a BUILDING.

**12.2.8** SIGNS – SANDWICH are permitted provided that the SIGN shall:

- **a)** not exceed a single SIGN FACE area of 0.5m$^2$/5.3sq.ft.;
- **b)** no more than one SIGN – SANDWICH is provided per LOT;
- **c)** it is not located within the required SIGHT TRIANGLE; and
- **d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.3 A (AGRICULTURAL) LAND USE DISTRICT

### INTENT

The intent of the A LAND USE DISTRICT is to utilize agricultural lands within TOWN and to control land areas which are undeveloped or developed to low intensity, while allowing for an orderly and planned transformation to increasingly intensive future DEVELOPMENTS in these areas.

### USES

**TABLE 12.5** PERMITTED AND DISCRETIONARY USES IN THE A LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE; and<br>**b)** AGRICULTURE. | **a)** BUILDING – MOVED IN;<br>**b)** DWELLING – SINGLE DETACHED;<br>**c)** HOME OCCUPATION;<br>**d)** MANUFACTURED HOME – MODULAR; and<br>**e)** PUBLIC USE. |

### SITE PROVISIONS

**12.3.1** All minimum yards required shall be at the discretion of the DEVELOPMENT AUTHORITY using the requirements of a LAND USE DISTRICT where the DEVELOPMENT is of a PERMITTED USE or DISCRETIONARY USE.

**12.3.2** No BUILDING and/or STRUCTURE shall be placed within 15m/49.2ft. of the top of the bank of or any WATERBODY, unless the requirements of Subsection 5.5 have been complied with to the satisfaction of the DEVELOPMENT AUTHORITY.

**12.3.3** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

### DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.3.4** When considering a residential USE within the A LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall have specific regard for:

- **a)** any residential USE shall be secondary to the primary AGRICULTURAL USE of the property; and
- **b)** land shall not be further subdivided for the purposes of a large residential DEVELOPMENT.

**12.3.5** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

### SIGNAGE REQUIREMENTS

**12.3.6** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of $6m^2$/64.5sq.ft. in SIGN AREA;
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;

**c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and

**d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**12.3.7** SIGNS – FASCIA are permitted provided that:

**a)** the total SIGN AREA of the BUILDING does not exceed 5% of the total surface area of the BUILDING face where the SIGNAGE is to be erected; and

**b)** no individual SIGN shall exceed 1m/3.2ft. in height;

**c)** no individual SIGN shall exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and

**d)** no SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**12.3.8** SIGNS – SANDWICH are permitted provided that the SIGN shall:

**a)** not exceed a single SIGN FACE area of $0.5m^2$/5.3sq.ft.;

**b)** no more than one SIGN – SANDWICH is provided per LOT;

**c)** it is not located within the required SIGHT TRIANGLE; and

**d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.4 R (RESERVE) LAND USE DISTRICT

### INTENT

The intent of the R LAND USE DISTRICT is to restrict DEVELOPMENTS within lands that may contain ENVIRONMENTALLY SENSITIVE AREAS. These lands may be developed after consideration of their natural value in consultation with the Government of Alberta.

### USES

There are no PERMITTED USES in this LAND USE DISTRICT. DISCRETIONARY USES in this LAND USE DISTRICT are Park and PUBLIC USE.

### SITE PROVISIONS

**12.4.1** All DEVELOPMENT shall comply with the requirements of Subsection 5.5 to the satisfaction of the DEVELOPMENT AUTHORITY.

### DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.4.2** When considering a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall have specific regard for potential impacts on ENVIRONMENTALLY SENSITIVE AREAS and could require an applicant to undertake an ENVIRONMENTAL IMPACT ASSESSMENT with the approvals process based upon the direction of the Government of Alberta.

**12.4.3** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate potential impacts, including monitoring conditions to confirm compliance.

## 12.5 DC (DIRECT CONTROL) LAND USE DISTRICT

### INTENT

The intent of the DC LAND USE DISTRICT is to enable COUNCIL to exercise particular control over the USE and DEVELOPMENT of LOTS or BUILDINGS within these LAND USE DISTRICTS.

### USES

**12.5.1** COUNCIL shall determine the USES that may be permitted within a DC LAND USE DISTRICT.

**12.5.2** Notwithstanding Article 12.5.1, COUNCIL may allow a residential USE within a predominantly industrial area, which is within a DC LAND USE DISTRICT. COUNCIL shall consider the requirements of the *National Building Code – Alberta Edition* and compatibility of adjacent USES, and may impose such standards and conditions they consider appropriate.

### DEVELOPMENT PROVISIONS

**12.5.3** COUNCIL may impose standards and conditions they consider appropriate to regulate a USE.

**12.5.4** COUNCIL may decide on a DEVELOPMENT PERMIT application or may delegate the decision to the DEVELOPMENT AUTHORITY with direction that they consider appropriate.

**12.5.5** COUNCIL or the DEVELOPMENT AUTHORITY may refer to a corresponding conventional LAND USE DISTRICT, or any part of this BYLAW, to determine the regulations, which may be applied to a proposed DC LAND USE DISTRICT permit application.

### SIGNAGE REQUIREMENTS

**12.5.6** SIGNS – PROJECTING are permitted provided that:

- **a)** no SIGN shall exceed a maximum size of 6m$^2$/64.5sq.ft. in SIGN AREA;
- **b)** no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
- **c)** there shall be a maximum of one SIGN – PROJECTING per business on a property; and
- **d)** no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING

**12.5.7** SIGNS – SANDWICH are permitted provided that the SIGN shall:

- **a)** not exceed a single SIGN FACE area of 0.5m$^2$/5.3sq.ft.;
- **b)** no more than one SIGN – SANDWICH is provided per LOT;
- **c)** it is not located within the required SIGHT TRIANGLE; and
- **d)** it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.6 AIRPORT (AP) LAND USE DISTRICT

### INTENT

The intent of the AP LAND USE DISTRICT is to allow DEVELOPMENT at and within the immediate vicinity of the High Level Airport (YOG).

### USES

**TABLE 12.6** PERMITTED AND DISCRETIONARY USES IN THE AP LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDINGS<br>**b)** HANGERS AND TERMINAL FACILITIES<br>**c)** HELICOPTER LANDING PAD | **a)** AGRICULTURE<br>**b)** ALTERNATIVE ENERGY TECHNOLOGY<br>AUTOMOTIVE SALES & RENTALS<br>**c)** BULK OIL, FUEL AND CHEMICAL STORAGE<br>**d)** GOVERNMENT SERVICES<br>**e)** PUBLIC USE<br>**f)** RECREATIONAL VEHICLE SALES AND SERVICES<br>**g)** SHIPPING CONTAINER<br>**h)** RESTAURANT<br>**i)** RETAIL – CONVENIENCE<br>**j)** RETAIL – GENERAL<br>**k)** TOURIST INFORMATION FACILITY<br>**l)** TRANSMITTION STATION |

### SITE PROVISIONS:

Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the AP LAND USE DISTRICT is subject to the LOT, SITE, and BUILDING requirements as follows:

**TABLE 12.7** AP LAND USE DISTRICT LOT, SITE AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| YARD – FRONT (minimum) | 6m/19.6ft |
| YARD – FLANKAGE (minimum) | 0m/0ft. however, LOT CORNER must comply with Subsection 5.3 of this BYLAW. |
| YARD – SIDE (minimum) | 0m/0ft. however, the BUILDING must conform to the distances required in the *National Building Code – Alberta Edition*. |
| YARD – REAR (minimum) | 4m/13.1ft. |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. or 4 stories |
| LOT COVERAGE (maximum) | 60% |

### ADDITIONAL REQUIREMENTS

**12.6.1** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**12.6.2** All establishments located on a SITE bordering a highway shall be screened from the highway in a manner incorporating LANDSCAPING or BERM or both to the satisfaction of the DEVELOPMENT AUTHORITY.

**12.6.3** Any nuisance factor generated by a DEVELOPMENT, including but not limited to:

a) dust, fly ash or other particulate matter;
b) odorous gas or odorous matter; and
c) toxic gas or any other toxic substance;

must be contained within an enclosed ON-SITE BUILDING.

**12.6.4** Article 12.6.3 does not relieve against any compliance with any other standards established by any Federal, Provincial or Municipal enactments.

**12.6.5** All driveways, ACCESSES or approaches from a street to the LOT shall be in a location acceptable to the DEVELOPMENT AUTHORITY. The driveway, ACCESS and approach shall have a steel culvert to enable satisfactory ditch drainage and be HARD-SURFACED unless otherwise approved by the DEVELOPMENT AUTHORITY.

**12.6.6** PARCELS within the AP LAND USE DISTRICT that have existing residential USES, are permitted to renovate or improve these DWELLING UNITS, so long as no structural changes are undertaken.

**12.6.7** Under no circumstances will the DEVELOPMENT AUTHORITY allow existing residential USES within the AP LAND USE DISTRICT to be replaced with a new DWELLING UNIT.

**12.6.8** Under no circumstances will the DEVELOPMENT AUTHORITY allow PARCELS within the AP LAND USE DISTRICT that do not currently have a residential USE, to add a new residential USE.

**12.6.9** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.6.10** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential impacts of the activity shall not adversely affect surrounding USES. Matters that shall be addressed in the application may include, but is not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**12.6.11** When considering an AGRICULTURE USE in the AP LAND USE DISTRICT, the DEVELOPMENT AUTHORITY will only consider the growing of a crop on parcels larger than 20 acres/8 hectares.

**12.6.12** Under no circumstances will the DEVELOPMENT AUTHORITY consider an AGRICULTURE USE that includes the raising of livestock within the AP LAND USE DISTRICT.

**12.6.13** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate any impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**12.6.14** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

a) no SIGN shall exceed a maximum height of 10m/32.8ft.;
b) no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds:
    a. 6m2/64.5sq.ft in SIGN AREA per SIGN FACE for a one or two business BUILDINGS;
    b. 8.75m2/94.1sq.ft. in SIGN AREA per SIGN FACE for a three (3) business BUILDINGS;
    c. 11.5m2/123.7.sq.ft. per SIGN FACE in SIGN AREA for a four (4) business BUILDINGS; and
    d. 14.25m2/153.3sq.ft. in SIGN AREA per SIGN FACE for a five (5) or more business

**12.6.11** SIGNS – PROJECTING are permitted provided that:

a) no SIGN shall exceed a maximum size of 6m2/64.5sq.ft. in SIGN AREA;
b) no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
c) there shall be a maximum of one SIGN – PROJECTING per business on a property; and
d) no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**12.6.12** SIGNS – FASCIA are permitted provided that:

a) SIGNAGE does not exceed 12% of the total surface area of the BUILDING face where the SIGN is to be erected; and
b) no individual SIGN shall exceed 3m/9.85ft. in height.
c) shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and
d) No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**12.6.13** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

**12.6.14** SIGNS – SANDWICH are permitted provided that the SIGN shall:

a) not exceed a single SIGN FACE area of $1m^2$/10.8sq.ft:
b) no more than one SIGN – SANDWICH is provided per LOT;
c) it is not located within the required SIGHT TRIANGLE; and
d) it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

## 12.7 FORESTRY SERVICES (FS) LAND USE DISTRICT

### INTENT

The intent of the FS LAND USE DISTRICT is to accommodate municipal, provincial, and federal forestry related DEVELOPMENT.

### USES

**TABLE 12.8** PERMITTED AND DISCRETIONARY USES IN THE FS LAND USE DISTRICT

| PERMITTED USES | DISCRETIONARY USES |
|---|---|
| **a)** ACCESSORY BUILDING OR STRUCTURE<br>**b)** EMERGENCY SERVICES FACILITY<br>**c)** GOVERNMENT SERVICES<br>**d)** OUTDOOR STORAGE<br>**e)** TRANSMITTION STATION<br>**f)** WAREHOUSE | **a)** AGRICULTURE<br>**b)** ALTERNATIVE ENERGY TECHNOLOGY<br>**c)** BULK OIL, FUEL, AND CHEMICAL STORAGE<br>**d)** CAMPGROUND<br>**e)** INDUSTRIAL OPERATION<br>**f)** PUBLIC USE<br>**g)** LOGGING SERVICE<br>**h)** LUMBER YARDS<br>**i)** NON-PROFIT COMMUNITY SUPPORT SERVICES<br>**j)** RECREATIONAL SERVICE - OUTDOOR<br>**k)** RELOCATABLE INDUSTRIAL ACCOMODATION<br>**l)** SHIPPING CONTAINER<br>**m)** TEMPORARY BUNKHOUSE |

### SITE PROVISIONS:

Notwithstanding any provision within Section 5 of this BYLAW, any property or SITE located within the FS LAND USE DISTRICT is subject to the LOT, SITE, and BUILDING requirements as follows:

**TABLE 12.9** FS LAND USE DISTRICT LOT, SITE, AND BUILDING REQUIREMENTS

| COMPONENT | ALL USES |
|---|---|
| YARD – FRONT (minimum) | 6m/19.6ft |
| YARD – FLANKAGE (minimum) | 10m/32.8ft |
| YARD – SIDE (minimum) | 10m/32.8ft |
| YARD – REAR (minimum) | 10m/32.8ft |
| BUILDING HEIGHT (maximum) | 16m/52.4ft. or 4 stories |
| LOT COVERAGE (maximum) | 60% |

~~Note: These requirements are based upon each DEVELOPMENT being contained on its own individual LOT.~~

## ADDITIONAL REQUIREMENTS

**12.7.1** DEVELOPMENTS involving more than one PRINCIPAL BUILDING on a LOT are subject to the requirements of Subsection 5.24.

**12.7.2** All DEVELOPMENTS are subject to the requirements of Sections 5 and 6 of this BYLAW.

**12.7.3** All DEVELOPMENT PERMIT applications must align with municipal, provincial, or federal priorities and be accompanied by a letter of endorsement from the relevant government authority, except where that government authority is the applicant.

**12.7.4** The DEVELOPMENT AUTHORITY may issue a DEVELOPMENT PERMIT subject to such conditions as necessary to meet the purpose of this LAND USE DISTRICT.

**12.7.5** All establishments located on a SITE bordering a highway shall be screened from the highway in a manner incorporating LANDSCAPING or BERM or both to the satisfaction of the DEVELOPMENT AUTHORITY.

**12.7.6** Any nuisance factor generated by a DEVELOPMENT, including but not limited to:

a) dust, fly ash or other particulate matter;
b) odorous gas or odorous matter; and
c) toxic gas or any other toxic substance;

must be contained within an enclosed ON-SITE BUILDING.

**12.7.7** Article 12.7.6 does not relieve against any compliance with any other standards established by any Federal, Provincial or Municipal enactments.

**12.7.8** All driveways, ACCESSES or approaches from a street to the LOT shall be in a location acceptable to the DEVELOPMENT AUTHORITY. The driveway, ACCESS and approach shall have a steel culvert to enable satisfactory ditch drainage and be HARD-SURFACED unless otherwise approved by the DEVELOPMENT AUTHORITY.

## DISCRETIONARY USE CRITERIA AND CONSIDERATIONS

**12.7.9** When assessing a DISCRETIONARY USE within this LAND USE DISTRICT, the DEVELOPMENT AUTHORITY shall require the applicant to demonstrate that any potential impacts of the activity shall not adversely affect surrounding USES. Matters that shall be addressed in the application may include, but is not limited to, the potential impacts of noise, hours of operation, traffic generation and visual appearance of the SITE and STRUCTURES.

**12.7.10** The DEVELOPMENT AUTHORITY may impose conditions on DISCRETIONARY USES that avoid, remedy or mitigate any impacts, including monitoring conditions to confirm compliance.

## SIGNAGE REQUIREMENTS

**12.7.11** SIGNS – FREESTANDING or SIGNS – DIRECTORY are permitted provided that:

a) no SIGN shall exceed a maximum height of 10m/32.8ft.;
b) no SIGN – FREESTANDING or SIGN – DIRECTORY shall have SIGNAGE that exceeds:

e. 6m2/64.5sq.ft in SIGN AREA per SIGN FACE for a one or two business BUILDINGS;
f. 8.75m2/94.1sq.ft. in SIGN AREA per SIGN FACE for a three (3) business BUILDINGS;
g. 11.5m2/123.7.sq.ft. per SIGN FACE in SIGN AREA for a four (4) business BUILDINGS; and
h. 14.25m2/153.3sq.ft. in SIGN AREA per SIGN FACE for a five (5) or more business

**12.7.12** SIGNS – PROJECTING are permitted provided that:

a) no SIGN shall exceed a maximum size of 6m2/64.5sq.ft. in SIGN AREA;
b) no SIGN shall project more than 1m/3.2ft. from the BUILDING wall;
c) there shall be a maximum of one SIGN – PROJECTING per business on a property; and
d) no SIGN shall project more than 30cm/11.8in above the roof of a BUILDING.

**12.7.13** SIGNS – FASCIA are permitted provided that:

a) SIGNAGE does not exceed 12% of the total surface area of the BUILDING face where the SIGN is to be erected; and
b) no individual SIGN shall exceed 3m/9.85ft. in height.
c) shall not exceed the length of the wall of the BUILDING upon which the SIGN is to be displayed; and
d) No SIGN – FASCIA shall project more than 25cm/9.84in from a wall that a SIGN is affixed to.

**12.7.14** SIGNS – PORTABLE OR MOBILE are permitted for a limited time of up to one (1) year, at the discretion of the DEVELOPMENT AUTHORITY.

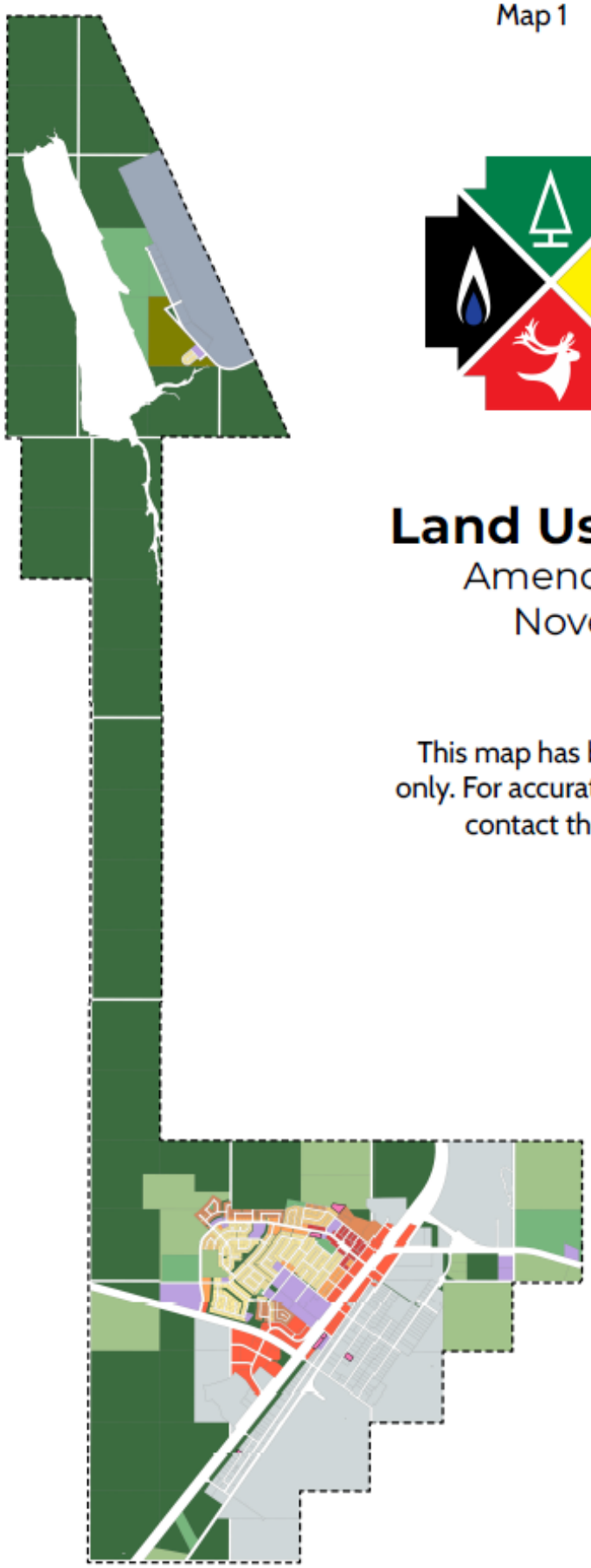
**12.7.15** SIGNS – SANDWICH are permitted provided that the SIGN shall:

a) not exceed a single SIGN FACE area of $1m^2$/10.7sq.ft:
b) no more than one SIGN – SANDWICH is provided per LOT;
c) it is not located within the required SIGHT TRIANGLE; and
d) it does not obstruct pedestrian or vehicular traffic along any publicly owned land such as a sidewalk or street right-of-way.

# APPENDIX 1

# MAPS

Map 1



TOWN OF
HIGH LEVEL

# Land Use Districts Map

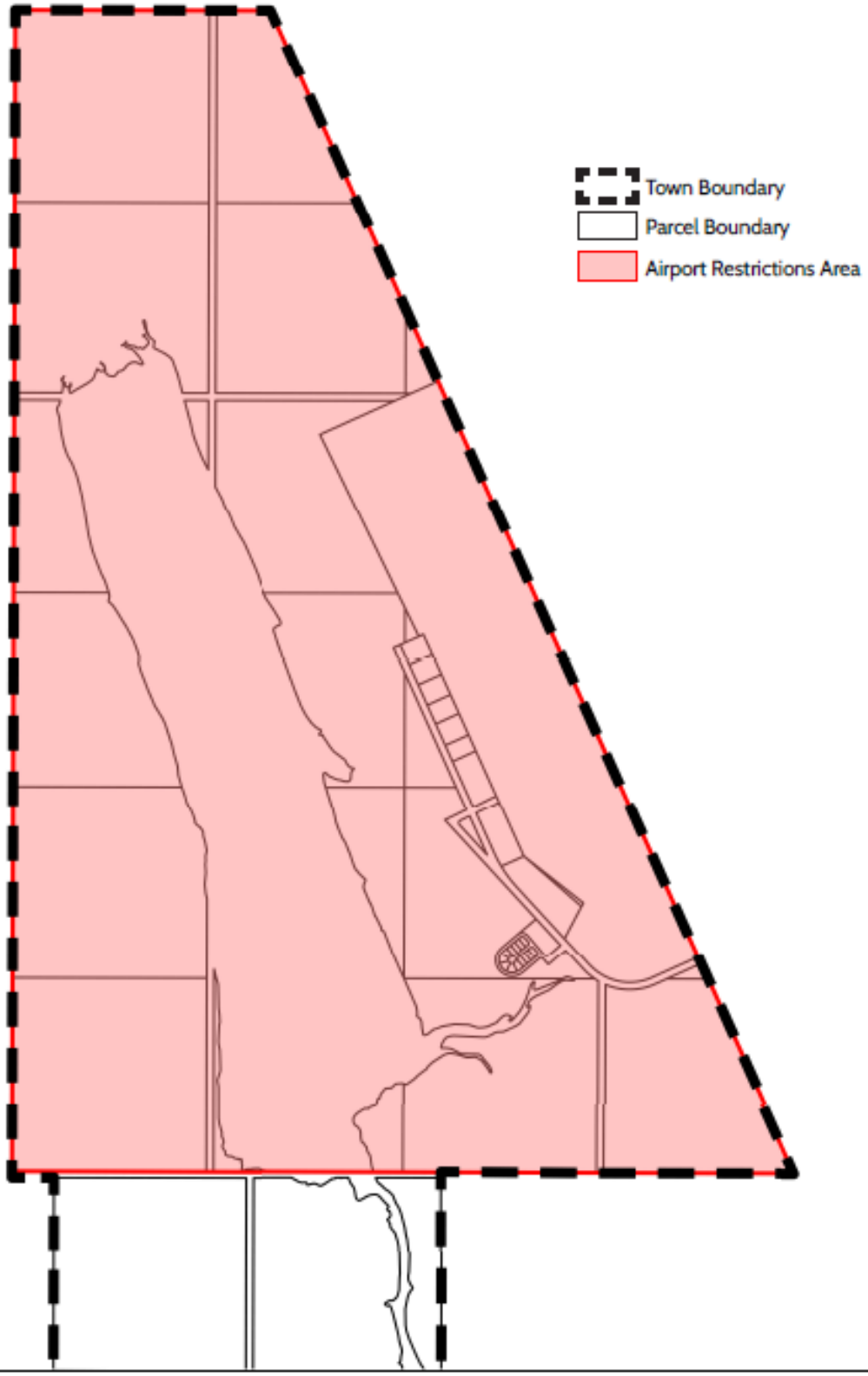
Amendments current to
November 22, 2024

This map has been provided for convenience only. For accurate zoning of individual properties contact the Planning & Development department.

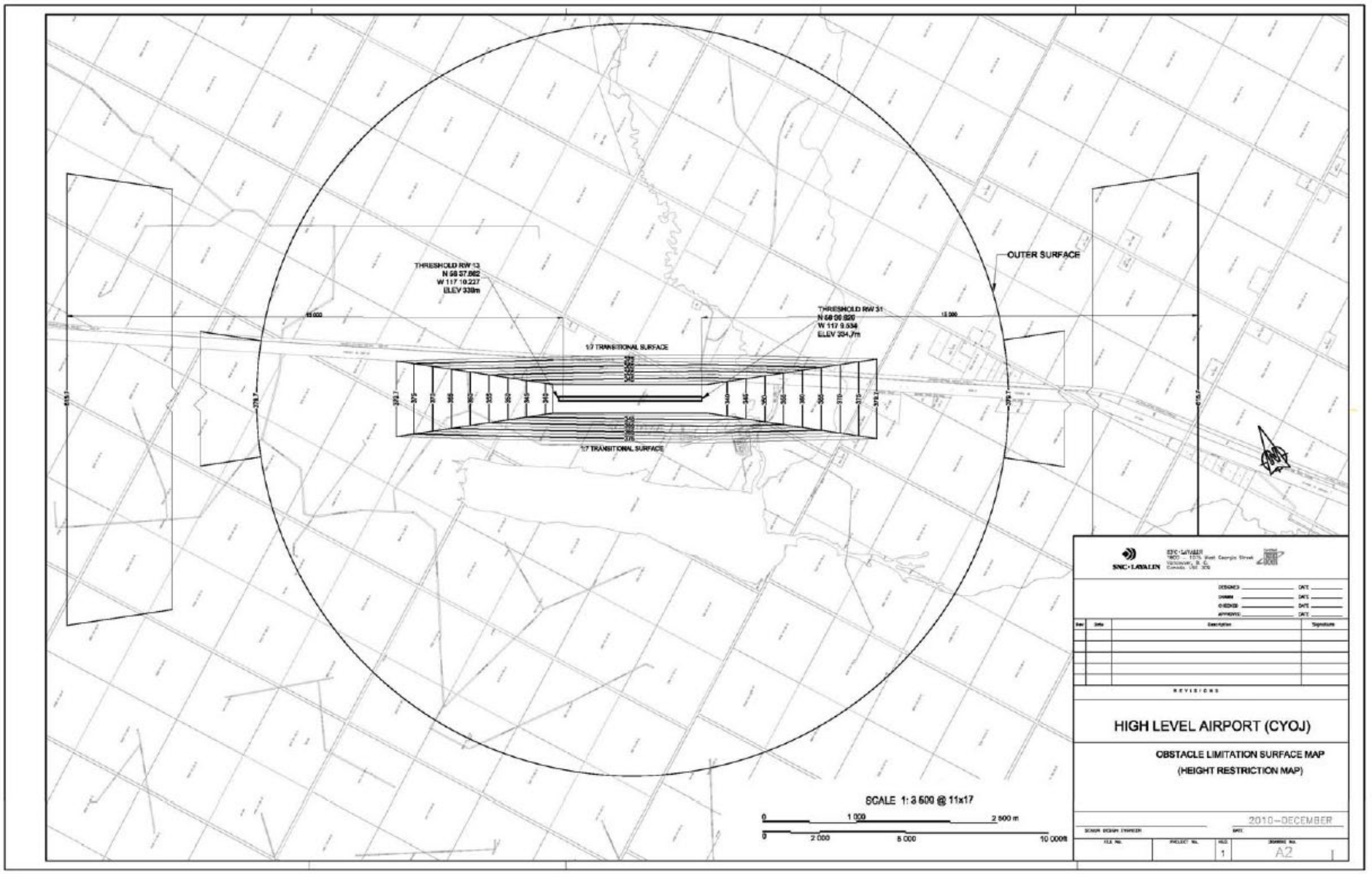
| | | |
|---|---|---|
| | Town Boundary | |
| | R-1 | Low Density Residential |
| | R-2 | Medium Density Residential |
| | R-3 | High Density Residential |
| | R-4 | Manufactured Home |
| | C-1 | Downtown Commercial |
| | C-3 | Highway Commercial |
| | IND | Industrial |
| | AP | Airport |
| | A | Agriculture |
| | P | Parks |
| | FS | Forestry Services |
| | R | Reserve |
| | CU | Community Use |
| | DC | Direct Control |

Map 2

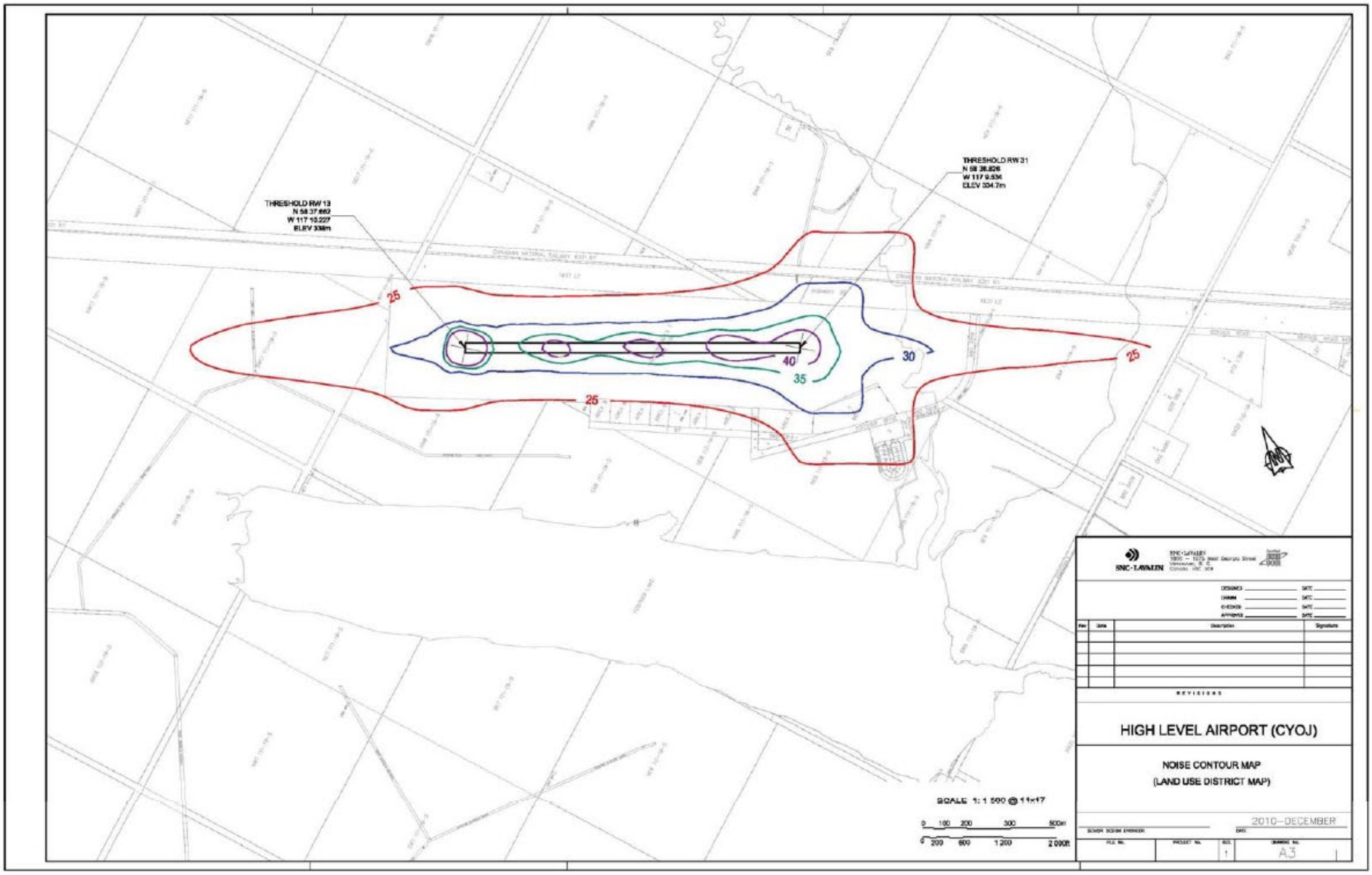
# Airport Restrictions Area



Map 3


THRESHOLD RW 13
N 58 37.062
W 117 10.227
ELEV 338m
THRESHOLD RW 31
N 58 06.820
W 117 9.534
ELEV 334.7m
OUTER SURFACE
1:7 TRANSITIONAL SURFACE
1:7 TRANSITIONAL SURFACE
SCALE 1: 3 500 @ 11x17
0
1 000
2 500 m
0
2 000
5 000
10 000ft
SNC-LAVALIN
REVISIONS
HIGH LEVEL AIRPORT (CYOJ)
OBSTACLE LIMITATION SURFACE MAP
(HEIGHT RESTRICTION MAP)
2010-DECEMBER
A2

Map 4


THRESHOLD RW 13
N 58 37.662
W 117 10.227
ELEV 338m
THRESHOLD RW 31
N 58 26.826
W 117 9.536
ELEV 334.7m
25
25
25
30
35
40
SNC-LAVALIN
HIGH LEVEL AIRPORT (CYOJ)
NOISE CONTOUR MAP
(LAND USE DISTRICT MAP)
SCALE 1: 1 500 @ 11x17
2010-DECEMBER
A3

# APPENDIX 2

# FIGURES

NOTE:
Figures 5, 6, 7, 14, and 17 had alterations to their text to reflect the revised definitions.

FIGURE 1

# BERMS

A BERM is an elongated mound of earth a minimum of 1m / 3.2ft. in height above the FINISHED GRADE designed to provide SCREENING or noise attenuation within a DEVELOPMENT or between adjacent DEVELOPMENTS.





FIGURE 2

# BOULEVARDS

A BOULEVARD is the portion of land located within a PUBLIC ROADWAY between the vehicular portion of the road and the abutting LOT LINE, but does not include the area used for a sidewalk or trail.

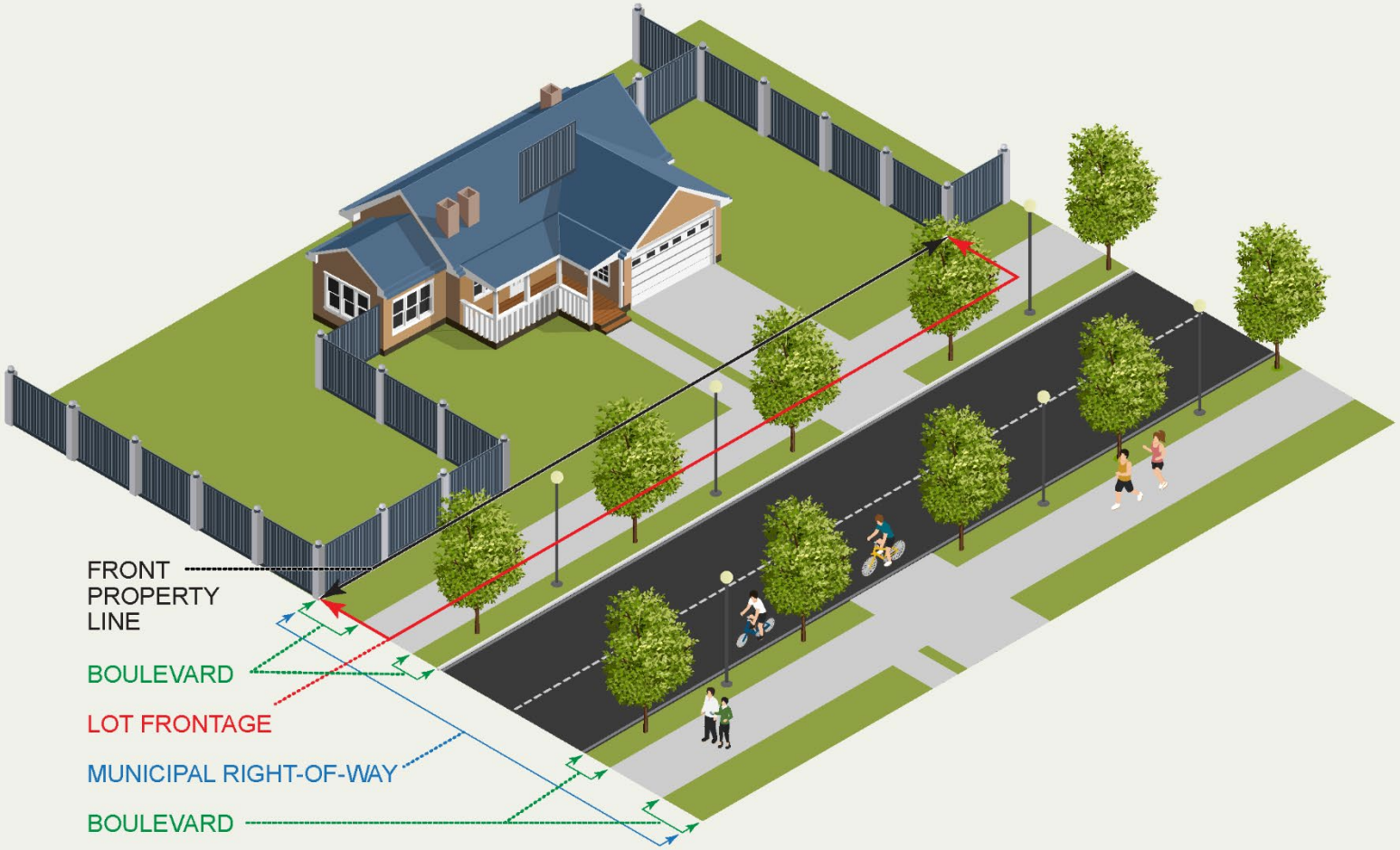


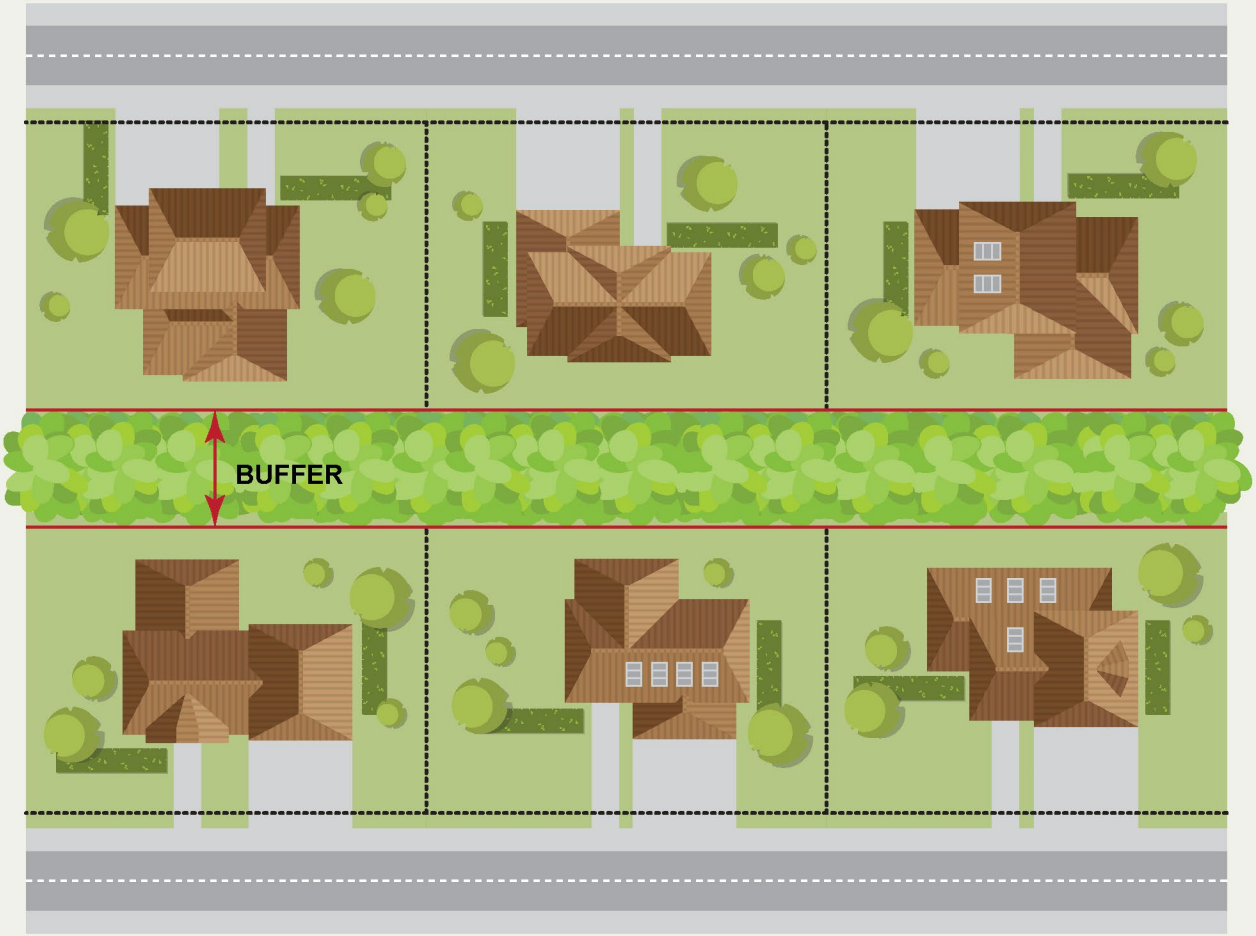





FIGURE 3

# BUFFERS

A BUFFER is a row of trees, shrubs, BERM, architectural devices, walls, fences, other landscape features, or a combination thereof used to provide visual SCREENING and separation between SITES or LAND USE DISTRICTS.





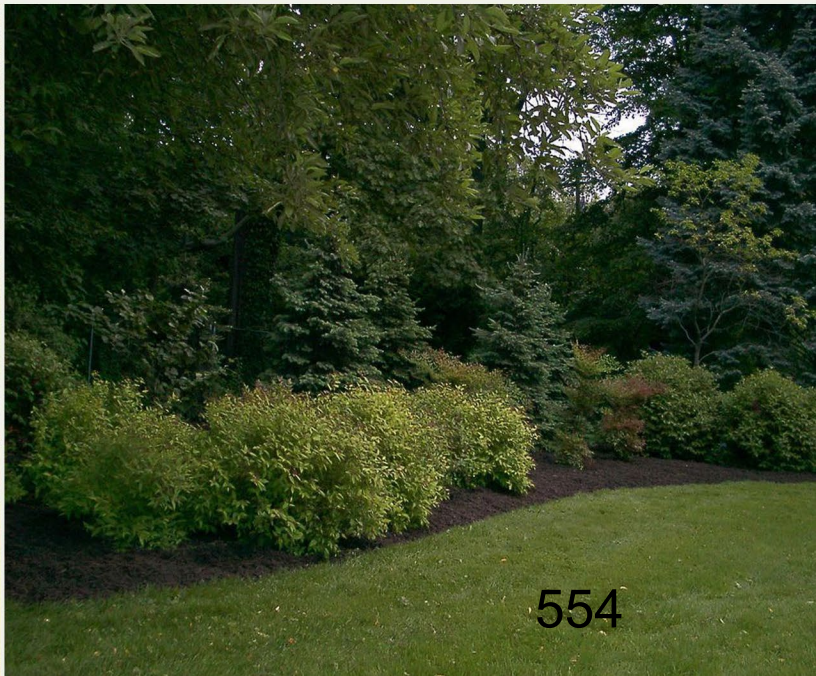



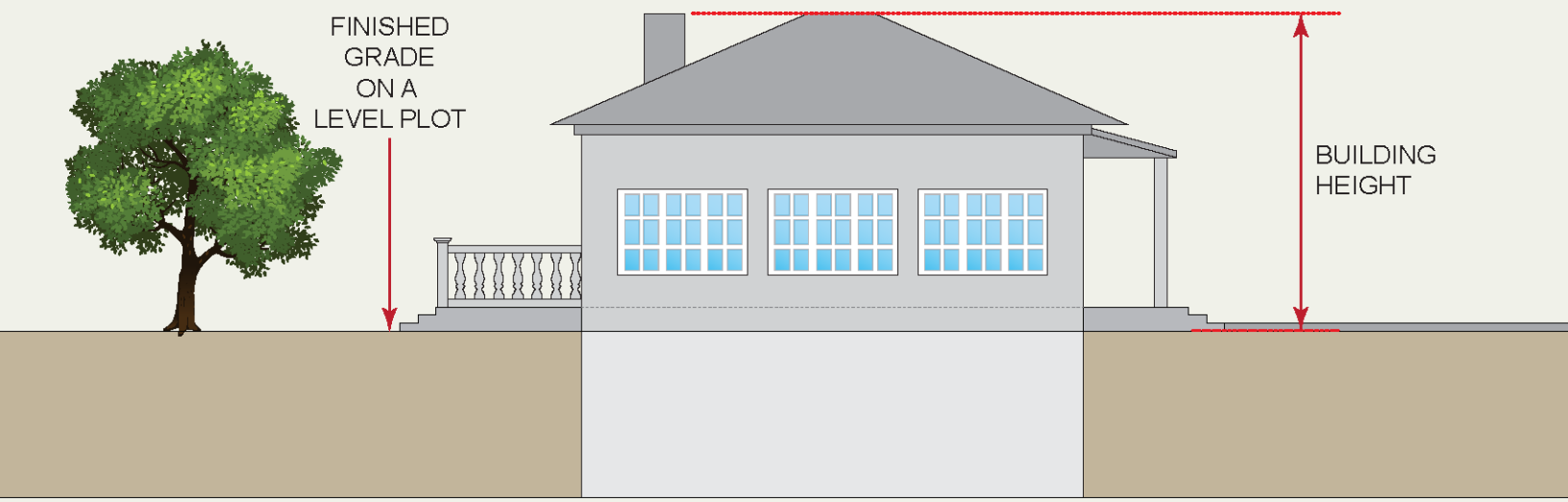
FIGURE 4

# BUILDING HEIGHT AND FINISHED GRADE

BUILDING HEIGHT is the vertical distance measured from the highest FINISHED GRADE, along any wall of a BUILDING and/or STRUCTURE facing a street, to the highest point of the BUILDING and/or STRUCTURE.

FINISHED GRADE is the elevation of the ground at the exterior of a BUILDING when the construction of the BUILDING and LANDSCAPING are complete, which may be shown in an approved plan. On a property with LOT FRONTAGE on two (2) or more streets, the highest FINISHED GRADE shall be taken from the wall featuring the principle entrance to the BUILDING.

BUILDING HEIGHT shall include any accessory roof construction such as mechanical housing, elevator housing, roof stairway entrance, ventilating fan, skylight, flagpole, parapet wall, chimney, steeple or similar feature not structurally essential to the BUILDING, and does not include SIGNS or communications structures.



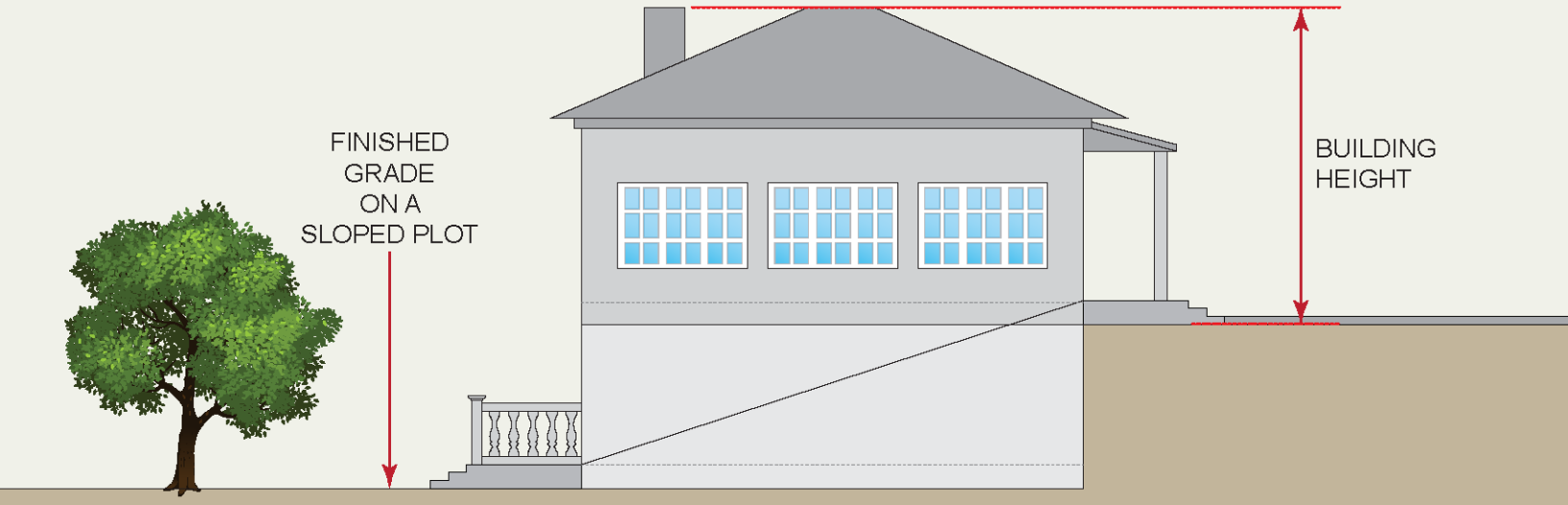



FIGURE 5

# CARPORTS AND GARAGES

A CARPORT (below, left) is a roofed STRUCTURE attached to a DWELLING UNIT that is designed for the PARKING and storage of MOTOR VEHICLES, which is open on at least two (2) sides providing unobstructed ACCESS to the YARD – REAR.





A GARAGE is an ACCESSORY BUILDING or part of a PRINCIPAL BUILDING, designed and used primarily for the storage of MOTOR VEHICLES. A GARAGE shall not be used for commercial activities or human habitation.

A GARAGE – ATTACHED (above, right) is a GARAGE attached to a PRINCIPAL BUILDING. A GARAGE – DETACHED (below, left) is a GARAGE that is not part of a PRINCIPAL BUILDING. A GARAGE – PORTABLE OR TEMPORARY (below, right) is a GARAGE that is designed to be collapsible in nature.






FIGURE 6

# FLOOR AREA

FLOOR AREA is the area of an individual STOREY or BASEMENT of a BUILDING and/or STRUCTURE measured from the outside surface of the exterior walls.



FLOOR AREA does not include the area used for a mechanical room, stairwells, air handling equipment, garbage storage, electrical room, GARAGE – ATTACHED and car PARKING areas.

FLOOR AREA – GROSS is the combined FLOOR AREA of all STOREYS of a BUILDING, excluding BASEMENT FLOOR AREA.

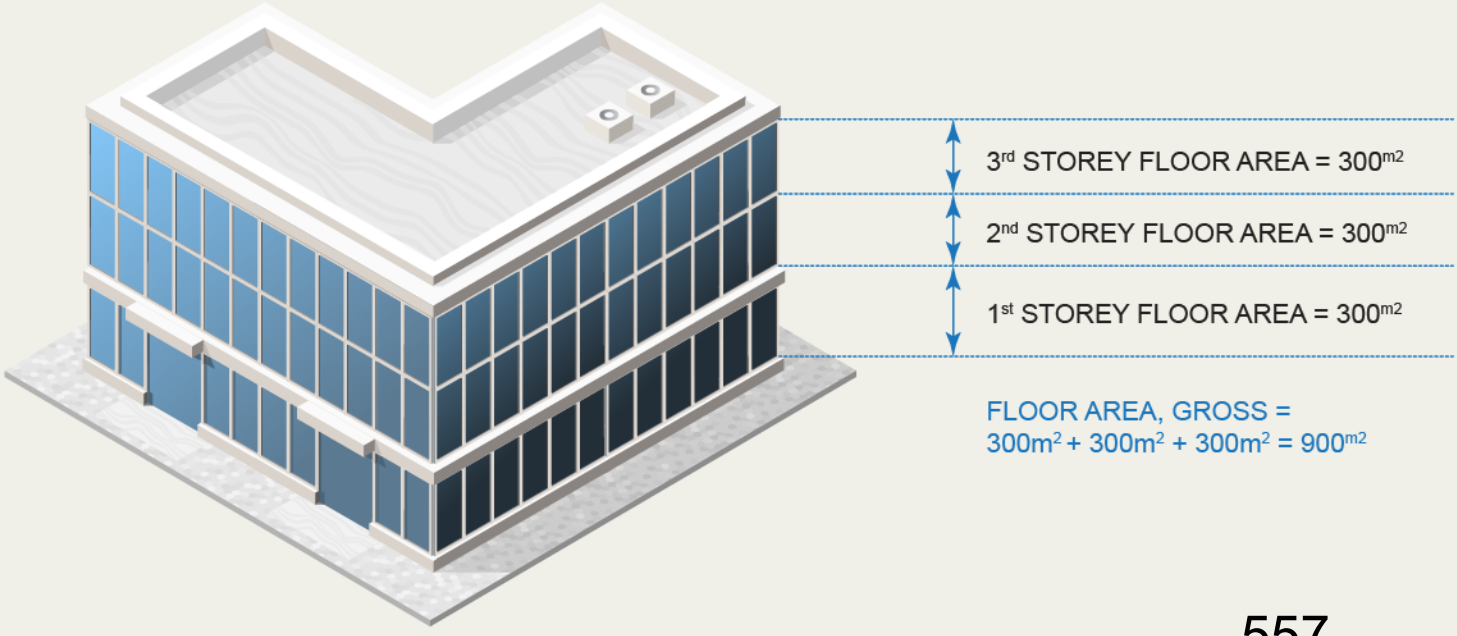


FIGURE 7

# GROUND FLOOR AND STOREYS

A GROUND FLOOR is the lowest STOREY of a BUILDING, and is located at or near FINISHED GRADE. A walk-out BASEMENT does not constitute a GROUND FLOOR.

A STOREY is a complete horizontal section of a BUILDING, having one (1) continuous or practically continuous floor, with all the rooms on the same level. A BASEMENT does not constitute a STOREY.

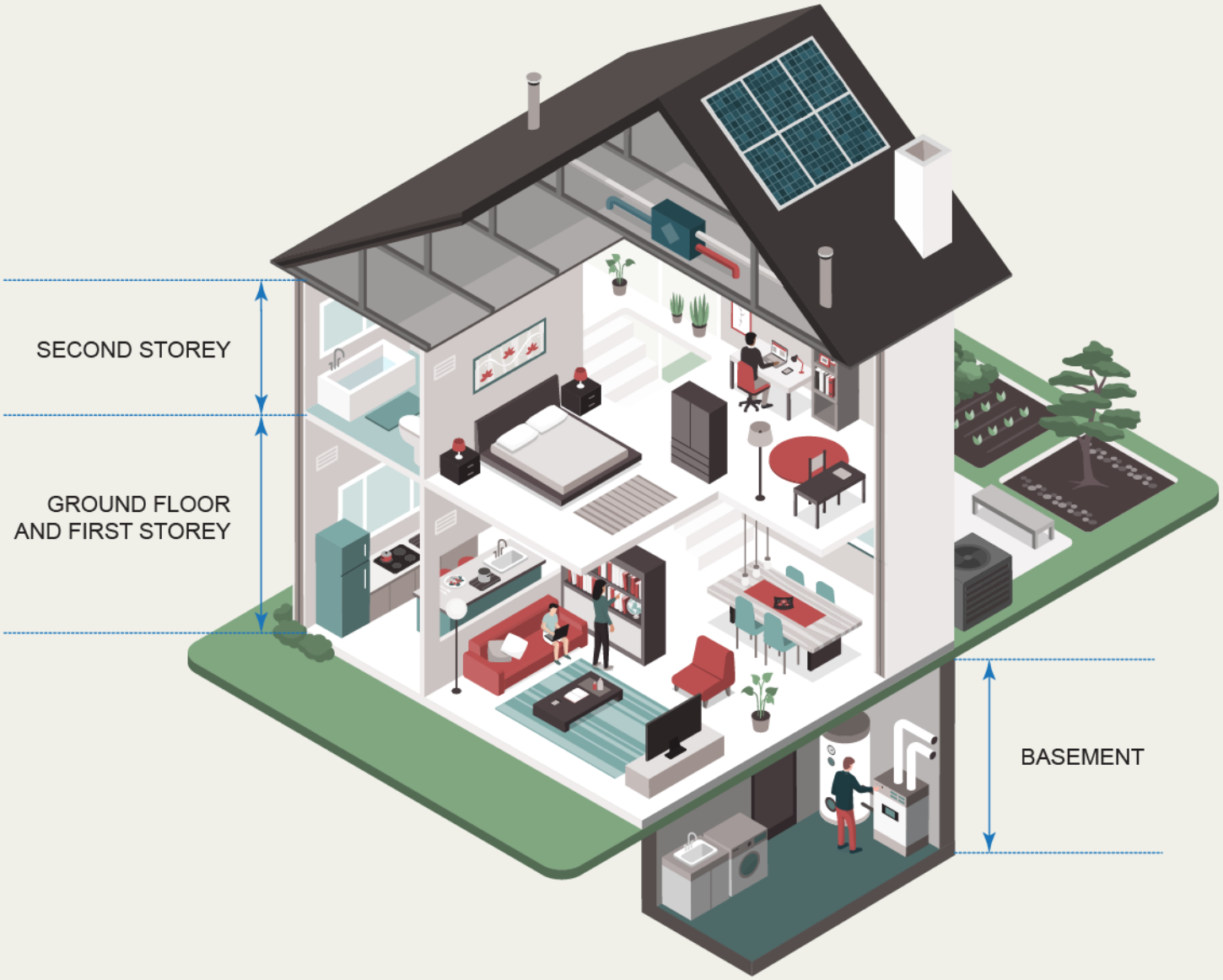


FIGURE 8

# HELICOPTER LANDING PADS

A designated landing area or platform for helicopters, which may be located on a roof, at or elevated above FINISHED GRADE.

## REGARDING ALL COMMUNITY USE AND [SELECT] INDUSTRIAL LAND USE DISTRICTS

| PREVIOUSLY CONSIDERED | NOW CONSIDERED |
|---|---|
| Community Use Land Use District, Discretionary Uses: Helicopter Landing Pad. | Community Use Land Use District, Discretionary Uses: Helicopter Landing Pad. |
| None | Industrial Land Use District, Discretionary Uses: Helicopter Landing Pad. |

diameter of primary rotor blade + 3m / 9.84ft



**MINIMUM SETBACK FROM ALL BUILDINGS AND STRUCTURES**

**DIAMETER OF PRIMARY ROTARY BLADE PLUS 3m / 9.84ft.**

diameter of primary rotor blade + 3m / 9.84ft



| PREVIOUS GUIDELINES | NEW GUIDELINES |
|---|---|
| None | HELICOPTER LANDING PADS require a DEVELOPMENT PERMIT. |
| None | HELICOPTER LANDING PADS will be considered a Discretionary Use on all parcels within a Community Use LAND USE DISTRICT. |
| None | HELICOPTER LANDING PADS will be considered a Discretionary Use in the Industrial LAND USE DISTRICT, only within select PARCELS - see Article 5.27.3 of the BYLAW for the more information. |
| None | The specifications and design elements of all HELICOPTER LANDING PADS must meet and maintain the minimum requirements as established by the *Canadian Aviation Regulations*. |
| None | The minimum setback from all buildings and structures for HELICOPTER LANDING PADS shall be the diameter of the helicopter's primary rotor blade, plus 3m / 9.84 ft. |
| None | The minimum setback from all LOT LINE – FRONT for HELICOPTER LANDING PADS shall be 20m / 65.61ft., with a minimum SETBACK of 10m / 32ft. from all LOT LINE – SIDES. |
| None | All proposed operations must conform to mandatory *Canadian Aviation Regulations* and function in a manner that mitigates potential noise, dust and nusinace issues that may affect adjacent landowners. |

FIGURE 9

# LANES

A LANE is a PUBLIC ROADWAY, not exceeding 9.1m / 29.8ft. in width, which provides a secondary means of ACCESS to a LOT.

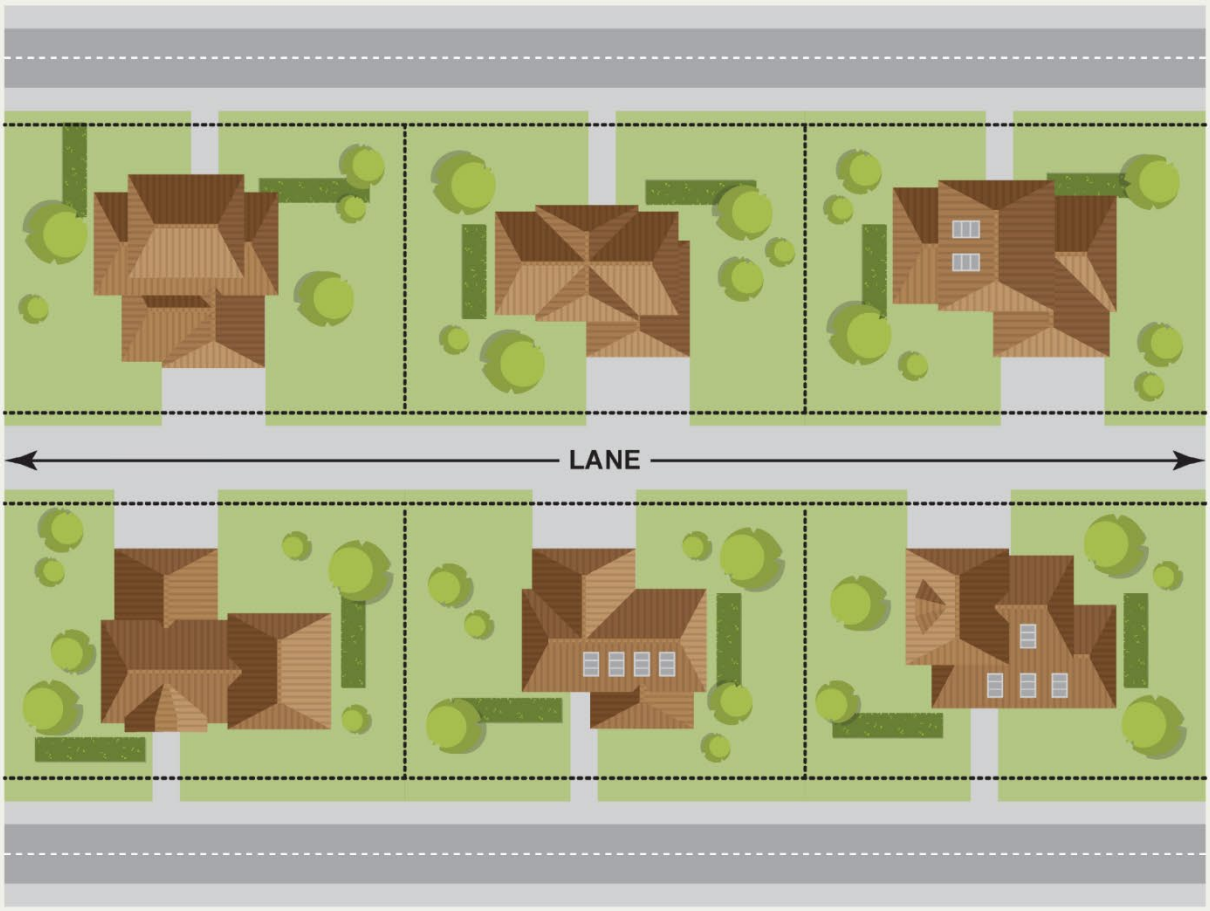







FIGURE 10

# LOT CORNER AND LOT THROUGHS

A LOT CORNER is a LOT located at the intersection of two (2) or more PUBLIC ROADWAYS.



A LOT – THROUGH is any LOT other than a LOT CORNER having an ACCESS on two (2) streets.

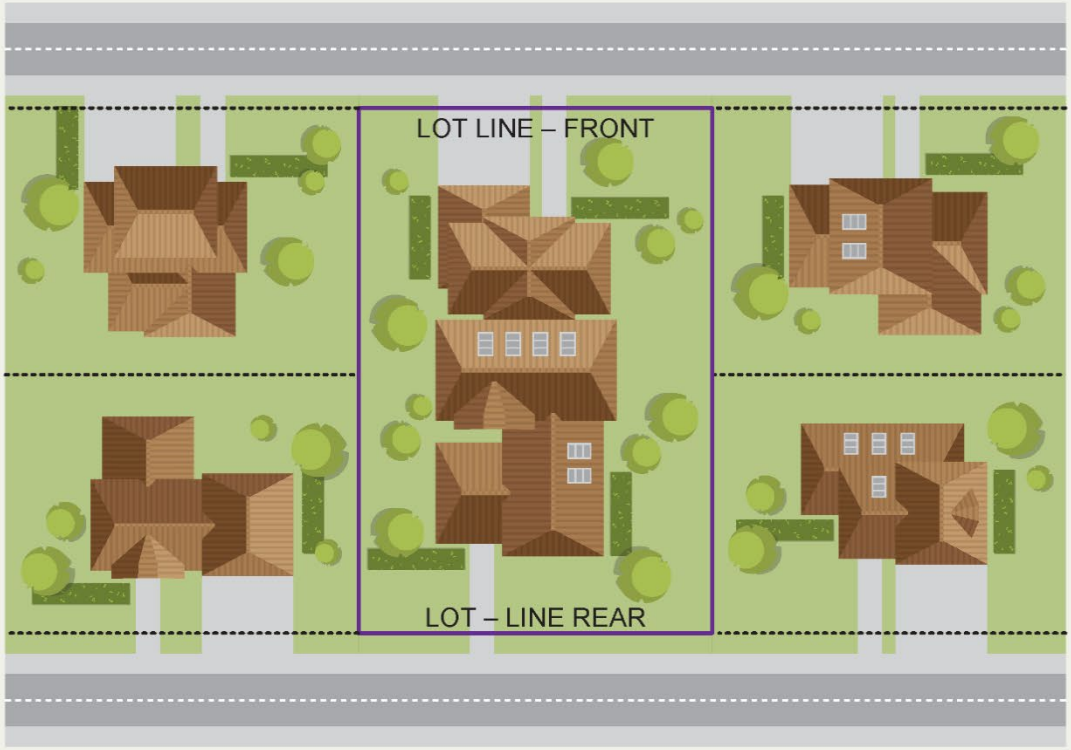


FIGURE 11

# LOT DEPTH, LOT WIDTH AND LOT FRONTAGE

LOT DEPTH is the distance between the mid point of the LOT LINE – FRONT and the mid point of the LOT LINE – REAR.

LOT FRONTAGE is the length of the LOT LINE – FRONT abutting a PUBLIC ROADWAY. In the case of LOT CORNER, both the LOT LINE – FRONT and LOT LINE – FLANKAGE are considered to have LOT FRONTAGE.

LOT WIDTH is the average horizontal distance between the LOT LINE – SIDES as determined by the DEVELOPMENT AUTHORITY. In the case of LOT CORNER, LOT WIDTH means the average horizontal distance between the LOT LINE – SIDE and the LOT LINE – FLANKAGE.

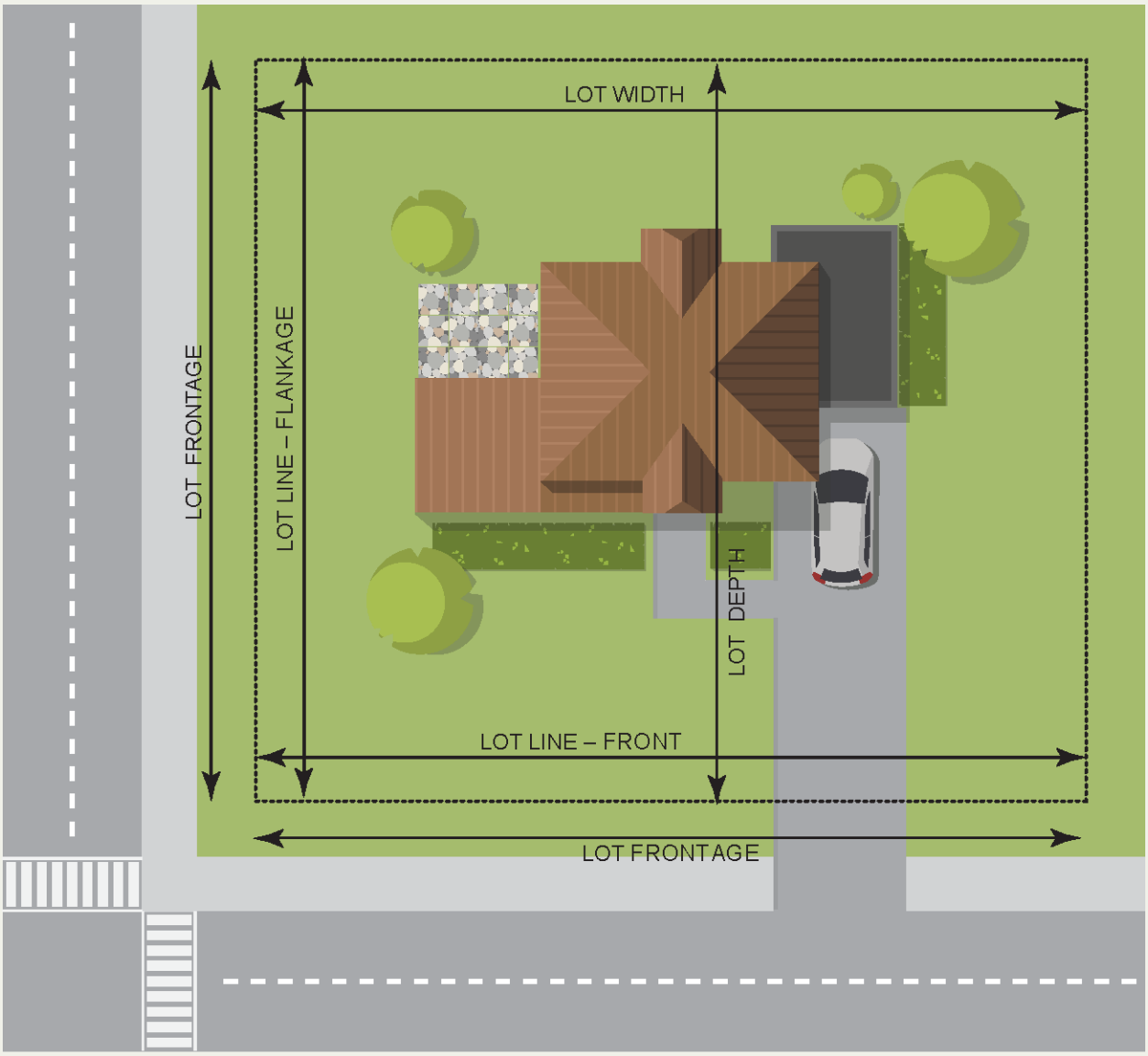


FIGURE 12

# LOT LINE – FLANKAGE, LOT LINE – FRONT, LOT LINE – REAR AND LOT LINE – SIDE

LOT LINES are the legally defined boundary of a LOT. A LOT LINE – FLANKAGE, in the case of a LOT CORNER, is the longest LOT LINE that abuts a PUBLIC ROADWAY, other than a LANE.

A LOT LINE – FRONT is the boundary dividing the LOT from an abutting PUBLIC ROADWAY, other than a LANE. In the case of a LOT CORNER, the shortest LOT LINE that abuts a PUBLIC ROADWAY, other than a LANE shall be the LOT LINE – FRONT.

A LOT LINE – REAR is the LOT LINE that is opposite to the LOT LINE – FRONT.

A LOT LINE – SIDE is the LOT LINE other than the LOT LINE – FRONT or LOT LINE – REAR.

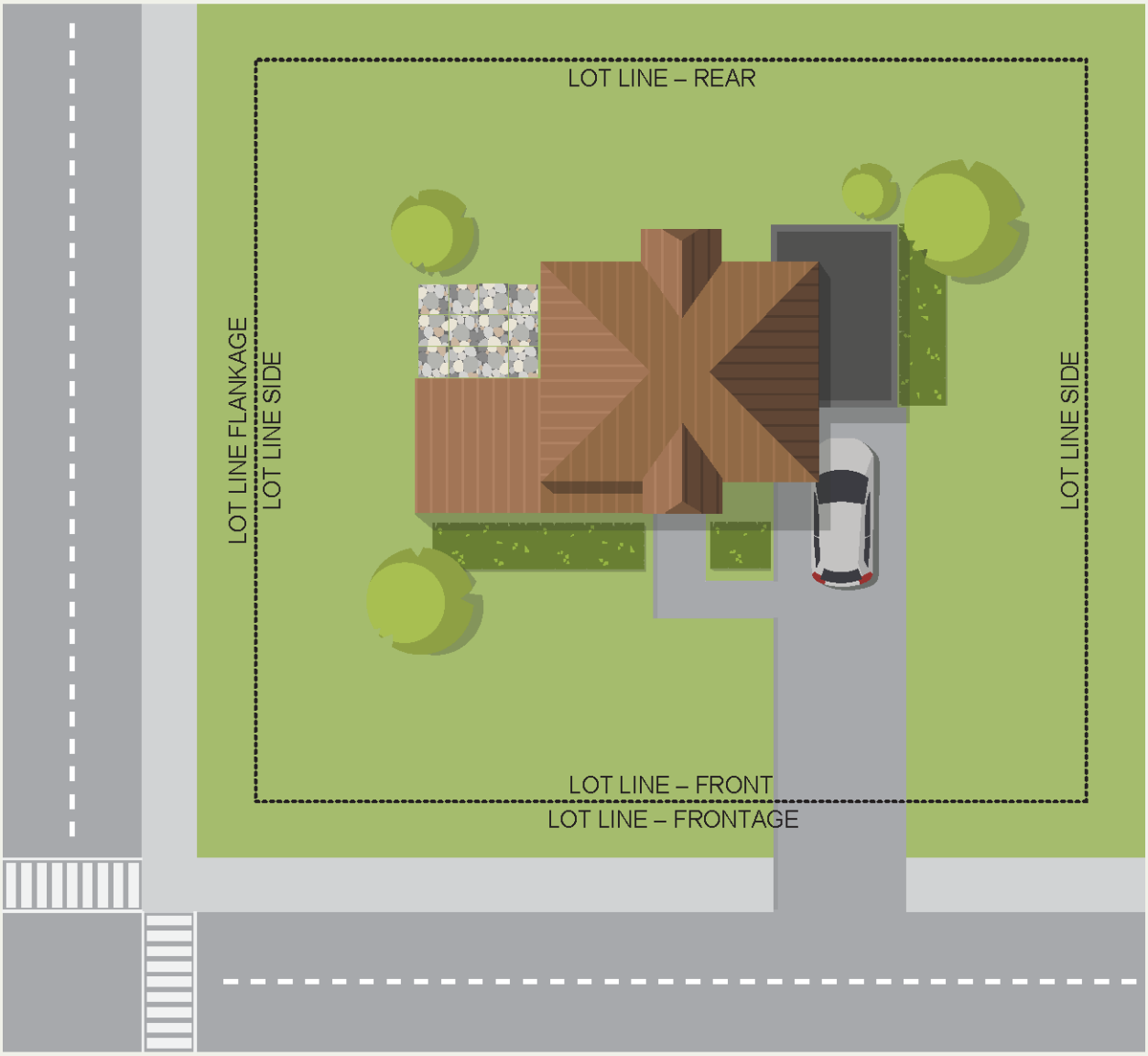


FIGURE 13

# MANUFACTURED HOMES MOBILE AND MANUFACTURED HOMES MODULAR

A MANUFACTURED HOME – MOBILE is a DWELLING UNIT, whether originally equipped with a heavy transport chassis, a hitch and wheel assembly or not, that is manufactured in a controlled environment that conforms to CSA-Z240 of the *National Building Code – Alberta Edition,* is transported from one place to another as a single unit, or in two (2) sections if a double-wide unit. A MANUFACTURED HOME – MOBILE does not require a PERMANENT FOUNDATION, can be anchored on a concrete or wood block foundation, and does not include a MANUFACTURED HOME – MODULAR or MANUFACTURED HOME – READY TO MOVE.



A MANUFACTURED HOME – MODULAR is a single detached DWELLING UNIT that is manufactured in a controlled environment, which conforms to CSA-A277 of the *National Building Code – Alberta Edition* at the time of manufacture, is transported and assembled on a PARCEL in one or more sections. MANUFACTURED HOME – MODULAR does not have a chassis, a hitch or wheel assembly, and the sections may be stacked vertically or placed side-by-side. MANUFACTURED HOME – MODULAR must be placed upon a PERMANENT FOUNDATION, includes MANUFACTURED HOME – READY TO MOVE, but does not include DWELLING SINGLE DETACHED, DWELLING – DUPLEX or MANUFACTURED HOME – MOBILE.



FIGURE 14

# PARTY WALLS

A PARTY WALL (dotted lines, below) is a wall separating a DWELLING – DUPLEX or DWELLING – TOWNHOUSE above and/or below grade, that is jointly owned and used by two (2) separate parties under an EASEMENT or PARTY WALL agreement, or by a right in law, and erected at or upon a line separating two (2) PARCELS of land each of which is, or capable of being, a separate real-estate entity.





FIGURE 15

# RETAINING WALLS

A RETAINING WALL is a STRUCTURE designed to support and retain any material (usually earth) on a SITE.





FIGURE 16

# SHIPPING CONTAINERS

A SHIPPING CONTAINER is a steel SHIPPING CONTAINER for ACCESSORY USE to the PRINCIPAL BUILDING.





FIGURE 17

# SIGHT TRIANGLE

A SIGHT TRIANGLE is a triangular area formed at the intersection of two PUBLIC ROADWAYS, including LANES, designed to maintain clear and unobstructed sightlines for drivers and pedestrians. No fence, vegetation, SIGN, BUILDING, or other obstruction exceeding a specified height may be located within this area.

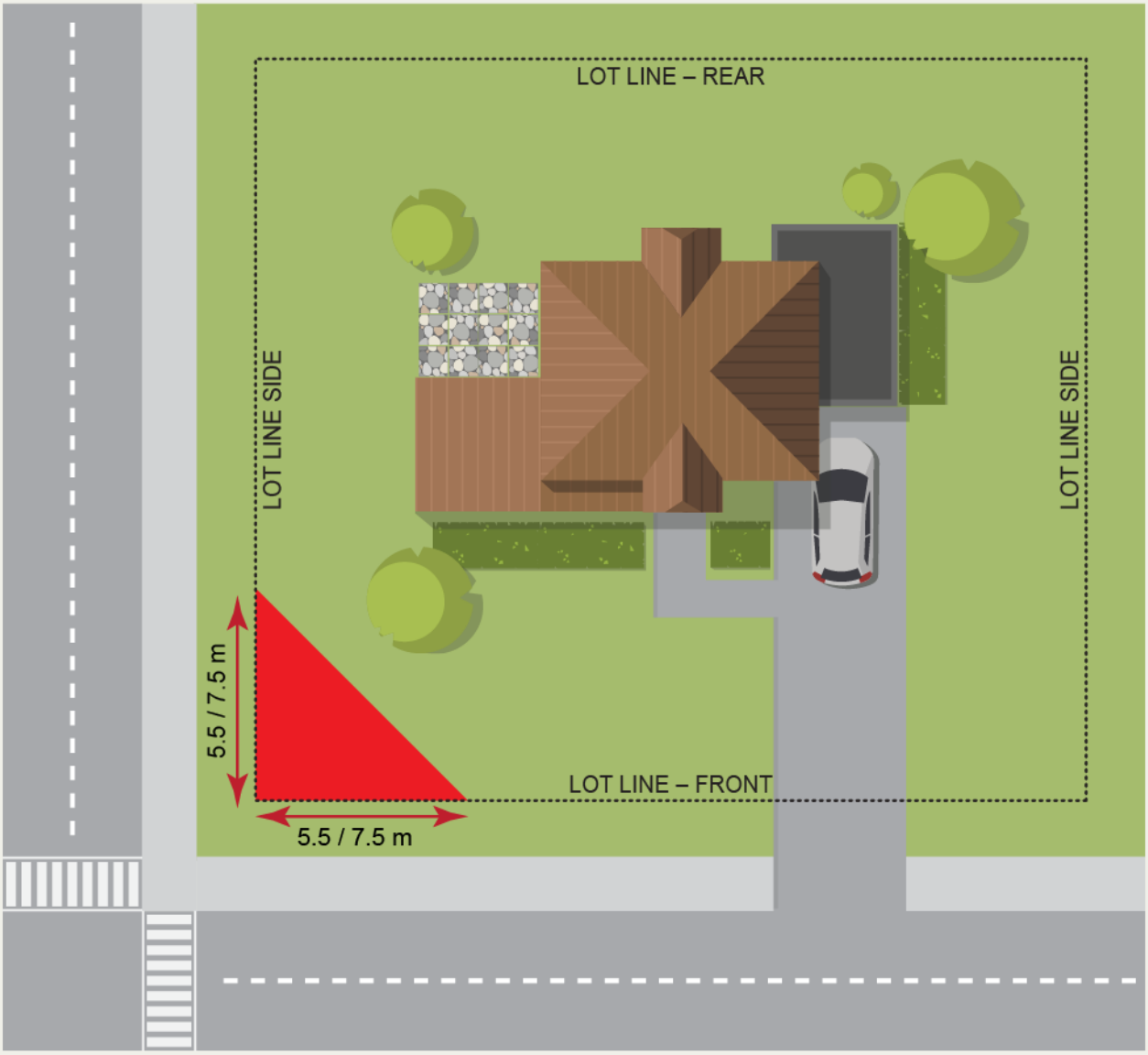


FIGURE 18

# SIGNS

A SIGN OR SIGNAGE is an object, STRUCTURE or device used for the purpose of identification or advertising, or to call attention to any person, matter or event, or to provide direction.



SIGN – BILLBOARD




SIGN – CANOPY



SIGN – DIRECTORY







SIGNS – FASCIA




SIGN – FREESTANDING



SIGN – ILLUMINATED






SIGNS – PORTABLE OR MOBILE




SIGN – PROJECTING




SIGN – ROOF



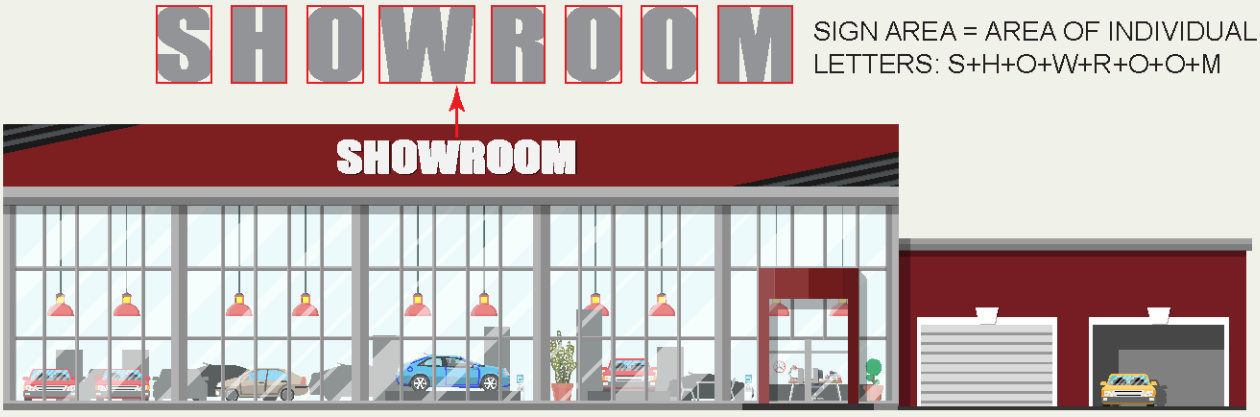
SIGN – SANDWICH

FIGURE 19

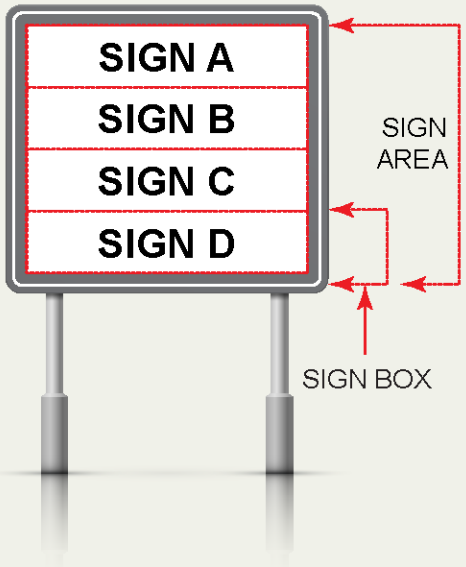
# SIGN AREA

SIGN AREA is the total visible surface area of the SIGN. In the case of SIGN – FASCIA with individual lettering, the sum of the combined areas of each individual letter is the total SIGN AREA.




SIGN AREA = AREA OF INDIVIDUAL LETTERS: S+H+O+W+R+O+O+M




SIGN AREA =
AREA OF SIGN A +
AREA OF SIGN B +
AREA OF SIGN C +
AREA OF SIGN D

FIGURE 20

# YARD – FLANKAGE, YARD – FRONT, YARD – REAR AND YARD – SIDE




YARD – FLANKAGE is a YARD – SIDE abutting the road of a LOT CORNER. YARD – FLANKAGE is determined by the horizontal dimension measured from a LOT LINE – FLANKAGE at a right angle to the nearest point of a wall of any BUILDING and/or STRUCTURE on the LOT.

YARD – REAR is a yard extending across the full width of a SITE from the LOT LINE – REAR to the nearest point on the exterior of any BUILDING and/or STRUCTURE situated on the SITE, measured at right angles to the LOT LINE – REAR.




YARD – FRONT is a yard extending across the full width of a SITE from the LOT LINE – FRONT to the nearest point on the exterior of any BUILDING and/or STRUCTURE situated on the LOT measured at right angles to the LOT LINE – FRONT.

YARD – SIDE is the horizontal dimension measured from a LOT LINE – SIDE at a right angle to the neareast point of a wall of any BUILDING and/or STRUCTURE on the LOT.



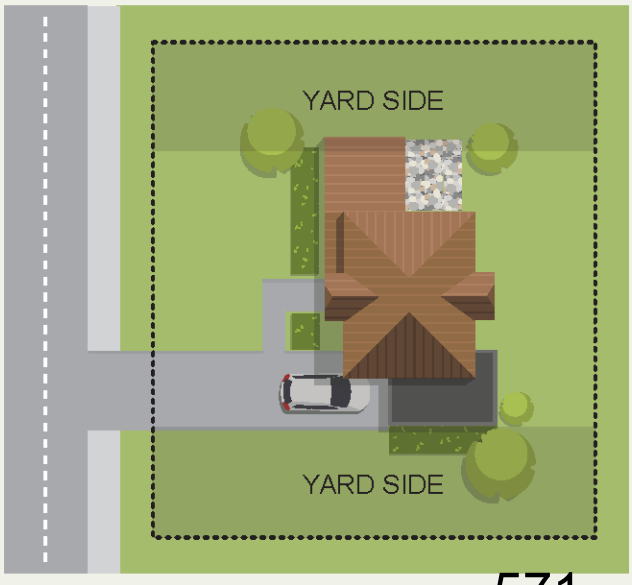



FIGURE 21

# BOULEVARD LANDSCAPING

An applicant whose DEVELOPMENT involves the creation of a new ACCESS within the PUBLIC RIGHT-OF-WAY, shall be responsible for the construction or replacement of a BOULEVARD.



All applications for LANDSCAPING of a BOULEVARD are subject to the specified conditions of an approved DEVELOPMENT PERMIT, or a DEVELOPMENT AGREEMENT that will specify all mandatory design elements.



FIGURE 22

# PARKING LOT LANDSCAPING

Any PARKING LOT abutting a public street, park or residential land-use shall be separated by a 2m / 6.5ft. landscaped BUFFER. The DEVELOPMENT AUTHORITY may also consider an opaque wooden fence as an alternative to a landscaped BUFFER.






FIGURE 23

# USING BERMS AS LANDSCAPED BUFFERS





An example of a vegetative BERM as a landscaped BUFFER:



FIGURE 24

# GARBAGE STORAGE

Garbage storage within Commercial and Industrial LAND USE DISTRICTS, or as part of a MANUFACTURED HOME – MOBILE COMMUNITY shall be fully screened, not be located within any residential minimum yard, and not have garbage piled higher than the fence designed to screen it.





FIGURE 25

# PARKING STALL AND AISLE EXPLANATION

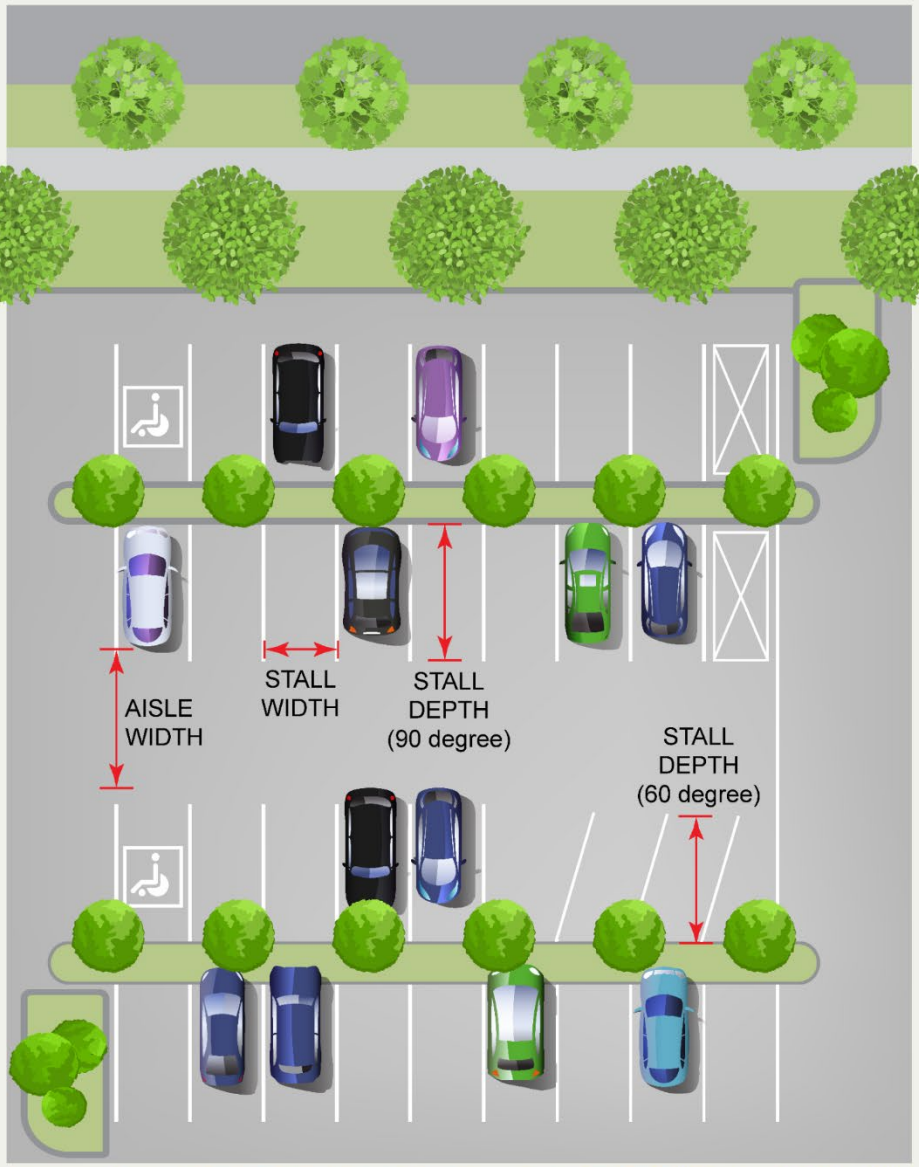
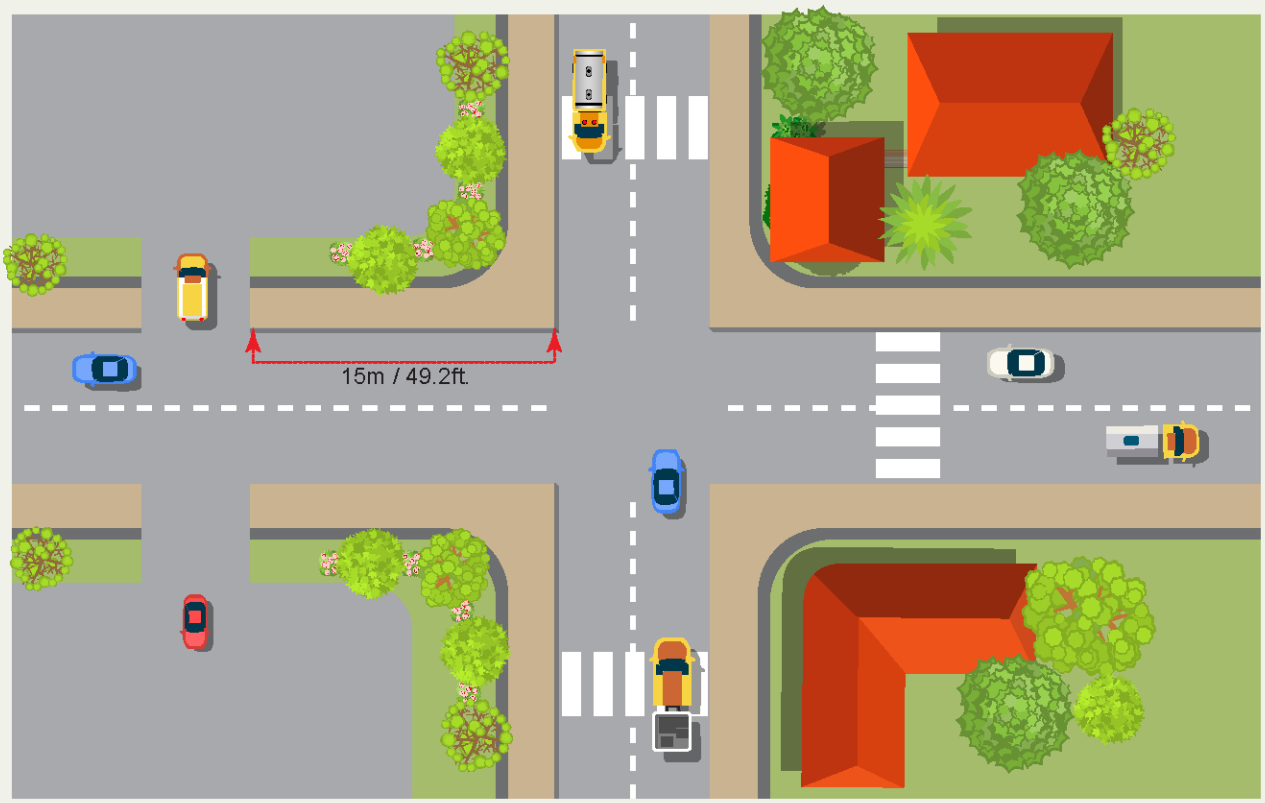




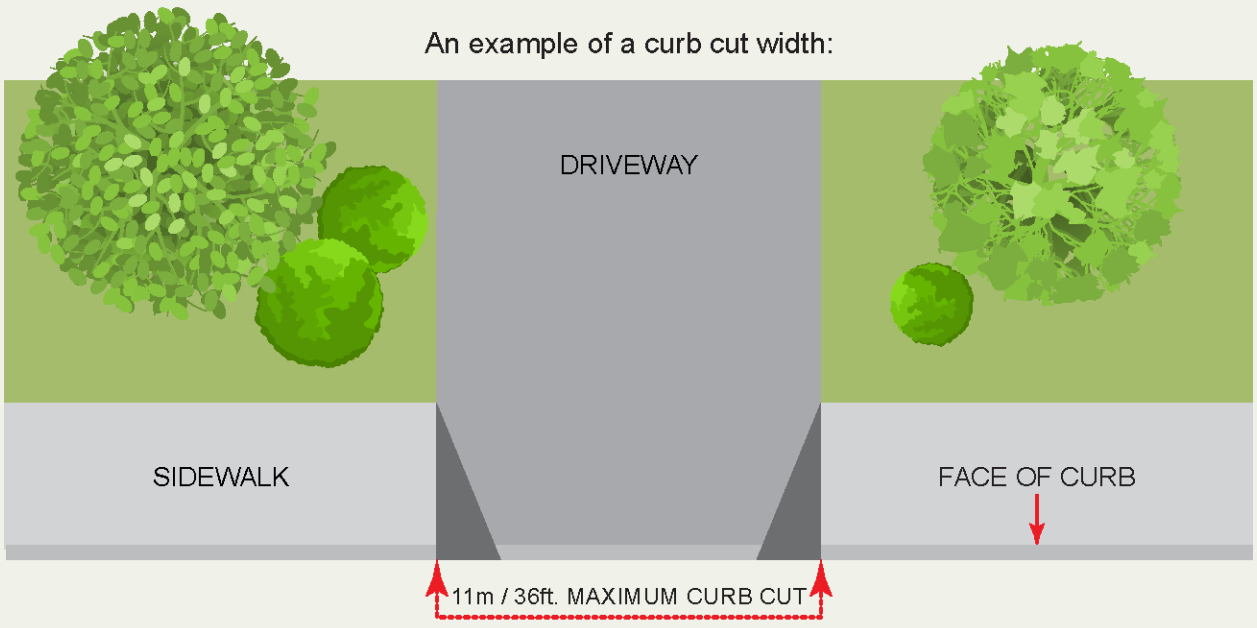

FIGURE 26

# ACCESS SEPARATION AND CURB CUTS

An example of ACCESS separation from an intersection of street right-of-ways:




An example of a curb cut width:



– END OF DOCUMENT –

# HAF Initiative Summary

## Initiative 1: Zoning Reform of Residential Land Use Districts

**Commitment/Description:**

The proposed initiative aims to increase housing flexibility and density across residential districts by broadening permitted uses and reducing restrictions. The following zoning changes will be made, contingent upon approval through the processes legislated by the Municipal Government Act:

R-1 Low Density:

- Make DWELLING – DUPLEX and SECONDARY SUITES a permitted use. Clarify the SECONDARY SUITE definition to explicitly allow basement suites, garage suites, and garden suites.
- Make Townhouses and multi-unit developments permitted up to 4-units on all corner lots.
- Allow DWELLING – MULTI UNITS to have a shared entrance rather than require separate entrances for each unit

R-2 Medium Density:

- Make SECONDARY SUITES a permitted use. Clarify the SECONDARY SUITE definition to explicitly allow basement suites, garage suites, and garden suites.
- Remove the unit cap on Townhouses in the R-2 land use district
- Make DWELLING – MULTIPLE UNIT a permitted use up to 8 units per lot
- Allow DWELLING – MULTI UNITS to have a shared entrance rather than require separate entrances for each unit

R-3 High Density:

- Remove the unit cap on apartment buildings
- Change building height maximum from 4 stories to 6 stories
- Allow DWELLING – MULTI UNITS to have a shared entrance rather than require separate entrances for each unit

**Milestones/Deadlines:**

| Milestone Name | Estimated Start Date | Estimated Completion Date ↑ | Description |
|---|---|---|---|
| Project Initiatied | 2025-01-01 | 2025-02-15 | This milestone will involve internal reviews and drafting of the amendment to the Town's Land Use Bylaw. |
| Council Approval Process | 2025-02-17 | 2025-06-12 | Amending the Land Use Bylaw requires 1st, 2nd, and 3rd reading, as well as a public hearing. To support this public hearing, public engagement will be conducted to tailor the approach as needed. |

## Initiative 2: Making Building Easier

**Commitment/Description:**

The town will reduce minimums and increase maximums of various metrics in all residential land use districts to create greater flexibility. The Town is committed to at least a 25% relaxation in all of the following regulations and will explore further relaxations for each land use district and use as appropriate:

- Parking minimums for multi-family developments
- Lot area minimums for all types of developments, with greater flexibility for multi-family developments
- Lot width minimums
- Setback minimums
- Specifically reduce setback minimums for garden and garage suites by at least 50% and to 1m when abutting a rear lane.
- Minimum floor area
- Maximum lot coverage
- Density Maximums
- Sight triangle distances along low-volume roads

This will make the rules around site layout and composition more flexible resulting in more units per lot for multi-family developments, and greater density in lower density residential neighbourhoods.

**Milestones/Deadlines:**

| Milestone Name | Estimated Start Date | Estimated Completion Date | Description |
|---|---|---|---|
| Project Initiation | 2025-01-01 | 2025-02-28 | A consultant will be procured to analyze the development requirements currently within the Town's Land Use Bylaw and then suggestion relaxations as committed to within this initiative, and in alignment with the Alberta Building Codes. |
| Council Approval | 2025-02-28 | 2025-06-14 | Amending the Town's Land Use Bylaw ultimate requires 1st, 2nd, and 3rd reading as well as a public hearing. A public engagement process will be implemented to support the public hearing. |

## Initiative 3: Improving Development & Approval Processes

**Commitment/Description:**

The initiative aims to streamline the permitting process with e-permitting, fee reductions, and pre-application consultations to support multi-unit and affordable housing projects. It also seeks to simplify applications, provide clear regulatory information, and facilitate approvals through quick-guides and pre-approval for federal design catalogue projects.

Specifically, the town is committed to implementing the following:

- An e-permitting process for all development permits with priority review for multi-unit developments and affordable housing providers.
- Improve permit application forms to only require the exact information needed.
- Implement an optional development inquiry process where developers can meet with staff to discuss their proposed projects prior to them submitting a development permit to help them understand the Town's regulations. Those that meet with the Town prior to submitting a development permit application will receive a 25% reduction in permit fees.
- Reduce permit fees for permitted uses that do not require variances.
- Create quick-guides for various types of residential development so that developers can more easily find the information they're looking for regarding Town regulations.
- Create a pre-approval process for developers utilizing the federal design catalogue.

**Milestones/Deadlines:**

| Milestone Name | Estimated Start Date | Estimated Completion Date ↑ | Description |
|---|---|---|---|
| Improvement of Internal Processes | 2025-01-01 | 2025-04-30 | Specific actions such as implementing an e-permitting process, improving permit application forms, implementing a development inquiry process and creating quick-guides can be completed internally without needing Council approval. All of these changes should be completed by early 2025. |
| Updated Fees Bylaw | 2025-01-01 | 2025-04-30 | Updating the Town's Fees Bylaw occurs each year during the budget process and is often completed by the end of January 2025. |
| Create Pre-Approval Process with Pre-Approved Designs Available for Public Use. | 2025-01-01 | 2025-09-15 | As the federal design catalogue becomes available, Town staff will work on pre-approving the designs for the appropriate land use districts. Pre-approval can be completed quickly once the designs are publicly available, and the Town will advertise on it's website, and during development inquiry meetings, that these designs are available and pre-approved. |

## Initiative 4: Improving Data Access & Development Knowledge

**Commitment/Description:**

The Town is committed to completing the following:

- Revamp the Town's Planning & Development webpages to improve navigation.
- Implement an open data portal for developers seeking public planning documents and GIS data such as infrastructure locations, cadastral data, and more.
- Additional GIS work will be done to improve understanding around various utilities within the Town's boundaries as well as water table/soil quality, and flood mapping to better pinpoint where new development may or may not be suitable. These findings will then be utilized for future work, including updating the Town's Municipal Development Plan and Land Use Districts.
- Update the Town's GIS WebMap to improve accuracy and measurements to improve application timelines and public knowledge. Provide a how-to-guide on how to utilize the Town's WebMap.

The goals and objectives are to improve access to planning information and GIS data through more readily available data, enhanced GIS data accuracy, and update planning frameworks.

**Milestones/Deadlines:**

| Milestone Name | Estimated Start Date | Estimated Completion Date | Description |
|---|---|---|---|
| Town Webpage Improvement | 2025-01-01 | 2025-03-15 | Work through the later part of December will be completed to improve the Town's Planning & Development webpages and a data portal will be created for developers. |
| Review and Implement GIS Improvements | 2025-03-01 | 2025-12-14 | A consultant will be brought on to review the Town's current GIS data, and will then be tasked with further improving this by cleaning up outdated files, identifying missing information and obtaining that from utility providers and/or other levels of government. Data that is not readily available will be captured through field work, or scoped for future projects. Following this work the Town will upload this data to the Town's webmap in a user friendly way, and a link will be clearly displayed on the Town's website and made available to the public and general public alike. |

## Initiative 5: Multi-Unit and Secondary Suite Incentive Program

**Commitment/Description:**

The Town will create two incentive programs with the goal of incentivizing the development of additional secondary suites and missing middle housing options. These incentive programs will directly benefit the other initiatives included within the Town's application and jumpstart development in the Town.

Secondary Suite Incentive:

- The town will create a new incentive program where secondary suites can receive $10,000 per unit (owners of illegal suites built prior to 2024 can also apply to bring the unit into compliance, owners can have costs reimbursed up to $10,000). New developments containing a secondary suite can receive an additional $5,000 per unit.

Missing Middle Tax Incentive:

- The town will create a new incentive program where multi-family projects over 10 units can receive a tax cancellation for the year in which development occurs and the year following occupancy. Preference for the tax cancellation program will be given to those developing affordable housing, as defined by CMHC.

The intent is to make both of these incentives long-standing programs past the program period with funding after the program being provided through the municipal budget.

**Milestones/Deadlines:**

| Milestone Name | Estimated Start Date | Estimated Completion Date | Description |
|---|---|---|---|
| Development and Implementation of Incentives | 2025-03-01 | 2025-05-15 | Creation of policies to guide the incentives and development of application materials will be created through January and February. In late February the 2025 programs will open for applications. These programs will then be offered annually with the goal to extend the programs past the life of the HAF program. |

## Initiative 6: Renewal of Statutory Plans

**Commitment/Description:**

The Town's statutory planning documents are currently outdated. This initiative aims to fully renew all statutory plans, including the Municipal Development Plan, which has not been significantly updated in over 15 years. Additionally, the initiative will replace outdated Area Structure Plans and create new Area Redevelopment Plans as needed over the next three years.

This is a crucial step for the Town's long-term success. Each plan will be developed with a focus on housing to ensure that regulations, processes, and activities are continuously improved. This approach will help identify and address housing challenges early. After the review and renewal of the statutory plans, the Town will implement a continuous improvement process to keep the plans current and adaptable to changes in the housing market.

Another key aspect of these updates will be infrastructure planning and asset management. The initiative will ensure that the Town's infrastructure assets are properly repaired and upgraded as needed, preventing future development from being slowed or delayed due to inadequate infrastructure.

**Milestones/Deadlines:**

| Milestone Name | Estimated Start Date | Estimated Completion Date ↑ | Description |
|---|---|---|---|
| Initial Assessment | 2024-10-01 | 2024-12-31 | Evaluate current statutory plans and identify areas needing updates, including the Municipal Development Plan, Area Structure Plans, and Area Redevelopment Plans. Related non-statutory plans will also be evaluated depending on their level of impact to the Town's statutory plans. |
| Public Engagement | 2025-01-01 | 2025-06-30 | To kick the project off and ensure the public not only is informed about the project, but also has a voice in improving their community, the Town will procure a consultant to conduct extensive public engagement with both the general public, municipal staff, council, and targeted stakeholders such as indigenous groups, developers, realtors, affordable housing operators, and more. |
| Creation and Approval of Plans | 2025-09-01 | 2027-09-01 | With an assessment done and a bulk of the engagement completed, the Town will then work towards updating all of the Town's statutory plans over the next 2 years. There will be aspects of research, drafting, public consultation, and Council meetings for each of the Town's statutory plans, though a set schedule can not be identified until the initial assessment (first milestone) has been completed. All statutory plans will require 1st, 2nd, and 3rd reading, as well as a public hearing. |

**Town of High Level**
**Regular Council Meeting**
**Request for Decision**

| | |
|---|---|
| **Meeting Date:** | **April 28, 2025** |
| **Prepared By:** | **Logan Bartholow, Director of Planning & Development** |
| **Subject:** | **Municipal Development Plan Amendment** |

**Recommendation:**

THAT based on the April 28, 2025 report from the Director of Planning and Development, *Municipal Development Plan Amendment*, Council provide FIRST READING to Bylaw 1052-25 as presented;

AND THAT Council direct Administration to hold a Public Hearing on May 26, 2025, at 7PM for Bylaw 1052-25.

**CAO Comments:**

I support the recommendation.

## Background:

- Administration is proposing a significant update to the Town's current Land Use Bylaw through proposed Bylaw 1051-25. This project is supported by the Housing Accelerator Fund and has been jointly completed by Town Staff, and the hired consultant.

## Discussion:

- The proposed changes to the Town's Municipal Develompent Plan are required to ensure that the Town's Municipal Development Plan and the Land Use Bylaw are in alignment with one another.

- The current Municipal Development Plan states in multiple sections that the Town should limit building heights to a maximum of four storeys.
- The proposed amendment would change these sections to allow for buildings of up to six storeys in the Town's downtown and high density residential areas. This aligns with proposed changes to the Town's C-1 Downtown Commercial land use district, and the Town's R-3 High Density Residential land use district.
- Should Council provide first reading to Bylaw 1051-25 and 1052-25 on April 28, it is recommended that a joint public hearing be held on May 26, 2025.

## Financial:

- N/A

## Council's Decisions for Statutory Plan and Land Use Bylaw Amendments:

At First Reading:

a) Provide First Reading as presented.
b) Provide First Reading as amended.
c) Defeat the Bylaw as presented.
    a. In this instance, future steps would not occur.

At the Public Hearing:

a) Hold and close the Public Hearing.
    a. Council may only hold one public hearing for a proposed bylaw that considered residential development.
b) Recess the Public Hearing to a future meeting to gather more information or for further consideration.
    a. This may require re-advertising, and a date set for reconvention of the meeting. This should be determined before declaring the Public Hearing closed.

At Second and Third Reading:

a) Postponement of the Second and Third Reading until a future Council meeting.
    a. This does not require re-advertising.
b) Provide Second and Third Reading as presented (Approve the Bylaw).
c) Provide Second and Third Reading as amended.
    a. This may require readvertisement for an additional public hearing.
d) Defeat the Bylaw as presented.

## Council Options:

1. THAT Council provide FIRST READING to Bylaw 1052-25 as presented;

   AND THAT Council direct Administration to hold a Public Hearing on May 26, 2025, at 7PM for Bylaw 1052-25.

2. THAT Council provide FIRST READING to Bylaw 1052-25 as amended;

   AND THAT Council direct Administration to hold a Public Hearing on May 26, 2025, at 7PM for Bylaw 1052-25.

## Attachments:

**Attachment 1 - Bylaw 1052-25 (DRAFT)**
**Attachment 2 - Bylaw 987-18 - Municipal Development Plan**

**Approvals:**





**CAO, Viv Thoss**

**Author: Logan Bartholow, Director of Planning & Development**

TOWN OF HIGH LEVEL

# TOWN OF HIGH LEVEL
# MUNICIPAL DEVELOPMENT PLAN AMENDMENT
# BYLAW NO. 1052-25

**THE COUNCIL OF THE TOWN OF HIGH LEVEL, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:**

1. Town of High Level Municipal Development Plan 987-18 is hereby amended.

2. Town of High Level Municipal Development Plan 987-18 is amended by:

   a) Replacing subsection 7.1 with the following text:

   **7.1 Objectives**

   The Land Use Concept and Development objectives are to:

   - Identify through the creation of the Land Use Map (Figure 3) where development is to occur based on the Town's growth strategy. This generally includes:
     - Compact residential uses within the Town site;
     - Redevelopment emphasis in the downtown and surrounding the recreation complexes;
     - Mixed land uses in the downtown,
     - Commercial growth focused in the downtown;
     - Intensifying the residential and commercial downtown area without going above six stories; and
     - Moderately expanding land for industrial uses.
   - Create a logical and efficient means for identifying new development areas requiring subsequent ASPs or ARPs.

   b) Replacing Article 7.2.5 and Policy 7.2.5 with the following text:

   7.2.5 The Town shall limit residential and commercial building heights to four stories recognizing the small town feel of High Level, but allow building heights of up to six stories in the downtown and high density residential areas to support additional growth.

c) Replacing article 9.3.2 with the following text:

9.3.1 The Town should encourage housing types such as duplexes, fourplexes, townhouses, and up to six storey apartments in the Residential and Future Residential areas.

3. This Bylaw shall come into effect on the date of its final passing.

READ A FIRST TIME this _____ day of _____, 202_

_____ _____
MAYOR CHIEF ADMINISTRATIVE OFFICER

READ A SECOND TIME this _____ day of _____, 202_

_____ _____
MAYOR CHIEF ADMINISTRATIVE OFFICER

READ A THIRD TIME this _____ day of _____, 202_

_____ _____
MAYOR CHIEF ADMINISTRATIVE OFFICER

TOWN OF HIGH LEVEL

# TOWN OF HIGH LEVEL
# MUNICIPAL DEVELOPMENT PLAN
# BYLAW NO. 987-18

## A BYLAW OF THE TOWN OF HIGH LEVEL TO ADOPT THE TOWN OF HIGH LEVEL MUNICIPAL DEVELOPMENT PLAN

**WHEREAS** under the authority and pursuant to the provisions of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta and amendments thereto, the Council of the Town of High Level is required by Bylaw to adopt a Municipal Development Plan.

**WHEREAS** the Council of the Town of High Level, in the Province of Alberta, has deemed it desirable to adopt a new Municipal Development Plan.

**NOW THEREFORE** the Council of the Town of High Level, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. That the Town of High Level Municipal Development Plan in book form under separate cover is hereby approved.

2. That Bylaw 902-10 is hereby repealed.

**READ A FIRST TIME** this 13th day of August, 2018.

**READ A SECOND TIME** this 10th day of September, 2018.

**READ A THIRD AND FINAL TIME** this 10th day of September, 2018.

**SIGNED AND PASSED** this 17th day of September, 2018.

**MAYOR**

**MUNICIPAL SECRETARY**

**Town of High Level**
**Regular Council Meeting**
**Request for Decision**

**Meeting Date:** April 28th, 2025
**Prepared By:** Viv Thoss, Chief Administrative Officer
**Subject:** Town of High Level 2025 Property Tax Rate Bylaw

**Recommendation:**

THAT Council consider giving first, second and third readings to the *Town of High Level 2025 Property Tax Rate Bylaw No. 1054, 2025*.

**CAO Comments:**

## Background:

The *Municipal Government Act* requires that Council pass an annual property tax bylaw to raise revenues to be used toward payment of expenditures and transfers approved in the annual budget.

The Town of High Level 2025 operating budget was approved by Council on March 10th, 2025, with $$7,574,145 revenues to be raised by municipal taxation.

## Discussion:

In accordance with the *Municipal Government Act,* the following outlines the key provisions and requirements related to the annual property tax bylaw and associated tax rates.

**Property Tax Bylaw (Section 353)**

**Annual Requirement:** According to Section 353(1) of the *Municipal Government Act*, each council must pass a property tax bylaw annually.

**Authorization:** Section 353(2) authorizes the council to impose a property tax to raise revenue for:

- Expenditures and Transfers: As set out in the municipal budget.
- Requisitions: Specific financial requirements.

**Exemptions:** Section 353(3) specifies that the tax must not be imposed on properties exempt under sections 351, 361, 362, 363, or 364, unless a bylaw passed under those sections makes the property taxable.

**Tax Rates (Section 354)**

**Setting Tax Rates:** Section 354(1) mandates that the property tax bylaw must set and show all tax rates separately to raise the required revenue.

**Assessment Classes:** Section 354(2) requires a tax rate to be set for each assessment class or sub-class referred to in section 297.

**Uniformity:** Section 354(3.1) states that the tax rate for the class referred to in section 297(1)(d) must be equal to the rate for the class in section 297(1)(b) for the same revenue purpose.

**Amendments:** Section 354(4) prohibits amending tax rates after tax notices are sent unless an error is discovered, in which case the Minister may permit revisions under Section 354(5).

**Calculating Tax Rates (Sections 355-356)**

**Calculation Method:** Section 355 explains that a tax rate is calculated by dividing the required revenue by the total assessment of all taxable properties.

**Tax Imposition:** Section 356 states that the tax amount for a property is calculated by multiplying its assessment by the applicable tax rate.

**Linear Property Tax Rate (Section 358)**

**Uniformity:** Section 358(1) requires the tax rate for linear property to be uniform throughout the municipality.

**Procedure:** Section 358(2) mandates that the rate must be calculated according to prescribed regulations.

**Requisitions (Section 359)**

**Partial Municipality:** Section 359(1) specifies that when a requisition applies to part of a municipality, the necessary revenue must be raised by taxing properties in that part.

**Tax Rate Calculation:** Section 359(2) requires the tax rate to be calculated to raise sufficient revenue for the requisition.

In accordance with the provisions of the *Municipal Government Act* listed above, Administration has crafted the *Town of High Level 2025 Property Tax Rate Bylaw No. 1054, 2025* for Council's consideration.

Administration is aiming to mail tax notices to all residents on May 16th, 2025, with a due date of June 30th, 2025.

## Financial:

Appendix 1 provides a comparison of assessments between 2024 and 2025. The table includes both new assessments (Growth) and the inflationary increase for existing properties.

- Residential properties: Grew by 2%, adding $5.3 million in new assessments, while existing properties increased in value by 2.04%.
- Non-residential properties: Grew by $11.5 million in new assessments, a 3.69% increase, with existing properties rising in value by 1.01%.

Mill rates have been adjusted to reflect both inflationary factors and new assessments.

| | 2024 | 2025 | Change |
|---|---|---|---|
| **Residential** | 10.9084 | 11.1360 | 0.2276 |
| **Education Requisition** | 2.510 | 2.7374 | 0.2274 |
| **Seniors Requisition** | 0.1855 | 0.2505 | 0.065 |
| **Combined Mill Rate** | **13.6039** | **14.1239** | **0.52** |

| | 2024 | 2025 | Change |
|---|---|---|---|
| **Non- Residential** | 13.0073 | 13.7647 | 0.7574 |
| **Education Requisition** | 3.5451 | 4.0412 | 0.4961 |
| **Seniors Requisition** | 0.1855 | 0.2505 | 0.065 |
| **Combined Mill Rate** | **16.7379** | **18.0564** | **1.3185** |

## Alternatives:

1. THAT Council consider giving first, second and third readings to the *Town of High Level 2025 Property Tax Rate Bylaw No. 1054, 2025*.

2. THAT Council postpone a decision to a definite or indefinite time.

3. THAT Council direct Administration to take any other action deemed appropriate by Council.

## Attachments:

*Town of High Level 2025 Property Tax Rate Bylaw No. 1054, 2025*
Appendix 1 - Change is Assessment
Appendix 2 - ASFF Requisition
Appendix 3 - Boreal Lodge Requisition
Appendix 4 - Designated Industrial Property Requistion

Respectfully submitted,



**CAO Viv Thoss**

TOWN OF HIGH LEVEL

# TOWN OF HIGH LEVEL
# 2025 PROPERTY TAX RATE BYLAW
# DRAFT BYLAW NO. 1054-25

**A BYLAW TO AUTHORIZE THE RATES OF TAXATION LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF HIGH LEVEL FOR THE 2024 TAXATION YEAR.**

**WHEREAS** Town of High Level has prepared and adopted detailed estimates of the municipal revenues and expenditures as required, at the council meeting held on March 10th, 2025; and

**WHEREAS** the estimated municipal expenditures and transfers set out in the budget for Town of High Level for 2025 total $20,824,421; and

**WHEREAS** the estimated municipal revenues and transfers from all sources other than taxation is estimated at $13,250,276 and the balance of $7,574,145 is to be raised by general municipal taxation; and

**WHEREAS** the estimated amount required to repay principal debt to be raised by general municipal taxation is $176,960 and included in estimated municipal expenditures; and

**THEREFORE,** the total amount to be raised by general municipal taxation is $7,574,145; and

**WHEREAS** the requisitions are:

| | Requisition | Prior Year (Over)/Under Levy | Total |
|---|---|---|---|
| ALBERTA SCHOOL FOUNDATION FUND | | | |
| Residential/Farmland | $ 745,420 | $ 6,978 | $ 752,398 |
| Non-Residential | 869,788 | (0) | 869,788 |
| | $ 1,615,209 | $ 6,978 | $1,622,186 |
| LODGE | $ 152,628 | $ 0.00 | $ 0.00 |
| DESIGNATED INDUSTRIAL PROPERTY | $ 10,731 | | |

**WHEREAS** the Council of the Town is required each year to levy on the assessed value of all property, tax rates sufficient to meet the estimated expenditures and the requisitions; and

**WHEREAS** the Council is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the *Municipal Government Act*, Chapter M26, Revised Statutes of Alberta, 2000; and

**WHEREAS** the assessed value of all taxable property in Town of High Level as shown on the assessment roll is:

| | **Assessment** |
|---|---|
| Residential/Farmland | 274,241,746 |
| Non-Residential | 192,214,090 |
| Machinery & Equipment | 112,919,250 |
| Linear | 23,221,360 |
| | **602,596,440** |

**WHEREAS** Tax Exemption for Certain Clergy Residences Bylaw 977-18 exempts certain clergy residences.

**NOW THEREFORE** under the authority of the *Municipal Government Act*, the Council of the Town of High Level, in the province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all taxable property as shown on the Assessment Roll of Town of High Level:

| **General Municipal** | **Tax Levy** | **Assessment** | **Tax Rate** |
|---|---|---|---|
| Residential/Farmland | $3,053,956 | 274,241,746 | **11.1360** |
| Non-Residential | 2,645,769 | 192,214,090 | **13.7647** |
| Machinery & Equipment | 1,554,300 | 112,919,250 | **13.7647** |
| Linear | 319,635 | 23,221,360 | **13.7647** |
| Revenue Due to Minimum Tax | 500 | | |
| **Total General Municipal** | **$7,574,145** | **602,596,446** | |

| **Alberta School Foundation Fund** | **Tax Levy** | **Assessment** | **Tax Rate** |
|---|---|---|---|
| Residential/Farmland | $751,562 | 274,550,120 | **2.7374** |
| Non-Residential | 776,782 | 192,214,090 | **4.0412** |
| Linear | 93,842 | 23,221,360 | **4.0412** |
| Machinery & Equipment | | 112,919,250 | **0.0000** |
| **Total ASFF** | **$** 1,622,186 | **602,904,820** | |

| Lodge | Tax Levy | Assessment | Tax Rate |
|---|---|---|---|
| Residential/Farmland | $69,929 | 279,024,120 | **0.2505** |
| Non-Residential | 48,583 | 193,943,090 | **0.2505** |
| Machinery & Equipment | 28,286 | 112,919,250 | **0.2505** |
| Linear | 5,817 | 23,221,360 | **0.2505** |
| **Total Lodge** | **152,615** | **609,107,820** | |

| Designated Industrial Property | Tax Levy | Assessment | Tax Rate |
|---|---|---|---|
| DIP Assessment | $ 10,731 | 153,091,470 | **0.0701** |
| **Total DIP** | **$ 10,031** | **153,091,470** | |

2. That the minimum amount payable per parcel as property tax for general municipal purposes shall be $500.

3. This Bylaw may be cited as the "*Town of High Level 2025 Property Tax Rate Bylaw No. 1054, 2025.*"

4. That this Bylaw shall take effect on the date of the third and final reading.

**READ A FIRST TIME** in Council this day of , 2025.

**READ A SECOND TIME** in Council this day of , 2025.

**READ A THIRD TIME** in Council this day of , 2025.

**SIGNED AND PASSED THIS** day of , 2025.

Mayor

Chief Administrative Officer

**Town of High Level**
**2025 Tax Year - 2024 Assessment Analysis**
**Area by Property Type Analysis (Including Linear)**

| Code | Description | Previous | New assessment | Growth & Policy Change | Inflation | Growth | Inflation |
|---|---|---|---|---|---|---|---|
| 101 | Farm Res/Site | 171,490 | - | (171,490) | - | -100.00% | 0.00% |
| 102 | Residential Imp/Site | 232,755,920 | 242,246,990 | 4,322,000 | 5,169,070 | 1.86% | 2.22% |
| 103 | Vacant Residential | 3,805,000 | 3,902,000 | (265,000) | 362,000 | -6.96% | 9.51% |
| 104 | Clergy Residential | 297,380 | 308,380 | - | 11,000 | 0.00% | 3.70% |
| 110 | Multi Family | 26,491,400 | 27,955,180 | 1,621,000 | (157,220) | 6.12% | -0.59% |
| 111 | Vacant Multi Family | 323,000 | 136,000 | (193,000) | 6,000 | -59.75% | 1.86% |
| 151 | Farmland | 8,620 | 1,570 | (7,050) | - | -81.79% | 0.00% |
| | | **$263,852,810** | **$274,550,120** | **$5,306,460** | **$5,390,850** | **2.01%** | **2.04%** |
| 202 | Comm Imp/Site | $103,600,700 | $103,499,230 | $2,685,600 | ($2,787,070) | 2.59% | -2.69% |
| 203 | Industrial Imp/Site | 55,291,320 | 56,670,960 | 1,410,000 | (30,360) | 2.55% | -0.05% |
| 207 | Muni Leased Comm | 4,080 | 5,040 | - | 960 | 0.00% | 23.53% |
| 252 | Vacant Commercial | 4,028,000 | 3,996,000 | (76,000) | 44,000 | -1.89% | 1.09% |
| 253 | Vacant Industrial | 1,187,000 | 1,446,000 | 81,000 | 178,000 | 6.82% | 15.00% |
| 301 | DIP Industrial | 23,876,960 | 24,462,340 | (130,060) | 718,270 | -0.54% | 3.01% |
| 302 | DIP Gas Dist. Sys | 21,660 | 21,380 | 21,380 | (280) | 98.71% | -1.29% |
| 303 | DIP Machinery/Equip | 92,875,340 | 103,273,250 | 6,283,770 | 4,575,570 | 6.77% | 4.93% |
| 402 | Machinery/Equip | 9,285,000 | 9,646,000 | (123,000) | 484,000 | -1.32% | 5.21% |
| 501 | Pipeline | 2,342,080 | 2,411,250 | 69,170 | - | 2.95% | 0.00% |
| 502 | Power Line | 16,481,340 | 17,034,540 | 553,200 | - | 3.36% | 0.00% |
| 503 | Telecom | 2,483,400 | 3,315,490 | 832,090 | - | 33.51% | 0.00% |
| 504 | Cable | 571,810 | 460,080 | (111,730) | - | -19.54% | 0.00% |
| 505 | Railway | 2,015,000 | 2,113,140 | 98,140 | - | 4.87% | 0.00% |
| | | **$314,063,690** | **$328,354,700** | **$11,593,560** | **$3,183,090** | **3.69%** | **1.01%** |
| 601 | Federal GIL | 4,170,000 | 4,474,000 | 298,000 | 6,000 | 7.15% | 0.14% |
| 603 | Provincial GIL | 456,000 | 2,118,220 | 1,434,220 | 228,000 | 314.52% | 50.00% |
| 701 | Federal MV. Imp Commercial GIL | 1,749,000 | 1,729,000 | - | (20,000) | 0.00% | -1.14% |
| 703 | Province Commercial GIL | 5,305,000 | 7,654,780 | 2,449,780 | (100,000) | 46.18% | -1.89% |
| | | **$11,680,000** | **$15,976,000** | **$4,182,000** | **$114,000** | **35.80%** | **0.98%** |

**2025 EDUCATION PROPERTY TAX REQUISITION**

**FOR**

**TOWN OF HIGH LEVEL**

## PAYMENT TO ALBERTA SCHOOL FOUNDATION FUND (ASFF)

| Assessment Class | Basic Rate (1) | Equalized Assessment(2) | ASFF Requisition (1) x (2) / 1,000 |
|---|---|---|---|
| Residential and Farmland | $2.72 | $274,051,759 | $745,420.78 |
| Non-Residential | $4.00 | $217,447,114 | $869,788.46 |
| **Total** | | | **$ 1,615,209.24** |

| | |
|---|---|
| **Total 2025 Property Taxes for Education:** | **$ 1,615,209.24** |

Report created on Mar 05, 2025.

# BOREAL HOUSING FOUNDATION

Box 865
9916 – 100 Ave
High Level, AB
T0H 1Z0
Phone: (780) 926-4118

March 26, 2025

Ms. Viv Thoss
Chief Administrative Officer
Town of High Level
10511 – 103 Street
High Level, Alberta
T0H 1Z0

Dear Ms. Thoss:

Re: **2025 Mackenzie House Lodge Requisitions**

At the March 24, 2025, regular board meeting, Boreal Housing Foundation was presented the audited financial statements for 2024. The 2025 requisition is calculated on the actual deficit (deficiency of revenue over expenses excluding requisition revenue) for 2024 breakdown as below.

I have calculated the requisition based on the 2025 equalized assessment of the three contributing municipalities.

| | | | |
|---|---|---|---|
| **Town of Rainbow Lake** | **$ 29,648,572** | **1%** | **$ 8,479.33** |
| **Town of High Level** | **$ 593,662,043** | **18%** | **$152,627.97** |
| **Mackenzie County** | **$2,673,763,271** | **81%** | **$686,825.86** |
| **Totals** | **$3,297,073,886** | | **$847,933.16** |

A copy of our 2024 audited financial statements can be sent out for your information. Thank you for your consideration. Should you require further clarification, please contact myself at 780-926-4118 or my cell (780) 667-3898.

Sincerely,

Mary Mercredi
Chief Administrative Officer

Alberta Municipal Affairs

**Municipal Assessment & Grants Division**
**Assessment Services Branch**
15th floor, Commerce Place
10155 - 102 Street
Edmonton, Alberta T5J 4L4
Canada
Telephone: 780-422-1377
Fax: 780-422-3110
www.alberta.ca

March 31, 2025

Viviane Thoss
Chief Administrative Officer
Town of High Level
10511 - 103 Street
High Level, Alberta T0H 1Z0

cao@highlevel.ca

Dear Chief Administrative Officer:

**Subject: 2025 Tax Year – Designated Industrial (DI) Property Requisition**

Legislated changes within the *Municipal Government Act (MGA)* has the cost of centralization of DI Property assessments recovered through a requisition paid by the DI property assessed persons.

The 2025 provincial uniform tax rate for all DI property assessment was set at **$0.0701** per $1,000 of DI property assessment as per Ministerial Order No MAG:004/25.

If the total requisition amount is less than $1,000 for a municipality, there will be no requirement to remit payment, but it still must be applied to the DI property owners' tax bill.

The details of the requisition amount and any balance forward from the 2024 requisition for your municipality is included in the attached notice.

A reconciled notice will be sent to municipalities in early 2026 and will reflect DI property assessment changes that occurred in the year as a result of an amendment, Land and Property Rights Tribunal decisions, or a supplementary assessment. Credit balances or any unpaid balances owing will also be reflected on the 2025 requisition payable by the municipality.

If you have any questions about the requisition, please contact Ken Anderson, Manager, Finance and Administration at (780) 427-8962 or email at ken.anderson@gov.ab.ca.

We look forward to maintaining a strong working relationship as we move forward with centralization.

Sincerely,

Victoria Bachmann
Executive Director
Assessment Services Branch
Attachment

# Alberta Municipal Affairs
## 2025 Tax Year Designated Industrial (DI) Property Requisition Notice

**Municipal Code:** 0146

**Municipality:** Town of High Level
10511 - 103 Street
High Level, Alberta T0H 1Z0

**Notice Date:** March 31, 2025
**Tax Year:** 2025
**Due Date:** 30 days from Municipal tax due date
**Ministerial Order:** MAG:004/25
**Tax Rate[3]:** $0.0701 per $1,000

PLEASE MAKE CHEQUES PAYABLE TO **GOVERNMENT OF ALBERTA** AND MAIL TO:

Alberta Municipal Affairs
Assessment Services Branch
15TH Floor Commerce Place
10155 - 102 Street NW
Edmonton AB T5J 4L4
Canada

THIS DOCUMENT IS ISSUED BY:

Alberta Municipal Affairs
Assessment Services Branch
15TH Floor Commerce Place
10155 - 102 Street NW
Edmonton AB T5J 4L4
Canada
Ph: 780-422-1377

| Remittance Balance from Previous Years | 2024AY* DI Property Assessment | 2025 DI Property Tax Requisition | Government Policy Credit | LPRT/Court Decisions Credits Previous Years | 2025 Remittance Credits | Balance on Requisition |
|---|---|---|---|---|---|---|
| $-30.42 | 153,091,470.00 | $10,731.71 | $0.00 | $0.00 | $0.00 | $10,701.29 |

Notes:

1. 2024AY* = 2024 Assessment Year
2. All taxable designated industrial property is subject to the requisition.
3. 2025 tax rate is per $1,000.00 of Designated Industrial (DI) Property Assessment
4. The tax rate set by the Minister must be the rate applied. **Do not adjust the rate.**
5. Machinery and equipment exempted from taxation by municipal bylaw under Section 364(1.1) of the Municipal Government Act is not subject to the DI Requisition.
6. Properties, where GIPOT is paid, are not subject to the DI Requisition.
7. Government Policy Credit reflects: 2025 requisitions under $1000 canceled, and/or Designated Industrial Requisition Credit (DIRC).
   a. If the annual DI Property Tax Requisition is less than $1,000 for a municipality, there will be no requirement to remit payment, but it still must be applied to the DI property owners' tax bill.
8. LPRT/Court Decisions Credits Previous Years: reflects reduction in the DI Requisition owing due to decision affecting previous years assessments and therefore the DI requisition.
9. A minus ( - ) symbol in the "Balance on Requisition" box indicates a credit balance.

# OLD BUSINESS

# NEW BUSINESS

CORRESPONDENCE FOR ACTION

Peace Library System

8301 – 110 Street
Grande Prairie, AB
T8W 6T2

(780) 538-4656
FAX (780) 539-5285

01 January 2025

High Level Municipal Library Board
10601 - 103 Street
High Level, Alberta T0H 1Z0

Dear High Level Municipal Library Board:

In support of your membership in the Peace Library System, I have enclosed an invoice covering the period of 01 January to 30 June 2025 for allotment fund purchases. Please note the following:

- The population count for this invoice is based on Alberta Treasury Board and Finance 2023 Official Population Estimate.

- The invoice indicates the amount going into your allotment account and the amount your board is contributing towards the purchase of regional collections such as e-Books and e-Audiobooks.

Should you have any questions regarding the above-mentioned billing, please do not hesitate to contact me at 587-407-0434.

Thank you for your continued support of Peace Library System and libraries in your community.

Sincerely,

Louisa Robison
CEO

Enclosure

**Peace Library System**

8301 110 St
Grande Prairie AB  T8W 6T2
+17805384656
accounts@peacelibrarysystem.ab.ca
www.peacelibrarysystem.ab.ca

# INVOICE

BILL TO
High Level Municipal Library Board
10601 103 street
High Level AB  T0H 1Z0

| | |
|---|---|
| INVOICE | 1757 |
| DATE | 01/01/2025 |
| TERMS | Net 30 |
| DUE DATE | 31/01/2025 |

| DATE | DESCRIPTION | QTY | RATE | AMOUNT |
|---|---|---|---|---|
| January - June Billing Period | Library Allotment Account(s) | 3,992 | 1.125 | 4,491.00 |
| | Regional Resources | 3,992 | 0.25 | 998.00 |

SEMI-ANNUAL BILLING

2023 Population Count: 3992
Full Year Allotment Rate: $2.750
Half Year Allotment Rate: $1.375

ALLOTMENT DISTRIBUTION

Library Allotment Account(s): $1.125
Regional Resources: $0.250

BALANCE DUE **CAD 5,489.00**

Payment by EFT: 07199 - 219 - 00730280024
Submit Remittance Slip to: info@peacelibrarysystem.ab.ca

# CORRESPONDENCE FOR INFORMATION

**Viv Thoss**

**From:** Northern Alberta Elected Leaders <northernalbertaelectedleaders@gmail.com>
**Sent:** Thursday, April 10, 2025 11:07 PM
**To:** Northern Alberta Elected Leaders
**Subject:** Fwd: March 14 NAEL Meeting Minutes
**Attachments:** image001.png; 2025 03 14 Northern Alberta Elected Leaders Meeting Minutes - Draft.docx

This message's attachments contains at least one web link. This is often used for phishing attempts. Please only interact with this attachment if you know its source and that the content is safe. If in doubt, confirm the legitimacy with the sender by phone.

Hello NAEL Members!
Please find attached the draft minutes from the last NAEL meeting in Peace River. For those that attended in person or by Zoom, could we kindly ask you to take a look, and let us know of any errors or omissions by the end of day next Thursday, April 17. Once we compile any improvements, we will send them out to share with your Council. Once again, thanks to Kayla Parsons from the Town of Peace River for her help with the minutes.
Thanks
Jim Rennie
Northern Alberta Elected Leaders

Northern Alberta Elected Leaders

59 Leedy Drive
Whitecourt, Alberta T7S 1X1
780-778-0202

northernalbertaelectedleaders@gmail.com

Minutes
March 14, 2025
Peace Valley Inn, Emerald Room
Peace River, Alberta

Attendees (In Person):

| | |
|---|---|
| Carolyn Kolebaba | Chair, Northern Sunrise County |
| Donna Buchinski | Town of Falher |
| Elaine Manzer | Town of Peace River |
| Gary Rycroft | Town of Beaverlodge |
| Vern Lymburner | Town of Valleyview |
| Philip Kolodychuk | MD of Fairview |
| Kate Potter | Town of Sexsmith |
| Nick van Rootselaar | MD of Spirit River |
| Agnes Roshuk | Village of Nampa |
| Josh Knelsen | Mackenzie County |
| Robert McLeod | Town of Manning |
| Brian Panasiuk | Town of High Prairie |
| Stacey Messner | Town of Grimshaw |
| Shelly Shannon | Town of Peace River |
| Kelly Bunn | MD of Peace |
| Robert Willing | MD of Peace |
| Albert Poetker | Birch Hills County |
| Murray Kerik | MD of Lesser Slave River |
| Robert Brochu | MD of Smokey River |
| Tyler Airth | Big Lakes County |
| Jim Zabolotniuk | Big Lakes County |
| Margaret Jacob | Town of McLennan |
| Barb Miller | Town of Peace River |
| Nicole Johnson | Village of Berwyn |
| Jackie Clayton | City of Grande Prairie |
| Rory Tarant | City of Grande Prairie |
| Terry Ungarian | County of Northern Lights |
| Jim Rennie | NAEL Executive Director |
| Kayla Parsons | Town of Peace River (Recording Secretary) |

Attendees (Zoom)

| | |
|---|---|
| Kelly Peterson | Town of Wembly |
| Karen Rosvold | Rural Municipalities of Alberta |
| Gerhard Stickling | County of Northern Lights |
| Cary Merrit | Saddle Hills County |
| Cindy Millar | Northern Sunrise County |

| | |
|---|---|
| Bob Marshall | County of Grande Prairie |
| Julie Melville | Town of Rainbow Lake |
| Allan Rowe | Clear Hills County |
| Daryl Greenhill | Town of Fairview |
| Joulia Whittleton | County of Grande Prairie |
| Amber Bean | Clear Hills County |
| Leanne Beaupre | County of Grande Prairie |

1. **Call to order**
   Chair Kolebaba called the meeting to order at 10:00 a.m.

   a. Greetings from Mayor Elaine Manzer, Town of Peace River

   We acknowledge the homeland of the many diverse First Nations, Metis, and Inuit peoples, whose ancestors have walked this land since time immemorial. We are grateful to work, live, and learn on the traditional territory of Treaty 8.

   Updates from Peace River:

   i. Approval of a new 84-unit apartment building on the West Hill between No Frills and the Chevrolet Dealership.
   ii. Working on a LUB Refresh, anticipated to be completed June 2026. Lots of new, modern changes.
   iii. AB Transportation is seeking a new contractor to complete the new bridge construction.
   iv. Working on formation of newly mandated policing committee.
   v. Glad to hear the Province is bringing back the Grants in Lieu of Taxes program.
   vi. Hot Tub replacement project is still ongoing. The hot tub has been out of commission for several years. Project has been tendered twice with only one submission received each time. Project quoted significantly over budget.
   vii. Conducting the Enabling Housing Choices project with the Rural Development Network.
   viii. Experienced two apartment fires last year.
   ix. Two part time nurse practitioners are joining the clinic soon.
   x. Upcoming events: Jet boat races in June; dodgeball tournament in May.

2. **Request to be allowed to record meeting.**
   Chair Kolebaba asked attendees if anyone objected to recording the meeting.
   a. No objections were received.

3. **Adoption of Agenda**

**MOTION:** Donna Buchinski, Mayor, Town of Falher, moved to adopt the agenda.
*CARRIED*

4. **Roundtable and Introductions**
   *Requested by Becky Ketchum, Councillor, Town of Wembley, to include during roundtable: how your community is tying your economic development planning to attraction and retention of medical professionals?*

a. Gary Rycroft, Mayor, Town of Beaverlodge
    i. Have not tied economic development to attraction of medical professionals.
    ii. Collaborate with their regional partners for attraction and retention of medical professionals.
    iii. Breaking ground soon for construction of new medical facility; $1.7M project over approximately 3 years.

b. Vern Lymburner, Mayor, Town of Valleyview
    i. Valleyview has been in the news lately regarding Council's decision to move the library from its current location. Will be meeting with 2SLGBTQ+ group to discuss their concerns over this decision, and reassure them that they will still have a home at the library's new location.
    ii. Last year, Council tried to change how the mayor is elected, switching from election at large, to electing from the group of seven councillors. However, there was an error in the adopted procedure, so they are required to revert back to the mayor being elected at large.
    iii. Encouraging a shop local campaign.
    iv. Traffic Circle – Valleyview is no longer on the hook for the entire $6M upgrade. Thank you to everyone for assistance in getting to this place.

c. Donna Buchinski, Mayor, Town of Falher
    i. Passed their new Land Use Bylaw on Tuesday.
    ii. Received funds through climate change management grant for the ice at the arena, switching to 'Ready-Ice' that is supposed to be compatible with cold water flooding. This did not work. Cold water flooding does not fill divots in the ice, etc. The players did not like the change and had to move the location of their playoffs because of the issues. Will be going back to flooding with warm water.
    iii. Alberta Municipalities has videos on their website for people thinking about running for Council. Lots of good information.
    iv. Physician recruitment - have a standalone committee for the area; has been operating for over 20 years, very successfully; 5 regional communities. Have a coordinator for the role that all communities pay for. They are currently seeking one doctor.

d. Philip Kolodychuk, Reeve, MD of Fairview
    i. MDP is just about complete and likely to be passed at the next council meeting.
    ii. Director of Public Works retired after 30+ years.
    iii. Hired a new CAO.
    iv. Have five doctors now; three arrived in December.
    v. Disappointed in the Provincial budget re Northwest Polytech
        1. Applied to do upgrades to the college to bring in more students
        2. Only received $1M for upgrades in GP campus.

e. Kate Potter, Mayor, Town of Sexsmith
    i. Attraction/Retention is part of their Economic Development Strategic Plan but does not tie to doctor attraction and retention specifically.

1. Offer incentives to new businesses to set up in Town, including no interest loans and tax breaks.

ii. Significant development to hopefully come through in the next couple months – mix of residential and commercial.
iii. Undertaking some significant storm water infrastructure projects.
iv. Looking into P3 Recreation Centre – if anyone has done this before, would love to hear from you
    1. suggestion to reach out to Whitecourt as they might have.

f. Elaine Manzer, Mayor, Town of Peace River
    i. Attraction and retention:
        1. Town supports the Peace River Shell Rotary House. Provides temporary housing for medical professionals.
        2. Also have a Peace Regional Healthcare Attraction & Retention Committee, with representatives from around the region
        3. Doctors are looking at amenities – housing, schools, recreation, culture, etc.
    ii. Alberta Energy is looking to develop a nuclear powerplant, potentially in the region. Have formed a Regional Energy Committee who have been actively engaged with Alberta Energy on this potential development.
    iii. Woodland Cree First Nation bought 32 acres in town and have applied to convert the lands to urban reserve. Admin will be negotiating agreements etc., for services.
    iv. Hired a Business Retention Specialist (i.e. Economic Development Officer).

g. Nick van Rootselaar, Deputy Reeve, MD of Spirit River
    i. Dealing with same challenges discussed at last meeting in Grimshaw
    ii. Meeting with Agriculture and Transportation ministers
    iii. Healthcare update:
        1. currently fully staffed – first time in a long time.
        2. Housing is an issue, working on affordable housing initiatives
    iv. Looking at urban acreages – a lot of interest expressed for this type of housing.

h. Agnes Roshuk, Deputy Mayor, Village of Nampa
    i. Council representative sits on the Peace Regional Healthcare Attraction & Retention Committee.
    ii. Gearing up for a summer of infrastructure work.

i. Josh Knelsen, Reeve, Mackenzie County
    i. Medical attraction and retention philosophy: embrace what we have. Stand firm in our culture/beliefs/values. Showcase what we have and be proud, it will attract those that share your values. This has been working well.
        1. Birthing centre being built soon
    ii. Biggest issue right now is Provincial downloading.
    iii. Don't have an enforcement issue – we have a Justice issue.
    iv. Well capping under provincial mandates continues.

j. Robert McLeod, Mayor, Town of Manning

i. Healthcare attraction and retention:
    1. High school experience – 5 stations set up to imitate experiences working in the medical industry.
    2. Currently have enough doctors and nurses.
    3. Town offers housing and paid utilities.
ii. Need to be looking at what is strong and important in our communities and build on that
    1. Our arena brings people together; fun rivalries; builds community spirit.
iii. New school and lodge developments are coming along. Only small finishes left. Frustrating trying to get the contractors to come back to finish the projects.
iv. Finding more speed trap locations in speed change zones. Doesn't think this is right.

k. Brian Panasiuk, Mayor, Town of High Prairie
    i. Hired a new CAO.
    ii. Signed contract to put in a splash park this summer.
    iii. Had issues with recycling costs and had to temporarily pull recycling. Residents were not happy. But Town is hopeful the problem will be solved by incoming EPR program and newly sourced recycle program pricing.
    iv. Healthcare attraction and retention:
        1. Work with doctors' families, make them feel welcome.
        2. Issue: rental accommodations. Looking for solutions. How do we encourage developers to build?
        3. Town also contributes money towards rent if professionals are coming from out of country.

l. Stacey Messner, Deputy Mayor, Town of Grimshaw
    i. Healthcare attraction and retention:
        1. Chair of Healthcare Committee in Grimshaw, which consists of representatives from regional municipalities.
        2. Ec Dev is an important part of their committee. Ec Dev officers know what is going on which helps enable the committee to promote the community. Work with Lac Cardinal Economic Development.
        3. We have a dedicated page on our website to showcase what the Town has to offer.
        4. Grimshaw's committee is very active. Healthcare professionals work hard for us, so we must work hard for them.
        5. This is the third year of our scholarship program.
            a. There are 6 scholarships available: $2,000 each
            b. 4 graduating from university this year – hopeful to have some come back and work in the region.
            c. Starting to review program stats and reevaluate – do we need to make any changes? Considering a return to location for work condition.
        6. It is important to have a relationship with RhPAP. They have great programs.

m. Shelly Shannon, Councillor, Town of Peace River

i. Most updates covered by Mayor Manzer.
ii. We have a strong Economic Development Committee.
iii. "Grow your own" – instilling values in the younger generation which bring them back to the community.

n. Kelly Bunn, Interim CAO, MD of Peace

o. Robert Willing, Reeve, MD of Peace
    i. Kelly Bunn is currently Acting CAO. Actively searching for a new CAO.
    ii. Involved with the Regional Energy Committee.
    iii. Healthcare attraction and retention:
        1. Already covered by Grimshaw & Peace River. Have representatives that sit on Grimshaw's and Peace River's Healthcare Attraction Committees.
    iv. Still waiting to hear from the Province regarding funding for the wildfire that happened last year. Feels like they are hitting a brick wall. It took over 8 months to get the investigation report, but it was so heavily redacted that it did not give a lot of information.

p. Albert Poetker, Reeve, Birch Hills County
    i. Healthcare attraction and retention:
        1. Work with their surrounding municipal partners.
        2. Clinic is fully staffed; but there is still a long waiting list.
        3. Doctors not seeing the same number of patients as doctors in years past.
        4. Short housing. Many doctors are coming from out of country and cannot commute. They need housing in the community, close to the hospital/medical facility.
        5. Pleasant View lodge is not fully staffed yet.
    ii. Oil company went bankrupt. Will have a large shortfall in taxes because of this. Not sure how much can be recovered in liquidation as they appear to have run everything down. AER dropped the ball in keeping them accountable earlier.
    iii. Renewing gravel pit permits in the County.
    iv. Public Works needs another $65k for archaeological and paleontological studies. Feels like this was downloaded and should be a Provincial responsibility.
    v. Discussions with Nucleon Energy for a SMR development.

q. Murray Kerik, Reeve, MD of Lesser Slave River
    i. Also have a Healthcare Attraction/Retention Committee formed
        1. Operating room closed because there is no anesthesiologist.
        2. New ambulance garage should be open this summer.
    ii. A lot of work on LUB and MDP.
        1. Removed keeping of animals and put into a different bylaw.
    iii. No movement on the smith bridge or highway 88. Province says engineered drawings are complete.
    iv. Also, no movement on Highway 2 repairs, not even engineered drawings.
    v. Just bought new public works equipment. Brace yourselves, prices have gone up.
    vi. Hired a new assistant CAO. Hopeful this will help with succession planning.

r. Robert Brochu, Reeve, MD of Smokey River
    i. Oil companies make up a large percent of the MD's tax base. Collection is not looking good. Hoping companies are not so run down that people won't want to buy.
    ii. Also involved in discussions with Nucleon Energy re nuclear development.
    iii. Windmill situation
        1. Still forging ahead. Anticipated timeline: AUC review/approval in 2026. Construction 2027. Operational 2029.
    iv. Crime issues are the same.
    v. New Hemp plant has start off slow but is moving ahead. Will likely start producing hemp fibers this summer.
    vi. Has been an elected official for 30 years. Will not be running in the next municipal election.

s. Tyler Airth, Reeve, Big Lakes County
    i. Healthcare Attraction & Retention:
        1. Similar situation to many. Hospital is staffed but RNs are green and still gaining experience. Doctors' opinion on staffing levels vs. AHS's is very different.
        2. EMS is an issue. Working on potential solutions - get more local interest. Would like to see schools get involved, maybe a shadow day program could be arranged.
        3. Not a lot of grants for paramedics.
        4. EMS - 16 positions but only 8-11 are filled. A lot of people doing double shifts or coming in from other areas.
        5. Bridging program partnership between Northern Lakes College and Athabasca University with the goal of bringing in RNs.
            a. Hoping to "grow local". Training healthcare professionals locally (with the exception of doctors).
    ii. One hamlet in the County has grown but the rest have shrunk.
    iii. Regional Ec Dev advocacy group, made up of multiple Rurals and First Nations, has been working really well and has been helpful in conducting studies. County falls in a weird spot between the Provincial REDAs.
    iv. Industry projects – black bear project; wind project (near swan hills); SMR project.

t. Margaret Jacob, Councillor, Town of McLennan
    i. EC Dev Board established to address some issues
        1. Over the past year, have built a foundation and now they are ready to move ahead.
        2. two major employers in Town – the hospital and nursing home lodge.
        3. Problem with healthcare support worker retention.
        4. Looking at working with the Urban Renewal Stream.
        5. Ec Dev Board is working very hard; they are very progressive and ready to work.
    ii. Town works with the Healthcare Attraction/Retention group formed by the MD. They are doing great work.

iii. Lacking commercial rental space and housing. Any available commercial space has high rental rates.
iv. Next election will see a reduction in number of Councillors – from 7 to 5.

u. Barb Miller, CAO, Town of Peace River
    i. Started our CPO program
        1. Hired a Director of Protective Services. Building our CPO program. Another CPO starting April 1. Hopefully will help address some of the social disorder and encampment issues the Town has been experiencing.

v. Nicole Johnson, Mayor, Village of Berwyn
    i. Purchased new equipment for Public Works. Small crew so they work hard to keep the community cleared of snow, etc.
    ii. Houses have been selling, which is good.
    iii. Small group working to bring back Berwyn Fiesta.
    iv. Ec Dev/Healthcare Attraction & Retention – looking at a Nurse Practitioner Attraction Policy. Hoping to attract one to the village. Could offer low-cost space to set up their practice.

w. Jackie Clayton, Mayor, City of Grande Prairie
    i. Healthcare Attraction & Retention:
        1. Healthcare attraction and retention have been a priority of Grande Prairie Council. They have seen great success in attracting Healthcare specialists.
        2. Worked with person in charge of HC recruitment and attraction at AHS.
        3. Also developed a “concierge service” which tours prospective doctors around the community. Have found this very helpful.
        4. Have signed ~90% of the specialists they have met with.
        5. Now focusing on family practitioners.
        6. Financials are not the only factors doctors consider.
        7. Working on a new attraction program to assist in attracting healthcare professionals. Will be a three-year program. E.g. the first year may give qualifying individuals access to passes for municipal facilities, etc. The second year WestJet vouchers, etc.
        8. Also developing a Healthcare Ambassador program. This will serve as a conduit for new doctors to learn about the community, where to go, what to do, etc. (i.e. will onboard people into the community).
        9. Used to hold a Mayor’s Physicians event. Have now pivoted and are focusing more on the families - bouncy castles and BBQ event. This has been fairly successful.
    ii. 32 members will be graduating from the GP Police Services course. Should have 50+ officers by summer. Full transition is expected to occur in 2026. If so, this would be ahead of schedule.
        1. Have seen a lot of interest in this program and have increased class sizes from 12 to 14. Received applications from +/- 200 people interested in taking the class.
        2. Also bringing on experienced members.

x. Terry Ungarian, Reeve, County of Northern Lights
    i. Healthcare Attraction & Retention:
        1. CNL does not have an Economic Development Officer at the moment.
        2. CNL participates in three healthcare attraction/retention committees: Grimshaw, Peace River, and Manning.
        3. Manning was approved by AHS for a fourth physician. There is a doctor interested and are in the process of completing their Canadian exams.
        4. Purchased a house for medical workers to utilize. It is strategically located near the hospital.
        5. Attended the refocusing workshop put on by AHS.
    ii. Most regions are short EMS personnel.
        1. Suggestion for the Province/AHS – get qualified driver to drive the ambulance. This way, you don't need two EMS trained individuals in the ambulance. Could assist in the interim with short staff issues.
    iii. Established the Regional Energy Committee (REC). It consists of five member municipalities – CNL, Northern Sunrise County, MD of Peace, Town of Grimshaw, and Town of Peace River.
        1. Formed almost a year ago.
        2. Acts as liaison between residents and energy companies proposing nuclear development
        3. Have received a lot of information from Energy Alberta.
        4. Energy Alberta just held an open house at the Webberville Hall. 400 people attended. Great turn out; great conversations.
        5. Attended SMR summit in Sherwood Park last week. Received a lot of valuable information.
        6. Another nuclear conference is coming up in Ottawa. REC will send a couple representatives.
        7. Joined Canadian Organization of Host Nuclear Communities. Located in Ottawa. AGM is at the same time as the conference. Hope to attend and learn more about being a host community.
    iv. Just had the Alberta Pond Hockey Championships at Lac Cardinal. It was a successful event.
    v. Growing the North Conference. CNL is a Silver Sponsor. It was a great event. AI was talked about a lot. USA change of government and tariffs were also largely discussed.
    vi. Community Rail Advocacy Alliance (CRAA) – continuing to push for more consistent rail service. Just did an op-ed in the Ottawa area about the importance of Rail Service.
    vii. Town Hall meeting this week to review water policy. Looking to revise the Policy based on some issues experienced last year.
    viii. The County's picker truck and steamer were stolen. Recovered but damaged. Ongoing investigation. Will have an impact on insurance premiums.

<u>Attendees Zoom:</u>

y. Kelly Peterson, Mayor, Town of Wembly
    i. Healthcare Attraction & Retention:

1. Looking at all options to keep local clinic open after their physician announced they are leaving.
2. Town of Bashaw gave a presentation as to what they are doing for physician retention. They have a different way of doing things.

ii. Hopefully an affordable living complex will be breaking ground this summer.
iii. New daycare waiting on licensing.

z. Karen Rosvold, Rural Municipalities of Alberta
   i. 2025 Spring RMA Conference kicks off on Monday
      1. For the first time RMA will be having a closed session for members only.
      2. 4-year governance review will be reported at the conference.

aa. Gerhard Stickling, CAO, County of Northern Lights

bb. Cary Merrit, CAO, Saddle Hills County
   i. Running rural potable waterlines. $50+ million spent over the last few years to undertake this project.
   ii. Project Aurora – connecting county residents to fiber internet.
   iii. Constructing a raw water intake on the Peace River (near Dunvegan Bridge). Tender is expected to close at the end of April.
   iv. New health clinic open and fully occupied.
   v. Also opened a clinic for a nurse practitioner at the county office. NP was hired and has 250+ patients.

cc. Cindy Millar, CAO, Northern Sunrise County
   i. Energy Alberta's Website: https://www.energyalberta.com/

dd. Bob Marshall, Reeve, County of Grande Prairie
   i. Healthcare Attraction & Retention:
      1. County has a committee for attraction and retention
      2. NW Polytech and U of A are partnering to bring a medical program to northern Alberta – Northern Alberta Medical Program (NAMP). This program will start this fall.
      3. Maskwa Medical Centre – Province has signed off on the Land. Project is moving ahead.
   ii. Global Agri-Tech conference in San Francisco this week. Sent a delegation to promote agriculture.
   iii. World Petrochemical Conference in Huston this month (largest petroleum conference).
      1. AI, power generation, data centres, race between China and the USA. Canada has a huge opportunity right now.
   iv. RCMP looking to locate a detachment in Clairmont.
   v. Preparing for wildfire season.

ee. Julie Melville, Deputy Mayor, Town of Rainbow Lake
   i. NW Health Centre provides a doctor once or twice a week.
      1. EMS being pulled from the community is a concern.

ii. Community's biggest issue: lack of a grocery store. The nearest store is 140km away. One of the reasons residents are leaving the community.
iii. Kicking off the Winter Carnival tonight. Great event that brings the community together.

ff. Allan Rowe, CAO, Clear Hills County
i. Working on preparing the election voter list

gg. Daryl Greenhill, CAO, Town of Fairview
i. Participating in the Enabling Housing Choices project with Rural Development Network. Community has very little housing/rental stock.
ii. Received the small community opportunity grant for sustainable growth project – business plans in a box.
iii. Lots of events planned for this summer.

hh. Joulia Whittleton, County Manager, County of Grande Prairie
i. Away from screen when called upon.

ii. Amber Bean, Reeve, Clear Hills County
i. Working on fiber optic internet installation for the County with a local company.
ii. Development - still planning for a fire hall.
iii. Ecological Corridors in the area for species at risk (e.g. Caribou).

jj. Leanne Beaupre, Councillor, County of Grande Prairie
i. Has decided not to run in the next election.
1. It has been a pleasure working with everyone. Thank you for the learning, friendship, and comradery. Wish all those running again the best!

Donna Buchinski, Mayor, Town of Falher added:

- Falher has now lost their local bank branch. This was a very disappointing decision. Bank was not open to any discussion, not even to keep the ATMs operational.

**MOTION:** Vern Lymburner, Mayor, Town of Valleyview, moved to accept the round table introductions for information.
*CARRIED*

**5. Adoption of the Minutes**

**MOTION:** Robert Willing, Reeve, MD of Peace, moved to adopt the Minutes of the November 8, 2024, meeting, as presented.
*CARRIED*

**6. Old Business**

a. Update on meeting between NAEL and NADC
i. A delegation on behalf of NAEL met with Northern Alberta Development Council (NADC). MLA Tany Yao, chair for NADC was in attendance.

ii. NAEL representatives asked NADC to consider hosting an investors conference in the North. NADC said they would take the suggestion under advisement.
iii. NAEL would also like to know when the Rural Caucus is coming to northern Alberta?
iv. NAEL also asked NADC to resume championing for the North. This used to be a consistent practice by NADC but has fallen into silence.
    1. NADC said they are working on a strategy.
v. NADC did not provide any comments regarding their stance on nuclear development
vi. **Suggested Action Item:** Start copying NADC on all NAEL advocacy letters. Will help keep NADC informed regarding issues members are facing.

Question: NADC is supposed to have a report coming out. When is this scheduled to happen?

A: No confirmed date but hopefully soon. Supposed to be a very detailed report with a lot of recommendations for the Province.

Comment: Town of Grimshaw noted the NADC has donated money to scholarship programs.

**MOTION:** Robert McLeod, Mayor, Town of Manning, moved that NAEL write NADC to inquire about NADC's obligations/mandate for the north.
*CARRIED*

**7. New Business**

a. Acceptance of Financial Report
    i. Some municipalities have not paid their 2024 and 2025 membership dues.
    ii. **Action Item:** in the future it would be helpful to have the years split out in the report.
    iii. May be of benefit to do a review of expenses and membership fees to ensure we are collecting enough funds and spending within our means.
        1. Jim Rennie: Budget forecast – once we collect outstanding fees, we should be fine for this year and likely next year. Could be a good discussion for the end of the year as to how the group wants to move forward.
        2. **Action item:** Create a list of outstanding invoices and Chair Kolebaba will follow up.

**MOTION**: Stacey Messner, Deputy Mayor, Town of Grimshaw, moved to accept the financial report with verbal comments, for information.
*CARRIED*

**MOTION:** Terry Ungarian, Reeve, County of Northern Lights, moved that the meeting move into closed session in accordance with FOIP s. 21-24.
*CARRIED – 12:13 p.m.*

Meeting recording was paused. Virtual attendees verified their locations met closed session requirements.

b. Discussion on 2025 Provincial Budget (closed session, per FOIP Act Sections 21-24 Intergovernmental Affairs)

**MOTION:** Brian Panasiuk, Mayor, Town of High Prairie, moved that the meeting return to open session. *CARRIED – 12:41 p.m.*

8. Chair Kolebaba recessed the meeting for lunch at 12:41 p.m.

   Chair Kolebaba resumed the meeting at 12:49 p.m.

9. Presentations
   a. Rory Tarant, Director of Invest Grande Prairie - Electricity Market Presentation
      i. Have been conducting some advocacy focused on distribution charges.
      ii. Most other Provinces have only one distribution provider. Alberta is unique with more than one.
      iii. Distribution is aggregated and split among those in the region. Fewer residents equals less people to split the distribution amongst.
      iv. ATCO (northern Alberta distributor) has the highest distribution rates. Nearing 3.5 times higher than what larger centres are paying.
         1. This disparity continues to increase as time goes on
         2. 5.5% of household income is being spent on energy. $4800/year. Distribution is 25% of this average.
         3. More difficult to quantify larger industry impact. But they are paying significantly more than the FORTIS services area.
         4. 60% of energy demand in the ATCO service area is driven by industrial customers. Advocating that more of the Province should pay for this as everyone benefits
      v. 2023 and 2024 ATCO lost $130M worth of distribution infrastructure due to wildfire. This has not helped.
      vi. Electricity generation is across the Province.
      vii. Grande Prairie has done a significant amount of advocacy on this.
         1. Resolutions presented and passed at AB Munis and RMA.
         2. AB Munis resolution is up for renewal. Will bring it again at the conference this fall.
         3. We understand living in the North means we pay more but shouldn't be to such a high degree.
         4. Province is aware of the issue. There is a piece of legislation coming forward with some revisions; however, they are struggling with the distribution piece. They were looking at how to equalize the entire province. However, the City of Calgary was not on board. EPCOR (City of Edmonton) was on board. Legislation slated to come forward in the fall, so there is still a window.
         5. Will continue to advocate.

Grande Prairie – will keep the group posted on electricity distribution advocacy. Likely

send forward a couple ideas in preparation for RMA conference.

b. CN – Monty Armstrong, Fire Prevention Officer and Erik Lundgard, Supervisor for Alberta North
    i. Overview of operations across Canada and specifically Alberta
    ii. Reviewed advancements in technology made in recent years to improve safety
        1. Autonomous Track Inspection Program (ATIP) – proactive infrastructure risk management.
        2. Technology Mechanical – Inspection Portals – successfully identified risks on tracks.
        3. Wayside Detector technology – helps identify a problem before it can cause a significant issue, particularly with wildfires.
        4. Poseidon, Neptune, and Trident – specialized train cars that can be deployed to help with fire suppression.
        5. Have 20 tank cars filled with water placed strategically throughout the rail network as a fire mitigation strategy.
    iii. Developed two incident-training facilities.
    iv. Looking at various wildfire technologies to improve early detection.

    Question: How are you controlling your ROW along the tracks for fire prevention?

    A: you can report issues on our website. This year we have changed how far from the ROW we spray for weed control. This should help to remove problem vegetation.

    Question: There is a lot of garbage – ties, steel, etc. – located in many of the Hamlets that CN Rail runs through – is there a plan to clean this up?

    A: Yes, we are building a plan to clean up the ties, etc. There are a lot throughout the rail system, but we are plugging away at it. There is only one place in Canada we can ship them to for disposal. They are currently backed up, so then we get backed up. All railways in Canada are struggling with this.

10. MLA Reports
    a. Honourable Dan Williams, MLA Peace River and Minister of Mental Health and Addictions (MHA)(1:11 p.m.)
        i. MHA – addressing a number of problems all at once.
            1. Public addiction crisis. People are living intermittently homeless, living in encampments that can be dangerous.
            2. There is rising public disorder.
            3. People dealing with addiction/mental health crisis deserve dignity and treatment and our communities deserve safety
                a. Compassionate intervention - building a northern and southern facility for this (budget has $180M). Projecting 150 beds per facility. In the meantime, province is looking to set up 50 beds in the north and 50 in the south, so we can start project immediately, instead of waiting for the capital build to start.
                b. E.g. one person overdosed 186 times in Alberta. This is not okay. This is not compassionate.

    c. If someone is a danger to themselves or others, they can receive mandatory treatment. Will also be replacing the under 18 legislation
4. Looking to make other changes as well. E.g. modifying the need for an officer to stay and wait with the patient, reducing the time officers need to spend waiting in hospitals.
5. All of this is reviewable by the courts to ensure that we maintain a balance.
6. Also looking to create legislation creating hire standards at treatment and detox facilities.
7. Revamping how we deal with mental health.
    a. Need to do more for early intervention and address basic needs.
    b. Yes, the government is part of the solution, but the purpose is to partner with individuals, families, and communities, creating pathways to access necessary services.
8. Local update:
    a. A lot of work going on in our communities.
    b. Great team of MLAs for Northern Alberta.
    c. Provincial budget:
        i. Huge amount of value for school projects happening across the north.
        ii. Just under half a billion when it comes to infrastructure and capital, including highway upgrades/repairs.

Comment: Sorry to see that an increase in FCSS program funding was not provided in the 2025 budget. This IS a preventative program and ties into what you are saying about early prevention. So, it is very disappointing this was not increased.

Question: Northern Alberta Medical Program – we need physicians teaching. If they are already short staffed, how will they have time to teach? How can they train other rural doctors? Would like to see support for this program so it can be brought to fruition successfully.

A: Yes, agreed.

Question: Can we get a treatment centre at the PRCC?

A: There is a plan to bring Therapeutic Living Centres to all correctional facilities. Some already have them, but the Province is looking to expand the program, including Peace River. The program is showing positive results in locations it is already running.

Question: the Education Minister cut some school programs that could also serve as early intervention. Where is the disconnect?

A: This was a pilot project started during COVD. It was renewed for one year based on feedback; however, funding for this was not indefinite.
There is work to be done but we also don't want to see schools turning into mini hospital units.

Leanne Beaupre, Councillor, County of Grande Prairie – Government of Alberta announced $35 million in funding for a 50-bed long-term addiction recovery facility, in Clairmont. Anticipate doors opening in 2027.

***Advocacy***

- **Action Item:** NAEL to request a meeting with Premier Smith.
    - Premier Smith may be scheduled to be in our region in June and usually attends the La Crete Rodeo. Perhaps suggest that we arrange the meeting during this time.

**MOTION:** Shelly Shannon, Councillor, Town of Peace River, moved that NAEL write a letter to Premier Smith requesting a meeting.
*CARRIED*

11. Date and Location of next meeting
    a. June 13, 2025 at 10:00 a.m., hosted by Town of Beaverlodge

    What would you like on next agenda?

    - Northern Alberta Medical Program – Dr. Richard Martin

    - presentation from NADC

    - Also need to encourage our MLAs to attend these meetings

12. Motion to adjourn
    a. Meeting adjourned at 2:04 p.m.

INTERNAL CORRESPONDENCE FOR INFORMATION

626

**Department:** Emergency Services
**Month/Year:** March 2025

## Monthly Activity Summary

### Fire Services

| Nature of Calls | Number of Calls | Nature of Calls | Number of Calls |
|---|---|---|---|
| First Response Medical | 19 | MVC | 3 |
| Assist EMS | 14 | False Alarms | 5 |
| Cancelled Medical | 5 | Structure Fire | 1 |
| | | Vehicle Fire | 1 |
| | | | |
| **Total Calls February 2025** | **48** | | |
| **Total Calls February 2024** | **54** | | |
| **Call volume for 2025** | **154** | | |

The Fire Department weekly training concentrated Fire Origin and Cause, Firefighter Rapid Intervention and CPR, Hose management and horizontal standpipes, Salvage and overhaul. Medical Training concentrated on Overdoses and Naloxone Administration.

1 Recruit started the firefighter application process

Advertised and started interviews for new Work Experience Firefighter positions.

**WUI Team**

The WUI Team prepared for the spring training season, worked on the training plan for the new teams and filled two positions for vacancies with internal hires.

**Emergency Management**

There were no activations in March 2025.

**Enforcement**

| Nature of Calls | Number of Calls |
|---|---|
| Animal Complaints | 4 |
| RCMP Transfer | 1 |
| Bylaw Complaints | 5 |
| Disturbance Call | 5 |
| Public Complaints | 7 |
| Provincial Files | 10 |
| Traffic (Snow Removal) | 4 |
| Assist External Agency | 3 |
| Traffic Violation | 3 |
| Work order (Clean up) | 1 |
| **Total Calls February 2025** | **43** |

**Safety**

No reported incidents.

Updated documentation for young workers to meet changes in OH&S Code and directives on Working alone legislation and Violence and Harassment Prevention Plan

## Ongoing Projects

- Working with TSAG on spring training for First Nations at Training Facility
- Spring Fire Department training plan
- Review of Enforcement Files

## Upcoming Initiatives

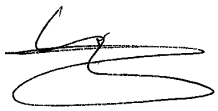
- Work Experience Program Spring training and orientation

## Approvals



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CAO – Viv Thoss



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Author – Rodney Schmidt
Director of Emergency Services

**Department:** Community Services
**Month/Year:** March 2025

## Monthly Activity Summary

- **Arena-** Arena staff have begun their seasonal shutdown process, focusing on cleaning and painting within the facility. In addition, coordinating with Public Works to streamline the cleanup and maintenance of parks, green spaces, and trails to ensure a well-maintained and welcoming community environment.

- **Pool-** The facility is open five days a week and offers a variety of swimming programs, including public swims, lane swims, aquafit, and after-school swimming lessons. Special sponsored swims were held with the support of local businesses and organizations, providing free opportunities for the public.

- **FCSS-** In Family and Community Support Services (FCSS) and Recreation, we have been actively engaging with the community through various programs and initiatives. The Snow Angels Project has 16 participants and provides essential snow and ice removal for seniors and those with mobility challenges. Additionally, we have organized Youth Night at the pool, dance classes, and assisted seniors with government forms. While also planning upcoming events such as adult basketball, family gym nights, youth sports nights, and an Easter event.

- **Recreation-** We successfully hosted the Walking Club, with 42 attendees, and continued with the Cruise & Play program, which had 35 participants and four new families. We also offered PD Days with various activities.

- **Museum & Tourism-** Administration is continuing its collaboration with hotel and restaurant owners to reinstate the Tourism Improvement Fee fund, while also preparing the museum for its reopening in May for the summer season.

## Ongoing Projects

- Collaborating with community organizations such as The Village, the FASD Society, the Friendship Centre, and Alberta Health Services to explore potential partnership opportunities.
- Working on Memorandum of Understanding for the Curling Club to ensure the agreement is mutually beneficial and works for both parties.

## Upcoming Initiatives

- Attending High Level and Yellowknife Tradeshow to Strengthen local connections, highlighting municipal services, while promoting tourism in Town of High Level.
- Collaborating with the Allyship Committee to plan and support upcoming Indigenous days of recognition, including Missing and Murdered Indigenous Peoples Day on May 5th, with a focus on education, cultural awareness, and community engagement.
- Collaborating with Public Works to complete the park seating area and bench installation project, enhancing public spaces and promoting community use and accessibility.

## Approvals



CAO - Viv Thoss



Author - Jena Clarke
Director of Community Services

# NOTICE OF MOTIONS

# QUESTION PERIOD

# CLOSED SESSION